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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

- - -

UNITED STATES OF AMERICA,	:	<b>CASE NO. 1:20-CR-0077</b>
	:	
Plaintiff,	:	<b>JURY TRIAL, DAY 8</b>
vs.	:	
	:	<b>8th of February, 2023</b>
LARRY HOUSEHOLDER, et al.	:	
	:	
Defendant.	:	

- - -

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

- - -

APPEARANCES:

For the Plaintiff:

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

8 Law Clerk: Cristina V. Frankian, Esq.

9 Courtroom Deputy: Rebecca Santoro

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

Transcript produced with computer-aided transcription.

PROCEEDINGS

(Proceedings held in open court at 1:27 p.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 outside the presence of the jury at 1:30. Government team is here in full. Defendants groups are here as well in full. I apologize for all of these delays. As you well know, we've released a juror, another juror. 14 of them are upstairs ready for us. They've all tested negative. I've asked them to wear N45 [sic] masks. Are we ready for the jury from the government's perspective?

MS. GLATFELTER: Yes, Your Honor. Thanks.

THE COURT: Very well. And for the --  
Mr. Householder's team ready?

MR. GLICKMAN: Yes, Judge.

THE COURT: And Mr. Borges'?

MR. SCHNEIDER: Yes.

THE COURT: And the witness is available. We can bring him into the courtroom and call for the jury.

THE DEPUTY: All rise for the jury.

(Jury entered the courtroom at 1:30 p.m.)

THE COURT: Jurors may be seated as they join us. You may all be seated. Thank you. To the 14 jurors who

1 have returned to the courtroom and are now in the jury box,  
2 good afternoon. I apologize for all of these delays. As  
3 you're aware, we had to release another juror. Anytime we  
4 have a report that a juror has tested positive, we have to  
5 pause. It's for your health and safety. And despite the  
6 delays, we actually are on track and very grateful for your  
7 continuing attention and commitment.

8 I've consulted with a national expert, and the keys to  
9 going forward are that in these next three days, we need to  
10 contain this and make sure everybody is healthy. So the  
11 keys to this are daily self-testing every morning  
12 immediately before you head down here, and then I've asked  
13 you to join me in wearing an N95 mask for the rest of the  
14 week. Most importantly, while you're on the bus, especially  
15 the bus at the end of the day, and when you're in close  
16 proximity to another juror in the jury room. Continue to  
17 socially distance as best you can, and as my mother taught  
18 me a long time ago, keep washing your hands.

19 We've also ramped up the air filtration and circulation  
20 in the jury room and the courtroom. Starting next week, if  
21 everybody still tests negative, we've contained it, we'll  
22 try and get you some more comfortable masks. And I know you  
23 all have lives to live and you are making an enormous  
24 sacrifice by being here. I call it a sacrifice required by  
25 democracy and I believe it firmly. And I am so impressed

1 with your grit and determination and continuing commitment.  
2 I'm going to try not to impose on you any more than we've  
3 already have. I need you to be smart and stay safe outside  
4 of the presence of each other, but as to your presence down  
5 here, doing everything I can to keep you safe and healthy.  
6 We need you here and we need you healthy. We can't do this  
7 without you, so I am invested in you.

8 While I'm apologizing, from the bottom of my heart, I  
9 apologize to the eight jurors a day ago or so who got stuck  
10 in the elevator. If that happened to me given my nature, I  
11 would be in an absolute panic, and had I been in the  
12 elevator with you and had I been suffering from  
13 claustrophobia, to which I am prone, my typical reaction is  
14 to try to take off all of my clothes. (Laughter.) So I'm  
15 glad I didn't have to put you through that. And I know  
16 specifically that somebody got held up and for that, I  
17 apologize and I'll do everything I can not to hold you up  
18 again.

19 So I enjoyed hearing you laugh. I didn't do that to  
20 make you laugh. And from the bottom of my heart, on behalf  
21 of the Court and the community and everybody involved, thank  
22 you. We're going to proceed with the taking of testimony.

23 If the government will call for its witness, if the  
24 agent would be willing to retake the stand. He remains  
25 under oath and, Ms. Glatfelter, after he's settled and

1 you're ready, you may continue with the examination.

2 (Witness took the stand.)

3 MS. GLATFELTER: Thank you, Your Honor. Good  
4 afternoon, Agent Wetzel.

5 THE WITNESS: Good afternoon.

6 **DIRECT EXAMINATION (Continued.)**

7 **BY MS. GLATFELTER:**

8 **Q** Before we stopped court on Monday, we were talking  
9 about the referendum period in the fall of 2019; do you  
10 recall that?

11 **A** I do.

12 **Q** And did you obtain financial records for this time  
13 period?

14 **A** I did.

15 MS. GLATFELTER: May I please publish what's been  
16 admitted as Exhibit 15?

17 THE COURT: Yes.

18 **Q** Agent Wetzel, during the period of referendum, as  
19 we've talked about it, did Generation Now receive deposits  
20 from a FirstEnergy account or Partners For Progress?

21 **A** Both.

22 **Q** Can you draw a box around the period of time that  
23 you're referring to on Exhibit 15?

24 **A** Yes, ma'am. (Witness writing.)

25 **Q** Agent Wetzel, can you describe the deposits or read

1 the amounts of the deposits that you drew a box around for  
2 us?

3 **A** Yes. The amounts vary from as little as a quarter of  
4 a million dollars to \$10 million, sort of denominations in  
5 between. They read: 734,250; 4,390,000; \$653,000;  
6 2,003,000; \$2,403,000; \$2,403,000; \$4,695,000. Excuse me.  
7 \$2,445,000; \$4,160,000; \$1,600,000; \$10 million; \$248,000;  
8 and then \$3 million. And then, unfortunately, I messed up s  
9 bit. There's actually a \$4 million transaction there at the  
10 end that I partially covered with the line.

11 **Q** If I can clear that, I think it's less than  
12 \$4 million. Let's see what --

13 **A** I'm sorry, it's \$4,000.

14 **Q** Okay. Now, Agent Wetzel, have you heard of an entity  
15 called Ohioans For Energy Security?

16 **A** Yes.

17 **Q** And during your investigation, did you find a  
18 financial relationship between Ohioans For Energy Security  
19 and Generation Now?

20 **A** Yes. Generation Now was providing Ohioans For Energy  
21 Security money.

22 MS. GLATFELTER: Your Honor, may we publish what's  
23 been admitted as Exhibit 180?

24 THE COURT: Yes.

25 **Q** And, Agent Wetzel, using Exhibit 180, can you identify

1 the flow of money to Ohioans For Energy Security?

2 **A** Yes. FirstEnergy and Partners For Progress money,  
3 Partners For Progress being funded by FirstEnergy, provided  
4 money to Generation Now, which then sent money to Ohioans  
5 For Energy Security.

6 **Q** Okay. And can you trace the flow on this chart so  
7 jurors can see the Ohioans For Energy Security portion?

8 **A** (Witness writing.)

9 **Q** Now, Agent Wetzel, did you obtain paperwork related to  
10 the Ohioans For Energy Security registration?

11 **A** I did.

12 MS. GLATFELTER: Your Honor, permission to publish  
13 what's been admitted as Exhibit 151?

14 THE COURT: Yes.

15 **Q** Agent Wetzel, do you see 151 on your screen?

16 **A** I do.

17 **Q** And what is it?

18 **A** This is the Ohio registration for Ohioans For Energy  
19 Security, LLC.

20 **Q** Do you see an effective date on the certificate or the  
21 registration form?

22 **A** Yes. It lists that it's effective July 30th, 2019.

23 **Q** Okay. And can you point that out to us, where that is  
24 on the screen?

25 **A** (Witness writing.)



1       **Q**       Okay. And can you relate that date to the final vote  
2 or the concurrence vote on House Bill 6?

3       **A**       It's seven days after.

4       **Q**       Now, did you review this registration filing?

5       **A**       I did.

6       **Q**       Was there any reference to either FirstEnergy or  
7 Generation Now, Jeff Longstreth, or Larry Householder on the  
8 registration document?

9       **A**       No.

10      **Q**       Did you recover any communications about the  
11 organizations of Ohioans For Energy Security during your  
12 investigation?

13      **A**       I did.

14               MS. GLATFELTER: Your Honor, may we please publish  
15 what's been admitted as 610 E?

16               THE COURT: Yes.

17      **Q**       Agent Wetzel, do you recognize this document?

18      **A**       Yes. This is an e-mail that was provided to us  
19 pursuant to subpoena by Megan Fitzmartin.

20      **Q**       And the date of this e-mail, if we start at the  
21 bottom, actually.

22      **A**       Yes. The original message is listed as coming  
23 July 30th, 2019.

24      **Q**       Okay. And who did it come from?

25      **A**       Jeff Longstreth.

1 Q And who's in the "to" line?

2 A Megan Fitzmartin and then also Scott Schweitzer.

3 Q Okay. And can you relate this date to the  
4 registration for Ohioans For Energy Security?

5 A It's the same day.

6 Q And what does the message from Jeff Longstreth say?

7 A The subject is, Ohioans For Energy Security, and Jeff  
8 writes: This is going to be the new entity. We are going  
9 to need a website on this one to explain the China info.  
10 Thanks. And then a signature block that says sent from  
11 iPhone.

12 Q Agent Wetzel, did you receive other communications  
13 about Ohioans For Energy Security around this same time?

14 A I did.

15 MS. GLATFELTER: Your Honor, may we publish what's  
16 been admitted as 610 F?

17 THE COURT: Yes.

18 Q Agent Wetzel, do you recognize 610 F?

19 A Yes. This is another e-mail that was received  
20 pursuant to that subpoena I just mentioned to  
21 Ms. Fitzmartin.

22 Q If we can look at the top message there.

23 MS. GLATFELTER: And, Ms. Terry, if we can enlarge  
24 that, please.

25 Q Who is this message from?

1       **A**       Ms. Fitzmartin.

2       **Q**       And who is it to?

3       **A**       A Ryan Rogers, who has an @tsgco e-mail, and then  
4       Scott Schweitzer.

5       **Q**       And do you recognize the extension of that e-mail,  
6       TSGCO?

7       **A**       Yes. That's the e-mail extension we've been talking  
8       about. It belongs to the Strategy Group Company.

9       **Q**       Okay. And the date of this e-mail?

10      **A**       The 7th of August, 2019.

11      **Q**       And so relate that back to the registration date for  
12      us?

13      **A**       It's just after, a week or so.

14      **Q**       Okay. And what is the message Ms. Fitzmartin writes  
15      to Ryan Rogers?

16      **A**       Great. We would like to -- we would like so -- we  
17      would so like to set up an e-mail for Ohioans For Energy  
18      Security, something generic like  
19      info@ohioansforenergysecurity.com, so we can answer  
20      inquiries.

21               MS. GLATFELTER: Okay. And, Your Honor, may we  
22      publish 610 C, which has been admitted?

23      **A**       Yes.

24      **Q**       Agent Wetzel, do you recognize 610 C?

25      **A**       I do. This is another e-mail recovered from

1 Ms. Fitzmartin.

2 MS. GLATFELTER: All right. Ms. Terry, if we can  
3 enlarge the first part of this e-mail.

4 **Q** All right. Agent Wetzel, who is the e-mail from?

5 **A** Ms. Fitzmartin again.

6 **Q** And who is it to?

7 **A** It's the same two people, Ryan Rogers and Scott  
8 Schweitzer.

9 **Q** Okay. Around the same time frame?

10 **A** Correct.

11 **Q** And are there any attachments to this e-mail?

12 **A** Yes. There's one listed as 19-GN-012\_V8.PDF.

13 **Q** Okay. And can you read the first paragraph of what  
14 Ms. Fitzmartin writes to Mr. Rogers?

15 **A** Ryan, please see the attached mailer. We would like  
16 to mimic the look and the content a lot more. I'll have a  
17 graphic with the anti call to action over to you shortly.  
18 Also, can you please confirm the domain is  
19 ohioansforenergysecurity.com? I just see  
20 ohioansforenergysecurity, but I didn't know if that was due  
21 to the site not being love.

22 MS. GLATFELTER: Okay. And, Your Honor, may we  
23 publish the attachment to this message which is admitted?  
24 It's 610 D.

25 THE COURT: Yes.

1       **Q**       Agent Wetzel, do you recognize 610 D?

2       **A**       I do.

3       **Q**       Okay. And tell us how you recognize it?

4       **A**       This is the attachment to that, to that e-mail, and  
5       this is a -- this is the copy of a mail piece, and it's --  
6       it writes it's paid for by Ohioans For Energy Security in  
7       the top left corner.

8       **Q**       Okay. And where does it say that?

9       **A**       In the top left corner.

10      **Q**       Okay. And is there a second page to this document?

11      **A**       Yes.

12      **Q**       Okay. And what's the heading say at the top?

13      **A**       Don't sign the petition to put Ohio power in the hands  
14      of China.

15      **Q**       Now, did you identify any bank accounts that were  
16      associated with Ohioans For Energy Security?

17      **A**       I did.

18               MS. GLATFELTER: Your Honor, permission to publish  
19      what's been admitted as Exhibit 152?

20               THE COURT: Yes.

21      **Q**       Okay. Agent Wetzel, do you see Exhibit 152 in front  
22      of you?

23      **A**       I do.

24      **Q**       And what is it?

25      **A**       This is the signature card. We've looked at a few of

1 these. This is essentially the opening document for the  
2 bank account for Ohioans For Energy Security.

3 **Q** Okay. And do you see a date that indicates when the  
4 account was opened? We might have to look at the -- no, I  
5 see it.

6 **A** It's at the bottom right of the kind of top block of  
7 information.

8 **Q** Can you circle that so everyone can see where that is?

9 **A** (Witness writing.)

10 **Q** Thank you. And what is the date?

11 **A** August 12th, 2019.

12 **Q** Okay. And can you relate that to the registrations  
13 for Ohioans For Energy Security that you saw?

14 **A** About two weeks after.

15 **Q** Now, what bank is the signature card for?

16 **A** Fifth Third.

17 **Q** Where did Generation Now bank?

18 **A** The same location.

19 **Q** Are there signatories listed on this signature card?

20 **A** There are.

21 **Q** And who are the signatories?

22 **A** Anna Lippincott and Charles.

23 MS. GLATFELTER: Ms. Terry, if we can advance to  
24 page 31 of this exhibit. Thank you.

25 **Q** Agent Wetzel, do you recognize what page 31 depicts?

1       **A**       Yes.  These are the wire transfers.

2       **Q**       Can you be more specific?

3       **A**       Yes.  This is a series of wire transfers.  They note a  
4       debit name and that's where the money is coming out of, and  
5       they list Generation Now and Ohioans For Energy Security.  
6       Some of them are incoming, some are outgoing from that  
7       account we were just discussing.

8       **Q**       Okay.  So these are all wire transfers related to the  
9       Ohioans For Energy Security account?

10      **A**       Correct.  Like we've been talking about, when we get  
11      the bank records, we receive the statements but we also  
12      receive items such as checks or what you see here which is  
13      just the wire transfers.

14      **Q**       Okay.  And did you -- as part of your investigation,  
15      did you review the bank records for Ohioans For Energy  
16      Security?

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

18      **Q**       How is Ohioans For Energy Security funded?

19      **A**       It was funded by Generation Now.

20      **Q**       Now, during your investigation, did you identify any  
21      communications about Larry Householder's involvement in  
22      Generation Now or Ohioans For Energy Security around this  
23      time?

24      **A**       Yes.

25                   MS. GLATFELTER:  Your Honor, permission to publish

1 what's been admitted as 483 A?

2 THE COURT: Yes.

3 **Q** Agent Wetzel, do you recognize this document?

4 **A** I do.

5 **Q** Can you explain to us what it is?

6 **A** Yes. This is a text conversation between SLH at that  
7 2500 number we've been discussing with Jeff Longstreth.  
8 This particular conversation was recovered from the Apple  
9 iCloud of Mr. Longstreth.

10 **Q** Okay. And remind us who an abbreviation for SLH is?

11 **A** Speaker Larry Householder.

12 MS. GLATFELTER: Ms. Terry, if we can go to  
13 page 50, please.

14 **Q** And, Agent Wetzel, if we can look at the top four  
15 messages there. If I'll -- I'll read the green boxes if you  
16 read the blue boxes, okay?

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

18 **Q** From Jeff Longstreth: FYI, I've heard through the  
19 grapevine that at least two friends (not related) friends  
20 consultants have been contacted by Siderewicz personally  
21 about a referendum. One of them is a mail vendor in  
22 California and has no idea about anything that's going on  
23 here.

24 **A** From Speaker Larry Householder: Good. Stay on the  
25 good side of FES and we'll do the defend.



1       **Q**       Jeff Longstreth: Agreed. Downside is if he gets the  
2       signatures, the law will not go into effect until after the  
3       vote in November 2020.

4       **A**       SLH: Yep.

5       **Q**       Okay. And the period of time of these messages?

6       **A**       These were sent on the 25th and 26th of June.

7       **Q**       Okay. Before the referendum period?

8       **A**       Yes. The bill was in the Ohio Senate at that time.

9       **Q**       Now, after the referendum period started in August,  
10      did you recover additional messages?

11      **A**       I did.

12               MS. GLATFELTER: Your Honor, may we publish what's  
13      been admitted as 613 C?

14               THE COURT: Yes.

15      **Q**       Agent Wetzel, can you identify 613 C for us?

16      **A**       Yes. This is a text conversation between Matt Borges  
17      and Juan Cespedes. It was recovered from Mr. Borges'  
18      iPhone.

19      **Q**       Okay. And if we can read this like we read the  
20      previous message.

21      **A**       Juan Cespedes: FYI, Gen Now going up with ad on  
22      Sunday.

23      **Q**       Matt Borges: Wow, okay.

24      **A**       Juan Cespedes: SLH wants it to sink in early, also  
25      dropping statewide mail.

1       **Q**       Did you find other communications around this time  
2       period, Agent Wetzel, that were similar?

3       **A**       Yes, I did.

4               MS. GLATFELTER: Your Honor, permission to publish  
5       609 A, which has been admitted?

6               THE COURT: Yes.

7       **Q**       Agent Wetzel, do you recognize 609 A?

8       **A**       I do.

9       **Q**       And what is it?

10       **A**       This is a text conversation between Megan Fitzmartin  
11       and Jeff Longstreth. It was recovered from Ms. Fitzmartin's  
12       iPhone.

13               MS. GLATFELTER: Ms. Terry, if we can see the  
14       message. Thanks.

15       **Q**       Okay. Let's go ahead and read this like the others.

16               Megan Fitzmartin: Have you heard from anyone on the  
17       mailer?

18       **A**       Jeff Longstreth: No. I'm waiting on the Speaker. He  
19       asked me to hold it until he had a chance to review it one  
20       last time.

21       **Q**       Megan Fitzmartin: Okay.

22               Did you recover other communications or identify other  
23       communications related to mailers during this time?

24       **A**       I did.

25               MS. GLATFELTER: Your Honor, permission to publish

1 612 B, which has been admitted?

2 THE COURT: Yes.

3 Q Agent Wetzel, what is Government's Exhibit 612 B?

4 A This is another text conversation between  
5 Ms. Fitzmartin and Jeff Longstreth, and it was also  
6 recovered from Ms. Fitzmartin's iPhone.

7 Q Okay. And the date of these messages?

8 A This is September 25th, 2019.

9 Q Okay. We can read these like we've read the previous  
10 ones. Megan Fitzmartin attaches a document.

11 A Jeff Longstreth: SLH approved. Let me get the rest  
12 of the feedback and we'll be ready to go to print tomorrow  
13 morning.

14 Q Megan Fitzmartin: Liked the message.

15 A Jeff Longstreth: SLH response to that report, good  
16 Lord, now they are trying to infiltrate our legislature.  
17 Have they no decency, ha, ha.

18 Q Megan Fitzmartin "loved" the message.

19 Now, Agent Wetzel, did you -- were you able to  
20 identify the attachment to these messages?

21 A Yes.

22 MS. GLATFELTER: Your Honor, permission to publish  
23 612 C, which is the attachment that's been admitted?

24 THE COURT: Yes.

25 Q Okay. Agent Wetzel, do you recognize 612 C?

1       **A**       I do. This is the attachment to that message.

2       **Q**       Okay. And on the previous message that we saw, did  
3       you -- do you recognize any of the same verbiage that was  
4       on -- that's on Government's Exhibit 612 C when compared to  
5       the message that we were just reviewing?

6       **A**       Yes. Like the previous mail piece that we looked at,  
7       this is also paid for by Ohioans For Energy Security, and it  
8       also references a declining to sign.

9               MS. GLATFELTER: Okay. And, Ms. Terry, if we can  
10       put the previous message back up on the screen, 612 B.  
11       Yeah. This is 612 C. And if we can go to page 2 of the  
12       message.

13       **Q**       Okay. Agent Wetzel, I was referring to the message in  
14       blue. I'm sorry, it was a bad question.

15       **A**       Oh, yes. I apologize. It says: Foreign entities  
16       have infiltrated our energy grid.

17       **Q**       Okay. And do you see some of that same language on  
18       the attachment to the right?

19       **A**       Yes. The attachment to the right says foreign  
20       entities have infiltrated our energy grid. The reference to  
21       infiltration is in the blue message on the left.

22       **Q**       Okay. And can you read the first page of this mailer?

23       **A**       Who's knocking on your door? Foreign entities have  
24       infiltrated our energy grid. They want to kill our jobs and  
25       raises our rates so they can make more money. Now their

1 front group has hired out-of-staters to roam our  
2 neighborhoods and ask for your personal information for  
3 their petition. Tell them no, decline to sign.

4 **Q** And you said there was a reference to Ohioans For  
5 Energy Security on this mailer?

6 **A** Yes, the disclaimer on the top left of the advisement  
7 says, "Paid for by Ohioans For Energy Security."

8 **Q** Agent Wetzel, did you find TV or radio scripts that  
9 were similar to this mailer that is on the right?

10 **A** Yes, I did.

11 MS. GLATFELTER: Your Honor, permission to publish  
12 610 K, which has been admitted? And we can take both down.

13 THE COURT: Yes.

14 **Q** Agent Wetzel, do you recognize 610 K?

15 **A** I do.

16 **Q** Can you identify it for us?

17 **A** Yes. We've looked at a few of these. This is a list  
18 of copy. It has the Strategy Group Company's logo on the  
19 top right, and this particular one is listed as television  
20 copy, and then to the left is the audio, and then the right  
21 column is what the video would look like while the audio was  
22 playing.

23 **Q** Okay. And how do you -- how are you able to tell that  
24 this is related to the mailer?

25 **A** Both -- it lists it's for Ohioans For Energy Security,

1 but also knocking, which is sort of the purpose of the -- or  
2 the subject, rather, of the mailer we just looked at.

3 **Q** Okay.

4 MS. GLATFELTER: Your Honor, permission to publish  
5 what's been admitted as 609 B?

6 THE COURT: Yes.

7 **Q** Agent Wetzel, do you recognize 609 B?

8 **A** Yes. This is another text communication between Jeff  
9 Longstreth and Megan Fitzmartin. It was recovered from  
10 Ms. Fitzmartin's iPhone.

11 **Q** Okay. And if we can take a look at these messages, I  
12 can read the green messages. Megan Fitzmartin attaches a  
13 document. Megan Fitzmartin attaches another document.  
14 Another attachment from Ms. Fitzmartin. A Dropbox link from  
15 Ms. Martin. And other attachments from Ms. Martin.

16 Did you recover, Agent Wetzel, the attachments or some  
17 of the attachments that go with this message?

18 **A** I did.

19 MS. GLATFELTER: Your Honor, if we can publish 609  
20 C?

21 THE COURT: Yes.

22 MS. GLATFELTER: Which has been admitted.

23 **Q** Okay. Agent Wetzel, describe to us what is in 609 C?

24 **A** This is another mailer, the side of a mailer.

25 **Q** Okay. And who is identified as paying for this

1 mailer?

2 **A** This has the same disclaimer as the other two we've  
3 been looking at. It's listed as being paid for by Ohioans  
4 For Energy Security.

5 **Q** Okay. And what is the heading of the mailer on this  
6 side of it?

7 **A** Be aware who is knocking at your door.

8 **Q** Okay. And underneath that is there additional  
9 language?

10 **A** Yes. Foreign entities are quietly invading our energy  
11 grid, risking our jobs and safety. Now they're using  
12 convicted criminals to go door-to-door in your neighborhood.

13 MS. GLATFELTER: And is there a second page,  
14 Ms. Terry, to this mailer?

15 **Q** Do you recognize the second page?

16 **A** I do.

17 **Q** Is that -- and how does that relate to the first page?

18 **A** They're just two sides of a piece of mail, so it's  
19 like a front and back.

20 **Q** Were you able to identify a radio or a TV script that  
21 was of the same theme as this mailer?

22 **A** Yes, I was.

23 MS. GLATFELTER: Your Honor, permission to publish  
24 what has been admitted as 609 F?

25 THE COURT: Yes.

1       **Q**       Agent Wetzel, do you recognize 609 F?

2       **A**       I do.

3       **Q**       What is it?

4       **A**       This is more television copy. This one has a slightly  
5 different title. There's an audio column and a video  
6 column, but it's also for Ohioans For Energy Security again.

7       **Q**       Okay. And what does it say at the top of the video  
8 column?

9       **A**       It says: Creepy *Dateline* style production. Use  
10 promos for production samples, flashing mugshots of  
11 petitioning gatherers.

12       **Q**       Now, Agent Wetzel, during your investigation, were you  
13 able to connect some of these mailers with the Ohioans For  
14 Energy bank account?

15       **A**       Yes.

16               MS. GLATFELTER: Your Honor, permission to publish  
17 what has been admitted as 629 M?

18               THE COURT: Yes.

19       **Q**       Okay. Agent Wetzel, do you recognize Government's  
20 Exhibit 629 M?

21       **A**       Yes. This -- there's 51 documents in it. These were  
22 documents that were recovered from Ms. Lippincott pursuant  
23 to the subpoena efforts. But I believe they all pertain to  
24 Generation Now or Ohioans For Energy Security, but it is a  
25 blend of some different things.



1       **Q**       A combination of different documents?

2       **A**       Correct.

3                   MS. GLATFELTER: Okay. And if we can go to  
4 page 20.

5       **Q**       Agent Wetzel, what's on page 20?

6       **A**       This is an invoice from Strategic Media Placement and  
7 it's billed to Ohioans For Energy Security.

8       **Q**       Okay. And the description of services?

9       **A**       There is a quantity of media airtime and then also a  
10 bill for production.

11                  MS. GLATFELTER: Okay. And, Ms. Terry, if we can  
12 advance to page 41.

13       **Q**       Okay. Agent Wetzel, what's on page 41?

14       **A**       This is another invoice from Strategic Media Placement  
15 to Ohioans For Energy Security. The description listed is  
16 for media airtime.

17       **Q**       Okay. And Agent Wetzel, if we go back --

18                  MS. GLATFELTER: I'm sorry, if we go back to  
19 page 25, Ms. Terry.

20                  Your Honor, may we show the witness what's been  
21 admitted as Exhibit 180?

22                  THE COURT: Yes.

23                  MS. GLATFELTER: Thank you.

24       **Q**       Agent Wetzel, now that we've looked at the bank  
25 records and some of the invoices, can you describe Ohio

1 energy's use during the referendum?

2 **A** Yes. During the referendum period, they spend money  
3 on advertisements. They also send money to some of the  
4 groups we talked about previously, Voter to Voter, we looked  
5 at some of those invoices, or Lincoln Strategy Group. So  
6 essentially they sent money to those groups that were  
7 running the petition efforts and then also bought  
8 advertising, radio, television, mail, that sort of thing.

9 **Q** Okay. And then using this chart, the money that came  
10 into the Ohioans For Energy Security that was used to  
11 purchase some of those things, where did it originate?

12 **A** It was -- it came from FirstEnergy via Generation Now;  
13 and in some cases, Partners For Progress was in the middle  
14 there as well.

15 **Q** Now, during your investigation, Agent Wetzel, did you  
16 identify communications about a back-up plan if AMT  
17 collected enough signatures?

18 **A** Yes, I did.

19 MS. GLATFELTER: Your Honor, permission to publish  
20 Exhibit 634 A, which has been admitted?

21 THE COURT: Yes.

22 **Q** Agent Wetzel, do you recognize Government's  
23 Exhibit 634 A?

24 **A** Yes. This is a text conversation between Charles  
25 Jones and Michael Dowling. It was recovered from

1 Mr. Dowling's iPad and provided to us by FirstEnergy.

2 **Q** Okay. And if we can take a look at these -- this  
3 first page, I'll read the green boxes, if you can read the  
4 blue boxes, okay, Agent Wetzel?

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

6 **Q** Mike Dowling: No news from Jon Husted yet. I've been  
7 asked by FES to call Frank LaRose to get Frank to call Dave  
8 Yost. If Frank tells Yost that he believes HB 6 is a tax,  
9 Yost will come out publicly and say it which FES thinks  
10 helps with the Supreme Court. Frank is reluctant to make  
11 the call. I have a call into Frank and I will ask him to do  
12 it.

13 **A** Charles Jones: We should check with Householder to  
14 make sure he's on board with this before we step in. He  
15 seemed pretty confident in his referendum strategy and plans  
16 to pass it as a tax in a new bill if they get enough  
17 signatures. Just want to make sure he agrees.

18 **Q** Now, Agent Wetzel, did you find other communications  
19 during the referendum period that referenced a similar  
20 subject?

21 **A** Yes, I did.

22 MS. GLATFELTER: Your Honor, may we publish 636 A,  
23 which has been admitted?

24 THE COURT: Yes.

25 **Q** Okay. Agent Wetzel, can you describe what this

1 exhibit is?

2 **A** Yes. This is a group text message between Juan  
3 Cespedes, Stephen Burnazian, Dave Griffing and John Judge.

4 **Q** Okay. It's been a few days since we discussed who  
5 some of these people are. Can you remind us who Stephen  
6 Burnazian and Dave Griffing and John Judge are?

7 **A** Those are all folks working with and for FirstEnergy  
8 Solutions.

9 MS. GLATFELTER: Okay. And if we can go to the  
10 message, Ms. Terry.

11 **Q** If you'll read the blue boxes, I'll read the green  
12 boxes.

13 **A** Yes, ma'am. John Judge: Can we squeeze a call in  
14 between now and 5 to discuss new legislation with JK? Maybe  
15 4:30?

16 **Q** Juan Cespedes: Yes.

17 Okay. And did you find other communications about  
18 this topic, new legislation?

19 **A** Yes, I did.

20 MS. GLATFELTER: Your Honor, permission to publish  
21 636 C, which has been admitted?

22 THE COURT: Yes.

23 **Q** Okay. Agent Wetzel, what is Government's Exhibit 636  
24 C?

25 **A** This is a text conversation between John Judge and

1 Juan Cespedes. It was recovered from Mr. Cespedes' phone.

2 **Q** Okay. And was John Judge, is that a name that you  
3 identified on the previous e-mail?

4 **A** Yes.

5 **Q** Previous message? Okay.

6 All right. Agent Wetzel, if you'll go ahead and read  
7 the blue boxes, I'll read the green boxes.

8 **A** John Judge: Been texting with JK and Dave, sounds  
9 like Pat is ready to drop the legislation quickly if we get  
10 a bad ruling. I want you to be ready to intervene quickly  
11 if anything delays that.

12 John Judge: My understanding is they can have a  
13 nonvoting session with a couple -- with just a couple of  
14 members and some clerks to introduce the legislation.

15 **Q** Juan Cespedes: Dave and I spoke ABT this last night.  
16 Everyone who needs to be aware of the issue, including the  
17 Speaker, is updated.

18 Okay. And the reference in the first message to Pat,  
19 are you familiar with a Pat who works with Mr. Householder?

20 **A** Yes. Pat Tully, who we previously discussed.

21 **Q** Okay. And did he work for Mr. Householder at the  
22 time?

23 **A** Yes.

24 MS. GLATFELTER: Your Honor, permission to publish  
25 Exhibit 634 B, which has been admitted?

1 THE COURT: Yes.

2 Q Okay. Agent Wetzel, do you recognize Government's  
3 Exhibit 634 B?

4 A Yes, I do.

5 Q What is it?

6 A This is a group text message between Charles Jones,  
7 John Judge, John Kiani and Michael Dowling. It was  
8 recovered from Mr. Dowling's iPad.

9 Q Okay. And Agent Wetzel, if we can read this first  
10 message, please?

11 A Charles Jones: Just spoke to the big guy. He's got  
12 the, quote, tax, close quote, bill ready to go and believes  
13 he's got Obhof on board. Obhof, being a legal eagle, is  
14 pissed about the judge meddling in state affairs.  
15 Signatures turned in on Monday, 50/50, depending on who you  
16 believe.

17 MS. GLATFELTER: Now, Ms. Terry, if we can keep  
18 this message up on the left.

19 And, Your Honor, may we publish on the right side of  
20 the screen what's been admitted as Exhibit 734?

21 THE COURT: Yes.

22 MS. GLATFELTER: And, Ms. Terry, if we can go to  
23 page 5.

24 Q Agent Wetzel, did you investigate whether there were  
25 phone contacts during this period of time?

1       **A**       I did.

2       **Q**       Okay. And what did you find?

3       **A**       There are contacts on that day between Mr. Householder  
4       and Mr. Jones.

5       **Q**       Can you circle that for us?

6       **A**       (Witness writing.)

7       **Q**       Okay.

8               MS. GLATFELTER: And, Ms. Terry, is it possible to  
9       enlarge that first message on the left? Thank you.

10      **Q**       And what was the time stamp of that message?

11      **A**       Mr. Jones sent that message to the group at 4:03 p.m.

12      **Q**       Okay. And what are the time contacts of the phone  
13      contacts between Mr. Householder and Mr. Jones?

14      **A**       3:47 and 3:48, respectively.

15               MS. GLATFELTER: Your Honor, may we publish  
16      Exhibit 634 C, which has been admitted?

17               THE COURT: Yes.

18      **Q**       All right. Agent Wetzel, can you describe what 634 C  
19      is?

20      **A**       This is a text conversation between Charles Jones and  
21      Mike Dowling, and it came from Mike Dowling and was provided  
22      to us by FirstEnergy.

23               MS. GLATFELTER: Okay. And, Ms. Terry, if we can  
24      look at that last message on the first page.

25      **Q**       Agent Wetzel, can you read that for us?

1       **A**       Yes. Michael Dowling: Spoke to John Judge. FES'  
2       intel is that opponents will bring signatures to Secretary  
3       of State today at 4 p.m. What that means is not known. Do  
4       they have enough signatures, enough valid signatures? Are  
5       they counting on the federal judge to give them an extended  
6       cure period? ETC? A lot of conversation at FES about the  
7       never-ending opponent challenges and the need to pass new  
8       legislation. We'll see what happens today.

9       **Q**       Okay. And before we go to the next page --

10               MS. GLATFELTER: Ms. Terry.

11       **Q**       -- what's the date of this message?

12       **A**       This is the 21st of October 2019.

13       **Q**       Okay. And how does that relate to the referendum  
14       period, Agent Wetzel?

15       **A**       It's at the very end.

16               MS. GLATFELTER: Okay. Ms. Terry, if we can go to  
17       the next page, please.

18       **Q**       And if we can also read the top message, please.

19       **A**       Charles Jones: Larry is ready to turn in new  
20       legislation immediately if they turn in the signatures. He  
21       says they won't turn them in if they don't have raw amount  
22       greater than 265 K. DeWine on board. I talked to him on  
23       Weds. He said even their spokesman says their ballot rate  
24       is less than 30 percent. Their only hope is Sargus. LH  
25       says it will never, in all caps, hit the ballot but can't



1 share all of that with FES. I told both Judge and Kiani  
2 over the weekend drink a little more wine than normal,  
3 mellow out, and let the game come to them.

4 **Q** Now, Agent Wetzel, did you identify other  
5 communications regarding the subject of new legislation?

6 **A** I did.

7 MS. GLATFELTER: Your Honor, permission to publish  
8 636 K, which has been admitted?

9 THE COURT: Yes.

10 **Q** Now, Agent Wetzel, can you identify Government's  
11 Exhibit 636 K?

12 **A** Yes. This is a group text message. It's between  
13 Mr. Cespedes, John Kiani, Stephen Burnazian, and it was  
14 recovered from Mr. Cespedes' iPhone.

15 MS. GLATFELTER: Ms. Terry, if we can see the  
16 message.

17 **Q** And, Agent Wetzel, to give your voice a break, I will  
18 read the first message here. Juan Cespedes: I pushed very  
19 hard this evening with Neil and Jeff to make sure that  
20 legislation is quickly introduced if we get any verdict by  
21 the judge that compromises our timeline.

22 Agent Wetzel, what's the date of that message?

23 **A** The 22nd of October.

24 **Q** Okay. And how does that relate to the referendum  
25 period?

1       **A**       It's right at the very end.

2                   MS. GLATFELTER:   Okay.   And, Your Honor, may we  
3       publish 634 D, which has been admitted?

4                   THE COURT:    Yes.

5       **Q**       Agent Wetzel, do you recognize this document?

6       **A**       Yes.   This is a text conversation between John Kiani  
7       and Charles Jones.   It was recovered from Mr. Jones' iPhone.

8       **Q**       Okay.   And if we can read this message like we've done  
9       the previous ones, I'll read the green boxes.

10                  Charles Jones:   Hey, I'm part of host committee for an  
11       event for Householder on 11/14.   We sold 12 slots with  
12       Blickle being the only one from FES.   I told Joel to talk to  
13       you.   You guys should have more of a presence there but it's  
14       not cheap.   \$13 K per ticket.   Think about it.

15                  Charles Jones:   Pregame tailgate party at Crop in  
16       Cleveland and then attend Brown/Steelers in our suite for  
17       Thursday Night Football with Speaker.

18       **A**       John Kiani:   Consider it done.   Thanks.

19                  John Kiani:   Waiting for this judge is giving me an  
20       ulcer.   I know, I'm a worrier.

21       **Q**       Charles Jones:   You are a worrier.   But then it's a  
22       pretty big deal.   For what it's worth, LaRose and  
23       Householder think it's game over but that is a private  
24       conversation unless they've told you the same thing and  
25       Householder has a, quote, quick fix, quote, anyway.

1       **A**       John Kiani: Larry has been V generous in calling me  
2       and telling me not to worry. He called last night. He is a  
3       great guy.

4       **Q**       Charles Jones: Yep, he and I have been chatting too.  
5       More about raising him, dollar sign, dollar sign, dollar  
6       sign, dollar sign.

7               Now, Agent Wetzel, we looked at the Ohioans For Energy  
8       Security account at the beginning of the session today. Did  
9       you uncover messages about Generation Now needing or wanting  
10      money during this period of time?

11      **A**       I did.

12              MS. GLATFELTER: Your Honor, permission to publish  
13      640 E, which has been admitted?

14              THE COURT: Yes.

15      **Q**       All right. Agent Wetzel, do you recognize 640 E?

16      **A**       Yes. This is a text conversation between Charles  
17      Jones and Michael Dowling. It was recovered from Michael  
18      Dowling's iPad.

19      **Q**       All right. Agent Wetzel, can you read the messages in  
20      the green boxes for us?

21      **A**       Yes, ma'am. From Michael Dowling: Chuck, I've been  
22      trying to keep you away from the referendum, quote, stuff,  
23      close quote, but FES via Kiani is pushing hard. Here are  
24      two text messages this morning from Juan Cespedes. Bottom  
25      line, FES is saying they need our financial help now.

1       Interestingly, I'm at a UA trustee meeting and Joe Gingo  
2       told me that the FES board is going to approve more money  
3       today for the effort. But Kiani tells me the FES creditors  
4       have said, quote, no more, close quote. I don't know what  
5       to believe and also, interestingly, we haven't heard from  
6       Larry or any other leaders directly or indirectly (unless  
7       you count the FES outreach.)

8               Next message, from Michael Dowling: No. 1, don't fall  
9       off the chair. We have funded, dollar sign, 25 M this round  
10      and have been cutoff by our advisors. The entire plan  
11      through NOV would require ABT, dollar sign, 18 M more. We  
12      have approximately -- or approx A, dollar sign, 4 M/week run  
13      rate. We need to submit the next, dollar sign, 4 M to the  
14      SPKR by Thursday or else we are dead.

15              Next message, Michael Dowling: No. 2, there is a  
16      little complexity to it because after the 21st cost dip and  
17      then ramp up again for final 10 days. We need a bridge or  
18      else it's over. The Speaker is prepared to speak with CJ.  
19      If you could have him reach out, it would be very helpful.

20      **Q**       All right. Agent Wetzel, did you find other messages  
21      related to this one?

22      **A**       I did.

23              MS. GLATFELTER: Your Honor, permission to publish  
24      640 B, which has been admitted?

25              THE COURT: Yes.

1 MS. GLATFELTER: Thank you.

2 **Q** Agent Wetzel, what is 640 B?

3 **A** This is a conversation between Larry Householder, a  
4 text conversation, I should say, between Larry Householder  
5 and Charles Jones. It was recovered from Mr. Jones' iPhone.

6 **Q** Okay.

7 MS. GLATFELTER: And if we can see the message,  
8 Ms. Terry.

9 **Q** Okay. Agent Wetzel, we can read this as we have the  
10 other ones today.

11 Owner: Do we need to talk?

12 **A** Larry Householder: Our friend is up to speed.

13 **Q** Owner: Can you call me for two minutes?

14 **A** Larry Householder: Yes.

15 **Q** Okay.

16 MS. GLATFELTER: Ms. Terry, can we put this message  
17 up on the left side of the screen?

18 And, Your Honor, may we publish on the right side of  
19 the screen what's been admitted as 734?

20 THE COURT: Yes.

21 MS. GLATFELTER: Okay. Same page, Ms. Terry,  
22 page 5. And, Ms. Terry, if we can enlarge one of the  
23 messages on the left so we can see the time. Okay. Thank  
24 you. You can go ahead and close that now.

25 **Q** And, Agent Wetzel, did you identify any contacts from

1 around that time period?

2 **A** I did.

3 **Q** What did you find?

4 **A** There is a contact between Larry Householder and  
5 Charles Jones that lasts seven minutes.

6 **Q** And can you circle that for us to identify it?

7 **A** (Witness writing.)

8 **Q** Okay. And when in relation to these messages does it  
9 occur?

10 MS. GLATFELTER: And, Ms. Terry, if you can enlarge  
11 that last one for us, please.

12 THE WITNESS: It occurs immediately following.

13 **Q** So the message is sent at what time?

14 **A** 12:59.

15 **Q** And the phone contact?

16 **A** 12:59 as well.

17 **Q** Agent Wetzel, did you find additional text  
18 conversations about these communications?

19 **A** Yes, I did.

20 MS. GLATFELTER: Permission to publish what's been  
21 admitted as 640 K?

22 THE COURT: Yes.

23 MS. GLATFELTER: Thank you, Your Honor.

24 **Q** Okay. Agent Wetzel, do you recognize 640 K?

25 **A** I do. This is a text conversation between Charles

1 Jones and Mike Dowling. It was recovered from Mr. Dowling's  
2 iPad.

3 MS. GLATFELTER: Okay. If we can see the messages.

4 **Q** Let's go ahead and read these as we have the previous  
5 ones.

6 **A** Yes, ma'am. Charles Jones: Jason wiring, dollar  
7 sign, 10 M today. Should we just wire it to Rex's (c) (4) to  
8 get the full benefit?

9 **Q** Michael Dowling: That would be a lot cleaner.  
10 Michael Dowling: But if we send it to them directly,  
11 they'll spend it. I'm okay with that if you're okay with  
12 that, but we discussed parking it in our (c) (4) until we  
13 decided to release it. PLS advise and I'll handle.

14 **A** Charles Jones: I did speak with LH and he says they  
15 need it and will spend it. Talked to him about future, he  
16 says the future is now. He understands it's not our issue  
17 and truly appreciates the support. Get with Jason and  
18 change it.

19 **Q** Agent Wetzel, did you find other communications about  
20 this \$10 million contribution?

21 **A** I did.

22 MS. GLATFELTER: If we can publish, Your Honor --  
23 oh, shoot -- 640 H, which has been admitted?

24 THE COURT: Yes.

25 **Q** Agent Wetzel, do you recognize 640 H?

1       **A**       I do. This is a group message between Michael  
2       VanBuren, Jason Laskowski and Michael Dowling. It was  
3       recovered from Mr. Dowling's iPad.

4       **Q**       Agent Wetzel, can you remind us, in terms of the bank  
5       records, where we've seen the name Michael VanBuren?

6       **A**       He's listed on the Partners For Progress bank records  
7       that we looked at.

8       **Q**       Thank you.

9               MS. GLATFELTER: If we can go to the message,  
10       please.

11       **Q**       And we can read these as we have the previous ones  
12       today.

13               Michael Dowling: Okay. Change of plans today. I  
14       spoke to the boss. Jason, we are going to send 10 -- sorry,  
15       dollar sign, 10 M directly to the (c) (4), not our (c) (4),  
16       but to the (c) (4) that we're going to ultimately flip, the  
17       dollar sign, 10 M to. Michael, can you please help Jason  
18       accomplish this today?

19       **A**       Michael Van Buren sends a message that's blank and  
20       then Michael Van Buren, directly to Generation Now: I  
21       think? Yes, I will help Jason accomplish that today, no  
22       problem at all.

23       **Q**       Okay. And Agent Wetzel, did you find additional  
24       communications about this \$10 million?

25       **A**       I did.



1 MS. GLATFELTER: Your Honor, may we publish 640 G,  
2 which has been admitted?

3 THE COURT: Yes, yes.

4 **Q** Agent Wetzel, do you recognize 640 G?

5 **A** I do. This is a text conversation between John Kiani  
6 and Charles Jones. It was recovered from Jones' iPhone.

7 **Q** Okay. Agent Wetzel, if we can look at the last  
8 message on the first page. Can you read that for us?

9 **A** Yes. From Charles Jones, Owner: Just got word, the  
10 dollar sign, is being wired today, dollar sign, 10 M.

11 **Q** Okay. Agent Wetzel, did you find further  
12 communications between Michael Dowling and Mr. Van Buren  
13 about this \$10 million?

14 **A** I did.

15 MS. GLATFELTER: Your Honor, permission to publish  
16 640 I, which has been admitted?

17 THE COURT: Yes.

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

19 **A** Yes. This is a text conversation between Michael  
20 Dowling and Michael Van Buren. It was recovered from  
21 Mr. Dowling's iPad.

22 MS. GLATFELTER: And we can publish this like the  
23 ones we've done previously.

24 **Q** Michael Dowling: PLS make sure Dan McCarthy's name is  
25 not on the filing, please. Thanks.

1       **A**       Michael Van Buren: Mike, I need to call McKenzie  
2       back. That's something the IRS requires. Dan was already  
3       listed for 2017. Michael Van Buren: We state that he  
4       resigned before the end of the year.

5       **Q**       Michael Dowling: Michael, there must be a creative  
6       way to handle this. It's important he not be listed.

7               Agent Wetzel, do you know who Dan McCarthy is?

8       **A**       I do.

9       **Q**       Who's Dan McCarthy?

10       **A**       At the time of these messages, he was working for  
11       Ohio's governor. He was formerly a lobbyist on behalf of  
12       FirstEnergy.

13       **Q**       Agent Wetzel, did you find further messages regarding  
14       this \$10 million?

15       **A**       I did.

16               MS. GLATFELTER: Your Honor, permission to publish  
17       639 B, which has been admitted?

18               THE COURT: Yes.

19       **Q**       Okay. Agent Wetzel, do you recognize 639 B?

20       **A**       I do.

21       **Q**       Who is 639 B a message between?

22       **A**       Jeff Longstreth and Juan Cespedes.

23       **Q**       And where was it recovered?

24       **A**       From Mr. Cespedes' iPhone.

25       **Q**       Okay. We can read these like we have previously

1 today.

2 Juan Cespedes: CJ, dollar sign, is en route. Please  
3 call me to discuss.

4 **A** Jeff Longstreth: I'm on a call with the Dons and  
5 Neil, will call you ASAP.

6 **Q** Juan Cespedes "liked" the message.

7 **A** Jeff Longstreth: Have not received the wire yet.

8 **Q** Juan Cespedes: Okay. Has Dowling contacted you?

9 Juan Cespedes: Have they ever donated to the (c)(4) before?

10 **A** Jeff Longstreth: Yes and yes.

11 Jeff Longstreth: I'll call Mike.

12 MS. GLATFELTER: Okay. Ms. Terry, if we can keep  
13 this message up on the left side.

14 And, Your Honor, may we publish 734, which has been  
15 admitted?

16 THE COURT: Yes.

17 MS. GLATFELTER: And, Ms. Terry, if we can go to  
18 page 5, please.

19 **Q** Okay. Agent Wetzels, did you find any telephone  
20 contact between Jeff Longstreth and Michael Dowling that  
21 corresponded to the date of the messages on the left?

22 **A** Yes, I did.

23 **Q** What did you find?

24 **A** Jeff Longstreth contacted Michael Dowling and they  
25 spoke for one minute and 45 seconds -- or 44, excuse me.

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

2       **A**       (Witness writing.)

3       **Q**       All right. Agent Wetzel, have you reviewed the bank  
4 records related to this \$10 million transaction?

5       **A**       I have.

6               MS. GLATFELTER: And Your Honor, may we publish  
7 what's been admitted as 180, please?

8               THE COURT: Yes.

9       **Q**       Can you -- Agent Wetzel, can you draw on the screen  
10 and show us the flow of money for this particular  
11 transaction?

12       **A**       Yes. So this money -- (Witness writing) -- flows from  
13 FirstEnergy to Partners For Progress and then to Generation  
14 Now.

15       **Q**       Did you review the FirstEnergy bank records?

16       **A**       I did.

17       **Q**       Related to this transaction?

18       **A**       I did.

19               MS. GLATFELTER: Your Honor, may we publish  
20 Exhibit 60, which has been admitted?

21               THE COURT: Yes.

22               MS. GLATFELTER: And, Ms. Terry, if we can look at  
23 line 53.

24       **Q**       Okay. Agent Wetzel, do you recognize what Exhibit 60  
25 is and then what the highlighted portion is there?

1       **A**       Yes. Exhibit 60 is the listing of the wire transfers  
2 related to the bank account ending in 6496, and in this  
3 particular example, this is the 10 -- on 10/10/2019,  
4 \$10 million and the debit party is listed as FirstEnergy  
5 Service Company, from the concentration account.

6               MS. GLATFELTER: Okay. And, Ms. Terry, I think if  
7 we go to the second page, we can see the continuation of  
8 that row.

9       **Q**       Okay. Agent Wetzel, seeing a continuation of that  
10 row, can you identify who the wire transfer goes to?

11       **A**       Yes. The credit party is listed as a PNC Bank account  
12 belonging to Partners For Progress, Inc.

13       **Q**       And, Agent Wetzel, after reviewing these, did you also  
14 look at the Partners For Progress bank accounts to identify  
15 transactions?

16       **A**       I did.

17               MS. GLATFELTER: Your Honor, may we publish  
18 Exhibit 73, please, which has been admitted?

19               THE COURT: Yes.

20       **Q**       Okay. Agent Wetzel, first of all, on this first page,  
21 do you see a name that we've been discussing this afternoon?

22       **A**       Yes. There's a Michael Van Buren who's listed as  
23 treasurer of the account for Partners For Progress, Inc.

24       **Q**       Okay. Can you circle his name on the form so we can  
25 see where you're pointing to?

1       **A**       (Witness writing.)

2       **Q**       Thank you.

3               MS. GLATFELTER: Ms. Terry, if we go to page 85.

4       **Q**       Okay. Agent Wetzel, do you recognize what the format  
5 of the document on 85 is?

6       **A**       Yes. This is a PNC Bank statement for Partners For  
7 Progress, Incorporated.

8       **Q**       Okay. This is one of the statements that you received  
9 during your investigation?

10      **A**       Correct.

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

13      **Q**       Agent Wetzel, do you see any transactions listed on  
14 the statement that are similar to the dates of the  
15 FirstEnergy records we looked at?

16      **A**       Yes. The wire transfer in the amount of \$10 million  
17 was listed as October 10th, and we can see in the other  
18 additions section that on 10/10, a \$10 million Fedwire  
19 transfer came into the account.

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

21      **A**       In the "other additions" section, it is the first  
22 transaction listed.

23      **Q**       Okay. And then do you see any other transactions for  
24 \$10 million under the deductions section?

25      **A**       Yes, I do.

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

2 A (Witness writing.) I'm sorry, I should have asked,  
3 did you mean the deductions or additions that you would like  
4 me to circle?

5 Q The deductions. Thank you.

6 MS. GLATFELTER: And, Ms. Terry, if we go to,  
7 continue on to page 92 of this exhibit.

8 Q Okay. Agent Wetzel, do you recognize what page 92 is?

9 A Yes. This is a listing of domestic transfer from the  
10 PNC payment system.

11 Q Okay. And what does it relate to?

12 A This is just a payment instruction. As I kind of  
13 mentioned earlier, every bank does it a little differently.  
14 This particular one is just a domestic transfer of funds.  
15 It lists under payment instruction that the payment amount  
16 is \$10 million and that it was sent on October 10th, 2019.

17 Q Okay. So it comes into the account, then leaves?

18 A This is the -- correct. This is the outgoing --

19 Q Okay.

20 A -- wire transfer.

21 Q Okay. Agent Wetzel, did you depict this \$10 million  
22 transfer on Exhibit 15, which is the list of transactions  
23 for Generation Now?

24 A I did.

25 MS. GLATFELTER: Your Honor, may we publish

1 Exhibit 15, please?

2 THE COURT: Yes.

3 Q Okay. Do you see that listed on the screen?

4 A I do.

5 Q Okay. Can you put a star by that for us?

6 A (Witness writing.)

7 Q Now, Agent Wetzel, upon reviewing the Generation Now  
8 bank records, did you look to see where the -- whether any  
9 transactions occurred after Generation Now received the  
10 \$10 million?

11 A I did.

12 MS. GLATFELTER: Your Honor, if we may publish,  
13 please, Exhibit 14 F, which has been admitted?

14 THE COURT: Yes.

15 Q Okay. Agent Wetzel, do you recognize generally what  
16 this document is?

17 A Yes. These are the wire transfer records for the  
18 Generation Now account.

19 MS. GLATFELTER: And, Ms. Terry, if we can advance  
20 to page 12, please.

21 Q Okay. Agent Wetzel, do you see any transactions,  
22 first of all, related to the \$10 million?

23 A Yes. There is a transfer in -- listed, I believe,  
24 it's line 398.

25 Q Okay. And can you put a star next to 398 for us?



1       **A**       (Witness writing.)

2       **Q**       Okay. And if you look on this sheet, do you see any  
3       transfers to Ohioans For Energy Security around a similar  
4       time?

5       **A**       Let me see. Yes, I do.

6       **Q**       Okay. Can you identify that for us by putting a star  
7       by those?

8       **A**       (Witness writing.)

9       **Q**       And what are the dates of all of these transactions?

10      **A**       These are all occurring on October 10th.

11      **Q**       Okay. Did you look at the Ohioans For Energy Security  
12      records to see if the transactions corresponded?

13      **A**       I did.

14               MS. GLATFELTER: Okay. Your Honor, may we publish  
15      Exhibit 152, which has been admitted?

16               THE COURT: Yes.

17               MS. GLATFELTER: And, Ms. Terry, if we may go to  
18      page 9 of this exhibit.

19      **Q**       Agent Wetzl, do you recognize the format of this  
20      document generally?

21      **A**       Yes. This is a Fifth Third Bank statement for Ohioans  
22      For Energy Security.

23      **Q**       Okay. And does it list transactions towards the  
24      bottom of the statement?

25      **A**       Yes. On the bottom of this page is withdrawals and

1 debits.

2 **Q** Okay. And do you have to examine other documents to  
3 figure out what specifically those wires or those  
4 transactions were for?

5 **A** Correct, yes. They just list outgoing wire transfer.  
6 They don't list to whom or from whom.

7 MS. GLATFELTER: Okay. And if we look -- or if we  
8 advance, Ms. Terry, to page 32.

9 **Q** Okay. Do you recognize generally what page 32 is?

10 **A** Yes. This is a part of the spreadsheet of wire  
11 transfers for the Ohioans For Energy Security account.

12 MS. GLATFELTER: Okay. Ms. Terry, can you go to  
13 the previous page? I think I was a little too aggressive  
14 there. All right.

15 **Q** Is this the first page that shows the dates of the  
16 transaction?

17 **A** It does.

18 **Q** And do you see any that correspond to the dates that  
19 we've been talking about?

20 **A** Yes, I do.

21 **Q** Okay. Can you put a star next to those?

22 **A** (Witness writing.)

23 **Q** Okay. Those are the -- are those the wires coming  
24 into the account or the wires going out?

25 **A** These appear to be coming into the account.

1       **Q**       Okay. And then towards the bottom of the pages, are  
2       there different kinds of wires listed?

3       **A**       Yes. The debit name lists the source of the funding,  
4       so when you're looking at "to whom, from whom," the debit is  
5       where the money is coming from. The credit, which is on the  
6       next page, is where it's going.

7       **Q**       Okay. And if you looked around towards the bottom of  
8       the page, can you tell or do you see the start of  
9       transactions where Ohio Energy Security is wiring money to  
10      another party?

11      **A**       Correct. That's how the bank chose to sort of sort  
12      this. You sort of have the ones that are coming in on the  
13      top and then on the bottom, you have the ones that are going  
14      out; and again, the debit is just the source of the funding.

15      **Q**       Okay. And can you put a star next to some of the  
16      dates at the bottom that correspond to the time period we've  
17      been talking about?

18      **A**       (Witness writing.)

19                   MS. GLATFELTER: And, Ms. Terry, if we can go to  
20      the next page, please.

21      **Q**       Okay. And can you see the rest of the transactions on  
22      the second page?

23      **A**       Yes. So for credit name, the CDT name column, you'll  
24      see that the ones at the top that I was mentioning that are  
25      incoming lists that they're coming into Ohioans For Energy

1 Security. And then below that is a series of outgoing  
2 wires.

3 MS. GLATFELTER: Okay. And, Ms. Terry, if we can  
4 go to the third page there or one more page.

5 **Q** And do you see additional information related to those  
6 transactions?

7 **A** Yes. In the BNP column, you see there's a beneficiary  
8 name and there's a list of folks. Some of them we've  
9 discussed, like Strategic Media Placement, Voter to Voter,  
10 Lincoln Strategy Group, et cetera.

11 **Q** Agent Wetzel, we've gone through four different bank  
12 accounts to look at this \$10 million transaction. Can you  
13 explain the steps that you did to look at bank records  
14 during the referendum period?

15 **A** Yes. We had to issue a number of subpoenas and try to  
16 piece this all together. They're obviously using different  
17 bank accounts, different bank records, so we would have to  
18 request a subpoena, serve it, and then, I should say, before  
19 that, we have to figure out what bank they're even using  
20 because we have to send it to someone. And then once we  
21 figured out which bank, you then kind of go to the next  
22 layer and you send a subpoena there and then you go to the  
23 next layer and send a subpoena there, and you have to kind  
24 of track the money through various iterations to get to the  
25 end.

1       **Q**       Now, Agent Wetzel, during your investigation, did you  
2       find communications about additional funds transferred in  
3       the same manner around the same period?

4       **A**       I did.

5               MS. GLATFELTER: Your Honor, may we publish  
6       Exhibit 636 H, which has been admitted?

7               THE COURT: Yes.

8       **Q**       Agent Wetzel, do you recognize 636 H?

9       **A**       I do. This is a text conversation between John Kiani  
10      and Juan Cespedes. It was recovered from Mr. Cespedes'  
11      iPhone.

12              MS. GLATFELTER: Okay. Ms. Terry, if we can see  
13      the message.

14      **Q**       Okay. Agent Wetzel, I will read the green boxes, if  
15      you read the blue boxes. Juan Cespedes: You never called.

16      **A**       John Kiani: Is there anything new?

17      **Q**       Juan Cespedes: Had a good convo with Steven, Griff  
18      and Judge earlier regarding flawed media rollout. Came to  
19      conclusion on how to avoid any further issues and also  
20      trying to salvage the potential story by leaning on Borges  
21      and educating Neil on what happened.

22              Juan Cespedes: Otherwise, made rounds with all  
23      consultants, internal and external, to tighten up operation  
24      over the weekend and into the next week.

25      **A**       John Kiani: Okay. TY.

1       **Q**       Juan Cespedes: Speaker's team was working on  
2 fundraising most of the day. I am not aware of how  
3 successful they were, but will have more clarity over the  
4 weekend.

5               Now, Agent Wetzel, did you find additional message  
6 regarding the fundraising or the money that was discussed in  
7 this last message?

8       **A**       Yes, I did.

9               MS. GLATFELTER: Your Honor, permission to publish  
10 640 Q, which has been admitted into evidence?

11              THE COURT: Yes.

12       **Q**       Okay. Agent Wetzel, do you recognize this message?

13       **A**       I do. This is a text conversation between Michael  
14 Dowling and Charles Jones. It was recovered from  
15 Mr. Dowling's iPad.

16       **Q**       Okay. And if we can read these messages like the  
17 previous ones. Michael Dowling: Just got off the phone  
18 with Jeff Longstreth. Need more dollar or dollar signs to  
19 get through the weekend. Looking for, dollar sign, 3 M.  
20 Told him I'd talk to you. I asked him what AP has done? He  
21 said not much but some. I told him that maybe we'd split  
22 the dollar sign 3 M with them, half kidding. The issue is  
23 field workers. They don't have the money to pay field  
24 workers this weekend, and if they get released, the other  
25 side may scoop them up. Larry asked Jeff to call me, which

1 means they want me to talk to you, but LH will engage with  
2 you, if necessary.

3 **A** Charles Jones: FES' plan was approved. They should  
4 have no problem now. Call Kiani first.

5 **Q** Michael Dowling: It's still a problem for FES until  
6 they actually emerge.

7 Now, Agent Wetzel, did you review --

8 MS. GLATFELTER: If we can keep this exhibit up,  
9 Ms. Terry, on the left side.

10 **Q** Agent Wetzel, did you review contacts, phone contacts  
11 from around this time period?

12 **A** I did.

13 MS. GLATFELTER: Your Honor, may we publish 734,  
14 which has been admitted?

15 THE COURT: Yes.

16 MS. GLATFELTER: If we go to page 5, please,  
17 Ms. Terry.

18 **Q** Agent Wetzel, what were the dates of the messages on  
19 the left?

20 **A** They're the 17th of October 2019.

21 **Q** Did you find any phone contacts that corresponded to  
22 that time period?

23 **A** Yes. There's a series of contacts between Michael  
24 Dowling and Jeff Longstreth that day.

25 **Q** Okay. Can you circle those for us?

1       **A**       (Witness writing.)

2                   MS. GLATFELTER: Okay. And if we clear that for a  
3 moment. Thank you.

4       **Q**       And do you see the phone contact that follows the last  
5 one between Jeff Longstreth and contacts -- Longstreth and  
6 Mike Dowling?

7       **A**       Yes, I do.

8       **Q**       And what's the date of that conversation?

9       **A**       On the 19th, so two days later, there are a few  
10 contacts between Larry Householder and Charles Jones.

11       **Q**       All right. And did we reference this earlier when we  
12 were looking at text messages?

13       **A**       We did.

14       **Q**       Now, Agent Wetzel, was there any kind of media release  
15 issued when the ballot referendum -- I'm sorry, when the  
16 ballot campaign failed?

17       **A**       Would you please restate that?

18       **Q**       I'm sorry, that was a terrible question.

19                   Are you aware of any or did you investigate whether  
20 there were any media releases during the end period of the  
21 signature gathering for the referendum?

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

23                   MS. GLATFELTER: Your Honor, if we may please  
24 publish Exhibit 642, which has been admitted?

25                   THE COURT: Yes.



1 Q Agent Wetzel, do you recognize this document?

2 A I do.

3 Q What is it?

4 A This is another document. We looked at a few of these  
5 before. This was downloaded from the Ohio House of  
6 Representatives' website.

7 MS. GLATFELTER: Okay. Ms. Terry, if we can  
8 enlarge the first half of that document.

9 Q First, Agent Wetzel, what's the date of this press  
10 release?

11 THE COURT: I'm sorry, is this admitted into  
12 evidence?

13 MS. GLATFELTER: I thought that it was, Your Honor;  
14 and if it's not, my mistake. I can lay the foundation.

15 THE COURT: I think you need to be sure it's  
16 admitted. Courtroom deputy is saying it's not. It's no big  
17 deal. If you would walk through the hoops, please.

18 MS. GLATFELTER: Okay. I apologize, Your Honor, I  
19 thought that was one on the list.

20 THE COURT: Very well.

21 Q Agent Wetzel, did you recover any or did you work to  
22 identify any documents from the House of Representatives'  
23 website?

24 A Yes, I did, throughout the period.

25 Q Okay. What kinds of documents did you work to obtain

1 from the website?

2 MR. GLICKMAN: Excuse me, Your Honor, we have no  
3 objection to its admission if Mr. Borges' counsel doesn't.

4 MR. SCHNEIDER: None.

5 THE COURT: Thank you both. It's admitted. You  
6 can republish.

7 MS. GLATFELTER: Thank you.

8 **Q** Agent Wetzel, what is the document -- what is the date  
9 of the press release, first?

10 **A** October 21, 2019.

11 **Q** Okay. And how does that relate to the referendum  
12 period?

13 **A** That is the day that the referendum ended.

14 **Q** Okay. And does the press release include a quote from  
15 Mr. Householder?

16 **A** It does.

17 **Q** And can you read that quote for us?

18 **A** I am pleased that House Bill 6 will go into effect at  
19 midnight tonight and I am confident it will produce positive  
20 results for Ohio.

21 **Q** Now, when you were looking at the bank records, did  
22 you identify any deposits from FirstEnergy accounts into  
23 Generation Now after this press release?

24 **A** I did.

25 MS. GLATFELTER: Your Honor, may we please publish

1 Exhibit 15 again, which has been admitted?

2 THE COURT: Yes.

3 Q Agent Wetzel, do you see the dates of the transactions  
4 to which you were referring?

5 A Yes. There are two of them. One in the form of a  
6 wire transfer and the other in the form of a check on the  
7 22nd of October 2019.

8 Q Okay. Can you put a star by the dates of those  
9 transactions?

10 A (Witness writing.)

11 Q Okay. Now, the source on this document identifies it  
12 is coming from Partners For Progress. How do you relate it  
13 back to FirstEnergy?

14 A Partners For Progress was funded exclusively by the  
15 FirstEnergy Corporation.

16 MR. GLICKMAN: Objection, Your Honor.

17 THE COURT: Basis?

18 MR. GLICKMAN: FirstEnergy and FirstEnergy  
19 Solutions are being conflated constantly throughout this  
20 examination.

21 THE COURT: This will be subject to cross. Please  
22 proceed.

23 Q Go ahead and let me ask the question again. How are  
24 you able to relate the Partners For Progress payments to  
25 FirstEnergy accounts?

1       **A**       So I examined Partners For Progress bank records and  
2       the money came from the FirstEnergy Service Company account.

3       **Q**       Okay. And the 6496 account, are those bank records  
4       that we've looked at?

5       **A**       They are.

6       **Q**       All right. Agent Wetzel, and what was the date of  
7       these transactions in relation to the press release we just  
8       saw?

9       **A**       The day after.

10      **Q**       Now, during your investigation, did you identify any  
11      contact between Mr. Householder and the FirstEnergy  
12      executives after the referendum period?

13      **A**       I did.

14               MS. GLATFELTER: Your Honor, permission to publish  
15      what's been admitted as 325 B?

16               THE COURT: Yes.

17      **Q**       Agent Wetzel, do you recognize Exhibit 325 B?

18      **A**       I do. This is a text conversation between Mr. Charles  
19      Jones and Larry Householder. It was recovered from  
20      Mr. Jones' iPhone.

21               MS. GLATFELTER: Okay. If we can go to the  
22      message, Ms. Terry.

23      **Q**       Okay. What's the date of this message?

24      **A**       January 15, 2020.

25      **Q**       Agent Wetzel, if you read the blue boxes, I'll read

1 the green.

2 **A** Larry Householder: Who do you like for this PUCO  
3 board appointment?

4 **Q** Owner: Sorry, I missed earlier. Let me check and get  
5 back to you. But I think Sam wants the incumbent D reupped  
6 because he's very cooperative with Sam. By the way, the  
7 issue we talked about some time ago is DOA, no more  
8 discussions. You going to be up this way at all?

9 **A** Larry Householder: I'm coming up Friday. Meeting  
10 Tony that morning.

11 MS. GLATFELTER: Okay. And if we go back to the  
12 page -- I'm sorry, the top.

13 **Q** Who did you say this message is from?

14 **A** Larry Householder and Chuck Jones are the participants  
15 in this conversation.

16 **Q** All right. And what is Charles Jones' position at the  
17 time?

18 **A** He's the CEO of FirstEnergy Corporation.

19 **Q** Okay.

20 MS. GLATFELTER: Your Honor, may we publish what's  
21 been admitted as 643?

22 THE COURT: Yes.

23 **Q** Agent Wetzel, do you recognize this document?

24 **A** I do.

25 **Q** What is it?

1       **A**       This is a text conversation between Charles Jones and  
2       Larry Householder. This was recovered from Mr. Jones' iPad.

3       **Q**       Okay. And the date of this message?

4       **A**       The 22nd of January 2020.

5               MS. GLATFELTER: And if we can go to the body of  
6       the message.

7       **Q**       Okay. Agent Wetzel, if we can read these messages.  
8       You don't need to say the whole address, but do you see the  
9       words "referendum" in the first message?

10      **A**       I do, yes.

11      **Q**       Okay. And then what is the message below it, please?

12      **A**       We win again.

13      **Q**       And who is that message to?

14      **A**       It is to Chuck Jones from Larry Householder.

15      **Q**       Okay. And Chuck Jones' position is what?

16      **A**       He's the CEO of the FirstEnergy Corporation.

17      **Q**       All right. Now, the signature collection effort ended  
18      generally when?

19      **A**       The collection effort ended the 21st of October, so  
20      mid-October.

21      **Q**       And are you familiar with an initiative about term  
22      limits that started around the same time?

23      **A**       I am.

24      **Q**       Did you identify any communications related to Larry  
25      Householder about funding this initiative?

1       **A**       I did.

2                   MS. GLATFELTER: Your Honor, permission to publish  
3 what's been admitted as 330 A?

4                   THE COURT: Yes.

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

6       **A**       I do. This is a text conversation between Tony George  
7 and Charles Jones. It was recovered from Mr. Jones' iPad.

8       **Q**       Okay. And can you remind us who Tony George is?

9       **A**       He's a businessman from the Cleveland area.

10      **Q**       Does he own any businesses that we've discussed here  
11 today?

12      **A**       Yes. We -- well, throughout the process, we've  
13 discussed a few, Crop Bistro and a few others, I believe.

14      **Q**       Okay. And did he take any trips with Mr. Householder  
15 in early January of 2017?

16      **A**       Yes. He was on the private FirstEnergy plane to the  
17 inauguration.

18                   MS. GLATFELTER: Okay. If we can go to the  
19 message, please.

20      **Q**       All right. If you can read the first two messages,  
21 the first three messages, you can read the blue messages and  
22 I'll read the green.

23      **A**       From Tony George: Just checking on you. I hope the  
24 sun and the weather is making you heal faster. Thank God  
25 you left. It's 25 degrees here.

1       **Q**       Charles Jones: Doing a little better each day but  
2       it's slow. Talked to the doc today and he said all normal  
3       and I just need to be patient. Talked to Speaker today.  
4       He's an expensive friend.

5       **A**       Tony George: I didn't -- I did not know what he  
6       wanted to talk to you about.

7       **Q**       Agent Wetzel, did you look at phone contacts during  
8       this time period?

9       **A**       I did.

10               MS. GLATFELTER: And, Ms. Terry, if we can keep  
11       this up on the screen on the left.

12               Your Honor, may we publish what's been admitted as 734?

13               THE COURT: Yes.

14               MS. GLATFELTER: If we may go to the last page,  
15       Ms. Terry.

16       **Q**       Okay. Agent Wetzel, were you able to identify any  
17       phone contact between Larry Householder and Chuck Jones or  
18       Charles Jones around the time period of these messages?

19       **A**       Yes. There are two contacts listed for that same day.

20       **Q**       All right. And if you see those on the exhibit, can  
21       you circle those for us?

22       **A**       (Witness writing.)

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

24               Now, did you find additional communications regarding  
25       this term limits initiative?



1       **A**       I did.

2                   MS. GLATFELTER: Your Honor, permission to publish  
3       330 G, which has been admitted?

4                   THE COURT: Yes.

5       **Q**       Agent Wetzel, do you recognize 330 G?

6       **A**       I do.

7       **Q**       What is it?

8       **A**       This is a group text message between Michael Dowling,  
9       Joel Bailey and Ty Pine. It was recovered from  
10      Mr. Dowling's iPad.

11                  MS. GLATFELTER: And if we can publish -- if we can  
12      read these text messages as we've read the other side.

13      **A**       Ty Pine: Language has been submitted and LH supports.  
14      I don't know any more. Want me to dig?

15      **Q**       Michael Dowling: Chuck called me Y' day about it.  
16      I'm going to talk to Josh about it today to determine  
17      DeWine's position and I was asked to talk to Jeff  
18      Longstreth. Can you find out about Huffman directly or  
19      through Megan? Here we go.

20                  Michael Dowling: We are going to make a significant  
21      contribution to Generation Now from Partners For Progress  
22      next Monday/Tuesday.

23                  Agent Wetzel, what's the date of these messages?

24      **A**       The 29th of February.

25      **Q**       All right. And how does that relate to the phone

1 contact we just saw?

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

3 MS. GLATFELTER: Your Honor, may we publish 330 F,  
4 please, which has been admitted?

5 THE COURT: Yes.

6 **Q** Agent Wetzel, what's the date of this message, first  
7 of all?

8 **A** It's the 29th of February, the same day that we were  
9 just looking at.

10 **Q** And who's the message before -- I mean, between?

11 **A** Josh Rubin and Michael Dowling, which is where we  
12 recovered the message from Mr. Dowling's iPad.

13 **Q** Okay. And who is Josh Rubin?

14 **A** I'm not sure what his official title is, but I know  
15 that he works in the governmental affairs space.

16 **Q** When you say "governmental affairs," is that like  
17 lobbying?

18 **A** Yeah.

19 MR. GLICKMAN: Objection.

20 THE COURT: Overruled. Don't lead the witness.  
21 Please proceed. We're going to have to take a break  
22 shortly. You tell me when.

23 MS. GLATFELTER: Okay. We're almost finished, Your  
24 Honor, with this part.

25 Ms. Terry, if we may see the message, please.

1       **Q**       And we can read this message like we've read the other  
2       ones today.

3               Michael Dowling: Is governor okay with ballot  
4       initiative that would establish a 16-year lifetime limit on  
5       state legislative service?

6       **A**       Josh Rubin: I haven't spoken to him about it in any  
7       detail yet. You guys like it?

8       **Q**       Michael Dowling: Never thought about it until Speaker  
9       called Chuck about it. Speaker likes it, wants our dollar  
10      support, dollar sign, support. What we do like is  
11      consistency in current leadership.

12      **A**       Josh Rubin: I was told it was his idea. Not sure if  
13      true but not surprised he likes it. I'll see what I can  
14      find out.

15              MS. GLATFELTER: And, Your Honor, if you wanted to  
16      take a break, we can.

17              THE COURT: Very well. We've reached our  
18      midafternoon break point. Thank you for hanging in there  
19      with us. During the break, take a break. Do not discuss  
20      the case with anyone, including among yourselves. No  
21      independent research. Continue to keep an open mind. Out  
22      of respect for you, we'll rise as you leave for a break  
23      until 3:15.

24              THE DEPUTY: All rise for the jury.

25              (Jury exited the courtroom at 2:53 p.m.)

1 THE COURT: Jury has left the room. As always,  
2 we'll stay in the courtroom until we've been advised that  
3 they have cleared the floor. You're welcome to be seated,  
4 if you wish, or not.

5 MR. MAREIN: Judge, is it possible to put something  
6 on the record so we don't have to delay the continuation  
7 this afternoon when we come back?

8 THE COURT: What, what's on your mind?  
9 We can be seated. Are you comfortable with that,  
10 sir?

11 MR. MAREIN: And may I remove my mask?

12 THE COURT: Yes.

13 MR. MAREIN: Is it okay if I stay standing? My  
14 knees lock.

15 THE COURT: Yes.

16 MR. MAREIN: Mr. Glickman had lodged an objection  
17 during the course of -- government counsel's questioning of  
18 the agent, and I think that the basis of which is that the  
19 government's counsel has been using Firstenergy and  
20 FirstEnergy Solutions interchangeably; they're playing fast  
21 and loose. When in point of fact, those are separate  
22 entities. Your response was to overrule the objection and  
23 indicate we'll then have the opportunity to then  
24 cross-examine the witness.

25 So I'm just seeking clarification. Should, for

1 example, one of us ask questions where we are including  
2 erroneous factual information of the predicate of the  
3 question and there is an objection, do I understand that the  
4 objection will be overruled and the government will be told  
5 you will have cross-examination of this witness, because I'm  
6 just looking for an even playing field?

7 THE COURT: Government wish to be heard?

8 MS. GLATFELTER: I do, Your Honor. That was -- I  
9 do, Your Honor. I believe the transcript will reflect --  
10 the transcript will reflect the facts of the questions and  
11 the facts of the answers. The bank account through which  
12 the money flowed was a FirstEnergy bank account. That has  
13 been testified to by FirstEnergy executives in this account,  
14 and it has also been admitted into evidence. While that is  
15 an argument that defense counsel are free to make, implying  
16 that this is an improper argument or improper facts is just  
17 not borne out by the transcript, Your Honor.

18 THE COURT: Very well. Last word, if you need,  
19 Mr. Marein.

20 MR. MAREIN: No, Judge, thank you.

21 THE COURT: All right. I can provide an  
22 instruction in that regard. Give me some time during the  
23 break to address it. We're in recess until -- but any  
24 conflation between FirstEnergy and FirstEnergy Services has  
25 not been apparent to me, but I'm going to work on the

1 transcript and a potential instruction. We're on break  
2 until 3:15.

3 THE DEPUTY: All rise. Court is in recess until  
4 3:15.

5 (Recess taken from 2:56 p.m. to 3:19 p.m.)

6 THE DEPUTY: All rise. This court is in session  
7 pursuant to the recess.

8 THE COURT: Thank you. Please be seated. Back in  
9 the open courtroom outside the presence of the jury. As I  
10 said before the break, any conflation between FirstEnergy  
11 and FE and FES was not apparent to me during the testimony.  
12 If the defense would like to review their rough transcript  
13 this evening, find where the witness or the prosecutor may  
14 have been misspoken, not where there may be a factual  
15 dispute, but an actual error, happy to provide a  
16 clarification to the jury tomorrow essentially telling them  
17 that there may have been some confusion yesterday where the  
18 witness or the prosecutor referenced Firstenergy instead of  
19 FirstEnergy Solutions with regard to Exhibit XYZ. FES is a  
20 subsidiary of FE, two different entities. So we'll proceed  
21 in that way.

22 Are we ready for the jury from the government's  
23 perspective?

24 MS. GLATFELTER: No, Your Honor. Clarification on  
25 that matter. I think this is a factual dispute that they

1 want to argue to the jury, that -- they want to argue goes  
2 to the bribery agreement or the underlying RICO offenses. I  
3 don't think it's appropriate, and the government's position  
4 is it's not appropriate to instruct them regarding the  
5 relationship between FirstEnergy Solutions and Firstenergy.  
6 Their finances are entangled. They are not separate  
7 entities at this time. They are going through bankruptcy.  
8 And you can see from the text messages that it is not  
9 apparent sometimes which entity is wiring the money for  
10 which entity.

11 We've had testimony in this case that the Firstenergy  
12 Service has the bank accounts, both entities, money comes  
13 out of those bank accounts; and, therefore, to instruct the  
14 jury regarding the status of those companies is, I think,  
15 intrudes upon the province of the jury because that's a  
16 factual matter for them to determine.

17 THE COURT: That's --

18 MR. GLICKMAN: Sorry, Judge.

19 THE COURT: That's fine. We can tweak any  
20 instruction appropriately. The point is to clarify whether  
21 anyone misspoke, that's all, and whether there was an actual  
22 error and not a factual dispute. Did somebody wish to be  
23 heard?

24 MR. GLICKMAN: Yeah, Judge, that was me. The basis  
25 of my objection actually had less to do with the question

1 than throughout the examination, Agent Wetzel has made the  
2 declaration that Firstenergy funded Generation Now or  
3 Firstenergy did that. The earlier witness, Mr. Staub,  
4 indicated that while both companies have bills paid from  
5 Firstenergy Services Company, there are different account  
6 numbers that pay FirstEnergy Solutions' bills and pay  
7 Firstenergy's bills. That was the basis for my objection.  
8 If there's some type -- I don't believe it needs any more  
9 clarification than that, but if there's some type of  
10 instruction we would like, we'll certainly talk to you about  
11 it in the morning, but I think it's something that we can  
12 address throughout the case.

13 THE COURT: Well, that's why I said the defense  
14 will have an opportunity to cross-examine. Do what you  
15 choose. I'll resolve it.

16 Is the Householder group ready to proceed?

17 MR. GLICKMAN: Yes.

18 THE COURT: Are you likely to argue your own  
19 objections?

20 MR. GLICKMAN: In the future, yes, Judge, I'd like  
21 to do that.

22 THE COURT: Is Mr. Borges' team ready for the jury?

23 MR. SCHNEIDER: We are, Your Honor.

24 THE COURT: The government as well?

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



1 THE COURT: And Householder is ready, right?

2 Householder team is ready; is that right?

3 MR. GLICKMAN: Sorry, Judge. Yes.

4 THE COURT: Very well. Let's call for the jury.

5 THE DEPUTY: All rise for the jury.

6 (Jury entered the courtroom at 3:23 p.m.)

7 THE COURT: Jurors can be seated as they join us.  
8 You may all be seated. Thank you. 14 Members of the Jury  
9 have rejoined us. I hope you had a break. We'll proceed  
10 and try to break at our normal time. The witness is on the  
11 stand under oath and you may proceed, Ms. Glatfelter.

12 MS. GLATFELTER: Thank you, Your Honor.

13 **Q** Agent Wetzel, before the break, we were discussing  
14 some communications between -- communications around the  
15 time of 2020; do you recall that?

16 **A** I do, ma'am.

17 MS. GLATFELTER: Your Honor, permission to publish  
18 what has been admitted as Exhibit 330 D?

19 THE COURT: Yes.

20 **Q** Agent Wetzel, do you recognize this document?

21 **A** Yes, I do. This is an e-mail from Jeff Longstreth to  
22 Mike Dowling. It was provided by FirstEnergy pursuant to  
23 subpoena.

24 **Q** And can you relate the date of this e-mail to the  
25 messages that we saw right before the break?

1       **A**       I think we looked at a few that were the 28th and then  
2       also some on the 29th. This is on the 29th, so either the  
3       same day or the day after.

4       **Q**       Okay. And can you read the content of the message for  
5       us, please?

6       **A**       Yes. Hi, Mike, thank you for your support of  
7       Generation Now. Attached you will find wiring instructions.  
8       Please note our bank routing number has recently changed.  
9       The correct number is 042000314. Please let me know if you  
10      need any additional information. Thanks, Jeff.

11      **Q**       Agent Wetzel, did you find any communications  
12      regarding -- strike that.

13              Agent Wetzel, did you find any other communications  
14      around this time period regarding either Partners For  
15      Progress or the Generation Now account?

16      **A**       Yes, I did.

17              MS. GLATFELTER: Your Honor, permission to publish  
18      which has been admitted as 330 E?

19              THE COURT: Yes.

20      **Q**       Agent Wetzel, do you recognize 330 E?

21      **A**       I do.

22      **Q**       Who is it? I mean, sorry, what is it?

23      **A**       This is a text conversation between Michael Van Buren  
24      and Michael Dowling. It is occurring on the same day as the  
25      document we just looked at, the 29th of February. This was

1 recovered from Mr. Dowling's iPad.

2 **Q** Okay. And Michael Van Buren is who?

3 **A** He is the treasurer of Partners For Progress.

4 **Q** And does he have any relationship to the bank account  
5 records that we've looked at today?

6 **A** Yes. He appeared as the treasurer on those bank  
7 records.

8 MS. GLATFELTER: All right. If we may look at the  
9 message, Ms. Terry.

10 **Q** And we can read these messages as we've done the  
11 previous ones. I'll read the green boxes, you can read the  
12 blue.

13 Michael Dowling: Good afternoon, Michael. I sent you  
14 an e-mail. On Monday/Tuesday of next week, we are hoping to  
15 do a, dollar sign, 2 M contribution from our (c)(4) to  
16 Generation Now.

17 **A** Michael Van Buren: Mike, I'll get a request to the  
18 board tonight (traveling today) and get a wire in motion on  
19 Monday or Tuesday.

20 **Q** Michael Dowling: Sounds good.

21 **A** Michael Van Buren: Okay. Thanks.

22 MS. GLATFELTER: Your Honor, may we please publish  
23 330 H, which has been admitted?

24 THE COURT: Yes.

25 **Q** Agent Wetzel, do you recognize this document?

1       **A**       I do.

2       **Q**       What is it?

3       **A**       This is another text conversation between Michael Van  
4       Buren and Michael Dowling. It was recovered from Michael's  
5       iPad.

6       **Q**       And what's the date of the message?

7       **A**       The 3rd of March 2020.

8               MS. GLATFELTER: Ms. Terry, if we can look at the  
9       content of the message.

10       **Q**       And if we can read this as we have done the previous  
11       ones, Agent Wetzel.

12       **A**       Michael Van Buren: The money is en route, Mike.

13       **Q**       Michael Dowling: Thank you.

14               Michael Dowling: What our (c) (4) balance?

15       **A**       Michael Van Buren: I'm not at my desk with an exact  
16       figure, but after that transfer, about, dollar sign, 9.1 M.

17       **Q**       Agent Wetzel, did you endeavor to obtain the bank  
18       records for Generation Now around this time period?

19       **A**       I did.

20       **Q**       And did you obtain them?

21       **A**       I did.

22               MS. GLATFELTER: Your Honor, permission to publish  
23       14 G, which has been admitted?

24               THE COURT: Yes.

25       **Q**       Agent Wetzel, do you recognize -- do you recognize 14

1 G?

2 **A** Yes. This is a listing of the wire transfers that are  
3 from the Generation Now bank account.

4 **Q** Okay. And are there any -- do you see any that are  
5 related to the Partners For Progress account?

6 **A** Yes. The one on the top, the transaction date is the  
7 same as the message we just looked at, and it is in the  
8 amount of \$2 million.

9 **Q** Okay. And can you put a star by that transaction?

10 **A** (Witness writing.)

11 MS. GLATFELTER: Ms. Terry, if we can go to page 2.

12 **Q** Are there further details regarding the transaction on  
13 page 2?

14 **A** Yes. There's the -- under ORP Name, is Partners For  
15 Progress, and then in the CDT Name, Generation Now,  
16 Incorporated.

17 **Q** Now, during your investigation, did you identify any  
18 communications relating to Matt Borges about the term limits  
19 initiative?

20 **A** I did.

21 MS. GLATFELTER: Your Honor, permission to publish  
22 332 --

23 THE COURT: Yes.

24 MS. GLATFELTER: -- which has been admitted?

25 **Q** Agent Wetzel, what is Exhibit 332?

1       **A**       This is a text conversation between Jeff Longstreth  
2       and Matthew Borges. It was recovered from Mr. Borges'  
3       iPhone.

4               MS. GLATFELTER: And if we may look at the content  
5       of the message, Ms. Terry.

6       **Q**       I'll go ahead and read the green boxes, if you read  
7       the blue. Matt Borges: Have time to connect tomorrow?  
8       Would love to talk W you about the term limits effort.  
9       Thanks.

10       **A**       Jeff Longstreth: Yes! I am open from 12-2.

11       **Q**       Now, Agent Wetzel, were you able to identify a bank  
12       account regarding the term limits initiative?

13       **A**       I was.

14               MS. GLATFELTER: Your Honor, permission to publish  
15       what's been admitted as Government's Exhibit 172?

16               THE COURT: Yes.

17       **Q**       Agent Wetzel, first of all, what bank is this from?

18       **A**       Fifth Third Bank.

19       **Q**       Were there other entities involved in the case that  
20       banked at Fifth Third?

21       **A**       Yes, Generation Now and Ohioans For Energy Security.

22       **Q**       And what's the title of this account?

23       **A**       Coalition For Term Limits, Inc.

24       **Q**       Is there a signatory to the account?

25       **A**       Yes, Anna Lippincott.

1 Q Is she the only signatory?

2 A Correct.

3 Q And what was her relationship with Larry Householder?

4 A She worked for -- I believe the Friends of Larry  
5 Householder at one point. Her role evolved over time, but  
6 she also worked for JPL & Associates for a period of time.

7 Q And what was the date that this account was opened?

8 A March 16, 2020.

9 Q Now, turning to the 2020 time period, what is the  
10 length of a term -- what is the term length for a  
11 representative of an Ohio House member?

12 A They may serve four terms for a total of eight years.

13 Q But the individual term?

14 A A single term is two years.

15 Q Now, we spoke before about the 2018 election cycle; do  
16 you recall that?

17 A I do.

18 Q Were there any other election cycles that occurred  
19 during the course of your investigation?

20 A Yes. There is an election every two years, so there's  
21 one in 2018, 2020, every, every even year, there's an  
22 election for that Ohio House of Representatives.

23 Q Okay. And during your investigation, did you identify  
24 any similarities between 2018 and 2020 in terms of Team  
25 Householder candidates?

1       **A**       Yes, I did.

2       **Q**       What were some of those similarities?

3       **A**       The Growth and Opportunity PAC was used to support  
4       Team Householder candidates in the 2020 primary.

5       **Q**       Okay. And were you able to identify documents  
6       regarding vetting processes or meetings?

7       **A**       Yes. It followed a very similar path. Candidates  
8       were approached. There were communications about selecting  
9       members for Team Householder, and then those folks were  
10      supported and selected.

11      **Q**       Thank you, Agent Wetzel. Did you find any  
12      communications relating to assessing the loyalty of  
13      potential Team Householder candidates?

14      **A**       I did.

15               MS. GLATFELTER: Your Honor, permission to publish  
16      what has been admitted as 483 A?

17               THE COURT: Yes.

18      **Q**       Agent Wetzel, I believe we looked at a different  
19      portion of this earlier today. Can you remind us what 483 A  
20      is?

21      **A**       Yes. This is a text message thread between SLH and  
22      Jeff Longstreth. It was recovered from Jeff Longstreth's  
23      iCloud.

24               MS. GLATFELTER: Ms. Terry, if we may go to the  
25      bottom of page 19.



1       **Q**       All right. And if we can read the green messages and  
2 blue messages like we've done before. I'm going to start  
3 towards the bottom here.

4               Jeff Longstreth: Our candidates at the birthday party  
5 last night received rave reviews.

6       **A**       SLH: I heard the same except I had a little pushback  
7 on Jean Smith. Too old.

8       **Q**       Jeff Longstreth: Jean Smith could outrun or outfight  
9 anyone on Cap Square. My money is on her a hundred percent  
10 of the time. She's run over 140 marathons. Has run the  
11 Boston Marathon so many times, she's lost count.

12       **A**       SLH: You're telling me anything I don't know. I  
13 don't believe the concern was her physical ability. I think  
14 it was her mental capacity.

15       **Q**       Jeff Longstreth: She'll be a hundred percent loyal to  
16 you. That means she has the perfect mental capacity.

17               Now, did you recover any calendar entries during your  
18 investigation related to the potential recruitment of  
19 candidates?

20       **A**       I did.

21               MS. GLATFELTER: Your Honor, permission to publish  
22 701 C, which has been admitted?

23               THE COURT: Yes.

24       **Q**       Agent Wetzel, do you recognize Government's  
25 Exhibit 701 C?

1       **A**       I do.

2       **Q**       What is it?

3       **A**       So this is a calendar that was extracted from one of  
4       Mr. Householder's phones, and then there is one calendar  
5       entry listed there.

6       **Q**       Okay. And who -- what is the date of the calendar  
7       entry?

8       **A**       November 15, 2018.

9       **Q**       Okay. And the subject of the calendar entry?

10      **A**       Nick Owens.

11      **Q**       And do you know Mr. Owens' status as a candidate or  
12      otherwise during the 2020 election?

13      **A**       Yes. He entered the Republican primary that -- for  
14      that election. Excuse me.

15      **Q**       Okay. And in terms of time range, can you, can you  
16      date this in terms of the 2018 general election?

17      **A**       This is actually just after the 2018 election. Like a  
18      week or so.

19      **Q**       Okay. Now, did you find any other calendar entries  
20      regarding Mr. Owens?

21      **A**       I did.

22                   MS. GLATFELTER: Your Honor, permission to publish  
23      what's been admitted as 707 C?

24                   THE COURT: Yes.

25      **Q**       And, Agent Wetzel, do you recognize this document?

1       **A**       I do.

2       **Q**       What is it?

3       **A**       This is a calendar entry that was recovered, except  
4       this one came from Ms. Fitzmartin's iPhone.

5       **Q**       Okay. How are you able to tell that?

6       **A**       So if you look at the category under "event  
7       information," there is an e-mail there bearing her name.  
8       Also, I'm familiar with the fact that it's an Apple full  
9       file system extraction, which is what we performed on her  
10      phone and how we got her calendar.

11      **Q**       Okay. And what's the date of this calendar entry?

12      **A**       This is February 11th, 2019.

13      **Q**       And who are the subject -- I'm sorry, and the subject  
14      of the calendar entry?

15      **A**       Nick Owens.

16      **Q**       And who are listed as attendees for this entry?

17      **A**       Megan Fitzmartin, Anna Lippincott, and Jeff  
18      Longstreth.

19      **Q**       Now, during your investigation, did you identify any  
20      lists of potential 2020 Team Householder candidates?

21      **A**       I did.

22                   MS. GLATFELTER: Your Honor, permission to publish  
23      Exhibit 350 A, which has been admitted?

24                   THE COURT: Yes.

25      **Q**       Agent Wetzel, do you recognize Exhibit 350 A?

1       **A**       I do. This was an e-mail recovered from  
2       Mr. Longstreth's Gmail we've been discussing.

3       **Q**       Okay. Who is the e-mail from?

4       **A**       Megan Fitzmartin.

5       **Q**       And who is the e-mail to?

6       **A**       Jeff Longstreth.

7       **Q**       And the date?

8       **A**       This is April 8th, 2019.

9       **Q**       Okay. And how does that date relate to the 2020  
10       election cycle?

11       **A**       It's a little over a year -- or it's around a year, I  
12       should say, from the primary. Again, the election occurs  
13       every even year, so the election occurs in 2020. In the  
14       spring, there will be a primary, and in the fall, a general  
15       election.

16       **Q**       Okay. And what about, can you relate this to the  
17       introduction of House Bill 6?

18       **A**       This is around that time, a few days from it, in fact.

19       **Q**       Now, are there any attachments?

20       **A**       Yes. There is a DOCX and also an XLSX, which is a  
21       spreadsheet and a Word document.

22               MS. GLATFELTER: Ms. Terry, if we can see the first  
23       attachment.

24       **Q**       Okay. Do you recognize this Agent Wetzel?

25       **A**       I do.

1 Q What is it?

2 A This is the -- one of the attachments.

3 Q Okay. And is there a familiar format in terms of the  
4 content of the document?

5 A Yes. There's two columns listed here. There's an HD  
6 and then also a represented listed.

7 Q Okay. And so if we look at 66, do you see that?

8 A I do.

9 Q Okay. Okay. Is there a House District 66?

10 A There is.

11 Q Okay. And were you able to determine during your  
12 investigation who were candidates in that district?

13 A Yes, I was.

14 Q Who were the candidates in that district for the 2020  
15 primary?

16 A It was Adam Bird, Nick Owens, and I believe there was  
17 one or two other candidates.

18 MS. GLATFELTER: Okay. And the other attachment,  
19 Ms. Terry.

20 Q Okay. Do you recognize this document, Agent Wetzel?

21 A Yes. These are photographs along with name, House  
22 District, and some other biographical information.

23 Q Now, Agent Wetzel, did you recover any documents  
24 related to Mr. Householder's involvement in this process, in  
25 the 2020 election process?

1       **A**       I did.

2                   MS. GLATFELTER: Your Honor, permission to publish  
3       350 D, which has been admitted?

4                   THE COURT: Yes.

5       **Q**       Agent Wetzel, do you recognize this exhibit?

6       **A**       I do.

7       **Q**       What is it?

8       **A**       This is an e-mail that was recovered from Jeff  
9       Longstreth's Gmail account.

10      **Q**       Okay. And who is the e-mail from and who is it to?

11      **A**       This is from Jeff Longstreth to Larry Householder.

12      **Q**       All right. And the date of the message?

13      **A**       February 19, 2020.

14      **Q**       Okay. Let's start at the bottom of the message. Can  
15      you read what the message is?

16      **A**       Yes. From Scott Schweitzer to Megan Fitzmartin and  
17      Jeff Longstreth on that same day, February 19, 2020.  
18      Subject, Frazier.

19                   Megan: Here is the latest version changed per our  
20      conversation. Thank you. And then there's a Dropbox link  
21      along with Mr. Scott Schweitzer's signature block.

22      **Q**       Okay. Then, what happens to that message?

23      **A**       That message is forwarded to -- excuse me, forwarded  
24      to Mr. Householder by Jeff Longstreth.

25      **Q**       And does he write anything when he forwards the

1 message?

2 **A** He writes, "for approval."

3 **Q** Do you recognize the name that's in the subject line,  
4 is it "Frazier"?

5 **A** Yes.

6 **Q** How do you recognize it?

7 **A** That was a primary candidate in the 2020 primary.

8 MS. GLATFELTER: Your Honor, permission to publish  
9 350 F, which has been admitted?

10 THE COURT: Yes.

11 **Q** Okay. Agent Wetzel, do you recognize 350 F?

12 **A** I do.

13 **Q** Okay. What is it?

14 **A** This is another e-mail that was recovered from  
15 Mr. Longstreth's Gmail account.

16 **Q** Okay. And what's the date of this message?

17 **A** February 25, 2019.

18 **Q** And who's the message to?

19 **A** This is another message sent from Mr. Longstreth to  
20 Mr. Householder.

21 **Q** Okay. And are there any directions in the e-mail?

22 **A** Yes. "For review" is written again.

23 **Q** Okay.

24 MS. GLATFELTER: Your Honor, may we publish  
25 Exhibit 350 H, which has been admitted?

1 THE COURT: Yes.

2 Q Okay. Agent Wetzel, do you recognize this exhibit?

3 A I do.

4 Q Okay. And what is it?

5 A This is another e-mail that was recovered from  
6 Mr. Longstreth's Gmail account.

7 Q Okay. And who is the e-mail from?

8 A It is from Jeff Longstreth to Scott Schweitzer with  
9 Nicholas Bertrand, Megan Fitzmartin, Rex Elsass, and Brad  
10 Osborne cc'd.

11 Q Okay. And the date of the message?

12 A March 10th, 2020.

13 Q And the subject?

14 A Re: Frazier contrast on Claggett, big guy V little  
15 guy, quote, corruption versus conservative, close quote.

16 Q All right. And if we go down to the middle of the  
17 page, do you see a message there from a Nicholas Bertrand?

18 A I do.

19 Q Can you read the content of that message? We don't  
20 have to read all of the addresses, but I want to read what  
21 is being sent.

22 A Revised script attached.

23 Q Okay. And above that, is there an additional message?

24 A Yes. From Scott Schweitzer, who wrote: Jeff, please  
25 confirm that this is approved and will get it cut. Thank



1       you, Scott.

2       **Q**       All right. And is there a message above that one?

3       **A**       Yes. Then Jeff writes: SLH has it, stand by.

4               MS. GLATFELTER: And, Your Honor, may we publish  
5       351 D, which has been admitted?

6               THE COURT: Yes.

7       **Q**       Okay. Agent Wetzel, do you recognize Government's  
8       Exhibit 351 D?

9       **A**       I do.

10      **Q**       What is it?

11      **A**       This is a text conversation. It's a group message  
12      between Megan Fitzmartin, SLH, and Jeff Longstreth.

13      **Q**       Okay. And where did you receive the message?

14      **A**       We recovered this from Ms. Fitzmartin's iPhone.

15              MS. GLATFELTER: Ms. Terry, if we can go to page 5  
16      of this exchange.

17      **Q**       Okay. Agent Wetzel, I can read the green boxes, if  
18      you'll do the blue.

19              Megan Fitzmartin, forwarding a document.

20      **A**       Jeff Longstreth: For approval.

21              SLH: It's good to run.

22      **Q**       Now, Agent Wetzel, did you find any financial  
23      transactions between Generation Now and Growth and  
24      Opportunity PAC in 2020?

25      **A**       I did.

1       **Q**       Okay. Can you describe the type of transactions that  
2       you found between Generation Now and Growth and Opportunity  
3       PAC?

4       **A**       Yes. So this time there was actually an intermediary  
5       in the process. It was passed through Coalition for Growth  
6       and Opportunity before it passed to the Growth and  
7       Opportunity PAC.

8       **Q**       Now, did you prepare a chart or a graphic to explain  
9       the flow of money in the primary season?

10      **A**       I did.

11               MS. GLATFELTER: May I please show the witness what  
12      has been marked as Government's Exhibit 352?

13               THE COURT: Yes.

14      **Q**       Okay. Agent Wetzel, do you recognize 352?

15      **A**       I do.

16      **Q**       What is it?

17      **A**       So this is a chart that we created that showed money  
18      flow. The moneys traveling from Generation Now to the  
19      Coalition for Growth and Opportunity and then to the Growth  
20      and Opportunity PAC, and then from there, money flows out to  
21      the entities in green.

22      **Q**       And how did you prepare and review it?

23      **A**       I prepared it using the bank records of a number of  
24      these entities, and then I reviewed it for accuracy.

25               MS. GLATFELTER: Your Honor, move to admit and

1 publish Exhibit 352?

2 THE COURT: Any objections?

3 MR. GLICKMAN: No, Judge.

4 MR. SCHNEIDER: None.

5 THE COURT: Admitted. You may publish.

6 **Q** Okay. Agent Wetzel, the jurors can now see this  
7 exhibit on their screen. Can you describe the graphic that  
8 you created?

9 **A** Yes. So Generation Now transfers into the Coalition  
10 for Growth and Opportunity, \$1,260,000. From there, the  
11 Coalition for Growth and Opportunity sends the \$1,050,000  
12 that you see, into the Growth and Opportunity PAC. And then  
13 from there the money is transferred out to the entities that  
14 you see in green. And then there's totals for each of those  
15 entities listed.

16 **Q** Okay. Now, you mentioned that you prepared this using  
17 financial records or bank records?

18 **A** Indeed.

19 **Q** All right. I'd like to take a look at a few of those.  
20 Did you obtain records for the Coalition for Growth and  
21 Opportunity?

22 **A** Yes.

23 **Q** And which bubble is that on the graphic in front of us  
24 or circle?

25 **A** (Witness writing.)

1       **Q**       So let's start there.

2                   MS. GLATFELTER:  If we can publish Exhibit 82,  
3       which has been admitted, Your Honor?

4                   THE COURT:  Yes.

5       **Q**       Okay.  And, Agent Wetzel, do you recognize  
6       Government's Exhibit 82?

7       **A**       Yes, I do.

8       **Q**       What is it?

9       **A**       This is an account agreement.  You know, it's  
10       essentially the opening document for the Coalition for  
11       Growth and Opportunity, Inc.

12       **Q**       Okay.  And do you see the bank where -- that has the  
13       Coalition account?

14       **A**       Yes.  It's listed on the top left.  It's Forcht Bank.

15       **Q**       Where is that bank located?

16       **A**       Kentucky.

17       **Q**       And who are the signatories listed on the account?

18       **A**       Darren Embry and David Lycan.

19                   MS. GLATFELTER:  All right.  Ms. Terry, if we can  
20       advance to page 87, please.

21       **Q**       Agent Wetzel, do you recognize the type of document on  
22       page 87?

23       **A**       Yes.  This is a bank statement.  This is how Forcht  
24       Bank has their statements set up.

25       **Q**       Okay.  And what, what period of time is this statement

1 for?

2 **A** This particular statement is January of 2020.

3 **Q** Okay. And do you see -- does it indicate on the  
4 statement what the beginning balance of the Coalition  
5 account was?

6 **A** Yes. It lists it as a negative \$2,796.74.

7 **Q** Can you circle where you see that on the document for  
8 us?

9 **A** (Witness writing.)

10 **Q** And at some point, were you able to identify any wires  
11 from Generation Now?

12 **A** Yes.

13 **Q** Can you explain that to us?

14 **A** Yes. There were a number of incoming wires during  
15 this time period from Generation Now. You can see one is  
16 reflected under "account activity," it's listed on  
17 January 22nd of 2020 and there is an incoming wire from  
18 Fifth Third Bank, names Generation Now, Inc., and then it  
19 lists the amount which is \$510,000.

20 **Q** Okay. Can you put the star by the amount?

21 **A** (Witness writing.)

22 **Q** You said that you identified other wire transfers as  
23 well?

24 **A** I did.

25 MS. GLATFELTER: Ms. Terry, if we can advance to

1 page 91, please.

2 **Q** Okay. And did you -- first of all, the type of  
3 document that we're looking at on page 91, can you tell us?

4 **A** This is another statement.

5 **Q** And for what time period?

6 **A** This one runs in the month of February.

7 **Q** Okay. And do you see any wires from Generation Now on  
8 this account statement?

9 **A** Yes. It lists two incoming wires from Generation Now,  
10 Inc.

11 **Q** And can you put asterisks or stars by those?

12 **A** (Witness writing.)

13 **Q** Okay. And what are the amounts of those wires?

14 **A** One is for \$500,000 and the other is for \$250,000.

15 **Q** Did you investigate what happened to this money after  
16 it was transferred into the Coalition account?

17 **A** I did.

18 **Q** Did the money stay in the Coalition account?

19 **A** It did not.

20 **Q** Where did it go from here?

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

22 **Q** Did you obtain records about those money transactions?

23 **A** I did.

24 MS. GLATFELTER: Your Honor, permission to publish  
25 Exhibit 92, which has been admitted?

1 THE COURT: Yes.

2 Q Okay. Agent Wetzel, do you recognize these?

3 A I do.

4 Q What are they?

5 A So this is another account agreement. This is again  
6 from Forcht Bank.

7 Q Okay. And does this relate to any records that you  
8 looked at regarding the 2018 election?

9 A Yes. This is the same entity that we looked at in the  
10 context of the 2018 election in the primary.

11 MS. GLATFELTER: Okay. Ms. Terry, if we can  
12 advance to page 114.

13 Q Okay. Agent Wetzel, do you recognize the type of  
14 exhibit or type of document that is depicted on page 114?

15 A Yes. This is a statement for that account.

16 Q Okay. Do you see a beginning balance of this account?

17 A \$3,720.58.

18 Q Okay. And what's the date that's associated with that  
19 beginning balance of \$3,720?

20 A The 1st of February.

21 Q Now, you said money was transferred into this account.  
22 Do you see any of those transactions on this document?

23 A There are a series listed in the account activity as a  
24 contribution and there's money incoming into this account.

25 Q Okay. Did you -- what, if any, other documents did

1 you have to look at to compare the source of those  
2 contributions or incoming deposits?

3 **A** So as I recall, when we first received this, we  
4 thought, that's not super helpful and we had to go back to  
5 the bank and clarify what "contribution" meant, and we  
6 received additional documents that helped clarify what  
7 exactly that related to.

8 **Q** Okay. And were you able to compare these actually to  
9 the Coalition bank records for clarity as well?

10 **A** Yes, I was.

11 MS. GLATFELTER: Ms. Terry, if we can put this  
12 statement on the right side of the screen.

13 And, Your Honor, permission to go back and publish on  
14 the left side Exhibit 82, the one we were just looking at?

15 THE COURT: Yes.

16 **Q** Okay. So on the left side of the screen, check us on  
17 this, there should be the Coalition for Growth and  
18 Opportunity statements; do you see that, Agent Wetzel?

19 **A** I do. It's at the top on the right-hand side.

20 **Q** And on the right should be the Growth and Opportunity  
21 PAC?

22 **A** Correct.

23 MS. GLATFELTER: All right. So on the left side of  
24 the screen, if we can go to page 91, that's there, and on  
25 the left side of the screen, if we can look at page 114,



1 which is there. All right. You're ahead of me.

2 **Q** Agent Wetzel, were you able to relate any of the  
3 transactions between these two statements?

4 **A** Yes. We can see that on the left side, for example,  
5 on February 4th, there is a description "contribution," and  
6 it is a debit of \$100,000, which means it's coming out of  
7 the account on the left. And then on the right side, we see  
8 on that same day another contribution, and it's listed as a  
9 credit, meaning it's going into that account.

10 **Q** Okay. Can you just draw a line from the different  
11 contributions that you see on the left to the right so we  
12 can see which ones you're referring to?

13 **A** (Witness writing.)

14 **Q** Okay. And did you see any other transactions that  
15 corresponded?

16 **A** Yes. There are two others.

17 **Q** All right. And if you can draw a line to those too.

18 **A** (Witness writing.)

19 **Q** All right. So what were the total number of transfers  
20 or the total amount of the transfers?

21 **A** On these pages, there were three transfers and the  
22 total was \$600,000.

23 **Q** All right. And did you continue to investigate  
24 whether there was transfers in other months?

25 **A** Indeed.

1 MS. GLATFELTER: All right. Ms. Terry, if we can  
2 advance to page 96, on the left and page 119, on the right.

3 **Q** Okay. Agent Wetzel, were you able to identify any  
4 other financial transactions --

5 **A** I was.

6 **Q** -- between the two accounts?

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

8 **Q** Okay. Can you describe those for us?

9 **A** Yes. So it was a little confusing because on the left  
10 side, you'll see there's a Forcht business transfer to an  
11 account ending in 567, which is the account number listed on  
12 the right. They decided to code the transaction that way  
13 for that account, but you see on the right side, on the same  
14 day, which is March 2nd, a corresponding debit and credit  
15 for \$200,000. I'm not certain why they changed the coding,  
16 but there is one listed in the amount of \$200,000 on  
17 March 2nd, and then another \$100,000 listed on the 4th. And  
18 then there is another one of those contributions listed on  
19 the 12th, and then if you look to the right statement,  
20 you'll see there's another contribution on the 12th in a  
21 matching amount.

22 **Q** Okay. And can you just draw a line from the left to  
23 the right where you see those?

24 **A** Yes, ma'am. (Witness writing.)

25 **Q** Okay. Agent Wetzel, were you -- as part of your

1 investigation, did you compare the FEC reports to the bank  
2 records that you received?

3 **A** I did.

4 **Q** And did you obtain FEC filing for GOPAC during this  
5 time period?

6 **A** I did.

7 **Q** Or G and OPAC, I'm sorry.

8 MS. GLATFELTER: Your Honor, may we publish what's  
9 been admitted as Exhibit 340?

10 THE COURT: Yes.

11 **Q** Okay. Do you recognize this, Agent Wetzel?

12 **A** Yes. We've looked at a few of these earlier. This is  
13 the standard Federal Election Commission form that has to be  
14 filed by the Growth and Opportunity PAC. This one indicates  
15 it's from the first quarter of the year.

16 **Q** Okay.

17 THE COURT: Is this admitted?

18 MS. GLATFELTER: Oh, it's not? Okay. Jeez, Your  
19 Honor, I apologize for that.

20 THE COURT: It's okay.

21 MS. GLATFELTER: Do you have any objections to --

22 MR. GLICKMAN: No, Judge.

23 MR. SCHNEIDER: No, Judge.

24 THE COURT: It's admitted. You may proceed. You  
25 may publish.

1 MS. GLATFELTER: Thanks.

2 **Q** Agent Wetzel, do you recognize Government's  
3 Exhibit 340?

4 **A** I do.

5 **Q** Okay. And were you describing it was related to what  
6 entity?

7 **A** This is an FEC or a Federal Election Commission  
8 standard form. They post these on their website.

9 **Q** Okay. And did you obtain it from the FEC website?

10 **A** I did.

11 **Q** Now, does this report list categories of receipts and  
12 disbursements?

13 **A** It does.

14 MS. GLATFELTER: Okay. So if we go to the receipts  
15 part of the document, Ms. Terry, we'll have to scroll there.  
16 Keep going. Okay. Stop right there.

17 **Q** Do you see who's listed as providing the money to  
18 Growth and Opportunity PAC?

19 **A** Yes. This is where the itemized receipts are listed,  
20 and on this page A, B, and C are listed ads coming from the  
21 Coalition for Growth and Opportunity, Inc.

22 MS. GLATFELTER: Okay. And the next page,  
23 Ms. Terry.

24 **Q** All right. And on this next page?

25 **A** Also the Coalition for Growth and Opportunity, Inc.,

1 for all three transactions on this page.

2 MS. GLATFELTER: Ms. Terry, the next page.

3 **Q** Okay. And those three pages listed all of the  
4 receipts during this time period?

5 **A** They did.

6 **Q** Okay. Did you see any designation for Generation Now?

7 **A** No, there's no mention of Generation Now.

8 **Q** During your investigation, Agent Wetzel, did you  
9 identify information about the activities of Growth and  
10 Opportunity PAC during this time period?

11 **A** Yes, I did.

12 MS. GLATFELTER: Your Honor, may we publish what's  
13 been admitted as 341, Exhibit 341?

14 THE COURT: Yes.

15 **Q** Okay. Agent Wetzel, do you recognize Government's  
16 Exhibit 341?

17 **A** I do.

18 **Q** What is it?

19 **A** This is a resolution of directors for the Growth and  
20 Opportunity PAC, Inc.

21 **Q** Okay. And in this resolution, does it -- do you see  
22 the signatory to it?

23 **A** Yes, Darren Embry.

24 **Q** Okay. How does that relate to the bank accounts that  
25 we've just looked at?

1       **A**       He was listed as a signatory on all of the bank  
2       accounts that we're looking at.

3       **Q**       Okay. And do you see any other names listed on this  
4       document, of individuals?

5       **A**       Yes. To appoint Troy Judy as an agent of the  
6       corporation.

7       **Q**       All right. So that sentence right there, can you read  
8       that for us, please?

9       **A**       The first order of business was the adoption of a  
10       resolution to appoint Troy Judy as an agent of the  
11       corporation for the purpose of opening a post office box in  
12       Columbus, Ohio. The following resolution was unanimously  
13       adopted.

14       **Q**       Okay. And during your testimony, have we discussed  
15       any other entities where Mr. Judy participated?

16       **A**       Yes, we have. He was a part of running, I believe --  
17       I can't recall if he's the chairman or the president, but he  
18       was involved in running Hardworking Ohioans, which we  
19       discussed previously.

20       **Q**       Now, did you obtain records related to the Growth and  
21       Opportunity PAC during this time period, during 2020?

22       **A**       I did.

23               MS. GLATFELTER: Your Honor, may we publish what's  
24       been admitted as 343?

25               THE COURT: Yes.

1       **Q**       Agent Wetzel, do you recognize Exhibit 343?

2       **A**       I do.

3       **Q**       What is it?

4       **A**       This is a list of media production, media buys,  
5 mailing, essentially expenditures.

6       **Q**       Agent Wetzel, did you receive this in relation to  
7 documents about the Growth and Opportunity PAC?

8       **A**       Indeed.

9               MS. GLATFELTER: Okay. And if we can enlarge the  
10 first half of the document, Ms. Terry.

11       **Q**       Okay. What are the columns of this document?

12       **A**       So the left-most column is the date, the next column  
13 is amount, following that is an item, and then to the right  
14 of that is an invoice name, and then the last column is the  
15 invoice number.

16       **Q**       Okay. Agent Wetzel, can you explain to us any  
17 similarities between these documents from Growth and  
18 Opportunity PAC and the ones that we looked at in 2018?

19       **A**       Yes. This is invoicing for, you know, media buys or  
20 media production from the Strategy Group for media, for  
21 specific advertisements, in specific House Districts.

22       **Q**       And how do you know that they're for specific -- can  
23 you tell on the face of this document or identify specific  
24 House Districts?

25       **A**       Yes. There's a listing of "HD" and then a district

1 number.

2 **Q** Can you circle an example of that for us?

3 **A** (Witness writing.)

4 **Q** Now, Agent Wetzel, did you receive as part of your  
5 investigation mailers and other types of advertising  
6 conducted by Growth and Opportunity PAC?

7 **A** I did.

8 MS. GLATFELTER: Your Honor, permission to publish  
9 342 A, which has been admitted?

10 THE COURT: Yes.

11 **Q** All right. Agent Wetzel, I'm going to ask Ms. Terry  
12 to scroll through this exhibit so you can see all of the  
13 pages.

14 MS. GLATFELTER: And if we can return to the first  
15 page, Ms. Terry.

16 **Q** Agent Wetzel, do you recognize these?

17 **A** I do.

18 **Q** All right. And what entity is credited as paying for  
19 these mailers?

20 **A** The Growth and Opportunity PAC, Inc., followed by an  
21 address.

22 **Q** And can you circle that for us on the screen?

23 **A** (Witness writing.)

24 **Q** Agent Wetzel, during your investigation, did you  
25 identify any communications about candidates Growth and



1 Opportunity was targeting?

2 **A** Yes.

3 MS. GLATFELTER: Your Honor, may we publish what's  
4 been admitted as 351 A?

5 THE COURT: Yes.

6 **Q** Okay. Agent Wetzel, do you recognize 351 A?

7 **A** I do.

8 **Q** And what is it?

9 **A** This is a group text message between Megan Fitzmartin,  
10 Rachel Hoynes, Anna Lippincott, Tommy Rolf and Bryan Gray.  
11 It was recovered from Ms. Fitzmartin's device.

12 MS. GLATFELTER: Ms. Terry, if we can go to the  
13 message.

14 **Q** Okay. Agent Wetzel, is there any content for the  
15 first message, the first blue box?

16 **A** Yes. From Tommy Rolf, and it says: Nick Owens and  
17 then there are a few photo attachments.

18 MS. GLATFELTER: Okay. If we may go to the second  
19 page, Ms. Terry.

20 **Q** All right. Agent Wetzel, if we can proceed with  
21 reading these as we've done in the past.

22 **A** Bryan Gray: Nick Owens is just mad because he thought  
23 he was going to have dark money friends.

24 **Q** Megan Fitzmartin "emphasized" the message.

25 Did you find other similar message -- messages, Agent

1           Wetzel?

2           **A**       Yes, I did.

3                   MS. GLATFELTER:  Permission to publish 351 C, Your  
4 Honor, which has been admitted?

5                   THE COURT:  Yes.

6           **Q**       Do you recognize 351 C?

7           **A**       I do.

8           **Q**       What is it, Agent Wetzel?

9           **A**       This is a text conversation between Jeff Longstreth  
10 and Megan Fitzmartin.  It was recovered from  
11 Ms. Fitzmartin's iPhone.

12          **Q**       All right.  And what are the dates of these messages?

13          **A**       This is the 8th of March 2020.

14          **Q**       All right.  And if we can read these as we've read the  
15 previous messages.  Megan Fitzmartin:  Attachment.

16          **A**       Jeff Longstreth:  Thanks.

17          **Q**       Megan Fitzmartin:  Of course.

18                   Megan Fitzmartin:  Owens image ticked up a bit.  G and  
19 O needs to beat him up.

20                   All right.  Agent Wetzel, did you recover any other  
21 messages about Growth and Opportunity PAC and candidates?

22          **A**       I did.

23                   MS. GLATFELTER:  If we may look at 350 G, Your  
24 Honor, which has been admitted?

25                   THE COURT:  Yes.

1 Q All right. Agent Wetzel, do you recognize  
2 Government's Exhibit 350 G?

3 A I do.

4 Q And what is it?

5 A This is an e-mail that was recovered from  
6 Mr. Longstreth's Gmail account that we've been discussing.

7 Q Okay. And who is it from?

8 A Jeff Longstreth.

9 Q And who is the e-mail to?

10 A Scott Schweitzer with a cc of Megan Fitzmartin,  
11 Nicholas Bertrand and then Rex Elsass and Brian Osborne.

12 Q And the subject?

13 A Updated script: Freeman.

14 Q Okay. And the date of this?

15 A This is the 9th of March 2020.

16 Q Can you read the first message for us?

17 A The first message on March 9th, 2020: Scott  
18 Schweitzer wrote Jeff and Megan: Per our phone call, here  
19 is the revised script for Freeman highlighting any  
20 endorsements, please let me know if these are approved.  
21 Thank you. And there's an attachment.

22 Q And the top message?

23 A From SLH: Ask Nick Owens why Buckeye Firearms refuse  
24 to endorse Nick Owens? Why did Ohio Right to Life refuse to  
25 endorse Nick Owens? Why Ohio value voters refused to

1 endorse Nick Owens? Does Nick Owens have something to hide?  
2 Elect the true conservative, Allen Freeman. Freeman, the  
3 only candidate in this race endorsed by BFA. Allen Freeman,  
4 the only candidate in this race endorsed by R2L; and Allen  
5 Freeman, the only candidate in this race endorsed by OVV.

6 **Q** Okay. And Agent Wetzel, were you -- during your  
7 investigation, were you able to identify any mailers from  
8 Growth and Opportunity PAC about Mr. Owens?

9 **A** Yes.

10 MS. GLATFELTER: Your Honor, permission to publish  
11 342, which has been admitted?

12 THE COURT: Yes.

13 **Q** Okay. Agent Wetzel, do you recognize 342 B?

14 **A** I do.

15 **Q** What are these?

16 **A** This is a series of e-mails and with attachment.

17 MS. GLATFELTER: Okay. And may we look at the  
18 attachments, Ms. Terry?

19 **Q** Okay. Agent Wetzel, first of all --

20 MS. GLATFELTER: If we go back up to the first  
21 attachment.

22 **Q** And who is credited with these ads?

23 **A** Growth and Opportunity PAC, Inc.

24 **Q** Where do you see that?

25 **A** Top left corner.

1 Q Okay. And is that true of all of the attachments to  
2 the exhibit, if we scroll through those?

3 A Yes, it is, they are all credited to the Growth and  
4 Opportunity PAC, Inc.

5 Q Okay. And are there other candidates besides Nick  
6 Owens in these attachments?

7 A Yes. There's a Mr. Freeman and Mr. Bird.

8 Q Okay. And how, if at all, were Mr. Freeman and  
9 Mr. Owens related?

10 A All three of them are running in the same contested  
11 primary. Allen Freeman is the Team Householder candidate in  
12 this race.

13 Q Now, Agent Wetzel, during the course of your  
14 testimony, we've discussed -- we've discussed some political  
15 benefits, people associated with Larry Householder received.  
16 I want to talk about the financial benefits different  
17 individuals received.

18 MS. GLATFELTER: Your Honor, permission to publish  
19 Exhibit 15, which has been admitted?

20 THE COURT: Yes.

21 Q All right. Agent Wetzel, when -- at the time that you  
22 finished reviewing the bank records, can you tell us what  
23 the total was of contribution -- or not contributions, about  
24 money that went from Firstenergy Service accounts into the  
25 Generation Now account 3310?

1       **A**       Yes. The total is there in the bottom left,  
2       \$59,996,835.86.

3       **Q**       All right. And during the course of your  
4       investigation, did you try to identify if there were  
5       financial benefits individuals received flowing from this  
6       \$59 million?

7       **A**       Yes, I did.

8       **Q**       Okay. And generally, can you describe to the jury how  
9       you went about trying to find that information?

10      **A**       Yes. In the process of, you know, following the  
11      money, we were trying to start with Generation Now, and  
12      obviously we've been talking a bit about following it back  
13      to the source, but we're also trying to follow it to where  
14      it terminates. And so we're looking for places. It might  
15      go to folks' personal bank accounts or paying for expenses  
16      for them or things like that.

17      **Q**       Okay. So let's talk about some different individuals.  
18      Let's start with Neil Clark. Did you investigate whether he  
19      received any financial payments from money that flowed from  
20      the Generation Now account?

21      **A**       I did.

22      **Q**       Did you obtain any bank records related to Neil Clark?

23      **A**       I did.

24      **Q**       Generally, what did you find?

25      **A**       He was paid. He received money both from JPL, but

1 also he received money, indirectly Generation Now money,  
2 that passed through FieldWorks as well.

3 MS. GLATFELTER: Okay. So if -- I may please show  
4 the witness Exhibit 834, which has not been admitted yet?

5 THE COURT: Yes.

6 **Q** Agent Wetzel, do you recognize Exhibit 834?

7 **A** I do. This is a chart that I created accounting for  
8 the funding that we were able to find.

9 **Q** Okay. And how did you compile the information  
10 contained in this table?

11 **A** Review of subpoena records. Some of them were bank  
12 records for Grant Street Consultants. Others were records  
13 from other entities, like I mentioned, FieldWorks.

14 **Q** And did you review it for accuracy?

15 **A** I did.

16 MS. GLATFELTER: Your Honor, move to admit and  
17 publish Exhibit 834?

18 THE COURT: Any objection?

19 MR. GLICKMAN: No, Judge.

20 MR. SCHNEIDER: No.

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

22 **Q** Okay. Agent Wetzel, can you explain the different  
23 parts of this table to the jurors?

24 **A** Yes. So at the top, you'll see it's payments to Neil  
25 Clark. Starting with the far left column, there's a date.

1 Next to that is the payor, which is where the money is  
2 directly coming from. And then in the recipient column is  
3 who is receiving it. Then, there's the account signatory,  
4 which comes from that, you know, first page of the bank  
5 records we've been looking at. And then the amount of the  
6 money, and then the far right column is the exhibit number  
7 where the underlying records could be found, and then a  
8 total at the bottom.

9 **Q** Okay. So what I want to do is walk through some  
10 examples of how you were -- compiled the information on this  
11 chart.

12 **MS. GLATFELTER:** Your Honor, if we may publish  
13 first Exhibit 831 -- or 831 A, which has been admitted?

14 **THE COURT:** Yes.

15 **Q** Okay. Agent Wetzels, do you recognize this exhibit?

16 **A** Yes. This is a business signature card for account  
17 titled "Grant Street Consultants, LLC."

18 **Q** And did you obtain bank records related to Grant  
19 Street Consultants?

20 **A** Yes. This was received as a part of receiving those  
21 records.

22 **Q** Okay. And who is the signatory on the Grant Street  
23 Consultants, LLC, account on this page?

24 **A** Neil S. Clark.

25 **MS. GLATFELTER:** Your Honor, I'd ask permission if



1 we can publish two exhibits at the same time, 831 C, which  
2 has been admitted, and 32 G, which has been admitted?

3 THE COURT: Yes. Yes.

4 Q Okay. Agent Wetzel, let's start with the 831 C  
5 documents. Do you recognize those?

6 A I do. These are the Huntington Bank statements for  
7 Grant Street Consultants.

8 Q And how do they relate to the signature card that we  
9 just saw?

10 A They're for that same account.

11 Q Okay. And the document on the right?

12 A This is how this bank presented wire transfer  
13 information to us.

14 Q Before you do, I'm not showing you the title of this  
15 exhibit. Let's go through Exhibit 831 C and then we'll  
16 compare it to 32 G.

17 MS. GLATFELTER: Ms. Terry, if we can go to  
18 page 133.

19 MS. TERRY: 130?

20 MS. GLATFELTER: I'm sorry, 133 for the document on  
21 the left.

22 Q Okay. Agent Wetzel, do you see page 133 on the screen  
23 before you?

24 A I do.

25 Q Okay. And are there any transactions listed for 133

1 that occur in or around July 8th, 2019?

2 **A** Yes. There is a transaction for a \$100,000 listed as  
3 an internal wire transfer credit on the 8th of July.

4 **Q** Okay. And can you circle that for us?

5 **A** (Witness writing.)

6 **Q** And during your testimony today, you've referenced  
7 cross-referencing or comparing different bank records?

8 **A** Um-hmm.

9 **Q** Did you do that exercise when you were trying to  
10 identify financial payments to different individuals?

11 **A** Yes. The wire information for a wire transfer should  
12 be -- like, both banks should have it. It has to go from  
13 someone and to someone, so both banks will have the wire  
14 information.

15 **Q** Okay. And so did you try to find out where the  
16 \$100,000 wire transfer that you've circled came from?

17 **A** I did.

18 **Q** Okay. And you mentioned earlier, talking about the  
19 JPL records, did you have a chance to review those as well?

20 **A** Yes, I did.

21 **Q** Okay. So if we look at 32 G on page 1, which I  
22 believe is pictured there.

23 **A** Um-hmm, yes.

24 **Q** Do you see any transactions around the same time for  
25 the same amount of money?

1       **A**       Yes. There is a wire transfer in the amount of a  
2       \$100,000 on the same day, and it lists the debit account as  
3       the 9192 account, which is the JPL account we've been  
4       discussing.

5       **Q**       Okay. And can you circle that transaction?

6       **A**       (Witness writing.)

7               MS. GLATFELTER: And, Ms. Terry, if we can look at  
8       the subsequent pages of 32 G.

9       **Q**       Okay. Agent Wetzel, can you describe the format of  
10      the wire transfers that you received from banks?

11      **A**       Yes. They're usually just in a spreadsheet, and so  
12      it's a little bit chopped up here and you're kind of looking  
13      at them as they head across the spreadsheet here. So if you  
14      continue across, you would see that the debit name there is  
15      listed as JPL & Associates, LLC.

16              MS. GLATFELTER: Ms. Terry, if we go to the next  
17      page. And the final page.

18      **Q**       All right. Do you see an entry related to a Neil  
19      Clark account there?

20      **A**       Yes. The credit name is listed as Grant Street  
21      Consultants, LLC.

22      **Q**       Okay. Now, Agent Wetzel, if we go back and look at  
23      the Grant Street records, a different kind of Grant Street  
24      records.

25              MS. GLATFELTER: Your Honor, permission to publish

1 831 B, on the left, which has been admitted?

2 THE COURT: Yes.

3 MS. GLATFELTER: 831 B, as in "boy." Sorry. All  
4 right. And if we can also look at 831 -- I'm sorry, 834,  
5 Your Honor, which has been admitted?

6 THE COURT: Yes.

7 MS. GLATFELTER: That's what I was looking for,  
8 thank you.

9 **Q** Agent Wetzel, do you recognize the document on the  
10 left?

11 **A** Yes. This is how the bank presented us with the check  
12 items in this case. So as I said, they provide us scans of  
13 checks and also wire transfers in a spreadsheet.

14 **Q** Okay. And do you see -- in your review of bank  
15 records for the Grant Street Consultants account, did you  
16 find checks that were relevant to your chart?

17 **A** Yes, I did.

18 **Q** Okay. If we look on this first page, can you tell us  
19 if there were any checks that were relevant to your -- the  
20 creation of your table?

21 **A** Yes. The check that's the fourth down lists it's from  
22 JPL & Associates and it is being sent to Grant Street  
23 Consultants in the amount of \$15,000. Excuse me.

24 **Q** What's the date of this particular check?

25 **A** The 5th of September, 2019.

1 MS. GLATFELTER: Okay. And, Ms. Terry, if we  
2 proceed to page 2 of that exhibit.

3 Q All right. Agent Wetzel, any checks on this page?

4 A Yes, the second check down.

5 Q Okay. What's the amount?

6 A This is also for \$15,000, and this one is from the  
7 12th of September.

8 Q Okay. And can you put an asterisk on the chart, the  
9 date?

10 A (Witness writing.)

11 Q Okay. So let's proceed a little further down the  
12 chart.

13 MS. GLATFELTER: Ms. Terry, if we can go to page 3.

14 Q All right. Agent Wetzel, do you see any checks on  
15 page 3?

16 A Yes, the fourth check down.

17 MS. GLATFELTER: Okay. And Ms. Terry, if we can go  
18 to page 5.

19 Q Agent Wetzel, do you see --

20 MS. GLATFELTER: I might have the wrong page here.  
21 Page 7, I'm sorry.

22 THE WITNESS: Yes, I do see a check there. It's  
23 the third check down.

24 Q Okay. So is this -- are these examples of the process  
25 you went through to create this table on the right?

1       **A**       Correct. Had to go through the bank records and then  
2 we assembled them into a chart.

3       **Q**       Okay. And you were -- and the different bank records  
4 that you were looking at to make this -- to make this chart  
5 was what?

6       **A**       I looked at both the JPL bank records and the Grant  
7 Street to match up those transactions.

8       **Q**       Okay. I want to talk about the transaction in the  
9 middle of that chart, the one that occurred on November 1st,  
10 2019. Do you see that one?

11       **A**       I do.

12       **Q**       What was the amount of that transaction?

13       **A**       \$100,000.

14       **Q**       Okay. Now, as part of your -- as part of your  
15 investigation in this case, did you find or did you try to  
16 identify the bank account information for FieldWorks?

17       **A**       I did.

18               MS. GLATFELTER: Your Honor, if we may publish 833  
19 A, which has been admitted?

20               THE COURT: Yes.

21       **Q**       Okay. Do you recognize 833 A?

22       **A**       I do.

23       **Q**       What is it?

24       **A**       This is an account creation documented from  
25 Amalgamated Bank which is the bank where FieldWorks had its

1 account.

2 **Q** And what is the name on this account?

3 **A** FieldWorks, LLC.

4 **Q** Did you obtain wire transfer records as part of the  
5 bank records that you -- that you subpoenaed for FieldWorks?

6 **A** Yes, I did.

7 **Q** If we look at --

8 MS. GLATFELTER: Your Honor, if we may publish 833

9 C?

10 THE COURT: Yes. It's been admitted?

11 MS. GLATFELTER: Yes.

12 **Q** Okay. Do you recognize 833 C?

13 **A** I do, yes. This is the -- how they maintain their  
14 records and provided to us pursuant to that subpoena.

15 **Q** Okay. And if we look at page 1, were you able to  
16 identify any wires that were coming into the FieldWorks  
17 account from Generation Now?

18 **A** Yes.

19 **Q** All right. Can you circle those for us?

20 **A** (Witness writing.)

21 **Q** Okay. And approximately what were the amounts of  
22 those transactions?

23 **A** \$770,161.76.

24 **Q** All three of them?

25 **A** That's correct.

1       **Q**       Okay. And who was -- which way was the transaction  
2 going?

3       **A**       These wires were originating or were being debited  
4 from the Generation Now account and they were passing to  
5 FieldWorks.

6       **Q**       Okay. So they were deposits essentially into the --  
7 to the FieldWorks accounts?

8       **A**       Yes.

9                   MS. GLATFELTER: Okay. If we turn to page 3,  
10 Ms. Terry.

11       **Q**       All right. Do you see the transaction that you listed  
12 on your chart?

13       **A**       I do, yes. It's at the top.

14       **Q**       Can you circle that one for us?

15       **A**       (Witness writing.)

16       **Q**       Now, who is the originator of this transaction?

17       **A**       FieldWorks.

18       **Q**       Okay. And the account that it was going to?

19       **A**       The Colleen Lora Revocable Trust.

20       **Q**       Now that's not the Grant Street account we've been  
21 looking at?

22       **A**       Correct.

23       **Q**       What account is it?

24       **A**       This is another account. This particular trust  
25 belongs to Mr. Clark's spouse.



1       **Q**       All right. And did you obtain records related to this  
2 trust account?

3       **A**       Yes.

4               MS. GLATFELTER: Your Honor, permission to show --  
5 sorry. Permission to publish 832 A, which has been  
6 admitted?

7               THE COURT: Yes.

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

9       **A**       Yes. This is the personal signature card account  
10 creation document for the Colleen A. Lora Revocable Trust.

11       **Q**       Okay. And before we look at the transaction data, I  
12 wanted to go back to the Grant Street account that we were  
13 looking at previously and the signature cards.

14               MS. GLATFELTER: Your Honor, may we publish again  
15 831 A?

16               THE COURT: Yes.

17       **Q**       Okay. Agent Wetzel, do you recall what this was from  
18 earlier?

19       **A**       Yes. This is the signature card for Grant Street  
20 Consultants.

21               MS. GLATFELTER: All right. Ms. Terry, if we can  
22 go to page 7, please.

23       **Q**       Okay. Agent Wetzel, do you recognize what page 7 is?

24       **A**       Yes. This is an authorized checking account signature  
25 for account number.

1       **Q**       Okay. And is there a person whose name appears on  
2       this signature card relevant to the other account?

3       **A**       Yes. It's Colleen Lora again.

4       **Q**       Okay. Is that the same name that you saw on the other  
5       account?

6       **A**       Correct. It's the name of the trust that we just  
7       discussed.

8               MS. GLATFELTER: Okay. If we can go back to the  
9       trust account documents.

10              And, Your Honor, this time if we can go to 832 C, which  
11       has been admitted?

12              THE COURT: Yes.

13       **Q**       Okay. Agent Wetzel, do you recognize 832 C?

14       **A**       Yes. This is a wire transfer record.

15       **Q**       Associated with the trust account?

16       **A**       Indeed, yes.

17       **Q**       Okay. And can you tell us if there are any  
18       transactions on this -- on these forms that relate to the  
19       ones from the FieldWorks?

20       **A**       Yes. The \$100,000 transaction that we've been  
21       discussing is at the top.

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

23       **A**       (Witness writing.)

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

1 Q Do you recognize any -- anything on page 2?

2 A Yes. The debit name, the party, came from Amalgamated  
3 Bank, which is the bank that we just looked at the records  
4 for FieldWorks.

5 Q And page 3, do you recognize anything on this page?

6 A Yes. It lists under "ORIG," "FieldWorks, LLC."

7 MS. GLATFELTER: All right. Your Honor, if we may  
8 go back to publish Exhibit 834, which has been admitted?

9 THE COURT: Yes.

10 Q All right. Agent Wetzel, out of all of the records  
11 that you reviewed for Neil Clark, what did you find he had  
12 been paid out of the JPL or FieldWorks accounts?

13 A \$365,000.

14 Q Okay. And the amount of time that those payments  
15 spanned?

16 A Roughly, a year, summer of 2019 to summer of 2020.

17 Q Agent Wetzel, did you obtain financial records for  
18 Juan Cespedes?

19 A I did.

20 Q Okay. And did you receive -- did you obtain records  
21 related to a bank account called 614 Solutions?

22 A Yes, I did.

23 MS. GLATFELTER: Your Honor, permission to publish  
24 Exhibit 821, which has been admitted?

25 THE COURT: Yes.

1 Q Agent Wetzel, do you recognize 821?

2 A I do. This is another signature card and account  
3 creation document. The account title listed here is 614  
4 Solutions, LLC.

5 Q Okay. And who is the signatory on the account?

6 A Juan Cespedes.

7 MS. GLATFELTER: And, Ms. Terry, if we can advance  
8 to page 5 of this exhibit.

9 Q Agent Wetzel, do you recognize what's depicted on  
10 page 5?

11 A Yes. This is a check to 614 Solutions for \$100,000.

12 Q All right. And did you investigate where this check  
13 came from?

14 A Yes. It comes from an account that the end is listed  
15 as 4415 that you see there, which is the bank account we had  
16 already looked at for 17 Consulting Group.

17 Q And who is the --

18 THE COURT: Forgive me, the alarm went off at 4:30.

19 MS. GLATFELTER: Was that a signal for me?

20 THE COURT: Do you have a chunk that you can finish  
21 or do we need to break?

22 MS. GLATFELTER: I can finish this portion.

23 THE COURT: In how many seconds?

24 MS. GLATFELTER: I think it would be minutes, not  
25 seconds. Would you like me to stop, then?

1 THE COURT: I told them we would break at our  
2 normal time. If you need to finish something up, go ahead.

3 MS. GLATFELTER: That's okay, Your Honor. We can  
4 pick up.

5 THE COURT: I didn't know my alarm was going to go  
6 off, but it's perfectly appropriate. We're going to take  
7 our normal end-of-the-day break. You get to go home to your  
8 family and friends and home. And I need you to take a  
9 break. Don't talk about the case with anybody, including  
10 among yourselves or with anybody at home. No independent  
11 research. Continue to keep an open mind.

12 You're going to go upstairs and check-in with Jennifer  
13 and she'll help you with masks and tests. The testing, you  
14 need to use right before you leave your house to come to  
15 your normal spot by 9:15 in the hopes that we can get you  
16 into the courtroom at 9:30. Jen will walk you through this.  
17 I just want you to know we appreciate your work and your  
18 commitment and your continuing strength. I want you to take  
19 a break. I want you to go home, and I want you to stay safe  
20 and healthy. Out of respect for you, we'll rise as you  
21 leave for the day.

22 THE DEPUTY: All rise for the jury.

23 (Jury exited the courtroom at 4:31 p.m.)

24 THE COURT: Jury has left the room. As always,  
25 we'll wait until we get notice that the jury has cleared the

1 floor, and then you are free to go.

2 (Pause.)

3 THE COURT: While we're hanging out, is there  
4 anything that requires my attention before we adjourn for  
5 the day from the government?

6 MS. GLATFELTER: No, Your Honor.

7 THE COURT: From the Householder group?

8 MR. GLICKMAN: No, thank you.

9 THE COURT: And Borges?

10 MR. SCHNEIDER: I don't believe so.

11 THE COURT: Very well.

12 THE DEPUTY: All clear, Judge.

13 THE COURT: All clear. Have a good night. We're  
14 in recess until tomorrow at 9:30, the lawyers here at 9:15.

15 THE DEPUTY: All rise. This court is in recess.

16 (Proceedings continued in progress at 4:33 p.m.)

17 **C E R T I F I C A T E**

18 I certify that the foregoing is a correct transcript of  
19 the record of proceedings in the above-entitled matter  
prepared from my stenotype notes.

20 /s/ 02/11/2023  
LISA CONLEY YUNGBLUT, RMR, CRR, CRC DATE

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I N D E X

EXAMINATIONS

**GOVERNMENT'S WITNESSES**

**PAGE**

**BLANE WETZEL**

Direct Exam (cont.) by Ms. Glatfelter

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EXHIBITS

**GOVERNMENT'S EXHIBITS**

**PAGE ADMITTED**

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