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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

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UNITED STATES OF AMERICA,	:	CASE NO. 1:20-CR-0077
	:	
Plaintiff,	:	JURY TRIAL, DAY 4
vs.	:	
	:	1st of February, 2023
LARRY HOUSEHOLDER, et al.	:	
	:	
Defendant.	:	

- - -

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

- - -

APPEARANCES:

For the Plaintiff:

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5 Also present: Larry Householder
6 Matthew Borges
7 Blane Wetzel, 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
11 United States District Court
12 100 East Fifth Street
13 Cincinnati, Ohio 45202
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PROCEEDINGS

(Proceedings held in open court at 9:28 a.m.)

THE DEPUTY: All rise. This United States District Court for the Southern District of Ohio is now in session, The Honorable Timothy S. Black, District Judge, presiding.

THE COURT: Thank you. Please be seated. Back in the open courtroom on the record shortly before 9:30. Are we ready for the jury from the government's perspective?

MS. GLATFELTER: Yes, Your Honor.

THE COURT: And from Mr. Householder's perspective?

MR. GLICKMAN: Yes, Judge.

THE COURT: And from Mr. Borges?

MR. SCHNEIDER: Yes, Judge.

THE COURT: Very well. Let's call for the jury. I need to break at 12:10 for lunch. I have a 12:15 hearing.

MS. GLATFELTER: Your Honor, what time would you like to break for the morning?

THE COURT: Typically, we break at 10:45.

MS. GLATFELTER: Okay.

THE COURT: It may well be 10:40 for the mid-morning break, 10:40 to 11. And 11:00 a.m. to 12:10. If the government will be ready to retrieve the witness, please.

MS. GLATFELTER: Yes. He's in the room and as soon as the jurors pass --

1 THE COURT: Somebody going to help with that?

2 MS. GLATFELTER: Yes.

3 THE COURT: Can she move to the door, please?

4 MS. GLATFELTER: Yeah, she's right there.

5 THE DEPUTY: All rise for the jury.

6 (Jury entered the courtroom at 9:31 a.m.)

7 THE COURT: Jurors can be seated as they join us,
8 court reporter as well. You may all be seated. Thank you.

9 15 jurors have rejoined us. Good morning. Thank you
10 for your timeliness and your service. We're going to
11 proceed with the same government witness on the stand. If
12 you would call for that witness, please.

13 MS. GLATFELTER: Yes. Agent Wetzel.

14 THE COURT: If that agent would be willing to
15 approach and retake the stand.

16 (Witness took the stand.)

17 THE COURT: You remain under oath, sir, you
18 understand?

19 THE WITNESS: Yes, sir, I do.

20 THE COURT: Very well. Ms. Glatfelter.

21 MS. GLATFELTER: Thank you.

22 And, Agent Wetzel, you may remove your mask so you can
23 speak with a little bit more ease this morning.

24 THE WITNESS: Thank you.

25 **DIRECT EXAMINATION (Continued.)**

1 **BY MS. GLATFELTER:**

2 **Q** Yesterday we ended and we were talking about polling.
3 Do you remember that subject matter?

4 **A** I do.

5 **MS. GLATFELTER:** Your Honor, may we start by
6 publishing what has been admitted as 262 A?

7 **THE COURT:** Yes.

8 **Q** Agent Wetzels, can you see Government's 262 A on your
9 screen?

10 **A** Yes, I can.

11 **Q** And what is 262 A, can you identify it?

12 **A** Yes. This is an e-mail from Mr. Longstreth at the
13 Gmail account that we have been discussing, the
14 jefflongstreth@gmail.com to Chris Schrimpf with a cc of Chip
15 Englander and a Michael Antonopoulos.

16 **Q** And what date is the message, the message at the top
17 sent?

18 **A** October 25th, 2017.

19 **Q** Okay. And the subject line?

20 **A** It's a reply. There's a couple there. So: Re, Ohio
21 polls, CD-12 and SD-1.

22 **Q** Okay. And if we can start at the bottom of the screen
23 and work our way up to the top message.

24 **A** So the message at the bottom, Wednesday, October 25,
25 2017, chipenglander@gmail.com wrote: Jeff, attached please

1 find drafts of the SD 12 and CD 1 questionnaires to be
2 fielded. Please review these and let me know if you have
3 any edits. If we can get approval and data by 12:00 p.m. ET
4 tomorrow, 10/25, we can be in the field tomorrow night and
5 have results on Friday, but we will need data.

6 The cost of the polls are at OH SD-1, N 300
7 100 percent IVR, 17 questions, and then it appears it
8 continues on.

9 MS. GLATFELTER: And, Ms. Terry, does it continue
10 on to the second page?

11 THE WITNESS: Price, \$2,125. OH CD-12 N equals
12 400, 100 percent IVR, 24 questions, price \$3,900. Thanks,
13 Chip.

14 MS. GLATFELTER: Okay. And if we return to page 1,
15 please, Ms. Terry.

16 **Q** All right. And is there a message after this one is
17 sent?

18 **A** Yes. It appears that the message was sent again:
19 Jeff, flying this for you to okay and send the data over.

20 **Q** Okay. And does Mr. Longstreth respond to that
21 message?

22 **A** He does. That's the message that we talked about at
23 the top. He writes: LH and I are talking about it now.

24 **Q** All right. And you said during, I think during the
25 previous days of your testimony, that you received phone

1 records in this or you obtained phone records in this case,
2 right?

3 **A** I did, yes.

4 **Q** And did you obtain phone records relating to contacts
5 between Larry Householder and Jeff Longstreth?

6 **A** Yes, ma'am, I did.

7 **Q** Can you describe to the jury the volume of those
8 contacts?

9 **A** There's a very significant volume to them. There are
10 a lot of phone calls between the two.

11 MS. GLATFELTER: Okay. And, Ms. Terry, if we can
12 keep that exhibit up on the screen on the left side.

13 And, Your Honor, at the same time, may we publish
14 what's been admitted as 730 -- actually, may I show the
15 witness only what's been marked as 732? This hasn't been
16 admitted yet.

17 THE COURT: Yes.

18 **Q** Agent Wetzel, do you see Government's Exhibit 732 on
19 your screen?

20 **A** Yes, ma'am, I do.

21 **Q** Okay. And what is it?

22 **A** This is a chart that, you know, we created to show the
23 non-text contact between Larry Householder and Jeff
24 Longstreth. This first page that's on the screen runs about
25 two months' worth of the contact.

1 **Q** And do you see a number at the top of the screen
2 indicating the number of pages?

3 **A** Yes. There are 111 pages of this.

4 **Q** Of contacts?

5 **A** Correct.

6 **Q** Okay. And was this table prepared in the same way
7 that you've testified about the others?

8 **A** Yes. It has the same five-column structure, date, and
9 time, which, again, we have to move into Ohio time and then
10 who is contacting whom, and then the duration, and hours,
11 minutes, seconds, and then the source of the information in
12 the last column.

13 **Q** And, Agent Wetzel, have you reviewed this document?

14 **A** I have.

15 MS. GLATFELTER: Your Honor, at this time, I'd ask
16 for the admission of Exhibit 732 and permission to publish?

17 THE COURT: Any objections?

18 MR. GLICKMAN: No, Judge.

19 MR. LONG: No objection.

20 THE COURT: It's admitted. You may show it to the
21 jury.

22 MS. GLATFELTER: Thank you, Your Honor.

23 **Q** All right. Agent Wetzel, can you read the top or the
24 title of the document of 732 to the jury?

25 **A** Non-text phone contact between Larry Householder and

1 Jeff Longstreth October 26, 2016-February 29, 2020.

2 MS. GLATFELTER: And, Ms. Santoro, if the witness
3 could have the ability to circle on his screen. Great.

4 **Q** Could you indicate at the top where you were talking
5 about the number of pages on the screen -- the number of
6 pages for Government's Exhibit 732?

7 **A** Yes. (Witness writing.)

8 **Q** Now, going to the left side of your screen, we were
9 talking about a message from what date?

10 **A** The last e-mail here is October 25, 2017.

11 MS. GLATFELTER: Okay. And I believe, Ms. Terry,
12 if we go to -- if I have my calculation right, if we go to
13 page 80 of 732. No, that's wrong. One second. One moment,
14 Your Honor.

15 THE COURT: Yes.

16 (Pause.)

17 MS. GLATFELTER: Let's try page 50, Ms. Terry. A
18 little bit further back. Keep going. I'll tell you when to
19 stop. Go down one more page. Keep going. Other way.
20 Sorry. The previous page and we're there. Thank you.

21 **Q** And do you see, Agent Wetzel, up on your screen
22 contacts from around the time or around the same date?

23 **A** Yes, I do.

24 **Q** Okay. And can you point those on your screen for us?

25 **A** (Witness writing.)

1 **Q** Thank you, Agent Wetzel.

2 So on the previous -- on the previous Government's
3 Exhibit 262, which is on the left side of the screen, when
4 Mr. Longstreth says: Larry Householder and I are talking
5 about it now, were you able to find phone contacts from that
6 same date?

7 **A** Yes.

8 **Q** Okay. Now, you don't know whether they were talking
9 in person or on the phone, correct?

10 **A** Correct.

11 **Q** But you were able to identify how many phone contacts
12 for that day?

13 **A** I count 15.

14 **Q** And can you tell us about the duration of those
15 different contacts?

16 **A** Yes. Some of them are zero duration, which usually is
17 indicative of a phone call that someone doesn't answer, but
18 can be other things. And some of them are as long as
19 approximately a half hour, 26 minutes, and there's some in
20 between in terms of length. There are multiple that are
21 around 10 to 15 minutes.

22 **Q** And the type of contact that we see on Government's
23 Exhibit 732 that you circled there in red, is that
24 indicative of the type of contact you would see throughout
25 these records?

1 **A** Yes, ma'am, it is.

2 **Q** Okay. Sometimes several contacts on the same day?

3 **A** Often, multiple contacts on the same day.

4 **Q** Now, I want to discuss one unique thing about the AT&T
5 record so everyone understands these records that we're
6 talking about. So if we look, for example, in that section,
7 we see several phone calls -- well, look at the 9:32 phone
8 calls, for example, see the ones you've circled there?

9 **A** Yes.

10 **Q** How there's two on the same date?

11 **A** Indeed.

12 **Q** Okay. And these are based on the AT&T records, right?

13 **A** Correct.

14 **Q** Where on this -- where on this exhibit does it show us
15 that we're relying on the AT&T records?

16 **A** That's the column all the way to the right.

17 MS. GLATFELTER: Okay. So, Ms. Terry, I would like
18 to take a look all the two other exhibits that are -- or one
19 other exhibit that's in evidence.

20 Your Honor, permission to show what's been marked as --
21 one moment -- 716 and what's been admitted -- I'm sorry,
22 what's been admitted as 716?

23 THE COURT: Yes.

24 MS. GLATFELTER: Okay.

25 (Pause.)

1 Q 716 A and if we could look at -- well, we'll hold
2 these for a moment. So these are AT&T records?

3 A Yes, ma'am, that's correct.

4 Q And what phone do they correspond to?

5 A These correspond to the 2500 number that we've been
6 discussing that belongs to Mr. Householder.

7 Q Okay. And do you see that on the screen?

8 A Yes, I do.

9 Q Can you circle that for us?

10 A (Witness writing.)

11 Q And did you obtain phone records, as you mentioned
12 before, for this phone number?

13 A Yes. Generally, when we subpoena records, we receive
14 the total records, if we request them, but also this that
15 you see here, which is the subscriber information. This is
16 essentially just like the details of the account that are
17 maintained by the company.

18 Q So this is kind of like the first page and then you
19 get the records of the phone contacts?

20 A Yes. Generally, it's presented that way.

21 MS. GLATFELTER: Okay. And, Ms. Terry, if we look
22 at 716 B, I believe, which has been admitted, Your Honor?

23 THE COURT: Show it to the jury.

24 Q Okay. Agent Wetzels, 716 B, can you describe that for
25 us?

1 **A** Yes. This would be how we receive them from AT&T.
2 They come multiple pages like this. This one, it says
3 there's 24 pages. But this would be the format that we
4 receive them in when we receive them in the raw format from
5 the provider.

6 **Q** Okay. And if we look at that first page, about four
7 to five lines down, do you see an entry for 1335 for the
8 time, 13:35?

9 **A** Yes, ma'am, I do.

10 **Q** Okay. And do you see right below it another 13:35?

11 **A** Yes, that's correct.

12 **Q** Can you circle those two lines for us so the jury can
13 follow?

14 **A** (Witness writing.)

15 **Q** Okay. And can you generally explain what we're seeing
16 to the jury in relation to the chart that you created?

17 **A** Certainly. So when you're looking at this sort of
18 left to right column-wise, item is just a number that's
19 assigned by the phone company. It's just a numerical order
20 that goes up for the contacts. And then there's a connect
21 date, time, the originating number, the sector originating
22 number, which I'll come back to and explain in a moment, the
23 terminating number, and there's an elapsed time, and then a
24 call code.

25 **Q** So, Agent Wetzel, when you create your chart, this is

1 the data that you're putting on the table that we were
2 looking at before; is that right?

3 MR. GLICKMAN: Objection.

4 THE COURT: Basis?

5 MR. GLICKMAN: Form.

6 MS. GLATFELTER: Your Honor, I was trying to
7 prevent him from going into a hearsay, so --

8 THE COURT: I think the form of the question is
9 sufficient.

10 MR. GLICKMAN: Withdraw the objection.

11 THE COURT: Very well. Overruled. Please proceed.

12 MS. GLATFELTER: Thank you.

13 **Q** Agent Wetzel, is this the information in -- is this an
14 example of the type of information that you included in
15 Government's Exhibit 732, the chart that we were referring
16 to earlier?

17 **A** Yes, it is.

18 **Q** Okay. And can you explain sometimes when we see the
19 entries on your chart for the same time, how that relates to
20 the AT&T records like the example that you've circled here?

21 **A** Yeah. So they provide us this data and then, as you
22 see in the connected date, time, below that it's listed as
23 UTC, and again that's the time conversion that I keep coming
24 back to to explain. So there's a time conversion that we
25 have to do, and then after that, conversion and we make sure

1 that doesn't affect the date because, you know, around
2 midnight that might affect the date, and then after that,
3 that data gets plugged into the chart. Just allows us to
4 more easily tell, you know, what time at Ohio time who is
5 calling whom versus referring back to the raw records.

6 **Q** So if AT&T records have two phone calls on them for
7 the same period of time, 13:35:26 and 13:35:42, did you then
8 include those on your chart?

9 **A** Yes, ma'am.

10 **Q** Okay. And so if we go back to Government's
11 Exhibit 732, and when we see on this first page, for
12 example, if we look down to 3:28 p.m., you see that on the
13 lines 4 and 5?

14 **A** Yes, I do.

15 **Q** Okay. And is that an example of what you were showing
16 us on the AT&T records before?

17 **A** Yes. The records are not altered when they're placed
18 into this chart. We use them as they're provided to us by
19 the provider.

20 **Q** Okay. I just wanted to clarify why jurors might see
21 two phone calls for the same period of time and wonder if
22 that was a typo on your chart or if that's what the records
23 reflected.

24 **A** Yes, ma'am.

25 **Q** Okay. So is that what the records reflected?

1 **A** It is.

2 **Q** Thank you.

3 Okay. Now, we talked about Title III interceptions or
4 wiretaps yesterday. Do you recall that discussion?

5 **A** Yes, ma'am, I do.

6 **Q** And during 2018, did you identify any communications
7 involving Larry Householder discussing his (c) (4)?

8 **A** Yes, ma'am, I did.

9 **Q** Who are those calls with?

10 **A** Mr. Clark.

11 **Q** And have you -- have you reviewed those calls prior to
12 today?

13 **A** Yes, ma'am, I have.

14 **Q** And have you reviewed the transcripts of those calls
15 prior to today?

16 **A** Yes, ma'am, I have.

17 **Q** Do the transcripts accurately reflect those
18 recordings?

19 **A** They do.

20 MS. GLATFELTER: Your Honor, permission to show the
21 witness 271 A, which has not been admitted?

22 THE COURT: Yes.

23 MS. GLATFELTER: I think it's 271 A. There you go.
24 And there's a line sheet and a recording that had the same
25 identifier. There we go.

1 **Q** Agent Wetzel, can you identify Government's 271 A?

2 **A** Yes. This is a printout similar to the one that we
3 looked at yesterday coming from the program that we use for
4 Title III interceptions. It has the same information that
5 we looked at yesterday: Case number, target, associate
6 phone number, start time, end time, duration, those kinds of
7 things.

8 **Q** And this was information collected by the FBI through
9 a computer program?

10 **A** Yes, ma'am.

11 MS. GLATFELTER: Your Honor, at this time, I'd move
12 to admit 271 A, which is this line sheet and also the
13 recording.

14 THE COURT: Any objections?

15 MR. GLICKMAN: No, Judge.

16 MS. GLATFELTER: Permission to --

17 MR. LONG: No, Your Honor.

18 THE COURT: No objections from either defendant.
19 They're admitted.

20 MS. GLATFELTER: All right. Permission to publish
21 this to the jury?

22 THE COURT: Yes.

23 MS. GLATFELTER: Okay. And just one moment.

24 **Q** So, Agent Wetzel, can you describe 271 A that's on the
25 screen for the jury?

1 **A** Yes. The program that we use for Title III
2 interceptions, we looked at one of these yesterday, this is
3 very similar, start time, end time, it has the date, the
4 duration, the parties that are calling. Because we were
5 monitoring Mr. Clark's line, you see at the top underlined
6 that 6703 phone number, that's his phone number and then the
7 associate DM that you see below is the phone number that
8 he's contacting which is the 2500 number that belongs to
9 Mr. Householder that we've been discussing.

10 **Q** Was that the same phone number that we just saw on the
11 subscriber information that you testified about?

12 **A** Yes, ma'am, it was.

13 **Q** Okay. And what's the date of this particular phone
14 call?

15 **A** This happens January 25th, 2018.

16 MS. GLATFELTER: So, Your Honor, at this time I
17 would ask for permission for the jurors to follow along in
18 the transcript binder for this phone call?

19 THE COURT: Yes. The jury may take out their
20 transcript binder and -- what number is it, Ms. Glatfelter?

21 MS. GLATFELTER: Yes?

22 THE COURT: What number is it, to help them get to
23 it?

24 MS. GLATFELTER: 271 B.

25 THE COURT: 271 B, as in boy?

1 MS. GLATFELTER: Yes, Your Honor.

2 THE COURT: Very well. You can look at that
3 transcript only. Don't read ahead. Listen carefully.

4 MS. GLATFELTER: Ms. Terry, if we can go ahead and
5 play the recording. We'll play this one all the way
6 through.

7 (Recording playing.)

8 **Q** All right. Agent Wetzel, I want to ask you a few, a
9 few questions about terms that came up here related to your
10 investigation.

11 So on the first -- on the second page, when
12 Mr. Householder is talking about scrambling for money here
13 by January 31st, based on your investigation and the
14 significant dates of the 2018 election, do you know what
15 January 31st is?

16 **A** Yes. January 31st is a filing deadline, as I
17 mentioned. There are certain deadlines that the State of
18 Ohio lays out for disclosures of money, and so my memory is
19 that that's one of those deadlines.

20 **Q** Okay. And there was a discussion in here about the
21 Figure 12500 and a max-out donation. Is that -- is that
22 something that's used in the context or is that some
23 terminology that's used in the context of campaign accounts?

24 **A** Yeah. So we chatted a little about this yesterday and
25 we were looking at numbers around 12,500 and then they go on

1 in the call to say 12,007, we were looking at some of the
2 accounts yesterday in that amount. As I was explaining,
3 there's a limit that you're allowed to contribute to, you
4 know, a committee, a candidate committee account that's
5 regulated by the Secretary of State's office. It's indexed
6 and so it grows every year by a certain amount, and at this
7 time, it was set at that level.

8 **Q** Okay. And, Agent Wetzel, on page 5, do you see about
9 four or five lines down, a parentheses C parentheses 4?

10 **A** Yes, I do.

11 **Q** Okay. And commonly (c) (4), is that an abbreviation
12 for anything?

13 **A** Yeah. This is how people commonly refer to 501(c) (4),
14 common vernacular, they will call it (c) (4), the (c) (4),
15 that's usually shorthand for a 501(c) (4) terminology.

16 **Q** That's terminology that you've seen in the documents
17 you've been talking about?

18 **A** Yes, ma'am.

19 **Q** All right. Agent Wetzel, did you find another call
20 regarding a (c) (4)?

21 **A** Yes, ma'am, I did.

22 **Q** And did you listen to that recording and review the
23 transcript prior to today?

24 **A** I did.

25 **Q** Oh, you know what, one more question. When we go back

1 to the call we just heard, there was a reference to someone
2 checking a report that appeared on the call, Lippincott?

3 **A** Yes.

4 **Q** Okay. And who is Lippincott?

5 **A** This is Anna Lippincott who we've been discussing
6 previously. She works for JPL & Associates.

7 MS. GLATFELTER: Okay. Now, the call that we are
8 moving to, which is Exhibit 272 A, Your Honor, may I show
9 this exhibit to the witness?

10 THE COURT: Yes.

11 **Q** Agent Wetzel, what is 272 A?

12 **A** This is another one of those automatically generated
13 reports that we've been discussing. It has data about a
14 call, it's a printout essentially that the program that we
15 use to intercept Title III or when we're doing a Title III
16 interception, excuse me, it has start date, end date,
17 duration, who's calling who, what phone numbers, those kinds
18 of things.

19 **Q** Okay. For this particular call, can you tell us the
20 date and the parties to the call?

21 **A** Yes. This particular one is on February 5th, 2018,
22 and it is between Neil Clark and Larry Householder.

23 **Q** Okay. And in terms of the 2018 election cycle, can
24 you relate this call to those dates?

25 **A** Yes. This is before the primary.

1 Q And you've listened to this recording prior to today?

2 A Yes, ma'am, I have.

3 Q And have you reviewed it in conjunction with the
4 transcript?

5 A Yes, ma'am.

6 Q Reviewed it for accuracy?

7 A I have.

8 MS. GLATFELTER: Your Honor, at this time, I'd ask
9 for the admission of 272 A, which is the line sheet on the
10 screen and the recording, and then also ask the jurors be
11 allowed to follow with the transcript binders, which is 272
12 B?

13 THE COURT: Any objection?

14 MR. GLICKMAN: No new objection other than what's
15 on the record.

16 MR. LONG: Same, Your Honor.

17 THE COURT: Very well, very well. Yes. So the
18 jury can look at the transcript, but you need to listen to
19 the recording. Transcript is simply designed to assist you.

20 MS. GLATFELTER: Thank you, Your Honor.

21 Q All right. Agent Wetzel, now that the jury can see
22 the screen, is this the call that you were referring to?

23 A Yes, ma'am, it is.

24 Q Okay. And can you just clarify the date and the
25 parties for us, please?

1 **A** Yes. This is again the intercepted party is Mr. Clark
2 at that 6703 number you see at the top, and then the
3 associate DN, the number that he's communicating with is
4 that 2500 number we've been discussing about
5 Mr. Householder, and it occurs on February 5th, 2018.

6 MS. GLATFELTER: Okay. Ms. Terry, if we can go
7 ahead and start the recording.

8 (Recording playing.)

9 MS. GLATFELTER: Okay. Ms. Terry, if you can go
10 ahead and stop it right there.

11 **Q** Mr. Wetzel, it goes on to talk about some other
12 subjects and people.

13 **A** Yes, ma'am.

14 **Q** Thank you. Now, I want to go back to some of the
15 terminology on the call. On page 2, about four lines down,
16 do you see a name there beside I'm sitting here with?

17 **A** Yes, it's Brooke Bodney.

18 **Q** Okay. And is -- can you remind us who Brooke Bodney
19 is?

20 **A** Yes. We discussed here a bit yesterday. She's a
21 professional fundraiser who was working with
22 Mr. Householder.

23 **Q** Okay. And then on page 3, you see at the very top of
24 the page where it says: They're coming up for -- they're
25 coming up for DeWine, this is a number that is lower than

1 yours. I'm paraphrasing a little bit there.

2 **A** Yes, ma'am, I see that.

3 **Q** Do you know who DeWine is?

4 **A** He is the governor of the State of Ohio.

5 **Q** All right. And then his lower is going to be -- his
6 number is going to be lower than the number for Householder?

7 **A** I believe it's indicating that the number that they're
8 coming up with for DeWine is lower than the one that
9 Mr. Householder had come up with that Mr. Clark was
10 referencing.

11 **Q** Okay. Thank you, Agent Wetzel.

12 MS. GLATFELTER: Your Honor, I'd ask that the
13 transcripts be admitted for those two calls? That would be
14 271 B and 272 B.

15 THE COURT: Any objections for the record?

16 MR. GLICKMAN: No, Judge.

17 MR. LONG: No, Your Honor.

18 THE COURT: Meets the standard for admission. It's
19 admitted.

20 MS. GLATFELTER: Thank you.

21 THE COURT: As I said yesterday, Members of the
22 Jury, transcript is here to help you, but the audio is the
23 evidence. So if you hear any discrepancy between the audio
24 and the transcript, the audio controls. If you can't make
25 out the audio, then, ignore that part of the transcript.

1 The transcript is here to help you.

2 MS. GLATFELTER: Thank you, Your Honor. And we are
3 finished with those calls for the moment and the binders, so
4 we can put the binders away until we get to the next call.

5 THE COURT: Very well.

6 **Q** Now, Agent Wetzel, besides calls involving his (c)(4),
7 did you identify any communications where Householder
8 referenced FirstEnergy during this primary election season?

9 **A** Yes, ma'am, I did.

10 MS. GLATFELTER: Okay. And I misspoke, Your Honor,
11 there's one more call. I'm so sorry.

12 **Q** And who were on these calls?

13 **A** The calls you were just asking about related to
14 FirstEnergy, ma'am?

15 **Q** Yes.

16 **A** These calls were again with the same intercepted
17 parties, Mr. Clark and Mr. Householder.

18 MS. GLATFELTER: And my apologies to the jury and
19 the Court. I realize there was one more call to go, so we
20 will need those transcript binders, but not yet. Let me ask
21 a few questions.

22 THE COURT: Very well.

23 MS. GLATFELTER: Okay. Your Honor, if I may show
24 the witness 273 A, which is a copy of the line sheet, which
25 has not been admitted for this call?

1 THE COURT: Yes.

2 Q Okay. Agent Wetzel, do you see 273 A in front of you?

3 A Yes, ma'am, I do. It's another one of those printouts
4 that the program that we use as a part of the Title III
5 interception prints out. It has the line that is being
6 intercepted, the number that they're connected with, date,
7 time, that sort of information.

8 Q Okay. And the parties to this call?

9 A This is Mr. Clark using that 6703 number that we've
10 been discussing talking to the 2500 number that belongs to
11 Mr. Householder.

12 Q Okay. And have you reviewed the entirety of this call
13 prior to your testimony?

14 A Yes, ma'am, I have.

15 Q And have you reviewed it in conjunction with the
16 transcript?

17 A I have.

18 Q For accuracy?

19 A Yes, ma'am.

20 MS. GLATFELTER: Your Honor, at this time, I'd ask
21 for the admission of 273 A, which is the line sheet on the
22 screen, and the recording?

23 THE COURT: Any objections?

24 MR. GLICKMAN: No new objection, Judge.

25 MR. LONG: No, Your Honor.

1 THE COURT: Both admitted.

2 Q Okay. Now, Agent Wetzel, you had mentioned that this
3 was a call where the subject matter of FirstEnergy came up,
4 right?

5 A Yes, ma'am.

6 Q Okay. And are those sections of this call small in
7 regards to the entire call?

8 A Yes. This call as noted by the duration is about
9 42 minutes in length. The portions that refer to
10 FirstEnergy are smaller than that.

11 MS. GLATFELTER: Okay. So we're going to listen to
12 those portions of the call. Your Honor, at this time, may
13 the jury follow along in the transcript binder? Can I
14 direct them to the correct page?

15 THE COURT: Yes.

16 MS. GLATFELTER: Thank you.

17 THE COURT: 273 B, correct?

18 MS. GLATFELTER: Yes, 273 B, and we're going to
19 start on page 10.

20 THE COURT: Very well.

21 Q All right. Agent Wetzel, before we start playing the
22 recording, let me ask you who is Ty Pine, can you remind us
23 of that?

24 A Yes. He works as a lobbyist for the FirstEnergy
25 Corporation.

1 **Q** Okay. And what about the name Matt Evans, have you
2 seen that in the documents that you've reviewed for this
3 case?

4 **A** Yes, I have.

5 **Q** Okay. And Matt Evans is associated with whom?

6 **A** He is associated with Boich. We spoke about the Boich
7 companies earlier, which is a coal broker that FirstEnergy
8 buys coal from. I don't recall his exact title. I think it
9 may change throughout the period, but a part of his duties
10 are government relations work.

11 MS. GLATFELTER: Okay. Ms. Terry, if we can go
12 ahead and start the first clip, please.

13 (Recording playing.)

14 MS. GLATFELTER: Okay. If you can stop it right
15 there, Ms. Terry.

16 **Q** Was there another section of this call, Agent Wetzel,
17 that talked about FirstEnergy?

18 **A** Yes, ma'am.

19 MS. GLATFELTER: All right. I'd like to direct
20 everyone's attention to page 29 of the transcript near the
21 top.

22 **Q** Okay. And before we start listening to this portion,
23 I want to ask you about a few names. I believe we've talked
24 about Ginni Rgan before?

25 **A** Yes.

1 **Q** And can you remind us briefly who she is?

2 **A** She was the very large and wealthy donor to Cliff
3 Rosenberger who was the Speaker of the House that preceded
4 Mr. Householder.

5 **Q** And what about Bill Lager?

6 **A** He is the founder of the Electronic Classroom of
7 Tomorrow, and he is also a large giver of campaign money.

8 MS. GLATFELTER: Okay. And if we can go ahead and
9 start, Ms. Terry. Thank you, Ms. Terry.

10 **Q** All right. Agent Wetzels, during the course of your
11 investigation, did you later find out that Clark was
12 knowledgeable about Householder's relationship with
13 FirstEnergy?

14 **A** Yes, ma'am, I did.

15 **Q** Okay. Now, for the primary election for 2018, what
16 month was the election in?

17 **A** I believe it was in May.

18 **Q** Okay. And yesterday when we were looking at the
19 FirstEnergy payments into the Generation Now account, I
20 think the last one we reviewed was in 2017; is that right?

21 **A** December, if I recall correctly.

22 MS. GLATFELTER: Okay. Your Honor, may we publish
23 again which has been admitted Exhibit 15?

24 THE COURT: Yes.

25 **Q** Agent Wetzels, do you see Government's Exhibit No. 15

1 on your screen?

2 **A** Yes, ma'am.

3 **Q** All right. And do you see any deposits from
4 FirstEnergy that occurred in during the primary season?

5 **A** That's a bit of a tricky question to answer, ma'am.
6 They're directly from the FirstEnergy Service Company, no.
7 There are no deposits into the Generation Now account.
8 Although, I would note that there are several from Partners
9 For Progress, Incorporated.

10 **Q** Partners For Progress, so they had deposits into
11 the -- into the Generation Now account?

12 **A** Yes, ma'am.

13 **Q** And did you investigate what Partners For Progress is?

14 **A** Yes, ma'am, I did.

15 **Q** I think we talked about that briefly last week before
16 the recess.

17 Did you investigate who funded the Partners For
18 Progress account?

19 **A** Yes, ma'am, I did. The FirstEnergy Corporation placed
20 money into Partners For Progress, Incorporated. There's
21 another 501(c)(4). And also throughout the investigation,
22 there were e-mails and other items that indicate that
23 FirstEnergy was directing how that money was sent out of the
24 Partners For Progress account.

25 **Q** Okay. So I want to look at those bank records that

1 allow you -- that allow us to figure that out. But if we
2 can look at this chart for a moment, do you see two payments
3 from Partners For Progress in during the primary season?

4 **A** Yes, ma'am, I do.

5 **Q** Okay. And can you go through the information related
6 to those payments that's on the screen?

7 **A** Certainly. So on March 15th, 2018, there is a
8 \$300,000 transfer. Would you like me to circle them?

9 **Q** Sure.

10 **A** (Witness writing.) Sorry. To continue, so on
11 March 20th, 2018, there's a \$300,000 wire transfer from
12 Partners For Progress out of their account that ends in
13 5348. And all of these are payments into that Generation
14 Now bank account that we've been talking about, the 3310.
15 And then later, on May 4th, there's a \$100,000 wire from the
16 Partners For Progress, Incorporated 5348 account into that
17 Generation Now bank account.

18 **Q** Okay. Now, there's an asterisk next to the account
19 number for Partners For Progress; do you see that?

20 **A** Yes, ma'am.

21 **Q** And what does that correspond to?

22 **A** That just indicates when we were creating this chart
23 that the source of those funds originally were derived from
24 the FirstEnergy Service Company at that 6496 account that
25 the other transfers we were talking about yesterday came

1 from. Essentially, the money just moved out of that account
2 into the Partners For Progress account and then from there
3 went to the Generation Now account.

4 **Q** All right. So let's take a look at those records.

5 MS. GLATFELTER: Your Honor, may we publish to the
6 jury Exhibit 59, which has been admitted?

7 THE COURT: Yes.

8 **Q** All right. Did you obtain records from the bank
9 associated with the FirstEnergy service account?

10 **A** Yes, ma'am.

11 MS. GLATFELTER: Okay. And if we can see the
12 exhibit number at the top, Ms. Terry. Okay. Exhibit 59 and
13 you can just leave it there, it's all right.

14 **Q** Do you recognize what these are?

15 **A** Yes. This is the business signature card. As we've
16 discussed when we've been looking at these, the signature
17 card is sort of like the creation document that the bank
18 keeps, and so it lists signatories, titles, those kinds of
19 things, and also the name of the account and so on.

20 **Q** Okay. And the name of this account?

21 **A** FirstEnergy Service Company is the customer name
22 that's listed.

23 **Q** Thank you.

24 MS. GLATFELTER: And, Ms. Terry, if we go to
25 page 2, and if we can zoom in at the top there.

1 Q Okay. Agent Wetzel, can you describe the top of this
2 document for us?

3 A Yeah. So at the top, it lists the FirstEnergy Service
4 Company, and then the account title, which is also
5 FirstEnergy Service Co., and then there's a Tax ID Number
6 there, that's the EIN number that I was mentioning earlier.
7 You know, businesses don't have Social Security Numbers, so
8 they need a separate number to open a bank account.

9 And then below that there are account numbers. The
10 beginning of them are blacked out, but the last ones that
11 are listed are 6496, 6364 and 2477. And then also there's a
12 telephone number listed and a date.

13 Q And, Agent Wetzel, have we redacted the beginning
14 digits of the accounts that are still active?

15 A Yes, ma'am.

16 Q Okay. And so these are still active accounts, so
17 we're only seeing the last four digits?

18 A Indeed.

19 Q Okay. Now, the account that we were talking about on
20 Exhibit 15, which showed all of the deposits into the
21 generation account, do you see that same account number on
22 this page?

23 A I do. It's the 6496 that's listed.

24 Q All right. And if you can circle that for us, please.

25 A (Witness writing.)

1 **Q** Now, Agent Wetzel, as part of your investigation, did
2 you obtain wire transfer information related to transactions
3 out of this 6496 account?

4 **A** Yes, ma'am, I did.

5 MS. GLATFELTER: Okay. Your Honor, if we may
6 publish Exhibit 60, which has been admitted into evidence?

7 THE COURT: Yes.

8 MS. GLATFELTER: All right. If we can enlarge the
9 top of that document, Ms. Terry.

10 **Q** Okay. Agent Wetzel, do you -- sorry. Can you
11 identify Exhibit 60 for us?

12 **A** Yeah. These are some of the wire transfers. Again,
13 we've looked at these. They come in a few different
14 formats. The banks provide them in whatever format that
15 they keep them in and we kind of have to synthesize the
16 information. They're all a bit different.

17 And then, so here we have, you know, a date range, and
18 then also transaction number, search string, which is
19 listing account numbers, payment date, transaction date, the
20 amount, and then some information about the parties in
21 question. For example, the debit party address, FirstEnergy
22 Service Co. is listed on the first line. Remember, the
23 debit is where the money is coming out of and then the
24 credit party is the one that's receiving the money.

25 **Q** Okay. So let's focus on the first row there, which I

1 believe is No. 7; do you see that?

2 **A** I do.

3 **Q** All right. And let's go ahead and circle that row for
4 us.

5 **A** (Witness writing.)

6 **Q** It's a little bit difficult to read. Okay. Agent
7 Wetzel, do you see the amount of the transaction listed in
8 the circled portion?

9 **A** Yes, ma'am, I do. It's under transaction amount,
10 which is the column listed as F.

11 **Q** Okay. And what is the amount of that transaction?

12 **A** It's \$5 million.

13 **Q** Okay. And where did the \$5 million come from?

14 **A** That's the 6496 account that's listed as the debit ID
15 to the right.

16 MS. GLATFELTER: Okay. Ms. Terry, and if we can go
17 to the second page. Okay. And if we can enlarge the top of
18 the screen.

19 **Q** And, Agent Wetzel, staying with that row that's No. 7,
20 can you circle that for us?

21 **A** (Witness writing.)

22 **Q** Agent Wetzel, yesterday when we were looking at wire
23 transactions, you noted sort of the length of the document.
24 Is that similar to this one?

25 **A** Yes. These are usually given to us as an Excel

1 spreadsheet and so they are very wide, and so here you see
2 we're in the same row, Row 7, that we were just examining,
3 we're just farther off to the right, but it takes up several
4 pages if you want to get it onto a piece of paper.

5 **Q** So the prior page told us it was \$5 million coming out
6 of the FirstEnergy account. What does that page tell us?

7 **A** This tells us the credit party, and so it's the bank
8 that it is being credited to, and then also the name of that
9 account.

10 **Q** Okay. And what account is being credited with the
11 \$5 million?

12 **A** It is a PNC Bank account in the name of Partners For
13 Progress, Incorporated.

14 **Q** And upon receiving these records, did you try to
15 obtain information about the Partners For Progress account?

16 **A** Yes, ma'am, I did.

17 **Q** And did you -- were you able to obtain those records?

18 **A** Yes, ma'am.

19 MS. GLATFELTER: Your Honor, if we may publish
20 Exhibit 73, which is introduced -- I'm sorry, admitted into
21 evidence?

22 THE COURT: Yes.

23 MS. GLATFELTER: Ms. Terry, if we can pull up the
24 first page and enlarge the top.

25 **Q** All right. Agent Wetzel, can you identify Exhibit 73

1 for us?

2 **A** Yes. This is another signature card. You can see
3 it's formatted a little differently, but the same
4 information is present. This is the one for the Partners
5 For Progress, Incorporated bank account with the PNC Bank.

6 **Q** Okay. And what was the date that the account was
7 opened; do you see that?

8 **A** I do. It's February 7, 2017.

9 **Q** And the name of the account?

10 **A** The account title is Partners For Progress,
11 Incorporated.

12 MS. GLATFELTER: Okay. And if we zoom back out of
13 that, Ms. Terry.

14 **Q** Do you see a signatory on the account?

15 **A** Yes. The listed signatory is a Michael Van Buren,
16 whose title is Treasurer.

17 **Q** All right. And can you circle that on the page for
18 us?

19 **A** (Witness writing.)

20 **Q** All right. We'll talk about Mr. Van Buren a little
21 bit later.

22 MS. GLATFELTER: If we can go to page 2 of this
23 document.

24 **Q** Agent Wetzel, can you identify the type of document
25 that this is?

1 **A** Yes. So this is a statement. I guess, you know,
2 probably once upon a time everybody got these in paper form.
3 Now a lot of people do banking online. But the bank still
4 preserves them in this form and so when we get bank records,
5 we usually get a signature card and then we get generally a
6 PDF of all of what would have been the paper statements.
7 And so this is a statement for the Partners For Progress
8 account. At the top you can see the billing period, which
9 is in February of 2017, and then there's, you know, balance
10 information, deposits, withdrawals, those kinds of things
11 listed below.

12 **Q** Okay. And do you see any type of deposits into this
13 account for the month it was opened?

14 **A** Yes. So in this month, there is a fund transferred in
15 and it is listed as one item in the amount of \$5 million.

16 **Q** All right. Is that the same amount of the FirstEnergy
17 account documents that we just saw?

18 **A** Yes, ma'am, it is.

19 MS. GLATFELTER: Okay. And, Ms. Terry, I'm going
20 to ask us to scroll to page 25, because I want Agent Wetzel
21 to be able to see the statements as we go. Okay. Next
22 month, if you can stop there for a minute.

23 **Q** Agent Wetzel, I'd like you to watch for any other
24 deposits into the account as we go.

25 **A** Yes, ma'am.

1 MS. GLATFELTER: And we're going to stop on
2 page 25, which is March. Okay. If we can continue. Thank
3 you, Ms. Terry.

4 **Q** Were there any other deposits in this bank account
5 besides interest?

6 **A** I did not see any other than the interest payments
7 that you just referenced.

8 **Q** Okay. And if we scroll to the second page or next
9 page of the statement, and the following page.

10 MS. GLATFELTER: Okay. Now, let's go back to
11 Exhibit 15.

12 **Q** We're back where we started for the March 15th, 2018,
13 transaction, right?

14 **A** I beg your pardon, sorry?

15 **Q** We're back where we started with the March 15th
16 transaction?

17 **A** Yes, I see it there, March 15, 2018, 300 wire transfer
18 from Partners For Progress, Inc.

19 **Q** Okay. And are those the steps that you had to go
20 through to trace the transactions?

21 **A** Yes. Each time that we sort of find another layer of
22 this money, we then have to issue another subpoena, wait for
23 it to return, and then we're kind of building out our
24 understanding of the network of accounts that are sharing
25 money.

1 **Q** Okay. And so the purpose of that exercise we wanted
2 to go through and find out where the money and the Partners
3 For Progress account had come from?

4 **A** Yes, that's correct.

5 MS. GLATFELTER: Okay. Now I'd like to look at
6 where the money in the Partners For Progress account went,
7 okay? So this time I want to look at the Generation Now
8 account records and ask, Your Honor, may we please publish
9 14 C, which has been admitted?

10 THE COURT: Yes.

11 **Q** Okay. The type of document that we're looking at
12 in -- I'm sorry, in Exhibit 14 C?

13 **A** So this is a statement. The previous ones we were
14 looking at were from PNC, this one is from Fifth Third Bank,
15 which is where Generation Now is located. This is that 3310
16 account, it's listed next to the summary that we've been
17 discussing. Again, this is just a statement page that lists
18 beginning balance, deposits, credits, those kinds of things.

19 **Q** Okay. And so the month on this statement is -- or the
20 month for this statement is what?

21 **A** This is February of 2017.

22 **Q** Is that when the account was opened?

23 **A** Yes, ma'am.

24 MS. GLATFELTER: Okay. Ms. Terry, if we can go to
25 page 27.

1 **Q** All right. And at the top of this, do you see what
2 date or what month that this statement is for?

3 **A** Yes. In the top right corner, it indicates that this
4 is for March of 2018.

5 MS. GLATFELTER: And, Ms. Terry, if we go to page 2
6 of this statement, which is page 28.

7 **Q** Do you see a portion of the statement that identifies
8 what the balance is on the account?

9 **A** Yes. There's a daily balance summary at the bottom of
10 the sheet there, and it essentially says, on a given day,
11 how much is in the account, and it lists six different days
12 throughout the month.

13 **Q** Okay. Now, the wire occurred, you said, on
14 March 15th?

15 **A** That's correct.

16 **Q** Okay. And do you see that depicted at the top of
17 this?

18 **A** I do. Under deposits and credits on March 15th in the
19 amount of \$300,000 is an incoming wire transfer.

20 **Q** Okay. And do you see what the balance was on the
21 account before that wire transfer came in?

22 **A** The balance listed on the account prior to that was
23 \$8,515.99.

24 **Q** Can you circle that for us, please?

25 **A** (Witness writing.)

1 **Q** And this was for the Generation Now account?

2 **A** Correct.

3 **Q** Now, did you find any communications between
4 Mr. Householder or Mr. Longstreth and FirstEnergy executives
5 during this time period?

6 **A** Yes, ma'am, I did.

7 MS. GLATFELTER: Your Honor, permission to publish
8 Exhibit 734, which has been admitted?

9 THE COURT: Yes.

10 MS. GLATFELTER: Thank you. And, Ms. Terry, I
11 apologize, but can we keep the prior exhibit up, which was
12 page 28 of 14 C? Okay. And I believe if we go to page 2,
13 yes, at the bottom of page 2, and then we'll have to go to
14 page 3 as well, but we'll start with page 2.

15 **Q** All right. Do you see a phone contact for a date that
16 correlates when the balance of the account was \$8,515?

17 **A** Yes. The bottom line indicates that there was a
18 contact between Larry Householder and Michael Dowling on
19 that day, which was the 12th.

20 MS. GLATFELTER: Okay. And, Ms. Terry, if we go to
21 the next page.

22 **Q** All right. And do you see any other contacts that
23 day?

24 **A** Yes. There are two additional contacts. There is one
25 where Michael Dowling contacts Larry Householder for

1 3 minutes, and then another one that lasts 9 seconds.

2 **Q** All right. And in addition to these phone contacts,
3 when the balance was near \$8,000, did you find any e-mail
4 correspondence around that time?

5 **A** Yes, ma'am, I did.

6 MS. GLATFELTER: Your Honor, permission to publish
7 Exhibit 274 A, which has been admitted?

8 THE COURT: Yes.

9 **Q** Now, Agent Wetzel, can you identify this document for
10 us?

11 **A** There is an e-mail that we received from FirstEnergy
12 pursuant to the subpoena. It is from Anna Lippincott, who
13 we were just discussing in the context of the call we were
14 hearing. She works for JPL & Associates for Jeff
15 Longstreth, and it is an e-mail from her to Michael Dowling,
16 who is the executive vice president we've been talking about
17 at the FirstEnergy Corporation.

18 **Q** What's the date of this e-mail?

19 **A** This is the 13th of March.

20 **Q** How does that relate to the calls that we were just
21 looking at?

22 **A** It's the day after.

23 **Q** Okay. And is it before or after the deposit into
24 Generation Now from Partners For Progress?

25 **A** Just before.

1 **Q** All right. Could you read the content of the e-mail
2 for us?

3 **A** Mike, I hope all is well. Please find the attached
4 information for Generation Now, Inc., including the
5 following: W9, wiring instructions, mail address for
6 checks. If you need further information or instructions,
7 please give Jeff Longstreth or me a call. We can also
8 connect you with our attorney, Eric Lycan, if needed. Thank
9 you in advance for your support. Very respectfully yours,
10 Anna, followed by her signature block.

11 MS. GLATFELTER: Thank you, Your Honor. Your
12 Honor, I think you mentioned you wanted to break at 10:40.

13 THE COURT: Yes, thank you. Members of the Jury,
14 we're going to take our mid-morning break. And as always,
15 during the break do not discuss the case with anyone,
16 including among yourselves. No independent research. Keep
17 an open mind. No reading or listening to or watching any
18 news reports of the trial. Don't check Google, Facebook,
19 Twitter, et cetera. Take a break. We'll come get you I
20 hope at 11. Out of respect for you, we'll rise as you
21 leave.

22 THE DEPUTY: All rise for the jury.

23 (Jury exited the courtroom at 10:39 a.m.)

24 THE COURT: Jury has left the room. The door is
25 closing. You may be seated. As always, we'll wait for the

1 jury to clear this floor, and then we'll take our break
2 until 11.

3 (Pause.)

4 THE DEPUTY: All clear, Judge.

5 THE COURT: All right. We're breaking until 11.

6 THE DEPUTY: All rise. This court is in recess
7 until 11.

8 (Recess taken from 10:40 a.m. to 11:00 a.m.)

9 THE DEPUTY: All rise. This court is back in
10 session pursuant to the recess.

11 THE COURT: Thank you. Please be seated. Back in
12 the open courtroom, 11:00. Are we ready for the jury from
13 the government's perspective?

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

15 THE COURT: Mr. Householder?

16 MR. GLICKMAN: Yes, Judge.

17 MR. SCHNEIDER: Yes.

18 THE COURT: Thank you. Let's call for the jury,
19 please.

20 (Pause.)

21 THE DEPUTY: All rise for the jury.

22 (Jury entered the courtroom at 11:02 a.m.)

23 THE COURT: Jurors can be seated as they join us.
24 You may all be seated. Thank you. All 15 Members of the
25 Jury are back in the courtroom. Welcome back. You had a

1 break. We will proceed with the witness, who remains under
2 oath. Ms. Glatfelter.

3 MS. GLATFELTER: Thank you, Your Honor. Your
4 Honor, permission to publish Exhibit 15, which is in
5 evidence?

6 THE COURT: Yes.

7 **Q** All right. Before the break, Agent Wetzel, we were
8 talking about the March 15th, 2018, transaction for \$3,000;
9 do you see that?

10 **A** I do, yes.

11 **Q** Okay. And was there another transaction before the
12 primary election?

13 **A** Yes, ma'am. There was another one, it's listed there
14 as May 4th, 2018, in the amount of \$100,000.

15 **Q** Okay. What did you say the date was?

16 **A** May 4, 2018.

17 MS. GLATFELTER: Your Honor, if we may publish what
18 has been admitted as 14 C?

19 THE COURT: Yes.

20 MS. GLATFELTER: Ms. Terry, page 31.

21 **Q** Okay. And we've looked at these records this morning,
22 but can you refresh us as to what these pertain to, Agent
23 Wetzel?

24 **A** Yes. These are the bank account statements we were
25 talking about earlier. These are the ones from Fifth Third

1 Bank that relate to Generation Now. You can see in the top
2 left of the page the logo of the bank and then also the
3 account below. And then in the top right is listed the
4 statement period. This is from May 1st, 2018 through May
5 31st of 2018.

6 **Q** And if we -- what month is this for, Agent Wetzel?

7 **A** Its the month of May in 2018.

8 MS. GLATFELTER: Okay. I think actually if we go
9 to the next page, Ms. Terry. There we go.

10 **Q** Okay. And on page 2 of the statement, do you see --
11 do you see a deposit amount that's consistent with the
12 May 4th, \$100,000 deposit we were talking about before?

13 **A** Yes, ma'am. In the second section on the page, under
14 deposits and credits, on May 4th, there is listed in the
15 amount of \$100,000 an incoming wire transfer.

16 **Q** Okay. And have you corresponded these records or have
17 you compared these records with the wire transfer records
18 we've been looking at this morning too?

19 **A** Yes, ma'am. When we receive a subpoena from a bank,
20 we receive the statements that we've been kind of looking at
21 here, but also they will provide us if we request them the
22 items as well. Sometimes those are copies of old checks or
23 things like that, but that correspond to something in a
24 statement, and then also those large Excel spreadsheets
25 we've been looking at, those are how they usually keep the

1 wires, and they provide those in the subpoena, if we request
2 them.

3 MS. GLATFELTER: Okay. And so if we look at the
4 wire transactions, Your Honor, permission to publish 14 E,
5 which has been admitted?

6 THE COURT: Yes.

7 **Q** And if we look at line 38 at the bottom there, Agent
8 Wetzels, do you see that?

9 **A** Yes, ma'am, I do.

10 **Q** Okay. And can you tell us how that corresponds to the
11 statement that we were just viewing?

12 **A** Yeah. So this is the item, as I was mentioning, and
13 it lists a date in the far left column, the transaction date
14 as May 4th, 2018, and then it lists an amount, which is the
15 \$100,000 that you see in the fourth column. And then you
16 have the debit, which is the PNC National Bank. And then if
17 you kind of slide from there to the right, you see a
18 Partners For Progress, Inc., which is the organization from
19 which the money was debited.

20 MS. GLATFELTER: Okay. And, Ms. Terry, I think if
21 we go to page 3, we'll see the rest of this transaction.

22 **Q** Okay. And do you see a continuation of line 38 on
23 this page?

24 **A** Yes. And again like we were talking about before,
25 these are really wide, so you kind of have to print out a

1 couple of pages to get the full spreadsheet, but in 38
2 continuing, we see that the under credit name is Generation
3 Now, Inc., and then to the left of that is the account
4 number, the 3310 account that we've been discussing.

5 **Q** All right. And so by comparing all of the data on
6 line 38 across the pages with the statement, you're able to
7 see the full extent of that transaction?

8 **A** Yes, ma'am.

9 MS. GLATFELTER: Ms. Terry, if we return to 14 C,
10 which we were just viewing, page 32. Okay. Thank you.

11 **Q** Now, Agent Wetzel, at the bottom of page 2 of this
12 statement, which is page 32 of the exhibit, do you see the
13 daily balance summaries of the account?

14 **A** Yes. Those are the last of the sections on the page.

15 **Q** Okay. So what was the date of the wire into
16 Generation Now from Partners For Progress?

17 **A** It was May 4th.

18 **Q** Okay. And do you see a balance for the account before
19 that date?

20 **A** Yes. It was \$80,222.79.

21 **Q** And can you circle that for us?

22 **A** (Witness writing.)

23 MS. GLATFELTER: Now, Ms. Terry, I'd ask you to
24 keep this on the screen. Your Honor, if we may publish
25 what's been admitted as Exhibit 734?

1 THE COURT: Yes.

2 MS. GLATFELTER: Thank you. Page 3, Ms. Terry.

3 Q Agent Wetzel, we've been looking at phone call records
4 this morning as well. Did you obtain phone records for this
5 period of time?

6 A Yes, ma'am, I did.

7 MS. GLATFELTER: And, Ms. Terry, if we go to
8 page 3.

9 Q Were you able to find phone contact that corresponded
10 to the date of this wire transaction?

11 A Yes, ma'am. It's sort of in the middle of the page
12 there, on the 4th of May, there is a contact between Jeff
13 Longstreth and Michael Doweling.

14 Q Okay. And can you circle that for us?

15 A (Witness writing.)

16 MS. GLATFELTER: And if we can go back to
17 Exhibit 15, Your Honor, which we've published this morning?

18 THE COURT: Yes.

19 Q Agent Wetzel, and are those the records that
20 correspond to the May 4th deposit that we're looking to on
21 the screen?

22 A Yes, ma'am. We use those records we received to
23 create this chart.

24 Q Okay. And so can you explain to us the account
25 reference there under the May 4th transaction for Partners

1 For Progress? We talked about it a little, we talked about
2 it with the \$300,000, but I want to make sure we're complete
3 with the \$100,000 as well.

4 **A** Sure. So this chart is reflecting a payment to the
5 Generation Now bank account ending in 3310, the source of
6 those funds, the direct transfer source, I guess I should
7 say, is that 5348 account that belongs to Partners For
8 Progress. But it has an asterisk which connects to the
9 bottom of the page, which, again, indicates that the funds
10 that Partners For Progress used were derived from the
11 FirstEnergy Service Co. Account 4696 in that large
12 \$5 million transaction that we discussed before the break.

13 **Q** Thank you, Agent Wetzel.

14 I'd like to pivot to a different subject for a few
15 minutes. Have you heard of an organization called the
16 Growth and Opportunity PAC?

17 **A** Yes, ma'am, I have.

18 **Q** And as part of your examination, did you examine FEC
19 report for -- from Growth and Opportunity PAC for the 2018
20 primaries?

21 **A** Yes, ma'am, I did.

22 MS. GLATFELTER: Your Honor, may we publish
23 Exhibit 301 B, which has been admitted?

24 THE COURT: Yes.

25 MS. GLATFELTER: Okay. Ms. Terry, and if you can

1 enlarge the first half of this document.

2 **Q** Okay. Agent Wetzel, can you describe what Exhibit 301
3 B is?

4 **A** Yeah. So this is a form that is filed to the FEC,
5 which is the Federal Elections Commission. Now, I've been
6 mentioning earlier about forms that are required to be filed
7 with the Ohio Secretary of State, for example, in connection
8 with the candidate committee account in Ohio. Depending
9 upon the entity, that entity may have to file with different
10 entities. Some of them file with the Ohio Secretary of
11 State, which does that function for the State of Ohio, and
12 others are governed by the Federal Election Commission, and
13 that's what you see in the top left with FEC. And so this
14 is a required form that this particular entity listed as the
15 Growth and Opportunity PAC, Inc., had to file on a regular
16 basis with the Federal Election Commission.

17 **Q** You mentioned the Federal Election Commission. Is
18 there an acronym for the Federal Election Commission?

19 **A** Yes. It's FEC.

20 **Q** And do you see that on this page?

21 **A** I do. It's in the top left corner.

22 **Q** Okay. Can you circle that for us, please?

23 **A** (Witness writing.)

24 **Q** All right. Agent Wetzel, as part of your job, do you
25 periodically review these types of forms on the FEC website?

1 **A** Yes, ma'am, I do.

2 **Q** Okay. And on the right-hand side, do you see a date
3 at the top?

4 **A** Yes, I do.

5 **Q** And what is the date there?

6 **A** The date listed there is July 15, 2018.

7 **Q** And from reviewing these documents, do you know what
8 date -- what's the significance of that date?

9 **A** Yes. So and actually that section is a little cut
10 off, but in that Section No. 4 under type of report, there's
11 a listing of what type of report that particular form is.
12 This one you can see the X to the left of the July 15th,
13 that's a quarterly report that this entity is required to
14 file. The kinds of reports and how regular they have to
15 file and so on are laid out in the law, either Ohio revised
16 code for the Ohio Secretary of State or, you know,
17 Congressional laws for the Federal Election Commission. And
18 so this is just the July 15th quarterly report.

19 **Q** Okay. So it was filed -- does that date at the top,
20 is that like a date stamp of when the document is filed?

21 **A** I believe so.

22 **Q** Okay. And is this a publicly available document that
23 people can view on the FEC website?

24 **A** Yes. If you go to the FEC's website, you can review
25 these documents. They're made publicly available.

1 **Q** Okay. Now, the date is July 15th, 2018. How does
2 that date relate to the primary election?

3 **A** That is after the primary election, but before the
4 general election.

5 **Q** Okay. So if someone wanted to find out information
6 about the Growth and Opportunity PAC during the primary
7 election, would they have to wait until July 15th, 2018, to
8 see what happened during that time period?

9 **A** Yes, ma'am.

10 MS. GLATFELTER: Okay. So if we go to page --
11 well, we can stop there for a moment.

12 **Q** How did you identify the Growth and Opportunity PAC as
13 an entity relevant to your investigation?

14 **A** I believe there were a number of ways that we found
15 this to be relevant. You see Mr. Lycan's name listed on the
16 bottom and he's someone that we've encountered before in
17 some of the documents that we've been reviewing.

18 **Q** Agent Wetzel, if I can ask you about the Generation
19 Now records, bank records, for example.

20 **A** Certainly. So also there are funds that flow from
21 Generation Now to the Growth and Opportunity PAC,
22 Incorporated.

23 **Q** And did you obtain bank records for Growth and
24 Opportunity PAC?

25 **A** Yes, ma'am, I did.

1 **Q** Based on what you were seeing in the Generation Now
2 bank account?

3 **A** Yes. And also as you see at the top, it also says,
4 reports of receipts and disbursements, so this particular
5 variety of entity also reports publicly where it is getting
6 money from and to where it is sending its money. And so it
7 appears there as well.

8 **Q** All right. Now, you got the bank records for Growth
9 and Opportunity PAC; is that right?

10 **A** Yes, ma'am.

11 **Q** What bank does Growth and Opportunity PAC use as its
12 banker?

13 **A** It's a Forcht Bank.

14 **Q** Where is the Forcht Bank located?

15 **A** Kentucky.

16 **Q** And did you see transfers in the Growth and
17 Opportunity PAC records during the primary season of 2018,
18 were those transfers from Generation Now?

19 **A** Yes, ma'am.

20 MS. GLATFELTER: All right. If we can show the
21 witness, Your Honor, Exhibit 300, which is not yet in
22 evidence?

23 THE COURT: Yes.

24 **Q** Agent Wetzel, what is Exhibit 300?

25 **A** This is a depiction of the flow of money that we

1 created to assist in kind of seeing how money was flowing in
2 this time period through the Growth and Opportunity PAC.

3 **Q** And did you create this document based on your review
4 of the Growth and Opportunity bank records for 2018?

5 **A** Yes, among other sources, yes.

6 **Q** Okay. And have you reviewed it for accuracy?

7 **A** I have.

8 MS. GLATFELTER: Your Honor, at this time, I would
9 ask to admit and publish Government's Exhibit 300?

10 THE COURT: Any objections?

11 MR. GLICKMAN: No, Judge.

12 MR. LONG: No, Your Honor.

13 THE COURT: It's admitted. You may show it.

14 **Q** Okay. Agent Wetzel, can you please describe this
15 chart to the jury?

16 **A** Yeah. So we see that the Generation Now is
17 transferring into the Growth and Opportunity PAC that
18 1,000,050 amount that's depicted in the center, and then
19 from there, it spends the money in several ways. Crossroads
20 Media, Storytellers Group, LLC, which is one of those
21 Strategy Group company -- no, I'm sorry, I misspoke, I
22 apologize. It is not. So the Storytellers Group,
23 Crossroads Media, and then there is also Dinsmore & Shohl,
24 which is a law firm, and there are some other miscellaneous
25 expenses as well.

1 **Q** Okay. And how did you create this document?

2 **A** We reviewed the bank records for multiple of these
3 entities in order to understand the full flow of money
4 through the different accounts.

5 **Q** Okay. Now, let's take a look at some of these bank
6 records that correspond to this chart. So Growth and
7 Opportunity PAC, that's listed in the middle of the chart?

8 **A** Yes, ma'am.

9 **Q** Okay. And are those the bank records from Forcht Bank
10 in Kentucky that you've been talking about?

11 **A** Yes, they are.

12 MS. GLATFELTER: Your Honor, may we please publish
13 Exhibit 92, which has been admitted?

14 THE COURT: Yes.

15 MS. GLATFELTER: Okay. And if we go to page 5, I
16 believe. Yes. Thank you.

17 **Q** Agent Wetzel, can you describe what Government's
18 Exhibit 92 is?

19 **A** Yes. This is an account maintenance form. This was
20 provided to us as a part of the subpoena to Forcht bank. It
21 came along with the signature card. Again as I've
22 mentioned, they're similar but they're different for every
23 bank. So this particular one is just a form that was used
24 for a change of address, is what it indicates. And it talks
25 about the primary owner of the account as the growth and

1 opportunity PAC, and then it also lists below the account.

2 MS. GLATFELTER: Okay. And, Ms. Terry, if we go
3 back to the first page of the exhibit. All right.

4 **Q** Do you see on these bank records information about the
5 signatories or the signers on the account?

6 **A** Yes. There are two listed, Darren Embry and David
7 Eric Lycan.

8 **Q** Okay. Is Mr. Householder listed as a signer on this
9 account?

10 **A** No, ma'am.

11 **Q** What about Jeff Longstreth?

12 **A** No, ma'am.

13 **Q** Did you obtain any evidence, though, linking Jeff
14 Longstreth to the -- to this account?

15 **A** Yes, ma'am, I did.

16 MS. GLATFELTER: Your Honor, if we may publish
17 Exhibit 93, which has been admitted?

18 THE COURT: Yes.

19 **Q** Okay. And can you explain what Government's Exhibit
20 No. 93 is?

21 **A** Yes. This is -- we've seen similar forms being
22 e-mailed in some of the e-mails we were examining. This is
23 a solicitation form for the Growth and Opportunity PAC, and
24 so it's a form that someone would need to fill out if we
25 wished to contribute money.

1 MS. GLATFELTER: Okay. And, Your Honor, may we
2 also publish at the same time, Exhibit 94, which has been
3 admitted?

4 THE COURT: Yes.

5 Q Okay. Agent Wetzel, 94, can you describe what that
6 is?

7 A This is the same thing. Throughout the investigation,
8 we found a couple of different iterations of the form over
9 time.

10 Q Okay. And where did you obtain these documents from?

11 A These were from Jeff Longstreth, I believe from his
12 iCloud account.

13 Q All right. And can you circle on the documents where
14 you see the part linking Jeff Longstreth to the entities?

15 A Yeah. So on the documents to the left, he is listed
16 as the contact along with that Gmail account that we've been
17 discussing and his cell phone number. (Witness writing.)

18 Q And that's the same cell phone number that you've --
19 that we've been looking at the phone records for in the
20 investigation?

21 A Yes, ma'am, the one that ends in 1107.

22 Q Okay.

23 A And then to the right under contact, Mr. Longstreth is
24 listed again along with that same Gmail and phone number.
25 (Witness writing.)

1 Q And is that the Gmail address that you've been
2 referring to throughout your testimony as a source of
3 documents?

4 A Yes, ma'am.

5 Q Okay. Now, you mentioned wires from Generation Now or
6 transactions from Generation Now. Did you review bank
7 records associated with these financial transactions?

8 A Yes, ma'am, I did.

9 Q And what did you find generally with respect to
10 Generation Now?

11 A Would you please repeat the question?

12 Q Sure. Did you review the transactions that you had
13 referred to --

14 MS. GLATFELTER: If we go back to your chart, 300.
15 Okay, there we go.

16 Q And what did you -- I was just asking you for a
17 general description of what you found when you reviewed the
18 Generation Now bank records.

19 A Yeah. So they make a series of transactions where
20 they send money to the growth and opportunity PAC, and from
21 there the money passes out to some of the entities that are
22 listed to the right in green.

23 Q And were you able to review those transactions in both
24 the Generation Now bank records and the growth and
25 opportunity bank records?

1 **A** Yes, as well as the FEC reports.

2 MS. GLATFELTER: Okay. And so let's take a look at
3 the Growth and Opportunity bank records. If we return to,
4 Your Honor, if we may return to publish Exhibit 92, which
5 we've done this morning?

6 THE COURT: Yes, yes.

7 MS. GLATFELTER: Thank you. If we look at page 36,
8 Ms. Terry. Thank you.

9 **Q** And, Agent Wetzel, if you can orient us as to the type
10 of document that we're reviewing currently?

11 **A** This is another bank statement. You see in the top
12 left, it is a Forcht Bank bank statement. They're all
13 similar, though, a little bit different. Below the Forcht
14 Bank logo is the Growth and Opportunity PAC, I think. And
15 then the two gentlemen that were listed as signatories along
16 with an address, and then it's listed as a small business
17 works account ending in 0567, which is a corporation
18 account, and then below that are some ingoing and outgoing
19 transactions.

20 **Q** Now, Agent Wetzel, we've been looking at Fifth Third
21 Bank records this morning also. Do these differ in where
22 they list -- do the Forcht bank records differ in how they
23 list or where they list certain information?

24 **A** Yes. Every bank does this a little differently. When
25 we were examining some of the other records they will have,

1 you know, sections for incoming and then outgoing below, and
2 in this case, they're commingled, every bank does it a
3 little bit differently.

4 **Q** Okay. So is there an area on the statements from
5 Forcht bank that identify the balance in the accounts at the
6 time?

7 **A** There is. At the top, actually the first line is the
8 balance last statement, which is the balance at the end of
9 the last statement, and it's listed as \$2,703.20.

10 **Q** Okay. Can you circle that to show us where that is on
11 the page?

12 **A** (Witness writing.)

13 **Q** Okay. And I think your line goes through my next
14 question. So that's where it shows the balance?

15 **A** Yes, ma'am.

16 **Q** Okay. And it was what?

17 **A** \$2,703.20.

18 **Q** Okay. And do you see any transactions related to
19 Generation Now listed on this account?

20 **A** Yes. There's an incoming wire to -- excuse me, from
21 Generation Now, Inc., Fifth Third, in the amount of \$250,000
22 dated April 2nd, 2018. And then that brings the running
23 balance up that you see on the far right.

24 **Q** A few days later?

25 **A** Yes, that's correct.

1 **Q** Okay. So let's talk about what happens after the wire
2 transfer from Generation Now.

3 Do you see any outgoing wires listed on this bank
4 statement?

5 **A** Yes. After that, there's an outgoing wire in the
6 amount of \$187,475.67, and then, again, we see the account
7 balance on the far right column drop down to \$65,177.53.

8 **Q** Okay. And can you circle that transaction so we can
9 see where you are on the page?

10 **A** (Witness writing.)

11 **Q** Thank you, Agent Wetzel.

12 **A** This bank lists everything sort of in chronological
13 order. Some of the others do it by sections.

14 **Q** All right. Agent Wetzel, if we return to the exhibit
15 we were just examining, 300, is Storytellers one of the
16 entities that you identified on your chart?

17 **A** It is.

18 **Q** Okay. And so was this one of the transactions that
19 totals the 632,000 there at the bottom of the screen?

20 **A** Yes, ma'am, it is.

21 **Q** Now, when you were looking at the Growth and
22 Opportunity bank records, did you also try to obtain records
23 related to Storytellers?

24 **A** Yes, I did.

25 MS. GLATFELTER: If we may please publish

1 Exhibit 304 A, which has been admitted, Your Honor?

2 THE COURT: Yes.

3 Q Agent Wetzel, can you identify 304 A for us, please?

4 A Yes. We're back with Chase Bank now, and it's another
5 signature card. You see the account title in the top left,
6 Storytellers Group, LLC, and then it's listed in Chicago,
7 Illinois. And then the printed name of the signatories are
8 Chip Englander and Christopher Schrimpf.

9 Q Now, did we look at some different documents from this
10 same account yesterday?

11 A We did.

12 Q Okay. And those were in relation to JPL transactions?

13 A Indeed.

14 Q Okay. And today we're looking at this in regards to
15 what?

16 A The Growth and Opportunity PAC transfers.

17 MS. GLATFELTER: Okay. So if we go to page 4,
18 Ms. Terry. Thank you, Ms. Terry.

19 Q Agent Wetzel, can you identify the type of document
20 we're looking at?

21 A Yes. This is one of the statements for the
22 Storytellers Group. This particular one -- this particular
23 one, excuse me, runs from March 31st, 2018 through
24 April 30th, 2018.

25 Q Okay. And how does this document relate to the

1 \$187,000 wire transfer we saw in the Forcht bank records?

2 **A** So this is one of the ones I mentioned before that's
3 set up in sections. So it breaks out deposits versus
4 summary versus other information, and if you look under
5 deposits and additions, a few lines down on the 3rd, there
6 is a credit from Forcht bank for the benefit of the Growth
7 and Opportunity PAC in the \$187,475.67 amount.

8 **Q** Okay. Agent Wetzel, go ahead and circle that on the
9 page so we can see that.

10 **A** (Witness writing.)

11 **Q** All right. Agent Wetzel, during your investigation,
12 did you also obtain business records from Storytellers for
13 this time period?

14 **A** Yes, ma'am, I did.

15 MS. GLATFELTER: Your Honor, permission to publish
16 Exhibit 305 B, which has been admitted?

17 THE COURT: Yes.

18 **Q** Agent Wetzel, is this one of the documents that you
19 obtained related to Growth and Opportunity PAC and
20 Storytellers?

21 **A** Yes, it is.

22 **Q** Are these similar, a similar type of document that we
23 saw yesterday but that was for a different entity?

24 **A** Yes. This is another invoice. This one is just
25 invoiced to the Growth and Opportunity PAC where you see the

1 2 at the top and then there's a date listed and then the
2 location to where they would like the money sent.

3 **Q** Okay. And can you read the different columns that are
4 in the invoice?

5 **A** Yes. So the far left column is District, and then
6 next to it is Mail Cost, and then next to that is Mail Data
7 Cost, and then next to that is Polling Cost. And then there
8 is a Total column, and a total for the invoice at the
9 bottom.

10 **Q** Okay. And that column on the left, District, what, if
11 anything, of significance are the House Districts located in
12 that column?

13 **A** Yeah. So these are again HD, House District, and then
14 a number, and they correspond with districts that Team
15 Householder was running in and look at.

16 MS. GLATFELTER: Your Honor, permission to publish
17 Exhibit 305 A, which has been admitted?

18 THE COURT: Yes.

19 **Q** Agent Wetzal, do you recognize this document?

20 **A** I do.

21 **Q** What is it?

22 **A** This is a document that was provided to us by
23 Storytellers. This relates to the Growth and Opportunity
24 PAC and the work that they're doing for the Growth and
25 Opportunity PAC. There's a series of columns that relate to

1 districts, incumbent and so on and some of the services, and
2 then there's a total that's being billed for those services.

3 MS. GLATFELTER: And, Ms. Terry, if we could
4 enlarge the top half of the document for us.

5 **Q** Okay. Agent Wetzel, do you recognize the House
6 Districts and -- well, let me ask you this, do you recognize
7 the House Districts on the left hand column?

8 **A** I do, yes.

9 **Q** And how do that -- how does that relate to the primary
10 election we've been talking about?

11 **A** They're all ones that are of interest to Team
12 Householder and in many of them there are Team Householder
13 candidates running.

14 **Q** Okay. And in that particular chart for Growth and
15 Opportunity PAC, does it list a column of supported
16 candidates?

17 **A** It does, and opposing candidates.

18 **Q** Okay. And do you recognize the names in the supported
19 candidates column?

20 **A** Yes. They're some of the Team Householder candidates
21 we've been discussing.

22 **Q** And is there a grand total column on the far right?

23 **A** Yes. There's a series of columns that have a cost and
24 then to the right of them is a grand total column for all of
25 the services provided, and then a total listed at the bottom

1 for all the districts.

2 **Q** What's the total?

3 **A** \$1,332,086.

4 MS. GLATFELTER: Okay. And, Your Honor, if we may
5 publish 305 C, which has been admitted?

6 THE COURT: Yes.

7 MS. GLATFELTER: And if we may enlarge that. Yes,
8 thank you, Ms. Terry.

9 **Q** Okay. Is this another document that you received from
10 Storytellers?

11 **A** Yes.

12 **Q** Okay. And can you describe briefly the columns at the
13 top?

14 **A** Sure. I can't see the title. I believe it's a
15 polling tracker, and then we have the different columns at
16 the top are just the different HD or House Districts, and
17 then along the rows, we sort of see what was tested through
18 the polling.

19 **Q** And how do these House District numbers relate to what
20 we've been talking about today?

21 **A** They're Team Householder supported races, I guess.

22 **Q** Now, in the invoice we looked at a few minutes ago
23 from a Storytellers, there was a reference to mail; do you
24 remember that?

25 **A** Yes, there is.

1 Q All right. And did you obtain any mailings from the
2 business records of Storytellers?

3 A I did.

4 MS. GLATFELTER: All right. If we may go to
5 Exhibit 305 D, Your Honor, which has been admitted?

6 THE COURT: Yes.

7 Q Okay. Do you recognize this document?

8 A Yes, ma'am, I do.

9 Q Okay. And what is it?

10 A This is an attack ad against Beth Ellis.

11 MS. GLATFELTER: Okay. And if we scroll through
12 those, Ms. Terry, so he can see the rest of the pages.

13 Q Okay. Do you recognize the name Beth Ellis?

14 A Yes, ma'am, I do. She was running against a Team
15 Householder candidate.

16 MS. GLATFELTER: Your Honor, permission to publish
17 207 at the same time, which has been admitted into evidence?

18 THE COURT: Yes.

19 Q All right. Do you see Beth Ellis' name on this chart?

20 A Yes, I do. She's the primary opponent of Shane Wilkin
21 in the 91st House District.

22 Q Okay. And can you circle where that is on the chart
23 for us?

24 A (Witness writing.)

25 Q Thank you.

1 MS. GLATFELTER: And, Ms. Terry, can we go to the
2 last page of 305 D? And are you able to enlarge that one
3 just a little bit at the top?

4 MS. TERRY: Right here?

5 MS. GLATFELTER: Yes. Thank you.

6 **Q** Agent Wetzel, what does this ad say at the bottom of
7 it in terms of who it's paid for?

8 **A** So this is listed as a return address at the top the
9 Growth and Opportunity PAC, Inc. And then: Paid for by the
10 Growth and Opportunity PAC, Inc.,
11 www.growthandopportunitypac.org. That's the disclaimer.
12 Political advertising requires a disclaimer; there must be
13 one.

14 **Q** Okay. And this one says it's paid for by the Growth
15 and Opportunity PAC?

16 **A** Yes, ma'am.

17 MS. GLATFELTER: Okay. If we go back to
18 Exhibit 300, which we looked at a few minutes ago.

19 **Q** And what was the -- if you can, tell us the route of
20 the money that went to the Storytellers' account to pay for
21 these ads?

22 **A** Certainly. So Generation Now sent funds to the Growth
23 and Opportunity PAC, which then sent money to Storytellers
24 Group that created the mail pieces that you just saw.

25 **Q** Now, you mentioned earlier that there were several

1 wires totaling over \$1 million to Growth and Opportunity
2 PAC?

3 **A** Yes, ma'am.

4 **Q** And if we go back to the bank records for Forcht bank
5 that we were just looking at, Exhibit No. 92, which was
6 page 36. Okay. I believe this is the page that we were
7 looking at before. To orient ourselves, do you see that
8 first transaction from Generation Now at the top?

9 **A** Yes, ma'am, I do.

10 **Q** Okay. Can you circle the amount of that one?

11 **A** (Witness writing.)

12 **Q** Okay. And do you see a second transaction from
13 Generation Now listed on this page?

14 **A** (Witness writing.)

15 MS. GLATFELTER: All right. And if we go to the
16 next page. All right.

17 **Q** Do you see additional transactions related to
18 Crossroads Media?

19 **A** Yes, I do.

20 **Q** Okay. Where is that on the page?

21 **A** Would you like me to circle it?

22 **Q** Yes.

23 **A** (Witness writing.)

24 **Q** Okay. And is this an incoming or an outgoing wire?

25 **A** It's an outgoing wire transfer to Crossroads Media.

1 Q Okay. And if we go back to -- so before we do that,
2 though, the amount of this wire transaction is what?

3 A Of this particular transaction to Crossroads Media is
4 \$65,000.

5 Q Okay. I want you to remember \$65,000 because we're
6 going to trace that through the bank accounts in a minute.

7 MS. GLATFELTER: If we can go back to page 1 -- not
8 page 1, but the previous page of this.

9 Q Agent Wetzel, was there any other money coming into
10 this account other than the Generation Now wire transfers?

11 A It does not appear so.

12 Q Looks like there's a wire fee of \$25, right?

13 A I think that would be an outgoing, though, ma'am. I
14 think they pay the wire fee because they're --

15 Q You're right, that was my mistake. So the only ones
16 on here are for Generation Now?

17 A There's -- yes. There's the incoming wires and I
18 believe that's it.

19 Q Okay. And the account balance was what when we
20 started this month?

21 A \$2,703.20.

22 Q All right. So we saw some transactions that went to
23 Storytellers and you just circled one on the previous page
24 for Crossroads Media. And what was the amount of that one?

25 A It was \$65,000.

1 **Q** All right. Did you obtain bank records for Crossroads
2 Media?

3 **A** Yes, ma'am.

4 MS. GLATFELTER: Your Honor, permission to publish
5 302 A, which has been admitted?

6 THE COURT: Yes.

7 **Q** All right. Agent Wetzel, what is 302 A?

8 **A** This is another signature card. This one is for
9 Crossroads Media, LLC, it has the owner signatories on the
10 left, and then also institution name, address, and so on.

11 MS. GLATFELTER: Okay. And, Your Honor, permission
12 to publish -- I'm sorry.

13 **Q** And who is this bank account for?

14 **A** This is for Crossroads Media, LLC.

15 MS. GLATFELTER: Your Honor, permission to publish
16 302 B, which has been admitted?

17 THE COURT: Yes.

18 **Q** Okay. Agent Wetzel, can you identify Government's
19 Exhibit 302 B?

20 **A** Yes. This is the statements that go along with the
21 Crossroads account that we were just discussing.

22 MS. GLATFELTER: All right. And, Ms. Terry, if we
23 can go to page 4.

24 **Q** All right. Agent Wetzel, if we look down towards the
25 bottom of the page under April 26th, do you see a

1 transaction for the same amount that was an outgoing wire
2 from the Forcht bank account?

3 **A** Yes, ma'am. Listed on April 26th is a wire transfer
4 in the amount of \$65,000.

5 **Q** Okay. And did you investigate the \$65,000?

6 **A** Yes, I did.

7 **Q** As an example. Okay.

8 MS. GLATFELTER: Your Honor, permission to publish
9 Exhibit 303 E, which has been admitted?

10 THE COURT: Yes.

11 **Q** Okay. And did you obtain records from Crossroads
12 Media?

13 **A** Yes. This is one of the records that was provided by
14 Crossroads Media.

15 **Q** Okay. And can you tell us what the title of the
16 document is?

17 **A** Yes. This is the Ohio State legislative cash summary
18 primary 2018, and I believe there are -- there may be
19 another page or two.

20 **Q** Okay.

21 **A** I can't recall.

22 **Q** We'll get to the other pages in a moment or the other
23 exhibits.

24 Do you see on the left a list of or a column that
25 starts with radio OH 72?

1 **A** Yes. So there's a column on the left that is radio OH
2 and then a number and these again correspond with Ohio House
3 districts that are Team Householder races.

4 MS. GLATFELTER: Okay. And, Your Honor, if we may
5 publish 303 G, which has been admitted? I'm sorry.

6 THE COURT: Yes.

7 MS. GLATFELTER: And, Ms. Terry, if we can scroll
8 through the seven pages and then I'll ask Agent Wetzel some
9 questions.

10 **Q** Okay. Agent Wetzel, do you recognize this document?

11 **A** I do, yes. This is another document that we received
12 from Crossroads Media.

13 **Q** Okay. And what's the title of this document?

14 **A** This particular document is titled Growth and
15 Opportunity PAC reconciliation 2018.

16 **Q** Okay. So this one -- this one relates to the Growth
17 and Opportunity PAC?

18 **A** Yes, it does.

19 **Q** Okay. Do you see Mr. Householder's name on this
20 document?

21 **A** Yes. There is a listing for cash received from
22 Householder in the amount of \$290,275.

23 **Q** Okay. And can you circle that for us, please?

24 **A** (Witness writing.)

25 **Q** Now, did you receive some records specifically about

1 House District 72 from Crossroads Media?

2 **A** Yes, ma'am.

3 MS. GLATFELTER: Your Honor, if we may publish 303
4 F, which has been admitted?

5 THE COURT: Yes.

6 **Q** Agent Wetzel, do you recognize this as one of the
7 documents you received?

8 **A** Yes.

9 **Q** Okay. And can you describe this for the jury?

10 **A** Yeah. So this is a Growth and Opportunity PAC Ohio
11 72, which is the district and there's a date 4/24 through
12 5/8 of 2018. And then as we saw before, excuse me, they
13 were corresponding to radio. And so in the left-most column
14 you have a date range, and then there are listings of FM and
15 AM radio stations, and then some of the expenses that go
16 with that.

17 **Q** Okay. And at the top of the document, do you see a
18 title?

19 **A** Yes. It's Growth and Opportunity PAC, Ohio, 72, 4.24
20 through 5.8.18.

21 **Q** And Ohio House District 72 is whose district?

22 **A** That is Larry Householder's House District.

23 **Q** Okay. Did you receive some invoices from Crossroads
24 Media related to TV as opposed to this one being for radio?

25 **A** Yes, ma'am.

1 MS. GLATFELTER: Okay. If we may show the
2 witness -- I'm sorry, publish Exhibit 303 B, which has been
3 admitted?

4 THE COURT: Yes.

5 Q Okay. And here's the \$65,000 I wanted to ask you
6 about. Can you tell us what this document is, Agent Wetzel?

7 A Yes. This is an invoice from Crossroads Media related
8 to the Growth and Opportunity PAC. And specifically under
9 description, it lists OH 72 with a date range, and then for
10 Columbus TV in the amount of \$65,000.

11 Q And Ohio House District 72 is Mr. Householder's
12 district?

13 A Yes, ma'am.

14 Q And does the date correspond close in time of this
15 invoice to the wire transaction from Growth and Opportunity
16 PAC to Crossroads Media?

17 A It does.

18 Q Now, you said you had found some items related to
19 radio as well.

20 MS. GLATFELTER: Your Honor, could we publish 303
21 A, which has already been admitted?

22 THE COURT: Yes.

23 Q Agent Wetzel, do you recognize this document?

24 A I do. It's another invoice from Crossroads Media.

25 Q Okay. And who is the invoice addressed to?

1 **A** It is to Greener & Hook, Growth and Opportunity PAC.

2 **Q** And do you see House Districts listed underneath under
3 the description?

4 **A** Under description, there is OH 72, OH 50, OH 61, 83,
5 84, and 98 along with dates, and then to the right of that
6 is sort of a listing of the radio, Columbus radio, Akron
7 radio, Canton radio, and so on.

8 MS. GLATFELTER: And, Your Honor, if we may
9 publish -- well, let me ask a question about this first.

10 **Q** As part of the records that you received from
11 Crossroads Media, did you receive copies of ads that they
12 ran?

13 **A** Yes, ma'am, I did.

14 **Q** Including radio ads?

15 **A** That's correct.

16 MS. GLATFELTER: Your Honor, may we publish 303 D,
17 which has been admitted into evidence?

18 THE COURT: Yes.

19 MS. GLATFELTER: Yes, I'm sorry.

20 (Recording playing.)

21 **Q** Agent Wetzl, who paid for that ad or who did it say
22 paid for that add?

23 **A** The Growth and Opportunity PAC.

24 MS. GLATFELTER: Your Honor, if we can publish
25 Exhibit 300, which has been admitted today?

1 THE COURT: Yes.

2 Q Okay. Remind us what the flow of money was to
3 Crossroads Media.

4 A So the money passed from Generation Now to the Growth
5 and Opportunity PAC, but then paid the money to Crossroads
6 money to fund those advertisements.

7 Q And, Agent Wetzel, during your investigation, did you
8 obtain any communications specifically about the ad that we
9 just heard?

10 A Yes, ma'am.

11 MS. GLATFELTER: Your Honor, may we publish
12 Exhibit 306 A, which has been admitted into evidence?

13 THE COURT: Yes.

14 Q All right. Agent Wetzel, can you identify 306 A for
15 us?

16 A Yes. This is an e-mail that was in Ms. Fitzmartin's
17 possession. It is titled Calvary HD 72, Growth and
18 Opportunity PAC. It is an e-mail from Scott Schweitzer with
19 the Strategy Group company to Rex Elsass, Larry Householder,
20 Jeff Longstreth, Megan Fitzmartin, and Anna Lippincott with
21 a cc of Terry Casey.

22 Q Okay. And what's the attachment?

23 A The attachment is OH 72 radio.

24 Q Okay. And is there a message attached or is there a
25 message with this e-mail?

1 **A** Yes. And I should say the attachment is a dot wave
2 file, which is an audio file.

3 **Q** Of the radio ad?

4 **A** Correct.

5 **Q** Okay.

6 **A** And the e-mail says: Calvary has arrived. New radio
7 spot attached, hitting back. Below that: Growth and
8 Opportunity PAC, anti Black, purchase radio for 4.23 through
9 5.1, status complete. And then it lists radio platforms and
10 the amount of money.

11 **Q** And what was the spend?

12 **A** \$38,000.

13 **Q** For the week between 4/23 and 5/1?

14 **A** Yes, ma'am.

15 **Q** Now, do you recognize the name "Black"?

16 **A** I do.

17 **Q** Okay. And how does that relate to House District 72?

18 **A** He is a -- he is the primary candidate running against
19 Mr. Householder for the 72nd District.

20 **Q** Is that one of the names included on your chart?

21 **A** It was, yes, Kevin Black.

22 **Q** Okay. Did you receive any other communications
23 regarding this particular ad?

24 **A** Yes, ma'am.

25 MS. GLATFELTER: If we may publish 306 B, which has

1 been admitted, Your Honor?

2 THE COURT: Yes.

3 **Q** All right. Agent Wetzel, can you identify 306 B?

4 **A** Yes. This is another e-mail in Ms. Fitzmartin's
5 possession. It is a reply to the e-mail we just saw from
6 Mr. Householder.

7 **Q** And what is the subject line of the e-mail?

8 **A** Calvary, re: HD 72, Growth and Opportunity PAC.

9 **Q** And you said it's from whom?

10 **A** Larry Householder.

11 **Q** Okay. And who is it to?

12 **A** It is replying to Scott Schweitzer, who sent the
13 e-mail we just said, and it has a cc of Rex Elsass, Jeff
14 Longstreth, Megan Fitzmartin, Anna Lippincott, and Terry
15 Casey.

16 **Q** And the date of this e-mail?

17 **A** This is the 24th of April, 2018.

18 **Q** Now, the e-mail that we just reviewed in the previous
19 exhibit, do you see that at the bottom of this exhibit?

20 **A** Yes, I do. It's from the same day.

21 **Q** Okay. And does Mr. Householder's e-mail to the group
22 say anything?

23 **A** Yes. F troop.

24 **Q** Okay. Do you have -- did you find any communications
25 or documents tracking the spending of Growth and Opportunity

1 PAC related to this investigation?

2 **A** Yes, ma'am.

3 MS. GLATFELTER: Your Honor, permission to publish
4 Exhibit 306 D, which is admitted into evidence?

5 THE COURT: Yes.

6 **Q** Agent Wetzel, can you identify this document for the
7 jury?

8 **A** Yes. This is an e-mail titled: OH State House Races,
9 Competitive Update, 4.23. And it is from Scott Schweitzer
10 with the Strategy Group Company to Jeff Longstreth and Megan
11 Fitzmartin.

12 MS. GLATFELTER: Okay. And, Ms. Terry, if we can
13 scroll through the pages, I see there are a number of pages
14 to this exhibit. Okay. And if we can stop on this example,
15 page 11.

16 **Q** Agent Wetzel, is Government's Exhibit 306 D a group of
17 e-mails, of similar e-mails?

18 **A** Yes. These are e-mails that are -- become sent over a
19 period of days, and they all talk about the spend and
20 certain Ohio House Districts.

21 MS. GLATFELTER: Okay. Ms. Terry, if we can go to
22 the next page of this exhibit.

23 **Q** Okay. And let's stop here for a second. And what is
24 being e-mailed to Jeff Longstreth and Megan Fitzmartin in
25 the attachment here that we see?

1 **A** So here we see a breakout of individual districts, so
2 for example, taking the one at the top, it's House District
3 6, and then there is an advertiser, which is who's buying
4 essentially the ad, and then there is a listing of
5 broadcast, cable, radio, and then a total amount spent by
6 each of those advertisers.

7 **Q** Okay. And if we look down to House District 72, do
8 you see that?

9 **A** Yes, ma'am, I do.

10 **Q** Can you circle that on the screen, that box?

11 **A** (Witness writing.)

12 **Q** Okay. And in terms of tracking expenditures, is
13 Growth and Opportunity PAC listed on here?

14 **A** It is.

15 **Q** Okay. What about Larry Householder?

16 **A** Yes, he is as well.

17 **Q** Is that his official campaign account?

18 **A** It does correspond with that, yes.

19 **Q** Okay. Thank you.

20 MS. GLATFELTER: Can we continue to the end,
21 Ms. Terry?

22 **Q** Agent Wetzel, so these were the e-mails that you
23 received tracking the different spending of the entities?

24 **A** Yes, that's correct.

25 **Q** Now, we've talked quite a bit about primary elections

1 yesterday and today, but I don't think I've asked you
2 directly, Mr. Householder was running in a primary, right?

3 **A** Yes, that's correct. He was running against Mr. Kevin
4 Black.

5 MS. GLATFELTER: Okay. And if we may publish
6 again, Your Honor, 207, which has been admitted?

7 THE COURT: Yes.

8 **Q** If we go down on the chart you created 272, is this
9 what you were referencing before in terms of who
10 Mr. Householder's opponent is?

11 **A** Yes. You'll see next to House District 72 there's the
12 Team Householder candidate is Mr. Householder, and then to
13 the right of that is the primary opponent, which is Kevin
14 Black.

15 **Q** Now, did you find any communications or documents
16 about the status of his primary race during your
17 investigation?

18 **A** Yes, ma'am.

19 **Q** Did you recover any documents from his phone regarding
20 the status of his race from then?

21 **A** Yes. There was -- there was a document in particular
22 on his device that was talking about the status of his
23 primary.

24 MS. GLATFELTER: Okay. And if we can publish, Your
25 Honor, Exhibit 265, which is in evidence?

1 THE COURT: Yes.

2 Q Okay. Agent Wetzel, can you identify Government's
3 Exhibit 265?

4 A Yeah. So this is a list of slides essentially, pages,
5 that were created by the Strategy Group company talking
6 about the Ohio House District 72, and there is a primary
7 voter survey with a date range listed, and as I mentioned
8 before, this was found on Mr. Householder's phone.

9 Q All right. So House District 72 is his district,
10 correct?

11 A Correct.

12 MS. GLATFELTER: Ms. Terry, if we can scroll to the
13 end of these slides, if we could just look through them
14 quickly. And if we can go back to page 8, please.

15 Q Agent Wetzel, is this one of the pages in the
16 PowerPoint or slides that you were referring to?

17 A Yes, ma'am.

18 Q Okay. And, Agent Wetzel, can you read to us what's on
19 this slide?

20 A Yes. HD 72 horse race. If the 2018 Republican
21 primary election for state representative in Ohio House
22 District 72 were held today and the candidates were Larry
23 Householder and Kevin Black, for whom would you vote? And
24 then there is a pie chart below depicting in blue the
25 percentages for Householder, the percentages in orange for

1 Kevin Black, and the percentages in gray that were unsure.

2 **Q** Okay. And what are those percentages?

3 **A** Mr. Householder has 35 percent, Kevin Black has
4 34 percent, and unsure is 31 percent.

5 **Q** Now, Agent Wetzel, have you ever heard of an entity
6 called Hardworking Americans?

7 **A** Yes, ma'am, I have.

8 **Q** Okay. And briefly, what is Hardworking Americans?

9 **A** This is another PAC.

10 **Q** Okay. And what, if any, connection did Hardworking
11 Americans have to your investigation of the primary --
12 regarding the spending in the primary election?

13 **A** Hardworking Americans spent against Kevin Black using
14 money passed through a series of entities originating with
15 FirstEnergy.

16 **Q** All right. So for this particular part of your
17 investigation, did you have to trace sort of backwards to
18 figure out where the money came from?

19 **A** Yes. Quite a bit of the investigation works in
20 reverse. You know, we find Generation Now and we work
21 backwards. In this case we're working backwards towards the
22 source of the funds from the advertisements.

23 **Q** Okay. And were you able to make that link with
24 documents that you received from various public -- I'm
25 sorry, business records from FirstEnergy coupled with some

1 publicly available records?

2 **A** Yes, had to kind of cobble it together from multiple
3 sources. That's correct.

4 **Q** All right. Let's start with the Hardworking Americans
5 ad that you were referencing.

6 MS. GLATFELTER: Your Honor, can we have permission
7 to publish 311, which has been introduced -- or admitted
8 into evidence?

9 THE COURT: Yes.

10 (Recording playing.)

11 **Q** Now, were you able to find an FEC report related to
12 Hardworking Americans?

13 **A** Yes.

14 **Q** Okay. And if we -- well, let me ask you, first, where
15 did you find this ad?

16 **A** This advertisement I believe was provided to us as a
17 part of one of the subpoenas to -- I believe it was -- I'm
18 sorry, I don't know that I recall where we originally
19 located this ad. I think it -- I think originally might
20 have actually seen it on television. I know that later we
21 located a copy of it on the Strategy Group's Vimeo web page,
22 and so Vimeo is kind of like YouTube, you can post videos on
23 there. So the Strategy Group company had a copy of this ad
24 posted publicly available online. I don't recall precisely
25 where I first saw it.

1 **Q** That's what I was asking you for. So you found this
2 on the Strategy Group Vimeo website, right?

3 **A** Correct.

4 **Q** All right. Is Strategy Group, can you explain the
5 relationship between Strategy Group and New Day Media based
6 on the records that you reviewed?

7 **A** Yes. So they share an address, and also the staff of
8 New Day Media use the similar TSGCO e-mail accounts that
9 we've been seeing.

10 **Q** Scott Schweitzer, for example, works at the Strategy
11 Group but also works at New Day Media?

12 **A** That's correct. There are a number of employees that
13 it appears are shared between the two entities.

14 **Q** Okay. I just wanted to understand that context or
15 have the jury understand that context as we move through the
16 records.

17 MS. GLATFELTER: So let's look at the FEC report,
18 Your Honor, which -- may we publish that to the jury, it's
19 been admitted as 283?

20 **Q** Agent Wetzel, is this similar to the other FEC report
21 that you were talking about earlier today?

22 **A** Yes. So we see again there's an FEC form. This one
23 is for Hardworking Americans committee. These are publicly
24 available on the Federal Elections Commission website. This
25 is another quarterly report.

1 **Q** All right. And does this report contain receipts and
2 disbursements?

3 **A** It does.

4 MS. GLATFELTER: Okay. If we can look at page 6.
5 All right. And, Ms. Terry, if you can enlarge the first
6 part of that document.

7 **Q** All right. Agent Wetzel, can you describe what we're
8 looking at here?

9 **A** Yeah. So this page is the Schedule A, which is
10 itemized receipts, essentially, where are they getting money
11 from. And then here listed first is Citizens For Working
12 America in the amount of \$535,000 with a date of receipt
13 listed as April 25th, 2018.

14 **Q** All right. And did you try to find records relating
15 to Citizens For Working America after seeing this document?

16 **A** Yes, ma'am, I tried.

17 **Q** Okay. You tried. Were you able to find any?

18 **A** Eventually, I was able to locate a 990 for them, I
19 believe.

20 MS. GLATFELTER: All right. Permission to publish
21 Exhibit 282, Your Honor, which has been admitted?

22 THE COURT: Yes.

23 MS. GLATFELTER: And if we could enlarge the top of
24 this document. Thank you.

25 **Q** Agent Wetzel, what is government's -- Government's

1 Exhibit 282?

2 **A** So this is an IRS Form 990 that I was mentioning.
3 These are not filed with the Federal Election Commission.
4 These are the Internal Revenue Service forms. You can see
5 that in the top left under the 990, essentially, under
6 section, as it says at the top, 501(c) of the Internal
7 Revenue Code.

8 **Q** Agent Wetzel, I just wanted -- so this is a basic 990
9 form, right?

10 **A** Yes, that's correct.

11 **Q** And the name of the organization that is associated
12 with this 990 form is?

13 **A** This one is associated with One Ohio United, Inc.

14 **Q** Okay. And was that the document that you were
15 referring to earlier, not the 990 for hard working -- for
16 Citizens For Hardworking America, I believe it was?

17 **A** Yeah. So this is a different document. This is a 990
18 for One Ohio United. This is another 501(c)(4)
19 organization.

20 MS. GLATFELTER: Okay. And if we go to page 19 of
21 this 990. Your Honor, I know we were going to break at
22 12:10, but it seems like our battery power is low. Would it
23 be okay to break now so we can continue to show the
24 exhibits?

25 THE COURT: Yes.

1 MS. GLATFELTER: Thank you.

2 THE COURT: We've reached our lunch break, Members
3 of the Jury. We're going to break now and come back at
4 1:15. During the break, do not discuss the case even among
5 yourselves with anybody. No independent research. No
6 watching or reviewing any outside sources. And remember
7 that it's particularly important to continue to keep an open
8 mind until you've heard all of the evidence. During your
9 lunch break, take a break. Out of respect for you, we'll
10 rise as you leave.

11 THE DEPUTY: All rise for the jury.

12 (Jury left the courtroom at 12:05 p.m.)

13 THE COURT: Jury has left the room, door is
14 closing. We'll be seated waiting for them to clear the
15 floor and then we'll break for lunch until 1:15 -- 1:20
16 actually.

17 MR. SCHNEIDER: Judge, if you have a hearing, are
18 we okay to leave our stuff?

19 THE COURT: Yeah, it's on the phone. Thank you for
20 asking, though.

21 All right. We're in recess until 1:20. Thank you.

22 THE DEPUTY: All rise. This court is in recess
23 until 1:20.

24 (Recess taken from 12:06 p.m. to 1:19 p.m.)

25 THE DEPUTY: All rise. This court is in session

1 pursuant to the recess.

2 THE COURT: Thank you. Please be seated. Back in
3 the open courtroom on the record. Government team is here.
4 Householder team is here. Borges team is here. Ready for
5 the jury from the government's perspective?

6 MS. GLATFELTER: Yes, Your Honor.

7 THE COURT: Mr. Householder's perspective?

8 MR. GLICKMAN: Yes, Judge.

9 THE COURT: And Mr. Borges'?

10 MR. SCHNEIDER: Yes.

11 THE COURT: All right. Let's call for the jury.

12 (Pause.)

13 THE DEPUTY: All rise for the jury.

14 (Jury entered the courtroom at 1:25 p.m.)

15 THE COURT: Jurors may be seated as they join us,
16 the court reporter as well. You may all be seated. Thank
17 you. 15 Members of the Jury have rejoined us, good
18 afternoon.

19 We're going to continue with the taking of testimony.
20 The witness, same witness, is on the stand under oath. Ms.
21 Glatfelter, you may proceed.

22 MS. GLATFELTER: Thank you, Your Honor.

23 THE COURT: Very well.

24 MS. GLATFELTER: Good afternoon, Agent Wetzel.

25 THE WITNESS: Good afternoon.

1 **Q** Now, to reorient ourselves to where we were before the
2 lunch break, we were talking about an organization called
3 Hardworking Americans; do you remember that?

4 **A** I do, yes, ma'am.

5 **Q** Okay. And we had watched an ad regarding Hardworking
6 Americans, right?

7 **A** That's correct.

8 **Q** My understanding from talking to my co-counsel is that
9 we didn't see all the way to the end of the ad to see the
10 disclaimer, so I want to play that again for you right now
11 and ask you a few questions about that?

12 **A** Understood.

13 MS. GLATFELTER: Your Honor, if we may publish 311,
14 which has already been admitted?

15 THE COURT: Yes. (Recording playing.)

16 MS. GLATFELTER: Thank you. If you can pause it
17 right there for us.

18 **Q** All right. And who is this ad paid for by according
19 to the ad?

20 **A** According to the ad, it's paid for by Hardworking
21 Americans committee.

22 **Q** Now, you mentioned that you had looked at the FEC
23 report regarding Hardworking Americans; is that right?

24 **A** Yes, ma'am.

25 MS. GLATFELTER: Okay. Your Honor, if we could

1 publish 283, which has been admitted?

2 THE COURT: Yes.

3 Q Agent Wetzel, what is Government's Exhibit 283?

4 A This is an FEC form. We looked at a few of these this
5 morning. This is a report of receipts and disbursements.
6 Under No. 4, the type of report, it lists which report it
7 is. This one is a quarterly report and it's listed as under
8 No. 1 for name of committee as the Hardworking Americans
9 committee.

10 Q Okay. And up in the top right corner, do you see a
11 date?

12 A I do.

13 Q Okay. And can you circle that for us?

14 A (Witness writing.)

15 Q What's the date of the report filing?

16 A September 26th, 2018.

17 Q Okay. Now, Kevin Black was an opponent of
18 Mr. Householder in what race?

19 A It was the primary election for the 72nd Ohio House
20 district.

21 Q Okay. So is this filed after the primary election had
22 occurred?

23 A Yes.

24 MS. GLATFELTER: Now, if we turn to page 6 of the
25 report.

1 Q Okay. Can you read the top description of the
2 document?

3 A Yes. So this is the schedule A. It is itemized
4 receipts, so essentially, incoming money.

5 Q Okay. And the first receipt of money under A is
6 listed as what?

7 A Citizens For Working America.

8 Q Can you circle, circle where that is on the form so
9 everyone can see?

10 A (Witness writing.)

11 Q Okay. And the amount?

12 A (Witness writing.) It's \$535,000.

13 Q Okay. And were you able to find anything referencing
14 around that amount of money from Citizens For Working
15 America?

16 A So like all 501(c)(4)s, they are required to list
17 disbursements. They just don't have to list the source of
18 the money.

19 MS. GLATFELTER: Okay. If we can turn to
20 Exhibit 282, which has been admitted?

21 THE COURT: You can publish it.

22 MS. GLATFELTER: Thank you. And, agent --
23 actually, Ms. Terry, if we can enlarge the first half of
24 this document.

25 Q Okay. Agent Wetzel, for what organization is

1 Government's 282 related to?

2 **A** This is related to One Ohio United Incorporated.

3 **Q** Okay. And the type of document that this is?

4 **A** This is an IRS Form 990. As I mentioned before, this
5 is the form that a 502(c) organization has to file with the
6 IRS.

7 MS. GLATFELTER: And if we go to page 19,
8 Ms. Terry. Thank you.

9 **Q** Do you see anything on page 19 that relates to
10 Citizens For Working America?

11 **A** Yes. Under Grants and Other Assistance to Domestic
12 Organizations and Domestic Governments, listed as No. 1 is
13 Citizens For A Working America, and under the amount of
14 cash, which is Column D, is \$575,000.

15 **Q** Okay. And go ahead and circle where you see Citizens
16 For A Working America.

17 **A** (Witness writing.)

18 **Q** All right. Thank you.

19 MS. GLATFELTER: Now, if we go back to page 1,
20 Ms. Terry.

21 **Q** What organization does this pertain to, this document?

22 **A** One Ohio United, Incorporated.

23 **Q** Okay. So who received money from who?

24 **A** So Citizens For A Working America received money from
25 One Ohio United. One Ohio United doesn't have to disclose

1 its donors, only to whom it's sending money.

2 **Q** And during your investigation, did you endeavor to
3 find out who had funded One Ohio United?

4 **A** Yes, ma'am.

5 **Q** Were you able to find any records from FirstEnergy
6 relating to One Ohio United?

7 **A** Yes. I found documents related to One Ohio United and
8 FirstEnergy.

9 **Q** I apologize, my apologies, I messed up the name.

10 MS. GLATFELTER: Your Honor, may we publish
11 Exhibit 280 B, which has been admitted into evidence?

12 THE COURT: Yes.

13 **Q** Agent Wetzel, do you recognize this document?

14 **A** Yes. This is an e-mail that we recovered from
15 FirstEnergy. It is from Ms. Brooke Bodney to Mr. Michael
16 Dowling. Subject: Forward \$400,000 One Ohio United.
17 Request date: 18 April 2018.

18 **Q** All right. And can you remind the jury who Brooke
19 Bodney is?

20 **A** She is a fundraiser working for Mr. Larry Householder.
21 We heard her on one of the audio recordings we listened to
22 today.

23 **Q** Starting on the bottom, can you read the e-mail from
24 her to Mr. Dowling?

25 **A** Yes. From Brooke Bodney to Michael Dowling, April 28,

1 2018. Subject: \$400,000 One Ohio United Request. Dear
2 Mike, One Ohio United requests a \$400,000 contribution.
3 Attached is the contribution form with wiring instructions,
4 EIN, and 501(c)(4) tax status. Please let me know if you
5 need anything else at this time. Very respectfully yours,
6 Brooke Bodney.

7 **Q** Okay. And then the top e-mail?

8 **A** The top e-mail is also from Brooke Bodney to Michael
9 Dowling. And it just simply says: Please confirm receipt,
10 sent via phone. And forwards the original message.

11 **Q** All right. And, Agent Wetzel, did you find additional
12 documents related to One Ohio United?

13 **A** Yes, ma'am, I did.

14 MS. GLATFELTER: Your Honor, permission to publish
15 280 D, which has been admitted into evidence?

16 THE COURT: Yes.

17 **Q** Agent Wetzel, do you recognize Government's
18 Exhibit 280 D?

19 **A** Yes, I do. It's another e-mail from FirstEnergy.

20 **Q** Okay. And who is at the top of the e-mail or who's
21 the e-mail from at the top?

22 **A** This e-mail is from Christina Housley, and it's to a
23 Jeff Feudner, I believe, and there's a cc to Cynthia
24 Telling, Thomas Hare, and Justin Shaub.

25 **Q** Okay. And I believe you mentioned to us either last

1 week or yesterday familiarity with Christina Housley?

2 **A** Yes. She's an associate of Mr. Dowling's. I believe
3 it's his executive assistant.

4 **Q** Okay. And do you see that actually on the e-mail?

5 **A** Yes, I do. It's in her signature block on that
6 e-mail.

7 **Q** Thank you, Agent Wetzel.

8 At the bottom of the e-mail, can you -- can we start
9 reading the chain of e-mails from the bottom up?

10 **A** Yes. First e-mail is from Steven R. Staub, Thursday,
11 April 19th, 2018, to Jeff Feudner. Forward 400,000 One Ohio
12 United request. Jeff, please process \$400,000 contribution.
13 Let me know if you need any more info. THX. Sent from my
14 iPhone. And then it appears that he forwarded something on.

15 **Q** Okay. And the next message?

16 **A** This is an e-mail from Jeff Feudner on Thursday
17 April 19, 2018 to Christina Housley, with a cc of the three
18 individuals I mentioned before. Subject: \$400,000 One Ohio
19 United Request. Christina, we have been directed to make
20 the attached payment to One Ohio United. We would
21 appreciate your assistance with obtaining accounting that
22 should be charged for this payment as well as appropriate
23 paperwork, such as W9 and wiring instructions on signed
24 company letterhead. Also, we would appreciate if this can
25 be entered into the AP system for payment and then provided

1 to us with the SAP document numbering -- number, excuse me,
2 for tracking. Please let me know if you have any questions.
3 Thanks, Jeff.

4 **Q** Okay. And the final e-mail?

5 **A** It's the one I mentioned before from Christina
6 Housley. This payment has been entered in SAP and Mike will
7 approve it today as Document No. 19022022441, and then her
8 signature block.

9 **Q** All right. Agent Wetzel, after reviewing these
10 documents, were you able to find anything about the One Ohio
11 United contribution in Jeff Longstreth's Gmail?

12 **A** Yes, ma'am.

13 MS. GLATFELTER: Okay. Your Honor, may we publish
14 Exhibit 281, which has been admitted into evidence?

15 THE COURT: Yes.

16 **Q** Agent Wetzel, can you describe what Government's
17 Exhibit 281 is?

18 **A** This is an e-mail recovered from that
19 jefflongstreth@gmail.com e-mail that we've been talking
20 about. It's from Brooke Bodney to Jeff Longstreth.
21 Subject: OOU, which is the initials for One Ohio United.
22 And then there's an attachment, which is the One Ohio United
23 contribution form, dot PDF.

24 MS. GLATFELTER: Now, if we could go back to 208 B,
25 which we looked at a moment ago, and if we could put that on

1 the left side of the screen, Ms. Terry.

2 And Your Honor, if we may publish some other exhibits
3 at this time that have been admitted, 288 specifically?

4 THE COURT: Yes.

5 Q All right. Agent Wetzel, did you find any meetings or
6 communications around this time between Larry Householder
7 and either Chuck Jones or Mike Dowling?

8 A Yes, ma'am, I did.

9 MS. GLATFELTER: If we may publish 280 A,
10 Ms. Terry.

11 Q Agent Wetzel, can you describe 280 A; where did you
12 receive this document from?

13 A 280 A is from FirstEnergy. This is another calendar
14 invite. We've looked at a few of these -- or calendar
15 entry, I should say, excuse me. The event title is: Tony
16 George, Larry Householder, and then Der Dutchman, Bellville,
17 720 State Route 97, West Bellville, Ohio 44813. And it
18 lists a start date and end date and it lists the originator
19 as Charles Jones.

20 Q Okay. So the organizer is Mr. Jones?

21 A Yes.

22 Q And what date did this meeting -- is this calendar
23 entry for?

24 A This is for the 11th of April 2018.

25 Q And do you see where in the document it specifies the

1 location?

2 **A** Yes. There's a location, and listed under location in
3 that form is: Discuss speaker race and votes needed.

4 **Q** Okay. Can you circle where that is on the document
5 for us?

6 **A** (Witness writing.)

7 **Q** Okay. So you said this calendar entry was for
8 April 11th, 2018. How does that relate to the e-mail from
9 Brooke Bodney?

10 **A** It's approximately a week before.

11 **Q** Okay. And did you also look at phone records from
12 this period of time?

13 **A** Yes, ma'am, I did.

14 MS. GLATFELTER: Your Honor, permission to publish
15 Exhibit 734, which has been introduced or admitted into
16 evidence already?

17 THE COURT: Yes.

18 MS. GLATFELTER: If we may publish this on the
19 right side of the screen, Ms. Terry. Okay. And if we could
20 go to page 3, Ms. Terry.

21 **Q** All right. Agent Wetzel, do you see any phone
22 contacts in between the time of that meeting and Brooke
23 Bodney's e-mail?

24 **A** Yeah. There are several that are on the 11th.

25 **Q** Okay. And are there any that are after the 11th?

1 **A** Yes. There's two on the 11th, and then also one on
2 the 12th, and once -- and then one on the 17th.

3 **Q** Okay. Could you circle those for us so we can see
4 where those are on the document?

5 **A** Would you mind erasing that? I'm sorry, I cut the
6 corner a little too close. (Witness writing.) Sorry, this
7 screen is not quite cooperating with me. There we go.

8 **Q** Thank you, Agent Wetzel.

9 Can we go through the contacts, who's contacting who
10 and for what duration of time leading up to Brooke Bodney's
11 e-mail on the left?

12 **A** Certainly. So on the 11th, there is a contact from
13 Charles Jones to Larry Householder. It lasts zero seconds.
14 Later that day, there's another contact from Charles Jones
15 to Larry Householder, it lasts 11 seconds. On the 12th,
16 Larry Householder contacts Mike Dowling, and that lasts
17 5 minutes and 26 seconds. And then on the 17th, Larry
18 Householder contacts Michael Dowling and they speak for
19 2 minutes and 56 seconds.

20 **Q** Agent Wetzel, did you recover any documents regarding
21 meetings that occurred during this time between any of the
22 folks that we've mentioned?

23 **A** Yes, ma'am.

24 **Q** Okay.

25 MS. GLATFELTER: Your Honor, may we publish 280 C

1 which has been admitted on the same side of the screen,
2 Ms. Terry?

3 THE COURT: Yes.

4 MS. GLATFELTER: I'm sorry, 280 C.

5 Q Agent Wetzel, can you describe what 280 C is?

6 A This is another calendar item from FirstEnergy. This
7 is -- the event is listed 3:00, Tony George; 3:30, Larry
8 Householder. And this is on April 17th, which is the day
9 before the e-mail on the left of the screen, and this is
10 organized by Charles Jones, and the location is CEJ office.

11 Q CEJ, are you familiar with initials "CEJ"?

12 A Yes. Those are Chuck Jones' initials.

13 Q And have you seen them -- those initials in other
14 documents that you've reviewed in this case?

15 A Yes, ma'am.

16 MS. GLATFELTER: And, Your Honor, if we may publish
17 204 E, which has also been admitted?

18 THE COURT: Yes.

19 Q Agent Wetzel, can you remind us what 204 E is?

20 A Yes. This is the calendar that was recovered from Mr.
21 Longstreth. There's Mr. Householder's calendar is the blue
22 suede loafers at gmail.com calendar that's depicted in green
23 and then the gray calendar is the jefflongstreth@gmail.com
24 calendar.

25 MS. GLATFELTER: All right. And if we --

1 Ms. Terry, if we could go to page 95. And if we could
2 enlarge 4/17.

3 **Q** Mr. Wetzel or Agent Wetzel, do you see any calendar
4 entries that are similar to the one we just reviewed?

5 **A** Yes. There's one listed that's SLH-Akron,
6 FirstEnergy, and then it lists an address after that.

7 **Q** Okay. And the SLH initials, remind us who that is?

8 **A** Speaker Larry Householder.

9 **Q** Now, if you could describe or trace the money that we
10 just talked about from FirstEnergy to Hardworking Americans,
11 so to make sure we're all on the same page?

12 **A** Yes. So perhaps working backwards or would you rather
13 I do it forward?

14 **Q** Either way is fine.

15 **A** So working forward, I guess, you have this FirstEnergy
16 money that is then sent to One Ohio United, which is then
17 passed to Citizens For A Working America, which is then
18 passed to Hardworking Americans, which then purchases the ad
19 against Kevin Black that you saw.

20 **Q** So this last part I wanted to talk about, which is the
21 purchasing of the ad by -- for the media, okay? And were
22 you able to trace the money from Hardworking Americans to
23 who purchased the media?

24 **A** Yes.

25 MS. GLATFELTER: All right. And if we look at 283,

1 which has been, I'm sorry, admitted, Your Honor?

2 THE COURT: Yes. It may be published.

3 Q And, Agent Wetzel, if we look at page 10. Okay. And
4 do you see at the bottom of the page under C, the listing
5 under C?

6 A Yes. This is listed as -- and, again, at the top it
7 lists that this page is itemized disbursements, so is
8 essentially where the money is going. And under C, New Day
9 Media, LLC, and it lists the purpose of the disbursement,
10 nonfederal advertising against Ohio House Candidate Kevin
11 Black. And then the date of the disbursement is April 29th,
12 2018, and the amount is listed as \$404,000.

13 Q Agent Wetzel, did you obtain bank records related to
14 New Day Media during your investigation?

15 A Yes, ma'am, I did.

16 MS. GLATFELTER: Your Honor, permission to publish
17 284 A, which has been admitted?

18 THE COURT: Yes.

19 Q Agent Wetzel, what is Government's Exhibit 284 A?

20 A This is -- and again, it's a different bank, so it's
21 in a slightly different form, but this is the limited
22 liability company resolution with Huntington Bank.

23 MS. GLATFELTER: And if we can go to page 2,
24 Ms. Terry. I'm sorry, if we can go back to page 1 for a
25 moment, just saw what I was looking for.

1 **Q** Do you see underneath the language or the handwriting
2 sole member, Agent Wetzels?

3 **A** Yes. It's listed as New Day Media, LLC.

4 **Q** All right. Can you circle that so everyone can see
5 it? It's in small print.

6 **A** (Witness writing.)

7 MS. GLATFELTER: Thank you. And if we go to the
8 second page of this exhibit, Ms. Terry.

9 **Q** And who are the signatories on this account?

10 **A** Scott Schweitzer and Scott Donnelly.

11 **Q** Is Scott Schweitzer the same Scott Schweitzer that
12 we've been seeing in e-mails today?

13 **A** Yes. The one who works for the Strategy Group
14 Company.

15 MS. GLATFELTER: All right. Permission to publish
16 Exhibit 284 B, which has been admitted into evidence?

17 THE COURT: Yes.

18 **A** Bank statement for New Day Media LLC.

19 **Q** And do you notice at the top is there an indication
20 what account this is for?

21 **A** Yes. There's an account and then listed after it is
22 2225.

23 **Q** Okay. And is -- does New Day Media appear on the
24 statement?

25 **A** Yes, it does, in the top left is New Day Media along

1 with an address.

2 **Q** All right. And what is the address?

3 **A** The address is 7669 Stagers Loop, Delaware, Ohio,
4 43015.

5 **Q** All right. And, Agent Wetzel, have you been to that
6 address?

7 **A** I have. That is the address for the Strategy Group
8 Company and Strategic Media Placement. It's the same
9 address.

10 **Q** And it's the same address here as New Day Media?

11 **A** Correct. It's all one building.

12 **Q** Thank you, Agent Wetzel.

13 If we look at the statement, do we see a wire transfer
14 into the account during this month?

15 **A** Yes. Under other credits, there is a description,
16 internal wire transfer credit, and then for \$404,000.

17 **Q** And does the bottom of the statement include the
18 balance activity as in other records we've looked at?

19 **A** Yes, it does.

20 **Q** All right. What was the balance of the account before
21 this wire transfer?

22 **A** The last listed balance ahead of the wire transfer was
23 \$7,749.94.

24 **Q** Okay. Can you circle that on the account statement
25 for us?

1 **A** (Witness writing.)

2 **Q** And after this date, it received the wire transfer?

3 **A** That's correct.

4 **Q** Now, did you have to look at other documents to see or
5 to match up who the wire transfer was from?

6 **A** Yes, I did.

7 MS. GLATFELTER: Your Honor, permission to publish
8 284 C, which has been admitted?

9 THE COURT: Yes.

10 **Q** Agent Wetzel, do you recognize 284 C?

11 **A** Yes. These are wire transfer records. As we were
12 talking about before, we get the statements, but then also
13 items that list the wire transfers, and this is how this
14 particular bank lists them.

15 **Q** Okay. And do you see wire transfers on this page from
16 Hardworking Americans committee?

17 **A** Yes, I do.

18 **Q** Can you point those out for us, please?

19 **A** Would you like me to circle one or just where the --

20 **Q** You can do it however you would like, Agent Wetzel.

21 **A** (Witness writing.)

22 **Q** Is that the primary wire transfer we've been talking
23 about?

24 **A** Yes, that's the 404 -- \$404,000 transfer that we were
25 just discussing.

1 Q Okay. And are there other transfers on this page?

2 A There are, indeed.

3 Q In smaller denominations?

4 A They are and they're also later.

5 Q Thank you. If we go to the second page, can we see
6 who that wire transfer is from -- I'm sorry, who the wire
7 transfer is to?

8 A Yes. So the debit name is where the money is coming
9 from. The credit name listed is who it's going to. These
10 are again a continuation to the right, and so continuing
11 what I had previously circled -- (witness writing) -- is the
12 bottom, which was to New Day Media, LLC.

13 Q Okay. So when you put these two pages together, what
14 can you tell us about the transaction?

15 A The transfer went from the PAC, Hardworking Americans,
16 to New Day Media, LLC.

17 Q Now, we mentioned the name Scott Schweitzer a moment
18 ago. Did you find any communications during your
19 investigation between Mr. Schweitzer, Larry Householder or
20 Megan Fitzmartin and Jeff Longstreth?

21 A Yes, ma'am, I did.

22 MS. GLATFELTER: Okay. And if we may publish
23 Exhibit 310 A, which has been admitted into evidence?

24 THE COURT: Yes.

25 Q Okay. And do you recognize Government's Exhibit 310

1 A?

2 **A** I do.

3 **Q** What is it?

4 **A** This is an e-mail recovered from Megan Fitzmartin,
5 titled Hardworking Americans PAC. It's from Scott
6 Schweitzer to Larry Householder, Jeff Longstreth, and Megan
7 Fitzmartin. It was sent on the 27th of April 2018.

8 **Q** Okay. And what does the content of the message say?

9 **A** It says: Hardworking Americans Committee, anti Black
10 in brackets. And then in the first bullet it says: Dirty
11 money, dirty politics attacks Black for being bank rolled by
12 outside interests and being backed by Cliff Rosenberg. And
13 then below it says: We are reaching out to stations now to
14 get the full amount of spending.

15 **Q** Now, Agent Wetzel, during your investigation, did you
16 find e-mails tracking the spending for Hardworking
17 Americans?

18 **A** Yes, I did.

19 MS. GLATFELTER: And Your Honor, if we can publish
20 Exhibit 310 C, which has been admitted?

21 THE COURT: Yes.

22 **Q** Agent Wetzel, do you recognize Government's 310 C?

23 **A** Yes. These are some other e-mails recovered from
24 Ms. Fitzmartin.

25 MS. GLATFELTER: And, Ms. Terry, if we can scroll

1 through the e-mail here. If we can go back to the previous
2 page right there. And can you enlarge where it says House
3 District 72 or HD 72?

4 **Q** Agent Wetzel, is this what you were referring to in
5 terms of tracking Hardworking Americans?

6 **A** Yes. It appears they were tracking a number of the
7 districts, you see a few of them. This is the tracking for
8 HD 72 and you can see that Hardworking Americans committee
9 is listed along with its spending at that time.

10 **Q** Now, Agent Wetzel, you mentioned and through the
11 course of the day we've heard a couple of wiretap calls; do
12 you remember that?

13 **A** I do, yes, ma'am.

14 **Q** And when you were reviewing some of those
15 communications, did you find any related to a Kevin Black
16 ad?

17 **A** Yes, I did, ma'am.

18 **Q** And who are the parties to that call?

19 **A** That is Mr. Neil Clark and Mr. Larry Householder.

20 MS. GLATFELTER: Your Honor, permission to show the
21 witness what's been marked as 312 A, which is a line sheet?

22 THE COURT: Yes.

23 **Q** Okay. Agent Wetzel, can you describe 312 A for us,
24 please?

25 **A** Yes. This is a printout from the program that we use

1 as a part of Title III interceptions. It lists the target
2 and the line that is being recorded, which is the 6703 that
3 belongs to Mr. Clark. It also lists the associate number
4 that's being recorded, in this case it's the 2500 number
5 associated with Mr. Householder. And it lists the start
6 time, end time, and the date.

7 MS. GLATFELTER: All right. Your Honor, permission
8 to publish the recording, which is 312 A and admit it as
9 well?

10 THE COURT: Any objection? It's been admitted?

11 MS. GLATFELTER: No, it has not. I'm asking.

12 THE COURT: Any objection?

13 MR. GLICKMAN: No, no new objection, Judge.

14 MR. LONG: No, Your Honor.

15 THE COURT: Very well.

16 MS. GLATFELTER: Your Honor, I would ask that the
17 jurors be permitted to follow along in transcript, 312 B,
18 which is in their binder?

19 THE COURT: Yes, the recording is admitted. What
20 tab are we on?

21 MS. GLATFELTER: 312 B. It should be one page.

22 (Recording playing.)

23 MS. GLATFELTER: All right. Ms. Terry, if we can
24 publish the line sheet that was admitted, 312 A, right
25 before the call.

1 **Q** Agent Wetzel, what was the date of this particular
2 phone call?

3 **A** This is the 30th of March, 2018.

4 **Q** And you said the participants were who?

5 **A** Mr. Clark and Mr. Householder.

6 **Q** And were topics discussed on that phone call similar
7 to the ad that we saw at the beginning of the session today?

8 **A** Yes, discussing potential language for the ad.

9 MS. GLATFELTER: Your Honor, at this time, I'd move
10 into evidence or ask permission to move into evidence 312 B,
11 which is the transcript of the call.

12 THE COURT: Go ahead.

13 MR. GLICKMAN: No objection.

14 MR. LONG: No objection.

15 THE COURT: Very well. It's admitted.

16 MS. GLATFELTER: Your Honor, as a housekeeping
17 matter, I'd ask to also admit 273 B, which was the
18 transcript of the prior call, I forgot to do so.

19 MR. GLICKMAN: Prior call?

20 MS. GLATFELTER: The prior call this morning.

21 MR. GLICKMAN: No objection.

22 MR. LONG: No objection.

23 THE COURT: It's admitted.

24 MS. GLATFELTER: Thank you.

25 **Q** Now, Agent Wetzel, we've been talking today about the

1 2018 election cycle. Can you orient us as to where August
2 of 2018 is in terms of the primary and general elections?

3 **A** Yeah. So August is after the primary election but
4 before the general election in November.

5 **Q** And during your investigation, did you obtain the
6 Generation Now bank records for the month of August 2018?

7 **A** Yes, ma'am, I did.

8 MS. GLATFELTER: Okay. Your Honor, if we could
9 publish 14 C, which has been admitted?

10 THE COURT: Yes. The notebooks should be closed at
11 this point. And, yes, we're going to publish an exhibit.

12 MS. GLATFELTER: Yes. 14 C, which has been
13 admitted.

14 THE COURT: Yes.

15 MS. GLATFELTER: And, Ms. Terry, if we could go to
16 page 37, please.

17 **Q** Okay. Agent Wetzel, do you recognize the type of
18 document on page 37 of Government's Exhibit 14 C?

19 **A** Yes. This is back to the Fifth Third statement that
20 we were looking at for the Generation Now bank account
21 ending in 3310.

22 **Q** Okay. And do you see the date range or the statement
23 period at the top right corner?

24 **A** Yes. The statement period listed in the top right
25 corner is 8/1 of 2018 through 8/31 of 2018.

1 Q And if we go to -- well, actually, if we stay on this
2 page, at the very top, do you see a beginning balance of the
3 account for the month of August?

4 A Yes. Under the at summary, which has the account name
5 after, there is as of 8/1, a beginning balance listed of
6 \$3,822.02.

7 Q Now, during the month of August, did the balance
8 increase above \$3,000 or above \$3,822?

9 A Yes, it did. It lists an ending balance as of 8/31 of
10 \$40,954.45.

11 Q Okay. So it went from \$3,000 to about a half million
12 dollars?

13 A Approximately. There are also some withdrawals in
14 there as well, so it bounces around a little bit during the
15 month.

16 MS. GLATFELTER: All right. And if we could, Your
17 Honor, publish Exhibit 15, which has been admitted.

18 THE COURT: Yes.

19 Q Agent Wetzal, do you see any deposits into the
20 Generation Now account that occurred in August of 2018?

21 A Yes. There's one listed on the 16th for \$500,000.

22 Q Okay. And can you circle that on Government's
23 Exhibit 15?

24 A Yes, ma'am. (Witness writing.)

25 Q And did this half a million dollar transaction, did

1 that come directly through FirstEnergy?

2 **A** No. It passed through Partners For Progress, which we
3 discussed this morning. Which is to say that the 4338
4 account listed for Partners For Progress is listed on the
5 statement as the money coming from, but before that money
6 transfer occurred, that account was serviced by the
7 FirstEnergy Service Company account ending in 4696.

8 **Q** Agent Wetzel, did you find any information or any
9 documents during your investigation about meetings between
10 FirstEnergy executives and Larry Householder in August of
11 2018?

12 **A** Yes, ma'am, I did.

13 MS. GLATFELTER: And, Your Honor, if we could
14 publish 204 E, which is admitted?

15 THE COURT: Yes.

16 MS. GLATFELTER: And, Ms. Terry, if we could go to
17 page 116.

18 **Q** All right. Agent Wetzel, do you see any meetings on
19 this calendar regarding FirstEnergy?

20 **A** Yes, I do, ma'am. Listed on 8/1 is a hold in the
21 green blue suede loafers calendar SLH W Klaffky, comma FE
22 Solutions.

23 MS. GLATFELTER: Okay. And, Your Honor, permission
24 to publish 286 A, which has been admitted?

25 THE COURT: Yes.

1 Q Okay. Agent Wetzel, can you remind us what this type
2 of document -- the origin of this document?

3 A This is provided to us by FirstEnergy. This is a text
4 conversation. In this case, the participants are Michael
5 Dowling and Charles Jones.

6 MS. GLATFELTER: All right. Ms. Terry, and if you
7 can enlarge the top portion of this document.

8 Q Okay. Around what time did these messages occur?

9 A The 5th of August 2018.

10 Q Is that prior to the half-million-dollar deposit?

11 A Yes, it is.

12 Q Okay. And you said who are the parties to this
13 communication?

14 A Those are Charles Jones and Michael Dowling, and I
15 should say here -- and I mentioned it before, so the way
16 that this extraction of this device occurred, you have a
17 separation of the phone number from the Apple iCloud
18 account. So the CEJ 7471 at gmail.com and the phone number
19 ending in 4513 are both Mr. Jones, and then Dowling is
20 listed as 1180.

21 Q And are there text messages below this, Agent Wetzel?

22 A Yes, there are.

23 MS. GLATFELTER: If we can zoom back out,
24 Ms. Terry.

25 Q All right. I'll read the green portions and you can

1 read the blue portions, if that's okay, Agent Wetzel?

2 **A** Certainly.

3 **Q** So did they speak to him? Topic No. 2, are the limits
4 for the Dallas event the same as here in Ohio? I will speak
5 to Wilder before we see DeWine tomorrow. Householder
6 looking for more money, question mark.

7 **A** From Michael Dowling to Chuck Jones. I'm still
8 waiting to hear from Jane and Bob, which tells me they
9 probably aren't too excited to call me with news. They did
10 not connect. Limits on Dallas event are the same as for an
11 Ohio resident. You know the answer to the Householder
12 question, but I don't know for how much he'll ask. I'll get
13 a list from Ty as to the House races he's most interested in
14 winning, and I'll have something for you as to what FE PAC
15 is doing in those races. He'll want hard money first and
16 then (c) (4) money for sure. I'll be back to you today.

17 **Q** All right. Agent Wetzel, and did you find a calendar
18 entry close in time to this message?

19 **A** Yes, ma'am, I did.

20 MS. GLATFELTER: Your Honor, permission to publish
21 286 B, which has been admitted?

22 THE COURT: Yes.

23 **Q** Agent Wetzel, what is 286 B?

24 **A** This is a calendar invite from FirstEnergy. Event
25 title: Householder/Dowling. And this is on August 6th,

1 2018. Organizer, Chuck Jones. Location, CEJ office, which
2 again is Mr. Jones' initials.

3 **Q** Okay. And when in relation to that text message did
4 this occur?

5 **A** The day following.

6 MS. GLATFELTER: All right. And, Your Honor,
7 permission to publish 204 E, which has been admitted?

8 THE COURT: Yes.

9 MS. GLATFELTER: And if we may publish page 117,
10 Ms. Terry.

11 **Q** We looked at this a few minutes ago. What is the
12 origin of this document?

13 **A** So this is, again, a calendar, the green calendar is
14 that blue suede loafers at gmail.com from Mr. Householder
15 that we've been looking at and the gray calendar is Mr.
16 Longstreth's, jefflongstreth@gmail.com calendar.

17 **Q** Okay. And do you see any entries for August 6th?

18 **A** Yes. Listed about a third of the way down is SLH
19 Akron/Chuck Jones, 11:00 a.m. to 12:30 p.m.

20 **Q** And does that line up with the calendar entry that we
21 just saw?

22 **A** Yes, ma'am, it does.

23 **Q** Now, we discussed the bank records a few minutes ago.
24 Did Generation Now receive deposits after this trip to
25 Akron?

1 **A** It did.

2 MS. GLATFELTER: Your Honor, permission to publish
3 Exhibit 14 E, which has been admitted?

4 THE COURT: Yes.

5 **Q** Okay. And, Agent Wetzel, can you describe what this
6 document is?

7 **A** This is returning back to those wire transfer records.
8 As I mentioned, we get the statements and the items. This
9 is just how the wires are presented to us by the bank.

10 **Q** Thank you.

11 MS. GLATFELTER: And if we can publish page 12,
12 Ms. Terry.

13 **Q** Do you see an entry for Partners For Progress in
14 August of 2018?

15 **A** Yes, ma'am, I do.

16 **Q** And could you circle that entry for us?

17 **A** (Witness writing.)

18 **Q** And is this the half million dollars that you were
19 referring to earlier when you were looking at the summary
20 chart?

21 **A** Yes, ma'am, it is.

22 **Q** Now, did you identify any follow-up communications
23 after this wire?

24 **A** I did.

25 MS. GLATFELTER: Your Honor, permission to publish

1 286 C, which is in evidence?

2 THE COURT: Yes.

3 **Q** Agent Wetzel, do you recognize 286 C?

4 **A** Yes. This is a text message conversation that was
5 recovered by FirstEnergy from Chuck Jones' iPhone. The
6 participants are Mr. Jones and Mr. Householder.

7 **Q** And can you tell the date, the general date of these
8 messages?

9 **A** The 24th of August 2018.

10 **Q** So is this before or after the deposit?

11 **A** After.

12 MS. GLATFELTER: All right. If we can enlarge the
13 bottom of the document, Ms. Terry.

14 **Q** Agent Wetzel, if we can publish this document, I will
15 read the green boxes and you can read the blue boxes.

16 **A** Understood.

17 **Q** All right. Owner: Hey, how did things go in the
18 round table?

19 **A** Larry Householder to Chuck Jones, didn't talk with him
20 until photo. He said they plan on fixing it.

21 **Q** From the owner: They didn't let you in the round
22 table?

23 **A** Yes, I was there, but the acoustics were horrible and
24 no one could hear, so I opted to talk to him during the
25 photo opt one on one, which I did.

1 MS. GLATFELTER: And if we can go to the next page,
2 Ms. Terry. Thank you.

3 **A** Paduchik was off on the side when I asked him.

4 **Q** Got it. Thanks for the help.

5 **A** Thank you for your help.

6 **Q** From the owner: We're rooting for you and your team.

7 **A** Larry Householder to Chuck Jones: I am rooting for
8 you as well. We are on the same team.

9 **Q** And the last box is blank.

10 Okay. Is that the end of the -- of these messages,
11 Agent Wetzel?

12 **A** I believe so.

13 **Q** Now, did you recover any photographs from this time
14 period around the \$500,000 deposit?

15 **A** Yes, ma'am, I did.

16 MS. GLATFELTER: Your Honor, permission to publish
17 287, which is in evidence?

18 THE COURT: Yes.

19 **Q** Agent Wetzel, do you -- can you describe 287 for us?

20 **A** Yes. This is a photograph of writing on what appears
21 to be a white board T has FE at the center and then there
22 are multiple entities coming off of that entity.

23 MS. GLATFELTER: Ms. Terry, if we can look at the
24 document properties on the second page.

25 **Q** And when was this according to the document properties

1 that you received, when was this taken?

2 **A** The 20th of August, 2018.

3 **Q** And did you mention where you obtained this document
4 from?

5 **A** I believe it was from Mr. Longstreth's iCloud account.

6 MS. GLATFELTER: All right. If we can go back to
7 the first page.

8 **Q** Do you recognize any of the other names that are
9 surrounding the FE circle?

10 **A** Yes, I do.

11 **Q** Which names are those?

12 **A** We discussed Tony George, Boich, and I'm also familiar
13 with a few others because I looked them up.

14 **Q** Okay. For Tony George, have we discussed Tony George
15 at all during your testimony?

16 **A** Yes, we have. There was an e-mail correspondence that
17 we looked at and also there's been a few meetings with him
18 as well that we've looked at.

19 **Q** Okay. And remind us what Boich relates to?

20 **A** Boich, we talked about Matt Evans working for Boich.
21 It's a company that does a variety of things, but its
22 relevance to FirstEnergy is that it is a coal broker that
23 they use to purchase coal.

24 MS. GLATFELTER: Now, Your Honor, may we publish
25 again Exhibit 15, which has been admitted?

1 THE COURT: Yes.

2 Q Agent Wetzel, did you find any other deposits from
3 FirstEnergy accounts into Generation Now before the general
4 election?

5 A Yes, I did.

6 Q Okay. And the general election was in what month?

7 A November of 2018.

8 Q Okay. And on this document, can you circle the
9 deposits that you see?

10 A Yes, ma'am. (Witness writing.)

11 Q All right. And what's the total of that amount?

12 A \$500,000.

13 Q Okay. And the date of the first deposit?

14 A October 16, 2018.

15 Q Okay. And the date of the second deposit?

16 A October 29, 2018.

17 Q You mentioned bank records before. Did you obtain
18 copies of checks that were deposited into the Generation Now
19 account?

20 A Yes, I did.

21 MS. GLATFELTER: Your Honor, may we publish 14 B,
22 which has been admitted?

23 THE COURT: Yes.

24 MS. GLATFELTER: All right. Ms. Terry, if we can
25 go to page 138.

1 Q Okay. Agent Wetzel, what do we see on the screen?

2 A So as I mentioned earlier, when a subpoena is issued
3 to a bank, they provide us the statements and also items.
4 We looked at a number of the items this afternoon wire
5 transfers. They also provide us copies of checks, and so
6 this is a copy of a check that was provided to us. This one
7 in particular is the \$400,000 transaction that we were just
8 looking at in the chart.

9 Q Thank you, Agent Wetzel.

10 MS. GLATFELTER: And, Ms. Terry, if we are able to
11 go to the next page and enlarge that. Thank you.

12 Q Agent Wetzel, what do we see on this page following
13 the check?

14 A This is just the reverse side of the check, and you
15 see the endorsement to the right, which appears to be Anna
16 Lippincott.

17 Q And does -- is there any indication of when this check
18 was cashed or deposited into an account?

19 A Yes. So there's some digits that are added in the
20 center, and that first number appears to be a date, 2018
21 October 1016.

22 Q Can you circle that for us so we can see where you're
23 reading?

24 A (Witness writing.)

25 Q Thank you, Agent Wetzel. Now, did you obtain bank

1 statements related to this time period for Generation Now?

2 **A** Yes, ma'am, I did.

3 MS. GLATFELTER: Your Honor, permission to publish
4 14 C, which has been admitted?

5 THE COURT: Yes.

6 MS. GLATFELTER: Ms. Terry, if we can look at
7 page 41.

8 **Q** All right. Agent Wetzel, do you see the time period
9 of this document in the right corner?

10 **A** Yes. In the top right corner is the statement date
11 period, it's listed as October 1st, 2018 through October
12 31st of 2018, and this again is the Generation Now,
13 Incorporated bank statements from Fifth Third Bank.

14 **Q** And if we go to the second page of this statement,
15 which is the next page of the exhibit, do you see any
16 deposits that correlate with the check that we just saw and
17 the date of those deposits?

18 **A** Yes. In the deposit/credit section, the second item
19 listed for October 16th is for \$400,000.

20 **Q** All right. And do you see the balance summaries at
21 the bottom of the statement?

22 **A** Yes. That's the next section below.

23 **Q** What was the balance in the account before the
24 \$400,000 wire transfer -- I mean, sorry, the \$400 (sic)
25 check?

1 **A** Prior to the check being cashed it was \$72,823.55.

2 **Q** And can you circle that on the statement so we can see
3 where you're reading from?

4 **A** (Witness writing.)

5 **Q** Thank you. Agent Wetzel, what happened to the account
6 a few days after the check was deposited?

7 **A** A significant amount of money was sent out and the
8 balance was lowered down to \$52,000 approximately.

9 **Q** Did you find any communications during your
10 investigation related to this \$400,000?

11 **A** Yes, I did.

12 MS. GLATFELTER: Your Honor, may we publish 290 A,
13 which has been admitted?

14 THE COURT: Yes.

15 MS. GLATFELTER: And, Ms. Terry, if we could
16 enlarge the top of this document.

17 **Q** Agent Wetzel, first, where does Exhibit 290 A come
18 from?

19 **A** This is another document provided by FirstEnergy.

20 **Q** And what is the type of document that this is?

21 **A** This is another text message conversation scanned from
22 one of Mr. Jones' devices. This particular one is between
23 Mr. Householder and Mr. Jones.

24 **Q** And what is the date of these communications?

25 **A** October 9th, 2018.

1 MS. GLATFELTER: All right. Ms. Terry, if we can
2 go back to the original message. Thank you.

3 **Q** Agent Wetzel, if we can read these messages like we've
4 done before.

5 **A** From Larry Householder to Chuck Jones: FES set a
6 30-min meeting with -- or W me for tomorrow.

7 **Q** Hopefully, it is to give you a check. Not sure what
8 else they'll say. I think we will be representing them
9 again soon.

10 **A** The reply message is blank.

11 MS. GLATFELTER: Your Honor, permission to publish
12 291 A, which has been admitted?

13 THE COURT: Yes.

14 **Q** Agent Wetzel, do you recognize 291 A?

15 **A** Yes. This is an extraction report from Cellebrite.
16 This is a text message conversation from Mr. Cespedes's
17 iPhone.

18 **Q** How are you able to tell that it's from Mr. Cespedes's
19 iPhone?

20 **A** Under participants as you see to the right of his name
21 is owner and that is the device from which the extraction
22 occurred.

23 MS. GLATFELTER: All right. And if we can zoom
24 out. Thank you.

25 **Q** Agent Wetzel, if we can read these messages, please.

1 **A** So from Bob Klaffky, adding Nazar and Ben we will have
2 a check for Householder tomorrow. Right now Griffing and I
3 have a noon lunch scheduled and we have a 4:00 p.m. with
4 Obhof, I think the 2 or 3:00 p.m. might be best? Can you
5 see what he has? Below that, Nazar Zhdan, I believe, Bob,
6 do you want to reach out to Householder directly or want me
7 to check in with his staff?

8 **Q** Okay. If you can continue, Agent Wetzel.

9 **A** Bob Klaffky: Either, just get it set.
10 Okay.

11 And then below, Nazar again: Just spoke with Bryan
12 Gray. Meeting is set for 2 through 2:30 p.m. tomorrow. The
13 only window Householder has between 2-4:00 p.m.,
14 Householder's office 65 East State Street, Suite 2540,
15 Columbus. Juan, I let them know about all of the attendees
16 on our side.

17 **Q** Okay. Agent Wetzel, the address there, are you
18 familiar with the address that's listed?

19 **A** Yes. That's the address that we were discussing
20 before, we showed a picture of the building and they've been
21 referencing the 25th floor, that's that same office that
22 they're renting from the Strategy Group Company.

23 **Q** The Generation Now office?

24 **A** Correct.

25 **Q** Okay. And the next message?

1 **A** Juan Cespedes responds to the group message. Okay,
2 great, thanks.

3 **Q** And this last message.

4 **A** This one is from a later period of time, but it's
5 Nazar Zhdan, just an FYI, the meeting with the Speaker was
6 moved to his nonofficial office because it makes sense
7 logistically due to his previous meetings. Here is the
8 address: 65 East 8th Street, Suite 2540.

9 **Q** Is that the same address?

10 **A** It is.

11 MS. GLATFELTER: And if we can go back to the first
12 page, Ms. Terry.

13 **Q** You read some messages from Bob Klaffky. During your
14 investigation, did you learn who Bob Klaffky is?

15 **A** Yes. He's a Columbus-based lobbyist.

16 **Q** All right. And what about the other persons on this
17 message chain?

18 **A** So Ben Kaiser is an associate of Bob Klaffky as is
19 Mr. Zhdan, Van Meter Ashbrook & Associates. And at this
20 time I believe they were lobbying on behalf of the
21 FirstEnergy. And then Juan Cespedes as well is a lobbyist
22 who was in their employ -- FirstEnergy's employ, I should
23 say.

24 MS. GLATFELTER: Your Honor, permission to publish
25 290 C --

1 THE COURT: Yes.

2 MS. GLATFELTER: -- which has been admitted?

3 Q All right. Agent Wetzel, can you tell us what 290 C
4 is?

5 A Yes. This is a telephonic conversation provided to us
6 by FirstEnergy extracted from Chuck Jones' iPhone. It's
7 Mr. Jones and Mr. Dowling.

8 Q Okay. And what is the -- what are the dates of the
9 activity or the dates of the communications?

10 A October 10th.

11 MS. GLATFELTER: Ms. Terry, if we can scroll out
12 there. Thank you.

13 Q And, Agent Wetzel, if we can read these as we've read
14 previously. I can read the green boxes, give you a break.

15 From the owner: FES meeting with LH today. I told
16 him be nice, but listen to us.

17 A From Michael Dowling to Chuck Jones: He'll learn
18 about the 400 K at this mtg.

19 Q From the owner: They better get it done quick or he
20 won't be able to spend it.

21 A From Michael Dowling to Chuck Jones: I think they're
22 delivering it today.

23 And then Michael Dowling to Chuck Jones: They are.

24 MS. GLATFELTER: All right. Your Honor, permission
25 to publish 290 B, which has been admitted?

1 THE COURT: Yes.

2 Q And, Agent Wetzel, do you recognize 290 B?

3 A Yes. This is another text message thread from
4 Mr. Jones' iPhone that was provided to us by FirstEnergy.

5 Q And the date of this text message?

6 A October 10, 2018.

7 Q All right. And who is the communication between?

8 A It is Mr. Jones talking to Mr. Householder.

9 Q And is that the phone number that you have associated
10 with Mr. Householder through your investigation?

11 A Yes. That's the 2500 number that we've been
12 discussing.

13 MS. GLATFELTER: All right. Ms. Terry, if we can
14 look at the messages.

15 Q Agent Wetzel, if you can go ahead and read those for
16 us.

17 A From Larry Householder to Chuck Jones: 400 K, thank
18 you.

19 And then of the next message is blank.

20 MS. GLATFELTER: Finally, Your Honor, may we
21 publish 291 B, which has been admitted?

22 THE COURT: Yes.

23 Q Agent Wetzel, what is Government's Exhibit 291 B?

24 A This is a text message conversation from Matt Borges'
25 iPhone. It's between Mr. Borges and Mr. Cespedes.

1 **Q** Okay. And can you tell us how you know that this one
2 is from Mr. Borges' iPhone?

3 **A** Yes. When they do the Cellebrite extraction to the
4 participants, to the right of the name, you'll see reference
5 to owner and that's the device that the messages came off
6 of.

7 MS. GLATFELTER: All right. If we can look at the
8 messages, Ms. Terry.

9 **Q** Okay. Agent Wetzel, if we can read the text message,
10 please. You can do the blue and I'll do the green.

11 **A** From Juan Cespedes, we had a good day yesterday. Met
12 with Householder, Obhof and DeWine/Husted, all went well.

13 **Q** Matt Borges: Great, well, except for Husted, but
14 great. Hamlin canceled.

15 **A** That's awesome. He must not have needed the favor
16 that bad.

17 **Q** Exactly.

18 Agent Wetzel, did you look to see what, if any, wire
19 transactions occurred following that \$400,000 deposit?

20 **A** Yes, I did.

21 MS. GLATFELTER: And, Your Honor, if we can publish
22 14 E, which has been admitted?

23 THE COURT: Yes.

24 MS. GLATFELTER: And, Ms. Terry, if we can go to
25 page 2, please.

1 **Q** All right. Agent Wetzel, if I could direct your
2 attention to line 68. All right. Do you see that
3 transaction?

4 **A** Yes. There is a transaction on October 19th, 2018, in
5 the amount of \$70,000.

6 **Q** Okay. And below that as well?

7 **A** There's also a transaction on October 19, 2018, in the
8 amount of \$400,000.

9 **Q** Okay. So if we follow 68 -- line 68 and 70 to page 4,
10 okay, do we see line 68 and 70 on this page as well?

11 **A** Yes, we do. And again, this is just to the right.
12 Again, these spreadsheets are kind of wide, so they get cut
13 off.

14 **Q** All right. And who is the transaction in line 68 to?

15 **A** The transaction in line 68 is from Generation Now to
16 the JPL & Associates.

17 **Q** Remind us who the signatory is on JPL & Associates?

18 **A** Jeff Longstreth.

19 **Q** Okay. And the other transaction which was for I think
20 you said 400,000?

21 **A** Yes, it was for 400,000, and that's going to
22 Hardworking Ohioans, Inc.

23 **Q** And can you circle that transaction to Hardworking
24 Ohioans, Inc. on the screen so we can see it?

25 **A** (Witness writing.)

1 Q Agent Wetzel, if you look below that, do you see other
2 transactions involving Hardworking Ohioans, Inc.?

3 A Yes, there are two others below as well.

4 Q All right. Now, this is Hardworking Ohioans as
5 distinct from Hardworking Americans which we talked about
6 maybe an hour ago?

7 A Correct. Hardworking Americans is a PAC. Hardworking
8 Ohioans is an LLC.

9 Q And if we go back to page 2 again, and look at those
10 lines, can you remind us the dates of those transactions?

11 A Which transactions to which you're referring?

12 Q Oh, I should have been more specific. The first
13 transaction to Hardworking Ohioans.

14 A May I look at page 4 again?

15 Q Yes.

16 A Okay.

17 Q So --

18 A Line 70 is the first. So that was October 19th, 2018,
19 and then there were two following, October 24th, 2018 and
20 October 29th, 2018.

21 Q All right. So lines 70 by my count, 74, and 76?

22 A That's correct.

23 Q Okay. Can you circle those transaction amounts on
24 this page?

25 A (Witness writing.)

1 **Q** Okay. And are those all wire transfers that
2 Generation Now made to Hardworking Ohioans?

3 **A** That's correct.

4 **Q** Now, did you investigate or look into Hardworking
5 Ohioans at all?

6 **A** Yes. That was another entity that was running
7 advertisements at that time using a similar but not
8 identical name.

9 **Q** Did you investigate whether it was registered in the
10 state of Ohio?

11 **A** I did.

12 MS. GLATFELTER: Your Honor, may we please publish
13 111, which has been admitted?

14 THE COURT: Yes.

15 **Q** Agent Wetzel, do you recognize Exhibit 111?

16 **A** Yes, I do. This is the state of Ohio certificate.
17 It's the business registration. We've looked at a couple of
18 these. This one is in Ohio. Some of the earlier ones we
19 looked at were for in Delaware.

20 **Q** And is there a filing date on this page?

21 **A** Yes. Would you like me to circle it?

22 **Q** Yes, please.

23 **A** (Witness writing.)

24 **Q** And what is that filing date?

25 **A** September 24th, 2018.

1 Q Okay. And do we see the name Hardworking Ohioans
2 below?

3 A Yes.

4 Q All right. And does it say when it became a
5 corporation?

6 A It says: The Domestic For Profit Corp. articles are
7 effective as of September 21st, 2018.

8 Q And about how much time is between the registration
9 that we're seeing on this page and those deposits you were
10 showing us in the bank records a moment ago?

11 A It's within a month.

12 Q Now, were you able to obtain bank records related to
13 Hardworking Ohioans?

14 A Yes, I was.

15 MS. GLATFELTER: Your Honor, permission to publish
16 Exhibit 112, which has been admitted?

17 THE COURT: Yes.

18 Q Agent Wetzel, what is Government's Exhibit 112?

19 A This is another signature card. It's provided to us
20 pursuant to the subpoena. It's essentially just the account
21 opening and registration document for Hardworking Ohioans,
22 Inc. in this case.

23 Q All right. And how can you tell that it's for
24 Hardworking Ohioans?

25 A In the top left, there is an account title. (Witness

1 writing.)

2 **Q** Thank you. And what date was this account opened?

3 **A** The date is listed September 25, 2018.

4 **Q** Okay. And how does that relate to the registration we
5 just saw?

6 **A** It's approximately the same time.

7 **Q** Who's the signatory on the account?

8 **A** The signatory authorized signer is listed as Chad M.
9 Hawley.

10 **Q** All right. Is Mr. Householder signatory on this
11 account?

12 **A** He is not.

13 **Q** What about Jeff Longstreth?

14 **A** He is not either.

15 **Q** Now, did you review these bank records?

16 **A** I did.

17 **Q** Can you describe the bank's activity generally in
18 terms of when it was operating?

19 **A** It was operating essentially only from the time it's
20 opening through the general election. It receives a
21 significant inflow of money of which it spends essentially
22 the entirety of it ahead of the general election in 2018.

23 **Q** Okay. And generally, who are the funders of the
24 account based on your review of the records?

25 **A** So it's Generation Now, FirstEnergy, and a couple of

1 other smaller donors.

2 **Q** All right. Did you prepare a chart showing the
3 deposits into the account?

4 **A** Yes, ma'am, I did.

5 MS. GLATFELTER: Your Honor, may I show the witness
6 or may we show the witness Exhibit 316, which has not been
7 admitted?

8 THE COURT: Yes.

9 **Q** Agent Wetzel, do you recognize Government's
10 Exhibit 316?

11 **A** Yes. This is a chart that was prepared to just
12 visually show the flow of money related to Hardworking
13 Ohioans in 2018.

14 **Q** And how was it created?

15 **A** It was created using the bank records that we were
16 just looking at. There's a variety of bank records that had
17 to be put together to make this.

18 **Q** Okay. Did you review this against the bank records
19 for accuracy?

20 **A** Yes, ma'am, I did.

21 MS. GLATFELTER: Your Honor, at this time, I'd ask
22 to admit Government's Exhibit 316?

23 THE COURT: Any objection?

24 MR. GLICKMAN: No, Judge.

25 MR. LONG: No, Your Honor.

1 THE COURT: It's admitted.

2 MS. GLATFELTER: All right. And if we could
3 publish 316 to the jury?

4 THE COURT: Yes.

5 **Q** Okay. Agent Wetzel, if you can describe the chart or
6 the graphic that we're looking at?

7 **A** So as I mentioned in that time frame we were just
8 talking about in 2018, Generation Now sends \$670,000 to that
9 Hardworking Ohioans account we were just looking at the
10 statements for. Around that same time, FirstEnergy sends a
11 half a million dollars directly to the Hardworking Ohioans
12 account. And then also Murray Energy sends a \$100,000. And
13 then Hardworking Ohioans again in advance of the general
14 election then sends \$1,415,335 to New Day Media. And then
15 some lesser amounts to a few other locations.

16 **Q** All right. And, Agent Wetzel, in preparing -- in
17 preparing this graph, did you rely on the bank records?

18 **A** Yes, ma'am.

19 **Q** And did you also investigate whether there were any
20 communications regarding these different deposits around
21 this time?

22 **A** Yes, I did.

23 **Q** And did you find any?

24 **A** Yes, I did.

25 MS. GLATFELTER: Your Honor, permission to --

1 permission to publish 295 A, which has been admitted?

2 THE COURT: Yes.

3 Q All right. Agent Wetzel, do you recognize 295 A?

4 A Yes. This is a text message conversation from Chuck
5 Jones' iPhone. It was provided to us by FirstEnergy
6 Corporation pursuant to that subpoena we've been discussing.
7 This is a conversation between Larry Householder and Chuck
8 Jones. Excuse me. And it occurs on the 22nd of
9 October 2018.

10 MS. GLATFELTER: All right. Ms. Terry, if you can
11 zoom out there for a moment so we can read the messages.
12 Thank you.

13 Q Agent Wetzel, if we can read these messages like we've
14 done in the past, please.

15 A Larry Householder to Chuck Jones: Are you in Akron
16 Tuesday or Wednesday this week?

17 Q And the owner: In town both days, but pretty full
18 calendar. Tuesday is better than Wednesday. What's up?

19 A Larry Householder to Chuck Jones: I want to sit down
20 and go through some polling with you.

21 Larry Householder to Chuck Jones: I can slip in
22 tomorrow anytime. I have to be in Ohio both days.

23 Q And the owner: Tomorrow, 10:00 a.m. until noon works
24 best. I could also do 3:00 p.m. to 4:00 p.m.

25 A Larry Householder to Chuck Jones: Put me in for 10 to

1 12.

2 **Q** From the owner: You've got it.

3 **A** From Larry Householder to Chuck Jones: Thank you.
4 See you then.

5 **Q** All right. Agent Wetzel, did you find a calendar
6 invitation that appeared to be related to this text message
7 chain?

8 **A** Yes, ma'am, I did.

9 MS. GLATFELTER: Your Honor, permission to publish
10 295 B, which has been admitted?

11 THE COURT: Yes.

12 **Q** Agent Wetzel, do you recognize 295 B?

13 **A** Yes. This is a calendar entry from FirstEnergy. The
14 event is titled Larry Householder-my office, 10/23/2018 and
15 then the attendee is listed as Charles E. Jones.

16 **Q** All right. Thank you.

17 MS. GLATFELTER: And, Your Honor, permission to
18 publish 295 C, which has been admitted?

19 THE COURT: Yes.

20 **Q** Agent Wetzel, do you recognize 295 C?

21 **A** Yes. This is another text message conversation
22 recovered from Mr. Jones' phone provided to us by
23 FirstEnergy. It is from 10/23/2018. It is between
24 Christine Rosenberger and Chuck Jones.

25 **Q** All right. And do you know what the relationship

1 between Christine Rosenberger is and Chuck Jones?

2 **A** It's Mr. Jones' assistant.

3 **Q** You said this was on what date?

4 **A** The 23rd of October 2018.

5 **Q** Okay. And what does the message say?

6 **A** From Christine Rosenberger to Chuck Jones, Larry
7 Householder is here.

8 MS. GLATFELTER: All right. Your Honor, may we
9 please publish 295 D, which has been admitted?

10 THE COURT: Yes.

11 MS. GLATFELTER: D as in dog.

12 **Q** Okay. Agent Wetzel, do you recognize 295 D?

13 **A** Yes. This is an e-mail from Michael Dowling to Matt
14 Evans. It's a FirstEnergy e-mail.

15 **Q** Okay. And what's the date of this e-mail?

16 **A** This is October 23rd, 2018.

17 **Q** And how does that relate to the calendar entry that we
18 just saw?

19 **A** Same day.

20 MS. GLATFELTER: Okay. And if we can zoom back out
21 of that message, Ms. Terry. Thank you. Let's go ahead and
22 go to the end of the exhibit, page 2 and then 3 so we can
23 see what those are.

24 **Q** All right. Page 3, do you recognize what that is?

25 **A** Yes. Those are the wiring instructions for

1 Hardworking Ohioans, bank name, account name, and then the
2 account number and routing number.

3 **Q** And is that the same bank account that we were looking
4 at a few minutes ago?

5 **A** Yes, ma'am, it is.

6 MS. GLATFELTER: If we can go back to the first
7 page.

8 **Q** All right. Who is Matt Evans again?

9 **A** Matt Evans I believe his title changed during the time
10 period, but he works for the Boich company that we were
11 discussing.

12 **Q** All right. And do you see a reference to Boich in his
13 e-mail address?

14 **A** Yes. His e-mail address is matt@boich.com.

15 **Q** Now, starting at the bottom, is there an e-mail from
16 Mr. Longstreth?

17 **A** Yes. The original e-mail is from Jeff Longstreth to
18 Michael Dowling. And its forward: Hardworking Ohioans, W9,
19 and wiring instructions. Please see attached.

20 **Q** All right. And the attached were the wiring
21 instructions for Hardworking Ohioans?

22 **A** Yes, that we just looked at.

23 **Q** And he's not, he's not a signatory on that account,
24 right?

25 **A** No.

1 **Q** Now, what happens to the e-mail from Mr. Longstreth?

2 **A** Mr. Dowling receives it and then forwards it to Matt
3 Evans.

4 MS. GLATFELTER: Your Honor, permission to publish
5 316 D, which has been admitted?

6 THE COURT: Yes.

7 **Q** And, Agent Wetzel, do you recognize Government's
8 Exhibit 316 D?

9 **A** Yes, I do.

10 **Q** Okay. And what is this document?

11 **A** This is a -- this is from the Hardworking Ohioans.
12 It's a letter to Christina Housley at FirstEnergy from Troy
13 Judy, who is listed as the president of Hardworking Ohioans,
14 Inc.

15 **Q** And what is the date of the letter?

16 **A** October 24th, 2018.

17 **Q** And how does that relate to the calendar entry for the
18 meeting that we just saw?

19 **A** It's the day after.

20 **Q** And what is Christine Housley's relationship to either
21 Mike Dowling or Chuck Jones?

22 **A** It's the executive assistant for Mr. Dowling.

23 **Q** All right. And can you read this letter for us,
24 please?

25 **A** Yes. Hardworking Ohioans, Inc., with an address

1 listed below, date October 24, 2018. And the to section,
2 Christina Housley, FirstEnergy, 76 S Main Street, 18th
3 floor, Akron, Ohio 44308. Dear Ms. Housley, the bank
4 routing number and bank account number for Hardworking
5 Ohioans, Inc. are as follows: Bank name: Huntington
6 National Bank. Beneficiary account name: Hardworking
7 Ohioans, Inc. Account number redacted 0462. ABA routing
8 number 3044 followed by four zeros and 24. Please let me
9 know if you need further information. I can be reached
10 at -- a phone number. Very truly yours, Troy Judy,
11 President, Hardworking Ohioans, Inc.

12 MS. GLATFELTER: Your Honor, may we please publish
13 295 E, which has already been admitted?

14 THE COURT: Yes.

15 **Q** Agent Wetzel, what is Government's Exhibit 295 E?

16 **A** This is a text message conversation recovered from
17 Chuck Jones' iPhone. It is between Michael Dowling and
18 Chuck Jones and provided to us by FirstEnergy.

19 **Q** And how does this date relate to the calendar invite
20 for the meeting we saw?

21 **A** It's the same day, October 23, 2018.

22 MS. GLATFELTER: Ms. Terry, if we can zoom out and
23 I believe this first page is related to something else. So
24 if we can go to the second page.

25 **Q** All right. Agent Wetzel, can you read what Mike

1 Dowling wrote to Chuck Jones?

2 **A** Yes, ma'am. It says: I talked to Matt. He's going
3 to contribute 100 K to our effort with Hardworking Ohioans.
4 As for your Friday morning message to Bob Murray, colon,
5 Bob, I know we help each other a lot and I can't tell you
6 how much I appreciate it. I hope you find our relationship
7 valuable. I met with Speaker Householder a few days ago.
8 We believe in Larry and think he can and will be Ohio's next
9 Speaker. That's important to all of us. He has a need for
10 a final push. We've committed 700 K to the effort and I'd
11 like to ask for your help with 100 K. It's a (c)(4), so
12 corporate contributions are permitted. Mike Dowling sent
13 all of the information with Mike Carey. I hope you can help
14 me. And then there's a bracket: We helped them in WV and,
15 of course, we've helped them in a lot of ways over the past
16 few years, as you know, more than me. Close bracket.

17 **Q** Thank you, Agent Wetzel.

18 MS. GLATFELTER: All right. Your Honor, if we can
19 go back to Exhibit 316 which we published and admitted?

20 THE COURT: Yes.

21 **Q** Do you see, Agent Wetzel, Murray Energy on this chart?

22 **A** Yes. They're just under the word Generation Now
23 listed for a \$100,000.

24 **Q** Okay. And how does a text message that you just read
25 relate to Murray Energy?

1 **A** Mr. Dowling was writing language that he wanted
2 Mr. Jones to use to get Murray Energy to contribute a
3 \$100,000 to Larry Householder.

4 **Q** And what's Bob Murray's or Bob's relationship to
5 Murray Energy?

6 **A** He's the owner of Murray Energy.

7 MS. GLATFELTER: All right. Your Honor, if we can
8 publish what's been admitted as Government's Exhibit 295 F?

9 THE COURT: Yes.

10 **Q** Okay. Agent Wetzel, do you recognize 295 F?

11 **A** Yes. This is a text conversation taken from Chuck
12 Jones' iPhone and provided to us by FirstEnergy. It's
13 between Chuck Jones and Mike Dowling.

14 **Q** Okay. And can you relate the dates of this message to
15 what we've been discussing?

16 **A** Yeah. This is October 26th, so it's just a few days
17 later.

18 MS. GLATFELTER: All right. Ms. Terry, if we can
19 go back to the message.

20 **Q** All right. Agent Wetzel, does this relate, this first
21 page relates to an unrelated matter?

22 **A** Yes, that's correct.

23 **Q** Okay. So let's go to the second page. And if we can
24 read the messages like we have done so this afternoon.

25 **A** From Michael Dowling to Chuck Jones: Can I still call

1 Mr. Murray on the Householder 100 K matter?

2 **Q** Owner, when you say I, you mean you call or me call?

3 **A** Michael Dowling to Chuck Jones, sorry, I mean you.

4 He'll take my call but he won't say yes to me. Mike Carey
5 has all the paperwork.

6 **Q** Owner, I'm on it.

7 **A** Michael Dowling to Chuck Jones, TX.

8 Michael Dowling to Chuck Jones, Mike C told me Bob is
9 going to do 100 K. If the CEO thing doesn't work out for
10 you, we have a spot for you in external affairs.

11 **Q** Owner, tell Mike C to take credit with LH too.

12 **A** Michael Dowling to Chuck Jones, already did.

13 Michael Dowling to Chuck Jones, pros.

14 **Q** Owner: I know you guys are pros. Didn't mean to
15 insult you. Just talked to Barb. You wanted to relay the
16 news to meet Pursley too?

17 **A** Michael Dowling to Chuck Jones, I knew you weren't
18 suggesting otherwise, I was just bragging.

19 **Q** Owner: Bob says the money has already been wired.

20 **A** Michael Dowling to Chuck Jones, boom.

21 MS. GLATFELTER: Your Honor, I don't know what time
22 you were intending to take the afternoon break. Would now
23 be an okay time?

24 THE COURT: At this very moment.

25 MS. GLATFELTER: Thank you, Your Honor.

1 THE COURT: We're going to take a break. During
2 the break, no discussion of the case with anyone, including
3 among yourself. No independent research. No Googling,
4 nothing like that. Continue to keep an open mind. Going to
5 take a little longer break and hope we get you into the
6 courtroom at 3:15. Out of respect for you, we'll rise as
7 you leave for your mid-afternoon break.

8 THE DEPUTY: All rise for the jury.

9 (Jury exited the courtroom at 2:48 p.m.)

10 THE COURT: Jury has left the room. We can all be
11 seated as we await the jury to exit the floor.

12 (Pause.)

13 THE COURT: We can take our break now and we'll
14 reconvene at 3:15.

15 THE DEPUTY: All rise. This court is in recess
16 until 3:15.

17 (Recess taken from 2:49 p.m. to 3:15 p.m.)

18 THE DEPUTY: All rise. This court is now in
19 session pursuant to the recess.

20 THE COURT: Thank you. Please be seated. Are we
21 ready for the jury from the government's perspective?

22 MS. GLATFELTER: Yes, Your Honor.

23 THE COURT: Mr. Householder's perspective?

24 MR. GLICKMAN: Yes, Judge.

25 MR. SCHNEIDER: Likewise.

1 THE COURT: Very well. Let's call for the jury.

2 (Pause.)

3 THE DEPUTY: All rise for the jury.

4 (Jury entered the courtroom at 3:19 p.m.)

5 THE COURT: Jurors can be seated as they join us.
6 You may all be seated. Thank you. To the 15 Members of the
7 Jury who have rejoined us, good mid afternoon. We're going
8 to continue with the testimony of this witness. Ms.
9 Glatfelter, you're welcome to proceed.

10 MS. GLATFELTER: Thank you, Your Honor.

11 **Q** Agent Wetzel, before the break, we were talking about
12 Hardworking Ohioans. Do you recall that?

13 **A** Yes, ma'am, I do.

14 MS. GLATFELTER: And, Your Honor, if we may publish
15 what's been admitted as Exhibit 316?

16 THE COURT: Yes.

17 **Q** Agent Wetzel, do you recall this document?

18 **A** Yes, I do.

19 **Q** Okay. And I believe before we broke, we were talking
20 about Murray Energy?

21 **A** Yes, that's correct. There's the \$100,000 transaction
22 listed just under the words Generation Now that's sent into
23 Hardworking Ohioans.

24 **Q** Okay.

25 MS. GLATFELTER: And, Your Honor, if we may publish

1 29 -- I'm sorry, I wrote over my notes here, 296 A, I
2 believe, which has been admitted?

3 THE COURT: Yes.

4 **Q** Agent Wetzel, do you recognize Exhibit 296 A?

5 **A** Yes. This is an e-mail recovered from the
6 jefflongstreth@gmail.com account we've been discussing.
7 It's an e-mail from Mike Carey to Jeff Longstreth.

8 **Q** All right. And remind us who Mike Carey is.

9 **A** He -- I'm not -- I don't recall his precise title, but
10 he works for Murray Energy.

11 **Q** All right. And is there an attachment to this e-mail?

12 **A** Yes. The attachment is a scan from a Xerox
13 multifunction printer dot PDF.

14 **Q** And what is the subject of this e-mail?

15 **A** Hardworking Ohioans, W9 and wiring instructions and it
16 was sent October 26, 2018.

17 **Q** Okay. And what does the message say?

18 **A** FYI.

19 MS. GLATFELTER: If we can see the attachment,
20 which is page 2 of the exhibit.

21 **Q** And, Agent Wetzel, do you recognize this document?

22 **A** Yes. This is the attachment we were discussing. This
23 is an e-mail from Mike Carey to Bob Murray and also a
24 Mr. Robert Moore. Subject, Hardworking Ohioans W9 and
25 wiring instructions.

1 **Q** Okay. And was this the scan that you were referencing
2 before?

3 **A** Yes.

4 **Q** What does the message say?

5 **A** Mr. Murray, here is the entity for the \$100,000
6 donation. I spoke with the people at the organization.
7 They asked if we could wire them the money because of how
8 close we are to the election, Mike.

9 **Q** Okay. And there's some handwriting to the right. If
10 we can -- do you see that?

11 **A** Yes, I do. It's in blue.

12 MS. GLATFELTER: And if we look at the last two
13 pages of the exhibit. Thank you. And the next page.

14 **Q** All right. And do you recognize those?

15 **A** Yes, that have the W9 and then this was the
16 Hardworking Ohioans wiring instructions that we looked at
17 earlier.

18 **Q** Okay. The ones that were attached to the e-mails
19 before?

20 **A** Correct.

21 **Q** Now, Agent Wetzels, you mentioned before that you
22 looked at the Hardworking Ohioans' bank account records?

23 **A** Yes, I did.

24 MS. GLATFELTER: All right. And if we can look at
25 Exhibit 112, Your Honor, which has been admitted?

1 THE COURT: Yes.

2 MS. GLATFELTER: And if we can turn to page 6,
3 Ms. Terry.

4 **Q** Agent Wetzel, do you recognize the type of document
5 that this is?

6 **A** Yes. This is a Huntington bank statement for
7 Hardworking Ohioans, Inc. this particular statement lists
8 that it's from October 1st of 2018 through October 31st of
9 2018.

10 **Q** Okay. And is this part of the records that you
11 received regarding the Hardworking Ohioans' account?

12 **A** Yes, ma'am.

13 **Q** Now, if we look at the bottom, towards the bottom of
14 this page, do you see where it says credits?

15 **A** Yes. There's a section called other credits.

16 **Q** Okay. And can you list what those different other
17 credits are?

18 **A** Yes. There is one credit listed on October 19th in
19 the amount of \$400,000 described as an incoming Fedwire
20 transfer. There is also one on October 24th in the amount
21 of \$150,000 listed as an incoming Fedwire transfer. One on
22 October 26th for a \$100,000 listed as an incoming Fedwire
23 transfer. And then there is one listed on October 29th in
24 the amount of \$500,000 that one is described as FirstEnergy
25 Serv payments, and then there are some digits after it. And

1 then there is another one listed on 10/29, the 29th, in the
2 amount of 120,000, and it's listed as an incoming Fedwire
3 transfer.

4 **Q** Okay. Agent Wetzel, I want to focus on the 10/29
5 half-a-million-dollar transfer credit, whatever that is,
6 from FirstEnergy service payment; do you see that?

7 **A** I do.

8 MS. GLATFELTER: Your Honor, if we may publish
9 Exhibit 15, which has been admitted into evidence?

10 THE COURT: Yes.

11 **Q** Agent Wetzel, do you see that transaction on this
12 chart? This is a trick question.

13 **A** I do not.

14 **Q** And why not?

15 **A** I don't because the money did not go into the
16 Generation Now bank account. It went into Hardworking
17 Ohioans, which is a different entity.

18 **Q** Okay. So the total at the bottom of this chart is
19 what?

20 **A** \$59,996,835.86.

21 **Q** So the half a million dollars that we were just
22 looking at into the Hardworking Ohioans account is not
23 included in this total?

24 **A** Correct. This chart is only made to show the payments
25 into the Generation Now bank account ending in 3310. There

1 were other payments that were made to other accounts.

2 **Q** That are not included on this chart?

3 **A** Correct.

4 **Q** Okay. Now, did you try to obtain some records from
5 Hardworking Ohioans regarding how the money in the account
6 was used?

7 **A** Yes, I did.

8 MS. GLATFELTER: And, Your Honor, if we can please
9 publish 316 E, which has been admitted?

10 THE COURT: Yes.

11 **Q** All right. Agent Wetzel, do you recognize
12 Government's Exhibit 316 E?

13 **A** Yes. This is an e-mail that was provided by
14 Hardworking Ohioans. It is from Troy Judy to Ben Yoho with
15 a cc of Chad Hawley and Neil Clark.

16 **Q** What does it pertain to, what is the subject?

17 **A** Dayton info for creative, and then there is an
18 attachment, HD43DanFoley.docX.

19 **Q** Okay. And can you read the message to us?

20 **A** Ben, attached is the stuff we want to run in Dayton
21 against Dan Foley. Some thoughts on the message. Foley
22 failed the DUI test but got off because he's a county
23 commissioner, another politician who thinks the laws don't
24 apply to him. He can't even follow the laws at home, why
25 would we trust him to make laws in Columbus? Why would we

1 trust him to make laws in Columbus when he can't even follow
2 them at home? DUI Dan Foley. Dan DUI Foley. Drunk driving
3 Dan Foley. Foley failed us. Doesn't Dan Foley know that
4 drunk drivers lose? Don't let drunk driving Dan Foley get
5 away with it again. Thanks, Troy.

6 **Q** Okay. And do you recognize the name "Troy" at the
7 bottom and "Troy Judy" who the e-mail is from at the top?

8 **A** Yes. He works for the Batchelder Company. But also
9 he was listed earlier on documents we were looking at with
10 Hardworking Ohioans. I believe his title was the president.

11 **Q** Okay. And do you see the name "Neil Clark" on the
12 message?

13 **A** Yes. He's a cc on this e-mail.

14 **Q** All right. Is that the same Neil Clark who we heard
15 in conversations and recordings earlier today?

16 **A** Yes, it is.

17 **Q** Now, do you see at the top in the message header where
18 it says HD 43?

19 **A** Yes, I do.

20 **Q** Okay. What does HD 43 refer to?

21 **A** House District 43.

22 **Q** Now, earlier today, we looked at a table that you made
23 regarding the primary election regarding the candidates who
24 were in Team Householder category and their opponents. Do
25 you remember that?

1 **A** I do.

2 **Q** And did you create a similar type of table for the
3 general election?

4 **A** Yes, I did.

5 MS. GLATFELTER: Permission to show the witness
6 Exhibit 405, which has not been admitted, Your Honor?

7 THE COURT: Yes.

8 **Q** All right. And can you briefly describe 405 for us?

9 **A** Yes. This is a similar chart. This is for the 2018
10 general election that occurred in November. The left-most
11 column you'll see is the House District in question. The
12 next column to the right is the Team Householder candidate.
13 To the right of them is the general election opponent. And
14 then in the far right column is who won the general
15 election.

16 **Q** And how did you create this chart?

17 **A** This information came from a variety of sources. The
18 general election winners and candidates and things are a
19 matter of public record. And then who the Team Householder
20 candidates are is an accumulation of reviewing documents in
21 the case. We looked at some where there were messages about
22 who's on the team, who isn't, and we cobbled that together.

23 MS. GLATFELTER: Okay. Your Honor, I would ask for
24 admission of Exhibit 405?

25 THE COURT: Any objection?

1 MR. GLICKMAN: Judge, can I confer with counsel for
2 just one second?

3 THE COURT: Yes.

4 MR. GLICKMAN: Thank you.

5 (Pause.)

6 MR. GLICKMAN: We're fine. No objection, Judge.

7 MR. LONG: No objection, Your Honor.

8 THE COURT: It's admitted.

9 MS. GLATFELTER: Thank you. May we publish it to
10 the jury?

11 THE COURT: Yes.

12 **Q** Agent Wetzel, can you describe this chart for us?

13 **A** Yes. There is -- it's listed as 2018 general
14 election, and then in the left-most column is the House
15 District in question, then there's the Team Householder
16 candidate in the next column, then the general opponent in
17 the next column to the right, and then the general election
18 winner in the right-most column.

19 **Q** Okay. And, Agent Wetzel, as counsel graciously
20 pointed out a few seconds ago, on lines 28 and 36, perhaps
21 there is a typo in the general winner category.

22 **A** I apologize. I believe that in No. 36 it should be
23 Anthony DeVitis was the general winner. I apologize for
24 that confusion.

25 **Q** Everyone makes mistakes. So we will fix this exhibit

1 and reenter it tomorrow morning. But aside from that, does
2 this display who are the Team Householder candidates and who
3 are the general opponents in the general election for 2018?

4 **A** Yes.

5 **Q** Okay. Now, do you see a reference to Dan Foley, who
6 was in the previous message that we were just reviewing?

7 **A** Yes. In House District 43, the Team Householder
8 candidate is listed as Jeffrey Todd Smith. The general
9 opponent is Dan Foley.

10 **Q** Okay. And can you circle where that is on the chart
11 so we can see that quickly?

12 **A** (Witness writing.)

13 **Q** Thank you, Agent Wetzel.

14 MS. GLATFELTER: Now, Your Honor, if we may publish
15 316 F, which has been admitted?

16 THE COURT: Yes.

17 **Q** Agent Wetzel, do you recognize 316 F?

18 **A** Yes. This is another e-mail recovered from
19 Hardworking Ohioans.

20 **Q** Okay. And who is the e-mail from?

21 **A** The top e-mail is from Chad Hawley to Neil Clark with
22 a cc of Ben Yoho and Troy Judy.

23 **Q** Okay. Is Chad Hawley the same Chad Hawley that's a
24 signatory on the Hardworking Ohioans' bank account that we
25 saw?

1 **A** Yes, that's the same individual.

2 **Q** And the same Neil Clark we were talking about?

3 **A** Correct.

4 **Q** If you can read the message at the bottom.

5 **A** First message, October 25, 2018, Ben Yoho, hey, team,
6 there is the hard working -- or here is the Hardworking
7 Ohioans script for HD 43. Think it will be a killer, had
8 some really good shots we could use in the video. Thanks, B
9 W Y.

10 **Q** And does Neil Clark respond to that message?

11 **A** Yes does and says, love it.

12 **Q** And what -- does Mr. Chad Hawley respond?

13 **A** Yes. He is the top e-mail and he replies to Neil
14 Clark with the others as I mentioned cc'd, same.

15 **Q** Okay. And you mentioned a Ben Yoho before. Do you
16 recognize the end of that e-mail address?

17 **A** Yes. So even though we were talking about New Day
18 Media, the e-mail address listed for Ben Yoho is T S G C O,
19 which is the Strategy Group Company.

20 MS. GLATFELTER: Your Honor, permission to publish
21 316 J, which has been admitted into evidence.

22 THE COURT: Yes.

23 **Q** All right. And do you recognize Exhibit 316 J?

24 **A** Yes. This is another e-mail from Hardworking Ohioans.
25 This -- this one, the top one is from Ben Yoho to Troy Judy

1 with a cc of Chad Hawley and Neil Clark.

2 **Q** Okay. The same individuals that we've been talking
3 about before?

4 **A** Correct.

5 **Q** And does this e-mail pertain to the same ad that we've
6 been talking about before?

7 **A** It does.

8 MS. GLATFELTER: If we can go to the second page of
9 this e-mail.

10 **Q** Okay. And can you describe the type of document that
11 is attached or second page of this exhibit?

12 **A** Yeah. So this is a script essentially the television
13 copy and so you see it's the Strategy Group Company, and the
14 television copy is for 30 seconds. And then it lists who it
15 is for, Hardworking Ohioans, and then date, word count, and
16 then there is a listing of the audio and then a listing of
17 the video as well.

18 **Q** And did you recover similar documents like this
19 throughout your investigation?

20 **A** Yes.

21 **Q** From the Strategy Group?

22 **A** Correct.

23 **Q** Okay. And at the bottom, do you see on the bottom
24 right hand, at the end of the right-hand column, it says:
25 Disclaimer?

1 **A** Paid for by Hardworking Ohioans, Inc.

2 **Q** Okay. And can you circle where you see that?

3 **A** (Witness writing.)

4 MS. GLATFELTER: All right. Now, may we have
5 permission to publish 316, an exhibit that has been
6 admitted?

7 THE COURT: Yes.

8 **Q** And, Agent Wetzel, can you describe the money flow
9 that was into Hardworking Ohioans --

10 **A** Yes.

11 **Q** -- using this chart.

12 **A** Yes. So Generation Now sent \$670,000 into Hardworking
13 Ohioans around the same time FirstEnergy sent about \$500,000
14 and Murray Energy sent \$100,000 into Hardworking Ohioans.
15 Of the total Hardworking Ohioans \$1,000,470, 1,415,335 were
16 sent to New Day Media, which I mentioned is connected to the
17 Strategy Group we just saw. And then there are some other
18 expenses listed as well in green that are smaller.

19 **Q** Agent Wetzel, did you recover any documents from
20 Hardworking Ohioans that outlined the expenditures for the
21 organization?

22 **A** Yes, I did.

23 MS. GLATFELTER: Your Honor, if we may publish 316
24 O, which has been admitted?

25 THE COURT: Yes.

1 MS. GLATFELTER: And Ms. Terry, if we can enlarge
2 the top portion of that document. Thank you.

3 **Q** Okay. Agent Wetzel, can you describe Government's
4 Exhibit 316 O?

5 **A** Yes. This is a listing of deposits and expenditures
6 related to the media we've been discussing. You'll see in
7 there there are various totals and invoices from New Day
8 Media that are sent, and then there's also some item
9 listings. They include -- some of them -- House Districts,
10 other days. And then some of them even list the type of ad,
11 for example, the top one: Attack Liston/Lightbody
12 broadcast.

13 **Q** Okay. And is there an amount column?

14 **A** Yes, there is.

15 **Q** And what is the total at the bottom of the amount
16 column?

17 **A** 1,493,175.

18 **Q** All right. Is that the amount of deposits it
19 received?

20 **A** Yes, that's what appears to be on the chart.

21 **Q** Okay. And then the amount of the expenditures?

22 **A** 1,403,210, and that's listed kind of below to the
23 right of that other total.

24 **Q** Now, the -- the House Districts in the Item column, do
25 you see those, HD 19, HD 99?

1 **A** Yes, I do.

2 **Q** HD 77. What do those refer to?

3 **A** Those are listed as an area CLE or COL, and it's
4 increase radio buy or digital media buy. Or, for example,
5 one above for COL, increase Columbus broadcast.

6 MS. GLATFELTER: Okay. And if we look at those
7 numbers. And, Your Honor, permission to publish what's been
8 admitted as 405? And if we could do a side by side,
9 Ms. Terry.

10 THE COURT: Yes.

11 **Q** Agent Wetzel, do you see a correlation between the
12 numbers in that Item column on the left document, which is
13 316 O, and a correlation of some of the House Districts in
14 the chart that you made on the right?

15 **A** Yes. The districts that are listed on the left are
16 ones where Team Householder candidates are running and then
17 some of the listed individuals, for example, Lightbody at
18 the top of the item is a general opponent of Mr. Tim
19 Barhorst, who's in House District 19.

20 **Q** Okay. Can you circle that on the right so we can see
21 that and on the left?

22 **A** (Witness writing.)

23 **Q** Thank you, Agent Wetzel.

24 Now, do you see the column on the right in the left
25 document that says "Invoice Number"?

1 **A** Yes, I do.

2 **Q** Okay. And it has numbers like 61, 62, 63?

3 **A** Yes, I do.

4 **Q** And did you recover or did you find invoices in your
5 investigation that related to that column?

6 **A** I did.

7 MS. GLATFELTER: Your Honor, permission to publish
8 316 N, which has been admitted?

9 THE COURT: Yes.

10 MS. GLATFELTER: And if we scroll -- well, I guess
11 we can see one right here on the first page of 316 N.

12 **Q** Do you recognize 316 N?

13 **A** Yes. This is another e-mail that was recovered from
14 Hardworking Ohioans. There is some discussion about the
15 e-mail that's at the bottom that begins the conversation.

16 **Q** Okay. And do you see where it says invoice at the
17 bottom?

18 **A** Yes. It appears based on this original e-mail is from
19 Scott Donnelly, who we saw listed with Scott Schweitzer
20 earlier, and he is sending to Ben Yoho with a cc,
21 Hardworking Ohioans, Invoice 61 from New Day Media, LLC.
22 And then below that there's a listing of the invoice with
23 the number 61 below it, a due date, and also an amount.

24 MS. GLATFELTER: And, Ms. Terry, if we can see the
25 second page of that exhibit, please. Third page. Okay.

1 Q And another invoice?

2 A Yes. This is another document we received from
3 Hardworking Ohioans. This is just a different e-mail and
4 again the lower e-mail is from Mr. Donnelly to Mr. Yoho, and
5 it's another New Day Media invoice. This one is numbered
6 62.

7 Q Now, a few minutes ago, Agent Wetzels, you were talking
8 about the House race in House District 43 involving Dan
9 Foley?

10 A Yes, that's right.

11 Q And who was he running against?

12 A J Todd Smith.

13 Q Did you find any communications that Jeff Longstreth
14 or Larry Householder were kept informed of Hardworking
15 Ohioans?

16 A Yes, I did.

17 MS. GLATFELTER: Your Honor, permission to publish
18 320 A, which has been admitted?

19 THE COURT: Yes.

20 Q Agent Wetzels, do you recognize 320 A?

21 A I do. This is an e-mail recovered from Megan
22 Fitzmartin. This subject, re, OH HD 32 creative update
23 10.30.

24 Q Okay. Who's the e-mail from?

25 A It is from Jeff Longstreth to Scott Schweitzer with a

1 cc of Megan Fitzmartin on the 30th of October 2018.

2 **Q** Okay. And does that e-mail respond to one below it?

3 **A** Yes. The original e-mail is from Scott Schweitzer to
4 the other two I mentioned, Mr. Longstreth and Ms. Fitzmartin
5 and at 10:37 a.m. Scott Schweitzer wrote FYI, and then below
6 it's listed: Hardworking Ohioans, pro Smith R with the
7 bullet Drunk Dan below it. And it's sent with a message,
8 FYI. And then the top e-mail I was referencing is a reply
9 from Mr. Longstreth and he replies Boom.

10 **Q** So let's talk about the bottom e-mail first. So it
11 says Hardworking Ohioans and pro Smith. Who is the opponent
12 of Dan Foley?

13 **A** Jay Todd Smith.

14 **Q** Okay. And so that Smith is similar to the name Jay
15 Todd Smith?

16 **A** Yes.

17 **Q** Okay. And in your investigation, did you see
18 documents like this where there was a message in blue like
19 that at the bottom?

20 **A** Yes.

21 **Q** What kind of message is that?

22 **A** Those were often links. So if you were to click on
23 that, it would take you to another location where you could
24 see the ad or download the ad.

25 **Q** Okay. And is that a way of transferring it without

1 actually attaching it to the -- attaching the file to the
2 message?

3 **A** Yes, ma'am, it is.

4 **Q** All right. So and then what is the response of Mr.
5 Longstreth to Scott Schweitzer's e-mail?

6 **A** He says "boom" with an exclamation point.

7 MS. GLATFELTER: And, Your Honor, if we may publish
8 320 E, which has been admitted?

9 THE COURT: Yes.

10 **Q** Agent Wetzel, do you recognize what 320 E is?

11 **A** Yes. This is another e-mail recovered from
12 Ms. Fitzmartin.

13 **Q** Okay. And if we start with the bottom portion of this
14 document, do you see who the e-mail is to?

15 **A** Yes. It's to Rex Elsass, R.J. Richmond, Larry
16 Householder, and Scott Schweitzer, with a cc of Eric Krak.

17 **Q** And what is the e-mail address or what is the
18 messaging address for Mr. Householder listed there?

19 **A** 740-707-2500@txt@att.net.

20 **Q** Do you recognize that?

21 **A** I do.

22 **Q** What is it?

23 **A** That is Mr. Householder's phone number.

24 **Q** And would that indicate a text message as opposed to
25 an e-mail to Mr. Householder?

1 **A** Indeed.

2 **Q** All right. And then what is the message?

3 **A** Hardworking Ohioans, anti Lightbody, HD 19, and then
4 the bullet below is one of those blue highlighted links,
5 turn back, Lightbody could be an impediment to Ohio's
6 prosperous economy.

7 **Q** All right. Is that message forwarded to anyone?

8 **A** It appears that it is forwarded by Scott Schweitzer to
9 Megan Fitzmartin and Jeff Longstreth and then Ms. Fitzmartin
10 replies thank you.

11 **Q** And the subject of this e-mail pertains to Hardworking
12 Ohioans?

13 **A** Yes, it does.

14 MS. GLATFELTER: All right. If we can publish,
15 Your Honor, 320 F, which has been admitted.

16 THE COURT: Yes.

17 MS. TERRY: 320 F?

18 MS. GLATFELTER: F as in frank, yes. Okay. If we
19 can go to 343 I. One moment, Your Honor.

20 THE COURT: Yes.

21 (Pause.)

22 MS. GLATFELTER: Sorry, Your Honor, technical
23 difficulties, my fault, not Ms. Terry's. I think it's 320
24 F1. There we go. Thank you.

25 **Q** Agent Wetzal, do you recognize Government's

1 Exhibit 320 F?

2 **A** Yes. This is another e-mail recovered from
3 Ms. Fitzmartin.

4 **Q** All right. And the bottom of the e-mail if we can
5 start there.

6 **A** This is from Eric Krak on November 3rd, 2018, to Rex
7 Elsass that 7407002500@text.net, blind to Mr. Householder,
8 Scott Schweitzer and R.J. Richmond, with a cc of Anthony
9 Lacovetti. The subject is: Hardworking Ohioans' TV and
10 radio ads.

11 **Q** All right. And is there a second page to that
12 document? Yes. You see the second page there?

13 **A** I do.

14 **Q** All right. And what do those appear to be?

15 **A** Those are the links we were discussing before, Ohio HD
16 19, and then there's a link to the advertisement below.

17 **Q** Okay. And do we see the one regarding Dan Foley at
18 the bottom?

19 **A** Yes. OH HD 48 with a Drunk Dan below it.

20 MS. GLATFELTER: All right. If we go back to the
21 first page. All right.

22 **Q** After the message at the bottom, which is attaching
23 the links, what does -- is there a message at the top?

24 **A** Yes. So there's then a message from Eric Krak who
25 wrote: Hello, please see the attached Hardworking Ohioans

1 TV and radio spots I sent to Representative Householder, but
2 wanted to make sure you all had copies in case the files
3 were too large and he couldn't receive them on his phone.
4 Please let me know if you have any additional questions,
5 best, ETK. And Jeff Longstreth replies: Thank you, I'll
6 text to LH.

7 **Q** All right. Agent Wetzel, we've been talking about
8 Mr. Householder and Mr. Longstreth and Hardworking Ohioans.
9 Did you recover any text messages involving Matt Borges and
10 Hardworking Ohioans?

11 **A** Yes, I did.

12 MS. GLATFELTER: Your Honor, permission to publish
13 318, which has been admitted?

14 THE COURT: Yes.

15 **Q** All right. Agent Wetzel, do you recognize
16 Government's Exhibit 318?

17 **A** Yes. This is a text message conversation that was
18 extracted from Matthew Borges' phone. It's between Mr.
19 Borges and Jeff Longstreth.

20 **Q** And you know that it came from Mr. Borges' phone how?

21 **A** When you look at the participants next to the name of
22 the person whose device it comes from, it will say owner.

23 MS. GLATFELTER: Okay. And if we can see the
24 message, Ms. Terry.

25 **Q** All right. Agent Wetzel, do you see the text messages

1 on your screen?

2 **A** I do.

3 **Q** Okay. If you can read the blue text messages and I'll
4 read the green as we've been doing.

5 **A** From Jeff Longstreth: Do you have time to talk this
6 afternoon? I'd like to discuss mail and the state candidate
7 fund.

8 **Q** Matt Borges: Yes, I had something I needed to discuss
9 with you anyway. Let me know what time works for you.

10 **A** Jeff Longstreth: I'm open.

11 **Q** Matt Borges: Should I be worried?

12 **A** Jeff Longstreth: No. I'm going to have good news for
13 Stu today. We were just finishing going through them, then
14 I'm going to call Stu. I'll call you after.

15 **Q** If we pause there for a moment, Agent Wetzel, do you
16 know who the reference to Stu is; have you -- do you have
17 information about who Stu is?

18 **A** Yes. We discussed previously Stu Harris, which is a
19 Team Householder candidate that Matt Borges was assisting in
20 this election.

21 **Q** Matt Borges responds: Okay, great. Thanks.

22 **A** Jeff Longstreth: Hardworking Ohioans anti Liston, HD
23 21, anti Lightbody, HD 19, purchase broadcast in Columbus
24 for 10.23-11.4. Status complete. Spend \$410,700. Total
25 campaign spend \$410,700.

1 **Q** All right. And the names on --

2 MS. GLATFELTER: I'm sorry, Ms. Terry, if you can
3 go back to that.

4 **Q** Anti Liston and anti Lightbody, do you recognize the
5 name "Liston" and "Lightbody"?

6 **A** Yes. They were running against Team Householder
7 candidates.

8 MS. GLATFELTER: Your Honor, may we publish 405,
9 which has been admitted?

10 **A** Yes.

11 **Q** Okay. And do you see Lightbody and Liston on this
12 exhibit?

13 **A** Yes. They are running against Tim Barhorst and Stu
14 Harris, respectively, which are the two candidates that Mr.
15 Borges was assisting.

16 **Q** Okay. And can you circle the House Districts where
17 those are?

18 **A** (Witness writing.)

19 **Q** Okay. Thank you.

20 MS. GLATFELTER: And if we can return to the
21 message which I believe was 318, Ms. Terry. No. I think
22 we'll end there. It looks like those are after the
23 election.

24 **Q** What were the dates of this last message, Hardworking
25 Ohioans anti Liston and anti Lightbody?

1 **A** That message is listed as sent October 24th, 2018 at
2 12:18 a.m.

3 **Q** Okay. And can you relate that date to the general
4 election?

5 **A** It's shortly before the general election.

6 **Q** Now, did you --

7 MS. GLATFELTER: If we can take that down,
8 Ms. Terry.

9 **Q** We were talking about the Dan Foley ad before, the ad
10 against Dan Foley by Hardworking Ohioans. Did you recover a
11 copy of that ad anywhere during your investigation?

12 **A** Yes, ma'am, I did.

13 **Q** But did you recover it from any of the sources that
14 we've been talking about today?

15 **A** I think that we recovered -- I think there were a few
16 places where we were able to locate a copy. I'm not certain
17 if you're referring to a specific one.

18 **Q** Okay. Let me do it this way.

19 MS. GLATFELTER: Your Honor, if we can publish 319
20 A which has been admitted into evidence?

21 THE COURT: Yes.

22 **Q** Okay. Agent Wetzel, do you recognize 319 A?

23 **A** Yes. This is an extraction report. It is a text
24 conversation between Bryan Gray and Megan Fitzmartin. It is
25 from Megan Fitzmartin's device.

1 **Q** Okay. And if we can go to the message. Now, first,
2 if we can look at the date of this message.

3 **A** The first message is September 11th, 2019.

4 **Q** All right. Is that the same year as the general
5 election for 2018?

6 **A** No. That's the following year.

7 **Q** All right. And, by the way, sometimes when we're
8 viewing these messages, there are -- I noticed there are
9 different dates in the boxes; can you explain that? I don't
10 think we did that for the jury before.

11 **A** Yes. Depending upon the nature of the extraction, the
12 device, there can be multiple dates that are present, but
13 the date that the message was sent and received by the
14 device in question that we have the extraction from is the
15 one that's in the bottom right corner. The other dates may
16 correlate to other events or they may be the same, but the
17 one on the bottom right is the one that matters as far as
18 the time stamping the message being received by the device.

19 **Q** Okay. And, Agent Wetzel, can you circle the date that
20 we should be referring to when we're looking at these
21 messages?

22 **A** (Witness writing.)

23 **Q** Thank you.

24 MS. GLATFELTER: All right. If we can go back to
25 the message here.

1 Q All right. The first message is from whom?

2 A This is from Bryan Gray.

3 Q And what, if any, relationship did he have with
4 Speaker Householder?

5 A He works for Speaker Householder in several capacities
6 over several years.

7 Q As a staff member at times?

8 A Yes. At times he works as a staff member working for
9 the General Assembly. Other times he works and is paid by
10 JPL & Associates. It kind of varies a bit over time.

11 Q Okay. And what does Bryan Gray write?

12 A He writes: Speaker was wondering if we still have the
13 drunk Dan Foley ad.

14 Q All right. Megan Fitzmartin: You have it.

15 Megan Fitzmartin: The only way I had it was via a link
16 that doesn't work. I never had a file that I could save.

17 Agent Wetzel, do you recall now about the drunk Dan
18 Foley ad and your ability to recover that from sources like
19 Ms. Fitzmartin?

20 A You know, she says here that she didn't have it. I
21 believe that Hardworking Ohioans did provide us some of
22 their advertisements. I can't recall if this is one of the
23 ones that they provided us.

24 Q Okay. And the e-mail messages that we saw, it was
25 being passed via link?

1 **A** That's correct.

2 **Q** Now, this Dan Foley ad you said related to what House
3 District?

4 **A** I believe it was 43.

5 MS. GLATFELTER: All right. And if we can go back
6 to your chart, which is Exhibit No. 45, Your Honor, we've
7 published this before and admitted it today.

8 THE COURT: Yes.

9 MS. GLATFELTER: If we can look at 405. Thank you.

10 **Q** And do you see the House District that Mr. Foley was
11 running in?

12 **A** Yes. It's the 43rd House District against Jeffrey
13 Todd Smith.

14 **Q** And who won that House District?

15 **A** Jeffrey Todd Smith.

16 **Q** And did Mr. Smith vote for Larry Householder as for
17 Speaker?

18 **A** Yes.

19 **Q** Now, we've covered quite a bit of records regarding
20 Hardworking Ohioans. Did you prepare a timeline of events
21 to summarize those for us?

22 **A** Yes.

23 MS. GLATFELTER: Your Honor, permission to show the
24 witness 315, which has not been admitted?

25 THE COURT: Yes.

1 **Q** Agent Wetzel, do you recognize this?

2 **A** Yes. This is a chart that we prepared. It's a
3 Hardworking Ohioans timeline. It runs from September of
4 2018 through November of 2018.

5 **Q** And does that generally correlate to when Hardworking
6 Ohioans was active?

7 **A** Yes. We saw in the incorporation documents in
8 September the account becomes active and it really is only
9 doing things through the election in November.

10 **Q** There might be a few transactions afterwards, but
11 those are incidental, would you say?

12 **A** Agreed, and also to settle accounts, things of that
13 sort from the election.

14 **Q** Okay. And how did you prepare -- or how was this
15 table prepared?

16 **A** There were a variety of sources. They're actually
17 denoted in the Exhibit column which is to the far right.
18 Some of them are public records, some of them are text
19 messages, others are e-mails, and we just cobbled together
20 using the dates of those events.

21 MS. GLATFELTER: Your Honor, at this time, I'd ask
22 to admit and publish 315 to the jury?

23 THE COURT: Any objection?

24 MR. GLICKMAN: Just one moment, please, Judge.

25 THE COURT: Very well.

1 MR. GLICKMAN: No objection.

2 MR. LONG: No objection.

3 THE COURT: It's admitted. You can show it to the
4 jury.

5 MS. GLATFELTER: Thank you.

6 **Q** All right. Agent Wetzel, can you describe the date
7 range at the top of the document to the jury?

8 **A** Yes. It's from September 2018 through November 6,
9 2018.

10 **Q** Okay. And the different columns, can you read those
11 across the page for the jury?

12 **A** Sure. So on the far left, we have the date of the
13 events, and then to the right is the actual event in
14 question. To the right of that is the description, and then
15 the exhibit is just the exhibit, that's the source of that
16 information.

17 **Q** Okay. And so from this document, can you tell us when
18 Hardworking Ohioans was registered in Ohio?

19 **A** Yes. The first line, 9/24/2018 was the registration
20 event where Hardworking Ohioans registered with the State of
21 Ohio.

22 **Q** And what was the first wire into Hardworking Ohioans?

23 **A** I believe that the wire depicted there to below for
24 400,000 is on 10/19/2018.

25 **Q** And did Generation Now have any other wires into

1 Hardworking Ohioans?

2 **A** Yes. I see one on 10/24/2018, Generation Now wires
3 150,000 to Hardworking Ohioans.

4 **Q** And at the bottom, there are some additional numbers?

5 **A** Yes.

6 **Q** Timeline?

7 **A** There's an additional wire as well below that, the
8 10/29 wire.

9 **Q** Oh, sorry. Go ahead.

10 **A** I was just going to say there's another wire as well
11 for 120,000 that's on 10/29.

12 **Q** At the very bottom, do you see some additional
13 numbers?

14 **A** Yes. We see the \$670,000 came from Generation Now
15 directly into the Hardworking Ohioans account, and then
16 there's \$500,000 from the FirstEnergy Service Company to the
17 account, and then there's 300,000 from other sources.

18 **Q** All right. So the majority of money from the
19 Hardworking Ohioans account came from Generation Now and
20 FirstEnergy Service Company?

21 **A** That's correct.

22 **Q** All right. Agent Wetzel, were there other deposits
23 into the Generation Now account from FirstEnergy during
24 October before the general election?

25 **A** Yes.

1 MS. GLATFELTER: Your Honor, may we publish again
2 Exhibit 15, which has been admitted?

3 THE COURT: Yes.

4 Q Can you identify which transaction you're referring to
5 on the chart?

6 A (Witness writing.)

7 Q And I see you've circled two?

8 A Yes, that's correct.

9 Q Okay. And so the \$400,000 check was the one that we
10 referred to or we talked about before the break; is that
11 right?

12 A Correct.

13 Q Okay. And what's the one below that?

14 A It's a \$100,000 check that came shortly thereafter on
15 October 29, 2018.

16 Q Now, during your investigation, did you find any
17 communications related to this \$100,000 deposit?

18 A Yes, I did.

19 MS. GLATFELTER: Your Honor, permission to publish
20 298, which has been admitted?

21 THE COURT: Yes.

22 Q Agent Wetzel, do you recognize Government's
23 Exhibit 298?

24 A Yes. This is a text conversation that was extracted
25 from Juan Cespedes' phone. It's a conversation between Juan

1 Cespedes and Jeff Longstreth.

2 **Q** And how are you able to tell that it is from Juan
3 Cespedes?

4 **A** Under the participants section next to Juan Cespedes
5 is -- the owner is listed and so it's from his device.

6 MS. GLATFELTER: Okay. Ms. Terry, if we can zoom
7 out there. Thank you.

8 **Q** All right. Agent Wetzel, if we can read this text
9 chain. I'll read the green and if you'll read the blue.

10 It's Juan Cespedes: Is the Speaker available between
11 10 hyphen 11:30 tomorrow at any point in his office.

12 **A** Jeff Longstreth: Hi, Juan, he is going to be on the
13 road with our candidates most of this week. I will be in
14 the office if you'd like to chat. Thanks.

15 **Q** Juan Cespedes: Yes, I would like to stop by at
16 10:00 a.m. if possible to chat with you. Can you make time?

17 **A** Jeff Longstreth: Yep.

18 **Q** Remind me of the floor number.

19 **A** 25.

20 **Q** Okay. Cool. I'll see you at 10:00 a.m.

21 **A** Jeff Longstreth: Sounds good.

22 **Q** Juan Cespedes: Running 10 late, sorry.

23 **A** Jeff Longstreth: No worries.

24 **Q** Juan Cespedes: Please have Speaker call FES president
25 to say thanks at his convenience if he hasn't done so

1 already. Don mole, 419-340-8593.

2 MS. GLATFELTER: All right. Ms. Terry, is that the
3 end of the messages? Thank you.

4 Your Honor, permission to publish what's been admitted
5 as Exhibit 14 B?

6 THE COURT: Yes.

7 **Q** All right. Agent Wetzel, did you find a check that
8 corresponded to the date of that conversation?

9 **A** Yes.

10 MS. GLATFELTER: Okay. If we can look at page 180,
11 Ms. Terry.

12 **Q** And can you identify the document on our screen?

13 **A** Yes. When we receive subpoenaed records, we also, as
14 I mentioned, received items, checks, and this is a check
15 from FirstEnergy to Generation Now, Incorporated in the
16 amount of \$100,000.

17 MS. GLATFELTER: And, Ms. Terry, if we can view the
18 next page of this exhibit, 181.

19 **Q** And, Agent Wetzel, can you tell from the writing on
20 this page when it was deposited?

21 **A** Yes. There is a date that appears in the center. I
22 can circle it, if you would like.

23 **Q** Yes, please.

24 **A** (Witness writing.)

25 **Q** All right. And what date is that?

1 **A** That is October 29th, 2018.

2 **Q** And does that correspond to your chart that we've been
3 looking at, Exhibit 15?

4 **A** It does, and it was also the latter text messages
5 about running 10 minutes late.

6 **Q** Thank you, Agent Wetzel.

7 Now, we've talked about several entities during your
8 testimony today. Is there a visual depiction that shows the
9 relationship between these entities that you've worked on?

10 **A** Yes.

11 MS. GLATFELTER: May I please show the witness
12 Exhibit 180? This has not been admitted yet.

13 THE COURT: Yes.

14 **Q** Agent Wetzel, what is this?

15 **A** This is a chart that we made. It just depicts
16 generally the flow of money from 2017 through 2020 and some
17 of the entities associated.

18 **Q** Okay. And have you reviewed it for accuracy?

19 **A** I have.

20 MS. GLATFELTER: Your Honor, I'd ask to admit and
21 publish Exhibit 180?

22 THE COURT: Any objection?

23 MR. GLICKMAN: Just one moment, please, Judge.

24 THE COURT: Very well.

25 MR. GLICKMAN: No objection.

1 MR. LONG: No objection.

2 THE COURT: It's admitted. Show it to the jury.

3 MS. GLATFELTER: Thank you, Your Honor.

4 **Q** Agent Wetzel, can you describe what we see on the
5 screen for Government's Exhibit 180?

6 **A** Yes. So on the left in blue, we see FirstEnergy, and
7 then also an arrow down to Partners For Progress. The
8 arrows generally denote money traveling from one entity to
9 another, so kind of the point of the arrow is the direction
10 the money is flowing. And then, you know, from FirstEnergy
11 we see money flowing into HWO, which is Hardworking Ohioans.
12 Also see money flowing into Generation Now. And then from
13 Generation Now we see it flowing out to HWO, Hardworking
14 Ohioans. Coalition for Growth and Opportunity, the Growth
15 and Opportunity PAC that we talked about a little bit
16 earlier. JPL & Associates another series of accounts called
17 Constant Content, an entity called Ohioans For Energy
18 Security, and then also 17 Consulting.

19 **Q** And are some of these entities, like 17 Consulting,
20 Ohioans For Energy Security, are those ones that will come
21 up in the 2019 time frame?

22 **A** Yes.

23 **Q** Okay.

24 **A** That's correct. They're not yet created.

25 **Q** All right. And the entities that are depicted in the

1 color green, how are those related?

2 **A** Those are all entities that are receiving FirstEnergy
3 and Partners For Progress money through various intermediate
4 accounts.

5 **Q** Such as Generation Now?

6 **A** Correct.

7 **Q** Or directly from FirstEnergy and Partners For
8 Progress?

9 **A** Yes, in some cases.

10 MS. GLATFELTER: Okay. And, Ms. Terry, we can go
11 ahead and take that down. Thank you.

12 **Q** Now, Agent Wetzel, I'd like to turn to the general
13 election and the results of the election. You prepared a
14 summary that we've seen -- or a chart that we've seen today,
15 Exhibit 405.

16 MS. GLATFELTER: And, Your Honor, may we publish
17 that one more time?

18 THE COURT: Yes.

19 MS. GLATFELTER: Thank you.

20 **Q** All right. In that far column on your table, what
21 does that depict?

22 **A** The far column is the general winner.

23 **Q** Okay. And so I'd like to talk about the general
24 winners and basics of the Ohio House of Representatives.

25 MS. GLATFELTER: We can go ahead and take that

1 down.

2 **Q** All right. So, first of all, to reorient ourselves,
3 how many representatives are in Ohio?

4 **A** 99.

5 **Q** And if we look at Exhibit --

6 MS. GLATFELTER: Ms. Terry, I believe this is
7 Exhibit 8.

8 Oh, I'm sorry, Your Honor, may I publish Exhibit 8? I
9 believe that's in evidence. Let me do it this way. May we
10 please show the witness what is Exhibit 8?

11 THE COURT: Yes.

12 **Q** And do you recognize this exhibit?

13 **A** Yes, I do.

14 **Q** Okay. And what is it?

15 **A** This is the Ohio House Districts from 2012 until 2022.
16 It's a map of the State of Ohio that lists the districts.
17 It was retrieved off of the Secretary of State's website and
18 bears the Secretary of State's logo in the top left.

19 **Q** And is this available to the public?

20 **A** It is, indeed.

21 MS. GLATFELTER: Your Honor, I'd ask to admit
22 Government's Exhibit 8, if I've not done so already. I
23 apologize.

24 MR. GLICKMAN: No objection.

25 MR. LONG: No objection.

1 THE COURT: It's admitted.

2 MS. GLATFELTER: And may we publish it to the jury?

3 THE COURT: Yes.

4 MS. GLATFELTER: Thank you.

5 **Q** Agent Wetzel, does this diagram or does this chart of
6 Ohio generally depict the Ohio House Districts?

7 **A** Yes, it does.

8 **Q** Okay. And if we can use an example here, do you see
9 down on the left side "43"?

10 **A** I do, yes.

11 **Q** Okay. And can you circle that and the district just
12 so show us as an example?

13 **A** (Witness writing.)

14 **Q** All right. Is this one of the 99 districts that
15 you've been referring to?

16 **A** Correct.

17 **Q** Okay. And what is District 43 and how does that
18 relate to what we've been talking about this afternoon?

19 **A** So that's Preble County, but also some other sections
20 as you see there. When you get into the urban areas, the
21 districts get a little bit smaller, so they're harder to see
22 on the map. But this is the district that we were
23 discussing with Jay Todd Smith and Dan Foley.

24 **Q** Okay. Now, you said there are 99 representatives, and
25 where do they generally meet?

1 **A** They meet in Columbus at the State House.

2 MS. GLATFELTER: All right. Permission to publish
3 what has been admitted as Exhibit 402?

4 THE COURT: Yes.

5 **Q** And do you recognize this picture?

6 **A** Yes. This is a photograph of the State House.

7 **Q** And have you been there before?

8 **A** I have.

9 **Q** Is this the building that you're referring to that the
10 representatives meet inside?

11 **A** That's correct.

12 MS. GLATFELTER: All right. And if we may show the
13 witness Exhibit 404?

14 THE COURT: Yes. We'll show it to the witness and
15 the lawyers.

16 MS. GLATFELTER: Okay. Actually, this exhibit has
17 been admitted, Your Honor. May we publish it to the jury?

18 THE COURT: Yes.

19 **Q** And the picture that we were just looking at of the
20 State House, can you show us where that's represented on the
21 map?

22 **A** Yes. That is the blue diamond sort of in the center
23 of the -- of the colors. And the photograph was taken from
24 the left facing the front of the building.

25 MS. GLATFELTER: All right. And, Ms. Terry, if we

1 go to page 2 with the labels on there.

2 **Q** Do you see the Generation Now office depicted on this
3 exhibit?

4 **A** Yes, I do.

5 **Q** Okay. And can you describe the direction of that?

6 **A** Yes. Just one block south.

7 MS. GLATFELTER: One moment, Your Honor.

8 And, Your Honor, if we may publish Exhibit 403, which
9 has been admitted?

10 THE COURT: Yes.

11 **Q** Agent Wetzel, do you recognize this building?

12 **A** Yes. This is the building that contains the offices
13 where most of the representatives have offices. It's across
14 the street from the State House.

15 MS. GLATFELTER: And if, Your Honor, if we may go
16 back to Exhibit 404?

17 THE COURT: Yes.

18 MS. GLATFELTER: Thank you.

19 **Q** And do you see the Riffe Center; is that depicted on
20 your map?

21 **A** Yes. The building is the Vern Riffe State Office
22 Tower, and it's depicted there in orange.

23 **Q** And what's the difference between the State House, the
24 blue dot, and the Riffe Center, the orange dot?

25 **A** The Riffe Center building, the tower that you see, has

1 the offices where the representatives' staff is and offices.
2 The State House is actually where the legislative body
3 meets. It has the chambers both for the House and the
4 Senate. There are some offices as well, but they're very
5 limited.

6 **Q** And are you speaking based on your personal experience
7 because you've been to these places?

8 **A** Yes, I have.

9 **Q** Now, during your investigation, did you become
10 familiar with the term "General Assembly" as that's used in
11 Ohio?

12 **A** Yes.

13 **Q** And how does that relate to the Ohio House of
14 Representatives?

15 **A** So the General Assembly, as I understand it, is a term
16 kind of encompassing the entire state legislature, whereas,
17 the House of Representatives is one chamber of the two.
18 There's a House of Representatives in the Senate.

19 **Q** And during your investigation, did you obtain what are
20 referred to as session journals?

21 **A** Yes, I did.

22 **Q** And can you describe to the jury what session journals
23 are?

24 **A** A session journal is a record of what occurs during a
25 legislative session. So if the body meets, there are

1 requirements that what is discussed by the body on that
2 day -- say the House of Representatives, it keeps a record
3 of votes and the business that essentially is conducted by
4 the House, and that's later published and made publicly
5 available.

6 **Q** You said "publicly available"?

7 **A** Yes, that's correct.

8 **Q** And did you obtain and review those during this
9 investigation?

10 **A** I did.

11 MS. GLATFELTER: All right. Permission to publish
12 what's been admitted as Exhibit 411?

13 THE COURT: Yes.

14 **Q** Agent Wetzel, is Exhibit 411, can you relate that to
15 the session journals you were just talking about?

16 **A** Yes. This is the cover of the Ohio House of
17 Representatives journal from Monday, January 7, 2019.

18 **Q** Okay. And what's the significance of January 7th,
19 2019 in terms of your investigation?

20 **A** This is the first meeting of the year by the
21 legislative body, and also it is the day that the Speaker
22 was selected.

23 **Q** And when you say the first day of the meeting, do you
24 mean the first day after the general election?

25 **A** Yes, that's correct. The general election occurs in

1 November; however, the previous General Assembly can still
2 meet through the end of the year. And then there is a first
3 meeting obviously where the new members become members, the
4 old members exit if they were not reelected or termed out,
5 and then the new body is seated.

6 MS. GLATFELTER: Okay. And, Ms. Terry, if we can
7 turn to page 2 of this exhibit.

8 **Q** All right. Agent Wetzel, can you see them on your
9 screen?

10 **A** Yes, I can.

11 **Q** All right. And is this the session journal that you
12 were referring to before?

13 **A** Yes.

14 **Q** Now, in that second paragraph, do you see the words
15 133rd General Assembly?

16 **A** Yes, that's correct.

17 **Q** Can you circle where that is on the document?

18 **A** (Witness writing.)

19 **Q** Okay. And during your investigation, did you
20 understand what "133rd General Assembly" refers to?

21 **A** Yes. The General Assembly, they're the general
22 assemblies, I guess I should say, are numbered. It counts
23 up every time there is a new one, so this is the 133rd
24 General Assembly and that is for the year 2019 and 2020.

25 **Q** Now, at the bottom of page 2, we see a list of names;

1 do you see that?

2 **A** Yes, I do.

3 **Q** And to the left a column that says "District"?

4 **A** Yes. Those are the district numbers, and then the
5 names next to them of the individuals who'll represent that
6 district.

7 **Q** Okay. And if we go to page 2 and some of these were
8 newly elected representatives?

9 **A** That's correct.

10 **Q** All right. And is this one of the sources that you
11 used to verify or to work on your chart in terms of the
12 general election that we were reviewing, the general
13 election chart that we were reviewing before?

14 **A** Yes, that's correct.

15 MS. GLATFELTER: And if we go to page 4, Ms. Terry.
16 I'm sorry, next page of the journal. I'm sorry, I'm off.
17 If we can go back one page. Just wanted to make sure.
18 Thank you.

19 **Q** All right. What's one of the first orders of business
20 of the House of Representatives according to the session
21 journal?

22 **A** So after the oath of office for the members for that
23 133rd General Assembly, then, there is a selection of the
24 Speaker.

25 **Q** Okay. And is that documented in the session journal

1 that we're reviewing?

2 **A** Yes, it is.

3 **Q** So at the bottom of the page, can you direct us to
4 where that is?

5 **A** Yes. It says: The House then proceeded to the
6 election of Speaker. (Witness writing.)

7 **Q** Okay. And the section below your circle?

8 **A** Those who voted for Representative Smith are -- were
9 and then there's a list of representatives.

10 MS. GLATFELTER: And, Ms. Terry, if we go to the
11 second page or the next page.

12 **Q** All right. And that list continues?

13 **A** Yes, it does.

14 **Q** And is there a new list below it?

15 **A** Those who voted for Representative Householder were --
16 representatives and then a list below that.

17 **Q** Okay. And does the session journal record the votes
18 who was for the Ryan candidate and who was for Candidate
19 Householder?

20 **A** Yes, that's correct. It lists the representative and
21 the toll number you see in the bottom right corner of those
22 areas, those who voted for Representative Householder and
23 those who voted for representative Smith.

24 **Q** Okay. And can you circle those numbers where those
25 are on page 5 of this exhibit?

1 **A** (Witness writing.)

2 **Q** Okay. So who -- according to the session journal and
3 the votes, who won the Speaker vote?

4 **A** It lists below that: Having received a constitutional
5 majority of all votes cast, Larry Householder was declared
6 the duly elected Speaker of the House of Representatives for
7 the 133rd General Assembly for the State of Ohio.

8 **Q** During your investigation, did you recover from
9 photographs this date?

10 **A** Yes.

11 **Q** And where did you recover the photos from?

12 **A** Jeff Longstreth's iCloud account.

13 MS. GLATFELTER: Your Honor, permission to publish
14 what has been admitted as 414?

15 THE COURT: Yes.

16 **Q** All right. Agent Wetzel, do you -- do you recognize
17 what's been depicted in the first page of Government's 414?

18 **A** Yes. This is an image, it's focused on an electronic
19 board that you see there. This is a board that's used to
20 take votes in the chamber. Green -- a green vote signifies
21 yes, a red vote signifies no, and then I believe it's like
22 light yellow sort of color if someone is not voting. And so
23 this one in blue says: "Election of Speaker-Householder."

24 **Q** All right. And have you been in this room before?

25 **A** I have.

1 **Q** All right. And the second page, can you describe
2 what's depicted in this photograph?

3 **A** This is sort of a 45-degree turn from the original
4 photograph. This is facing the dais where the Speaker of
5 the House sits, and then Mr. Householder is standing there
6 in the center.

7 **Q** Now, based on this session journal and the records of
8 the different candidates that you've reviewed in this case,
9 did you create a chart following the Team Householder
10 candidates and their vote for Speaker Householder?

11 **A** Yes.

12 MS. GLATFELTER: Your Honor, permission to show the
13 witness Exhibit 415, which has not been admitted yet?

14 THE COURT: Very well. We'll show the witness and
15 the lawyers.

16 **Q** All right. Agent Wetzel, do you recognize
17 Exhibit 415?

18 **A** Yes, I do.

19 **Q** And what is Exhibit 415?

20 **A** This is a chart, "2019," it says in the top. And then
21 there's three columns: Left-most column, House District,
22 center column, Team Householder, and right-most, District
23 Speaker Vote.

24 **Q** And did you work on creating this document?

25 **A** Yes, I did.

1 **Q** And how did you create it?

2 **A** Using a variety of sources, we determined if folks
3 were on Team Householder. We talked about those. There's
4 some text messages, e-mails, other things indicating who's
5 on the team. And then the Speaker vote is recorded in the
6 session journal that we just looked at.

7 MS. GLATFELTER: Your Honor, at this time, I would
8 move to admit Exhibit 415.

9 THE COURT: Any objection?

10 MR. GLICKMAN: No, Judge.

11 MR. LONG: No, Your Honor.

12 THE COURT: It's admitted.

13 MS. GLATFELTER: All right. May we publish it to
14 the jury?

15 THE COURT: Yes.

16 **Q** Agent Wetzel, can you review the categories of the
17 document or the columns of the document?

18 **A** Yes. So on the left is the House District in
19 question, 1 through 99. And then there's a list of the Team
20 Householder members in the center. And then in the right
21 column is how those Team Householder members voted in the
22 Speaker's election in 2019.

23 **Q** All right. And does the column in the middle that
24 says "Team Householder," does that reflect those candidates
25 on Team Householder who won their general election?

1 **A** Correct.

2 **Q** And did all of those people vote in favor of
3 Householder?

4 **A** Yes, they did.

5 **Q** Agent Wetzel, did you identify any communications
6 between Larry Householder and FirstEnergy executives the day
7 he was voted Speaker?

8 **A** Yes, I did.

9 MS. GLATFELTER: Your Honor, permission to publish
10 Exhibit 412 C, which has been admitted?

11 THE COURT: Yes.

12 **Q** Agent Wetzel, can you identify Government's
13 Exhibit 412 C?

14 **A** Yes. This is a text message conversation between
15 Larry Householder and Chuck Jones. It is from Chuck Jones'
16 device, and it occurred on January 7th, 2019.

17 MS. GLATFELTER: All right. If we can go to the
18 message.

19 **Q** All right. Agent Wetzel, can you read the message,
20 messages?

21 **A** Yes. So the first message from the owner is blank.
22 And then the following message from the 2500 Larry
23 Householder phone number to Chuck Jones: Thank you for
24 everything. It was historical.

25 **Q** And the date of that message?

1 **A** January 7th, 2019.

2 **Q** Okay. And how does that relate to the date of the
3 Speaker vote?

4 **A** It's the same day.

5 MS. GLATFELTER: Your Honor, permission to publish
6 what has been admitted as Exhibit 412 D?

7 THE COURT: Yes.

8 **Q** All right. Agent Wetzel, do you recognize this?

9 **A** Yes. This is another text message conversation
10 between Chuck Jones and Larry Householder. This is the
11 following day, on the 8th of January 2019, and this was
12 recovered from Chuck Jones' iPhone.

13 MS. GLATFELTER: Okay. And can we see the rest of
14 the message, Ms. Terry?

15 **Q** All right. As we've been doing, if we can read this
16 message to the jury, and I'll read the green and you can
17 read the blue.

18 Owner: Hey, good morning. Sorry I missed you last
19 night. I've been under the weather since New Year's Eve and
20 conking our pretty it early. I'll be in my car later for
21 three hours, maybe we can catch up then. I'll text you
22 timing. If not, no worries. I'm sure you're going to be
23 very busy these days, the bulldog that just caught the car
24 it was chasing.

25 **A** Larry Householder to Chuck Jones: Sounds good.

1 Thanks for everything.

2 **Q** Agent Wetzel, did you obtain phone records for this
3 time period?

4 **A** Yes, I did.

5 MS. GLATFELTER: Your Honor, permission to publish
6 what has been admitted as Exhibit 733?

7 THE COURT: Yes.

8 MS. GLATFELTER: Ms. Terry, if we go to I believe
9 the last page -- sorry, second page.

10 **Q** Do you see a contact for the day before that text
11 message?

12 **A** Yes, I do.

13 **Q** And what is the date of that?

14 **A** There is a 32-second contact on January 7th, 2019.

15 **Q** Okay. And who contacted who?

16 **A** Mr. Householder contacted Charles Jones.

17 **Q** Now, did you identify any messages related to Matt
18 Borges and the Speaker vote?

19 **A** Yes, I did.

20 MS. GLATFELTER: Your Honor, permission to publish
21 what's been admitted as Exhibit 413?

22 THE COURT: Yes.

23 **Q** Agent Wetzel, do you recognize Exhibit 413?

24 **A** Yes. This is an extraction. It's a text message that
25 was recovered from Matt Borges' iPhone. It's between Matt

1 Borges and Tony Franco.

2 **Q** And do you recall who Tony Franco is?

3 **A** Yes. He's an entrepreneur in Columbus. I believe he
4 started a business. I don't recall the name of the
5 business.

6 MS. GLATFELTER: Okay. And if we can see the
7 message, Ms. Terry.

8 **Q** All right. If you can read the blue boxes and I'll
9 read the green.

10 **A** Tony Franco: Holy shit, Speaker stuff.

11 **Q** Yep, good for us, though.

12 **A** Really, I've only met Larry once but he seemed like a
13 great guy.

14 **Q** Okay. Matt Borges: Yes, that's who we were for.

15 **A** Tony Franco: V cool.

16 MS. GLATFELTER: Okay. Your Honor, I see that
17 we've gone a minute or so past 4:30. Would you like us to
18 continue or end at this point?

19 THE COURT: You're going to have more tomorrow?
20 You're not able to finish today?

21 MS. GLATFELTER: No.

22 THE COURT: Very well. This would be a good time
23 to take a break because we promised the jury we'll try to
24 break at 4:30.

25 Members of the Jury, you've had a big day. I've been

1 watching you, you're paying attention, that's a credit to
2 you. Now we go home to our loved ones and they ask what
3 happened today, and you tell them the federal judge told me
4 I can't talk to you about it. Take a break tonight. Do not
5 discuss the case with anyone, including among yourselves.
6 Do not conduct any independent research about the trial or
7 read, listen to or watch any news reports of the trial. May
8 not check or use Google, Facebook, Twitter, et cetera, to
9 find information about any aspect of this case. And
10 remember that it's especially important that you keep an
11 open mind until you've heard all of the evidence.

12 We'll anticipate you being at your spot by 9:15 such
13 that we can call for you at 9:30. That's our hope. Take a
14 break, you've earned it. Out of respect for you, we'll rise
15 as you leave for the day.

16 THE DEPUTY: All rise for the jury.

17 (Jury exited the courtroom at 4:32 p.m.)

18 THE COURT: Jury has left the room. The door is
19 closing. You may be seated if you wish. We'll stay in the
20 courtroom until the jury clears the floor, as we always do.

21 MR. SCHNEIDER: Your Honor, could we get a batting
22 order for tomorrow in the event there is a batting order?

23 THE COURT: Bag order?

24 MR. SCHNEIDER: Batting order of next witnesses.

25 THE COURT: In the event that you finish your

1 direct and the defense finishes its cross before 4:30,
2 who'll the government be calling as its next witness?

3 MR. SINGER: Next witness will be Juan Cespedes,
4 Your Honor.

5 THE COURT: Very well. Is that responsive, sir?

6 MR. SCHNEIDER: Thank you. Yes.

7 THE COURT: Is the jury gone?

8 THE DEPUTY: All clear.

9 THE COURT: Is there anything else before we
10 adjourn for the day, from the government?

11 MS. GLATFELTER: No, Your Honor. Thank you.

12 THE COURT: From Mr. Householder?

13 MR. OLESKI: No, Judge.

14 THE COURT: From Mr. Borges?

15 MR. SCHNEIDER: (Shaking head.)

16 THE COURT: All right. We're adjourned for the
17 day. See you tomorrow. I'd like you here at 9:15.

18 THE DEPUTY: All rise. This court is adjourned.

19 (Proceedings concluded at 4:33 p.m.)

20 **C E R T I F I C A T E**

21 I certify that the foregoing is a correct transcript of
22 the record of proceedings in the above-entitled matter
23 prepared from my stenotype notes.

23 *Lisa Conley Yungblut*
24 /s/ LISA CONLEY YUNGBLUT, RMR, CRR, CRC 02/04/2023
25 DATE

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EXAMINATIONS

GOVERNMENT WITNESSES

PAGE

BLANE WETZEL

Direct Exam by Ms. Glatfelter (Cont.)

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EXHIBITS

GOVERNMENT'S EXHIBITS

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