

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

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3	UNITED STATES OF AMERICA,	: <b>CASE NO. 1:20-CR-0077</b>
4		:
5	Plaintiff,	: <b>JURY TRIAL</b>
6	vs.	:
7		: <b>March 2, 2023</b>
8	LARRY HOUSEHOLDER, et al.	:
9		:
10	Defendant.	:

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**EXCERPTED TRANSCRIPT OF PROCEEDINGS  
BEFORE THE HONORABLE TIMOTHY S. BLACK, JUDGE**

- - -

APPEARANCES:

For the Plaintiff:

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1 For the Defendant, Matthew Borges:

2 Karl Herbert Schneider, Esq.  
3 Todd Aaron Long, Esq.  
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5 Also present: Larry Householder  
6 Matthew Borges  
7 Blane Wetzell, FBI Special Agent  
Kelly Terry, paralegal  
PJ Jensen, trial tech

8 Law Clerk: Cristina V. Frankian, Esq.

9 Courtroom Deputy: Rebecca Santoro

10 Stenographer: Lisa Conley Yungblut, RDR, RMR, CRR, CRC  
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12 100 East Fifth Street  
13 Cincinnati, Ohio 45202  
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**Proceedings recorded in stenotype.**

**Transcript produced with computer-aided transcription.**

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**EXCERPTED TRANSCRIPT**

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THE DEPUTY: All rise for the jury.

(Jury entered the courtroom at 9:33 a.m.)

THE COURT: You may all be seated. Thank you. To you, the 14 Members of the Jury, good morning. Warmest salutations. Thank you for being here and for the work you do. We will continue to hear testimony. Mr. Householder is still on the stand under oath, and his lawyer may approach and continue the examination.

MR. OLESKI: Thank you, Judge.

THE COURT: Yes.

MR. OLESKI: Good morning.

THE WITNESS: Good morning.

**DIRECT EXAMINATION (Continued.)**

**BY MR. OLESKI:**

**Q** Do you recall that we left off yesterday with the passage of House Bill 6?

**A** Yes.

**Q** After House Bill 6 was passed, was there a referendum?

**A** Yes.

MR. OLESKI: Judge, permission to publish Government Exhibit 502 E, which has been admitted?

THE COURT: Yes.

MR. OLESKI: And, PJ, if we could go to page 51.

1 And if you could cull out the bottom four text messages?

2 **Q** Sir, do you see this document on your screen?

3 **A** I do.

4 **Q** What is it?

5 **A** It's a text message exchange between myself and Jeff  
6 Longstreth.

7 **Q** What's the date?

8 **A** June 25th, 2019.

9 **Q** Do you recall whether that date is before or after the  
10 passage of House Bill 6?

11 **A** It's before the Senate passed House Bill 6 and it got  
12 back over to the House.

13 **Q** Could you read Mr. Longstreth's message at the top?

14 **A** FYI, I heard through the grapevine that at least two  
15 nonrelated consultants have been contacted by Siderewicz  
16 personally about a referendum. One of them is a mail vendor  
17 in California and has no idea about anything that's going on  
18 here.

19 **Q** Who's Siderewicz?

20 **A** That would be Bill Siderewicz. He is from, I think,  
21 New York. He was sort of the public face of a couple of gas  
22 peaking stations in Ohio.

23 **Q** And what is your -- what did you respond to  
24 Mr. Longstreth?

25 **A** Good. Stay on the good side of FES and we'll do the

1 defend.

2 **Q** And what did you mean by "FES"?

3 **A** That would be FirstEnergy Solutions.

4 **Q** And by "doing" the defend, defend what?

5 **A** Defend House Bill 6.

6 **Q** What was Mr. Longstreth's response?

7 **A** Agreed. Downside is, if he gets the signatures, the  
8 law will not go into effect until after the vote in  
9 November 2020.

10 **Q** What did you understand Mr. Longstreth to mean when he  
11 said "the law will not go into effect"?

12 **A** Well, if they could get the referendum on the ballot,  
13 it didn't have to pass or fail because the vote for the  
14 referendum wouldn't happen until November of 2020, and it  
15 would have been too late for the power plants. They would  
16 have had to have closed.

17 **Q** Why would it have been too late for the power plants?

18 **A** Well, first of all, they were bankrupt, and second of  
19 all, there's a tremendous expense of refueling those plants  
20 and they were right up against a time that they had to make  
21 a decision, either had to refuel or not refuel. If they  
22 didn't refuel, it's not like you can shut off a nuclear  
23 power plant or plants. If you shut them down, you actually  
24 have to decommission them and tear them down, which takes  
25 years. They can't be reopened.

1 MR. OLESKI: Judge, permission to publish  
2 Government Exhibit 601 D, which has been admitted?

3 THE COURT: Yes.

4 MR. OLESKI: And, PJ, if you could just cull out  
5 the first two text messages?

6 Q Do you see these messages on your screen, sir?

7 A Yes, I do.

8 Q What's the date?

9 A July 26th, 2019.

10 Q And is that before or after the passage of House Bill  
11 6, if you can recall?

12 A I'm going to say it was after, but I don't know the  
13 exact date.

14 Q And who are these messages between?

15 A John Kiani and Mike Dowling.

16 Q Who's John Kiani?

17 A John Kiani was chairman of the board of FirstEnergy  
18 Solutions.

19 Q In the first text message from Mr. Dowling, do you see  
20 the reference to a conversation with Speaker H?

21 A Yes, I do.

22 Q And what was that -- regarding what issue?

23 A It says the referendum issue.

24 Q And what did Mr. Dowling say after that?

25 A Do you want me to read the whole or just --

1       **Q**       Just starting with -- from "I think," read the next  
2       two sentences.

3       **A**       I think you're in excellent hands. I know more about  
4       his personal involvement and engagement. We should all be  
5       following his lead. I know you, FES, are in, we will as  
6       well.

7       **Q**       What was your personal involvement regarding the  
8       referendum issue?

9       **A**       Well, if I saw something -- there was a lot of  
10      advertisement or if I heard something, I had a lot of  
11      members, you know, we've got 99 members clear across the  
12      State of Ohio, so I constantly heard things, and I would  
13      give my opinion or ask questions.

14      **Q**       You mentioned advertising. Was there a lot of  
15      advertising in support of a referendum and opposing a  
16      referendum?

17      **A**       A tremendous amount of advertising on both sides.

18      **Q**       During the time period of the referendum, did you have  
19      meetings and telephone communications with a Mr. John Kiani?

20      **A**       Yes.

21      **Q**       And just not an exact number, but roughly, how many  
22      interactions did you have with Mr. Kiani?

23      **A**       I don't know, a couple.

24      **Q**       And would anybody else be on those telephone or -- on  
25      those telephone calls or in those meetings?

1       **A**       Generally, it was Cespedes.

2       **Q**       Mr. Juan Cespedes?

3       **A**       Yes.

4       **Q**       And in these interactions with Mr. Kiani, could you  
5 describe -- without telling us what he said, could you  
6 describe his demeanor?

7       **A**       Well, he was extremely nervous, which is not unusual.  
8 I mean, we've dealt with -- over the years, we've dealt with  
9 a couple of steel plants closing in Ohio. We've dealt  
10 with --

11                   MS. GLATFELTER: Objection, relevance.

12                   THE COURT: Sustained. The question has been  
13 answered.

14                   THE WITNESS: I'm sorry.

15       **Q**       And what was your role in these meetings and telephone  
16 communications with Mr. Kiani and Mr. Cespedes?

17       **A**       Just to sort of calm him down. You know, it's -- the  
18 sun will come up tomorrow. You've got to let the process  
19 work its way through. It's, be calm.

20       **Q**       Now, we spoke a little bit yesterday about a Mr. Juan  
21 Cespedes. Prior to October of 2018, just roughly, how many  
22 times had you seen him in person?

23       **A**       Prior to 2018?

24       **Q**       Yes.

25       **A**       Not very often.



1 MR. OLESKI: You can take that down, PJ.

2 Q Do you know an individual named Dave Yost?

3 A Oh, yes.

4 Q Who's that?

5 A Well, he's Ohio's Attorney General.

6 Q Is he the current Attorney General?

7 A Yes, um-hmm.

8 Q Back in July and August of 2019, what role did he  
9 serve in?

10 A He was the Attorney General.

11 Q And what's your understanding of what the Attorney  
12 General does?

13 A Well, the Attorney General in the state of Ohio has a  
14 lot of roles. They're over many, many things. He's sort of  
15 the -- we always called him the general, the "top cop" in  
16 Ohio. He also serves as legal counsel for -- official legal  
17 counsel for the Ohio House of Representatives.

18 Q And would you from time to time interact with Mr. Yost  
19 and ask for legal advice?

20 A Yes. I was -- that's -- yes, absolutely.

21 Q As Attorney General of the state of Ohio, did Mr. Yost  
22 play some role in the referendum?

23 A Yeah, he did. I'm not sure exactly -- I'm not as keen  
24 on referendums as I am on legislation, but he had a role,  
25 yes.

1 MR. OLESKI: And, Judge, permission to publish  
2 Government Exhibit 736, which has been admitted?

3 THE COURT: Yes.

4 MR. OLESKI: Make that a little --

5 Q Sir, do you see that document on your screen?

6 A I do.

7 Q Does that appear to be a summary of telephone contacts  
8 between you and Mr. Yost?

9 A Yes, it does.

10 Q Did you -- during in July and August of 2019, did you  
11 call Mr. Yost?

12 A Yeah. I called him, he called me. Yes.

13 Q Did you ask for Mr. Yost's opinion about any issue?

14 A Yes.

15 Q Do you recall what issue?

16 A Yes. There was a question on whether or not HB 6  
17 was -- and while the bill was over in the Senate, there was  
18 a question on HB 6 on whether it was a tax or not a tax.

19 Q And why would that matter?

20 A Well, for two reasons: One, if it were a tax, it  
21 would not be subject to referendum; and, No. 2, that if it  
22 were a tax, it would have been the largest tax decrease in  
23 the history of the state of Ohio, which I really wanted to  
24 be able to take -- you know, have our House of  
25 Representatives take responsibility for that.

1 Q In these telephone calls, did you ask Mr. Yost to  
2 declare that House Bill 6 was a tax?

3 A No, huh-uh.

4 Q In these telephone communications, were you trying to  
5 pressure Mr. Yost?

6 A No, no.

7 Q What were you trying to do?

8 A Well, I was trying to find out what his opinion was on  
9 whether it was a tax or not a tax. And I know at some  
10 point, there was a --

11 Q Did you convey any information to Mr. Yost?

12 A Yes, yes.

13 Q And what information did you convey?

14 A Well, it got pretty well known that John Zeiger, who's  
15 a very renowned attorney --

16 MS. GLATFELTER: Objection, Your Honor.

17 THE COURT: Yeah. We're not getting into  
18 attorneys.

19 THE WITNESS: I'm sorry.

20 THE COURT: That's okay. Help him with a question.

21 THE WITNESS: Help me with a question and I'll help  
22 you with the answer.

23 MR. OLESKI: I'll move on. You can take that down,  
24 PJ.

25 Q Now, you mentioned advertising during the House

1 Bill -- during the referendum period. Did you give your  
2 input on any advertising during the referendum period?

3 **A** Yes.

4 MR. OLESKI: Judge, permission to publish  
5 Government Exhibit 612 A, which has been admitted?

6 THE COURT: Yes.

7 MR. OLESKI: And, PJ, if you could put pages 1 and  
8 2 side-by-side? And if you could just cull out the two text  
9 messages in blue?

10 **Q** Do you see these text messages on your screen, sir?

11 **A** Yes.

12 **Q** Who are they from?

13 **A** Jeff Longstreth.

14 **Q** And what's the date?

15 **A** September 20th, 2019.

16 **Q** And the bottom text message from Mr. Longstreth, what  
17 does that say?

18 **A** That text was from SLH.

19 **Q** And the top text message, do you recognize that as a  
20 text message that you would have sent to Mr. Longstreth?

21 **A** I couldn't tell you. Yes, I mean, I probably sent  
22 that to Jeff.

23 **Q** And why would you send that to Jeff?

24 **A** It was just my opinion, my advice.

25 **Q** About what?

1       **A**       What I would say if I were saying something about  
2       House Bill 6.

3       **Q**       Do you know whether -- strike that.

4               Did you direct Mr. Longstreth to include specific  
5       language on any mailers that went out?

6       **A**       Well, I did not direct him. I gave my advice, and I  
7       don't remember anything that ever had that in it, so  
8       apparently, he did not take my advice.

9               MR. OLESKI: You can take that down.

10              THE WITNESS: Unfortunately.

11              MR. OLESKI: You can take that down, PJ. And if we  
12       could publish Government Exhibit 634 A, which has been  
13       admitted?

14              THE COURT: Yes.

15              MR. OLESKI: And if you could just make that a  
16       little bit bigger, PJ.

17       **Q**       Do you see these text messages on your screen, sir?

18       **A**       Yes.

19              MR. OLESKI: Could you just cull out the top two  
20       text messages, PJ?

21       **Q**       And who are these text messages between?

22       **A**       Michael Dowling and Charles Jones.

23       **Q**       What's the date?

24       **A**       September the 4th, 2019.

25       **Q**       Do you see the bottom text message from Mr. Jones

1 references a -- your referendum strategy; do you see that?

2 **A** I see it, yes.

3 **Q** What was your referendum strategy?

4 **A** What was my referendum strategy?

5 **Q** Well, first of all, did you have a referendum  
6 strategy?

7 **A** The only -- I didn't have a strategy as far as a  
8 referendum was concerned.

9 **Q** What was your strategy?

10 **A** My strategy was to wait and see what they ended up  
11 doing, whether they got enough signatures, whether it was  
12 going to go to the ballot. I did have a draft made of a  
13 potential, you know, tax language.

14 **Q** Who did you direct to draft that, that language?

15 **A** Well, it would have been one of our policy people on  
16 the leadership floor. I don't know whether -- it could have  
17 been Tully or it could have been our tax person or both of  
18 them working on it.

19 **Q** And again, what would be the significance of declaring  
20 House Bill 6 to be a tax?

21 **A** Well, one, it couldn't be referendumable, and the  
22 second thing is it was, you know, the biggest tax -- biggest  
23 tax decrease in the history of the state of Ohio, so --

24 **Q** Was that legislation ever introduced in the House of  
25 Representatives?

1       **A**       No, it wasn't.

2                   MR. OLESKI: You can take that down, PJ.

3       **Q**       Did the referendum garner sufficient signatures?

4       **A**       No.

5                   MR. OLESKI: Judge, permission to publish  
6 Government Exhibit 642, which has been admitted?

7                   THE COURT: Yes.

8                   MR. OLESKI: PJ, if you could just make that a  
9 little bit bigger?

10       **Q**       See this document on your screen, sir?

11       **A**       Yes.

12       **Q**       And what's the date?

13       **A**       October 21st, 2019.

14       **Q**       And do you recognize this as a press release?

15       **A**       Yes.

16                   MR. OLESKI: And, PJ, if you could just highlight  
17 the sentence, "I am pleased"?

18       **Q**       Mr. Householder, if you could just read that into the  
19 record.

20       **A**       Could we make it just a little bit larger? I actually  
21 forgot my glasses this morning.

22                   I am pleased that House Bill 6 would go into effect at  
23 midnight tonight and am confident that will produce positive  
24 results for Ohio.

25       **Q**       Why were you pleased that House Bill 6 would into

1 effect?

2 **A** Because it was going to produce positive results for  
3 Ohio. It was good for Ohioans. It was good for Ohio jobs.  
4 It was good for our economy. It was good to save -- finally  
5 save plants. You know, we've lost plants for years.

6 MR. OLESKI: You can take that down, PJ.

7 And if we could publish, Judge, Government Exhibit 643,  
8 which has been admitted?

9 THE COURT: Yes.

10 **Q** Do you see this document on your screen, sir?

11 **A** Yes.

12 **Q** And what's the date?

13 **A** Thank you. January 22nd, 2020.

14 **Q** And do you recognize this as a text exchange?

15 **A** Yes.

16 **Q** Between who and who?

17 **A** Myself and Chuck Jones.

18 **Q** And your top text message, what did you send to  
19 Mr. Jones?

20 **A** It was a *Columbus Dispatch* article saying: House Bill  
21 6 referendum effort dead as organizers drop legal appeal.

22 **Q** And what's your bottom text message say?

23 **A** We win again.

24 MR. OLESKI: Can you go to the next page, PJ?

25 **Q** And what did Mr. Jones say in reply?



1       **A**       Mr. Jones' text says: Great news. I'm almost sorry I  
2       helped FES. They've turned into real dicks on the final  
3       separation from us. We helped them get \$1 billion and it's  
4       like we're now the enemy, but still the right thing for Bob  
5       and Betty.

6       **Q**       And is that Bob and Betty Buckeye?

7       **A**       That's Bob and Betty Buckeye, all of us.

8       **Q**       And did you agree with Mr. Jones?

9       **A**       I agreed with Mr. Jones, yes, that it helped Bob and  
10      Betty Buckeye, absolutely. Was very good.

11               MR. OLESKI: You can take that down, PJ.

12      **Q**       I'd like to turn to an individual named Matt Borges.

13      **A**       Yes.

14      **Q**       Do you know Mr. Borges?

15      **A**       I do.

16      **Q**       Are you friends with Mr. Borges?

17      **A**       No.

18      **Q**       Why not?

19      **A**       Well, we come from different spectrums. Even though  
20      we're both Republicans, we come from different spectrums in  
21      the Ohio Republican Party. I like to say that Matt is more  
22      of a country club Republican and I'm just a country  
23      Republican.

24      **Q**       In 2016, where was the Republican national convention  
25      held?

1       **A**       In Cleveland, Ohio.

2       **Q**       Did you attend that convention?

3       **A**       I did.

4       **Q**       In 2016, did Mr. Borges have some position in the Ohio  
5       Republican Party?

6       **A**       He did.

7       **Q**       What was that?

8       **A**       He was the chairman of the Ohio Republican Party.

9       **Q**       Did you speak at that convention?

10      **A**       I did.

11      **Q**       And do you know whether Mr. Borges attended that  
12      convention?

13      **A**       He did.

14      **Q**       And did anybody go with Mr. Borges to the convention?

15      **A**       Oh, he had the Ohio delegation, which was, you know,  
16      all of the folks that were voting on the -- who would be the  
17      next president, presidential nomination for the Republicans.

18      **Q**       And did you speak at that convention?

19      **A**       I did. I was the only Ohio Republican to speak at the  
20      convention in Cleveland, Ohio, yes.

21      **Q**       And when you spoke at the Republican convention in  
22      Cleveland, Ohio, what, if anything, did the Ohio delegation  
23      led by Matt Borges do?

24      **A**       When I took the stage, they booed me.

25      **Q**       Now, after the -- in 2017, was there a race to be

1 chairperson of the Ohio Republican Party?

2 **A** There was.

3 **Q** And who was that between?

4 **A** Mr. Borges and Jane Timken.

5 **Q** Who did you support in that contest?

6 **A** I very much supported and helped get votes for Jane  
7 Timken.

8 **Q** Who ultimately prevailed in that contest?

9 **A** Jane Timken.

10 **Q** During the 2018 election cycle, did you know one way  
11 or the other whether Matt Borges supported Stu Harris?

12 **A** No, I didn't. They actually concealed that from me.

13 **Q** And who is Stu Harris?

14 **A** Stu Harris was a candidate in Franklin County that was  
15 supported by the Franklin County Republican Party and --

16 **Q** Was Mr. Harris a Team Householder candidate?

17 **A** Yes, I would say he was.

18 **Q** Was Mr. Borges on Team Householder?

19 **A** No. He actually was supporting Mr. Smith.

20 **Q** In 2019, what interactions did you have with  
21 Mr. Borges?

22 **A** Just a couple of telephone calls.

23 **Q** Regarding what?

24 **A** I had called him. I had found --

25 **Q** Without telling us what Mr. Borges said on those

1 calls.

2 **A** I've got to remember, yes, I can't say that.

3 I had learned that Mr. Borges was employed by --

4 MS. GLATFELTER: Objection. It's still hearsay,  
5 even rephrased.

6 THE COURT: Sustained.

7 **Q** Without telling us -- what was the subject matter or  
8 the topics of conversation, of discussion, in your  
9 communications with Mr. Borges?

10 **A** I wanted to find out if he had talked with AG Yost.

11 **Q** Okay. Did you know that Mr. Borges gave a \$15,000  
12 check to Tyler Fehrman?

13 **A** I did not, no.

14 **Q** Did you approve of hiring private investigators to  
15 follow signature collectors?

16 **A** No.

17 **Q** Did you approve of paying signature collectors and  
18 firms to conflict them during the referendum period?

19 **A** No.

20 **Q** Did you approve of any harassment of signature  
21 collectors --

22 **A** No.

23 **Q** -- during the referendum period?

24 I'd like to turn our attention to a September 23rd,  
25 2019, dinner meeting. Do you recall that?

1     **A**     September 23rd, 2019?

2     **Q**     We heard a recording of that during the trial.

3     **A**     Oh, yeah, okay. I've gotcha.

4     **Q**     Who set that meeting up?

5     **A**     Neil Clark.

6     **Q**     Do you recall where that meeting was held?

7     **A**     I don't know the name of it, but it was like a  
8     dinner -- private dinner club in Columbus.

9     **Q**     Had you been there before?

10    **A**     I don't think -- I don't think so.

11    **Q**     Did you want to attend this dinner meeting?

12    **A**     No.

13    **Q**     Why not?

14    **A**     I don't -- that's not -- it's just not what I do. I'm  
15    not a dinner person. Usually, if I had meetings, it would  
16    be -- I'd have breakfasts.

17    **Q**     But ultimately, there was -- was there a dinner  
18    meeting?

19    **A**     Yes, there was.

20    **Q**     Did you attend it?

21    **A**     Yes, I did.

22    **Q**     Why did you attend it?

23    **A**     Well, Neil had called me and asked me to, and --

24    **Q**     And why did you go?

25    **A**     Well, I was trying to become more friendly actually

1 with Neil. I wanted to sort of do it as a favor just  
2 because we had had battles for so many years and done  
3 everything we could to wipe each other out, and as I had  
4 indicated to him a couple of years before, I wanted to try  
5 to mend fences.

6 **Q** Did you invite anybody to attend this dinner meeting?

7 **A** I did.

8 **Q** Who did you invite?

9 **A** As I was leaving the -- my office at the Riffe Center,  
10 the Speaker's office at the Riffe Center, Bryan Gray, who  
11 was my deputy chief of staff, and Jay Edwards, who is  
12 another member of the House, he's on our House leadership  
13 team at that time.

14 **Q** Why did you invite Mr. Edwards?

15 **A** Well, my understanding was that they were going to  
16 talk about the gaming bill, and I didn't know really much  
17 about the gaming bill, and I knew that Jay had been  
18 following it.

19 **Q** During that dinner meeting, was one of the topics  
20 discussed, that sports gaming bill?

21 **A** Yes.

22 **Q** And did this dinner meeting with these undercover FBI  
23 agents influence your decision-making vis-à-vis any of the  
24 sports gaming laws?

25 **A** No. I told them they ought to take it over to the

1 Senate. Senate was working on identical legislation,  
2 basically.

3 **Q** Now I'd like to turn our attention to addressing some  
4 money that was loaned to you by Mr. Longstreth.

5 **A** Yes.

6 MS. GLATFELTER: Objection, Your Honor --

7 THE COURT: Sustained as to form.

8 **Q** Did you own a home in Florida?

9 **A** Yes.

10 **Q** Where?

11 **A** Naples.

12 **Q** Who lived in that home?

13 **A** My mother.

14 **Q** Was the home -- was the home damaged in a hurricane?

15 **A** Yes.

16 **Q** When was that?

17 **A** Let's see. Hurricane Erma, seems like it was  
18 September 2017.

19 **Q** And how badly was the home damaged?

20 **A** It had a tile roof, and the roof was damaged. The  
21 front door was blown open, so it had water damage on the  
22 inside. It did have tile floor, which was helpful. And it  
23 had a cage over the back porch and the pool area, and it  
24 was -- the cage was blown off, blown away.

25 **Q** Was your mother in the home when the hurricane hit?

1       **A**       She was not.

2       **Q**       Where was she?

3       **A**       So my mother had lived on our family farm her -- well,  
4       ever since she married my dad. My dad had passed and she  
5       was getting up in years, and the home, our home place, was  
6       not -- it did work for her anymore. It had an upstairs  
7       bathroom and such and she wanted to move to Florida. So we  
8       sold the family farm and bought her that home in Florida and  
9       that's where she was living. She was suffering from the  
10      first stages of dementia at that point, and I couldn't make  
11      it back down there because of the -- there was a hurricane  
12      coming, and so I made arrangements with a local nursing home  
13      there that was hurricane -- I think they call it Hurricane  
14      Safe. It had extra generators and things like that and  
15      heavy-duty windows, that they would take her in and make  
16      certain she was safe until the hurricane passed and then I  
17      was going to move her back in.

18      **Q**       And after the hurricane passed, did your mother move  
19      back to the home in Naples, Florida?

20      **A**       She never made it out of the nursing home.

21      **Q**       About when did she pass, just roughly?

22      **A**       I'd say probably October of 2017.

23      **Q**       After your mother passed, what were your plans with  
24      the home in Naples, Florida?

25      **A**       Well, it had extensive damage. I did not go back



1 down. I never did go back down. I just couldn't go back  
2 down. But I was told it had extensive damage and that I had  
3 to make a decision on what I was going to do with it.

4 **Q** And what was the decision that you had to make?

5 **A** Well, I was either going to -- you can't mortgage a  
6 home that's damaged by a hurricane in Florida at least, and  
7 so the only decisions were either you're going to fix the  
8 place up and sell it or you're going to sell it as is, and  
9 to sell it as is wasn't going to bring nearly -- because of  
10 the damage that was in the Naples area, homes were selling a  
11 lot cheaper than what they should have been selling.

12 **Q** In addition to the damage that the home sustained,  
13 were there other reasons why you could not sell that home in  
14 Florida?

15 **A** Oh, it had a lien on it, yes.

16 **Q** A lien from what?

17 **A** A judgment had been filed over the Alabama coal mine,  
18 and unfortunately, even though, you know, I was a 20-percent  
19 investor and president of the company, everybody that was  
20 partners had formed trusts, and so they were judgment  
21 protected, and I did not do that.

22 **Q** And besides putting a lien on the home in Florida, did  
23 the judgment creditor take any actions in Ohio?

24 **A** They did.

25 **Q** And what did they do?



1 Government Exhibit 814, which has been admitted?

2 THE COURT: Yes.

3 Q Sir, do you see this document on your screen?

4 A I do.

5 Q What is it?

6 A It's a settlement agreement and a release.

7 Q Is that the settlement agreement you were referring to  
8 a few moments ago?

9 A Yes, it is.

10 MR. OLESKI: If we could go to page 3, PJ.

11 Q How much was the settlement?

12 A \$225,000.

13 Q Did you have different options to fund that settlement  
14 amount?

15 A I'm not sure I understand your question. I'm sorry.

16 Q Sure. How were you going to go about funding the  
17 settlement amount?

18 A Well, I either had to liquidate something, like the  
19 home in Florida, or I guess I didn't --

20 Q So at the time that you entered this settlement  
21 agreement, did you have cash, liquid assets to --

22 A No, no, no.

23 Q And you had mentioned, was one of the options to try  
24 to sell the home?

25 A Yes.

1       **Q**       Why didn't you do that?

2       **A**       Well, as I was explaining before, whenever a hurricane  
3 comes into an area, it sort of becomes a predator's market  
4 as far as real estate. Anyone that you talk to, they were  
5 really lowballing what that home was actually worth, even  
6 though it had been damaged by a hurricane, probably at least  
7 half of what it was worth.

8       **Q**       So what did you decide to do in order to fund this  
9 settlement amount?

10      **A**       Well, Jeff had talked about starting a business and  
11 flipping houses in Florida, and so we talked about it, and I  
12 had always wanted to do that as well, and this seemed like  
13 the most likely first house to do that to because one, my  
14 mother was no longer there, I had no interest in going back  
15 down there, and this seemed like a very good opportunity.

16      **Q**       Did you pay any, any of this \$225,000 settlement?

17      **A**       I paid 10,000.

18      **Q**       And who paid the remaining \$215,000?

19      **A**       Jeff Longstreth.

20      **Q**       Did you intend to repay Mr. Longstreth for those funds  
21 that he advanced on your behalf?

22      **A**       Yes, when we sold the house with proceeds of the  
23 house.

24      **Q**       You mentioned a few moments ago about going into  
25 business with Mr. Longstreth.

1       **A**       Yes.

2       **Q**       Did you have -- did you meet with anybody about that  
3       business?

4       **A**       Yes.

5       **Q**       Who was that?

6       **A**       Steven Cuckler.

7       **Q**       Who is Mr. Cuckler?

8       **A**       He's a real estate attorney with the Taft law firm.

9       **Q**       Okay. At that meeting, did you instruct Mr. Cuckler  
10      to do anything?

11      **A**       Yes. We asked if --

12      **Q**       What did you instruct Mr. Cuckler to do?

13      **A**       To draw up paperwork for an LLC and for a partnership.

14      **Q**       And what did you understand the terms of that  
15      partnership to be?

16      **A**       We each would have, you know, a membership in the LLC.  
17      That house was my consideration, and Jeff's consideration  
18      was the money that he was paying -- had paid.

19                   MR. OLESKI: Judge, permission to publish  
20      Householder Exhibit 31, which is admitted?

21                   THE COURT: Yes.

22      **Q**       Sir, do you see that document on your screen?

23      **A**       Yes.

24      **Q**       Do you see a reference to a contribution agreement and  
25      an operating agreement?

1       **A**       I do.

2       **Q**       And who is this e-mail from?

3       **A**       Caryn Kaufman at Taft law.

4       **Q**       And who's it to?

5       **A**       Jeff Longstreth.

6       **Q**       What's the date?

7       **A**       May 13th, 2020.

8               MR. OLESKI:  PJ, if you could just cull out those  
9       five bullet points in the middle of the e-mail?

10       **Q**       Do you see a reference to a signature by both you and  
11       Mr. Householder?

12       **A**       Both me and Mr. Householder?

13       **Q**       Can you highlight -- can you read the first bullet  
14       point, Mr. Householder?

15               THE COURT:  Maybe you want to rephrase that  
16       question.

17               MR. OLESKI:  Sure.  It was a bad question.  
18       Apologies, sir.

19       **Q**       Do you see the reference to a contribution agreement?

20       **A**       I do.

21       **Q**       What does the e-mail say next?

22       **A**       It says:  Contribution agreement, please have this  
23       signed by both you and Mr. Householder.

24       **Q**       Did Mr. Longstreth ever present this paperwork to you  
25       to be signed?

1       **A**       No.

2       **Q**       And were these documents ever signed and executed?

3       **A**       No.

4               MR. OLESKI: You can take that down, PJ.

5       **Q**       Now, you indicated that the home in Florida was  
6       damaged.

7       **A**       Yes.

8       **Q**       Did you or Mr. Longstreth undertake efforts to have  
9       the home repaired?

10      **A**       Yes. Jeff went to Florida, went to Naples, and met  
11      with a contractor down there.

12      **Q**       And if you know, did Mr. Longstreth hire that  
13      contractor?

14      **A**       Yes.

15      **Q**       And if you know, were repairs done to the home in  
16      Florida?

17      **A**       Yes.

18      **Q**       Who paid for those repairs?

19      **A**       Jeff Longstreth.

20      **Q**       Did you intend to repay Mr. Longstreth for the moneys  
21      he advanced?

22      **A**       Yes, through the proceeds of the sale of the business  
23      and then flipping homes down in the future.

24               MR. OLESKI: Judge, permission to publish -- one  
25      second, Judge.

1 THE COURT: It's okay.

2 MR. OLESKI: Permission to publish Householder  
3 Exhibit 480, which is admitted?

4 THE COURT: Yes.

5 Q Sir, do you see this document on your screen?

6 A I do.

7 Q And what is it?

8 A It is an e-mail between Steve Myli of Nordic  
9 Construction and Jeff Longstreth.

10 Q Who is Mr. Myli, if you know?

11 A He was the contractor with Nordic Construction.

12 Q And what's the date of this e-mail?

13 A May 27th, 2020.

14 Q When were the repairs to the home completed?

15 A Well, according to this e-mail, May 27th, 2020.

16 MR. OLESKI: You can take that down, PJ.

17 Q In connection with this case, were you arrested?

18 A Yes.

19 Q When was that?

20 A July -- I believe it was the 20th or the 21st, 2020.

21 Q Did Mr. Longstreth -- did you ask Mr. Longstreth to  
22 pay a couple of credit card bills for you too?

23 A Yes, earlier.

24 Q And why did you ask Mr. Longstreth to pay those bills?

25 A Those related to the mine. What had happened was, I



1 was fronting the mine money through credit cards, buying  
2 fuel and other things, and I believe that when we settled up  
3 on the mine, it was my understanding that the partners were  
4 going to repay me if I kept records.

5 **Q** Did you intend to repay Mr. Longstreth for those fees?

6 **A** Yes.

7 **Q** How?

8 **A** Through the proceeds of this home.

9 **Q** Did you in fact eventually sell the home?

10 **A** Yes.

11 MR. OLESKI: Judge, permission to publish  
12 Government Exhibit 808 D, which has been admitted?

13 THE COURT: Yes.

14 **Q** Sir, do you see this document on your screen?

15 **A** Yes, I do.

16 **Q** What is it?

17 **A** It is a warranty deed for the home in Naples.

18 **Q** And what's the date?

19 **A** April 29th, 2022.

20 **Q** How much did the home sell for?

21 **A** \$690,000.

22 **Q** After you sold the home in Naples, Florida, did you  
23 repay Mr. Longstreth with those sales proceeds?

24 **A** No, I did not.

25 **Q** Were there reasons why?

1       **A**       Yes.

2       **Q**       Did some of -- did those reasons relate to this case?

3       **A**       Absolutely.

4       **Q**       And what were those reasons?

5       **A**       Well, by this time, Mr. Longstreth was a witness in  
6       this case for the government, and my concern was that if I  
7       gave him money, that I'd be in trouble with the Court, and I  
8       also was told by this Court that I couldn't speak to him,  
9       couldn't communicate.

10               MR. OLESKI: You can take that down, PJ.

11       **Q**       After this case is concluded, do you intend to repay  
12       Mr. Longstreth?

13       **A**       Yes.

14       **Q**       I'd like to turn to a term limit initiative. Does  
15       Ohio have term limits?

16       **A**       Yes.

17       **Q**       And just generally, what are they?

18       **A**       So the current term limits in the state of Ohio, the  
19       voters passed it, I think it was in 1992 and the current  
20       term limit law in the state of Ohio is in the legislature,  
21       you can't serve more than four successive two-year terms in  
22       the House or more than two successive four-year terms in the  
23       Senate, so eight years.

24       **Q**       And is there -- does the current term limit law apply  
25       both to the House and the Senate?

1     **A**     Yes. It applies to both the House and the Senate, but  
2     there's a problem with it.

3     **Q**     What's the problem?

4     **A**     Well, the problem with it is that it allows for  
5     members of the House to finish their eight years in the  
6     House and flip over to the Senate and serve another eight  
7     years, and then flip over to the House and serve another  
8     eight years. And so I think the intent of the voters back  
9     then was that, you know, you have set term limits, and  
10    that's not what we got here in Ohio.

11    **Q**     Did you undertake any efforts to try to change those  
12    term limits?

13    **A**     Yeah. We had drafted a possible -- to take the ballot  
14    to the voters to see if we could change the Ohio  
15    Constitution.

16    **Q**     When you say "we," who's "we"?

17    **A**     Well, myself and there were several other members in  
18    legislature that was interested in that.

19    **Q**     Did you work with Mr. Longstreth in connection with  
20    this effort?

21    **A**     Yes.

22    **Q**     And what was Mr. Longstreth's role to be?

23    **A**     Well, you know, it's -- his role was to handle  
24    whatever was needed, you know, campaign-wise.

25    **Q**     And the initiative to change the term limit law, what

1 was the proposal?

2 **A** Sixteen years, whether you served it in the House or  
3 in the Senate or both of them combined, a flat 16 years.  
4 You can serve 16 years and you're finished in the  
5 legislature regardless.

6 **Q** And when were you having these discussions about  
7 changing the term limit laws?

8 **A** Oh, I guess 2020, I guess.

9 **Q** And --

10 **A** 2019, maybe late 2019, 2020.

11 **Q** And at that time, how old were you?

12 **A** Let's see. I'll be 64 this year, so 61 or 2.

13 **Q** In 2020, did you want to be Speaker of the House of  
14 Representatives for another 16 years?

15 **A** My intentions were to run one more term and I was  
16 finished.

17 **Q** Do you consider holding public office to be public  
18 service?

19 **A** Absolutely, it's public service.

20 **Q** How long have you held -- how long did you hold public  
21 office for?

22 **A** How long can you hold it?

23 **Q** How long had you held public office?

24 **A** Well, let's see. I was commissioner two years, and  
25 then I was state legislature for eight years, and then I was

1 auditor for two and a half years, so that's ten, 12 and a  
2 half, and then four years, 16 and a half years, so 16 and a  
3 half years, I guess.

4 **Q** Why did you go into public service?

5 **A** Well, I was taught from my family and I've tried to  
6 express that same thing to my kids, my sons, there's three  
7 very important commitments that you have to make in your  
8 life.

9 **Q** What are those?

10 **A** Well, your first commitment has to be to God and your  
11 second commitment has to be to your family, and your final  
12 commitment is to your community. And over the years, my  
13 community sort of changed. It started out as a pretty small  
14 community, and when I became a county commissioner and later  
15 a county auditor, it was the whole county, and my community  
16 then, when I was elected to legislature, was my House  
17 District. And eventually when I was elected as your  
18 Speaker, my commitment was to -- my community was the State  
19 of Ohio.

20 MR. OLESKI: Judge, may I have a moment to confer?

21 THE COURT: Yes.

22 (Pause.)

23 MR. OLESKI: Couple more questions for you, sir.

24 **Q** In January of 2017 in Washington, DC, did you promise  
25 FirstEnergy executives that you would pass any legislation

1 in exchange for a political contribution?

2 MS. GLATFELTER: Objection, Your Honor. These are  
3 elements that the Court will be instructing the jury on.

4 THE COURT: Sustained.

5 MR. OLESKI: One more moment, then, Judge.

6 THE COURT: Very well.

7 (Pause.)

8 **Q** Between 2017 -- between 2016 and 2020, did you promise  
9 to take any act in your capacity as a legislator in exchange  
10 for political contributions from FirstEnergy or FirstEnergy  
11 Solutions?

12 MS. GLATFELTER: Objection, the same thing.

13 THE COURT: It's the same question. Sustained.

14 MR. OLESKI: I don't have any further questions.

15 THE COURT: Very well.

16 On behalf of Mr. Borges, do you have inquiry?

17 MR. SCHNEIDER: Yes, just a few, Your Honor. May I  
18 approach?

19 THE COURT: Yes.

20 MR. SCHNEIDER: Good morning.

21 THE WITNESS: Good morning.

22 **CROSS-EXAMINATION**

23 **BY MR. SCHNEIDER:**

24 **Q** I just want to pursue a couple of questions along the  
25 same line of inquiry that the government pursued with

1 Mr. Seitz. Was Matt present in the 65 East State Street  
2 offices on October 10th, 2018, when you met with the FE  
3 executives, FES executives?

4 **A** I never saw Matt Borges in 65 East State Street.

5 **Q** And he was not present with you in Akron at the  
6 FirstEnergy headquarters on October 23rd of 2018 when you  
7 met with Chuck Jones, was he?

8 **A** Matt and I were never present together.

9 **Q** And you didn't see him at the Trump inaugural  
10 festivities, did you?

11 **A** No, I did not see him at the Trump inaugural  
12 festivities.

13 **Q** Was there any time in 2020 when you and Chuck Jones  
14 had calls dealing with term limits where Matt was a  
15 participant in those calls?

16 **A** I would never have asked Matt to be a participant in  
17 those calls.

18 MR. SCHNEIDER: Thank you. No further questions,  
19 Judge.

20 THE COURT: Very well. I'm inclined to take our  
21 mid-morning break at this time. We're going to break for  
22 20 minutes. During the break, take a break. After the  
23 break, we'll come back and the government will have an  
24 opportunity to ask questions of Mr. Householder and  
25 Mr. Householder's lawyers may follow up.

1           But enjoy this break. I'm looking forward to seeing  
2           you in 20 minutes. Don't discuss the case among yourselves  
3           or with anyone else. No independent research. No checking  
4           out the media. Continue to keep an open mind until you've  
5           heard all of the evidence. Out of respect for you, we'll  
6           rise as you leave for your mid-morning break.

7           THE DEPUTY: All rise for the jury.

8           (Jury exited the courtroom at 10:25 a.m.)

9           THE COURT: The jury has left the room. As always,  
10          we'll remain in the courtroom until we're advised that the  
11          jury has cleared the floor and then we'll break for  
12          20 minutes. Mr. Householder, do not discuss your testimony  
13          with anyone for the duration of this short recess and that  
14          includes your attorneys and you understand, correct?

15          THE WITNESS: I do understand, Judge.

16          THE COURT: Very well. She writes it all down.

17          THE DEPUTY: All clear, Judge.

18          THE COURT: All right. 20-minute recess. Thank  
19          you.

20          THE DEPUTY: This court is in recess.

21          (Recess taken from 10:26 a.m. to 10:45 a.m.)

22          THE DEPUTY: All rise. This court is in session  
23          pursuant to the recess.

24          THE COURT: Thank you. Please be seated. Back in  
25          the courtroom outside the presence of the jury. Are we



1 ready for the jury from the government's perspective?

2 MS. GLATFELTER: Yes, Your Honor. Thank you.

3 THE COURT: Mr. Householder's?

4 MR. OLESKI: Yes, Judge.

5 THE COURT: Mr. Borges'?

6 MR. SCHNEIDER: Yes.

7 THE COURT: Let's call for the jury.

8 (Pause.)

9 THE DEPUTY: All rise for the jury.

10 (Jury entered the courtroom at 10:51 a.m.)

11 THE COURT: You may all be seated. Thank you. My,  
12 my, my, my, they're back. Thank you for your continuing  
13 work. Mr. Householder remains on the stand and the  
14 government has a chance to inquire. You may proceed on  
15 behalf of the government.

16 MS. GLATFELTER: Thank you, Your Honor.

17 THE COURT: Ms. Glatfelter.

18 MS. GLATFELTER: Good morning, Mr. Householder.

19 THE WITNESS: Good morning.

20 **CROSS-EXAMINATION**

21 **BY MS. GLATFELTER:**

22 **Q** Before the break, we left off I think talking about  
23 the inauguration or trying to talk about the inauguration.  
24 And yesterday you testified that you flew to the  
25 inauguration in 2017 on the FirstEnergy jet; is that

1 correct?

2 **A** That is correct.

3 **Q** And yesterday you said you arrived on January 18th; do  
4 you remember that?

5 **A** Yes.

6 **Q** And after you arrived, you went to your hotel to  
7 check-in?

8 **A** Yes.

9 **Q** And then you went to some sort of reception or event  
10 for Marcus Luttrell; do you remember testifying to that?

11 **A** I do.

12 **Q** Okay. And you said you went to that for about an hour  
13 and then you walked around DC because it was your son's  
14 first time in Washington, DC?

15 **A** Yeah, we were there an hour, I would say.

16 **Q** Yeah. And then you went and walked around because  
17 you -- to show your son the city, right?

18 **A** That's correct, um-hmm.

19 **Q** Okay. And you had mentioned yesterday that this was a  
20 family trip, right?

21 **A** Yes.

22 **Q** And your wife and the rest of your family or two more  
23 of your sons were arriving the next day, right?

24 **A** That's correct.

25 **Q** So after you went and walked around, you went back to

1 the hotel?

2 **A** Um-hmm.

3 **Q** And that was on the 18th?

4 **A** That was on the 18th.

5 **Q** Okay. I'd like to go over some photos from the 18th.

6 MS. GLATFELTER: Permission to show the witness and  
7 counsel what has been marked as Government Exhibit 911?

8 THE COURT: Yes. Show it to the lawyers and the  
9 witness.

10 **Q** All right. Mr. Householder, do you recognize yourself  
11 in the photograph to the left?

12 **A** Yes, I do.

13 **Q** Is that a picture of your son there on the left-hand  
14 side?

15 **A** Yes, it is.

16 **Q** At that reception we were just talking about?

17 **A** Um-hmm.

18 **Q** Okay. And to the right, then to the next photo, we  
19 see a picture of Mr. Longstreth at the same reception?

20 **A** That is correct.

21 **Q** Okay. And to the right of that, we see a picture  
22 inside a limo and your son is there in the middle; do you  
23 see him in the gray hoodie?

24 **A** Yes, I do.

25 **Q** Okay. And you see the picture at the bottom there

1 with you?

2 **A** Yes, I do.

3 MS. GLATFELTER: Your Honor, move to admit,  
4 pursuant to our stipulation regarding forensic devices,  
5 these photos from Mr. Longstreth's phone?

6 THE COURT: Any objections?

7 MR. OLESKI: No.

8 MR. SCHNEIDER: None.

9 THE COURT: They're admitted. You can publish.

10 MS. GLATFELTER: Thank you.

11 **Q** All right. Mr. Householder, so let's go over these  
12 photos again and next to the photos or below the photos is  
13 the metadata that is associated with this picture. You  
14 understand metadata is the time the photo was taken?

15 MR. OLESKI: Objection.

16 THE COURT: Basis?

17 MR. OLESKI: He's not qualified to answer.

18 THE COURT: He can answer as asked. Overruled.

19 **Q** The exhibit is admitted and I'm explaining what those  
20 boxes are below. Do you understand that?

21 **A** I understand you're trying to explain it, yeah.

22 **Q** Okay. So the first picture, let's start with that,  
23 picture of, I think you mentioned before, that was a picture  
24 of you and your son at the reception on the 18th, right?

25 **A** Yes, um-hmm.

1 Q Okay. And you're wearing khaki pants there?

2 A I am.

3 Q All right. And if we look at the date and time, do  
4 you see that, January 18th, 4:52 p.m.?

5 A All right.

6 Q Okay. And you agree that says January 18th, 2017,  
7 4:52 p.m.?

8 A That's what it says.

9 Q All right. Next to that you see a photograph of  
10 Mr. Longstreth with the same person, Mr. Luttrell?

11 A That's Mr. Luttrell, that's correct.

12 Q Right. And you see the date stamp and time stamp of  
13 that photo a minute later on the same day?

14 A Yes, yes.

15 Q All right. Now, let's go to the upper right hand.  
16 You see the picture of your son is right here in the limo,  
17 right?

18 A Yes.

19 Q Okay. And who is the person on the far left of that  
20 photo?

21 A That's a very bad picture of Mike Dowling.

22 Q Right. So Mike Dowling is in the limo with your son,  
23 and this is on January 18th, and let's look at the metadata,  
24 at 10:20 p.m. And you just testified you were back at your  
25 hotel at that time?

1       **A**       I'm sure that what you're telling me is correct, but  
2       there's a gentleman in that photograph that that -- there's  
3       no way that he was there on Wednesday night.

4       **Q**       Well, I'm not telling you. I'm just showing you what  
5       the metadata for these photos that were forensically  
6       recovered from Mr. Longstreth's phone showed, all right?

7       **A**       All right.

8       **Q**       Then we see Mike Carey, right? Mike Carey, you were  
9       talking about earlier at the Island House, I just put an  
10      arrow by that?

11      **A**       That's what it says.

12      **Q**       That's January 18th, 2017, that's the same day as the  
13      reception, right?

14      **A**       I'm going to say that that's what this says --

15      **Q**       Right.

16      **A**       -- but there's a gentleman in that photograph that I  
17      know was not there on Wednesday night.

18      **Q**       Well, your son is wearing the same clothing, right, as  
19      in the pictures on the left?

20      **A**       Yes.

21      **Q**       All right. And you see this knee right here, is that  
22      a picture of your khaki pants right there?

23      **A**       I don't know. It's khaki pants.

24      **Q**       Okay. Look at the picture below, right?

25      **A**       Yes.

1 Q Right? Same outfit as you were wearing earlier in the  
2 night and the metadata from that photo is 10:30 p.m., right?

3 A All right. I'm going to say the same thing I said  
4 before and I'm not trying to get --

5 Q Sure.

6 A -- strange here, but there's another picture of a  
7 gentleman, one of those gentlemen in that photograph came in  
8 to town from out of town to be with me with this gentleman  
9 in the limo and they did not come on Wednesday.

10 Q Okay. All right. This person in the photograph where  
11 it says "coal," is that the one you're talking about?

12 A That's exactly what I'm talking about.

13 Q This person from Alabama, your Alabama coaling  
14 company?

15 A Absolutely.

16 Q Right.

17 A That's who that is.

18 Q And so Mr. Carey is there in the middle, right, of the  
19 photograph?

20 A Yes.

21 Q And then you're on the left?

22 A That's correct.

23 Q And yesterday you were certain about these dates. You  
24 testified about the dates and the times that you were at  
25 these various events, right?

1       **A**       Yeah.

2       **Q**       But you couldn't remember what day House Bill 6 passed  
3       in the concurrence vote --

4       **A**       Well --

5       **Q**       -- after sitting here for six weeks?

6               MR. OLESKI:  Objection.

7               THE COURT:  Overruled.  He can answer it.

8       **Q**       Go ahead.

9       **A**       What did we do, 500 pieces of legislation a session?  
10       Yeah.

11       **Q**       Right.  But you've been sitting here for six weeks and  
12       you can't remember the dates of that, but you can remember  
13       the exact times and dates that you were at the inauguration  
14       five or six years ago?

15       **A**       Well, you know the inauguration is at noon, so it  
16       doesn't take a brain surgeon to figure that out.  I  
17       understand.

18       **Q**       Okay.  All right.  All right.  And to be clear --  
19       well, let's see if you remember, do you remember this place  
20       at the bottom where the coal picture is; that's the Dubliner  
21       restaurant or bar?

22       **A**       I don't know the name of it.

23       **Q**       Does that ring a bell?

24       **A**       (Shaking head.)

25       **Q**       No?  Yes?



1       **A**       I'm sorry, I didn't hear you.

2       **Q**       Do you remember the Dubliner bar or hotel?

3       **A**       I don't know the name of it. I remember that sign.

4       **Q**       Okay. But this picture is not from your hotel, right?

5       **A**       No, it's not from my hotel.

6       **Q**       Okay. And so what happened on the 18th between the  
7       reception at the W Hotel with Mr. Luttrell and this picture  
8       here with a limo and -- at the Dubliner was the Charlie  
9       Palmer steakhouse, right?

10      **A**       That's what you claim.

11      **Q**       Um-hmm.

12      **A**       But I'm just going to say that those two gentlemen  
13      weren't in Washington, DC yet.

14               MS. GLATFELTER: Now, Ms. Terry, if we can -- well,  
15      let me ask the Court for permission. Your Honor, may we  
16      please publish side-by-side what's been admitted as  
17      Government Exhibit 216 B and Defense Exhibit 478?

18               THE COURT: Yes.

19      **Q**       All right. Mr. Householder, do you -- the exhibit on  
20      the left, 216 B, is an e-mail that Jeff sent to you, Larry,  
21      right?

22      **A**       Yes.

23      **Q**       Okay. And that is the itinerary for the weekend that  
24      he's sending to you, a list of events, right?

25      **A**       Well, that's -- that's a suggestion of events in DC.

1 That doesn't mean I committed to those events.

2 **Q** Right. But the one we were just talking about, this  
3 right here, Jeff's reception on the 18th at the W Hotel from  
4 4:30 to 6:30 p.m., that's the one we just saw, right?

5 **A** That is where Marcus Luttrell was.

6 **Q** So you knew to go to the W Hotel for this reception,  
7 right?

8 **A** I did know, yes.

9 **Q** Okay. And if we can -- and the item below that on the  
10 18th is a dinner reservation for the Charlie Palmer  
11 steakhouse; do you see that?

12 **A** Yes.

13 MS. GLATFELTER: Okay. And if we may advance,  
14 Ms. Terry, to page 7. Oh, you know what, before we do that,  
15 Ms. Terry.

16 **Q** If I can just say for the record, Householder Exhibit  
17 478 is on the right, and you understand this to be -- I  
18 mean, this is your exhibit, Mr. Dowling's expense report,  
19 right?

20 **A** Yes.

21 MS. GLATFELTER: Okay. And if we can advance to  
22 page 7 or -- page 7. Thank you. Okay.

23 **Q** And you see there in the middle of the page where it  
24 says: Charlie Palmer steakhouse, Mike Carey, Jeff  
25 Longstreth, and others to discuss the Ohio political issues?

1     **A**       Yes. It says: Mike Carey, Jeff Longstreth, Ryan  
2     Stinger, and the spouse of Timken, whoever that is,  
3     discussing Ohio political issues.

4     **Q**       Okay. And you see -- you see on that same page the  
5     date is January 18th, 2017, right?

6     **A**       Yes.

7     **Q**       All right. And right above the circle, you see  
8     "refreshments at W Hotel," right?

9     **A**       I do.

10    **Q**       Right. And the W Hotel is where this event was,  
11    correct, where the Jeff's reception was?

12    **A**       Yes.

13    **Q**       Okay. Now, you mentioned yesterday --

14               MS. GLATFELTER: Ms. Terry, you can go ahead and  
15    take those down.

16    **Q**       You mentioned yesterday that you saw Mike Dowling a  
17    few times during this inauguration trip; do you recall that?

18    **A**       I did.

19    **Q**       You rode on the FirstEnergy jet with him to  
20    Washington, DC, and back, right?

21    **A**       I did.

22    **Q**       And then you traveled from the airport to your hotel,  
23    right?

24    **A**       Yes.

25    **Q**       And then from your hotel to the airport with him?

1       **A**       That's correct.

2       **Q**       And you said you also saw him at a reception, right?

3       **A**       Yes. The reception that Jim Brown had, the charity,  
4       the Ameri-can.

5       **Q**       Okay. And how long was your interaction with  
6       Mr. Dowling at the reception?

7       **A**       It wasn't very long. I just sat down on the couch and  
8       I think Luke is the one that took the picture and we got up.

9               MS. GLATFELTER: And so to be clear, let's go ahead  
10       and publish -- well, let me ask the Court's permission.

11              Your Honor, may we publish Householder Exhibit 486,  
12       which has been admitted?

13              THE COURT: Yes.

14       **Q**       And so this is the picture of the reception that you  
15       were talking about?

16       **A**       That's it.

17       **Q**       Okay.

18              MS. GLATFELTER: Your Honor, may I show the witness  
19       what's been marked as Government Exhibit 908?

20              THE COURT: Yes. Show the witness and the lawyers.

21       **Q**       All right. Mr. Householder, do you recognize yourself  
22       in that photograph?

23       **A**       Yeah. I just told you about it exactly.

24       **Q**       This is the one that you were referring to?

25       **A**       Yeah.

1 Q Great.

2 MS. GLATFELTER: Your Honor, move to admit and  
3 publish Photograph 908?

4 THE COURT: Any objection?

5 MR. OLESKI: No.

6 MR. SCHNEIDER: No.

7 THE COURT: It's admitted. You may publish.

8 MS. GLATFELTER: Thanks. And if we may publish  
9 side-by-side with the exhibit we just looked at, Defendants'  
10 Exhibit 486, which has been admitted?

11 THE COURT: Yes.

12 Q Okay. And so this is the brief interaction that you  
13 were referring to?

14 A Yes.

15 Q Okay. Wearing the same outfits, you know that this is  
16 from the same place?

17 A Well, as I testified yesterday, I saw Mike Dowling at  
18 the Ameri-can event, yes.

19 Q Okay. All right. And did you save this photo after  
20 you took it?

21 A Yes, I think so. I don't know.

22 Q Okay.

23 A Yeah.

24 MS. GLATFELTER: Permission to publish what's been  
25 admitted as 325 A?

1 THE COURT: Yes.

2 Q All right. Mr. Householder, do you see on your screen  
3 a text message between you and Mr. Dowling, that's your  
4 phone number at the top, right?

5 MS. GLATFELTER: Ms. Terry, if we can enlarge that  
6 so we can verify?

7 THE WITNESS: Yes.

8 MS. GLATFELTER: Okay. Great.

9 Q And do you see the text message exchange between you  
10 and Mr. Dowling there at the bottom?

11 A You're going to have -- I'm sorry, you're going to  
12 have to expand it a little bit for me.

13 Q Sure.

14 A I apologize, I left my glasses at my room.

15 Q Okay. So it starts by you sending him what appears to  
16 be the same photo that we just looked at, right?

17 A That's correct.

18 Q But the date of this is January 13th, 2020?

19 A Yes.

20 Q All right. And Mr. Dowling says: Mr. Speaker, great  
21 pic, but you're missing a beer, and you respond: I noticed  
22 that, right?

23 A Um-hmm.

24 Q And so you saved this picture for a couple of years  
25 and you sent it back to Mr. Dowling, this is a memorable

1 event or experience?

2 **A** I saved the pictures of my son. We had a photograph  
3 of Jim Brown, had a photograph of Bobby Knight, Elvin Hayes.

4 **Q** But this photograph is of Mr. Dowling?

5 **A** Well, he was included in those photographs, yeah, I  
6 did.

7 **Q** All right. And in addition to the plane rides and  
8 this reception and the photograph and the beer or whatever,  
9 you also had some phone calls with Mr. Dowling while you  
10 were in DC, right?

11 **A** Possibly. I don't know.

12 MS. GLATFELTER: Okay. Your Honor, permission to  
13 publish what's been admitted as 734?

14 THE COURT: Yes.

15 **Q** All right. And you said you were in DC from the 18th  
16 to the 20th?

17 MS. GLATFELTER: Ms. Terry, if we can enlarge that  
18 section of the exhibit, please?

19 THE WITNESS: Yes.

20 **Q** Okay. And those are contacts between you and Michael  
21 Dowling while you're in DC?

22 **A** They appear to be, yes.

23 **Q** Okay. And so we see one, two, three, four, five, six,  
24 seven phone contacts?

25 **A** Well, you have one over two minutes, yes.

1 Q Yeah. Okay. All right. And yesterday on direct, you  
2 indicated that you stayed --

3 MS. GLATFELTER: You can go ahead and take that  
4 down, Ms. Terry.

5 Q Yesterday on direct you indicated that you stayed at a  
6 hotel where the Ohio delegation was staying, correct?

7 A Yes.

8 Q And you couldn't recall the name of that hotel, but  
9 you were sure it was where the Ohio reception was taking  
10 place -- or I'm sorry, the Ohio delegation was taking -- was  
11 staying?

12 A No.

13 Q Okay.

14 MS. GLATFELTER: Your Honor, if we may have  
15 permission to publish 216 B again?

16 THE COURT: Yes.

17 MS. GLATFELTER: Sorry. Thank you, Your Honor.

18 Q And if we look at Thursday, January 19th, at this Ohio  
19 reception, the Ohio reception was at the Ohio delegation  
20 hotel, right?

21 A Yes. Capitol Skyline.

22 Q Does that refresh your memory as to the name of the  
23 hotel?

24 A Well, it helps, yes.

25 Q Yes. Okay. And that reception was 4:30 to 7:30?



1       **A**       That's what it says, yes.

2       **Q**       Okay. And the Capitol Skyline was the Ohio delegation  
3 hotel, right?

4       **A**       Yes, I believe so.

5               MS. GLATFELTER: Your Honor, permission to publish  
6 two exhibits which have been admitted side-by-side,  
7 Defendant's Exhibit 479 and Government Exhibit 217?

8               THE COURT: Yes.

9               MS. GLATFELTER: All right. Ms. Terry, if we can  
10 advance to page 5 on Exhibit 479, please?

11       **Q**       All right. Mr. Householder, and the exhibit on the  
12 right, Government Exhibit 217, is the hotel where you  
13 stayed, right, it's the reservation for the hotel where you  
14 stayed? So if we look here -- (Indicating.)

15       **A**       Yes.

16       **Q**       You see your name down there halfway through, half way  
17 down?

18       **A**       I do.

19       **Q**       Okay. And who booked this for you?

20       **A**       I really didn't know. I thought it was through the  
21 party.

22       **Q**       You thought it is from the party?

23       **A**       From the Republican Party.

24       **Q**       Do you recognize -- go ahead. I didn't mean to talk  
25 over you. What were you saying?

1       **A**       I said the Republican Party.

2       **Q**       Okay.

3       **A**       That's generally the way it's done, is they book the  
4       hotel and then they sell passes or whatever you want to call  
5       it to the rooms.

6       **Q**       All right. And do you recognize this name at the  
7       bottom of the receipt?

8       **A**       I sure do.

9       **Q**       Who is that?

10      **A**       Thomas T. George.

11      **Q**       Who is that?

12      **A**       That's Tony George.

13      **Q**       Your friend Tony George that you've been talking  
14      about?

15      **A**       Yes.

16      **Q**       So he booked your room and the cost of the room down  
17      there, we see that as a thousand dollars, \$1,500?

18      **A**       I see that.

19      **Q**       Okay. And do you see -- what time did he send you or  
20      what day and time did he send you your reservation? Do you  
21      see that at the top?

22      **A**       January the 4th, 2017.

23      **Q**       Okay. And if we look at the left, we see an e-mail  
24      from the same address from Tony George, right, same date?  
25      If we look right here, it's an e-mail from Tony George

1 (Indicating.)

2 **A** Yes, I do.

3 **Q** Also on January 4th, 2017?

4 **A** Yes.

5 **Q** Okay. And the time of the reservations, if we look  
6 down here, at the time of the reservation was made, that was  
7 made at 11:27 Chuck Jones' reservation and your reservation  
8 was at 11:26, right?

9 **A** Yes.

10 **Q** All right. And the same hotel?

11 **A** I wasn't aware of the one on the left.

12 **Q** But the Capitol Skyline hotel?

13 **A** Oh, it's the Capitol Skyline hotel, that's what it  
14 says, yes.

15 **Q** Yeah, same hotel that you were staying in, right?

16 **A** Same hotel I was staying in.

17 **Q** And booked by the same friend, Tony George?

18 **A** That's where the Ohio delegation was, yes.

19 MS. GLATFELTER: Ms. Terry, if we can advance to  
20 the next page on the exhibit on the left? Okay. And the  
21 next page on the exhibit on the right. Okay.

22 **Q** And we can see Tony George at the top, the one on the  
23 left. Tony George paid for this hotel room, too, right?

24 **A** Yes.

25 **Q** And this is the same amount --

1 MS. GLATFELTER: Ms. Terry, if we can -- on the  
2 right, if we can go back up to the first page, please.

3 Q Same amount on both sides, right?

4 A Um-hmm.

5 Q Okay. So Tony George booked your room and paid for  
6 your room?

7 A I wasn't aware, really. I thought it was the Ohio  
8 delegation.

9 Q You weren't aware of who was paying for your hotel  
10 room?

11 A I -- you know, I -- it was -- the way it's normally  
12 done is the Ohio delegation books your hotel rooms and  
13 that's -- they take care of it. If you owe them anything,  
14 they would send you a bill for that.

15 Q Uh-huh.

16 A And that's just the way it's always been done.

17 Q Okay. And Mr. Jones was staying at the same  
18 reservation also booked by Mr. George?

19 A Apparently.

20 Q Okay. And do you recognize your e-mail address at the  
21 top of your reservation or the e-mail with your reservation?

22 A I do.

23 Q All right. Is that mymail, gmail.com?

24 A That's one, yes.

25 Q And you said that Tony George was the one who asked

1 you to fly on the FirstEnergy jet?

2 **A** Yes.

3 **Q** And so explain, explain that to me, how he has access  
4 to the FirstEnergy jet.

5 **A** Well, I had called him. The whole idea was that his  
6 wife Chrissy, and Tony, and my wife, Taundra, and my kids, I  
7 had given them tickets to go to the inauguration along with  
8 a lot of other people.

9 **Q** Um-hmm.

10 **A** And when I called and invited him, I said, we're going  
11 to drive, and he said okay. And then he called me back and  
12 he said, I've got a plane arranged, it's FirstEnergy's  
13 plane, and we have to have someone from FirstEnergy fly with  
14 us, but it will get us out there quicker. And I told him, I  
15 said, I'm going to have to pay for that. We had a little  
16 bit of a discussion about that because he didn't think I  
17 would, and I said no, I'll have to pay for that, but I said,  
18 I think it's worth it, getting out there another day  
19 earlier. And so that's what he -- he arranged the flight.

20 **Q** So Mr. George told you that he had access to the  
21 FirstEnergy jet, he just had to have someone from the  
22 company on the plane?

23 **A** Um-hmm.

24 **Q** That was the only stipulation?

25 THE COURT: Do yes and no, please --

1 THE WITNESS: I'm sorry, yes.

2 THE COURT: -- for the court reporter.

3 THE WITNESS: I apologize.

4 THE COURT: Very well.

5 **Q** Did you understand him to have some relationship with  
6 FirstEnergy, that he would have access to the plane?

7 **A** I knew he knew Chuck.

8 **Q** Well, I mean, knowing Chuck and then having access to  
9 the FirstEnergy jet to book flights when you want, that's a  
10 different thing, right?

11 **A** You just have to know Tony George I guess.

12 **Q** All right. Just to be clear on the exhibits that we  
13 were looking at on Exhibit 217 -- let me clear these circles  
14 here. And that is an e-mail from Tony George at the George  
15 Group to you, Larry Householder, with your e-mail address,  
16 right?

17 **A** That is.

18 **Q** Okay. Since we were just talking about the flight and  
19 the reimbursement, I wanted to talk about that a little bit.  
20 You said yesterday on direct testimony you paid for the  
21 flight and you showed us, I believe, a bank statement for a  
22 payment on March 29th, 2017?

23 **A** Yes.

24 **Q** Does that ring a bell? Yeah. All right.

25 And you showed the jury a bank statement for that

1 date, right?

2 **A** I did.

3 **Q** Now, I want to talk about the sequence of events  
4 leading up to that payment. So we were just talking about,  
5 Tony George invited you to take a ride on the FirstEnergy  
6 jet, right?

7 **A** Yes.

8 **Q** And do you recall Jeff Longstreth and Anna Lippincott  
9 having a conversation with you about or advising you not to  
10 take that flight, that the optics of that looked bad?

11 **A** No.

12 **Q** That never happened?

13 **A** I don't remember that.

14 **Q** You don't remember it or it never happened?

15 **A** I don't remember that happening.

16 **Q** Okay. And you went ahead and took the flight, right,  
17 in January of 2017?

18 **A** I did.

19 **Q** And you said that it was your intent to reimburse  
20 FirstEnergy for that flight, right?

21 **A** Correct.

22 **Q** All right. I mean, isn't it true that before you made  
23 that payment, the *Dayton Daily News* ran a news article  
24 talking about your flight before you had paid for it and  
25 that's what prompted your payment?

1       **A**       Absolutely not.

2       **Q**       No?

3       **A**       No, that's not what prompted my payment at all. I  
4       knew from day one I was going to pay for that flight. We  
5       contacted constantly FirstEnergy, they did not know what the  
6       cost of everything was yet, and when they finally got it to  
7       us, it was paid immediately.

8       **Q**       You said you constantly contacted --

9       **A**       Yes.

10      **Q**       -- FirstEnergy about it?

11      **A**       I did.

12      **Q**       Who constantly contacted FirstEnergy about it?

13      **A**       Pardon?

14      **Q**       Who constantly contacted FirstEnergy about the payment  
15      of your flight?

16      **A**       I had asked Anna to.

17      **Q**       And it happened to be that you made the payment to  
18      FirstEnergy after that news article and after they said that  
19      you rode on the FirstEnergy jet?

20      **A**       Yeah. It's kind of like the same thing as bringing  
21      people back from Chicago. It's -- yes, the *Dayton Daily*  
22      *News* wrote that story, but we had been trying to make  
23      arrangements with FirstEnergy way before that. Just after  
24      the -- after we came back from DC, I was ready to make that  
25      payment and pay for it, and they had to go through their



1 process and find out what the costs were.

2 **Q** All right. Yesterday you talked about going to the  
3 World Series game in Cleveland. Which game was that?

4 **A** Game 7.

5 **Q** Game 7. So that would have been in November of 2016?

6 **A** Oh, yeah.

7 **Q** Okay. And you're aware that the average ticket price  
8 for those games was about \$2,500 a ticket?

9 **A** I have no idea what they are.

10 **Q** Is that what you paid for the ticket from your friend?

11 **A** No. I don't recall, but it wasn't anywhere near that.

12 **Q** Was Tony George the friend that got you the ticket?

13 **A** No.

14 **Q** No, it was a different friend?

15 **A** Um-hmm.

16 **Q** And so during the game, I just wanted to go through  
17 the sequence of events here. During the game, you said you  
18 just happened to run into Chuck Jones, right?

19 **A** Yes.

20 **Q** It was coincidental?

21 **A** Well, I went into the box during the rain delay.

22 **Q** All right. So you went to the game and you said, I  
23 think yesterday, because you had been Speaker before, you  
24 knew that the boxes would be open during a rain delay; is  
25 that right?

1       **A**       Well, normally, the boxes, you go from box to box to  
2       box, yes, not necessarily because of a rain delay.

3       **Q**       What do you mean, you go from -- for those of us who  
4       have not been in a box, what does that mean?

5       **A**       Well, once you get up in that box area, you can go  
6       from different boxes, a lot of those folks you know that  
7       have corporate boxes.

8       **Q**       How do you know the people that have the corporate  
9       boxes?

10      **A**       I mean, they're folks that you have known for years,  
11      different people. Many of the corporations in the state of  
12      Ohio have boxes as well as other people.

13      **Q**       And you had been in the FirstEnergy box before?

14      **A**       Oh, possibly. I don't know.

15      **Q**       Mr. Householder, didn't you tell Jeff Longstreth that  
16      you were meeting -- that when you left for the game, you  
17      were going there to meet Chuck Jones?

18      **A**       No.

19      **Q**       You never told him that?

20      **A**       No.

21      **Q**       Was that a different World Series game?

22      **A**       No, no.

23      **Q**       Well, on your phone, you had pictures from different  
24      World Series games in Cleveland. Was it possibly a  
25      different World Series game where you went and met Chuck

1 Jones and told Jeff Longstreth you were doing that?

2 **A** I don't believe so.

3 **Q** Did you go to multiple World Series games?

4 **A** More than one.

5 **Q** Okay. And did you go there to meet Chuck Jones at any  
6 of the other World Series games?

7 **A** I didn't go there to meet Chuck Jones, no.

8 **Q** Okay. And how many World Series games did you go to  
9 in Cleveland that year?

10 **A** I don't recall.

11 **Q** Multiple?

12 **A** More than one.

13 **Q** All right. Yesterday on direct -- but to be clear,  
14 the games you went to were in the late fall, they were World  
15 Series games in November of 2016, right?

16 **A** 2016.

17 **Q** Okay. And yesterday on direct, you were asked some  
18 questions about some terminology you used. Do you remember  
19 that? You were asked about phrases like "casket carriers,"  
20 and "on the farm," what those mean?

21 **A** Yes, I do remember.

22 **Q** All right. And do you recall -- you recall those  
23 questions?

24 **A** Yes, I recall the questions.

25 **Q** And I believe you said that "on the farm" is a

1 reference to friends?

2 **A** Yes, people that are friends, correct.

3 **Q** Okay. And you wanted -- at this point, you said that  
4 it was just a reference to friends because you wanted  
5 friends, not enemies, right?

6 **A** Correct.

7 MS. GLATFELTER: All right. Permission to publish  
8 what's been admitted as 201 C?

9 THE COURT: Yes.

10 MS. GLATFELTER: Thank you. Ms. Terry, if we can  
11 go to page 16, please?

12 **Q** All right. And do you see on the screen the document  
13 properties here?

14 MR. OLESKI: I'm going to object.

15 THE COURT: Basis?

16 MR. OLESKI: Misleading with the coloring in.

17 THE COURT: Overruled.

18 **Q** Do you see the date of creation? I'll put an arrow so  
19 it doesn't cover anything for you.

20 **A** I do.

21 **Q** Is October 2016, right?

22 **A** That's what it says, yes.

23 MS. GLATFELTER: Okay. If we can go to the  
24 previous -- I'm sorry, if we can go to page 14, Ms. Terry?

25 **Q** All right. Do you remember seeing this document

1 during this trial "was on the farm, quasi farm, one on the  
2 farm"?

3 **A** No, I don't recall seeing that during this trial, but  
4 maybe it was presented. I don't recall seeing it.

5 **Q** Okay. And "on the farm" is a term that you use,  
6 right, to mean friends?

7 **A** That's a term I use to mean friends, yes.

8 **Q** Okay. And the World Series game was in November, game  
9 7 was the first time that you had met Chuck Jones?

10 **A** Well, I had met him back in the late '90s, but it was  
11 very briefly.

12 **Q** Okay. "Briefly," you wouldn't say he was a friend  
13 back then?

14 **A** No. I didn't even really remember him. Tony  
15 Alexander had to remind me --

16 **Q** Sure.

17 **A** -- that I had met him.

18 **Q** But he's on your friend list here, right, and so is  
19 Neil Clark, right?

20 **A** Is that my friend list?

21 **Q** Well, you're the one that uses the term "on the farm,"  
22 right?

23 **A** Well, it says "on the farm" on there. It looks to me  
24 like someone else was using my terminology because that's  
25 not my list. I don't need to put together a list of my

1 friends.

2 **Q** Well, I mean, this is a small list, right? You have  
3 more friends than this list, right?

4 **A** I really hope so. And there's some people on this  
5 list that I don't necessarily consider my friends, so this  
6 is not my list, ma'am.

7 **Q** But if this list was created in 2016 and Chuck Jones  
8 is already on the list and so is Neil Clark, I mean --

9 **A** That's why I did not create this list. That is not my  
10 list. I don't need a list of who my friends are.

11 **Q** Well, someone certainly would have thought you were --  
12 someone who created this must have thought you were friends  
13 with Chuck Jones when they created the list?

14 **A** I think whoever created this list was using my phrase.  
15 It's not -- I've used that phrase for a number of years and  
16 possibly they didn't understand my phrase, but that's -- I  
17 don't have -- this is not my list, I can tell you.

18 **Q** Okay. So if someone put "Chuck Jones on the farm"  
19 before that World Series game, they would be incorrect, he  
20 wasn't your friend at that time?

21 **MR. OLESKI:** Judge, objection. May we approach at  
22 sidebar?

23 **THE COURT:** Very well.

24 **SIDEBAR CONFERENCE.**

25 **MR. OLESKI:** Judge, the basis for my objection is

1 misleading. The -- No. 1, the document priorities in the  
2 metadata show that that document was last modified in  
3 September of 2017. There are two individuals listed in that  
4 document on the page of the document the prosecutor is  
5 questioning my client about, Anna Lippincott and Bryan Gray.  
6 Uncontroverted testimony during this trial is that they  
7 weren't even hired until 2017, and she's making the  
8 inference to my client, in her leading questions, that this  
9 document was created -- was last modified in 2016. So  
10 that's the basis for my objection, Judge, it's misleading.

11 MS. GLATFELTER: He can redirect on it. I'm just  
12 looking at what -- at the document properties, and if he  
13 wants to make that argument, that's fine. But he has gone  
14 through document after document with this witness and sold  
15 this jury a story that these documents show otherwise, so  
16 we're just going through the documents.

17 THE COURT: Last word.

18 MR. OLESKI: I still think it's misleading. I  
19 don't think there's a basis to ask these questions, a good  
20 faith basis to ask the questions.

21 THE COURT: It's cross-examination. The objection  
22 is overruled. If you want to address it on redirect, feel  
23 free.

24 MR. OLESKI: Thank you.

25 **SIDEBAR CONCLUDED.**

1 MS. GLATFELTER: Ms. Terry, if you can go ahead and  
2 put the exhibit back on, please.

3 Q All right. And we were talking about these different  
4 terms, on the farm, quasi farm, and one on the farm and  
5 those are terms that you've used?

6 A No. I've used "on the farm."

7 Q Okay.

8 A I don't know what quasi farm means and one on the  
9 farm, I don't know what that means.

10 Q But to be clear in the list of who's on the farm, we  
11 have Jeff, Chuck Jones, Tony George, Rex, Neil Clark, those  
12 are all people who are on the farm?

13 A According to this list?

14 Q Yeah.

15 A That's what that list says, yes.

16 Q Right. And those people were on the farm throughout  
17 2017, 2018, 2019, and 2020, right?

18 A You mean friends of mine, is that what you're trying  
19 to insinuate or are you trying to insinuate that on this  
20 list, those names are on this list?

21 Q I'm not trying to insinuate anything, I'm just asking  
22 you who's in the column for on the farm and asking you  
23 whether those are people you would consider to be either on  
24 the farm or friends or however you define that term?

25 A Friends, I have a couple of friends on that list. I



1 have a couple of people who aren't my friends that they're  
2 showing here on the farm. And I -- there is a person there  
3 that -- actually a couple of people there that I barely  
4 know. I know who they are.

5 **Q** Okay. But in terms of these people here, I'll put  
6 Jeff, these are people you would say are on the farm,  
7 they're your friends from 2017, 2018, 2019, and 2020, right?

8 **A** No.

9 **Q** Those people are not, that are in the box?

10 **A** You mean all of those people?

11 **Q** Well, do you want to clarify which ones are not on the  
12 farm?

13 **A** There are people that you're indicating here, that  
14 you're calling a friend of mine, that, no, they are not,  
15 they're not a friend of mine.

16 **Q** Okay. Well, which person does not belong on the list?

17 **A** Well, Jacob Hubb.

18 **Q** Well, exclude him. We'll cross him off.

19 **A** Eddie Crawford, now I know who Eddie Crawford is, but  
20 I wouldn't consider him to be a friend of mine, a close  
21 friend. Certainly, you've got Neil Clark there. Leah  
22 Pappas, I know who Leah Pappas is, but I wouldn't consider  
23 her to be a friend. She's not an enemy, but she's not a  
24 friend. Tom Patton, I -- he's a colleague, but we're not  
25 friends. I would consider Rex a friend. I consider Tony a

1 friend. And Chuck Jones, I know him very well today, but I  
2 did not -- when is the date of this supposedly?

3 **Q** The date of the creation was October of 2017.

4 **A** All I would say is I -- there's people there that I  
5 wouldn't say are "on the farm."

6 **Q** Okay.

7 **A** As far as I'm concerned. Whoever wrote this, maybe  
8 they thought or were proposing that they become a friend. I  
9 don't know.

10 MS. GLATFELTER: And, Ms. Terry, if we can go up to  
11 the first page of this document.

12 **Q** All right. And this is part of a document which lists  
13 the House term -- the House districts and when people are  
14 going to be term limited or when they served in the district  
15 and who's up next, right?

16 **A** Yes.

17 MS. GLATFELTER: Okay. Now, Ms. Terry, you can  
18 take that down.

19 **Q** Yesterday, you were asked a series of questions about  
20 Generation Now; do you remember those?

21 **A** Yes.

22 **Q** All right. And if I understand your testimony, the  
23 gist was -- and I want you to tell me if I don't have this  
24 right -- that you knew Generation Now existed, right?

25 **A** Yes.

1       **Q**       Okay. But you thought it was just about issues?

2       **A**       What? I don't understand what you're trying to imply  
3       with that.

4       **Q**       I'm not trying to imply anything. I'm just asking  
5       what your understanding of Generation Now was. Yesterday I  
6       think you said it was about issues and candidates who  
7       supported issues, so --

8       **A**       Yes. I think Generation Now was formed to make the  
9       public -- educate the public on issues and to support  
10      candidates who support those issues.

11      **Q**       Okay. So what you just said is you think it was  
12      formed to educate people on issues?

13      **A**       Educate the public on issues.

14      **Q**       Okay.

15      **A**       And to support candidates who support those issues.

16      **Q**       And you talked to Mr. Longstreth about the creation of  
17      Generation Now, right?

18      **A**       Yes.

19      **Q**       All right. So that's what you discussed, but how was  
20      it used, how was Generation Now used? If that was what was  
21      on the form in terms of it was going to be education of  
22      issues, how was Generation Now used to help you win the  
23      Speakership?

24      **A**       Well, it was supporting -- educating the public, it  
25      was certainly used to do that, and supporting candidates

1 that support those issues. That's --

2 **Q** What issues?

3 **A** Pardon me?

4 **Q** What issues?

5 **A** Well, it could be issues that I supported.

6 **Q** That you supported?

7 **A** Well, yeah, that I thought was important.

8 **Q** Generation Now was your 501(c)(4), right?

9 **A** I didn't -- I didn't form Generation Now.

10 **Q** That's right. Your name is not on the paperwork, but  
11 it was your 501(c)(4)?

12 **A** How could it be?

13 **Q** It was for your benefit, right?

14 **A** How could it be my 501(c)(4)?

15 **Q** Forget about the documents, whose name is on the  
16 documents, it's about whose benefit was it for, was it for  
17 Anna's benefit?

18 **A** Well, that would be like saying that your checking  
19 account isn't your checking account. It's -- if you -- if  
20 you aren't in control of it, you don't have control of the  
21 spending, you don't have control of what they do, you're  
22 not -- I don't follow you on that.

23 **Q** So you can't be involved in an organization unless  
24 your name is on the bank account, is that what you're  
25 telling us?

1     **A**     I think that's what you were trying to say. I  
2     don't --

3     **Q**     No. Go ahead and tell us.

4     **A**     You said sign the paperwork, is what you said, so I  
5     just used the analogy of a bank account, I guess.

6     **Q**     So what was Generation Now for, how was it used?

7     **A**     It was used to educate the public on issues that were  
8     important to me and important to Ohio because issues that  
9     are important to Ohio are important to me, and to support  
10    candidates that supported those issues.

11    **Q**     The issues that were important to you?

12    **A**     Because they're important to Ohio.

13    **Q**     Issues that are important to you, you want to win the  
14    Speakership, right?

15    **A**     Yeah, I wanted to win the Speakership, yes.

16    **Q**     All right. So you knew that Generation Now existed,  
17    right, we went over that?

18    **A**     Yes.

19    **Q**     Okay. Your name was not on the bank account, we can  
20    agree on that?

21    **A**     No.

22    **Q**     And it was about supporting -- say that again?

23    **A**     Educating the public on issues that are important to  
24    Ohio and me.

25    **Q**     Okay.

1       **A**       And supporting candidates that support those issues.

2       **Q**       All right. And that's as much as you knew about it or  
3       did you know more about Generation Now?

4       **A**       That's about -- that's my understanding.

5       **Q**       All right. And what's your understanding based on?

6       **A**       My understanding is based on what we talked about,  
7       what it was going to do, what it was going to perform.

8       **Q**       Who's "we"?

9       **A**       Well, Mr. Longstreth.

10      **Q**       Okay. So you talked to Mr. Longstreth about  
11      Generation Now and what it was going to do?

12      **A**       Well, we talked about a 501(c)(4), and he tried to  
13      familiarize me with what a 501(c)(4) was, and it was my  
14      understanding that that was what it was used for.

15      **Q**       He tried to familiarize you about a 501(c)(4)?

16      **A**       Yes.

17      **Q**       Okay. We'll talk about that.

18               MS. GLATFELTER: Just one moment. All right. If  
19      you can pull up -- Your Honor, if we may have permission to  
20      publish 201 A 1 side by side with 201 A?

21               THE COURT: They've been admitted?

22               MS. GLATFELTER: Yes.

23               THE COURT: Yes, you may publish them.

24               MS. GLATFELTER: All right. Ms. Terry, if we can  
25      advance to the last page on the left?

1       **Q**       All right. Mr. Householder, do you recognize the  
2       exhibit on the left as something you discussed on your  
3       direct testimony yesterday?

4       **A**       I do.

5       **Q**       Okay. And is that the floor plan of the office in the  
6       Sheraton Hotel, the State Street office?

7       **A**       Yeah, 65 East State.

8       **Q**       All right. I think yesterday you said that Jeff also  
9       had an office in this space, right?

10      **A**       Yes.

11      **Q**       And Anna had an office in this space?

12      **A**       Yes.

13      **Q**       And Megan had an office in this space?

14      **A**       Yes.

15      **Q**       And you said it was leased or your understanding was  
16      that it was leased by whom?

17      **A**       The lease was the Strategy Group.

18      **Q**       Okay. Who was it subleased by?

19      **A**       Friends of Larry Householder was my space.

20      **Q**       Okay. And then the other space was leased by,  
21      subleased by?

22      **A**       I mean, I --

23      **Q**       I mean, yesterday you said it was JPL.

24      **A**       JPL had their space, Anna had her space and Megan had  
25      her space.

1 MS. GLATFELTER: All right. If we can advance to  
2 the second-to-last page, Ms. Terry, in the exhibit on the  
3 right. One second.

4 **Q** And how long were your offices here, how long did you  
5 work there?

6 **A** Well, until when the Speaker's race was over with,  
7 they moved into the -- I would call it the caucus office  
8 space.

9 **Q** Okay. So 2017 to maybe early 2019 or late -- early  
10 2019?

11 **A** Well, yeah, probably the end -- I would say it was the  
12 end of 2018.

13 **Q** Okay. So about two years maybe, little less than two  
14 years?

15 **A** No, little less than two years.

16 MS. GLATFELTER: All right. If we can go to the  
17 last page, Ms. Terry?

18 **Q** What does it say at the top here, Mr. Householder?

19 **A** It says: Generation Now will utilize areas in solid  
20 pink.

21 **Q** All right. And you didn't know that Generation Now  
22 was utilizing these pieces in solid pink?

23 **A** I knew Generation Now was there. I didn't know what  
24 area they had or what they were utilizing.

25 **Q** Well, that's not what you said. You said JPL had



1 offices there. Did you know Generation Now?

2 **A** Actually, that looks to me like that's the offices  
3 that I would have indicated was JPL's offices.

4 **Q** All right. But now you believe these are Generation  
5 Now's offices?

6 **A** Well, that's what that says, yes.

7 **Q** I'm asking you what you -- what you thought.

8 **A** If this is accurate, yes.

9 **Q** Now, I think you said yesterday on direct you had to  
10 have this office here on State Street to do political  
11 activities because you can't do political activities in your  
12 Riffe office; is that right?

13 MS. GLATFELTER: We can take these down. I don't  
14 want these to be distracting.

15 **A** I was just seeing something that I have a question  
16 about. Can you expand that lower part?

17 **Q** Sure. We'll do this this one time, but it's my turn  
18 to ask questions and you get to answer them.

19 **A** Well, you asked me to look at that and that part I  
20 cannot see and I just wanted to see that for a second.

21 **Q** Sure.

22 **A** So September 13th, 2016, is when that plan was  
23 developed by the Genesis Planning and Design company in  
24 Columbus.

25 **Q** Okay.

1       **A**       Correct?

2       **Q**       I don't know.

3       **A**       That's what it says.

4       **Q**       Well, I don't know if this was the --

5       **A**       So what that would tell me is that plan that you just  
6       showed me was prior to any of those leases being engaged.

7       **Q**       Right, because this --

8       **A**       That might have been an idea and a concept and not the  
9       final plan.

10               MS. GLATFELTER: Well, let's take that down for a  
11       second.

12       **Q**       Let's be clear: This is a sublease for existing  
13       office space of the Strategy Media Group. You know what the  
14       Strategy Media Group is, right? So this is their form  
15       lease --

16       **A**       I do. I understand what you're saying, but that date  
17       would indicate that that was prior to the lease being  
18       signed, and I would suppose -- I would suspect that somehow  
19       this was put together prior to Anna, Megan, myself and JPL.

20               MS. GLATFELTER: Let's go back to the signature  
21       page, Ms. Terry. I think it's page 5.

22               THE WITNESS: You had asked me this question and I  
23       just wanted to try to get this right with you.

24       **Q**       Sure, sure. You see Generation Now signing the  
25       document?

1       **A**       I do.

2       **Q**       Um-hmm.

3       **A**       Do you have the final document?

4       **Q**       This is the only document that exists.

5               THE COURT: She gets to ask the questions.

6               THE WITNESS: I'm sorry, Judge.

7               THE COURT: You have a good lawyer.

8               THE WITNESS: Because I know --

9               THE COURT: Excuse me.

10              THE WITNESS: I'm sorry, sir.

11              THE COURT: If you have something, your lawyer will  
12 inquire of it. You'll get your chance. Please proceed.

13              THE WITNESS: I apologize, Judge.

14              THE COURT: Very well.

15              THE WITNESS: I'm not familiar with these  
16 processes.

17              THE COURT: Understood.

18              MS. GLATFELTER: Ms. Terry, if you can go to the  
19 first page on -- the exhibit on the right.

20       **Q**       Okay. And just to be clear, this is a sublease,  
21 right, this is a sublease agreement?

22       **A**       That's what it says. It doesn't have a date.

23       **Q**       And the area that you were subleasing was from the  
24 Strategic Media Group [sic], right?

25       **A**       The Strategy Group.

1 Q Oh, I'm sorry, the Strategy Group. I get them  
2 confused because it's really the same people, right, it's  
3 Rex Elsass and his group?

4 A I don't know that I've ever heard of the Strategic  
5 Media Group.

6 Q Or Strategic Media Placement?

7 A I don't know that I've heard of that, I'm sorry.

8 Q So Rex's -- one of Rex's companies is called what,  
9 Strategy Group?

10 A It's the only one I know.

11 Q All right.

12 A There might be others.

13 Q And that is the space that you were subleasing, right?

14 A That's correct.

15 Q Okay. Now, before I was asking you your -- I think  
16 you said on direct yesterday that you had to lease the space  
17 in 2017 because you couldn't do political activity in the  
18 Riffe Center, right?

19 A On state property, yes.

20 Q Right. But there was a space for you to do political  
21 activity, right, in the OHROC building or the OHROC office?

22 A No, no.

23 Q That's where people go?

24 A People that aren't me.

25 Q Okay. So you're different or special than all of the

1 other representatives?

2 **A** I'm special in that they would not allow me in that  
3 building, yes.

4 **Q** Your testimony is they wouldn't allow you to use the  
5 space?

6 **A** Well, yes. I was not welcome there.

7 **Q** That's different, that's different from them not  
8 letting you use the space. You just didn't want to go  
9 there, right; and after you became Speaker, you refused to  
10 go over to that office and meet with the team?

11 **A** I'm not sure I understand your question.

12 **Q** After you became Speaker, you refused to go over to  
13 the HRCC offices -- that's what the OHROC offices were  
14 renamed, right?

15 **A** Yes.

16 MR. OLESKI: Objection, compound.

17 THE COURT: Overruled.

18 **Q** I mean, the point of this is it was your decision,  
19 right, no one is prohibiting you; it's your decision to have  
20 another office?

21 **A** Oh, it was my decision to have another office, yes,  
22 but I was not welcome over at the OHROC office.

23 **Q** I mean, none of the other representatives who came in  
24 here and testified had other political offices?

25 **A** There are several state representatives that have

1 other political offices.

2 **Q** Not the ones that testified here.

3 **A** Well, I can't help that you didn't call them in here,  
4 but there are several.

5 **Q** All right. You testified that you were not involved  
6 in the media campaign for House Bill 6, right?

7 **A** Well, I testified that I gave advice. It depends on  
8 how you look at involvement.

9 **Q** Well, you tell us what that means.

10 **A** I gave advice.

11 MS. GLATFELTER: One moment, Your Honor.

12 **A** Offered my opinion.

13 **Q** So you gave advice, but you weren't involved in the  
14 creation of the ads or anything like that?

15 **A** I don't recall creating any ads.

16 **Q** Were you involved in that process?

17 **A** I don't -- I just answered, I don't recall. I don't  
18 recall.

19 **Q** All right.

20 MS. GLATFELTER: Permission to publish what's been  
21 admitted as 461 C?

22 THE COURT: Yes. It's been admitted.

23 MS. GLATFELTER: Thank you, Your Honor.

24 And, Ms. Terry, if we can just expand this first page  
25 to make it a little bit larger.

1       **Q**       All right. Mr. Householder, this is a text message  
2       between Juan Cespedes, you know Juan Cespedes, right?

3       **A**       Yes.

4       **Q**       All right. And you know Scott Schweitzer, too, right?

5       **A**       Yes.

6       **Q**       He works over at the Strategy Group?

7       **A**       Yes. I know Scott Schweitzer.

8       **Q**       Okay. Thank you. And what does the message say, that  
9       Juan writes to Mr. Schweitzer? You can go ahead and read it  
10      out loud, please.

11      **A**       That Juan writes to Schweitzer?

12      **Q**       Yes.

13      **A**       Okay. I am expecting that we will be able to wire  
14      over 1.5 million tomorrow or Wednesday. That should get  
15      Householder to respond to you quicker. I don't think -- I  
16      don't think they have any money to do anything without our  
17      funding. My CEO and chairman are in tomorrow and this will  
18      be a topic of conversation. I'll keep you updated in real  
19      time before anyone else.

20      **Q**       All right. And how does Mr. Schweitzer respond to  
21      Mr. Cespedes?

22      **A**       Roger that. Let me know what you need to help the  
23      cause. I did hear from LLH this afternoon and we are  
24      revising scripts tonight for that conversation.

25      **Q**       Okay. And that LLH, is that a reference to your name?

1       **A**       Those are my initials, yes.

2               MS. GLATFELTER: All right. Your Honor, permission  
3 to publish what's been admitted as 483 A?

4               THE COURT: Yes.

5               MS. GLATFELTER: If we can turn to page 28,  
6 Ms. Terry? All right. And if we can expand the bottom  
7 three messages, please.

8       **Q**       Mr. Householder, do you recall looking at these text  
9 messages yesterday on direct testimony?

10      **A**       Yes.

11      **Q**       All right. And you wrote: "When does the Gen Now TV  
12 message change," question mark?

13      **A**       Yes.

14      **Q**       All right. And then you said: "I think it's burnt  
15 in, well burnt in," right?

16      **A**       Yes, I did.

17      **Q**       Okay. I want to show you the rest -- show the jury  
18 the rest of the text message. Let's look at that.

19               MS. GLATFELTER: If we can go ahead to the next  
20 page, please. All right. If we can expand the top.

21      **Q**       What did you write to Mr. Longstreth?

22      **A**       "I agree. It's funny though, in district, the number  
23 one question is just what the H is this House Bill 6?  
24 Nobody knows what it is or what it does, including the  
25 Senate."



1 Q All right. And what does -- how does Mr. Longstreth  
2 respond?

3 A "Polling shows, the more we explain it, the worse that  
4 it gets or does."

5 MS. GLATFELTER: Okay. Let's look at the bottom  
6 message, Ms. Terry.

7 Q And do you respond to Mr. Longstreth?

8 A "John Eckland asked me last night if we -- if he could  
9 sit down with me and find out why we did what we did. I  
10 think that's positive."

11 Q All right. And Mr. Longstreth responds and says: "If  
12 we say it saves jobs and reduces bills, that polls better  
13 than if we say it will save you a hundred dollars by  
14 eliminating mandated energy costs," right?

15 A Um-hmm.

16 Q He says: "It's counterintuitive"?

17 A That's what it says.

18 Q Okay. Let's go to the next page. How do you respond?

19 A I responded: "Of course, I'm just sick of seeing that  
20 poor SOB drive that pickup truck down the road and cry about  
21 his job, which means it's burnt in."

22 Q It says: "Cry about losing his job," right?

23 A Yes. "It's burnt in."

24 Q All right. And is that a reference to the Generation  
25 Now message?

1       **A**       The one that was running on TV forever, yes.

2       **Q**       You were tired of seeing the person cry about losing  
3       their job?

4       **A**       No. I thought the television ad was just over and  
5       over and over again.

6       **Q**       Well, that's not what you wrote here.

7       **A**       Well, I was trying to be a bit funny about that. I'm  
8       sorry.

9       **Q**       All right. And what does Mr. Longstreth say?

10      **A**       Yeah. It will change out later this week.

11      **Q**       All right. And so --

12      **A**       It was -- apparently it was at the end of its run.

13               MS. GLATFELTER: All right. Your Honor, permission  
14      to publish what's been admitted as 201 H?

15               THE COURT: Yes.

16               MS. GLATFELTER: All right. I want to go back to  
17      2017. If we can look at the last page of this exhibit,  
18      Ms. Terry?

19      **Q**       And again look at those document properties. Can we  
20      agree that was February 2017?

21      **A**       Yes.

22      **Q**       Okay. And actually, February 20th, 2017, about a  
23      month after the inauguration?

24      **A**       Yeah, that's what it says.

25               MS. GLATFELTER: Okay. Let's go to the first page,

1 Ms. Terry.

2 **Q** All right. You see the first page, the title is the  
3 Friends of LH Staff Meeting template; is that what the title  
4 of the document is?

5 **A** Yes.

6 **Q** All right. And Friends of LH is a reference to your  
7 campaign committee, correct?

8 **A** It is, yes.

9 **Q** All right. And do you see under that -- by that first  
10 highlighting, 11 to 12:00 p.m., I'll actually put an arrow  
11 there. So we're talking about the same one. It has the  
12 attendees as AL, BG, and SLH. Who are those people?

13 **A** Well, SLH, I would say is me.

14 **Q** Um-hmm.

15 **A** BG is probably Bryan Gray. AL is -- that's probably  
16 Anna.

17 **Q** And do you see Anna's name below, under Anna's report  
18 right here?

19 **A** Yes.

20 **Q** All right. And do you see Bryan right here?

21 **A** I do.

22 **Q** Are those the people you're referring to?

23 **A** Yes, I do.

24 MS. GLATFELTER: Let's look at the second page,  
25 Ms. Terry.

1       **Q**       All right.  What's the second page of this document,  
2       what's the title at the top?

3       **A**       Generation Now Monday staff meeting.

4       **Q**       All right.  And do you see the attendees listed for  
5       that meeting?

6       **A**       Yes.

7       **Q**       All right.  And who does it list as the attendees for  
8       the Generation Now staff meeting?

9       **A**       SLH, JPL, AL.

10      **Q**       All right.  And is there a goal listed for the  
11      meeting?

12      **A**       Recap the previous week and set goals and expectations  
13      for the following week.

14      **Q**       All right.  And then below that, there's an agenda,  
15      right?

16      **A**       Yes.

17      **Q**       And the agenda includes a weekly recap, correct?

18      **A**       That's -- yes.

19      **Q**       It includes Anna's report on fundraising, correct?

20      **A**       Yes.

21      **Q**       And it includes Jeff's report on messaging, campaign,  
22      and budget?

23      **A**       Yes.

24      **Q**       All right.  But your testimony earlier was you didn't  
25      know about what was going on with Generation Now?

1       **A**       Well, I was raising money into Generation Now.

2       **Q**       All right. And you understood what the purposes of  
3       Generation Now was -- were?

4       **A**       Yes. I explained it previously.

5               MS. GLATFELTER: All right. Your Honor, may we  
6       publish a portion of what's been admitted as 271 A and ask  
7       that the jurors be allowed to follow along in their  
8       transcript binder, which is 271 B?

9               THE COURT: Yes. Give us a moment.

10       (Pause.)

11              MS. GLATFELTER: 271 A and 271 B.

12              THE COURT: What's the transcript reference?

13              MS. GLATFELTER: 271 B and for the jury's  
14       reference, we'll start at the page 4, and for expediency,  
15       we've cut this into a second segment, 914, you can go ahead  
16       and play that once the Court gives us its permission.

17              THE COURT: Give us just a moment, please.

18              MS. GLATFELTER: Sure.

19              THE COURT: All right. What page on the  
20       transcript?

21              MS. GLATFELTER: The bottom of page 4, and for the  
22       record, we're going to play a segment of 2:44 to 3:31.

23              THE COURT: Very well.

24              MS. GLATFELTER: And do you need a transcript  
25       binder, Mr. Householder? Do you have one over there?

1 Your Honor, may I approach?

2 THE COURT: Yes.

3 MS. GLATFELTER: Thank you. There you go, sir.

4 Page 4.

5 THE WITNESS: All right.

6 MS. GLATFELTER: Your Honor, may we go ahead and  
7 play or publish?

8 THE COURT: As soon as Mr. Householder gets to  
9 page 4. Yes, you may proceed.

10 (Recording playing.)

11 **Q** All right. Mr. Householder, did you hear that?

12 **A** I did.

13 **Q** All right. And who are -- who do you hear on that  
14 call?

15 **A** It says Anna Lippincott and Neil Clark.

16 **Q** Okay. And are you also on that phone call?

17 **A** I am.

18 **Q** Okay. So Neil Clark, you and then Anna Lippincott in  
19 the background is the voices that we hear?

20 **A** That's correct.

21 **Q** All right. And you heard a reference to Charter  
22 Communications, right?

23 **A** Yes.

24 **Q** And OCTA?

25 **A** Yes.

1 Q And this call was on January 25th, 2018, that's on the  
2 first page of the transcript, right, so January 25th, 2018,  
3 about a month before the filing deadline, right?

4 A Yes.

5 Q Okay. Just to orient ourselves in time.

6 MS. GLATFELTER: Ms. Terry, can you -- I'm sorry.  
7 Your Honor, may we publish what's been admitted as 14 B,  
8 page 46?

9 THE COURT: Yes.

10 Q All right. Mr. Householder, I want you to look at the  
11 Generation Now bank records here. Can you see that on your  
12 screen?

13 A Yes.

14 MS. GLATFELTER: All right. And are we able to  
15 play the audio while this is on the screen, Ms. Terry? This  
16 is a really short segment. I just want to hear it one more  
17 time. If not, we can just play it again, that's fine.

18 (Recording playing.)

19 Q All right. Mr. Householder, can we agree that the  
20 (c) (4) that you're talking about on that call is Generation  
21 Now?

22 A Yes.

23 Q Okay. And so you're having a call with Mr. Clark  
24 about Generation Now, right?

25 A Yes.

1 Q And you're referencing a specific check, and we'll  
2 look at another one in a moment, but you're referencing two  
3 checks for \$10,000 into Generation Now, right?

4 A Yes, that's what Anna in the background was  
5 indicating, there had been two checks that came out.

6 Q So you are talking to Anna in the background about the  
7 bank records with Mr. Clark; is that right?

8 A I don't know about the bank records. I imagine she  
9 kept a list of money.

10 Q So you knew that she had records or a list related to  
11 the Generation Now deposits?

12 A Yes.

13 Q Okay. And you used the phrase "we've got," or, "we  
14 have," I think I heard a reference to "we" in there in terms  
15 of you saying that this is the money that we have gotten in  
16 our (c) (4)?

17 A I didn't hear that, but it's possible. I didn't hear  
18 that, though.

19 Q Okay. Well, if there is a reference to "we," then who  
20 would that refer to?

21 A "We got" would be Anna, we got, yeah.

22 Q You mean you and Anna, like "we," Generation Now, have  
23 got \$10,000?

24 A Why don't we replay that again? Could you replay that  
25 again, please?



1 Q Sure.

2 A Or find it in the book, I guess, this transcript.

3 (Recording playing.)

4 Q Okay. So it says "we've got two checks."

5 A I said "we've got," yes.

6 Q So the reference to "we" in the context of looking at  
7 checks for Generation Now is who?

8 A "We," yes.

9 Q You?

10 A "We."

11 Q Okay. And you're included in the "we," right?

12 A Well, I would -- yes, suppose "we," yes, would be us,  
13 "we."

14 Q All right. Yesterday on direct, Mr. Householder, you  
15 testified about the ads that occurred in the 2018 election;  
16 do you remember that?

17 A Yes.

18 Q And I believe you said you had nothing to do -- the  
19 gist of it was that you had nothing to do with the creation  
20 of the negative ads; do you recall that?

21 A I had a long testimony yesterday.

22 Q Okay. Well, let me just ask it today. Did you have  
23 anything to do with the creation of the negative ads in the  
24 2018 primary?

25 A In the 2018 primary for the campaign committees or for

1 the (c) (4)?

2 **Q** Any of them.

3 **A** Any of them?

4 **Q** Um-hmm.

5 **A** Yes, probably.

6 **Q** Okay. So yesterday when you said you didn't, that was  
7 inaccurate?

8 **A** Was that question in regards to the (c) (4) or was it  
9 in regards to the campaign committees? I don't know.

10 **Q** I thought it was in regards to any of the negative  
11 campaigns, but there's a difference, you had it with respect  
12 to the (c) (4)?

13 **A** Well, the campaign committee is, yes, is different.

14 **Q** So you were involved in the negative -- the negative  
15 ads with respect to the campaign committees?

16 **A** I could have been, yes.

17 **Q** Okay. And when we talk about the negative ads for the  
18 campaign committees, you're talking about Growth and  
19 Opportunity PAC, Hardworking Americans and Hardworking  
20 Ohioans?

21 **A** So when I talk about the campaign committee, what I'm  
22 talking about is it could be my committee or it could be  
23 another candidate's committee preparing the ads for their  
24 races.

25 **Q** Well, you're not running negative ads that you're

1 paying for out of your campaign committee?

2 **A** I don't know if we did or not.

3 **Q** You would run them with Paid for by Larry Householder  
4 or Friends of Larry Householder as a negative ad?

5 **A** Possibly. I don't know.

6 **Q** Okay. Well, in 2018, you were involved in a primary,  
7 right? You were in a primary race?

8 **A** Yes.

9 **Q** And you had an opponent in that race?

10 **A** Yes.

11 MS. GLATFELTER: Your Honor, permission to publish  
12 what's been admitted as 312 A, which is the audio, and 312 B  
13 is the transcript?

14 THE COURT: Yes.

15 MS. GLATFELTER: So I would ask that the jurors be  
16 permitted to follow along in their binder at 312 B.

17 THE COURT: What is the transcript number?

18 MS. GLATFELTER: 312 B.

19 THE COURT: 312.

20 MS. GLATFELTER: B as in "boy."

21 THE COURT: B as in "boy." Give us a moment. Very  
22 well.

23 (Recording playing.)

24 **Q** Now, Mr. Householder, your primary opponent in 2018  
25 was a person by the name of Kevin Black; is that correct?

1       **A**       That is correct.

2       **Q**       All right.

3                   MS. GLATFELTER: Your Honor, permission to publish  
4 what's been admitted as Exhibit 311?

5                   THE COURT: Yes.

6                   (Video playing.)

7       **Q**       Mr. Householder, do you see the disclaimer at the  
8 bottom?

9       **A**       I do.

10      **Q**       Who is it paid for?

11      **A**       Paid for by Hardworking Americans Committee.

12      **Q**       And Hardworking Americans Committee was funded in part  
13 by money from FirstEnergy?

14      **A**       During this trial, you have a diagram.

15      **Q**       Is that a "yes"?

16      **A**       According to the documents that you provided in this  
17 trial, I saw your diagram.

18      **Q**       Okay. Yesterday on direct, you were asked about  
19 drafts of legislation that became House Bill 6; do you  
20 remember that?

21      **A**       Yes.

22      **Q**       All right. And did you know that FirstEnergy  
23 Solutions was working on drafts of the legislation?

24      **A**       Oh, I don't believe I did.

25      **Q**       Okay. And so you hadn't seen those drafts?

1       **A**       I don't believe I did.

2                   MS. GLATFELTER: All right. Your Honor, permission  
3 to publish what's been admitted as Exhibit 204 E, page 152?

4                   THE COURT: Yes.

5       **Q**       All right. Mr. Householder, do you see the red box  
6 I'm drawing on the screen there for Tuesday, January 29th,  
7 2019?

8       **A**       Yes.

9       **Q**       Okay. And what does that meeting say on the calendar?

10      **A**       It says FE -- "FE Solutions."

11      **Q**       3:00 p.m. to 4:00 p.m.?

12      **A**       Yes.

13      **Q**       All right. And before "FE Solutions," it says "SLH,"  
14 right?

15      **A**       Yes.

16      **Q**       That's a reference to you?

17      **A**       It is.

18      **Q**       All right.

19                   MS. GLATFELTER: And, Your Honor, permission to  
20 show the witness what's been marked as -- one moment, Your  
21 Honor. I need to make sure --

22                   THE COURT: Yes.

23                   (Pause.)

24                   MS. GLATFELTER: Your Honor, permission to show the  
25 witness what I believe is Exhibit 915?

1 THE COURT: Yes.

2 MS. GLATFELTER: Yes, 915.

3 Q Do you recognize this document? Do you recognize this  
4 document?

5 A I do not recognize the document.

6 Q All right. You're aware that this was recovered from  
7 your office in the Riffe Street center?

8 A From my office --

9 Q Yes.

10 A -- or from the 14th floor?

11 Q From your office.

12 A No, I wasn't aware of that.

13 Q It says: "Term sheet for Ohio Clean Air Credit  
14 Program"?

15 A That's what it says, yeah.

16 Q From Akin Gump?

17 A Um-hmm.

18 Q So were you aware of draft legislation from FES and  
19 did they give you some?

20 A Was I aware of?

21 Q The draft legislation from FES and did they give you a  
22 copy of their legislation?

23 A I don't remember this paper. I don't remember this.

24 Q All right. And you were elected Speaker on  
25 January 7th of 2019, correct?

1       **A**       Yes.

2       **Q**       And after that vote, you were administered the oath,  
3       you take the oath right there, right?

4       **A**       Yes.

5       **Q**       And you gave a floor speech that day, right?

6       **A**       Brief, yes.

7       **Q**       To the other representatives? And during the floor  
8       speech, you mentioned that you wanted to create a  
9       subcommittee on energy generation; do you recall that?

10      **A**       I don't recall that, but I might have.

11               MS. GLATFELTER: Okay. Ms. Terry -- well, let me  
12      ask Your Honor, may we publish Exhibit 411, which has been  
13      admitted?

14               THE COURT: Yes.

15               MS. GLATFELTER: And go to page 5, Ms. Terry.  
16      Actually, let's see page 1 first.

17      **Q**       All right. Do you recognize this as a journal, the  
18      Ohio House of Representatives journal from January 7th,  
19      2019?

20      **A**       I do.

21               MS. GLATFELTER: Okay. And if we go to page 5,  
22      Ms. Terry. No, I'm sorry, if we go to page 8.

23      **Q**       And do you see that line there: I'd like to see a  
24      standing committee -- subcommittee on energy generation?

25      **A**       I see that. I'm trying to sort of read the entire

1 document so I understand.

2 **Q** Well, we can back up so you can see that it's your  
3 speech.

4 MS. GLATFELTER: If we can back up and, Mr. Wetzel  
5 or Agent Wetzel, if you can help Ms. Terry find the right  
6 spot, please.

7 **Q** Okay. You see here where it says, on page 5 of this  
8 exhibit, the Speaker then addressed the House as follows,  
9 colon?

10 **A** Yes.

11 MS. GLATFELTER: Okay. And if we go back to the  
12 page where we were. Right here.

13 **Q** I'd like to see a standing subcommittee on energy  
14 generation; do you see that?

15 **A** Could we go back to the sixth page there? I'm sorry.

16 **Q** Mr. Householder, my question is: Did you say that you  
17 wanted to create a subcommittee on energy generation?

18 **A** If it's in this journal, I did, yes.

19 **Q** Okay. And to be clear, you being elected Speaker and  
20 giving the floor speech occurs before the caucus retreat,  
21 right?

22 **A** Yes.

23 **Q** Okay. And so you made it known to your -- to the  
24 entire House of Representatives that you were going to  
25 create or you wanted to create a subcommittee on energy



1 generation the day you became Speaker, right?

2 **A** Yes. I think I mentioned three subcommittees there.

3 **Q** Right. But I'm asking about the energy generation  
4 one?

5 **A** Yes, yes, if that's what that says, that's what I did.

6 **Q** Okay. And as Speaker, you have the authority to  
7 decide what committees the House of Representatives has,  
8 right?

9 **A** No.

10 **Q** You don't have authority to determine the committees  
11 that the House has?

12 **A** The committees are established through House rule,  
13 which is voted on by all 99 members.

14 **Q** Well, you make the recommendation and they vote on it,  
15 right?

16 **A** Well, everybody makes a recommendation, but there's  
17 always a special committee on rules and they're the ones  
18 that establish the rules.

19 **Q** Right. And I think the rules -- we can go to the  
20 session journal, it's in evidence, but I think the committee  
21 assignments and the rules were -- I don't know, 97 to 0 were  
22 the votes, everyone voted in favor?

23 **A** It was unanimous, the rules.

24 **Q** So those were rules that your leadership and you had  
25 recommended?

1       **A**       I would have to look at who was on the committee. I  
2       know that Representative Callender for one was on the  
3       committee because he's always very interested in rules.

4       **Q**       So you don't know if you have the -- I'm confused.  
5       You don't know if you have the authority to create  
6       committees; is that what you're saying?

7       **A**       I don't have the authority. I did not have the  
8       authority to create committees.

9       **Q**       Okay. You had the authority, though, to assign people  
10      to committees, right?

11     **A**       I did, yes.

12     **Q**       Okay. So after you became Speaker and after you gave  
13     your floor speech, there was an energy subcommittee that was  
14     created, right?

15     **A**       Through the rules, yes.

16     **Q**       Through the rules committee --

17     **A**       Um-hmm.

18     **Q**       -- that was recommended by the leadership or whatever  
19     and the rules committee adopted it and then you made  
20     assignments to the committees, right?

21     **A**       Yes.

22     **Q**       You assigned --

23     **A**       I did.

24     **Q**       -- members to the committees?

25     **A**       Yes, I did.

1 Q And you assigned the people to the Energy Generation  
2 Subcommittee, right?

3 A Yes.

4 Q Okay.

5 A I did.

6 Q And I believe yesterday you explained to the jury how  
7 the subcommittee, there was a smaller group of people on the  
8 subcommittee than the larger committee on energy and -- I  
9 think it was called energy and natural resources; is that  
10 right?

11 A That's correct.

12 Q All right. So that smaller committee had  
13 Representative Stein, correct?

14 A Representative Stein was the chair, I believe.

15 Q Representative Baldrige?

16 A I'll -- go ahead.

17 MS. GLATFELTER: We can pull up the document, but I  
18 see we're past our lunch.

19 THE COURT: I'll take my direction from you. If  
20 it's lunch time, I would not object.

21 MS. GLATFELTER: This might be a good breaking  
22 point. I'll have the document ready when we come back, Your  
23 Honor.

24 THE COURT: Very well. Lunch time. Take a lunch  
25 break. During the break, eat lunch. Take a break. Don't

1 discuss the case among yourselves, even now, don't discuss  
2 the case with anyone. No independent research. No checking  
3 out the media. Continue to keep an open mind until you've  
4 heard all of the evidence. Out of respect for you, we'll  
5 rise as you leave for lunch with an expectation of trying to  
6 get you back in at a time specific.

7 THE DEPUTY: All rise for the jury.

8 (Jury left the courtroom.)

9 THE COURT: Looking at an hour and 15 minutes for  
10 lunch. Jury has left the room. As always, we'll stay in  
11 the courtroom until we're advised the jury has cleared the  
12 floor, and then we'll break for lunch. Mr. Householder,  
13 you're not to discuss your testimony with anyone, including  
14 your attorneys, during this lunch break, understood?

15 THE WITNESS: I understand.

16 THE COURT: Very well.

17 THE DEPUTY: All clear, Judge.

18 THE COURT: Before you leave, I'm sorry, and I need  
19 you actually, I want the lawyers who are giving closing to  
20 touch base with Ms. Frankian before you leave for lunch to  
21 discuss timing. We're in recess.

22 THE DEPUTY: Court is now in recess.

23 (Recess taken from 12:20 p.m. to 1:31 p.m.)

24 THE DEPUTY: All rise. Court is in session  
25 pursuant to the recess.

1 THE COURT: Thank you, please be seated. Back in  
2 the courtroom on the record outside the presence of the  
3 jury. Are we ready for the jury from -- in the first  
4 instance, the government's perspective?

5 MS. GLATFELTER: Yes, Your Honor.

6 THE COURT: Mr. Householder's?

7 MR. OLESKI: Yes, Judge.

8 THE COURT: Mr. Borges'?

9 MR. SCHNEIDER: Yes.

10 THE COURT: Very well. Let's call for the jury.

11 MS. GLATFELTER: May I approach the podium?

12 THE COURT: Yes.

13 (Pause.)

14 THE DEPUTY: All rise for the jury.

15 (Jury entered the courtroom at 1:36 p.m.)

16 THE COURT: You may all be seated. Thank you. 14  
17 Members of the Jury have rejoined us. Good afternoon.  
18 Bright-eyed and bright-eyed, and the Court appreciates your  
19 attention. We will continue to hear testimony.

20 Ms. Glatfelter, you may continue your questioning of  
21 Mr. Householder, who remains under oath.

22 MS. GLATFELTER: Thank you, Your Honor.

23 THE COURT: Very well.

24 **Q** Mr. Householder, before the break, we were talking  
25 about the Rules and Reference Committee and the assignment

1 of committee members. Do you remember that?

2 **A** Yes.

3 MS. GLATFELTER: Okay. And, Your Honor, may we  
4 publish 423, which has been admitted?

5 THE COURT: Yes.

6 **Q** And, Mr. Householder, do you recognize this as a press  
7 release from your office?

8 **A** I do.

9 **Q** Okay.

10 MS. GLATFELTER: And if we can go ahead and look at  
11 the very bottom where it says -- the very last paragraph  
12 there where it says: With the rules that were unanimously  
13 approved today, we have laid the ground work for a highly  
14 successful General Assembly.

15 **Q** Do you see that?

16 **A** I do.

17 **Q** Okay. And so the rules that reference the committee  
18 assignments and the powers of the Speaker, those were  
19 unanimously approved by the House, right?

20 **A** That is correct.

21 MS. GLATFELTER: Okay. We can go ahead and take  
22 that down, Ms. Terry.

23 **Q** And you as the Speaker were able to assign the  
24 representatives to the energy -- the subcommittee of the  
25 energy generation -- or the Energy Generation Subcommittee;

1 is that right?

2 **A** That's correct.

3 **Q** Okay. And so you assigned Representative Stein; is  
4 that correct?

5 **A** Yes.

6 **Q** Okay. Representative Baldrige, right?

7 **A** Yes.

8 **Q** Representative Jordan, right?

9 **A** Yes, I believe so.

10 **Q** I can pull up the committee assignments, if that would  
11 help you.

12 **A** It would, ma'am.

13 MS. GLATFELTER: Sure. Your Honor, may we please  
14 publish Exhibit 424? Page 8, Ms. Terry.

15 THE COURT: Yes.

16 MS. GLATFELTER: And if we can use the middle of  
17 the screen there, Ms. Terry.

18 **Q** Okay. Does that help you recall who you appointed to  
19 the Energy Generation Subcommittee?

20 **A** Yes, it does.

21 **Q** All right. Let's talk about these members for a  
22 moment. We can start with Representative Holmes, Holmes  
23 voted for you for Speaker, right?

24 **A** I don't know.

25 **Q** Do we need to go back and look at the session journal?

1     **A**     I'll take your word for it.

2     **Q**     Well, I mean, we can go back and look at the --

3     **A**     I'll take your word for it if he did.

4     **Q**     Representative Holmes voted for you and Mr. -- or  
5     Representative O'Brien also voted for you for Speaker,  
6     right?

7     **A**     (Shaking head.)

8     **Q**     So we've got these two and Representative Jordan also  
9     voted for you for Speaker, correct?

10    **A**     I know that, yes, I do know that.

11    **Q**     And Representative Baldrige voted for you for  
12    Speaker, right?

13    **A**     I know that as well.

14    **Q**     Representative Stein did not, right?

15    **A**     That is right.

16    **Q**     You talked about that yesterday as sort of extending  
17    the olive branch to the people or the Republicans who  
18    supported Representative Smith for Speaker, right?

19    **A**     That is correct.

20    **Q**     Okay. Isn't it true that Mr. Stein is a staunch  
21    proponent of nuclear energy?

22    **A**     Yes, I would say he is, yeah.

23    **Q**     I mean, it's not a surprise how he's going to vote on  
24    the Energy Generation Subcommittee, right?

25    **A**     Well --



1       **Q**       He's not an unknown?

2       **A**       Well, actually, Dick would probably be the most  
3       knowledgeable member in the House of nuclear energy.

4       **Q**       Okay.

5       **A**       Is the way I would -- I don't know that that would  
6       necessarily mean that he would vote for or against a bill.  
7       I think it would depend on what the bill was -- what was in  
8       the bill and whether he thought it was of value to the  
9       people of Ohio, but he is probably the most knowledgeable  
10      member we have on nuclear energy.

11      **Q**       All right. So he knows a lot about nuclear energy, so  
12      there are -- besides just, you know, I think yesterday you  
13      had mentioned that this was an example of extending the  
14      olive branch, but there was another reason to put him on the  
15      committee, right?

16      **A**       Yeah, because he was extremely interested in nuclear  
17      energy, that's correct.

18      **Q**       All right. Now, after House Bill 6 was introduced, it  
19      was assigned to this subcommittee, right?

20      **A**       I believe it was assigned to the full committee and  
21      then the full committee passed it down to the subcommittee.  
22      I believe that's correct.

23      **Q**       That's right. Okay. And House Bill 6 was the only  
24      legislation that the Energy Generation Subcommittee ever  
25      considered, right?

1       **A**       Possibly, yeah.

2       **Q**       Okay. So eventually, House Bill 6 passed the House of  
3       Representatives, right?

4       **A**       Yes.

5       **Q**       And it passed the Senate, correct?

6       **A**       Yes.

7       **Q**       And because there were amendments in the Senate  
8       version, you had to come back for a House concurrent vote;  
9       is that right?

10      **A**       Yes.

11      **Q**       And under the rules that were adopted by the House  
12      during this session, the Speaker has the power to convene  
13      sessions and set the timing of those sessions, right?

14      **A**       That is correct.

15      **Q**       And it's your decision or the leadership's decision  
16      about when to schedule a vote, right?

17      **A**       Yes.

18      **Q**       All right. And you picked July 23rd, 2019, right?

19      **A**       Yes.

20      **Q**       And the vote -- the concurrent vote was 51 to 38, does  
21      that ring a bell?

22      **A**       Yes, I'll take your word for that too.

23      **Q**       Now, so that was on July 23rd of 2019. In less than  
24      12 hours after the vote, FirstEnergy Solutions indicated to  
25      the bankruptcy court that it could not honor its existing

1 union contracts with power plant employees and it intended  
2 to negotiate completely new bargaining agreements. Do you  
3 remember that?

4 **A** Yes, yes.

5 **Q** And I mean, you heard from some representatives who  
6 were outraged over this news, they indicated they would have  
7 never voted for House Bill 6 if they knew?

8 MR. OLESKI: Objection, hearsay.

9 THE COURT: I think it's calling for hearsay.

10 MS. GLATFELTER: Your Honor, it's -- goes to state  
11 of mind.

12 THE COURT: So it's not offered for the truth of  
13 the matter?

14 MS. GLATFELTER: Not that statement, no.

15 THE COURT: All right. You can proceed.

16 **Q** And you knew that representatives were upset over this  
17 news, right, because they indicated they wouldn't have voted  
18 for House Bill 6 if they knew FirstEnergy Solutions wouldn't  
19 honor the union contracts, right?

20 **A** Just that last part, could you please go through that  
21 again, just your last part there? Your question, I guess.

22 **Q** Sure, sure. I mean, some representatives voted for  
23 House Bill 6 because they're union supporters and they  
24 wanted to support the union, so if they knew the contracts  
25 were not going to be honored, they would have had a problem

1 with House Bill 6, right?

2 MR. OLESKI: Objection, form. It's a compound  
3 question.

4 THE COURT: Sustained. Break it down.

5 MS. GLATFELTER: Sure.

6 **Q** People who -- representatives who ultimately voted for  
7 House Bill 6 voted because they were in favor of honoring  
8 the unions, right?

9 MR. OLESKI: Objection, speculation.

10 THE COURT: Overruled. You can answer. You can  
11 answer it.

12 THE WITNESS: I believe -- could you please restate  
13 your question? I'm sorry. I want to make sure I get my  
14 answer correct.

15 **Q** Union jobs were important to some representatives who  
16 voted in favor of House Bill 6; is that right?

17 **A** Yes.

18 **Q** And for those representatives where union contracts  
19 and union jobs were important to their vote, they were upset  
20 with FirstEnergy Solutions' filing after the vote that  
21 indicated FirstEnergy Solutions was not going to honor those  
22 contracts, right?

23 **A** There might have been some members that were upset.

24 **Q** And in fact, you knew FirstEnergy Solutions'  
25 representative Dave Griffing was asked specifically about

1 union contracts in the April hearings in the House, right?

2 MR. OLESKI: Objection, hearsay.

3 THE COURT: You can take another shot at it. I'm  
4 just reading it on the screen, and based on the reading, the  
5 objection is overruled. He can answer it.

6 THE WITNESS: Okay. If you would please ask the  
7 question again.

8 Q Sure. You knew that FirstEnergy Solutions'  
9 representative Dave Griffing was asked about union contracts  
10 in April in the hearings in the House, right?

11 A Yes.

12 Q And he had indicated to the House that those members  
13 who were concerned that the union contracts had been worked  
14 out, right?

15 A I can't answer that. I don't know that.

16 Q Mr. Householder, did you schedule the vote on  
17 July 23rd, 2019, before the news broke about the union  
18 contracts to ensure you had enough votes to pass House Bill  
19 6?

20 A No.

21 Q You couldn't have passed House Bill 6 on the July 23rd  
22 without those Democrat votes who supported the unions,  
23 right?

24 A That's correct, um-hmm.

25 Q Now, after the -- after House Bill 6 passed the House

1 and Senate, was signed into law, you directed people on your  
2 staff or people on the House staff to prepare back-up  
3 legislation, right?

4 **A** Yes, later.

5 **Q** And the gist of that legislation was reclassifying  
6 House Bill 6 as a tax, right?

7 **A** Yes, um-hmm.

8 **Q** And you told Chuck Jones that this was your plan,  
9 right?

10 **A** I don't recall that, but --

11 MS. GLATFELTER: Your Honor, permission to publish  
12 634 C, which has been admitted into evidence?

13 THE COURT: Yes.

14 MS. GLATFELTER: All right. And Ms. Terry, if we  
15 can go to page 2, please. All right. And if we can expand  
16 that top message.

17 **Q** All right. Mr. Householder, do you -- this is a text  
18 message from Charles Jones to Mike Dowling. Can you read  
19 that first sentence?

20 **A** Yes. Larry is ready to do new legislation immediately  
21 if they turn in signatures. He says they won't turn them in  
22 if they don't have raw amount greater than 265,000.

23 **Q** Okay.

24 **A** DeWine is on board.

25 **Q** Mr. Householder, I just said the first sentence.

1       **A**       I see.

2                   MS. GLATFELTER:   Okay.   Now, you can go ahead and  
3       take that down, Ms. Terry.

4       **Q**       Did you talk to Mr. Jones about your plan regarding  
5       the new legislation?

6       **A**       Well, I either talked to Chuck Jones about it or he  
7       talked to somebody that had talked to me, I suppose.   It  
8       could be hearsay I guess.   I don't know.

9       **Q**       You don't know if you talked to Chuck Jones about the  
10      plan?

11      **A**       I would say it's possible I did, yes.

12      **Q**       It's possible you talked to Chuck Jones about the  
13      plan?

14      **A**       Um-hmm.

15      **Q**       And it's possible that you talked to Chuck Jones about  
16      having the legislation ready to go?

17      **A**       It's possible, yes.

18      **Q**       Now, Mr. Householder, you also called Attorney General  
19      Yost during the period of time that the referendum petition  
20      was pending before his office, right?

21      **A**       Yes.

22                   MS. GLATFELTER:   Okay.   And permission to publish,  
23      Your Honor, what has been admitted as Exhibit 737?

24                   THE COURT:   Yes.

25                   MS. GLATFELTER:   All right.   Ms. Terry, if we can

1 enlarge that, please?

2 **Q** All right. And fair to say that you contacted him  
3 several times, you contacted him once on July 29th?

4 **A** Yes.

5 **Q** 11-minute conversation?

6 **A** Yes.

7 **Q** You contacted him again on August 2nd, 6-minute  
8 conversation?

9 **A** Yes.

10 **Q** All right. And then if we look at the 26th, you  
11 called Mr. Borges twice?

12 **A** Yes.

13 **Q** You spoke to him for 7 minutes, right?

14 **A** Um-hmm.

15 **Q** And then immediately after, you called Attorney  
16 General Yost again?

17 **A** Yes.

18 MS. GLATFELTER: All right. Your Honor, permission  
19 to publish what's been admitted as 607 C?

20 THE COURT: Yes.

21 MS. TERRY: 607?

22 MS. GLATFELTER: C as in "cat."

23 **Q** Okay. Mr. Householder, this is a phone log from your  
24 phone that the FBI extracted. Do you see what's on your  
25 screen?



1       **A**       I see it, yes.

2                   MS. GLATFELTER: Okay. And, Ms. Terry, if you can  
3 enlarge that for us, please.

4       **Q**       All right. So we see the parties to the calls in the  
5 first -- in the second column, right, the parties are Dave  
6 Yost, right, he's a party to the calls?

7       **A**       Yes.

8       **Q**       Okay. And you see that last column on the right -- or  
9 second-to-last column that says "deleted" where it says  
10 "yes, yes"?

11       **A**       Yes, I do.

12       **Q**       You see that column right there?

13       **A**       Yes, I do.

14       **Q**       Okay. So when the FBI extracted your phone, these  
15 contacts with Dave Yost were deleted. Why did you delete  
16 them?

17       **A**       What do you mean, "contacts with"? Do you mean in my  
18 contacts or do you mean the phone numbers?

19       **Q**       No, I'm sorry. The call log, the evidence that shows  
20 that you contacted Dave Yost on these days was actually  
21 deleted from your phone. FBI was able to recover that, but  
22 why was it deleted?

23                   MR. OLESKI: Objection. She's testifying.

24                   THE COURT: Overruled.

25                   THE WITNESS: I generally delete as much as I can

1 off my telephone, and always for a long time I've done that  
2 because I don't like to pay storage costs, excess cost.

3 **Q** Okay. And so deleting -- that's why you would delete  
4 your call log?

5 **A** Aren't these -- are you talking about a call log is if  
6 you make a phone call and it's on there and it will show as  
7 recents and then you delete them?

8 **Q** Yes, that's exactly.

9 **A** Yes, I delete them.

10 **Q** It's your practice to delete all of your calls on your  
11 call log?

12 **A** Yeah. I don't keep them. As much as I can.

13 **Q** Only certain calls or all of them?

14 **A** My habit -- and I don't know how long I've done that,  
15 maybe I've only done it the last four years or five years, I  
16 don't know, but it's always been to delete, try to delete as  
17 much as I can, e-mails on my phone, text messages on my  
18 phone, and phone calls on my phone, because you have to pay  
19 if you don't have enough storage on your phone.

20 **Q** Sure. But my question was: Is it that you're  
21 deleting all of the calls in the call log or just  
22 particular --

23 **A** I didn't delete these calls because I was trying to  
24 conceal them.

25 **Q** You delete all of the calls on your call log?

1       **A**       Yes.

2       **Q**       Okay. Now, yesterday, you talked about the reason  
3 that you decided to run for the House of Representatives  
4 again in 2016; do you recall that testimony?

5       **A**       Yes.

6       **Q**       Okay. And why did you -- you said something about  
7 divisiveness or divisiveness, right?

8       **A**       Yes.

9       **Q**       Can you explain that again?

10      **A**       Well, yes. The House was not only between Democrats  
11 and Republicans, but also between Republicans themselves.  
12 There wasn't -- they had a lack of decorum in the House and  
13 it was just a situation that it seemed like it was making it  
14 more difficult for them to do business.

15      **Q**       Okay. And that was concerning to you, right?

16      **A**       Yes.

17      **Q**       And you testified I think yesterday that you wanted to  
18 bring people together, right?

19      **A**       Yes, um-hmm.

20               MS. GLATFELTER: Your Honor, permission to publish  
21 a portion of Session 7435 from the Title III? This is not  
22 in evidence, but it's permissible pursuant to our  
23 stipulation.

24               THE COURT: Any objection?

25               MR. OLESKI: To be candid, I don't know what

1 Ms. Glatfelter is referring to, so --

2 MS. GLATFELTER: These were provided.

3 THE COURT: Any objection?

4 MR. OLESKI: No.

5 MR. SCHNEIDER: None.

6 THE COURT: They're admitted. You may publish.

7 MS. GLATFELTER: Thank you. And, Ms. Terry, if we  
8 can publish the portion of Session 7435 from 4 minutes and  
9 53 seconds to 6 minutes and 3 seconds. And for the  
10 reference, this occurred on March 3rd -- I'm sorry,  
11 March 30th, 2018. I'm sorry, 913.

12 MS. TERRY: I'm so sorry.

13 (Recording playing.)

14 **Q** All right. Mr. Householder, do you recognize your  
15 voice and Mr. Clark's voice on that phone call?

16 **A** I do.

17 **Q** Okay. And I think yesterday you testified that --  
18 well, let me ask you this: Do you keep track of who's  
19 contributing to your campaign or the Generation Now (c) (4)  
20 versus who was contributing to others, like Ryan Smith?

21 **A** Usually, our fundraiser specialist, consultant, could  
22 keep track of things.

23 **Q** But I mean, would you want to know that, you're kind  
24 of tallying this up, you're either for me or against me?

25 **A** I think everybody -- I think everybody knew, you know,

1 that's kind of standard, I guess. Yes.

2 **Q** Okay. So I'm asking about you, though. I'm not  
3 asking about everyone. I'm asking about you. Did you keep  
4 track of who -- of, you know, who was in favor of  
5 Mr. Householder because they're donating to Mr. Householder  
6 and who's not?

7 **A** Yes.

8 **Q** And why would that be important?

9 **A** It's important because you need to know who's out  
10 there as far as 501(c)(4)s. There's so many of them. One,  
11 it's for fundraising. I guess that would be -- yeah.

12 **Q** But why would it be important to know who is  
13 contributing to you and who is not contributing to you, why  
14 would you want to keep track of that, you know, as a  
15 representative who's going into the legislature?

16 **A** Overall, I think you're wanting to know who is  
17 contributing to campaigns.

18 **Q** Why?

19 **A** Well, raising money is a big part of being successful,  
20 and you need to know who's active.

21 **Q** But why do you need to know that? I mean, I  
22 understand from your testimony that fundraising is important  
23 and you got to raise money, but why does it matter who's  
24 contributing? What do you need that information for?

25 **A** Well, you need that information to know who's

1 contributing.

2 **Q** Right.

3 **A** Right.

4 **Q** But why do you need to know who's contributing?

5 **A** If you didn't know who was contributing, you wouldn't  
6 know who to reach out to to raise money from.

7 **Q** Okay. And do you -- are there consequences for people  
8 who don't contribute? So let's take it in 2018. I don't  
9 want to talk in hypotheticals, let's talk about 2018.  
10 People that contributed only to Ryan Smith or Ryan Smith  
11 candidates, are there consequences for them when you become  
12 Speaker?

13 **A** I'm not sure I even -- I don't know that I remember  
14 who were -- I mean, I probably know a couple of Ryan Smith  
15 contributors, but I wouldn't know them all.

16 **Q** Sure. But were there consequences? I mean, you're  
17 keeping track who's contributing to you and who's  
18 contributing to Smith, so are -- you know, are there  
19 consequences for those people that don't contribute to you?

20 MR. OLESKI: Objection, relevance.

21 THE COURT: Overruled.

22 THE WITNESS: I wouldn't think there would be  
23 consequences, no.

24 **Q** Well, I'm not asking, I'm not asking like a  
25 hypothetical. I'm asking, are there -- were there

1 consequences for people who didn't vote -- or people who  
2 didn't contribute to you?

3 **A** I can't think of any consequences.

4 MS. GLATFELTER: Your Honor, permission to admit  
5 and publish Session 1673, which is admissible pursuant to  
6 our stipulation? It's a Title III call from January 10th,  
7 2018.

8 THE COURT: Any objection?

9 MR. OLESKI: May we approach briefly, Judge?

10 THE COURT: Yes.

11 **SIDEBAR CONFERENCE.**

12 MR. OLESKI: Judge, the reason I asked for a  
13 sidebar is this: I understand that pursuant to the  
14 stipulation that these records are authentic. However, I  
15 don't have a premarked exhibit copy of this Title III audio  
16 recording, so I don't know whether I would have 403  
17 objections. So I'd ask for the opportunity to review the  
18 audio recording before I decide whether I'm objecting to the  
19 admission of the exhibit or not.

20 THE COURT: They were provided to you.

21 MR. OLESKI: There were I think three to four  
22 months' of Title III audio recorded calls that were provided  
23 to us by the government in Rule 16 discovery. I haven't  
24 listened to every single one of those recordings, I listened  
25 to the recordings that were marked as exhibits and that were

1 admitted into this case. I haven't seen -- I don't know --  
2 to be candid, I don't know what is or isn't on that audio  
3 recording.

4 THE COURT: Seems to me like you should. Does the  
5 government wish to be heard?

6 MS. GLATFELTER: These were provided in discovery.  
7 These are statements of his client. We did provide the  
8 Title III for Mr. Clark's entire phone in discovery and you  
9 can search those very easily through the line sheets that we  
10 provided of which ones Mr. Householder is a party and I  
11 believe that's less than -- I'm just guessing, but I'm going  
12 to say that's around 50 calls. I'm estimating, though.

13 MR. OLESKI: With all due respect, Judge, there  
14 are --

15 THE COURT: That always concerns me.

16 MR. OLESKI: I'll strike that reference. You know,  
17 we -- without objection allowed the government to admit or  
18 didn't object to the government admitting 900 or a thousand  
19 exhibits that we didn't review before trial, and in order to  
20 expedite, you know, this case, but I did not spend all of my  
21 trial preparation reviewing every single Title III audio  
22 recording that was provided in discovery. I reviewed the  
23 ones that the government marked as exhibits and that were  
24 provided to us at the government's trial disclosures. I  
25 apologize, Judge, I do not mean to interrupt, but I'd only



1 ask for an opportunity to review the audio file before  
2 objecting or not objecting.

3 MS. GLATFELTER: Your Honor, that's fine. It's a  
4 minute portion where Mr. Householder is talking about --  
5 minus the curse words, but screwing over people who don't  
6 contribute to him.

7 THE COURT: And it's a minute?

8 MS. GLATFELTER: I think it's like a minute or two  
9 minutes.

10 THE COURT: And you need to review it?

11 MR. OLESKI: I would like to review it, yes.

12 THE COURT: All right. Should I tell them you're  
13 reviewing it?

14 MR. OLESKI: My client?

15 THE COURT: No, the jury.

16 MR. OLESKI: Oh, yes.

17 THE COURT: Very well. Give me a minute.

18 MS. GLATFELTER: He can use headphones and listen  
19 to Ms. Terry's computer.

20 THE COURT: They're saying they'll give you their  
21 headphones on their thing and you can listen to that portion  
22 of it. Does that do it?

23 MR. OLESKI: Yes. I would note for the record that  
24 I objected to this line of questioning under relevance  
25 grounds. I now also -- I'll review the audio file, but

1 based on Ms. Glatfelter's description, I also object under  
2 403.

3 THE COURT: Very well. Do you want us to stay up  
4 here so we don't call attention to your reviewing it?

5 MS. GLATFELTER: So it's on Ms. Terry's computer.  
6 We can either take a brief recess or Ms. Terry could -- I  
7 think she could take her computer and go in there with  
8 Mr. Oleski so he can hear it.

9 THE COURT: That acceptable?

10 MR. OLESKI: That's acceptable. Thank you, Judge.

11 THE COURT: Very well.

12 MR. SCHNEIDER: Can we listen too, can we just  
13 participate?

14 THE COURT: Yes.

15 MR. SCHNEIDER: Thank you.

16 **SIDEBAR CONCLUDED.**

17 (Pause.)

18 THE COURT: Turn the white noise off, please.

19 You may proceed.

20 MS. GLATFELTER: Thank you. Your Honor, I was  
21 asking to admit Exhibit No. 906 from the wiretap, which is  
22 section -- Session 1673. It's an excerpt from January 10th,  
23 2018, and I would like Ms. Terry to play 12 minutes and  
24 8 seconds to 13 minutes and 1 second.

25 THE COURT: Any further objections?

1 MR. OLESKI: Nothing further, Judge.

2 THE COURT: Very well.

3 MR. SCHNEIDER: None here.

4 THE COURT: It's admitted. You may publish it by  
5 playing it.

6 (Recording playing.)

7 **Q** Mr. Householder, did you hear that?

8 **A** Yes, I did.

9 **Q** All right. And did you hear your voice on there?

10 **A** Yes, I did.

11 **Q** Okay. The last maybe like 5 seconds there?

12 **A** I did.

13 **Q** All right. And you said: We can F them over later?

14 **A** Um-hmm.

15 **Q** All right. Who are you referring to in that  
16 recording?

17 **A** It's -- it sounds like a donor or donors of Ryan  
18 Smith's candidates.

19 **Q** Okay. Now, yesterday you testified about  
20 Representative Greenspan, you were asked a series of  
21 questions about Mr. Greenspan. Do you remember that?

22 **A** I do.

23 **Q** And I think -- you can tell me if I have this wrong,  
24 but I think summary of what you were saying was that you  
25 were trying to extend the olive branch to people who had

1 supported Ryan Smith for Speaker, and so an example was the  
2 committee assignment that you gave to Representative  
3 Greenspan. Do you remember that?

4 **A** That's correct.

5 **Q** All right. And I think you said or you testified that  
6 you put him on the prestigious finance committee?

7 **A** Yeah, finance and appropriations.

8 **Q** I'm saying prestigious because that's the word that  
9 you used.

10 **A** Prestigious or something to that effect.

11 **Q** But the House Finance Committee has 33 of the 99  
12 members of the House on it, right?

13 **A** Yes.

14 **Q** All right.

15 **A** A third of the House.

16 **Q** Right. So if a third of the House is on the  
17 committee, it's not all that prestigious, is it?

18 **A** Oh, my, it's very prestigious.

19 **Q** And you put him on the transportation subcommittee,  
20 right?

21 **A** Chairman, yes.

22 **Q** That's right. And you said that there was an  
23 important bill that year, the ODOT budget?

24 **A** That's an important bill every two years. It funds  
25 all of the transportation projects in the state of Ohio.

1       **Q**       Right. But what you didn't tell the jury was that  
2 actually went to a different committee, that didn't go to  
3 the transportation portion?

4       **A**       I don't recall that.

5       **Q**       Okay. But anyway, you assigned him to the  
6 transportation subcommittee of the finance committee, right?

7       **A**       Finance committee, finance and appropriations  
8 committee, he was on the full committee, and on the  
9 subcommittee he was chairman of transportation.

10      **Q**       Yesterday, you talked a bit about -- and today, you  
11 talked a bit about House Bill 6, and I guess it was  
12 yesterday we were talking -- you were testifying about the  
13 importance of priority bills for the leadership, right; do  
14 you remember that?

15      **A**       Well, the importance of -- importance of priority  
16 bills for the House and, yes, for Ohio, yes.

17      **Q**       Right. And I think you had mentioned that it was  
18 important to pass and be successful on the priority pieces  
19 of legislation because you are judged in future Speakership  
20 elections by your record of passing the priority  
21 legislation?

22      **A**       I think everybody on leadership is judged to some  
23 effect by their success and whether or not they're getting  
24 priority legislation passed.

25      **Q**       Okay. And so -- I mean, success is essentially

1 winning, right, I mean, it's --

2 **A** Winning?

3 **Q** Yeah. Like, you're winning your -- I guess it's like  
4 a theme, right, in terms of the electability of  
5 representatives, you're talking about whether they can win  
6 their races, right?

7 **A** Whether or not you pass priority legislation -- I  
8 guess I'm not following you. I'm sorry.

9 **Q** Well, I guess, so when you were talking about the  
10 importance of priority bills, one of the things you were  
11 talking about yesterday was the importance that it is to  
12 your record, right, you're going to be judged according to  
13 your ability to pass priority legislation, right?

14 **A** All of us on leadership, I think, are judged about  
15 whether we are capable of passing legislation that the  
16 caucus and the members believe are important.

17 **Q** All right. It's about maintaining your power as  
18 Speaker, right?

19 **A** Well, yes, it's about being successful.

20 **Q** Right.

21 **A** It's about whether or not they're going to retain  
22 their leadership positions, yes.

23 **Q** Well, for you, I mean, it's about maintaining your  
24 power, right, maintaining your power as Speaker and making  
25 sure that you have the respect of your members?

1       **A**       Well, I guess that would be part of it, yes.

2       **Q**       And it was important for House Bill 6 to pass for that  
3       reason, right?

4       **A**       I guess that that -- that reason among others.

5       **Q**       And when you got to the referendum period, it was  
6       important that it stays a law or that House Bill 6 stayed a  
7       law because it was important for you to maintain your power  
8       and respect of your members?

9       **A**       Well, it goes beyond that.

10               MS. GLATFELTER: All right. Your Honor, permission  
11       to publish what's been admitted as 536 A, and ask that the  
12       jurors be allowed to follow in the transcripts of 536 B?

13               THE COURT: Yes. Yes. Give us a moment. 536 B as  
14       in "boy"; is that right?

15               MS. GLATFELTER: Yes. Page 23 for the jury's  
16       reference, the bottom, I believe of page 33 -- I mean,  
17       sorry, 23. I can't read my own notes here.

18               THE COURT: Transcripts are behind you, if you  
19       want.

20               (Recording playing.)

21       **Q**       All right. Mr. Householder, yesterday you talked a  
22       little bit about House Bill 6 and sort of the support or why  
23       you thought it was important. Do you remember that?

24       **A**       Yes.

25       **Q**       Okay. And in the context of those discussions and I

1 think a little bit today, you testified that House Bill 6  
2 was amended both in the House and the Senate, right?

3 **A** Yes.

4 **Q** All right. But some things in House Bill 6 stayed  
5 consistent throughout those amendments, right?

6 **A** Yes, I believe so.

7 **Q** Right. And so the fact that there was a subsidy, that  
8 stayed consistent in the introduced bill, as it passed the  
9 House, as it passed the Senate and as it was introduced,  
10 there was a subsidy that benefitted FirstEnergy Solutions,  
11 right?

12 **A** As long as they produced carbon-free energy, correct.

13 **Q** And the subsidy, to be clear, it's not a loan, right?

14 **A** That is correct.

15 **Q** Right. It's like a bag of cash, they don't have to  
16 return it?

17 **A** It's a subsidy, just like they subsidize solar, they  
18 subsidize wind and other things.

19 **Q** That's what a subsidy is; it's not a loan?

20 **A** Right.

21 **Q** And there are people in your caucus, in the Republican  
22 Caucus, that didn't support House Bill 6 for that reason,  
23 they thought it should be a loan; not a subsidy, right?

24 **A** Well --

25 **Q** They told you that?



1       **A**       Pardon me?

2       **Q**       And they told you that?

3       **A**       Well, there are various reasons for people not to  
4       support House Bill 6, and I mean, I could have a debate on  
5       why a bankrupt company wouldn't want another loan, but there  
6       was various reasons.

7       **Q**       All right. Well, let's talk about that. I was  
8       actually going to get to that later, but since you brought  
9       it up, I mean, you know that House Bill 6 has been repealed  
10      and Energy Harbor --

11               MR. OLESKI: Objection, relevance, 403.

12               THE COURT: I'm going to give counsel latitude.  
13      It's overruled.

14               MS. GLATFELTER: Thank you, Your Honor.

15      **Q**       You're aware that House Bill 6 subsidy has been  
16      repealed and Energy Harbor, which is now the new name for  
17      FirstEnergy Solutions, it's still in business, right?

18               MR. OLESKI: Objection, form, compound.

19               THE COURT: Break it down, please.

20               MS. GLATFELTER: Sure.

21      **Q**       FirstEnergy Solutions is now called Energy Harbor,  
22      right?

23      **A**       That's correct.

24      **Q**       House Bill 6 has been repealed, right?

25      **A**       That's --

1       **Q**       House Bill 6 subsidy has been repealed, right?

2       **A**       Yes. I voted for it.

3       **Q**       And after the repeal, Energy Harbor is still in  
4       business, right?

5       **A**       That's correct because --

6       **Q**       Those two nuclear plants are still running, right?

7       **A**       Yeah, the gas prices came back up, so they don't need  
8       the subsidy anymore.

9       **Q**       They don't need the subsidy anymore, right?

10      **A**       Um-hmm.

11      **Q**       And those jobs are still there, right?

12      **A**       Thankfully, yes.

13      **Q**       Now, House Bill 6 -- so House Bill 6 is introduced to  
14      include that subsidy, right?

15      **A**       When it was introduced, it had a -- it was a clean air  
16      fund that provided a subsidy, I think it was \$9 per megawatt  
17      hour to any -- any entity that produced carbon-free energy  
18      in Ohio.

19      **Q**       Okay. And so we were talking about what remained  
20      consistent in the different versions of the bill. And so by  
21      that, I'm talking about as introduced, as passed by the  
22      House, and as signed into law, okay? So one of the other  
23      things I wanted to ask you about was decoupling. It was in  
24      the introduced version, right?

25      **A**       I know it passed out of the House with decoupling.

1 Q Okay.

2 MS. GLATFELTER: Your Honor, permission to publish  
3 458 A, which has been admitted?

4 THE COURT: Yes.

5 MS. GLATFELTER: If we can see page 1, Ms. Terry.

6 Q Is this House Bill 6 as it was introduced into the  
7 House?

8 A Yes, um-hmm.

9 MS. GLATFELTER: All right. If we can go to  
10 page 19, Ms. Terry.

11 Q All right. Do you see decoupling on your screen  
12 there, Mr. Householder?

13 A I do, I do.

14 Q All right. Does that refresh your memory as to  
15 whether decoupling was in the original introduced version of  
16 House Bill 6?

17 A Yes, I see it.

18 Q Okay. So it also passed the House, right, the  
19 decoupling provision?

20 A Um-hmm, yes.

21 Q And it was also in the version that was signed by the  
22 governor, right?

23 A Yes.

24 Q And as we've heard about at trial already from  
25 witnesses, from the FirstEnergy witness, decoupling was a

1 benefit to FirstEnergy Corporation, it provided a guaranteed  
2 \$50 million a year, right?

3 **A** Well, our understanding was that every utility in the  
4 state of Ohio had it except FirstEnergy.

5 **Q** But FirstEnergy was the only one that could apply --  
6 that applied and was successful in that, right?

7 **A** I'm not aware of that.

8 **Q** And it was tied to their most profitable year, 2018,  
9 the decoupling provision in House Bill 6?

10 **A** I'm not an expert on decoupling, Bill Seitz would have  
11 been far better on decoupling than myself.

12 **Q** But you understand decoupling to be a benefit to  
13 FirstEnergy Corporation, don't you?

14 **A** My understanding was that the only utility in Ohio  
15 that didn't have that mechanism was FirstEnergy.

16 **Q** Right.

17 **A** Because of the way they were formed.

18 **Q** And you know Chuck Jones said, it made the company  
19 essentially recession proof, right?

20 **A** I'd seen that, yes.

21 **Q** Right. All right. And so yesterday you were talking  
22 about, House Bill 6 was important because of the cost  
23 savings that it provided to consumers, right?

24 **A** Yes.

25 **Q** And that was one of the reasons that you supported the

1 bill?

2 **A** Absolutely, yes.

3 **Q** And your understanding of the cost savings of House  
4 Bill 6 was based on the analysis of the Legislative Service  
5 Commission, right?

6 **A** Yes.

7 **Q** All right. And isn't it true that Legislative  
8 Services Commission was unable to quantify the cost of  
9 decoupling to the consumers, so when we say that House Bill  
10 6 was a savings for consumers, they couldn't even calculate  
11 decoupling to determine whether or not that saved or cost  
12 consumers money, right?

13 **A** I can't respond to the decoupling part of it. I can  
14 only respond to the fact that with the mandates replaced by  
15 the charge for the clean -- the carbonless, carbon-free  
16 fuel, that it was a savings of 2.3 billion and then when we  
17 did away with the nuclear subsidy, it was 3.4 billion to the  
18 consumers.

19 **Q** I was going to ask you about that because you told the  
20 jury that it was a savings to consumers of billions of  
21 dollars, right?

22 **A** Yes.

23 **Q** And that was based on the Legislative Service  
24 Commission reports?

25 **A** Yes.

1 Q And so you're aware that the Legislative Service  
2 reports didn't include the decoupling, the cost of  
3 decoupling, right?

4 A I didn't know it didn't include that.

5 Q Okay. So that would weigh into if FirstEnergy is  
6 getting a benefit of millions of dollars a year and it's not  
7 included in the cost analysis Legislative Services  
8 Commission does, that affects the analysis, right?

9 A Well, I don't know what effect decoupling has, I don't  
10 know that.

11 Q Well, you heard the FirstEnergy representative testify  
12 that it was over \$50 million a year?

13 A But you're trying to --

14 MR. OLESKI: Objection. He can't speak to the  
15 testimony of another witness.

16 MS. GLATFELTER: Your Honor, he can. He's the  
17 defendant, he was here.

18 THE COURT: The objection is overruled.

19 THE WITNESS: Well, you just said that Legislative  
20 Service Commission couldn't even figure it, so how am I  
21 going to know whether it cost the consumers money or not? I  
22 wouldn't know.

23 Q Okay. Well, so it's important when you tell people  
24 that this was a cost savings to consumers and a great deal  
25 for consumers, that's relevant to add, right, that part of

1 the bill, they couldn't even analysis the cost -- you know,  
2 how costly that was to consumers?

3 **A** Or uncostly.

4 **Q** And you know, you mentioned the energy efficiency  
5 mandates a minute ago and I wanted to talk about that. You  
6 said that cutting those efficiency mandates saved consumers  
7 money, right?

8 **A** Yes.

9 **Q** And isn't it true that the Legislative Service  
10 Commission analysis didn't include, didn't include the  
11 savings that consumers got from energy efficiency?

12 **A** I couldn't speak to that either. I just know that the  
13 utility companies were for keeping those mandates in place  
14 because the utility companies were making a lot of money off  
15 of Ohio's consumers.

16 **Q** Well, consumers were saving money with the energy  
17 efficiency mandates and so when you cut them out of House  
18 Bill 6 -- oh, yeah --

19 **A** I think we're going to get into a debate.

20 THE COURT: Excuse me. Is there an objection?

21 MR. OLESKI: Objection to form, compound.

22 THE COURT: Break it down.

23 **Q** The energy -- well, PUCO, you recognize what PUCO is,  
24 right? PUCO is the Public Utilities Commissions of Ohio?

25 **A** Yes.

1       **Q**       And they came out with an analysis that the energy  
2 efficiency mandates saved consumers money; do you remember  
3 that?

4       **A**       Well, it -- I think it's all in the eye of the  
5 beholder. If you're talking about the fact that because you  
6 put a certain light bulb in your lights, that that saves you  
7 money because it's less electricity, that could be true, but  
8 you also have to couple that with, as you so eloquently  
9 described here a minute ago, you have to take in the  
10 cost/benefit savings by them not having to pay that monthly  
11 charge.

12       **Q**       Right.

13       **A**       And if you look at the commercial users, when you have  
14 commercial users that are spending upwards of \$50,000 a  
15 month on these mandates, I would have to think -- I mean,  
16 that's a lot of jobs. They can employ a lot of people in  
17 the state of Ohio for \$50,000 a month.

18       **Q**       So my question was: Were you aware of the PUCO  
19 analysis that found that the energy efficiency mandates  
20 resulted in a net savings for consumers?

21       **A**       Was that net savings, did it also include the fact  
22 that they were saving money on their electric bill as far as  
23 what they're charged because of House Bill 6 or did it take  
24 into consideration the fact that because there's less heat  
25 in those bulbs now, some of our air conditioning and the



1 furnaces don't work properly? Because I know the HVAC  
2 people have talked about that as well. Is it an all  
3 inclusive savings or are they just talking about the light  
4 bulbs? I don't think we know that.

5 THE COURT: You were going to answer questions, not  
6 ask questions, right?

7 THE WITNESS: I'm sorry, Judge. We're getting into  
8 political debate, is what we're getting into, I'm sorry.

9 THE COURT: Welcome to the federal court.

10 Q I'm just simply asking if you were aware that PUCO --  
11 the PUCO's analysis found that there was a net cost savings  
12 to consumers for energy efficiency mandates?

13 A Was I aware of that?

14 Q Yes.

15 A No.

16 Q Okay. And were you aware that the LSC, the  
17 Legislative Service Commission's analysis of House Bill 6  
18 didn't include those net savings?

19 A No, I wasn't aware of that.

20 Q Okay. And are you aware that if you factor in those  
21 net savings, put decoupling aside, all right, putting  
22 decoupling aside, we're just talking about the energy  
23 efficiency savings, when you factor that into the analysis,  
24 HB 6 actually increased consumers' bills by a dollar a  
25 month?

1       **A**       Was I aware of that, is that what your question is?

2       **Q**       Yes.

3       **A**       No, I was not aware of that.

4       **Q**       Okay. And were you aware that the final version of  
5       House Bill 6, the one that was signed into law,  
6       grandfathered in some of those renewable energy  
7       efficiency -- or I'm sorry, renewable energy sources and so  
8       the net -- the savings that you were talking about yesterday  
9       to consumers wouldn't actually be realized until the end of  
10      House Bill 6, like if we're talking about six years or if  
11      we're talking about ten years, they wouldn't actually find  
12      any savings until the end?

13      **A**       I know that -- I know that the nuclear power plants,  
14      by saving them, we saved \$500 million a year in gross  
15      domestic product, \$450 million a year in taxes, state and  
16      local taxes that were paid by those nuclear plants. We  
17      saved 435,000 jobs directly and what economic impact that  
18      has on the State of Ohio, I think if you factor all of these  
19      things in, I think it was much of benefit to the State of  
20      Ohio for House Bill 6.

21      **Q**       Okay. I was asking about the fact that renewables  
22      were grandfathered into House Bill 6, the final version,  
23      were you aware of that?

24      **A**       Yes, that was the Senate version.

25      **Q**       Okay. And so when you told us yesterday or when you

1 testified that there would be all of these savings to  
2 consumers, did you know that those savings wouldn't even be  
3 realized until the very end of when House Bill 6  
4 implemented?

5 **A** I knew that -- I knew that there was that much in  
6 savings. I didn't know the timing of it all.

7 **Q** And to be clear, House Bill 6, the subsidies, the  
8 subsidies are gone, right, it's been repealed?

9 MR. OLESKI: Objection, asked and answered.

10 THE COURT: I'd like some clarity. Overruled.

11 THE WITNESS: I voted to remove the nuclear  
12 subsidies because they were no longer needed because what we  
13 had to get through was a period of time. As I have talked  
14 about before, the marketplace was being flooded by very  
15 inexpensive, artificially and inexpensive natural gas  
16 because of the shale play in eastern Ohio, it was driving  
17 down the cost of gas well below what it had historically  
18 been and that made the nuclear plants unprofitable because  
19 they could not compete. If we could buy a little bit of  
20 time as Ohio and gas prices went back to their normal stage,  
21 those nuclear power plants would be able to compete on their  
22 own.

23 **Q** Okay. And so under that analysis, the six years  
24 wasn't even necessary, it only needed a year?

25 **A** Well, actually in the bill, there's a provision in the

1 bill that the air quality development people could determine  
2 from records from Energy Harbor whether or not the subsidy  
3 was needed or whether -- how much of the subsidy was needed  
4 for them to be competitive. So when you look at six years  
5 or you look at the amount of the subsidy, you know, the  
6 subsidy was supposed to be \$9. They could have determined  
7 it was \$4.50 or if it was a dollar or if it was zero or if  
8 they got one at all. If they became profitable or, you  
9 know, competitive, profitable, they could have ruled that  
10 there was no subsidy whatsoever.

11 **Q** And your testimony is that that is why it was  
12 repealed?

13 **A** No. My testimony was --

14 MR. OLESKI: Objection.

15 THE COURT: Overruled. It's cross. He can answer.

16 THE WITNESS: My testimony was that it was repealed  
17 because it was no longer necessary. There was no point in  
18 having the subsidies anymore. They were competing on their  
19 own.

20 **Q** And that repeal was in 2021, right?

21 **A** I believe so, that's correct.

22 **Q** Now, while you were -- I want to go back to the  
23 discussion, I think we talked about it a little bit today  
24 and yesterday maybe. While you were out of office, in  
25 between the time that you served during your first stint as

1 Speaker and your second, you ended up with a judgment  
2 against you for \$1.89 million, right?

3 **A** Yes.

4 **Q** And that was the result of guaranteeing a loan for the  
5 coal mining business that you were talking about?

6 **A** That's correct.

7 **Q** And that judgment was entered against you in 2014?

8 **A** '14 or '15, yes.

9 **Q** It was entered against you -- also an entity that you  
10 own called Householder Limited, right?

11 **A** That's correct.

12 **Q** And Householder Limited is a business that you own?

13 **A** Yes, LLC.

14 **Q** Okay. It's registered in Ohio?

15 **A** Yes.

16 **Q** Okay. And what role do you have in that business?

17 **A** I'm sole proprietor.

18 **Q** All right. And so in 2015 -- well, let me back up for  
19 a minute.

20 The money was owed to an entity that was called Union  
21 Bank, right?

22 **A** That's correct.

23 **Q** And that was in -- Union Bank was in, I think,  
24 Louisiana; is that right?

25 **A** Louisiana.

1 Q And in 2015, that judgment was filed in Ohio, right?

2 A I believe so.

3 Q And that meant they could start collecting on your  
4 assets in Ohio, right?

5 A Yes, I would assume.

6 Q I mean, that's why you hired an attorney here in Ohio  
7 to represent you, right?

8 A Yes.

9 Q Okay. And that was Richard Stovall?

10 A It was.

11 Q And that case went on through 2016, right?

12 A It went on for a while.

13 Q 2017?

14 A Like I said, it went on for a while.

15 Q And 2018 is when it was settled; is that right?

16 A Yes.

17 Q All right. And so in 2016, 2017, and 2018, before  
18 that case settled, you owed \$1.89 million, right? I mean,  
19 that's what they could collect against you?

20 A Yes.

21 Q And although you had that judgment against you, you  
22 were able to maintain your farm, right?

23 A Yes.

24 Q And you didn't have to file for bankruptcy because of  
25 that?

1       **A**       No.

2       **Q**       And given your history of running for office, you're  
3 aware of the state's disclosure form that candidates must  
4 fill out?

5       **A**       Yes.

6       **Q**       And it's called a Financial Disclosure Statement,  
7 right?

8       **A**       That's correct.

9       **Q**       You have to complete that form if you're in the  
10 General Assembly or if you're a candidate for the General  
11 Assembly?

12       **A**       That's correct.

13       **Q**       And the disclosures -- the disclosure forms require  
14 categories of information like income, investments, real  
15 estate, right?

16       **A**       Yes.

17       **Q**       All right. And it requires a list of creditors that  
18 are owed, right?

19       **A**       Yes.

20       **Q**       And it requires you to list certain gifts and meals?

21       **A**       It does.

22       **Q**       All right. And you filed one for 2016, correct?

23       **A**       Yes.

24                   MS. GLATFELTER: All right. Your Honor, permission  
25 to show the witness Exhibit 900, please?

1 THE COURT: Yes.

2 **Q** Mr. Householder, do you recognize this as your 2016  
3 disclosure that was filed in 2017?

4 **A** Yes.

5 MS. GLATFELTER: Your Honor, at this time I move to  
6 admit Government Exhibit 900?

7 THE COURT: Any objection?

8 MR. OLESKI: One moment.

9 MR. SCHNEIDER: No objection here.

10 THE COURT: Thank you.

11 MR. OLESKI: No objection, Judge.

12 THE COURT: It's admitted.

13 **Q** And you filed one in 2017, right?

14 **A** Yes.

15 MS. GLATFELTER: Okay. Permission to show the  
16 witness Government Exhibit 901?

17 THE COURT: Yes.

18 **Q** All right. Sir, is this your 2017 disclosure  
19 statement?

20 **A** It is.

21 MS. GLATFELTER: Your Honor, move to admit, please?

22 THE COURT: Any objection?

23 MR. OLESKI: No.

24 MR. SCHNEIDER: No.

25 **Q** And you filed one in 2018?



1 THE COURT: It's admitted.

2 MS. GLATFELTER: Thank you. Sorry.

3 THE WITNESS: Yes.

4 MS. GLATFELTER: Permission to show the witness  
5 Exhibit 902?

6 THE COURT: Yes.

7 **Q** Is this your 2018 financial disclosure statement?

8 **A** It is.

9 MS. GLATFELTER: Your Honor, permission -- I'm  
10 sorry, request to admit Exhibit 902?

11 THE COURT: Any objections?

12 MR. OLESKI: No.

13 MR. SCHNEIDER: No.

14 THE COURT: It's admitted.

15 MS. GLATFELTER: Your Honor, permission to show the  
16 witness Exhibit 903?

17 THE COURT: Yes.

18 **Q** Mr. Householder, is this your 2019 financial  
19 disclosure statement?

20 **A** It is.

21 MS. GLATFELTER: Your Honor, we would ask to admit  
22 Exhibit 903?

23 THE COURT: Any objection?

24 MR. OLESKI: No objection, Judge.

25 MR. SCHNEIDER: No.

1 THE COURT: It's admitted.

2 MS. GLATFELTER: And permission to show the witness  
3 Exhibit 904?

4 THE COURT: Yes.

5 **Q** Okay. Mr. Householder, is this your 20- -- I'm sorry,  
6 your 2020 financial disclosure statement?

7 **A** It is.

8 MS. GLATFELTER: Your Honor, ask to admit  
9 Exhibit 904?

10 THE COURT: Any objections?

11 MR. OLESKI: No.

12 MR. SCHNEIDER: No.

13 THE COURT: Admitted.

14 MS. GLATFELTER: All right. And Your Honor,  
15 permission to go back to Exhibit 900, which has been  
16 admitted, and publish for the jury?

17 THE COURT: Yes.

18 MS. GLATFELTER: And, Ms. Terry, if we can go to  
19 page 12 of this financial disclosure statement. And if we  
20 can enlarge the acknowledgement there.

21 **Q** All right. Mr. Householder, do you see your  
22 electronic signature down there at the bottom of this  
23 enlarged part, it says, Larry L. Householder?

24 **A** I do.

25 **Q** Okay. And these forms, these financial disclosures,

1 contain an acknowledgement, right, about the truth of what  
2 you're submitting?

3 **A** I always had an attorney submit these JLEC forms for  
4 me.

5 **Q** You've never looked at them?

6 **A** No.

7 **Q** So when it says -- well, how does your electronic  
8 signature get on the document, your attorney doesn't have  
9 your electronic signature, does he?

10 **A** I don't even know what an electronic signature -- I  
11 mean, is that some type of a code you put in or something?

12 THE COURT: Remember, you don't ask questions.

13 THE WITNESS: Oh, I'm sorry.

14 THE COURT: All right.

15 THE WITNESS: Sorry.

16 THE COURT: All right.

17 **Q** So this document at the top, do you see the sentence  
18 here -- oops, sorry about that -- (attorney writing) --  
19 that: By signing below, I swear or affirm that the  
20 statement and any additional attachments were prepared or  
21 carefully reviewed by me and constitute a complete, truthful  
22 and correct disclosure of all required information?

23 **A** I see that.

24 **Q** Okay. And you understand that's similar to the oath  
25 that you've taken today, that you're swearing or affirming?

1       **A**       Yes.

2       **Q**       That you're going to tell the truth?

3       **A**       Um-hmm.

4       **Q**       And your testimony is that you never have looked at  
5       these forms?

6       **A**       I've glanced over them, but I've always had an  
7       attorney file these JLEC forms for me.

8       **Q**       All right. Well, do you provide the attorney the  
9       information that goes on these forms?

10      **A**       Well, we certainly discuss them, yes.

11      **Q**       Okay. And so any of the information that's contained  
12      on the form is information that you've provided to your  
13      attorney to file?

14      **A**       Yes.

15      **Q**       And if we look at the second -- the second part of the  
16      acknowledgement right here, it says: By signing below, I  
17      acknowledge and aware -- and awareness and it goes on to  
18      state that it's a crime to misrepresent things on these  
19      forms?

20      **A**       I see that.

21      **Q**       All right. And one of the purposes of these forms is  
22      that you file them and that they're publicly available,  
23      right, for voters or for all of the citizens in Ohio to see,  
24      right?

25      **A**       That's correct.

1       **Q**       And citizens can go to the Joint Legislative Ethics  
2       Committee which houses these forms and they can look up and  
3       see what your financial disclosures are, right?

4       **A**       That's correct.

5               MS. GLATFELTER: All right. If we can go to  
6       page 1, please, Ms. Terry.

7       **Q**       You said earlier, this is your 2016 financial  
8       disclosure form?

9       **A**       Yes.

10      **Q**       Okay. And do you see this box down here, what's the  
11      date there?

12      **A**       May 15th, 2017.

13      **Q**       All right. And you had to file this because you were  
14      a member of the General Assembly in 2017, right?

15      **A**       That's correct.

16      **Q**       And to put this form in context, by the time you filed  
17      this form, you had already won in 2016, right, you're in the  
18      General Assembly?

19      **A**       That's correct.

20      **Q**       This was after that World Series game that you went  
21      to?

22      **A**       That's correct.

23      **Q**       And this was filed after your trip to the inauguration  
24      on the FirstEnergy jet?

25      **A**       That's correct.

1       **Q**       And this form was filed after you had the  
2       \$1.89 million judgment entered against you before the  
3       settlement, right?

4       **A**       That's correct.

5       **Q**       Okay. And this form is being filed while you still  
6       owe about \$20,000 on those credit cards?

7       **A**       That's correct.

8               MS. GLATFELTER: All right. If we can go to  
9       page 5, Ms. Terry.

10      **Q**       All right. Do you see question No. 3 there on the  
11      screen?

12              MS. GLATFELTER: If we can enlarge that, Ms. Terry.

13              THE WITNESS: Yes, I see it.

14      **Q**       It says: Business names, list all names under which  
15      you or your members of your immediate family do business.

16      **A**       Yes.

17      **Q**       Do you see that?

18      **A**       Um-hmm.

19      **Q**       Householder Limited is not listed there, correct?

20      **A**       No.

21      **Q**       All right. And that is a business you own, you just  
22      said that you were the sole proprietor of that?

23      **A**       In 2016, I don't think it was active.

24      **Q**       You didn't think it was active?

25      **A**       I didn't think so.

1 Q Would you be surprised to know that it's still active  
2 on the Secretary of State website?

3 A Yes, I would be.

4 Q It had an active judgment against it in 2016 for  
5 \$1.89 million?

6 A Business, yes.

7 Q Right. And if you put Householder Limited on this  
8 form and it was publicly available, people could look up  
9 Householder Limited and find that judgment against you,  
10 right?

11 A Oh, I think people knew that judgment was against me.

12 MS. GLATFELTER: Ms. Terry, can we go to page 8,  
13 please? All right. If we can enlarge the bottom part there  
14 for creditors.

15 Q All right. Do you see question No. 6 there,  
16 Mr. Householder?

17 A Yes, I do.

18 Q All right. And what do you have listed under  
19 creditors?

20 A I don't have any.

21 Q Right. And so you see this line where it says, you  
22 must disclose automobile loans, school loans, credit card  
23 accounts?

24 A Um-hmm.

25 Q And all other similar accounts if the balance exceeds

1 \$1,000 at any time during the calendar year 2016?

2 **A** And it goes on to say: You do not have to disclose  
3 the debts on your personal residence or real property used  
4 primarily for personal recreation, short-term debts  
5 resulting from the ordinary conduct of a business or  
6 profession.

7 **Q** That's right. The credit cards that you had  
8 related -- well, whatever they related to, you had \$20,000  
9 on those credit cards?

10 **A** Those were all business-related expenses.

11 **Q** So your understanding of this form is if you have a  
12 business expense or any kind of business debt, you didn't  
13 have to disclose it on the form?

14 **A** My attorney's understanding of that was that, yes.

15 **Q** And so you put -- you had a \$1.89 million judgment,  
16 which you didn't include on the creditor's section, right?

17 **A** Because that dealt with a business or a profession.

18 **Q** So you had a \$1.89 million judgment that you didn't  
19 include under creditors, right?

20 **A** That's correct.

21 **Q** You owed about \$10,000 on a Discover card that you  
22 didn't list here, right?

23 **A** It was a business debt. Yes.

24 **Q** And you owed about the same amount on a JP Morgan  
25 Chase credit card, right?



1       **A**       Those were business expenses as well. Yes.

2       **Q**       And you didn't list any of that on here?

3       **A**       According to my attorney, we didn't have to.

4       **Q**       Now, these credit cards that we're talking about,  
5       these are the credit cards that Mr. Longstreth paid off,  
6       right?

7       **A**       They are.

8       **Q**       All right. And those were paid out of the JPL  
9       account, right?

10      **A**       I didn't have any idea how they were paid.

11      **Q**       And you had no idea how Mr. Longstreth made money over  
12      the four years that he worked for you?

13      **A**       He had told me it was his personal money.

14      **Q**       His personal money that he would have gained from  
15      where?

16      **A**       Well, according to him, he had done a lot of work in  
17      West Virginia and that he was going to take that out of  
18      his -- some retirement account he had.

19      **Q**       And so during the four years that he worked for you,  
20      you have no idea whether or how he got paid?

21      **A**       Well, I know that he -- he was paid by retainers that  
22      we were paying.

23      **Q**       Who's "we"?

24      **A**       Our -- myself and other folks that had campaign  
25      committees that he was doing campaign services for.

1       **Q**       That didn't cover -- it was, I think, \$138,000 over  
2       the course of four years?

3       **A**       I don't know what -- I don't know.

4       **Q**       All right. So you don't know how -- you have no idea  
5       how he afforded the rent at the State Street office, how he  
6       paid his employees, how he would have earned an income for  
7       those four years?

8       **A**       I know that I engaged him to take care of campaign  
9       services for myself and to help me get elected and to work  
10      with candidates, recruit candidates, and help me help  
11      candidates get elected, and his business wasn't my business,  
12      so I didn't delve into his personal matters.

13      **Q**       Your business was his only business?

14      **A**       No, it wasn't.

15      **Q**       Generation -- so, Mr. Householder, you knew that he  
16      was getting paid out of Generation Now, didn't you?

17      **A**       I didn't know how he was being paid.

18      **Q**       Well, that's the only money that you guys were making  
19      besides your campaign account, right, you're fundraising  
20      into that account, you're fundraising into Friends of Larry  
21      Householder; where else is he getting paid from?

22      **A**       I frankly don't have any idea. I just know what I  
23      knew and that was all I knew.

24      **Q**       And so when you submitted these five -- so we talked  
25      about 2016 through 2020, right, that's five --

1       **A**       That's correct.

2       **Q**       -- versions of these disclosure forms?

3       **A**       That's correct.

4       **Q**       All right. Each time, you're swearing or affirming  
5       that the information on these forms is true and correct,  
6       just like today in the oath that you're under?

7       **A**       That's correct.

8       **Q**       And so we didn't disclose your business that's  
9       registered in Ohio that had the \$1.89 million judgment?

10      **A**       You do not have to disclose the debts on your personal  
11      residence or real property used primary for recreation or  
12      short-term debts resulting from ordinary conduct of a  
13      business or profession.

14               MS. GLATFELTER: If we could -- Ms. Terry, if we  
15      could go back to page 5, please.

16      **Q**       It just says "Business Names" and you didn't list your  
17      business name, right?

18      **A**       Larry Householder LTD. If it was active, I did not  
19      list that, no.

20      **Q**       Right, and it was active. It had a \$1.89 million  
21      judgment against it, right?

22      **A**       Yes.

23      **Q**       Should have been on this form?

24      **A**       Collectively.

25      **Q**       It should have been on this form, right?

1       **A**       I took the advice of my attorney. He's the one that  
2       filled out the forms.

3       **Q**       And you didn't -- and your testimony is you didn't  
4       review these at all?

5       **A**       I relied on my attorney.

6       **Q**       All right. And so if we were to look at all of these  
7       forms for these five years, none of that information would  
8       be on these forms, none of -- you want to look through them?  
9       We can.

10      **A**       I don't -- I just am telling you that I relied on the  
11      advice of my attorney and believed these forms were  
12      accurate. Right now I believe he did them properly.

13      **Q**       Did you tell your attorney about the World Series  
14      game, the tickets for all of those World Series games you  
15      attended in 2016?

16      **A**       Well, I would have received -- yeah. I mean, I don't  
17      know if I told him or not, frankly.

18      **Q**       All right. And because if it wasn't -- if you got  
19      those tickets for under fair market value, you'd have to put  
20      them on the disclosure, right?

21      **A**       Well, if it was under fair market value, but I don't  
22      believe they were under fair market value.

23      **Q**       You paid \$2,500 for those tickets?

24                   MR. OLESKI: Objection, she's testifying, Judge.

25                   THE COURT: No, she's cross-examining. Overruled.

1 THE WITNESS: I did not pay \$2,500 for those  
2 tickets.

3 **Q** Okay. And you said you and your wife went to the  
4 World Series game, right?

5 **A** Yes.

6 **Q** And you went to multiple World Series games that year?

7 **A** Yes.

8 **Q** All right. And did you tell your attorney about the  
9 trip to the inauguration and the hotel bill for \$1,500?

10 **A** I should have received something from somebody if I  
11 owed anything on that hotel bill.

12 **Q** All right. So it was up to other people to give you  
13 the information to put on your disclosure that you didn't  
14 review?

15 **A** So if -- if an association or an organization that  
16 lobbies in the state of Ohio is paying for something for a  
17 legislator, there's -- I think it's called undisputed  
18 information or something to that effect that you receive  
19 letting you know that you should be claiming that on your  
20 campaign -- or on your joint Legislative Ethics Commission  
21 report.

22 **Q** Okay. But my point is, you didn't ask, right, you  
23 didn't inquire further to Tony George, like hey, where's the  
24 information so I can give it to my attorney so he can fill  
25 out my disclosure form accurately?

1       **A**       I assumed it was paid by the delegation, actually.

2       **Q**       Okay. And so if people don't give you information,  
3       you're not asking for it?

4       **A**       Well, so in the inauguration, I've been to a few  
5       inaugurations, and it's always been that the Ohio Republican  
6       Party had at their delegation, there were rooms there, and  
7       you would receive something back or you wouldn't receive  
8       something back, it was just taken care of by the party.

9       **Q**       But my question was: You didn't ask -- I mean, you  
10      knew, you were forwarded on the e-mail that the room was  
11      \$1,500, you knew what the amount was, you could have  
12      disclosed that, you didn't need any additional information  
13      from Mr. George?

14      **A**       I don't have an answer for you on that. I don't know.

15      **Q**       Yesterday, you -- yesterday, you mentioned that -- in  
16      the discussion about Mr. Greenspan or Representative  
17      Greenspan, you indicated that you texted him, correct?

18      **A**       Yes.

19      **Q**       Okay. And after those text messages, you testified  
20      yesterday -- strike that.

21                You testified yesterday that after sending him those  
22      text messages, you never asked Jeff Longstreth to get those  
23      messages deleted?

24      **A**       Yeah, I did not ask Jeff Longstreth to get those  
25      messages deleted.

1 MS. GLATFELTER: Your Honor, may we -- permission  
2 to publish Exhibit 483 C, which has been admitted?

3 THE COURT: Yes.

4 MS. GLATFELTER: And if we may go to page 2,  
5 Ms. Terry? Okay. And, Ms. Terry, can you enlarge that  
6 third box?

7 **Q** All right. Mr. Householder, do you recognize this as  
8 a message from Mr. Longstreth?

9 **A** Yes.

10 MS. GLATFELTER: Okay. And, Ms. Terry, I'm sorry,  
11 can we enlarge the top three messages?

12 **Q** And do you recognize this as a conversation with  
13 George Phillips?

14 **A** Yes.

15 **Q** All right. And what is Mr. Longstreth's message there  
16 at the bottom say, if you can read that to the jury, please?

17 **A** SLH was so funny after you left. He said, yeah, that  
18 guy is going to be great, he took a homework assignment and  
19 went out on a mission, I really like that guy. He's going  
20 to be great for the team.

21 MS. GLATFELTER: Your Honor, may we take our  
22 afternoon break, please?

23 THE COURT: Yes. It's 3:00.

24 MS. GLATFELTER: Thank you.

25 THE COURT: Going to take a break, 20 minutes.

1 During the break, take a break. Don't discuss the case with  
2 anyone, including among yourselves. No independent  
3 research. No checking out the media. Continue to keep an  
4 open mind until you've heard all of the evidence. We'll  
5 rise as you leave.

6 THE DEPUTY: All rise for the jury.

7 (Jury exited the courtroom at 2:59 p.m.)

8 THE COURT: Jury has left the room. As always,  
9 we'll wait in the courtroom until we're advised they've  
10 cleared the floor, then we'll take a 20-minute break until  
11 3:20. The witness shall not discuss his testimony during  
12 the break, including with his lawyers. And you understand?

13 THE WITNESS: Pardon me?

14 THE COURT: You understand?

15 THE WITNESS: I do.

16 THE COURT: Very well.

17 (Pause.)

18 THE DEPUTY: All clear, Judge.

19 THE COURT: We're in recess until 3:21.

20 THE DEPUTY: Court is in recess.

21 (Recess taken from 3:01 p.m. to 3:18 p.m.)

22 THE DEPUTY: All rise. This court is in session  
23 pursuant to the recess.

24 THE COURT: Thank you. Please be seated. Back in  
25 the open courtroom on the record outside the presence of the



1 jury. Are we ready for the jury, first, from the  
2 government's perspective?

3 MS. GLATFELTER: Yes, Your Honor.

4 THE COURT: Mr. Householder's?

5 MR. OLESKI: Yes, Judge.

6 THE COURT: Mr. Borges'?

7 MR. SCHNEIDER: We're ready.

8 THE COURT: All right. Let's call for the jury.

9 (Pause.)

10 THE DEPUTY: All rise for the jury.

11 (Jury entered the courtroom at 3:22 p.m.)

12 THE COURT: You may all be seated. Thank you. The  
13 jurors are back. We're ready to proceed with the continued  
14 taking of testimony.

15 Ms. Glatfelter, you may continue your examination.

16 MS. GLATFELTER: Thank you, Your Honor. No further  
17 questions at this time.

18 THE COURT: Very well. Redirect?

19 MR. OLESKI: Good afternoon, sir.

20 THE WITNESS: Good afternoon.

21 **REDIRECT EXAMINATION**

22 **BY MR. OLESKI:**

23 **Q** You were asked some questions on cross-examination  
24 about the Presidential Inauguration in Washington, DC in  
25 2017. Do you recall those questions?

1       **A**       I do.

2       **Q**       Now, to be clear, did you see Chuck Jones in  
3       Washington, DC on January 18th, 2017?

4       **A**       I did not.

5       **Q**       On January 19th, 2017, did you see Mike Dowling in  
6       Washington, DC?

7       **A**       Yes, at the Ameri-can, the Jim Brown Ameri-can  
8       fundraiser, that luncheon.

9                   MR. OLESKI: Judge, permission to publish  
10       side-by-side Householder Exhibit 486 and Government  
11       Exhibit 908, both of which have been admitted?

12                  THE COURT: Only if you keep your voice up.

13                  MR. OLESKI: I apologize, Judge, yes.

14                  THE COURT: Very well. They're admitted and you  
15       may publish.

16       **Q**       Do you see these pictures on your screen, sir?

17       **A**       Yes, I do.

18       **Q**       And what's the picture on the left?

19       **A**       That's myself, coach Bobby Knight, and my son, Luke.  
20       Excuse me.

21       **Q**       And on the right?

22       **A**       That would be myself and Mr. Dowling.

23       **Q**       And do you appear to be wearing the same tie in both  
24       pictures?

25       **A**       Yes.

1 Q And if you know, were both of these pictures taken at  
2 that American event that you mentioned?

3 A Yeah. I had walked down to the end, when the luncheon  
4 was over, we were walking around getting photographs with  
5 Luke and different celebrities and I walked down there and I  
6 saw that couch there and Mike Dowling was there and I sat  
7 down and Luke snapped that picture.

8 Q Either January 18th or January 19th, the first two  
9 days that you were in Washington, DC, did you have dinner  
10 with Chuck Jones or Mike Dowling?

11 A No.

12 MR. OLESKI: Judge, permission to publish  
13 Government Exhibit 911, which has been admitted?

14 THE COURT: Yes.

15 Q Sir, do you see those pictures on your screen?

16 A I do.

17 Q Now, on cross-examination, you had indicated that  
18 there were several people in this photograph that you  
19 recognized, do you recall that?

20 A Yes, yes.

21 Q Who do you recognize in these photographs?

22 A Well, I recognize my son, Luke, obviously. I  
23 recognize the lone survivor, Mr. Luttrell. Obviously, I  
24 recognize myself. I recognize Jeff Longstreth. I recognize  
25 Mike Dowling. I recognize Banjo.

1 Q Who's Banjo?

2 A A friend from Alabama.

3 Q And if you could just circle Banjo on your screen.

4 A (Witness writing.)

5 Q Okay. Who's -- Banjo, what's his name?

6 A Nathaniel Ledbetter.

7 Q Does he hold any position?

8 A He does.

9 Q What is it?

10 A Well, at the time he wasn't, but now he's Speaker of  
11 the House in the state of Alabama.

12 Q Uh-huh. Was he in Washington, DC on January 18th,  
13 2017?

14 A I don't believe so.

15 Q When do you believe that he arrived in Washington, DC?

16 A Well, I know he was there for the inauguration for  
17 sure, I know that.

18 Q All right. Is Mr. Chuck Jones in any of these  
19 photographs?

20 A He is not.

21 MR. OLESKI: You can take that down, PJ.

22 Q When was Anna Lippincott hired?

23 A Well, I don't know exactly, but I'm going to say  
24 sometime early 2017.

25 MR. OLESKI: Judge, permission to publish

1 Government Exhibit 201 C, which has been admitted?

2 THE COURT: Yes.

3 MR. OLESKI: And, PJ, if we can go to the last  
4 page, page 16?

5 Q Sir, do you recall being asked some questions about  
6 this document on cross-examination?

7 A Yes.

8 Q Did you create this document?

9 A No.

10 Q Before trial, had you ever seen this document?

11 A Not that I'm aware of.

12 Q Who's the author of this document?

13 A Jeff Longstreth.

14 Q When was the document last modified according to these  
15 document properties?

16 MS. GLATFELTER: Your Honor, I'm going to object to  
17 leading.

18 THE COURT: Object to what?

19 MS. GLATFELTER: Leading.

20 THE COURT: Don't lead the witness.

21 Q When was the document last modified?

22 A September 6th, 2017.

23 MR. OLESKI: PJ, if you could go to page 14 of this  
24 document.

25 Q Do you recall being asked some questions about this

1 particular page of the exhibit?

2 **A** Yes.

3 **Q** And do you see the references to "on the farm" and  
4 "quasi farm"?

5 **A** I do, yes.

6 **Q** Have you ever --

7 **A** And one on the farm, yes.

8 **Q** Had you ever used the phrase "quasi farm" before?

9 **A** No.

10 **Q** Do you see Anna listed under "on the farm"?

11 **A** I do.

12 **Q** And, again, when was she hired?

13 **A** January 2017.

14 **Q** Do you see the reference to Anna on this document?

15 **A** Yes. It's the very first person on the farm.

16 **Q** When was the first time that you met Chuck Jones?

17 **A** Sometime -- I believe it was 1999, I saw him with Tony  
18 Alexander at the Statehouse.

19 **Q** When was the next time that you met with Jones in  
20 person?

21 **A** Would have been November of 2016.

22 MR. OLESKI: Moment to confer, Judge?

23 THE COURT: Yes.

24 (Pause.)

25 MR. OLESKI: I don't have anything further.

1 THE COURT: Very well.

2 MR. SCHNEIDER: No questions here, Judge.

3 THE COURT: Anything further from the government?

4 MS. GLATFELTER: No, Your Honor. Thank you.

5 THE COURT: You may step down, Mr. Householder.

6 THE WITNESS: Thank you.

7 (Witness left the stand.)

8 THE DEPUTY: All rise for the jury.

9 (Jury entered the courtroom at 9:33 a.m.)

10 THE COURT: You may all be seated. Thank you. To  
11 you, the 14 Members of the Jury, good morning. Warmest  
12 salutations. Thank you for being here and for the work you  
13 do. We will continue to hear testimony. Mr. Householder is  
14 still on the stand under oath, and his lawyer may approach  
15 and continue the examination.

16 MR. OLESKI: Thank you, Judge.

17 THE COURT: Yes.

18 MR. OLESKI: Good morning.

19 THE WITNESS: Good morning.

20 **DIRECT EXAMINATION (Continued.)**

21 **BY MR. OLESKI:**

22 **Q** Do you recall that we left off yesterday with the  
23 passage of House Bill 6?

24 **A** Yes.

25 **Q** After House Bill 6 was passed, was there a referendum?

1       **A**       Yes.

2                   MR. OLESKI: Judge, permission to publish  
3 Government Exhibit 502 E, which has been admitted?

4                   THE COURT: Yes.

5                   MR. OLESKI: And, PJ, if we could go to page 51.  
6 And if you could cull out the bottom four text messages?

7       **Q**       Sir, do you see this document on your screen?

8       **A**       I do.

9       **Q**       What is it?

10       **A**       It's a text message exchange between myself and Jeff  
11 Longstreth.

12       **Q**       What's the date?

13       **A**       June 25th, 2019.

14       **Q**       Do you recall whether that date is before or after the  
15 passage of House Bill 6?

16       **A**       It's before the Senate passed House Bill 6 and it got  
17 back over to the House.

18       **Q**       Could you read Mr. Longstreth's message at the top?

19       **A**       FYI, I heard through the grapevine that at least two  
20 nonrelated consultants have been contacted by Siderewicz  
21 personally about a referendum. One of them is a mail vendor  
22 in California and has no idea about anything that's going on  
23 here.

24       **Q**       Who's Siderewicz?

25       **A**       That would be Bill Siderewicz. He is from, I think,



1 New York. He was sort of the public face of a couple of gas  
2 peaking stations in Ohio.

3 **Q** And what is your -- what did you respond to  
4 Mr. Longstreth?

5 **A** Good. Stay on the good side of FES and we'll do the  
6 defend.

7 **Q** And what did you mean by "FES"?

8 **A** That would be FirstEnergy Solutions.

9 **Q** And by "doing" the defend, defend what?

10 **A** Defend House Bill 6.

11 **Q** What was Mr. Longstreth's response?

12 **A** Agreed. Downside is, if he gets the signatures, the  
13 law will not go into effect until after the vote in  
14 November 2020.

15 **Q** What did you understand Mr. Longstreth to mean when he  
16 said "the law will not go into effect"?

17 **A** Well, if they could get the referendum on the ballot,  
18 it didn't have to pass or fail because the vote for the  
19 referendum wouldn't happen until November of 2020, and it  
20 would have been too late for the power plants. They would  
21 have had to have closed.

22 **Q** Why would it have been too late for the power plants?

23 **A** Well, first of all, they were bankrupt, and second of  
24 all, there's a tremendous expense of refueling those plants  
25 and they were right up against a time that they had to make

1 a decision, either had to refuel or not refuel. If they  
2 didn't refuel, it's not like you can shut off a nuclear  
3 power plant or plants. If you shut them down, you actually  
4 have to decommission them and tear them down, which takes  
5 years. They can't be reopened.

6 MR. OLESKI: Judge, permission to publish  
7 Government Exhibit 601 D, which has been admitted?

8 THE COURT: Yes.

9 MR. OLESKI: And, PJ, if you could just cull out  
10 the first two text messages?

11 **Q** Do you see these messages on your screen, sir?

12 **A** Yes, I do.

13 **Q** What's the date?

14 **A** July 26th, 2019.

15 **Q** And is that before or after the passage of House Bill  
16 6, if you can recall?

17 **A** I'm going to say it was after, but I don't know the  
18 exact date.

19 **Q** And who are these messages between?

20 **A** John Kiani and Mike Dowling.

21 **Q** Who's John Kiani?

22 **A** John Kiani was chairman of the board of FirstEnergy  
23 Solutions.

24 **Q** In the first text message from Mr. Dowling, do you see  
25 the reference to a conversation with Speaker H?

1       **A**       Yes, I do.

2       **Q**       And what was that -- regarding what issue?

3       **A**       It says the referendum issue.

4       **Q**       And what did Mr. Dowling say after that?

5       **A**       Do you want me to read the whole or just --

6       **Q**       Just starting with -- from "I think," read the next  
7 two sentences.

8       **A**       I think you're in excellent hands. I know more about  
9 his personal involvement and engagement. We should all be  
10 following his lead. I know you, FES, are in, we will as  
11 well.

12       **Q**       What was your personal involvement regarding the  
13 referendum issue?

14       **A**       Well, if I saw something -- there was a lot of  
15 advertisement or if I heard something, I had a lot of  
16 members, you know, we've got 99 members clear across the  
17 State of Ohio, so I constantly heard things, and I would  
18 give my opinion or ask questions.

19       **Q**       You mentioned advertising. Was there a lot of  
20 advertising in support of a referendum and opposing a  
21 referendum?

22       **A**       A tremendous amount of advertising on both sides.

23       **Q**       During the time period of the referendum, did you have  
24 meetings and telephone communications with a Mr. John Kiani?

25       **A**       Yes.

1 Q And just not an exact number, but roughly, how many  
2 interactions did you have with Mr. Kiani?

3 A I don't know, a couple.

4 Q And would anybody else be on those telephone or -- on  
5 those telephone calls or in those meetings?

6 A Generally, it was Cespedes.

7 Q Mr. Juan Cespedes?

8 A Yes.

9 Q And in these interactions with Mr. Kiani, could you  
10 describe -- without telling us what he said, could you  
11 describe his demeanor?

12 A Well, he was extremely nervous, which is not unusual.  
13 I mean, we've dealt with -- over the years, we've dealt with  
14 a couple of steel plants closing in Ohio. We've dealt  
15 with --

16 MS. GLATFELTER: Objection, relevance.

17 THE COURT: Sustained. The question has been  
18 answered.

19 THE WITNESS: I'm sorry.

20 Q And what was your role in these meetings and telephone  
21 communications with Mr. Kiani and Mr. Cespedes?

22 A Just to sort of calm him down. You know, it's -- the  
23 sun will come up tomorrow. You've got to let the process  
24 work its way through. It's, be calm.

25 Q Now, we spoke a little bit yesterday about a Mr. Juan

1 Cespedes. Prior to October of 2018, just roughly, how many  
2 times had you seen him in person?

3 **A** Prior to 2018?

4 **Q** Yes.

5 **A** Not very often.

6 MR. OLESKI: You can take that down, PJ.

7 **Q** Do you know an individual named Dave Yost?

8 **A** Oh, yes.

9 **Q** Who's that?

10 **A** Well, he's Ohio's Attorney General.

11 **Q** Is he the current Attorney General?

12 **A** Yes, um-hmm.

13 **Q** Back in July and August of 2019, what role did he  
14 serve in?

15 **A** He was the Attorney General.

16 **Q** And what's your understanding of what the Attorney  
17 General does?

18 **A** Well, the Attorney General in the state of Ohio has a  
19 lot of roles. They're over many, many things. He's sort of  
20 the -- we always called him the general, the "top cop" in  
21 Ohio. He also serves as legal counsel for -- official legal  
22 counsel for the Ohio House of Representatives.

23 **Q** And would you from time to time interact with Mr. Yost  
24 and ask for legal advice?

25 **A** Yes. I was -- that's -- yes, absolutely.

1       **Q**       As Attorney General of the state of Ohio, did Mr. Yost  
2 play some role in the referendum?

3       **A**       Yeah, he did. I'm not sure exactly -- I'm not as keen  
4 on referendums as I am on legislation, but he had a role,  
5 yes.

6               MR. OLESKI: And, Judge, permission to publish  
7 Government Exhibit 736, which has been admitted?

8               THE COURT: Yes.

9               MR. OLESKI: Make that a little --

10       **Q**       Sir, do you see that document on your screen?

11       **A**       I do.

12       **Q**       Does that appear to be a summary of telephone contacts  
13 between you and Mr. Yost?

14       **A**       Yes, it does.

15       **Q**       Did you -- during in July and August of 2019, did you  
16 call Mr. Yost?

17       **A**       Yeah. I called him, he called me. Yes.

18       **Q**       Did you ask for Mr. Yost's opinion about any issue?

19       **A**       Yes.

20       **Q**       Do you recall what issue?

21       **A**       Yes. There was a question on whether or not HB 6  
22 was -- and while the bill was over in the Senate, there was  
23 a question on HB 6 on whether it was a tax or not a tax.

24       **Q**       And why would that matter?

25       **A**       Well, for two reasons: One, if it were a tax, it

1 would not be subject to referendum; and, No. 2, that if it  
2 were a tax, it would have been the largest tax decrease in  
3 the history of the state of Ohio, which I really wanted to  
4 be able to take -- you know, have our House of  
5 Representatives take responsibility for that.

6 **Q** In these telephone calls, did you ask Mr. Yost to  
7 declare that House Bill 6 was a tax?

8 **A** No, huh-uh.

9 **Q** In these telephone communications, were you trying to  
10 pressure Mr. Yost?

11 **A** No, no.

12 **Q** What were you trying to do?

13 **A** Well, I was trying to find out what his opinion was on  
14 whether it was a tax or not a tax. And I know at some  
15 point, there was a --

16 **Q** Did you convey any information to Mr. Yost?

17 **A** Yes, yes.

18 **Q** And what information did you convey?

19 **A** Well, it got pretty well known that John Zeiger, who's  
20 a very renowned attorney --

21 MS. GLATFELTER: Objection, Your Honor.

22 THE COURT: Yeah. We're not getting into  
23 attorneys.

24 THE WITNESS: I'm sorry.

25 THE COURT: That's okay. Help him with a question.

1 THE WITNESS: Help me with a question and I'll help  
2 you with the answer.

3 MR. OLESKI: I'll move on. You can take that down,  
4 PJ.

5 **Q** Now, you mentioned advertising during the House  
6 Bill -- during the referendum period. Did you give your  
7 input on any advertising during the referendum period?

8 **A** Yes.

9 MR. OLESKI: Judge, permission to publish  
10 Government Exhibit 612 A, which has been admitted?

11 THE COURT: Yes.

12 MR. OLESKI: And, PJ, if you could put pages 1 and  
13 2 side-by-side? And if you could just cull out the two text  
14 messages in blue?

15 **Q** Do you see these text messages on your screen, sir?

16 **A** Yes.

17 **Q** Who are they from?

18 **A** Jeff Longstreth.

19 **Q** And what's the date?

20 **A** September 20th, 2019.

21 **Q** And the bottom text message from Mr. Longstreth, what  
22 does that say?

23 **A** That text was from SLH.

24 **Q** And the top text message, do you recognize that as a  
25 text message that you would have sent to Mr. Longstreth?



1       **A**       I couldn't tell you.  Yes, I mean, I probably sent  
2       that to Jeff.

3       **Q**       And why would you send that to Jeff?

4       **A**       It was just my opinion, my advice.

5       **Q**       About what?

6       **A**       What I would say if I were saying something about  
7       House Bill 6.

8       **Q**       Do you know whether -- strike that.

9               Did you direct Mr. Longstreth to include specific  
10       language on any mailers that went out?

11       **A**       Well, I did not direct him.  I gave my advice, and I  
12       don't remember anything that ever had that in it, so  
13       apparently, he did not take my advice.

14               MR. OLESKI:  You can take that down.

15               THE WITNESS:  Unfortunately.

16               MR. OLESKI:  You can take that down, PJ.  And if we  
17       could publish Government Exhibit 634 A, which has been  
18       admitted?

19               THE COURT:  Yes.

20               MR. OLESKI:  And if you could just make that a  
21       little bit bigger, PJ.

22       **Q**       Do you see these text messages on your screen, sir?

23       **A**       Yes.

24               MR. OLESKI:  Could you just cull out the top two  
25       text messages, PJ?

1 Q And who are these text messages between?

2 A Michael Dowling and Charles Jones.

3 Q What's the date?

4 A September the 4th, 2019.

5 Q Do you see the bottom text message from Mr. Jones  
6 references a -- your referendum strategy; do you see that?

7 A I see it, yes.

8 Q What was your referendum strategy?

9 A What was my referendum strategy?

10 Q Well, first of all, did you have a referendum  
11 strategy?

12 A The only -- I didn't have a strategy as far as a  
13 referendum was concerned.

14 Q What was your strategy?

15 A My strategy was to wait and see what they ended up  
16 doing, whether they got enough signatures, whether it was  
17 going to go to the ballot. I did have a draft made of a  
18 potential, you know, tax language.

19 Q Who did you direct to draft that, that language?

20 A Well, it would have been one of our policy people on  
21 the leadership floor. I don't know whether -- it could have  
22 been Tully or it could have been our tax person or both of  
23 them working on it.

24 Q And again, what would be the significance of declaring  
25 House Bill 6 to be a tax?

1       **A**       Well, one, it couldn't be referendutable, and the  
2       second thing is it was, you know, the biggest tax -- biggest  
3       tax decrease in the history of the state of Ohio, so --

4       **Q**       Was that legislation ever introduced in the House of  
5       Representatives?

6       **A**       No, it wasn't.

7               MR. OLESKI: You can take that down, PJ.

8       **Q**       Did the referendum garner sufficient signatures?

9       **A**       No.

10              MR. OLESKI: Judge, permission to publish  
11      Government Exhibit 642, which has been admitted?

12              THE COURT: Yes.

13              MR. OLESKI: PJ, if you could just make that a  
14      little bit bigger?

15       **Q**       See this document on your screen, sir?

16       **A**       Yes.

17       **Q**       And what's the date?

18       **A**       October 21st, 2019.

19       **Q**       And do you recognize this as a press release?

20       **A**       Yes.

21              MR. OLESKI: And, PJ, if you could just highlight  
22      the sentence, "I am pleased"?

23       **Q**       Mr. Householder, if you could just read that into the  
24      record.

25       **A**       Could we make it just a little bit larger? I actually

1 forgot my glasses this morning.

2 I am pleased that House Bill 6 would go into effect at  
3 midnight tonight and am confident that will produce positive  
4 results for Ohio.

5 **Q** Why were you pleased that House Bill 6 would into  
6 effect?

7 **A** Because it was going to produce positive results for  
8 Ohio. It was good for Ohioans. It was good for Ohio jobs.  
9 It was good for our economy. It was good to save -- finally  
10 save plants. You know, we've lost plants for years.

11 MR. OLESKI: You can take that down, PJ.

12 And if we could publish, Judge, Government Exhibit 643,  
13 which has been admitted?

14 THE COURT: Yes.

15 **Q** Do you see this document on your screen, sir?

16 **A** Yes.

17 **Q** And what's the date?

18 **A** Thank you. January 22nd, 2020.

19 **Q** And do you recognize this as a text exchange?

20 **A** Yes.

21 **Q** Between who and who?

22 **A** Myself and Chuck Jones.

23 **Q** And your top text message, what did you send to  
24 Mr. Jones?

25 **A** It was a *Columbus Dispatch* article saying: House Bill

1 6 referendum effort dead as organizers drop legal appeal.

2 Q And what's your bottom text message say?

3 A We win again.

4 MR. OLESKI: Can you go to the next page, PJ?

5 Q And what did Mr. Jones say in reply?

6 A Mr. Jones' text says: Great news. I'm almost sorry I  
7 helped FES. They've turned into real dicks on the final  
8 separation from us. We helped them get \$1 billion and it's  
9 like we're now the enemy, but still the right thing for Bob  
10 and Betty.

11 Q And is that Bob and Betty Buckeye?

12 A That's Bob and Betty Buckeye, all of us.

13 Q And did you agree with Mr. Jones?

14 A I agreed with Mr. Jones, yes, that it helped Bob and  
15 Betty Buckeye, absolutely. Was very good.

16 MR. OLESKI: You can take that down, PJ.

17 Q I'd like to turn to an individual named Matt Borges.

18 A Yes.

19 Q Do you know Mr. Borges?

20 A I do.

21 Q Are you friends with Mr. Borges?

22 A No.

23 Q Why not?

24 A Well, we come from different spectrums. Even though  
25 we're both Republicans, we come from different spectrums in

1 the Ohio Republican Party. I like to say that Matt is more  
2 of a country club Republican and I'm just a country  
3 Republican.

4 **Q** In 2016, where was the Republican national convention  
5 held?

6 **A** In Cleveland, Ohio.

7 **Q** Did you attend that convention?

8 **A** I did.

9 **Q** In 2016, did Mr. Borges have some position in the Ohio  
10 Republican Party?

11 **A** He did.

12 **Q** What was that?

13 **A** He was the chairman of the Ohio Republican Party.

14 **Q** Did you speak at that convention?

15 **A** I did.

16 **Q** And do you know whether Mr. Borges attended that  
17 convention?

18 **A** He did.

19 **Q** And did anybody go with Mr. Borges to the convention?

20 **A** Oh, he had the Ohio delegation, which was, you know,  
21 all of the folks that were voting on the -- who would be the  
22 next president, presidential nomination for the Republicans.

23 **Q** And did you speak at that convention?

24 **A** I did. I was the only Ohio Republican to speak at the  
25 convention in Cleveland, Ohio, yes.

1 Q And when you spoke at the Republican convention in  
2 Cleveland, Ohio, what, if anything, did the Ohio delegation  
3 led by Matt Borges do?

4 A When I took the stage, they booed me.

5 Q Now, after the -- in 2017, was there a race to be  
6 chairperson of the Ohio Republican Party?

7 A There was.

8 Q And who was that between?

9 A Mr. Borges and Jane Timken.

10 Q Who did you support in that contest?

11 A I very much supported and helped get votes for Jane  
12 Timken.

13 Q Who ultimately prevailed in that contest?

14 A Jane Timken.

15 Q During the 2018 election cycle, did you know one way  
16 or the other whether Matt Borges supported Stu Harris?

17 A No, I didn't. They actually concealed that from me.

18 Q And who is Stu Harris?

19 A Stu Harris was a candidate in Franklin County that was  
20 supported by the Franklin County Republican Party and --

21 Q Was Mr. Harris a Team Householder candidate?

22 A Yes, I would say he was.

23 Q Was Mr. Borges on Team Householder?

24 A No. He actually was supporting Mr. Smith.

25 Q In 2019, what interactions did you have with

1 Mr. Borges?

2 **A** Just a couple of telephone calls.

3 **Q** Regarding what?

4 **A** I had called him. I had found --

5 **Q** Without telling us what Mr. Borges said on those  
6 calls.

7 **A** I've got to remember, yes, I can't say that.

8 I had learned that Mr. Borges was employed by --

9 MS. GLATFELTER: Objection. It's still hearsay,  
10 even rephrased.

11 THE COURT: Sustained.

12 **Q** Without telling us -- what was the subject matter or  
13 the topics of conversation, of discussion, in your  
14 communications with Mr. Borges?

15 **A** I wanted to find out if he had talked with AG Yost.

16 **Q** Okay. Did you know that Mr. Borges gave a \$15,000  
17 check to Tyler Fehrman?

18 **A** I did not, no.

19 **Q** Did you approve of hiring private investigators to  
20 follow signature collectors?

21 **A** No.

22 **Q** Did you approve of paying signature collectors and  
23 firms to conflict them during the referendum period?

24 **A** No.

25 **Q** Did you approve of any harassment of signature



1 collectors --

2 **A** No.

3 **Q** -- during the referendum period?

4 I'd like to turn our attention to a September 23rd,  
5 2019, dinner meeting. Do you recall that?

6 **A** September 23rd, 2019?

7 **Q** We heard a recording of that during the trial.

8 **A** Oh, yeah, okay. I've gotcha.

9 **Q** Who set that meeting up?

10 **A** Neil Clark.

11 **Q** Do you recall where that meeting was held?

12 **A** I don't know the name of it, but it was like a  
13 dinner -- private dinner club in Columbus.

14 **Q** Had you been there before?

15 **A** I don't think -- I don't think so.

16 **Q** Did you want to attend this dinner meeting?

17 **A** No.

18 **Q** Why not?

19 **A** I don't -- that's not -- it's just not what I do. I'm  
20 not a dinner person. Usually, if I had meetings, it would  
21 be -- I'd have breakfasts.

22 **Q** But ultimately, there was -- was there a dinner  
23 meeting?

24 **A** Yes, there was.

25 **Q** Did you attend it?

1       **A**       Yes, I did.

2       **Q**       Why did you attend it?

3       **A**       Well, Neil had called me and asked me to, and --

4       **Q**       And why did you go?

5       **A**       Well, I was trying to become more friendly actually  
6       with Neil. I wanted to sort of do it as a favor just  
7       because we had had battles for so many years and done  
8       everything we could to wipe each other out, and as I had  
9       indicated to him a couple of years before, I wanted to try  
10      to mend fences.

11      **Q**       Did you invite anybody to attend this dinner meeting?

12      **A**       I did.

13      **Q**       Who did you invite?

14      **A**       As I was leaving the -- my office at the Riffe Center,  
15      the Speaker's office at the Riffe Center, Bryan Gray, who  
16      was my deputy chief of staff, and Jay Edwards, who is  
17      another member of the House, he's on our House leadership  
18      team at that time.

19      **Q**       Why did you invite Mr. Edwards?

20      **A**       Well, my understanding was that they were going to  
21      talk about the gaming bill, and I didn't know really much  
22      about the gaming bill, and I knew that Jay had been  
23      following it.

24      **Q**       During that dinner meeting, was one of the topics  
25      discussed, that sports gaming bill?

1       **A**       Yes.

2       **Q**       And did this dinner meeting with these undercover FBI  
3 agents influence your decision-making vis-à-vis any of the  
4 sports gaming laws?

5       **A**       No. I told them they ought to take it over to the  
6 Senate. Senate was working on identical legislation,  
7 basically.

8       **Q**       Now I'd like to turn our attention to addressing some  
9 money that was loaned to you by Mr. Longstreth.

10      **A**       Yes.

11                   MS. GLATFELTER: Objection, Your Honor --

12                   THE COURT: Sustained as to form.

13      **Q**       Did you own a home in Florida?

14      **A**       Yes.

15      **Q**       Where?

16      **A**       Naples.

17      **Q**       Who lived in that home?

18      **A**       My mother.

19      **Q**       Was the home -- was the home damaged in a hurricane?

20      **A**       Yes.

21      **Q**       When was that?

22      **A**       Let's see. Hurricane Erma, seems like it was  
23 September 2017.

24      **Q**       And how badly was the home damaged?

25      **A**       It had a tile roof, and the roof was damaged. The

1 front door was blown open, so it had water damage on the  
2 inside. It did have tile floor, which was helpful. And it  
3 had a cage over the back porch and the pool area, and it  
4 was -- the cage was blown off, blown away.

5 **Q** Was your mother in the home when the hurricane hit?

6 **A** She was not.

7 **Q** Where was she?

8 **A** So my mother had lived on our family farm her -- well,  
9 ever since she married my dad. My dad had passed and she  
10 was getting up in years, and the home, our home place, was  
11 not -- it did work for her anymore. It had an upstairs  
12 bathroom and such and she wanted to move to Florida. So we  
13 sold the family farm and bought her that home in Florida and  
14 that's where she was living. She was suffering from the  
15 first stages of dementia at that point, and I couldn't make  
16 it back down there because of the -- there was a hurricane  
17 coming, and so I made arrangements with a local nursing home  
18 there that was hurricane -- I think they call it Hurricane  
19 Safe. It had extra generators and things like that and  
20 heavy-duty windows, that they would take her in and make  
21 certain she was safe until the hurricane passed and then I  
22 was going to move her back in.

23 **Q** And after the hurricane passed, did your mother move  
24 back to the home in Naples, Florida?

25 **A** She never made it out of the nursing home.

1 Q About when did she pass, just roughly?

2 A I'd say probably October of 2017.

3 Q After your mother passed, what were your plans with  
4 the home in Naples, Florida?

5 A Well, it had extensive damage. I did not go back  
6 down. I never did go back down. I just couldn't go back  
7 down. But I was told it had extensive damage and that I had  
8 to make a decision on what I was going to do with it.

9 Q And what was the decision that you had to make?

10 A Well, I was either going to -- you can't mortgage a  
11 home that's damaged by a hurricane in Florida at least, and  
12 so the only decisions were either you're going to fix the  
13 place up and sell it or you're going to sell it as is, and  
14 to sell it as is wasn't going to bring nearly -- because of  
15 the damage that was in the Naples area, homes were selling a  
16 lot cheaper than what they should have been selling.

17 Q In addition to the damage that the home sustained,  
18 were there other reasons why you could not sell that home in  
19 Florida?

20 A Oh, it had a lien on it, yes.

21 Q A lien from what?

22 A A judgment had been filed over the Alabama coal mine,  
23 and unfortunately, even though, you know, I was a 20-percent  
24 investor and president of the company, everybody that was  
25 partners had formed trusts, and so they were judgment

1 protected, and I did not do that.

2 **Q** And besides putting a lien on the home in Florida, did  
3 the judgment creditor take any actions in Ohio?

4 **A** They did.

5 **Q** And what did they do?

6 **A** They filed a lawsuit against me in Ohio to collect.

7 **Q** Did you hire lawyers to defend you in that action?

8 **A** I did.

9 **Q** Did you pay those lawyers?

10 **A** Yes.

11 **Q** Did anybody else pay for -- pay those lawyers as well?

12 **A** Jeff Longstreth did.

13 **Q** Now, at that time, did you consider Mr. Longstreth to  
14 be a friend?

15 **A** Yes.

16 **Q** Why did you ask Mr. Longstreth to pay legal fees on  
17 your behalf?

18 **A** Well, it was widely known in Ohio that it had  
19 happened. It was all over the newspapers and such, and he  
20 was concerned about me running for Speaker and having that.  
21 I didn't have the readily available cash. As I said, you  
22 couldn't finance it. He said that he did have the cash, and  
23 so he was willing to help me through it.

24 **Q** Did you intend to repay Mr. Longstreth for the moneys  
25 that he advanced to you to pay your legal fees?

1       **A**       Yes.

2       **Q**       Did you eventually settle the lawsuit that the bank  
3       filed against you in Ohio?

4       **A**       Yes.

5               MR. OLESKI: Judge, permission to publish  
6       Government Exhibit 814, which has been admitted?

7               THE COURT: Yes.

8       **Q**       Sir, do you see this document on your screen?

9       **A**       I do.

10      **Q**       What is it?

11      **A**       It's a settlement agreement and a release.

12      **Q**       Is that the settlement agreement you were referring to  
13      a few moments ago?

14      **A**       Yes, it is.

15               MR. OLESKI: If we could go to page 3, PJ.

16      **Q**       How much was the settlement?

17      **A**       \$225,000.

18      **Q**       Did you have different options to fund that settlement  
19      amount?

20      **A**       I'm not sure I understand your question. I'm sorry.

21      **Q**       Sure. How were you going to go about funding the  
22      settlement amount?

23      **A**       Well, I either had to liquidate something, like the  
24      home in Florida, or I guess I didn't --

25      **Q**       So at the time that you entered this settlement

1 agreement, did you have cash, liquid assets to --

2 **A** No, no, no.

3 **Q** And you had mentioned, was one of the options to try  
4 to sell the home?

5 **A** Yes.

6 **Q** Why didn't you do that?

7 **A** Well, as I was explaining before, whenever a hurricane  
8 comes into an area, it sort of becomes a predator's market  
9 as far as real estate. Anyone that you talk to, they were  
10 really lowballing what that home was actually worth, even  
11 though it had been damaged by a hurricane, probably at least  
12 half of what it was worth.

13 **Q** So what did you decide to do in order to fund this  
14 settlement amount?

15 **A** Well, Jeff had talked about starting a business and  
16 flipping houses in Florida, and so we talked about it, and I  
17 had always wanted to do that as well, and this seemed like  
18 the most likely first house to do that to because one, my  
19 mother was no longer there, I had no interest in going back  
20 down there, and this seemed like a very good opportunity.

21 **Q** Did you pay any, any of this \$225,000 settlement?

22 **A** I paid 10,000.

23 **Q** And who paid the remaining \$215,000?

24 **A** Jeff Longstreth.

25 **Q** Did you intend to repay Mr. Longstreth for those funds



1 that he advanced on your behalf?

2 **A** Yes, when we sold the house with proceeds of the  
3 house.

4 **Q** You mentioned a few moments ago about going into  
5 business with Mr. Longstreth.

6 **A** Yes.

7 **Q** Did you have -- did you meet with anybody about that  
8 business?

9 **A** Yes.

10 **Q** Who was that?

11 **A** Steven Cuckler.

12 **Q** Who is Mr. Cuckler?

13 **A** He's a real estate attorney with the Taft law firm.

14 **Q** Okay. At that meeting, did you instruct Mr. Cuckler  
15 to do anything?

16 **A** Yes. We asked if --

17 **Q** What did you instruct Mr. Cuckler to do?

18 **A** To draw up paperwork for an LLC and for a partnership.

19 **Q** And what did you understand the terms of that  
20 partnership to be?

21 **A** We each would have, you know, a membership in the LLC.  
22 That house was my consideration, and Jeff's consideration  
23 was the money that he was paying -- had paid.

24 MR. OLESKI: Judge, permission to publish  
25 Householder Exhibit 31, which is admitted?

1 THE COURT: Yes.

2 Q Sir, do you see that document on your screen?

3 A Yes.

4 Q Do you see a reference to a contribution agreement and  
5 an operating agreement?

6 A I do.

7 Q And who is this e-mail from?

8 A Caryn Kaufman at Taft law.

9 Q And who's it to?

10 A Jeff Longstreth.

11 Q What's the date?

12 A May 13th, 2020.

13 MR. OLESKI: PJ, if you could just cull out those  
14 five bullet points in the middle of the e-mail?

15 Q Do you see a reference to a signature by both you and  
16 Mr. Householder?

17 A Both me and Mr. Householder?

18 Q Can you highlight -- can you read the first bullet  
19 point, Mr. Householder?

20 THE COURT: Maybe you want to rephrase that  
21 question.

22 MR. OLESKI: Sure. It was a bad question.  
23 Apologies, sir.

24 Q Do you see the reference to a contribution agreement?

25 A I do.

1 Q What does the e-mail say next?

2 A It says: Contribution agreement, please have this  
3 signed by both you and Mr. Householder.

4 Q Did Mr. Longstreth ever present this paperwork to you  
5 to be signed?

6 A No.

7 Q And were these documents ever signed and executed?

8 A No.

9 MR. OLESKI: You can take that down, PJ.

10 Q Now, you indicated that the home in Florida was  
11 damaged.

12 A Yes.

13 Q Did you or Mr. Longstreth undertake efforts to have  
14 the home repaired?

15 A Yes. Jeff went to Florida, went to Naples, and met  
16 with a contractor down there.

17 Q And if you know, did Mr. Longstreth hire that  
18 contractor?

19 A Yes.

20 Q And if you know, were repairs done to the home in  
21 Florida?

22 A Yes.

23 Q Who paid for those repairs?

24 A Jeff Longstreth.

25 Q Did you intend to repay Mr. Longstreth for the moneys

1 he advanced?

2 **A** Yes, through the proceeds of the sale of the business  
3 and then flipping homes down in the future.

4 MR. OLESKI: Judge, permission to publish -- one  
5 second, Judge.

6 THE COURT: It's okay.

7 MR. OLESKI: Permission to publish Householder  
8 Exhibit 480, which is admitted?

9 THE COURT: Yes.

10 **Q** Sir, do you see this document on your screen?

11 **A** I do.

12 **Q** And what is it?

13 **A** It is an e-mail between Steve Myli of Nordic  
14 Construction and Jeff Longstreth.

15 **Q** Who is Mr. Myli, if you know?

16 **A** He was the contractor with Nordic Construction.

17 **Q** And what's the date of this e-mail?

18 **A** May 27th, 2020.

19 **Q** When were the repairs to the home completed?

20 **A** Well, according to this e-mail, May 27th, 2020.

21 MR. OLESKI: You can take that down, PJ.

22 **Q** In connection with this case, were you arrested?

23 **A** Yes.

24 **Q** When was that?

25 **A** July -- I believe it was the 20th or the 21st, 2020.

1 Q Did Mr. Longstreth -- did you ask Mr. Longstreth to  
2 pay a couple of credit card bills for you too?

3 A Yes, earlier.

4 Q And why did you ask Mr. Longstreth to pay those bills?

5 A Those related to the mine. What had happened was, I  
6 was fronting the mine money through credit cards, buying  
7 fuel and other things, and I believe that when we settled up  
8 on the mine, it was my understanding that the partners were  
9 going to repay me if I kept records.

10 Q Did you intend to repay Mr. Longstreth for those fees?

11 A Yes.

12 Q How?

13 A Through the proceeds of this home.

14 Q Did you in fact eventually sell the home?

15 A Yes.

16 MR. OLESKI: Judge, permission to publish  
17 Government Exhibit 808 D, which has been admitted?

18 THE COURT: Yes.

19 Q Sir, do you see this document on your screen?

20 A Yes, I do.

21 Q What is it?

22 A It is a warranty deed for the home in Naples.

23 Q And what's the date?

24 A April 29th, 2022.

25 Q How much did the home sell for?

1       **A**       \$690,000.

2       **Q**       After you sold the home in Naples, Florida, did you  
3       repay Mr. Longstreth with those sales proceeds?

4       **A**       No, I did not.

5       **Q**       Were there reasons why?

6       **A**       Yes.

7       **Q**       Did some of -- did those reasons relate to this case?

8       **A**       Absolutely.

9       **Q**       And what were those reasons?

10      **A**       Well, by this time, Mr. Longstreth was a witness in  
11      this case for the government, and my concern was that if I  
12      gave him money, that I'd be in trouble with the Court, and I  
13      also was told by this Court that I couldn't speak to him,  
14      couldn't communicate.

15                   MR. OLESKI: You can take that down, PJ.

16      **Q**       After this case is concluded, do you intend to repay  
17      Mr. Longstreth?

18      **A**       Yes.

19      **Q**       I'd like to turn to a term limit initiative. Does  
20      Ohio have term limits?

21      **A**       Yes.

22      **Q**       And just generally, what are they?

23      **A**       So the current term limits in the state of Ohio, the  
24      voters passed it, I think it was in 1992 and the current  
25      term limit law in the state of Ohio is in the legislature,

1 you can't serve more than four successive two-year terms in  
2 the House or more than two successive four-year terms in the  
3 Senate, so eight years.

4 **Q** And is there -- does the current term limit law apply  
5 both to the House and the Senate?

6 **A** Yes. It applies to both the House and the Senate, but  
7 there's a problem with it.

8 **Q** What's the problem?

9 **A** Well, the problem with it is that it allows for  
10 members of the House to finish their eight years in the  
11 House and flip over to the Senate and serve another eight  
12 years, and then flip over to the House and serve another  
13 eight years. And so I think the intent of the voters back  
14 then was that, you know, you have set term limits, and  
15 that's not what we got here in Ohio.

16 **Q** Did you undertake any efforts to try to change those  
17 term limits?

18 **A** Yeah. We had drafted a possible -- to take the ballot  
19 to the voters to see if we could change the Ohio  
20 Constitution.

21 **Q** When you say "we," who's "we"?

22 **A** Well, myself and there were several other members in  
23 legislature that was interested in that.

24 **Q** Did you work with Mr. Longstreth in connection with  
25 this effort?

1       **A**       Yes.

2       **Q**       And what was Mr. Longstreth's role to be?

3       **A**       Well, you know, it's -- his role was to handle  
4 whatever was needed, you know, campaign-wise.

5       **Q**       And the initiative to change the term limit law, what  
6 was the proposal?

7       **A**       Sixteen years, whether you served it in the House or  
8 in the Senate or both of them combined, a flat 16 years.  
9 You can serve 16 years and you're finished in the  
10 legislature regardless.

11      **Q**       And when were you having these discussions about  
12 changing the term limit laws?

13      **A**       Oh, I guess 2020, I guess.

14      **Q**       And --

15      **A**       2019, maybe late 2019, 2020.

16      **Q**       And at that time, how old were you?

17      **A**       Let's see. I'll be 64 this year, so 61 or 2.

18      **Q**       In 2020, did you want to be Speaker of the House of  
19 Representatives for another 16 years?

20      **A**       My intentions were to run one more term and I was  
21 finished.

22      **Q**       Do you consider holding public office to be public  
23 service?

24      **A**       Absolutely, it's public service.

25      **Q**       How long have you held -- how long did you hold public



1 office for?

2 **A** How long can you hold it?

3 **Q** How long had you held public office?

4 **A** Well, let's see. I was commissioner two years, and  
5 then I was state legislature for eight years, and then I was  
6 auditor for two and a half years, so that's ten, 12 and a  
7 half, and then four years, 16 and a half years, so 16 and a  
8 half years, I guess.

9 **Q** Why did you go into public service?

10 **A** Well, I was taught from my family and I've tried to  
11 express that same thing to my kids, my sons, there's three  
12 very important commitments that you have to make in your  
13 life.

14 **Q** What are those?

15 **A** Well, your first commitment has to be to God and your  
16 second commitment has to be to your family, and your final  
17 commitment is to your community. And over the years, my  
18 community sort of changed. It started out as a pretty small  
19 community, and when I became a county commissioner and later  
20 a county auditor, it was the whole county, and my community  
21 then, when I was elected to legislature, was my House  
22 District. And eventually when I was elected as your  
23 Speaker, my commitment was to -- my community was the State  
24 of Ohio.

25 **MR. OLESKI:** Judge, may I have a moment to confer?

1 THE COURT: Yes.

2 (Pause.)

3 MR. OLESKI: Couple more questions for you, sir.

4 **Q** In January of 2017 in Washington, DC, did you promise  
5 FirstEnergy executives that you would pass any legislation  
6 in exchange for a political contribution?

7 MS. GLATFELTER: Objection, Your Honor. These are  
8 elements that the Court will be instructing the jury on.

9 THE COURT: Sustained.

10 MR. OLESKI: One more moment, then, Judge.

11 THE COURT: Very well.

12 (Pause.)

13 **Q** Between 2017 -- between 2016 and 2020, did you promise  
14 to take any act in your capacity as a legislator in exchange  
15 for political contributions from FirstEnergy or FirstEnergy  
16 Solutions?

17 MS. GLATFELTER: Objection, the same thing.

18 THE COURT: It's the same question. Sustained.

19 MR. OLESKI: I don't have any further questions.

20 THE COURT: Very well.

21 On behalf of Mr. Borges, do you have inquiry?

22 MR. SCHNEIDER: Yes, just a few, Your Honor. May I  
23 approach?

24 THE COURT: Yes.

25 MR. SCHNEIDER: Good morning.

1 THE WITNESS: Good morning.

2 CROSS-EXAMINATION

3 BY MR. SCHNEIDER:

4 Q I just want to pursue a couple of questions along the  
5 same line of inquiry that the government pursued with  
6 Mr. Seitz. Was Matt present in the 65 East State Street  
7 offices on October 10th, 2018, when you met with the FE  
8 executives, FES executives?

9 A I never saw Matt Borges in 65 East State Street.

10 Q And he was not present with you in Akron at the  
11 FirstEnergy headquarters on October 23rd of 2018 when you  
12 met with Chuck Jones, was he?

13 A Matt and I were never present together.

14 Q And you didn't see him at the Trump inaugural  
15 festivities, did you?

16 A No, I did not see him at the Trump inaugural  
17 festivities.

18 Q Was there any time in 2020 when you and Chuck Jones  
19 had calls dealing with term limits where Matt was a  
20 participant in those calls?

21 A I would never have asked Matt to be a participant in  
22 those calls.

23 MR. SCHNEIDER: Thank you. No further questions,  
24 Judge.

25 THE COURT: Very well. I'm inclined to take our

1 mid-morning break at this time. We're going to break for  
2 20 minutes. During the break, take a break. After the  
3 break, we'll come back and the government will have an  
4 opportunity to ask questions of Mr. Householder and  
5 Mr. Householder's lawyers may follow up.

6 But enjoy this break. I'm looking forward to seeing  
7 you in 20 minutes. Don't discuss the case among yourselves  
8 or with anyone else. No independent research. No checking  
9 out the media. Continue to keep an open mind until you've  
10 heard all of the evidence. Out of respect for you, we'll  
11 rise as you leave for your mid-morning break.

12 THE DEPUTY: All rise for the jury.

13 (Jury exited the courtroom at 10:25 a.m.)

14 THE COURT: The jury has left the room. As always,  
15 we'll remain in the courtroom until we're advised that the  
16 jury has cleared the floor and then we'll break for  
17 20 minutes. Mr. Householder, do not discuss your testimony  
18 with anyone for the duration of this short recess and that  
19 includes your attorneys and you understand, correct?

20 THE WITNESS: I do understand, Judge.

21 THE COURT: Very well. She writes it all down.

22 THE DEPUTY: All clear, Judge.

23 THE COURT: All right. 20-minute recess. Thank  
24 you.

25 THE DEPUTY: This court is in recess.

1 (Recess taken from 10:26 a.m. to 10:45 a.m.)

2 THE DEPUTY: All rise. This court is in session  
3 pursuant to the recess.

4 THE COURT: Thank you. Please be seated. Back in  
5 the courtroom outside the presence of the jury. Are we  
6 ready for the jury from the government's perspective?

7 MS. GLATFELTER: Yes, Your Honor. Thank you.

8 THE COURT: Mr. Householder's?

9 MR. OLESKI: Yes, Judge.

10 THE COURT: Mr. Borges'?

11 MR. SCHNEIDER: Yes.

12 THE COURT: Let's call for the jury.

13 (Pause.)

14 THE DEPUTY: All rise for the jury.

15 (Jury entered the courtroom at 10:51 a.m.)

16 THE COURT: You may all be seated. Thank you. My,  
17 my, my, my, they're back. Thank you for your continuing  
18 work. Mr. Householder remains on the stand and the  
19 government has a chance to inquire. You may proceed on  
20 behalf of the government.

21 MS. GLATFELTER: Thank you, Your Honor.

22 THE COURT: Ms. Glatfelter.

23 MS. GLATFELTER: Good morning, Mr. Householder.

24 THE WITNESS: Good morning.

25 **CROSS-EXAMINATION**

1 **BY MS. GLATFELTER:**

2 **Q** Before the break, we left off I think talking about  
3 the inauguration or trying to talk about the inauguration.  
4 And yesterday you testified that you flew to the  
5 inauguration in 2017 on the FirstEnergy jet; is that  
6 correct?

7 **A** That is correct.

8 **Q** And yesterday you said you arrived on January 18th; do  
9 you remember that?

10 **A** Yes.

11 **Q** And after you arrived, you went to your hotel to  
12 check-in?

13 **A** Yes.

14 **Q** And then you went to some sort of reception or event  
15 for Marcus Luttrell; do you remember testifying to that?

16 **A** I do.

17 **Q** Okay. And you said you went to that for about an hour  
18 and then you walked around DC because it was your son's  
19 first time in Washington, DC?

20 **A** Yeah, we were there an hour, I would say.

21 **Q** Yeah. And then you went and walked around because  
22 you -- to show your son the city, right?

23 **A** That's correct, um-hmm.

24 **Q** Okay. And you had mentioned yesterday that this was a  
25 family trip, right?

1       **A**       Yes.

2       **Q**       And your wife and the rest of your family or two more  
3       of your sons were arriving the next day, right?

4       **A**       That's correct.

5       **Q**       So after you went and walked around, you went back to  
6       the hotel?

7       **A**       Um-hmm.

8       **Q**       And that was on the 18th?

9       **A**       That was on the 18th.

10      **Q**       Okay. I'd like to go over some photos from the 18th.

11               MS. GLATFELTER: Permission to show the witness and  
12      counsel what has been marked as Government Exhibit 911?

13               THE COURT: Yes. Show it to the lawyers and the  
14      witness.

15      **Q**       All right. Mr. Householder, do you recognize yourself  
16      in the photograph to the left?

17      **A**       Yes, I do.

18      **Q**       Is that a picture of your son there on the left-hand  
19      side?

20      **A**       Yes, it is.

21      **Q**       At that reception we were just talking about?

22      **A**       Um-hmm.

23      **Q**       Okay. And to the right, then to the next photo, we  
24      see a picture of Mr. Longstreth at the same reception?

25      **A**       That is correct.

1 Q Okay. And to the right of that, we see a picture  
2 inside a limo and your son is there in the middle; do you  
3 see him in the gray hoodie?

4 A Yes, I do.

5 Q Okay. And you see the picture at the bottom there  
6 with you?

7 A Yes, I do.

8 MS. GLATFELTER: Your Honor, move to admit,  
9 pursuant to our stipulation regarding forensic devices,  
10 these photos from Mr. Longstreth's phone?

11 THE COURT: Any objections?

12 MR. OLESKI: No.

13 MR. SCHNEIDER: None.

14 THE COURT: They're admitted. You can publish.

15 MS. GLATFELTER: Thank you.

16 Q All right. Mr. Householder, so let's go over these  
17 photos again and next to the photos or below the photos is  
18 the metadata that is associated with this picture. You  
19 understand metadata is the time the photo was taken?

20 MR. OLESKI: Objection.

21 THE COURT: Basis?

22 MR. OLESKI: He's not qualified to answer.

23 THE COURT: He can answer as asked. Overruled.

24 Q The exhibit is admitted and I'm explaining what those  
25 boxes are below. Do you understand that?



1       **A**       I understand you're trying to explain it, yeah.

2       **Q**       Okay. So the first picture, let's start with that,  
3 picture of, I think you mentioned before, that was a picture  
4 of you and your son at the reception on the 18th, right?

5       **A**       Yes, um-hmm.

6       **Q**       Okay. And you're wearing khaki pants there?

7       **A**       I am.

8       **Q**       All right. And if we look at the date and time, do  
9 you see that, January 18th, 4:52 p.m.?

10      **A**       All right.

11      **Q**       Okay. And you agree that says January 18th, 2017,  
12 4:52 p.m.?

13      **A**       That's what it says.

14      **Q**       All right. Next to that you see a photograph of  
15 Mr. Longstreth with the same person, Mr. Luttrell?

16      **A**       That's Mr. Luttrell, that's correct.

17      **Q**       Right. And you see the date stamp and time stamp of  
18 that photo a minute later on the same day?

19      **A**       Yes, yes.

20      **Q**       All right. Now, let's go to the upper right hand.  
21 You see the picture of your son is right here in the limo,  
22 right?

23      **A**       Yes.

24      **Q**       Okay. And who is the person on the far left of that  
25 photo?

1       **A**       That's a very bad picture of Mike Dowling.

2       **Q**       Right. So Mike Dowling is in the limo with your son,  
3       and this is on January 18th, and let's look at the metadata,  
4       at 10:20 p.m. And you just testified you were back at your  
5       hotel at that time?

6       **A**       I'm sure that what you're telling me is correct, but  
7       there's a gentleman in that photograph that that -- there's  
8       no way that he was there on Wednesday night.

9       **Q**       Well, I'm not telling you. I'm just showing you what  
10       the metadata for these photos that were forensically  
11       recovered from Mr. Longstreth's phone showed, all right?

12       **A**       All right.

13       **Q**       Then we see Mike Carey, right? Mike Carey, you were  
14       talking about earlier at the Island House, I just put an  
15       arrow by that?

16       **A**       That's what it says.

17       **Q**       That's January 18th, 2017, that's the same day as the  
18       reception, right?

19       **A**       I'm going to say that that's what this says --

20       **Q**       Right.

21       **A**       -- but there's a gentleman in that photograph that I  
22       know was not there on Wednesday night.

23       **Q**       Well, your son is wearing the same clothing, right, as  
24       in the pictures on the left?

25       **A**       Yes.

1       **Q**       All right. And you see this knee right here, is that  
2       a picture of your khaki pants right there?

3       **A**       I don't know. It's khaki pants.

4       **Q**       Okay. Look at the picture below, right?

5       **A**       Yes.

6       **Q**       Right? Same outfit as you were wearing earlier in the  
7       night and the metadata from that photo is 10:30 p.m., right?

8       **A**       All right. I'm going to say the same thing I said  
9       before and I'm not trying to get --

10      **Q**       Sure.

11      **A**       -- strange here, but there's another picture of a  
12      gentleman, one of those gentlemen in that photograph came in  
13      to town from out of town to be with me with this gentleman  
14      in the limo and they did not come on Wednesday.

15      **Q**       Okay. All right. This person in the photograph where  
16      it says "coal," is that the one you're talking about?

17      **A**       That's exactly what I'm talking about.

18      **Q**       This person from Alabama, your Alabama coaling  
19      company?

20      **A**       Absolutely.

21      **Q**       Right.

22      **A**       That's who that is.

23      **Q**       And so Mr. Carey is there in the middle, right, of the  
24      photograph?

25      **A**       Yes.

1 Q And then you're on the left?

2 A That's correct.

3 Q And yesterday you were certain about these dates. You  
4 testified about the dates and the times that you were at  
5 these various events, right?

6 A Yeah.

7 Q But you couldn't remember what day House Bill 6 passed  
8 in the concurrence vote --

9 A Well --

10 Q -- after sitting here for six weeks?

11 MR. OLESKI: Objection.

12 THE COURT: Overruled. He can answer it.

13 Q Go ahead.

14 A What did we do, 500 pieces of legislation a session?  
15 Yeah.

16 Q Right. But you've been sitting here for six weeks and  
17 you can't remember the dates of that, but you can remember  
18 the exact times and dates that you were at the inauguration  
19 five or six years ago?

20 A Well, you know the inauguration is at noon, so it  
21 doesn't take a brain surgeon to figure that out. I  
22 understand.

23 Q Okay. All right. All right. And to be clear --  
24 well, let's see if you remember, do you remember this place  
25 at the bottom where the coal picture is; that's the Dubliner

1 restaurant or bar?

2 **A** I don't know the name of it.

3 **Q** Does that ring a bell?

4 **A** (Shaking head.)

5 **Q** No? Yes?

6 **A** I'm sorry, I didn't hear you.

7 **Q** Do you remember the Dubliner bar or hotel?

8 **A** I don't know the name of it. I remember that sign.

9 **Q** Okay. But this picture is not from your hotel, right?

10 **A** No, it's not from my hotel.

11 **Q** Okay. And so what happened on the 18th between the  
12 reception at the W Hotel with Mr. Luttrell and this picture  
13 here with a limo and -- at the Dubliner was the Charlie  
14 Palmer steakhouse, right?

15 **A** That's what you claim.

16 **Q** Um-hmm.

17 **A** But I'm just going to say that those two gentlemen  
18 weren't in Washington, DC yet.

19 MS. GLATFELTER: Now, Ms. Terry, if we can -- well,  
20 let me ask the Court for permission. Your Honor, may we  
21 please publish side-by-side what's been admitted as  
22 Government Exhibit 216 B and Defense Exhibit 478?

23 THE COURT: Yes.

24 **Q** All right. Mr. Householder, do you -- the exhibit on  
25 the left, 216 B, is an e-mail that Jeff sent to you, Larry,

1 right?

2 **A** Yes.

3 **Q** Okay. And that is the itinerary for the weekend that  
4 he's sending to you, a list of events, right?

5 **A** Well, that's -- that's a suggestion of events in DC.  
6 That doesn't mean I committed to those events.

7 **Q** Right. But the one we were just talking about, this  
8 right here, Jeff's reception on the 18th at the W Hotel from  
9 4:30 to 6:30 p.m., that's the one we just saw, right?

10 **A** That is where Marcus Luttrell was.

11 **Q** So you knew to go to the W Hotel for this reception,  
12 right?

13 **A** I did know, yes.

14 **Q** Okay. And if we can -- and the item below that on the  
15 18th is a dinner reservation for the Charlie Palmer  
16 steakhouse; do you see that?

17 **A** Yes.

18 MS. GLATFELTER: Okay. And if we may advance,  
19 Ms. Terry, to page 7. Oh, you know what, before we do that,  
20 Ms. Terry.

21 **Q** If I can just say for the record, Householder Exhibit  
22 478 is on the right, and you understand this to be -- I  
23 mean, this is your exhibit, Mr. Dowling's expense report,  
24 right?

25 **A** Yes.

1 MS. GLATFELTER: Okay. And if we can advance to  
2 page 7 or -- page 7. Thank you. Okay.

3 Q And you see there in the middle of the page where it  
4 says: Charlie Palmer steakhouse, Mike Carey, Jeff  
5 Longstreth, and others to discuss the Ohio political issues?

6 A Yes. It says: Mike Carey, Jeff Longstreth, Ryan  
7 Stinger, and the spouse of Timken, whoever that is,  
8 discussing Ohio political issues.

9 Q Okay. And you see -- you see on that same page the  
10 date is January 18th, 2017, right?

11 A Yes.

12 Q All right. And right above the circle, you see  
13 "refreshments at W Hotel," right?

14 A I do.

15 Q Right. And the W Hotel is where this event was,  
16 correct, where the Jeff's reception was?

17 A Yes.

18 Q Okay. Now, you mentioned yesterday --

19 MS. GLATFELTER: Ms. Terry, you can go ahead and  
20 take those down.

21 Q You mentioned yesterday that you saw Mike Dowling a  
22 few times during this inauguration trip; do you recall that?

23 A I did.

24 Q You rode on the FirstEnergy jet with him to  
25 Washington, DC, and back, right?

1       **A**       I did.

2       **Q**       And then you traveled from the airport to your hotel,  
3       right?

4       **A**       Yes.

5       **Q**       And then from your hotel to the airport with him?

6       **A**       That's correct.

7       **Q**       And you said you also saw him at a reception, right?

8       **A**       Yes. The reception that Jim Brown had, the charity,  
9       the Ameri-can.

10      **Q**       Okay. And how long was your interaction with  
11      Mr. Dowling at the reception?

12      **A**       It wasn't very long. I just sat down on the couch and  
13      I think Luke is the one that took the picture and we got up.

14               MS. GLATFELTER: And so to be clear, let's go ahead  
15      and publish -- well, let me ask the Court's permission.

16               Your Honor, may we publish Householder Exhibit 486,  
17      which has been admitted?

18               THE COURT: Yes.

19      **Q**       And so this is the picture of the reception that you  
20      were talking about?

21      **A**       That's it.

22      **Q**       Okay.

23               MS. GLATFELTER: Your Honor, may I show the witness  
24      what's been marked as Government Exhibit 908?

25               THE COURT: Yes. Show the witness and the lawyers.



1       **Q**       All right. Mr. Householder, do you recognize yourself  
2       in that photograph?

3       **A**       Yeah. I just told you about it exactly.

4       **Q**       This is the one that you were referring to?

5       **A**       Yeah.

6       **Q**       Great.

7               MS. GLATFELTER: Your Honor, move to admit and  
8       publish Photograph 908?

9               THE COURT: Any objection?

10              MR. OLESKI: No.

11              MR. SCHNEIDER: No.

12              THE COURT: It's admitted. You may publish.

13              MS. GLATFELTER: Thanks. And if we may publish  
14       side-by-side with the exhibit we just looked at, Defendants'  
15       Exhibit 486, which has been admitted?

16              THE COURT: Yes.

17       **Q**       Okay. And so this is the brief interaction that you  
18       were referring to?

19       **A**       Yes.

20       **Q**       Okay. Wearing the same outfits, you know that this is  
21       from the same place?

22       **A**       Well, as I testified yesterday, I saw Mike Dowling at  
23       the Ameri-can event, yes.

24       **Q**       Okay. All right. And did you save this photo after  
25       you took it?

1       **A**       Yes, I think so. I don't know.

2       **Q**       Okay.

3       **A**       Yeah.

4               MS. GLATFELTER: Permission to publish what's been  
5 admitted as 325 A?

6               THE COURT: Yes.

7       **Q**       All right. Mr. Householder, do you see on your screen  
8 a text message between you and Mr. Dowling, that's your  
9 phone number at the top, right?

10              MS. GLATFELTER: Ms. Terry, if we can enlarge that  
11 so we can verify?

12              THE WITNESS: Yes.

13              MS. GLATFELTER: Okay. Great.

14       **Q**       And do you see the text message exchange between you  
15 and Mr. Dowling there at the bottom?

16       **A**       You're going to have -- I'm sorry, you're going to  
17 have to expand it a little bit for me.

18       **Q**       Sure.

19       **A**       I apologize, I left my glasses at my room.

20       **Q**       Okay. So it starts by you sending him what appears to  
21 be the same photo that we just looked at, right?

22       **A**       That's correct.

23       **Q**       But the date of this is January 13th, 2020?

24       **A**       Yes.

25       **Q**       All right. And Mr. Dowling says: Mr. Speaker, great

1 pic, but you're missing a beer, and you respond: I noticed  
2 that, right?

3 **A** Um-hmm.

4 **Q** And so you saved this picture for a couple of years  
5 and you sent it back to Mr. Dowling, this is a memorable  
6 event or experience?

7 **A** I saved the pictures of my son. We had a photograph  
8 of Jim Brown, had a photograph of Bobby Knight, Elvin Hayes.

9 **Q** But this photograph is of Mr. Dowling?

10 **A** Well, he was included in those photographs, yeah, I  
11 did.

12 **Q** All right. And in addition to the plane rides and  
13 this reception and the photograph and the beer or whatever,  
14 you also had some phone calls with Mr. Dowling while you  
15 were in DC, right?

16 **A** Possibly. I don't know.

17 MS. GLATFELTER: Okay. Your Honor, permission to  
18 publish what's been admitted as 734?

19 THE COURT: Yes.

20 **Q** All right. And you said you were in DC from the 18th  
21 to the 20th?

22 MS. GLATFELTER: Ms. Terry, if we can enlarge that  
23 section of the exhibit, please?

24 THE WITNESS: Yes.

25 **Q** Okay. And those are contacts between you and Michael

1 Dowling while you're in DC?

2 **A** They appear to be, yes.

3 **Q** Okay. And so we see one, two, three, four, five, six,  
4 seven phone contacts?

5 **A** Well, you have one over two minutes, yes.

6 **Q** Yeah. Okay. All right. And yesterday on direct, you  
7 indicated that you stayed --

8 MS. GLATFELTER: You can go ahead and take that  
9 down, Ms. Terry.

10 **Q** Yesterday on direct you indicated that you stayed at a  
11 hotel where the Ohio delegation was staying, correct?

12 **A** Yes.

13 **Q** And you couldn't recall the name of that hotel, but  
14 you were sure it was where the Ohio reception was taking  
15 place -- or I'm sorry, the Ohio delegation was taking -- was  
16 staying?

17 **A** No.

18 **Q** Okay.

19 MS. GLATFELTER: Your Honor, if we may have  
20 permission to publish 216 B again?

21 THE COURT: Yes.

22 MS. GLATFELTER: Sorry. Thank you, Your Honor.

23 **Q** And if we look at Thursday, January 19th, at this Ohio  
24 reception, the Ohio reception was at the Ohio delegation  
25 hotel, right?

1       **A**       Yes. Capitol Skyline.

2       **Q**       Does that refresh your memory as to the name of the  
3 hotel?

4       **A**       Well, it helps, yes.

5       **Q**       Yes. Okay. And that reception was 4:30 to 7:30?

6       **A**       That's what it says, yes.

7       **Q**       Okay. And the Capitol Skyline was the Ohio delegation  
8 hotel, right?

9       **A**       Yes, I believe so.

10               MS. GLATFELTER: Your Honor, permission to publish  
11 two exhibits which have been admitted side-by-side,  
12 Defendant's Exhibit 479 and Government Exhibit 217?

13               THE COURT: Yes.

14               MS. GLATFELTER: All right. Ms. Terry, if we can  
15 advance to page 5 on Exhibit 479, please?

16       **Q**       All right. Mr. Householder, and the exhibit on the  
17 right, Government Exhibit 217, is the hotel where you  
18 stayed, right, it's the reservation for the hotel where you  
19 stayed? So if we look here -- (Indicating.)

20       **A**       Yes.

21       **Q**       You see your name down there halfway through, half way  
22 down?

23       **A**       I do.

24       **Q**       Okay. And who booked this for you?

25       **A**       I really didn't know. I thought it was through the

1 party.

2 **Q** You thought it is from the party?

3 **A** From the Republican Party.

4 **Q** Do you recognize -- go ahead. I didn't mean to talk  
5 over you. What were you saying?

6 **A** I said the Republican Party.

7 **Q** Okay.

8 **A** That's generally the way it's done, is they book the  
9 hotel and then they sell passes or whatever you want to call  
10 it to the rooms.

11 **Q** All right. And do you recognize this name at the  
12 bottom of the receipt?

13 **A** I sure do.

14 **Q** Who is that?

15 **A** Thomas T. George.

16 **Q** Who is that?

17 **A** That's Tony George.

18 **Q** Your friend Tony George that you've been talking  
19 about?

20 **A** Yes.

21 **Q** So he booked your room and the cost of the room down  
22 there, we see that as a thousand dollars, \$1,500?

23 **A** I see that.

24 **Q** Okay. And do you see -- what time did he send you or  
25 what day and time did he send you your reservation? Do you

1 see that at the top?

2 **A** January the 4th, 2017.

3 **Q** Okay. And if we look at the left, we see an e-mail  
4 from the same address from Tony George, right, same date?  
5 If we look right here, it's an e-mail from Tony George  
6 (Indicating.)

7 **A** Yes, I do.

8 **Q** Also on January 4th, 2017?

9 **A** Yes.

10 **Q** Okay. And the time of the reservations, if we look  
11 down here, at the time of the reservation was made, that was  
12 made at 11:27 Chuck Jones' reservation and your reservation  
13 was at 11:26, right?

14 **A** Yes.

15 **Q** All right. And the same hotel?

16 **A** I wasn't aware of the one on the left.

17 **Q** But the Capitol Skyline hotel?

18 **A** Oh, it's the Capitol Skyline hotel, that's what it  
19 says, yes.

20 **Q** Yeah, same hotel that you were staying in, right?

21 **A** Same hotel I was staying in.

22 **Q** And booked by the same friend, Tony George?

23 **A** That's where the Ohio delegation was, yes.

24 MS. GLATFELTER: Ms. Terry, if we can advance to  
25 the next page on the exhibit on the left? Okay. And the

1 next page on the exhibit on the right. Okay.

2 **Q** And we can see Tony George at the top, the one on the  
3 left. Tony George paid for this hotel room, too, right?

4 **A** Yes.

5 **Q** And this is the same amount --

6 MS. GLATFELTER: Ms. Terry, if we can -- on the  
7 right, if we can go back up to the first page, please.

8 **Q** Same amount on both sides, right?

9 **A** Um-hmm.

10 **Q** Okay. So Tony George booked your room and paid for  
11 your room?

12 **A** I wasn't aware, really. I thought it was the Ohio  
13 delegation.

14 **Q** You weren't aware of who was paying for your hotel  
15 room?

16 **A** I -- you know, I -- it was -- the way it's normally  
17 done is the Ohio delegation books your hotel rooms and  
18 that's -- they take care of it. If you owe them anything,  
19 they would send you a bill for that.

20 **Q** Uh-huh.

21 **A** And that's just the way it's always been done.

22 **Q** Okay. And Mr. Jones was staying at the same  
23 reservation also booked by Mr. George?

24 **A** Apparently.

25 **Q** Okay. And do you recognize your e-mail address at the



1 top of your reservation or the e-mail with your reservation?

2 **A** I do.

3 **Q** All right. Is that mymail, gmail.com?

4 **A** That's one, yes.

5 **Q** And you said that Tony George was the one who asked  
6 you to fly on the FirstEnergy jet?

7 **A** Yes.

8 **Q** And so explain, explain that to me, how he has access  
9 to the FirstEnergy jet.

10 **A** Well, I had called him. The whole idea was that his  
11 wife Chrissy, and Tony, and my wife, Taundra, and my kids, I  
12 had given them tickets to go to the inauguration along with  
13 a lot of other people.

14 **Q** Um-hmm.

15 **A** And when I called and invited him, I said, we're going  
16 to drive, and he said okay. And then he called me back and  
17 he said, I've got a plane arranged, it's FirstEnergy's  
18 plane, and we have to have someone from FirstEnergy fly with  
19 us, but it will get us out there quicker. And I told him, I  
20 said, I'm going to have to pay for that. We had a little  
21 bit of a discussion about that because he didn't think I  
22 would, and I said no, I'll have to pay for that, but I said,  
23 I think it's worth it, getting out there another day  
24 earlier. And so that's what he -- he arranged the flight.

25 **Q** So Mr. George told you that he had access to the

1 FirstEnergy jet, he just had to have someone from the  
2 company on the plane?

3 **A** Um-hmm.

4 **Q** That was the only stipulation?

5 THE COURT: Do yes and no, please --

6 THE WITNESS: I'm sorry, yes.

7 THE COURT: -- for the court reporter.

8 THE WITNESS: I apologize.

9 THE COURT: Very well.

10 **Q** Did you understand him to have some relationship with  
11 FirstEnergy, that he would have access to the plane?

12 **A** I knew he knew Chuck.

13 **Q** Well, I mean, knowing Chuck and then having access to  
14 the FirstEnergy jet to book flights when you want, that's a  
15 different thing, right?

16 **A** You just have to know Tony George I guess.

17 **Q** All right. Just to be clear on the exhibits that we  
18 were looking at on Exhibit 217 -- let me clear these circles  
19 here. And that is an e-mail from Tony George at the George  
20 Group to you, Larry Householder, with your e-mail address,  
21 right?

22 **A** That is.

23 **Q** Okay. Since we were just talking about the flight and  
24 the reimbursement, I wanted to talk about that a little bit.  
25 You said yesterday on direct testimony you paid for the

1 flight and you showed us, I believe, a bank statement for a  
2 payment on March 29th, 2017?

3 **A** Yes.

4 **Q** Does that ring a bell? Yeah. All right.

5 And you showed the jury a bank statement for that  
6 date, right?

7 **A** I did.

8 **Q** Now, I want to talk about the sequence of events  
9 leading up to that payment. So we were just talking about,  
10 Tony George invited you to take a ride on the FirstEnergy  
11 jet, right?

12 **A** Yes.

13 **Q** And do you recall Jeff Longstreth and Anna Lippincott  
14 having a conversation with you about or advising you not to  
15 take that flight, that the optics of that looked bad?

16 **A** No.

17 **Q** That never happened?

18 **A** I don't remember that.

19 **Q** You don't remember it or it never happened?

20 **A** I don't remember that happening.

21 **Q** Okay. And you went ahead and took the flight, right,  
22 in January of 2017?

23 **A** I did.

24 **Q** And you said that it was your intent to reimburse  
25 FirstEnergy for that flight, right?

1       **A**       Correct.

2       **Q**       All right. I mean, isn't it true that before you made  
3       that payment, the *Dayton Daily News* ran a news article  
4       talking about your flight before you had paid for it and  
5       that's what prompted your payment?

6       **A**       Absolutely not.

7       **Q**       No?

8       **A**       No, that's not what prompted my payment at all. I  
9       knew from day one I was going to pay for that flight. We  
10      contacted constantly FirstEnergy, they did not know what the  
11      cost of everything was yet, and when they finally got it to  
12      us, it was paid immediately.

13      **Q**       You said you constantly contacted --

14      **A**       Yes.

15      **Q**       -- FirstEnergy about it?

16      **A**       I did.

17      **Q**       Who constantly contacted FirstEnergy about it?

18      **A**       Pardon?

19      **Q**       Who constantly contacted FirstEnergy about the payment  
20      of your flight?

21      **A**       I had asked Anna to.

22      **Q**       And it happened to be that you made the payment to  
23      FirstEnergy after that news article and after they said that  
24      you rode on the FirstEnergy jet?

25      **A**       Yeah. It's kind of like the same thing as bringing

1 people back from Chicago. It's -- yes, the *Dayton Daily*  
2 *News* wrote that story, but we had been trying to make  
3 arrangements with FirstEnergy way before that. Just after  
4 the -- after we came back from DC, I was ready to make that  
5 payment and pay for it, and they had to go through their  
6 process and find out what the costs were.

7 **Q** All right. Yesterday you talked about going to the  
8 World Series game in Cleveland. Which game was that?

9 **A** Game 7.

10 **Q** Game 7. So that would have been in November of 2016?

11 **A** Oh, yeah.

12 **Q** Okay. And you're aware that the average ticket price  
13 for those games was about \$2,500 a ticket?

14 **A** I have no idea what they are.

15 **Q** Is that what you paid for the ticket from your friend?

16 **A** No. I don't recall, but it wasn't anywhere near that.

17 **Q** Was Tony George the friend that got you the ticket?

18 **A** No.

19 **Q** No, it was a different friend?

20 **A** Um-hmm.

21 **Q** And so during the game, I just wanted to go through  
22 the sequence of events here. During the game, you said you  
23 just happened to run into Chuck Jones, right?

24 **A** Yes.

25 **Q** It was coincidental?

1       **A**       Well, I went into the box during the rain delay.

2       **Q**       All right. So you went to the game and you said, I  
3 think yesterday, because you had been Speaker before, you  
4 knew that the boxes would be open during a rain delay; is  
5 that right?

6       **A**       Well, normally, the boxes, you go from box to box to  
7 box, yes, not necessarily because of a rain delay.

8       **Q**       What do you mean, you go from -- for those of us who  
9 have not been in a box, what does that mean?

10      **A**       Well, once you get up in that box area, you can go  
11 from different boxes, a lot of those folks you know that  
12 have corporate boxes.

13      **Q**       How do you know the people that have the corporate  
14 boxes?

15      **A**       I mean, they're folks that you have known for years,  
16 different people. Many of the corporations in the state of  
17 Ohio have boxes as well as other people.

18      **Q**       And you had been in the FirstEnergy box before?

19      **A**       Oh, possibly. I don't know.

20      **Q**       Mr. Householder, didn't you tell Jeff Longstreth that  
21 you were meeting -- that when you left for the game, you  
22 were going there to meet Chuck Jones?

23      **A**       No.

24      **Q**       You never told him that?

25      **A**       No.

1 Q Was that a different World Series game?

2 A No, no.

3 Q Well, on your phone, you had pictures from different  
4 World Series games in Cleveland. Was it possibly a  
5 different World Series game where you went and met Chuck  
6 Jones and told Jeff Longstreth you were doing that?

7 A I don't believe so.

8 Q Did you go to multiple World Series games?

9 A More than one.

10 Q Okay. And did you go there to meet Chuck Jones at any  
11 of the other World Series games?

12 A I didn't go there to meet Chuck Jones, no.

13 Q Okay. And how many World Series games did you go to  
14 in Cleveland that year?

15 A I don't recall.

16 Q Multiple?

17 A More than one.

18 Q All right. Yesterday on direct -- but to be clear,  
19 the games you went to were in the late fall, they were World  
20 Series games in November of 2016, right?

21 A 2016.

22 Q Okay. And yesterday on direct, you were asked some  
23 questions about some terminology you used. Do you remember  
24 that? You were asked about phrases like "casket carriers,"  
25 and "on the farm," what those mean?

1       **A**       Yes, I do remember.

2       **Q**       All right. And do you recall -- you recall those  
3 questions?

4       **A**       Yes, I recall the questions.

5       **Q**       And I believe you said that "on the farm" is a  
6 reference to friends?

7       **A**       Yes, people that are friends, correct.

8       **Q**       Okay. And you wanted -- at this point, you said that  
9 it was just a reference to friends because you wanted  
10 friends, not enemies, right?

11       **A**       Correct.

12               MS. GLATFELTER: All right. Permission to publish  
13 what's been admitted as 201 C?

14               THE COURT: Yes.

15               MS. GLATFELTER: Thank you. Ms. Terry, if we can  
16 go to page 16, please?

17       **Q**       All right. And do you see on the screen the document  
18 properties here?

19               MR. OLESKI: I'm going to object.

20               THE COURT: Basis?

21               MR. OLESKI: Misleading with the coloring in.

22               THE COURT: Overruled.

23       **Q**       Do you see the date of creation? I'll put an arrow so  
24 it doesn't cover anything for you.

25       **A**       I do.



1 Q Is October 2016, right?

2 A That's what it says, yes.

3 MS. GLATFELTER: Okay. If we can go to the  
4 previous -- I'm sorry, if we can go to page 14, Ms. Terry?

5 Q All right. Do you remember seeing this document  
6 during this trial "was on the farm, quasi farm, one on the  
7 farm"?

8 A No, I don't recall seeing that during this trial, but  
9 maybe it was presented. I don't recall seeing it.

10 Q Okay. And "on the farm" is a term that you use,  
11 right, to mean friends?

12 A That's a term I use to mean friends, yes.

13 Q Okay. And the World Series game was in November, game  
14 7 was the first time that you had met Chuck Jones?

15 A Well, I had met him back in the late '90s, but it was  
16 very briefly.

17 Q Okay. "Briefly," you wouldn't say he was a friend  
18 back then?

19 A No. I didn't even really remember him. Tony  
20 Alexander had to remind me --

21 Q Sure.

22 A -- that I had met him.

23 Q But he's on your friend list here, right, and so is  
24 Neil Clark, right?

25 A Is that my friend list?

1       **Q**       Well, you're the one that uses the term "on the farm,"  
2       right?

3       **A**       Well, it says "on the farm" on there. It looks to me  
4       like someone else was using my terminology because that's  
5       not my list. I don't need to put together a list of my  
6       friends.

7       **Q**       Well, I mean, this is a small list, right? You have  
8       more friends than this list, right?

9       **A**       I really hope so. And there's some people on this  
10      list that I don't necessarily consider my friends, so this  
11      is not my list, ma'am.

12      **Q**       But if this list was created in 2016 and Chuck Jones  
13      is already on the list and so is Neil Clark, I mean --

14      **A**       That's why I did not create this list. That is not my  
15      list. I don't need a list of who my friends are.

16      **Q**       Well, someone certainly would have thought you were --  
17      someone who created this must have thought you were friends  
18      with Chuck Jones when they created the list?

19      **A**       I think whoever created this list was using my phrase.  
20      It's not -- I've used that phrase for a number of years and  
21      possibly they didn't understand my phrase, but that's -- I  
22      don't have -- this is not my list, I can tell you.

23      **Q**       Okay. So if someone put "Chuck Jones on the farm"  
24      before that World Series game, they would be incorrect, he  
25      wasn't your friend at that time?

1 MR. OLESKI: Judge, objection. May we approach at  
2 sidebar?

3 THE COURT: Very well.

4 **SIDEBAR CONFERENCE.**

5 MR. OLESKI: Judge, the basis for my objection is  
6 misleading. The -- No. 1, the document priorities in the  
7 metadata show that that document was last modified in  
8 September of 2017. There are two individuals listed in that  
9 document on the page of the document the prosecutor is  
10 questioning my client about, Anna Lippincott and Bryan Gray.  
11 Uncontroverted testimony during this trial is that they  
12 weren't even hired until 2017, and she's making the  
13 inference to my client, in her leading questions, that this  
14 document was created -- was last modified in 2016. So  
15 that's the basis for my objection, Judge, it's misleading.

16 MS. GLATFELTER: He can redirect on it. I'm just  
17 looking at what -- at the document properties, and if he  
18 wants to make that argument, that's fine. But he has gone  
19 through document after document with this witness and sold  
20 this jury a story that these documents show otherwise, so  
21 we're just going through the documents.

22 THE COURT: Last word.

23 MR. OLESKI: I still think it's misleading. I  
24 don't think there's a basis to ask these questions, a good  
25 faith basis to ask the questions.

1 THE COURT: It's cross-examination. The objection  
2 is overruled. If you want to address it on redirect, feel  
3 free.

4 MR. OLESKI: Thank you.

5 **SIDEBAR CONCLUDED.**

6 MS. GLATFELTER: Ms. Terry, if you can go ahead and  
7 put the exhibit back on, please.

8 **Q** All right. And we were talking about these different  
9 terms, on the farm, quasi farm, and one on the farm and  
10 those are terms that you've used?

11 **A** No. I've used "on the farm."

12 **Q** Okay.

13 **A** I don't know what quasi farm means and one on the  
14 farm, I don't know what that means.

15 **Q** But to be clear in the list of who's on the farm, we  
16 have Jeff, Chuck Jones, Tony George, Rex, Neil Clark, those  
17 are all people who are on the farm?

18 **A** According to this list?

19 **Q** Yeah.

20 **A** That's what that list says, yes.

21 **Q** Right. And those people were on the farm throughout  
22 2017, 2018, 2019, and 2020, right?

23 **A** You mean friends of mine, is that what you're trying  
24 to insinuate or are you trying to insinuate that on this  
25 list, those names are on this list?

1       **Q**       I'm not trying to insinuate anything, I'm just asking  
2       you who's in the column for on the farm and asking you  
3       whether those are people you would consider to be either on  
4       the farm or friends or however you define that term?

5       **A**       Friends, I have a couple of friends on that list. I  
6       have a couple of people who aren't my friends that they're  
7       showing here on the farm. And I -- there is a person there  
8       that -- actually a couple of people there that I barely  
9       know. I know who they are.

10      **Q**       Okay. But in terms of these people here, I'll put  
11      Jeff, these are people you would say are on the farm,  
12      they're your friends from 2017, 2018, 2019, and 2020, right?

13      **A**       No.

14      **Q**       Those people are not, that are in the box?

15      **A**       You mean all of those people?

16      **Q**       Well, do you want to clarify which ones are not on the  
17      farm?

18      **A**       There are people that you're indicating here, that  
19      you're calling a friend of mine, that, no, they are not,  
20      they're not a friend of mine.

21      **Q**       Okay. Well, which person does not belong on the list?

22      **A**       Well, Jacob Hubb.

23      **Q**       Well, exclude him. We'll cross him off.

24      **A**       Eddie Crawford, now I know who Eddie Crawford is, but  
25      I wouldn't consider him to be a friend of mine, a close

1 friend. Certainly, you've got Neil Clark there. Leah  
2 Pappas, I know who Leah Pappas is, but I wouldn't consider  
3 her to be a friend. She's not an enemy, but she's not a  
4 friend. Tom Patton, I -- he's a colleague, but we're not  
5 friends. I would consider Rex a friend. I consider Tony a  
6 friend. And Chuck Jones, I know him very well today, but I  
7 did not -- when is the date of this supposedly?

8 **Q** The date of the creation was October of 2017.

9 **A** All I would say is I -- there's people there that I  
10 wouldn't say are "on the farm."

11 **Q** Okay.

12 **A** As far as I'm concerned. Whoever wrote this, maybe  
13 they thought or were proposing that they become a friend. I  
14 don't know.

15 MS. GLATFELTER: And, Ms. Terry, if we can go up to  
16 the first page of this document.

17 **Q** All right. And this is part of a document which lists  
18 the House term -- the House districts and when people are  
19 going to be term limited or when they served in the district  
20 and who's up next, right?

21 **A** Yes.

22 MS. GLATFELTER: Okay. Now, Ms. Terry, you can  
23 take that down.

24 **Q** Yesterday, you were asked a series of questions about  
25 Generation Now; do you remember those?

1       **A**       Yes.

2       **Q**       All right.  And if I understand your testimony, the  
3       gist was -- and I want you to tell me if I don't have this  
4       right -- that you knew Generation Now existed, right?

5       **A**       Yes.

6       **Q**       Okay.  But you thought it was just about issues?

7       **A**       What?  I don't understand what you're trying to imply  
8       with that.

9       **Q**       I'm not trying to imply anything.  I'm just asking  
10       what your understanding of Generation Now was.  Yesterday I  
11       think you said it was about issues and candidates who  
12       supported issues, so --

13       **A**       Yes.  I think Generation Now was formed to make the  
14       public -- educate the public on issues and to support  
15       candidates who support those issues.

16       **Q**       Okay.  So what you just said is you think it was  
17       formed to educate people on issues?

18       **A**       Educate the public on issues.

19       **Q**       Okay.

20       **A**       And to support candidates who support those issues.

21       **Q**       And you talked to Mr. Longstreth about the creation of  
22       Generation Now, right?

23       **A**       Yes.

24       **Q**       All right.  So that's what you discussed, but how was  
25       it used, how was Generation Now used?  If that was what was

1 on the form in terms of it was going to be education of  
2 issues, how was Generation Now used to help you win the  
3 Speakership?

4 **A** Well, it was supporting -- educating the public, it  
5 was certainly used to do that, and supporting candidates  
6 that support those issues. That's --

7 **Q** What issues?

8 **A** Pardon me?

9 **Q** What issues?

10 **A** Well, it could be issues that I supported.

11 **Q** That you supported?

12 **A** Well, yeah, that I thought was important.

13 **Q** Generation Now was your 501(c)(4), right?

14 **A** I didn't -- I didn't form Generation Now.

15 **Q** That's right. Your name is not on the paperwork, but  
16 it was your 501(c)(4)?

17 **A** How could it be?

18 **Q** It was for your benefit, right?

19 **A** How could it be my 501(c)(4)?

20 **Q** Forget about the documents, whose name is on the  
21 documents, it's about whose benefit was it for, was it for  
22 Anna's benefit?

23 **A** Well, that would be like saying that your checking  
24 account isn't your checking account. It's -- if you -- if  
25 you aren't in control of it, you don't have control of the



1 spending, you don't have control of what they do, you're  
2 not -- I don't follow you on that.

3 **Q** So you can't be involved in an organization unless  
4 your name is on the bank account, is that what you're  
5 telling us?

6 **A** I think that's what you were trying to say. I  
7 don't --

8 **Q** No. Go ahead and tell us.

9 **A** You said sign the paperwork, is what you said, so I  
10 just used the analogy of a bank account, I guess.

11 **Q** So what was Generation Now for, how was it used?

12 **A** It was used to educate the public on issues that were  
13 important to me and important to Ohio because issues that  
14 are important to Ohio are important to me, and to support  
15 candidates that supported those issues.

16 **Q** The issues that were important to you?

17 **A** Because they're important to Ohio.

18 **Q** Issues that are important to you, you want to win the  
19 Speakership, right?

20 **A** Yeah, I wanted to win the Speakership, yes.

21 **Q** All right. So you knew that Generation Now existed,  
22 right, we went over that?

23 **A** Yes.

24 **Q** Okay. Your name was not on the bank account, we can  
25 agree on that?

1       **A**       No.

2       **Q**       And it was about supporting -- say that again?

3       **A**       Educating the public on issues that are important to  
4       Ohio and me.

5       **Q**       Okay.

6       **A**       And supporting candidates that support those issues.

7       **Q**       All right. And that's as much as you knew about it or  
8       did you know more about Generation Now?

9       **A**       That's about -- that's my understanding.

10      **Q**       All right. And what's your understanding based on?

11      **A**       My understanding is based on what we talked about,  
12      what it was going to do, what it was going to perform.

13      **Q**       Who's "we"?

14      **A**       Well, Mr. Longstreth.

15      **Q**       Okay. So you talked to Mr. Longstreth about  
16      Generation Now and what it was going to do?

17      **A**       Well, we talked about a 501(c)(4), and he tried to  
18      familiarize me with what a 501(c)(4) was, and it was my  
19      understanding that that was what it was used for.

20      **Q**       He tried to familiarize you about a 501(c)(4)?

21      **A**       Yes.

22      **Q**       Okay. We'll talk about that.

23                   MS. GLATFELTER: Just one moment. All right. If  
24      you can pull up -- Your Honor, if we may have permission to  
25      publish 201 A 1 side by side with 201 A?

1 THE COURT: They've been admitted?

2 MS. GLATFELTER: Yes.

3 THE COURT: Yes, you may publish them.

4 MS. GLATFELTER: All right. Ms. Terry, if we can  
5 advance to the last page on the left?

6 Q All right. Mr. Householder, do you recognize the  
7 exhibit on the left as something you discussed on your  
8 direct testimony yesterday?

9 A I do.

10 Q Okay. And is that the floor plan of the office in the  
11 Sheraton Hotel, the State Street office?

12 A Yeah, 65 East State.

13 Q All right. I think yesterday you said that Jeff also  
14 had an office in this space, right?

15 A Yes.

16 Q And Anna had an office in this space?

17 A Yes.

18 Q And Megan had an office in this space?

19 A Yes.

20 Q And you said it was leased or your understanding was  
21 that it was leased by whom?

22 A The lease was the Strategy Group.

23 Q Okay. Who was it subleased by?

24 A Friends of Larry Householder was my space.

25 Q Okay. And then the other space was leased by,

1 subleased by?

2 **A** I mean, I --

3 **Q** I mean, yesterday you said it was JPL.

4 **A** JPL had their space, Anna had her space and Megan had  
5 her space.

6 MS. GLATFELTER: All right. If we can advance to  
7 the second-to-last page, Ms. Terry, in the exhibit on the  
8 right. One second.

9 **Q** And how long were your offices here, how long did you  
10 work there?

11 **A** Well, until when the Speaker's race was over with,  
12 they moved into the -- I would call it the caucus office  
13 space.

14 **Q** Okay. So 2017 to maybe early 2019 or late -- early  
15 2019?

16 **A** Well, yeah, probably the end -- I would say it was the  
17 end of 2018.

18 **Q** Okay. So about two years maybe, little less than two  
19 years?

20 **A** No, little less than two years.

21 MS. GLATFELTER: All right. If we can go to the  
22 last page, Ms. Terry?

23 **Q** What does it say at the top here, Mr. Householder?

24 **A** It says: Generation Now will utilize areas in solid  
25 pink.

1       **Q**       All right. And you didn't know that Generation Now  
2 was utilizing these pieces in solid pink?

3       **A**       I knew Generation Now was there. I didn't know what  
4 area they had or what they were utilizing.

5       **Q**       Well, that's not what you said. You said JPL had  
6 offices there. Did you know Generation Now?

7       **A**       Actually, that looks to me like that's the offices  
8 that I would have indicated was JPL's offices.

9       **Q**       All right. But now you believe these are Generation  
10 Now's offices?

11       **A**       Well, that's what that says, yes.

12       **Q**       I'm asking you what you -- what you thought.

13       **A**       If this is accurate, yes.

14       **Q**       Now, I think you said yesterday on direct you had to  
15 have this office here on State Street to do political  
16 activities because you can't do political activities in your  
17 Riffe office; is that right?

18               MS. GLATFELTER: We can take these down. I don't  
19 want these to be distracting.

20       **A**       I was just seeing something that I have a question  
21 about. Can you expand that lower part?

22       **Q**       Sure. We'll do this this one time, but it's my turn  
23 to ask questions and you get to answer them.

24       **A**       Well, you asked me to look at that and that part I  
25 cannot see and I just wanted to see that for a second.

1 Q Sure.

2 A So September 13th, 2016, is when that plan was  
3 developed by the Genesis Planning and Design company in  
4 Columbus.

5 Q Okay.

6 A Correct?

7 Q I don't know.

8 A That's what it says.

9 Q Well, I don't know if this was the --

10 A So what that would tell me is that plan that you just  
11 showed me was prior to any of those leases being engaged.

12 Q Right, because this --

13 A That might have been an idea and a concept and not the  
14 final plan.

15 MS. GLATFELTER: Well, let's take that down for a  
16 second.

17 Q Let's be clear: This is a sublease for existing  
18 office space of the Strategy Media Group. You know what the  
19 Strategy Media Group is, right? So this is their form  
20 lease --

21 A I do. I understand what you're saying, but that date  
22 would indicate that that was prior to the lease being  
23 signed, and I would suppose -- I would suspect that somehow  
24 this was put together prior to Anna, Megan, myself and JPL.

25 MS. GLATFELTER: Let's go back to the signature

1 page, Ms. Terry. I think it's page 5.

2 THE WITNESS: You had asked me this question and I  
3 just wanted to try to get this right with you.

4 Q Sure, sure. You see Generation Now signing the  
5 document?

6 A I do.

7 Q Um-hmm.

8 A Do you have the final document?

9 Q This is the only document that exists.

10 THE COURT: She gets to ask the questions.

11 THE WITNESS: I'm sorry, Judge.

12 THE COURT: You have a good lawyer.

13 THE WITNESS: Because I know --

14 THE COURT: Excuse me.

15 THE WITNESS: I'm sorry, sir.

16 THE COURT: If you have something, your lawyer will  
17 inquire of it. You'll get your chance. Please proceed.

18 THE WITNESS: I apologize, Judge.

19 THE COURT: Very well.

20 THE WITNESS: I'm not familiar with these  
21 processes.

22 THE COURT: Understood.

23 MS. GLATFELTER: Ms. Terry, if you can go to the  
24 first page on -- the exhibit on the right.

25 Q Okay. And just to be clear, this is a sublease,

1 right, this is a sublease agreement?

2 **A** That's what it says. It doesn't have a date.

3 **Q** And the area that you were subleasing was from the  
4 Strategic Media Group [sic], right?

5 **A** The Strategy Group.

6 **Q** Oh, I'm sorry, the Strategy Group. I get them  
7 confused because it's really the same people, right, it's  
8 Rex Elsass and his group?

9 **A** I don't know that I've ever heard of the Strategic  
10 Media Group.

11 **Q** Or Strategic Media Placement?

12 **A** I don't know that I've heard of that, I'm sorry.

13 **Q** So Rex's -- one of Rex's companies is called what,  
14 Strategy Group?

15 **A** It's the only one I know.

16 **Q** All right.

17 **A** There might be others.

18 **Q** And that is the space that you were subleasing, right?

19 **A** That's correct.

20 **Q** Okay. Now, before I was asking you your -- I think  
21 you said on direct yesterday that you had to lease the space  
22 in 2017 because you couldn't do political activity in the  
23 Riffe Center, right?

24 **A** On state property, yes.

25 **Q** Right. But there was a space for you to do political



1 activity, right, in the OHROC building or the OHROC office?

2 **A** No, no.

3 **Q** That's where people go?

4 **A** People that aren't me.

5 **Q** Okay. So you're different or special than all of the  
6 other representatives?

7 **A** I'm special in that they would not allow me in that  
8 building, yes.

9 **Q** Your testimony is they wouldn't allow you to use the  
10 space?

11 **A** Well, yes. I was not welcome there.

12 **Q** That's different, that's different from them not  
13 letting you use the space. You just didn't want to go  
14 there, right; and after you became Speaker, you refused to  
15 go over to that office and meet with the team?

16 **A** I'm not sure I understand your question.

17 **Q** After you became Speaker, you refused to go over to  
18 the HRCC offices -- that's what the OHROC offices were  
19 renamed, right?

20 **A** Yes.

21 MR. OLESKI: Objection, compound.

22 THE COURT: Overruled.

23 **Q** I mean, the point of this is it was your decision,  
24 right, no one is prohibiting you; it's your decision to have  
25 another office?

1       **A**       Oh, it was my decision to have another office, yes,  
2       but I was not welcome over at the OHROC office.

3       **Q**       I mean, none of the other representatives who came in  
4       here and testified had other political offices?

5       **A**       There are several state representatives that have  
6       other political offices.

7       **Q**       Not the ones that testified here.

8       **A**       Well, I can't help that you didn't call them in here,  
9       but there are several.

10      **Q**       All right. You testified that you were not involved  
11      in the media campaign for House Bill 6, right?

12      **A**       Well, I testified that I gave advice. It depends on  
13      how you look at involvement.

14      **Q**       Well, you tell us what that means.

15      **A**       I gave advice.

16               MS. GLATFELTER: One moment, Your Honor.

17      **A**       Offered my opinion.

18      **Q**       So you gave advice, but you weren't involved in the  
19      creation of the ads or anything like that?

20      **A**       I don't recall creating any ads.

21      **Q**       Were you involved in that process?

22      **A**       I don't -- I just answered, I don't recall. I don't  
23      recall.

24      **Q**       All right.

25               MS. GLATFELTER: Permission to publish what's been

1 admitted as 461 C?

2 THE COURT: Yes. It's been admitted.

3 MS. GLATFELTER: Thank you, Your Honor.

4 And, Ms. Terry, if we can just expand this first page  
5 to make it a little bit larger.

6 Q All right. Mr. Householder, this is a text message  
7 between Juan Cespedes, you know Juan Cespedes, right?

8 A Yes.

9 Q All right. And you know Scott Schweitzer, too, right?

10 A Yes.

11 Q He works over at the Strategy Group?

12 A Yes. I know Scott Schweitzer.

13 Q Okay. Thank you. And what does the message say, that  
14 Juan writes to Mr. Schweitzer? You can go ahead and read it  
15 out loud, please.

16 A That Juan writes to Schweitzer?

17 Q Yes.

18 A Okay. I am expecting that we will be able to wire  
19 over 1.5 million tomorrow or Wednesday. That should get  
20 Householder to respond to you quicker. I don't think -- I  
21 don't think they have any money to do anything without our  
22 funding. My CEO and chairman are in tomorrow and this will  
23 be a topic of conversation. I'll keep you updated in real  
24 time before anyone else.

25 Q All right. And how does Mr. Schweitzer respond to

1 Mr. Cespedes?

2 **A** Roger that. Let me know what you need to help the  
3 cause. I did hear from LLH this afternoon and we are  
4 revising scripts tonight for that conversation.

5 **Q** Okay. And that LLH, is that a reference to your name?

6 **A** Those are my initials, yes.

7 MS. GLATFELTER: All right. Your Honor, permission  
8 to publish what's been admitted as 483 A?

9 THE COURT: Yes.

10 MS. GLATFELTER: If we can turn to page 28,  
11 Ms. Terry? All right. And if we can expand the bottom  
12 three messages, please.

13 **Q** Mr. Householder, do you recall looking at these text  
14 messages yesterday on direct testimony?

15 **A** Yes.

16 **Q** All right. And you wrote: "When does the Gen Now TV  
17 message change," question mark?

18 **A** Yes.

19 **Q** All right. And then you said: "I think it's burnt  
20 in, well burnt in," right?

21 **A** Yes, I did.

22 **Q** Okay. I want to show you the rest -- show the jury  
23 the rest of the text message. Let's look at that.

24 MS. GLATFELTER: If we can go ahead to the next  
25 page, please. All right. If we can expand the top.

1 Q What did you write to Mr. Longstreth?

2 A "I agree. It's funny though, in district, the number  
3 one question is just what the H is this House Bill 6?  
4 Nobody knows what it is or what it does, including the  
5 Senate."

6 Q All right. And what does -- how does Mr. Longstreth  
7 respond?

8 A "Polling shows, the more we explain it, the worse that  
9 it gets or does."

10 MS. GLATFELTER: Okay. Let's look at the bottom  
11 message, Ms. Terry.

12 Q And do you respond to Mr. Longstreth?

13 A "John Eckland asked me last night if we -- if he could  
14 sit down with me and find out why we did what we did. I  
15 think that's positive."

16 Q All right. And Mr. Longstreth responds and says: "If  
17 we say it saves jobs and reduces bills, that polls better  
18 than if we say it will save you a hundred dollars by  
19 eliminating mandated energy costs," right?

20 A Um-hmm.

21 Q He says: "It's counterintuitive"?

22 A That's what it says.

23 Q Okay. Let's go to the next page. How do you respond?

24 A I responded: "Of course, I'm just sick of seeing that  
25 poor SOB drive that pickup truck down the road and cry about

1 his job, which means it's burnt in."

2 **Q** It says: "Cry about losing his job," right?

3 **A** Yes. "It's burnt in."

4 **Q** All right. And is that a reference to the Generation  
5 Now message?

6 **A** The one that was running on TV forever, yes.

7 **Q** You were tired of seeing the person cry about losing  
8 their job?

9 **A** No. I thought the television ad was just over and  
10 over and over again.

11 **Q** Well, that's not what you wrote here.

12 **A** Well, I was trying to be a bit funny about that. I'm  
13 sorry.

14 **Q** All right. And what does Mr. Longstreth say?

15 **A** Yeah. It will change out later this week.

16 **Q** All right. And so --

17 **A** It was -- apparently it was at the end of its run.

18 MS. GLATFELTER: All right. Your Honor, permission  
19 to publish what's been admitted as 201 H?

20 THE COURT: Yes.

21 MS. GLATFELTER: All right. I want to go back to  
22 2017. If we can look at the last page of this exhibit,  
23 Ms. Terry?

24 **Q** And again look at those document properties. Can we  
25 agree that was February 2017?

1       **A**       Yes.

2       **Q**       Okay.  And actually, February 20th, 2017, about a  
3       month after the inauguration?

4       **A**       Yeah, that's what it says.

5               MS. GLATFELTER:  Okay.  Let's go to the first page,  
6       Ms. Terry.

7       **Q**       All right.  You see the first page, the title is the  
8       Friends of LH Staff Meeting template; is that what the title  
9       of the document is?

10      **A**       Yes.

11      **Q**       All right.  And Friends of LH is a reference to your  
12      campaign committee, correct?

13      **A**       It is, yes.

14      **Q**       All right.  And do you see under that -- by that first  
15      highlighting, 11 to 12:00 p.m., I'll actually put an arrow  
16      there.  So we're talking about the same one.  It has the  
17      attendees as AL, BG, and SLH.  Who are those people?

18      **A**       Well, SLH, I would say is me.

19      **Q**       Um-hmm.

20      **A**       BG is probably Bryan Gray.  AL is -- that's probably  
21      Anna.

22      **Q**       And do you see Anna's name below, under Anna's report  
23      right here?

24      **A**       Yes.

25      **Q**       All right.  And do you see Bryan right here?

1       **A**       I do.

2       **Q**       Are those the people you're referring to?

3       **A**       Yes, I do.

4               MS. GLATFELTER:  Let's look at the second page,  
5       Ms. Terry.

6       **Q**       All right.  What's the second page of this document,  
7       what's the title at the top?

8       **A**       Generation Now Monday staff meeting.

9       **Q**       All right.  And do you see the attendees listed for  
10      that meeting?

11      **A**       Yes.

12      **Q**       All right.  And who does it list as the attendees for  
13      the Generation Now staff meeting?

14      **A**       SLH, JPL, AL.

15      **Q**       All right.  And is there a goal listed for the  
16      meeting?

17      **A**       Recap the previous week and set goals and expectations  
18      for the following week.

19      **Q**       All right.  And then below that, there's an agenda,  
20      right?

21      **A**       Yes.

22      **Q**       And the agenda includes a weekly recap, correct?

23      **A**       That's -- yes.

24      **Q**       It includes Anna's report on fundraising, correct?

25      **A**       Yes.



1       **Q**       And it includes Jeff's report on messaging, campaign,  
2       and budget?

3       **A**       Yes.

4       **Q**       All right. But your testimony earlier was you didn't  
5       know about what was going on with Generation Now?

6       **A**       Well, I was raising money into Generation Now.

7       **Q**       All right. And you understood what the purposes of  
8       Generation Now was -- were?

9       **A**       Yes. I explained it previously.

10               MS. GLATFELTER: All right. Your Honor, may we  
11       publish a portion of what's been admitted as 271 A and ask  
12       that the jurors be allowed to follow along in their  
13       transcript binder, which is 271 B?

14               THE COURT: Yes. Give us a moment.

15               (Pause.)

16               MS. GLATFELTER: 271 A and 271 B.

17               THE COURT: What's the transcript reference?

18               MS. GLATFELTER: 271 B and for the jury's  
19       reference, we'll start at the page 4, and for expediency,  
20       we've cut this into a second segment, 914, you can go ahead  
21       and play that once the Court gives us its permission.

22               THE COURT: Give us just a moment, please.

23               MS. GLATFELTER: Sure.

24               THE COURT: All right. What page on the  
25       transcript?

1 MS. GLATFELTER: The bottom of page 4, and for the  
2 record, we're going to play a segment of 2:44 to 3:31.

3 THE COURT: Very well.

4 MS. GLATFELTER: And do you need a transcript  
5 binder, Mr. Householder? Do you have one over there?

6 Your Honor, may I approach?

7 THE COURT: Yes.

8 MS. GLATFELTER: Thank you. There you go, sir.  
9 Page 4.

10 THE WITNESS: All right.

11 MS. GLATFELTER: Your Honor, may we go ahead and  
12 play or publish?

13 THE COURT: As soon as Mr. Householder gets to  
14 page 4. Yes, you may proceed.

15 (Recording playing.)

16 **Q** All right. Mr. Householder, did you hear that?

17 **A** I did.

18 **Q** All right. And who are -- who do you hear on that  
19 call?

20 **A** It says Anna Lippincott and Neil Clark.

21 **Q** Okay. And are you also on that phone call?

22 **A** I am.

23 **Q** Okay. So Neil Clark, you and then Anna Lippincott in  
24 the background is the voices that we hear?

25 **A** That's correct.

1       **Q**       All right. And you heard a reference to Charter  
2       Communications, right?

3       **A**       Yes.

4       **Q**       And OCTA?

5       **A**       Yes.

6       **Q**       And this call was on January 25th, 2018, that's on the  
7       first page of the transcript, right, so January 25th, 2018,  
8       about a month before the filing deadline, right?

9       **A**       Yes.

10      **Q**       Okay. Just to orient ourselves in time.

11               MS. GLATFELTER: Ms. Terry, can you -- I'm sorry.  
12       Your Honor, may we publish what's been admitted as 14 B,  
13       page 46?

14               THE COURT: Yes.

15      **Q**       All right. Mr. Householder, I want you to look at the  
16       Generation Now bank records here. Can you see that on your  
17       screen?

18      **A**       Yes.

19               MS. GLATFELTER: All right. And are we able to  
20       play the audio while this is on the screen, Ms. Terry? This  
21       is a really short segment. I just want to hear it one more  
22       time. If not, we can just play it again, that's fine.

23       (Recording playing.)

24      **Q**       All right. Mr. Householder, can we agree that the  
25       (c) (4) that you're talking about on that call is Generation

1 Now?

2 **A** Yes.

3 **Q** Okay. And so you're having a call with Mr. Clark  
4 about Generation Now, right?

5 **A** Yes.

6 **Q** And you're referencing a specific check, and we'll  
7 look at another one in a moment, but you're referencing two  
8 checks for \$10,000 into Generation Now, right?

9 **A** Yes, that's what Anna in the background was  
10 indicating, there had been two checks that came out.

11 **Q** So you are talking to Anna in the background about the  
12 bank records with Mr. Clark; is that right?

13 **A** I don't know about the bank records. I imagine she  
14 kept a list of money.

15 **Q** So you knew that she had records or a list related to  
16 the Generation Now deposits?

17 **A** Yes.

18 **Q** Okay. And you used the phrase "we've got," or, "we  
19 have," I think I heard a reference to "we" in there in terms  
20 of you saying that this is the money that we have gotten in  
21 our (c) (4)?

22 **A** I didn't hear that, but it's possible. I didn't hear  
23 that, though.

24 **Q** Okay. Well, if there is a reference to "we," then who  
25 would that refer to?

1       **A**        "We got" would be Anna, we got, yeah.

2       **Q**        You mean you and Anna, like "we," Generation Now, have  
3       got \$10,000?

4       **A**        Why don't we replay that again? Could you replay that  
5       again, please?

6       **Q**        Sure.

7       **A**        Or find it in the book, I guess, this transcript.  
8       (Recording playing.)

9       **Q**        Okay. So it says "we've got two checks."

10      **A**        I said "we've got," yes.

11      **Q**        So the reference to "we" in the context of looking at  
12      checks for Generation Now is who?

13      **A**        "We," yes.

14      **Q**        You?

15      **A**        "We."

16      **Q**        Okay. And you're included in the "we," right?

17      **A**        Well, I would -- yes, suppose "we," yes, would be us,  
18      "we."

19      **Q**        All right. Yesterday on direct, Mr. Householder, you  
20      testified about the ads that occurred in the 2018 election;  
21      do you remember that?

22      **A**        Yes.

23      **Q**        And I believe you said you had nothing to do -- the  
24      gist of it was that you had nothing to do with the creation  
25      of the negative ads; do you recall that?

1       **A**       I had a long testimony yesterday.

2       **Q**       Okay. Well, let me just ask it today. Did you have  
3 anything to do with the creation of the negative ads in the  
4 2018 primary?

5       **A**       In the 2018 primary for the campaign committees or for  
6 the (c) (4)?

7       **Q**       Any of them.

8       **A**       Any of them?

9       **Q**       Um-hmm.

10      **A**       Yes, probably.

11      **Q**       Okay. So yesterday when you said you didn't, that was  
12 inaccurate?

13      **A**       Was that question in regards to the (c) (4) or was it  
14 in regards to the campaign committees? I don't know.

15      **Q**       I thought it was in regards to any of the negative  
16 campaigns, but there's a difference, you had it with respect  
17 to the (c) (4)?

18      **A**       Well, the campaign committee is, yes, is different.

19      **Q**       So you were involved in the negative -- the negative  
20 ads with respect to the campaign committees?

21      **A**       I could have been, yes.

22      **Q**       Okay. And when we talk about the negative ads for the  
23 campaign committees, you're talking about Growth and  
24 Opportunity PAC, Hardworking Americans and Hardworking  
25 Ohioans?

1       **A**       So when I talk about the campaign committee, what I'm  
2       talking about is it could be my committee or it could be  
3       another candidate's committee preparing the ads for their  
4       races.

5       **Q**       Well, you're not running negative ads that you're  
6       paying for out of your campaign committee?

7       **A**       I don't know if we did or not.

8       **Q**       You would run them with Paid for by Larry Householder  
9       or Friends of Larry Householder as a negative ad?

10      **A**       Possibly. I don't know.

11      **Q**       Okay. Well, in 2018, you were involved in a primary,  
12      right? You were in a primary race?

13      **A**       Yes.

14      **Q**       And you had an opponent in that race?

15      **A**       Yes.

16               MS. GLATFELTER: Your Honor, permission to publish  
17      what's been admitted as 312 A, which is the audio, and 312 B  
18      is the transcript?

19               THE COURT: Yes.

20               MS. GLATFELTER: So I would ask that the jurors be  
21      permitted to follow along in their binder at 312 B.

22               THE COURT: What is the transcript number?

23               MS. GLATFELTER: 312 B.

24               THE COURT: 312.

25               MS. GLATFELTER: B as in "boy."

1 THE COURT: B as in "boy." Give us a moment. Very  
2 well.

3 (Recording playing.)

4 **Q** Now, Mr. Householder, your primary opponent in 2018  
5 was a person by the name of Kevin Black; is that correct?

6 **A** That is correct.

7 **Q** All right.

8 MS. GLATFELTER: Your Honor, permission to publish  
9 what's been admitted as Exhibit 311?

10 THE COURT: Yes.

11 (Video playing.)

12 **Q** Mr. Householder, do you see the disclaimer at the  
13 bottom?

14 **A** I do.

15 **Q** Who is it paid for?

16 **A** Paid for by Hardworking Americans Committee.

17 **Q** And Hardworking Americans Committee was funded in part  
18 by money from FirstEnergy?

19 **A** During this trial, you have a diagram.

20 **Q** Is that a "yes"?

21 **A** According to the documents that you provided in this  
22 trial, I saw your diagram.

23 **Q** Okay. Yesterday on direct, you were asked about  
24 drafts of legislation that became House Bill 6; do you  
25 remember that?



1       **A**       Yes.

2       **Q**       All right.  And did you know that FirstEnergy  
3       Solutions was working on drafts of the legislation?

4       **A**       Oh, I don't believe I did.

5       **Q**       Okay.  And so you hadn't seen those drafts?

6       **A**       I don't believe I did.

7               MS. GLATFELTER:  All right.  Your Honor, permission  
8       to publish what's been admitted as Exhibit 204 E, page 152?

9               THE COURT:  Yes.

10       **Q**       All right.  Mr. Householder, do you see the red box  
11       I'm drawing on the screen there for Tuesday, January 29th,  
12       2019?

13       **A**       Yes.

14       **Q**       Okay.  And what does that meeting say on the calendar?

15       **A**       It says FE -- "FE Solutions."

16       **Q**       3:00 p.m. to 4:00 p.m.?

17       **A**       Yes.

18       **Q**       All right.  And before "FE Solutions," it says "SLH,"  
19       right?

20       **A**       Yes.

21       **Q**       That's a reference to you?

22       **A**       It is.

23       **Q**       All right.

24               MS. GLATFELTER:  And, Your Honor, permission to  
25       show the witness what's been marked as -- one moment, Your

1 Honor. I need to make sure --

2 THE COURT: Yes.

3 (Pause.)

4 MS. GLATFELTER: Your Honor, permission to show the  
5 witness what I believe is Exhibit 915?

6 THE COURT: Yes.

7 MS. GLATFELTER: Yes, 915.

8 **Q** Do you recognize this document? Do you recognize this  
9 document?

10 **A** I do not recognize the document.

11 **Q** All right. You're aware that this was recovered from  
12 your office in the Riffe Street center?

13 **A** From my office --

14 **Q** Yes.

15 **A** -- or from the 14th floor?

16 **Q** From your office.

17 **A** No, I wasn't aware of that.

18 **Q** It says: "Term sheet for Ohio Clean Air Credit  
19 Program"?

20 **A** That's what it says, yeah.

21 **Q** From Akin Gump?

22 **A** Um-hmm.

23 **Q** So were you aware of draft legislation from FES and  
24 did they give you some?

25 **A** Was I aware of?

1       **Q**       The draft legislation from FES and did they give you a  
2       copy of their legislation?

3       **A**       I don't remember this paper. I don't remember this.

4       **Q**       All right. And you were elected Speaker on  
5       January 7th of 2019, correct?

6       **A**       Yes.

7       **Q**       And after that vote, you were administered the oath,  
8       you take the oath right there, right?

9       **A**       Yes.

10      **Q**       And you gave a floor speech that day, right?

11      **A**       Brief, yes.

12      **Q**       To the other representatives? And during the floor  
13      speech, you mentioned that you wanted to create a  
14      subcommittee on energy generation; do you recall that?

15      **A**       I don't recall that, but I might have.

16               MS. GLATFELTER: Okay. Ms. Terry -- well, let me  
17      ask Your Honor, may we publish Exhibit 411, which has been  
18      admitted?

19               THE COURT: Yes.

20               MS. GLATFELTER: And go to page 5, Ms. Terry.  
21      Actually, let's see page 1 first.

22      **Q**       All right. Do you recognize this as a journal, the  
23      Ohio House of Representatives journal from January 7th,  
24      2019?

25      **A**       I do.

1 MS. GLATFELTER: Okay. And if we go to page 5,  
2 Ms. Terry. No, I'm sorry, if we go to page 8.

3 **Q** And do you see that line there: I'd like to see a  
4 standing committee -- subcommittee on energy generation?

5 **A** I see that. I'm trying to sort of read the entire  
6 document so I understand.

7 **Q** Well, we can back up so you can see that it's your  
8 speech.

9 MS. GLATFELTER: If we can back up and, Mr. Wetzel  
10 or Agent Wetzel, if you can help Ms. Terry find the right  
11 spot, please.

12 **Q** Okay. You see here where it says, on page 5 of this  
13 exhibit, the Speaker then addressed the House as follows,  
14 colon?

15 **A** Yes.

16 MS. GLATFELTER: Okay. And if we go back to the  
17 page where we were. Right here.

18 **Q** I'd like to see a standing subcommittee on energy  
19 generation; do you see that?

20 **A** Could we go back to the sixth page there? I'm sorry.

21 **Q** Mr. Householder, my question is: Did you say that you  
22 wanted to create a subcommittee on energy generation?

23 **A** If it's in this journal, I did, yes.

24 **Q** Okay. And to be clear, you being elected Speaker and  
25 giving the floor speech occurs before the caucus retreat,

1 right?

2 **A** Yes.

3 **Q** Okay. And so you made it known to your -- to the  
4 entire House of Representatives that you were going to  
5 create or you wanted to create a subcommittee on energy  
6 generation the day you became Speaker, right?

7 **A** Yes. I think I mentioned three subcommittees there.

8 **Q** Right. But I'm asking about the energy generation  
9 one?

10 **A** Yes, yes, if that's what that says, that's what I did.

11 **Q** Okay. And as Speaker, you have the authority to  
12 decide what committees the House of Representatives has,  
13 right?

14 **A** No.

15 **Q** You don't have authority to determine the committees  
16 that the House has?

17 **A** The committees are established through House rule,  
18 which is voted on by all 99 members.

19 **Q** Well, you make the recommendation and they vote on it,  
20 right?

21 **A** Well, everybody makes a recommendation, but there's  
22 always a special committee on rules and they're the ones  
23 that establish the rules.

24 **Q** Right. And I think the rules -- we can go to the  
25 session journal, it's in evidence, but I think the committee

1 assignments and the rules were -- I don't know, 97 to 0 were  
2 the votes, everyone voted in favor?

3 **A** It was unanimous, the rules.

4 **Q** So those were rules that your leadership and you had  
5 recommended?

6 **A** I would have to look at who was on the committee. I  
7 know that Representative Callender for one was on the  
8 committee because he's always very interested in rules.

9 **Q** So you don't know if you have the -- I'm confused.  
10 You don't know if you have the authority to create  
11 committees; is that what you're saying?

12 **A** I don't have the authority. I did not have the  
13 authority to create committees.

14 **Q** Okay. You had the authority, though, to assign people  
15 to committees, right?

16 **A** I did, yes.

17 **Q** Okay. So after you became Speaker and after you gave  
18 your floor speech, there was an energy subcommittee that was  
19 created, right?

20 **A** Through the rules, yes.

21 **Q** Through the rules committee --

22 **A** Um-hmm.

23 **Q** -- that was recommended by the leadership or whatever  
24 and the rules committee adopted it and then you made  
25 assignments to the committees, right?

1       **A**       Yes.

2       **Q**       You assigned --

3       **A**       I did.

4       **Q**       -- members to the committees?

5       **A**       Yes, I did.

6       **Q**       And you assigned the people to the Energy Generation  
7       Subcommittee, right?

8       **A**       Yes.

9       **Q**       Okay.

10      **A**       I did.

11      **Q**       And I believe yesterday you explained to the jury how  
12      the subcommittee, there was a smaller group of people on the  
13      subcommittee than the larger committee on energy and -- I  
14      think it was called energy and natural resources; is that  
15      right?

16      **A**       That's correct.

17      **Q**       All right. So that smaller committee had  
18      Representative Stein, correct?

19      **A**       Representative Stein was the chair, I believe.

20      **Q**       Representative Baldrige?

21      **A**       I'll -- go ahead.

22               MS. GLATFELTER: We can pull up the document, but I  
23      see we're past our lunch.

24               THE COURT: I'll take my direction from you. If  
25      it's lunch time, I would not object.

1 MS. GLATFELTER: This might be a good breaking  
2 point. I'll have the document ready when we come back, Your  
3 Honor.

4 THE COURT: Very well. Lunch time. Take a lunch  
5 break. During the break, eat lunch. Take a break. Don't  
6 discuss the case among yourselves, even now, don't discuss  
7 the case with anyone. No independent research. No checking  
8 out the media. Continue to keep an open mind until you've  
9 heard all of the evidence. Out of respect for you, we'll  
10 rise as you leave for lunch with an expectation of trying to  
11 get you back in at a time specific.

12 THE DEPUTY: All rise for the jury.

13 (Jury left the courtroom.)

14 THE COURT: Looking at an hour and 15 minutes for  
15 lunch. Jury has left the room. As always, we'll stay in  
16 the courtroom until we're advised the jury has cleared the  
17 floor, and then we'll break for lunch. Mr. Householder,  
18 you're not to discuss your testimony with anyone, including  
19 your attorneys, during this lunch break, understood?

20 THE WITNESS: I understand.

21 THE COURT: Very well.

22 THE DEPUTY: All clear, Judge.

23 THE COURT: Before you leave, I'm sorry, and I need  
24 you actually, I want the lawyers who are giving closing to  
25 touch base with Ms. Frankian before you leave for lunch to



1 discuss timing. We're in recess.

2 THE DEPUTY: Court is now in recess.

3 (Recess taken from 12:20 p.m. to 1:31 p.m.)

4 THE DEPUTY: All rise. Court is in session  
5 pursuant to the recess.

6 THE COURT: Thank you, please be seated. Back in  
7 the courtroom on the record outside the presence of the  
8 jury. Are we ready for the jury from -- in the first  
9 instance, the government's perspective?

10 MS. GLATFELTER: Yes, Your Honor.

11 THE COURT: Mr. Householder's?

12 MR. OLESKI: Yes, Judge.

13 THE COURT: Mr. Borges'?

14 MR. SCHNEIDER: Yes.

15 THE COURT: Very well. Let's call for the jury.

16 MS. GLATFELTER: May I approach the podium?

17 THE COURT: Yes.

18 (Pause.)

19 THE DEPUTY: All rise for the jury.

20 (Jury entered the courtroom at 1:36 p.m.)

21 THE COURT: You may all be seated. Thank you. 14  
22 Members of the Jury have rejoined us. Good afternoon.  
23 Bright-eyed and bright-eyed, and the Court appreciates your  
24 attention. We will continue to hear testimony.  
25 Ms. Glatfelter, you may continue your questioning of

1 Mr. Householder, who remains under oath.

2 MS. GLATFELTER: Thank you, Your Honor.

3 THE COURT: Very well.

4 **Q** Mr. Householder, before the break, we were talking  
5 about the Rules and Reference Committee and the assignment  
6 of committee members. Do you remember that?

7 **A** Yes.

8 MS. GLATFELTER: Okay. And, Your Honor, may we  
9 publish 423, which has been admitted?

10 THE COURT: Yes.

11 **Q** And, Mr. Householder, do you recognize this as a press  
12 release from your office?

13 **A** I do.

14 **Q** Okay.

15 MS. GLATFELTER: And if we can go ahead and look at  
16 the very bottom where it says -- the very last paragraph  
17 there where it says: With the rules that were unanimously  
18 approved today, we have laid the ground work for a highly  
19 successful General Assembly.

20 **Q** Do you see that?

21 **A** I do.

22 **Q** Okay. And so the rules that reference the committee  
23 assignments and the powers of the Speaker, those were  
24 unanimously approved by the House, right?

25 **A** That is correct.

1 MS. GLATFELTER: Okay. We can go ahead and take  
2 that down, Ms. Terry.

3 Q And you as the Speaker were able to assign the  
4 representatives to the energy -- the subcommittee of the  
5 energy generation -- or the Energy Generation Subcommittee;  
6 is that right?

7 A That's correct.

8 Q Okay. And so you assigned Representative Stein; is  
9 that correct?

10 A Yes.

11 Q Okay. Representative Baldridge, right?

12 A Yes.

13 Q Representative Jordan, right?

14 A Yes, I believe so.

15 Q I can pull up the committee assignments, if that would  
16 help you.

17 A It would, ma'am.

18 MS. GLATFELTER: Sure. Your Honor, may we please  
19 publish Exhibit 424? Page 8, Ms. Terry.

20 THE COURT: Yes.

21 MS. GLATFELTER: And if we can use the middle of  
22 the screen there, Ms. Terry.

23 Q Okay. Does that help you recall who you appointed to  
24 the Energy Generation Subcommittee?

25 A Yes, it does.

1 Q All right. Let's talk about these members for a  
2 moment. We can start with Representative Holmes, Holmes  
3 voted for you for Speaker, right?

4 A I don't know.

5 Q Do we need to go back and look at the session journal?

6 A I'll take your word for it.

7 Q Well, I mean, we can go back and look at the --

8 A I'll take your word for it if he did.

9 Q Representative Holmes voted for you and Mr. -- or  
10 Representative O'Brien also voted for you for Speaker,  
11 right?

12 A (Shaking head.)

13 Q So we've got these two and Representative Jordan also  
14 voted for you for Speaker, correct?

15 A I know that, yes, I do know that.

16 Q And Representative Baldrige voted for you for  
17 Speaker, right?

18 A I know that as well.

19 Q Representative Stein did not, right?

20 A That is right.

21 Q You talked about that yesterday as sort of extending  
22 the olive branch to the people or the Republicans who  
23 supported Representative Smith for Speaker, right?

24 A That is correct.

25 Q Okay. Isn't it true that Mr. Stein is a staunch

1 proponent of nuclear energy?

2 **A** Yes, I would say he is, yeah.

3 **Q** I mean, it's not a surprise how he's going to vote on  
4 the Energy Generation Subcommittee, right?

5 **A** Well --

6 **Q** He's not an unknown?

7 **A** Well, actually, Dick would probably be the most  
8 knowledgeable member in the House of nuclear energy.

9 **Q** Okay.

10 **A** Is the way I would -- I don't know that that would  
11 necessarily mean that he would vote for or against a bill.  
12 I think it would depend on what the bill was -- what was in  
13 the bill and whether he thought it was of value to the  
14 people of Ohio, but he is probably the most knowledgeable  
15 member we have on nuclear energy.

16 **Q** All right. So he knows a lot about nuclear energy, so  
17 there are -- besides just, you know, I think yesterday you  
18 had mentioned that this was an example of extending the  
19 olive branch, but there was another reason to put him on the  
20 committee, right?

21 **A** Yeah, because he was extremely interested in nuclear  
22 energy, that's correct.

23 **Q** All right. Now, after House Bill 6 was introduced, it  
24 was assigned to this subcommittee, right?

25 **A** I believe it was assigned to the full committee and

1 then the full committee passed it down to the subcommittee.

2 I believe that's correct.

3 **Q** That's right. Okay. And House Bill 6 was the only  
4 legislation that the Energy Generation Subcommittee ever  
5 considered, right?

6 **A** Possibly, yeah.

7 **Q** Okay. So eventually, House Bill 6 passed the House of  
8 Representatives, right?

9 **A** Yes.

10 **Q** And it passed the Senate, correct?

11 **A** Yes.

12 **Q** And because there were amendments in the Senate  
13 version, you had to come back for a House concurrent vote;  
14 is that right?

15 **A** Yes.

16 **Q** And under the rules that were adopted by the House  
17 during this session, the Speaker has the power to convene  
18 sessions and set the timing of those sessions, right?

19 **A** That is correct.

20 **Q** And it's your decision or the leadership's decision  
21 about when to schedule a vote, right?

22 **A** Yes.

23 **Q** All right. And you picked July 23rd, 2019, right?

24 **A** Yes.

25 **Q** And the vote -- the concurrent vote was 51 to 38, does

1 that ring a bell?

2 **A** Yes, I'll take your word for that too.

3 **Q** Now, so that was on July 23rd of 2019. In less than  
4 12 hours after the vote, FirstEnergy Solutions indicated to  
5 the bankruptcy court that it could not honor its existing  
6 union contracts with power plant employees and it intended  
7 to negotiate completely new bargaining agreements. Do you  
8 remember that?

9 **A** Yes, yes.

10 **Q** And I mean, you heard from some representatives who  
11 were outraged over this news, they indicated they would have  
12 never voted for House Bill 6 if they knew?

13 MR. OLESKI: Objection, hearsay.

14 THE COURT: I think it's calling for hearsay.

15 MS. GLATFELTER: Your Honor, it's -- goes to state  
16 of mind.

17 THE COURT: So it's not offered for the truth of  
18 the matter?

19 MS. GLATFELTER: Not that statement, no.

20 THE COURT: All right. You can proceed.

21 **Q** And you knew that representatives were upset over this  
22 news, right, because they indicated they wouldn't have voted  
23 for House Bill 6 if they knew FirstEnergy Solutions wouldn't  
24 honor the union contracts, right?

25 **A** Just that last part, could you please go through that

1 again, just your last part there? Your question, I guess.

2 **Q** Sure, sure. I mean, some representatives voted for  
3 House Bill 6 because they're union supporters and they  
4 wanted to support the union, so if they knew the contracts  
5 were not going to be honored, they would have had a problem  
6 with House Bill 6, right?

7 **MR. OLESKI:** Objection, form. It's a compound  
8 question.

9 **THE COURT:** Sustained. Break it down.

10 **MS. GLATFELTER:** Sure.

11 **Q** People who -- representatives who ultimately voted for  
12 House Bill 6 voted because they were in favor of honoring  
13 the unions, right?

14 **MR. OLESKI:** Objection, speculation.

15 **THE COURT:** Overruled. You can answer. You can  
16 answer it.

17 **THE WITNESS:** I believe -- could you please restate  
18 your question? I'm sorry. I want to make sure I get my  
19 answer correct.

20 **Q** Union jobs were important to some representatives who  
21 voted in favor of House Bill 6; is that right?

22 **A** Yes.

23 **Q** And for those representatives where union contracts  
24 and union jobs were important to their vote, they were upset  
25 with FirstEnergy Solutions' filing after the vote that



1 indicated FirstEnergy Solutions was not going to honor those  
2 contracts, right?

3 **A** There might have been some members that were upset.

4 **Q** And in fact, you knew FirstEnergy Solutions'  
5 representative Dave Griffing was asked specifically about  
6 union contracts in the April hearings in the House, right?

7 **MR. OLESKI:** Objection, hearsay.

8 **THE COURT:** You can take another shot at it. I'm  
9 just reading it on the screen, and based on the reading, the  
10 objection is overruled. He can answer it.

11 **THE WITNESS:** Okay. If you would please ask the  
12 question again.

13 **Q** Sure. You knew that FirstEnergy Solutions'  
14 representative Dave Griffing was asked about union contracts  
15 in April in the hearings in the House, right?

16 **A** Yes.

17 **Q** And he had indicated to the House that those members  
18 who were concerned that the union contracts had been worked  
19 out, right?

20 **A** I can't answer that. I don't know that.

21 **Q** Mr. Householder, did you schedule the vote on  
22 July 23rd, 2019, before the news broke about the union  
23 contracts to ensure you had enough votes to pass House Bill  
24 6?

25 **A** No.

1       **Q**       You couldn't have passed House Bill 6 on the July 23rd  
2       without those Democrat votes who supported the unions,  
3       right?

4       **A**       That's correct, um-hmm.

5       **Q**       Now, after the -- after House Bill 6 passed the House  
6       and Senate, was signed into law, you directed people on your  
7       staff or people on the House staff to prepare back-up  
8       legislation, right?

9       **A**       Yes, later.

10      **Q**       And the gist of that legislation was reclassifying  
11      House Bill 6 as a tax, right?

12      **A**       Yes, um-hmm.

13      **Q**       And you told Chuck Jones that this was your plan,  
14      right?

15      **A**       I don't recall that, but --

16               MS. GLATFELTER: Your Honor, permission to publish  
17      634 C, which has been admitted into evidence?

18               THE COURT: Yes.

19               MS. GLATFELTER: All right. And Ms. Terry, if we  
20      can go to page 2, please. All right. And if we can expand  
21      that top message.

22      **Q**       All right. Mr. Householder, do you -- this is a text  
23      message from Charles Jones to Mike Dowling. Can you read  
24      that first sentence?

25      **A**       Yes. Larry is ready to do new legislation immediately

1 if they turn in signatures. He says they won't turn them in  
2 if they don't have raw amount greater than 265,000.

3 **Q** Okay.

4 **A** DeWine is on board.

5 **Q** Mr. Householder, I just said the first sentence.

6 **A** I see.

7 MS. GLATFELTER: Okay. Now, you can go ahead and  
8 take that down, Ms. Terry.

9 **Q** Did you talk to Mr. Jones about your plan regarding  
10 the new legislation?

11 **A** Well, I either talked to Chuck Jones about it or he  
12 talked to somebody that had talked to me, I suppose. It  
13 could be hearsay I guess. I don't know.

14 **Q** You don't know if you talked to Chuck Jones about the  
15 plan?

16 **A** I would say it's possible I did, yes.

17 **Q** It's possible you talked to Chuck Jones about the  
18 plan?

19 **A** Um-hmm.

20 **Q** And it's possible that you talked to Chuck Jones about  
21 having the legislation ready to go?

22 **A** It's possible, yes.

23 **Q** Now, Mr. Householder, you also called Attorney General  
24 Yost during the period of time that the referendum petition  
25 was pending before his office, right?

1       **A**       Yes.

2                   MS. GLATFELTER:   Okay.   And permission to publish,  
3   Your Honor, what has been admitted as Exhibit 737?

4                   THE COURT:    Yes.

5                   MS. GLATFELTER:   All right.   Ms. Terry, if we can  
6   enlarge that, please?

7       **Q**       All right.   And fair to say that you contacted him  
8   several times, you contacted him once on July 29th?

9       **A**       Yes.

10      **Q**       11-minute conversation?

11      **A**       Yes.

12      **Q**       You contacted him again on August 2nd, 6-minute  
13   conversation?

14      **A**       Yes.

15      **Q**       All right.   And then if we look at the 26th, you  
16   called Mr. Borges twice?

17      **A**       Yes.

18      **Q**       You spoke to him for 7 minutes, right?

19      **A**       Um-hmm.

20      **Q**       And then immediately after, you called Attorney  
21   General Yost again?

22      **A**       Yes.

23                   MS. GLATFELTER:   All right.   Your Honor, permission  
24   to publish what's been admitted as 607 C?

25                   THE COURT:    Yes.

1 MS. TERRY: 607?

2 MS. GLATFELTER: C as in "cat."

3 **Q** Okay. Mr. Householder, this is a phone log from your  
4 phone that the FBI extracted. Do you see what's on your  
5 screen?

6 **A** I see it, yes.

7 MS. GLATFELTER: Okay. And, Ms. Terry, if you can  
8 enlarge that for us, please.

9 **Q** All right. So we see the parties to the calls in the  
10 first -- in the second column, right, the parties are Dave  
11 Yost, right, he's a party to the calls?

12 **A** Yes.

13 **Q** Okay. And you see that last column on the right -- or  
14 second-to-last column that says "deleted" where it says  
15 "yes, yes"?

16 **A** Yes, I do.

17 **Q** You see that column right there?

18 **A** Yes, I do.

19 **Q** Okay. So when the FBI extracted your phone, these  
20 contacts with Dave Yost were deleted. Why did you delete  
21 them?

22 **A** What do you mean, "contacts with"? Do you mean in my  
23 contacts or do you mean the phone numbers?

24 **Q** No, I'm sorry. The call log, the evidence that shows  
25 that you contacted Dave Yost on these days was actually

1 deleted from your phone. FBI was able to recover that, but  
2 why was it deleted?

3 MR. OLESKI: Objection. She's testifying.

4 THE COURT: Overruled.

5 THE WITNESS: I generally delete as much as I can  
6 off my telephone, and always for a long time I've done that  
7 because I don't like to pay storage costs, excess cost.

8 **Q** Okay. And so deleting -- that's why you would delete  
9 your call log?

10 **A** Aren't these -- are you talking about a call log is if  
11 you make a phone call and it's on there and it will show as  
12 recents and then you delete them?

13 **Q** Yes, that's exactly.

14 **A** Yes, I delete them.

15 **Q** It's your practice to delete all of your calls on your  
16 call log?

17 **A** Yeah. I don't keep them. As much as I can.

18 **Q** Only certain calls or all of them?

19 **A** My habit -- and I don't know how long I've done that,  
20 maybe I've only done it the last four years or five years, I  
21 don't know, but it's always been to delete, try to delete as  
22 much as I can, e-mails on my phone, text messages on my  
23 phone, and phone calls on my phone, because you have to pay  
24 if you don't have enough storage on your phone.

25 **Q** Sure. But my question was: Is it that you're

1 deleting all of the calls in the call log or just  
2 particular --

3 **A** I didn't delete these calls because I was trying to  
4 conceal them.

5 **Q** You delete all of the calls on your call log?

6 **A** Yes.

7 **Q** Okay. Now, yesterday, you talked about the reason  
8 that you decided to run for the House of Representatives  
9 again in 2016; do you recall that testimony?

10 **A** Yes.

11 **Q** Okay. And why did you -- you said something about  
12 divisiveness or divisiveness, right?

13 **A** Yes.

14 **Q** Can you explain that again?

15 **A** Well, yes. The House was not only between Democrats  
16 and Republicans, but also between Republicans themselves.  
17 There wasn't -- they had a lack of decorum in the House and  
18 it was just a situation that it seemed like it was making it  
19 more difficult for them to do business.

20 **Q** Okay. And that was concerning to you, right?

21 **A** Yes.

22 **Q** And you testified I think yesterday that you wanted to  
23 bring people together, right?

24 **A** Yes, um-hmm.

25 MS. GLATFELTER: Your Honor, permission to publish

1 a portion of Session 7435 from the Title III? This is not  
2 in evidence, but it's permissible pursuant to our  
3 stipulation.

4 THE COURT: Any objection?

5 MR. OLESKI: To be candid, I don't know what  
6 Ms. Glatfelter is referring to, so --

7 MS. GLATFELTER: These were provided.

8 THE COURT: Any objection?

9 MR. OLESKI: No.

10 MR. SCHNEIDER: None.

11 THE COURT: They're admitted. You may publish.

12 MS. GLATFELTER: Thank you. And, Ms. Terry, if we  
13 can publish the portion of Session 7435 from 4 minutes and  
14 53 seconds to 6 minutes and 3 seconds. And for the  
15 reference, this occurred on March 3rd -- I'm sorry,  
16 March 30th, 2018. I'm sorry, 913.

17 MS. TERRY: I'm so sorry.

18 (Recording playing.)

19 **Q** All right. Mr. Householder, do you recognize your  
20 voice and Mr. Clark's voice on that phone call?

21 **A** I do.

22 **Q** Okay. And I think yesterday you testified that --  
23 well, let me ask you this: Do you keep track of who's  
24 contributing to your campaign or the Generation Now (c)(4)  
25 versus who was contributing to others, like Ryan Smith?



1       **A**       Usually, our fundraiser specialist, consultant, could  
2       keep track of things.

3       **Q**       But I mean, would you want to know that, you're kind  
4       of tallying this up, you're either for me or against me?

5       **A**       I think everybody -- I think everybody knew, you know,  
6       that's kind of standard, I guess. Yes.

7       **Q**       Okay. So I'm asking about you, though. I'm not  
8       asking about everyone. I'm asking about you. Did you keep  
9       track of who -- of, you know, who was in favor of  
10      Mr. Householder because they're donating to Mr. Householder  
11      and who's not?

12      **A**       Yes.

13      **Q**       And why would that be important?

14      **A**       It's important because you need to know who's out  
15      there as far as 501(c)(4)s. There's so many of them. One,  
16      it's for fundraising. I guess that would be -- yeah.

17      **Q**       But why would it be important to know who is  
18      contributing to you and who is not contributing to you, why  
19      would you want to keep track of that, you know, as a  
20      representative who's going into the legislature?

21      **A**       Overall, I think you're wanting to know who is  
22      contributing to campaigns.

23      **Q**       Why?

24      **A**       Well, raising money is a big part of being successful,  
25      and you need to know who's active.

1       **Q**       But why do you need to know that? I mean, I  
2 understand from your testimony that fundraising is important  
3 and you got to raise money, but why does it matter who's  
4 contributing? What do you need that information for?

5       **A**       Well, you need that information to know who's  
6 contributing.

7       **Q**       Right.

8       **A**       Right.

9       **Q**       But why do you need to know who's contributing?

10      **A**       If you didn't know who was contributing, you wouldn't  
11 know who to reach out to to raise money from.

12      **Q**       Okay. And do you -- are there consequences for people  
13 who don't contribute? So let's take it in 2018. I don't  
14 want to talk in hypotheticals, let's talk about 2018.  
15 People that contributed only to Ryan Smith or Ryan Smith  
16 candidates, are there consequences for them when you become  
17 Speaker?

18      **A**       I'm not sure I even -- I don't know that I remember  
19 who were -- I mean, I probably know a couple of Ryan Smith  
20 contributors, but I wouldn't know them all.

21      **Q**       Sure. But were there consequences? I mean, you're  
22 keeping track who's contributing to you and who's  
23 contributing to Smith, so are -- you know, are there  
24 consequences for those people that don't contribute to you?

25                   MR. OLESKI: Objection, relevance.

1 THE COURT: Overruled.

2 THE WITNESS: I wouldn't think there would be  
3 consequences, no.

4 **Q** Well, I'm not asking, I'm not asking like a  
5 hypothetical. I'm asking, are there -- were there  
6 consequences for people who didn't vote -- or people who  
7 didn't contribute to you?

8 **A** I can't think of any consequences.

9 MS. GLATFELTER: Your Honor, permission to admit  
10 and publish Session 1673, which is admissible pursuant to  
11 our stipulation? It's a Title III call from January 10th,  
12 2018.

13 THE COURT: Any objection?

14 MR. OLESKI: May we approach briefly, Judge?

15 THE COURT: Yes.

16 **SIDEBAR CONFERENCE.**

17 MR. OLESKI: Judge, the reason I asked for a  
18 sidebar is this: I understand that pursuant to the  
19 stipulation that these records are authentic. However, I  
20 don't have a premarked exhibit copy of this Title III audio  
21 recording, so I don't know whether I would have 403  
22 objections. So I'd ask for the opportunity to review the  
23 audio recording before I decide whether I'm objecting to the  
24 admission of the exhibit or not.

25 THE COURT: They were provided to you.

1 MR. OLESKI: There were I think three to four  
2 months' of Title III audio recorded calls that were provided  
3 to us by the government in Rule 16 discovery. I haven't  
4 listened to every single one of those recordings, I listened  
5 to the recordings that were marked as exhibits and that were  
6 admitted into this case. I haven't seen -- I don't know --  
7 to be candid, I don't know what is or isn't on that audio  
8 recording.

9 THE COURT: Seems to me like you should. Does the  
10 government wish to be heard?

11 MS. GLATFELTER: These were provided in discovery.  
12 These are statements of his client. We did provide the  
13 Title III for Mr. Clark's entire phone in discovery and you  
14 can search those very easily through the line sheets that we  
15 provided of which ones Mr. Householder is a party and I  
16 believe that's less than -- I'm just guessing, but I'm going  
17 to say that's around 50 calls. I'm estimating, though.

18 MR. OLESKI: With all due respect, Judge, there  
19 are --

20 THE COURT: That always concerns me.

21 MR. OLESKI: I'll strike that reference. You know,  
22 we -- without objection allowed the government to admit or  
23 didn't object to the government admitting 900 or a thousand  
24 exhibits that we didn't review before trial, and in order to  
25 expedite, you know, this case, but I did not spend all of my

1 trial preparation reviewing every single Title III audio  
2 recording that was provided in discovery. I reviewed the  
3 ones that the government marked as exhibits and that were  
4 provided to us at the government's trial disclosures. I  
5 apologize, Judge, I do not mean to interrupt, but I'd only  
6 ask for an opportunity to review the audio file before  
7 objecting or not objecting.

8 MS. GLATFELTER: Your Honor, that's fine. It's a  
9 minute portion where Mr. Householder is talking about --  
10 minus the curse words, but screwing over people who don't  
11 contribute to him.

12 THE COURT: And it's a minute?

13 MS. GLATFELTER: I think it's like a minute or two  
14 minutes.

15 THE COURT: And you need to review it?

16 MR. OLESKI: I would like to review it, yes.

17 THE COURT: All right. Should I tell them you're  
18 reviewing it?

19 MR. OLESKI: My client?

20 THE COURT: No, the jury.

21 MR. OLESKI: Oh, yes.

22 THE COURT: Very well. Give me a minute.

23 MS. GLATFELTER: He can use headphones and listen  
24 to Ms. Terry's computer.

25 THE COURT: They're saying they'll give you their

1 headphones on their thing and you can listen to that portion  
2 of it. Does that do it?

3 MR. OLESKI: Yes. I would note for the record that  
4 I objected to this line of questioning under relevance  
5 grounds. I now also -- I'll review the audio file, but  
6 based on Ms. Glatfelter's description, I also object under  
7 403.

8 THE COURT: Very well. Do you want us to stay up  
9 here so we don't call attention to your reviewing it?

10 MS. GLATFELTER: So it's on Ms. Terry's computer.  
11 We can either take a brief recess or Ms. Terry could -- I  
12 think she could take her computer and go in there with  
13 Mr. Oleski so he can hear it.

14 THE COURT: That acceptable?

15 MR. OLESKI: That's acceptable. Thank you, Judge.

16 THE COURT: Very well.

17 MR. SCHNEIDER: Can we listen too, can we just  
18 participate?

19 THE COURT: Yes.

20 MR. SCHNEIDER: Thank you.

21 **SIDEBAR CONCLUDED.**

22 (Pause.)

23 THE COURT: Turn the white noise off, please.

24 You may proceed.

25 MS. GLATFELTER: Thank you. Your Honor, I was

1 asking to admit Exhibit No. 906 from the wiretap, which is  
2 section -- Session 1673. It's an excerpt from January 10th,  
3 2018, and I would like Ms. Terry to play 12 minutes and  
4 8 seconds to 13 minutes and 1 second.

5 THE COURT: Any further objections?

6 MR. OLESKI: Nothing further, Judge.

7 THE COURT: Very well.

8 MR. SCHNEIDER: None here.

9 THE COURT: It's admitted. You may publish it by  
10 playing it.

11 (Recording playing.)

12 Q Mr. Householder, did you hear that?

13 A Yes, I did.

14 Q All right. And did you hear your voice on there?

15 A Yes, I did.

16 Q Okay. The last maybe like 5 seconds there?

17 A I did.

18 Q All right. And you said: We can F them over later?

19 A Um-hmm.

20 Q All right. Who are you referring to in that  
21 recording?

22 A It's -- it sounds like a donor or donors of Ryan  
23 Smith's candidates.

24 Q Okay. Now, yesterday you testified about  
25 Representative Greenspan, you were asked a series of

1 questions about Mr. Greenspan. Do you remember that?

2 **A** I do.

3 **Q** And I think -- you can tell me if I have this wrong,  
4 but I think summary of what you were saying was that you  
5 were trying to extend the olive branch to people who had  
6 supported Ryan Smith for Speaker, and so an example was the  
7 committee assignment that you gave to Representative  
8 Greenspan. Do you remember that?

9 **A** That's correct.

10 **Q** All right. And I think you said or you testified that  
11 you put him on the prestigious finance committee?

12 **A** Yeah, finance and appropriations.

13 **Q** I'm saying prestigious because that's the word that  
14 you used.

15 **A** Prestigious or something to that effect.

16 **Q** But the House Finance Committee has 33 of the 99  
17 members of the House on it, right?

18 **A** Yes.

19 **Q** All right.

20 **A** A third of the House.

21 **Q** Right. So if a third of the House is on the  
22 committee, it's not all that prestigious, is it?

23 **A** Oh, my, it's very prestigious.

24 **Q** And you put him on the transportation subcommittee,  
25 right?



1       **A**       Chairman, yes.

2       **Q**       That's right. And you said that there was an  
3       important bill that year, the ODOT budget?

4       **A**       That's an important bill every two years. It funds  
5       all of the transportation projects in the state of Ohio.

6       **Q**       Right. But what you didn't tell the jury was that  
7       actually went to a different committee, that didn't go to  
8       the transportation portion?

9       **A**       I don't recall that.

10      **Q**       Okay. But anyway, you assigned him to the  
11      transportation subcommittee of the finance committee, right?

12      **A**       Finance committee, finance and appropriations  
13      committee, he was on the full committee, and on the  
14      subcommittee he was chairman of transportation.

15      **Q**       Yesterday, you talked a bit about -- and today, you  
16      talked a bit about House Bill 6, and I guess it was  
17      yesterday we were talking -- you were testifying about the  
18      importance of priority bills for the leadership, right; do  
19      you remember that?

20      **A**       Well, the importance of -- importance of priority  
21      bills for the House and, yes, for Ohio, yes.

22      **Q**       Right. And I think you had mentioned that it was  
23      important to pass and be successful on the priority pieces  
24      of legislation because you are judged in future Speakership  
25      elections by your record of passing the priority

1 legislation?

2 **A** I think everybody on leadership is judged to some  
3 effect by their success and whether or not they're getting  
4 priority legislation passed.

5 **Q** Okay. And so -- I mean, success is essentially  
6 winning, right, I mean, it's --

7 **A** Winning?

8 **Q** Yeah. Like, you're winning your -- I guess it's like  
9 a theme, right, in terms of the electability of  
10 representatives, you're talking about whether they can win  
11 their races, right?

12 **A** Whether or not you pass priority legislation -- I  
13 guess I'm not following you. I'm sorry.

14 **Q** Well, I guess, so when you were talking about the  
15 importance of priority bills, one of the things you were  
16 talking about yesterday was the importance that it is to  
17 your record, right, you're going to be judged according to  
18 your ability to pass priority legislation, right?

19 **A** All of us on leadership, I think, are judged about  
20 whether we are capable of passing legislation that the  
21 caucus and the members believe are important.

22 **Q** All right. It's about maintaining your power as  
23 Speaker, right?

24 **A** Well, yes, it's about being successful.

25 **Q** Right.

1       **A**       It's about whether or not they're going to retain  
2       their leadership positions, yes.

3       **Q**       Well, for you, I mean, it's about maintaining your  
4       power, right, maintaining your power as Speaker and making  
5       sure that you have the respect of your members?

6       **A**       Well, I guess that would be part of it, yes.

7       **Q**       And it was important for House Bill 6 to pass for that  
8       reason, right?

9       **A**       I guess that that -- that reason among others.

10      **Q**       And when you got to the referendum period, it was  
11      important that it stays a law or that House Bill 6 stayed a  
12      law because it was important for you to maintain your power  
13      and respect of your members?

14      **A**       Well, it goes beyond that.

15               MS. GLATFELTER: All right. Your Honor, permission  
16      to publish what's been admitted as 536 A, and ask that the  
17      jurors be allowed to follow in the transcripts of 536 B?

18               THE COURT: Yes. Yes. Give us a moment. 536 B as  
19      in "boy"; is that right?

20               MS. GLATFELTER: Yes. Page 23 for the jury's  
21      reference, the bottom, I believe of page 33 -- I mean,  
22      sorry, 23. I can't read my own notes here.

23               THE COURT: Transcripts are behind you, if you  
24      want.

25               (Recording playing.)

1       **Q**       All right. Mr. Householder, yesterday you talked a  
2       little bit about House Bill 6 and sort of the support or why  
3       you thought it was important. Do you remember that?

4       **A**       Yes.

5       **Q**       Okay. And in the context of those discussions and I  
6       think a little bit today, you testified that House Bill 6  
7       was amended both in the House and the Senate, right?

8       **A**       Yes.

9       **Q**       All right. But some things in House Bill 6 stayed  
10      consistent throughout those amendments, right?

11      **A**       Yes, I believe so.

12      **Q**       Right. And so the fact that there was a subsidy, that  
13      stayed consistent in the introduced bill, as it passed the  
14      House, as it passed the Senate and as it was introduced,  
15      there was a subsidy that benefitted FirstEnergy Solutions,  
16      right?

17      **A**       As long as they produced carbon-free energy, correct.

18      **Q**       And the subsidy, to be clear, it's not a loan, right?

19      **A**       That is correct.

20      **Q**       Right. It's like a bag of cash, they don't have to  
21      return it?

22      **A**       It's a subsidy, just like they subsidize solar, they  
23      subsidize wind and other things.

24      **Q**       That's what a subsidy is; it's not a loan?

25      **A**       Right.

1 Q And there are people in your caucus, in the Republican  
2 Caucus, that didn't support House Bill 6 for that reason,  
3 they thought it should be a loan; not a subsidy, right?

4 A Well --

5 Q They told you that?

6 A Pardon me?

7 Q And they told you that?

8 A Well, there are various reasons for people not to  
9 support House Bill 6, and I mean, I could have a debate on  
10 why a bankrupt company wouldn't want another loan, but there  
11 was various reasons.

12 Q All right. Well, let's talk about that. I was  
13 actually going to get to that later, but since you brought  
14 it up, I mean, you know that House Bill 6 has been repealed  
15 and Energy Harbor --

16 MR. OLESKI: Objection, relevance, 403.

17 THE COURT: I'm going to give counsel latitude.  
18 It's overruled.

19 MS. GLATFELTER: Thank you, Your Honor.

20 Q You're aware that House Bill 6 subsidy has been  
21 repealed and Energy Harbor, which is now the new name for  
22 FirstEnergy Solutions, it's still in business, right?

23 MR. OLESKI: Objection, form, compound.

24 THE COURT: Break it down, please.

25 MS. GLATFELTER: Sure.

1       **Q**       FirstEnergy Solutions is now called Energy Harbor,  
2       right?

3       **A**       That's correct.

4       **Q**       House Bill 6 has been repealed, right?

5       **A**       That's --

6       **Q**       House Bill 6 subsidy has been repealed, right?

7       **A**       Yes. I voted for it.

8       **Q**       And after the repeal, Energy Harbor is still in  
9       business, right?

10      **A**       That's correct because --

11      **Q**       Those two nuclear plants are still running, right?

12      **A**       Yeah, the gas prices came back up, so they don't need  
13      the subsidy anymore.

14      **Q**       They don't need the subsidy anymore, right?

15      **A**       Um-hmm.

16      **Q**       And those jobs are still there, right?

17      **A**       Thankfully, yes.

18      **Q**       Now, House Bill 6 -- so House Bill 6 is introduced to  
19      include that subsidy, right?

20      **A**       When it was introduced, it had a -- it was a clean air  
21      fund that provided a subsidy, I think it was \$9 per megawatt  
22      hour to any -- any entity that produced carbon-free energy  
23      in Ohio.

24      **Q**       Okay. And so we were talking about what remained  
25      consistent in the different versions of the bill. And so by

1 that, I'm talking about as introduced, as passed by the  
2 House, and as signed into law, okay? So one of the other  
3 things I wanted to ask you about was decoupling. It was in  
4 the introduced version, right?

5 **A** I know it passed out of the House with decoupling.

6 **Q** Okay.

7 MS. GLATFELTER: Your Honor, permission to publish  
8 458 A, which has been admitted?

9 THE COURT: Yes.

10 MS. GLATFELTER: If we can see page 1, Ms. Terry.

11 **Q** Is this House Bill 6 as it was introduced into the  
12 House?

13 **A** Yes, um-hmm.

14 MS. GLATFELTER: All right. If we can go to  
15 page 19, Ms. Terry.

16 **Q** All right. Do you see decoupling on your screen  
17 there, Mr. Householder?

18 **A** I do, I do.

19 **Q** All right. Does that refresh your memory as to  
20 whether decoupling was in the original introduced version of  
21 House Bill 6?

22 **A** Yes, I see it.

23 **Q** Okay. So it also passed the House, right, the  
24 decoupling provision?

25 **A** Um-hmm, yes.

1 Q And it was also in the version that was signed by the  
2 governor, right?

3 A Yes.

4 Q And as we've heard about at trial already from  
5 witnesses, from the FirstEnergy witness, decoupling was a  
6 benefit to FirstEnergy Corporation, it provided a guaranteed  
7 \$50 million a year, right?

8 A Well, our understanding was that every utility in the  
9 state of Ohio had it except FirstEnergy.

10 Q But FirstEnergy was the only one that could apply --  
11 that applied and was successful in that, right?

12 A I'm not aware of that.

13 Q And it was tied to their most profitable year, 2018,  
14 the decoupling provision in House Bill 6?

15 A I'm not an expert on decoupling, Bill Seitz would have  
16 been far better on decoupling than myself.

17 Q But you understand decoupling to be a benefit to  
18 FirstEnergy Corporation, don't you?

19 A My understanding was that the only utility in Ohio  
20 that didn't have that mechanism was FirstEnergy.

21 Q Right.

22 A Because of the way they were formed.

23 Q And you know Chuck Jones said, it made the company  
24 essentially recession proof, right?

25 A I'd seen that, yes.



1       **Q**       Right. All right. And so yesterday you were talking  
2       about, House Bill 6 was important because of the cost  
3       savings that it provided to consumers, right?

4       **A**       Yes.

5       **Q**       And that was one of the reasons that you supported the  
6       bill?

7       **A**       Absolutely, yes.

8       **Q**       And your understanding of the cost savings of House  
9       Bill 6 was based on the analysis of the Legislative Service  
10      Commission, right?

11      **A**       Yes.

12      **Q**       All right. And isn't it true that Legislative  
13      Services Commission was unable to quantify the cost of  
14      decoupling to the consumers, so when we say that House Bill  
15      6 was a savings for consumers, they couldn't even calculate  
16      decoupling to determine whether or not that saved or cost  
17      consumers money, right?

18      **A**       I can't respond to the decoupling part of it. I can  
19      only respond to the fact that with the mandates replaced by  
20      the charge for the clean -- the carbonless, carbon-free  
21      fuel, that it was a savings of 2.3 billion and then when we  
22      did away with the nuclear subsidy, it was 3.4 billion to the  
23      consumers.

24      **Q**       I was going to ask you about that because you told the  
25      jury that it was a savings to consumers of billions of

1 dollars, right?

2 **A** Yes.

3 **Q** And that was based on the Legislative Service  
4 Commission reports?

5 **A** Yes.

6 **Q** And so you're aware that the Legislative Service  
7 reports didn't include the decoupling, the cost of  
8 decoupling, right?

9 **A** I didn't know it didn't include that.

10 **Q** Okay. So that would weigh into if FirstEnergy is  
11 getting a benefit of millions of dollars a year and it's not  
12 included in the cost analysis Legislative Services  
13 Commission does, that affects the analysis, right?

14 **A** Well, I don't know what effect decoupling has, I don't  
15 know that.

16 **Q** Well, you heard the FirstEnergy representative testify  
17 that it was over \$50 million a year?

18 **A** But you're trying to --

19 MR. OLESKI: Objection. He can't speak to the  
20 testimony of another witness.

21 MS. GLATFELTER: Your Honor, he can. He's the  
22 defendant, he was here.

23 THE COURT: The objection is overruled.

24 THE WITNESS: Well, you just said that Legislative  
25 Service Commission couldn't even figure it, so how am I

1 going to know whether it cost the consumers money or not? I  
2 wouldn't know.

3 **Q** Okay. Well, so it's important when you tell people  
4 that this was a cost savings to consumers and a great deal  
5 for consumers, that's relevant to add, right, that part of  
6 the bill, they couldn't even analysis the cost -- you know,  
7 how costly that was to consumers?

8 **A** Or uncostly.

9 **Q** And you know, you mentioned the energy efficiency  
10 mandates a minute ago and I wanted to talk about that. You  
11 said that cutting those efficiency mandates saved consumers  
12 money, right?

13 **A** Yes.

14 **Q** And isn't it true that the Legislative Service  
15 Commission analysis didn't include, didn't include the  
16 savings that consumers got from energy efficiency?

17 **A** I couldn't speak to that either. I just know that the  
18 utility companies were for keeping those mandates in place  
19 because the utility companies were making a lot of money off  
20 of Ohio's consumers.

21 **Q** Well, consumers were saving money with the energy  
22 efficiency mandates and so when you cut them out of House  
23 Bill 6 -- oh, yeah --

24 **A** I think we're going to get into a debate.

25 **THE COURT:** Excuse me. Is there an objection?

1 MR. OLESKI: Objection to form, compound.

2 THE COURT: Break it down.

3 Q The energy -- well, PUCO, you recognize what PUCO is,  
4 right? PUCO is the Public Utilities Commissions of Ohio?

5 A Yes.

6 Q And they came out with an analysis that the energy  
7 efficiency mandates saved consumers money; do you remember  
8 that?

9 A Well, it -- I think it's all in the eye of the  
10 beholder. If you're talking about the fact that because you  
11 put a certain light bulb in your lights, that that saves you  
12 money because it's less electricity, that could be true, but  
13 you also have to couple that with, as you so eloquently  
14 described here a minute ago, you have to take in the  
15 cost/benefit savings by them not having to pay that monthly  
16 charge.

17 Q Right.

18 A And if you look at the commercial users, when you have  
19 commercial users that are spending upwards of \$50,000 a  
20 month on these mandates, I would have to think -- I mean,  
21 that's a lot of jobs. They can employ a lot of people in  
22 the state of Ohio for \$50,000 a month.

23 Q So my question was: Were you aware of the PUCO  
24 analysis that found that the energy efficiency mandates  
25 resulted in a net savings for consumers?

1       **A**       Was that net savings, did it also include the fact  
2       that they were saving money on their electric bill as far as  
3       what they're charged because of House Bill 6 or did it take  
4       into consideration the fact that because there's less heat  
5       in those bulbs now, some of our air conditioning and the  
6       furnaces don't work properly? Because I know the HVAC  
7       people have talked about that as well. Is it an all  
8       inclusive savings or are they just talking about the light  
9       bulbs? I don't think we know that.

10               THE COURT: You were going to answer questions, not  
11       ask questions, right?

12               THE WITNESS: I'm sorry, Judge. We're getting into  
13       political debate, is what we're getting into, I'm sorry.

14               THE COURT: Welcome to the federal court.

15       **Q**       I'm just simply asking if you were aware that PUCO --  
16       the PUCO's analysis found that there was a net cost savings  
17       to consumers for energy efficiency mandates?

18       **A**       Was I aware of that?

19       **Q**       Yes.

20       **A**       No.

21       **Q**       Okay. And were you aware that the LSC, the  
22       Legislative Service Commission's analysis of House Bill 6  
23       didn't include those net savings?

24       **A**       No, I wasn't aware of that.

25       **Q**       Okay. And are you aware that if you factor in those

1 net savings, put decoupling aside, all right, putting  
2 decoupling aside, we're just talking about the energy  
3 efficiency savings, when you factor that into the analysis,  
4 HB 6 actually increased consumers' bills by a dollar a  
5 month?

6 **A** Was I aware of that, is that what your question is?

7 **Q** Yes.

8 **A** No, I was not aware of that.

9 **Q** Okay. And were you aware that the final version of  
10 House Bill 6, the one that was signed into law,  
11 grandfathered in some of those renewable energy  
12 efficiency -- or I'm sorry, renewable energy sources and so  
13 the net -- the savings that you were talking about yesterday  
14 to consumers wouldn't actually be realized until the end of  
15 House Bill 6, like if we're talking about six years or if  
16 we're talking about ten years, they wouldn't actually find  
17 any savings until the end?

18 **A** I know that -- I know that the nuclear power plants,  
19 by saving them, we saved \$500 million a year in gross  
20 domestic product, \$450 million a year in taxes, state and  
21 local taxes that were paid by those nuclear plants. We  
22 saved 435,000 jobs directly and what economic impact that  
23 has on the State of Ohio, I think if you factor all of these  
24 things in, I think it was much of benefit to the State of  
25 Ohio for House Bill 6.

1       **Q**       Okay. I was asking about the fact that renewables  
2       were grandfathered into House Bill 6, the final version,  
3       were you aware of that?

4       **A**       Yes, that was the Senate version.

5       **Q**       Okay. And so when you told us yesterday or when you  
6       testified that there would be all of these savings to  
7       consumers, did you know that those savings wouldn't even be  
8       realized until the very end of when House Bill 6  
9       implemented?

10      **A**       I knew that -- I knew that there was that much in  
11      savings. I didn't know the timing of it all.

12      **Q**       And to be clear, House Bill 6, the subsidies, the  
13      subsidies are gone, right, it's been repealed?

14                   MR. OLESKI: Objection, asked and answered.

15                   THE COURT: I'd like some clarity. Overruled.

16                   THE WITNESS: I voted to remove the nuclear  
17      subsidies because they were no longer needed because what we  
18      had to get through was a period of time. As I have talked  
19      about before, the marketplace was being flooded by very  
20      inexpensive, artificially and inexpensive natural gas  
21      because of the shale play in eastern Ohio, it was driving  
22      down the cost of gas well below what it had historically  
23      been and that made the nuclear plants unprofitable because  
24      they could not compete. If we could buy a little bit of  
25      time as Ohio and gas prices went back to their normal stage,

1 those nuclear power plants would be able to compete on their  
2 own.

3 **Q** Okay. And so under that analysis, the six years  
4 wasn't even necessary, it only needed a year?

5 **A** Well, actually in the bill, there's a provision in the  
6 bill that the air quality development people could determine  
7 from records from Energy Harbor whether or not the subsidy  
8 was needed or whether -- how much of the subsidy was needed  
9 for them to be competitive. So when you look at six years  
10 or you look at the amount of the subsidy, you know, the  
11 subsidy was supposed to be \$9. They could have determined  
12 it was \$4.50 or if it was a dollar or if it was zero or if  
13 they got one at all. If they became profitable or, you  
14 know, competitive, profitable, they could have ruled that  
15 there was no subsidy whatsoever.

16 **Q** And your testimony is that that is why it was  
17 repealed?

18 **A** No. My testimony was --

19 MR. OLESKI: Objection.

20 THE COURT: Overruled. It's cross. He can answer.

21 THE WITNESS: My testimony was that it was repealed  
22 because it was no longer necessary. There was no point in  
23 having the subsidies anymore. They were competing on their  
24 own.

25 **Q** And that repeal was in 2021, right?



1       **A**       I believe so, that's correct.

2       **Q**       Now, while you were -- I want to go back to the  
3       discussion, I think we talked about it a little bit today  
4       and yesterday maybe. While you were out of office, in  
5       between the time that you served during your first stint as  
6       Speaker and your second, you ended up with a judgment  
7       against you for \$1.89 million, right?

8       **A**       Yes.

9       **Q**       And that was the result of guaranteeing a loan for the  
10      coal mining business that you were talking about?

11      **A**       That's correct.

12      **Q**       And that judgment was entered against you in 2014?

13      **A**       '14 or '15, yes.

14      **Q**       It was entered against you -- also an entity that you  
15      own called Householder Limited, right?

16      **A**       That's correct.

17      **Q**       And Householder Limited is a business that you own?

18      **A**       Yes, LLC.

19      **Q**       Okay. It's registered in Ohio?

20      **A**       Yes.

21      **Q**       Okay. And what role do you have in that business?

22      **A**       I'm sole proprietor.

23      **Q**       All right. And so in 2015 -- well, let me back up for  
24      a minute.

25               The money was owed to an entity that was called Union

1 Bank, right?

2 **A** That's correct.

3 **Q** And that was in -- Union Bank was in, I think,  
4 Louisiana; is that right?

5 **A** Louisiana.

6 **Q** And in 2015, that judgment was filed in Ohio, right?

7 **A** I believe so.

8 **Q** And that meant they could start collecting on your  
9 assets in Ohio, right?

10 **A** Yes, I would assume.

11 **Q** I mean, that's why you hired an attorney here in Ohio  
12 to represent you, right?

13 **A** Yes.

14 **Q** Okay. And that was Richard Stovall?

15 **A** It was.

16 **Q** And that case went on through 2016, right?

17 **A** It went on for a while.

18 **Q** 2017?

19 **A** Like I said, it went on for a while.

20 **Q** And 2018 is when it was settled; is that right?

21 **A** Yes.

22 **Q** All right. And so in 2016, 2017, and 2018, before  
23 that case settled, you owed \$1.89 million, right? I mean,  
24 that's what they could collect against you?

25 **A** Yes.

1 Q And although you had that judgment against you, you  
2 were able to maintain your farm, right?

3 A Yes.

4 Q And you didn't have to file for bankruptcy because of  
5 that?

6 A No.

7 Q And given your history of running for office, you're  
8 aware of the state's disclosure form that candidates must  
9 fill out?

10 A Yes.

11 Q And it's called a Financial Disclosure Statement,  
12 right?

13 A That's correct.

14 Q You have to complete that form if you're in the  
15 General Assembly or if you're a candidate for the General  
16 Assembly?

17 A That's correct.

18 Q And the disclosures -- the disclosure forms require  
19 categories of information like income, investments, real  
20 estate, right?

21 A Yes.

22 Q All right. And it requires a list of creditors that  
23 are owed, right?

24 A Yes.

25 Q And it requires you to list certain gifts and meals?

1       **A**       It does.

2       **Q**       All right. And you filed one for 2016, correct?

3       **A**       Yes.

4               MS. GLATFELTER: All right. Your Honor, permission  
5 to show the witness Exhibit 900, please?

6               THE COURT: Yes.

7       **Q**       Mr. Householder, do you recognize this as your 2016  
8 disclosure that was filed in 2017?

9       **A**       Yes.

10              MS. GLATFELTER: Your Honor, at this time I move to  
11 admit Government Exhibit 900?

12              THE COURT: Any objection?

13              MR. OLESKI: One moment.

14              MR. SCHNEIDER: No objection here.

15              THE COURT: Thank you.

16              MR. OLESKI: No objection, Judge.

17              THE COURT: It's admitted.

18       **Q**       And you filed one in 2017, right?

19       **A**       Yes.

20              MS. GLATFELTER: Okay. Permission to show the  
21 witness Government Exhibit 901?

22              THE COURT: Yes.

23       **Q**       All right. Sir, is this your 2017 disclosure  
24 statement?

25       **A**       It is.

1 MS. GLATFELTER: Your Honor, move to admit, please?

2 THE COURT: Any objection?

3 MR. OLESKI: No.

4 MR. SCHNEIDER: No.

5 **Q** And you filed one in 2018?

6 THE COURT: It's admitted.

7 MS. GLATFELTER: Thank you. Sorry.

8 THE WITNESS: Yes.

9 MS. GLATFELTER: Permission to show the witness  
10 Exhibit 902?

11 THE COURT: Yes.

12 **Q** Is this your 2018 financial disclosure statement?

13 **A** It is.

14 MS. GLATFELTER: Your Honor, permission -- I'm  
15 sorry, request to admit Exhibit 902?

16 THE COURT: Any objections?

17 MR. OLESKI: No.

18 MR. SCHNEIDER: No.

19 THE COURT: It's admitted.

20 MS. GLATFELTER: Your Honor, permission to show the  
21 witness Exhibit 903?

22 THE COURT: Yes.

23 **Q** Mr. Householder, is this your 2019 financial  
24 disclosure statement?

25 **A** It is.

1 MS. GLATFELTER: Your Honor, we would ask to admit  
2 Exhibit 903?

3 THE COURT: Any objection?

4 MR. OLESKI: No objection, Judge.

5 MR. SCHNEIDER: No.

6 THE COURT: It's admitted.

7 MS. GLATFELTER: And permission to show the witness  
8 Exhibit 904?

9 THE COURT: Yes.

10 **Q** Okay. Mr. Householder, is this your 20- -- I'm sorry,  
11 your 2020 financial disclosure statement?

12 **A** It is.

13 MS. GLATFELTER: Your Honor, ask to admit  
14 Exhibit 904?

15 THE COURT: Any objections?

16 MR. OLESKI: No.

17 MR. SCHNEIDER: No.

18 THE COURT: Admitted.

19 MS. GLATFELTER: All right. And Your Honor,  
20 permission to go back to Exhibit 900, which has been  
21 admitted, and publish for the jury?

22 THE COURT: Yes.

23 MS. GLATFELTER: And, Ms. Terry, if we can go to  
24 page 12 of this financial disclosure statement. And if we  
25 can enlarge the acknowledgement there.

1 Q All right. Mr. Householder, do you see your  
2 electronic signature down there at the bottom of this  
3 enlarged part, it says, Larry L. Householder?

4 A I do.

5 Q Okay. And these forms, these financial disclosures,  
6 contain an acknowledgement, right, about the truth of what  
7 you're submitting?

8 A I always had an attorney submit these JLEC forms for  
9 me.

10 Q You've never looked at them?

11 A No.

12 Q So when it says -- well, how does your electronic  
13 signature get on the document, your attorney doesn't have  
14 your electronic signature, does he?

15 A I don't even know what an electronic signature -- I  
16 mean, is that some type of a code you put in or something?

17 THE COURT: Remember, you don't ask questions.

18 THE WITNESS: Oh, I'm sorry.

19 THE COURT: All right.

20 THE WITNESS: Sorry.

21 THE COURT: All right.

22 Q So this document at the top, do you see the sentence  
23 here -- oops, sorry about that -- (attorney writing) --  
24 that: By signing below, I swear or affirm that the  
25 statement and any additional attachments were prepared or

1 carefully reviewed by me and constitute a complete, truthful  
2 and correct disclosure of all required information?

3 **A** I see that.

4 **Q** Okay. And you understand that's similar to the oath  
5 that you've taken today, that you're swearing or affirming?

6 **A** Yes.

7 **Q** That you're going to tell the truth?

8 **A** Um-hmm.

9 **Q** And your testimony is that you never have looked at  
10 these forms?

11 **A** I've glanced over them, but I've always had an  
12 attorney file these JLEC forms for me.

13 **Q** All right. Well, do you provide the attorney the  
14 information that goes on these forms?

15 **A** Well, we certainly discuss them, yes.

16 **Q** Okay. And so any of the information that's contained  
17 on the form is information that you've provided to your  
18 attorney to file?

19 **A** Yes.

20 **Q** And if we look at the second -- the second part of the  
21 acknowledgement right here, it says: By signing below, I  
22 acknowledge and aware -- and awareness and it goes on to  
23 state that it's a crime to misrepresent things on these  
24 forms?

25 **A** I see that.



1       **Q**       All right. And one of the purposes of these forms is  
2       that you file them and that they're publicly available,  
3       right, for voters or for all of the citizens in Ohio to see,  
4       right?

5       **A**       That's correct.

6       **Q**       And citizens can go to the Joint Legislative Ethics  
7       Committee which houses these forms and they can look up and  
8       see what your financial disclosures are, right?

9       **A**       That's correct.

10               MS. GLATFELTER: All right. If we can go to  
11       page 1, please, Ms. Terry.

12       **Q**       You said earlier, this is your 2016 financial  
13       disclosure form?

14       **A**       Yes.

15       **Q**       Okay. And do you see this box down here, what's the  
16       date there?

17       **A**       May 15th, 2017.

18       **Q**       All right. And you had to file this because you were  
19       a member of the General Assembly in 2017, right?

20       **A**       That's correct.

21       **Q**       And to put this form in context, by the time you filed  
22       this form, you had already won in 2016, right, you're in the  
23       General Assembly?

24       **A**       That's correct.

25       **Q**       This was after that World Series game that you went

1 to?

2 **A** That's correct.

3 **Q** And this was filed after your trip to the inauguration  
4 on the FirstEnergy jet?

5 **A** That's correct.

6 **Q** And this form was filed after you had the  
7 \$1.89 million judgment entered against you before the  
8 settlement, right?

9 **A** That's correct.

10 **Q** Okay. And this form is being filed while you still  
11 owe about \$20,000 on those credit cards?

12 **A** That's correct.

13 MS. GLATFELTER: All right. If we can go to  
14 page 5, Ms. Terry.

15 **Q** All right. Do you see question No. 3 there on the  
16 screen?

17 MS. GLATFELTER: If we can enlarge that, Ms. Terry.

18 THE WITNESS: Yes, I see it.

19 **Q** It says: Business names, list all names under which  
20 you or your members of your immediate family do business.

21 **A** Yes.

22 **Q** Do you see that?

23 **A** Um-hmm.

24 **Q** Householder Limited is not listed there, correct?

25 **A** No.

1 Q All right. And that is a business you own, you just  
2 said that you were the sole proprietor of that?

3 A In 2016, I don't think it was active.

4 Q You didn't think it was active?

5 A I didn't think so.

6 Q Would you be surprised to know that it's still active  
7 on the Secretary of State website?

8 A Yes, I would be.

9 Q It had an active judgment against it in 2016 for  
10 \$1.89 million?

11 A Business, yes.

12 Q Right. And if you put Householder Limited on this  
13 form and it was publicly available, people could look up  
14 Householder Limited and find that judgment against you,  
15 right?

16 A Oh, I think people knew that judgment was against me.

17 MS. GLATFELTER: Ms. Terry, can we go to page 8,  
18 please? All right. If we can enlarge the bottom part there  
19 for creditors.

20 Q All right. Do you see question No. 6 there,  
21 Mr. Householder?

22 A Yes, I do.

23 Q All right. And what do you have listed under  
24 creditors?

25 A I don't have any.

1       **Q**       Right. And so you see this line where it says, you  
2       must disclose automobile loans, school loans, credit card  
3       accounts?

4       **A**       Um-hmm.

5       **Q**       And all other similar accounts if the balance exceeds  
6       \$1,000 at any time during the calendar year 2016?

7       **A**       And it goes on to say: You do not have to disclose  
8       the debts on your personal residence or real property used  
9       primarily for personal recreation, short-term debts  
10      resulting from the ordinary conduct of a business or  
11      profession.

12      **Q**       That's right. The credit cards that you had  
13      related -- well, whatever they related to, you had \$20,000  
14      on those credit cards?

15      **A**       Those were all business-related expenses.

16      **Q**       So your understanding of this form is if you have a  
17      business expense or any kind of business debt, you didn't  
18      have to disclose it on the form?

19      **A**       My attorney's understanding of that was that, yes.

20      **Q**       And so you put -- you had a \$1.89 million judgment,  
21      which you didn't include on the creditor's section, right?

22      **A**       Because that dealt with a business or a profession.

23      **Q**       So you had a \$1.89 million judgment that you didn't  
24      include under creditors, right?

25      **A**       That's correct.

1       **Q**       You owed about \$10,000 on a Discover card that you  
2       didn't list here, right?

3       **A**       It was a business debt.    Yes.

4       **Q**       And you owed about the same amount on a JP Morgan  
5       Chase credit card, right?

6       **A**       Those were business expenses as well.    Yes.

7       **Q**       And you didn't list any of that on here?

8       **A**       According to my attorney, we didn't have to.

9       **Q**       Now, these credit cards that we're talking about,  
10       these are the credit cards that Mr. Longstreth paid off,  
11       right?

12       **A**       They are.

13       **Q**       All right.    And those were paid out of the JPL  
14       account, right?

15       **A**       I didn't have any idea how they were paid.

16       **Q**       And you had no idea how Mr. Longstreth made money over  
17       the four years that he worked for you?

18       **A**       He had told me it was his personal money.

19       **Q**       His personal money that he would have gained from  
20       where?

21       **A**       Well, according to him, he had done a lot of work in  
22       West Virginia and that he was going to take that out of  
23       his -- some retirement account he had.

24       **Q**       And so during the four years that he worked for you,  
25       you have no idea whether or how he got paid?

1       **A**       Well, I know that he -- he was paid by retainers that  
2 we were paying.

3       **Q**       Who's "we"?

4       **A**       Our -- myself and other folks that had campaign  
5 committees that he was doing campaign services for.

6       **Q**       That didn't cover -- it was, I think, \$138,000 over  
7 the course of four years?

8       **A**       I don't know what -- I don't know.

9       **Q**       All right. So you don't know how -- you have no idea  
10 how he afforded the rent at the State Street office, how he  
11 paid his employees, how he would have earned an income for  
12 those four years?

13       **A**       I know that I engaged him to take care of campaign  
14 services for myself and to help me get elected and to work  
15 with candidates, recruit candidates, and help me help  
16 candidates get elected, and his business wasn't my business,  
17 so I didn't delve into his personal matters.

18       **Q**       Your business was his only business?

19       **A**       No, it wasn't.

20       **Q**       Generation -- so, Mr. Householder, you knew that he  
21 was getting paid out of Generation Now, didn't you?

22       **A**       I didn't know how he was being paid.

23       **Q**       Well, that's the only money that you guys were making  
24 besides your campaign account, right, you're fundraising  
25 into that account, you're fundraising into Friends of Larry

1 Householder; where else is he getting paid from?

2 **A** I frankly don't have any idea. I just know what I  
3 knew and that was all I knew.

4 **Q** And so when you submitted these five -- so we talked  
5 about 2016 through 2020, right, that's five --

6 **A** That's correct.

7 **Q** -- versions of these disclosure forms?

8 **A** That's correct.

9 **Q** All right. Each time, you're swearing or affirming  
10 that the information on these forms is true and correct,  
11 just like today in the oath that you're under?

12 **A** That's correct.

13 **Q** And so we didn't disclose your business that's  
14 registered in Ohio that had the \$1.89 million judgment?

15 **A** You do not have to disclose the debts on your personal  
16 residence or real property used primary for recreation or  
17 short-term debts resulting from ordinary conduct of a  
18 business or profession.

19 MS. GLATFELTER: If we could -- Ms. Terry, if we  
20 could go back to page 5, please.

21 **Q** It just says "Business Names" and you didn't list your  
22 business name, right?

23 **A** Larry Householder LTD. If it was active, I did not  
24 list that, no.

25 **Q** Right, and it was active. It had a \$1.89 million

1 judgment against it, right?

2 **A** Yes.

3 **Q** Should have been on this form?

4 **A** Collectively.

5 **Q** It should have been on this form, right?

6 **A** I took the advice of my attorney. He's the one that  
7 filled out the forms.

8 **Q** And you didn't -- and your testimony is you didn't  
9 review these at all?

10 **A** I relied on my attorney.

11 **Q** All right. And so if we were to look at all of these  
12 forms for these five years, none of that information would  
13 be on these forms, none of -- you want to look through them?  
14 We can.

15 **A** I don't -- I just am telling you that I relied on the  
16 advice of my attorney and believed these forms were  
17 accurate. Right now I believe he did them properly.

18 **Q** Did you tell your attorney about the World Series  
19 game, the tickets for all of those World Series games you  
20 attended in 2016?

21 **A** Well, I would have received -- yeah. I mean, I don't  
22 know if I told him or not, frankly.

23 **Q** All right. And because if it wasn't -- if you got  
24 those tickets for under fair market value, you'd have to put  
25 them on the disclosure, right?



1       **A**       Well, if it was under fair market value, but I don't  
2 believe they were under fair market value.

3       **Q**       You paid \$2,500 for those tickets?

4               MR. OLESKI:  Objection, she's testifying, Judge.

5               THE COURT:  No, she's cross-examining.  Overruled.

6               THE WITNESS:  I did not pay \$2,500 for those  
7 tickets.

8       **Q**       Okay.  And you said you and your wife went to the  
9 World Series game, right?

10       **A**       Yes.

11       **Q**       And you went to multiple World Series games that year?

12       **A**       Yes.

13       **Q**       All right.  And did you tell your attorney about the  
14 trip to the inauguration and the hotel bill for \$1,500?

15       **A**       I should have received something from somebody if I  
16 owed anything on that hotel bill.

17       **Q**       All right.  So it was up to other people to give you  
18 the information to put on your disclosure that you didn't  
19 review?

20       **A**       So if -- if an association or an organization that  
21 lobbies in the state of Ohio is paying for something for a  
22 legislator, there's -- I think it's called undisputed  
23 information or something to that effect that you receive  
24 letting you know that you should be claiming that on your  
25 campaign -- or on your joint Legislative Ethics Commission

1 report.

2 **Q** Okay. But my point is, you didn't ask, right, you  
3 didn't inquire further to Tony George, like hey, where's the  
4 information so I can give it to my attorney so he can fill  
5 out my disclosure form accurately?

6 **A** I assumed it was paid by the delegation, actually.

7 **Q** Okay. And so if people don't give you information,  
8 you're not asking for it?

9 **A** Well, so in the inauguration, I've been to a few  
10 inaugurations, and it's always been that the Ohio Republican  
11 Party had at their delegation, there were rooms there, and  
12 you would receive something back or you wouldn't receive  
13 something back, it was just taken care of by the party.

14 **Q** But my question was: You didn't ask -- I mean, you  
15 knew, you were forwarded on the e-mail that the room was  
16 \$1,500, you knew what the amount was, you could have  
17 disclosed that, you didn't need any additional information  
18 from Mr. George?

19 **A** I don't have an answer for you on that. I don't know.

20 **Q** Yesterday, you -- yesterday, you mentioned that -- in  
21 the discussion about Mr. Greenspan or Representative  
22 Greenspan, you indicated that you texted him, correct?

23 **A** Yes.

24 **Q** Okay. And after those text messages, you testified  
25 yesterday -- strike that.

1           You testified yesterday that after sending him those  
2 text messages, you never asked Jeff Longstreth to get those  
3 messages deleted?

4       **A**       Yeah, I did not ask Jeff Longstreth to get those  
5 messages deleted.

6           MS. GLATFELTER: Your Honor, may we -- permission  
7 to publish Exhibit 483 C, which has been admitted?

8           THE COURT: Yes.

9           MS. GLATFELTER: And if we may go to page 2,  
10 Ms. Terry? Okay. And, Ms. Terry, can you enlarge that  
11 third box?

12       **Q**       All right. Mr. Householder, do you recognize this as  
13 a message from Mr. Longstreth?

14       **A**       Yes.

15           MS. GLATFELTER: Okay. And, Ms. Terry, I'm sorry,  
16 can we enlarge the top three messages?

17       **Q**       And do you recognize this as a conversation with  
18 George Phillips?

19       **A**       Yes.

20       **Q**       All right. And what is Mr. Longstreth's message there  
21 at the bottom say, if you can read that to the jury, please?

22       **A**       SLH was so funny after you left. He said, yeah, that  
23 guy is going to be great, he took a homework assignment and  
24 went out on a mission, I really like that guy. He's going  
25 to be great for the team.

1 MS. GLATFELTER: Your Honor, may we take our  
2 afternoon break, please?

3 THE COURT: Yes. It's 3:00.

4 MS. GLATFELTER: Thank you.

5 THE COURT: Going to take a break, 20 minutes.  
6 During the break, take a break. Don't discuss the case with  
7 anyone, including among yourselves. No independent  
8 research. No checking out the media. Continue to keep an  
9 open mind until you've heard all of the evidence. We'll  
10 rise as you leave.

11 THE DEPUTY: All rise for the jury.

12 (Jury exited the courtroom at 2:59 p.m.)

13 THE COURT: Jury has left the room. As always,  
14 we'll wait in the courtroom until we're advised they've  
15 cleared the floor, then we'll take a 20-minute break until  
16 3:20. The witness shall not discuss his testimony during  
17 the break, including with his lawyers. And you understand?

18 THE WITNESS: Pardon me?

19 THE COURT: You understand?

20 THE WITNESS: I do.

21 THE COURT: Very well.

22 (Pause.)

23 THE DEPUTY: All clear, Judge.

24 THE COURT: We're in recess until 3:21.

25 THE DEPUTY: Court is in recess.

1 (Recess taken from 3:01 p.m. to 3:18 p.m.)

2 THE DEPUTY: All rise. This court is in session  
3 pursuant to the recess.

4 THE COURT: Thank you. Please be seated. Back in  
5 the open courtroom on the record outside the presence of the  
6 jury. Are we ready for the jury, first, from the  
7 government's perspective?

8 MS. GLATFELTER: Yes, Your Honor.

9 THE COURT: Mr. Householder's?

10 MR. OLESKI: Yes, Judge.

11 THE COURT: Mr. Borges'?

12 MR. SCHNEIDER: We're ready.

13 THE COURT: All right. Let's call for the jury.

14 (Pause.)

15 THE DEPUTY: All rise for the jury.

16 (Jury entered the courtroom at 3:22 p.m.)

17 THE COURT: You may all be seated. Thank you. The  
18 jurors are back. We're ready to proceed with the continued  
19 taking of testimony.

20 Ms. Glatfelter, you may continue your examination.

21 MS. GLATFELTER: Thank you, Your Honor. No further  
22 questions at this time.

23 THE COURT: Very well. Redirect?

24 MR. OLESKI: Good afternoon, sir.

25 THE WITNESS: Good afternoon.

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**REDIRECT EXAMINATION**

**BY MR. OLESKI:**

**Q** You were asked some questions on cross-examination about the Presidential Inauguration in Washington, DC in 2017. Do you recall those questions?

**A** I do.

**Q** Now, to be clear, did you see Chuck Jones in Washington, DC on January 18th, 2017?

**A** I did not.

**Q** On January 19th, 2017, did you see Mike Dowling in Washington, DC?

**A** Yes, at the American, the Jim Brown American fundraiser, that luncheon.

MR. OLESKI: Judge, permission to publish side-by-side Householder Exhibit 486 and Government Exhibit 908, both of which have been admitted?

THE COURT: Only if you keep your voice up.

MR. OLESKI: I apologize, Judge, yes.

THE COURT: Very well. They're admitted and you may publish.

**Q** Do you see these pictures on your screen, sir?

**A** Yes, I do.

**Q** And what's the picture on the left?

**A** That's myself, coach Bobby Knight, and my son, Luke. Excuse me.

1 Q And on the right?

2 A That would be myself and Mr. Dowling.

3 Q And do you appear to be wearing the same tie in both  
4 pictures?

5 A Yes.

6 Q And if you know, were both of these pictures taken at  
7 that American event that you mentioned?

8 A Yeah. I had walked down to the end, when the luncheon  
9 was over, we were walking around getting photographs with  
10 Luke and different celebrities and I walked down there and I  
11 saw that couch there and Mike Dowling was there and I sat  
12 down and Luke snapped that picture.

13 Q Either January 18th or January 19th, the first two  
14 days that you were in Washington, DC, did you have dinner  
15 with Chuck Jones or Mike Dowling?

16 A No.

17 MR. OLESKI: Judge, permission to publish  
18 Government Exhibit 911, which has been admitted?

19 THE COURT: Yes.

20 Q Sir, do you see those pictures on your screen?

21 A I do.

22 Q Now, on cross-examination, you had indicated that  
23 there were several people in this photograph that you  
24 recognized, do you recall that?

25 A Yes, yes.

1 Q Who do you recognize in these photographs?

2 A Well, I recognize my son, Luke, obviously. I  
3 recognize the lone survivor, Mr. Luttrell. Obviously, I  
4 recognize myself. I recognize Jeff Longstreth. I recognize  
5 Mike Dowling. I recognize Banjo.

6 Q Who's Banjo?

7 A A friend from Alabama.

8 Q And if you could just circle Banjo on your screen.

9 A (Witness writing.)

10 Q Okay. Who's -- Banjo, what's his name?

11 A Nathaniel Ledbetter.

12 Q Does he hold any position?

13 A He does.

14 Q What is it?

15 A Well, at the time he wasn't, but now he's Speaker of  
16 the House in the state of Alabama.

17 Q Uh-huh. Was he in Washington, DC on January 18th,  
18 2017?

19 A I don't believe so.

20 Q When do you believe that he arrived in Washington, DC?

21 A Well, I know he was there for the inauguration for  
22 sure, I know that.

23 Q All right. Is Mr. Chuck Jones in any of these  
24 photographs?

25 A He is not.



1 MR. OLESKI: You can take that down, PJ.

2 Q When was Anna Lippincott hired?

3 A Well, I don't know exactly, but I'm going to say  
4 sometime early 2017.

5 MR. OLESKI: Judge, permission to publish  
6 Government Exhibit 201 C, which has been admitted?

7 THE COURT: Yes.

8 MR. OLESKI: And, PJ, if we can go to the last  
9 page, page 16?

10 Q Sir, do you recall being asked some questions about  
11 this document on cross-examination?

12 A Yes.

13 Q Did you create this document?

14 A No.

15 Q Before trial, had you ever seen this document?

16 A Not that I'm aware of.

17 Q Who's the author of this document?

18 A Jeff Longstreth.

19 Q When was the document last modified according to these  
20 document properties?

21 MS. GLATFELTER: Your Honor, I'm going to object to  
22 leading.

23 THE COURT: Object to what?

24 MS. GLATFELTER: Leading.

25 THE COURT: Don't lead the witness.

1 Q When was the document last modified?

2 A September 6th, 2017.

3 MR. OLESKI: PJ, if you could go to page 14 of this  
4 document.

5 Q Do you recall being asked some questions about this  
6 particular page of the exhibit?

7 A Yes.

8 Q And do you see the references to "on the farm" and  
9 "quasi farm"?

10 A I do, yes.

11 Q Have you ever --

12 A And one on the farm, yes.

13 Q Had you ever used the phrase "quasi farm" before?

14 A No.

15 Q Do you see Anna listed under "on the farm"?

16 A I do.

17 Q And, again, when was she hired?

18 A January 2017.

19 Q Do you see the reference to Anna on this document?

20 A Yes. It's the very first person on the farm.

21 Q When was the first time that you met Chuck Jones?

22 A Sometime -- I believe it was 1999, I saw him with Tony  
23 Alexander at the Statehouse.

24 Q When was the next time that you met with Jones in  
25 person?



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**C E R T I F I C A T E**

I certify that the foregoing is a correct excerpted transcript of the record of proceedings in the above-entitled matter prepared from my stenotype notes.

          /s/          *Lisa Conley Yungblut*          03/10/2023  
LISA CONLEY YUNGBLUT, RMR, CRR, CRC          DATE