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E-Signature Summary

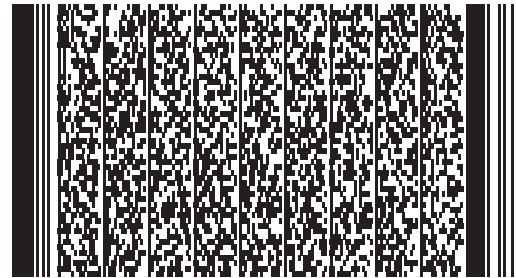
E-Signature 1: Elizabeth Hadaway (EH)

February 08, 2023 13:47:16 -8:00 [7049D058A5C2] [104.11.229.114]
ehadaway@susmangodfrey.com (Principal) (Personally Known)

E-Signature Notary: Jill K. McCrary (JKM)

February 08, 2023 13:47:16 -8:00 [8CCC7637F998] [104.183.203.245]
jmccrary@susmangodfrey.com

I, Jill K. McCrary, did witness the participants named above electronically sign this document.



IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

US DOMINION, INC., DOMINION
VOTING SYSTEMS, INC., and
DOMINION VOTING SYSTEMS
CORPORATION,

Plaintiffs,

v.

FOX NEWS NETWORK, LLC,

Defendant.

Case No. N21C-03-257 EMD

CONSOLIDATED

PUBLIC VERSION

US DOMINION, INC., DOMINION
VOTING SYSTEMS, INC., and
DOMINION VOTING SYSTEMS
CORPORATION,

Plaintiffs,

v.

FOX CORPORATION and FOX
BROADCASTING COMPANY, LLC,

Defendants.

Case No. N21C-11-082-EMD



4. Attached to this Declaration are true and correct copies of the following exhibits, which are exhibits cited in Dominion’s Combined Opposition to Fox News Network, LLC’s and Fox Corporation’s Rule 56 Motions for Summary Judgment:

Ex. No.	Description	Bates or Deposition Exhibit Reference
600	Combined deposition transcript of Keith Rupert Murdoch, taken on January 19 and 20, 2023	
601	Deposition transcript of Viet Dinh, taken on February 3, 2023	
602	Text message between Suzanne Scott and Lachlan Murdoch, November 6, 2020	FoxCorp00056535
603	Email from Rupert Murdoch to Jared Kushner Re: Advs., September 25, 2020	FoxCorp00083020
604	Text message between Gary Schreier and Lauren Petterson, November 7, 2020 (because the text was produced in UTC time, the actual time is 5 hours earlier ET, making the date the prior day)	FNN059_04466157
605	Deposition transcript of Raj Shah, taken on January 31, 2023	
606	Email from Raj Shah to Viet Dinh Re: NYT Reporter Tweet, November 5, 2020	FoxCorp00204128
607	Email from Irena Briganti to Suzanne Scott and Jay Wallace Re: Reliable Sources, November 8, 2020	FNN018_02282604
608	Email from Col Allan to Rupert Murdoch and Lachlan Murdoch Re: Arizona, November 5, 2020	FoxCorp00059750
609	Email from Suzanne Scott to Rupert Murdoch Re: MWM - Steve Bannon, November 5, 2020	FoxCorp00054069



610	Transcript of Maria Bartiromo's interview with Steve Bannon on November 5, 2020	PX 3344
611	Email from Suzanne Scott to Jay Wallace Fwd: Ratings., November 8, 2020	FNN090_04596441
612	Email from Raj Shah to Lachlan Murdoch, et al Re: Brand Protection Roundup - 11/6/20, November 6, 2020	FNN028_03863599
613	Email from Rupert Murdoch to Colin Allan Re: Same stuff, November 6, 2020	FoxCorp00082623
614	Email from Rupert Murdoch to Suzanne Scott Re: Georgia widens., November 6, 2020	FNN019_03561069
615	Email from Col Allan to Rupert Murdoch Re: Good, November 7, 2020	FoxCorp00082799
616	Email from Rupert Murdoch to Lachlan Murdoch Re: Try this, November 7, 2020	FoxCorp00060731
617	Email from Lachlan Murdoch to Rupert Murdoch Re: Call., November 7, 2020	FoxCorp00059008
618	Email from Rupert Murdoch to Jack Keane Re: Election Fraud, November 9, 2020	FoxCorp00060751
619	Email from Rupert Murdoch to Suzanne Scott Re: Vaccine., November 9, 2020	FNN019_03567823
620	Deposition transcript of Paul Ryan, taken on January 31, 2023	
621	Fox News Media Digital Expansion presentation, November 11, 2020	FNN019_03551592
622	Email from Anne Dias to Paul Ryan Fwd: Axios AM: Mike's Top 10 - Biden's Day 1 - Scoop: Trump eyes digital empire to "wreck Fox" -- Augusta in autumn, November 12, 2020	PDR_00000220



623	Email from Samantha Luks to Raj Shah Re: External: Pricing for FNC viewers custom poll, November 10, 2020	FoxCorp00032841
624	Email from Raj Shah to Irena Briganti Re: Tracking Data Shows Another Drop..., November 11, 2020	FoxCorp00053724
625	Email from Raj Shah to Lachlan Murdoch Re: Brand Protection Roundup - 11/13/20, November 13, 2020	FNN028_03863586
626	Email from Raj Shah to Lachlan Murdoch and Viet Dinh Re: Update, November 16, 2020	FoxCorp00085539
627	Text message between Suzanne Scott and Lachlan Murdoch, November 14, 2020	FoxCorp00056555
628	Text message between David Clark and Meade Cooper, November 13, 2020 (because the text was produced in UTC time, the actual time is 5 hours earlier ET, making the date the prior day)	FNN062_04472237
629	Text message between Suzanne Scott and Lachlan Murdoch, November 29, 2020	FoxCorp00056558
630	Email from Rupert Murdoch to Robert Thomson Re: Pollster: It's Curious How Biden Underperformed Hillary Clinton In Every City...Except These Four., November 14, 2020	FoxCorp00083072
631	<i>Rage Against the Voting Machine</i> , Wall Street Journal, November 17, 2020	PX 3323
632	Email from Andrea Vacchiano to Abby Grossberg, et al Re: TRANSCRIPT: PRESIDENT DONALD TRUMP SMF INTERVIEW, November 29, 2020	FNN006_00016439
633	Email from Rupert Murdoch to Saad Mohseni Re: Perhaps a short term solution, November 19, 2020	FoxCorp00060779



634	Email from Rupert Murdoch to Preston Padden Re: Fox News Dilemma: Indulge Trump's Conspiracies or Lose Viewers, November 23, 2020	FoxCorp00060853
635	Text message between Justin Wells and Tucker Carlson, January 14, 2021 (because the text was produced in UTC time, the actual time is 5 hours earlier ET, making the date the prior day)	FNN035_03891328
636	<i>"Fox News Identity Crisis: Indulge Trump's Election Conspiracy or Reject It and Watch Its Audience Flee?"</i> , Mediaite.com, November 23, 2020	PX 3367
637	Email from Irena Briganti to Suzanne Scott and Jay Wallace FW: Washington Post Inquiry, December 1, 2020	FNN019_03622163
638	Text message between Paul Ryan, Lachlan Murdoch and Rupert Murdoch, December 6, 2020	FoxCorp00056669
639	Email from Rupert Murdoch to Suzanne Scott Re: Could you call when convenient?, December 7, 2020	FoxCorp00041239
640	Email from Robert Thomson to Rupert Murdoch Re: Monday metro.png, December 28, 2020	FoxCorp00062283
641	Email from Col Allan to Rupert Murdoch Re: Monday metro.png, December 28, 2020	FoxCorp00082950
642	Text message between Suzanne Scott and Lachlan Murdoch, January 6, 2021	FoxCorp00056570
643	Email from Rupert Murdoch to Preston Padden Re: Hard Criticism Of Fox News In The Washington Post, January 8, 2021	FoxCorp00061028
644	Email from Maria Bartiromo to Abby Grossberg Re: POTUS master list 2 working still, November 28, 2020	FNN011_00095652



645	Email from Anne Dias to Rupert Murdoch, Lachlan Murdoch, Viet Dinh, Jacques Nasser bcc: Paul Ryan FW: The limits on free speech in the internet era from the Financial Times	PDR_00000589
646	Email from Rupert Murdoch to Lachlan Murdoch Re: The limits on free speech in the internet era from the Financial Times, January 12, 2021	FoxCorp00058210
647	Email from Suzanne Scott to Irena Briganti Re: WashPost/Ellison story, November 9, 2020	FNN018_02293567
648	<i>Fake Claims About Dominion Voting Systems Do Real Damage</i> , wsj.com, November 30, 2020	
649	Email from Carolina Chao to Irena Briganti, et al RE: "Stolen election" references, January 21, 2021	FNN019_03736523
650	Fox Corp Board Offsite	FoxCorp00074295
651	<i>Voting Machine Supplier Criticized by Trump in Spotlight on Election Integrity</i> , wsj.com, November 17, 2020	
652	Email from Suzanne Scott to Rupert Murdoch Re: Could you call when convenient?, December 7, 2020	FNN090_04612833
653	<i>The Post Says Give It Up Mr. President</i> , nypost.com, December 27, 2020	
654	Fox News Digital - The Power to Break Through	FNN019_03827966
655	Transcript of Opening Statement from Justice with Judge Jeanine, December 5, 2020	
656	Email from Tom Lowell to Meade Cooper Re: pls call me when you can, December 18, 2020	FNN018_02646249



657	Email from Nancy Harmeyer to Lauren Petterson Re: Nancy Harmeyer has invited you to work together in "EDDIE PEREZ- SMARTMATIC IVIEWVER4.MP4" file on Box, December 18, 2020	FNN018_02648978
658	Email from Tom Lowell to Lauren Petterson Re: call me when you can ..?, December 18, 2020	FNN018_02648977
659	Text message between Gary Schreier and Lauren Petterson, December 17, 2020 (because the text was produced in UTC time, the actual time is 5 hours earlier ET, making the date the prior day)	FNN053_04433001
660	Email from Rupert Murdoch to Lachlan Murdoch, December 7, 2020	FoxCorp00060858
661	Email from Mike Emanuel to 069 - Politics; 030-FoxDigitalContent; 246 - FBN DC Editorial; 041-WHUNIT Re: Dominion Voting Systems responds to Presidential Tweet allegations, November 12, 2020	FNN001_00000333
662	Email from Alexa Green to Jeff Field Re: Offering Michael Steel, GOP Strategist, to speak on Dominion Voting and election fraud claims, December 3, 2020	FNN001_00002036
663	Email from Jeff Field to John Fawcett FW: Election 2020: Setting The Record Straight, November 12, 2020	FNN007_00018998
664	Email from Jerry Andrews to David Clark FW: Re: DOMINION SEGMENT, November 14, 2020	FNN008_00022038
665	Email from Lauren Petterson to Suzanne Scott, et al Re: Lou Dobbs latest, January 6, 2021	FNN019_03700750
666	Email from Rupert Murdoch to Paul Ryan Re: The Morning Dispatch: The	FoxCorp00061113



	Alternate Reality Machine, January 12, 2021	
667	Email from Suzanne Scott to Jeffrey Collins and Andreanna Walsh Fwd: FYI: Mike Lindell on Newsmax, December 18, 2020	FNN019_03668119
668	Email from Meade Cooper to Tom Lowell et al Re: Bookings, December 19, 2020	FNN019_03671396
669	Email from Jeffrey Collins to Irena Briganti et al Re: Lindell, December 14, 2020	FNN018_02608687
670	Email from Jeffrey Collins to Mackenzie Mucci Re: CPMs, December 23, 2020	FNN018_02683990
671	Excerpt of transcript of hearing in <i>US Dominion v Powell et al</i> , June 24, 2021	
672	Deposition transcript of Paul Chavez-Casanova, taken on August 12, 2022	
673	Deposition transcript of Ron Rosania, taken on November 15, 2022	
674	Deposition transcript of Barry Herron, taken on October 6, 2022	
675	Fox News Executive Staff	PX 3330
676	Email from Sean Hannity to Eric Trump, Lara Trump and Rupert Murdoch Re: Trump Ad, August 15, 2017	FoxCorp00087101
677	Email from Suzanne Scott to Rupert Murdoch Re: Ratings, November 30, 2017	FoxCorp00205954
678	Email form Jay Wallace to Rupert Murdoch and Suzanne Scott Re: Fox News anchor Shepard Smith attacks Trump administration's 'lies,' July 15, 2017	FoxCorp00205984
679	Email from Rupert Murdoch to Suzanne Scott Re: Ratings., September 10, 2020	FNN019_03393328



680	Email from Suzanne Scott to Rupert Murdoch Re: Ratings, July 20, 2017	FoxCorp00205983
681	Email from Suzanne Scott to Rupert Murdoch Re: Money!, December 16, 2020	FoxCorp00053931
682	Email from Suzanne Scott to Rupert Murdoch and Lachlan Murdoch Re: Sammons, November 20, 2020	FNN019_03604887
683	Email from Alexandra Coscia to 100 - Media Relations Fwd: TRUMP TWEET: Must see @seanhannity takedown of the horrible, inaccurate and anything but secure Dominion Voting System which is used in States where tens of thousands of votes were stolen from us and given to Biden. Likewise, the Great@LouDobbs h..., November 12, 2020	FNN011_00104697
684	Email from Alexa Green to Jennifer Voit Re: Offering Michael Steel, GOP Strategist, to speak on Dominion Voting and election fraud claims, December 3, 2020	FNN001_00002044
685	Email from Rupert Murdoch to Suzanne Scott Re: Idea, November 28, 2020	FNN019_03618125
686	Video of Jeanine Pirro interviewing Mike Flynn, December 5, 2020	
687	Email from Suzanne Scott to Rupert Murdoch Re: Senate., October 27, 2020	FoxCorp00054068
688	Email from Preston Padden to Rupert Murdoch and Lachlan Murdoch Re: Unbelievable!, September 29, 2020	FoxCorp00075661
689	Email from Jay Wallace to Rupert Murdoch Re: West Virginia, May 7, 2018	FoxCorp00205952
690	Email from Rupert Murdoch to Col Allan Re: Hi, September 17, 2020	FoxCorp00062609



691	Email from jay Wallace to Rupert Murdoch Re: Tapping Trump, March 4, 2017	FoxCorp00205970
692	Text message between Suzanne Scott and Lachlan Murdoch, November 6, 2020	FoxCorp00056514
693	Text message between Tucker Carlson and Lachlan Murdoch, September 22, 2020	FoxCorp00056597
694	Email from Maria Bartiromo to Suzanne Scott Re: Maria -- some thoughts, January 29, 2020	FNN019_03241612
695	Email from Raj Shah to Irena Briganti, et al Re: Business Insider - Tucker Carlson, July 2, 2020	FNN019_03337650
696	Email from Raj Shah to Lachlan Murdoch, et al Re: Brand Protection Roundup - 11/13/20, November 13, 2020	FoxCorp00085810
697	Email from Irena Briganti to Raj Shah Re: House Call, November 10, 2020	FNN019_03571949
698	Email from Raj Shah to Alex Griswold, et al Re: Thoughts?, November 12, 2020	FoxCorp00225141
699	memo from Raj Shah to Viet Dinh Re: Tucker Carlson Tonight Data, October 7, 2020	FoxCorp00219508
700	Email from Raj Shah to Ron Mitchell Re: Memo, October 21, 2020	FNN099_05202379
701	Text message between Alex Pfeiffer and Raj Shah, November 20, 2020	FoxCorp00086756
702	<i>Trump Cries Voter Fraud In Court - His Lawyers Don't</i> , wsj.com, November 13, 2020	
703	Email from Abby Grossberg to Maria Bartiromo Re: Do we have to pull that statement from Dominion denying wrongdoing?	FNN001_00000693



704	Email from Abby Grossberg to Gregory Hand, et al Re: UPDATE: "SUNDAY MORNING FUTURES" GUEST LINEUP FOR NOV 8th, November 7, 2020	FNN006_00014674
705	Email from Rupert Murdoch to Suzanne Scott Re: People, January 16, 2021	FNN019_03725120
706	Email from Rupert Murdoch to Suzanne Scott Re: McEnany, January 26, 2021	FNN019_03747769
707	Email from Rupert Murdoch to Suzanne Scott and Lachlan Murdoch Re: Potus Rallies, September 15, 2020	FNN019_03402925
708	Email from Rupert Murdoch to Lachlan Murdoch Re: The Daily Beast: Fox News CEO Suzanne Scott's Job Is in Jeopardy, Insiders Say, January 15, 2021	FoxCorp00058284
709	Email from Jack Keane to Rupert Murdoch Re: Election Fraud, November 9, 2020	FoxCorp00065976
710	Email from Irena Briganti to Viet Dinh et al Re: Privileged & Confidential/FNM press 1-26, January 26, 2021	FNN061_04469957
711	Email from Irena Briganti to Viet Dinh, et al Re: Privileged & confidential/FNM press, November 9, 2020	FoxCorp00085778
712	Email from Irena Briganti to Viet Dinh, et al Re: Privileged & confidential/FNM press 11-11, November 11, 2020	FNN061_04469956
713	Email from Irena Briganti to Viet Dinh et al Re: Privileged & Confidential/FNM press 12-14, December 14, 2020	FNN061_04469939



714	Email from Suzanne Scott to Meade Cooper and Porter Berry Fwd: Privileged & Confidential/FNM press 11-5, November 5, 2020	FNN061_04469919
715	Email from Raj Shah to Jeffrey Collins FW: YouGov Tracking Update, November 10, 2020	FNN033_03872538
716	Email from Raj Shah to Viet Dinh Re: Both Memos, October 21, 2020	FoxCorp00201779
717	Text message between Meade Cooper and Raj Shah, February 17, 2021	FNN062_04483134
718	Email from Raj Shah to Justin Wells and Alex Pfeiffer Re: Newsmax TV - Sidney Powell interview 11/21/2020 9:15:40 PM:, November 21, 2020	FNN011_00096294
719	Email from R. Shah to E. Schwartz, A. Griswold, and L. Wigo re FW: TUCKER LINEUP - TUESDAY, JANUARY 26, 2021; January 26, 2021	FoxCorp00197472
720	Email from Irena Briganti to Suzanne Scott and Jay Wallace Re: FYI, November 7, 2020	FNN019_03562839
721	Email from Raj Shah to Lachlan Murdoch, et al Re: Tucker/Sidney Powell Update, November 23, 2020	FNN014_00127851
722	<i>A Bogus Dispute is Doing Real Damage</i> , wsj.com, November 19, 2020	
723	<i>No, Dominion voting machines did not delete Trump votes</i> , nytimes.com, November 11, 2020	
724	Text message between Josh Raffell and Raj Shah, January 3, 2021	FoxCorp00086803
725	Text message between John Beamer and Raj Shah, November 4, 2020	FoxCorp00086481
726	Text message between Raj Shah and Alexander Griswold, November 19, 2020	FoxCorp00222309



727	Email from Justin Wells to Alex Pfeiffer and Raj Shah Re: Newsmax TV - Sidney Powell interview 11/21/2020 9:15:40 PM:, November 21, 2020	FNN019_03605215
728	Email from Raj Shah to Irena Briganti Re: Thoughts on Surrogates, November 9, 2020	FNN019_03567663
729	Tucker Carlson Facebook screenshot, January 26, 2021	DOM_0072293598
730	Email from Dominion Voting Systems to Abby Grossberg Re: Dominion CEO In WSJ: Fake Claims Do Real Damage, November 30, 2020	FNN004_00007139
731	SEC Form 10-K for Fox Corporation for the fiscal year ended June 30, 2021	PX 2127
732	Expert Report of Professor Joel Steckel, November 28, 2022, and Errata to the Expert Report of Professor Joel Steckel, January 17, 2023	
733	Voicemail left on Dominion Voting Systems' customer support line, November 10, 2020	DOM_0071462513
734	Email from K. DeFries to Security@dominionvoting.com re Fwd: [External] Election; November 14, 2020	DOM_0000332389
735	Voicemail left on Dominion Voting Systems' customer support line, November 13, 2020	DOM_0000167892
736	<i>Special Report: Voting-system firms battle right-wing rage against the machines</i> , reuters.com, November 7, 2022	PX 3162
737	Deposition transcript of Andrew Banks, taken on November 4, 2022	
738	Expert Report and Disclosure of Mark J. Hosfield, submitted November 29, 2022, and Errata to the Expert Report	



	and Disclosure of Mark J. Hosfield, submitted December 9, 2022	
739	Broadcast ratings spreadsheet, November 10, 2020	FNN026_03858068
740	Weekend Quarter Hour Reports for November 7, 2020	FNN019_03570321
741	Letter from Tom Clare and Megan Meier to Fox News Re: Retraction Demand, December 22, 2020	DOM_0000002058
742	<i>President Trump, your legacy is secure - stop the 'stolen election' rhetoric</i> , nypost.com, November 7, 2020	PX 2864
743	Text message between Jenna Ellis and Tucker Carlson, November 20, 2020	FNN035_03890202
744	<i>Dominion v. Fox Corp.</i> , Transcript of hearing on Motion to Dismiss, March 15, 2022	
745	Email from Suzanne Scott to Meade Cooper and Porter Berry Fwd: Privileged & Confidential/FNM press 11-5, November 5, 2020	FNN061_04469919
746	<i>Downcast Trump makes baseless election fraud claims in White House address</i> , nypost.com, November 5, 2020	PX 3308
747	Email from Suzanne Scott to Meade Cooper Fwd: Polls, November 6, 2020	FNN018_02263538
748	Text message between Gary Schreier and Lauren Petterson, November 12, 2020 (because the text was produced in UTC time, the actual time is 5 hours earlier ET, making the date the prior day)	FNN059_04466184
749	Email from Rupert Murdoch to Col Allan Re: Good, November 7, 2020	FoxCorp00082508
750	Email from Alexa Green to Abby Grossberg Re: Offering Michael Steel, GOP Strategist, to speak on Dominion	FNN001_00002019



	Voting and election fraud claims, December 3, 2020	
751	Screenshot of https://press.foxnews.com/	
752	Email from Suzanne Scott to Rupert Murdoch Re: Polls, November 6, 2020	FNN019_03561073
753	Email from Rupert Murdoch o Col Allan Re: Same stuff, November 6, 2020	FoxCorp00080866
754	Email from Rupert Murdoch to Suzanne Scott Re: Call, November 6, 2020	FoxCorp00054123
755	Email from Rupert Murdoch to Suzanne Scott Re: Call, November 6, 2020	FNN019 03561067
756	Email from Bret Baier to Alan Komissaroff Re: here, November 6, 2020	FNN018_02268195
757	Email from Martha MacCallum to Alan Komissaroff Re: latest script, November 7, 2020	FNN018_02274477
758	Email from Lachlan Murdoch to Rupert Murdoch and Col Allan Re: Try this, November 7, 2020	FoxCorp00060153

5. Native versions of the files in Exs. 686, 733, 735, 739, and 740 are provided to the Court, as indicated in the above chart.

6. Plaintiffs have served Defendants with a copy of the above Exhibits by email.

7. Certain text message strings were produced in this case in “UTC” time. Because UTC time is five hours ahead of Eastern time, for any text message with a timestamp between 12:00 and 4:59 am UTC, the Eastern time occurs the day prior.

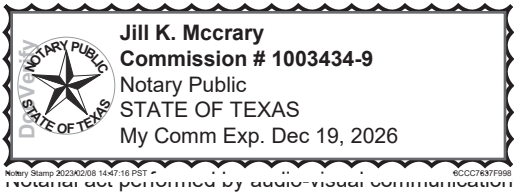


I declare under penalty of perjury under the laws of Delaware and the United States of America that the foregoing is true and correct.

Elizabeth Hadaway
Signed on 2023/02/08 13:47:16 -8:00

Elizabeth Hadaway

Subscribed and sworn to before me, the undersigned Notary Public, by means of communication technology, this 8th day of February 2023.



Jill K. Mccrary
Signed on 2023/02/08 13:47:18 -8:00

Notary Public in and for the State of Texas



CERTIFICATE OF SERVICE

I, Brian E. Farnan, hereby certify that on March 7, 2023, a copy of the foregoing document was served via LexisNexis File&Serve on the following:

Blake Rohrbacher
Katharine L. Mowery
Angela Lam
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920 N. King Street
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DLA PIPER LLP (US)
1201 North Market Street, Suite 2100
Wilmington, DE 19801

/s/ *Brian E. Farnan*
Brian E. Farnan (Bar No. 4089)

Exhibit 600

EXCERPTED
TRANSCRIPT

In the Matter Of:

US Dominion, Inc. et al. vs

Fox News Network, LLC

RUPERT MURDOCH

January 19, 2023



15

1 that. But, according to your proxy, you control
 2 approximately 107 million shares of Fox stock
 3 between the non-voting Class A and voting Class B.
 4 Does that sound correct to you?
 5 A. Those shares are held by what is called The
 6 Murdoch Trust. [REDACTED]
 7 [REDACTED]
 8 [REDACTED]
 9 (Reporter clarification.)
 10 THE WITNESS: And the trust, there's eight
 11 votes. The four older children each have one, and I
 12 have four, which go away when I die.
 13 BY MR. NELSON:
 14 Q. At this point, is it fair to say that,
 15 given your half interest in the trust --
 16 A. Half voting interest.
 17 Q. -- has -- half voting interest in the
 18 trust, that you are able to control the shares of
 19 the stock?
 20 A. Well, I can certainly have a veto.
 21 Q. You can certainly have a veto. That is
 22 fair, sir. And I just checked the stock price as of
 23 today is approximately \$30 a share of Fox
 24 Corporation, give or take?
 25 A. I think this morning it's more like \$28 but

16

1 yes.
 2 Q. Okay. Fair enough. I just did the math.
 3 And the 107 million shares times \$30 a share is --
 4 what? -- 3-point -- 3,220,000,000 or something along
 5 those lines.
 6 Does that sound right?
 7 A. I will accept your figure. I don't know.
 8 Q. All right. Fair enough.
 9 Do you follow the news? Do you follow the news?
 10 A. Very much so. Well, when I'm around, when
 11 I can. I've got it really bad reading my
 12 newspapers.
 13 Q. You are really bad at "reading your
 14 newspapers?"
 15 A. No. I read my newspapers a lot more than I
 16 watch television.
 17 Q. I see. What are your newspapers?
 18 A. The Wall Street Journal, The London Times,
 19 New York Post. Those are the only ones I follow.
 20 Q. Aside -- aside from those three sources,
 21 what other sources of news do you follow?
 22 A. Not much. I look at the Drudge Report to
 23 see if I've missed something. I'm scattered sort --
 24 I like to follow everything I can.
 25 But that's a lot. You know, I look at the Mail

17

1 Online, a bit of gossip, that sort of stuff.
 2 Q. And you -- in addition to your role at Fox
 3 Corporation, you're also the executive chairman or
 4 its equivalent at News Corp?
 5 A. Oh, definitely.
 6 Q. It's -- and so when you refer to "my
 7 papers," those are owned by News Corp?
 8 A. Yes. The -- the shareholding in News Corp
 9 is really a mirror of what's going on at Fox.
 10 Q. What do you mean by "it's a mirror at Fox"?
 11 A. Well, I mean, we have approximately 40
 12 percent of the vote, about.
 13 (Reporter clarification.)
 14 THE WITNESS: Oh, I said that we have
 15 approximately, the Murdoch Family Trust, 40 percent
 16 of the voting shares in both companies.
 17 BY MR. NELSON:
 18 Q. Aside from the media entities that you
 19 owned through News Corporation --
 20 And, by the way, do you find the sources that
 21 you read within News Corporation -- the New York
 22 Post, the Wall Street Journal, the Times -- do you
 23 find those to be credible news sources?
 24 A. Very much so.
 25 Q. What other sources of news do you believe

18

1 [REDACTED]
 2 [REDACTED]
 3 [REDACTED]
 4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 7 [REDACTED]
 8 [REDACTED]
 9 [REDACTED]
 10 [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 [REDACTED]
 14 [REDACTED]
 15 [REDACTED]
 16 [REDACTED]
 17 [REDACTED]
 18 [REDACTED]
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED]
 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED]
 25 [REDACTED]

23

1 BY MR. NELSON:
 2 Q. Sir, do you believe Dominion committed
 3 election fraud by rigging the 2020 presidential
 4 election?
 5 MR. WEBB: Objection; form of the question.
 6 THE WITNESS: Could you repeat it?
 7 BY MR. NELSON:
 8 Q. Do you believe Dominion committed election
 9 fraud by rigging the 2020 presidential election?
 10 A. Well, I only recently heard of it and --
 11 and of this lawsuit, and I have seen no evidence
 12 that they rigged anything.
 13 Q. I'm asking for your current belief.
 14 A. Uh-huh. I'm saying that I have not seen
 15 any evidence.
 16 MR. WEBB: Can I -- I'm going to interrupt. I'm
 17 -- I'm going to object to the form. The last
 18 question didn't limit it to that time. Can you --
 19 I'm just going to ask you very politely if you could
 20 put a time period in it, it may be helpful. And it
 21 is up to you, sir. I'm not going -- I'm not going
 22 to make objections.
 23 BY MR. NELSON:
 24 Q. I will rephrase.
 25 Do you currently believe Dominion committed

24

1 election fraud by rigging the 2020 presidential
 2 election?
 3 A. I honestly do not know.
 4 Q. You don't know?
 5 A. I've seen no evidence that they did.
 6 Q. You have seen no evidence that Dominion
 7 committed election fraud by rigging the 2020
 8 presidential election; correct?
 9 A. I've seen no evidence.
 10 Q. Have you ever believed that Dominion
 11 committed election fraud by rigging the 2020
 12 presidential election?
 13 A. No. I have never seen any evidence.
 14 Q. Do you believe that Dominion software and
 15 algorithms manipulated vote counts in the 2020
 16 presidential election?
 17 A. I never know with the algorithms. In our
 18 business, we suffer from other people using
 19 algorithms.
 20 We have, for instance, a lot of digital news
 21 services like the digital editions of things; and we
 22 get paid by advertisers according to how many people
 23 that go into that. And sometimes you get a dramatic
 24 drop. So what's happened? Oh, the algorithm has
 25 changed on Facebook.

25

1 That's all I'm saying. I'm not saying anything
 2 happened with Dominion. I'm simply saying
 3 algorithms are a bit of a mystery.
 4 Q. And, sir, I'm going to try to ask questions
 5 that are answerable "Yes" or "No." If you can
 6 answer them "Yes" or "No," can you try to answer
 7 them "Yes" or "No"?
 8 MR. WEBB: Objection; form of the question.
 9 THE WITNESS: Could you say that again?
 10 BY MR. NELSON:
 11 Q. I'm going to try to ask questions --
 12 A. Oh, I heard that. Of course.
 13 Q. -- with a "Yes" or "No." Can you try to
 14 respond "Yes" or "No" only?
 15 A. Yes, of course.
 16 Q. Okay.
 17 And you understand that this deposition today is
 18 as if we are in front of a jury; correct?
 19 A. Indeed.
 20 Q. And that the jury will be judging
 21 credibility based upon your answers; correct?
 22 MR. WEBB: Objection; form.
 23 THE WITNESS: Could you speak up?
 24 BY MR. NELSON:
 25 Q. The jury will be judging your credibility

26

1 based upon your answers; correct?
 2 A. Of course.
 3 Q. And you understand when you answer, "I
 4 don't know," when you, in fact, do know, that is not
 5 telling the truth; correct?
 6 A. Yes.
 7 Q. Okay.
 8 So, to the best of your current knowledge, do
 9 you believe that Dominion software and algorithms
 10 manipulated vote counts in the 2020 --
 11 A. No.
 12 Q. -- presidential --
 13 Have you ever seen any credible evidence that
 14 Dominion software and algorithms manipulated vote
 15 counts in the --
 16 A. No.
 17 Q. -- 2020 presidential election?
 18 Have you ever believed that Dominion's software
 19 and algorithms manipulated vote counts in the 2020
 20 presidential election?
 21 MR. WEBB: Objection; form.
 22 THE WITNESS: No. I've never even heard about
 23 this until a few months ago.
 24 BY MR. NELSON:
 25 Q. Do you currently believe that Dominion is

27	<p>1 owned by a company founded in Venezuela to rig 2 elections for the dictator Hugo Chavez? 3 A. Say it again? 4 Q. Do you currently believe that Dominion is 5 owned by a company founded in Venezuela to rig 6 elections for the dictator Hugo Chavez? 7 A. I don't know anything about that. 8 Q. Is that a "No"? 9 MR. WEBB: Objection; form. 10 THE WITNESS: I've never heard of that. 11 MR. NELSON: Okay. 12 (Reporter clarification.) 13 THE WITNESS: Well, it could be a "No." I just 14 don't know. 15 BY MR. NELSON: 16 Q. Have you ever seen any credible evidence 17 that Dominion is owned by a company founded in 18 Venezuela -- 19 A. No. 20 Q. -- to rig elections for the dictator Hugo 21 Chavez? 22 A. Never heard of it. 23 Q. It is laughable, isn't it? 24 MR. WEBB: Objection; form. 25 THE WITNESS: No. I never heard of it. I have</p>	29	<p>1 A. No. 2 Q. Have you ever seen any credible evidence to 3 suggest that Dominion was engaged in a massive and 4 coordinated effort to steal the 2020 presidential 5 election? 6 A. No. 7 Q. Have you ever believed that Dominion was 8 engaged in a massive and coordinated effort to steal 9 the 2020 presidential election? 10 A. No. 11 MR. WEBB: Objection; form. 12 BY MR. NELSON: 13 Q. Do you believe that Dominion was involved 14 in an effort to delegitimize and destroy votes for 15 Donald Trump? 16 A. I don't know. 17 MR. WEBB: Objection; form. Objection; form. 18 BY MR. NELSON: 19 Q. Have you seen any credible evidence to 20 suggest that Dominion was involved in an effort to 21 delegitimize and destroy votes for Donald Trump? 22 A. No. I never believed it. I don't know. 23 Q. You've never believed that Dominion -- 24 A. Right. 25 Q. -- was involved in an effort to</p>
28	<p>1 no comment on it. 2 BY MR. NELSON: 3 Q. Have you ever believed that Dominion is 4 owned by a company founded in Venezuela to rig 5 elections for the dictator Hugo Chavez? 6 MR. WEBB: Objection; Form. 7 THE WITNESS: No, I have not. 8 BY MR. NELSON: 9 Q. Do you currently believe that Dominion paid 10 kickbacks to governmental officials who used its 11 machines in the 2020 presidential election? 12 A. No. 13 Q. Have you ever seen any credible evidence 14 that Dominion paid kickbacks to governmental 15 officials who used its machines in the 2020 16 presidential election? 17 A. No. 18 Q. Have you ever believed that Dominion paid 19 kickbacks to governmental officials who used its 20 machines in the 2020 -- 21 A. No. 22 Q. -- presidential election? 23 Do you believe that Dominion was engaged in a 24 massive and coordinated effort to steal the 2020 25 presidential election?</p>	30	<p>1 delegitimize and destroy votes for Donald Trump; 2 correct? 3 A. I'm open to persuasion; but, no, I've not 4 seen it. 5 Q. Do you believe that Dominion was involved 6 in an effort to manufacture votes for Joe Biden? 7 A. No. 8 Q. Have you ever seen any credible evidence 9 that Dominion was involved in an effort to 10 manufacture votes for Joe Biden? 11 A. No. 12 Q. Have you ever believed that Dominion was 13 involved in an effort to manufacture votes for Joe 14 Biden? 15 MR. WEBB: Objection; form. 16 THE WITNESS: No. 17 BY MR. NELSON: 18 Q. Do you believe that Dominion used an 19 algorithm to calculate the votes they would need to 20 flip, and used computers to flip those votes from 21 Trump to Biden? 22 MR. WEBB: Objection; form. 23 THE WITNESS: No. 24 BY MR. NELSON: 25 Q. Have you ever seen any credible evidence</p>

31	<p>1 that Dominion used an algorithm to calculate the</p> <p>2 votes they would need to flip, and used computers to</p> <p>3 flip those votes from Trump to Biden?</p> <p>4 A. No. I didn't even know it was possible.</p> <p>5 Q. Have you ever believed that Dominion used</p> <p>6 an algorithm to calculate the votes they would need</p> <p>7 to flip and used computers to flip those votes from</p> <p>8 Trump to Biden?</p> <p>9 A. No.</p> <p>10 MR. WEBB: Objection; form.</p> <p>11 BY MR. NELSON:</p> <p>12 Q. Do you believe that Dominion software is</p> <p>13 where the fraud took place?</p> <p>14 MR. WEBB: Objection; form.</p> <p>15 THE WITNESS: I'm not saying there's any fraud.</p> <p>16 BY MR. NELSON:</p> <p>17 Q. So, no, you do not believe that Dominion</p> <p>18 software is where the fraud took place in the 2020</p> <p>19 presidential election?</p> <p>20 A. That's fair.</p> <p>21 Q. Okay.</p> <p>22 Have you ever seen any credible evidence that</p> <p>23 Dominion software is where the fraud took place in</p> <p>24 the 2020 presidential election?</p> <p>25 A. No.</p>	33
32	<p>1 Q. Have you ever believed that Dominion</p> <p>2 software is where the fraud took place in the 2020</p> <p>3 presidential election?</p> <p>4 A. No.</p> <p>5 MR. WEBB: Objection; form.</p> <p>6 BY MR. NELSON:</p> <p>7 Q. Do you believe that Dominion had the</p> <p>8 algorithms that would stop the vote count and go in</p> <p>9 and replace votes for Biden and take away Trump</p> <p>10 votes?</p> <p>11 MR. WEBB: Objection; form.</p> <p>12 THE WITNESS: I don't know.</p> <p>13 BY MR. NELSON:</p> <p>14 Q. Have you ever seen any credible evidence</p> <p>15 that Dominion had the algorithms that would stop the</p> <p>16 vote count and go in and replace votes for Biden and</p> <p>17 take away Trump votes?</p> <p>18 A. I've seen nothing.</p> <p>19 Q. Have you ever believed that Dominion had</p> <p>20 the algorithms that would stop the vote count and go</p> <p>21 in and replace votes for Biden and take away Trump</p> <p>22 votes?</p> <p>23 A. No.</p> <p>24 Q. Do you believe that Dominion is a company</p> <p>25 that is owned by Smartmatic?</p>	34
	<p>1 MR. WEBB: Objection; form.</p> <p>2 THE WITNESS: I don't know. I never thought</p> <p>3 about it.</p> <p>4 BY MR. NELSON:</p> <p>5 Q. Have you ever seen any credible evidence</p> <p>6 that Dominion is a company that is owned by</p> <p>7 Smartmatic?</p> <p>8 A. I don't remember.</p> <p>9 Q. Have you ever believed that Dominion is a</p> <p>10 company that is owned by Smartmatic?</p> <p>11 MR. WEBB: Objection; form.</p> <p>12 THE WITNESS: I've never thought about it.</p> <p>13 BY MR. NELSON:</p> <p>14 Q. Well, have you ever seen any credible</p> <p>15 evidence to suggest that it was?</p> <p>16 A. No.</p> <p>17 Q. The fact that you've never thought about it</p> <p>18 would suggest that you never believed that Dominion</p> <p>19 is owned by Smartmatic; correct?</p> <p>20 MR. WEBB: Objection; form.</p> <p>21 (Reporter clarification.)</p> <p>22 MR. NELSON: Smartmatic.</p> <p>23 And sorry, just your answer, sir.</p> <p>24 THE WITNESS: I don't know anything about it.</p> <p>25 ///</p>	

35	<p>1 Have you ever seen any credible evidence that</p> <p>2 the states have no ability to audit meaningfully the</p> <p>3 votes that are cast because the servers are</p> <p>4 overseas?</p> <p>5 A. I haven't seen anything.</p> <p>6 Q. Have you ever believed that the states have</p> <p>7 no ability to audit meaningfully the votes that are</p> <p>8 cast because these servers are overseas?</p> <p>9 MR. WEBB: Objection; form.</p> <p>10 BY MR. NELSON:</p> <p>11 Q. You may answer.</p> <p>12 A. I don't know enough about it. I'm sorry.</p> <p>13 Q. Do you believe that Dominion was part of an</p> <p>14 endgame of a four-and-a-half-year-long effort to</p> <p>15 overthrow President Trump?</p> <p>16 MR. WEBB: Objection; form.</p> <p>17 THE WITNESS: Say that again?</p> <p>18 BY MR. NELSON:</p> <p>19 Q. Do you believe that Dominion was part of an</p> <p>20 endgame of a four-and-a-half-year-long effort to</p> <p>21 overthrow President Trump?</p> <p>22 MR. WEBB: Objection; form.</p> <p>23 THE WITNESS: No, I don't believe that.</p> <p>24 BY MR. NELSON:</p> <p>25 Q. Have you seen any credible evidence to</p>	37	<p>1 (Reporter clarification.)</p> <p>2 THE STENOGRAPHIC REPORTER: And your answer was</p> <p>3 no; right?</p> <p>4 I'm sorry, Mr. Nelson.</p> <p>5 THE WITNESS: Yes, yes, yes.</p> <p>6 BY MR. NELSON:</p> <p>7 Q. Have you ever believed that Dominion was</p> <p>8 created to produce altered voting results in</p> <p>9 Venezuela for Hugo Chavez and then shipped</p> <p>10 internationally to manipulate votes for purchase in</p> <p>11 other countries?</p> <p>12 A. No. I've never heard of Dominion before</p> <p>13 this.</p> <p>14 Q. Do you believe that some of the governors</p> <p>15 and secretaries of state, who bought into the</p> <p>16 Dominion systems, did it as a type of graft --</p> <p>17 MR. WEBB: Objection; form.</p> <p>18 BY MR. NELSON:</p> <p>19 Q. -- to line their own pockets by getting a</p> <p>20 voting machine that would either make sure their</p> <p>21 election was successful, or they got money for their</p> <p>22 family for it?</p> <p>23 A. I've never heard of it.</p> <p>24 MR. WEBB: Slow down. I'm objecting to the form</p> <p>25 of the question.</p>
36	<p>1 suggest that Dominion was part of an endgame of a</p> <p>2 four-and-a-half-year-long effort to overthrow</p> <p>3 President Trump?</p> <p>4 A. No.</p> <p>5 Q. Have you ever believed that Dominion was</p> <p>6 part of an endgame of a four-and-a-half-year-long</p> <p>7 effort to overthrow President Trump?</p> <p>8 A. No.</p> <p>9 Q. Do you believe that Dominion was created to</p> <p>10 produce altered voting results in Venezuela for Hugo</p> <p>11 Chavez, and then shipped internationally to</p> <p>12 manipulate votes for purchase in other countries?</p> <p>13 MR. WEBB: Objection; form.</p> <p>14 THE WITNESS: No.</p> <p>15 BY MR. NELSON:</p> <p>16 Q. Have you ever seen any credible evidence</p> <p>17 that Dominion was created to produce altered voting</p> <p>18 results in Venezuela for Hugo Chavez, and then</p> <p>19 shipped internationally to manipulate votes for</p> <p>20 purchase in other countries?</p> <p>21 MR. WEBB: Objection; form.</p> <p>22 THE WITNESS: No.</p> <p>23 BY MR. NELSON:</p> <p>24 Q. Have you ever believed that Dominion was</p> <p>25 created --</p>	38	<p>1 BY MR. NELSON:</p> <p>2 Q. Do you believe that, sir?</p> <p>3 A. I don't believe it because I don't know.</p> <p>4 Q. Have you ever seen any -- any credible</p> <p>5 evidence to suggest that that is true?</p> <p>6 A. No.</p> <p>7 Q. Have you ever believed it?</p> <p>8 A. No.</p> <p>9 Q. Do you believe that Dominion's sole</p> <p>10 original purpose was to have fraudulent elections</p> <p>11 and to be used all over the world to defy the will</p> <p>12 of the people who wanted freedom?</p> <p>13 A. No.</p> <p>14 Q. Have you ever seen any credible evidence to</p> <p>15 suggest that Dominion's sole original purpose was to</p> <p>16 have fraudulent elections and to be used all over</p> <p>17 the world to defy the will of the people who wanted</p> <p>18 freedom?</p> <p>19 A. No.</p> <p>20 Q. Have you ever believed that Dominion's sole</p> <p>21 original purpose was to have fraudulent elections</p> <p>22 and to be used all over the world to defy the will</p> <p>23 of the people who wanted freedom?</p> <p>24 A. No.</p> <p>25 MR. WEBB: Objection; form.</p>

39	<p>1 MR. DINH: Can we go off the record for one 2 second? 3 THE VIDEOGRAPHER: The time is 10:45 a.m., and 4 we are going off the video record. 5 (Recess.) 6 THE VIDEOGRAPHER: The time is 10:47 a.m., and 7 we are back on the video record. 8 BY MR. NELSON: 9 Q. Sir, do you believe that the 2020 10 presidential election was free and fair? 11 MR. WEBB: I'm going to object to the form of 12 the question. 13 THE WITNESS: Yes. 14 BY MR. NELSON: 15 Q. Have you ever seen any credible evidence to 16 suggest that the 2020 presidential election was not 17 free and fair? 18 MR. WEBB: Objection; form. 19 THE WITNESS: No. 20 BY MR. NELSON: 21 Q. Have you ever believed that the 2020 22 presidential election was not free and fair? 23 A. No. 24 Q. Do you believe that Sidney Powell unearthed 25 any credible evidence about her claims of election</p>	41	<p>1 MR. WEBB: Objection; form of the question. 2 BY MR. NELSON: 3 Q. Do you believe that, in the 2020 4 presidential election, there were the alteration and 5 changes in millions of votes? 6 MR. WEBB: Objection; form. 7 THE WITNESS: Could you repeat that? 8 BY MR. NELSON: 9 Q. In the 2020 presidential election, do you 10 believe there were the alteration and changes in 11 millions of votes? 12 MR. WEBB: Objection; form. 13 THE WITNESS: You mean after the votes were 14 cast? 15 BY MR. NELSON: 16 Q. Yes, sir. 17 A. No. 18 Q. Do you believe, after the votes were cast, 19 there were the alteration and changes in millions of 20 votes? And have you ever believed that? 21 A. No. 22 Q. Have you ever seen any credible evidence to 23 suggest that it's true? 24 A. No. 25 Q. Do you believe that some votes were being</p>
40	<p>1 fraud? 2 MR. WEBB: Objection; form of the question. 3 THE WITNESS: No. 4 BY MR. NELSON: 5 Q. Have you ever believed that Sidney Powell 6 unearthed any credible evidence about her claims of 7 election fraud? 8 MR. WEBB: Objection; form. 9 THE WITNESS: No. I have never heard of her. I 10 have never heard of her before. 11 BY MR. NELSON: 12 Q. Do you believe that Dominion was involved 13 in a systemwide election fraud definitely impacting 14 the swing states and likely going beyond that? 15 A. No. 16 Q. Have you seen any credible evidence that 17 Dominion was involved in a systemwide election fraud 18 definitely impacting the swing states and likely 19 going far beyond that? 20 A. No. 21 Q. Have you ever believed that Dominion was 22 involved in a systemwide election fraud definitely 23 impacting the swing states and likely going beyond 24 that? 25 A. No.</p>	42	<p>1 dumped that were for President Trump and some votes 2 were being flipped that were for President Trump? 3 A. No. I have seen no evidence of that. 4 Q. Have you ever believed that there were some 5 votes that were being dumped for President Trump and 6 some votes that were being flipped for President 7 Trump? 8 A. No. 9 Q. Do you believe that Dominion was created 10 for the express purpose of being able to alter votes 11 and secure the reelection of Hugo Chavez and then 12 Maduro? 13 A. Haven't we answered that a few times? 14 Q. Well -- 15 A. No. 16 Q. Okay. 17 You've never seen any credible evidence to 18 suggest that; correct? 19 A. No. 20 MR. WEBB: Objection; form. 21 BY MR. NELSON: 22 Q. You've never believed that, have you? 23 A. About Venezuela? No. 24 MR. WEBB: Objection; form. 25 ///</p>

43	<p>1 BY MR. NELSON:</p> <p>2 Q. Do you believe that Dominion is part of one</p> <p>3 huge, huge criminal conspiracy?</p> <p>4 MR. WEBB: Objection; form.</p> <p>5 THE WITNESS: I've never believed that.</p> <p>6 BY MR. NELSON:</p> <p>7 Q. You've never seen any credible evidence to</p> <p>8 suggest it?</p> <p>9 A. I've never even thought about it.</p> <p>10 Q. Do you believe that Dominion has a</p> <p>11 tried-and-true method of fixing elections by calling</p> <p>12 a halt to the voting when you are running too far</p> <p>13 behind?</p> <p>14 MR. WEBB: Objection; form.</p> <p>15 THE WITNESS: Ask that again?</p> <p>16 BY MR. NELSON:</p> <p>17 Q. Do you believe that Dominion has a</p> <p>18 tried-and-true method of fixing elections by calling</p> <p>19 a halt to the voting when you are running too far</p> <p>20 behind?</p> <p>21 A. No.</p> <p>22 Q. Have you ever believed that Dominion has a</p> <p>23 tried-and-true method of fixing elections by calling</p> <p>24 a halt to the voting when you are running too far</p> <p>25 behind?</p>	45	<p>1 MR. WEBB: Objection; form.</p> <p>2 THE WITNESS: No.</p> <p>3 BY MR. NELSON:</p> <p>4 Q. Have you ever seen any credible evidence to</p> <p>5 suggest that Dominion allows the votes to be</p> <p>6 mirrored and monitored, allowing an intervening</p> <p>7 party a realtime understanding of how many votes</p> <p>8 will be needed to gain an electoral advantage?</p> <p>9 MR. WEBB: Objection; form.</p> <p>10 (Reporter clarification.)</p> <p>11 THE WITNESS: The question was --</p> <p>12 BY MR. NELSON:</p> <p>13 Q. Have you ever seen any credible evidence --</p> <p>14 A. "No" is the answer.</p> <p>15 Q. Okay.</p> <p>16 Have you ever believed that Dominion allows the</p> <p>17 votes to be mirrored and monitored, allowing an</p> <p>18 intervening party a realtime understanding of how</p> <p>19 many votes will be needed to gain an electoral</p> <p>20 advantage?</p> <p>21 A. I've never believed that.</p> <p>22 Q. Do you believe that President Trump won the</p> <p>23 2020 presidential election, not just by hundreds of</p> <p>24 thousands of votes, but by millions of votes that</p> <p>25 were designed and shifted by Dominion software,</p>
44	<p>1 A. I don't know.</p> <p>2 Q. Have you ever believed it?</p> <p>3 MR. WEBB: Objection; form.</p> <p>4 THE WITNESS: You said do they have the capacity</p> <p>5 to do that?</p> <p>6 BY MR. NELSON:</p> <p>7 Q. I --</p> <p>8 A. "I don't know" is the answer.</p> <p>9 Q. I asked whether they had a tried-and-true</p> <p>10 method of fixing elections.</p> <p>11 A. They may have. I do not know.</p> <p>12 Q. Okay.</p> <p>13 Do you believe that Dominion -- well, let me</p> <p>14 rephrase it.</p> <p>15 Have you seen any credible evidence to suggest</p> <p>16 that Dominion had a tried-and-true method of fixing</p> <p>17 elections?</p> <p>18 A. No.</p> <p>19 MR. WEBB: Objection; form.</p> <p>20 BY MR. NELSON:</p> <p>21 Q. Do you believe that Dominion allows the</p> <p>22 votes to be mirrored and monitored, allowing an</p> <p>23 intervening party a realtime understanding of how</p> <p>24 many votes will be needed to gain an electoral</p> <p>25 advantage?</p>	46	<p>1 expressly designed for that purpose?</p> <p>2 A. No.</p> <p>3 MR. WEBB: Objection; form.</p> <p>4 BY MR. NELSON:</p> <p>5 Q. Have you seen any credible evidence to</p> <p>6 suggest that President Trump won by not just</p> <p>7 hundreds of thousands of votes, but by millions of</p> <p>8 votes that were shifted by Dominion software that</p> <p>9 was expressly designed for that purpose?</p> <p>10 MR. WEBB: Objection; form.</p> <p>11 THE WITNESS: Have I ever seen any evidence?</p> <p>12 BY MR. NELSON:</p> <p>13 Q. Correct.</p> <p>14 A. No.</p> <p>15 Q. Have you ever believed that President Trump</p> <p>16 won by not just hundreds of thousands of votes, but</p> <p>17 by millions of votes that were shifted by Dominion</p> <p>18 software that was expressly designed for that</p> <p>19 purpose?</p> <p>20 A. No.</p> <p>21 MR. WEBB: Objection; form.</p> <p>22 THE WITNESS: I've never believed that.</p> <p>23 BY MR. NELSON:</p> <p>24 Q. Do you believe there was a massive election</p> <p>25 fraud in the 2020 presidential election caused by</p>

<p style="text-align: right;">47</p> <p>1 Dominion machines? 2 A. No. 3 MR. WEBB: Objection; form. 4 BY MR. NELSON: 5 Q. Have you seen any credible evidence to 6 suggest that there was a massive election fraud in 7 the 2020 presidential election caused by Dominion 8 machines? 9 A. No. 10 Q. Have you ever believed that there was a 11 massive election fraud in the 2020 presidential 12 election caused by Dominion machines? 13 A. No. 14 Q. Do you believe that substantial sums of 15 money were being given to family members of state 16 officials who bought Dominion products? 17 A. No. 18 Q. Have you ever seen any credible evidence to 19 suggest that substantial sums of money were being 20 given to family members of state officials who 21 bought Dominion products? 22 A. No. 23 Q. Have you ever believed that substantial 24 sums of money were being given to family members of 25 state officials who bought Dominion products?</p>	<p style="text-align: right;">49</p> <p>1 suggest that Dominion machines had to stop and the 2 counting had to stop in multiple places because 3 President Trump's lead was so great at that point 4 the machines had to stop the counting and come in 5 and backfill the votes they needed to change the 6 results? 7 A. No. 8 MR. WEBB: Objection; form. 9 BY MR. NELSON: 10 Q. Have you ever believed that Dominion 11 machines had to stop and the counting had to stop in 12 multiple places because President Trump's lead was 13 so great at that point the machines had to stop the 14 counting and come in and backfill the votes they 15 needed to change the result? 16 MR. WEBB: Objection; form. 17 THE WITNESS: No. 18 BY MR. NELSON: 19 Q. Do you believe that Dominion software 20 changed the election? 21 A. No. 22 Q. Have you seen any credible evidence to 23 suggest that Dominion software changed the election? 24 A. No. 25 Q. Have you ever believed that Dominion</p>
<p style="text-align: right;">48</p> <p>1 MR. WEBB: Objection; form. 2 THE WITNESS: No. 3 BY MR. NELSON: 4 Q. Do you believe that there's an algorithm 5 that Dominion used and planned to use from the 6 beginning to modify the votes to make sure that 7 Biden won? 8 MR. WEBB: Objection; form. 9 THE WITNESS: I've seen no evidence of that. 10 BY MR. NELSON: 11 Q. You've never believed that there is an 12 algorithm that they used, and planned to use from 13 the beginning, to modify the votes and make sure 14 Biden won; correct? 15 A. Yes. 16 Q. Do you believe that the Dominion machines 17 had to stop and the counting had to stop in multiple 18 places because President Trump's lead was so great 19 at that point the machines had to stop the counting 20 and come in and backfill the votes they needed to 21 change the result? 22 MR. WEBB: Objection; form. Objection; form. 23 THE WITNESS: No. 24 BY MR. NELSON: 25 Q. Have you ever seen any credible evidence to</p>	<p style="text-align: right;">50</p> <p>1 software changed the election? 2 MR. WEBB: Objection; form. 3 THE WITNESS: No. 4 BY MR. NELSON: 5 Q. Do you believe that there was an overnight 6 popping of the vote tabulation that cannot be 7 explained? 8 MR. WEBB: Objection; form. 9 THE WITNESS: With Dominion involved? No. 10 BY MR. NELSON: 11 Q. Have you ever seen any credible evidence to 12 suggest that there was an overnight popping of the 13 vote tabulation that cannot be explained? 14 MR. WEBB: Objection; form. 15 THE WITNESS: No. I only remember the late 16 voting, the late counts. The postal votes were 17 heavily anti-Trump. That's all. 18 BY MR. NELSON: 19 Q. And you knew that going into the election 20 -- that the late votes, the mail-in votes were going 21 to favor Biden over Trump; correct? You knew that 22 going into the election? 23 MR. WEBB: Objection; form. 24 THE WITNESS: I think we all believed the postal 25 votes would tend to Biden.</p>

<p style="text-align: right;">51</p> <p>1 BY MR. NELSON: 2 Q. Would tend to Biden? 3 A. Not to change the election. 4 (Reporter clarification.) 5 THE WITNESS: Not to change to the election. 6 BY MR. NELSON: 7 Q. Do you believe that Dominion machines were 8 used in large -- excuse me. Let me rephrase. 9 Do you believe that Dominion machines were used 10 to trash large batches of votes that should have 11 been awarded to President Trump? 12 A. No. 13 Q. Have you ever seen any credible evidence to 14 suggest that Dominion machines were used to trash 15 large batches of votes that should have been awarded 16 to President Trump? 17 A. No. 18 Q. Have you ever believed that Dominion 19 machines were used to trash large batches of votes 20 that should have been awarded to President Trump? 21 A. No. 22 MR. WEBB: Objection; form. 23 BY MR. NELSON: 24 Q. Do you believe that Dominion machines were 25 used to inject and add massive quantities of votes</p>	<p style="text-align: right;">53</p> <p>1 BY MR. NELSON: 2 Q. Have you seen any credible evidence to 3 suggest that Dominion executives proceeded to go 4 about and essentially sell elections to the highest 5 bidder? 6 A. I've seen no evidence of that. 7 Q. You've never believed; correct -- 8 A. Correct. Correct. 9 Q. -- that Dominion executives proceeded to go 10 about and essentially sell elections to the highest 11 bidder? 12 A. No. 13 Q. You never believed it? 14 A. I never believed it. I never heard of it 15 before. 16 Q. Do you believe that Dominion was involved 17 in a broadly coordinated effort to actually bring 18 down President Trump by ending his second term 19 before it could begin? 20 MR. WEBB: Objection; form. 21 (Reporter clarification.) 22 MR. NELSON: By ending his second term before it 23 could begin? 24 MR. WEBB: Objection; form. 25 THE WITNESS: No.</p>
<p style="text-align: right;">52</p> <p>1 for Biden? 2 A. No. 3 Q. Have you ever seen any credible evidence to 4 suggest that Dominion machines were used to inject 5 and add massive quantities of votes for Biden? 6 MR. WEBB: Objection; form. 7 THE WITNESS: No. But haven't we answered that 8 before? 9 BY MR. NELSON: 10 Q. Have you ever believed that Dominion 11 machines were used to inject and add massive 12 quantities of votes to Biden? 13 A. No. 14 MR. WEBB: Objection; form. 15 BY MR. NELSON: 16 Q. Do you believe that Dominion -- 17 (Reporter clarification.) 18 THE WITNESS: I said no. 19 BY MR. NELSON: 20 Q. Do you believe that Dominion executives 21 proceeded to go about and essentially sell elections 22 to the highest bidder? 23 A. No. 24 MR. WEBB: Objection; form. 25</p>	<p style="text-align: right;">54</p> <p>1 BY MR. NELSON: 2 Q. Have you ever seen any credible evidence to 3 suggest that Dominion was involved in a broadly 4 coordinated effort to actually bring down President 5 Trump by ending his second term before it could 6 begin? 7 A. No. 8 Q. Have you ever believed that Dominion was 9 involved in a broadly coordinated effort to actually 10 bring down President Trump by ending his second term 11 before it could begin? 12 A. No. 13 MR. WEBB: Objection; form. 14 BY MR. NELSON: 15 Q. Do you believe that President Trump won by 16 so many votes he blew up the algorithm? 17 A. No. 18 Q. Have you ever seen any credible evidence to 19 suggest that President Trump won by so many votes he 20 blew up the algorithm? 21 A. No. 22 Q. Have you ever believed that President Trump 23 won so many votes he blew up the algorithm? 24 MR. WEBB: Objection; form. 25 THE WITNESS: No.</p>

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1 BY MR. NELSON:
 2 Q. Do you believe that anybody has found any
 3 credible evidence of machine fraud?
 4 MR. WEBB: Objection; form.
 5 THE WITNESS: No. I've seen no evidence.
 6 BY MR. NELSON:
 7 Q. Have you ever believed that anybody --
 8 A. No.
 9 Q. -- has found any credible evidence of
 10 machine fraud?
 11 A. No.
 12 MR. WEBB: Objection; form.
 13 (Reporter request.)
 14 BY MR. NELSON:
 15 Q. Do you believe that Sidney Powell is
 16 America's guardian angel of justice?
 17 A. No.
 18 Q. Do you believe that the 2020 election was a
 19 fraudulent election or there was, in fact, a massive
 20 fraud?
 21 MR. WEBB: Objection; form.
 22 THE WITNESS: Could you ask that again?
 23 BY MR. NELSON:
 24 Q. Do you believe that the 2020 election was a
 25 fraudulent election where there was, in fact, a

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1 massive fraud?
 2 A. No, I do not.
 3 MR. WEBB: Objection; form.
 4 BY MR. NELSON:
 5 Q. Have you seen any credible evidence to
 6 suggest that the 2020 presidential election was a
 7 fraudulent election where there was, in fact, a
 8 massive fraud?
 9 A. No.
 10 Q. Have you ever believed that the 2020
 11 election was a fraudulent election where there was,
 12 in fact, a massive fraud?
 13 A. No. I have never even studied it.
 14 Q. Do you believe that Joe Biden was
 15 legitimately elected president of the United States?
 16 A. Yes.
 17 Q. And you've known, since Fox called the
 18 election on November 7th, 2020, that --
 19 A. For Mr. Biden.
 20 Q. For Mr. Biden.
 21 -- that Mr. Biden was legitimately elected
 22 president of the United States; correct?
 23 A. Yes.
 24 Q. Do you believe it is a myth that the
 25 election was stolen from President Trump?

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1 MR. WEBB: Objection; form.
 2 THE WITNESS: No.
 3 BY MR. NELSON:
 4 Q. You -- you don't believe it is a myth?
 5 A. Ask the question? I'm sorry.
 6 MR. WEBB: Objection; form.
 7 BY MR. NELSON:
 8 Q. You do believe it's a myth?
 9 A. Do I --
 10 Q. It's incorrect that the election was stolen
 11 from President Trump; correct?
 12 MR. WEBB: Objection; form.
 13 THE WITNESS: It was not stolen.
 14 BY MR. NELSON:
 15 Q. It was not stolen.
 16 Do you believe President Trump was a sore loser?
 17 MR. WEBB: Objection; form.
 18 THE WITNESS: Question again, please.
 19 BY MR. NELSON:
 20 Q. Do you believe President Trump was a sore
 21 loser?
 22 MR. WEBB: Objection; form.
 23 THE WITNESS: Yes.
 24 BY MR. NELSON:
 25 Q. And you voted by mail-in ballot -- correct?

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1 -- in the 2020 presidential election?
 2 MR. WEBB: Objection. Objection; form.
 3 Well, let me interject. Mr. Nelson, I need to
 4 put on the record that, if you are asking him as to
 5 who he voted for --
 6 MR. NELSON: I'm not asking that question.
 7 MR. WEBB: Okay. I want to make sure you're
 8 not, at least at this point. That's all I'm saying.
 9 THE WITNESS: I voted by mail because I was not
 10 in the country at all during the election.
 11 BY MR. NELSON:
 12 Q. You understand there's nothing fraudulent
 13 about voting by mail; correct?
 14 A. I'm sure.
 15 [REDACTED]
 16 [REDACTED]
 17 [REDACTED]
 18 [REDACTED]
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED]
 22 [REDACTED]
 23 [REDACTED]
 24 BY MR. NELSON:
 25 Q. And we've gone through a whole list of

<p style="text-align: right;">59</p> <p>1 these allegations --</p> <p>2 A. You have.</p> <p>3 Q. -- about the 2020 -- yes. We -- we just</p> <p>4 discussed a whole list of allegations about the 2020</p> <p>5 presidential election.</p> <p>6 You've known from November 7th, when the</p> <p>7 election was called for Joe Biden, that, in your</p> <p>8 words, "This was stolen election bullshit"; correct?</p> <p>9 MR. WEBB: Objection; form of the question.</p> <p>10 THE WITNESS: The election was not stolen.</p> <p>11 BY MR. NELSON:</p> <p>12 Q. And you've known that since November 7th,</p> <p>13 2020; correct?</p> <p>14 MR. WEBB: Objection; form.</p> <p>15 THE WITNESS: I have assumed that.</p> <p>16 BY MR. NELSON:</p> <p>17 Q. And you've known from the beginning that,</p> <p>18 in your words, "it's a bunch of conspiracy</p> <p>19 nonsense"; right?</p> <p>20 MR. WEBB: Objection; form.</p> <p>21 THE WITNESS: Not from the beginning, no.</p> <p>22 BY MR. NELSON:</p> <p>23 Q. You've known from the beginning that these</p> <p>24 allegations were baseless; correct?</p> <p>25 MR. WEBB: Objection; form.</p>	<p style="text-align: right;">61</p> <p>1 article in your Wall Street Journal from</p> <p>2 November 3rd, 2020.</p> <p>3 Do you see that?</p> <p>4 A. Yes.</p> <p>5 Q. And, in this article, it reports that the</p> <p>6 Cybersecurity & Infrastructure Security Agency is</p> <p>7 beefing up its information sharing about the</p> <p>8 possibility of disinformation; right?</p> <p>9 A. Correct.</p> <p>10 Q. And you were aware that, as of the date of</p> <p>11 the election, government officials at all levels of</p> <p>12 government were concerned about false narratives of</p> <p>13 fraud emerging; correct?</p> <p>14 MR. WEBB: Objection; form.</p> <p>15 THE WITNESS: Yes.</p> <p>16 BY MR. NELSON:</p> <p>17 Q. And, sir, after the election, in the days</p> <p>18 that followed --</p> <p>19 A. I'm sorry?</p> <p>20 Q. -- in the days that followed --</p> <p>21 A. Yes.</p> <p>22 Q. -- there was something called Hammer and</p> <p>23 Scorecard, which was a theory about machine fraud.</p> <p>24 (Exhibit 3302 was marked for</p> <p>25 identification.)</p>
<p style="text-align: right;">60</p> <p>1 THE WITNESS: No. I -- I think courts decided</p> <p>2 that.</p> <p>3 BY MR. NELSON:</p> <p>4 Q. When did you realize that this was a bunch</p> <p>5 of conspiracy nonsense?</p> <p>6 A. I think sometime as the -- as the court</p> <p>7 actions all failed, and let me say when Attorney</p> <p>8 General Barr made his statement.</p> <p>9 Q. That was on December 1st, 2020.</p> <p>10 A. That's right.</p> <p>11 Q. That's what finally convinced you?</p> <p>12 A. That just closed it for me.</p> <p>13 MR. NELSON: So let's go off the record for a</p> <p>14 second.</p> <p>15 THE VIDEOGRAPHER: One moment, please.</p> <p>16 The time is 11:08 a.m., and we are going off the</p> <p>17 video record.</p> <p>18 (Recess.)</p> <p>19 (Exhibit 3301 was marked for</p> <p>20 identification.)</p> <p>21 THE VIDEOGRAPHER: The time is 11:29 a.m., and</p> <p>22 we are back on the video record.</p> <p>23 BY MR. NELSON:</p> <p>24 Q. Sir, you have in front of you a document</p> <p>25 that has been marked as Exhibit 3301. This is an</p>	<p style="text-align: right;">62</p> <p>1 BY MR. NELSON:</p> <p>2 Q. And in front of you has been marked as</p> <p>3 Exhibit 3302. And, sir, if you need more than a</p> <p>4 couple seconds, we can go off the record for you to</p> <p>5 review the document, or we can ask questions about</p> <p>6 that. Certainly up to you.</p> <p>7 MR. WEBB: I -- I've never had a deposition</p> <p>8 where we went off the record for him to review a</p> <p>9 document. I've never had it happen.</p> <p>10 MR. NELSON: Well, we have been doing it</p> <p>11 throughout this case.</p> <p>12 BY MR. NELSON:</p> <p>13 Q. But regardless, do you need time to review</p> <p>14 this document? Or should I go ahead and ask you</p> <p>15 questions about it?</p> <p>16 A. I'll just take a minute to look at it.</p> <p>17 MR. NELSON: We'll go off the record.</p> <p>18 THE VIDEOGRAPHER: The time --</p> <p>19 (Reporter clarification.)</p> <p>20 MR. WEBB: I don't agree to go off the record.</p> <p>21 MR. NELSON: We'll go off the record.</p> <p>22 THE VIDEOGRAPHER: The time is 11:31 a.m., and</p> <p>23 we are going off the video record.</p> <p>24 (Recess.)</p> <p>25 THE VIDEOGRAPHER: The time is 11:34 a.m., and</p>

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1 we are back on the video record.
 2 BY MR. NELSON:
 3 Q. Sir, do you know who Chris Krebs is? Do
 4 you know who Chris Krebs is?
 5 A. No.
 6 Q. You are aware that Chris Krebs was the
 7 director of the Cybersecurity & Infrastructure
 8 Security Agency; correct?
 9 A. Okay.
 10 Q. Did you know that at the time?
 11 A. No.
 12 Q. You were aware, sir, that the Department of
 13 Homeland Security was on the lookout and calling
 14 these claims of machine fraud nonsense soon after
 15 the election emerged; right?
 16 MR. WEBB: Objection; form.
 17 THE WITNESS: I'm not aware, but I'm happy to
 18 hear it.
 19 BY MR. NELSON:
 20 Q. Well, did you know at the time, sir?
 21 A. I was in England. I wasn't following it.
 22 Q. You weren't following the election?
 23 A. After the -- once I knew the result, that
 24 was it.
 25 Q. Once you knew the result on November 7th,

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1 that was it for you?
 2 A. Yes.
 3 Q. Because there was nothing else to concern
 4 yourself with at that point?
 5 MR. WEBB: Objection; form.
 6 THE WITNESS: No. We were talking then -- the
 7 news then was who would be in Biden's cabinet.
 8 BY MR. NELSON:
 9 Q. And the claims of massive machine fraud
 10 were ridiculous?
 11 MR. WEBB: Objection; form of the question.
 12 THE WITNESS: I didn't -- I didn't say that. I
 13 mean, there were occasional reports and stories
 14 about Giuliani and so on; but, no, I didn't follow.
 15 BY MR. NELSON:
 16 Q. It is fair to say you seriously doubted any
 17 claim of massive election fraud?
 18 A. Oh, yes.
 19 Q. And you seriously doubted it from the very
 20 beginning?
 21 MR. WEBB: Objection; form.
 22 THE WITNESS: Yes. I mean, we thought
 23 everything was on the up-and-up.
 24 I think that was shown when we announced
 25 Arizona.

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1 BY MR. NELSON:
 2 Q. And that was late night November 3rd, early
 3 November 4th; right?
 4 A. Yes. I was in Britain, and I got a call.
 5 Q. Tell me about that.
 6 [REDACTED]
 7 [REDACTED]
 8 [REDACTED]
 9 [REDACTED]
 10 [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 Q. And you never personally spoke to Trump
 14 that night?
 15 A. Hmm?
 16 Q. You never personally spoke to Trump that
 17 night?
 18 A. No.
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED]
 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED]
 25 [REDACTED]

66

1 [REDACTED]
 2 [REDACTED]
 3 [REDACTED]
 4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 7 [REDACTED]
 8 [REDACTED]
 9 [REDACTED]
 10 [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 [REDACTED]
 14 [REDACTED]
 15 [REDACTED]
 16 [REDACTED]
 17 [REDACTED]
 18 [REDACTED]
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED]
 22 Q. Were you involved in the call of Arizona
 23 prior to it being called?
 24 A. No.
 25 Q. When was the first time that you learned

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1 A. I don't remember reading this, but I don't
 2 argue with it.
 3 Q. Okay.
 4 And that was consistent with your testimony just
 5 now that --
 6 A. Yes.
 7 Q. -- in your mind -- yes.
 8 [REDACTED]
 9 [REDACTED]
 10 [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 [REDACTED]
 14 [REDACTED]
 15 [REDACTED]
 16 [REDACTED]
 17 Q. Okay. Let's just --
 18 (Exhibit 3304 was marked for
 19 identification.)
 20 MR. NELSON: We will mark as Exhibit 3304,
 21 FNN19_3552596.
 22 BY MR. NELSON:
 23 Q. And as we get that document, sir, you only
 24 recall that one phone conversation with --
 25 A. I do recall that. That's all.

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1 Q. Okay.
 2 [REDACTED]
 3 [REDACTED]
 4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 7 [REDACTED]
 8 [REDACTED]
 9 [REDACTED]
 10 (Exhibit 3304 was marked for
 11 identification.)
 12 MR. NELSON: Okay. Let's mark as Exhibit 3304.
 13 Q. Sir, this is an email from you to --
 14 A. Oh, yes, I do remember this now.
 15 Q. And this is a call that was separate from
 16 that call that night; correct?
 17 A. He must have called the next morning or
 18 something. I -- I don't remember.
 19 Q. And you're reporting that up to Suzanne
 20 Scott; right?
 21 A. Yes.
 22 Q. Why did you tell Ms. Scott this?
 23 A. Because she is responsible for the call,
 24 responsible for everything on Fox News.
 25 Q. And, sir --

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1 [REDACTED]
 2 [REDACTED]
 3 [REDACTED]
 4 Q. And if you had said, "Change the call,"
 5 would the call have been changed?
 6 MR. WEBB: Objection; form.
 7 THE WITNESS: Not necessarily. You know, we had
 8 a whole setup there of calling elections -- and I
 9 forget what we call that, but they are like
 10 sacrosanct, sir. There would have been a hell of a
 11 rub about it.
 12 BY MR. NELSON:
 13 Q. There would have been hell of a rub, but if
 14 you had said, "I insist, change the call" --
 15 A. I don't -- no.
 16 MR. WEBB: Wait -- wait a minute. Let's --
 17 MR. NELSON: Let me just finish the question.
 18 MR. WEBB: Go ahead and finish your question.
 19 BY MR. NELSON:
 20 Q. "There would have been a rub," in your
 21 words. But if you say, "I insist, change the call,"
 22 the call would have been changed?
 23 A. I would not do a thing like that.
 24 Q. You would not exercise your authority to do
 25 a thing like that?

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1 MR. WEBB: Objection; form.
 2 THE WITNESS: I would not do it.
 3 BY MR. NELSON:
 4 Q. Why not?
 5 A. Because I trust these people. I do not
 6 interfere in that sort of thing.
 7 Q. You thought that election day was a great
 8 day for America, did you not?
 9 A. I might have.
 10 [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 [REDACTED]
 14 [REDACTED]
 15 Q. You had heard, sir, that the family, the
 16 Trump family, was doubting the claims that
 17 President Trump was making; correct?
 18 A. I don't think -- I don't remember that.
 19 But it doesn't surprise me.
 20 Q. Okay. And then when Fox decided to call
 21 the election for President Biden -- then-Candidate
 22 Biden -- you were involved in crafting the language
 23 and the decision to call the presidency for Biden;
 24 correct?
 25 A. I was not involved.

75	<p>1 (Exhibit 3305 was marked for 2 identification.) 3 MR. NELSON: Okay. Let's mark as 4 Exhibit 3306 -- 3305, Fox Corp 54123. 5 MR. WEBB: Here, just give it to me. I -- I 6 will take care of it. Thank you. He -- the witness 7 has the exhibit in front of him now. 8 BY MR. NELSON: 9 Q. Sir, this is an email from you to 10 Ms. Suzanne Scott on November 6th, 2020, is it not? 11 A. Yes. 12 Q. And -- 13 A. Well, you know, these things you like to be 14 first. 15 Q. And you are suggesting when Fox should call 16 Pennsylvania in favor of Biden; correct? 17 A. Yes. Whenever -- I thought whenever 18 Pennsylvania is out of doubt, it is over. 19 Q. I'm sorry. I didn't hear that. 20 A. I thought that once it is declared that 21 Biden -- that Pennsylvania is declared for Biden, 22 the election is over. All doubt. 23 Q. All doubt. There is nothing more to talk 24 about? 25 A. Right.</p>	77	<p>1 Q. Why was it really bad that Rudy was 2 advising Trump? 3 A. It was a personal observation. I have 4 known Mr. Giuliani for 20 years when he was a very 5 good mayor of New York, but it has all been downhill 6 since. 7 Q. What do you mean by that, "it has been all 8 downhill since"? 9 MR. WEBB: Objection; form. 10 THE WITNESS: Well, I thought his judgment was 11 bad. 12 BY MR. NELSON: 13 Q. How was his judgment bad? 14 A. Well, he -- he became an extreme partisan. 15 Q. And because he became "an extreme 16 partisan," it worked his -- 17 A. I thought that it meant that he was giving 18 bad advice to Trump. 19 Q. And -- 20 A. But maybe it was what Trump wanted to hear 21 regardless. 22 Q. Contesting the election due to some massive 23 fraud at that point would be bad advice? 24 MR. WEBB: Objection; form of the question. 25 THE WITNESS: I thought the election was</p>
76	<p>1 Q. And then you are suggesting as well what to 2 say and when to make the call? If you go back to 3 that document, you say, "Call at 35,000"; correct? 4 A. Yes. That's right. 5 Q. And then you write her back soon after, do 6 you not? Exhibit 3306? 7 MR. WEBB: The witness now has 3306 in front of 8 him. 9 (Exhibit 3306 was marked for 10 identification.) 11 BY MR. NELSON: 12 Q. You say, "Second thoughts"; right? 13 A. "Maybe 50,000." I don't know. 14 Q. Maybe 50,000 to make the call; right? 15 A. Gigot is the editorial page editor of the 16 Journal, said it won't change Trump refusing to 17 concede. 18 Q. And then what do you say after that? 19 A. He -- "he's got to get some evidence." 20 Q. Some real evidence; right? 21 A. The fact that Rudy is advising Trump means 22 that it's really bad. 23 Q. And you agreed with that? That the fact 24 that Rudy was advising Trump was really bad? 25 A. Yes.</p>	78	<p>1 genuine, and it was bad advice to encourage him 2 being a bad loser. 3 BY MR. NELSON: 4 Q. Let's mark as Exhibit 3307 -- 5 And by the way, before we go off that document, 6 you did suggest that the language of the call, when 7 Fox News called the election, said, "subject to 8 litigation"; right? 9 A. Yeah. 10 Q. And, in fact, you are aware that, when Fox 11 News made that call the following day, it said that 12 they were "subject to litigation"; right? 13 MR. WEBB: Objection; form. 14 THE WITNESS: I don't know whether they said 15 that or not. 16 BY MR. NELSON: 17 Q. You would agree that you do give Ms. Scott 18 advice from time to time on matters regarding Fox 19 News? 20 A. Advice. 21 Q. Sorry. Was that a "Yes"? 22 A. Yes. I'm a journalist at heart. I like to 23 be involved in these things. 24 Q. And, sir, at one point, in fact, you said 25 you want to be first. At one point, you suggested</p>

79	<p>1 to your son Lachlan that perhaps we could have gone 2 first, but being second would save you from a Trump 3 explosion; right? 4 A. I didn't say that. 5 MR. WEBB: Objection. Form. 6 (Exhibit 3307 was marked for 7 identification.) 8 MR. NELSON: Let's mark as Exhibit 3307 -- 9 MR. WEBB: The witness has in front of him 10 exhibit marked 3307. 11 BY MR. NELSON: 12 Q. Sir, the bottom email on November 7th says 13 what? 14 A. What's the question? 15 Q. Can you read aloud that email that you 16 wrote your son Lachlan on November 7th? 17 A. Well, the first one, Lachlan wrote to me -- 18 Q. Well, remember we are reading from -- 19 A. And then I answered him -- oh -- 20 Q. We -- we are reading up; right? 21 So you wrote him first and said what? 22 A. "We should have and could have gone first 23 but at least being second saves us a Trump 24 explosion!" 25 Q. What did you mean by that?</p>	81	<p>1 Lachlan respond back? 2 A. "Good to be careful." 3 Q. And then he adds what? 4 A. Hmm? 5 Q. After that, what does he say? 6 A. He says, "We are still somewhat exposed in 7 Arizona" because the vote was getting a lot closer 8 and if we had miscalled it, which we didn't, but, 9 you know. 10 Q. You were exposed -- 11 A. The margin was coming right down. 12 Q. You were exposed in Arizona because of the 13 viewer backlash? 14 A. Hmm? No. 15 MR. WEBB: Objection; form of the question. 16 THE WITNESS: We were exposed if we proved 17 wrong. 18 BY MR. NELSON: 19 Q. Okay. 20 A. Because the margin for Biden was shrinking 21 and shrinking every day. 22 Q. Okay. 23 So just so the jury is clear, your testimony 24 today under oath is that you were not exposed on 25 Arizona because of the fear of viewer backlash; is</p>
80	<p>1 A. Hmm? 2 Q. What did you mean it "saves us a Trump 3 explosion!"? 4 A. Well, Trump still had a huge following; 5 and, you know, when he gets mad, he stirs people up. 6 No. Just that. 7 Q. And -- 8 A. I mean, you would rather not have Trump as 9 an enemy. He was still president. 10 Q. Why would you rather not have Trump as an 11 enemy? 12 A. Hmm? 13 MR. WEBB: Objection; form of the question. 14 THE WITNESS: Nobody wants Trump as an enemy. 15 BY MR. NELSON: 16 Q. Why not? 17 A. Because he had a great following, big 18 following. 19 Q. And you didn't want to do anything to upset 20 him? 21 A. Seventy-five million people voted for him. 22 MR. WEBB: Object to the form of the question. 23 BY MR. NELSON: 24 Q. And what does Mr. Lachlan Murdoch, your 25 son, respond back to you? What does your son</p>	82	<p>1 that right? 2 A. No backlash, no. 3 MR. WEBB: Objection -- slow down -- objection. 4 Form of the question. 5 THE WITNESS: We were exposed because we didn't 6 want to be wrong. 7 Can you hear that? 8 THE STENOGRAPHIC REPORTER: Thank you, sir. 9 BY MR. NELSON: 10 Q. And, sir, right after the election, you 11 also reached out to other elected officials; 12 correct? 13 A. I don't think so. I don't remember. 14 Q. You spoke to Mitch McConnell? 15 A. Possibly. Oh, wait a minute. Yes, we were 16 talking about that -- control of the Senate. I 17 have -- I did discuss that with him. 18 Q. And -- 19 A. And he -- and then I think I congratulated 20 him. And he said, "We don't know. We're watching 21 that Georgia situation." 22 Q. And you were happy about the election 23 result on November 4th, thinking that the 24 Republicans had won the Senate because there would 25 be no more crazy stuff, but the Senate would be a</p>

87

1 Q. Ms. Brooks.
 2 A. Looks like it. That would have been
 3 delivered to my front door, regardless.
 4 Q. And, sir, you thought that, if Trump were
 5 to lose, it's better that it be decisive so he can't
 6 argue endlessly; correct?
 7 A. Of course.
 8 Q. Why did you think that it was better to be
 9 decisive so that he can't argue endlessly?
 10 A. I would have thought that was common sense.
 11 Q. What do you mean by it's "common sense"?
 12 MR. WEBB: Objection; form.
 13 THE WITNESS: If -- if it was decisive, it would
 14 be beyond argument, beyond rational argument.
 15 BY MR. NELSON:
 16 Q. And, sir, did you try to put in a call to
 17 Donald Trump in the days following the election?
 18 A. Did I what?
 19 Q. Try to call Mr. Trump in the days following
 20 the election?
 21 A. No. No.
 22 Q. Okay. Let's mark --
 23 A. I was not close to him.
 24 (Exhibit 3309 was marked for
 25 identification.)

88

1 MR. NELSON: We will get into that in a little
 2 bit.
 3 This is Exhibit 3309.
 4 MR. WEBB: The witness now -- we put in front of
 5 him Exhibit 3309.
 6 BY MR. NELSON:
 7 Q. And, sir, I am going to ask you a -- a few
 8 questions about this. So let's go off the record as
 9 we -- you review it, and I will ask you questions
 10 about afterwards.
 11 THE VIDEOGRAPHER: The time is 12:09 p.m., and
 12 we are going off the video record.
 13 (Recess.)
 14 THE VIDEOGRAPHER: The time is 12:16 p.m., and
 15 we back on the record.
 16 BY MR. NELSON:
 17 Q. And, sir, you've had an opportunity to
 18 review this article in the i; right?
 19 A. Yes. It's a --
 20 Q. And, sir --
 21 A. Yes. Go ahead.
 22 Q. You were aware that Donald Trump and the
 23 Trump White House was not happy with the call of Fox
 24 for Joe Biden in Arizona; right?
 25 A. Oh, very much aware.

89

1 Q. And the top of the second page, sir, states
 2 that you spoke to Mr. Trump and told him that he had
 3 lost.
 4 Do you see that?
 5 A. I think that's wrong.
 6 Q. And did you speak to anybody in the Trump
 7 White House or the Trump family and convey the
 8 message --
 9 A. No.
 10 Q. -- that Trump had lost?
 11 A. No. I don't remember.
 12 Q. And --
 13 A. Certainly not him.
 14 [REDACTED]
 15 [REDACTED]
 16 [REDACTED]
 17 [REDACTED]
 18 And, sir, the second paragraph states that you
 19 were "dismayed by Mr. Trump's inappropriate conduct
 20 since the polls closed." That is true; correct?
 21 A. Yes.
 22 Q. And the bottom, in that same second page,
 23 states that you put in a call to Mitch McConnell.
 24 Do you see that?
 25 A. It says that I made a call to

90

1 Mr. McConnell, yes.
 2 Q. And you did make a call to Mr. McConnell.
 3 We established that; right?
 4 MR. WEBB: Objection; form of the question.
 5 THE WITNESS: Yes.
 6 BY MR. NELSON:
 7 Q. And in that call, this article states that
 8 you urged him to ask other senior Republicans to
 9 refuse to endorse Mr. Trump's conspiracy theories
 10 and baseless claims of fraud.
 11 Do you see that?
 12 A. I don't remember it specifically, but it is
 13 probably true.
 14 Q. And, sir, the next page discusses Chris
 15 Christie's comments on ABC News saying that,
 16 basically, there's no basis to make the argument
 17 about Mr. Trump's claims of victory?
 18 A. Yes.
 19 Q. And you agreed with that at that time;
 20 correct?
 21 A. I didn't hear Mr. Christie but sure.
 22 Q. And going now to the middle of the
 23 second -- excuse me, the middle of the fourth page
 24 after the picture of Ms. Ivanka Trump, you see the
 25 paragraph starting, "Sources close to Mr. Murdoch"?

91

1 This article states that you had come to the
2 view that Mr. Trump's time in office might be
3 approaching an end about six months previous to the
4 election.
5 Do you see that?
6 A. That would be accurate. Well, in the
7 middle of the COVID troubles and --
8 Q. And that's an accurate reflection that --
9 A. I think it's -- I guess so.
10 Q. You think it is correct?
11 MR. WEBB: Objection; form.
12 THE WITNESS: It is true, I guess, that we were
13 worried about the outcome of the election. I did.
14 We didn't know about Mr. Biden and a lot of things.
15 (Reporter clarification.)
16 THE WITNESS: We were worried that Mr. Trump
17 would lose the election and what Mr. Biden may do.
18 BY MR. NELSON:
19 Q. And the next sentence says, "Subsequently,
20 Fox News's stance towards Joe Biden began to soften
21 slightly."
22 Do you see that?
23 A. Yes.
24 Q. And it's true around that time Fox News's
25 stance towards Joe Biden began to soften slightly;

93

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

92

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED] question.
25 THE WITNESS: Ask it again?

94

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

103

1 Sean spoken to POTUS yet? And his opinion?" He's
 2 referring to Sean Hannity.
 3 Q. Speaking to President Trump?
 4 A. He had a closer relationship with Trump
 5 than anyone else.
 6 Q. You knew that Mr. Hannity had a close
 7 relationship with Mr. Trump?
 8 A. He used to speak to him.
 9 Q. And you were aware that Mr. Hannity was
 10 giving advice to Mr. Trump?
 11 A. I don't know.
 12 Q. Why did you ask Ms. Scott if Sean had
 13 spoken to POTUS?
 14 A. Yes. And what was his opinion of this
 15 because it's interesting.
 16 Q. And why was it interesting?
 17 A. Because he -- you would hear from him what
 18 Trump was saying.
 19 Q. Okay.
 20 MR. NELSON: Well, let's see what Ms. Scott says
 21 in response. This is Exhibit 3314.
 22 (Exhibit 3314 was marked for
 23 identification.)
 24 MR. WEBB: 3314. This is 3314 -- is with the
 25 witness.

104

1 BY MR. NELSON:
 2 Q. And, sir, Ms. Scott tells you that Georgia
 3 widens but it's a dead heat.
 4 A. "Georgia widens but still a dead heat and
 5 will be pushed to a recount. Sean getting off
 6 radio, so no update, but he seems to understand
 7 where he's heading" -- "this is heading. Will
 8 continue focus on the litigation for now."
 9 Q. When Ms. Scott told you Sean seems to
 10 understand --
 11 A. "I told him he should pivot to the wins for
 12 the Republicans and Senate fight in Georgia."
 13 That's Ms. -- Ms. -- Ms. Scott is telling me
 14 this, and I say good.
 15 Q. And, sir, when Ms. Scott tells you that
 16 Sean Hannity seems to understand where this is
 17 heading, what did you take that to mean?
 18 A. To a loss for Mr. Trump, a change of
 19 administration.
 20 Q. That Sean understood that Mr. Trump had --
 21 A. I'm sorry.
 22 Q. -- lost?
 23 A. I think we are talking about the Georgia
 24 runoff.
 25 Q. Well, remember you are asking --

105

1 A. "George widens but still a dead heat."
 2 Q. You are asking below, "Has Sean spoken to
 3 POTUS yet?"; right?
 4 A. Yes.
 5 Q. And Ms. Scott reports to you about what she
 6 believes Mr. Hannity is thinking; correct?
 7 A. What Mr. Hannity was thinking?
 8 Q. Yes.
 9 A. Well, he obviously wasn't available. He
 10 was in his radio show; but, okay, yes.
 11 (Reporter clarification.)
 12 THE WITNESS: The first sentence is referring to
 13 the Georgia runoff election. The second sentence
 14 includes the words that "Sean seems to understand
 15 where this is heading and will continue to focus on
 16 the litigation for now."
 17 Q. And that's a reference to -- he understands
 18 that Trump has lost?
 19 A. Yes.
 20 Q. And, sir, on --
 21 A. That's what it seems to say.
 22 Q. -- on November 7th, you had another
 23 exchange with Mr. Allan of the New York Post after
 24 the presidency was declared for Mr. Biden.
 25 And do you recall that day that Mr. Giuliani

106

1 [REDACTED]
 2 [REDACTED]
 3 [REDACTED]
 4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 7 [REDACTED]
 8 [REDACTED]
 9 [REDACTED]
 10 [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 [REDACTED]
 14 [REDACTED]
 15 [REDACTED]
 16 [REDACTED]
 17 [REDACTED]
 18 [REDACTED]
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED]
 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED] in front of him
 25 Exhibit 3315, and you may proceed.

107

1 [REDACTED]
 2 [REDACTED]
 3 [REDACTED]
 4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 7 [REDACTED]
 8 [REDACTED]
 9 [REDACTED]
 10 [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 [REDACTED]
 14 [REDACTED]
 15 [REDACTED]
 16 [REDACTED]
 17 [REDACTED]
 18 [REDACTED]
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED]
 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED] been for a while. I
 25 think booze has got him."

109

1 something Donald might see?" It says -- the 12:26
 2 email?
 3 A. Yes. "Should we say something Donald might
 4 see?"
 5 Q. What did you mean by that?
 6 A. Well, something he might read in the paper.
 7 Q. You understood that you could effectively
 8 communicate with Mr. Trump through your editorials?
 9 A. Not really.
 10 Q. Well, you thought at this point that
 11 Mr. Trump might see the editorial; right?
 12 A. Yes. Or maybe an article by Michael
 13 Goodwin, he followed, I think.
 14 (Reporter clarification.)
 15 THE WITNESS: Michael Goodwin.
 16 BY MR. NELSON:
 17 Q. And Mr. Allan says, "About Rudy?" at
 18 12:27 p.m.; right?
 19 A. Yes.
 20 Q. And then you respond, "Yes. In addition or
 21 within your big statement."
 22 Do you see that?
 23 A. Yes.
 24 Q. That's a reference --
 25 A. There is something in between that but yes.

108

1 [REDACTED]
 2 [REDACTED]
 3 [REDACTED]
 4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 7 [REDACTED]
 8 [REDACTED]
 9 [REDACTED]
 10 [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 [REDACTED]
 14 [REDACTED]
 15 [REDACTED]
 16 [REDACTED]
 17 [REDACTED]
 18 [REDACTED]
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED]
 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED]
 25 [REDACTED]

110

1 Q. That is a reference to the editorial that
 2 the New York Post was in the process of preparing
 3 that we saw just in the prior emails; correct?
 4 A. Yes.
 5 Q. And, in fact, the New York Post did prepare
 6 a draft editorial about this very subject; right?
 7 A. I assume so.
 8 Q. And you edited it, didn't you?
 9 A. I don't remember that. It is quite
 10 possible.
 11 (Exhibit 3318 was marked for
 12 identification.)
 13 BY MR. NELSON:
 14 Q. Okay. Let's go to Exhibit 3318.
 15 MR. WEBB: Okay. Exhibit 3318 is now with the
 16 witness. You may ask your next question.
 17 BY MR. NELSON:
 18 Q. The bottom email, sir, is the draft itself.
 19 A. I see.
 20 Q. And the top email is your line edits, for
 21 lack of a better word; correct?
 22 A. Hmm?
 23 Q. The top email on this is your line edits,
 24 for lack of a better word, to the editorial; right?
 25 A. Oh, yes. I said -- oh, it went to Lachlan.

111

1 I say, "few typos. Example, return, not retain"

2 -- "retain." "I would describe China as a dangerous

3 rival. Their GDP now equal." I think that's --

4 hindsight, that's wrong.

5 "Per capita is still only 25 percent."

6 Q. And what does -- going back to the

7 editorial itself, what does the first paragraph of

8 that draft say at the bottom?

9 A. Wait a minute, it's down at the bottom.

10 Q. Yeah.

11 A. It's from the deputy editor to Col Allan.

12 He is saying, "The math is now looking

13 near-impossible for Trump to win reelection," et

14 cetera.

15 Q. Keep on reading that first paragraph,

16 please.

17 A. You don't want that bit, do you?

18 Q. Out loud, if you don't mind?

19 A. He is included.

20 Q. I'm sorry. Could you just read the first

21 paragraph of that draft editorial, please?

22 A. Hmm?

23 Q. Could you read aloud the first paragraph?

24 A. Oh, you want me to read aloud?

25 Q. Yes.

112

1 A. "The math is looking near-impossible for

2 President Trump to win re-election. But he should

3 take pride in what's done for the nation and the

4 world these last four years. It is a legacy he

5 could easily run on in 2024 -- if he quits the

6 conspiracy-addled talk of a 'stolen' election."

7 Q. And that's what you believe too -- that it

8 was at this point --

9 A. I agree with that.

10 Q. Yeah. And if you go to the second to last

11 paragraph of the entire document.

12 A. It is on the third page.

13 Q. Yes, sir.

14 A. [As read] But the president's aides have

15 shown no evidence the election has 'stolen.' Where

16 Trump won several key states by razor-thin margins

17 to take the White House, seems to have done the --

18 Biden seems to have done the same thing. It

19 undermines faith in Democracy, faith in the nation,

20 to push baseless conspiracies. Get Rudy Giuliani

21 off TV.

22 Q. Thank you.

23 And you agree, sir, that it does undermine faith

24 in democracy and faith in the nation to push

25 baseless conspiracies?

113

1 A. You just read me the last sentence?

2 Q. You agree with that sentence as written --

3 "that it undermines faith in democracy" --

4 A. Yes.

5 Q. -- and "faith in the nation, to push

6 baseless conspiracies"; right?

7 A. Yes.

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 Q. And, sir, that draft editorial eventually

13 did make its way to publication; correct?

14 A. Yes.

15 Q. And you are aware that this editorial with

16 which you agreed was published on November 7th;

17 correct?

18 MR. WEBB: So the witness has in front of him

19 Exhibit 3319, and you may proceed.

20 (Exhibit 3319 was marked for

21 identification.)

22 THE WITNESS: That's a photograph of him as it

23 appeared.

24 BY MR. NELSON:

25 Q. Right. And you are aware that this

114

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

115

1 [REDACTED]
 2 [REDACTED]
 3 [REDACTED]
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 5 [REDACTED]
 6 [REDACTED]
 7 [REDACTED]
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 19 [REDACTED]
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 21 [REDACTED]
 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED]
 25 [REDACTED]

117

1 Ms. Powell said and then later on what Mr. Giuliani
 2 said.
 3 Q. Right. Right. It is reporting on what she
 4 said?
 5 A. Yes.
 6 Q. And at that press conference, she was
 7 making these crazy accusations; right?
 8 MR. WEBB: Objection; form of the question.
 9 THE WITNESS: You keep describing them as
 10 "crazy," but I'd even concede. Though I don't have
 11 any evidence that they were right. So I assume they
 12 were wrong.
 13 BY MR. NELSON:
 14 Q. My point is, is that you were aware of the
 15 press conference as it happened, sir; right?
 16 MR. WEBB: Objection; form of the question.
 17 THE WITNESS: No. I read about it.
 18 BY MR. NELSON:
 19 Q. You read about it in the Wall Street
 20 Journal?
 21 A. Hmm?
 22 Q. You read about it in the Wall Street
 23 Journal?
 24 A. I don't know, but it was reported widely.
 25 Q. And you did comment on the press

116

1 [REDACTED]
 2 [REDACTED]
 3 [REDACTED]
 4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 7 [REDACTED]
 8 [REDACTED]
 9 [REDACTED]
 10 [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 [REDACTED]
 14 [REDACTED]
 15 [REDACTED]
 16 [REDACTED]
 17 [REDACTED]
 18 [REDACTED]
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED]
 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED] right?
 25 A. It is just reporting the fact of what

118

1 conference, did you not?
 2 A. I'm sure.
 3 (Exhibit 3326 was marked for
 4 identification.)
 5 MR. NELSON: Okay. Let's go to the next
 6 exhibit, which is FNN011_104855. This is an email
 7 from you to Ms. Suzanne Scott.
 8 MR. WEBB: Exhibit 3326 is now with the witness.
 9 BY MR. NELSON:
 10 Q. Sir, the subject says what?
 11 A. I was in London; so it would have been
 12 10:00 p.m. in -- with Ms. Scott.
 13 Q. And the subject is "Giuliani"; right?
 14 A. Hmm?
 15 Q. The subject says "Giuliani"?
 16 A. Yes.
 17 Q. This is a reference to the press conference
 18 that had just concluded?
 19 A. It must have been.
 20 Q. And what do you say, sir?
 21 A. I said, "Terrible stuff damaging everybody,
 22 I fear. Probably hurting us too."
 23 Q. Why did you think that it was hurting you?
 24 A. "Us" being Fox News.
 25 Q. Why did you think it was hurting Fox News?

119	<p>1 A. Because our viewers were certainly Trump 2 voters. 3 Q. Well, why would that hurt Fox News? 4 A. Well, you saw the leadership of them. 5 Mr. Giuliani representing the leadership, talking 6 nonsense. 7 Q. And Ms. Scott responds to your email, does 8 she not? 9 A. I haven't seen it. 10 Q. In fact, she told you that Hannity and 11 Jeanine Pirro agree with your assessment that it was 12 terrible stuff, did she not? 13 A. I don't know. 14 (Exhibit 3321 was marked for 15 identification.) 16 MR. NELSON: 3321. 17 MR. WEBB: Exhibit 3321 is with the witness. 18 THE WITNESS: Okay. Yes. 19 BY MR. NELSON: 20 Q. And what did she tell you, sir? 21 A. [As read] Sean and even Pirro agree. 22 Spoke to Hope, and it will be her pitch. Will 23 update you tomorrow. 24 Q. And that was your assessment and 25 Ms. Scott's assessment and Mr. Hannity's assessment</p>	121	<p>1 results sounds ridiculous"; right? 2 A. Yes. 3 Q. And you add, "There'd be riots like never 4 before"? 5 A. Right. 6 Q. You agree with that, sir? 7 A. Yes. 8 Q. And because that would be overturning a 9 free and fair election; right? 10 A. Yes. 11 Q. And then you say you just watched the 12 Giuliani press conference. In your email, you 13 described how you had just watched the Giuliani 14 press conference; correct? 15 A. I said these things here. 16 Q. You called it "stupid and damaging," sir? 17 A. Yes. 18 Q. And -- 19 A. Trump and -- I said -- I wrote, "Stupid and 20 damaging. The only one encouraging Trump and 21 misleading him." 22 Q. And then what did you say after that, sir? 23 A. "Both increasingly mad." 24 Q. You thought that -- 25 A. "The real danger is what he might do as</p>
120	<p>1 and Ms. Pirro's assessment? 2 A. Yes. 3 Q. That it was terrible stuff? 4 A. Damaging. 5 Q. Damaging? 6 A. Yes. 7 Q. And, sir, you are also aware, during this 8 time frame, that this idea that state legislatures 9 could change the result of the election was 10 ridiculous; right? 11 MR. WEBB: Objection; form of the question. 12 THE WITNESS: I might have said that. 13 (Exhibit 3322 was marked for 14 identification.) 15 MR. NELSON: Okay. Well, let's go to 16 Exhibit 3322, Fox Corp 60779. 17 MR. WEBB: Okay. The witness has Exhibit 3322 18 in front of him. 19 BY MR. NELSON: 20 Q. And you are writing Mr. Saad Mohseni. 21 A. Mohseni. 22 Q. And who is he, sir? 23 A. He is an Australian friend who had the 24 television stations in Afghanistan. 25 Q. And you say, "State legislatures changing</p>	122	<p>1 president. Apparently not sleeping and bouncing off 2 walls! Don't know about Melania, but kids no help." 3 So there it is. 4 Q. You thought that Trump was going 5 increasingly mad as of November 19th, 2020? 6 MR. WEBB: Objection; form. 7 THE WITNESS: I said apparently he's not 8 sleeping and bouncing off walls. 9 BY MR. NELSON: 10 Q. You said he was going increasingly mad, 11 sir? 12 A. Oh, yes, I did, just the sentence before. 13 Q. And you thought Giuliani was going 14 increasingly mad as well, sir? 15 A. Yes. 16 Q. And, in fact, you described it to your CEO 17 of News Corporation, Mr. Thomson, as "really crazy 18 stuff"; correct? 19 A. I'm sure. 20 Q. And you described it as damaging as well; 21 correct? 22 A. Yes. 23 Q. And, in fact, sir, in the Wall Street 24 Journal -- well, let me back up. 25 The Wall Street Journal editorial page, can you</p>

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1 please describe whether you set the tone of the Wall
 2 Street Journal editorial page?
 3 A. The tone is set by Mr. Gigot, who has been
 4 the editor of that. I would describe him as
 5 conservative, independent, not Republican or
 6 Democrat, believes in free markets. For instance,
 7 really attacked Trump for having tariffs and all the
 8 arguments about that.
 9 Q. And you trust Mr. Gigot -- Gigot's
 10 judgment; correct?
 11 A. Absolutely. I don't interfere.
 12 Q. And will you talk to him about what it runs
 13 -- the editorial page?
 14 A. Never. I might ring him, congratulate him.
 15 Q. And you will read them?
 16 A. Hmm?
 17 Q. You will read the editorial page?
 18 A. I read them every day.
 19 Q. And on November 17th, the editorial page,
 20 led by Mr. Gigot, wrote an editorial about Dominion
 21 Voting Systems, did it not?
 22 A. I don't remember but if you say so.
 23 Q. Well, we will look at it, sir.
 24 MR. WEBB: Sir, so Mr. Murdoch has in front of
 25 him 3323. You may proceed.

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1 (Exhibit 3323 was marked for
 2 identification.)
 3 BY MR. NELSON:
 4 Q. This is the editorial that appeared in your
 5 newspaper, the Wall Street Journal, on
 6 November 17th, 2020; correct?
 7 A. Yes. Okay.
 8 Q. This is the editorial that appeared in your
 9 newspaper, the Wall Street Journal, on
 10 November 17th, 2020; correct?
 11 A. Yes.
 12 Q. And --
 13 A. It is a very thoughtful examination of the
 14 whole situation.
 15 Q. How is it thoughtful, sir?
 16 A. Well, it goes into great detail about
 17 voting machines and the allegations about Venezuela
 18 and so on.
 19 Q. And it rejects the allegations; right?
 20 A. Hmm? Oh, yeah, absolutely.
 21 Q. And you agree with that, right?
 22 MR. WEBB: Objection; form.
 23 THE WITNESS: Yes.
 24 BY MR. NELSON:
 25 Q. And what does that --

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1 A. Well, it seems reasonable.
 2 Q. What did that -- what does that first
 3 paragraph say, sir? Can you read that aloud?
 4 A. Voters cast --
 5 Q. That's -- that's --
 6 A. I'm sorry. "President Trump has so far
 7 been unwilling to concede to Joe Biden, and his
 8 latest argument is that the voting machines must
 9 have been rigged. Where's the evidence? Strong
 10 claims need strong proof, not rumors and innuendo on
 11 Twitter."
 12 Q. And you agree with that, sir?
 13 A. Yes.
 14 Q. In fact, you agreed that there was no
 15 evidence at this point for this serious charge that
 16 the voting machines must have been rigged; right?
 17 MR. WEBB: Objection; form of the question.
 18 THE WITNESS: I agree there was no substantial
 19 evidence.
 20 BY MR. NELSON:
 21 Q. In fact, the Wall Street Journal editorial,
 22 in that first paragraph, asks, "Where is the
 23 evidence?"; right?
 24 A. Yes.
 25 Q. You asked that same question to

126

1 [REDACTED]
 2 [REDACTED]
 3 [REDACTED]
 4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 7 [REDACTED]
 8 [REDACTED]
 9 [REDACTED]
 10 [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 [REDACTED]
 14 [REDACTED]
 15 [REDACTED]
 16 [REDACTED]
 17 [REDACTED]
 18 [REDACTED]
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED]
 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED]
 25 [REDACTED]

127

1 [REDACTED]
 2 [REDACTED]
 3 [REDACTED]
 4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 7 [REDACTED]
 8 [REDACTED]
 9 [REDACTED]
 10 [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 [REDACTED]
 14 [REDACTED]
 15 [REDACTED]
 16 [REDACTED]
 17 [REDACTED]
 18 [REDACTED]
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED]
 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED]
 25 [REDACTED]

129

1 Rob Blagojevich and Tom Fitton filling the air --
 2 airwaves Saturday and Sunday.
 3 Q. All right. Thank you, sir. And you were
 4 aware --
 5 A. Hmm?
 6 Q. You were aware at this time that Sidney
 7 Powell was going on TV to spread her claims?
 8 MR. WEBB: Objection; form of the question.
 9 THE WITNESS: She's doing it on C -- CNN.
 10 BY MR. NELSON:
 11 Q. Well, there is a CNN article about it?
 12 A. Hmm?
 13 Q. It is a CNN article about it?
 14 A. Oh, I see. Sorry. CNN was reporting that
 15 she was on Newsmax.
 16 Q. Right. And, sir, you were also aware --
 17 were you not? -- that those same guests were
 18 appearing on Fox News during this time frame?
 19 MR. WEBB: Objection; form of the question.
 20 THE WITNESS: I was not aware.
 21 MR. NELSON: Let's go to the next exhibit.
 22 THE WITNESS: I think I was aware that maybe
 23 Alan Dershowitz had appeared and probably Rudy
 24 Giuliani.
 25 ///

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1 Q. You heard about it, didn't you?
 2 A. Not contemporaneously.
 3 (Exhibit 3325 was marked for
 4 identification.)
 5 MR. NELSON: Okay. Let's go to the next
 6 exhibit, which is Exhibit 3325. And, sir --
 7 MR. WEBB: The witness now has before him which
 8 you marked as Exhibit 3325, and you may proceed.
 9 BY MR. NELSON:
 10 Q. And, sir, this is --
 11 A. It is the 23rd of November from -- oh,
 12 sorry, from me to Suzanne Scott, subject "From CNN."
 13 Q. And it discuss --
 14 A. And that was a message from -- sent to me
 15 by Preston Padden, quoting someone called Oliver
 16 Darcy.
 17 [As read] I spent several hours watching Newsmax
 18 over the weekend, and I feel comfortable saying that
 19 right now the network is producing some compelling
 20 programs -- more compelling than Fox. If you are
 21 looking for pro-Trump talk shows, Newsmax is the
 22 place to be. Much of the content is conspiratorial
 23 and fact-free, but the bookers are great at
 24 appealing to Trump supporters, with guests like
 25 Sidney Powell, Lin Wood, and Alan Dershowitz, and

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1 BY MR. NELSON:
 2 Q. You were aware that Rudy Giuliani was
 3 appearing on Fox?
 4 A. No. I just assumed he would be there.
 5 Q. Why did you assume that he would be there?
 6 A. Because he liked to appear, and he -- he
 7 was pushing something. We were just reporting that
 8 this is what Trump and his lawyers were saying.
 9 They were the ones saying it.
 10 Q. And you were aware that Fox News was having
 11 these people appear on the television under Fox's
 12 banner to spread these charges?
 13 MR. WEBB: Objection; form of the question.
 14 THE WITNESS: We -- I'm sorry.
 15 We report the news, and we have dozens of people
 16 a day on the channels that are talking about the
 17 news.
 18 And this was big news. The President of the
 19 United States was making wild claims, but that is
 20 news.
 21 BY MR. NELSON:
 22 Q. Right. And it was a conscious decision of
 23 Fox News to put these people on the air?
 24 MR. WEBB: Objection; form of the question.
 25 THE WITNESS: It was just a running story. They

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1 were the spokespersons for that side of the story.
 2 BY MR. NELSON:
 3 Q. And you made a decision to keep on putting
 4 them on your air?
 5 A. No.
 6 MR. WEBB: Objection.
 7 THE WITNESS: I didn't make any decision.
 8 BY MR. NELSON:
 9 Q. Fox News made the decision to keep --
 10 A. These things are on a rolling-day business,
 11 and there's a big story that the President of the
 12 United States was saying things. Well, whoever is
 13 President of the United States, whatever he says is
 14 news, and it is reported.
 15 Q. I'm not asking whether it is newsworthy or
 16 not. We will get to that, sir. My question is: It
 17 was a decision that Fox News made to host these
 18 people?
 19 A. No. No. I --
 20 MR. WEBB: Objection; form of the question.
 21 THE WITNESS: Not as such --
 22 BY MR. NELSON:
 23 Q. It wasn't a decision to host these people?
 24 A. Hmm?
 25 Q. It wasn't a decision?

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1 [REDACTED]
 2 [REDACTED]
 3 [REDACTED]
 4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 7 [REDACTED]
 8 [REDACTED]
 9 [REDACTED]
 10 [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 [REDACTED]
 14 [REDACTED]
 15 [REDACTED]
 16 [REDACTED]
 17 [REDACTED]
 18 [REDACTED]
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED]
 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED]
 25 [REDACTED]

133

1 not? -- that appeared on the site Mediaite; right?
 2 A. Preston Padden is a -- used to work for me,
 3 a Republican, but very anti-Trump.
 4 Q. And he sent you a link?
 5 A. Hmm?
 6 Q. He sent you a link to a story, did he not?
 7 A. Yes.
 8 Q. And you read that story?
 9 A. I don't think so. I might have.
 10 Q. Okay.
 11 Well, let's look at that story. And I only have
 12 my marked-up --
 13 A. I don't take Mediaite as a -- as an
 14 authority on anything.
 15 Q. Okay. Well, we will get to that, sir.
 16 This is an -- this is that Mediaite article.
 17 This is my highlighted version. We will get a copy
 18 on the record later. Don't mark that because
 19 it's --
 20 MR. WEBB: Do you want this as an exhibit number
 21 to show him?
 22 MR. NELSON: Not yet because I don't have the
 23 exhibit number yet. So --
 24 MR. WEBB: Okay. What do you want me to do?
 25 MR. NELSON: Just -- if you can show it to him

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1 to refresh his recollection. We will introduce it
 2 as an exhibit later.
 3 MS. PEASLEE: On the next break, we will print
 4 off clean copies.
 5 BY MR. NELSON:
 6 Q. Sir, that's that Mediaite article. You can
 7 compare it; right? You would agree with me that's
 8 the Mediaite article that's referenced there?
 9 MR. WEBB: Objection to the form of the
 10 question.
 11 THE WITNESS: Yes.
 12 BY MR. NELSON:
 13 Q. And that article talks about the conspiracy
 14 theories being shown on Fox News, does it not? And
 15 if you need time to go over the article, we can go
 16 off the record, sir.
 17 A. This is typical Mediaite. It is certainly
 18 not true.
 19 Q. And on that second page, sir, it describes
 20 the appearances that Sidney Powell and Rudy Giuliani
 21 were making on Fox News; correct?
 22 MR. WEBB: Objection; form.
 23 THE WITNESS: I don't see that. I don't see --
 24 oh, I'm sorry, in the middle.
 25 The paragraph that Maria had invited Sidney

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1 Powell and Rudy on her show and they made unproven
 2 theories. So I suppose it is okay.
 3 BY MR. NELSON:
 4 Q. They had made these conspiracy theory
 5 allegations; correct?
 6 A. That's what it says.
 7 Q. And --
 8 A. And they were saying that Trump was the
 9 true winner.
 10 Q. And, in fact, you read that article, did
 11 you not?
 12 A. No. No.
 13 Q. You laugh. Why do you laugh?
 14 A. I didn't read it.
 15 MR. WEBB: Objection; form of the question.
 16 BY MR. NELSON:
 17 Q. It is your testimony under oath?
 18 A. I do not read Mediaite.
 19 Q. Uh-huh. And you have called Sidney
 20 Powell "a crazy would-be lawyer," did you not?
 21 A. If you have something in there saying that,
 22 I would agree with you, but I don't remember.
 23 Q. Do you think that Sidney Powell is a crazy
 24 would-be lawyer?
 25 MR. WEBB: Objection; form of the question.

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1 THE WITNESS: What is being shown in this
 2 evidence, it sounds like she was.
 3 BY MR. NELSON:
 4 Q. As of November of 2020, you thought she was
 5 a "crazy would-be lawyer"?
 6 MR. WEBB: Objection; form of the question.
 7 THE WITNESS: Could you ask it again?
 8 BY MR. NELSON:
 9 Q. As of November 2020, you thought she was
 10 a "crazy would-be lawyer"?
 11 MR. WEBB: Objection; form of the question.
 12 THE WITNESS: That was after she had been fired,
 13 I think.
 14 BY MR. NELSON:
 15 Q. You were aware that she was fired on
 16 November 22nd by the Trump campaign?
 17 A. The 22nd, no. I don't know the dates.
 18 Q. Okay. You were aware that, soon after the
 19 appearance on Tucker Carlson, she was fired by the
 20 Trump campaign?
 21 A. I am delighted to know that Tucker has that
 22 influence, yes. I didn't know.
 23 [REDACTED]
 24 [REDACTED]
 25 [REDACTED]

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1 [REDACTED]
 2 [REDACTED]
 3 [REDACTED]
 4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 7 [REDACTED]
 8 (Reporter clarification.)
 9 THE WITNESS: Took her down.
 10 BY MR. NELSON:
 11 Q. And, sir, you agreed that there was some
 12 truth to that Mediaite article, did you not?
 13 A. As I told you, I don't remember reading it.
 14 But I'm -- I'm sure there are elements of truth in
 15 it, but not everything.
 16 Q. The element of truth was that --
 17 A. Hmm?
 18 Q. The element of truth was that Sidney Powell
 19 was spewing conspiracy theories; right?
 20 MR. WEBB: Objection; form of the question.
 21 THE WITNESS: I don't know what she was saying.
 22 She was certainly saying the election was stolen.
 23 (Exhibit 3328 was marked for
 24 identification.)
 25 MR. NELSON: And let's mark as Exhibit 3328.

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1 BY MR. NELSON:
 2 Q. Sir, you, in fact, read that Mediaite
 3 article, did you not?
 4 A. No, I did not.
 5 MR. WEBB: I'm going to hand the witness
 6 Exhibit 3328, and he has it in front of him.
 7 BY MR. NELSON:
 8 Q. Would you like to change your answer for
 9 the jury, sir?
 10 MR. WEBB: Objection; form of the question.
 11 THE WITNESS: Looks like I looked at it.
 12 "Mediaite an old lefty enemy. Some truth, but I
 13 have listening" -- "I have been listening sometimes
 14 to Tucker, our #1 hour. And very good, sometimes
 15 brilliant. The way he called out that crazy
 16 would-be lawyer really great."
 17 BY MR. NELSON:
 18 Q. That crazy would-be lawyer is Ms. Powell,
 19 is it not?
 20 MR. WEBB: Objection; form of the question.
 21 THE WITNESS: Yes.
 22 BY MR. NELSON:
 23 Q. And what do you say after that?
 24 A. "So much that Giuliani had to disown her."
 25 Q. Uh-huh. And then what do you add?

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1 A. Hmm?

2 Q. What do you say after that, sir?

3 A. "I think, generally, we are navigating it

4 pretty well."

5 Q. What do you mean, "generally, we are

6 navigating it pretty well"?

7 A. That we are reporting it well.

8 Q. Well, how are you navigating it?

9 MR. WEBB: Objection; form of the question.

10 THE WITNESS: Navigating means -- well, the way

11 we are putting shows together and the -- we are

12 being fair and balanced.

13 BY MR. NELSON:

14 Q. Because you are trying to straddle the line

15 between spewing conspiracy theories on one hand, yet

16 calling out the fact that they are actually false on

17 the other?

18 MR. WEBB: Objection; form of the question.

19 THE WITNESS: Yes. We were treating it as news

20 that the president and his lawyers were saying this.

21 We were commenting on it to say it was nonsense, or

22 Tucker was.

23 BY MR. NELSON:

24 Q. Not Dobbs?

25 A. Hmm?

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1 MR. WEBB: Objection to the form of the

2 question.

3 BY MR. NELSON:

4 Q. You said Tucker was saying it was nonsense.

5 Dobbs wasn't, was he?

6 A. Hmm?

7 MR. WEBB: Objection; form of the question.

8 THE WITNESS: Who?

9 BY MR. NELSON:

10 Q. Dobbs. Lou Dobbs.

11 A. Who?

12 Q. Lou Dobbs.

13 A. Oh, I never watch. [REDACTED]

14 [REDACTED]

15 (Reporter clarification.)

16 THE WITNESS: I -- I never watch Business

17 Channel, and I certainly never watch Lou Dobbs.

18 BY MR. NELSON:

19 Q. Maria Bartiromo was hosting Sidney Powell?

20 MR. WEBB: Objection; form of the question.

21 THE WITNESS: The question was here in her

22 Sunday Show, which is on Fox News. Otherwise, she's

23 on Fox Business. That's it.

24 BY MR. NELSON:

25 Q. And it was, sir, a considered decision of

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1 Fox News to put Sidney Powell and Rudolph Giuliani

2 on the air --

3 A. No.

4 Q. -- because they were making news?

5 MR. WEBB: Object -- object to the form of the

6 question.

7 THE WITNESS: I think we would have preferred it

8 if Trump came on and did it himself if they were

9 going to make an argument.

10 BY MR. NELSON:

11 Q. You approved of the decision to keep on

12 hosting Sidney Powell and Rudolph Giuliani?

13 A. I wasn't consulted; but, yes, I would have.

14 Q. And you approved of the decision. We can

15 talk about at the time or not. But, in your words,

16 yes, you would have approved it because, in your

17 words, "They would make news"; right?

18 MR. WEBB: Objection; form of the question.

19 THE WITNESS: They were making news.

20 BY MR. NELSON:

21 Q. And regardless of whether they were saying

22 untrue things, Fox decided to host them?

23 A. Well, that happens every day.

24 MR. WEBB: Objection; form of the question.

25 THE WITNESS: Watch what they're saying in the

142

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

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1 MR. WEBB: Okay. The witness has before him
 2 Exhibit 3329.
 3 THE WITNESS: Go ahead, sir.
 4 BY MR. NELSON:
 5 Q. And -- and you, sir, are telling Mr. Padden
 6 that, if the president or his lawyers do that, it's
 7 news; right?
 8 A. Yeah. Yes.
 9 Q. And then you can comment on it; right?
 10 A. Yes.
 11 Q. But it's a considered decision to invite
 12 them on the air, is it not?
 13 MR. WEBB: Objection; form.
 14 THE WITNESS: No.
 15 BY MR. NELSON:
 16 Q. It is not a decision to invite them on the
 17 air?
 18 A. Well, down the line. There are directors
 19 and producers in every show, and they are putting
 20 together these shows.
 21 Q. Okay.
 22 And so --
 23 A. And, of course, they are happy to have the
 24 President of the United States's lawyer on the air.
 25 Q. Okay.


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1 Did you ever talk to Ms. Scott at all about the
 2 fact that Donald Trump was spewing conspiracy
 3 theories?
 4 MR. WEBB: Objection; form of the question.
 5 THE WITNESS: I don't remember, but I was --
 6 usually by email clearly at this time in touch with
 7 Ms. Scott.
 8 BY MR. NELSON:
 9 Q. And --
 10 A. We have a lot of things to talk about.
 11 Q. What do you talk about with Ms. Scott?
 12 A. Oh, we talk about the show, what's the news
 13 of the day, and everything. I mean -- this wasn't
 14 the only thing happening in the world.
 15 Q. It was certainly a topic that was --
 16 A. Hmm?
 17 Q. It was certainly a topic at the forefront
 18 of everybody's minds, was it not?
 19 A. I rather doubt that. I mean, top of my
 20 mind was that those are hardcore Trump people. It
 21 still is.
 22 Q. And -- and you did -- we just saw an email.
 23 You did talk to Ms. Scott about the fact that
 24 Mr. Giuliani was saying this terrible stuff; right?
 25 MR. WEBB: Objection; form.

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1 THE WITNESS: I don't think we -- I say that
 2 here.
 3 BY MR. NELSON:
 4 Q. And you said that in a couple emails ago.
 5 You remember after the press conference, you wrote
 6 Ms. Scott, "terrible stuff"?
 7 A. Oh, yes.
 8 Q. And, sir, during that time frame, you could
 9 have said to Ms. Scott, "Stop hosting Sidney
 10 Powell"?
 11 MR. WEBB: Objection; form of the question.
 12 THE WITNESS: I could have, but I do not run Fox
 13 News in that way. I appointed Ms. Scott to the job.
 14 BY MR. NELSON:
 15 Q. Okay. Okay. Let's go off --
 16 A. And I delegate.
 17 Q. Sorry, did you finish your answer?
 18 A. And I delegate everything to her.
 19 Q. Okay.
 20 MR. NELSON: Thank you. Let's go off the
 21 record.
 22 THE VIDEOGRAPHER: The time is 1:51 p.m., and we
 23 are going off the video record?
 24 (The deposition was concluded
 25 at 1:51 p.m.)

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1 STATE OF CALIFORNIA)
 2) Ss.
 3 COUNTY OF ORANGE)
 4
 5
 6 I, LINDSAY STOKER, Certified Shorthand
 7 Reporter qualified in and for the State of California,
 8 do hereby certify:
 9 That the foregoing transcript is a true and
 10 correct transcription of my original stenographic notes;
 11 I further certify that I am neither attorney
 12 or counsel for, nor related to or employed by any of the
 13 parties to the action in which this proceeding was
 14 taken; and, furthermore, that I am not a relative or
 15 employee of any attorney or counsel employed by the
 16 parties hereto or financially interested in the action.
 17 IN WITNESS WHEREOF, I have hereunto set my
 18 hand this 20th day of January, 2022.
 19 
 20
 21 LINDSAY STOKER
 22 CSR 14373
 23
 24
 25

In the Matter Of:

US Dominion, Inc. vs

Fox News Network

KEITH MURDOCH

January 20, 2023



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1 part of the staff.
 2 (Exhibit 3330 was marked for
 3 identification.)
 4 MR. NELSON: Okay. We will mark as Exhibit 3330
 5 a printout from the Fox News website. It is also in
 6 our complaint.
 7 MR. WEBB: The witness now has in front of him
 8 Exhibit 3330, and he is ready to answer your
 9 questions.
 10 BY MR. NELSON:
 11 Q. Sir, this is --
 12 **A. Yeah, I'm listed here, Fox News executive**
 13 **staff. This is -- I don't -- as chairman of Fox**
 14 **Corporation.**
 15 Q. You don't dispute --
 16 **A. And my son is listed executive chairman and**
 17 **chief executive officer.**
 18 Q. And, sir, you don't dispute the accuracy of
 19 this at the time of the filing of the lawsuit, do
 20 you?
 21 MR. WEBB: Objection; form.
 22 **THE WITNESS: No.**
 23 BY MR. NELSON:
 24 Q. Okay. And, sir, how often do you speak to
 25 Ms. Suzanne Scott?

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1 A. Once, twice a week.
 2 Q. The record will reflect this --
 3 **A. I mean, for instance, let me be clear. I**
 4 **will be in New York next week, and I expect to speak**
 5 **to her every day. But for me to call her**
 6 **occasionally, if I'm in -- somewhere else in the**
 7 **world, that would be normal. But it is occasional.**
 8 Q. And the record will reflect this. I
 9 believe that Ms. Scott said it was closer to three
 10 or four times a week, but -- you wouldn't dispute
 11 that, would you?
 12 MR. WEBB: Objection. Objection; form of the
 13 question.
 14 **THE WITNESS: It may seem like that to her.**
 15 BY MR. NELSON:
 16 Q. Fair enough. What do you talk about?
 17 MR. WEBB: Objection; form.
 18 **THE WITNESS: Something like maybe -- anything**
 19 **from the question are costs getting out of control,**
 20 **or I really like that new face we have on on some**
 21 **show, that sort of thing. I don't watch Fox News**
 22 **enough, or as much as I should.**
 23 BY MR. NELSON:
 24 Q. How often do you watch Fox News?
 25 **A. Oh, that depends. I mean, let me be**

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1 honest. Here I am in Los Angeles. I had nothing to
2 do last night. I watched a couple of hours.
 3 Q. With the exception of last night, on a
 4 regular basis, if you could, give your best estimate
 5 for how often over the course of a week you watch
 6 Fox News?
 7 MR. WEBB: Objection; form.
 8 **THE WITNESS: Well, if I'm in the United States,**
 9 **certainly three or four hours.**
 10 BY MR. NELSON:
 11 Q. What else do you watch?
 12 **A. Football.**
 13 Q. American?
 14 **A. Yes.**
 15 Q. And, sir, when you speak to Ms. Scott, you
 16 mentioned that you will talk to her about a new face
 17 or something. What do you mean by that?
 18 **A. Well, if she finds some new talent and**
 19 **brings -- for instance, someone last night was**
 20 **billed as a co-host of The Five, which I had not**
 21 **seen her face before, but she was being given an**
 22 **interview on Hannity. She was proposing -- taking a**
 23 **very pro-climate change position against someone who**
 24 **wasn't.**
 25 (Reporter clarification.)

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1 THE WITNESS: She was taking a very pro-climate
2 position -- pro-change, I should say, and someone on
3 the other side was arguing that it was overdone.
 4 BY MR. NELSON:
 5 Q. And, in fact, you spoke to Ms. Scott at
 6 some point about making sure that both sides of the
 7 climate change position were represented; correct?
 8 **A. I cannot recall a specific conversation,**
 9 **but always we like to see both sides.**
 10 Q. Okay. But in this particular instance --
 11 we can talk about it later.
 12 You have spoken to Ms. Scott about making sure
 13 on climate change, in particular, both sides of the
 14 issue are represented; correct?
 15 **A. I do not recall any conversation with**
 16 **Ms. Scott about climate change.**
 17 Q. Okay. When you talk about a new face, do
 18 you talk about whether you like the new face or the
 19 new host?
 20 **A. Yes.**
 21 Q. Do you think your opinion carries sway with
 22 Ms. Scott?
 23 MR. WEBB: Objection; form.
 24 **THE WITNESS: I hope it does.**
 25 ///

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[REDACTED]

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1 **A. I wasn't in the office.** [REDACTED]

3 Q. I will not explore that, sir.

4 You are involved in all major decisions, are you

5 not?

6 MR. WEBB: Objection; form.

7 **THE WITNESS: Depends how you describe major**

8 **decisions, but not really. I mean, I would hope to**

9 **be. It depends on what -- not in day-to-day**

10 **programming decisions.**

11 BY MR. NELSON:

12 Q. You're involved in determining who should

13 host shows?

14 **A. No.**

15 Q. You've never been involved in suggestions

16 about who should host a show or who should be fired?

17 MR. WEBB: Objection; form.

18 **THE WITNESS: Not for the last several years,**

19 **and even before that, not much. But there was a**

20 **short period when we dismissed Mr. Ailes that I**

21 **stood in for a few months. We had to let go of the**

22 **most popular prime time host, Bill O'Reilly.**

23 BY MR. NELSON:

24 Q. You were involved in that decision?

25 **A. Very much.**

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1 **have anything to add. I don't.**

2 (Reporter clarification.)

3 **THE WITNESS: They sometimes ask -- I've said**

4 **nothing through it, and they will say to me,**

5 **"Anything to add?" Mostly, it's no.**

6 BY MR. NELSON:

7 Q. You do listen in to the news conferences,

8 sir?

9 **A. When I can. I haven't for a couple of**

10 **weeks, but yes.**

11 Q. And during the time frame from

12 September 2020 through February of 2021, you were

13 calling in frequently?

14 **A. No. I was in Britain, so there was always**

15 **a time problem. I certainly wasn't listening to**

16 **news conferences.**

17 Q. You, during -- let's even narrow it down

18 further. From November and December of 2020 --

19 **A. Right.**

20 Q. -- did you dial in to any news conference?

21 **A. No.**

22 Q. Do you have phone records? Do you keep

23 your phone records?

24 **A. No.**

25 Q. Okay.

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[REDACTED]

1 Q. You understand that something broadcast
2 anywhere on Fox can quickly, in this day and age,
3 get wide attention on social media or through
4 YouTube or anything else; right?
5 MR. WEBB: Objection; form.
6 **THE WITNESS: No. Not on Fox -- Fox Business.**
7 BY MR. NELSON:
8 Q. Do you think that Fox News Media is one of
9 the most recognized and influential media companies
10 in the world?
11 **A. Fox News, yes.**
12 Q. Do you think that --
13 **A. Fox News Channel.**
14 Q. Do you think that Fox Business is credible?
15 MR. WEBB: Objection; form.
16 **THE WITNESS: My impression, listening to it,**
17 **right -- let's take the morning show, three hours.**
18 **Friday, yes. The new show, Gutfeld! at night, very**
19 **popular, number one show. I have listened to that**
20 **two or three times, perhaps more. I liked that.**
21 **And that's about my experience.**
22 BY MR. NELSON:
23 Q. Do you think that viewers find Fox Business
24 credible?
25 MR. WEBB: Objection; form.

1 **THE WITNESS: Well, the shows that I've just**
2 **told you, yes, I think the vast majority of viewers**
3 **who do view Fox certainly would.**
4 BY MR. NELSON:
5 Q. Do you think the Fox brand is credible?
6 **A. Fox News Channel brand, yes.**
7 Q. But you understand that when you set a
8 brand and you extend that brand, you hope that that
9 credibility will transfer, do you not?
10 MR. WEBB: Objection; form.
11 **THE WITNESS: Yes.**
12 BY MR. NELSON:
13 Q. And just so I understand --
14 **A. We hope that everything we do, including**
15 **our newspapers and News Corp., are credible.**
16 Q. Right. And you hope that people will take
17 it credibly; correct?
18 **A. Oh, yes.**
19 Q. Sir, you could have suggested at any point
20 to fire Lou Dobbs; correct?
21 MR. WEBB: Objection; form.
22 **THE WITNESS: Yes.**
23 BY MR. NELSON:
24 Q. And, sir --
25 **A. Meanwhile, I had the president on the phone**

1 **once or twice asking that he be transferred to the**
2 **big channel, which I refused.**
3 Q. Right. You told him no. I've seen that
4 document. And he also called you in September of
5 2020 saying how much he loved Dobbs and loved
6 Hannity and loved Maria. Do you remember that?
7 MR. WEBB: Objection; form.
8 **THE WITNESS: September 2020?**
9 BY MR. NELSON:
10 Q. Yes, sir.
11 **A. I don't remember that specifically, but I**
12 **remember him saying, "You're 90 percent good.**
13 **That's not enough. Now you show me -- I need you**
14 **100 percent." And I said, "Well you can't have it."**
15 Q. He told you he didn't like the Washington
16 bureau chief, Bill Sammon; right?
17 **A. He may have.**
18 [REDACTED]
19 [REDACTED]
20 Q. And, eventually, you fired Bill?
21 MR. WEBB: Objection; form.
22 **THE WITNESS: Physically, no. I heard about it**
23 **afterwards.**
24 BY MR. NELSON:
25 Q. You weren't involved in those discussions?

[REDACTED]

[REDACTED]

1 **don't think he had a big rating.**
 2 Q. And you could have said, "Maybe we
 3 shouldn't host extremists on our air?"
 4 **A. I didn't know anything about Lou Dobbs. I**
 5 **had hardly heard of him.**
 6 Q. When did you realize that Mr. Dobbs was an
 7 extremist?
 8 **A. I guess in 2020.**
 9 Q. What caused you to think that, sir?
 10 **A. The call from Mr. Trump.**
 11 Q. In September 2020? Okay.
 12 And, sir --
 13 **A. And that was the only call he made me that**
 14 **year, apart from February.**
 15 Q. In February?
 16 **A. The call he made in the beginning of COVID,**
 17 **and I said, "You better be careful. It is a big**
 18 **deal." And he said, "Well, some people say that."**
 19 **And then I didn't speak to him again all year until**
 20 **that call, when he called me, and then I haven't**
 21 **spoken to him since that call.**
 22 Q. And you've never tried to speak to him
 23 since that call?
 24 **A. No.**
 25 Q. Has he ever tried to call you since then?

1 BY MR. NELSON:
 2 Q. What was wrong with Lou Dobbs, besides
 3 being an extremist?
 4 MR. WEBB: Objection; form.
 5 **THE WITNESS: That's a very big thing to be**
 6 **wrong for.**
 7 BY MR. NELSON:
 8 Q. And in 2017, you thought he was an
 9 extremist?
 10 MR. WEBB: Objection; form.
 11 **THE WITNESS: I didn't know much about him, but**
 12 **I knew that Mr. Ailes, who hired him, was worried.**
 13 **And I could be wrong, but I think he came from CNBC.**
 14 BY MR. NELSON:
 15 Q. Mr. Ailes was worried about Mr. Dobbs's
 16 extremism, but you hired him anyway?
 17 MR. WEBB: Objection; form.
 18 **THE WITNESS: Mr. Ailes was running the show**
 19 **completely.**
 20 **And if I remember correctly, he was worried**
 21 **about it, but thought he had to strengthen Fox**
 22 **Business, which I don't think worked anyway.**
 23 BY MR. NELSON:
 24 Q. And you could --
 25 **A. I'd have to look back at the ratings, but I**

1 **A. No. I would take the call if he called,**
 2 **but no.**
 3 Q. Why would you take his call?
 4 MR. WEBB: Objection; form.
 5 **THE WITNESS: He is the ex-president of the**
 6 **United States. I would take a call from Bill**
 7 **Clinton or anyone.**
 8 BY MR. NELSON:
 9 Q. Do you think that Mr. Trump is an
 10 extremist?
 11 **A. No.**
 12 Q. Last month --
 13 **A. He sometimes uses a lot of hyperbole, but**
 14 **in action, not really.**
 15 Q. Last month, he did his Truth post
 16 suggesting that the Constitution should be
 17 suspended. Do you recall that?
 18 MR. WEBB: Objection; form.
 19 **THE WITNESS: I recall that, and I was shocked.**
 20 BY MR. NELSON:
 21 Q. Do you think that's an extremist position,
 22 to suspend the Constitution?
 23 MR. WEBB: Objection; form.
 24 **THE WITNESS: I think it's profoundly wrong.**
 25 **///**

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1 BY MR. NELSON:
 2 Q. Should Fox News give voice to people who
 3 profess to want to suspend the Constitution?
 4 MR. WEBB: Objection; form.
 5 **THE WITNESS: Yes. If it's the president, or**
 6 **someone -- you know, yes, absolutely. It was news,**
 7 **the fact that you even heard it.**
 8 BY MR. NELSON:
 9 Q. Sir, you understand that you can say that
 10 an allegation has been made and still call it false;
 11 right?
 12 MR. WEBB: Objection; form.
 13 **THE WITNESS: He said that Fox is reporting that**
 14 **ex-President Trump said such-and-such, yes.**
 15 BY MR. NELSON:
 16 Q. Right. And will you allow Fox to have
 17 people, aside from President Trump, on your air to
 18 say that the Constitution should be suspended?
 19 MR. WEBB: Objection; form.
 20 **THE WITNESS: It depends entirely who they are.**
 21 BY MR. NELSON:
 22 Q. What would it depend on?
 23 MR. WEBB: Objection; form.
 24 **THE WITNESS: Well, maybe a professor laureate**
 25 **at Harvard or someone like that.**

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1 BY MR. NELSON:
 2 Q. And --
 3 **A. Or if -- and it never would be -- but if it**
 4 **was, you know, a top senator or something.**
 5 Q. Do you think that providing a voice to
 6 extremists gives them a platform?
 7 **A. It depends on how we comment on it. It's**
 8 **not giving them a platform.**
 9 Q. What do you mean it "depends on how you
 10 comment on it?"
 11 **A. Well, we obviously are -- are against that.**
 12 Q. So if someone said the Constitution should
 13 be suspended --
 14 **A. We would have legal experts on immediately**
 15 **saying, "This is ridiculous."**
 16 Q. Sir, you know who Shepard Smith is; right?
 17 **A. Indeed.**
 18 Q. And at one point when he was at Fox, he
 19 fact-checked the Trump administration lies. Do you
 20 recall that?
 21 **A. No.**
 22 Q. You didn't like that, did you?
 23 MR. WEBB: Objection; form.
 24 **THE WITNESS: I was completely unaware of it.**
 25 ///

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1 BY MR. NELSON:
 2 Q. You were unaware of it?
 3 **A. Yes.**
 4 Q. Okay.
 5 **A. I did not follow what Shepard Smith was**
 6 **saying.**
 7 (Exhibit 3331 was marked for
 8 identification.)
 9 MR. NELSON: Let's go to Exhibit 3331.
 10 MR. WEBB: The witness now has in front of him
 11 Exhibit 3331, and you may proceed with your
 12 questions.
 13 BY MR. NELSON:
 14 Q. Sir, this is an email from you to Mr. Jay
 15 Wallace and Ms. Suzanne Scott; correct?
 16 **A. It looks like I have to amend what I said**
 17 **earlier.**
 18 Q. You want to change your answer?
 19 **A. Sorry, yes.**
 20 Q. Because you did say that Fox News's fact
 21 check of the Trump administration lies was
 22 over the top; right?
 23 **A. No. I said that Mr. Shepard Smith's**
 24 **opinion.**
 25 Q. What do you mean, "Mr. Shepard Smith's

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1 opinion"?
 2 **A. Well, he said it.**
 3 Q. And you thought that was over the top?
 4 **A. Apparently.**
 5 Q. Why?
 6 **A. Well, it was the way he expressed it. I**
 7 **don't know. What was he talking about? I'd have to**
 8 **see the whole show.**
 9 Q. You didn't like that he was calling out the
 10 Trump administration lies?
 11 MR. WEBB: Objection; form.
 12 **THE WITNESS: No. Everyone was saying that.**
 13 BY MR. NELSON:
 14 Q. And so you didn't like it because everybody
 15 was saying that?
 16 MR. WEBB: Objection; form.
 17 **THE WITNESS: I was -- I'm sorry. What was I --**
 18 **I meant that other channels were saying that.**
 19 BY MR. NELSON:
 20 Q. And you wanted Fox News to be different?
 21 MR. WEBB: Objection; form.
 22 **THE WITNESS: No I apparently thought the way he**
 23 **expressed it and the way he did it was a bit**
 24 **extreme, but I don't remember, beyond that, but --**
 25 ///

1 BY MR. NELSON:
 2 Q. Okay. And --
 3 **A. But I did say "over the top."**
 4 Q. And you have instructed Fox News to close
 5 Fox off completely from certain guests, have you
 6 not?
 7 **A. Probably.**
 8 Q. Who do you recall telling Fox News to close
 9 off completely?
 10 **A. Who do I recall? I -- I think I may have**
 11 **done it to the Trump advisor, Bannon. I can't**
 12 **remember anyone else. I have said we shouldn't be**
 13 **covering every single Trump rally.**
 14 Q. And --
 15 **A. But I didn't say we were barring him.**
 16 (Reporter clarification.)
 17 **THE WITNESS: I forgot what I said.**
 18 BY MR. NELSON:
 19 Q. Sir, you closed Fox off completely from
 20 Bannon because you thought it was dangerous stuff;
 21 right?
 22 **A. I just see him as a fringe character.**
 23 Q. Why do you see him as a fringe character?
 24 MR. WEBB: Objection; form.
 25 **THE WITNESS: I forget now, but he was**

1 BY MR. NELSON:
 2 Q. Do you think that Fox should air dangerous
 3 stuff?
 4 MR. WEBB: Objection; form.
 5 **THE WITNESS: It depends how you'd describe**
 6 **dangerous. And I would say -- I mean, no, we**
 7 **shouldn't, but accidents happen.**
 8 BY MR. NELSON:
 9 Q. What do you mean, "accidents happen"?
 10 **A. Well, sometimes things get on the air, and**
 11 **it turns out to be wrong later.**
 12 Q. And what do you do in that situation?
 13 MR. WEBB: Objection; form.
 14 **THE WITNESS: I apologize.**
 15 BY MR. NELSON:
 16 Q. Sir, did you want Fox to cover stories
 17 about the benefits that the tax bill would provide
 18 to viewers?
 19 MR. WEBB: Objection; form.
 20 **THE WITNESS: Tax bill would provide what?**
 21 BY MR. NELSON:
 22 Q. To Fox viewers?
 23 MR. WEBB: Objection; form.
 24 **THE WITNESS: No, I don't remember. Well, once,**
 25 **when he was in the House, Paul Ryan came and**

[REDACTED]

1 **addressed the tax bill that he put -- and it was**
 2 **when the tax bill was just going through. Some of**
 3 **that may well have gone on the air.**
 4 BY MR. NELSON:
 5 Q. Okay. And --
 6 **A. Which is great news.**
 7 Q. And you spoke to Ms. Scott about making
 8 sure that Fox tells its viewers again and again what
 9 they will get; right?
 10 **A. I don't remember.**
 11 (Exhibit 3332 was marked for
 12 identification.)
 13 MR. NELSON: Okay. Let's mark as
 14 Exhibit 3332 --
 15 MR. WEBB: The witness has 3332 in front of
 16 him -- well, your sticker fell off. I will put it
 17 back on. The witness now has Exhibit 3332 before
 18 him, and you may proceed with your questions.
 19 BY MR. NELSON:
 20 Q. Sir, that last paragraph states, "Once they
 21 pass this bill, we must tell our viewers again and
 22 again what they will get"; correct?
 23 MR. WEBB: Form -- form of the question.
 24 **THE WITNESS: It's on the record.**
 25 ///

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1 BY MR. NELSON:
 2 Q. And that's what you told Ms. Scott;
 3 correct?
 4 **A. Yes. It was a big story.**
 5 Q. And, sir, you would have conversations
 6 about politics with President Trump, correct, during
 7 his administration?
 8 MR. WEBB: Objection; form.
 9 **THE WITNESS: In the early days.**
 10 BY MR. NELSON:
 11 Q. What were those conversations like?
 12 **A. I don't remember specifically many, but I**
 13 **admit I am a bit of a political junkie and a news**
 14 **junkie. I remember once the White House was at the**
 15 **Paris Climate Accord, and having spoken to Paul**
 16 **Gigot at the Journal just to confirm my opinion, I**
 17 **did say to Mr. Trump, "You are right to walk away**
 18 **from that."**
 19 Q. And Mr. Trump would also say, "Hey, I need
 20 Fox's help in supporting a particular candidate," or
 21 being against a particular candidate; correct?
 22 MR. WEBB: Objection; form.
 23 **THE WITNESS: I don't remember any of that. And**
 24 **we attacked him pretty strongly for what he did in**
 25 **the recent midterm elections. But I don't know what**

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1 records you've got -- but I don't remember that.
 2 There was one thing. You can show me. I
 3 forgot. But there was one thing.
 4 BY MR. NELSON:
 5 Q. What are you thinking of, the one thing?
 6 **A. I just remember -- he wanted to -- was it**
 7 **the election in the South? It was a Senate**
 8 **candidate. I'm not sure.**
 9 Q. Okay.
 10 MR. NELSON: Let's -- let's introduce as
 11 quadruple 3, 3333.
 12 (Exhibit 3333 was marked for
 13 identification.)
 14 BY MR. NELSON:
 15 Q. And, sir, this might be what you are
 16 referring to, this email on May 26th, 2023, at 9:05
 17 p.m.
 18 What do you say? Can you read that aloud,
 19 please?
 20 **A. Oh, this one. That's not what I was**
 21 **thinking of.**
 22 **It's from Jay Wallace to me.**
 23 Q. And then, let's -- I'm interested in what
 24 you say at 9:05 p.m., in that bottom email, sir.
 25 **A. "Both Trump and McConnell are appealing for**

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1 help to beat unelectable former mine owner who
 2 served time. Anything during day helpful, but Sean
 3 and Laura dumping on him hard might save the day."
 4 **That's fair. It is not an instruction. It is a**
 5 **situation.**
 6 Q. What do you mean, "it is not an
 7 instruction; it is a situation"?
 8 MR. WEBB: Objection; form.
 9 Go ahead.
 10 **THE WITNESS: I said, "If you do this, it might**
 11 **help." I didn't say, "You gotta do it."**
 12 BY MR. NELSON:
 13 Q. Do you think when the chairman of Fox
 14 Corporation suggests content, people will listen to
 15 what you have to say?
 16 **A. I--**
 17 MR. WEBB: Objection; form.
 18 **THE WITNESS: I certainly hope so.**
 19 BY MR. NELSON:
 20 Q. Okay. And, sir, you also had
 21 conversations --
 22 Actually, before we get to that, you said this
 23 was not the only time you were remembering. What
 24 other time were you thinking about?
 25 **A. There was a senatorial election. I don't**

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1 know whether it was Alabama or what it was. And we
 2 were -- the candidate who won the primary, I
 3 think -- and I think he was supported by Bannon --
 4 went on to lose the election, and for two years,
 5 whatever it was, there has been a Democrat there.
 6 Q. Doug Jones?
 7 **A. Hmm?**
 8 Q. Doug Jones in Alabama?
 9 **A. That's right. You got it.**
 10 Q. And what was your conversation like?
 11 MR. WEBB: Objection; form.
 12 **THE WITNESS: I just remember the issue. The**
 13 **Republican was entirely unsuitable, and I'm not sure**
 14 **whether there was an independent, but I don't think**
 15 **so.**
 16 BY MR. NELSON:
 17 Q. Perhaps you're thinking about there was a
 18 primary and there was a --
 19 **A. General.**
 20 Q. Yeah, but in the primary, where there was
 21 an election where McConnell was backing one
 22 candidate, and Bannon was backing, I think, Roy
 23 Moore -- is that who you are remembering?
 24 MR. WEBB: Objection; form.
 25 **THE WITNESS: Yes.**

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1 BY MR. NELSON:
 2 Q. And so you wanted Fox to support the
 3 McConnell-backed candidate --
 4 **A. In the primary.**
 5 Q. -- in the primary?
 6 **A. And in the general, it was not in our**
 7 **hands.**
 8 Q. Okay. And how did you convey that message?
 9 **A. I have no idea. Conversationally.**
 10 Q. To who?
 11 **A. It looks like to -- no, that is different.**
 12 **I don't know.**
 13 Q. Who would it be?
 14 MR. WEBB: Objection; form.
 15 BY MR. NELSON:
 16 Q. Suzanne Scott?
 17 MR. WEBB: Objection; form.
 18 **THE WITNESS: Well, Jay Wallace or Suzanne**
 19 **Scott, but I'm not even sure I told them -- but I**
 20 **remember, historically, what happened.**
 21 BY MR. NELSON:
 22 Q. And, sir, you would have conversations with
 23 Mr. McConnell as well about what candidates you
 24 should get behind?
 25 **A. No. Mr. McConnell was a friend, and his**

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1 **wife was on our board for many years. I guess I**
 2 **would speak to him three or four times a year.** [REDACTED]
 [REDACTED]
 5 Q. All right. And you've given his Senate
 6 leadership fund -- I think it was a million dollars
 7 in the 2020 election cycle?
 8 MR. WEBB: Objection; form.
 9 **THE WITNESS: I think so. I never normally give**
 10 **to politicians, but I made an exception for him.**
 11 BY MR. NELSON:
 12 Q. Why did you make an exception for him?
 13 MR. WEBB: Objection; form.
 14 **THE WITNESS: He is extraordinarily persuasive.**
 15 BY MR. NELSON:
 16 [REDACTED]
 [REDACTED]
 [REDACTED]
 22 BY MR. NELSON:
 23 Q. And, at one point, sir, in 2019, you met
 24 with Attorney General Bill Barr; correct?
 25 **A. What date?**

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1 Q. In approximately 2019?
 2 **A. Oh, I would have thought it was in '20, but**
 3 **Mr. Barr was in New York and came to dinner with me.**
 4 Q. And what did you discuss?
 5 **A. Well, he said how much he loved Fox News.**
 6 Q. This was when he was still attorney
 7 general?
 8 **A. Oh, yes.**
 9 Q. And he told you how much he loved Fox News.
 10 What else did he discuss?
 11 **A. I don't remember. It was a pretty fast**
 12 **dinner.**
 13 **And, well, probably -- he was probably a friend**
 14 **of Mr. Dinh here.**
 15 (Reporter clarification.)
 16 **THE WITNESS: I didn't want to confuse --**
 17 **because he then wrote a book, which I've read, which**
 18 **had a lot of anecdotes in it, and I don't think I**
 19 **heard those at the dinner, but I may have.**
 20 BY MR. NELSON:
 21 Q. Details about the inner workings of the
 22 administration?
 23 **A. Huh?**
 24 Q. Details about the inner workings of the
 25 administration?

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1 **A. Hmm? Well, in the book, he compares**
 2 **working for George Bush, Sr., and working for Donald**
 3 **Trump. George Bush, Sr., in two years, he met him**
 4 **four times, but Trump, almost daily.**
 5 **Trump would hear he was in the White House doing**
 6 **something, and he would say, come on up. And the**
 7 **difficulty was you could persuade him, but someone**
 8 **else would dissuade him right afterwards.**
 9 Q. The book also talks about how he told
 10 President Trump that the allegations against
 11 Dominion were, in his words, "bullshit." Do you
 12 recall that?
 13 MR. WEBB: Objection; form -- objection; form of
 14 the question.
 15 **THE WITNESS: I do not remember that. He may**
 16 **well have. Well, he clearly said there's no**
 17 **substantial evidence of anything. Whether he**
 18 **mentioned Dominion, I don't know.**
 19 BY MR. NELSON:
 20 Q. Sir, there was another meeting prior to
 21 your dinner in Washington, D.C. at Mr. Barr's
 22 offices. Do you recall that?
 23 **A. I'm trying to remember. I have some memory**
 24 **of an office, but I don't remember. If it happened,**
 25 **I don't remember anything that was said.**

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1 Q. There is a report that Mr. Barr asked you
2 to take off Judge Andrew Napolitano from Fox News.
3 Did that happen?
4 MR. WEBB: Objection; form.
5 **THE WITNESS: He may well have, but I'd already**
6 **discussed Napolitano's position, I think first with**
7 **Ailes, and then with Scott.**
8 BY MR. NELSON:
9 Q. What do you mean you discussed?
10 **A. Well, he was very popular with the old solo**
11 **show -- very popular -- and I suspected that he was**
12 **talking nonsense. He wasn't the great lawyer that**
13 **he proposed to be.**
14 Q. And --
15 **A. I think the man -- poor man's died. I**
16 **don't know.**
17 Q. And when Mr. Barr asked you not to have
18 Napolitano on the air anymore, what did you do with
19 that information?
20 MR. WEBB: Objection; form.
21 **THE WITNESS: I would have certainly have told**
22 **Ms. Scott. I'm not sure he was actually fired.**
23 BY MR. NELSON:
24 Q. And, sir, you would have discussions about
25 who should host particular shows, correct, with

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1 Ms. Scott?
2 **A. In the early days that she was the chief,**
3 **probably.**
4 Q. Even in September of 2020, you were talking
5 about who should host particular shows; correct?
6 **A. I don't remember. Quite possible.**
7 Q. Okay. You were, in fact, discussing who
8 should host The Five. Do you remember that?
9 **A. It has been a constant -- it is fine now,**
10 **record highs. When it was started, they had two**
11 **men, two women -- broadly conservative but different**
12 **types -- and one old liberal friend of Roger Ailes**
13 **who had been down and out and he picked him up. And**
14 **then -- that's a long time ago. And then he fell**
15 **off the wagon and had to be fired.**
16 **And, yeah, it is -- and, no, I haven't**
17 **discussed.**
18 **Look, we had -- we had five, sort of, co-hosts.**
19 **I certainly enjoy watching Gutfeld, Ms. Perino, and**
20 **now Jesse Watters. I did not discuss the recent**
21 **changes when she put in -- took away Perino's**
22 **Saturday show and put her in there -- and Geraldo**
23 **Rivera -- but that was without any discussion.**
24 Q. When you say "Perino's Saturday show," do
25 you mean Pirro's Saturday show?

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1 **A. The Saturday night show, which was the**
2 **number one show we had on Saturday.**
3 Q. That's Jeanine Pirro for Saturday night?
4 **A. Hmm?**
5 Q. Jeanine Pirro's Saturday night show, sir?
6 **A. Yes. She was cancelled, and she was put on**
7 **The Five as a co-host.**
8 Q. And that happened after the November 2020
9 election?
10 **A. Oh, I think so. Quite some time.**
11 Q. Do you know that, in November of 2020,
12 Jeanine Pirro's executive producer said that she
13 should never be on live television again?
14 MR. WEBB: Objection; form.
15 **THE WITNESS: No, did -- I had not heard that.**
16 BY MR. NELSON:
17 Q. Have you read Dominion's summary judgment
18 motion, sir?
19 **A. No.**
20 Q. Have you read our complaint?
21 **A. No. I mean, Mr. Dinh has been --**
22 Q. I'm not asking you for legal -- what your
23 conversation was.
24 **A. No, I don't think he's told us in that**
25 **detail.**

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1 (Exhibit 3334 was marked for
2 identification.)
3 MR. NELSON: Okay. Let's mark as Exhibit 334 --
4 MR. WEBB: The witness has 3334 in front of him.
5 BY MR. NELSON:
6 Q. Sir, this is an email from you to Ms. Scott
7 cc'ing Mr. Lachlan Murdoch on September 10th, 2020.
8 Do you see that?
9 **A. This was the context.**
10 Q. I'm sorry. What was the context?
11 [REDACTED]
14 Q. And you were having these discussions with
15 Ms. Scott; correct?
16 **A. I was commenting on a discussion, yes,**
17 **certainly.**
18 Q. And, sir, you mentioned that COVID in
19 February of 2020 -- during that time frame, you
20 would have discussions with people, including
21 President Trump, about the potential effect of
22 COVID?
23 MR. WEBB: Objection; form. Objection; form.
24 **THE WITNESS: One short conversation with the**
25 **president early. It was actually February 2020.**

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1 BY MR. NELSON:
 2 Q. And --
 3 **A. I just made a comment.**
 4 Q. And -- sorry?
 5 **A. I just said, "This is a big deal."**
 6 Q. Yeah, you told the White House to take it
 7 seriously?
 8 **A. I told Mr. Trump that.**
 9 Q. And --
 10 **A. Well, I didn't instruct him. I said**
 11 **it's -- that's a big thing.**
 12 Q. Right. And you also personally talked to
 13 Sean Hannity about taking COVID seriously; correct?
 14 **A. I don't remember.**
 15 Q. And you spoke to Laura Ingraham -- or
 16 Ingraham about taking COVID seriously; correct?
 17 MR. WEBB: Objection; form.
 18 **THE WITNESS: Certainly -- certainly don't**
 19 **remember that. I'm not denying it. I just don't**
 20 **remember.**
 21 (Exhibit 3335 was marked for
 22 identification.)
 23 MR. NELSON: Okay. Let's mark as 3335.
 24 MR. WEBB: Okay. The witness now has before him
 25 Exhibit 3335. You may proceed.

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1 BY MR. NELSON:
 2 Q. Sir, this is some notes from Ms. Briganti.
 3 **A. Yes. She is the public relations lady.**
 4 **From her to her.**
 5 Q. And, sir, it says that there's "bad press
 6 in a way that Murdoch is concerned."
 7 You were concerned about bad press for not
 8 covering COVID accurately; correct?
 9 **A. It is all a mixture of subjects here from**
 10 **Ms. Briganti. I don't know who it went to. It is**
 11 **not addressed to anyone else.**
 12 Q. Sir, did you talk to Mr. Hannity about
 13 COVID?
 14 MR. WEBB: Objection; form.
 15 **THE WITNESS: I don't remember, or not well. I**
 16 **may well have, but I don't talk to Sean very often.**
 17 BY MR. NELSON:
 18 Q. Did you talk to Ms. Ingraham about COVID?
 19 **A. I don't remember. It said that Lachlan and**
 20 **I spoke -- maybe he spoke to him.**
 21 Q. And then under that it says, "Laura --
 22 Rupert talked to her."
 23 Do you see that?
 24 **A. Yeah, I just saw that. I don't remember.**
 25 **But I may well have. I don't talk to her very**

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1 **often.**
 2 Q. What do you talk to her about?
 3 MR. WEBB: Objection; form.
 4 **THE WITNESS: Look, I haven't talked to her for**
 5 **months. I have no idea.**
 6 BY MR. NELSON:
 7 Q. Well, when you do talk to her, what do you
 8 talk to her about?
 9 MR. WEBB: Objection; form.
 10 **THE WITNESS: I have nothing to talk to her**
 11 **about.**
 12 BY MR. NELSON:
 13 Q. When you talk to Mr. Hannity, what do you
 14 talk to him about?
 15 MR. WEBB: Objection; form.
 16 **THE WITNESS: I might say, "Have you talked to**
 17 **Trump lately?"**
 18 **I don't know what all these things are.**
 19 BY MR. NELSON:
 20 Q. And, sir --
 21 **A. David Rhodes, hmm.**
 22 Q. -- also in September of 2020, that's when
 23 you spoke to Mr. Trump again about --
 24 **A. September?**
 25 Q. September of 2020.

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1 **A. That's when he called me --**
 2 Q. Okay. We'll go --
 3 **A. -- about supporting the election and Lou**
 4 **Dobbs and so on.**
 5 (Exhibit 3336 was marked for
 6 identification.)
 7 MR. NELSON: Yeah. Okay. And let's mark as
 8 Exhibit 3336.
 9 MR. WEBB: The witness has 3336 in front of him.
 10 You may proceed.
 11 BY MR. NELSON:
 12 Q. This is --
 13 **A. September the 15th.**
 14 Q. And this is the conversation that you're
 15 referring to, sir, that happened on September 15th,
 16 2020?
 17 **A. Yep.**
 18 Q. And, sir, you did wonder why anybody could
 19 vote for Joe Biden; right?
 20 MR. WEBB: Are you going to a new topic now?
 21 I'm -- are you still on this email? I don't want to
 22 interrupt you if you are still on this email.
 23 MR. NELSON: No, that's -- that is fair.
 24 **THE WITNESS: It doesn't mention Biden.**
 25 ///

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1 BY MR. NELSON:
2 Q. No, I'm sorry, sir. I am changing
3 subjects. I am going to a different document.
4 MR. WEBB: I would only -- just for a bathroom
5 break for five minutes. We have been going an hour
6 and 20 minutes or so. Is that all right? Do you
7 want to finish your point?
8 MR. NELSON: Let me just finish this document if
9 it's okay with you, and then we will take --
10 MR. WEBB: Sure. Let's go. Let's go. Let's --
11 let's do what you want.
12 MR. NELSON: Yeah. Okay. No worries.
13 MR. WEBB: I didn't mean that. Strike that from
14 the record.
15 MR. NELSON: Don't go quite yet.
16 MR. WEBB: I struck it from the record.
17 BY MR. NELSON:
18 Q. You did ask, sir, how anybody could vote
19 for Biden; right?
20 **A. I may well have.**
21 Q. And your New York Post editor who tells
22 you, "His only hope" -- Biden -- "is to stay in his
23 basement and not face serious questions."
24 Do you recall that?
25 **A. Was that Col Allan?**

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1 Q. Yes, sir.
2 **A. Because we changed editors. Yes.**
3 Q. And you wanted Fox to be banging on about
4 those issues; right?
5 MR. WEBB: Objection; form.
6 **THE WITNESS: Which issues?**
7 BY MR. NELSON:
8 Q. Biden staying in his basement.
9 **A. Oh, sure.**
10 Q. And you made sure that Fox was banging on
11 about that issue; right?
12 **A. I might have said we should. I don't**
13 **remember a specific conversation.**
14 Q. Because you thought that if --
15 **A. I remember talking here to Mr. Allan,**
16 **right.**
17 Q. I will show you the document in a second.
18 I promise. But you thought that, if the audience
19 talks, the theme will spread; right?
20 MR. WEBB: Objection; form.
21 **THE WITNESS: I need to see the piece of paper.**
22 **I want the date it was and how it fits.**
23 (Exhibit 3337 was marked for
24 identification.)
25 MR. NELSON: Sure. Let's mark this as

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1 Exhibit 3337.
2 MR. WEBB: The witness now has the Exhibit 3337
3 in front of him.
4 BY MR. NELSON:
5 Q. And you see, sir, that halfway down the
6 page at 12:48 p.m., you say, "Reading today's
7 Journal opinion pages, how can anybody vote for
8 Biden?"
9 Do you see that?
10 **A. Yes.**
11 Q. And then Mr. Allan responds, "It is a
12 question I regularly ask. His only hope is to stay
13 in his basement and not face serious questions. It
14 just might work"; right?
15 **A. It did work.**
16 Q. And then what did you say, sir?
17 **A. "Just made sure Fox banging on about these**
18 **issues."**
19 Q. Okay. Let's stop there.
20 How did you make sure that Fox was banging on
21 about these issues?
22 **A. I must have been talking to Ms. Scott. I**
23 **was here -- I was still in Britain with nothing to**
24 **do but write stupid emails.**
25 Q. And we've seen documents that you got a

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1 little bored in Britain. You said you wanted to
2 phone more often than normal when you're --
3 **A. Hmm?**
4 MR. WEBB: Objection; form.
5 BY MR. NELSON:
6 Q. You were on the phone more often than
7 normal when you're entering COVID times; right?
8 MR. WEBB: Objection; form.
9 **THE WITNESS: No. I was stuck in Britain.**
10 BY MR. NELSON:
11 Q. So you were on email or phone?
12 **A. Bored in the country, except for my wife**
13 **who was extremely anti-Trump.**
14 BY MR. NELSON:
15 Q. Okay. So what did you mean? Then you go
16 on, "If the audience talks, the theme will spread."
17 **A. Well, word of mouth is pretty strong.**
18 Q. So if Fox says something and repeats it,
19 word will spread?
20 MR. WEBB: Objection; form.
21 **THE WITNESS: I think that is true of anything,**
22 **whether CNN or MSNBC.**
23 MR. NELSON: Okay. All right.
24 We will take a break now. Let's go off the
25 record.

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1 THE VIDEOGRAPHER: One moment, please.
2 The time is 10:26 a.m., and we are going off the
3 video record.
4 (Recess.)
5 THE VIDEOGRAPHER: The time is 10:44 a.m., and
6 we are back on the video record.
7 BY MR. NELSON:
8 Q. Sir, you would also have discussions with
9 Ms. Scott about the polling and the methodology that
10 Fox News was doing; correct?
11 **A. Yes.**
12 Q. And, sir, you would also have comments and
13 provide comments to Ms. Scott about the panels of
14 guests that were appearing on Fox shows; correct?
15 **A. I may have, occasionally.**
16 Q. What do you recall?
17 **A. I don't recall anything.**
18 Q. But you just know that you may have
19 occasionally done so?
20 **A. Yes.**
21 Q. Okay. And, sir, you would also have
22 conversations with Ms. Scott about the importance of
23 giving exposure to Republicans in close Senate
24 races; right?
25 **A. Yes.**

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1 Q. Why did you talk to Ms. Scott about that?
2 **A. It was a bit subjective. A friend of mine**
3 **was running and beaten in Pennsylvania.**
4 Q. And you asked Ms. Scott or suggested to
5 Ms. Scott that it would be nice if we could look at
6 some of the close Senate races and give a little
7 exposure to Republicans in those close races; right?
8 MR. WEBB: Objection; form.
9 **THE WITNESS: I think so.**
10 MR. WEBB: What do you -- do I hit something to
11 refresh my screen?
12 MR. NELSON: Let's go off the record.
13 THE VIDEOGRAPHER: The time is 10:46 a.m., and
14 we are going off the record.
15 (Technical recess.)
16 THE VIDEOGRAPHER: The time is 10:47 a.m., and
17 we are back on the video record.
18 BY MR. NELSON:
19 Q. Sir, you would also have conversations with
20 Mr. Jared Kushner to comment on the Trump campaign's
21 advertisements; right?
22 **A. I think so, yes.**
23 Q. And you would give him a preview of the ads
24 that Biden was going to air on Fox; right?
25 **A. No.**

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1 (Exhibit 3339 was marked for
2 identification.)
3 MR. NELSON: Let's go to the next exhibit, which
4 is Exhibit 3339.
5 MR. WEBB: The witness has Exhibit 3339.
6 BY MR. NELSON:
7 Q. And, sir, at 6:26 a.m. on September 24th,
8 2020, you wrote Mr. Kushner and said, "My people
9 tell me his advertisements are a lot better
10 creatively than yours. Just passing by it on."
11 Do you see that?
12 **A. Yes.**
13 Q. And then he responds, and then you tell him
14 that [As read] Your upcoming advertisement is an
15 improvement.
16 But you tell him that Biden is in the same
17 football game -- is also extremely good; right?
18 **A. That's what the record shows.**
19 Q. And it says, "Will send it"?
20 **A. Yes. It's, of course, Fox -- Fox**
21 **Broadcasting Network, not Fox News.**
22 Q. Sure. But do you think it is appropriate
23 for someone in your position to give a heads up to
24 the opposing campaign about what the ad of the
25 opposing campaign will show before it is public?

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1 MR. WEBB: Objection to the form of the
2 question.
3 **THE WITNESS: I was trying to help Mr. Kushner.**
4 **He's a friend of mine.**
5 BY MR. NELSON:
6 Q. You were trying to help the Trump campaign
7 by giving him a preview of the Biden campaign's ads
8 before it was public?
9 **A. Right.**
10 MR. WEBB: Objection; form.
11 **THE WITNESS: I guess so.**
12 BY MR. NELSON:
13 Q. And you would routinely suggest stories to
14 Ms. Scott about what Fox News or Fox Business should
15 cover; correct?
16 **A. Suggestions, yes.**
17 Q. And, sir, you would also suggest particular
18 guests that should appear on Fox News; correct?
19 **A. Not all of them, but I might have suggested**
20 **one or two.**
21 Q. And, in fact, in mid-October of 2020, you
22 told Ms. Scott that you had just read an interview
23 with a person named Victor Davis Hanson saying, "The
24 election was going to be close."
25 Do you recall that?

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1 MR. WEBB: Objection to form.
 2 **THE WITNESS: It's entirely possible.**
 3 BY MR. NELSON:
 4 Q. Why do you say it's entirely possible?
 5 **A. Because I tend to read what Victor says. I**
 6 **know him slightly from Stanford and the Hoover**
 7 **Institute.**
 8 Q. And you suggested to Ms. Scott that he
 9 appear on Fox News; correct?
 10 **A. I think he is a regular contributor.**
 11 Q. And --
 12 **A. It's a question how much you use them.**
 13 Q. And, sir, you told Ms. Scott, "Might be
 14 worth putting on air"; right?
 15 **A. If you say so.**
 16 Q. Well, do you recall saying so?
 17 **A. No. But I don't deny it.**
 18 Q. Okay. Would it surprise you that, on
 19 October 14th, 2020, you suggested to Ms. Scott that
 20 Victor Davis Hanson might be worth putting on air?
 21 MR. WEBB: Objection; form.
 22 **THE WITNESS: It would not surprise me.**
 23 BY MR. NELSON:
 24 Q. Would it surprise you that two days later
 25 Mr. Hanson appeared on Fox News?

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1 **A. That's right. That's right.**
 2 MR. WEBB: Objection; form.
 3 BY MR. NELSON:
 4 Q. You also told Mr. Kushner in mid-October of
 5 2020 that "more stuff on Biden was coming, hopefully
 6 before the debate"; right?
 7 MR. WEBB: Objection; form.
 8 **THE WITNESS: I don't just to speculate on what**
 9 **that was now. Unless I was talking about the New**
 10 **York Post and Hunter Biden.**
 11 BY MR. NELSON:
 12 Q. And you were giving them a heads up on
 13 that?
 14 **A. No. I -- there is nothing specific in what**
 15 **you've said.**
 16 Q. Okay. Just that more stuff on Biden was
 17 coming?
 18 MR. WEBB: Objection; form.
 19 **THE WITNESS: If you say so, I accept that.**
 20 BY MR. NELSON:
 21 Q. You were also giving Mr. Kushner debate
 22 advice for Mr. Trump; correct?
 23 MR. WEBB: Objection; form.
 24 **THE WITNESS: No. I only remember myself being**
 25 **horrified at Mr. Trump's behavior in the first**

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1 **debate.**
 2 BY MR. NELSON:
 3 Q. You understood that viewers -- your Fox
 4 viewers -- had a reaction against Fox because of
 5 Chris Wallace's performance as moderator?
 6 **A. No. He lost control of it.**
 7 Q. And you understood that there were many
 8 people who supported President Trump who were angry
 9 at Chris Wallace because of his performance at that
 10 debate?
 11 **A. No.**
 12 MR. WEBB: Objection; form.
 13 **THE WITNESS: No. Wallace, in those debates,**
 14 **has a reputation of being pretty fair. It is why**
 15 **he's chosen. We were happy with that.**
 16 BY MR. NELSON:
 17 Q. Sir, as the next debate approached, you
 18 told Mr. Kushner that it was really important that
 19 Trump must not look like a bully; right?
 20 **A. I'm sure.**
 21 Q. And, sir, in October of 2020 --
 22 **A. Look, I just want to say this: That was**
 23 **advice from a friend to a friend. It wasn't advice**
 24 **from Fox Corporation or in my capacity at Fox.**
 25 Q. What's the difference?

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1 MR. WEBB: Objection; form.
 2 **THE WITNESS: You've been -- keep asking me**
 3 **questions as the head of Fox. It's a different role**
 4 **being a friend.**
 5 BY MR. NELSON:
 6 Q. Do you think that anywhere you go, you
 7 represent Fox? Anything you say is effectively
 8 representing Fox?
 9 MR. WEBB: Objection; form.
 10 **THE WITNESS: Any -- anything I say represents**
 11 **me.**
 12 BY MR. NELSON:
 13 Q. Anything that you --
 14 **A. If you say that's -- you can't say it's me,**
 15 **or it's the Wall Street Journal or it's the Adelaide**
 16 **News or something. No.**
 17 Q. That's fair. Sir, you are one of the most
 18 successful businessmen this century.
 19 **A. I wish that was true.**
 20 Q. And --
 21 **A. I gambled on a couple of things.**
 22 Q. Often correctly, sir.
 23 **A. And often failed.**
 24 Q. And often failed.
 25 **A. But the average was okay.**

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1 Q. And, sir, when you speak, you understand
2 that, just like EF Hutton, people listen?
3 MR. WEBB: Objection; form.
4 **THE WITNESS: I don't really think so.**
5 BY MR. NELSON:
6 Q. You don't think that people listen to your
7 voice?
8 **A. I think my influence over other publishers**
9 **is -- is greatly overestimated.**
10 Q. Do you think your influence within Fox is
11 greatly overestimated?
12 MR. WEBB: Objection; form.
13 **THE WITNESS: By the outside world, yes.**
14 BY MR. NELSON:
15 Q. You informed Ms. Scott that Lou Dobbs had
16 an outburst against Lindsey Graham in October of
17 2020; correct?
18 **A. I have no memory. Really?**
19 Q. Yes. Let me show you a document.
20 **A. I don't -- just off the record for a**
21 **minute. I mean --**
22 Q. I can't do that, sir.
23 **A. I understand that Mr. Graham is going to**
24 **come out and endorse Trump on this coming Monday.**
25 Q. But -- so what do you do at Fox when

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1 something like that happens? Mr. Graham endorses
2 Mr. Trump?
3 **A. That will be news.**
4 Q. That will be news. How do you decide to
5 cover that in a way that puts a perspective that you
6 want to have on it?
7 MR. WEBB: Objection; form of the question.
8 **THE WITNESS: There will be no opinions on that**
9 **subject by me. This will be reporting the fact.**
10 BY MR. NELSON:
11 Q. Do you think that Fox will be in an awkward
12 position if Donald Trump chooses to run again as it
13 gets closer to 2024?
14 **A. No.**
15 MR. WEBB: Objection; form.
16 **THE WITNESS: No. We will report the facts and**
17 **whoever is running against him.**
18 (Exhibit 3340 was marked for
19 identification.)
20 MR. NELSON: Let's mark as Exhibit 3340.
21 MR. WEBB: The witness has the exhibit in front
22 of him.
23 **THE WITNESS: Dated 27th October, 2020.**
24 BY MR. NELSON:
25 Q. What do you write Ms. Scott on that date,

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1 sir?
2 **A. "You probably know about the Lou Dobbs**
3 **outburst against Lindsey Graham. Could Sean say**
4 **something supportive?" Meaning of Lindsey Graham.**
5 **"We cannot lose the Senate if at all possible."**
6 Q. Right. And so you are asking Ms. Scott
7 whether --
8 **A. I am talking as a partisan, yeah.**
9 Q. Right. And -- and you are asking Ms. Scott
10 if Hannity could say something supportive after
11 Dobbs's outburst against Lindsey Graham; right?
12 MR. WEBB: Objection; form.
13 **THE WITNESS: Yes.**
14 BY MR. NELSON:
15 Q. Because Lindsey Graham was in a close
16 Senate race; right?
17 **A. No.**
18 Q. No?
19 **A. Not -- there was nothing close about South**
20 **Carolina.**
21 Q. At the time it was close?
22 MR. WEBB: Objection; form.
23 **THE WITNESS: No. It was thought to be, but it**
24 **turned out not to be.**
25 BY MR. NELSON:

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1 Q. But it was thought to be?
2 **A. Not by me but okay.**
3 Q. Okay.
4 **A. I can't believe Lou Dobbs has any influence**
5 **in South Carolina. He had very few viewers. He**
6 **wouldn't have had 50 in South Carolina.**
7 Q. You were concerned enough about a Lou Dobbs
8 outburst that you wanted Sean Hannity to say
9 something about it?
10 MR. WEBB: Objection; form.
11 **THE WITNESS: Yes. It looks like that.**
12 BY MR. NELSON:
13 Q. And Ms. Scott told you that she addressed
14 the Dobbs outburst?
15 **A. If you say so.**
16 (Exhibit 3341 was marked for
17 identification.)
18 MR. NELSON: Let's mark the next exhibit,
19 please, as Exhibit 3341.
20 BY MR. NELSON:
21 Q. Sir, what did you interpret Ms. Scott to
22 mean when she said, "I addressed the Dobbs
23 outburst"?
24 **A. Oh, that she -- that Ms. Scott said some --**
25 **had chat to Mr. Hannity about it, I take it. It**

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1 **could be that she said something to Lou Dobbs, but I**
 2 **doubt that.**
 3 Q. Well, how else would one address the Lou
 4 Dobbs outburst?
 5 MR. WEBB: Objection; form.
 6 **THE WITNESS: Well, I think previously, you**
 7 **know, you said, "Could you talk to Hannity?"**
 8 BY MR. NELSON:
 9 Q. Right. And then she is telling you that
 10 she addressed the Lou Dobbs outburst?
 11 **A. Yes.**
 12 Q. Okay.
 13 **A. It could have been by talking to Hannity to**
 14 **put him down or could have been directly.**
 15 Q. It wouldn't surprise you that she spoke to
 16 Lou Dobbs directly about it; right?
 17 MR. WEBB: Objection; form.
 18 **THE WITNESS: Well, I hope she did.**
 19 BY MR. NELSON:
 20 Q. And, sir, after the election, Fox started
 21 hosting guests who were insisting that President
 22 Trump actually won the election.
 23 Do you recall that?
 24 MR. WEBB: Objection; form.
 25 **THE WITNESS: The only people I'm aware of were**

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1 **his lawyers. Although I know people who still**
 2 **believe that.**
 3 BY MR. NELSON:
 4 Q. Sorry?
 5 **A. I know people who still believe that.**
 6 Q. Why do you think people still believe that?
 7 MR. WEBB: Objection; form.
 8 **THE WITNESS: They are crazy. [REDACTED]**
 [REDACTED]
 [REDACTED] **And there's some crazy guy there**
 11 **with a big truck and signs, says join the Trump**
 12 **train every Friday at 5:30.**
 13 **And they take this thing around through. It is**
 14 **not a big town, and it used to be 30 or 40 cars**
 15 **would follow with flags. I've seen it, and now it's**
 16 **down to two cars, but they are still there.**
 17 BY MR. NELSON:
 18 Q. After the election, Mr. Col Allan told you
 19 that you should watch a clip of Steve Bannon with
 20 Maria Bartiromo. "Wow."
 21 Do you remember that?
 22 **A. No, I don't remember.**
 23 (Exhibit 3342 was marked for
 24 identification.)
 25 MR. NELSON: Let's mark the next exhibit,

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1 please, 3342.
 2 MR. WEBB: The witness has 3342 before him now.
 3 BY MR. NELSON:
 4 Q. And, sir, all I'm asking about is that very
 5 first email from you to -- from Mr. Allan to you.
 6 And what does that say?
 7 **A. "You should get a clip of Steve Ban" -- or**
 8 **Bannon, I guess, "with Maria Bartiromo this morning.**
 9 **Wow."**
 10 Q. And after that, sir, you asked Ms. Scott
 11 for a clip of Steve Bannon on Maria Bartiromo, did
 12 you not? It's not going to be in that email.
 13 **A. Oh. Probably.**
 14 Q. And you would have done that by phone?
 15 MR. WEBB: Objection; form.
 16 **THE WITNESS: Yeah. Wait a minute. Yes, yes,**
 17 **it is November, yes.**
 18 BY MR. NELSON:
 19 Q. And, sir, in fact, Ms. Scott did send you
 20 the link of Steve Bannon on Maria Bartiromo that
 21 morning; correct?
 22 **A. I don't remember at all but probably. I'm**
 23 **sure she would have.**
 24 (Exhibit 3343 was marked for
 25 identification.)

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1 MR. NELSON: Okay. Well, let's just put in the
 2 record as Exhibit 3343.
 3 MR. WEBB: The witness has Exhibit 3343 in front
 4 of him.
 5 BY MR. NELSON:
 6 Q. Sir, you expect that you watched this clip
 7 that Ms. Scott sent to you at your request; correct?
 8 **A. I have no memory of it at all, but it is**
 9 **possible.**
 10 Q. Okay.
 11 Let's watch just the first little bit of that
 12 clip.
 13 **A. Maria Bartiromo is the breakfast show,**
 14 **which has zero --**
 15 (Video clip playing.)
 16 MR. NELSON: Oh, hold, stop, stop, stop.
 17 **THE WITNESS: No, it is okay. It has zero**
 18 **audience.**
 19 **But go ahead.**
 20 BY MR. NELSON:
 21 Q. I'm sorry. So you said Maria Bartiromo's
 22 breakfast show has zero audience?
 23 **A. Well, very little. It is the smallest of**
 24 **the day.**
 25 Q. You don't think that Maria Bartiromo has

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1 running again--

2 **A. That was to Irwin Stelzer, an old friend**

3 **who happens to write a column on the Sunday Times.**

4 Q. He wrote a biography about you too, sir;

5 right?

6 **A. Hmm?**

7 Q. Didn't he write a biography about you?

8 MR. WEBB: Objection; form.

9 **THE WITNESS: A couple of them. I don't know.**

10 **Certainly without my authorization.**

11 BY MR. NELSON:

12 Q. What did you mean that Trump running again

13 leaves you in a tough spot?

14 MR. WEBB: Objection; form.

15 **THE WITNESS: I have no idea.**

16 BY MR. NELSON:

17 Q. And, sir, you are also aware --

18 **A. I might have been talking about the country**

19 **rather than the company.**

20 Q. You were talking about the country?

21 **A. I don't know.**

22 Q. Why would it leave the country in a tough

23 spot?

24 **A. Well, just more division and more argument.**

25 **I don't know. I have no idea why I said that.**

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1 Q. Sir, you were also hopeful that the local

2 news channels in Georgia would cover the Georgia

3 runoff Senate elections in a way that you would

4 favor; correct?

5 MR. WEBB: Objection; form.

6 **THE WITNESS: Yes, I'm sure.**

7 BY MR. NELSON:

8 Q. And, sir, on Sunday, November 8th, you and

9 Ms. Scott and your son, Lachlan Murdoch, had a long

10 conversation with the three of you about how to

11 address Fox's falling ratings; correct?

12 **A. I'm sure, if you have it there. But I**

13 **don't remember word for word anything that was said.**

14 Q. You suggested to Ms. Scott that there be a

15 major overhaul of polling; correct?

16 **A. I'm sure that we had been wrong on the**

17 **polls.**

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 **A. If you are reading something from me, yes.**

22 Q. And you told Ms. Scott, did you not, that

23 "You need to be careful about bookings in the next

24 two months"?

25 MR. WEBB: Objection; form.

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1 **THE WITNESS: Probably.**

2 BY MR. NELSON:

3 Q. What else did you discuss in that

4 conversation with Ms. Scott?

5 **A. I have no idea. Many things, I'm sure.**

6 Q. Like what?

7 MR. WEBB: Objection; form.

8 **THE WITNESS: I have no idea. The election**

9 **result.**

10 BY MR. NELSON:

11 Q. The future of Fox going forward?

12 **A. Always. We knew -- we'd been through this**

13 **with Obama winning. We would go down in the**

14 **ratings, and a few weeks they'd come back.**

15 Q. And you also addressed specifically that

16 Donald Trump was not conceding; correct?

17 **A. Probably.**

18 Q. And you also addressed specifically how Fox

19 should react to the fact that Donald Trump was not

20 conceding; correct?

21 **A. I'm sure we had -- we were reporting that**

22 **fact. That was news.**

23 Q. I'm sorry. That's not my question, sir.

24 My question is --

25 **A. That was my comment. Sorry.**

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1 Q. My question is: You're having a

2 conversation with Ms. Scott about how Fox should

3 react to the fact that Donald Trump was not

4 conceding; right?

5 **A. We had declared Biden the winner. That's**

6 **all.**

7 Q. And --

8 **A. Of course, how do you react to that? How**

9 **do you react to the man who won't give up but -- and**

10 **so on.**

11 (Reporter clarification.)

12 **THE WITNESS: How do you react -- how do we**

13 **react? We just report the news.**

14 BY MR. NELSON:

15 Q. You had a conversation with Ms. Scott about

16 how Fox should cover Mr. Trump's failure to concede

17 the election; right?

18 MR. WEBB: Objection; form.

19 **THE WITNESS: It would help me if you showed me**

20 **what you are reading from.**

21 BY MR. NELSON:

22 Q. I will, but I want to --

23 **A. Thank you. Please.**

24 Q. I -- I will -- before -- I will show you

25 this document, sir. I'm asking for the best of your

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1 recollection.
2 **A. My recollection will be a lot better after**
3 **I read this.**
4 Q. Okay. And I will show it to you.
5 My question, sir, is: You had a conversation
6 with Ms. Scott about how to cover --
7 **A. I have conceded, Mr. Nelson, your statement**
8 **that -- that day, the day after we -- Fox had**
9 **declared Biden the winner, that Lachlan -- my son --**
10 **and I and Ms. Scott had a conversation.**
11 Q. Okay.
12 **A. "Can we go forward?"**
13 Q. Okay. And I will show you this document.
14 But, before I show you, I want your best
15 recollection about what you recall discussing about
16 how Fox goes forward -- forward in that
17 conversation?
18 **A. I only recall that we expected to lose**
19 **ratings and that the -- our viewers would come back,**
20 **as indeed they have.**
21 (Exhibit 3346 was marked for
22 identification.)
23 MR. NELSON: Okay. Let's mark as Exhibit 3346.
24 MR. WEBB: 3346 is before the witness.
25 ///

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1 BY MR. NELSON:
2 Q. And, sir, let's actually start at the
3 bottom email from you to Ms. Scott at 1:26 p.m.
4 And --
5 **A. "Getting creamed by CNN. Guess our viewers**
6 **don't want to watch it. Hard enough for me!**
7 **They'll return (not for Chris Wallace!)."**
8 Q. Laura --
9 **A. "Laura Ingraham, very good and gracious."**
10 Q. And on that, sir, you understand --
11 **A. "Anyway, football today!"**
12 Q. Yeah. Now, you understand, sir, Laura
13 Ingraham actually had made some comments that Trump
14 should concede; right?
15 **A. I think that's true.**
16 Q. Yeah. And that's what that is a reference
17 to; correct?
18 **A. Yes.**
19 Q. And Ms. Scott, then, reports to Mr. Wallace
20 about that long talk that you had later that day;
21 correct?
22 MR. WEBB: Objection; form.
23 **THE WITNESS: Or to Jay Wallace, yes.**
24 BY MR. NELSON:
25 Q. Mr. Jay Wallace. And she told you that the

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1 first 72 hours were expected to be the worst of it;
2 right?
3 **A. Yes.**
4 Q. It turned out not quite to be the case;
5 right?
6 **A. I don't know.**
7 Q. And then she lays out what they are
8 expecting to see -- correct? -- meaning you and
9 Lachlan are expecting to see?
10 **A. Excuse me. I am just reading this.**
11 **I don't know whether I made these points or**
12 **Lachlan did, but apparently they were made.**
13 Q. And this is you, Lachlan, and Ms. Scott
14 discussing the direction that Fox should take?
15 **A. Yes.**
16 MR. WEBB: Objection; form.
17 **THE WITNESS: Yes.**
18 BY MR. NELSON:
19 Q. Okay. Now, the next -- that day, in fact,
20 Maria Bartiromo's Sunday Show -- and we are done
21 with that document, sir.
22 But that same day, November 8th, Maria
23 Bartiromo's Sunday show hosted Rudolph Giuliani and
24 Sidney Powell. Are you aware of that?
25 **A. No. That would have been before that**

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1 **conversation, I imagine, because it is a morning**
2 **show.**
3 Q. And you addressed that show in your
4 conversation, did you not?
5 MR. WEBB: Objection; form.
6 **THE WITNESS: There is no mention of the show**
7 **with Bartiromo.**
8 BY MR. NELSON:
9 Q. No, I understand, sir. I'm asking: You
10 did talk about that show?
11 **A. I don't think so. I have no memory of**
12 **about --**
13 Q. One way or the other?
14 **A. No.**
15 Q. Okay. You did learn about the show soon
16 thereafter if you didn't watch it live; right?
17 MR. WEBB: Objection; form.
18 BY MR. NELSON:
19 Q. I'm not asking about this document, sir.
20 You -- you are going to look at the --
21 **A. I don't remember.**
22 Q. You don't remember. Okay.
23 MR. NELSON: Let's mark the next exhibit --
24 BY MR. NELSON:
25 Q. Who is Jack Keane?

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1 **A. Who.**
 2 Q. Jack Keane?
 3 **A. Oh, that is General --**
 4 Q. General Keane.
 5 **A. General Keane.**
 6 Q. Who is he, sir?
 7 **A. Four-star general. He's the chairman of**
 8 **Institute of War. He's a contributor to Fox News.**
 9 Q. At your suggestion?
 10 **A. He's -- hmm?**
 11 Q. At your suggestion?
 12 **A. No. No. He was hired by Ailes. He's been**
 13 **there a long time.**
 14 Q. You suggested that they renew him?
 15 **A. Hmm?**
 16 Q. You suggested they renew General Keane?
 17 MR. WEBB: Objection; form.
 18 **THE WITNESS: There was never any question that**
 19 **he would not be renewed. It might have been a**
 20 **question how much he got paid.**
 21 (Exhibit 3347 was marked for
 22 identification.)
 23 MR. NELSON: Okay. Let's mark as 3347
 24 General Keane's email to you, sir.
 25 MR. WEBB: Exhibit 3347 is with Mr. Murdoch.

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1 BY MR. NELSON:
 2 Q. And I want to focus your attention on
 3 that -- those first four or five lines. And he told
 4 you that Maria Bartiromo's show, Sunday Show,
 5 provided excellent coverage of the serious election
 6 fraud allegations; correct?
 7 **A. Uh-huh.**
 8 Q. And that he also says that -- that the
 9 Trump lawyers are alleging that the Democrats
 10 developed a software computer program to switch and
 11 also add votes, which would help explain the reason
 12 for the vote stoppage; right?
 13 **A. He is saying -- he is quoting the Trump**
 14 **lawyers.**
 15 Q. Right.
 16 **A. He is not making the allegation himself.**
 17 Q. No. But you understood that that was being
 18 aired on Maria Bartiromo's show. It's what he's
 19 telling you.
 20 MR. WEBB: Objection; form.
 21 **THE WITNESS: His first sentence is about --**
 22 BY MR. NELSON:
 23 Q. Right.
 24 **A. -- Maria's show, not the whole message.**
 25 Q. Well, he is telling you that she provided

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1 excellent coverage of the serious election fraud
 2 allegations and then proceeds to describe those
 3 allegations?
 4 **A. The allegations. And then he says, "Have**
 5 **no" -- "Have no idea if there is any evidence to**
 6 **support these allegations to include the many more."**
 7 Q. Right. And you are aware, sir, that Maria
 8 Bartiromo's Sunday Show was the first time that any
 9 mainstream network had aired the allegations about
 10 Dominion and this non-existent software program?
 11 MR. WEBB: Objection; form.
 12 **THE WITNESS: I'm not aware. I'm not aware. I**
 13 **was not aware. It was the first, second, or third.**
 14 BY MR. NELSON:
 15 Q. And you respond to Mr. -- excuse me. You
 16 respond to General Keane, do you not?
 17 **A. Uh-huh. I don't know. Yes, if you have a**
 18 **record.**
 19 Q. And -- and you tell him that Donald needs
 20 better lawyers than Rudy?
 21 MR. WEBB: Objection; form.
 22 **THE WITNESS: I'm sure.**
 23 BY MR. NELSON:
 24 Q. How did you know Rudy was on the show, sir?
 25 **A. I'm talking about him being a lawyer.**

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1 Q. Okay.
 2 I -- I will show you the document.
 3 **A. I mean, you've told me; so it's not in**
 4 **dispute.**
 5 Q. Okay. All right. We -- we will move off
 6 that. We don't need to mark that one. That's fine.
 7 And then that morning, November 9th, Ms. Scott
 8 tells you it's "time to pivot but keep the audience
 9 who love and trusts us"; right?
 10 **A. Yes.**
 11 Q. What did you interpret her to mean by that?
 12 **A. I don't know. To move on.**
 13 Q. Well --
 14 **A. Start covering the Biden presidency.**
 15 Q. But also to do it in a way that keeps the
 16 audience who loves and trusts Fox?
 17 **A. Yes.**
 18 Q. How are you going to do that?
 19 MR. WEBB: Objection; form.
 20 **THE WITNESS: We are doing it very successfully**
 21 **right now. We have a record audience.**
 22 BY MR. NELSON:
 23 Q. How were you going to do that in November
 24 of 2020?
 25 **A. Start on that process.**

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1 Q. You wanted to make sure that the audience
2 knows "we aren't abandoning them" and are "still
3 champions for them."
4 **A. For our audience? Absolutely.**
5 (Exhibit 3348 was marked for
6 identification.)
7 MR. NELSON: Okay. Let's mark as Exhibit 3348
8 your response to Ms. Scott's email, sir.
9 MR. WEBB: The witness has the document in front
10 of him.
11 BY MR. NELSON:
12 Q. And, sir --
13 **A. From me to Suzanne Scott.**
14 Q. What do you say?
15 **A. The 9th. "Thanks. All very true. Lots of
16 sane Fox viewers believe in Trump. Jack Keane, for
17 instance."
18 Jack does not believe that the election was
19 stolen and did not say so.**
20 Q. Right.
21 **A. That's different. Remaining in support of
22 or a friend.**
23 Q. Right. Well, you're telling -- you had
24 just received that email, sir. If you look at the
25 date, you can see that -- just that morning before

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1 this --
2 **A. That's the 9th.**
3 Q. -- on the 9th, you had received the email
4 from General Keane; correct?
5 **A. It is about the vaccine. Subject:
6 "Vaccine." But go ahead.**
7 Q. No, sir. On the email that you have, just
8 that we looked at; right? At 9:27 a.m. on this
9 document, you write, "Lots of sane viewers still
10 believe in Trump. Jack Keane, for instance"; right?
11 **A. Yes.**
12 Q. And --
13 **A. Doesn't believe that he won. He just --**
14 Q. Right. And you had just received an email
15 about the fact that Maria Bartiromo's show was
16 raising serious election fraud allegations,
17 including flipping software votes; right?
18 MR. WEBB: Objection; form.
19 **THE WITNESS: I had received an email you mean
20 from --**
21 BY MR. NELSON:
22 Q. From Mr. Keane, from General Keane.
23 **A. Okay. Then I did what? Said she gave
24 serious -- excellent coverage of serious election
25 allegations, yes.**

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1 Q. Right. And that's what you're referring to
2 when you say that there are lots of sane Fox viewers
3 who still believe in Trump?
4 MR. WEBB: Objection; form.
5 **THE WITNESS: Yes, I did say that.**
6 BY MR. NELSON:
7 Q. Okay. And, sir --
8 **A. Yeah. Like it or not, it's still true.**
9 Q. I'm sorry?
10 **A. Like it or not, that's still true.**
11 Q. That there are lots of sane --
12 **A. Hmm?**
13 Q. That what's still true?
14 **A. A lot of people still supporting Trump.**
15 Q. Sir, in mid-November, you suggested to
16 Suzanne Scott that Bill Sammon be let go right away;
17 correct?
18 **A. Mid --**
19 Q. Mid-November of 2020?
20 **A. I may have. I'm not certain. I don't know
21 about the "right away" part; but he should be let
22 go, yes.**
23 Q. Why were you having those discussions with
24 Ms. Scott?
25 **A. Because I knew Mr. Sammon. I knew her.**

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1 **She -- she is chief executive. Mr. Sammon had a
2 very important role as head of our Washington
3 bureau.**
4 Q. And you didn't trust him any longer?
5 **A. Hmm?**
6 Q. You didn't trust him any longer?
7 MR. WEBB: Objection; form.
8 **THE WITNESS: No, that's not true. I didn't
9 admire his journalism.**
10 BY MR. NELSON:
11 Q. And so you suggested that he be let go
12 right away?
13 MR. WEBB: Objection; form.
14 **THE WITNESS: I don't know about the "right
15 away," but I certainly suggested that he go.**
16 BY MR. NELSON:
17 Q. Okay.
18 **A. I -- the timing is not important.**
19 Q. Well, you thought it would send a big
20 message with the Trump people to let him go right
21 away?
22 MR. WEBB: Objection; form.
23 **THE WITNESS: I might have said that.**
24 BY MR. NELSON:
25 Q. And, sir, you had another conversation with

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1 General Keane later in November about these false
2 allegations of election fraud, did you not?
3 **A. Probably.**
4 Q. And Mr. Keane told you that these
5 allegations were conspiracy theories with multiple
6 allegations but short on fact-based election fraud;
7 right?
8 MR. WEBB: Objection; form.
9 **THE WITNESS: He said that?**
10 BY MR. NELSON:
11 Q. Yes, sir.
12 **A. Yes.**
13 Q. And you agreed with that, did you not?
14 **A. Yes.**
15 MR. NELSON: Let's go off the record really
16 briefly.
17 THE VIDEOGRAPHER: The time is 11:30 a.m., and
18 we are going off the video record.
19 (Recess.)
20 THE VIDEOGRAPHER: The time is 11:43 a.m., and
21 we are back on the video record.
22 BY MR. NELSON:
23 Q. Sir, on November 16th, 2020, you had a
24 conversation with Ms. Scott about not wanting to
25 antagonize Trump further; correct?

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1 **A. Probably.**
2 Q. Okay. And you also said that Giuliani
3 should be taken with a large grain of salt?
4 **A. Certainly the way I felt.**
5 Q. Why did you feel that way?
6 **A. I knew the man, not watched him on**
7 **television.**
8 (Exhibit 3349 was marked for
9 identification.)
10 MR. NELSON: Okay. Let's go to Exhibit 3349.
11 MR. WEBB: Exhibit 3349 is now with the witness.
12 BY MR. NELSON:
13 Q. This, sir, is your email to Ms. Scott that
14 morning; correct?
15 **A. Oh, it is 5:00 in the morning, yes.**
16 Q. You are in England, so it is a little more
17 respectable hours there?
18 **A. It would be midnight here.**
19 Q. If it's 5:52 a.m. Eastern, it would be
20 10:52 a.m. in Britain; right?
21 **A. It is five hours later in Britain.**
22 Q. Right. So if this is on Eastern time --
23 **A. Oh. Okay.**
24 Q. You are sending this mid-morning, Britain
25 time; correct?

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1 **A. I think so.**
2 Q. And what do you say in that third
3 paragraph, sir?
4 **A. "Trump will concede eventually and we**
5 **should concentrate on Georgia, helping any way we**
6 **can. We don't want to antagonize Trump further, but**
7 **Giuliani taken with a large grain of salt.**
8 **Everything at stake here," by which I mean the**
9 **Senate.**
10 Q. And sir, how did you intend to help in any
11 way you can?
12 MR. WEBB: Objection; form.
13 **THE WITNESS: I just give exposure to the**
14 **Republican candidate. There were two candidates.**
15 BY MR. NELSON:
16 Q. And how did you not want to antagonize
17 Trump further?
18 **A. I know what it refers to, but Trump was**
19 **putting millions into his campaign and losing.**
20 Q. Well, why did Fox not want to antagonize
21 Trump further on November 16th, 2020, sir?
22 MR. WEBB: Objection; form.
23 **THE WITNESS: He had a very large following, and**
24 **they were probably mostly viewers of Fox, so it**
25 **would have been stupid.**

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1 (Reporter clarification.)
2 **THE WITNESS: Mostly Fox viewers, yes.**
3 **So it would have been stupid.**
4 BY MR. NELSON:
5 Q. And that meant that you did not want to
6 antagonize Trump, but you also had to be careful
7 because "Giuliani taken with a large grain of salt;"
8 correct?
9 MR. WEBB: Objection; form.
10 **THE WITNESS: It's what I say.**
11 BY MR. NELSON:
12 Q. And, sir, you did have a conversation about
13 this very topic with Suzanne Scott later that
14 morning; correct?
15 **A. I expect so.**
16 Q. What did you talk about on that call?
17 **A. I don't know.**
18 Q. You talked --
19 **A. These subjects, I imagine.**
20 Q. Okay. And you also suggested that,
21 "Perhaps Mike Flynn, General Michael Flynn, should
22 be a contributor to Fox on intelligence"; correct?
23 **A. I'm sure I did.**
24 Q. And that happened on November 28th, 2020;
25 correct?

1 **A. If you say so, it will appear -- I don't**
 2 **contest it.**
 3 Q. I will show you the document, sir.
 4 (Exhibit 3350 was marked for
 5 identification.)
 6 MR. NELSON: Okay. We will mark this as
 7 Exhibit 3350.
 8 BY MR. NELSON:
 9 Q. And, sir, you see the date 11/28/2020. You
 10 ask --
 11 **A. I asked, "Should we?"**
 12 Q. And, sir, you are aware, a week later
 13 Mr. Flynn appeared on Jeanine Pirro's Saturday show?
 14 **A. I wasn't watching. I don't know.**
 15 Q. Okay. Let's see what Mr. Flynn said on
 16 that show.
 17 (Video clip played.)
 18 BY MR. NELSON:
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED]
 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED]
 25 ///

1 having conversations about the fact that Trump was
 2 doing more and more bizarre things to delegitimize
 3 the election; correct?
 4 MR. WEBB: Objection; form.
 5 **THE WITNESS: I don't remember that.**
 6 BY MR. NELSON:
 7 Q. And you understood that it was a key
 8 inflection point for Fox about how to cover this;
 9 correct?
 10 **A. Oh, yes.**
 11 Q. How was it a key inflection point for Fox?
 12 **A. Well, I'm sorry. I take that back. An**
 13 **inflection point -- how to go forward after he lost**
 14 **the election.**
 15 Q. I'm talking about in early December of 2020
 16 it was a key inflection point.
 17 **A. December?**
 18 Q. 2020.
 19 **A. Yeah, after the election.**
 20 Q. After the election was a key inflection
 21 point for Fox as Trump continued to push his
 22 baseless claims of fraud; correct?
 23 MR. WEBB: Objection; form.
 24 **THE WITNESS: He was still the sitting**
 25 **president, and we certainly still reported what he**

1 BY MR. NELSON:
 2 Q. As we discussed yesterday, at the time it
 3 was ridiculous?
 4 MR. WEBB: Objection; form of the question.
 5 **THE WITNESS: It might have been to you. I**
 6 **probably would have thought or said the same. I**
 7 **wasn't watching.**
 8 BY MR. NELSON:
 9 [REDACTED]
 10 [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 [REDACTED]
 14 [REDACTED]
 15 [REDACTED]
 16 [REDACTED]
 17 [REDACTED]
 18 [REDACTED]
 19 Q. Well, you laughed specifically when he
 20 spoke about how President Trump definitely won the
 21 election because it was ridiculous?
 22 MR. WEBB: Objection; form.
 23 **THE WITNESS: Yes.**
 24 BY MR. NELSON:
 25 Q. And, sir, during this time frame, you were

1 **said.**
 2 BY MR. NELSON:
 3 Q. And you had to make a choice in December of
 4 2020 about whether to continue to push this baseless
 5 fraud narrative, or to take a momentary hit in
 6 ratings but have a longer-term benefit in
 7 credibility by calling out these false claims of
 8 fraud; correct?
 9 MR. WEBB: Objection; form.
 10 **THE WITNESS: I wouldn't put it that way.**
 11 BY MR. NELSON:
 12 Q. Mr. Paul Ryan did.
 13 **A. We reported on what he said, and some of**
 14 **our commentators, such as Tucker Carlson, took down**
 15 **Sidney Powell, and yeah, we had plenty of people**
 16 **saying it was wrong.**
 17 BY MR. NELSON:
 18 Q. Mr. Paul Ryan, who was a board member of
 19 Fox, told you, did he not, that it was a key
 20 inflection point for Fox?
 21 **A. I think he did, yes.**
 22 Q. And you discussed that with Lachlan
 23 Murdoch, did you not?
 24 MR. WEBB: Objection; form.
 25 **THE WITNESS: I'm sure.**

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1 BY MR. NELSON:
 2 Q. What did you discuss about it being a key
 3 inflection point for Fox?
 4 **A. I would have discussed the fact that**
 5 **Mr. Ryan made that comment.**
 6 Q. How did you decide to handle the fact that
 7 it was a key inflection point for Fox about whether
 8 Trump was continuing to delegitimize the election?
 9 MR. WEBB: Objection; form.
 10 **THE WITNESS: Would you ask that again?**
 11 BY MR. NELSON:
 12 Q. How did you decide to handle the fact that
 13 it was this key inflection point for Fox about
 14 whether to continue airing this false narrative of
 15 Trump delegitimizing the election?
 16 MR. WEBB: Objection; form.
 17 **THE WITNESS: As a matter of news, we continued**
 18 **to say -- to report what the sitting president --**
 19 **still-sitting president was saying. That's news,**
 20 **and commentary is commentary.**
 21 BY MR. NELSON:
 22 Q. And, as a matter of policy, you decided in
 23 mid-December of 2020 to stop hosting Sidney Powell;
 24 is that right?
 25 MR. WEBB: Objection; form.

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1 **THE WITNESS: It wasn't my decision. Sidney**
 2 **Powell was fired, if I remember correctly, after**
 3 **Tucker Carlson's attack.**
 4 BY MR. NELSON:
 5 Q. Are you aware, sir, that she continued to
 6 appear on Fox multiple times, after she was fired,
 7 as Trump's lawyer?
 8 MR. WEBB: Objection; form.
 9 **THE WITNESS: I was not aware of that. Probably**
 10 **with Lou Dobbs on the Business channel.**
 11 BY MR. NELSON:
 12 Q. Actually with Sean Hannity, sir. Are you
 13 aware of that?
 14 **A. No.**
 15 MR. WEBB: Objection; form.
 16 **THE WITNESS: No.**
 17 BY MR. NELSON:
 18 Q. We just listened to Michael Flynn. He's
 19 not the president's lawyer, was he?
 20 MR. WEBB: Objection; form.
 21 **THE WITNESS: I don't know about Michael Flynn.**
 22 **He was a, you know, he was senior general, and he**
 23 **was a great Trump loyalist, and Jeanine Pirro**
 24 **decided to invite him on. Not my decision or the**
 25 **company's.**

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1 BY MR. NELSON:
 2 Q. You just suggested him as a contributor the
 3 week before; right?
 4 **A. I said we should think about it. That was**
 5 **before. If I had seen that, I wouldn't have made**
 6 **that comment.**
 7 Q. Now, sir, you were having a discussion in
 8 mid-December of 2020 about how to respond to Trump's
 9 baseless attacks on the election; right?
 10 MR. WEBB: Objection; form.
 11 **THE WITNESS: I was in constant discussion with**
 12 **Lachlan and to a lesser extent with Ms. Scott,**
 13 **because we were discussing everything --**
 14 (Reporter Clarification.)
 15 **THE WITNESS: And Ms. Scott, or largely**
 16 **Ms. Scott.**
 17 BY MR. NELSON:
 18 Q. I think you said to a lesser extent?
 19 **A. Oh, to a lesser extent. Okay.**
 20 Q. Sorry sir.
 21 **A. Thank you.**
 22 Q. And then I think you had said you were
 23 discussing everything; right?
 24 **A. Yes. The weather. Everything.**
 25 Q. More than the weather, sir?

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1 MR. WEBB: Objection; form.
 2 **THE WITNESS: Yes. Even football.**
 3 BY MR. NELSON:
 4 Q. And the fact that this was a key inflection
 5 point for Fox about how to respond?
 6 **A. I'm sure.**
 7 MR. WEBB: Objection; form.
 8 BY MR. NELSON:
 9 Q. And that November 5th rally, you watched
 10 that rally -- excuse me, that December 5th rally
 11 that General Flynn and Jeanine Pirro were commenting
 12 on, the Trump rally on December 5th. You watched
 13 that rally, did you not?
 14 **A. A rally in December?**
 15 Q. Mr. Trump did a rally in Georgia in
 16 December.
 17 **A. Okay.**
 18 Q. And you watched that rally, did you not?
 19 **A. I don't remember.**
 20 Q. You said that, "Trump on Saturday sounded
 21 really crazy."
 22 MR. WEBB: Objection; form.
 23 **THE WITNESS: If you say so, yes.**
 24 BY MR. NELSON:
 25 Q. Okay. And you also were receiving reports

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1 during this time frame that the Trump plan for the
 2 inauguration, which I believe was to hold some
 3 counter-rally -- and the Fox News reporting that
 4 "Barr was thinking of early retirement, plus Trump's
 5 Saturday performance was making it harder for Fox to
 6 straddle the issue," correct?
 7 MR. WEBB: Objection; form.
 8 **THE WITNESS: I don't remember using those**
 9 **words, but it is probably correct.**
 10 BY MR. NELSON:
 11 Q. What did you mean that it was harder for
 12 Trump -- excuse me. What did you mean that it
 13 was "harder for Fox to straddle the issue"?
 14 MR. WEBB: Objection; form.
 15 **THE WITNESS: We just reported.**
 16 BY MR. NELSON:
 17 Q. And when it came out about the media
 18 ignoring Hunter Biden, you told Mr. Allan of the
 19 Post that, "We will hammer this." Right?
 20 **A. Well, he broke the story, and everybody --**
 21 **including the FBI -- turned Twitter off, Facebook**
 22 **off. No one recognized that story. They do now.**
 23 Q. Why do they recognize it now?
 24 **A. Because the facts eventually come out.**
 25 Q. Because --

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1 **A. And I'm including the New York Times**
 2 **finally admitting it.**
 3 Q. And Fox helped air those charges?
 4 **A. Hmm?**
 5 Q. Fox helped air those charges; right?
 6 MR. WEBB: Objection; form.
 7 **THE WITNESS: Well, yes. It was very much a**
 8 **New York Post story. A lot more in the New York**
 9 **Post than there was in --**
 10 BY MR. NELSON:
 11 Q. And in late December, you thought that
 12 Trump was determined to self-destruct; correct?
 13 **A. I don't remember those words, but**
 14 **certainly.**
 15 MR. WEBB: Objection; form.
 16 BY MR. NELSON:
 17 Q. And you thought, "The sooner, the better
 18 for us so that we can go back and get on with being
 19 the loyal opposition"?
 20 **A. I'm sure. We always do better as the**
 21 **opposition.**
 22 Q. As opposed to airing these baseless
 23 charges?
 24 MR. WEBB: Objection; form.
 25 **THE WITNESS: We only report what was going on.**

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1 **That's all.**
 2 BY MR. NELSON:
 3 Q. And --
 4 **A. We didn't state them. They were not our**
 5 **charges.**
 6 Q. We will get to that, sir. You do often
 7 think about Fox strategies; correct?
 8 **A. The strategies are very clear. We report**
 9 **the news fairly and properly, and we allow**
 10 **commentators a lot of freedom.**
 11 Q. Well, in late December of 2020, you were
 12 commenting that you had lots of time to think Fox
 13 strategies; right?
 14 **A. Probably. I had lots of time. I was stuck**
 15 **in bloody England.**
 16 Q. What Fox News strategies were you thinking
 17 about?
 18 **A. All Fox strategies.**
 19 Q. And, sir, do you agree that Fox is uniquely
 20 positioned to state the message that the election
 21 was not stolen?
 22 MR. WEBB: Objection; form.
 23 **THE WITNESS: I might have said that.**
 24 BY MR. NELSON:
 25 Q. Do you believe it?

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1 MR. WEBB: Objection; form.
 2 **THE WITNESS: Indeed. Well, if you believe that**
 3 **we have any influence.**
 4 BY MR. NELSON:
 5 Q. And you suggested the day before
 6 January 6th that Hannity and Carlson and Ingraham
 7 should say some version of, "The election is over.
 8 Joe Biden won. We are all disappointed, but we have
 9 to turn the page"; right?
 10 **A. Yes.**
 11 Q. And you thought saying those words would go
 12 a long way to stop the Trump myth that the election
 13 was stolen; right?
 14 **A. I hoped that.**
 15 [REDACTED]
 16 [REDACTED]
 17 [REDACTED]
 18 [REDACTED]
 19 [REDACTED]
 20 BY MR. NELSON:
 21 Q. But you had to get your viewers there;
 22 right?
 23 MR. WEBB: Objection; form.
 24 **THE WITNESS: We don't get our viewers anywhere.**
 25 **They make up their own minds. We just tell them the**

1 facts.

2 BY MR. NELSON:

3 Q. That's what you said: "We have to get our
4 viewers there," right?

5 MR. WEBB: Objection; form.

6 **THE WITNESS: Where?**

7 BY MR. NELSON:

8 Q. Disgusted at President Trump for this myth
9 that the election was stolen?

10 **A. We certainly got them there the next day**
11 **when we covered the riots.**

12 (Reporter Clarification.)

13 **THE WITNESS: We certainly got them there when**
14 **we covered the riots.**

15 BY MR. NELSON:

16 [REDACTED]

1 BY MR. NELSON:

2 Q. Well -- I'm sorry, sir. Are you done?

3 **A. We were all, that day, so shocked, and the**
4 **next day. But I would have said, beyond that, until**
5 **Biden took over and Trump remained president, that**
6 **we would have reported what he said. That is**
7 **different than putting him on personally.**

8 Q. And, sir, you thought after January 6th
9 that there could be a distinction between Fox and --
10 I will use the words of Mr. Thompson -- "The nutty
11 right-wing sites which have been in cahoots with
12 Trump"?

13 MR. WEBB: Objection; form.

14 **THE WITNESS: Mr. Thompson that you read -- what**
15 **was your question?**

16 BY MR. NELSON:

17 Q. You thought that, after January 6th, that
18 Fox could distinguish itself --

19 **A. You said Mr. Thompson said that, did he?**

20 Q. My question is, he is telling you this.
21 I'm asking you -- here, let me show you the
22 document. Let me introduce this exhibit, sir.

23 (Exhibit 3351 was marked for
24 identification.)

25 MR. NELSON: Exhibit 3351.

1 [REDACTED]

1 MR. WEBB: Exhibit 3351 is before the witness.

2 You may proceed, Counsel.

3 BY MR. NELSON:

4 Q. These last couple lines, sir?

5 **A. A different Lachlan. You mean the one**
6 **from -- Lachlan Cartwright?**

7 Q. Yes. I'm asking about the top email.

8 **A. Hmm?**

9 Q. I'm asking you about the email from
10 Mr. Thompson to yourself. Do you see that top
11 email, sir?

12 **A. Oh the top one, yes.**

13 Q. Yes, sir, and he tells you in your
14 statement to the Daily Beast, "You could reference
15 Trump's relentless criticism of Fox News, which
16 shows that we were not sympathetic to his senseless
17 destruction and...we're principled in pursuit of the
18 truth." Do you see that, sir?

19 **A. Yes.**

20 Q. And he says, "That would create a clear
21 distinction between Fox and the nutty right-wing
22 sites (Newsmax, etc.) which have been in cahoots
23 with Trump." Do you see that, sir?

24 **A. Yes.**

25 Q. Do you agree that the nutty right-wing

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1 sites like Newsmax have been in cahoots with Trump
 2 during this November and December and January time
 3 frame?
 4 **A. Oh, yes.**
 5 Q. How so?
 6 **A. Well, the head of Newsmax, I think, saw an**
 7 **opportunity. He is personally a member of the**
 8 **Mar-a-Lago Club and he has been begging everybody,**
 9 **including me, for money, and he saw an opportunity**
 10 **here to get himself more established.**
 11 Q. Well, what was the opportunity?
 12 MR. WEBB: Objection; form.
 13 **THE WITNESS: To establish a news channel.**
 14 BY MR. NELSON:
 15 Q. How so?
 16 **A. By doing things which he thought would be**
 17 **popular with the Trump core.**
 18 Q. Like what?
 19 MR. WEBB: Objection; form.
 20 **THE WITNESS: Like supporting Trump.**
 21 BY MR. NELSON:
 22 Q. Like airing baseless charges of election
 23 fraud?
 24 **A. Yes.**
 25 MR. WEBB: Objection; form.

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1 **THE WITNESS: Well, wait a minute. What was**
 2 **your question?**
 3 BY MR. NELSON:
 4 Q. You answered it, sir. I just wanted to
 5 make sure you were done. Now --
 6 **A. I'm not sure of my answer. I certainly**
 7 **followed Mr. Thompson, and I never bothered to**
 8 **answer The Daily Beast.**
 9 Q. Do you agree that Fox should be principled
 10 in the pursuit of the truth?
 11 **A. Always.**
 12 Q. And what would you do if you found out that
 13 Fox News was not principled in the pursuit of the
 14 truth?
 15 MR. WEBB: Objection; form.
 16 **THE WITNESS: I would complain.**
 17 BY MR. NELSON:
 18 Q. How would you complain?
 19 MR. WEBB: Objection; form.
 20 **THE WITNESS: I would probably call -- I would**
 21 **call Ms. Scott.**
 22 BY MR. NELSON:
 23 Q. And say what?
 24 MR. WEBB: Objection; form.
 25 **THE WITNESS: I think that we're wrong on what**

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1 **we're saying, on this or that, or what we're**
 2 **reporting.**
 3 BY MR. NELSON:
 4 Q. Do you think that fair-minded people can
 5 conclude that Fox News bears some responsibility for
 6 the polarized divisions in our country?
 7 **A. No.**
 8 Q. That's what people wrote to you; correct?
 9 **A. They may have.**
 10 MR. WEBB: Objection; form. Objection; form.
 11 **THE WITNESS: I certainly don't agree with it.**
 12 BY MR. NELSON:
 13 Q. And your response was to say, "Fox News
 14 very busy pivoting." "We want to make Trump a
 15 non-person"; correct?
 16 MR. WEBB: Objection; form.
 17 **THE WITNESS: Show it to me.**
 18 (Exhibit 3352 was marked for
 19 identification.)
 20 MR. NELSON: Exhibit 3352.
 21 MR. WEBB: Exhibit 3352 is before the witness.
 22 I see it is -- do you want to direct his
 23 attention to a portion?
 24 MR. NELSON: Yes, sir. If you go to the bottom
 25 email first.

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1 **THE WITNESS: On the first page.**
 2 MR. NELSON: On the first page -- we will stick
 3 on the first page -- the bottom email from Preston
 4 Padden. He tells you, "For what it's worth" -- do
 5 you see that? Can you read that aloud, please, that
 6 paragraph?
 7 **A. "Sorry for delayed response."**
 8 Q. No, that paragraph, "For what it's worth,"
 9 please.
 10 **A. Hmm?**
 11 Q. Going down to the fourth paragraph, "For
 12 what it's worth."
 13 **A. [As read] For what it's worth, I do think**
 14 **Trump needs a course correction.**
 15 Q. "Fox News needs a course correction."?
 16 **A. Hmm?**
 17 Q. "I do think Fox News needs a course
 18 correction." Not Trump.
 19 **A. That's what he says. "And I think...people**
 20 **can conclude that FNC bears some responsibility."**
 21 **That's his opinion.**
 22 Q. Right.
 23 **A. Which I do not agree with.**
 24 Q. And you respond. You respond to that
 25 email, do you not, sir? And what do you say on that

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1 third line, sir, on the top email?
2 **A. The third line. "Fox News very busy**
3 **pivoting."**
4 Q. How is Fox News very busy pivoting?
5 **A. Busy reporting what people are saying about**
6 **Trump.**
7 Q. And you wanted to make Trump a non-person?
8 MR. WEBB: Objection; form.
9 **THE WITNESS: I'd still like to.**
10 (Reporter Clarification.)
11 BY MR. NELSON:
12 Q. And in fact, sir, you've called -- we are
13 done with that document, sir.
14 **A. Hmm?**
15 Q. We are done with that document.
16 You have called Mr. Trump "plain bonkers"?
17 **A. I'm sure.**
18 Q. You have called him "unable to express his
19 egomania"?
20 **A. Unable to suppress it.**
21 Q. "Suppress his egomania." Sorry, sir.
22 **A. Yes.**
23 Q. You said he is mad, maybe clinically?
24 **A. I might have.**
25 Q. You've called him nuts a couple times?

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1 **A. I call a lot of people nuts, yes.**
2 Q. You agree that the Republican Party is
3 destroying itself on the altar of Trump?
4 **A. Yes.**
5 Q. You thought he was an over-the-top
6 braggart?
7 **A. Yes.**
8 Q. He's a mad --
9 **A. What is the date of this?**
10 Q. It's in the September-to-November time
11 frame.
12 **A. 2020?**
13 Q. 2020, sir.
14 **A. To whom?**
15 Q. We can get the document. I'm asking
16 whether you agree with it.
17 **A. Hmm?**
18 MR. WEBB: I object to the form.
19 **THE WITNESS: No. I want to get -- I would like**
20 **to see the document and get the context.**
21 BY MR. NELSON:
22 Q. Okay. Do you agree that he's -- Trump is a
23 mad egomaniac?
24 **A. Oh, yes. Yes.**
25 MR. WEBB: Objection; form.

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1 BY MR. NELSON:
2 Q. Do you agree that Trump has uncontrollable
3 hubris?
4 **A. Like a lot of politicians.**
5 Q. Do you believe that Trump went mad after
6 November 3rd?
7 **A. I probably said that.**
8 Q. And, sir --
9 **A. Throughout the years -- yes, go on -- okay.**
10 Q. Sir, you had a conversation after
11 January 6th with Suzanne Scott where you said
12 that --
13 **A. November 6th?**
14 Q. Excuse me, January 6th.
15 **A. Yes.**
16 Q. -- that Sean Hannity has to move on --
17 **A. Yes.**
18 Q. -- from talking about Trump?
19 **A. Uh-huh.**
20 MR. WEBB: Object --
21 BY MR. NELSON:
22 Q. Why did you want him to move on from
23 talking about Trump?
24 MR. WEBB: Objection; form.
25 **THE WITNESS: I thought he'd be more effective.**

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1 (Exhibit 3353 was marked for
2 identification.)
3 BY MR. NELSON:
4 Q. And in fact, sir, Exhibit 3353, you thought
5 that Donald Trump should be charged with incitement
6 along with Rudy and Don, Jr.; correct?
7 MR. WEBB: Are you directing him to the second
8 email? Just so he knows where he is.
9 MR. NELSON: Thank you, Mr. Webb. Yes.
10 **THE WITNESS: What's the question?**
11 BY MR. NELSON:
12 Q. You thought Donald Trump should be charged
13 with incitement along with Rudolph Giuliani and
14 Don, Jr.; correct?
15 **A. I said they're not wrong to charge them**
16 **with incitement.**
17 Q. Right. And Ms. Scott tells you in response
18 to your email that, Sean is in the "right head space
19 and wants to help lead the 75 million forward away
20 from Trump." Do you see that?
21 **A. Yes.**
22 Q. Why did you think that Mr. Hannity would be
23 more effective if he stopped talking about Trump?
24 MR. WEBB: Objection; form.
25 **THE WITNESS: I said that he has to move**

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1 **forward. His audience was very much the Trump**
 2 **people, whereas Tucker is beyond that.**
 3 BY MR. NELSON:
 4 Q. And you understood that after January 10th,
 5 Fox had an almost impossible job to please both
 6 sides; correct?
 7 It is a different email.
 8 **A. Hmm?**
 9 Q. You understood that after January 6th that
 10 Fox had an almost impossible job to please both
 11 sides; correct?
 12 MR. WEBB: Object; form.
 13 **THE WITNESS: Yes.**
 14 BY MR. NELSON:
 15 [REDACTED]

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[REDACTED]

4 (Exhibit 3354 was marked for
 5 identification.)
 6 MR. NELSON: Okay. Let's go to the next
 7 exhibit, and sir I'm going to point you to the --
 8 MS. PEASLEE: Can you read in the Bates?
 9 MR. NELSON: 599333.
 10 And, sir, I will point you to the fourth
 11 paragraph of the document.
 12 MS. PEASLEE: We are on 3354; is that correct?
 13 MR. WEBB: That is correct. The last one was
 14 3353.
 15 MS. PEASLEE: Thank you.
 16 MR. NELSON: This is Exhibit 3354.
 17 MR. WEBB: The witness has it.
 18 BY MR. NELSON:
 19 Q. And, sir, the fourth paragraph, do you see
 20 where it says, "It would have been unthinkable,"
 21 sir? And it says, "It would have been unthinkable
 22 just a few days ago that Fox News would be called
 23 upon to explain what represents abuse of power and
 24 what is unacceptable in a democracy."
 25 And, sir, let me just pause there. You agree

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1 that January 6th was unacceptable in a democracy;
 2 correct?
 3 **A. January the 6th? Yes.**
 4 [REDACTED]

12 Q. And you do agree that Fox News has been an
 13 important megaphone for Donald Trump, do you not?
 14 **A. No.**
 15 MR. WEBB: Objection.
 16 **THE WITNESS: No, it is much more than that.**
 17 (Reporter Clarification.)
 18 BY MR. NELSON:
 19 Q. What do you mean that "it is much more than
 20 that"?
 21 **A. Well, it's got the whole audience. It is**
 22 **not just for Trump.**
 23 Q. And you responded --
 24 **A. Or never was.**
 25 Q. Do you feel that you're somewhat

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1 responsible for Donald Trump since you gave him a
 2 platform on Fox and Friends prior to his run?
 3 **A. No. His platform which made him famous was**
 4 **The Apprentice on NBC.**
 5 Q. Do you think it was appropriate for Donald
 6 Trump to spread birther conspiracies about
 7 President Obama?
 8 MR. WEBB: Objection; form.
 9 **THE WITNESS: Of course not.**
 10 BY MR. NELSON:
 11 Q. You are aware he did that on the air of Fox
 12 News?
 13 MR. WEBB: Objection; form.
 14 **THE WITNESS: No, I'm not. I think he said it**
 15 **in many places.**
 16 BY MR. NELSON:
 17 Q. Including on Fox?
 18 **A. I don't know.**
 19 Q. You responded to this email, did you not,
 20 sir? You told Mr. Lachlan Murdoch, your son, that
 21 Fox "is pivoting as fast as possible"; correct?
 22 **A. Can you share it with me? Maybe.**
 23 (Exhibit 3355 was marked for
 24 identification.)
 25 MR. NELSON: Let's go to Exhibit 3355.

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1 BY MR. NELSON:
 2 Q. And I'll point your attention to the top
 3 email, sir, just those first three lines. And you
 4 suggest what your son should tell Ms. Dias; correct?
 5 **A. Yes.**
 6 Q. And, sir, Fox was pivoting as fast as
 7 possible; right?
 8 MR. WEBB: Objection; form.
 9 **THE WITNESS: I think pivoting is not -- you**
 10 **have been using it a lot. And we do, too.**
 11 **And I -- probably not the right word, but --**
 12 BY MR. NELSON:
 13 Q. So what word would you use, sir?
 14 **A. I would use adapting. It's okay. This is**
 15 **what I wrote with a lot of typos to my son.**
 16 MR. NELSON: Okay. We have been going about
 17 another hour. And so let's -- if you are done, sir,
 18 I don't want to --
 19 **THE WITNESS: Hmm?**
 20 MR. NELSON: I have no more questions on this
 21 document.
 22 **THE WITNESS: Hmm? You have no more?**
 23 MR. NELSON: On this document, sir.
 24 Let's go ahead and go off the record.
 25 THE VIDEOGRAPHER: The time is 12:25 p.m., and

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1 we are going off the record.
 2 (Luncheon recess taken at 12:25
 3 p.m.) * * *
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1 AFTERNOON SESSION
 2 Commenced at 12:52 p.m.
 3 EXAMINATION (Resumed)
 4 THE VIDEOGRAPHER: The time is 12:52 p.m., and
 5 we are back on the video record.
 6 BY MR. NELSON:
 7 Q. Sir, you continued to suggest to Ms. Scott
 8 that "Fox News and shows like Hannity should not
 9 champion public figures who appear mad"; right?
 10 **A. In those words?**
 11 Q. Just in general.
 12 **A. Of course.**
 13 Q. You say "of course." Why?
 14 **A. Well, you know what -- well, actually,**
 15 **sometimes you get people on, and you cross-examine**
 16 **them, and they do turn out to be mad. You may not**
 17 **know that in advance.**
 18 Q. If you know in advance --
 19 **A. No. Okay.**
 20 Q. What do you mean, "No. Okay"?
 21 **A. I am conceding your point.**
 22 Q. And that's what you did, in fact, with the
 23 congresswoman from Georgia, Marjorie Taylor Greene?
 24 You wanted to be careful not to champion her; right?
 25 **A. What date was this?**

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1 Q. February 5th, sir, 2021.
 2 **A. Okay.**
 3 Q. I will show you the document.
 4 **A. It's not worth -- I accept it.**
 5 Q. Okay. Why do you want to be careful not to
 6 champion people who appear mad or insane?
 7 **A. No one wants to champion madness.**
 8 Q. And, sir, the NFL -- Fox broadcasting has
 9 the rights to the NFL; correct?
 10 **A. Some of it. Some of it.**
 11 Q. Fair enough. Fox broadcasting has some of
 12 the rights to the NFL?
 13 **A. Yeah.**
 14 Q. It's fair to say that Fox Corporation has a
 15 working relationship with the NFL, fair?
 16 **A. Yes.**
 17 Q. And are you aware of the kneeling
 18 controversy of Colin Kaepernick taking a knee?
 19 **A. I remember it.**
 20 Q. What do you remember about that, sir?
 21 **A. It was a cause of great controversy. Trump**
 22 **attacked it, and as a result more and more people**
 23 **knelt. I think today it's pretty much gone away.**
 24 Q. And you had a conversation with Ms. Scott,
 25 correct, that Fox should not be covering this

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1 kneeling controversy because it might reflect poorly
2 on the NFL?
3 **A. I might have -- if you say so.**
4 Q. Well, I want --
5 **A. I don't remember that.**
6 Q. It is consistent with what you would have
7 done?
8 MR. WEBB: Objection; form.
9 **THE WITNESS: Now, I remember that we were**
10 **shocked by Trump saying they should "fire those sons**
11 **of bitches." I think those are the words he used.**
12 BY MR. NELSON:
13 Q. And do you recall having conversations with
14 Ms. Scott because you wanted to shut the kneeling
15 story down to make sure that the NFL was happy?
16 MR. WEBB: Objection; form.
17 **THE WITNESS: I don't remember that.**
18 BY MR. NELSON:
19 Q. And you understood that it could have a
20 negative impact on your negotiations with the NFL if
21 Fox was adversely covering NFL stories?
22 **A. No.**
23 Q. Okay.
24 **A. They are only interested in our money.**
25 Q. Okay. And you don't remember it, but is it

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1 consistent with some conversations that you might
2 have had?
3 MR. WEBB: Objection; form.
4 **THE WITNESS: I don't remember anything about**
5 **it.**
6 BY MR. NELSON:
7 Q. Okay.
8 **A. I remember there was a controversy.**
9 Q. You remember there was a controversy?
10 **A. But we had no financial incentive to do**
11 **anything about it, one way or the other.**
12 (Reporter clarification.)
13 BY MR. NELSON:
14 Q. And the type of story suggestion about what
15 should and shouldn't be covered is something that
16 could have come up in your conversations with
17 Ms. Scott?
18 MR. WEBB: Objection; form.
19 **THE WITNESS: Could have.**
20 BY MR. NELSON:
21 Q. And, sir, you thought that Trump insisting
22 on the election being stolen and convincing
23 25 percent of Americans was a huge disservice to
24 this country; correct?
25 MR. WEBB: Objection; form.

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1 **THE WITNESS: Yes.**
2 BY MR. NELSON:
3 Q. You thought it was "pretty much a crime";
4 correct?
5 **A. I don't think I said -- I didn't say that.**
6 MR. WEBB: Objection; form.
7 **THE WITNESS: I said a disservice.**
8 BY MR. NELSON:
9 Q. You are telling the jury that you didn't
10 say "pretty much a crime"?
11 MR. WEBB: Objection; form.
12 **THE WITNESS: I have no memory of what you're --**
13 **but show it to me, and I'm not denying it.**
14 (Exhibit 3356 was marked for
15 identification.)
16 MR. NELSON: Okay. Exhibit 3356.
17 MR. WEBB: The witness has the exhibit.
18 BY MR. NELSON:
19 Q. Sir, can you please read this entire email
20 aloud to the jury?
21 **A. "The more I think about McConnell's remarks**
22 **or complaint, the more I agree."**
23 **This is the 20th of January.**
24 **"Trump insisting on the election being stolen**
25 **and convincing 25 percent of Americans was a huge**

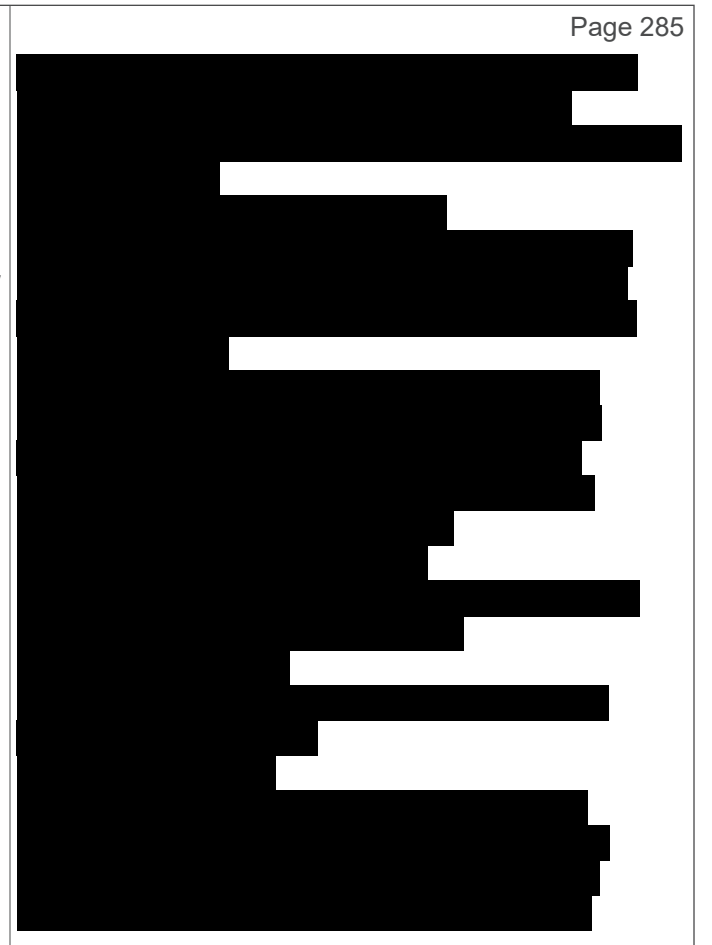
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1 **disservice to the country. Pretty much a crime.**
2 **Inevitable it blew up January 6th."**
3 Q. Let's stop there. Your memory is now
4 refreshed. Would you like to tell the jury whether
5 you have a different answer to whether you've said
6 it was "pretty much a crime"?
7 MR. WEBB: Objection; form.
8 **THE WITNESS: I do say here, "pretty much a**
9 **crime."**
10 BY MR. NELSON:
11 Q. And then go on. What is the rest of your
12 email, sir?
13 **A. "Best we don't mention his name unless**
14 **essential and certainly don't support him. We have**
15 **to respect people of principle and if it comes to**
16 **the Senate, don't take sides.**
17 **And "I know he is being over-demonized, but he**
18 **brought it on himself."**
19 Q. Why are you telling Ms. Scott this?
20 **A. I was just rambling. It was just --**
21 Q. Just ramblings?
22 **A. Just my thoughts at the moment. I told**
23 **you, I was sitting in bloody England.**
24 Q. And do you think that Ms. Scott understood
25 this as a recommendation from you, sir?

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1 MR. WEBB: Objection; form.
2 **THE WITNESS: Yeah. Yes.**
3 BY MR. NELSON:
4 Q. And, sir, the next day --
5 **A. You would have to ask her that.**
6 (Reporter Clarification.)
7 **THE WITNESS: You would have to ask her what her**
8 **reaction is.**
9 BY MR. NELSON:
10 Q. The next day, you asked whether "it was
11 unarguable that high-profile Fox voices fed the
12 story that the election was stolen and that
13 January 6th was an important chance to have the
14 result overturned"; correct?
15 **A. I didn't hear you properly.**
16 Q. Did you ask Ms. Scott whether "it was
17 unarguable that high-profile Fox voices fed the
18 story that the election was stolen and that
19 January 6th an important chance to have the result
20 overturned"?
21 **A. I don't remember that.**
22 Q. Did you tell Ms. Scott that maybe Sean
23 Hannity and Laura Ingraham went too far?
24 **A. I don't remember.**
25 Q. You don't remember whether you told --

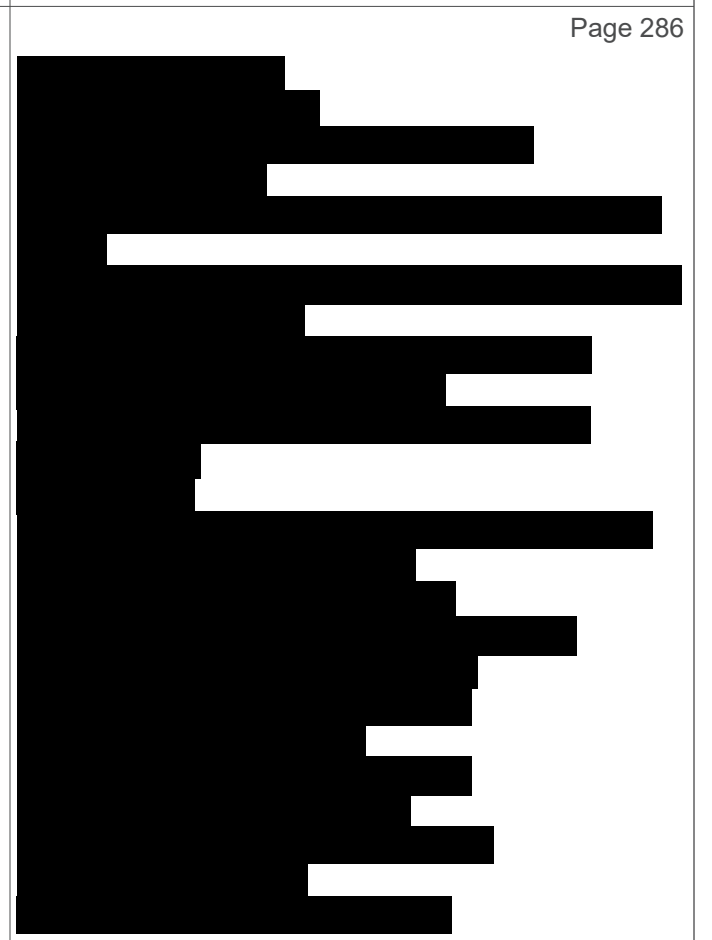
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1 **A. I think we've had evidence that Laura**
2 **Ingraham came out saying that Trump should nicely**
3 **concede.**
4 Q. That's fair.
5 Do you recall asking Ms. Scott whether maybe
6 Sean Hannity went too far?
7 MR. WEBB: Objection; form.
8 **THE WITNESS: No. I mean, I -- you know, I've**
9 **had hundreds of conversations and emails. I don't**
10 **remember individual.**
11 BY MR. NELSON:
12 Q. And having conversations such as these were
13 typical?
14 MR. WEBB: Objection; form.
15 **THE WITNESS: It was an exchange of emails.**
16 **Well, you have chosen selective ones for your case.**
17 (Exhibit 3357 was marked for
18 identification.)
19 MR. NELSON: Let's go to Exhibit 3357.
20 MR. WEBB: The witness has Exhibit 3357 before
21 him.
22 BY MR. NELSON:
23 Q. Sir, the second paragraph, what do you ask
24 in that second sentence, sir?
25 **A. "Still getting mud thrown at us. It is**

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[REDACTED]

[REDACTED]

[REDACTED]

1 and Maria at breakfast.
2 Q. So the title of this document, midway
3 through the first page, can you --
4 A. Instances of Talent Support for the 'Stolen
5 Election' Narrative and Relief That Congress -- yes.
6 Q. Could you read that aloud, please, to the
7 jury?
8 A. "Instances of Talent Support for the
9 'Stolen Election' Narrative and Relief -- and Belief
10 That Congress Would Change Electoral Votes on
11 January the 6th."
12 Q. And you understand, based upon that first
13 part of the email, that this excludes comments by
14 Sidney Powell or Rudy Giuliani themselves? This is
15 just the hosts, sir; correct?
16 A. Yes. Yes.
17 MR. WEBB: Objection; form.
18 THE WITNESS: Yes.
19 BY MR. NELSON:
20 Q. Do you believe, sir -- did you believe in
21 November of 2020 that Fox News's ratings were
22 becoming a real worry?
23 A. Probably.
24 Q. Did you believe, sir, in November of 2020
25 that Fox was getting killed in audience numbers?

1 **A. At the end of 2020?**
 2 Q. In November, late --
 3 **A. After the election, yes.**
 4 Q. You did agree with that?
 5 **A. Yes. It is a big word, saying "killed,"**
 6 **but they were down.**
 7 Q. You stated that, "Fox News was getting
 8 killed in audience numbers"?
 9 **A. Well, it is a loose use of words.**
 10 Q. Sir, did you agree that, "Trump's crazy
 11 attacks on Fox has hurt ratings"?
 12 **A. Oh, yes.**
 13 Q. How so?
 14 **A. Hmm?**
 15 Q. How so did Fox crazy attacks -- excuse me.
 16 How so did Trump's crazy attacks on Fox hurt
 17 ratings?
 18 **A. Well, we all know that Trump has a big**
 19 **following. If he says, "Don't watch Fox News,"**
 20 **maybe some don't.**
 21 Q. And --
 22 **A. It is because we did not support him in his**
 23 **claims, generally. That's what he was annoyed**
 24 **about.**
 25 Q. Only those 50 times that we just saw?

[REDACTED]

1 MR. WEBB: Objection; form.
 2 **THE WITNESS: That wasn't enough for him.**
 3 BY MR. NELSON:
 4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 8 (Exhibit 3360 was marked for
 9 identification.)
 10 MR. NELSON: Let's go to --
 11 [REDACTED]
 12 [REDACTED]
 13 MR. NELSON: Let's go to Exhibit 3360.
 14 MR. WEBB: The witness has the exhibit.
 15 BY MR. NELSON:
 16 [REDACTED]
 17 [REDACTED]
 18 [REDACTED]
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED]
 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED]
 25 [REDACTED]

[REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
 7 BY MR. NELSON:
 8 Q. And that was on November 6th --
 9 **A. Really?**
 10 MR. NELSON: And we will just mark that document
 11 just so we have it in the record, sir.
 12 (Exhibit 3361 was marked for
 13 identification.)
 14 MR. NELSON: That is Exhibit 3361.
 15 And no need to look at it. You can see where
 16 you agree with that sentiment. That's on
 17 November 6th.
 18 **THE WITNESS: It is to Lachlan. "Agreed**
 19 **100 percent."**
 20 BY MR. NELSON:
 21 [REDACTED]
 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED]
 25 **A. What date?**

1 Q. November 18th, sir. Do you recall those
2 discussions?
3 **A. No, I don't. But we were looking around**
4 **for what in the hell do we put on the evenings in**
5 **Fox Business because CNBC has on repeats of -- I**
6 **don't know -- Shark Tank, I think.**

7 [REDACTED]

10 (Reporter clarification.)
11 (Exhibit 3362 was marked for
12 identification.)
13 MR. NELSON: Let's go to 3362, sir. You asked
14 Mr. Lachlan Murdoch --
15 BY MR. NELSON:

16 Q. What do you ask him?
17 [REDACTED]

1 [REDACTED]

7 [REDACTED]

25 Q. And --

1 **A. I know we didn't make an offer.**
2 [REDACTED]

19 Q. Sir, have you heard of --
20 **A. You have a lot of crazy ideas in business.**
21 **We talk about it, we do something, or we don't do**
22 **it.**
23 Q. And you decided not to go forward with this
24 one?
25 MR. WEBB: Objection; form.

1 **THE WITNESS: Yes.**
2 BY MR. NELSON:
[REDACTED]

16 Q. You were actually a -- suggesting that
17 perhaps there were better advertisers than MyPillow,
18 at some point, to your Fox News team; correct?
19 **A. Yeah. But we have plenty of room for more.**
20 **But that's fine.**
21 (Reporter clarification.)
22 BY MR. NELSON:
23 Q. And, sir, what do you think of Mr. Mike
24 Lindell personally?
25 MR. WEBB: Objection; form.


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1 **THE WITNESS: I don't know him.**
 2 BY MR. NELSON:
 3 Q. Were you aware that he was making these
 4 false claims of election fraud in November and
 5 December of 2020 and January of 2021?
 6 **A. No. It was only more recently that I**
 7 **learned he was at the January 6th and I'm told**
 8 **currently is in some trouble.**
 9 Q. Does Fox News still air MyPillow ads?
 10 **A. Oh, certainly. We are not political. We**
 11 **don't ask how people voted before we put their ads**
 12 **on. If it is a genuine advertisement and they pay**
 13 **for it, that's it.**
 14 Q. It is not red or blue, it is green; right?
 15 MR. WEBB: Objection; form.
 16 **THE WITNESS: Correct.**
 17 BY MR. NELSON:
 18 Q. And, sir, do you think that giving Mike
 19 Lindell a platform through advertisements on Fox
 20 News to this day increases his profile?
 21 MR. WEBB: Objection; form.
 22 **THE WITNESS: There is no way to increase his**
 23 **profile. It is so high now. And we don't give**
 24 **anything to Mr. Lindell.**
 25 ///


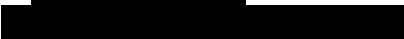


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1 BY MR. NELSON:
 2 Q. And yet he pays you to be on the air?
 3 **A. As any other advertiser does.**
 4 Q. Sorry?
 5 **A. As any other advertiser. I used to worry**
 6 **about these things. For instance, I used to worry**
 7 **about the ads for gold, and I asked the editor of**
 8 **the Wall Street Journal and he said, "No, no, every**
 9 **time something's bad -- my own family calls me,**
 10 **should we buy gold or something?" Okay.**
 11 Q. We are not talking about buying gold.
 12 MR. WEBB: Objection.
 13 **THE WITNESS: I know.**
 14 BY MR. NELSON:
 15 Q. We are talking about Fox -- to this day,
 16 sir, Fox is airing advertisements from somebody who
 17 is an election denier who you say are having these
 18 ridiculous claims and Fox is --
 19 **A. What his political opinion --**
 20 MR. WEBB: Objection; form.
 21 **THE WITNESS: His political opinions are no**
 22 **business of mine, nor mine are any business of his.**
 23 BY MR. NELSON:
 24 Q. You could tell Fox News to stop running
 25 Mike Lindell's advertisements, couldn't you?

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1 MR. WEBB: Objection; form.
 2 **THE WITNESS: Yes.**
 3 BY MR. NELSON:
 4 Q. And, sir --
 5 **A. But I'm not about to.**
 6 Q. And, sir, have you heard of Lin Wood?
 7 **A. Who?**
 8 Q. Lin Wood?
 9 **A. No.**
 10 Q. He was one of the other attorneys, not
 11 hired by President Trump, who was pushing these
 12 false conspiracy claims in November and December of
 13 2020, including on Fox. You are not aware of that?
 14 MR. WEBB: Objection; form.
 15 **THE WITNESS: No. I've never heard of him.**
 16 BY MR. NELSON:
 17 Q. Have you heard of Joe Oltmann, sir?
 18 **A. No.**
 19 Q. Do you believe that lying has consequences?
 20 MR. WEBB: Objection; form.
 21 **THE WITNESS: Most certainly.**
 22 BY MR. NELSON:
 23 Q. And do you believe that the truth matters?
 24 **A. Of course.**
 25 

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1 
 2 
 3 
 4 
 5 (Exhibit 3364 was marked for
 6 identification.)
 7 MR. NELSON: Let's mark as Exhibit 3364.
 8 MR. WEBB: The witness has the exhibit.
 9 BY MR. NELSON:
 10 Q. And, sir, I will point you to the paragraph
 11 starting, "Trying to watch U.S. hearings." Do you
 12 see that?
 13 **A. Just a minute. Yes.**
 14 **What is this? From me to Rebekah Brooks, yes.**
 15 **She is the chief executive of our British interests.**
 16 (Reporter clarification.)
 17 **THE WITNESS: British companies.**
 18 BY MR. NELSON:
 19 Q. And sir --
 20 **A. I want to read this.**
 21 Q. -- I am pointing your attention to the
 22 paragraph starting, "Trying to watch U.S. hearings."
 23 Do you see that, sir?
 24 **A. Uh-huh.**
 25 Q. And could you please read that paragraph

1 MR. WEBB: Objection to the form.
 2 **THE WITNESS: It doesn't say that.**
 3 **"And told him that you gave very imp" --**
 4 **"important," I guess -- "info."**
 5 BY MR. NELSON:
 6 Q. Is that appropriate for Ms. Bartiromo to
 7 forward this crazy email and talk to Eric Trump
 8 about this clearly whacky conspiracy theory?
 9 MR. WEBB: Objection; form.
 10 **THE WITNESS: I view a misjudgment.**
 11 (Reporter clarification.)
 12 **THE WITNESS: A misjudgment.**
 13 BY MR. NELSON:
 14 Q. Does Fox have a responsibility to tell the
 15 truth, even when its viewers don't want to hear it?
 16 MR. WEBB: Objection; form.
 17 **THE WITNESS: Yes.**
 18 BY MR. NELSON:
 19 Q. What is Fox's role in making sure its
 20 viewers don't become nuts watching the channel?
 21 MR. WEBB: Objection; form.
 22 **THE WITNESS: I don't know. It has more**
 23 **Democratic viewers than any other channel.**
 24 BY MR. NELSON:
 25 Q. Well, that's not really my question.

1 **A. I know.**
 2 Q. What is Fox's role in making sure its
 3 viewers don't become nuts watching it?
 4 MR. WEBB: Objection; form.
 5 **THE WITNESS: It is the duty of Fox to report**
 6 **the news as it is and has some people to comment on**
 7 **it, what their reaction. And what the viewer's**
 8 **reaction is, and their mental state, I don't know.**
 9 BY MR. NELSON:
 10 Q. Should Fox hosts promote racism?
 11 **A. Oh, no.**
 12 Q. Should Fox hosts promote sexism?
 13 **A. No.**
 14 Q. Should Fox hosts promote anti-Semitism?
 15 **A. No.**
 16 Q. Should Fox hosts encourage violence?
 17 **A. No. We have a great record on all of those**
 18 **subjects.**
 19 Q. Should Fox hosts encourage the false notion
 20 that the election was stolen?
 21 MR. WEBB: Objection; form.
 22 **THE WITNESS: No -- as a matter of -- some of**
 23 **them may have thought that at the time, but not**
 24 **today.**
 25 **///**

1 BY MR. NELSON:
 2 Q. And, sir, you could have prevented Sidney
 3 Powell from coming on the air; correct?
 4 MR. WEBB: Objection; form.
 5 **THE WITNESS: Actually, I couldn't have. I'd**
 6 **never heard of her.**
 7 BY MR. NELSON:
 8 Q. You could have said, generally speaking,
 9 not to air these crazy allegations?
 10 MR. WEBB: Objection; form.
 11 **THE WITNESS: Not to air what?**
 12 BY MR. NELSON:
 13 Q. The crazy allegations?
 14 MR. WEBB: Objection; form.
 15 **THE WITNESS: Did everyone know it was crazy at**
 16 **the time, and how often did she come on? I don't**
 17 **know.**
 18 BY MR. NELSON:
 19 Q. You knew it was crazy at the time?
 20 **A. Hmm?**
 21 MR. WEBB: Objection; form.
 22 BY MR. NELSON:
 23 Q. You knew it was crazy at the time?
 24 MR. WEBB: Objection; form.
 25 **THE WITNESS: I wasn't watching. Did I -- did I**

[REDACTED]

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1 MR. WEBB: Objection; form.
 2 **THE WITNESS: I know who they are.**
 3 BY MR. NELSON:
 4 Q. And it mentioned the fact that Fox hosts
 5 were airing these conspiracy theories and putting
 6 Sidney Powell on the air; correct?
 7 MR. WEBB: Objection; form.
 8 **THE WITNESS: Mediaite takes every opportunity**
 9 **to attack Fox, even to organize boycotts.**
 10 BY MR. NELSON:
 11 Q. That is not my question.
 12 **A. That is my answer.**
 13 Q. My question to you, sir, is in that
 14 article, it reports that Fox was hosting Sidney
 15 Powell on its air --
 16 MR. WEBB: Objection; form.
 17 BY MR. NELSON:
 18 Q. -- and she was spouting these conspiracy
 19 theories; correct?
 20 MR. WEBB: Objection; form.
 21 **THE WITNESS: They said that, Mediaite did.**
 22 BY MR. NELSON:
 23 Q. And you read that article?
 24 **A. And I don't credit them for anything.**
 25 Q. You don't credit them about what Fox

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1 actually aired?
 2 **A. Not on Mediaite. Someone else had done**
 3 **that, maybe.**
 4 Q. Did you actually investigate whether Sidney
 5 Powell or Rudy Giuliani was appearing on Fox News?
 6 **A. No.**
 7 Q. You knew that Fox --
 8 **A. I knew that -- about Rudy.**
 9 Q. You knew Rudy Giuliani was spouting these
 10 allegations?
 11 MR. WEBB: Objection; form.
 12 **THE WITNESS: Yes. I think -- I told you we saw**
 13 **his press conference with his hair dye.**
 14 BY MR. NELSON:
 15 Q. You knew that he was appearing on Fox and
 16 doing the same?
 17 **A. Hmm?**
 18 Q. You knew he was appearing on Fox and doing
 19 the same?
 20 MR. WEBB: Objection; form.
 21 **THE WITNESS: Yeah. I mean, he was -- he is not**
 22 **a Fox contributor. He wasn't doing it under the**
 23 **authority of Fox. He was doing it with the**
 24 **authority of his own, and of Mr. Trump probably.**
 25 ///

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1 BY MR. NELSON:
 2 Q. And you could have said to Suzanne Scott or
 3 to the hosts, "Stop putting Rudy Giuliani on the
 4 air"?
 5 MR. WEBB: Objection; form.
 6 **THE WITNESS: I could have. But I didn't.**
 7 BY MR. NELSON:
 8 Q. You could have said, "Get Rudy off TV,"
 9 like the New York Post editorial said on
 10 November 7th; right?
 11 MR. WEBB: Objection; form.
 12 **THE WITNESS: I guess I could have, but we**
 13 **thought -- I would have said that what the**
 14 **president's lawyer is saying, right or wrong, it is**
 15 **news. That is happening right now with Mr. Biden.**
 16 BY MR. NELSON:
 17 Q. Right. And so you chose not to take him
 18 off TV?
 19 MR. WEBB: Objection; form.
 20 **THE WITNESS: I mean, we haven't taken Mr. Biden**
 21 **off, either.**
 22 MR. WEBB: Objection; form.
 23 BY MR. NELSON:
 24 Q. Sir, is it wrong to tell viewers one thing
 25 when you privately believe another?

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1 MR. WEBB: Objection; form.
 2 **THE WITNESS: It would be, but we don't do that.**
 3 BY MR. NELSON:
 4 Q. You just saw Mr. Hannity do it on multiple
 5 occasions, where you know that he was privately
 6 discussing with Mr. Trump and didn't tell his
 7 viewers that; right?
 8 MR. WEBB: Objection; form.
 9 **THE WITNESS: I didn't know at the time.**
 10 BY MR. NELSON:
 11 Q. Was that wrong now that you do know?
 12 MR. WEBB: Objection; form.
 13 **THE WITNESS: If Mr. Hannity was knowingly**
 14 **pushing falsehoods, that would be totally wrong.**
 15 BY MR. NELSON:
 16 [REDACTED]

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[REDACTED]

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1 BY MR. NELSON:
2 Q. Will you apologize to Dominion?
3 MR. WEBB: Objection; form.
4 **THE WITNESS: No.**
5 BY MR. NELSON:
6 Q. Was it a mistake to broadcast these lies?
7 MR. WEBB: Objection; form.
8 **THE WITNESS: No. I mean, in hindsight. But**
9 **you'd have to qualify that. But, no, we were**
10 **reporting what Mr. Trump and his lawyers were**
11 **saying. That's all.**
12 BY MR. NELSON:
13 Q. In hindsight, it was a mistake?
14 MR. WEBB: Objection; form.
15 **THE WITNESS: I don't -- no. I think it is our**
16 **duty to report the facts and the news, and it is**
17 **news that the president and his employees are -- say**
18 **anything. I mean, we are doing that with Mr. Biden**
19 **right now.**
20 BY MR. NELSON:
21 Q. We just looked at examples, sir, of Fox
22 hosts endorsing these lies; correct?
23 MR. WEBB: Objection; form of the question.
24 **THE WITNESS: No. Two or three hours.**
25 ///

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1 BY MR. NELSON:
2 Q. Sir, in your 2011 testimony to
3 parliament --
4 **A. To where?**
5 Q. -- to parliament about the News Corp.
6 scandal, you apologized?
7 **A. I did.**
8 MR. WEBB: Objection -- objection; form of the
9 question.
10 BY MR. NELSON:
11 Q. Are you aware, sir --
12 (Reporter clarification.)
13 **THE WITNESS: I said yes.**
14 BY MR. NELSON:
15 Q. Are you aware, sir, that to this day,
16 Dominion employees get death threats?
17 **A. No.**
18 Q. Are you aware that they receive harassment
19 consistently -- sorry, sir?
20 **A. No.**
21 Q. Are you aware that, at the time and to this
22 day, they are harassed?
23 MR. WEBB: Objection; form.
24 **THE WITNESS: No.**
25 ///

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1 BY MR. NELSON:
2 Q. Was it wrong for Fox hosts to endorse these
3 lies?
4 MR. WEBB: Objection; form.
5 **THE WITNESS: If they knew they were lies, yes.**
6 **If they knew they were lies.**
7 BY MR. NELSON:
8 Q. So unless they knew it was lies -- they
9 themselves knew it was lies?
10 **A. You are saying that.**
11 Q. I am trying to understand your answer, sir.
12 **A. If you're saying that Mr. Hannity knew that**
13 **it was all false and lie, he should not have**
14 **repeated them as such. It is okay to report them**
15 **and comment and say they are lies.**
16 Q. If Mr. Hannity did not believe those
17 allegations, he shouldn't have put them on the air;
18 correct?
19 MR. WEBB: Objection; form.
20 **THE WITNESS: If he put them on as news, which**
21 **is not really his role, yes, it would be wrong.**
22 BY MR. NELSON:
23 Q. And, sir, should Fox --
24 **A. Well, maybe I should amend that. But go**
25 **ahead.**

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1 Q. Should Fox put profits before the truth?
2 **A. Hmm?**
3 MR. WEBB: Objection; form.
4 BY MR. NELSON:
5 Q. Should Fox put profits before the truth?
6 **A. Certainly not.**
7 Q. Is the Fox News Channel news, or is it
8 entertainment?
9 **A. Oh, it is news.**
10 Q. Is --
11 **A. You know, sometimes presented, well, with a**
12 **laugh, but yes.**
13 [REDACTED]
17 BY MR. NELSON:
18 Q. Is Jeanine Pirro a credible source of news
19 to her viewers?
20 MR. WEBB: Objection; form.
21 **THE WITNESS: She is not involved in reading**
22 **news.**
23 BY MR. NELSON:
24 Q. It's not my question, sir. My question is
25 --

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1 **A. If she was involved in reading news, the**
2 **answer "no." But her opinions, I don't know.**
3 Q. Is Maria -- is Maria Bartiromo a credible
4 source of news to her viewers?
5 MR. WEBB: Objection; form.
6 **THE WITNESS: You will have to ask her viewers**
7 **that.**
8 BY MR. NELSON:
9 Q. What do you think, sir?
10 MR. WEBB: Objection; form.
11 BY MR. NELSON:
12 Q. Is Maria Bartiromo a credible source of
13 news?
14 MR. WEBB: Objection; form.
15 **THE WITNESS: Very often, yes.**
16 BY MR. NELSON:
17 Q. Is Tucker Carlson a credible source of
18 news?
19 MR. WEBB: Objection; form.
20 **THE WITNESS: Absolutely. At least -- sometimes**
21 **I will question some of his assumptions.**
22 BY MR. NELSON:
23 Q. What do you mean sometimes you will
24 "question some of his assumptions"?
25 **A. I will give an example. I was watching him**

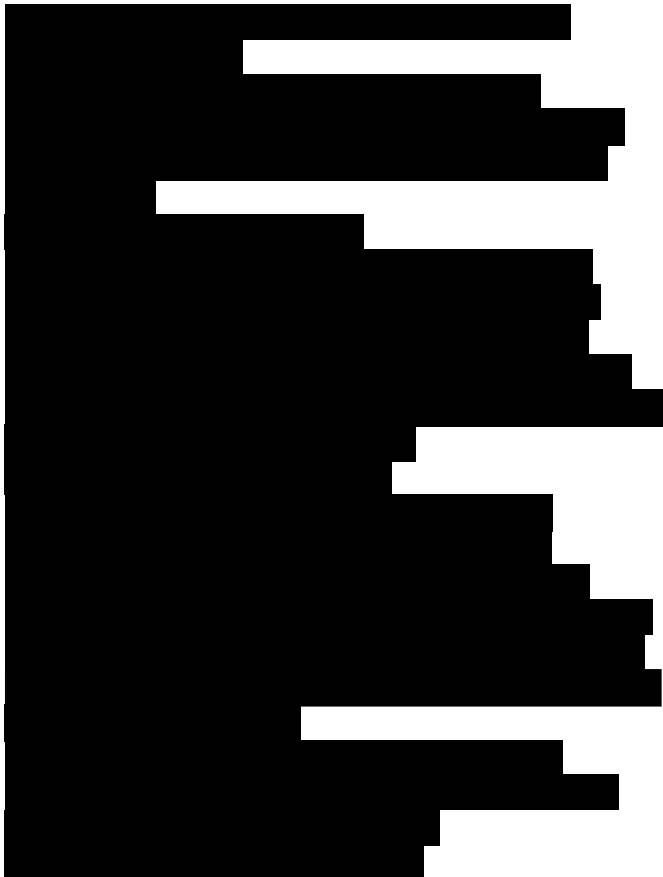
Page 325

[REDACTED]

Page 326

[REDACTED]

Page 327




Page 329

1 basic facts?
2 MR. WEBB: Objection; form.
3 **THE WITNESS: Of course.**
4 BY MR. NELSON:
5 Q. It's -- of course, it's not good?
6 **A. You're right.**
7 Q. Do you believe Fox has a role in making
8 sure people can agree on a basic set of facts?
9 MR. WEBB: Objection; form.
10 **THE WITNESS: Yes. We broadcast the facts. We**
11 **hope people believe what we are broadcasting.**
12 (Reporter clarification.)
13 MR. DINH: We hope that people believe.
14 **THE WITNESS: We hope that people believe.**
15 BY MR. NELSON:
16 Q. I'm sorry -- we -- I'm sorry. I want to
17 make sure I got your answer.
18 **A. We hope --**
19 Q. We hope people --
20 **A. -- believe what we broadcast.**
21 Q. All right.
22 **A. What we broadcast as news.**
23 Q. And you don't care what people believe what
24 you broadcast as opinion?
25 MR. WEBB: Objection; form.

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1 **THE WITNESS: Yes.**
2 BY MR. NELSON:
3 Q. And this is Mr. Dobbs trying to set up
4 Ms. Powell on November 7th with the President of the
5 United States, sir; correct?
6 **A. Apparently.**
7 Q. Do you think it is acceptable to bury the
8 truth?
9 MR. WEBB: Objection; form.
10 **THE WITNESS: No. Of course not.**
11 BY MR. NELSON:
12 Q. Do you think it's healthy for democracy
13 when millions of people believe a falsehood about
14 whether an election was rigged?
15 MR. WEBB: Objection; form.
16 **THE WITNESS: I don't know -- anywhere it is**
17 **unhealthy for people to believe things that are bad.**
18 **I don't believe falsehoods.**
19 BY MR. NELSON:
20 Q. I'm sorry. I didn't understand your
21 answer.
22 **A. It is not good for any country if masses of**
23 **people believe in -- in falsehoods.**
24 Q. Do you think it's good for any country when
25 people can't even agree on the truth or falsity of

Page 330

1 **THE WITNESS: People can distinguish between**
2 **opinion and hard news.**
3 BY MR. NELSON:
4 Q. You agree that opinion has to be based on
5 fact?
6 MR. WEBB: Excuse me. Objection; form.
7 **THE WITNESS: You and I, Mr. Nelson, can know a**
8 **lot of facts which we can agree on, and we can have**
9 **totally different opinions.**
10 BY MR. NELSON:
11 Q. Yes, sir. That is exactly my point. We
12 can agree on a basic set of facts and have totally
13 different opinions; correct?
14 **A. Yes.**
15 Q. And you agree that opinion has to be based
16 on fact?
17 MR. WEBB: Objection; form.
18 **THE WITNESS: It's better if it is, yes.**
19 BY MR. NELSON:
20 

Page 331

1 [REDACTED]

24 BY MR. NELSON:

25 Q. Can you tell people to retract a false

Page 333

1 have any argument about what the facts were at the

2 time"?

3 MR. WEBB: Objection; form.

4 **THE WITNESS: I think people look back at**

5 **history and agree on a lot of the facts.**

6 BY MR. NELSON:

7 Q. And so why won't you say today, "You know

8 what, we got a lot of stuff wrong in December and

9 November of 2020"?

10 MR. WEBB: Object--

11 **THE WITNESS: Everybody gets things wrong, and**

12 **we certainly will publish corrections or broadcast**

13 **corrections.**

14 BY MR. NELSON:

15 Q. Don't you think --

16 **A. I don't think two years later.**

17 Q. Don't you think it will help, maybe even

18 prevent some of these death threats, if Fox tomorrow

19 announced, "You know what? We got it wrong in

20 November and December of 2020 about Dominion."

21 **A. No.**

22 MR. WEBB: Objection; form of the question.

23 **THE WITNESS: You know what, I don't believe**

24 **they are getting death threats today any more than I**

25 **am. I have death threats.**

Page 332

1 statement?

2 MR. WEBB: Objection; form.

3 **THE WITNESS: Yes, I could.**

4 BY MR. NELSON:

5 Q. You now know that these statements,

6 including from your hosts, are false; correct?

7 MR. WEBB: Objection; form. Objection; form.

8 **THE WITNESS: You have produced material from**

9 **November 2020. I'm not going back and go over all**

10 **that again.**

11 BY MR. NELSON:

12 Q. You're not going to go back over that again

13 because it is too late?

14 **A. Yes.**

15 MR. WEBB: Objection; form.

16 BY MR. NELSON:

17 Q. It is too late to apologize?

18 MR. WEBB: Objection; form.

19 **THE WITNESS: I think on Fox today you won't**

20 **have any argument about what the facts were at the**

21 **time.**

22 MR. WEBB: Objection -- I didn't mean to object.

23 I -- I apologize.

24 BY MR. NELSON:

25 Q. What do you mean "on Fox Today you won't

Page 334

1 MR. NELSON: Sir --

2 **THE WITNESS: I've had people murdered near me.**

3 BY MR. NELSON:

4 Q. You're aware that there is a current

5 restraining order because someone was found outside

6 the Dominion offices with a long-range rifle?

7 **A. No.**

8 MR. WEBB: Objection; form.

9 **THE WITNESS: No.**

10 BY MR. NELSON:

11 Q. Do you think that's a joke?

12 **A. No. I just never heard of it. I think --**

13 Q. Because actions have consequences. You are

14 aware of that, sir; correct?

15 MR. WEBB: Objection; form.

16 **THE WITNESS: Everything has consequences.**

17 BY MR. NELSON:

18 Q. Do you anticipate that this lawsuit will

19 have a material adverse effect on your business?

20 MR. WEBB: Objection; form.

21 **THE WITNESS: Whose business?**

22 BY MR. NELSON:

23 Q. Fox Corporation's?

24 **A. If you win it, no. I mean, a financial**

25 **impact, yes.**

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[REDACTED]

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1 MR. WEBB: Objection; form of the question.
 2 **THE WITNESS: If they knowingly lie, they should**
 3 **be got rid of.**
 4 BY MR. NELSON:
 5 Q. What should the consequences be when Fox
 6 News executives knowingly allow lies to be
 7 broadcast?
 8 **A. They should be reprimanded --**
 9 MR. WEBB: Objection; form of the question.
 10 **THE WITNESS: They should be reprimanded, maybe**
 11 **got rid of.**
 12 BY MR. NELSON:
 13 Q. Do you think it's newsworthy that this
 14 whole stolen election narrative was false?
 15 MR. WEBB: Objection; form of the question.
 16 **THE WITNESS: I think we've said that. It was**
 17 **certainly newsworthy, and I think we certainly**
 18 **denied it.**
 19 BY MR. NELSON:
 20 Q. I'm sorry. Let me make sure you understand
 21 my question. My question is: Is it newsworthy that
 22 this whole stolen election narrative was false?
 23 MR. WEBB: Objection; form of the question.
 24 BY MR. NELSON:
 25 Q. Do you understand my question, sir?

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1 MR. WEBB: Objection; form of the question.
 2 **THE WITNESS: I think we carried many denials,**
 3 **certainly Dr. Fauci.**
 4 BY MR. NELSON:
 5 Q. That is not my question. My question
 6 isn't what you did. My question is what you should
 7 do. Should --
 8 **A. I think we -- today as we should do:**
 9 **Caught the then-president saying something on air**
 10 **live. Every network carried that, and we carried**
 11 **the denial immediately by Dr. Fauci.**
 12 Q. You carried the debunking as well; right?
 13 **A. Yes. Absolutely. Instantly.**
 14 Q. And that's what -- and that's what you
 15 should do; right?
 16 **A. Yes.**
 17 Q. What are the standards you enforce to make
 18 sure Fox tells the truth?
 19 MR. WEBB: Objection; form of the question.
 20 **THE WITNESS: We very carefully choose the**
 21 **executives, directors, producers, to be people of**
 22 **high standards.**
 23 BY MR. NELSON:
 24 Q. What should the consequences be when a Fox
 25 News talent knowingly lies on the air?

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1 **A. Is it newsworthy that something in the past**
 2 **was false? Yes.**
 3 Q. And it is certainly newsworthy that "if it
 4 were true," in Tucker Carlson's words, it would be
 5 the biggest scandal in history; right?
 6 MR. WEBB: Objection; form of the question.
 7 **THE WITNESS: I'm not --**
 8 BY MR. NELSON:
 9 Q. You would agree that --
 10 **THE WITNESS: I don't think it would be a big a**
 11 **scandal. But yes, it's bad.**
 12 BY MR. NELSON:
 13 Q. It would be a huge scandal if there was a
 14 rigged presidential election; correct?
 15 **A. Yes.**
 16 Q. And it is newsworthy to report that the
 17 story of a rigged election was made up; correct?
 18 MR. WEBB: Objection; form of the question.
 19 **THE WITNESS: Well, if it could be proved, yes.**
 20 **I mean, read Robert Caro on -- what's his name --**
 21 BY MR. NELSON:
 22 Q. LBJ?
 23 **A. LBJ.**
 24 Q. I actually have a published article on LBJ,
 25 sir.

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1 **A. And having stolen the Senate election,**
 2 **landslide Linden.**
 3 Q. 48 votes, sir.
 4 My question to you is whether -- well, I think
 5 you answered yes, just to be clear, for the record?
 6 **A. Okay.**
 7 Q. You answered yes; right? It is newsworthy
 8 to report the story that the election was false?
 9 **A. Yes.**
 10 MR. WEBB: Objection; form of the question.
 11 BY MR. NELSON:
 12 Q. Is there anything in retrospect that you
 13 wish you would have done differently when it comes
 14 to Fox's coverage of the 2020 presidential election?
 15 MR. WEBB: Objection; form of the question.
 16 **THE WITNESS: I think our coverage of the**
 17 **election was brilliant. I'm proud of it.**
 18 **But our coverage of Trump's allegations -- I**
 19 **would have liked us to be stronger in denouncing it,**
 20 **in hindsight. I mean, we had a lot of -- like**
 21 **Tucker Carlson, taking down Sidney Powell.**
 22 **Significant.**
 23 BY MR. NELSON:
 24 Q. So you are aware that after Tucker Carlson
 25 said that on November 19th, 2020 --

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1 **A. She turned up again on Dobbs. She did.**
 2 Q. Yes, turned up again on Dobbs. And in
 3 fact, Mike Lindell turned up on Tucker Carlson's own
 4 program. Are you aware of that?
 5 MR. WEBB: Objection; form.
 6 **THE WITNESS: I wasn't aware of it.**
 7 BY MR. NELSON:
 8 Q. On January 26th, sir, Tucker Carlson hosted
 9 Mike Lindell, and Mike Lindell repeated these same
 10 lies about Dominion. Were you aware of that?
 11 **A. No.**
 12 MR. WEBB: Objection; form of the question.
 13 **THE WITNESS: I'd like to know what Tucker said**
 14 **to Lindell.**
 15 BY MR. NELSON:
 16 Q. Sorry?
 17 **A. I'd like to know what Tucker said to**
 18 **Lindell.**
 19 Q. Tucker didn't push back in the least. He
 20 admitted it. He didn't --
 21 MR. WEBB: Objection; form of the question.
 22 BY MR. NELSON:
 23 Q. It was wrong, wasn't it?
 24 MR. WEBB: Objection; form of the question.
 25 (Reporter Request.)

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1 **THE WITNESS: I think my answer is I have no**
 2 **memory of it.**
 3 BY MR. NELSON:
 4 Q. It was wrong for Tucker to host Mike
 5 Lindell to repeat those allegations against Dominion
 6 on January 26th, 2021; correct?
 7 MR. WEBB: Objection; form of the question.
 8 **THE WITNESS: Wrong if he didn't contest it.**
 9 MR. NELSON: All right. I will pass the
 10 witness. Thank you.
 11 MR. WEBB: Let me just sit over there, if I
 12 could.
 13 MR. NELSON: Yeah.
 14 Let's go off the record.
 15 THE VIDEOGRAPHER: The time is 2:36 p.m., and we
 16 are off the video record.
 17 (Recess.)
 18 THE VIDEOGRAPHER: The time is 2:37 p.m., and we
 19 are back on the video record.
 20
 21 FURTHER EXAMINATION
 22 BY MR. WEBB:
 23 Q. Mr. Murdoch, Mr. Nelson just spent about
 24 six and a half hours or so asking you questions. I
 25 just have a few questions I would like to ask.

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1 **A. Go ahead.**
 2 Q. And so let me begin. During those seven
 3 hours, Mr. Nelson -- frequently in asking you
 4 questions -- was suggesting that you actually knew a
 5 lot of things about the November and December time
 6 period when Fox News was airing allegations being
 7 made by President Trump against Dominion and vote
 8 fraud.
 9 As far as that time period in November and
 10 December of 2020 when these Fox shows were going on
 11 the air that Mr. Nelson asked you a lot of questions
 12 about, tell the jury where were you during those two
 13 months?
 14 **A. I was in Britain under COVID lockdown.**
 15 Q. Okay. And because you were in Britain on a
 16 COVID lockdown, did you actually have major
 17 difficulty in actually even accessing and watching
 18 Fox shows during that time period?
 19 **A. Yes. I constantly asked our IT people to**
 20 **come out and fix it, and they didn't. And then I**
 21 **think we got through on the 6th, and then it was**
 22 **still sporadic.**
 23 Q. So during that entire time period, would it
 24 be fair to say that even your access to actually
 25 watching Fox shows during that time period was very

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[REDACTED]

Page 361

1 BY MR. NELSON:
2 Q. Your counsel asked you about appearances by
3 Sidney Powell and Rudolph Giuliani and others who
4 made these false statements, correct, on Fox?
5 **A. You mean my counsel asked me?**
6 Q. Yes.
7 **A. Yes.**
8 Q. You are aware now that Fox did more than
9 simply host these guests and give them a platform;
10 correct?
11 MR. WEBB: Objection; form.
12 **THE WITNESS: I think you've shown me some**
13 **material in support of that.**
14 BY MR. NELSON:
15 Q. In fact, you are now aware that Fox
16 endorsed at times this false notion of a stolen
17 election?
18 **A. Not Fox, no.**
19 MR. WEBB: Objection; form.
20 **THE WITNESS: Not Fox. But maybe Lou Dobbs,**
21 **maybe Maria, as commentators.**
22 BY MR. NELSON:
23 Q. We went through Fox hosts Maria Bartiromo,
24 yes?
25 **A. Yes. C'mon.**

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1 Q. And, sir, you are aware that, prior to
2 President Trump saying a word about Dominion, Maria
3 Bartiromo aired charges about Dominion on her
4 November 8th, 2020, broadcast?
5 MR. WEBB: Objection; form of the question.
6 **THE WITNESS: Prior to Trump saying anything?**
7 BY MR. NELSON:
8 Q. Yes, sir.
9 **A. What about his lawyers?**
10 Q. Are you aware that in the documents
11 discussing Sidney Powell's appearance on Maria
12 Bartiromo's November 8th show, they called her
13 Michael Flynn's lawyer?
14 MR. WEBB: Objection; form of the question.
15 **THE WITNESS: I think I learned that today from**
16 **you.**
17 BY MR. NELSON:
18 Q. Hmm. There's a lot to learn about this
19 case, isn't there?
20 **A. Sorry?**
21 Q. There's a lot to learn about this case,
22 isn't there?
23 MR. WEBB: Objection; form.
24 **THE WITNESS: Yeah.**
25 ///

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1 Q. Fox host Jeanine Pirro?
2 MR. WEBB: Objection; form.
3 **THE WITNESS: I think so.**
4 BY MR. NELSON:
5 Q. Fox Business host Lou Dobbs?
6 **A. Oh, a lot.**
7 Q. Fox host Sean Hannity?
8 **A. A bit.**
9 Q. All were in that document; correct?
10 MR. WEBB: Objection; form.
11 **THE WITNESS: Yes, they were.**
12 BY MR. NELSON:
13 Q. About Fox endorsing the narrative of a
14 stolen election; correct?
15 MR. WEBB: Objection; form.
16 **THE WITNESS: No. Some of our commentators were**
17 **endorsing it.**
18 BY MR. NELSON:
19 Q. About their endorsement of a stolen
20 election?
21 **A. Yes. They endorsed.**
22 MR. NELSON: Okay. Sir, I appreciate your time.
23 Thank you. I do appreciate it.
24 And we will pass the witness.
25 **THE WITNESS: Are we done? Thanks.**

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1 MR. NELSON: We are done. Thank you.
2 MR. WEBB: I have no more questions.
3 THE VIDEOGRAPHER: All right. One moment,
4 please.
5 **THE WITNESS: Thank you.**
6 THE VIDEOGRAPHER: This concludes the video
7 deposition of Rupert Murdoch. Going off the record
8 at 3:04 p.m.
9 (The deposition was concluded
10 at 3:04 p.m.)
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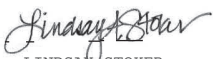
1 STATE OF CALIFORNIA)
2) ss.
3 COUNTY OF ORANGE)
4
5 I, LINDSAY STOKER, Certified Shorthand
6 Reporter qualified in and for the State of California,
7 do hereby certify:
8 That the foregoing transcript is a true and
9 correct transcription of my original stenographic notes;
10 I further certify that I am neither attorney
11 or counsel for, nor related to or employed by any of the
12 parties to the action in which this proceeding was
13 taken; and, furthermore, that I am not a relative or
14 employee of any attorney or counsel employed by the
15 parties hereto or financially interested in the action.
16 IN WITNESS WHEREOF, I have hereunto set my
17 hand this 23rd day of January, 2023.
18
19 
20 LINDSAY STOKER
21 CSR 14373
22
23
24
25

Exhibit 601

EXCERPTED
TRANSCRIPT

In the Matter Of:

US DOMINION v

FOX NEWS NETWORK

VIET DINH

February 03, 2023



Page 5

[REDACTED]

Page 7

1 V. DINH
2 notepad in case I need to take notes while
3 I'm answering questions.
4 **Q. The notepad is blank at this**
5 **point, I assume?**
6 A. It is.
7 **Q. Okay. Now, most importantly, you**
8 **understand that even though we are not in**
9 **court today and even though we are doing this**
10 **over Zoom, the same rules apply as though we**
11 **were sitting in a court of law before a judge**
12 **or a jury, right?**
13 A. Yes.
14 **Q. And you understand you have a duty**
15 **to tell the truth, meaning the entire truth,**
16 **under penalty of perjury, right?**
17 A. I do.
18 **Q. And you understand if you answer**
19 **"I don't know" to a question but you actually**
20 **do know the answer, that is a form of**
21 **perjury, right?**
22 A. Yes, I do.
23 **Q. And you understand that if you**
24 **answer a question with "I don't recall" or "I**
25 **don't remember" but you do recall or you do**

Page 6

1 [REDACTED]

Page 8

1 V. DINH
2 remember, that is also a form of perjury,
3 right?
4 A. Yes, I do.
5 **Q. And you take the oath that you**
6 **took at the beginning of this session, you**
7 **take that oath seriously, correct?**
8 A. Yes, sir.
9 **Q. Could you please introduce**
10 **yourself to the jury.**
11 A. My name is Viet Dinh.
12 **Q. What position do you hold today at**
13 **the Fox Corporation?**
14 A. My title is Chief Legal and Policy
15 Officer of the Fox Corporation.
16 **Q. How long have you held that**
17 **position?**
18 A. Since April of 2019, when the Fox
19 Corporation came into existence, but I
20 performed the role in preparation since
21 September of 2018.
22 **Q. So you had that same position**
23 **throughout 2020 and 2021, right?**
24 A. I did.
25 **Q. You are the most senior lawyer at**

Page 9

1 **V. DINH**
 2 **Fox Corporation, correct?**
 3 A. I am.
 4 **Q. In fact, you are the most senior**
 5 **lawyer in the entire Fox Corporation**
 6 **corporate structure, correct?**
 7 A. I am.
 8 **Q. Who do you report to?**
 9 A. I report to Lachlan Murdoch and
 10 Rupert Murdoch and, ultimately, the board of
 11 the company.
 12 **Q. You're an officer on the board of**
 13 **Fox Corporation, right?**
 14 A. I am.
 15 **Q. What is your title as an officer**
 16 **of Fox Corporation?**
 17 A. Chief Legal and Policy Officer.
 18 **Q. Okay. Do you have any other title**
 19 **for the board?**
 20 A. No.
 21 **Q. Now, you went to Harvard Law**
 22 **School, right?**
 23 A. I did.
 24 **Q. And you clerked on the U.S.**
 25 **Supreme Court for Sandra Day O'Connor, right?**

Page 10

1 **V. DINH**
 2 A. I did.
 3 **Q. You founded a successful private**
 4 **law firm called Bancroft, right?**
 5 A. Yes, I did.
 6 **Q. Did you practice law yourself at**
 7 **Bancroft for any period of time?**
 8 A. I did.
 9 **Q. What period of time?**
 10 A. Approximately 2004 until 2016,
 11 when we -- at Bancroft joined a different law
 12 firm.
 13 **Q. Before you practiced at Bancroft,**
 14 **you were in the U.S. government, right?**
 15 A. I was.
 16 **Q. What was your position?**
 17 A. My position was Assistant Attorney
 18 General for legal policy, and I served in
 19 that role from 2001 to 2003.
 20 **Q. Who did you report to in that**
 21 **role?**
 22 A. I reported to the Deputy Attorney
 23 General and the Attorney General of the
 24 United States.
 25 **Q. It's been reported that you played**

Page 11

1 **V. DINH**
 2 **a leading role in securing the passage of the**
 3 **Patriot Act after the September 11th attacks;**
 4 **is that accurate?**
 5 A. I don't know whether a "leading
 6 role" is accurate, but I certainly played a
 7 significant role in crafting and coordinating
 8 the proposals that, ultimately, was passed by
 9 Congress called the U.S.A. Patriot Act.
 10 **Q. And, again, just to level set**
 11 **here, both now and in 2020 -- in 2021, you**
 12 **were and you are the highest ranking lawyer**
 13 **in the entire Fox Corporation corporate**
 14 **structure, right?**
 15 A. Yes.
 16 **Q. Now, you know that we're here**
 17 **today because Dominion has sued Fox News and**
 18 **Fox Corporation for defamation, right?**
 19 A. Yes.
 20 **Q. And, specifically, Dominion says**
 21 **that Fox broadcast several false allegations**
 22 **against Dominion knowing they were false or**
 23 **recklessly disregarding the truth.**
 24 **That's what Dominion alleges,**
 25 **right?**

Page 12

1 **V. DINH**
 2 A. Yes.
 3 **Q. So I want to go over those**
 4 **allegations with you now.**
 5 **Mr. Dinh, you agree with me that**
 6 **Dominion did not commit election fraud by**
 7 **rigging the 2020 Presidential Election,**
 8 **right?**
 9 A. You are asking as of now?
 10 **Q. Yes.**
 11 A. Yes.
 12 **Q. Have you ever believed that**
 13 **Dominion committed election fraud by rigging**
 14 **the 2020 Presidential Election?**
 15 A. No, but there was a period of time
 16 when allegations were made that I was
 17 skeptical of, but I allowed the possibility
 18 that they may be true.
 19 **Q. What was that period of time?**
 20 A. Approximately immediately after
 21 the election until approximately
 22 mid-December, when the electors were
 23 designated by the state legislatures.
 24 **Q. So from approximately immediately**
 25 **after the election, you were aware of**

1 **V. DINH**
2 **allegations that Dominion had committed**
3 **election fraud by rigging the 2020**
4 **Presidential Election?**
5 A. I don't know if I remember at the
6 time or registered the name "Dominion," but I
7 was aware that there were allegations of
8 voter fraud and those allegations
9 including -- included irregularities in
10 voting machines.
11 **Q. And you were skeptical of those**
12 **allegations when you first heard them?**
13 A. I was skeptical, but, given the
14 source and the seriousness of the allegation,
15 like I said before, I allowed room for it to
16 be so.
17 **Q. And you were aware that certain**
18 **hosts on Fox News were reporting on those**
19 **allegations at the time, right?**
20 A. I am, yes.
21 **Q. You were aware, at the time, that**
22 **those allegations were being -- that Dominion**
23 **had rigged the 2020 Election; were being**
24 **reported on Fox News at the time, right?**
25 A. Again, I was aware that they were

1 [REDACTED]

1 [REDACTED]

1 [REDACTED]

Page 17

1 [REDACTED]

[REDACTED]

Page 19

1 **V. DINH**

2 A. I have Fox News on in my office

3 during the day with the volume off, and then

4 I -- and I generally don't have Fox Business

5 on ever. And on my drive home, I would

6 listen to the Primetime shows. And then on

7 the weekends, I don't watch TV except for LSU

8 football on Saturday and Eagles football on

9 Sunday. And so I generally -- I generally do

10 not watch the shows that are at issue in this

11 Complaint.

12 **Q. And the practice you just**

13 **described, that was your practice back in**

14 **November and December of 2020, as well?**

15 A. Yes.

16 **Q. Sir, you agree with me that**

17 **Dominion's software and algorithms did not**

18 **manipulate -- strike that. I asked it wrong.**

19 **You agree with me that Dominion**

20 **did not manipulate vote counts through an**

21 **algorithm in the 2020 Presidential Election,**

22 **right?**

23 MR. WEBB: Objection. Form.

24 A. Sitting here, yes, I agree with

25 you.

Page 18

1 [REDACTED]

[REDACTED]

Page 20

1 **V. DINH**

2 **Q. Have you ever believed that**

3 **Dominion's software and algorithms**

4 **manipulated vote counts in the 2020**

5 **Presidential Election?**

6 A. It would be the same answer as I

7 gave before: No, I did not believe, and I

8 was skeptical of that allegation, but during

9 the period immediately following the election

10 until the certification of the electors, I

11 allow room for it to be shown -- for the

12 allegations to be shown.

13 **Q. What was it about these**

14 **certifications of the electors that changed**

15 **your viewpoint on these allegations?**

16 A. Two things. One is that it is

17 approximately around the same time that all

18 of the litigation that had been threatened or

19 actually filed had been finally resolved and

20 dismissed by the relevant courts.

21 And, two, the certification of

22 electors by statute essentially ends the

23 contest for the electoral challenges. This

24 was put in place and -- as a way in order to

25 have an orderly certification and transition

Page 21

1 V. DINH
2 and preparation for the new government.
3 And so that sticks out in my mind
4 because mid-December is when the
5 certification happens. After that, you know,
6 essentially the Electoral College is
7 established and there is no more opportunity
8 to challenge the validity of the election day
9 results.
10 **Q. So that was December 15, 2020, if**
11 **memory serves, right?**
12 A. I think so. It was either
13 December 14th or 15th, yes.
14 **Q. Okay. And as of that date, you no**
15 **longer allow for the possibility that these**
16 **allegations against Dominion could be true?**
17 MR. WEBB: Objection. Form.
18 A. Yes, because the two major
19 institutions that -- under our constitution,
20 allows for or are empowered with the
21 adjudication of the election results have
22 finally resolved the challenges. That is the
23 judiciary in state, local, and federal
24 levels, as necessary, and then the state
25 legislatures who certify the electors to the

Page 22

1 V. DINH
2 presidency.
3 **Q. So beginning on that date, either**
4 **December 14th or December 15, 2020, you**
5 **definitively did not believe these**
6 **allegations about Dominion; is that right?**
7 MR. WEBB: Objection. Form.
8 A. Yes. Because I trusted in the
9 institutions of our judiciary, and I trust
10 the electoral certification process.
11 **Q. Now, you followed the litigation**
12 **that the Trump campaign filed beginning**
13 **shortly after the election, right?**
14 A. In general terms, I did not read
15 any documents. I certainly would have
16 followed it secondarily in the media.
17 **Q. And you also followed the lawsuits**
18 **that Sidney Powell filed, starting in late**
19 **November 2020; is that right?**
20 A. Again, it would be through media
21 reports. I did not actually read any of the
22 lawsuits or read any primary documents.
23 **Q. Did you take the lawsuits that**
24 **Sidney Powell filed, starting in late**
25 **November 2020, challenging the election**

Page 23

1 V. DINH
2 **results seriously?**
3 MR. WEBB: Objection. Form.
4 A. Sidney Powell is a serious and
5 capable lawyer, and so -- and she is an
6 officer of the court. And so anything she
7 files in court, I would, uh -- take seriously
8 and the reports of those are interesting to
9 me.
10 Again, I did not go and search out
11 and read the documents or follow it on Pace
12 or anything like that.
13 **Q. Okay. But you did follow the**
14 **lawsuits filed by the Trump campaign and**
15 **filed by Sidney Powell through media reports,**
16 **right?**
17 A. Exactly. I am a news junkie. I
18 believe in keeping abreast of the issues of
19 the day. And certainly the post-election
20 allegations by the President and the lawsuits
21 by his legal team were extremely interesting
22 to me and I think to millions of Americans
23 and non-Americans alike.
24 **Q. What news sources in November,**
25 **December 2020, and January 2021 did you**

Page 24

1 V. DINH
2 **primarily rely on?**
3 A. It would be the same news sources
4 I rely on today. I subscribe in hard copy
5 every day to the Los Angeles Times, where I
6 live, The Wall Street Journal and The New
7 York Times. And then, as I indicated before,
8 I have Fox News on -- the Fox News channel on
9 in my office, with the sound off, during the
10 day, and when there is a story of interest, I
11 would turn the sound on to watch.
12 **Q. The Wall Street Journal, do you**
13 **find that to be a credible source of news?**
14 A. I do.
15 **Q. And you rely on it to report**
16 **truthfully?**
17 A. Yes, I do.
18 **Q. Do you find The New York Times to**
19 **be a credible source of news?**
20 A. Yes, I do.
21 **Q. Do you rely on The New York Times**
22 **to report truthfully?**
23 A. Yes, I did.
24 **Q. Do you find the Los Angeles Times**
25 **to be a credible source of news?**

Page 25

1 **V. DINH**

2 A. Yes, I do.

3 **Q. Do you rely on the Los Angeles**

4 **Times to report truthfully?**

5 A. Yes, I do.

6 **Q. Do you find Fox News to be a**

7 **credible source of news?**

8 A. Yes, I do.

9 **Q. Do you rely on Fox News to report**

10 **truthfully?**

11 A. Yes, I do.

12 **Q. Are there any other news sources**

13 **besides those that you rely on to get your**

14 **news?**

15 A. Yes, there is a news reader

16 service upsites on my phone, and I think

17 it's -- well, the Apple News, the apps that

18 comes preloaded onto your phone, and so

19 during the day or when I have some downtime,

20 I would scroll through those headlines.

21 **Q. What is that news service called?**

22 A. I think it's Apple News.

23 **Q. Okay.**

24 A. It's just a big "N" on my phone.

25 And it's very invasive, but also engaging

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1 **V. DINH**

2 because it pops up all the time with very

3 provocative headlines, and as a news junkie,

4 I can't resist the urge to tap on it.

5 **Q. I hear ya.**

6 **So, Mr. Dinh, you agree with me**

7 **that Dominion is not owned by a company**

8 **founded in Venezuela to rig elections for**

9 **Hugo Chavez, right?**

10 A. I do agree with you.

11 **Q. Have you ever believed that**

12 **Dominion is owned by a company founded in**

13 **Venezuela to rig elections for Hugo Chavez?**

14 A. I do not think so. I do remember

15 some, you know, at the time, there was some

16 talk or allegations or reporting about

17 Venezuela, but I do not -- I don't think I

18 believed it at the time.

19 **Q. At the time, you didn't even allow**

20 **for the possibility that those particular**

21 **allegations might be true, did you?**

22 MR. WEBB: Objection. Form.

23 A. I don't think so because I

24 actually think I may have looked this up in

25 order to see the -- whether or not it was

Page 27

1 **V. DINH**

2 true because it, kind of, an extraordinary

3 thing that you can look up. And so I do

4 remember that at sometime during the Relevant

5 Period, that is November until mid-December,

6 I do remember looking it up and discovering

7 that there was a CFIUS review of a

8 transaction, which was blocked by the

9 government. And then subsequently, now I

10 know Dominion to have acquired the U.S.

11 company that was -- whose transaction was

12 blocked by the committee for investment in

13 the United States.

14 And so that research at the time,

15 you know, I think, in my mind, dismissed that

16 possibility. That explains the confusion and

17 all of that stuff, and it seems to me

18 something that I can look up and find out

19 pretty easily.

20 **Q. Did you share that research with**

21 **anyone else at Fox?**

22 A. No.

23 **Q. Okay. Relatedly, you agree with**

24 **me that Dominion is not owned by Smartmatic,**

25 **right?**

Page 28

1 **V. DINH**

2 A. I do agree with you.

3 **Q. And you have never believed that**

4 **to be true either, have you?**

5 A. Again, it would have been part of

6 that research that I did, so, no.

7 **Q. You agree with me that Dominion**

8 **was not a front for Smartmatic, right?**

9 A. I do agree with you.

10 **Q. And you have never believed that**

11 **it was a front for Smartmatic, have you?**

12 A. I do not.

13 **Q. You agree with me that Dominion**

14 **did not pay kickbacks to governmental**

15 **officials who use its machines in the 2020**

16 **Presidential Election, right?**

17 A. Sitting here today, yes, I agree

18 with you.

19 **Q. Have you ever believed that**

20 **Dominion paid kickbacks to governmental**

21 **officials who use its machines in the 2020**

22 **Presidential Election?**

23 A. This would fall into my earlier

24 answer, I was skeptical at the time, but I

25 allowed the possibility of it to be shown.

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1 V. DINH

2 Q. So at the time, in November or

3 December 2020, you had heard these

4 allegations that Dominion paid kickbacks to

5 government officials?

6 A. I had heard -- I'm sure I have,

7 but I didn't register the exact name

8 Dominion. I did -- I do recall, generally

9 knowing, that there were allegations,

10 kickbacks by voting machine vendors.

11 Q. When did you first register the

12 exact name "Dominion"?

13 A. Really, in conjunction with this

14 litigation -- around mid to late December.

15 There's nothing like a lawsuit to focus one's

16 attention.

17 Q. I understand that.

18 Mr. Dinh, you agree with me that

19 Dominion's machines in the 2020 Presidential

20 Election did not run an algorithm that shaved

21 votes from Trump and awarded them to Biden,

22 right?

23 MR. WEBB: Objection to the form

24 of the question.

25 A. Sitting here today, I do agree

Page 30

1 [REDACTED]

[REDACTED]

Page 31

1 [REDACTED]

[REDACTED]

Page 32

1 [REDACTED]

[REDACTED]

Page 61

1 **V. DINH**
 2 **the sources, right?**
 3 MR. WEBB: Objection. Form.
 4 A. Yes. It depends on how they
 5 attribute, but, yes.
 6 **Q. Sometimes they name the sources**
 7 **and sometimes they say -- they describe the**
 8 **source's title, right?**
 9 A. Yes. Or function.
 10 **Q. And in stories like that where a**
 11 **publication has reported what they heard from**
 12 **sources at Fox, but Fox knows that**
 13 **information to be false, Fox will reach out**
 14 **to the publication and ask for that**
 15 **information to be corrected, right?**
 16 A. Either to be corrected or to
 17 include our information in the article.
 18 **Q. But if you know that what the**
 19 **publication is reporting is flat out false**
 20 **and you have the proof it's flat out false,**
 21 **you would expect the publication to correct**
 22 **that, even if the information came from a**
 23 **source that they cite, right?**
 24 MR. WEBB: Objection. Form.
 25 A. Or to include our denial of the --

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1 V. DINH
 2 of what the source said.
 3 **Q. Well, if you send the publication**
 4 **information, not just the denial, Mr. Dinh,**
 5 **but information disproving what the**
 6 **publications reported, you would expect that**
 7 **publication to report on that information**
 8 **disproving the false allegation, right?**
 9 MR. WEBB: Objection. Form.
 10 A. In certain instances I think that
 11 it may well be in this article that you have
 12 marked as Exhibit 3435, although I'm not
 13 entirely sure.
 14 The publication will say I have my
 15 source, and so I'm going to run with it. And
 16 then what they will do is, they will say, Fox
 17 Corporation spokesman says that's not true.
 18 **Q. Okay. They'll report the denial**
 19 **is what you're saying?**
 20 A. They will report the denial. They
 21 also will report that somebody within Fox had
 22 given them this information.
 23 **Q. So my question for you is, if you**
 24 **provide the publication with actual proof**
 25 **that what they've reported is false, not just**

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1 **V. DINH**
 2 **the denial, but actual proof, don't you**
 3 **expect that the publication will report on**
 4 **that actual proof?**
 5 MR. WEBB: Objection. Form.
 6 A. Now we are getting into
 7 metaphysical and speculative territory as to,
 8 you know, what -- what is actual truth versus
 9 a denial. But, yes, and at the very least,
 10 if they don't correct or report accurately,
 11 then they should include our proof, as you
 12 put it, in the article.
 13 **Q. I'm just going to ask --**
 14 MR. SHACKELFORD: Off the
 15 record, if you hear my dogs, I
 16 apologize if you can. They are in a
 17 far away room but they are very loud.
 18 Can you hear them?
 19 THE WITNESS: No.
 20 MR. WEBB: No.
 21 MR. SHACKELFORD: Okay. I was
 22 hoping that would not be on the
 23 record, but I see that Rebecca is
 24 relentless. So it's in the record.
 25 I'm glad you can't hear them.

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1 V. DINH
 2 So back, in my view, on the
 3 record.
 4 BY MR. SHACKELFORD:
 5 **Q. I just want to make sure,**
 6 **Mr. Dinh, you agree with me, there is a**
 7 **difference between a publication reporting,**
 8 **so and so denies the allegation, period, and**
 9 **a publication reporting, so and so denies the**
 10 **allegation and here is all the evidence that**
 11 **so and so is providing that debunks the**
 12 **allegation.**
 13 **Those are two different things,**
 14 **right?**
 15 MR. WEBB: Objection. Form.
 16 A. They are two different things, but
 17 sometimes, and I think this article may be
 18 one of those instances, where they say
 19 somebody -- my source has said it to me so
 20 I'm going to report the fact that he or she
 21 said it to me, and then I will include your
 22 denial and whatever information you want to
 23 give me. Because in that case, the fact that
 24 somebody had given the reporter information
 25 that may be true or untrue is, itself, worthy

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1 V. DINH
 2 of inclusion in the article.
 3 And you can see the -- you know,
 4 you can see why that would be of interest to
 5 the reader and for the reporter to include it
 6 because the fact that somebody inside Fox is
 7 giving false impressions or false information
 8 is, itself, an indication that all is not
 9 well or that itself is worthy of the reader's
 10 attention.
 11 **Q. But you -- I understand that. And**
 12 **thank you for that. I want to make sure we**
 13 **are on the same page about something else.**
 14 **You agree with me that a**
 15 **publication reporting simply, so and so**
 16 **denies this, that is much less powerful than**
 17 **the publication reporting, so and so denies**
 18 **this and here's the information they are**
 19 **providing to prove it's false?**
 20 A. Yes.
 21 **Q. I've seen some documents -- and we**
 22 **can put this article aside.**
 23 A. Okay. It's not a very good
 24 drawing of me, so I'm glad we are off this
 25 topic.

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1 V. DINH
 2 **Q. I've seen some documents,**
 3 **Mr. Dinh, referencing "Viet's Master**
 4 **Messaging Meeting."**
 5 **What is that?**
 6 MR. WEBB: Objection. Form.
 7 A. Can you repeat the title?
 8 **Q. "Viet's Master Messaging Meeting."**
 9 A. Oh, yes. For a period of time
 10 after our Chief Communications Officer had
 11 resigned, and before we selected -- appointed
 12 a new Chief Communications Officer, I stepped
 13 in the role of coordinating the flow of
 14 information between the communications
 15 departments of our various business units.
 16 And so it would be either a
 17 weekly -- I think every other weekly meeting
 18 where the heads of each business units'
 19 communications department would come in and
 20 talk to each other and report to the meeting
 21 what has happened since the prior meeting and
 22 what the items are anticipated for the
 23 upcoming weeks.
 24 **Q. When did the Fox Corporation Chief**
 25 **Communications Officer resign?**

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1 [REDACTED]

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1 V. DINH
 2 I think one of the things we
 3 observed is in a big corporations like ours,
 4 with many business units, sometimes people
 5 are too busy to coordinate, and this was a
 6 mechanism for everybody to know what
 7 everybody else is doing.
 8 **Q. You attended those meetings,**
 9 **right?**
 10 A. I attended those meetings, and
 11 I -- you know, I convened them.
 12 **Q. Were those meetings by Zoom?**
 13 A. Yes. Because this was during the
 14 pandemic shutdown period.
 15 **Q. At some point in 2020, Tucker**
 16 **Carlson decided that he wanted to have Raj**
 17 **Shah handle his show's media relations,**
 18 **right?**
 19 A. Yes.
 20 **Q. Who is Raj --**
 21 A. I don't know exactly when, but
 22 that is consistent with my memory.
 23 **Q. Who is Raj Shah?**
 24 A. Raj Shah is a Senior Vice
 25 President for Fox Corporation. He is based

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1 V. DINH
2 in Washington, D.C., and he conducts research
3 for me and the general counsel of the
4 corporation, and he also helps Fox News and
5 other business units with protecting the
6 brand and reputation of Fox.
7 **Q. What other business units does he**
8 **help?**
9 A. Fox Sports at times as needed, but
10 primarily Fox News.
11 **Q. So it appears that it was in the**
12 **fall of 2020 that Tucker Carlson decided he**
13 **wanted Raj Shah to handle his show's media.**
14 **Does that ring a bell?**
15 MR. WEBB: Objection. Form.
16 A. Again, I don't remember the exact
17 time period, but that would be consistent.
18 **Q. Tucker Carlson spoke to you about**
19 **this before he even raised it with Fox News'**
20 **CEO, Suzanne Scott, didn't he?**
21 A. Yes, because Raj reports to me.
22 **Q. Okay. And you approved the**
23 **arrangement, right?**
24 A. I said I would talk to Suzanne
25 Scott and Irena Briganti about it. And

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1 V. DINH
2 ultimately, they approved it and I approved
3 it, and I concurred to lend Raj into this --
4 to perform this role.
5 **Q. Why did Tucker Carlson want to**
6 **have Raj Shah handle his show's media?**
7 MR. WEBB: Objection. Form.
8 A. You know, he knows and trusts Raj,
9 and Raj is based in Washington, D.C., where
10 Tucker's show is produced out of, and he
11 wanted a press assistant to be dedicated to
12 him.
13 [REDACTED]

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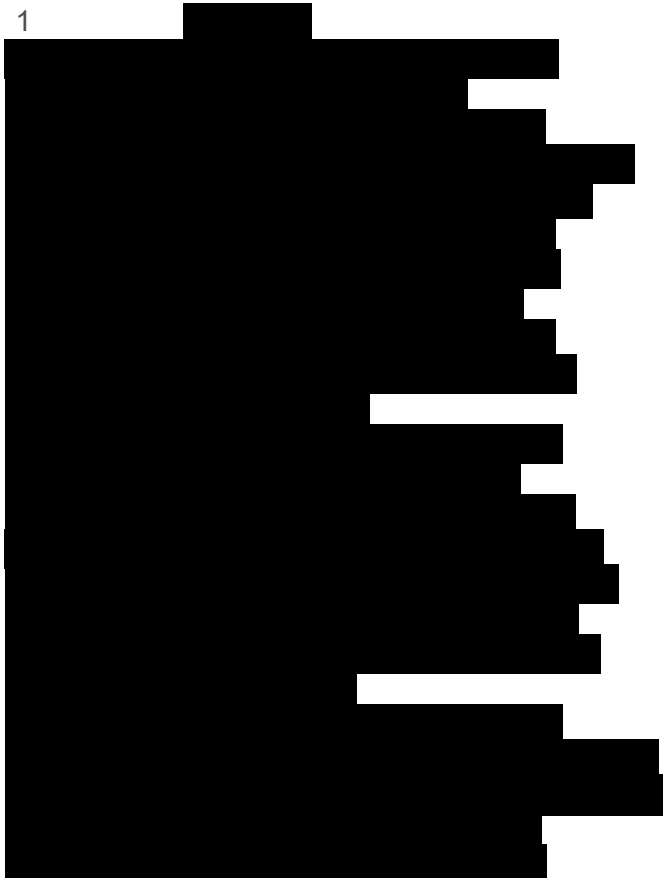
1 [REDACTED]

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1 [REDACTED]

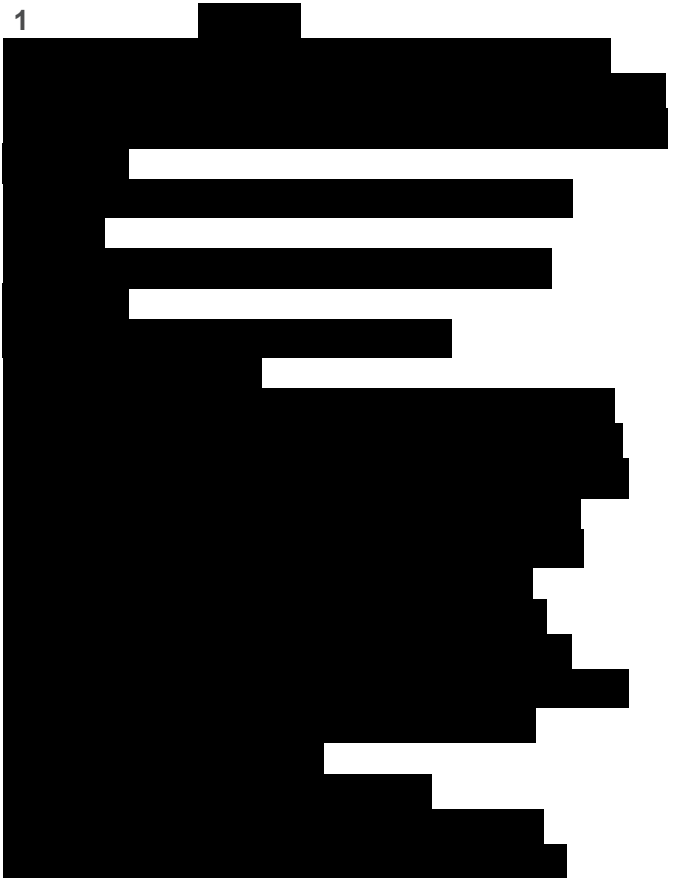
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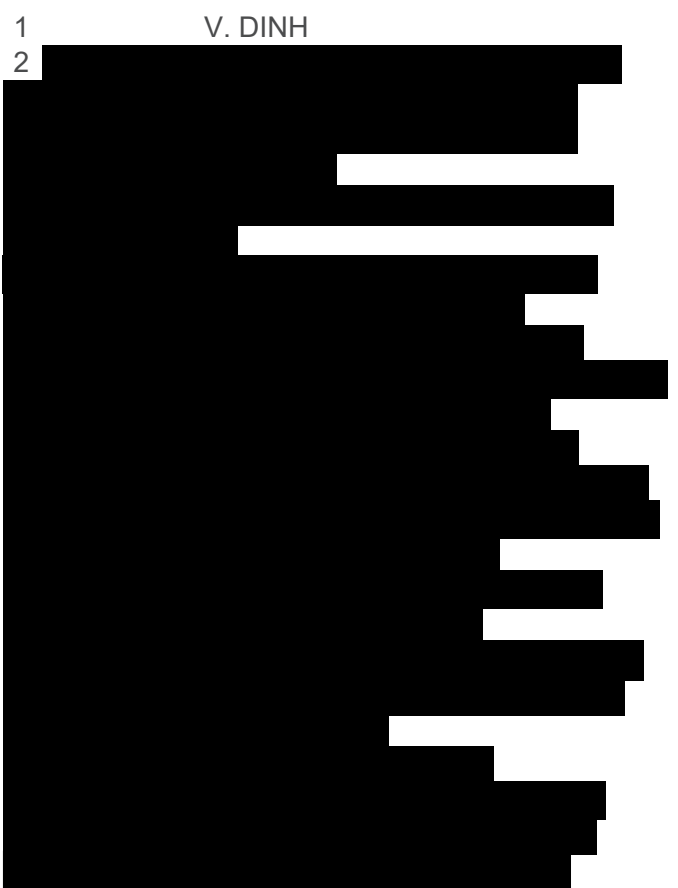
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1
2

V. DINH

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1 V. DINH
 2 attack, it usually originates from a handful
 3 of Twitter handles and then it gets amplified
 4 through an infrastructure that makes it look
 5 like it's a very prominent attack.
 6 **Q. Just to be clear, the job of**
 7 **Mr. Shah and his brand protection unit was to**
 8 **monitor threats to the Fox News brand, but**
 9 **also to come up with suggested responses and**
 10 **ways to defend Fox News, right?**
 11 A. Yes.
 12 **Q. Now, fair to say that you also**
 13 **sometimes have direct involvement with**
 14 **certain personnel decisions at Fox News,**
 15 **right?**
 16 A. No, I don't know what you mean by
 17 "personnel decisions," but I generally leave
 18 that to Suzanne Scott and her team. You
 19 know, if she asked for my advice or input, I
 20 would give it. But -- and then I would get
 21 involved if there is a compliance or
 22 litigation issue that is significant enough
 23 for my analysis.
 24 **Q. Isn't it the case that sometimes**
 25 **you do get involved in decisions and**

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1 V. DINH
 2 **negotiations around new contracts for talent**
 3 **at Fox News?**
 4 A. As I said, I think the -- my
 5 description of any discussions with Tucker
 6 about his contract is consistent with how I
 7 do this. If I pick up information or if
 8 someone comes to talk to me about their
 9 contract or the terms of their employment, I
 10 would listen very carefully. I would pass it
 11 back to Suzanne Scott and ask them to talk
 12 directly to whomever brought the information
 13 to me.
 14 I don't stop people from coming --
 15 approaching me to talk about their contract
 16 because that's -- I think that's part of --
 17 that's valuable to have multiple points of
 18 input, but then I don't get involved in
 19 contract negotiations.
 20 [REDACTED]

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1 [REDACTED]

Page 96

1 [REDACTED]

[REDACTED]

1 **V. DINH**
2 **Meade Cooper is, right?**
3 A. Yes.
4 **Q. She is the head of Primetime**
5 **programming for Fox News, right?**
6 A. Yes.
7 **Q. Ms. Cooper is writing to Tucker**
8 **Carlson's producer about a Rudy Giuliani**
9 **interview and she says, "Obviously some legal**
10 **concerns," right?**
11 A. That's what she says.
12 MR. WEBB: But also, because of
13 that statement about legal -- I just
14 want to make sure that as you answer
15 the questions on this line of exam, to
16 stay focused on whether there is a
17 privilege issue.
18 And at the same time, I want you
19 to answer Mr. Shackelford's questions
20 honestly and completely as you can
21 without revealing legal
22 communications.
23 THE WITNESS: Thank you. I will
24 be mindful of it.
25 BY MR. SHACKELFORD:

[REDACTED]

1 **V. DINH**
2 **Q. Ms. Cooper writes that she is**
3 **worried Mr. Giuliani "will veer off topic.**
4 **Pretaping is a good idea," right?**
5 A. She said that at 12:40 UTC, yes.
6 **Q. And what's the advantage of**
7 **pre-taping an interview like that?**
8 A. Again, I don't know the mechanics,
9 but pre-taping allows for editing instead of
10 being live.
11 **Q. So that Fox could edit out any**
12 **problematic statements Mr. Giuliani makes,**
13 **right?**
14 A. Yes.
15 **Q. And you'll see on the second page,**
16 **Mr. Wells tells Ms. Cooper that he spoke to**
17 **you, to Viet, right before the interview,**
18 **right?**
19 A. I'm sorry, where is that?
20 **Q. On the second page.**
21 A. Second page.
22 Yes, he says, "All good. And I
23 spoke to Viet right before. Nothing to worry
24 about so far."
25 **Q. Do you recall speaking to**

1 **V. DINH**
 2 **Mr. Wells about Mr. Giuliani's interview**
 3 **before it happened?**
 4 MR. WEBB: I'm going to object.
 5 If you don't remember, that
 6 would answer the question.
 7 A. Honestly, I don't.
 8 **Q. Okay. But this looks to be an**
 9 **example of you being consulted before a**
 10 **particular guest goes on a show about that**
 11 **potential guest appearance, right?**
 12 MR. WEBB: Objection. Form.
 13 A. Yes, because of the legal
 14 concerns.
 15 **Q. So it does happen?**
 16 A. Yeah, sometimes. But, yeah, I
 17 would expect that before I get consulted that
 18 the Fox News legal be consulted. And we --
 19 because we -- you know, we have folks in the
 20 Fox News legal department who are very
 21 experienced at legal matters that present
 22 themselves.
 23 And so I would expect that before
 24 I'm called, that there has been a
 25 consultation with Fox News legal. And most

[REDACTED]

1 **V. DINH**
 2 of the time, if not all the time, that gets
 3 resolved at that level.
 4 **Q. Mr. Dinh, you were and you are**
 5 **directly involved in Fox News' defense**
 6 **against both this lawsuit and the Smartmatic**
 7 **lawsuit, right?**
 8 A. Yes. I wouldn't say "directly"
 9 because, you know, we have, as you can see,
 10 we have a lot of lawyers on both sides in
 11 both cases, but I do supervise the handling
 12 of both litigations.
 13 **Q. And I'm going to -- is it true**
 14 **that --**
 15 MR. SHACKELFORD: I'll put up
 16 the exhibit, Exhibit 3441.
 17 (Whereupon, Dinh Exhibit 3441,
 18 FNN022_03851824 was marked for
 19 identification as of this date by the
 20 Reporter.)
 21 BY MR. SHACKELFORD:
 22 **Q. A short text exchange between**
 23 **Dianne Brandi and Irena Briganti.**
 24 **Do you know who Dianne Brandi is?**
 25 A. Dianne Brandi is the former

[REDACTED]

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1 [REDACTED]

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1 [REDACTED]

4 And, frankly, in terms of the
5 appropriateness of editorial decisions, I'm
6 not the best person to ask about that. I
7 think Suzanne Scott is the best person
8 because she supervises and -- supervising and
9 leads Fox News. But my understanding is,
10 based upon my experience and viewership of
11 Fox News, is that there is a wide diversity
12 of views, especially on topic, which its
13 country, itself, is divided about whether or
14 not there had been election fraud. And so we
15 have people who believed at that time, more
16 than I did, that President Trump was right.
17 We have people who were skeptical,
18 more than I was, that he was -- about his
19 allegations. And each of the hosts, each of
20 the editorial teams report as they believe
21 the facts to be and give their opinion on
22 those facts. And we don't have a
23 monolithic editorial control across all hosts
24 and all shows.
25 As a matter of fact, most of our

Page 158

1 [REDACTED]

Page 160

1 V. DINH
2 journalists' contracts have a provision that
3 protects their First Amendment right to speak
4 their mind without such speech constituting a
5 reason for employment related discipline.
6 **Q. Mr. Dinh, should Fox broadcast**
7 **election fraud allegations that it knows to**
8 **be false?**
9 A. No.
10 **Q. You mentioned the ratings.**
11 **Ratings do matter to Fox News and to Fox**
12 **Corporation, right?**
13 A. It matters because it's a way to
14 keep score, but, you know, we are confident
15 that the -- that momentary blips in ratings
16 is really not an issue. It's the long-term
17 and enduring appeal of Fox News that truly
18 defines the institutions that we have built.
19 **Q. I'm going to show you**
20 **Exhibit 3449, which is a very brief text from**
21 **Raj Shah to you, dated November 10, 2020, and**
22 **I have attached to it the tweet that he**
23 **references in the text.**
24 **Let me know when you have had a**
25 **chance to look at that.**

1 **V. DINH**
2 (Whereupon, Dinh Exhibit 3449,
3 FoxCorpo00056626 with attachment was
4 marked for identification as of this
5 date by the Reporter.)
6 BY MR. SHACKELFORD:
7 A. Yes. And the next page is the --
8 **Q. Is the actual tweet.**
9 A. Yeah.
10 **Q. So Mr. Shah forwards you a tweet**
11 **from Donald Trump, right?**
12 A. Yeah.
13 **Q. I'm sorry, what was that?**
14 A. Yes.
15 **Q. And the tweet is promoting an**
16 **episode of the Sean Hannity Show on Fox,**
17 **right?**
18 A. Yes.
19 **Q. Specifically, an episode about**
20 **"Ballot Corruption," right?**
21 A. Yes. It says, "Ballot Corruption
22 will be exposed tonight at 9:00pmE on
23 @SeanHannity on @FoxNews."
24 **Q. Mr. Trump is telling his viewers**
25 **they should tune in to Mr. Hannity's show**

1 [REDACTED]

1 [REDACTED]

1 [REDACTED]

Page 177

1 [REDACTED]

Page 179

1 [REDACTED]

Page 178

1 [REDACTED]

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1 V. DINH

2 **Q. And this was, again, generally, as**

3 **I think you testified earlier, because once**

4 **you got to the general election, there was a**

5 **possibility of some sort of litigation,**

6 **right?**

7 A. Yes.

8 **Q. So Ms. Briganti started adding**

9 **this to her updates at the time of the**

10 **general election in 2020?**

11 A. I don't know when she started

12 adding them.

13 **Q. Did you instruct her to add it?**

14 A. I think I --

15 MR. WEBB: I'm gonna -- let me

16 just get an objection in here.

17 THE WITNESS: Sure.

18 MR. WEBB: Sir, it sounds to me

19 like, for you to give a complete and

20 honest answer to that question, you

21 would have to reveal communications

22 and/or work product, and based on

23 that, I'm going to instruct you not to

24 answer and ask you to follow my

25 instruction.

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1 V. DINH
 2 THE WITNESS: I will.
 3 BY MR. SHACKELFORD:
 4 Q. Okay. Mr. Dinh, I think your
 5 explanation for why this was an appropriate
 6 header was that once you get to a general
 7 election or a midterm election, if there is a
 8 general anticipation of litigation, right?
 9 MR. WEBB: Objection. Form.
 10 A. Yes. That was my previous answer.
 11 Q. Okay. I'm going to show you
 12 Exhibit 3452.
 13 (Whereupon, Dinh Exhibit 3452,
 14 FNN062_04474201 was marked for
 15 identification as of this date by the
 16 Reporter.)
 17 BY MR. SHACKELFORD:
 18 Q. Which is a text between Irena
 19 Briganti and Megan Klein from November 12,
 20 2020.
 21 You will see that Ms. Briganti
 22 tells Ms. Klein about the nightly notes she
 23 sends you regarding press issues at Fox News,
 24 right?
 25 A. When was this, I'm sorry?

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1 V. DINH
 2 Q. This text was sent November 12,
 3 2020.
 4 A. Right.
 5 Q. Or possibly in the evening of
 6 November 11th, because it's UTC markings on
 7 here.
 8 A. Right. Okay. That's November --
 9 on November 12, 2020, yes?
 10 Q. Right. And Ms. Briganti writes to
 11 Ms. Klein -- she informs Ms. Klein about the
 12 nightly notes that she's been sending to you
 13 since the summer about press issues at
 14 Fox News, right?
 15 A. She says, "He asked me to start
 16 doing...it in the summer as a P&C document
 17 and asked me to cc LKM. Don't want you to
 18 think I'd ever cc him on anything w/o a prior
 19 directive to! And request a Trump starting a
 20 competitor - very obvious this is all
 21 coordinated."
 22 Q. Right. And the part of that that
 23 I'm interested in is, Ms. Briganti told
 24 Ms. Klein that you had asked Ms. Briganti to
 25 start sending these nightly notes in the

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1 V. DINH
 2 summer of 2020, right?
 3 A. Yes.
 4 Q. And she told Ms. Klein that you
 5 had -- "He asked me"; that's referring to
 6 you, right?
 7 A. Yes.
 8 Q. "He asked me to start doing...it
 9 in the summer as a P&C document."
 10 That means privileged and
 11 confidential, right, sir?
 12 A. Yes.
 13 Q. So, actually, Ms. Briganti had
 14 been marking these documents, these nightly
 15 updates, "Privileged and Confidential" since
 16 many months before the 2020 general election,
 17 right?
 18 MR. WEBB: Objection. Form of
 19 the question.
 20 And I believe you will have to
 21 reveal more client communications or
 22 your work product or thought processes
 23 to answer that question.
 24 MR. SHACKELFORD: I disagree. I
 25 asked --

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1 V. DINH
 2 MR. WEBB: I'm going to -- my
 3 witness knows -- he's a lawyer. If he
 4 wants to answer the question because
 5 he thinks he does not have to reveal
 6 any lawyer-client communications, as
 7 we have been doing throughout the day,
 8 he obviously can do so.
 9 I've called to his attention the
 10 possibility that your question would
 11 require him to reveal -- if he thinks
 12 he can do so without revealing
 13 lawyer-client communications, work
 14 product, he will answer your question.
 15 BY MR. SHACKELFORD:
 16 Q. I'll repeat my question.
 17 Mr. Dinh, so, actually,
 18 Ms. Briganti had been marking these nightly
 19 updates "Privileged and Confidential" in
 20 anticipation of litigation for many months
 21 before the 2020 general election, right?
 22 A. I have no basis to contradict this
 23 text.
 24 Q. And she had been marking these
 25 documents since summer of 2020 as "Privileged

1 **V. DINH**
 2 **and Confidential" because you asked her to do**
 3 **that, right? That's according to her text.**
 4 MR. WEBB: Objection.
 5 I believe that's going to have
 6 to require him to reveal a
 7 communication to lawyer-client
 8 privileged communication.
 9 Sir, I'm going to -- in order to
 10 answer that question, I'm going to
 11 instruct you not to answer.
 12 Will you follow my instruction?
 13 THE WITNESS: I will.
 14 BY MR. SHACKELFORD:
 15 **Q. Do you have any reason to doubt**
 16 **the truth of what Ms. Briganti wrote in this**
 17 **text?**
 18 MR. WEBB: Objection. Form.
 19 A. No.
 20 **Q. If, in fact, you had asked**
 21 **Ms. Briganti to start writing "Privileged and**
 22 **Confidential" on these notes in the summer of**
 23 **2020, isn't that inconsistent with what you**
 24 **just told me about the reason for putting**
 25 **"Privileged and Confidential" on the**

1 **V. DINH**
 2 A. I believe so.
 3 **Q. Did Fox Corporation hire**
 4 **[REDACTED] in November 2020 as part of its**
 5 **attempts to defend Fox News?**
 6 A. I don't know. Any such hiring
 7 would have been done by Raj Shah.
 8 MR. SHACKELFORD: I'm going to
 9 mark Exhibit 3453.
 10 This is a text exchange between
 11 Raj Shah and [REDACTED] dated
 12 November 12, 2020.
 13 (Whereupon, Dinh Exhibit 3453,
 14 FoxCorp00086611 was marked for
 15 identification as of this date by the
 16 Reporter.)
 17 BY MR. SHACKELFORD:
 18 **Q. Let me know when you have reviewed**
 19 **it.**
 20 A. Okay.
 21 **Q. Does this refresh your**
 22 **recollection that [REDACTED] was hired in**
 23 **mid-November 2020 to help defend Fox News?**
 24 A. No, because I didn't know who Raj
 25 hired at whatever period of time to do what

1 **V. DINH**
 2 **documents, which was the general election?**
 3 MR. WEBB: Objection. I'm going
 4 to object on the grounds I think that
 5 will require him to reveal
 6 lawyer-client communications. I'm
 7 going to instruct him not to answer.
 8 Will you follow my instruction?
 9 THE WITNESS: I will.
 10 BY MR. SHACKELFORD:
 11 **Q. Was Fox News anticipating**
 12 **litigation, or Fox Corporation, in the summer**
 13 **of 2020 that would require such markings on**
 14 **these notes?**
 15 MR. WEBB: I'm going to object
 16 to the form of the question.
 17 I'm going to instruct you not to
 18 answer.
 19 Will you follow my instruction?
 20 THE WITNESS: Yes.
 21 BY MR. SHACKELFORD:
 22 **Q. Who is [REDACTED]**
 23 A. He is a local press relations
 24 consultant.
 25 **Q. He does work for Fox Corporation?**

1 [REDACTED]

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1 [REDACTED]

Page 199

1 [REDACTED]

Page 198

1 [REDACTED]

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1 V. DINH

2 grounds of the subject matter, whether

3 you talked about a certain subject

4 matter with people. Going beyond that

5 would be to reveal communications,

6 sir.

7 BY MR. SHACKELFORD:

8 A. Before December 15th,

9 approximately, no, I don't think so. After

10 December 15th or thereabouts, yes.

11 **Q. Did you discuss the election fraud**

12 **claims that were being reported by Fox News**

13 **with anyone at Fox News in November of 2020?**

14 MR. WEBB: I believe -- that's a

15 subject matter issue again. If you

16 remember, you can answer the question.

17 A. No, I don't think so.

18 **Q. What about in December of 2020?**

19 A. Again, before December 15th, no, I

20 don't think so. But after December 15th,

21 yes.

22 MR. SHACKELFORD: I'm going to

23 mark Exhibit 3455, another nightly

24 update from Ms. Briganti, this one

25 dated December 14, 2020.

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1 V. DINH
 2 (Whereupon, Dinh Exhibit 3455,
 3 FNN061_04469939 was marked for
 4 identification as of this date by the
 5 Reporter.)
 6 BY MR. SHACKELFORD:
 7 **Q. You can see Ms. Briganti writes to**
 8 **you, "Viet, For awareness, the Smartmatic**
 9 **issue was covered extensively today."**
 10 **What does she mean by the**
 11 **"Smartmatic issue"?**
 12 MR. WEBB: I'm going to object
 13 because that would require him to go
 14 beyond the subject matter and get into
 15 the contents of communications that he
 16 had, which I believe would be
 17 privileged.
 18 And I'm going to instruct you
 19 not to answer the question.
 20 Do you follow my instruction?
 21 THE WITNESS: Yes.
 22 BY MR. SHACKELFORD:
 23 **Q. I think Ms. Briganti is**
 24 **referencing -- strike that.**
 25 **Smartmatic sent a cease and desist**

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1 V. DINH
 2 **letter to Fox right around this time, right?**
 3 A. I do not recall.
 4 **Q. Do you remember what the**
 5 **Smartmatic issue was?**
 6 A. It would have been something
 7 covered extensively in the press. I don't
 8 know.
 9 **Q. Fox ultimately put together a**
 10 **segment with someone named Eddie Perez to**
 11 **address certain allegations that had been**
 12 **made against Smartmatic.**
 13 **Do you remember that?**
 14 A. I do.
 15 **Q. You were involved in that effort,**
 16 **weren't you?**
 17 MR. WEBB: I'm going to object
 18 on the grounds that that would reveal
 19 work product information as well as
 20 lawyer-client privileged
 21 communications, and I'm going to
 22 object and instruct him not to answer.
 23 Are you going to follow my
 24 instruction?
 25 THE WITNESS: Yes.

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1 V. DINH
 2 BY MR. SHACKELFORD:
 3 **Q. Well, I think Exhibit 3456 that I**
 4 **just marked will answer the question. It's**
 5 **an e-mail from Ms. Briganti to Lily Claffee**
 6 **copying you, Mr. Dinh, dated December 18,**
 7 **2020, and it addresses the Eddie Perez**
 8 **segment that Fox aired, right?**
 9 (Whereupon, Dinh Exhibit 3456,
 10 FNN076_04541460 through '1461 was
 11 marked for identification as of this
 12 date by the Reporter.)
 13 BY MR. SHACKELFORD:
 14 A. Yes.
 15 **Q. The segment in question aired on**
 16 **Lou Dobbs' show, Jennine Pirro's show, and**
 17 **Maria Bartiromo's show, right?**
 18 A. Yes.
 19 **Q. Why did Fox create and then**
 20 **broadcast that segment?**
 21 MR. WEBB: I'm going to object
 22 to the question. It will require him
 23 to reveal work product and, I believe,
 24 lawyer-client communications, and I'm
 25 going to instruct you not to answer.

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1 [REDACTED]

1 **V. DINH**
 2 **Post op-ed, right?**
 3 A. Yeah. Yes.
 4 **Q. And you generally agreed with it;**
 5 **fair to say?**
 6 MR. WEBB: Objection. Form.
 7 A. I don't have it in front of me,
 8 but, yes, I think my recollection at the time
 9 was, yes, sounds sensible. You know, the
 10 emphasis, of course, is on the generally.
 11 Since I don't have it in front of
 12 me, I can't say that I agree with every
 13 single word, but generally on the sentiment,
 14 yes.
 15 **Q. Well, the first thing it said is,**
 16 **it told President Trump to quit "the**
 17 **conspiracy-addled talk of a 'stolen'**
 18 **election."**
 19 **Did you agree with that?**
 20 MR. WEBB: Objection. Form.
 21 A. What was the date on this?
 22 **Q. November 7, 2020.**
 23 A. It certainly didn't show him very
 24 well, but I think that he has -- if he truly
 25 believed that the election was in doubt, or

1 **V. DINH**
 2 **no evidence that the election was 'stolen'"**
 3 **and "It undermines faith in democracy, and**
 4 **faith in the nation, to push baseless**
 5 **conspiracies."**
 6 **Did you agree with that?**
 7 A. This is on November 7th?
 8 **Q. Yes.**
 9 A. Again, I think I was skeptical but
 10 I was leaving room for him to come up with
 11 evidence and arguments in court and before
 12 the certification of the electors.
 13 **Q. The New York Post wrote to the**
 14 **Trump -- in this op-ed to Donald Trump, "Get**
 15 **Rudy Giuliani off TV."**
 16 **Did you agree with that sentiment?**
 17 MR. WEBB: Objection. Form.
 18 A. I don't recall seeing or following
 19 Rudy Giuliani on TV. I would agree with it
 20 after the November 19th press conference.
 21 **Q. Why is that?**
 22 A. Just because he didn't look very
 23 good. Or very well.
 24 **Q. And he was spouting conspiracy**
 25 **theories left and right, wasn't he, Mr. Dinh?**

1 **V. DINH**
 2 the results of the election was unfair, he
 3 has every legal right to challenge those, you
 4 know, in court and before December 15th.
 5 **Q. Sorry, one more Eddie Perez**
 6 **question because I keep -- I'm not hoping**
 7 **that Dan stops paying attention, but anyway.**
 8 **Did you discuss -- strike all**
 9 **that.**
 10 **Did you discuss the Eddie Perez**
 11 **segment, before or after it aired, with**
 12 **anyone at Fox News or at Fox Corporation,**
 13 **including the Murdochs?**
 14 MR. WEBB: I'm going to object
 15 to the question in terms of
 16 lawyer-client privilege and work
 17 product.
 18 I'm going to instruct you not to
 19 answer.
 20 Will you follow my instruction.
 21 THE WITNESS: I will.
 22 BY MR. SHACKELFORD:
 23 **Q. Back to the New York Post op-ed,**
 24 **it also -- in that op-ed, the New York Post**
 25 **also wrote, "the president's aides have shown**

1 [REDACTED]

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1 V. DINH
2 fast.
3 BY MR. SHACKELFORD:
4 **Q. When Mr. Carlson had that**
5 **monologue calling out Ms. Powell, that led to**
6 **viewer backlash against the network, didn't**
7 **it?**
8 A. Yes, I think so, because I think
9 that the -- there was still a lot of people
10 who were rooting for President Trump and his
11 allegations.
12 **Q. And it made a lot of Fox viewers**
13 **angry for Tucker Carlson to truthfully tell**
14 **them that Sidney Powell had not presented him**
15 **or the Trump campaign with any evidence,**
16 **right?**
17 MR. WEBB: Objection. Form.
18 A. Yes, but I think and I hope it
19 also made a lot of viewers happy that he
20 demanded evidence from Ms. Powell.
21 **Q. And just to be clear, at the time**
22 **you watched -- after you watched Tucker**
23 **Carlson's segment on Sidney Powell, is it**
24 **fair to say Sidney Powell lost credibility,**
25 **in your mind?**

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1 V. DINH
2 MR. WEBB: Objection. Form.
3 A. Her credibility decreased, in my
4 mind. But, again, whether or not a lawyer
5 chooses to show her evidence to journalists,
6 or a particular journalist, is a
7 tactical/legal decision that I completely
8 understand. Maybe she wanted to reserve it
9 for her filing in court. And so I did not
10 conclusively decide that she has lost all
11 credibility. But I was like most, if not
12 all, of America on tenderhooks to see what
13 evidence she does have and in what forum she
14 would offer it.
15 **Q. I'm going to show you a document**
16 **marked Exhibit 3459, it's an e-mail from Raj**
17 **Shah to you, Lachlan Murdoch, and Suzanne**
18 **Scott, dated November 23, 2020.**
19 (Whereupon, Dinh Exhibit 3459,
20 FNN014_00127851 was marked for
21 identification as of this date by the
22 Reporter.)
23 BY MR. SHACKELFORD:
24 **Q. Take a look at this and I will ask**
25 **you questions about it. It is about how Fox**

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1 V. DINH
2 **responded to the backlash against Tucker**
3 **Carlson's segment about Sidney Powell.**
4 A. Yes.
5 **Q. The first thing Mr. Shah writes to**
6 **you is, "After criticism from social media**
7 **for Tucker's segment questioning Attorney**
8 **Sidney Powell's outlandish voter fraud**
9 **claims, our consultants and I coordinated an**
10 **effort to generate Trump administration**
11 **pushback against her claims," right?**
12 A. Yes, that's what it says.
13 **Q. So this is Raj Shah, who reports**
14 **to you, describing Sidney Powell's claims as**
15 **"outlandish," right?**
16 A. Yes, that's what he writes.
17 **Q. And, sir, that was a fair**
18 **characterization of them at this point,**
19 **wasn't it?**
20 MR. WEBB: Objection. Form of
21 the question.
22 A. That is his opinion. As I said, I
23 was skeptical and I have no basis to judge
24 the degree of skepticism, whether they're
25 outlandish or crazy, but I won't dispute the

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1 V. DINH
2 characterization.
3 **Q. Did you, at the time, think they**
4 **were outlandish, sir?**
5 MR. WEBB: Objection. Form.
6 A. I was skeptical.
7 **Q. Did you think they were**
8 **outlandish, yes or no?**
9 MR. WEBB: Objection. Form.
10 A. It's not a word that I usually
11 use. And so if you asked me if I thought
12 they were "outlandish," the answer would be
13 "no," because it is not a word in my
14 vocabulary, generally.
15 But on the -- you know, on the
16 scale of my skepticism, you know, I would
17 say, as I said to you before, I was skeptical
18 but I had to reserve some mind space to --
19 for them to be proven right.
20 **Q. Did you think they were improbable**
21 **at that point? Is that a word you would use?**
22 MR. WEBB: Objection. Form.
23 A. Yes.
24 **Q. Okay. Now, Mr. Shah goes on to**
25 **write, "We encouraged several sources within**

1 **V. DINH**
 2 **the" administration "to tell reporters that**
 3 **Powell offered no evidence for her claims and**
 4 **didn't speak for the President."**
 5 **Do you see that?**
 6 A. Yes.
 7 **Q. So this was an effort, by the way,**
 8 **where Fox Corporation was directly working to**
 9 **protect Fox News, and specifically to protect**
 10 **Tucker Carlson, right?**
 11 MR. WEBB: Objection. Form.
 12 A. I think it's more the protection
 13 of Tucker Carlson than it is the protection
 14 of Fox News. Because as we had testified
 15 earlier, you know, part of Raj's remit is to
 16 be press assistant for Tucker. And so, you
 17 know, he is defending -- so he feels
 18 especially keen to protect Tucker. But I
 19 will agree with you that protecting Tucker is
 20 protecting Fox News' reputation.
 21 **Q. And the way Fox Corporation here**
 22 **protected Tucker Carlson was to successfully**
 23 **encourage sources in the Trump administration**
 24 **"to tell reporters that Powell offered no**
 25 **evidence for her claims and didn't speak for**

1 **V. DINH**
 2 **Mr. Dinh, after Fox Corporation successfully**
 3 **got the Trump administration -- Trump**
 4 **campaign to disavow Sidney Powell, why did**
 5 **Fox keep bringing Sidney Powell onto its air?**
 6 MR. WEBB: Objection. Form of
 7 the question.
 8 A. Because -- just because she
 9 refused to reveal any evidence she may have
 10 on Tucker Carlson's show doesn't negate the
 11 possibility of her taking the opportunity to
 12 show evidence in other forum including other
 13 Fox News shows.
 14 **Q. But, sir --**
 15 A. And she had promised to reveal
 16 evidence, either in court or at some point.
 17 And so while the period for institutions that
 18 are empowered to adjudicate this election
 19 dispute, that is the courts and the legis- --
 20 the state legislatures to certify the
 21 electors.
 22 I think it is fair to give an
 23 opportunity to present that evidence if she
 24 had any. The longer she takes, I think, I
 25 agree with you, the less credibility she has.

1 **V. DINH**
 2 **the President," right?**
 3 A. Yes. It's -- essentially mimics
 4 what you had read to me from Tucker's
 5 transcript, which is that he talked to
 6 sources within the administration and the
 7 campaign and they said, also, that Ms. Powell
 8 did not give them any evidence.
 9 **Q. And Fox Corporation's efforts**
 10 **described here resulted in the Trump campaign**
 11 **disavowing Ms. Powell on Sunday night, right?**
 12 A. It contributed. It did not result
 13 in. I don't know, you know, what was the
 14 causation of that announcement, but certainly
 15 here, Raj says it contributed to the
 16 announcement.
 17 **Q. Okay. Then, as you recall, the**
 18 **Trump campaign did disavow Sidney Powell**
 19 **right around that time, right?**
 20 A. As an attorney for the Trump --
 21 for the President, either in his official or
 22 personal capacity.
 23 **Q. Or for the campaign, right?**
 24 A. Or the campaign, yes.
 25 **Q. So here is the big question,**

1 [REDACTED]

Page 245

1 [REDACTED]

Page 247

1 [REDACTED]

Page 246

1 [REDACTED]

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1 V. DINH
2 to getting done. I know I have gone
3 over. Just give me a couple more
4 minutes.
5 Sorry, Rebecca.
6 And strike all that.
7 BY MR. SHACKELFORD:
8 **Q. So, Mr. Dinh, the -- you agree**
9 **with me, sitting here today, that there are**
10 **not two sides to the allegations that**
11 **Dominion rigged the 2020 Election; there is**
12 **only one side, the truth, which is that is a**
13 **false allegation, right?**
14 MR. WEBB: Objection. Form of
15 the question.
16 A. Those allegations, sitting here
17 today, have not -- not been proven true in
18 the responsive institution that is the court
19 and the legislature. And so I believe -- I
20 agree with you that there are not two sides,
21 but that I believe those allegations to have
22 turned out to be false.
23 **Q. Okay. So when you have a fact, a**
24 **fact, there aren't two sides to a fact,**
25 **right, it's either true or false?**

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1 **V. DINH**
 2 MR. WEBB: Objection. Form of
 3 the question.
 4 A. Yes.
 5 **Q. And when you have factual**
 6 **allegations like Dominion rigged the 2020**
 7 **Election or its algorithms changed votes from**
 8 **Trump to Biden, there aren't two sides to**
 9 **that; either it's true or it's false, right,**
 10 **sir?**
 11 MR. WEBB: Objection. Form of
 12 the question.
 13 A. Yes.
 14 **Q. Now, eventually, Fox News did --**
 15 **strike that.**
 16 **Eventually, Fox did ban Sidney**
 17 **Powell from appearing on its airways, right?**
 18 A. I don't know.
 19 **Q. You don't know?**
 20 A. I don't know.
 21 **Q. Has she appeared on Fox -- any Fox**
 22 **broadcast since December the 10th, 2020?**
 23 A. I don't know.
 24 **Q. Did you ever issue a directive**
 25 **that she was not to appear on any Fox**

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1 **V. DINH**
 2 **broadcast in the future?**
 3 A. No.
 4 MR. WEBB: Objection.
 5 Go ahead.
 6 **Q. Would you have had the power to do**
 7 **that if it was to protect Fox from legal**
 8 **liability?**
 9 MR. WEBB: Objection. Form of
 10 the question.
 11 And as far as legal liability,
 12 then I'm going to have to instruct you
 13 not to answer the question.
 14 Will you follow my instruction?
 15 THE WITNESS: I will.
 16 MR. SHACKELFORD: I'm not asking
 17 what he did. I'm asking if he had the
 18 power. So I'll ask it again, and I
 19 don't think that instruction is
 20 proper.
 21 BY MR. SHACKELFORD:
 22 **Q. Mr. Dinh, in 2020 and 2021, did**
 23 **you have the authority to instruct Fox News**
 24 **not to book certain guests if, in your view,**
 25 **booking those guests would cause legal**

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1 **V. DINH**
 2 **exposure to Fox?**
 3 MR. WEBB: I didn't object to
 4 the first part of your question, sir.
 5 The last part requires him -- anyway,
 6 I'm going to object to the last part
 7 of your question as asking him if it
 8 would cause him to, as far as his --
 9 whether he was going to avoid legal
 10 liability, I'm objecting on the
 11 grounds that covers by the
 12 lawyer-client privilege and work
 13 product, and I'm going to instruct you
 14 not to answer that part of the
 15 question.
 16 Will you follow my instruction?
 17 THE WITNESS: I will.
 18 So what part of the question can
 19 I answer?
 20 BY MR. SHACKELFORD:
 21 **Q. I'm not asking you about any**
 22 **particular legal exposure, whether it exists**
 23 **or not or whether you thought it exists or**
 24 **not. I'm asking a question about your**
 25 **authority.**

Page 252

1 **V. DINH**
 2 **So I'll ask a simpler question?**
 3 **Do you have the authority, under**
 4 **any circumstances, to instruct Fox News not**
 5 **to book certain guests?**
 6 MR. WEBB: Objection. Form of
 7 the question.
 8 Not privilege, form of the
 9 question.
 10 A. I don't know because I've never
 11 done it.
 12 **Q. Okay.**
 13 A. Is that an adequate answer?
 14 Because, you know, I don't know the limits of
 15 my authority unless there is actually a
 16 concrete example.
 17 **Q. You are the senior-most legal**
 18 **officer at the corporate entities, right?**
 19 A. Yes.
 20 **Q. So if you -- if -- this is**
 21 **hypothetical, if you saw a legal problem with**
 22 **the booking of a certain guest, do you have**
 23 **the authority, and did you, in 2020, have the**
 24 **authority, to prevent that guest from being**
 25 **booked on a Fox network?**

1 V. DINH

2 MR. WEBB: All right, I'm going
3 to have to return. I'm trying not to
4 be difficult here and I'm trying not
5 to make a speaking objection, but the
6 part of the question that's covered by
7 the lawyer-client privilege as to
8 whether he was trying to avoid legal
9 liability, I object to that.

10 I did not object to the question
11 about whether he had the authority,
12 which he has already answered that he
13 didn't know if he had the authority.

14 So -- but I'm going to object to
15 the last question because you are back
16 into invading the privilege. I'm
17 going to instruct him not to answer to
18 the extent it is asking him to give
19 testimony as to whether he was trying
20 to avoid legal liability.

21 Will you follow my instruction?

22 THE WITNESS: I will.

23 BY MR. SHACKELFORD:

24 Q. Mr. Dinh, I suspect you understand
25 what I'm asking because I'm not asking

1 V. DINH

2 MR. WEBB: No, wait a minute.
3 I just told him I'm trying to
4 avoid making unnecessary objections on
5 privilege. If the question goes to
6 whether he has a legal authority to
7 call up and do something about a guest
8 or a host, that's one question. It's
9 a second question on whether he made a
10 decision in order to avoid legal
11 liability. Those are two different
12 questions.

13 And it's, kind of, unfair for
14 you to put me in the position of where
15 I'm going to waive a privilege if I
16 stick with your -- at one point, you
17 asked the question properly and then
18 you changed it. I'm only objecting to
19 the extent you are asking him as to
20 whether or not he did not make an
21 instruction to avoid legal liability.

22 That's -- you understand my
23 instruction, sir?

24 THE WITNESS: Yes. Let me
25 answer the question.

1 [REDACTED]

1 V. DINH

2 BY MR. SHACKELFORD:

3 A. I tried to answer the question
4 this way: If I had any legal authority in
5 order to break operational and organizational
6 structure and editorial independence of Fox
7 News channel, it would be only on the basis
8 of my role as a lawyer, and that would be
9 privileged.

10 Is that an adequate answer to your
11 question? I think I tried to be as close as
12 possible to answering all of your questions
13 without -- while still following Mr. Webb's
14 instructions.

15 Q. I think so. I think so. I don't
16 want to spend any more time on that.

17 A. We have very, very smart lawyers
18 and wordsmiths in this room, and so I'm
19 trying to be careful and not to be caught
20 into -- not following a rule.

21 Q. You agree that after December 15,
22 2020, Fox News should not have brought Sidney
23 Powell on to make allegations that Dominion
24 rigged the election, right?

25 MR. WEBB: Objection. Form of

Page 257

1 V. DINH
2 the question.
3 A. Yes. Both because game is over,
4 right, because December 15th is the cutoff
5 date for the legislatures to certify its
6 electors, and also because the -- all of the
7 litigation related to the election had been
8 dismissed.
9 Now, whether he has an
10 independent, you know, reason to be on
11 Fox News, I don't know. But as it relates to
12 those allegations, I think you are right.
13 **Q. You would certainly not want her**
14 **to come on as to those allegations after that**
15 **point, right?**
16 MR. WEBB: Objection. Form of
17 the question.
18 A. Again, I don't make the editorial
19 decisions as to what is newsworthy. And so
20 I'm not sure in what capacity you want me to
21 answer the word whether I want to have her
22 on.
23 **Q. That's fair enough. Last couple**
24 **of questions.**
25 **Fox News did stop broadcasting any**

Page 258

1 [REDACTED]

Page 259

1 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

Page 260

1 [REDACTED]

Page 281

1 V. DINH
2 A. That -- is that a Lou Dobbs
3 document?
4 **Q. It's a document Lou Dobbs tweeted**
5 **out that has no attribution on it, does it?**
6 A. No, it doesn't.
7 **Q. It's one of the accused**
8 **publications, sir.**
9 A. Right. It does reference here an
10 allegation against Dominion Voting Systems.
11 **Q. Several, in fact, right?**
12 A. I see the one at the bottom. Yes,
13 I see Dominion and Smartmatic being mentioned
14 here.
15 **Q. So this document is not anything**
16 **close to good journalism by Lou Dobbs, is it?**
17 MR. WEBB: Objection. Form.
18 A. If he wrote it, yeah, I think it's
19 not.
20 **Q. He tweeted it out without**
21 **attribution.**
22 MR. WEBB: Objection.
23 **Q. That's also not good journalism,**
24 **is it, sir?**
25 MR. WEBB: Objection. Form.

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1 V. DINH
2 A. It is not clear who wrote this and
3 what the -- what sources come from. If he --
4 if this is not his own document, he should
5 have identified it as such. Yes.
6 **Q. And looking at this tweet, there's**
7 **no way to tell, it looks like his own**
8 **document, doesn't it?**
9 MR. WEBB: Objection. Form.
10 A. Well, I'm not on Twitter, so I
11 don't know the rules of Twitter, but it seems
12 to me that when you retweet a document, there
13 is all questions -- there is a natural
14 question as to where that document comes
15 from, and so I don't know who wrote it.
16 **Q. But certainly, if you are looking**
17 **at this tweet, could reasonably think it came**
18 **straight from Lou Dobbs since he did not**
19 **attribute it to anyone else, right?**
20 MR. WEBB: Objection. Form.
21 A. It could. He should have
22 explained that, yes.
23 **Q. Okay. Mr. Dobbs, in this**
24 **document, claims to have evidence that**
25 **Dominion machines -- that "there is an**

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1 V. DINH
2 **embedded controller in every Dominion**
3 **machine."**
4 **Do you see that?**
5 MR. WEBB: Objection. Form.
6 A. Can you point me to the location
7 of that quote?
8 **Q. Yes. I think that is -- the very**
9 **bottom paragraph of the first page of the**
10 **document. "We have technical presentations**
11 **that prove there is an embedded controller in**
12 **every Dominion machine, that allows an**
13 **election supervisor to move votes from one**
14 **candidate to another."**
15 **Do you see that?**
16 A. I do.
17 **Q. That's a factual assertion about**
18 **Dominion, isn't it?**
19 MR. WEBB: Objection. Form.
20 A. Yes.
21 **Q. And sitting here today, you know**
22 **that's false, right, sir?**
23 A. I do.
24 MR. WEBB: Objection. Form.
25 **Q. And Lou Dobbs should not have**

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1 V. DINH
2 **tweeted out that factual assertion, should he**
3 **have?**
4 MR. WEBB: Objection. Form.
5 A. Not with clear -- not without
6 clear attribution if it's not his. If it's
7 his then, yes, absolutely, he should not
8 have.
9 **Q. And you understand that Lou Dobbs,**
10 **just a few weeks later on Fox News, told the**
11 **viewers he still had seen no evidence to**
12 **support these allegations of widespread**
13 **election fraud, right?**
14 MR. WEBB: Objection. Form.
15 A. I do not know that, but I don't
16 have a basis to challenge it. I don't watch
17 Lou Dobbs. I don't think I've ever seen Lou
18 Dobbs.
19 **Q. Are you aware, Mr. Dinh, that**
20 **every Fox News witness we have deposed,**
21 **that's hosts, producers, and executives, have**
22 **admitted that, to this day, they have never**
23 **seen any evidence supporting these conspiracy**
24 **theories against Dominion?**
25 MR. WEBB: Objection. Form.

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1 V. DINH
2 A. I do not know that, but I have no
3 basis to question that.
4 **Q. You've never seen any such**
5 **evidence, have you?**
6 A. I have not.
7 **Q. And I'm talking about the**
8 **conspiracy theories that Dominion rigged the**
9 **election and was owned by a company founded**
10 **in Venezuela to rig votes and bribe**
11 **government officials?**
12 MR. WEBB: Objection. Form.
13 A. Yes, that's what I'm also
14 understanding.
15 **Q. Okay. Now, the same day as**
16 **Mr. Dobbs tweeted this out, he brought Sidney**
17 **Powell onto his show on Fox Business, where**
18 **she, yet again, accused Dominion of having**
19 **rigged the 2020 Presidential Election against**
20 **Donald Trump.**
21 **You are aware of that now, right?**
22 MR. WEBB: Objection.
23 Go ahead and answer.
24 A. I'm aware of that now.
25 **Q. And that when Mr. Dobbs brought**

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1 V. DINH
2 **her onto his show that day, he called her a**
3 **"great American" for his audience, and she**
4 **did, in fact, spout the same false conspiracy**
5 **theories against Dominion on Fox's airwaves.**
6 **You are aware of that now, right?**
7 MR. WEBB: Objection. Form.
8 A. I'm aware of that. I'm also aware
9 that, you know, she made the allegations
10 directly to the audience. So it's not Lou
11 Dobbs speaking, not making the allegation or
12 reporting them as fact, but rather, reporting
13 the fact that she is making those
14 allegations.
15 **Q. But if Fox knew at that point that**
16 **the allegations she was making were false,**
17 **shouldn't Fox have kept her from coming onto**
18 **its airwaves?**
19 MR. WEBB: Objection. Form of
20 the question.
21 A. Fox is a corporation of 10,000
22 individuals. There is no monolithic Fox
23 knowledge. Each one of our journalists puts
24 his or her integrity and work product on the
25 line when they do their work product. That

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1 V. DINH
2 is supervised by and assisted by a team of
3 producers and assistants and, ultimately,
4 supervised by editors and Suzanne Scott as
5 the CEO.
6 **Q. So if any -- I'm sorry.**
7 A. I'm sorry. And so I do not know
8 what state of knowledge each and every person
9 has, but I certainly know there is no
10 monolithic Fox knowledge.
11 **Q. That's a fair response.**
12 **If any of the people in that chain**
13 **of command who had the power to exercise**
14 **control over Lou Dobbs' show knew that what**
15 **Sidney Powell was alleging was false, didn't**
16 **they have an obligation to prevent her from**
17 **coming on the show to tell those lies?**
18 MR. WEBB: Objection. Form.
19 A. Yes.
20 **Q. Okay. And in retrospect,**
21 **Mr. Dinh, do you think it was a mistake for**
22 **Lou Dobbs to bring Sidney Powell onto his**
23 **show on December 10th to tell those lies**
24 **about Dominion?**
25 MR. WEBB: Objection. Form.

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1 V. DINH
2 A. I don't think it was a mistake to
3 bring her on. I think it was -- you know, it
4 was towards the waning minutes of the fourth
5 quarter as you -- if you will, according to
6 our analogy, because, indeed, time was
7 running out, right. This is four days before
8 the certification.
9 But, you know, I think she came on
10 and said that she still has litigation, she's
11 still trying to go out and trying to present
12 evidence. And what turns out is that she
13 didn't come on to present any evidence, but,
14 rather, just, again, make allegations without
15 evidence.
16 I think the fact that she did that
17 without any evidence despite all the -- all
18 of the requests for and cries for evidence
19 is, itself, indicative and newsworthy for the
20 audience to see, because they can judge her
21 credibility for themselves.
22 **Q. So you -- it's your understanding**
23 **that on that appearance, Ms. Powell did not**
24 **present any evidence supporting the**
25 **allegation she was making about Dominion,**

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1 V. DINH
 2 **Q. Sir, you agree that it is Fox's**
 3 **job to hold the government accountable,**
 4 **right?**
 5 MR. WEBB: Objection. Form of
 6 the question.
 7 A. Yes.
 8 **Q. And isn't part of holding the**
 9 **government accountable, including a sitting**
 10 **President and his lawyers, pushing back when**
 11 **he is making false claims or claims that**
 12 **there is no evidence for?**
 13 MR. WEBB: Objection. Form.
 14 A. No, I think the inherent authority
 15 of the President is worthy of coverage.
 16 **Q. But one way that you typically**
 17 **hold an elected official accountable is by**
 18 **calling them out when they say things that**
 19 **are false, right, sir?**
 20 MR. WEBB: Objection. Form.
 21 A. If you believe it and know it to
 22 be false, I think it's -- otherwise, I think
 23 it is entirely responsible, indeed
 24 obligatory, for news outlets to cover the
 25 President's assertions and ask for evidence

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1 V. DINH
 2 to back them up.
 3 **Q. But if you believe it and know it**
 4 **to be false, you have a moral and ethical**
 5 **obligation to hold the President accountable**
 6 **by pointing that out to your viewers, right?**
 7 MR. WEBB: Objection. Form.
 8 A. If you believe them to be false,
 9 yes.
 10 **Q. And that goes up and down the**
 11 **chain of command, from the producers to the**
 12 **hosts to the executives at Fox News, right?**
 13 MR. WEBB: Objection. Form of
 14 the question.
 15 A. Certainly to the speaker, that is
 16 the host, and her executive team, her
 17 production team. And if they have any
 18 questions relating to the falsity and truth
 19 of what they are reporting, then they should
 20 fact-check and consult with their editors.
 21 **Q. And if they come to believe that**
 22 **it's false, what they are reporting, they**
 23 **should tell their viewers that, right? There**
 24 **is a moral and ethical obligation, right?**
 25 MR. WEBB: Objection. Form of

Page 315

1 V. DINH
 2 the question.
 3 A. Yes.
 4 **Q. And if executives of Fox News come**
 5 **to learn that Fox is broadcasting allegations**
 6 **that they believe to be false, those**
 7 **executives have a moral and ethical**
 8 **obligation to intervene and put a stop to it,**
 9 **right?**
 10 MR. WEBB: Objection. Form.
 11 A. As I said to the -- earlier, there
 12 is a wide diversity of opinions and levels of
 13 belief within the Fox organization -- the
 14 Fox News organization. We have different
 15 journalists, different producers, and if
 16 there is a -- if there is a belief that is
 17 false, it should not be spoken.
 18 **Q. Or broadcast, right, sir?**
 19 A. Or broadcast.
 20 **Q. And if -- just to be clear, the**
 21 **executives at Fox News, they sit above the**
 22 **hosts and the producers, right?**
 23 MR. WEBB: Objection. Form.
 24 A. They do, but sometimes they are
 25 not consulted because the producers do not

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1 V. DINH
 2 have to consult or seek permission on every
 3 single show. We do trust our professionals
 4 to do their jobs professionally.
 5 **Q. But when the executives at**
 6 **Fox News know that hosts of shows are**
 7 **broadcasting allegations that the executives**
 8 **know or believe to be false, in that**
 9 **situation, the executives have an obligation**
 10 **to act, right?**
 11 MR. WEBB: Objection. Form.
 12 A. If they are within the chain of
 13 command and if they -- and if they come to
 14 that knowledge, yes.
 15 **Q. And by "act," that means to put a**
 16 **stop to it, right?**
 17 MR. WEBB: Objection. Form of
 18 the question.
 19 **Q. They have an obligation under**
 20 **those circumstances, the executives do, in**
 21 **the chain of command, to put a stop to those**
 22 **broadcasts, right, sir?**
 23 MR. WEBB: Objection. Form.
 24 A. Yes, to prevent and correct known
 25 falsehoods.

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1 V. DINH
2 **Q. Okay.**
3 MR. SHACKELFORD: Let's take a
4 break. Let's go off the record.
5 I'll see what I can do about
6 finishing up, hopefully, maybe.
7 THE VIDEOGRAPHER: The time is
8 5:11 p.m. We are going off the
9 record.
10 (Whereupon, a recess was held.)
11 THE VIDEOGRAPHER: The time is
12 5:22 p.m. We are now back on the
13 record.
14 BY MR. SHACKELFORD:
15 **Q. Mr. Dinh, you approved a statement**
16 **that Fox News put out both after the**
17 **Smartmatic lawsuit was filed and after the**
18 **Dominion lawsuit was filed.**
19 **Do you remember that?**
20 A. What was the statement?
21 **Q. It was, "Fox News Media is proud**
22 **of our 2020 election coverage which stands in**
23 **the highest tradition of American**
24 **journalism."**
25 A. Yes.

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1 [REDACTED]

Page 319

1 [REDACTED]

Page 320

1 [REDACTED]

Exhibit 602

Start Date November 6, 2020 7:59:03 PM EST

End Date November 6, 2020 9:35:00 PM EST

Chat Suzanne Scott [REDACTED] (iMessage)>, Lachlan Murdoch
Account [REDACTED] Lachlan Murdoch [REDACTED] (iMessage)>, Suzanne
t Scott [REDACTED] (Sms)>, Lachlan Murdoch [REDACTED] Lachlan
Murdoch [REDACTED], Suzanne Scott [REDACTED] Suzanne
Scott [REDACTED] Lachlan Murdoch <[REDACTED] (Sms)>

Suzanne Scott [REDACTED] (iMessage)>



Looks like no call coming tonight

19:59:03

(no sender information available)



Ok. Thx L

19:59:20

Suzanne Scott [REDACTED] (iMessage)>



Arizona has narrowed further to 29k That puts the race at 0.9%
There's another drop tomorrow at 11am If there's further
narrowing Jay and I will discuss whether we should pull our
call

21:33:47

(no sender information available)



Thx. Let's discuss then. L

21:34:46

Suzanne Scott <[REDACTED] (iMessage)>



K

21:35:00

Exhibit 603

From: [REDACTED]
To: Jared Kushner
Sent: 9/25/2020 5:27:41 PM
Subject: Re: Advs.

Your adv at 1.0 pm this Sunday an improvement, but Biden in same football is extremely good. Or I think so! Will send it.

Sent from my iPhone

> On Sep 25, 2020, at 10:24 PM, Jared Kushner <jared@ [REDACTED] wrote:

>
> Should have some new creative out this week. I did a review and like what im seeing. I will now be reviewing this every week until the end as the real money is starting to be spent on TV and Digital to move voters universes and turn out the base voters

> On 9/24/20, 6:26 AM, "Murdoch, Rupert" [REDACTED] wrote:

>
> Jared,
> Know you are spending less on tv than Biden. However my people tell me his advs are a lot better creatively than yours
> Just passing by it on.
> Rupert.

> Sent from my iPhone

> This message and its attachments may contain legally privileged or confidential information. It is intended solely for the named addressee(s). If you are not an addressee indicated in this message (or responsible for delivery of the message to an addressee), you may not copy or deliver this message or its attachments to anyone. Rather, you should permanently delete this message and its attachments and kindly notify the sender by reply e-mail. Any content of this message and its attachments that does not relate to the official business of Fox Corporation, or its subsidiaries must be taken not to have been sent or endorsed by any of them. No representation is made that this email or its attachments are without defect.



Exhibit 604

PARTICIPANTS: Gary Schreier - [REDACTED] Lauren Petterson - [REDACTED]

Sent 2020-11-08 12:12:55 AM UTC FROM: Lauren Petterson - [REDACTED]

I turned it off. I don't know how we work here. Honestly. We are going to look back at this week and know this was when we lost a significant part of our audience who won't come back. As soon as Facebook starts telling people to go to newsmx.

Sent 2020-11-08 12:13:24 AM UTC FROM: Gary Schreier - [REDACTED]

It's like watching cnn almost.

Sent 2020-11-08 12:13:46 AM UTC FROM: Gary Schreier - [REDACTED]

Why can't we cover it the way cnn would cover it if trump had won?

Sent 2020-11-08 12:14:15 AM UTC FROM: Lauren Petterson - [REDACTED]

It's worse for our audience. I'm turning it back on in a few . I should probably do a shot of vodka first

Sent 2020-11-08 12:15:00 AM UTC FROM: Gary Schreier - [REDACTED]

I suggest jaegermeister.

Sent 2020-11-08 12:15:52 AM UTC FROM: Lauren Petterson - [REDACTED]

That's a liver killer

Sent 2020-11-08 12:16:34 AM UTC FROM: Gary Schreier - [REDACTED]

Then I'm in trouble!

Sent 2020-11-08 12:16:43 AM UTC FROM: Lauren Petterson - [REDACTED]

Hahaha

Sent 2020-11-08 12:22:46 AM UTC FROM: Lauren Petterson - [REDACTED]

Smells like weed. Leland. lol.

Sent 2020-11-08 12:23:18 AM UTC FROM: Gary Schreier - [REDACTED]

That's awesome.

Sent 2020-11-08 12:51:21 AM UTC FROM: Lauren Petterson - [REDACTED]

<https://thehill.com/changing-america/enrichment/arts-culture/524877-indoor-concerts-may-be-made-safe-from-coronavirus>

~ Library SMS Attach 1 bf 15 939D89 1 934D3C 1

[13A2595E-A71C-4B04-B12F-412057233241.pluginPayloadAttachment](#)

Sent 2020-11-08 12:52:58 AM UTC FROM: Lauren Petterson - [REDACTED]

When the front page of the times printed a story about how Covid wasn't so bad - about 3 weeks before the election - i knew Biden was going to win.

Sent 2020-11-08 12:53:03 AM UTC FROM: Gary Schreier - [REDACTED]

Of course. By the way I confirmed with Paula were good for 8pm-10pm simulcast.

Sent 2020-11-08 12:54:02 AM UTC FROM: Gary Schreier - [REDACTED]

I did ask her if the switch earlier off the simulcast was commercial break thing. It was not. It was just a master f up. "They did the best they could. A lot was going on. "

Sent 2020-11-08 12:54:46 AM UTC FROM: Gary Schreier - [REDACTED]

And yeah they were greasing they skids. This is their economy now. So we need to "live with it. "

Sent 2020-11-08 12:55:10 AM UTC FROM: Lauren Petterson - [REDACTED]

I am going to bite my tongue about master

Sent 2020-11-08 12:55:36 AM UTC FROM: Gary Schreier - [REDACTED]

She's not easy sometimes. I'll say that.

Sent 2020-11-08 12:55:57 AM UTC FROM: Lauren Petterson - [REDACTED]

When shit hits the fan - that's when we earn our paychecks. That's all I'll say

Sent 2020-11-08 01:04:12 AM UTC FROM: Gary Schreier - [REDACTED]

"Magical moment." Way to mend fences with your audience Chris.

Sent 2020-11-08 01:04:55 AM UTC FROM: Lauren Petterson - [REDACTED]

He's got a thrill up his leg

Sent 2020-11-08 01:05:42 AM UTC FROM: Gary Schreier - [REDACTED]

Just about.

Sent 2020-11-08 01:05:52 AM UTC FROM: Gary Schreier - [REDACTED]

Boy that guy disappeared.

Sent 2020-11-08 01:06:47 AM UTC FROM: Lauren Petterson - [REDACTED]

Martha talking about how lively the streets of Nyc are. Like it's some big revelation. Our audience is shrinking even more

Sent 2020-11-08 01:07:25 AM UTC FROM: Gary Schreier - [REDACTED]

I thought same thing. NYC preferred Biden? Really?

Sent 2020-11-08 01:07:36 AM UTC FROM: Lauren Petterson - [REDACTED]

Shocker!!

Sent 2020-11-08 01:07:43 AM UTC FROM: Gary Schreier - [REDACTED]

I mean ...

Sent 2020-11-08 01:08:02 AM UTC FROM: Gary Schreier - [REDACTED]

Context Martha. How about calling out the covid hypocrisy.

Sent 2020-11-08 01:08:02 AM UTC FROM: Lauren Petterson - [REDACTED]

A night where all things seem possible.

Sent 2020-11-08 01:08:16 AM UTC FROM: Lauren Petterson - [REDACTED]

Says who? Not our audience Chris

Sent 2020-11-08 01:09:19 AM UTC FROM: Gary Schreier - [REDACTED]

You know though between us. This is a problem for the channel yes. But if we keep doing what we do, fbn will get a bunch of the disenfranchised folks too.

Sent 2020-11-08 01:09:44 AM UTC FROM: Gary Schreier - [REDACTED]

That's one reason I think we've been crushing CNBC post election.

Sent 2020-11-08 01:10:02 AM UTC FROM: Gary Schreier - [REDACTED]

We can't overtly play for them but we keep our North Star it'll just happen.

Sent 2020-11-08 01:10:27 AM UTC FROM: Lauren Petterson - [REDACTED]

100 percent. I was talking about exactly that with my husband last night. It's actually an opening for us

Sent 2020-11-08 01:10:53 AM UTC FROM: Gary Schreier - [REDACTED]

Yes. We just can't play for it openly like newsmax and oan.

Sent 2020-11-08 01:16:06 AM UTC FROM: Lauren Petterson - [REDACTED]

Not at all

Sent 2020-11-08 02:01:50 AM UTC FROM: Lauren Petterson - [REDACTED]

Are you soaking in the moment?

Sent 2020-11-08 02:03:53 AM UTC FROM: Gary Schreier - [REDACTED]

I enjoyed his comment about the universal outpouring of joy. As if the trump rallies don't exist for the guy who promises to be the president for everyone.

Sent 2020-11-08 02:07:06 AM UTC FROM: Lauren Petterson - [REDACTED]

Joey is going to unite the country. Let me know when that happens

Sent 2020-11-08 02:07:54 AM UTC FROM: Gary Schreier - [REDACTED]

He's always been a political hack who just spews words that mean nothing. And he still is.

Sent 2020-11-08 02:08:51 AM UTC FROM: Gary Schreier - [REDACTED]

When he actually condemns the people who really are doing the demonizations I'll maybe believe him.

Sent 2020-11-08 02:09:02 AM UTC FROM: Lauren Petterson - [REDACTED]

Chumps

Sent 2020-11-08 02:12:01 AM UTC FROM: Gary Schreier - [REDACTED]

I can't wait for them to do backflips to not credit trump for the vaccine speed they'll reap the benefits of. We should pound that when it happens.

Sent 2020-11-08 02:22:43 AM UTC FROM: Lauren Petterson - [REDACTED]

Liked "I can't wait for them to do backflips to not credit trump for the vaccine speed they'll reap the benefits of. We should pound that when it happens. "

Sent 2020-11-08 02:27:37 AM UTC FROM: Lauren Petterson - [REDACTED]

Hearing judge jeanine quit

Sent 2020-11-08 02:31:43 AM UTC FROM: Gary Schreier - [REDACTED]

Really? Because of our coverage or what was it?

Sent 2020-11-08 02:35:29 AM UTC FROM: Lauren Petterson - [REDACTED]

Don't know.

Sent 2020-11-08 02:46:11 AM UTC FROM: Gary Schreier - [REDACTED]

Sounds like an emotional decision if she did that.

Sent 2020-11-08 02:48:02 AM UTC FROM: Lauren Petterson - [REDACTED]

video type unsupported by browser

[IMG_2266.mov](#)

Sent 2020-11-08 02:51:35 AM UTC FROM: Gary Schreier - [REDACTED]

Wow. That was pretty coordinated.

Sent 2020-11-08 02:51:52 AM UTC FROM: Gary Schreier - [REDACTED]

Do you know. Is it true they didn't let her do the show she wanted to do?

Sent 2020-11-08 02:57:09 AM UTC FROM: Gary Schreier - [REDACTED]

Do you know are Bret and Martha off at 10? The simulcast is scheduled to end at 10.

Sent 2020-11-08 02:58:52 AM UTC FROM: Lauren Petterson - [REDACTED]

I hear BRET and Martha are getting off at 10

Sent 2020-11-08 02:59:16 AM UTC FROM: Lauren Petterson - [REDACTED]

Shannan is coming on at 10

Sent 2020-11-08 02:59:36 AM UTC FROM: Gary Schreier - [REDACTED]

Was it supposed to be Pirro?

Sent 2020-11-08 03:00:38 AM UTC FROM: Lauren Petterson - [REDACTED]

They kicked her off the year a day ago for breaking news coverage

Sent 2020-11-08 03:01:20 AM UTC FROM: Gary Schreier - [REDACTED]

Yeah figured. So what was the stuff on newsmax? The story Pirro told them?

Sent 2020-11-08 03:08:50 AM UTC FROM: Lauren Petterson - [REDACTED]

She wants to leave

Sent 2020-11-08 03:09:35 AM UTC FROM: Gary Schreier - [REDACTED]

Let her. Give the Saturday night hour to dobbs.

Sent 2020-11-08 03:10:08 AM UTC FROM: Gary Schreier - [REDACTED]

Then jerry can run both shows. All our problems solved. :)

Sent 2020-11-08 03:15:50 PM UTC FROM: Gary Schreier - [REDACTED]

Maria did a good job with Rudy.

Sent 2020-11-08 03:27:46 PM UTC FROM: Lauren Petterson - [REDACTED]

She's all in on the media

Sent 2020-11-08 03:28:08 PM UTC FROM: Gary Schreier - [REDACTED]

I had to tune out after Rudy. Is she hitting the media?

Sent 2020-11-08 03:28:37 PM UTC FROM: Gary Schreier - [REDACTED]

That was the one I was worried about. But was she careful there and then not so much?

Sent 2020-11-08 03:30:37 PM UTC FROM: Lauren Petterson - [REDACTED]

She did well. It's just going to be hard to get her back to business news for a while

Sent 2020-11-08 03:33:08 PM UTC FROM: Gary Schreier - [REDACTED]

I know. It has to play out. The question is after it does and if it lands where we think it will land will she move on. I really don't know.

Sent 2020-11-08 03:33:46 PM UTC FROM: Gary Schreier - [REDACTED]

The problem is she has gop conspiracy theorists in her ear and they use her for their message sometimes. I wish she had that awareness.

Sent 2020-11-08 03:43:04 PM UTC FROM: Gary Schreier - [REDACTED]

86-year-old Woman Cries Over Biden Win, I Get to Keep My Medicare
<http://www.tmz.com/2020/11/08/86-year-old-woman-crying-biden-medicare-insurance> You know how

Sent 2020-11-08 03:46:01 PM UTC FROM:
Lauren Petterson - [REDACTED]

disgusting this is. This 86 year old woman is crying because the left and media convinced her trump was going to take away Medicare. Which never was true. A total lie. But he's the bad person. Not the people who had this woman living in fear.

Jesus. That's a sin

Sent 2020-11-08 03:47:28 PM UTC FROM: Gary Schreier - [REDACTED]

It really is. And if you read the tmz hack it's written like "this was what was at stake. " but Fox isn't real news. Maddening.

Sent 2020-11-08 05:24:14 PM UTC FROM: Gary Schreier - [REDACTED]

FYI Alex trebek died. We ran his objectified last night at 1am i think. It is not scheduled tonight.

Sent 2020-11-08 05:26:16 PM UTC FROM: Lauren Petterson - [REDACTED]

I am so sad. Loved that guy.

Sent 2020-11-08 05:26:37 PM UTC FROM: Gary Schreier - [REDACTED]

It really is sad. I gasped when it popped on my phone.

Exhibit 605

EXCERPTED
TRANSCRIPT

In the Matter Of:

US Dominion vs

Fox News Network

RAJ SHAH

January 31, 2023



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1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

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1 genuinely disgusting on its own merits.

2 POTUS has gotta stop."

3 **Q Mr. Shah, in between the 2020**

4 **presidential election and January 6, 2021,**

5 **there were lots of allegations made about**

6 **whether or not there was voting fraud,**

7 **correct?**

8 A Yes.

9 **Q Do you at -- Mr. Shah, I want to**

10 **ask you a series of questions about those**

11 **allegations, and the first one is this:**

12 **Mr. Shah, do you believe that**

13 **Dominion is owned by a company founded in**

14 **Venezuela to rig elections for the**

15 **dictator Hugo Chavez?**

16 MR. WEBB: Objection to the form

17 of the question.

18 THE WITNESS: I have no

19 evidence -- I have not seen evidence to

20 support that claim.

21 BY MS. BROOK:

22 **Q Is it a claim that you believe to**

23 **be true?**

24 MR. WEBB: Objection. Form.

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1 **Q And what is her current position?**

2 A [REDACTED]

3 [REDACTED]

4 MS. BROOK: Let's mark the next

5 exhibit, Mr. Shah. It will be

6 Exhibit 3373.

7 (Exhibit 3373 - FoxCorp00086865 is Marked.)

8 MS. BROOK: And it's from two

9 days after January 6th, January 8,

10 2021. It was a message produced to us

11 by Fox Corp at this case at 86865.

12 BY MS. BROOK:

13 **Q Do you have the document in front**

14 **of you, Mr. Shah?**

15 A I do.

16 **Q [REDACTED] to you,**

17 **"They are truly awful to him and it makes**

18 **me so mad."**

19 **Do you see that?**

20 A I do.

21 **Q And how do you respond to**

22 **[REDACTED]?**

23 A "I get that the left gets a

24 double standard, but yesterday was

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1 THE WITNESS: It's not a claim I

2 believe to be true.

3 BY MS. BROOK:

4 **Q Mr. Shah, do you believe Dominion**

5 **paid kickbacks to government officials who**

6 **used the machines in the presidential**

7 **election?**

8 A Again, I see no evidence to

9 support that claim.

10 **Q Do you believe it is true?**

11 A I don't believe that it's true.

12 **Q Mr. Shah, do you believe Dominion**

13 **used its software and algorithms to**

14 **manipulate vote counts in the 2020**

15 **presidential election?**

16 A I haven't seen evidence to

17 support that claim.

18 **Q Do you believe it's true?**

19 A I don't believe that it's true.

20 **Q Mr. Shah, do you believe Dominion**

21 **is owned by Smartmatic?**

22 A I haven't seen evidence to

23 support that claim.

24 **Q Do you believe it is true?**

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1 A I don't believe that it is true.
 2 **Q Mr. Shah, have you ever believed**
 3 **that Dominion was owned by a company**
 4 **founded in Venezuela to rig elections for**
 5 **the dictator Hugo Chavez?**
 6 A There was definitely a long
 7 period of time in which I had no clue.
 8 Not a long period -- but definitely a
 9 period of time after the election where I
 10 didn't really understand much about it.
 11 **Q Was there ever a period of time**
 12 **where you actually believed that you had**
 13 **formed an opinion that Dominion was owned**
 14 **by a company founded in Venezuela to rig**
 15 **elections for the dictator Hugo Chavez?**
 16 A No. When I can first recall
 17 hearing allegations of that sort, I was
 18 skeptical.
 19 **Q And were you skeptical when you**
 20 **first -- sorry.**
 21 **And just to be clear, you were**
 22 **skeptical that the allegations were true?**
 23 A Yes.
 24 **Q You thought they were likely**

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1 **false?**
 2 MR. WEBB: Objection. Form.
 3 THE WITNESS: I will just
 4 characterize, you know, my recollection
 5 as being skeptical.
 6 BY MS. BROOK:
 7 **Q Have you ever believed Dominion**
 8 **paid kickbacks to government officials who**
 9 **used its machines in the 2020 presidential**
 10 **election?**
 11 A I have never seen evidence to
 12 support that allegation.
 13 **Q And were you likewise skeptical**
 14 **when you first heard those allegations?**
 15 A Yes.
 16 **Q Mr. Shah, have you ever believed**
 17 **that Dominion paid kickbacks to government**
 18 **officials who used its machines in the**
 19 **2020 presidential election?**
 20 A I think --
 21 **Q Sorry. We just did that one,**
 22 **you're right, we just did that one. Let's**
 23 **do another one.**
 24 **Mr. Shah, have you ever believed**

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1 **that Dominion is owned by Smartmatic?**
 2 A I have never seen any information
 3 on that, honestly. So I have been
 4 skeptical of that. I don't know.
 5 **Q So you likewise were skeptical of**
 6 **those allegations when you first heard**
 7 **them?**
 8 MR. WEBB: Objection. Form.
 9 THE WITNESS: Well, no, actually
 10 when I first heard them, I had no
 11 opinion on them. I didn't really know
 12 anything about them.
 13 BY MS. BROOK:
 14 **Q When did you become skeptical?**
 15 A I think when I heard denials of
 16 that nature. I don't quite recall when.
 17 **Q Mr. Shah, have you ever believed**
 18 **that Dominion used its software and**
 19 **algorithms to manipulate vote counts in**
 20 **the 2020 presidential election?**
 21 A I have never seen evidence to
 22 support that claim.
 23 **Q Have you ever believed that**
 24 **claim?**

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1 A No, I have not.
 2 **Q In the lead up to the 2020**
 3 **presidential election, Mr. Shah, you would**
 4 **not have been shocked if Trump won,**
 5 **correct?**
 6 A I thought it was less likely than
 7 not that he would win.
 8 **Q So you actually you thought it**
 9 **was more likely that he was going to lose?**
 10 A Yeah.
 11 **Q And sure -- you were pretty sure**
 12 **that POTUS was going to lose?**
 13 A I don't know how you would
 14 characterize it, but I thought that he was
 15 more likely than not to lose the election.
 16 MS. BROOK: Let's take a look at
 17 how you characterized it at the time,
 18 Mr. Shah.
 19 I will mark the next exhibit
 20 which is Exhibit 3374.
 21 (Exhibit 3374 - FoxCorp000221426 - 427 is
 22 Marked.)
 23 MS. BROOK: It's a Gchat between
 24 you and your colleague at Fox Corp,

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1 Elliott Schwartz, produced to us by Fox
2 Corp at 221426.
3 Let me know when you have it up
4 in front of you.
5 THE WITNESS: I do.
6 BY MS. BROOK:
7 **Q You can see that this chat is**
8 **from October 27, 2020, so just a couple of**
9 **days before the November 3, 2020,**
10 **election, correct?**
11 A Yes.
12 **Q And you and Mr. Schwartz are**
13 **going back and forth about whether or not**
14 **you think Trump is likely to win, correct?**
15 A I think we are talking about
16 predicted betting markets.
17 **Q Predicted betting markets around**
18 **whether or not --**
19 (Simultaneous Crosstalk.)
20 A Whether or not Trump will win.
21 **Q The 2020 presidential election,**
22 **correct?**
23 A Yeah.
24 **Q Okay.**

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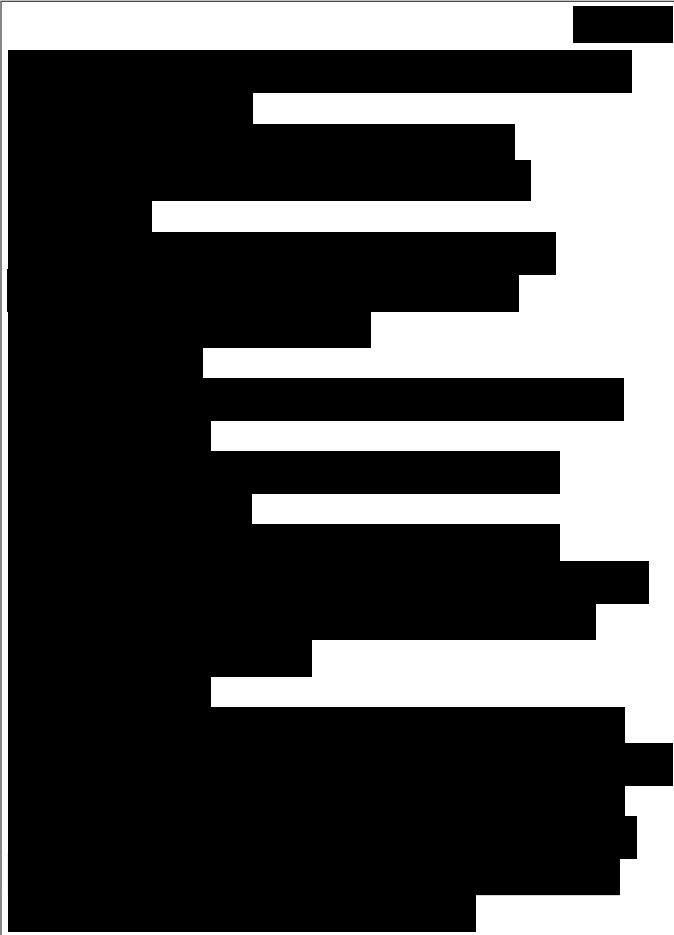
1 [REDACTED]

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1 [REDACTED]

Page 56

1 [REDACTED]



1 **during the break.**
 2 A That's right. I did not
 3 communicate with them.
 4 **Q Thank you, Mr. Shah.**
 5 **Mr. Shah, what is your title at**
 6 **Fox Corporation?**
 7 A Senior vice president.
 8 **Q Is it senior vice president,**
 9 **period, or senior vice president of**
 10 **something in particular?**
 11 A Senior vice president, period.
 12 **Q And is that the only title you**
 13 **have had at Fox Corp since joining?**
 14 A Yes.
 15 **Q Do you have a title at Fox News?**
 16 A I do not.
 17 **Q And what were you hired to do as**
 18 **a senior vice president of Fox**
 19 **Corporation?**
 20 A Brand protection.
 21 **Q So help protect the Fox brand**
 22 **from criticism from other media outlets?**
 23 A Help protect -- well, what I do
 24 is I run a group that monitors the

1 **Do you see that?**
 2 A Yes.
 3 **Q How do you respond to Mr.**
 4 **Raffell?**
 5 A It's really disheartening. The
 6 only clear cut evidence of voter -- for
 7 voter fraud is the failed attempts from
 8 Trump. [As Read.]
 9 MS. BROOK: Why don't we briefly
 10 go off the record.
 11 THE VIDEOGRAPHER: The time is
 12 10:04 a.m. We are going off the
 13 record.
 14 (Whereupon a Recess Commenced at
 15 10:04 a.m. and Testimony Recommenced at
 16 10:18 a.m. PST.)
 17 THE VIDEOGRAPHER: The time is
 18 10:18 a.m. We are back on the record.
 19 BY MS. BROOK:
 20 **Q Mr. Shah, you understand you are**
 21 **still under oath?**
 22 A Yes.
 23 **Q And I trust you didn't**
 24 **communicate with any of your attorneys**

1 corporate and portfolio company brands,
 2 provides periodic updates to management
 3 about the brand health and where, and when
 4 it's appropriate, provide realtime alerts
 5 and defend the brand in realtime.
 6 **Q So let's dive into that piece by**
 7 **piece, Mr. Shah.**
 8 **You say you run a group that**
 9 **monitors the "corporate and portfolio**
 10 **company brands."**
 11 **By that what do you mean?**
 12 A Well, we -- we look at the online
 13 conversations surrounding the corporate
 14 brand, that would be, you know, Fox
 15 Corporation; the key executives that,
 16 would be portfolio brand with a focus on
 17 news, as that is the one that's discussed
 18 the most; key talent, the conversation
 19 surrounding them primarily online as there
 20 are media relations groups in the
 21 corporate communications group that exists
 22 within the company as well.
 23 **Q And so when you say the portfolio**
 24 **brands, are you referring to Fox News**

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1 **Network?**
2 A Fox News primarily. We also look
3 at other -- other portfolio brands,
4 OutKick. We look at issues that pop up
5 at, you know, Fox Sports from time to
6 time, though not as constantly. We look
7 at issues, you know, from a corporate
8 perspective from time to time. So we do
9 look at a number of issues.
10 **Q And you said for Fox Corporation,**
11 **you also monitor certain key executives.**
12 **Which key executives do you**
13 **monitor?**
14 A We look at the C suite.
15 **Q And the names there are Rupert**
16 **Murdoch?**
17 A Not Rupert. We look at Lachlan
18 Murdoch, Viet Dinh. I will throw in Brian
19 Nick, and Suzanne Scott.
20 **Q And for Fox News, one of the**
21 **portfolio brands your team monitors, you**
22 **said that you keep tabs of certain key**
23 **talent, correct?**
24 A Yeah.

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1 **Q And who is that?**
2 A The primetime news talent. So
3 that is, you know, Sean Hannity, Tucker
4 Carlson, Laura Ingraham, primarily. And
5 then we look at the activity of -- I will
6 call them organized interests -- that are,
7 you know, set up to try to criticize our
8 brand.
9 **Q What do you mean by an organized**
10 **interest that's set up to criticize your**
11 **brand?**
12 **Well, before we go there, Mr.**
13 **Shah --**
14 (Simultaneous Crosstalk.)
15 A Sure.
16 **Q -- you said you look at the**
17 **primetime news talent.**
18 **So am I correct that you are**
19 **involved in monitoring not just Mr.**
20 **Carlson's online image?**
21 A Yes.
22 **Q You're also involved in managing**
23 **other talent from Fox News Network,**
24 **correct?**

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1 A When you say managing talent, I
2 would say we look at the online activity
3 and criticism and sort of the brand health
4 of those three talents in particular. We
5 look at activity, organized activity
6 criticizing the entire network.
7 **Q And so that could include any**
8 **talent within Fox News, correct?**
9 A Potentially.
10 **Q And when you become aware that**
11 **there's any organized activity criticizing**
12 **an element of that network, you summarize**
13 **it and share it with various individuals**
14 **at Fox Corporation, correct?**
15 A Well, there's a lot of organized
16 activity. I think we make judgment calls
17 about what we think is and is not
18 important.
19 **Q Your team makes judgment calls?**
20 A Yes.
21 **Q And when your team decides that**
22 **it's something worth sharing, you report**
23 **this information to various individuals**
24 **within both Fox Corporation and Fox News,**

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1 **correct?**
2 A Yes.
3 **Q And who are the individuals that**
4 **you share the information with within Fox**
5 **Corporation?**
6 A Within Fox Corporation, those
7 would be -- I don't want to get anything
8 wrong here, so I will say there are some
9 executives in corporate management and
10 advertising sales and legal. And specific
11 names, you know, sometimes it can be a bit
12 of a lengthy list.
13 **Q And who are the names under the**
14 **corporate management list?**
15 A Okay. Depending on the content,
16 it would be -- currently it's Brian Nick.
17 I think at the time in question Megan
18 Klein would have been involved. Sometimes
19 Viet Dinh. At times, depending on the
20 type of content we are talking about,
21 Lachlan Murdoch.
22 And then, you know, again, it
23 just depends on the type of content. So
24 sometimes Marianne Gambelli. You know,

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1 the question.
 2 THE WITNESS: I think it would
 3 be pleasing to his viewer base.
 4 BY MS. BROOK:
 5 **Q And then the last line in that**
 6 **e-mail you say, "We will have our team dig**
 7 **into any analytics worth sharing on the**
 8 **Cavuto/Trump presser moment. Merits**
 9 **aside, we are taking incoming on that one**
 10 **as well."**
 11 **Do you see that?**
 12 A Yes.
 13 **Q And by "merits aside," you mean**
 14 **that whether or not it was the right**
 15 **decision for him to cut away, it's going**
 16 **to prompt backlash or it has prompted**
 17 **backlash, correct?**
 18 A Yes.
 19 **Q Another time during this period**
 20 **that you sent a presser related to the**
 21 **November 19th Giuliani and Powell press**
 22 **conference, and Fox News' coverage of**
 23 **that.**
 24 **Do you recall that generally,**

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1 **Mr. Shah?**
 2 A Yes. I don't know what I sent
 3 about it or recall exactly what I sent
 4 about it, but I recall the press
 5 conference.
 6 **Q It was a pretty memorable press**
 7 **conference, right?**
 8 A Yes.
 9 **Q Ms. Powell and Mr. Giuliani were**
 10 **accusing Dominion of all sorts of voter**
 11 **fraud allegations, correct?**
 12 MR. WEBB: Objection. Form.
 13 THE WITNESS: Yes. And I
 14 believe they made other allegations of
 15 voter fraud.
 16 BY MS. BROOK:
 17 **Q And Mr. Giuliani somewhat**
 18 **memorably had hair dye running down his**
 19 **face, correct?**
 20 A Yes.
 21 **Q Do you recall watching that press**
 22 **conference, Mr. Shah?**
 23 A Yes.
 24 **Q And what was your reaction to the**

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1 **claims that were being made?**
 2 A I found many of the claims to be
 3 not very credible.
 4 **Q Does that include the claims**
 5 **about Dominion?**
 6 A Yes, that would include those
 7 claims.
 8 THE WITNESS: Could I actually
 9 get a two-minute break?
 10 MS. BROOK: Oh, sure.
 11 MR. WEBB: Actually, I am sure
 12 he's asking for a couple of --
 13 MS. BROOK: Let's go off the
 14 record.
 15 THE WITNESS: Okay.
 16 MR. WEBB: Off the record. We
 17 will take a five-minute break. Is that
 18 all right, Davida?
 19 MS. BROOK: Fine.
 20 THE VIDEOGRAPHER: It's
 21 1:54 p.m. We are going off the record.
 22 (Whereupon a Recess Commenced at
 23 1:54 p.m. and Testimony Recommended at
 24 2:09 p.m. PST.)

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1 THE VIDEOGRAPHER: The time is
 2 2:09 p.m. We are back on the record.
 3 MS. BROOK: Mr. Shah, we were
 4 looking at exhibit -- how did we stamp
 5 it? We were looking at what I will
 6 stamp at 3403.
 7 (Exhibit 3403 - FoxCorp00222309 - 328 is
 8 Marked.)
 9 MS. BROOK: Let me know when you
 10 have it up in front of you, sir.
 11 BY MS. BROOK:
 12 **Q This is a Gchat produced to us by**
 13 **Fox Corp at 2222309 and it's a chat**
 14 **between you and one of your colleagues at**
 15 **Fox Corp, Alexander Griswold.**
 16 **Are you with me?**
 17 A I see it, yes.
 18 **Q And the date of it is**
 19 **November 19, 2020, which is the date of**
 20 **that press conference we were just**
 21 **discussing, correct?**
 22 A Correct.
 23 **Q And do you recall that following**
 24 **that press conference Fox News reporter,**

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1 [REDACTED]

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1 not believe there's any credible evidence
2 of widespread fraud, correct?
3 MR. WEBB: Objection. Form.
4 THE WITNESS: I think I did say
5 that, but I don't think that means that
6 a news organization can't report on
7 allegations of fraud.
8 BY MS. BROOK:
9 Q So you think it's appropriate for
10 a news organization to report on
11 allegations of not just fraud, but theft
12 of an election without any credible
13 evidence supporting that claim?
14 A I think that when a sitting
15 President of the United States claims that
16 an election was stolen, claims there was
17 widespread fraud, those types of
18 allegations are very newsworthy and should
19 and must be covered by any news covered by
20 --
21 (Simultaneous Crosstalk.)
22 Q Is it possible to cover those
23 news allegations, while pointing out in
24 the same breath that they're being made

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1 [REDACTED]

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1 without any evidence supporting them,
2 correct?
3 MR. WEBB: Objection. Form.
4 THE WITNESS: What I would say
5 is that I think those allegations are
6 newsworthy. And I would leave it up to
7 news organizations, the editors, those
8 who make the decisions of what to put
9 on the air and whatnot to put on the
10 air to make those decisions.
11 MS. BROOK: So move to strike as
12 non-responsive.
13 BY MS. BROOK:
14 Q My question, Mr. Shah, is, it's
15 possible to cover those allegations while
16 pointing out in the same breath that they
17 are being made without any evidence to
18 support them, correct?
19 MR. WEBB: Objection. Form.
20 THE WITNESS: Sure. Yes.
21 BY MS. BROOK:
22 Q And it is possible to cover those
23 allegations without providing the people
24 making them a platform in which to state

1 **them anew, correct?**
2 MR. WEBB: Objection to form.
3 THE WITNESS: Can you restate
4 the question?
5 BY MS. BROOK:
6 **Q Sure.**
7 **You don't need to invite Sidney**
8 **Powell on to your airways in order to**
9 **cover the, quote/unquote, allegations that**
10 **she is making, correct?**
11 A Sorry, you don't need to invite?
12 **Q Sidney Powell on to your airways**
13 **in order to cover the, quote/unquote,**
14 **allegations that she is making, correct?**
15 MR. WEBB: Objection. Form.
16 THE WITNESS: It is true you
17 cannot invite newsworthy individuals on
18 to cover the comments that they are
19 making. But interviewing subjects adds
20 for, you know, a better news story.
21 BY MS. BROOK:
22 **Q And you are basing that on what?**
23 A Basing that on somebody who is,
24 you know, been an observer and consumer of

1 [REDACTED]

1 [REDACTED]

1 [REDACTED]

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1 [REDACTED]

Page 271

1 [REDACTED]

Page 270

1 [REDACTED]

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1 saying that basically she is not sharing
2 this evidence that she is claiming to have
3 with anybody inside the White House.
4 **Q And presumably, if she had the**
5 **evidence she would share it, correct?**
6 MR. WEBB: Objection. Form.
7 THE WITNESS: I wouldn't presume
8 anything.
9 I mean what she was saying and
10 what she had said on news programs when
11 criticizing Tucker Carlson is, you
12 know, I don't have time to talk to you
13 about this, I am preparing court
14 filings.
15 She would eventually file things
16 in court. You know, she didn't win,
17 but she would file things in court
18 eventually.
19 But she was planning and
20 preparing, she said, what she called a
21 Biblical or a hard core complaint in
22 court about Dominion. And, you know,
23 that is -- a court of law is where
24 these things get adjudicated.

1 And so what was frustrating me
 2 and frustrating I think Mr. Carlson,
 3 you would have to ask him how he felt
 4 about it, was that when you make the
 5 kinds of allegations she was making,
 6 you should try to provide evidence.
 7 And she was in a position of saying, I
 8 am not going to provide it yet, and
 9 criticizing others.

10 BY MS. BROOK:

11 **Q You knew before the story became**
 12 **public that the White House was going to**
 13 **disavow Ms. Powell, correct?**

14 A I didn't know they were going to
 15 disavow her. I think we learned at some
 16 point soon before the statement went out
 17 that she did not have a retention letter,
 18 is my best recollection.

19 **Q Who did you learn that from?**

20 [REDACTED]

21 **Q Mr. Shah, you have been in**
 22 **communications for most of your**
 23 **professional career.**

24 Fair to say that the President of

1 [REDACTED]

1 **the United States Tweeting out that you**
 2 **have nothing to do with him or his**
 3 **campaign, is not an endorsement of what**
 4 **you are saying, correct?**

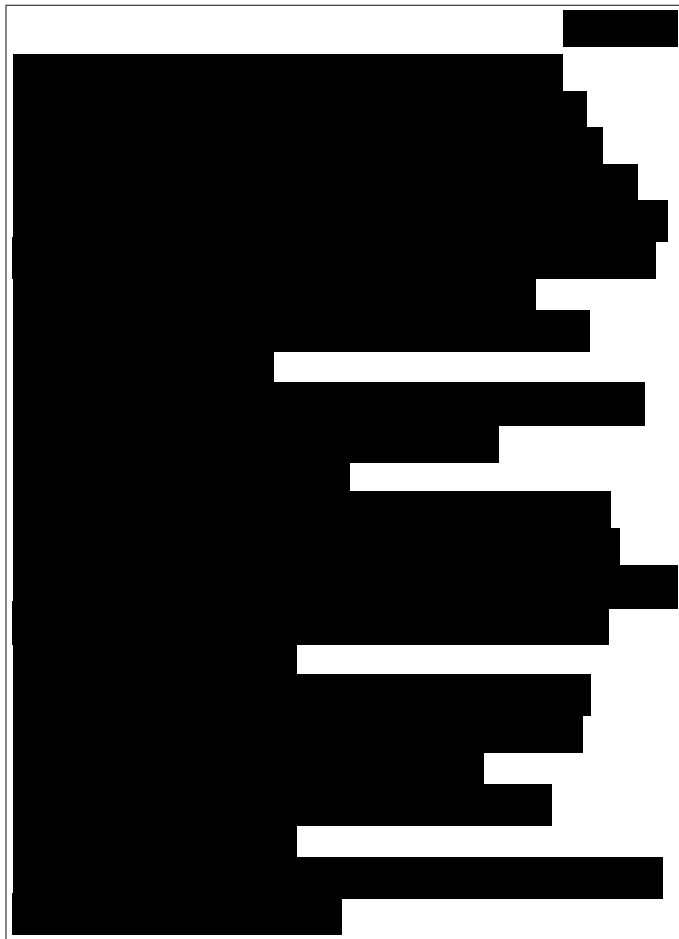
5 MR. WEBB: Objection. Form.

6 THE WITNESS: I mean, maybe
 7 typically. But, you know, what we saw
 8 in this case may not have been very
 9 usual. Maybe it was unusual. Because
 10 after that statement went out, Ms.
 11 Powell did promise and did actually,
 12 you know, I guess file legal actions
 13 against Dominion. And President Trump
 14 went on TV, I believe he went on Fox
 15 several days later, talking about
 16 Dominion.

17 So the issue of Dominion was
 18 central to his continued case about
 19 voter fraud in the 2020 election for
 20 well over a month afterwards.

21 So I don't think that Ms.
 22 Powell, the claim she made, were not a
 23 big part of what she had to say. In
 24 fact, I believe it was sometime in late

1 [REDACTED]



1 Q So there have been times when
2 you, as a Fox Corp executive, have reached
3 out to folks at Fox News and made
4 suggestions about who they should or
5 should not have on their airwaves,
6 correct?

7 MR. WEBB: Objection. Form.

8 THE WITNESS: Well, that is
9 correct. This is an example of that.
10 Yes.

11 BY MS. BROOK:

12 Q And you did that following a
13 scene where Rudy Giuliani was poked fun at
14 the Borat film, right?

15 A I don't recall that scene.

16 Q But yet, you didn't advise
17 anybody at Fox Corp or Fox News that they
18 shouldn't have Sidney Powell on the air
19 after she had already given a month to
20 come up with evidence, and didn't come up
21 with it, and after you and your hired
22 consultant pressed for that evidence, and
23 you too were unable to come up with it,
24 correct?

1 BY MS. BROOK:

2 Q This is an e-mail thread between
3 you and Ron Mitchell, who we discussed
4 earlier today is at Fox News Network, just
5 a week or so before the November 3, 2020,
6 election.

7 Are you with me?

8 A I do see it.

9 Q And right in the middle of the
10 page, the e-mail dated Wednesday
11 October 21, 2020, at 1:09 p.m., you advise
12 Mr. Mitchell, Hey, this just broke too, so
13 might be advisable to keep him off shows
14 for a few days, even though the laptop
15 story is getting traction. [As Read.]

16 And then you include a link about
17 how Rudy Giuliani is facing questioning
18 after a compromising seen in the new Borat
19 film, right?

20 A I do.

21 Q And Mr. Mitchell writes back,
22 "Was just reading about this. This will
23 change things." Correct?

24 A Yes, I see that.

1 MR. WEBB: Objection. Form of
2 the question.

3 THE WITNESS: That is true.

4 I would just say the distinction
5 between these two situations is that I
6 am just informing Mr. Mitchell of a
7 news story that he may or may not be
8 made aware of. I think everybody at
9 the network would have seen news
10 stories, would have seen some of the
11 issues surrounding Sidney Powell that
12 could make judgments on their own.

13 FoxNews.com had covered some of
14 the issues around Sidney Powell and she
15 had been on the air.

16 So I think people were readily
17 aware. Whereas, this may not be an
18 issue that people were readily aware
19 of.

20 BY MS. BROOK:

21 Q That's a great point, actually,
22 Mr. Shah. Because as you pointed out to
23 the jury already today, what you and
24 Mr. Schwartz did, actually wasn't well

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1 [REDACTED]

Page 295

1 [REDACTED]

Page 294

1 [REDACTED]

Page 296

1 MR. WEBB: Objection. Form of
2 the question.
3 THE WITNESS: It's a political
4 campaign and this is allegations of a
5 crime. It's law enforcement
6 information or national security
7 information. Those are the types of
8 sources that can validate or knock down
9 what she is saying.
10 BY MS. BROOK:
11 **Q So the President of the United**
12 **States is not a good source, then, on**
13 **whether or not there was election fraud?**
14 **He's not the right person to look**
15 **to?**
16 MR. WEBB: Objection. Form of
17 the question.
18 THE WITNESS: Well, if he were,
19 he was on Fox News a few days later
20 making similar claims.
21 BY MS. BROOK:
22 **Q But that wasn't my question.**
23 **My question was, you just said**
24 **you looked to law enforcement. And so**

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1 **your testimony is the President of the**
 2 **United States is not the right source for**
 3 **whether or not there was election fraud?**
 4 MR. WEBB: Objection. Form.
 5 THE WITNESS: I mean, at that
 6 stage, I don't know honestly.
 7 MS. BROOK: Why don't we take a
 8 quick break, Mr. Shah.
 9 THE WITNESS: Okay.
 10 THE VIDEOGRAPHER: The time is
 11 3:21 p.m. We are going off the record.
 12 (Whereupon a Recess Commenced at
 13 3:12 p.m. and Testimony Recommenced at
 14 3:36 p.m. PST.)
 15 THE VIDEOGRAPHER: The time is
 16 3:36 p.m. We are back on the record.
 17 BY MS. BROOK:
 18 **Q Mr. Shah, at any point following**
 19 **the 2020 presidential election, did you**
 20 **advise anyone at Fox News or Fox**
 21 **Corporation that they should not have**
 22 **Sidney Powell on their programs?**
 23 MR. WEBB: Objection. Form of
 24 the question.

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1 THE WITNESS: Not to my
 2 recollection.
 3 BY MS. BROOK:
 4 **Q At any point following the**
 5 **November 2020 presidential election, did**
 6 **you ever advise anyone at Fox Corporation**
 7 **or Fox News that they shouldn't have Rudy**
 8 **Giuliani on their programs?**
 9 A Not to my recollection.
 10 **Q Mr. Shah, you were fairly deeply**
 11 **enmeshed in Mr. Carlson's team at Fox**
 12 **News, correct?**
 13 A Yes. And specifically, I was
 14 assigned to assist him with PR.
 15 **Q In lieu of Ms. Briganti at Fox**
 16 **News Network, correct?**
 17 A Yes.
 18 **Q And why was that decision made?**
 19 A Well, Mr. Carlson contacted me
 20 and asked me to take over and I told him
 21 it wasn't my job -- this was some years
 22 ago. And he asked Viet Dinh, my boss, and
 23 Mr. Dinh called me and said, Why don't you
 24 handle Mr. Carlson's PR in coordination

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1 with Ms. Briganti's team.
 2 **Q But you don't just work for**
 3 **Tucker.**
 4 **In fact, in your normal job, in**
 5 **your brand management job, you support all**
 6 **the Fox News primetime talent, correct?**
 7 A Yes.
 8 **Q And that includes Hannity,**
 9 **correct?**
 10 A Yes.
 11 **Q Laura Ingraham?**
 12 A Yes.
 13 **Q And Maria Bartiromo?**
 14 A Well, I would say I focus on
 15 primetime, but I support the entire
 16 network.
 17 **Q Including Ms. Bartiromo?**
 18 A Sure.
 19 **Q And Judge Jeanine Pirro?**
 20 A She is not my focus but she --
 21 presumably, yeah.
 22 **Q If something came up online with**
 23 **one of her shows, your unit would have no**
 24 **issue becoming involved, correct?**

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1 MR. WEBB: Objection. Form.
 2 THE WITNESS: Let's say
 3 defending her in some manner -- in some
 4 would not be outside the scope of my
 5 role.
 6 BY MS. BROOK:
 7 **Q Same for Lou Dobbs?**
 8 A Yes.
 9 **Q And particularly for Mr. Carlson,**
 10 **Mr. Hannity, and Ms. Ingraham, your team**
 11 **sees a lot of data about how they are**
 12 **tracking online, correct?**
 13 A We see more than we would for
 14 others.
 15 **Q And you mentioned this several**
 16 **times but at some point, Mr. Shah, you put**
 17 **together a memo that sort of synthesized a**
 18 **lot of the data that you had seen from**
 19 **Mr. Carlson, correct?**
 20 A I don't know if that's the memo I
 21 previously referenced. I think you are
 22 referring to a different memo.
 23 MS. BROOK: Let's mark the next
 24 exhibit. This is Exhibit 3420.

1 (Exhibit 3420 - FoxCorp000225141 - 144 is
2 Marked.)
3 BY MS. BROOK:
4 **Q And it's a draft of a memo that**
5 **you would eventually send to Mr. Dinh and**
6 **Mr. Murdoch.**
7 **And the subject is Fox News Brand**
8 **Crisis & Recommendations.**
9 **Do you see that?**
10 A It is. I think it's important to
11 clarify, I never sent this memo to Suzanne
12 Scott or to -- yeah, to Mr. Murdoch.
13 **Q I don't believe I mentioned**
14 **Suzanne Scott.**
15 **So your testimony is you never**
16 **sent this to Mr. Murdoch?**
17 A I don't believe so.
18 **Q Do you know whether Mr. Dinh**
19 **shared it with Mr. Murdoch?**
20 A I don't know.
21 **Q And is this the memo you were**
22 **referring to previously?**
23 A Yes.
24 **Q And the subject of it -- and we**

1 [REDACTED]

1 [REDACTED]

1 [REDACTED]

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1 [REDACTED]

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1 **2020, correct?**
2 A Yes.
3 **Q And that's well after all the**
4 **networks had called Arizona for Trump,**
5 **correct -- excuse me, for Biden, correct?**
6 A I don't recall. But I know the
7 presidential election had been called
8 then, so I presume that's correct.
9 **Q But you still thought it would go**
10 **a long way with the viewers to do this**
11 **sort of internal audit of the Fox News**
12 **decision desk, correct?**
13 A It would.
14 And I think it's important to
15 explain that beyond just the Arizona call,
16 which I think got a lot of headline
17 criticism, the Fox News decision desk had
18 also been responsible for election night
19 dials that were on our website and I think
20 featured on -- on our on-air coverage,
21 they are called probability dials, where
22 we would say the likelihood that a state
23 was going to be won by Trump, Biden, or
24 Senate -- or a gubernatorial candidate in

Page 306

1 [REDACTED]

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1 any given race. And those were inaccurate
2 and they just sort of disappeared from the
3 website.
4 And then separately, they made a
5 call that House Democrats would expand
6 their majority on election night, and that
7 was a call -- that was incorrect and had
8 not been formally retracted until at some
9 point later on a show on Fox News at some
10 point several days later.
11 **Q And you shared these ideas with**
12 **Viet Dinh, correct?**
13 A Not in this e-mail, but I did
14 share a copy of this memo when it was
15 completed with him, yes.
16 **Q That wasn't the only time you had**
17 **offered your opinion on editorial content,**
18 **correct?**
19 A I don't know that this qualifies
20 as editorial content, but this was an
21 example of me considering going outside my
22 lane.
23 **Q And making suggestions for whole**
24 **programs that Fox News Network should**

1 **consider, correct?**
 2 A If you want to call it that. I
 3 think the text of the memo is right there.
 4 What I suggested is right there.
 5 **Q And whether you considered it in**
 6 **your lane or not, you are making those**
 7 **suggestions, correct, to your boss Viet**
 8 **Dinh at Fox Corporation in November of**
 9 **2020, correct?**
 10 A Yes.
 11 **Q And it's not the only time that**
 12 **you made suggestions to folks that you**
 13 **worked with at Fox Corp and Fox News about**
 14 **how they should cover the 2020**
 15 **presidential election, correct?**
 16 MR. WEBB: Objection. Form.
 17 THE WITNESS: I don't recall
 18 other examples.
 19 BY MS. BROOK:
 20 **Q You would typically receive a**
 21 **preview of what Mr. Carlson was going to**
 22 **say on his show, on his program, correct?**
 23 A There's a network rundown -- or
 24 rather a show rundown e-mail that I would

1 receive, yes.
 2 **Q And you receive that in advance**
 3 **of his show, correct?**
 4 A Yes.
 5 **Q And from time to time you would**
 6 **weigh in on that rundown, correct?**
 7 A I believe so, yeah.
 8 [REDACTED]
 9 [REDACTED]
 10 [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 [REDACTED]
 14 [REDACTED]
 15 [REDACTED]
 16 [REDACTED]
 17 [REDACTED]
 18 [REDACTED]
 19 **Q You were aware in advance that**
 20 **Mike Lindell was going to appear on Mr.**
 21 **Carlson's January 26, '21 broadcast of**
 22 **Tucker Carlson Tonight, correct?**
 23 A Yes.
 24 **Q In fact, you flagged it for a**

1 **couple of different folks within Fox News**
 2 **and Fox Corp, right?**
 3 A I don't recall if I flagged it
 4 for anyone.
 5 **Q You flagged it for your brand**
 6 **protection unit Mr. Griswold,**
 7 **Mr. Schwartz, and Ms. Wigo.**
 8 **Do you recall that?**
 9 A I don't.
 10 **Q Is it typical for you to flag**
 11 **rundowns for your brand protection unit?**
 12 A Yes.
 13 **Q And why do you do that?**
 14 A Typically, somebody on the team
 15 is monitoring primetime and so they can
 16 have some insights into that show. They
 17 would see the rundown.
 18 MS. BROOK: Just for the record,
 19 Mr. Shah, this is Exhibit 3421.
 20 (Exhibit 3421 - FoxCorp000197472 - 474 is
 21 Marked.)
 22 BY MS. BROOK:
 23 **Q And it is you forwarding**
 24 **Mr. Carlson's rundown of that January 26,**

1 **2021, broadcast that featured Mr. Lindell**
 2 **to your team, Mr. Griswold, Mr. Schwartz,**
 3 **and Ms. Wigo.**
 4 **Do you see that?**
 5 A I do.
 6 **Q Do you recall that you also**
 7 **forwarded this rundown or advised Ms.**
 8 **Briganti that Lindell was going to appear**
 9 **on Mr. Carlson's show on January 26, 2021?**
 10 A I don't recall, but sure.
 11 **Q Is it typical for you to flag for**
 12 **Ms. Briganti who is going to be on Mr.**
 13 **Carlson's show?**
 14 A I think that sometimes I did,
 15 sometimes I didn't. I don't know.
 16 **Q You were aware prior to**
 17 **Mr. Lindell coming on -- let me strike**
 18 **that.**
 19 **Do you know who Mr. Lindell is**
 20 **Mr. Shah?**
 21 A Yes.
 22 **Q Who is he?**
 23 A He is the head of My Pillow
 24 company.

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1 **Q Were you generally aware that**
2 **during the 2020 presidential election he**
3 **made a lot of claims about election fraud,**
4 **including Dominion Voting Systems' role in**
5 **the supposed election fraud?**
6 A Yes.
7 **Q And were you aware -- you were**
8 **aware that the January 26th show that Mr.**
9 **Carlson was doing was about cancel**
10 **culture, correct?**
11 A Yes. I believe he had been
12 banned from Twitter or social media app.
13 **Q In response to his repeated**
14 **allegations over election fraud, correct?**
15 MR. WEBB: Object to the form of
16 the question.
17 THE WITNESS: I don't recall
18 over what subject, but okay.
19 BY MS. BROOK:
20 **Q Did you have any concerns about**
21 **Mr. Lindell coming -- let me strike that.**
22 MS. BROOK: Sorry, Mr. Shah,
23 just one second. I am looking for a
24 document.

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1 Let's mark the next exhibit, it
2 will be Exhibit 3422.
3 (Exhibit 3422 - FoxCorp00219508 - 515 is
4 Marked.)
5 MS. BROOK: It's another memo
6 that you authored, Mr. Shah, regarding
7 Tucker Carlson Tonight data, dated
8 October 7, 2020.
9 Let me know when you have a
10 chance to see this.
11 THE WITNESS: I see it.
12 BY MS. BROOK:
13 **Q And are you familiar with this**
14 **memo?**
15 **Do you recall drafting it?**
16 A Yes, I do.
17 **Q And it's essentially a**
18 **compilation of a lot of data that your**
19 **team had collected about Tucker Carlson**
20 **over the preceding period, correct?**
21 A Yes.
22 **Q And you're sending the memo to**
23 **Viet Dinh, again your boss, who is the**
24 **chief legal policy officer at Fox**

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1 [REDACTED]

Page 316

1 [REDACTED]

1 MS. BROOK: Objection. Form.
 2 Leading.
 3 THE WITNESS: No, I did not.
 4 BY MR. WEBB:
 5 **Q Sir, did you ever have anything**
 6 **to do with what Fox said on the air on any**
 7 **occasion when Fox was publishing Donald**
 8 **Trump's Dominion-related allegations?**
 9 MS. BROOK: Objection. Form.
 10 THE WITNESS: No, I did not.
 11 BY MR. WEBB:
 12 **Q Sir, when was the first time you**
 13 **actually remember learning anything about**
 14 **President Trump's Dominion-related voter**
 15 **fraud allegations?**
 16 A This would be the November 19th
 17 press conference by the Trump campaign.
 18 **Q And as of the date of that press**
 19 **conference, which was November 19, 2020,**
 20 **as of that date, were you aware of whether**
 21 **Fox had previously aired any of President**
 22 **Trump's Dominion-related voter fraud**
 23 **allegations before November 19th?**
 24 A I can't recall ever seeing any of

1 [REDACTED]
 2 [REDACTED]
 3 [REDACTED]
 4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 7 [REDACTED]
 8 [REDACTED]
 9 BY MR. WEBB:
 10 **Q Sir, my next question is that**
 11 **based on what actually happened on**
 12 **November 22, 2020, when President Trump's**
 13 **personal attorney, Rudy Giuliani,**
 14 **announced that Ms. Powell is no longer a**
 15 **member of the Trump legal team, based on**
 16 **your recollection, were there any**
 17 **statements made by President Trump or any**
 18 **of his attorneys that Sidney Powell's**
 19 **allegation about Dominion were false?**
 20 MS. BROOK: Objection. Form.
 21 THE WITNESS: There were no
 22 statements that said her claims about
 23 Dominion were false.
 24 BY MR. WEBB:

1 those allegations on Fox.
 2 **Q Sir, were you involved in the**
 3 **decision to put Mike Lindell on the Fox**
 4 **show Tucker Carlson Tonight on January 26,**
 5 **2021?**
 6 A No, I was not.
 7 [REDACTED]
 8 [REDACTED]
 9 [REDACTED]
 10 [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 [REDACTED]
 14 [REDACTED]
 15 [REDACTED]
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 14 [REDACTED]
 15 [REDACTED]
 16 [REDACTED]
 17 [REDACTED]
 18 [REDACTED]
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED]
 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED]

Exhibit 606

From: Shah, Raj </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=33A7EC98BFB14AC1B1B80D99A31D1CDE-RAJ.SHAH>
To: Dinh, Viet
Sent: 11/5/2020 5:01:28 PM
Subject: NYT Reporter Tweet

Even if this call is 100% right but relies on AZ before other nets call AZ, we're going to get hit very hard by the right.

Jonathan Martin @jmartNYT

I'm told by somebody at Fox that they *will* call the presidency for Biden if PA tips his way tonight.

Sec/State there is holding a briefing at 5:15.

<https://twitter.com/jmartNYT/status/1324470140285734913>

Exhibit 607

From: Briganti, Irena (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=33DC58A02FC5448C8D3BD383393E6D53-BRIGANTI, I>
To: Scott, Suzanne; Wallace, Jay (FoxNews)
Sent: 11/8/2020 11:41:19 AM
Subject: Reliable Sources

FYI - Suzanne/Lachlan/Rupert mentioned:

<https://app.box.com/s/56a7dkc6vja3cuuty9dgz6mo1cvnk9vp>

Guests: Oliver Darcy; Evan Osnos/New Yorker

Topic:

Fox is enabling Trump's election denialism

- Right-wing media promoting voter fraud
- Pro-Trump outlets and some of FNC's biggest stars make claims that Biden will not be President, that there was voter fraud
 - Plays clip of Newt Gingrich on F&F
 - Darcy says there was pushback but it is dangerous to have this commentary
 - Trump tweeted what Gingrich said
- Darcy said FNC is enabling and encouraging Trump's impulses
 - Aiming to destabilize the American system by telling viewers the election was stolen by deep state Democrats
 - Hannity is dishonest to his core; he is not going to change overnight - but where are the adults in the room? Where is Suzanne Scott? Is she ok with hosts going on air to undermine the election?
 - If Suzanne Scott is not going to do it, maybe Lachlan/Rupert need to make sure the hosts aren't pushing this information
 - Fox News is finding new lows- it is beyond reprehensible
- FNC viewers are seeing voter fraud claims promoted

Exhibit 608

From: Col Allan [REDACTED]
To: Murdoch, Rupert; Murdoch, Lachlan
Sent: 11/5/2020 8:57:25 AM
Subject: Re: Arizona.

You should get a clip of Steve ban on with Maria bartiromo this morning. Wow.

Sent from my iPhone

> On Nov 5, 2020, at 7:21 AM, Murdoch, Rupert [REDACTED] wrote:

>
> Right! And hold Georgia and Pennsylvania. Just might!
> Not so much a pathway as a tiny lane.

> Sent from my iPhone

>> On Nov 5, 2020, at 11:56 AM, Col Allan [REDACTED] wrote:

>> Trump win still possible but everything has to go his way. Counting too slow.

>> Sent from my iPhone

>>> On Nov 5, 2020, at 4:10 AM, Murdoch, Rupert [REDACTED] wrote:

>>> Not sure I have very latest figures but Biden lead down to 68,000 with 400,000 left to count.

>>> And keep an eye on those crooks in Nevada

>>> Sent from my iPhone

>>> This message and its attachments may contain legally privileged or confidential information. It is intended solely for the named addressee(s). If you are not an addressee indicated in this message (or responsible for delivery of the message to an addressee), you may not copy or deliver this message or its attachments to anyone. Rather, you should permanently delete this message and its attachments and kindly notify the sender by reply e-mail. Any content of this message and its attachments that does not relate to the official business of Fox Corporation, or its subsidiaries must be taken not to have been sent or endorsed by any of them. No representation is made that this email or its attachments are without defect.

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Exhibit 609

From: Scott, Suzanne </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=85BFE6824750416486BDA0F78D10943E-SUZANNE.SCO>
To: Murdoch, Rupert
Sent: 11/5/2020 9:26:32 AM
Subject: MWM - Steve Bannon

Steve Bannon on with Maria B this morning.

<https://app.box.com/s/5eir9p1uif8ehqa0qdidp8bf0of6t69l>



Exhibit 610

TRANSCRIPT OF VIDEO RECORDING

2020-11-05 MARIA BARTIROMO AND STEVEN BANNON INTERVIEW

Transcribed By:
TERRI NESTORE
CSR No. 5614, RPR, CRR

EXHIBIT 3344

01/20/2023
Rupert Murdoch

Produced Pursuant to Court Order in Case No. 20-cv-00017

1 MARIA BARTIROMO: Joining me right now is former
2 White House Chief Strategist, the host of the wildly
3 popular WarRoom podcast, Steve Bannon is here.

4 Steve, thanks very much for joining us.

5 Give us your assessment of what has taken place
6 over the last 48 hours.

7 STEVEN BANNON: President Trump won an
8 overwhelming victory on Tuesday night with certifiable,
9 verifiable, legal votes.

10 The fact is, the president was reelected and the
11 president -- you know, the Roman republic had a saying:
12 Fortune favors boldness. It's now time to be bold, and
13 that's why you see people like Rick Grenell, Dave Bossie,
14 Corey Lewandowski, Sidney Powell, Rudy Giuliani involved
15 in this process.

16 We've got to stop playing games here. We've got
17 to stop playing games and allow this narrative that's
18 coming up with the same people that used information
19 warfare -- you know, polls in Wisconsin showing he was
20 17 points down, Charlie Cook saying it's going to be a
21 historic landslide like Reagan beats Mondale.

22 Those were lies. That wasn't just kind of guys
23 getting data wrong, those were lies. That part of the
24 media apparatus and social media that keeps trying to take
25 President Trump down -- we've talked about this for months

1 on your show -- that's all a lie. That's all a mirage.

2 The fact is Donald Trump won an overwhelming
3 victory, and you see that in the Senate, you see that in
4 the house, you see it in the State legislatures all down
5 ticket. He won an overwhelming victory.

6 If, in the Federal courts now in Nevada and
7 Wisconsin, Michigan, Pennsylvania, Arizona, if we can get
8 a fair count of verifiable, certifiable legal votes,
9 President Trump will win those; but if you can't do it,
10 you've got to stop treating Biden like he means -- Biden
11 has no standing. He's a feckless old man, wandering
12 around a car dealership in Wilmington, Delaware, and he
13 should be treated with the dismissive contempt of that.

14 President Trump won an overwhelming victory. He
15 should start acting right now in his second term. He
16 should fire the FBI director. He should put in process
17 the implement to fire Fauci. He should start manning up
18 for his second term with guys like Rick Grenell.

19 The other thing is remember, there's multiple
20 paths if you want to get to the inauguration for his
21 second term on the 20th of January, and he's got to
22 implement -- he has a moral obligation to implement the
23 will of the people that elected him on the 3rd of
24 November. There are multiple paths to get there.

25 If you can get a fair vote of verifiable legal

1 ballots, Pennsylvania, Arizona, Nevada will fall for him,
2 obviously Georgia and North Carolina already have.

3 He'll be reelected.

4 If you can't get that, you control -- by the way,
5 conservatives that have strict interpretation of the
6 Constitution control the courts, including the Supreme
7 Court. We control the State legislatures. We control the
8 party delegations in the House of Representatives.

9 In Nancy Pelosi's House, in January, Donald Trump
10 will be overwhelmingly reelected president of the
11 United States. We need to start acting like that.

12 Fortune favors boldness and the president --

13 MARIA BARTIROMO: So how did this happen, then?

14 STEVEN BANNON: -- should start acting bold.

15 MARIA BARTIROMO: But then how does this happen,
16 then?

17 STEVEN BANNON: It happened because people around
18 him starts acting --

19 MARIA BARTIROMO: But how did this happen, then?

20 STEVEN BANNON: The president -- the president
21 should have stepped up at 10:00 o'clock at night when he
22 won Ohio and won Florida with overwhelming Hispanic
23 support, historic black support, overwhelming working
24 class and middle class support, and claimed his victory
25 and said, hey, I'm going to go into Federal Court right

1 now and make sure they can't steal this election.

2 The same people that used all the big lies, all
3 the information warfare and laid out all this nonsense
4 beforehand were rejected by the American people on
5 election day.

6 You can't, in the middle of the night in
7 Wisconsin, in Michigan, and in Pennsylvania allow them to
8 steal it. We've become a Banana Republic.

9 The president should start executing on his
10 second term today. He should also, in Federal Court, if
11 we can get a vote, if we can get a count that's
12 verifiable, legal, certifiable, with chain of custody of
13 all these mail-in votes, if he can do that, he'll win
14 those states.

15 MARIA BARTIROMO: Right.

16 STEVEN BANNON: If he can't do that, it's not the
17 end of the world. We control the State legislatures, we
18 control the courts, and most importantly, Nancy Pelosi
19 went out of her way to flip these delegations.

20 We control, by I think 28 to 22, the delegations
21 in the House of Representatives.

22 MARIA BARTIROMO: Yes.

23 STEVEN BANNON: They are the ultimate people that
24 will vote for Donald Trump being president.

25 Let me give you a fact.

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November 05, 2020

1 MARIA BARTIROMO: Walk -- all right.

2 STEVEN BANNON: Donald Trump won on November 3rd
3 and Donald Trump is going to be inaugurated on the 20th of
4 January, 2021 and the democrats are just going to have to
5 live with that. I don't care how much whining they're
6 going to have, how big a temper tantrum.

7 Treat Biden like the feckless old man he is,
8 wandering around Wilmington, Delaware, in a car
9 dealership. Dismiss everything.

10 I don't care about his website of transition.

11 MARIA BARTIROMO: But Steve --

12 STEVEN BANNON: Trump's already in his second
13 term.

14 MARIA BARTIROMO: Okay.

15 STEVEN BANNON: What?

16 MARIA BARTIROMO: But we're looking at the
17 Electoral College votes and the president is lagging
18 there. What are these lawsuits going to do?

19 STEVEN BANNON: You're not -- Maria, that's
20 not --

21 MARIA BARTIROMO: I want you to walk through what
22 took place. Go ahead.

23 STEVEN BANNON: Maria, you're buying into the
24 narrative. That's absolutely not true.

25 Because right now they're counting -- they're not

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November 05, 2020

1 counting Georgia, they're not counting North Carolina,
2 they're not counting Pennsylvania. He was up by 800,000
3 votes. All of these votes, these mail-in votes can't be
4 certified, they can't be verified. Many of them are going
5 to be illegal. That's why Rick Grenell is in Nevada doing
6 this right now. Let's go to court --

7 MARIA BARTIROMO: Okay.

8 STEVEN BANNON: -- and go through every vote and
9 see if they can all be certified. By the way, if you
10 can't -- once you're able to do it, Trump will win that
11 vote, but if you can't do it, it's not the end of the
12 world. Kick it to the State legislatures.

13 MARIA BARTIROMO: Are they going to be able to do
14 it?

15 STEVEN BANNON: Kick it to the House of
16 Representatives.

17 MARIA BARTIROMO: Steve, walk through what took
18 place --

19 STEVEN BANNON: It's absolutely going to be --

20 MARIA BARTIROMO: -- in the dead of the night.

21 STEVEN BANNON: Not just be -- not just be able
22 to --

23 MARIA BARTIROMO: Walk through what took place in
24 the dead of the night in Wisconsin and Michigan. Walk
25 through what happened in the dead of the night --

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November 05, 2020

1 STEVEN BANNON: Because these guys --

2 MARIA BARTIROMO: -- in Wisconsin and Michigan.

3 STEVEN BANNON: These guys held back -- remember
4 when the president got up there to 230, people thought at
5 the night was going to stop counting. These people held
6 back uncertifiable, unverifiable mail-in votes and dumped
7 them in the middle of the night.

8 So you went to bed, the nation went to bed
9 thinking Donald Trump won an overwhelming victory -- the
10 people, the working class people that voted for him.

11 They woke up in the morning and said in the dead
12 of the night in Michigan and in Wisconsin and now in
13 Pennsylvania, they're stealing it.

14 They're not going to sit there and accept that.

15 The president has a moral obligation, a moral
16 obligation to implement the will of the people that voted
17 on November 3rd, okay?

18 All he's got to focus on -- forget the fog of war
19 -- focus on the objective. The objective is to be
20 inaugurated on the 20th.

21 MARIA BARTIROMO: All right.

22 STEVEN BANNON: There are multiple paths to get
23 there.

24 MARIA BARTIROMO: So --

25 STEVEN BANNON: And you control the high ground

1 and most of those paths. Just go to Federal Court.

2 If they can't verify every vote --

3 MARIA BARTIROMO: I understand.

4 STEVEN BANNON: -- then, hey, it goes to State
5 legislatures and it goes to Nancy Pelosi's House, where we
6 win.

7 Donald Trump -- the media is going to have to
8 accept a very unpleasant fact: Overwhelming victory was
9 claimed by the Trump movement in the Senate, in the House,
10 in State legislatures.

11 MARIA BARTIROMO: Yeah.

12 STEVEN BANNON: They're going to have to
13 understand that Donald Trump is the president of the
14 United States and will remain the president of the
15 United States.

16 MARIA BARTIROMO: So you think these lawsuits are
17 going to be successful? You think that these lawsuits
18 will identify fraud and expose it?

19 The campaign is suing --

20 STEVEN BANNON: Absolutely.

21 MARIA BARTIROMO: -- these states, the latest
22 Nevada. Okay.

23 STEVEN BANNON: They will expose how they tried
24 to steal this, how these are uncertifiable, how they have
25 no chain of custody, and if it gets kicked to the State

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1 legislature, if it gets kicked to the house, that's fine,
2 because we win there also.

3 You win on a real count of real ballots, you win
4 in the State legislatures --

5 MARIA BARTIROMO: Okay.

6 STEVEN BANNON: -- you win in the courts and you
7 win in the House of Representatives and the Senate.

8 We have the high ground on every mode of victory.

9 We have to start acting like that, and he should
10 start his second administration today.

11 MARIA BARTIROMO: All right, we will leave it
12 there. Steve, you made a great case.

13 (End of recording.)

14

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C E R T I F I C A T E

1
2
3
4 I, TERRI NESTORE, Certified Shorthand Reporter/
5 Transcriptionist, do hereby certify that I was authorized
6 to transcribe the foregoing recorded proceeding, and that
7 the transcript is a true and accurate transcription of my
8 shorthand notes, to the best of my ability, taken while
9 listening to the provided recording.

10
11 I further certify that I am not of counsel or
12 attorney for either or any of the parties to said
13 proceedings, nor in any way interested in the events of
14 this cause, and that I am not related to any of the
15 parties thereto.

16
17
18 Dated this 13th day of January, 2023.

19
20
21 
22 TERRI NESTORE, CSR 5614, RPR, CRR

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2	BANNON 6:2, 12, 15, 19, 23 7:8, 15, 19, 21 8:1, 3, 22, 25 9:4, 12, 20, 23 10:6	count 10:3	feckless 6:7
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<p>suing 9:19</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>tantrum 6:6</p> <p>temper 6:6</p> <p>term 6:13</p> <p>think 9:16,17</p> <p>thinking 8:9</p> <p>thought 8:4</p> <p>today 10:10</p> <p>transition 6:10</p> <p>Treat 6:7</p> <p>true 6:24</p> <p>Trump 6:2,3 7:10 8:9 9:7,9,13</p> <p>Trump's 6:12</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>uncertifiable 8:6 9:24</p> <p>understand 9:3,13</p> <p>United 9:14,15</p> <p>unpleasant 9:8</p> <p>unverifiable 8:6</p>	<hr/> <p style="text-align: center;">V</p> <hr/> <p>verified 7:4</p> <p>verify 9:2</p> <p>victory 8:9 9:8 10:8</p> <p>vote 7:8,11 9:2</p> <p>voted 8:10,16</p> <p>votes 6:17 7:3 8:6</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>walk 6:1,21 7:17, 23,24</p> <p>wandering 6:8</p> <p>want 6:21</p> <p>war 8:18</p> <p>way 7:9</p> <p>website 6:10</p> <p>went 8:8</p> <p>whining 6:5</p> <p>Wilmington 6:8</p> <p>win 7:10 9:6 10:2,3,6,7</p> <p>Wisconsin 7:24 8:2,12</p> <p>woke 8:11</p> <p>won 6:2 8:9</p>	<p>working 8:10</p> <p>world 7:12</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p>Yeah 9:11</p>
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Exhibit 611

From: Scott, Suzanne </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=85BFE6824750416486BDA0F78D10943E-SUZANNE.SCO>
To: Wallace, Jay (FoxNews)
Sent: 11/8/2020 1:56:02 PM
Subject: Fwd: Ratings.

Long talk with KRM and Lachlan (told them first 72 hours will be the worst of it) they are expecting:

- major overhaul of polling (WSJ doing same and will no work with NBC)
- audiences don't want to see too much of the Mayor Pete's and Coons etc in the news hours. Need to be careful about bookings next 2 months-especially in news hours
- breaking news reporting and investigative units need to get back in the game been beaten by digital reporters on breaking news this past year.

Talk more tomorrow-a lot for your to think about this week.
S

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From: Murdoch, Rupert [REDACTED]
Sent: Sunday, November 8, 2020 1:26 PM
To: Scott, Suzanne
Subject: Ratings.

Getting creamed by CNN! Guess our viewers don't want to watch it. Hard enough for me!
They'll return. (Not for Chris Wallace!).
Laura Ingraham very good and gracious.
Anyway, football today!

Sent from my iPhone

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Exhibit 612

From: Shah, Raj </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=33A7EC98BFB14AC1B1B80D99A31D1CDE-RAJ.SHAH>
To: Murdoch, Lachlan; Dinh, Viet; Scott, Suzanne
CC: Schwartz, Elliott; Griswold, Alex
Sent: 11/6/2020 4:57:18 PM
Subject: Brand Protection Roundup - 11/6/20

All,

Quite the week, see our update below.



BRAND PROTECTION UNIT ROUNDUP

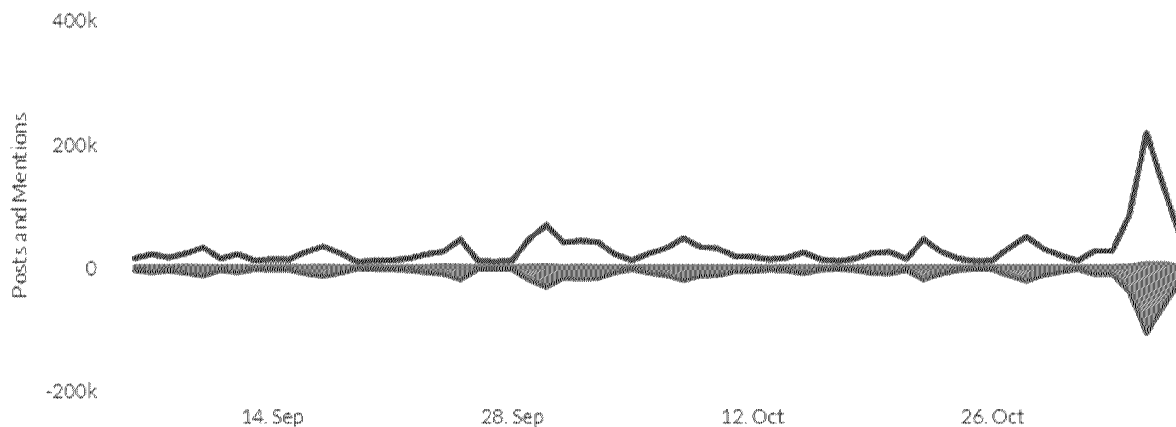
November 6, 2020

Top Activist Campaign Activity

This week saw a high spike in negative conservative commentary about Fox News in response to election coverage and calls made by the Fox News Decision Desk. There has been a 237% increase in tweets with negative sentiment mentioning FNC this week, largely driven by conservative criticism, rather than liberal critics. Beyond the increase in volume is an intensity we have not seen since beginning this type of monitoring over a year ago, with several conservative accounts with large followings stating they would stop watching Fox News.

We are closely monitoring conservative sentiment toward FNC in tracking data from YouGov and Morning Consult and will alert statistically significant trends.

Summary Metrics (New)



Pictured: Tweets mentioning Fox News with a negative sentiment over the past two months (NetBase)

There was very little advertiser targeting this week besides a few generic mentions of advertiser boycotts from

conservative accounts that received little engagement.

Tweets from third party allies received 91,865 interactions this week.

Notable Attacks On Fox Brand & Talent

OUTLET	AUTHOR	POST
Raw Story	Brad Reed	Trump ‘wants to destroy’ Fox News — and may steal Hannity and Tucker for his own TV network: report
Daily Wire	Ryan Saavedra	Election Forecaster Nate Silver On Fox News, AP Calling Arizona For Biden: ‘Should Be Retracted Now’
Huffington Post	Ed Mazza	Trump Supporters Chant ‘Fox News Sucks’ On MSNBC In Surreal Scene In Arizona
Newsweek	Emma Nolan	Conservatives Turn Against Fox News Over Election Coverage, Change Channel to Newsmax

Defense Of Fox Brand Efforts

Author	Instance of Pushback	Social interactions	Potential Impressions
3rd Party Allies	Tweets highlighting MSM bias and in defense or promotion of FNC talent	91,865	53,621,220

OUTLET	AUTHOR	Clicks	Impressions
Washington Post	CNN contributor Miles Taylor admitted he lied to CNN about being ‘Anonymous.’ It doesn’t seem to be a problem for CNN.	50,100	17,700,000

Brand Polling - 7 Day Average

October 30th - November 5th

Cable News Channel	FAVORABILITY		TRUST	
	Net Favorability	Net Change (vs 1 week ago)	Trust Score	Net Change (vs 1 week ago)
Fox News	+15%	+6%	41%	+2%
CNN	+17%	+4%	40%	+1%
MSNBC	+14%	+5%	32%	+0%

YouGov Talent Favorability Tracking

30 Day Average - 10/02/20 to 11/01/20

TALENT	FAVORABILITY					
	Strongly Positive	Slightly Positive	Neutral	Slightly Negative	Strongly Negative	Not Heard Of
Tucker Carlson	18.70%	11.90%	14.00%	5.10%	26.20%	24.00%
Sean Hannity	15.80%	15.70%	14.00%	7.40%	30.40%	16.70%
Laura Ingraham	15.30%	14.90%	15.00%	3.40%	23.10%	28.20%
Bret Baier	11.90%	13.60%	16.40%	5%	8.00%	44.70%
Chris Wallace	11.40%	23.70%	20.30%	13.40%	16.00%	15.20%

TALENT	FAVORABILITY			
	Total Positive	Total Negative	Net Fav	Net Change
Tucker Carlson	30.60%	31.30%	-0.70%	-1.00%
Sean Hannity	31.50%	37.80%	-6.30%	-2.20%
Laura Ingraham	30.20%	26.50%	3.70%	+0.10%
Bret Baier	25.50%	13.20%	12.30%	-1.40%
Chris Wallace	35.10%	29.40%	5.70%	-1.90%

Exhibit 613

From: Murdoch, Rupert </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6F0571C63E7B49769B4A58009B115570-CRC>
To: Colin Allan
Sent: 11/6/2020 7:28:19 AM
Subject: Same stuff

Half of what Donald said was good. The other half bullshit and damaging.
Big media, big money and big tech all against him and his vote in spite of this a mighty achievement. But conspiracy with pollsters NO! Latter simply incompetent. Perhaps many run by Dems, but so what?
Giving big money not a conspiracy!
Turns out mainly a waste.
With several states now disappointingly favoring Biden hard to claim foul everywhere.

Sent from my iPhone

Exhibit 614

From: Murdoch, Rupert </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6F0571C63E7B49769B4A58009B115570-CRC>
To: Scott, Suzanne
Sent: 11/6/2020 5:43:50 PM
Subject: Re: Georgia widens.

Good.

Sent from my iPhone

On Nov 6, 2020, at 10:28 PM, Scott, Suzanne <Suzanne.Scott@fox.com> wrote:

Georgia widens but still a dead heat and will be pushed to a recount.

Sean just getting off radio so no update from him but he seems to understand where this is heading however will continue focus on the litigation for now.

Get [Outlook for iOS](#)

From: Murdoch, Rupert [REDACTED]
Sent: Friday, November 6, 2020 5:22 PM
To: Scott, Suzanne
Subject: Georgia widens.

Seems Rudy G giving Trump lots of bad advice and some family being more realistic!!
Has Sean spoken to POTUS yet? And his opinion?

Sent from my iPhone

Exhibit 615

From: Col Allan <[REDACTED]>
To: Murdoch, Rupert
Sent: 11/7/2020 12:24:46 PM
Subject: Re: Good

Agree. He's unhinged. Has been for a while. I think booze has got him.

Sent from my iPhone

> On Nov 7, 2020, at 12:22 PM, Murdoch, Rupert <[REDACTED]> wrote:

>

> Ha! Just saw a bit of Rudy ranting.

> A terrible influence on Donald.

>

> Sent from my iPhone

>

>> On Nov 7, 2020, at 5:18 PM, Col Allan <[REDACTED]> wrote:

>>

>> New York City going crazy. Horns, thousands in street. Shouting. Pity it's not snowing.

>>

>> Sent from my iPhone

>>

>>> On Nov 7, 2020, at 11:33 AM, Murdoch, Rupert <[REDACTED]> wrote:

>>>

>>> Yes. But calming today.

>>>

>>> CNN declares and FOX coming in minutes.

>>> I hate our Decision Desk people! And pollsters! Some of the same people I think.

>>> Just for the hell of it still praying for Az to prove them wrong! I did one fox fill this out and labor lemonade hate

>>>

>>> Sent from my iPhone

>>>

>>>> On Nov 7, 2020, at 4:12 PM, Col Allan <[REDACTED]> wrote:

>>>>

>>>> Why not. Weather great!! He will be playing a lot more soon.

>>>>

>>>> Sent from my iPhone

>>>>

>>>>> On Nov 7, 2020, at 11:07 AM, Murdoch, Rupert <[REDACTED]> wrote:

>>>>>

>>>>>

>>>>> Donald playing golf right now! (DailyMail).

>>>>>

>>>>> Sent from my iPhone

>>>>>

>>>>>

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Exhibit 616

From: [REDACTED]
To: Murdoch, Lachlan
Sent: 11/7/2020 2:22:35 PM
Subject: Re: Try this

Good. Few typos. eg return to ..not retain to
I would describe China as a dangerous rival. Their GDP now equal. Per capita still only 25% but growing annually at 6%.

Sent from my iPhone

On Nov 7, 2020, at 6:58 PM, Murdoch, Lachlan <lkm@fox.com> wrote:

It's great. Thanks.
L

Sent from my iPhone

On Nov 7, 2020, at 10:43 AM, Col Allan <[REDACTED]> wrote:

It's excellent. I have passed on to boss for thoughts although I'm sure it will pass muster. I think tomorrow is the moment to publish. Regular editorial or up front? Any thoughts.

Sent from my iPhone

On Nov 7, 2020, at 1:42 PM, Col Allan <[REDACTED]> wrote:

Leader draft. Appreciate your thoughts. Cheers.

Sent from my iPhone

Begin forwarded message:

From: Stephen Lynch <[REDACTED]>
Date: November 7, 2020 at 1:38:03 PM EST
To: Col Allan <[REDACTED]>
Subject: Try this

The math is looking near-impossible for President Trump to win re-election. But he should take pride in what's done for the nation and the world these last four year. It's a legacy he could easily run on in 2024 — if he quits the conspiracy-addled talk of a “stolen” election.

Trump shook up Washington and the world by disrupting bogus pieties that plagued the establishment and both parties.

Nowhere did he have greater effect than in showing the poverty of the thinking of global elites. When Trump fulfilled a longstanding US promise to recognize Jerusalem as Israel's capital and move the US embassy there, the intelligentsia insisted

it would boost chaos and terrorism across the region.

Instead, Trump has created the contours of a new Middle East by recognizing reality on the ground — including the Iranian regime's unalterable hostility to the civilized world — abandoning decades of failed policy giving Palestinians a veto on peace. He brokered the first Middle East peace deals in years, normalizing Israel's relations with the United Arab Emirates, Bahrain and Sudan; more Gulf Arab states are likely to follow.

President-elect Joe Biden would be a fool to try to reverse these gains, or retain to the failed Iran deal where, as vice president, Iran was shipped pallets of cash that it used to fund terrorism and a renewed drive at Mideast supremacy.

Trump also got laggard NATO allies to start finally pulling their weight by meeting their commitment to spend 2 percent of GDP on their own defense. He stood up to China, the world's second-largest economy and perhaps America's most dangerous enemy, and sounded the alarm among allies about the dangers of letting the Communist regime get a foothold in the future of our technology. Past presidents were content to let China steal American intellectual property and use it against us; Trump said, "Enough."

His China policy was one part of his admirable commitment to watching out for American workers. The men and women disdained by the elites were at the forefront of his mind in every trade deal his administration negotiated, especially his NAFTA replacement, the US-Mexico-Canada accord.

Indeed, Trump did far more than any recent president for the working class, of all races. He worked from day one to end mindless regulation that stifled the businesses that put Americans to work. His 2017 tax reform package put money back into the pockets of the majority of US workers while making US businesses more competitive. That brought a booming economy with rising working-class wages and record-low unemployment rates, especially for blacks and Hispanics.

He also got Democrats, so reluctant to give him any wins in Congress, to support landmark criminal-justice reforms. The bipartisan First Step Act aims to reduce the prison population and give those leaving it a real chance at a new life.

That's why Trump gained more minority support than any other Republican candidate since 1960. He remade the party, and the party would be wise to continue his populism.

Even as the left's rabid hostility, including four years of nonstop poison from most of the media, looks to have carried the election against him, the rest of the GOP did well, likely keeping its Senate majority despite having to defend far more seats than the Dems — and gaining enough House seats to cripple the power of Speaker Nancy Pelosi (or her replacement).

To lock in his legacy, though, Trump must rally Republicans to move forward — by behaving with dignity in the face of likely defeat.

Yes, the election saw a lot of unfairness: Pollsters demoralizing Republicans with predictions of a Biden landslide and a Democratic blue wave; states adopting Democrat-boosting election rules in the face of the pandemic; media in the tank for Joe Biden and relentlessly supporting his absurd claim that Trump is to blame for every COVID death.

But the president's aides have shown no evidence that the election was "stolen": Where Trump won several key states by razor-thin margins to take the White House in 2016, Biden seems to have done the same this year. It undermines faith in Democracy, faith in the nation, to push baseless conspiracies. Get Rudy Giuliani off TV. Ask for the recounts you are entitled to, wish Biden well, and look to the future.

If Trump persists in wild talk to the contrary, he'll lead his people into irrelevance and marginalize his own voice. His years in the White House have transformed the nation, but refusing to let go now will make it easier for his enemies to undo it all.

Exhibit 617

From: lkm@fox.com
To: Murdoch, Rupert
Sent: 11/7/2020 11:58:31 AM
Subject: Re: Call.

I think good to be careful. Especially as we are still somewhat exposed on Arizona.

L

Sent from my iPhone

> On Nov 7, 2020, at 8:54 AM, Murdoch, Rupert [REDACTED] wrote:

>

>

> We should and could have gone first but at least being second saves us a Trump explosion!

>

> Sent from my iPhone

Exhibit 618

From: [REDACTED]
To: Jack Keane
Sent: 11/9/2020 7:38:51 AM
Subject: Re: Election Fraud

Thanks Jack,

You may be right but Donald needs better lawyers than Rudy, who is past his prime. Told they are finding it difficult to get someone to coordinate it all. Nobody in Washington wants to touch it!
If anything to be done it's extremely late.

Rupert

Sent from my iPhone

> On Nov 9, 2020, at 12:24 PM, Jack Keane <jkeane@[REDACTED]> wrote:
>
> Dear Rupert,
>
> Maria B's Sunday show provided excellent coverage of serious election fraud allegations. Given that 4 contested states almost simultaneously stopped counting votes around midnite followed later by Alaska appears to be a coordinated and possibly a pre-planned event if Trump was leading. Moreover the Trump lawyers are alleging that the Democrats
> developed a software computer program to switch and also add votes which would help explain the reason for the vote stoppage.
> Have no idea if there is any evidence to support these allegations to include the many more allegations concerning the mail-in ballots. Given what happened to undermine the Trump presidency to include Obama and Biden's complicity it makes sense to take the allegations seriously and try to get the evidence to support it, which will likely be quite challenging. The issue I assume is that no doubt voter fraud occurred as it usually does in certain places historically but can it be proved that it happened on such a scale to overturn a states outcome and then do so in a number of states to change the Biden perceived victory.
> It certainly places added emphasis on the Georgia runoff
> elections in January to insure they are above board.
> Lindsey Graham wants as much of this exposed to reduce possibility of reoccurrence. I told him we need bi-partisan congressional legislation to establish national voting and vote counting standards. What Florida did to fix their system after the 2000 election debacle is a good place to start as a benchmark.
>
>
> Best to you and the family, Jack
>
>
> Office: [REDACTED]
> Mobile: [REDACTED]

Exhibit 619

From: Murdoch, Rupert </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6F0571C63E7B49769B4A58009B115570-CRC>
To: Scott, Suzanne
Sent: 11/9/2020 9:27:56 AM
Subject: Re: Vaccine.

Thanks. All very true.
Lots of sane Fox viewers still believe in Trump Jack Keane for instance.

Sent from my iPhone

On Nov 9, 2020, at 2:23 PM, Scott, Suzanne <Suzanne.Scott@fox.com> wrote:

Pivot but keep the audience who loves and trusts us...we need to make sure they know we aren't abandoning them and still champions for them.

From: Murdoch, Rupert [REDACTED]
Sent: Monday, November 9, 2020 9:22 AM
To: Scott, Suzanne <Suzanne.Scott@fox.com>
Subject: Re: Vaccine.

Right.

Sent from my iPhone

On Nov 9, 2020, at 2:19 PM, Scott, Suzanne <Suzanne.Scott@fox.com> wrote:

yes on it
lots of good stories for us today
time to pivot

From: Murdoch, Rupert [REDACTED]
Sent: Monday, November 9, 2020 8:52 AM
To: Scott, Suzanne <Suzanne.Scott@fox.com>
Subject: Vaccine.

Huge story today. People will be hungry for every detail.
What if it happened two weeks earlier!?

Sent from my iPhone



Exhibit 620

EXCERPTED
TRANSCRIPT

In the Matter Of:

U.S. Dominion vs

Fox News Network

PAUL RYAN

January 31, 2023



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1 [REDACTED]

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1 **P. RYAN - CONFIDENTIAL**

2 **content and news content to viewers, which**

3 **is what it does.**

4 Q. Who do you think Fox appeals to?

5 **A. The largest demographic in**

6 **America for ratings.**

7 Q. And is there a particular

8 audience that it appeals to?

9 **A. Actually, it crosses -- it cuts**

10 **across a lot of demographics. So I**

11 **wouldn't say one particular group.**

12 Q. Hold on, sir. I'm trying to

13 get --

14 **A. Should I click over for**

15 **another --**

16 Q. No. I'm trying to get to -- this

17 is, again, the disadvantages here of Zoom

18 depositions --

19 **A. That's okay.**

20 Q. -- as we go forward here. And

21 I'm trying to do it in the easiest way.

22 **A. No worries.**

23 Q. And, of course, it's not letting

24 me do this.

25 **A. I'll hit refresh.**

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1 [REDACTED]

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1 **P. RYAN - CONFIDENTIAL**

2 Q. Yeah, no. I'm sorry. I need to

3 go off the record for five minutes while we

4 do a little snafu on my end. I apologize

5 for that.

6 **A. It's okay.**

7 THE VIDEOGRAPHER: The time is

8 10:06 a.m. and we are going off the

9 record.

10 (Recess taken from 10:06 a.m. to

11 10:10 a.m.)

12 THE VIDEOGRAPHER: The time is

13 10:10 a.m. and we are back on the

14 record.

15 BY MR. NELSON:

16 Q. Sir, do you believe that Fox News

17 can drive coverage of the day?

18 MR. CARTER: Objection to form.

19 **A. I don't know if I would use the**

20 **word "drive." I don't think I'd describe**

21 **it that way. I think they can cover the**

22 **news of the day.**

23 Q. What do you mean that you

24 wouldn't describe it --

25 **A. I don't know what you mean by**

1 **P. RYAN - CONFIDENTIAL**
2 "drive" necessarily, other than I think
3 they can cover the news of the day. If
4 news is being made, they can clearly
5 amplify that news being made by covering
6 it.

7 Q. What do you mean by they can
8 "clearly amplify that news being made by
9 covering it"?

10 **A. If news is being made, if a**
11 **person in government is doing a press**
12 **conference or saying something, they can**
13 **cover that and that gets amplified.**

14 Q. Well, sir, I guess you were one
15 of the leading, and for a period of time
16 perhaps the leading public figure as a
17 Republican in the country, right? When
18 President Obama was President, you served
19 as Speaker of the House, correct?

20 **A. Correct.**

21 Q. And when President Trump was
22 President, you continued to serve as
23 Speaker of the House, correct?

24 **A. That's right.**

25 Q. And you really have a firsthand

1 [REDACTED]

1 **P. RYAN - CONFIDENTIAL**
2 view of how public officials and viewers
3 respond to public events, is that fair?

4 **MR. CARTER: Objection to form.**

5 **A. Yes. Can you clarify the**
6 **question for me?**

7 Q. You have an in-depth
8 understanding of how public officials and
9 viewers respond to news.

10 **MR. CARTER: Object to the form.**

11 **A. I had lots of press conferences**
12 **and made news in those press conferences,**
13 **and those were broadcast on television. So**
14 **viewers would see that. So I guess I**
15 **understand -- I think that's what you're**
16 **asking.**

17 Q. Well, you also saw how viewers
18 and public officials would react to news
19 events that you were not involved in,
20 correct?

21 **A. Sure, including ones I was**
22 **involved in.**

23 Q. Right. Across the board, you
24 observed how people across the political
25 spectrum would react to events and how they

1 [REDACTED]

Page 45

1 [REDACTED]

Page 47

1 [REDACTED]

Page 46

1 [REDACTED]

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1 **P. RYAN - CONFIDENTIAL**

2 guess, a Fox contributorship. Steve, my

3 assumption would be Steve Hayes. They are

4 very close friends and we're all friends.

5 And to my earlier point, I think it's

6 important to have all these different

7 voices on the air and I relayed that to

8 him.

9 Q. Why did you think it was

10 particularly important that they stay on

11 Fox News?

12 A. Part of this -- that was more in

13 a personal capacity, not necessarily as a

14 board member, but in my personal capacity,

15 my personal belief that a multitude of

16 voices should be heard. Plus, I'm a fan of

17 Jonah Goldberg's. I think he's a very

18 articulate conservative.

19 Q. Prior to the election, did you

20 think that Trump -- let me just rephrase.

21 Prior to the 2020 Presidential

22 Election, did you think that Donald Trump

23 was going to lose?

24 A. I did.

25 Q. Did you have conversations along

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1 P. RYAN - CONFIDENTIAL
2 those lines with other people?
3 **A. I would assume so. Having been**
4 **in politics most of my life, it's a daily**
5 **conversation with friends and everyone else**
6 **about my political speculations. And I did**
7 **believe he was not going to win the 2020**
8 **election.**
9 Q. And you were aware, sir, that
10 prior to the 2020 Presidential Election, he
11 was making these baseless claims of
12 election fraud should he lose, right?
13 MR. CARTER: Objection to form.
14 **A. Right.**
15 Q. He was laying the predicate if he
16 did lose to blame election fraud, right?
17 **A. I do recall that.**
18 Q. And from your perspective, it was
19 well known that he was laying this false
20 predicate, correct?
21 MR. CARTER: Objection. Form.
22 **A. Yes, it was -- I'm trying to jog**
23 **my memory -- but yes, I do recall him**
24 **making these noises before the election.**
25 Q. And how often do you talk to

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1 P. RYAN - CONFIDENTIAL
2 Rupert Murdoch?
3 **A. Well, quarterly board meetings**
4 **and episodically in between. So I wouldn't**
5 **say a regular cadence of frequency, but**
6 **episodically we'll communicate with one**
7 **another in between those board meetings on**
8 **occasion.**
9 Q. And we'll get into the board
10 meetings in a little bit.
11 In those episodic conversations
12 in between board meetings, what do you talk
13 about?
14 **A. Hunting, politics, family, many**
15 **things in between.**
16 Q. Do you talk about Fox
17 Corporation?
18 **A. Of course.**
19 Q. And what are the types of
20 conversations that you have concerning Fox
21 Corporation?
22 **A. I think -- well, as I mentioned**
23 **before, Fox Corporation has lots of**
24 **holdings, so from sports, to weather, to**
25 **trying to figure out how to position**

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1 [REDACTED]

Page 52

1 [REDACTED]

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1 **P. RYAN - CONFIDENTIAL**
 2 **important to offer your perspective, for**
 3 **people to hear different viewpoints.**
 4 **And I know that -- I think that's**
 5 **an important function for a board member to**
 6 **do, offer your personal perspective.**
 7 Q. And you believe that if Rupert
 8 Murdoch does not want something to air, it
 9 will not air, right?
 10 MR. CARTER: Objection to form.
 11 **A. I wouldn't necessarily say that.**
 12 **I don't know exactly how the chain of**
 13 **command works between the Fox Corporation**
 14 **and Fox News and how the delineation of**
 15 **responsibilities and those decisions are**
 16 **made.**
 17 **So I really cannot speak to that.**
 18 **You would really have to ask Rupert,**
 19 **Lachlan and the leadership at Fox.**
 20 Q. Okay. We'll get into that in a
 21 little bit.
 22 And do you believe it is the role
 23 of the board to set direction and strategy?
 24 MR. CARTER: Objection to form.
 25 **A. That's a -- can you be more**

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1 **P. RYAN - CONFIDENTIAL**
 2 **specific? Is it a direction of strategy**
 3 **for the entire corporation on --**
 4 Q. Yes, sir, we'll get into
 5 specifics in a little bit. My question is
 6 a broad one, intentionally at first, and
 7 let me just rephrase.
 8 Do you believe that it is the
 9 role of the board to set direction and
 10 strategy?
 11 MR. CARTER: Same objection.
 12 **A. It is not the role of the board**
 13 **to direct personnel and content on the news**
 14 **channel. It is the role of the board to**
 15 **direct -- to help direct strategy for the**
 16 **overall corporation, which involves a**
 17 **multitude of things.**
 18 Q. You're aware from the Fox
 19 financials that Fox News contributes a very
 20 outsized portion of the profits of Fox
 21 Corporation, correct?
 22 MR. CARTER: Object to the form.
 23 **A. I am aware of that.**
 24 Q. You would agree, sir, that Fox
 25 News is an incredibly important part of Fox

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1 **P. RYAN - CONFIDENTIAL**
 2 Corporation, correct?
 3 MR. CARTER: Objection to form.
 4 **A. I agree with that statement.**
 5 Q. Do you believe that your role as
 6 a board member on Fox Corporation provides
 7 a role to help direct strategic vision for
 8 Fox News?
 9 MR. CARTER: Objection to form.
 10 **A. It is not the role of a board**
 11 **member to direct content or personnel**
 12 **decisions or day-to-day news-making**
 13 **decisions on Fox News. That's not what we**
 14 **do at the board.**
 15 Q. My question was a different one.
 16 **A. Yeah.**
 17 Q. My question was, is it the role
 18 of a board member to help guide strategic
 19 direction for Fox News overall?
 20 **A. I think that's a fair assessment**
 21 **provided your understanding of what**
 22 **strategic direction matches with mine --**
 23 **that's why I'm trying to give you the**
 24 **better clarity.**
 25 **The board doesn't direct content.**

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1 **P. RYAN - CONFIDENTIAL**
 2 **It doesn't direct personnel decisions. It**
 3 **helps oversee the overall strategy of the**
 4 **entire corporation, including all of its**
 5 **subsidiaries.**
 6 Q. All right. And, sir, you also
 7 talk to Lachlan Murdoch, is that fair?
 8 **A. I do.**
 9 Q. And what do you talk to Lachlan
 10 Murdoch about?
 11 **A. Similar things.**
 12 Q. Like what?
 13 **A. Company -- I'll give my personal**
 14 **political views sometimes and just the**
 15 **overall direction of the corporation. A**
 16 **lot of talk about the NFL contract that was**
 17 **coming due, streaming strategies. We**
 18 **launched a new weather channel. Lots of**
 19 **things.**
 20 Q. And would you also have similar
 21 discussions, sir, about how Fox News should
 22 cover Donald Trump?
 23 **A. Would I have had discussions**
 24 **about that?**
 25 Q. Yes, sir.

1 P. RYAN - CONFIDENTIAL

[REDACTED]

1 P. RYAN - CONFIDENTIAL

2 MR. CARTER: Objection to form.

3 **A. I didn't know it. I believed it.**

4 Q. Fox News called the election for

5 Joe Biden on November 7th, correct?

6 **A. I'll take your word at it. I**

7 **don't know what day it was.**

8 Q. Okay. When Fox and every single

9 every other major media outlet called the

10 election for Joe Biden, at that point you

11 understood that there was not some massive

12 fraud that was going to change the results,

13 right?

14 **A. I never believed there was to**

15 **begin with. But as far as the proof of**

16 **that or the disproof of that, that took**

17 **some time.**

18 Q. Okay. Is it your understanding

19 that Dominion committed election fraud by

20 rigging the 2020 presidential election?

21 MR. CARTER: Objection to form.

22 **A. It is not my understanding.**

23 Q. Okay. You don't believe that, do

24 you?

25 **A. Correct, I do not believe that.**

1 P. RYAN - CONFIDENTIAL

[REDACTED]

1 P. RYAN - CONFIDENTIAL

2 Q. Have you ever seen any credible

3 evidence that Dominion committed election

4 fraud by rigging the 2020 presidential

5 election?

6 MR. CARTER: Objection to form.

7 **A. I have not seen any credible**

8 **evidence.**

9 Q. Have you ever believed that

10 Dominion committed election fraud by

11 rigging the 2020 presidential election?

12 MR. CARTER: Objection to form.

13 **A. I have not.**

14 Q. Do you believe that Dominion's

15 software and algorithms manipulated vote

16 counts in the 2020 presidential election?

17 MR. CARTER: Objection to form.

18 **A. No, I do not believe that.**

19 Q. Have you ever believed that

20 Dominion's software and algorithms

21 manipulated vote counts in the 2020

22 presidential election?

23 MR. CARTER: Objection to form.

24 **A. No. I didn't know who Dominion**

25 **was until after the presidential election.**

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1 P. RYAN - CONFIDENTIAL
2 Q. Have you ever seen any credible
3 evidence that Dominion's software and
4 algorithms manipulated vote counts in the
5 2020 presidential election?
6 MR. CARTER: Objection to form.
7 A. No, I have not.
8 Q. Do you believe that Dominion is
9 owned by a company founded in Venezuela to
10 rig elections for the dictator Hugo Chavez?
11 MR. CARTER: Object to the form.
12 A. I have no idea how the ownership
13 is structured.
14 Q. Do you believe they --
15 A. I don't believe that, but I don't
16 know -- I don't know. I can't speak to it.
17 I don't know how they're owned.
18 Q. Okay. Have you ever believed
19 that Dominion is owned by a company founded
20 in Venezuela to rig elections for the
21 dictator Hugo Chavez?
22 MR. CARTER: Object to the form.
23 A. That sounds fantastical to me.
24 Q. It does, doesn't it?
25 A. Uh-huh.

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1 P. RYAN - CONFIDENTIAL
2 Q. And it's an allegation, you would
3 agree, that sounds fantastical and crazy
4 when you say it, correct?
5 MR. CARTER: Objection to form.
6 A. I agree with that assessment.
7 Q. Have you ever seen any credible
8 evidence that Dominion is owned by a
9 company founded in Venezuela to rig
10 elections for the dictator Hugo Chavez?
11 MR. CARTER: Objection to form.
12 A. I have not.
13 Q. Do you believe that Dominion paid
14 kickbacks to governmental officials who
15 used its machines in the 2020 presidential
16 election?
17 MR. CARTER: Object to the form.
18 A. I can't speak to that. I have no
19 idea.
20 Q. Have you ever seen any credible
21 evidence that Dominion paid kickbacks to
22 governmental officials who used its
23 machines in the 2020 presidential election?
24 MR. CARTER: Objection to form.
25 A. No, I have not seen such

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1 P. RYAN - CONFIDENTIAL
2 evidence.
3 Q. Have you ever believed that
4 Dominion paid kickbacks to governmental
5 officials who used its machines in the 2020
6 presidential election?
7 MR. CARTER: Object to form.
8 A. I have no idea. I can't speak to
9 it. Never heard of it.
10 Q. Do you believe that Dominion was
11 engaged in a massive and coordinated effort
12 to steal the election?
13 MR. CARTER: Objection to form.
14 A. I do not.
15 Q. Have you ever believed that
16 Dominion was engaged in a massive and
17 coordinated effort to steal the election?
18 MR. CARTER: Objection to form.
19 A. No.
20 Q. Have you ever seen any credible
21 evidence that Dominion was engaged in a
22 massive and coordinated effort to steal the
23 election?
24 A. No.
25 MR. CARTER: Object to the form.

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1 P. RYAN - CONFIDENTIAL
2 Q. Do you believe that Dominion was
3 involved in an effort to delegitimize and
4 destroy votes for Donald Trump?
5 MR. CARTER: Object to the form.
6 A. I do not believe.
7 Q. Have you ever believed that
8 Dominion was involved in an effort to
9 delegitimize and destroy votes for Donald
10 Trump?
11 MR. CARTER: Same objection.
12 A. Same answer, no.
13 Q. Have you ever seen any credible
14 evidence that Dominion was involved in an
15 effort to delegitimize and destroy votes
16 for Donald Trump?
17 MR. CARTER: Object to the form.
18 A. I have not.
19 Q. Do you believe that Dominion was
20 involved in an effort to manufacture votes
21 for Joe Biden?
22 MR. CARTER: Objection to form.
23 A. No.
24 Q. Have you ever believed that
25 Dominion was involved in an effort to

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1 P. RYAN - CONFIDENTIAL
 2 manufacture votes for Joe Biden?
 3 MR. CARTER: Objection to form.
 4 **A. Say it again? I'm sorry?**
 5 Q. Have you ever believed that
 6 Dominion was involved in an effort to
 7 manufacture votes for Joe Biden?
 8 **A. No, I do not believe that.**
 9 MR. CARTER: Object to form.
 10 Q. Have you ever seen any credible
 11 evidence that Dominion was involved in an
 12 effort to manufacture votes for Joe Biden?
 13 MR. CARTER: Object to the form.
 14 **A. I have not.**
 15 Q. Do you believe that Dominion used
 16 an algorithm to calculate the votes they
 17 would need to flip and then use computers
 18 who flip those votes from Trump to Biden?
 19 MR. CARTER: Objection to form.
 20 **A. I do not believe that.**
 21 Q. Have you ever believed that
 22 Dominion used an algorithm to calculate the
 23 votes they would need to flip and then use
 24 computers to flip those votes from Trump to
 25 Biden?

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1 P. RYAN - CONFIDENTIAL
 2 MR. CARTER: Objection to form.
 3 **A. I have never believed that.**
 4 Q. Have you ever seen any credible
 5 evidence to support that fanciful notion?
 6 MR. CARTER: Object to the form.
 7 **A. I have not.**
 8 Q. Do you believe that Dominion's
 9 software is where the fraud took place?
 10 MR. CARTER: Object to the form.
 11 **A. Say it again?**
 12 Q. Do you believe that Dominion's
 13 software is where the fraud took place?
 14 MR. CARTER: Objection to form.
 15 **A. No. I don't know that any fraud**
 16 **did take place.**
 17 Q. Have you ever believed that
 18 Dominion's software is where the fraud took
 19 place?
 20 MR. CARTER: Objection to form.
 21 **A. No.**
 22 Q. Have you ever seen any credible
 23 evidence that Dominion software is where
 24 the fraud took place?
 25 MR. CARTER: Object to the form.

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1 P. RYAN - CONFIDENTIAL
 2 **A. I have not.**
 3 Q. Do you believe that there were
 4 algorithms that would stop the vote count
 5 and go in and replace votes for Biden and
 6 take away Trump votes?
 7 MR. CARTER: Object to the form.
 8 **A. I do not.**
 9 Q. Have you ever believed that there
 10 were algorithms that would stop the vote
 11 count and go in and replace votes for Biden
 12 and take away Trump votes?
 13 MR. CARTER: Objection to form.
 14 **A. I have never believed that.**
 15 Q. Have you ever seen any credible
 16 evidence for that fanciful notion?
 17 MR. CARTER: Object to the form.
 18 **A. I have not.**
 19 Q. Do you believe Dominion is a
 20 company that is owned by Smartmatic?
 21 MR. CARTER: Object to the form.
 22 **A. I am not exactly familiar with**
 23 **their ownership structure --**
 24 Q. Have you ever seen --
 25 **A. -- Smartmatic. I don't know how**

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1 P. RYAN - CONFIDENTIAL
 2 **their ownership works.**
 3 Q. Have you ever -- you agree that
 4 it is -- let me back up for that one.
 5 **A. I don't know who owns Dominion.**
 6 Q. You agree that it is very easy to
 7 verify who owns the company, correct?
 8 MR. CARTER: Object to the form.
 9 **A. Correct.**
 10 Q. You agree that it would basically
 11 take a search lookup on some Secretary of
 12 State website in Delaware or others to
 13 determine ownership, correct?
 14 **A. Correct.**
 15 Q. Have you ever believed that
 16 Dominion is a company that is owned by
 17 Smartmatic?
 18 MR. CARTER: Objection to form.
 19 **A. I don't know. I don't know who**
 20 **owns them.**
 21 Q. You just know that it would be
 22 easily verified?
 23 **A. I know that you could find the**
 24 **answer to that question if you wanted to.**
 25 Q. Do you believe that Dominion was

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1 P. RYAN - CONFIDENTIAL
 2 founded as a company to fix elections?
 3 MR. CARTER: Objection to form.
 4 **A. You mean to rig elections, to**
 5 **change elections? Is that your question?**
 6 Q. My question is, do you believe
 7 Dominion was founded as a company to fix
 8 elections?
 9 MR. CARTER: Object to form.
 10 **A. By "fixed," you don't mean make**
 11 **it electronic? You're saying change the**
 12 **outcome of election, is that what you mean?**
 13 Q. Correct, sir.
 14 **A. No, I don't believe that.**
 15 Q. Okay. Do you believe that states
 16 have no ability to audit meaningfully the
 17 votes that are cast because the servers are
 18 someplace else?
 19 MR. CARTER: Objection to form.
 20 **A. No.**
 21 Q. Have you ever believed that the
 22 states have no ability to audit
 23 meaningfully the votes that are cast
 24 because the servers are someplace else?
 25 MR. CARTER: Objection to form.

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1 P. RYAN - CONFIDENTIAL
 2 **A. No. States run their own**
 3 **elections.**
 4 Q. And have you ever seen any
 5 credible evidence that the states have no
 6 ability to audit meaningfully the votes
 7 that are cast because the servers are
 8 someplace else?
 9 MR. CARTER: Objection to form.
 10 **A. I have seen no evidence to that**
 11 **effect.**
 12 Q. And, in fact, as a follower of
 13 the news, you were aware that in the days
 14 following the election, there were multiple
 15 audits and hand counts that confirmed the
 16 results of the election, correct?
 17 **A. That's correct.**
 18 Q. And you're aware that those
 19 audits and hand counts were widely reported
 20 so as to make sure that people knew there
 21 was no evidence of some machine fraud that
 22 flipped the election, correct?
 23 MR. CARTER: Objection to form.
 24 **A. I think that's a fair statement,**
 25 **yes.**

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1 **P. RYAN - CONFIDENTIAL**
 2 Q. Do you believe that Dominion was
 3 part of an end game of a four and a half
 4 year long effort to overthrow Donald Trump?
 5 MR. CARTER: Objection to form.
 6 **A. No.**
 7 Q. Have you ever believed that
 8 Dominion was part of an end game of a four
 9 and a half year long effort to overthrow
 10 President Trump?
 11 MR. CARTER: Objection to form.
 12 **A. No.**
 13 Q. Have you ever seen any credible
 14 evidence to support that fanciful notion
 15 that Dominion was part of an end game of a
 16 four and a half year long effort to
 17 overthrow President Trump?
 18 MR. CARTER: Objection to form.
 19 **A. I have not.**
 20 Q. Do you believe that Dominion was
 21 not just created to produce altered voting
 22 results in Venezuela for Hugo Chavez, but
 23 then shipped internationally to manipulate
 24 votes for purchase?
 25 MR. CARTER: Objection to form.

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1 P. RYAN - CONFIDENTIAL
 2 **A. I do not believe that.**
 3 Q. Have you ever believed that?
 4 MR. CARTER: Object to the form.
 5 **A. No, I've never believed that.**
 6 Q. Have you ever seen any credible
 7 evidence for that fanciful notion?
 8 MR. CARTER: Objection to form.
 9 **A. I have not.**
 10 Q. Do you believe that some of the
 11 governors and secretaries of state who
 12 bought Dominion's systems did it as a type
 13 of gravity to line their own pockets or
 14 make sure that their election was
 15 successful?
 16 MR. CARTER: Objection to form.
 17 **A. You mean for themselves?**
 18 Q. Yes.
 19 **A. No -- yeah, no, I don't believe**
 20 **that.**
 21 Q. Have you ever believed that
 22 notion?
 23 MR. CARTER: Objection to form.
 24 **A. I have not.**
 25 Q. Have you ever seen any credible

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1 P. RYAN - CONFIDENTIAL
 2 evidence for that notion?
 3 MR. CARTER: Objection to form.
 4 **A. I have not.**
 5 Q. You agree that's a pretty serious
 6 allegation to make, right?
 7 MR. CARTER: Object to the form.
 8 **A. It is.**
 9 Q. You would agree that you would
 10 want some evidence to make that allegation?
 11 MR. CARTER: Object to the form.
 12 **A. I do. But if I'm not mistaken,**
 13 **the President and his representatives made**
 14 **that allegation or something to that**
 15 **effect.**
 16 Q. Do you believe that Dominion's
 17 sole original purpose was to have
 18 fraudulent elections and to be used all
 19 over the world to defy the will of the
 20 people?
 21 MR. CARTER: Object to the form.
 22 **A. I do not believe that.**
 23 Q. Have you ever believed that
 24 Dominion's sole original purpose was to
 25 have fraudulent elections and to be used

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1 P. RYAN - CONFIDENTIAL
 2 all over the world to defy the will of the
 3 people?
 4 MR. CARTER: Object to the form.
 5 **A. Nope.**
 6 Q. Have you ever seen any credible
 7 evidence to support this ridiculous notion
 8 that Dominion's sole original purpose was
 9 to have fraudulent elections and be used
 10 all over the world to defy the will of the
 11 people?
 12 MR. CARTER: Object to the form.
 13 **A. I have not.**
 14 Q. Do you believe that the 2020
 15 presidential election was free and fair?
 16 **A. I do.**
 17 Q. Do you believe that Sidney Powell
 18 ever unearthed any credible evidence about
 19 her claims of election fraud?
 20 MR. CARTER: Objection to form.
 21 **A. I don't believe she did.**
 22 Q. Do you believe that Rudy Giuliani
 23 ever unearthed any credible evidence about
 24 his claims of election fraud?
 25 MR. CARTER: Object to the form.

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1 P. RYAN - CONFIDENTIAL
 2 **A. I don't believe so.**
 3 Q. Do you believe that Dominion was
 4 involved in a system-wide election fraud
 5 definitely impacting the swing states and
 6 likely going far beyond that?
 7 MR. CARTER: Object to the form.
 8 **A. I don't believe that.**
 9 Q. Have you ever believed that
 10 Dominion was involved in a system-wide
 11 election fraud definitely impacting the
 12 swing states and likely going far beyond
 13 that?
 14 MR. CARTER: Object to the form.
 15 **A. I have never believed that.**
 16 Q. Have you ever seen any credible
 17 evidence to support that ridiculous notion?
 18 MR. CARTER: Object to the form.
 19 **A. I have not.**
 20 Q. Do you believe that in the 2020
 21 presidential election there were the
 22 alteration and changes of millions of
 23 votes?
 24 MR. CARTER: Object to the form.
 25 **A. I do not believe that.**

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1 **P. RYAN - CONFIDENTIAL**
 2 Q. Have you ever believed that in
 3 the 2020 presidential election there were
 4 alteration and changes in millions of
 5 votes?
 6 MR. CARTER: Same objection.
 7 **A. I have never believed that.**
 8 Q. Have you ever seen any credible
 9 evidence to suggest that in the 2020
 10 presidential election there were the
 11 alteration and changes in millions of
 12 votes?
 13 MR. CARTER: Object to the form.
 14 **A. Nope.**
 15 Q. Do you believe that Dominion is
 16 part of one huge, huge criminal conspiracy?
 17 MR. CARTER: Object to the form.
 18 **A. Two huges?**
 19 Q. Two huges.
 20 **A. No.**
 21 Q. Have you ever believed that
 22 Dominion is part of one huge, huge criminal
 23 conspiracy?
 24 MR. CARTER: Object to the form.
 25 **A. No, I don't.**

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1 **P. RYAN - CONFIDENTIAL**
 2 Q. Have you ever seen any credible
 3 evidence to suggest this ridiculous notion
 4 that Dominion is part of one huge, huge
 5 criminal conspiracy?
 6 MR. CARTER: Object to the form.
 7 **A. I have not.**
 8 Q. Do you believe that Dominion has
 9 a tried and true method of fixing elections
 10 by calling a halt to the voting when a
 11 candidate is running too far behind?
 12 MR. CARTER: Object to the form.
 13 **A. I don't believe that.**
 14 Q. Have you ever believed that
 15 Dominion has a tried and true method of
 16 fixing elections by calling a halt to the
 17 voting when a candidate is running too far
 18 behind?
 19 MR. CARTER: Object to the form.
 20 **A. No, I have not.**
 21 Q. Have you ever seen any credible
 22 evidence to suggest this ridiculous notion?
 23 MR. CARTER: Object to the form.
 24 **A. I have not.**
 25 Q. Do you believe that Dominion

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1 P. RYAN - CONFIDENTIAL
 2 software lets someone know when you are
 3 behind and allowing them to call off the
 4 counting?
 5 MR. CARTER: Object to the form.
 6 **A. No.**
 7 Q. Have you ever believed that?
 8 MR. CARTER: Object to the form.
 9 **A. No, I've never believed that.**
 10 Q. Have you ever seen any credible
 11 evidence to suggest that ridiculous notion?
 12 MR. CARTER: Object to the form.
 13 **A. I have not.**
 14 Q. Do you believe that Dominion
 15 allows the votes to be mirrored and
 16 monitored allowing an intervening party a
 17 realtime understanding about how many votes
 18 will be needed to gain an electoral
 19 advantage?
 20 MR. CARTER: Objection to form.
 21 **A. No, I don't.**
 22 Q. Have you ever believed that
 23 Dominion allows the votes to be mirrored
 24 and monitored allowing an intervening party
 25 a realtime understanding of how many votes

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1 P. RYAN - CONFIDENTIAL
 2 will be needed to gain an electoral
 3 advantage?
 4 MR. CARTER: Object to the form.
 5 **A. No, I don't.**
 6 Q. Have you ever seen any credible
 7 evidence to suggest this ridiculous notion
 8 that Dominion allows the votes to be
 9 mirrored and monitored allowing an
 10 intervening party a realtime understanding
 11 of how many votes will be needed to gain an
 12 electoral advantage?
 13 MR. CARTER: Objection to form.
 14 **A. I have not.**
 15 Q. Do you believe that President
 16 Trump won by not just hundreds of thousands
 17 of votes, but by millions of votes that
 18 were shifted by Dominion's software that
 19 was expressly designed for that purpose?
 20 **A. No, I don't.**
 21 Q. Have you ever believed that
 22 President Trump won by not just hundreds of
 23 thousands of votes, but by millions of
 24 votes that were shifted by Dominion's
 25 software that was expressly designed for

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1 P. RYAN - CONFIDENTIAL
 2 that purpose?
 3 MR. CARTER: Objection to form.
 4 **A. No, I do not.**
 5 Q. Do you believe there was a
 6 massive election fraud?
 7 **A. No, I do not. I've made that**
 8 **clear.**
 9 Q. And you've never believed that
 10 there was a massive election fraud?
 11 **A. I've never believed that.**
 12 Q. You've never seen any credible
 13 evidence to suggest there was a massive
 14 election fraud?
 15 **A. That's correct.**
 16 Q. Do you believe that there were
 17 substantial sums of money being given to
 18 family members of state officials who
 19 bought Dominion?
 20 MR. CARTER: Objection. Form.
 21 **A. I don't believe that.**
 22 Q. Have you ever believed that?
 23 **A. I don't know anything about that.**
 24 Q. Have you ever believed that?
 25 **A. No.**

1 **P. RYAN - CONFIDENTIAL**
 2 MR. CARTER: Objection to form.
 3 **A. No.**
 4 Q. Ever seen any credible evidence
 5 to suggest that?
 6 MR. CARTER: Objection to form.
 7 **A. No.**
 8 Q. Do you believe that the machines
 9 had to stop and the counting had to stop in
 10 multiple places because President Trump's
 11 lead was so great at that point they had to
 12 stop the counting and come in and backfill
 13 the votes they needed to change the result?
 14 MR. CARTER: Objection to form.
 15 **A. That sounds like a similar**
 16 **question you asked a minute ago, but no, I**
 17 **don't believe that.**
 18 Q. Where you've never seen any
 19 credible evidence to suggest that, fair?
 20 MR. CARTER: Object to the form.
 21 **A. Correct.**
 22 Q. And you've never believed that,
 23 correct?
 24 MR. CARTER: Object to the form.
 25 **A. Just waiting for him to say his**

1 **P. RYAN - CONFIDENTIAL**
 2 **yeah, okay. What's the question?**
 3 Q. Do you believe --
 4 **A. Red wave and red mirage -- the**
 5 **red mirage, I think we call it -- that's a**
 6 **familiar name that happens in host of our**
 7 **elections.**
 8 Q. Right. And so you don't believe
 9 there was an overnight popping of the vote
 10 tabulation that cannot be explained, right?
 11 MR. CARTER: Objection. Form.
 12 **A. Correct.**
 13 Q. Because it's familiar to anyone
 14 who studies elections --
 15 **A. I've represented that area in**
 16 **Wisconsin for 20 years. I'm familiar with**
 17 **the dynamic. The Republican vote goes up**
 18 **and then the Democrat votes come in later.**
 19 **That's the way the nature of how voting**
 20 **works. So you have a run-up of**
 21 **Republicans, and then Democrat votes come**
 22 **and pull that lead down. And the question**
 23 **is whether you're up or down on the**
 24 **election. That's very, very typical --**
 25 **very familiar with how that works in**

1 **P. RYAN - CONFIDENTIAL**
 2 **thing. Correct.**
 3 Q. Do you believe Dominion software
 4 changed the election?
 5 MR. CARTER: Objection to form.
 6 **A. I do not.**
 7 Q. Have you ever believed that
 8 Dominion software changed the election?
 9 MR. CARTER: Same objection.
 10 **A. No, I've never believed that.**
 11 Q. Have you ever seen any credible
 12 evidence to suggest that Dominion software
 13 changed the election?
 14 MR. CARTER: Objection to form.
 15 **A. I have not.**
 16 Q. Do you believe that there was an
 17 overnight popping of the vote tabulation
 18 that cannot be explained?
 19 MR. CARTER: Objection to form.
 20 **A. What -- I don't -- overnight**
 21 **popping? What do you mean when you say**
 22 **that?**
 23 Q. Well, for example, you're aware
 24 in Wisconsin --
 25 **A. Oh, you mean the red wave --**

1 **P. RYAN - CONFIDENTIAL**
 2 [REDACTED]

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1 P. RYAN - CONFIDENTIAL
 2 you testified to this before, you were
 3 aware that these conspiracy theories began
 4 to be aired on Fox, correct?
 5 MR. CARTER: Objection to form.
 6 **A. I mean, I think Rudy Giuliani and**
 7 **Sidney Powell had a press conference**
 8 **throwing this stuff out there, I believe it**
 9 **was after that time. So yes, it would not**
 10 **surprise me that these things were aired on**
 11 **TV because they were being made by the**
 12 **President and his spokespeople.**
 13 Q. You were also aware, based upon
 14 articles that you would have read in
 15 numerous news sources, including the New
 16 York Times, including the Washington Post
 17 that these conspiracy theories were being
 18 aired on Fox News shows like Maria
 19 Bartiromo and Lou Dobbs, correct?
 20 MR. CARTER: Objection to form.
 21 **A. I didn't watch those shows.**
 22 **Frankly, I never watch those shows. But**
 23 **that wouldn't surprise me. I would assume**
 24 **they're being aired on CNN, MSNBC and every**
 25 **cable outlet that covers their press**

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1 **P. RYAN - CONFIDENTIAL**
 2 **conferences and the things they were saying**
 3 **about it.**
 4 Q. I'm sorry, I don't think you
 5 understood my question. Let me try this
 6 again. I'm not asking whether you watched
 7 them at the time.
 8 **A. Yeah, yeah.**
 9 Q. What I am asking about is whether
 10 you were aware, as other news outlets
 11 reported, that Fox was hosting Sidney
 12 Powell and Rudy Giuliani on its air.
 13 **A. Yes, I -- probably. Nothing**
 14 **specifically comes to my mind, but it would**
 15 **not surprise me if I did know that. I**
 16 **think I probably did.**
 17 Q. Okay. And, in fact, there was a
 18 board meeting of Fox Corporation in
 19 approximately mid-November of 2020 in Los
 20 Angeles.
 21 Do you recall that, sir?
 22 **A. Sounds about a time when we'd**
 23 **have a quarterly board meeting. That's**
 24 **about when we have that quarterly. We have**
 25 **quarterly meetings and that's around that**

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1 **P. RYAN - CONFIDENTIAL**
 2 **time when that meeting occurs in the**
 3 **quarter.**
 4 Q. Did you attend that board meeting
 5 in person?
 6 **A. I likely did, yes.**
 7 Q. Who else attended that board
 8 meeting?
 9 **A. You'd have to consult with the**
 10 **minutes and with Fox executives as to who**
 11 **all attended it. It was a couple of years**
 12 **ago. We've had a lot more meetings since.**
 13 Q. Based upon your recollection, as
 14 we sit here today, who do you recall having
 15 attended that meeting?
 16 **A. I just wouldn't know off the top**
 17 **of my head who did or did not attend it.**
 18 **We have four meetings a year. This was in**
 19 **2020. It's now 2023. I don't specifically**
 20 **recall who was at that meeting. But that's**
 21 **easy for you to find out.**
 22 MR. NELSON: Okay. Let's go to
 23 what we'll mark as Exhibit 7007.
 24 (Ryan Exhibit 7007, Fox Corp.,
 25 Board Offsite, Bates FoxCorp00074285,

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1 P. RYAN - CONFIDENTIAL
 2 remotely introduced and provided
 3 electronically to the reporter.)
 4 BY MR. NELSON:
 5 Q. And, sir, it's going to come at
 6 you just right now and it's FoxCorp 74295?
 7 **A. Got it. There, see, now you have**
 8 **an answer to your question.**
 9 Q. Sir, these were the people who
 10 attended the November 2020 board meeting in
 11 Los Angeles.
 12 **A. Okay.**
 13 Q. You tell me, sir.
 14 **A. Oh, yeah, it sounds about right.**
 15 **Like again, this is three years ago. So**
 16 **that looks about right. It would not**
 17 **surprise me that this was the list of the**
 18 **people who attended. Looks about right to**
 19 **me.**
 20 Q. Okay. You recall Ms. Suzanne
 21 Scott being there, she gave a presentation,
 22 right?
 23 **A. That's fairly typical. Division**
 24 **chiefs obviously -- fairly frequently**
 25 **present to the board.**

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1 **P. RYAN - CONFIDENTIAL**
 2 Q. Okay.
 3 **A. Yeah, this was -- I do -- this**
 4 **was at the Fox studios.**
 5 Q. Okay. And you recall Mr. Steven
 6 Tomsic attending?
 7 **A. He always attends board meetings.**
 8 **He's the CFO.**
 9 Q. You recall Mr. Viet Dinh
 10 attending?
 11 **A. He's the GC. He does always**
 12 **attend as well.**
 13 Q. Let's back up to Steve Tomsic.
 14 Do you discuss Fox Corporation business
 15 with Steve Tomsic?
 16 **A. Yes, he is the CFO.**
 17 Q. What do you talk about with
 18 respect to Mr. Tomsic?
 19 **A. Pretty much finance.**
 20 Q. Sorry?
 21 **A. Finance. He's the CFO, so**
 22 **financial issues.**
 23 Q. Do you discuss content or
 24 programs with Mr. Tomsic?
 25 **A. Not really. Not that I recall.**

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1 **P. RYAN - CONFIDENTIAL**
 2 Q. Okay. Do you discuss Fox
 3 Corporation business with Mr. Viet Dinh?
 4 **A. Yes. He's the general counsel.**
 5 Q. Outside of the quarterly board
 6 meetings, do you discuss Fox Corporation
 7 business with Mr. Viet Dinh?
 8 **A. Yes.**
 9 Q. What do you discuss?
 10 MR. CARTER: I suspect you're not
 11 asking him about any privileged legal
 12 conversations?
 13 BY MR. NELSON:
 14 Q. No, I don't want to get into the
 15 substance of any privileged legal
 16 conversations. To the extent that you talk
 17 about legal matters, I would like to know
 18 that at a high level, but also anything
 19 else that you discussed. But I do not want
 20 any specifics of any details of the legal
 21 conversations that you might have with him,
 22 sir.
 23 **A. Can you repeat the question**
 24 **again? I just want to make sure I got it**
 25 **right.**

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1 **P. RYAN - CONFIDENTIAL**
 2 Q. Outside -- well, outside of the
 3 quarterly board meetings, do you discuss
 4 Fox Corporation business with Mr. Dinh.
 5 You said yes.
 6 I asked you what do you discuss?
 7 **A. Anything involving the Fox**
 8 **Corporation, frankly, and sometimes a**
 9 **little football and family.**
 10 Q. Fair.
 11 Do you discuss Fox News in the
 12 broadest scope of the word with Mr. Viet
 13 Dinh?
 14 **A. Yes, among other things, yes.**
 15 Q. Do you discuss Fox News
 16 programming with Mr. Viet Dinh?
 17 **A. Not on a regular basis, but it**
 18 **wouldn't surprise me if I did at this time.**
 19 **This was -- remember, this was during the**
 20 **presidential elections. We all have**
 21 **opinions. So it wouldn't surprise me if I**
 22 **did so at this time.**
 23 Q. What would you discuss with him
 24 related to Fox News programming?
 25 **A. My opinions on things.**

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1 **P. RYAN - CONFIDENTIAL**
 2 Q. What would -- like what?
 3 **A. I don't even know if I actually**
 4 **had a conversation with him or not, but**
 5 **I've talked to Viet about anything**
 6 **involving Fox. I talk to him about NFL**
 7 **contracts, streaming, cord cutting, and I**
 8 **probably did express my opinions about**
 9 **Trump's conduct and all the rest. So it**
 10 **wouldn't surprise me if any of those**
 11 **matters were part of the conversation.**
 12 Q. Okay. I'm just marking up my
 13 name on the list, sir.
 14 Mr. John Nallen attended that
 15 board meeting, sir?
 16 **A. Yeah, he's the COO. He always**
 17 **attends board meetings.**
 18 Q. Do you discuss the content of Fox
 19 News with Mr. Nallen?
 20 **A. I probably have, but not as much.**
 21 **It's usually operational matters I**
 22 **discussed with him.**
 23 Q. Like what?
 24 **A. Macro business operations.**
 25 Q. Okay, but not specifics of Fox

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1 P. RYAN - CONFIDENTIAL
 2 News programming?
 3 **A. Not as much, no.**
 4 Q. Would you have had similar
 5 conversations with Mr. Nallen as you did
 6 with Mr. Dinh about programming choices on
 7 Fox --
 8 **A. I see their roles as different.**
 9 **Viet Dinh is somebody -- because I'm non**
 10 **gov, I probably spend more time with Viet**
 11 **Dinh than I do with John Nallen. Plus I've**
 12 **known Viet Dinh for many years.**
 13 Q. Mr. Lachlan Murdoch attended that
 14 November board meeting?
 15 **A. I believe so, yes.**
 16 Q. And we've already discussed your
 17 conversations with Mr. Lachlan Murdoch. So
 18 we won't rehash them here.
 19 Going to the board, did Mr. Chase
 20 Cary attend that board meeting?
 21 **A. I'm taking this as an accurate**
 22 **reflection. I don't recall any of these**
 23 **people not being there. So I believe -- it**
 24 **was an offsite to discuss lots of issues**
 25 **involving -- well, I don't know if I want**

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1 P. RYAN - CONFIDENTIAL
 2 to get into it -- involving just the
 3 macroeconomic business environment for
 4 cable and the rest. So I think everybody
 5 was there.
 6 Q. You recall Mr. Hernandez being
 7 there?
 8 **A. I believe so.**
 9 Q. You recall Ms. Dias being there?
 10 **A. I believe so.**
 11 Q. You recall Mr. Nasser being
 12 there?
 13 **A. Yes.**
 14 Q. You recall Mr. Rupert Murdoch
 15 being there?
 16 **A. I think so.**
 17 Q. And in those board meetings, sir,
 18 you said that you would discuss, I think
 19 you just termed it macroeconomic issues, is
 20 that right?
 21 **A. Yeah, because you have on the**
 22 **second page here, if you scroll down, some**
 23 **of the topics. And I know some of these**
 24 **are prospectives from Wall Street, media**
 25 **choices. That was an off-site where we**

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1 P. RYAN - CONFIDENTIAL
 2 were discussing just the future of cable
 3 and streaming. And that was -- it's a very
 4 important part of this business. So that
 5 was -- if memory serves, the basis, the
 6 main part of our conversation and we had
 7 some outside analyst give us their views on
 8 the future of cable and the future of our
 9 streaming.
 10 Q. And, sir, I believe actually if
 11 you go to page 5, there was a dinner at a
 12 sushi restaurant that first night, correct?
 13 **A. Hang on a second.**
 14 Q. Under detailed agenda, page 4,
 15 and then it goes to page 5.
 16 **A. Oh, yeah. Okay, thank you. I do**
 17 **remember a dinner. Okay, yeah. I forgot**
 18 **the name of the restaurant -- yeah.**
 19 Q. Sir, I guess either in the board
 20 meetings themselves or in conversations
 21 like at the dinner, did the topic of the
 22 election come up?
 23 **A. Probably did. This was**
 24 **November -- what date was this, November**
 25 **11th -- yeah, I can't imagine it wouldn't.**

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1 P. RYAN - CONFIDENTIAL
 2 Every American was talking about it at the
 3 time.
 4 Q. Yeah, this is the dinner would
 5 have been November 10th, and then going
 6 through the 11th and the 12th.
 7 Did the topic of Fox News
 8 covering the election come up?
 9 **A. Not that I specifically recall,**
 10 **but it wouldn't surprise me if it did.**
 11 Q. Did the topic, for example, of
 12 Fox News' call of Arizona come up?
 13 **A. Again, not that I specifically**
 14 **recall, but it wouldn't surprise me if it**
 15 **did.**
 16 Q. Did the topic of Donald Trump
 17 spreading baseless election conspiracy
 18 theories come up?
 19 MR. CARTER: Objection to form.
 20 **A. Again, I don't specifically**
 21 **recall the specific dinner conversation,**
 22 **but it wouldn't surprise me. This is**
 23 **November 11th, so it would surprise me if**
 24 **we were not talking about the news today.**
 25 Q. Did the topic of how Fox News was

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1 P. RYAN - CONFIDENTIAL
 2 covering the election in these conspiracies
 3 come up?
 4 MR. CARTER: Object to the form.
 5 **A. Not that I recall, but it's not**
 6 **implausible at all.**
 7 Q. Okay. And, sir, do you believe
 8 that one way that Fox and Fox News would
 9 grow was to super-serve and expand Fox's
 10 loyal audience?
 11 **A. I believe Fox grows if its**
 12 **ratings grow. So I think that's what**
 13 **you're saying.**
 14 Q. You're aware that, one way to
 15 grow Fox revenue and profit was to provide
 16 more content to its so-called super fans or
 17 loyal audience?
 18 MR. CARTER: Object to the form.
 19 **A. That's part of what Fox Nation is**
 20 **about. So serving Fox's customer base with**
 21 **content does help the business, I would say**
 22 **it that way.**
 23 Q. And you're also aware that if Fox
 24 News loses trust with its loyal audience
 25 that would adversely affect Fox, correct?

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1 P. RYAN - CONFIDENTIAL
 2 MR. CARTER: Object to the form.
 3 **A. If ratings go down, revenue goes**
 4 **down.**
 5 Q. And if Fox loses its core of its
 6 super fans, that would have an even more
 7 pronounced effect on Fox ratings and
 8 revenue, right?
 9 MR. CARTER: Object to form.
 10 **A. I don't see it as a zero sum**
 11 **game. They can always grow in other**
 12 **places.**
 13 Q. Fair enough.
 14 But certainly you would not want
 15 to lose the people who are most loyal to
 16 Fox, fair?
 17 **A. It's fair you don't want to lose**
 18 **viewership, but you can always have other**
 19 **strategies to gain viewership.**
 20 Q. One of the strategic objectives
 21 of Fox Corporation was to super-serve and
 22 expand Fox's loyal audience, correct?
 23 MR. CARTER: Objection to form.
 24 **A. I would refer you to management**
 25 **about the specifics of that, but generally**

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1 P. RYAN - CONFIDENTIAL
 2 **the premise of if your ratings go down, you**
 3 **lose revenue. If your ratings go up, you**
 4 **increase revenue.**
 5 Q. Well, I guess my question to you,
 6 sir, is the board also was aware that if
 7 for Fox News to grow, one way of doing that
 8 was to super-serve its loyal audience,
 9 fair?
 10 MR. TORCHINSKY: Object to the
 11 form.
 12 **A. I think of it a bit differently.**
 13 **One of the reasons we -- Fox has created**
 14 **Fox Nation is to try and deal with the**
 15 **challenge of cord cutting. You know what I**
 16 **mean when I say cord cutting?**
 17 Q. I do. What do you mean by cord
 18 cutting?
 19 **A. People suspending their cable**
 20 **subscription or their satellite TV**
 21 **subscriptions. So that's a challenge in**
 22 **cable, it's a challenge in television. And**
 23 **the question is where does a viewer go when**
 24 **they cut the cord, do they go to a certain**
 25 **type of streaming service.**

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1 P. RYAN - CONFIDENTIAL
 2 **That is a very important factor**
 3 **or challenge in the evolution of this**
 4 **industry and that's something that Fox**
 5 **attempts to try and navigate to improve its**
 6 **business -- improve upon its business**
 7 **model.**
 8 **So, to me it's more of a question**
 9 **of macroeconomic factors in this industry**
 10 **and it's one of the reasons Fox Nation was**
 11 **created, was to try and provide a platform**
 12 **that can give a person a LAN who doesn't**
 13 **have cable.**
 14 Q. One of the strategic objectives
 15 that the board heard about with respect to
 16 Fox News' digital strategy was, in fact, to
 17 super-serve and expand Fox's loyal
 18 audience, correct?
 19 MR. CARTER: Objection to form.
 20 **A. The point of Fox Nation is to**
 21 **have loyal Fox viewers have a digital**
 22 **platform to go to to view content.**
 23 Q. And if there were not loyal Fox
 24 viewers, they would not go to Fox Nation,
 25 fair?

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1 P. RYAN - CONFIDENTIAL
 2 MR. CARTER: Object to the form.
 3 **A. Yeah, Fox Nation is a place where**
 4 **people can go to get more content.**
 5 Q. And if people are dissatisfied
 6 with Fox generally, they're not going to
 7 pay additional money to go to Fox Nation,
 8 correct?
 9 **A. Probably a fair assessment.**
 10 MR. NELSON: Okay. Let's mark as
 11 Exhibit 7008, F N 193551592, sir.
 12 (Ryan Exhibit 7008, Fox News
 13 Media, Digital Expansion, November 11,
 14 2020, Bates FNN019_03551592, remotely
 15 introduced and provided electronically
 16 to the reporter.)
 17 **A. Let me know when you're sending**
 18 **it.**
 19 Q. It's coming to you right now.
 20 And, sir, if you go -- this is
 21 the presentation to the board on November
 22 11th, 2020, correct?
 23 **A. This looks familiar. If it was**
 24 **that -- is that where the date is? Let me**
 25 **look at the date -- yes, that's what it**

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1 P. RYAN - CONFIDENTIAL
 2 **looks like to me.**
 3 Q. And, sir, Fox Nation and Fox News
 4 Media, the vision was to expand Fox's
 5 footprint to get ahead of this cord
 6 cutting, correct?
 7 **A. Yes, among other things, yes.**
 8 Q. And to plan for the future,
 9 correct?
 10 **A. To add another offering, yes.**
 11 **Yes, it's a future move, sure.**
 12 Q. Right. So as to not be IBM in a
 13 Microsoft world, fair?
 14 **A. That's a fair analogy.**
 15 Q. Okay. And, sir, if you go then,
 16 in fact, to I guess the third page of the
 17 document, it talks about the growth of Fox
 18 News Media over the years, correct?
 19 **A. You mean page number 4?**
 20 Q. Page number -- it's really I
 21 guess page number 4, I guess, of the
 22 document.
 23 **A. Yeah.**
 24 Q. Linear and digital.
 25 **A. Uh-huh.**

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1 P. RYAN - CONFIDENTIAL
 2 Q. And it talks about the different
 3 launches and Fox Nation was envisioned as
 4 the next step in the evolution, correct?
 5 **A. Uh-huh.**
 6 Q. Sorry, that's a yes?
 7 **A. Sorry, yes, I apologize.**
 8 Q. Sometimes "uh-huhs" don't show up
 9 on the transcript.
 10 **A. Yes, we're moving to a digital**
 11 **world and so the business is evolving with**
 12 **digital offerings in this digital world**
 13 **that society is moving to.**
 14 Q. And under "Strategic Objectives,"
 15 do you see that on the next page, page 5?
 16 **A. Yes, that's basically what I just**
 17 **said.**
 18 Q. Right. And then the third bullet
 19 point says what?
 20 **A. The third, "Super-Serve & Expand**
 21 **Our Loyal Audience."**
 22 Q. And what's the sub bullet say
 23 under that?
 24 **A. "Keep audience within the Fox**
 25 **News ecosystem, invest in new platforms and**

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1 P. RYAN - CONFIDENTIAL
 2 **new content genres to deliver what our**
 3 **audience wants and to drive growth."**
 4 Q. Right. And that's consistent
 5 with what your recollection of the
 6 presentation that occurred on November 11,
 7 2020 to the board?
 8 **A. It is.**
 9 Q. Okay. And at that board meeting
 10 and the dinner the night before, you know,
 11 offhand conversations, you were, in fact,
 12 discussing the political events of the day
 13 with the people there, including
 14 Ms. Suzanne Scott, correct?
 15 MR. CARTER: Objection to form.
 16 **A. I mean, not that I specifically**
 17 **recall, but I would be shocked if I didn't.**
 18 **It was November 11th, after the**
 19 **presidential election. So it's totally --**
 20 **it's absolutely plausible that we did. I**
 21 **don't have a specific recollection of what**
 22 **exactly we talked about. This is three**
 23 **years ago. A lot of things have happened**
 24 **in between then and now.**
 25 Q. And you were aware, sir, that

1 P. RYAN - CONFIDENTIAL
2 after the November 2020 presidential
3 election, there was going to be two senate
4 runoffs in Georgia in early January 2021
5 that would determine control of the Senate,
6 Republican control if they won at least one
7 of those seats, and Democratic control if
8 they won both of those seats, correct?
9 **A. I remember very well.**
10 Q. And you believed that Republicans
11 desperately needed and wanted Trump's
12 enthusiasm in Georgia, correct?
13 MR. CARTER: Objection to form.
14 **A. Are you asking what I believed at**
15 **the time?**
16 Q. Yes, sir.
17 **A. Yeah, I believed we needed to win**
18 **one of those two seats to have the**
19 **majority, and that voter turnout was pretty**
20 **important. So yeah, that makes sense.**
21 **Anybody who knows anything about politics**
22 **would believe that.**
23 Q. And President Trump's enthusiasm
24 was important to that, correct?
25 MR. CARTER: Objection to form.

1 [REDACTED]

1 [REDACTED]

1 [REDACTED]

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1 [REDACTED]

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1 P. RYAN - CONFIDENTIAL
 2 reporter.)
 3 **A. 220?**
 4 Q. Yes, sir. And again, this is
 5 from your e-mail and you might need to blow
 6 it up.
 7 **A. I see it. Yep, I see it.**
 8 Q. Sorry, sir?
 9 **A. It's an e-mail from Anne Dias to**
 10 **me?**
 11 Q. Yes, sir. Who is Anne Dias?
 12 **A. She is a board member of Fox.**
 13 Q. And you communicate with her
 14 about Fox Business, fair?
 15 **A. Well, she's a friend of mine. We**
 16 **were friends before we were board members.**
 17 **So we're also personal friends. She's been**
 18 **a friend of mine for many years.**
 19 Q. And you talk to her even outside
 20 the context of Fox, about Fox?
 21 **A. Well, about lots of things.**
 22 **We're friends.**
 23 Q. Fair enough.
 24 **A. We speak personally and she's a**
 25 **fellow board member of Fox as well.**

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1 **P. RYAN - CONFIDENTIAL**
 2 **opinions about anything politically related**
 3 **or Fox related, given the fact that I'm a**
 4 **board member of Fox. So it's entirely**
 5 **plausible that people are offering me their**
 6 **opinions on these things.**
 7 **You have to understand it's a few**
 8 **years ago and I get a lot of text messages**
 9 **and e-mails. So I can't speak with**
 10 **specificity, but it wouldn't surprise me.**
 11 Q. Okay, that's fair.
 12 Let's go to the next document and
 13 I have a warning for you, sir, that this
 14 document, as produced, is even smaller type
 15 than normal and will test all of our eyes.
 16 This is -- again, as produced to
 17 us, this is 7009 and this is PDR 220. And
 18 we might have to blow it up because --
 19 **A. Tell me when you're sending it.**
 20 Q. -- because it's difficult to
 21 read. And I will tell you it's coming at
 22 you right now, sir.
 23 (Ryan Exhibit 7009, E-mail, Bates
 24 PDR_00000220, remotely introduced and
 25 provided electronically to the

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1 **P. RYAN - CONFIDENTIAL**
 2 Q. Okay. And the Axios story that
 3 this is referencing, again, it's hard to
 4 see in practice, but you can see the bottom
 5 of the page -- do you see it says: Scoop
 6 Trump eyes digital empire to wreck Fox?
 7 It's the bottom of the first
 8 page.
 9 Do you see that, sir?
 10 **A. Yes, I see that.**
 11 Q. And that's the Axios story as
 12 reported by the reporter there, correct?
 13 **A. Yeah, I see that.**
 14 Q. And then --
 15 **A. I don't see a link to it, but I**
 16 **see it.**
 17 Q. Yeah, and then if you turn the
 18 page, it's some link to the story?
 19 **A. Okay, that's that picture --**
 20 **yeah, yeah, I see that.**
 21 Q. And from a strategic perspective,
 22 sir, did you believe that it was important
 23 to lock up Fox talent so that they did not
 24 go to another competitive network?
 25 MR. CARTER: Objection to form.

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1 P. RYAN - CONFIDENTIAL
 2 **A. I remember this issue and it was,**
 3 **you know, from reading all of these things,**
 4 **and I do remember the idea of Trump trying**
 5 **to build his own, I guess, rival network,**
 6 **but then pretty quickly concluded it wasn't**
 7 **viable. Just the cost that it involved to**
 8 **do such a thing, I don't think he'd ever be**
 9 **able to do.**
 10 Q. No, I understand, and we will get
 11 to that, I promise. My question, sir, was
 12 a separate one.
 13 **A. I can't speak to things like**
 14 **that, I can't. I do remember him at the**
 15 **time, either there was speculation about**
 16 **him, or I forgot if he said it or not. I**
 17 **do remember the notion of him trying to**
 18 **create his own TV network and that being a**
 19 **potential competitive challenge. I do**
 20 **remember that.**
 21 Q. And in the e-mail that Ms. Dias
 22 writes to you, she says it was great to see
 23 you. Presumably that was a reference to
 24 the board meeting that had just concluded
 25 that day or the day before, correct?

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1 P. RYAN - CONFIDENTIAL
 2 **A. Yeah, it sounds like it. What's**
 3 **the date of e-mail?**
 4 Q. November 12th.
 5 **A. Yeah, it sounds right, yeah.**
 6 Q. And it says: Forwarding the
 7 Axios story in case you haven't seen. And
 8 then it says: It's exactly as you
 9 described it.
 10 Do you see that, sir?
 11 **A. Uh-huh. That's a yes.**
 12 **I see it -- I'm sorry, yeah,**
 13 **yeah, I do see it.**
 14 Q. And that does refresh your
 15 recollection, does it not, that you did
 16 discuss President Trump and the future of
 17 Fox during those board meeting days,
 18 correct?
 19 **A. I don't remember if we discussed**
 20 **that specifically, but it is definitely a**
 21 **topic du jour. I haven't read this -- I**
 22 **mean, maybe I read this article then, I**
 23 **don't know what this articles says, but**
 24 **it's totally plausible that Anne and I were**
 25 **discussing Trump trying to build his own TV**

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1 **P. RYAN - CONFIDENTIAL**
 2 **network.**
 3 Q. And it was something, as is
 4 described here, that you would have
 5 mentioned not just to Anne, but more
 6 generally in the board meeting?
 7 MR. CARTER: Objection to form.
 8 **A. Not that I recall.**
 9 Q. "Trump needs a scapegoat and it's
 10 now Fox."
 11 Do you see that's her description
 12 of what you said in those two days?
 13 MR. CARTER: Object to the form.
 14 **A. That's kind of what it looks**
 15 **like. But I've just known Trump for a long**
 16 **time -- I can't even say -- I know him**
 17 **well, I served with him for two years, so**
 18 **it's fairly typical for him to act like**
 19 **that.**
 20 Q. What do you mean "it's fairly
 21 typical of him to act like that"?
 22 **A. His pattern of behavior has**
 23 **become somewhat predictable. Therefore, I**
 24 **think that's probably what she was**
 25 **describing, a conversation where I**

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1 **P. RYAN - CONFIDENTIAL**
 2 **described Donald Trump and how he is.**
 3 Q. My question to you, sir, is can
 4 you say whether that was under oath a
 5 conversation that occurred just to Ms. Dias
 6 during those two days or was it to other
 7 people as well?
 8 **A. I don't recall. I just don't.**
 9 Q. Again, you say his pattern of
 10 behavior had become what predictable. What
 11 do you mean by that?
 12 **A. Well, I think everybody in**
 13 **America knows what his pattern of behavior**
 14 **is like. Just the way he acts. He acts in**
 15 **a fairly predictable way.**
 16 Q. What is that, sir?
 17 **A. He's a self-promoter, just the**
 18 **way his sort of narcissism works, just making**
 19 **things about Trump.**
 20 Q. Mr. Rupert Murdoch called him a
 21 mad egomaniac. Would you agree with that
 22 assessment?
 23 MR. CARTER: Objection to form.
 24 **A. I don't know if I'd use those**
 25 **words, but an egomaniac sounds about right,**

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1 **P. RYAN - CONFIDENTIAL**
 2 **but a lot of people -- a lot of people --**
 3 **my own friends and constituents in**
 4 **Wisconsin sincerely believed that something**
 5 **bad happened.**
 6 **So I can't speak -- that's why I**
 7 **try to put this in context for you.**
 8 Q. And I understand that, sir, but I
 9 guess my question is, doesn't Fox News have
 10 an obligation to tell the truth that, in
 11 fact, there was not massive fraud in the
 12 election and to make sure that the people
 13 actually know the truth as opposed to Fox
 14 hosts endorsing the opposite?
 15 MR. CARTER: Objection to form.
 16 **A. I would agree with that**
 17 **statement. It just sometimes takes time to**
 18 **figure out what is right and what is wrong,**
 19 **what is true and what is false. It's**
 20 **easier to make an allegation than it is to**
 21 **disprove an allegation unfortunately in**
 22 **society today.**
 23 Q. So once that is determined what
 24 is right and what is wrong, at that point
 25 it should not go on the air anymore.

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1 **P. RYAN - CONFIDENTIAL**
 2 **A. Well, I think you have to also**
 3 **consider the source. And if it's the**
 4 **President of the United States and his**
 5 **surrogates, that in and of itself is**
 6 **newsworthy.**
 7 Q. Are you aware, sir, that in
 8 Mr. Rupert Murdoch's deposition he said
 9 that in hindsight Fox could have been more
 10 strong in denouncing these false claims of
 11 election fraud?
 12 MR. CARTER: Objection to form.
 13 **A. I haven't seen it, but that**
 14 **wouldn't surprise me that he would say**
 15 **that.**
 16 Q. You agree with that, don't you,
 17 that Fox could have been more --
 18 **A. I didn't believe any of this**
 19 **stuff to begin with, so...**
 20 **But again, he was the President,**
 21 **so that is newsworthy. But yes, I didn't**
 22 **believe this stuff to begin with. You know**
 23 **my point.**
 24 Q. Don't you believe that there is a
 25 way to cover these allegations that are

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1 **P. RYAN - CONFIDENTIAL**
 2 **admittedly newsworthy and still call them**
 3 **false?**
 4 MR. CARTER: Objection to form.
 5 **A. I do.**
 6 MR. NELSON: Let's go to Exhibit
 7 7018, which is PDR 65 and, sir, it's
 8 coming at you right now and this is
 9 the text exchange between yourself and
 10 Michael Steel.
 11 (Ryan Exhibit 7018, Text
 12 exchange, Bates PDR_00000065, remotely
 13 introduced and provided electronically
 14 to the reporter.)
 15 **A. PDR -- number again?**
 16 Q. 65, sir.
 17 Sir, what position did Michael
 18 Steel have?
 19 **A. Hang on. Let me refresh it**
 20 **again. It didn't come through. There it**
 21 **is. What was his position?**
 22 Q. Yes, sir.
 23 **A. He had a press position with me**
 24 **for a number of years. He was my spokesman**
 25 **when I ran for vice president. I think**

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1 **P. RYAN - CONFIDENTIAL**
 2 **that's it. I don't think he came to -- he**
 3 **was my spokesman when I was vice president**
 4 **and we had been friends for a number of**
 5 **years.**
 6 Q. Do you trust Michael Steel?
 7 **A. Yeah, I think he's a trustworthy**
 8 **person.**
 9 Q. Do you think he would work for a
 10 company that was involved in massive
 11 election fraud?
 12 **A. I don't think he would.**
 13 Q. This is the exchange between you
 14 and him that is in response to your Bank of
 15 America speech where you call this baseless
 16 election conspiracies.
 17 **A. Got it.**
 18 Q. And you sort of give a fist pump,
 19 it looks like, at the top of the second
 20 page after he sends you that link for your
 21 statement. Then he tells you Dominion
 22 Voting Systems is a new client. If you
 23 ever need info related to baseless attacks
 24 on them specifically -- and then what do
 25 you say back?

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1 [REDACTED]

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1 [REDACTED]

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1 [REDACTED]

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1 P. RYAN - CONFIDENTIAL

2 BY MR. NELSON:

3 Q. This is an e-mail exchange

4 between yourself and Ms. Anne Dias again.

5 She's forwarding to you a Bloomberg

6 article, which is talking about Fox's

7 positioning with respect to Newsmax and

8 OAN?

9 Do you recall this exchange, sir?

10 **A. Let me read it first.**

11 **I don't recall it, but it**

12 **looks -- yeah, it certainly looks familiar**

13 **now.**

14 Q. And in that first paragraph of

15 the underlying Bloomberg article, it says:

16 In the weeks since he lost his re-election

17 bid, Trump has stepped up broadsides

18 against his one-time channel of choice

19 goading followers to switch from Fox to the

20 more MAGA-friendly alcoves of Newsmax TV

21 and One America News Network. Both have

22 been more willing to hawk the President's

23 spurious claims of voter fraud, which at

24 Fox are relegated to its nighttime opinion

25 shows and even then are beginning to fade.

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1 P. RYAN - CONFIDENTIAL
 2 Do you see that, sir?
 3 **A. Yes.**
 4 Q. And that's consistent with your
 5 prior testimony, correct?
 6 **A. What is exactly -- what is**
 7 **consistent?**
 8 Q. That you were aware that the
 9 nighttime opinion shows were hawking these
 10 spurious claims of election fraud?
 11 MR. CARTER: Objection to form.
 12 **A. I don't know if I would say**
 13 **hawking, but what they were saying is --**
 14 **yes, that is consistent.**
 15 Q. Yes. And you respond to the
 16 article and say it confirms your strong
 17 view that Fox upped our journalistic
 18 integrity, let Trump cleave off the fringe
 19 and capture the center-right section of
 20 America, which is clearly the largest
 21 demographic for an ideological standpoint.
 22 Do you see that, sir?
 23 **A. Yes.**
 24 Q. And you thought it was in Fox
 25 News' interest to separate out these fringe

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1 P. RYAN - CONFIDENTIAL
 2 claims of voter fraud, correct?
 3 MR. CARTER: Object to the form.
 4 **A. Yeah, that's my fiduciary duty.**
 5 Q. And you were having a
 6 conversation with your fellow board member,
 7 Ms. Dias, about that?
 8 **A. Yes. It could have been as a**
 9 **friend, as a board member, probably both,**
 10 **and that does reflect my view.**
 11 Q. And you did have a conversation
 12 with Mr. Lachlan and Rupert Murdoch about
 13 that as well?
 14 **A. I certainly could have. I**
 15 **probably did. But like I said, this was a**
 16 **very busy time three years ago. It's**
 17 **likely that I did. Because this is clearly**
 18 **what I was thinking at the time.**
 19 Q. In fact, it would have been your
 20 fiduciary duty to express your concern
 21 about this to Fox Corporation management,
 22 correct?
 23 **A. If Trump was going to form his**
 24 **own rival network, I think this would be**
 25 **the better place to position ourselves.**

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1 **P. RYAN - CONFIDENTIAL**
 2 Q. Yeah. And it confirms your view
 3 that, as you say, Fox should up its
 4 journalistic integrity, right?
 5 **A. Yeah, I've always believed that.**
 6 **I think you should always strive to the**
 7 **level of ethics and integrity. And as you**
 8 **know, I thought these conspiracy theories**
 9 **were baseless.**
 10 Q. And what you're saying here is
 11 that Fox needed to up its game on its
 12 journalistic integrity, right?
 13 MR. CARTER: Objection to form.
 14 **A. It looks like what I was saying.**
 15 Q. Because prior to then and as the
 16 article states, some shows on Fox were
 17 spreading these spurious claims of election
 18 fraud, right?
 19 MR. CARTER: Object to the form.
 20 **A. Yeah, they may have believed**
 21 **them, but I certainly didn't believe them.**
 22 Q. And so you're saying that Fox
 23 needs to position itself away from these
 24 false claims, right?
 25 MR. CARTER: Object to the form.

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1 P. RYAN - CONFIDENTIAL
 2 **A. I wouldn't say it exactly like**
 3 **that, but I think we were better off**
 4 **appealing to a larger group of people in**
 5 **the country than narrow and that we should**
 6 **labor to dispel conspiracy theories if and**
 7 **when they pop up. The fog of war and all**
 8 **of these things happening, it's a little**
 9 **difficult to be able to run them down and**
 10 **validate or invalidate them.**
 11 Q. And that's why you were saying
 12 that Fox's positioning needs to be away
 13 from these false claims and up its
 14 journalistic integrity?
 15 MR. CARTER: Objection to form.
 16 **A. I wouldn't use your words, but I**
 17 **would say that if Trump was going to form**
 18 **his own network, this would be a better**
 19 **place to be, and that was important for us**
 20 **to try and dispel these claims.**
 21 Q. I'm sorry, I'm not using my
 22 words, I'm using your words. You're saying
 23 your strong view is to up your journalistic
 24 integrity?
 25 **A. Yes, I think you said something**

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1 **P. RYAN - CONFIDENTIAL**
 2 **different than that. I think you did.**
 3 Q. Okay. Sir, in fact, you did have
 4 a conversation with Mr. Rupert and Lachlan
 5 Murdoch about this, did you not?
 6 **A. Probably.**
 7 Q. Why did you think it was
 8 important to have a conversation with
 9 Mr. Rupert and Lachlan Murdoch about this?
 10 MR. CARTER: Objection to form.
 11 **A. I've long felt that in moments of**
 12 **heightened political tension that one of**
 13 **those services I could offer as a board**
 14 **member given my background is my political**
 15 **perspective. So I think it's important to**
 16 **offer my perspective, particularly in areas**
 17 **where I have some background and experience**
 18 **with as a board member.**
 19 **And so I, on occasion, do that**
 20 **and I'm near certain I did that during this**
 21 **time because it was a pretty incredible --**
 22 **a very political time in our country and I**
 23 **have a political background. So I think**
 24 **that offering my perspective is valuable to**
 25 **the board at the time.**

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1 **P. RYAN - CONFIDENTIAL**
 2 Q. And, in fact, you saw this moment
 3 in December, early December of 2020 as a
 4 key inflection point for Fox, right?
 5 **A. Well, I also saw it as a key**
 6 **inflection point for the conservative**
 7 **movements and for the Republican Party.**
 8 **And Fox is I would argue a part of the**
 9 **conservative movement because its viewers**
 10 **largely come from the center-right part of**
 11 **American political thought.**
 12 Q. You thought this was an example,
 13 namely, Trump's continuing to delegitimize
 14 the election, was a really important
 15 inflection point for Fox to do the right
 16 thing and it's where the right thing and
 17 the smart business thing to do line up
 18 nicely, correct?
 19 **A. That sounds like a quote of mine.**
 20 **Is it?**
 21 Q. We'll get to it. I'm just
 22 wondering --
 23 **A. That sounds like a quote of mine.**
 24 **That sounds like something I would say.**
 25 Q. Because you did believe that

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1 P. RYAN - CONFIDENTIAL
 2 pushing back on Fox against these false
 3 election fraud claims was both the right
 4 thing to do and the smart business thing to
 5 do, correct?
 6 MR. CARTER: Objection to form.
 7 **A. I sometimes don't separate in my**
 8 **mind, you know, what I think is good for**
 9 **the conservative movement generally. And**
 10 **generally, I very much believe then, as I**
 11 **do now, to move beyond Trump and his**
 12 **version of populism. And so I thought that**
 13 **was a pretty important inflection point,**
 14 **not just for the company Fox, but for the**
 15 **country and for the conservative movement**
 16 **itself.**
 17 Q. So it was the right thing to do
 18 morally to denounce these false election
 19 fraud claims and the right thing to do for
 20 Fox to denounce --
 21 MR. CARTER: Objection to form.
 22 **A. My own view as the person, but**
 23 **also my own view as a fiduciary speaks to**
 24 **both of those points.**
 25 Q. And you thought that a solid

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1 P. RYAN - CONFIDENTIAL
 2 pushback, including editorial of these
 3 baseless calls to overturn the electors, et
 4 cetera, would undoubtedly accrue pushback
 5 and potentially a momentary ratings dip,
 6 but would redound to Fox's benefit in the
 7 long-term, correct?
 8 **A. I don't know if I said editorial.**
 9 **I thought that there should be some**
 10 **documentary or something like that. I**
 11 **thought that there ought to be -- I don't**
 12 **know if show is the right word -- I thought**
 13 **there ought to be a listing of all the**
 14 **allegations and then all the evidence or**
 15 **the validation or invalidation of those**
 16 **allegations just for the viewers' sake.**
 17 **You have to remember, real fog of**
 18 **war, lots of allegations in lots of**
 19 **different states, not just Dominion but**
 20 **many things. In Wisconsin, you know, they**
 21 **had their own allegations. In**
 22 **Pennsylvania, they had their own**
 23 **allegations. In Michigan, they had their**
 24 **own thing -- having nothing to do with**
 25 **Dominion. And I thought it would be**

1 **P. RYAN - CONFIDENTIAL**
2 **valuable for not an opinion person but a**
3 **journalist, to just do a special, like a**
4 **Fox Nation streaming special to tease it**
5 **all out.**

6 Q. We'll get to that. And, in fact,
7 you did make that suggestion to senior Fox
8 management, did you not?

9 **A. Yes.**

10 Q. Who did you make that suggestion
11 to?

12 **A. That's what I'm trying to**
13 **remember. I don't exactly recall.**
14 **Probably Lachlan, I think. I don't recall**
15 **exactly.**

16 Q. And, sir, you told Mr. Lachlan
17 and Rupert Murdoch let Trump cleave off the
18 fringe for his DTC, direct-to-consumer
19 venture, and we can keep the largest pool
20 of people, the center and the center-right,
21 correct?

22 **A. That sounds like something I**
23 **would say.**

24 Q. Okay. Well, let's look at this.
25 This is Exhibit 7020. It's FoxCorp 56669.

1 **P. RYAN - CONFIDENTIAL**
2 (Ryan Exhibit 7020, 12/6/20 text,
3 Bates FoxCorp00056669, remotely
4 introduced and provided electronically
5 to the reporter.)

6 **A. FoxCorp, you said?**

7 Q. Yes, sir.

8 **A. Have you sent it?**

9 Q. It should be there.

10 **A. They're all over the place with**
11 **this thing.**

12 Q. They're usually by that first
13 prefix FNN --

14 **A. Yeah, I'm missing it. They're**
15 **jumping all over. I got it.**

16 Q. So it's one text to you and
17 Mr. Lachlan and Rupert Murdoch, correct?

18 **A. Yes.**

19 Q. And can you please read that text
20 aloud?

21 **A. Good morning, guys. Happy to**
22 **chat Trump if you want. I think we are**
23 **entering a truly bizarre phase of this**
24 **where he has actually convinced himself of**
25 **this farce and will do more bizarre things**

1 [REDACTED]

1 **P. RYAN - CONFIDENTIAL**

2 Q. What do you mean by that?

3 **A. They are the chair of Fox**
4 **Corporation. I don't know -- I don't know**
5 **how -- you have to ask them how what -- how**
6 **their chain of demand occurs at Fox News, a**
7 **subsidiary, and who makes what decision on**
8 **content and editorial. I don't know how**
9 **that works.**

10 Q. You didn't expect -- you didn't
11 expect your text to fall on deaf ears?

12 **A. No, that's right. But I don't**
13 **know how the chain of command works between**
14 **the corporation and the news and in**
15 **between. You'd have to ask those guys**
16 **that. But I brought this to them.**

17 Q. And you went to them because this
18 is an issue about positioning and the
19 spread of these false election claims that
20 very much went to the heart of Fox's
21 business and positioning, correct?

22 **A. I think my text speaks for**
23 **itself.**

24 Q. Sir, did you have a follow-up
25 conversation with either Mr. Rupert or

1 P. RYAN - CONFIDENTIAL
 2 Lachlan Murdoch?
 3 **A. Again, very possible. It's three**
 4 **years ago. I just don't know.**
 5 Q. In fact, you sent that text at
 6 the urging of AEI President Robert Doar,
 7 did you not?
 8 **A. No, I don't think that's true. I**
 9 **would have just done this on my own.**
 10 I mean, like -- I talk to a lot
 11 of people in those days. I get hundreds of
 12 texts and e-mails. I think I would have
 13 done this on my own. I don't think I got
 14 this -- I'm sure I got feedback from
 15 people. I'm a political figure with lots
 16 of friends in politics. But I don't think
 17 I got this from any one person in
 18 particular.
 19 Q. And when you said a solid
 20 pushback including editorial, that was a
 21 reference to the opinion hosts, correct?
 22 **A. Yeah, that's right, but my**
 23 **recollection is I thought a fact-based news**
 24 **show would be a good thing to do.**
 25 Q. Right, but you were saying the

1 [REDACTED]

1 P. RYAN - CONFIDENTIAL
 2 pushback should also --
 3 **A. Yeah, yeah, I see that now. I**
 4 **don't remember that, but I see that now.**
 5 MR. NELSON: Okay. Let's mark as
 6 Exhibit 7021, it's PDR 73.
 7 (Ryan Exhibit 7021, Text message,
 8 Bates PDR_00000073, remotely
 9 introduced and provided electronically
 10 to the reporter.)
 11 BY MR. NELSON:
 12 Q. You're going to have to bear with
 13 me for another second as we're moving
 14 around here going through the documents.
 15 Bear with me. I apologize.
 16 It's coming at you right now.
 17 This is Exhibit 7021, PDR 73 and it should
 18 be in your folder.
 19 **A. PDF 73?**
 20 Q. Yes, sir.
 21 And this is a text to Mr. Robert
 22 Doar of AEI to yourself, correct?
 23 **A. Yes. He's a friend of mine,**
 24 **Robert Doar. He's the head of AEI.**
 25 Q. Right. He sends you an article.

1 P. RYAN - CONFIDENTIAL
 2 **A. The whole country was talking**
 3 **about this at the time. It wasn't just,**
 4 **you know, one guy in a think-tank, so...**
 5 Q. And it wouldn't surprise you that
 6 Mr. Rupert and Lachlan Murdoch actually
 7 spoke about this, would it?
 8 **A. Not in the least.**
 9 Q. You would hope that they would
 10 speak about this, right?
 11 **A. Correct.**
 12 MR. NELSON: Okay. Let's mark as
 13 Exhibit 7022, FoxCorp 57409.
 14 (Ryan Exhibit 7022, 12/7/20
 15 e-mail, Bates FoxCorp00057409,
 16 remotely introduced and provided
 17 electronically to the reporter.)
 18 BY MR. NELSON:
 19 Q. And, sir, it's coming at you
 20 right now.
 21 **A. Rupert to Lachlan?**
 22 Q. Yes, sir. And you can see the
 23 below e-mail is your text pasted in the
 24 e-mail form, right?
 25 **A. Yeah.**

1 **P. RYAN - CONFIDENTIAL**
2 Q. And what does Rupert say?
3 **A. Call me later regarding Trump,**
4 **Paul. Trump on Saturday sounded really**
5 **crazy, 100-minute speech. I'll try to get**
6 **comment out of Connelly before we talk.**
7 Q. And all of --
8 **A. It was Lachlan sending it to**
9 **Rupert, it looks like, copying Paul Ryan's**
10 **text.**
11 Q. Yeah, so Lachlan is sending it to
12 his dad, copying your text?
13 **A. Yeah.**
14 Q. And Mr. Rupert Murdoch responds
15 saying what you just said, correct?
16 **A. Uh-huh.**
17 Q. And this was, indeed, a key
18 inflection point as you were talking about
19 during this November/December timeframe,
20 correct?
21 MR. CARTER: Object to the form.
22 **A. Yeah, I mean, December 7th, yeah,**
23 **it sounds like it to me, yeah. The whole**
24 **time -- I wouldn't say it was one day, but**
25 **it was the whole time the inflection point.**

1 **P. RYAN - CONFIDENTIAL**
2 Q. And, sir, during this timeframe
3 as well, you were also talking to hosts
4 within Fox News as well about making sure
5 that they were not spreading these false
6 claims, right?
7 MR. CARTER: Object to the form.
8 **A. Well, I have some friends who are**
9 **hosts. That's also very possible. I mean,**
10 **like I said, I'm from politics. So I have**
11 **friends who are, you know, people at; Fox**
12 **like personalities. So that's possible,**
13 **yeah.**
14 Q. Who are your friends who are Fox
15 personalities?
16 **A. Well, Sean, Steve, Sean Duffy,**
17 **Trey Gowdy, Brett Baier, Dana Perino --**
18 **that's about it, I think. I'm sure I'm**
19 **probably missing somebody.**
20 Q. Did you talk to any of them
21 during this timeframe about what was going
22 on within Fox?
23 **A. I think I talked to Duffy.**
24 **Probably talked to Gowdy. I can't recall**
25 **if I talked to the others.**

1 [REDACTED]

1 [REDACTED]

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1 [REDACTED]

Page 315

1 [REDACTED]

Page 314

1 [REDACTED]

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1 P. RYAN - CONFIDENTIAL

2 very day, Jeanine Pirro continues to appear

3 on live TV on Fox News?

4 **A. Yes, I have seen her on TV. I**

5 **think she's on The Five.**

6 Q. Do you think it's appropriate to

7 reward hosts who spread conspiracy theories

8 by promoting them to a greater role within

9 the organization when their own executive

10 producer tells the executives in charge of

11 the show that this woman should never be on

12 live television?

13 MR. CARTER: Objection to form.

14 **A. I don't -- I don't do HR. That's**

15 **not something within my scope.**

16 Q. I'm sorry, it's not HR. It

17 should be who should be hosting shows.

18 **A. That's not what the board does.**

19 **The board does not do HR. We do not do**

20 **personnel and content.**

21 Q. We're looking at a text chain

22 right now and you're talking about what

23 Jeanine Pirro was saying, right?

24 MR. CARTER: Objection to form.

25 **A. I don't do personnel. We don't**

1 **P. RYAN - CONFIDENTIAL**
 2 do board. Again, I don't even know what
 3 her comment was there.
 4 You know my points. I've made my
 5 points clearly. But I don't involve myself
 6 in the day-to-day macro management of these
 7 things. Occasionally, especially during
 8 the January 6th time, I had strong opinions
 9 that I conveyed and gave my perspective.
 10 Q. You were conveying them during
 11 this timeframe to Lachlan and Rupert that
 12 Fox News should not be spreading conspiracy
 13 theories, right?
 14 MR. CARTER: Objection to form.
 15 **A. Yeah, you know my opinions. I've**
 16 **made my opinions pretty clear.**
 17 Q. Please tell us again what your
 18 opinions are about this.
 19 **A. Conservative movement should move**
 20 **beyond Donald Trump for the sake and health**
 21 **of it and the country. And I think that's**
 22 **in Fox News' interest as well.**
 23 Q. And that's what you were telling
 24 Rupert and Lachlan at the time?
 25 **A. Uh-huh, yes.**

1 [REDACTED]

1 **P. RYAN - CONFIDENTIAL**
 2 Q. And Ms. Dias responds to you at
 3 7:08 p.m. and says what?
 4 **A. Oh, you mean the second thread**
 5 **here? Which one are you talking about, the**
 6 **708?**
 7 Q. Yes, sir.
 8 **A. Yeah, don't you think we've**
 9 **reached a point where Fox needs to make a**
 10 **point about what is not permissible on the**
 11 **network.**
 12 Q. And what do you respond back?
 13 **A. I had a similar convo about**
 14 **pivoting to the better place now. That's**
 15 **basically what I just said.**
 16 Q. Yeah, what do you mean, pivot to
 17 get better place?
 18 **A. Getting the conservative movement**
 19 **beyond Donald Trump and his former populism**
 20 **and baseless theories to a principled**
 21 **policy-based conservative movement, which I**
 22 **think is good for Fox News as well. So**
 23 **from a moral and fiduciary standpoint, I**
 24 **think they align quite nicely.**
 25 Q. And you certainly did have that

1 **P. RYAN - CONFIDENTIAL**
 2 Q. And when you say they, you mean
 3 the people that you're talking about, in
 4 this instance Rupert and Lachlan Murdoch,
 5 correct?
 6 MR. CARTER: Objection to form.
 7 **A. And anybody else in management.**
 8 Q. Okay. And then that happens --
 9 you say that at approximately 8 p.m., and
 10 then three and a half hours later she texts
 11 you and what does she tell you?
 12 **A. This is a really epic moment --**
 13 Q. No, no, sorry. She says I sent a
 14 very straightforward e-mail to Rupert --
 15 **A. Yes, and bcc'd you -- yeah, yeah,**
 16 **sorry.**
 17 Q. And then you respond, which I
 18 think is characteristic, sir, throughout
 19 your time in public life, you try to give
 20 well-tempered advice/opinion, correct?
 21 **A. Right.**
 22 Q. And she talks to you about it
 23 being an epic moment to reinvent American
 24 conservatism, and she saw that as Fox being
 25 important for that, did she not?

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1 P. RYAN - CONFIDENTIAL
 2 A. I think that's safe to say.
 3 Q. And then what do you say in
 4 response?
 5 A. Wow, this is hard to read. That
 6 is precisely the message I gave to Rupert
 7 and Lachlan this weekend. We used almost
 8 the same exact language, frankly. Two of
 9 them probably think we discussed beforehand
 10 when we actually did not. Great minds. I
 11 told them this is a huge inflection point
 12 to keep Trump down and to move on from --
 13 move on for the future of the conservative
 14 movement. The last thing we should be
 15 doing is breathe life back into Trumpism
 16 when it is at a new low and can stay there.
 17 Both Rupert and Lachlan agree fully. The
 18 key is to execute our collective will.
 19 Q. How was the board intending that
 20 this collective will be executed?
 21 A. It's not the board's job to
 22 execute such things. That's management's
 23 job to execute the strategy of the company.
 24 The board doesn't execute. The board
 25 oversees and makes suggestions.

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1 P. RYAN - CONFIDENTIAL
 2 Q. No, I'm sorry, I didn't mean to
 3 talk over you, sir.
 4 And on this one, it was a
 5 strategic decision about what to do, which
 6 is why you and Ms. Dias are weighing in,
 7 correct?
 8 A. Yes.
 9 Q. And you are -- let me just make
 10 sure you understand my question.
 11 I'm not asking how you intend to
 12 execute. I'm asking how the board intends
 13 to make sure that collective will is
 14 carried out.
 15 A. This was Anne and myself offering
 16 our perspective and opinion. It wasn't us
 17 shaping the strategic vision of the
 18 company. It was us offering our opinion on
 19 where the company ought to go on this
 20 particular matter.
 21 Q. Did this come up at the next
 22 board meeting?
 23 A. It's not the entire strategy of
 24 the company. It's a company with lots of
 25 moving parts. So this was us offering our

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1 P. RYAN - CONFIDENTIAL
 2 opinion on this matter with respect to how
 3 we handled Donald Trump.
 4 Q. And did this issue come up at the
 5 next board meeting?
 6 A. It very well could have. I just
 7 don't recall. Again, this was a busy time.
 8 We talk about this stuff in our daily lives
 9 always. So I don't know if it came up at
 10 the next board meeting or not.
 11 MR. NELSON: Okay. We'll mark as
 12 Exhibit 7033, PDR 589.
 13 (Ryan Exhibit 7033, 1/11/21
 14 e-mail, Bates PDR_00000589, remotely
 15 introduced and provided electronically
 16 to the reporter.)
 17 BY MR. NELSON:
 18 Q. And, sir, it's coming at you now.
 19 A. 589?
 20 Q. 589, sir. This is the e-mail
 21 that Ms. Dias sent to Rupert and Lachlan
 22 Murdoch where you're bcc'd.
 23 A. Okay.
 24 Q. And you can see from that
 25 timeframe it happened and was sent in that

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1 P. RYAN - CONFIDENTIAL
 2 three-and-a-half hour period between your
 3 suggestion that she reach out to Rupert and
 4 Lachlan and her text back to you saying
 5 that she had done so.
 6 Do you see that, sir?
 7 A. Yeah. Yeah, I mean, I remember
 8 her -- I said take it to those guys
 9 basically.
 10 Q. And in the fourth paragraph down
 11 starting: It would have been
 12 unthinkable -- do you see that?
 13 A. It would have been -- yes, I see
 14 it.
 15 Q. What does she say?
 16 A. It would have been unthinkable
 17 just a few days ago that Fox News would be
 18 called upon to explain what represents an
 19 abuse of power and what is unacceptable in
 20 a democracy.
 21 Keep going?
 22 Q. Yes, sir.
 23 A. Yet, considering how important
 24 Fox News has been to the megaphone for
 25 Donald Trump, as a megaphone for Donald

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1 **P. RYAN - CONFIDENTIAL**
 2 **Trump, directly or indirectly, I believe**
 3 **the time has come for Fox News or for you,**
 4 **Lachlan, to take a stance. It is an**
 5 **existential moment for the nation and for**
 6 **Fox News as a brand -- a little bit of a**
 7 **typo there, but yeah.**
 8 Q. And do you agree, sir, with
 9 Ms. Dias that Fox News has been important
 10 as a megaphone for Donald Trump?
 11 **A. I think it's an important part of**
 12 **the conservative movement because it's**
 13 **where most conservatives in America view**
 14 **their media.**
 15 **As a result, Donald Trump who**
 16 **arguably was the head of the Republican**
 17 **Party and the conservative movement benefit**
 18 **from that.**
 19 Q. And you're aware, sir, even prior
 20 to when he was President he used platforms
 21 as Fox & Friends as a place to have an
 22 audience, right?
 23 MR. CARTER: Objection to form.
 24 **A. Everybody running for President**
 25 **tries to get on Fox News.**

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1 **P. RYAN - CONFIDENTIAL**
 2 Q. Even before he was running for
 3 President he was calling into
 4 Fox & Friends.
 5 **A. Okay. I didn't necessarily know**
 6 **that, but that is fine.**
 7 Q. Do you know on some of those
 8 shows he was talking about the Obama birth
 9 conspiracy?
 10 MR. CARTER: Objection to.
 11 **A. I knew he was a birther, but I**
 12 **don't know where he said these things. But**
 13 **I knew he was one of those guys.**
 14 Q. You agree with the e-mail that
 15 Ms. Nasser -- excuse me, that Ms. Dias
 16 wrote?
 17 **A. Yeah, generally. I mean, this**
 18 **sounds a lot like the things that you've**
 19 **shown in my statements, so -- again, I**
 20 **thought it was important for the**
 21 **conservative movement to move past Trump**
 22 **populism. I still think that today. And**
 23 **I've always made that point very clear.**
 24 Q. And would it surprise you that
 25 Mr. Rupert and Mr. Lachlan Murdoch

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1 **P. RYAN - CONFIDENTIAL**
 2 discussed Ms. Dias's e-mail?
 3 **A. Not in the least.**
 4 Q. In fact, again, you would expect
 5 that they would do so, correct?
 6 MR. CARTER: Objection to form.
 7 **A. Likely, yeah.**
 8 MR. NELSON: Let's go to Exhibit
 9 7034, which is FoxCorp 61096.
 10 (Ryan Exhibit 7034, 1/12/21
 11 e-mail, Bates FoxCorp00061096,
 12 remotely introduced and provided
 13 electronically to the reporter.)
 14 BY MR. NELSON:
 15 Q. And sir, you have it in your
 16 folder now?
 17 **A. As what?**
 18 Q. FoxCorp 61096.
 19 **A. Got it.**
 20 Q. Halfway down the page you see
 21 Mr. Lachlan Murdoch asking Mr. Rupert
 22 Murdoch: Dad, let's discuss the blow
 23 today. I'll be in the office from around 9
 24 west coast time.
 25 Do you see that?

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1 **P. RYAN - CONFIDENTIAL**
 2 **A. Yep.**
 3 Q. And then Mr. Rupert Murdoch says
 4 what at that top e-mail?
 5 **A. Yes, just tell her we have been**
 6 **talking internally and we intensely along**
 7 **these lines -- he probably meant intensely**
 8 **agree along these lines -- and Fox News,**
 9 **which called the election correctly, is**
 10 **pivoting as fast as possible. We have to**
 11 **lead our viewers, which is "van" not as**
 12 **easy as it seems -- a few typos in there,**
 13 **but I think you get the point.**
 14 Q. Do you agree with Mr. Rupert
 15 Murdoch that it's Fox News' responsibility
 16 to lead its viewers?
 17 MR. CARTER: Objection to form.
 18 **A. I think editorial -- well, I**
 19 **think news is news and editorial is**
 20 **editorial. And editorial clearly advance**
 21 **as viewpoint. And so I think editorial**
 22 **does do that. And that's what**
 23 **editorializing is. And Fox News does a lot**
 24 **of editorial shows.**
 25 Q. And when you spoke to Mr. Rupert

1 P. RYAN - CONFIDENTIAL
 2 and Mr. Lachlan Murdoch about pivoting,
 3 which is the language that Mr. Rupert
 4 Murdoch is using here, what did you mean?
 5 **A. Pivoting the conservative**
 6 **movement through our advocacy, that's the**
 7 **editorial part, to a better place, away**
 8 **from Trump populism and Donald Trump.**

9 Q. In fact, even after that e-mail
 10 exchange -- or excuse me, that phone
 11 exchange and Ms. Dias's e-mail, you
 12 continued to have conversations with
 13 Mr. Rupert and Mr. Lachlan Murdoch about
 14 moving Fox to a better place, correct?

15 **A. Probably.**

16 Q. Do you believe that Newsmax was
 17 an enabler of the January 6th riot?

18 MR. CARTER: Objection to form.

19 **A. I don't know the answer to the**
 20 **question. I've never once watched Newsmax**
 21 **or OAN for that matter. I think maybe I**
 22 **watched AON once for a half hour to see**
 23 **what it was. But I can't answer the**
 24 **question because I just don't know what**
 25 **they did or didn't do in those times.**

1 **P. RYAN - CONFIDENTIAL**
 2 **describing in society today if**
 3 **misinformation gets disseminated through**
 4 **digital means, then yes, it does. But I**
 5 **don't know the phrase you're talking about.**

6 MR. NELSON: Let's go to Exhibit
 7 7035, which you have in front of you
 8 now. It's FoxCorp 58198.

9 (Ryan Exhibit 7035, 1/12/21
 10 e-mail, Bates FoxCorp00058198,
 11 remotely introduced and provided
 12 electronically to the reporter.)

13 **A. Did I use this phrase? Oh, it's**
 14 **an article -- okay, got it. I don't**
 15 **remember hearing this before, but I see it**
 16 **now. It's a headline for an article. Is**
 17 **that what you're talking about?**

18 Q. Yeah, can you please read for the
 19 jury this e-mail?

20 **A. The e-mail or the --**

21 Q. The e-mail that you write to
 22 Mr. Rupert and Lachlan Murdoch.

23 **A. Yeah, it's from me to Rupert and**
 24 **Lachlan, an e-mail: Guys, the piece below**
 25 **"The alternate reality machine" -- it's a**

1 **P. RYAN - CONFIDENTIAL**

2 Q. You do believe that there is this
 3 alternate reality machine that did enable
 4 the January 6th riot, correct?

5 **A. Well, Donald Trump invited these**
 6 **people to the ellipse and promoted them**
 7 **coming to the ellipse. So whatever machine**
 8 **that was, the Trump campaign created the**
 9 **rally that brought forth January 6th.**
 10 **That's very clear.**

11 Q. And, sir, it's not just Donald
 12 Trump. It was his enablers and cable news
 13 that gave a platform for these lies to
 14 spread, was it not?

15 MR. CARTER: Objection to form.

16 **A. He was a sitting President of the**
 17 **United States. What he says is newsworthy**
 18 **and it's probably televised on all**
 19 **networks.**

20 Q. Do you believe that there is this
 21 dynamic within cable news of an alternate
 22 reality machine?

23 **A. I've not heard that phrase**
 24 **before. So I don't exactly know what**
 25 **you're talking about other than if you're**

1 **P. RYAN - CONFIDENTIAL**

2 **link to an article -- captures the dynamic**
 3 **we are contending with quite well. This is**
 4 **written by actual conservatives (both Fox**
 5 **contributors Jonah Goldberg and Steve**
 6 **Hayes) and reflect the current inflection**
 7 **point well -- probably an amplification of**
 8 **the point I was making.**

9 Q. And it's an amplification of the
 10 point you were making because what you're
 11 saying to Rupert and Lachlan is that Fox
 12 News should not be a place to spread
 13 conspiracy theories and lie, correct?

14 MR. CARTER: Objection to form.

15 **A. Yeah, I don't -- I mean, I -- I**
 16 **don't recall this article, but this is --**
 17 **when was it, three years ago -- but the**
 18 **deadly riots enablers -- and it sounds like**
 19 **it was about the riots enablers, so --**

20 Q. The riot enablers being these
 21 cable news channels who allowed these lies
 22 to fester, correct?

23 MR. CARTER: Objection to form.

24 **A. I don't recall the article, so I**
 25 **really can't speak to it.**

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1 **P. RYAN - CONFIDENTIAL**
 2 Q. Well, the article is right in
 3 front of you, so we can look at it.
 4 **A. I don't see it.**
 5 Q. It will actually be the fourth
 6 page?
 7 **A. Sorry, yeah, it was down there.**
 8 **Okay.**
 9 Q. And see how the title is the
 10 alternate reality machine, right?
 11 **A. Yes.**
 12 Q. Can you please read that first
 13 paragraph?
 14 **A. In the roughly 8 weeks between**
 15 **the election on November the 3rd and the**
 16 **Capitol riots on January 6th, the populous**
 17 **right wing media ecosystem created an**
 18 **alternative reality for those who had come**
 19 **to rely on its outlets for news. If you**
 20 **got your information from certain pro-Trump**
 21 **websites or certain talk radio and cable**
 22 **news hosts, you were told all day, every**
 23 **day, either that the election was outright**
 24 **stolen from Donald Trump or that there were**
 25 **serious enough concerns about its**

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1 **P. RYAN - CONFIDENTIAL**
 2 **legitimacy that dozens upon dozens of**
 3 **frivolous lawsuits from the Trump team were**
 4 **both prudent and necessary.**
 5 Q. Thank you.
 6 You agree with that sentiment, do
 7 you not, sir?
 8 MR. CARTER: Objection to form.
 9 **A. Yeah, I think you said a**
 10 **statistic, some high percentage of**
 11 **Americans thinking the election were**
 12 **stolen. That's because they got a diet of**
 13 **information telling them the election was**
 14 **stolen from what they believe were credible**
 15 **sources.**
 16 Q. And what you're trying to do in
 17 your e-mail here, back to your e-mail, is
 18 you're trying to call Rupert and Lachlan
 19 Murdoch's attention to this alternate
 20 reality machine, correct?
 21 **A. To this article, which talks**
 22 **about the dynamic that was underway in**
 23 **America at the time, I think, yeah.**
 24 Q. And you're saying that this
 25 article actually captures the dynamic that

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1 P. RYAN - CONFIDENTIAL
 2 we were contending with quite well,
 3 correct?
 4 **A. That's what I said.**
 5 Q. And what was that dynamic you
 6 were contending with?
 7 **A. Again, it's a version of the same**
 8 **thing I've been saying to you, which is**
 9 **it's an inflection point to move away from**
 10 **Trump and his populism, his -- what he was**
 11 **trying to do and movement conservative**
 12 **movement to a place where it's based on**
 13 **morality, principles, truth, evidence and**
 14 **good policies, and that we could play a**
 15 **role in that.**
 16 Q. And the dynamic as well was that
 17 on one hand, you had some news shows within
 18 Fox that were telling the truth and then
 19 you had some shows, news or opinion shows,
 20 that were part of this alternative reality
 21 machine, in the article's words, correct?
 22 MR. CARTER: Objection to form.
 23 **A. I don't know if -- I mean, I**
 24 **didn't read the rest of the article. I**
 25 **don't know if it's citing specific Fox**

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1 **P. RYAN - CONFIDENTIAL**
 2 **people or if they're talking about Newsmax**
 3 **or what. I just don't know which ones**
 4 **you're talking about here.**
 5 Q. I mean, Mr. Rupert Murdoch
 6 certainly understood it as a reference to
 7 Fox News hosts, did he not?
 8 MR. CARTER: Objection to form.
 9 **A. Yeah, I don't know what this**
 10 **article specifically cites, but you**
 11 **understand my point, which is everything**
 12 **should pivot and shift away, and if Trump's**
 13 **going to keep doing what he's doing, let**
 14 **him do it with a smaller group of people.**
 15 Q. Right. And that Fox was trying
 16 to navigate this dynamic between a core
 17 group of Trump loyalists who were ignoring
 18 the truth and the truth itself, right?
 19 MR. CARTER: Objection to form.
 20 **A. Something like that.**
 21 Q. And that Fox was also trying to
 22 navigate the fact that some of its hosts
 23 were part of this alternative had reality
 24 machine, correct?
 25 MR. CARTER: Objection to form.

1 P. RYAN - CONFIDENTIAL
2 A. I can't -- I don't know if I'd
3 say it that way, but it's clear we believe
4 that the conservative movement needs to
5 pivot and Fox needs to be a part of that.
6 Q. And you understood, in fact, that
7 Sean Hannity had been privately disgusted
8 with Trump for weeks, but was scared to
9 lose viewers, correct?
10 A. I was not aware of that.
11 Q. And you also were aware, were you
12 not, that -- let me back up.
13 You also were hopeful that the
14 events of January 6th were so shocking that
15 it would help the conservative movement and
16 Fox News move on from Donald Trump,
17 correct?
18 A. I think that captures my
19 sentiment pretty well.
20 Q. And you also were aware that
21 Rupert Murdoch, like yourself, believed
22 that these election lies that emerged after
23 the November 3rd election were all a
24 conspiracy nonsense, correct?
25 MR. CARTER: Objection to form.

1 [REDACTED]

1 [REDACTED]

1 [REDACTED]

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1 **P. RYAN - CONFIDENTIAL**
 2 Q. And that's consistent with, in
 3 fact, your prior conversations that you had
 4 had with Mr. --
 5 **A. Yeah, that makes sense. That**
 6 **sounds like something Rupert would say.**
 7 Q. And it's consistent with the
 8 conversations you had been having with him
 9 before that, correct?
 10 MR. CARTER: Object to the form.
 11 **A. Correct.**
 12 MR. NELSON: And, sir, the --
 13 let's move on to Exhibit 7037, which
 14 is FoxCorp00064395.
 15 (Ryan Exhibit 7037, 1/12/21
 16 e-mail, Bates FoxCorp00064395,
 17 remotely introduced and provided
 18 electronically to the reporter.)
 19 BY MR. NELSON:
 20 Q. If you do not have it yet, I'll
 21 let you know it's coming at you right now.
 22 And 64395?
 23 **A. Yep.**
 24 Q. And, sir, you responded to had
 25 Mr. Murdoch's e-mail by saying that the

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1 **P. RYAN - CONFIDENTIAL**
 2 sooner we can put down the echos of
 3 falsehoods from our side, the faster we can
 4 get on to principled loyal opposition,
 5 correct?
 6 **A. Yes.**
 7 Q. And what do you add after that,
 8 sir?
 9 **A. I truly hope our contributors,**
 10 **along with Tucker, Laura and Sean, get that**
 11 **and execute.**
 12 Q. Did you think it was important
 13 that Fox's contributors, including Tucker
 14 Carlson, Laura Ingraham and Sean Hannity,
 15 get the point of not spouting these echos
 16 of falsehood?
 17 **A. Yeah, I think that sentiment**
 18 **speaks for itself.**
 19 Q. And, sir, at any point between
 20 November 3rd and January 6th or January
 21 12th, there could have been some
 22 instructions from Fox management to stop
 23 this alternate reality machine, correct?
 24 MR. CARTER: Objection to form.
 25 **A. Yeah, I can't speak to that**

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1 **P. RYAN - CONFIDENTIAL**
 2 **because I don't know precisely how that**
 3 **works, meaning what level of autonomy and**
 4 **discretion they have at Fox versus the**
 5 **corporation. So I can't speak to all of**
 6 **those.**
 7 **You know my opinion. I've**
 8 **offered my perspectives as a board member.**
 9 **How they effectuate these things, I can't**
 10 **speak to that. I don't know that.**
 11 Q. And, sir, I think you said that
 12 it's possible that you might have given
 13 this advice at that board meeting in
 14 November of 2020.
 15 **A. Could be, yeah. You can tell**
 16 **I've obviously always thought this. It was**
 17 **the most common topic in America at the**
 18 **time. So it wouldn't surprise me if I did**
 19 **or didn't.**
 20 **I don't know how that translates**
 21 **on to the actual news. I can't speak to**
 22 **that. That's a management thing.**
 23 Q. In fact, you're aware that
 24 Murdoch responded to your e-mail about
 25 these echos of falsehoods and hoping that

Page 344

1 **P. RYAN - CONFIDENTIAL**
 2 Tucker Carlson and Laura Ingraham --
 3 **A. Is there another e-mail you're**
 4 **going to show me, another response?**
 5 Q. Yes. Do you recall that there
 6 was another response, sir?
 7 **A. No. This was three years ago. I**
 8 **don't recall. I get hundreds -- literally**
 9 **I get over 100 e-mails a day. I don't**
 10 **recall.**
 11 Q. Well, this was about the
 12 direction of Fox News.
 13 MR. CARTER: Objection to form.
 14 **A. I get a lot of e-mails.**
 15 Q. Okay.
 16 **A. I don't recall if he responded to**
 17 **this e-mail three years ago.**
 18 Q. Okay. In fact, he told you about
 19 a call that he had just had with Suzanne
 20 Scott, did he not?
 21 **A. I don't know. Do you want to**
 22 **show me the e-mail and then I can refresh**
 23 **my memory?**
 24 MR. NELSON: This is Exhibit 7038
 25 that you have right now. It's

1 P. RYAN - CONFIDENTIAL
 2 has not retracted its allegations against
 3 Dominion?
 4 **A. I don't know that Fox made**
 5 **allegations against Dominion. People on**
 6 **Fox News may have said things. But the Fox**
 7 **Corporation, I don't think they have done**
 8 **that. Is that -- did they?**
 9 Q. Well, let me rephrase my
 10 question.
 11 Do you know to this day Fox News
 12 has not retracted the false statements made
 13 about Dominion on its air?
 14 MR. CARTER: Objection to form.
 15 **A. Yeah, I don't know.**
 16 Q. And who did you speak to about
 17 this Daily Show clip and Maria Bartiromo?
 18 MR. CARTER: Objection to the form.
 19 **A. I don't know. You know, I don't**
 20 **know. I don't recall.**
 21 Q. Would you have relayed it again
 22 like you had been doing the past little bit
 23 with Rupert and Lachlan and potentially
 24 Viet?
 25 MR. CARTER: Objection. Form.

1 P. RYAN - CONFIDENTIAL
 2 Powell or Rudolph Giuliani on the air, but
 3 actually endorsing that false narrative
 4 itself, correct?
 5 MR. CARTER: Object to form.
 6 **A. Again, I can't speak to it**
 7 **because I didn't watch the shows directly**
 8 **myself.**
 9 Q. But you certainly understood --
 10 **A. Just from reading coverage. I**
 11 **read coverage of those shows, you about I**
 12 **actually didn't see it myself.**
 13 Q. Base upon the coverage you read,
 14 that's what you understood, correct?
 15 **A. That's safe to say, that they**
 16 **supported -- they were supportive of what**
 17 **those guests -- those people were saying.**
 18 **Those opinion editorial lists were**
 19 **supportive of the administration, yes.**
 20 Q. Sorry, not just supportive of the
 21 administration, supportive of the false
 22 idea that the election was stolen, correct?
 23 **A. Yes.**
 24 MR. CARTER: Objection to form.
 25 **A. But that was the administration**

1 P. RYAN - CONFIDENTIAL
 2 **A. I wasn't in the practice of every**
 3 **little thing calling them and saying**
 4 **something, every little thing calling them**
 5 **and saying something. I was basically**
 6 **conveying my perspective and view on the**
 7 **macro issues, the macro need to get past**
 8 **Trump and to move beyond him as that one**
 9 **text more or less reflected.**
 10 **So I didn't do a tit-for-tat. I**
 11 **didn't call him every day with the latest**
 12 **thing I saw or heard or was told. I gave**
 13 **my perspective on the big picture. And**
 14 **that's kind of how my relationship worked**
 15 **with him. Specific recommendations such as**
 16 **people, I would make those.**
 17 Q. And, sir, you were aware that Fox
 18 hosts were endorsing the false narrative
 19 that the election was stolen, were you not?
 20 MR. CARTER: Objection to form.
 21 **A. Well, I clearly was aware from**
 22 **reading -- I never watched Dobbs -- I was**
 23 **clearly aware some hosts were perpetuating**
 24 **Trump narrative.**
 25 Q. And not just allowing Sidney

1 [REDACTED]

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1 P. RYAN - CONFIDENTIAL
 2 [REDACTED]
 3 [REDACTED]
 4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 7 Q. And you agree with that, as of
 8 December 1st, that these conspiracy
 9 theories were dangerously insane?
 10 MR. CARTER: Object to the form.
 11 **A. You know my views well by now.**
 12 Q. I'm sorry, do you agree or not
 13 that as of December 1st these conspiracy
 14 theories were dangerously insane?
 15 MR. CARTER: Objection to form.
 16 **A. I did believe these things were**
 17 **wrong, and I said so multiple times. You**
 18 **know that.**
 19 Q. If you go to the next page, sir,
 20 do you see the top is quoting a deposition
 21 from Mr. Stephen Richer? Do you know who
 22 he is? He's a Republican County Recorder
 23 in Maricopa County, Arizona?
 24 **A. No, I don't know who he is.**
 25 Q. And he says the whole theory is

Page 403

1 P. RYAN - CONFIDENTIAL
 2 statement.
 3 [REDACTED]
 4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 7 [REDACTED]
 8 [REDACTED]
 9 [REDACTED]
 10 [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 [REDACTED]
 14 [REDACTED]
 15 [REDACTED]
 16 [REDACTED]
 17 [REDACTED]
 18 [REDACTED]
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED]
 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED]
 25 [REDACTED]

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1 P. RYAN - CONFIDENTIAL
 2 absolutely ludicrous to anyone who bothers
 3 researching elections for more than five
 4 minutes or speaking with any elections
 5 professional?
 6 MR. CARTER: Object to the form.
 7 **A. Are you asking me if I knew this**
 8 **statement was made?**
 9 Q. Yes.
 10 **A. No, I didn't know that statement**
 11 **was made.**
 12 Q. I think you testified similar,
 13 you agree that the whole theory is
 14 ludicrous to anybody who follows elections,
 15 right?
 16 MR. CARTER: Objection to form.
 17 **A. Yeah, I didn't believe the**
 18 **election was stolen from the beginning.**
 19 Q. And then on November 5th, are you
 20 aware that Brett Baier asked Jay Wallace
 21 how is that okay, none of that is true as
 22 far as we can tell, we need to fact check
 23 this crap.
 24 MR. CARTER: Object to the form.
 25 **A. I am not familiar with that**

Page 404

1 [REDACTED]
 2 [REDACTED]
 3 [REDACTED]
 4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 7 [REDACTED]
 8 [REDACTED]
 9 [REDACTED]
 10 [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 [REDACTED]
 14 [REDACTED]
 15 [REDACTED]
 16 [REDACTED]
 17 [REDACTED]
 18 [REDACTED]
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED]
 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED]
 25 [REDACTED]

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1 P. RYAN - CONFIDENTIAL

2 of any other Fox Corp Board member or Fox

3 Corp executive directing any content on Fox

4 News or Fox Business?

5 **A. I'm not, no.**

6 Q. Sir, do you remember ever

7 speaking about the Plaintiff in this case,

8 Dominion, with any person at Fox News or

9 Fox Business?

10 **A. No.**

11 Q. And, sir, before this lawsuit, do

12 you remember ever speaking with anyone at

13 Fox Corporation about the Plaintiff in this

14 lawsuit?

15 **A. No.**

16 MR. CARTER: That's all I have.

17 Thank you, Speaker Ryan.

18 MR. NELSON: Just a couple of

19 follow-ups on that.

20 FURTHER EXAMINATION

21 BY MR. NELSON:

22 Q. You just testified that you never

23 directed content, is that right?

24 **A. That's right.**

25 Q. You did, as we've gone through in

Page 410

1 P. RYAN - CONFIDENTIAL

2 detail --

3 **A. I make suggestions. I don't make**

4 **directions.**

5 Q. I'm sorry, sir?

6 **A. I made suggestions. I don't make**

7 **directions.**

8 Q. Okay. That's where I'm getting

9 at. You did multiple times make

10 suggestions on content, correct?

11 **A. Yes, when solicited and when I**

12 **wanted to give my perspective, I did so.**

13 **Those are suggestions. Those aren't**

14 **directions. I don't have control over**

15 **content.**

16 Q. And you made suggestions on

17 programming, correct?

18 **A. Yes, I've given plenty of**

19 **suggestions.**

20 Q. And you've made suggestions on

21 who would host shows, correct?

22 **A. Yes.**

23 Q. And you've made suggestions about

24 how Fox should be pivoting at this key

25 inflection point during November 2020

Page 411

1 P. RYAN - CONFIDENTIAL

2 through January 2021, correct?

3 **A. Yes.**

4 Q. And your advice was consistent

5 throughout this timeframe to move on from

6 Donald Trump and stop spouting election

7 lies, correct?

8 MR. CARTER: Objection.

9 **A. Yes.**

10 MR. NELSON: Okay. Thank you.

11 No further questions.

12 MR. CARTER: Nothing more.

13 (Continued on next page to

14 include signature and jurat.)

15

16

17

18

19

20

21

22

23

24

25

Page 412

1 P. RYAN - CONFIDENTIAL

2 THE VIDEOGRAPHER: Okay, counsel.

3 If there are no further questions, the

4 time is 5:29 p.m. and we're going off

5 the record.

6 Thank you everyone.

7 (Time noted: 5:29 p.m.)

8

9

10 _____

11 PAUL RYAN

12 Subscribed and sworn to before me

13 this ___ day of _____, 2023.

14

15 _____

16

17

18

19

20

21

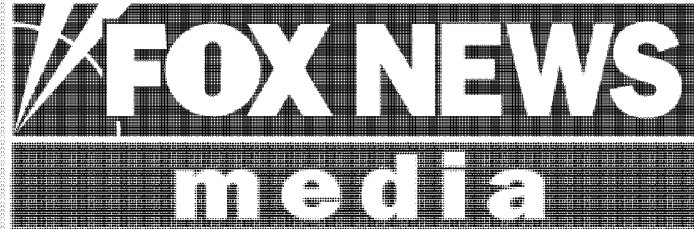
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23

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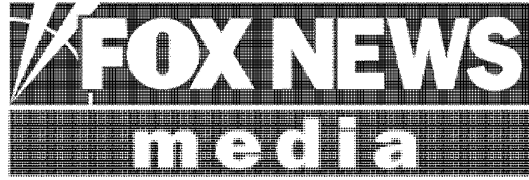
25

Exhibit 621



DIGITAL OVERVIEW

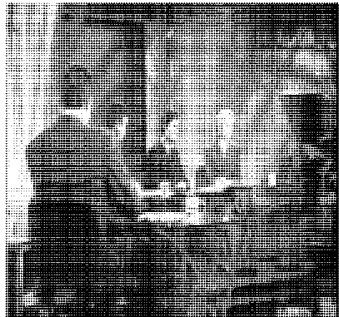




America's News. And Much More.



FOX NEWS MEDIA - LINEAR & DIGITAL



Launch of FOX News Radio

1998



Launch of FOX News Headlines Sirius XM

2015



2016

FOX News Digital Refresh

1996

Launch of FOX News Channel



2007

Launch of FOX Business Network



FOX NEWS MEDIA - DIRECT TO CONSUMER, PRESENT & FUTURE



Launched Nov



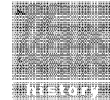
Re-branded May



Launched Aug



Launch of FOX Weather



2018

2019



2020



2021 AND BEYOND / IDEAS FOR THE FUTURE



Aggressive linear and digital push Oct



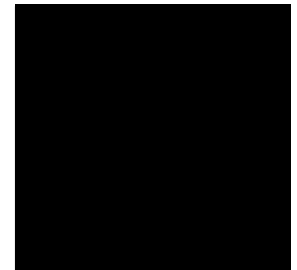
Re-branded May

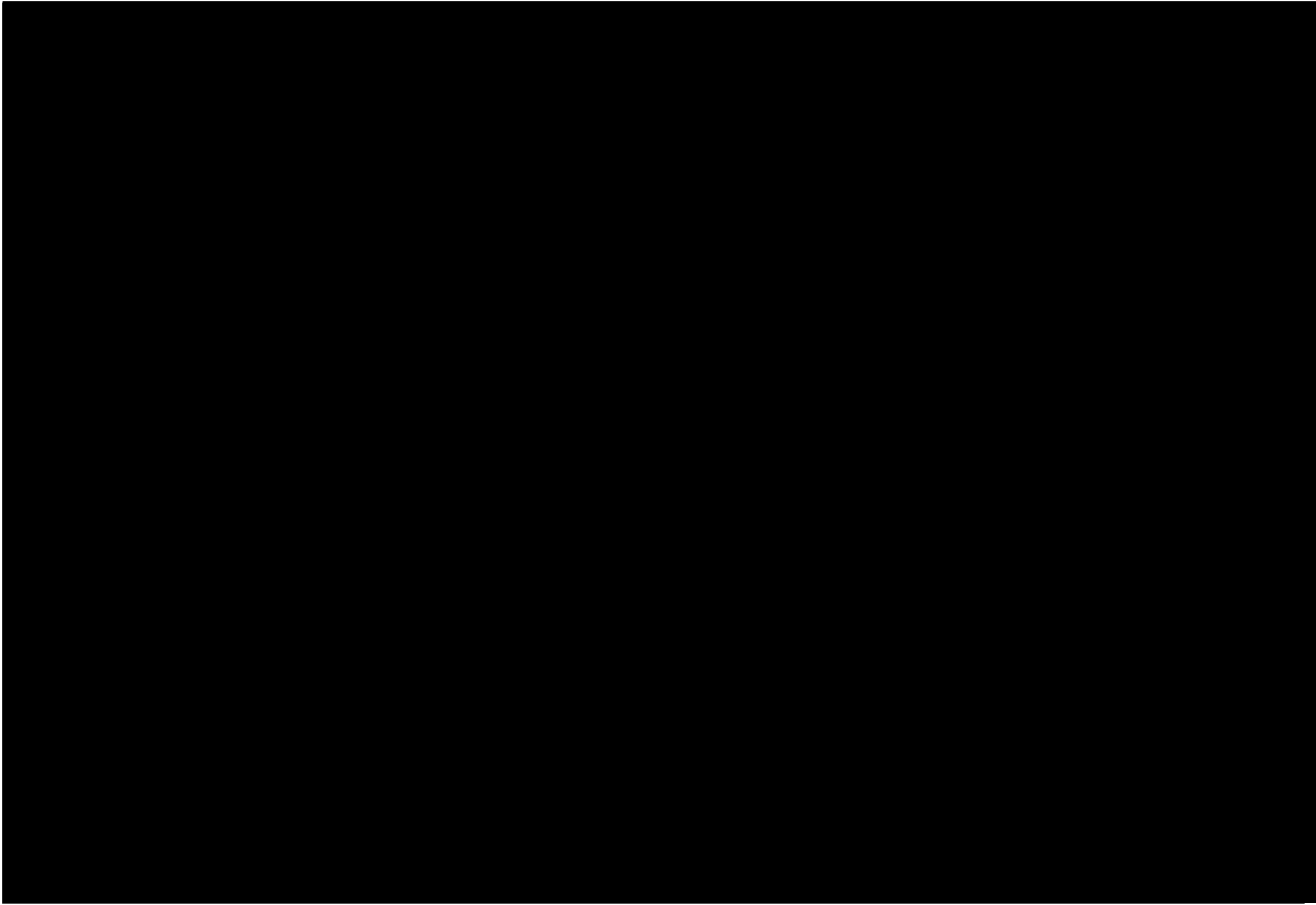


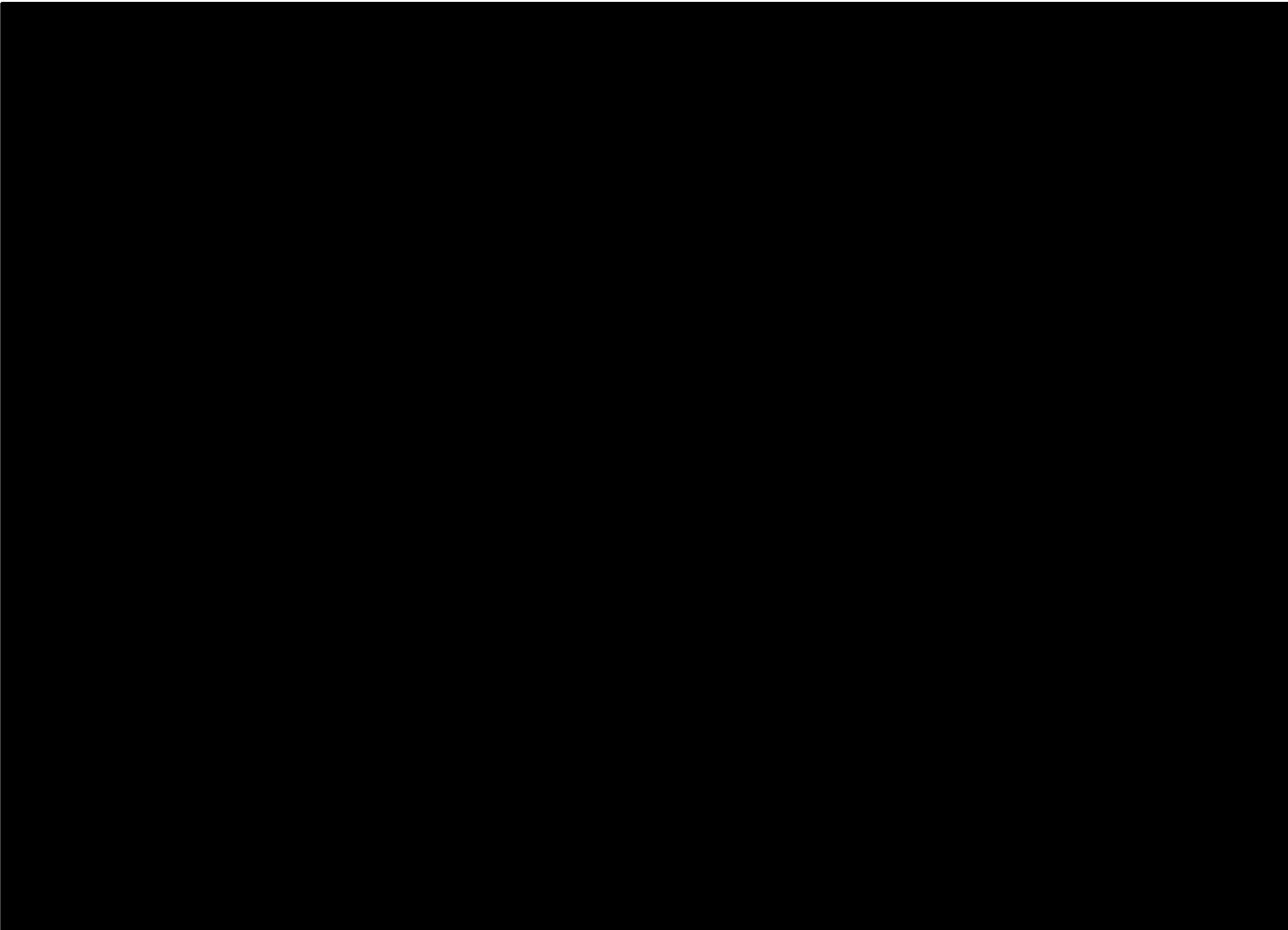
Launched Nov



- Big Talent Investment
- Potential FNC/FBN Lite



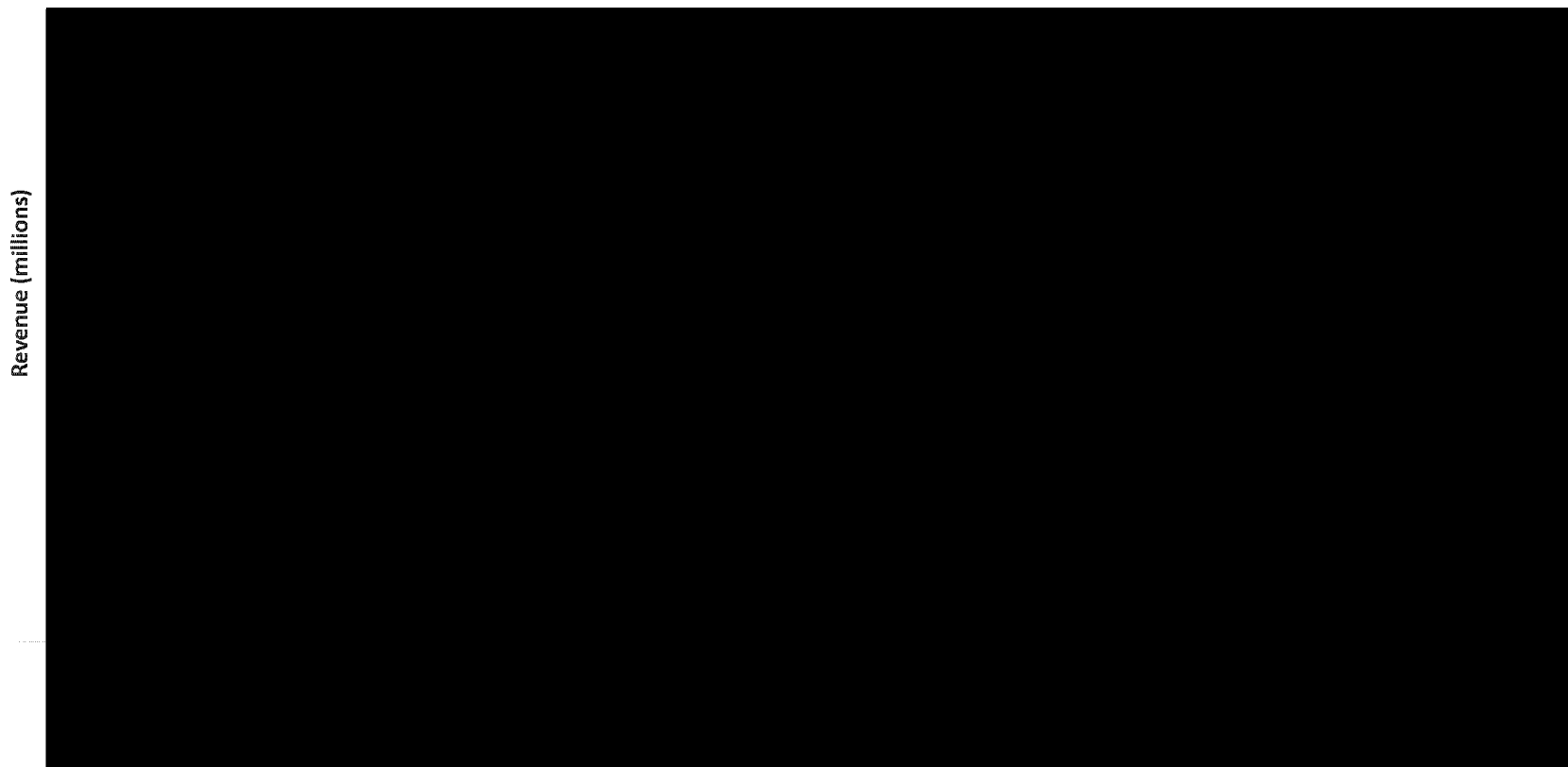




FOX NEWS MEDIA - DIGITAL REVENUE MIX



FY17-FY21 Revenue by Category

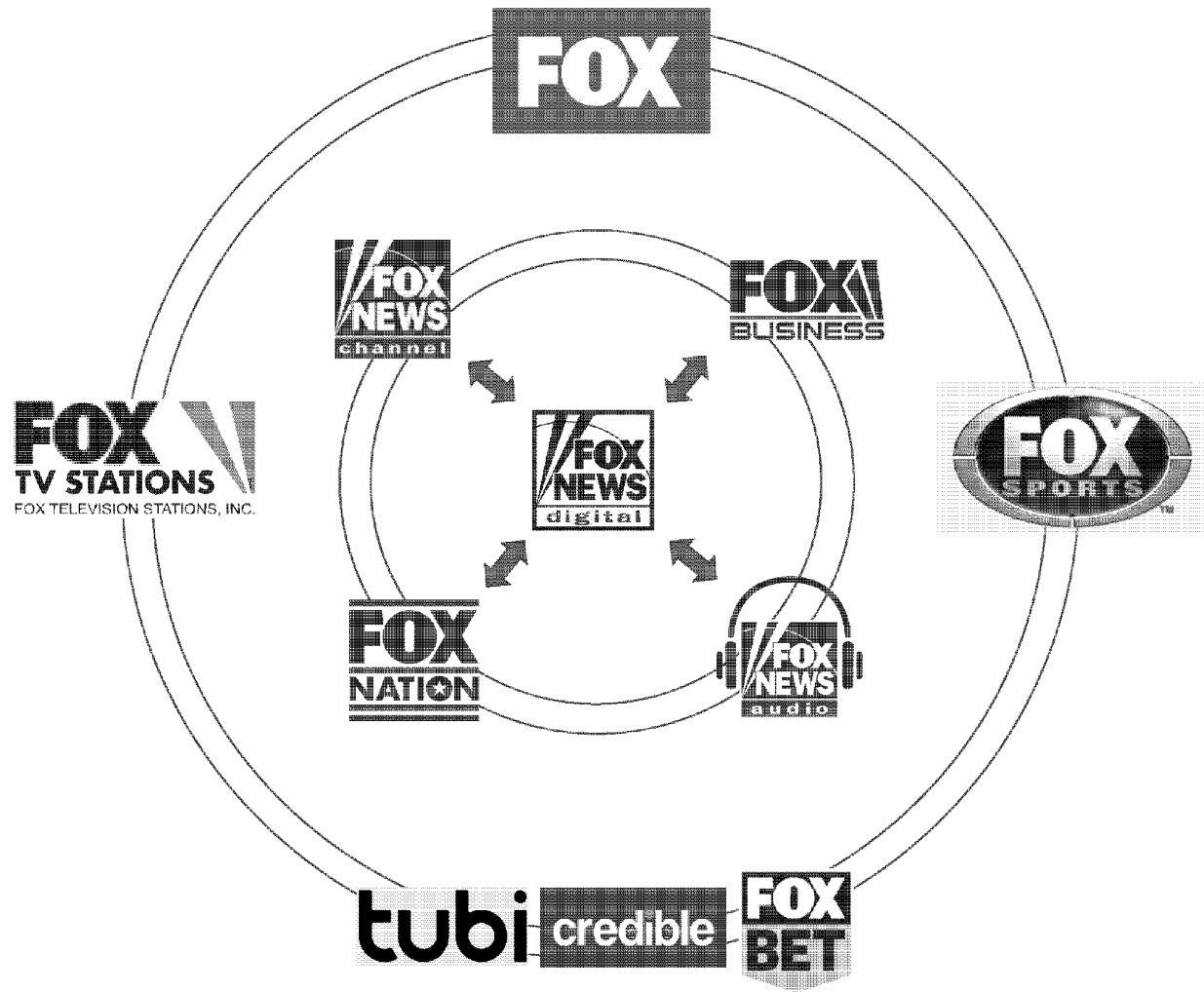


- 10 -





BE A FORCE MULTIPLIER ACROSS BRANDS



COMSCORE : NEWS COMPETITIVE SET



UNIQUE AUDIENCE (000)			
Web Entity	Sept'19	Sept'20	% Diff.
CNN.com	129,880	144,471	11%
FOX News Digital Ntwk	97,898	108,851	11%
NYTimes.com	90,066	91,823	2%
WashingtonPost.com	88,770	91,567	3%
USAToday.com	73,174	82,870	13%
NBCNews.com	74,659	75,690	1%
CBSNews.com	57,109	63,415	11%
WSJ Online	37,396	50,378	35%
HuffPost U.S.	42,168	39,974	-5%
Reuters.com	23,926	31,644	32%
ABCNews.com	21,786	20,733	-5%

Unique Audience
#2 in Sept'20
#5 in Growth %

Page Views
#2 in Sept'20
#6 in Growth %

TOTAL VIEWS (MM)			
Web Entity	Sept'19	Sept'20	% Diff.
CNN.com	1,615	2,101	30%
FOX News Digital Ntwk	1,717	2,009	17%
NYTimes.com	1,134	1,258	11%
WashingtonPost.com	496	389	-22%
USAToday.com	406	376	-7%
CBSNews.com	190	286	51%
NBCNews.com	196	263	34%
HuffPost U.S.	219	193	-12%
WSJ Online	122	147	21%
ABCNews.com	121	102	-16%
Reuters.com	57	76	32%

AVG VIEWS PER VISIT			
Web Entity	Sept'19	Sept'20	% Diff.
NYTimes.com	3.3	2.9	-12%
CNN.com	2.1	2.1	4%
FOX News Digital Ntwk	2.2	2.1	4%
ABCNews.com	2.0	1.9	-8%
CBSNews.com	1.6	1.7	13%
WSJ Online	2.1	1.7	-17%
Reuters.com	1.7	1.6	-3%
HuffPost U.S.	1.8	1.6	-11%
USAToday.com	2.0	1.6	-19%
WashingtonPost.com	2.0	1.5	-26%
NBCNews.com	1.4	1.5	6%

Avg. Views Per Visit
#3 in Sept'20
#5 in Growth %

Total Minutes
#1 in Sept'20
#6 in Growth %

TOTAL MINUTES (MM)			
Web Entity	Sept'19	Sept'20	% Diff.
FOX News Digital Ntwk	3,879	4,387	13%
CNN.com	3,130	3,739	19%
WashingtonPost.com	1,252	1,235	-1%
NYTimes.com	1,085	1,190	10%
NBCNews.com	576	696	21%
HuffPost U.S.	472	512	9%
WSJ Online	360	481	34%
CBSNews.com	264	448	70%
USAToday.com	376	330	-12%
Reuters.com	84	153	82%
ABCNews.com	197	139	-29%



COMSCORE : BUSINESS COMPETITIVE SET



UNIQUE AUDIENCE (000)			
Web Entity	Sept'19	Sept'20	% Diff.
Forbes.com	61,791	85,484	38%
Yahoo! Finance	58,433	75,258	29%
CNBC.com	50,749	74,439	47%
MSN Money	13,768	62,377	353%
WSJ Online	37,396	50,378	35%
CNN Business	27,927	49,122	76%
Bloomberg.com	24,428	34,009	39%
MarketWatch	17,039	30,097	77%
Fox Business	15,037	27,541	83%
Motley Fool	12,158	21,740	79%
USATODAY Money	8,376	11,110	33%
TheStreet.com	3,506	6,827	95%
Entrepreneur.com	3,826	3,852	1%
HuffPost Business	704	324	-54%

Unique Audience
#9 in Sept'20
#3 in Growth %

Page Views
#9 in Sept'20
#2 in Growth %

TOTAL VIEWS (MM)			
Web Entity	Sept'19	Sept'20	% Diff.
Yahoo! Finance	707	930	32%
CNBC.com	215	401	86%
CNN Business	158	260	65%
MSN Money	377	245	-35%
Forbes.com	186	229	23%
MarketWatch	101	178	76%
Bloomberg.com	123	149	22%
WSJ Online	122	147	21%
Fox Business	69	130	90%
Motley Fool	42	97	130%
USATODAY Money	20	23	13%
TheStreet.com	12	10	-20%
Entrepreneur.com	11	9	-19%
HuffPost Business	1	0	-63%

AVG VIEWS PER VISIT			
Web Entity	Sept'19	Sept'20	% Diff.
Yahoo! Finance	2.9	3.2	10%
Bloomberg.com	1.7	2.7	55%
CNN Business	2.4	2.6	7%
MarketWatch	2.0	2.1	7%
MSN Money	2.8	2.1	-27%
WSJ Online	2.1	1.7	-17%
Motley Fool	1.7	1.7	0%
Entrepreneur.com	1.8	1.7	-5%
CNBC.com	1.5	1.6	8%
Fox Business	1.3	1.5	14%
TheStreet.com	1.7	1.5	-12%
USATODAY Money	1.6	1.4	-12%
Forbes.com	1.7	1.4	-19%
HuffPost Business	1.5	1.2	-22%

Avg. Views Per Visit
#10 in Sept'20
#2 in Growth %

Total Minutes
#8 in Sept'20
#4 in Growth %

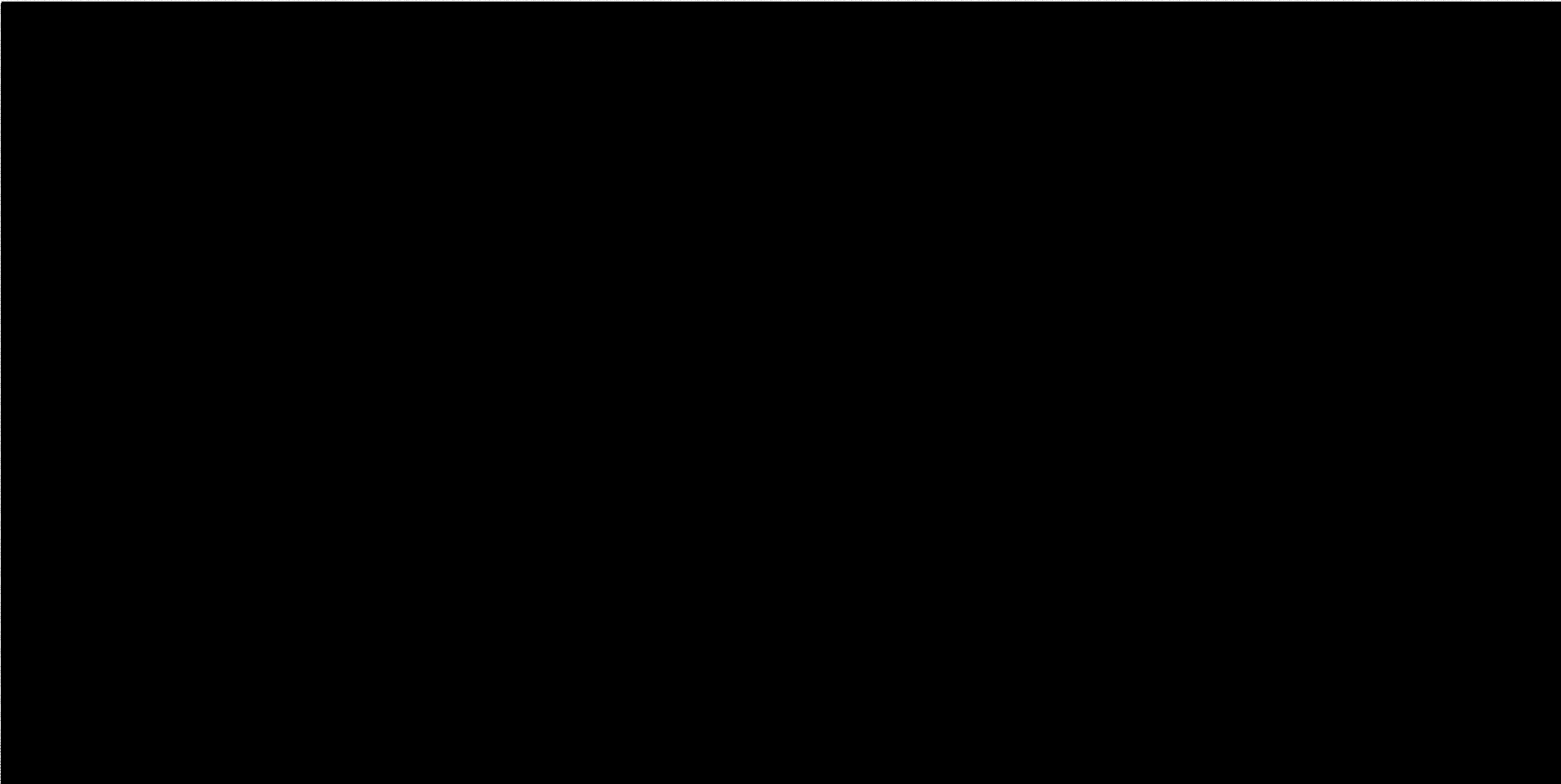
TOTAL MINUTES (MM)			
Web Entity	Sept'19	Sept'20	% Diff.
Yahoo! Finance	2,922	3,822	31%
CNBC.com	434	784	81%
WSJ Online	360	481	34%
Bloomberg.com	220	337	53%
CNN Business	170	321	89%
Forbes.com	219	264	20%
MarketWatch	138	216	56%
Fox Business	129	209	62%
MSN Money	459	203	-56%
Motley Fool	46	108	133%
TheStreet.com	16	23	45%
USATODAY Money	18	19	2%
Entrepreneur.com	13	9	-32%
HuffPost Business	2	0	-78%



SHARRI SLIDE

HEADSHOT

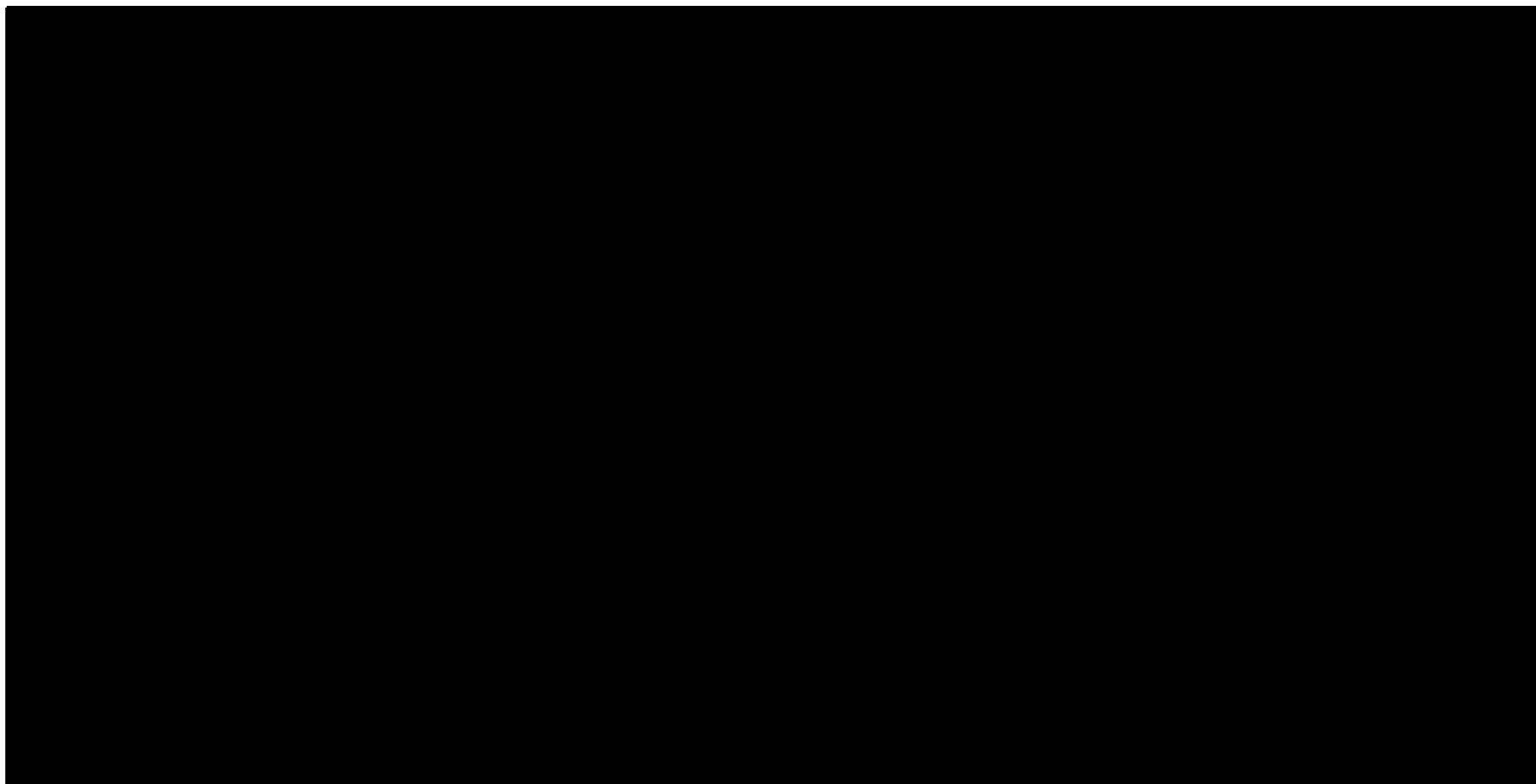
WHAT SHE HAS DONE
COMPANY EXPERIENCE
ROLES AT FNC AND FTS



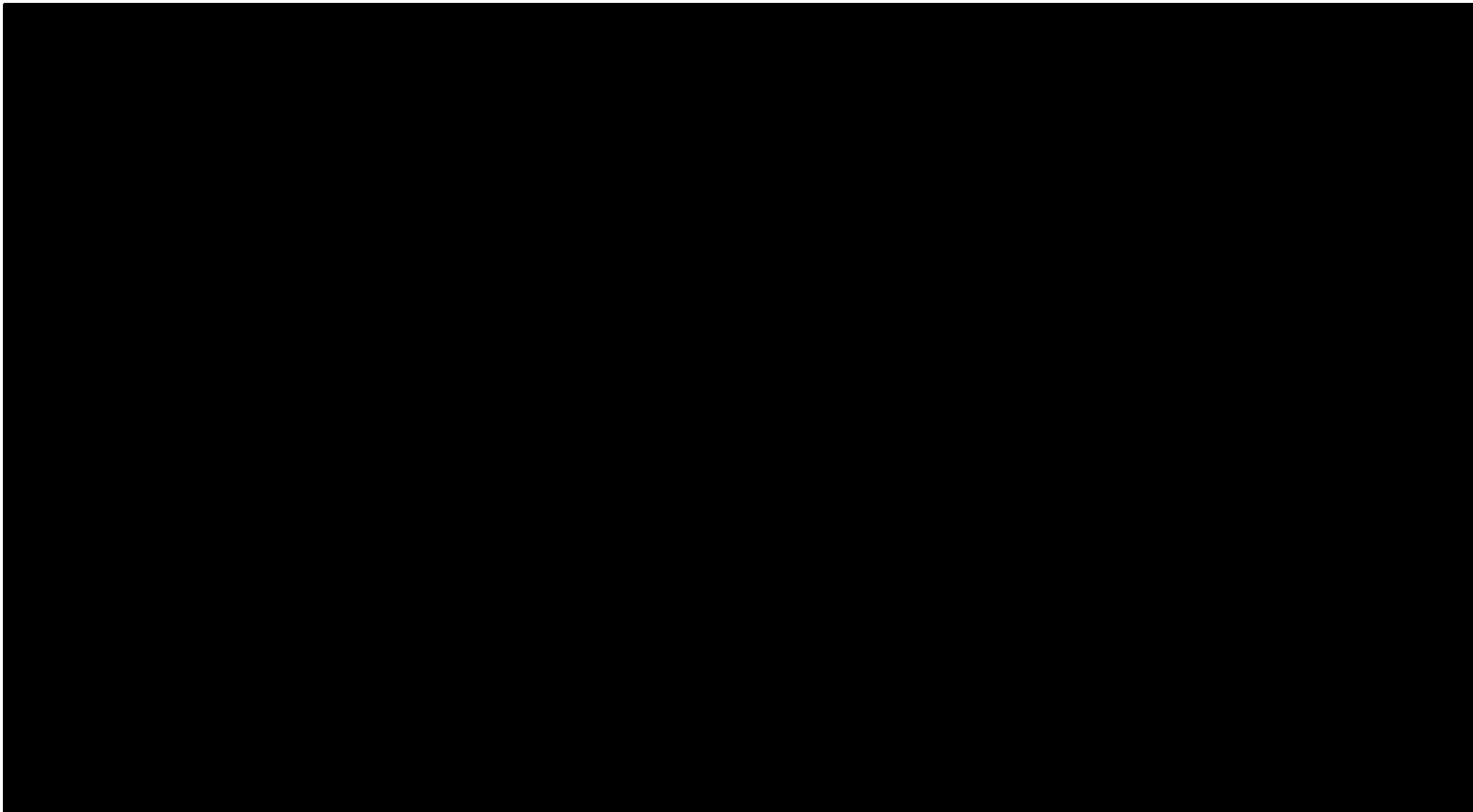
FOX WEATHER BUSINESS PLAN



FOX NEWS DIGITAL STRATEGIC DIRECTION





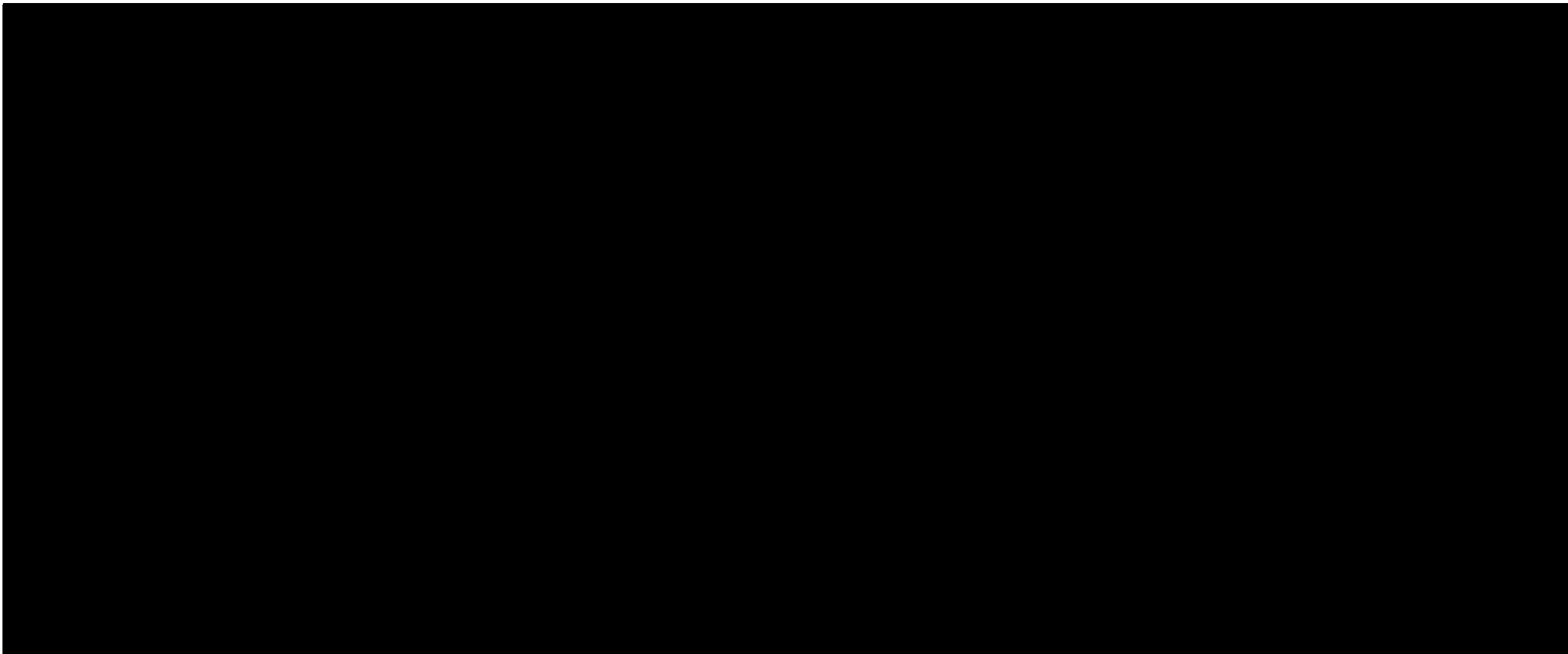


ORGANIZATION

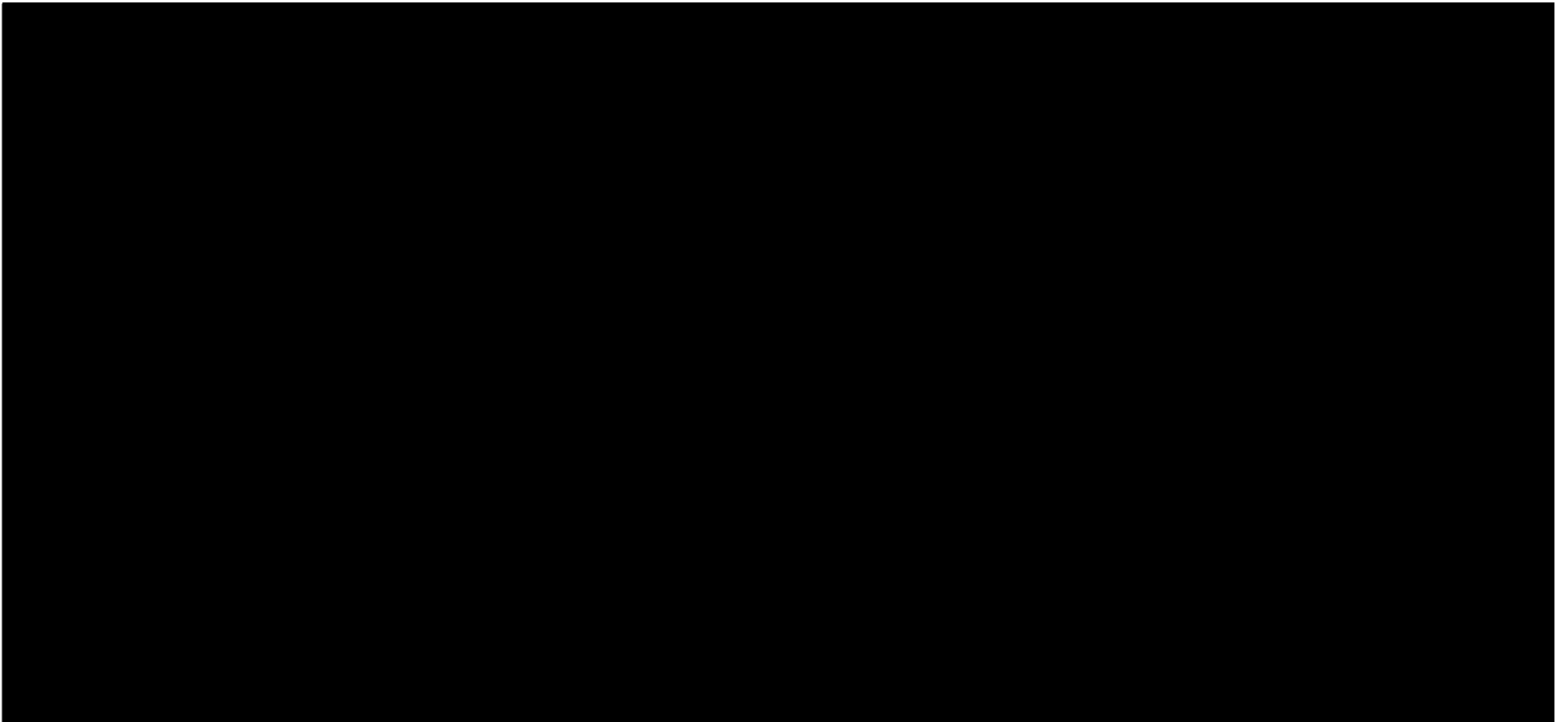


Align Key Growth Drivers

Ensure key subscriber growth drivers are aligned to optimize ROI for every programming, marketing and product \$\$\$



CURRENT CONTENT STRATEGY



FOX NATION STRATEGIC OPPORTUNITIES

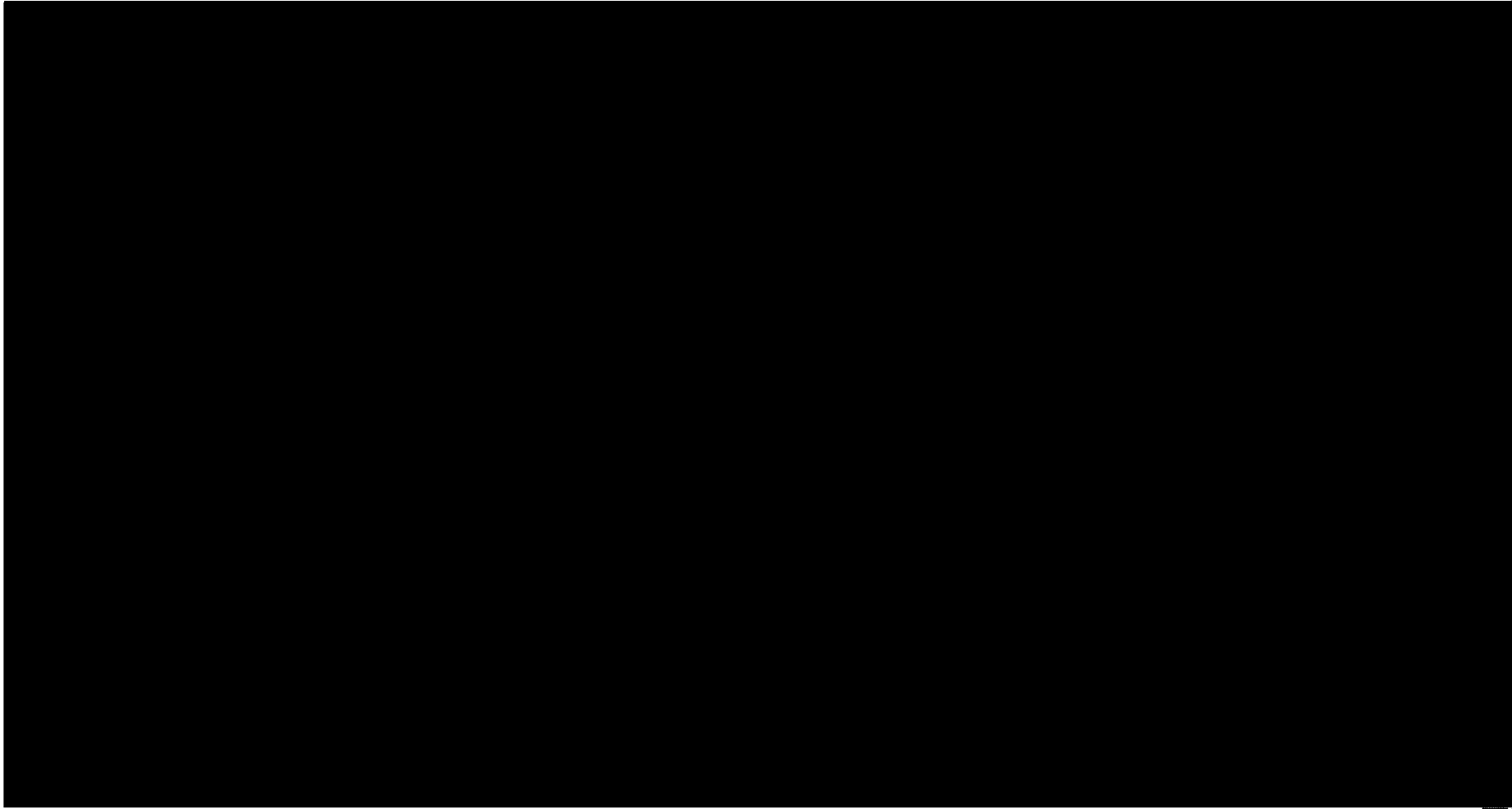


Exhibit 622

From: Anne Dias
Sent: Thursday, November 12, 2020 9:51 PM EST
To: Paul Ryan
Subject: Fwd: Axios AM: Mike's Top 10 — Biden's Day 1 — Scoop: Trump eyes digital empire to "wreck Fox" — 🍷 Augusta in autumn

Paul,

It was great to see you.

Forwarding the Axios story in case you havent seen. It's exactly as you described it: Trump needs a scapegoat, and it's now Fox.

One thing that I find stunning: how can Trump take the emails and contacts that the party or PACs paid for and use them for his own for profit venture? That shouldn't be allowed, should it?

Anne

----- Forwarded message -----

From: Mike Allen <mike@axios.com>

Date: Thu, Nov 12, 2020 at 04:34

Subject: Axios AM: Mike's Top 10 — Biden's Day 1 — Scoop: Trump eyes digital empire to "wreck Fox" — 🍷 Augusta in autumn

To: <adias@araglobal.com>



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Axios AM

By Mike Allen · Nov 12, 2020

📌 **Good Thursday morning**, and welcome back. *Today's Smart Brevity™ count: 1,383 words ... 5½ minutes.*

📌 **Karl Rove**, in his Wall Street Journal column ([subscription](#)), is definitive: "This Election Result Won't Be Overturned. Recounts occasionally change margins in the hundreds, never in the tens of thousands."

📌 **You're invited:** Sam Baker hosts an Axios virtual event tomorrow at 12:30 p.m. ET on the future of health care. [Register here](#).

1 big thing: Scoop ... Trump eyes digital empire to "wreck Fox"





Exhibit 623

From: Samantha Luks, Ph.D. <sam.luks@yougov.com>
To: Shah, Raj; Marissa Shih; Schwartz, Elliott
Sent: 11/10/2020 12:02:20 PM
Subject: Re: External: Pricing for FNC viewers custom poll
Attachments: FNC_draft1.docx

Hi Raj,

Let's use a larger list of networks for the screener, then limit the rest of the survey to Newsmax and OANN.

We've put together some sample pricing in the table below. The expected incidence is based on what we observed in an election study of 60,000 people that we ran last month.

Population: FNC viewers			
	Option 1	Option 2	Option 3
N	1000	1500	2000
Incidence	15%	15%	15%
Expected MoE	3.2%	2.6%	2.2%
LOI	5 min	5 min	5 min
Setup, questionnaire consulting, programming, hosting, sampling, weighting	\$3,000	\$3,000	\$3,000
CPI	\$12.15	\$12.15	\$12.15
Tabs	\$750	\$750	\$750
Total	\$15,900	\$21,975	\$28,050

I don't recommend going below a sample size of 1000.

We've also drafted some questions based on what you listed in your original request. Given that it sounds like you'd like to ask a few deeper questions about FNC, I recommend that we have a call today. We have room to add a couple more questions and stay under 5 minutes. Can you let me know a few good times to talk?

Best wishes,
Sam

Samantha Luks, Ph.D.
Managing Director - Scientific Research

YouGov[®]

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sam.luks@yougov.com

GAMING AND ESPORTS: THE NEXT GENERATION

YouGov analysis of the global video games
and esports landscape in 2020, across 24 markets.

[Download report →](#)



From: "Shah, Raj" <Raj.Shah@fox.com>
Date: Tuesday, November 10, 2020 at 7:15 AM
To: Samantha Luks <sam.luks@yougov.com>, Marissa Shih <marissa.shih@yougov.com>, "Schwartz, Elliott" <Elliott.Schwartz@fox.com>
Subject: Re: External: Pricing for FNC viewers custom poll

Actually, just thinking through, is it your view that we should ask about MSNBC/CNN to ensure the poll's funder is not obvious? Is it possible to do so and ask about OANN and Newsmax?

From: Raj Shah <Raj.Shah@fox.com>
Date: Tuesday, November 10, 2020 at 10:11 AM
To: "Samantha Luks, Ph.D." <sam.luks@yougov.com>, Marissa Shih <marissa.shih@yougov.com>, "Schwartz, Elliott" <Elliott.Schwartz@fox.com>
Subject: Re: External: Pricing for FNC viewers custom poll

We are not concerned with losing market share to CNN or MSNBC right now. Our concern is Newsmax and One America News Network. Maybe include them, but I'd like to get honest/deeper feedback from Fox viewers on the brand, the handling of the election, if they feel like they have been somehow betrayed by the network.

From: "Samantha Luks, Ph.D." <sam.luks@yougov.com>
Date: Tuesday, November 10, 2020 at 2:26 AM
To: Raj Shah <Raj.Shah@fox.com>, Marissa Shih <marissa.shih@yougov.com>, "Schwartz, Elliott" <Elliott.Schwartz@fox.com>
Subject: Re: External: Pricing for FNC viewers custom poll

Hi Raj,

Nice to meet you.

We can provide you with a few options for pricing tomorrow, along with a draft of the survey questions by 2pm ET tomorrow. I recommend that we ask evaluations of FNC with a 1-2 other networks (e.g., CNN and MSNBC) in order to mask who the client is for the project. We can most likely fit all of this content in a 5-minute survey, and we would still screen on Fox viewership.

We'll be back in touch soon.

Best wishes,
Sam

Samantha Luks, Ph.D.
Managing Director - Scientific Research

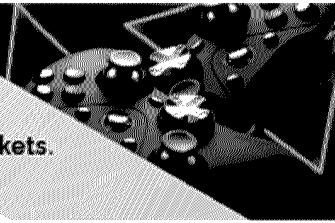


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F: [+1 \(650\) 462-8422](tel:+16504628422)
sam.luks@yougov.com

GAMING AND ESPORTS: THE NEXT GENERATION

YouGov analysis of the global video games
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From: "Shah, Raj" <Raj.Shah@fox.com>
Date: Monday, November 9, 2020 at 7:08 PM
To: Marissa Shih <marissa.shih@yougov.com>, "Schwartz, Elliott" <Elliott.Schwartz@fox.com>
Cc: Samantha Luks <sam.luks@yougov.com>
Subject: Re: External: Pricing for FNC viewers custom poll

Marissa,

I am not an expert, and frankly am growing a little frustrated at the turnaround time and responsiveness here. We need to move quickly. This is a fast moving situation, our brand is under heavy fire from our customer base and we are on Day 3 without much to show for it.

Can you please provide in writing a few recommended questions that we can then begin to edit, along the lines of what my colleague Elliott recommended and some potential options with pricing on samples? The larger the better but we're cost sensitive. Is it possible to see this by noon EST tomorrow, November 10?

From: Marissa Shih <marissa.shih@yougov.com>
Date: Monday, November 9, 2020 at 5:33 PM
To: Raj Shah <Raj.Shah@fox.com>, "Schwartz, Elliott" <Elliott.Schwartz@fox.com>
Cc: "Samantha Luks, Ph.D." <sam.luks@yougov.com>
Subject: Re: External: Pricing for FNC viewers custom poll

Hi Raj,

It's nice to meet you. Can you tell me how many Fox News viewers you'd like to interview?

Thanks,
Marissa

Marissa Shih
Senior Project Director



YouGov America Inc.

650 5th Street
Suite 505

San Francisco

United States

T: [650-319-0707](tel:650-319-0707)

F: [650-462-8422](tel:650-462-8422)

marissa.shih@yougov.com

GAMING AND ESPORTS: THE NEXT GENERATION

YouGov analysis of the global video games
and esports landscape in 2020, across 24 markets.

[Download report](#) →

From: Ryan Gross <ryan.gross@yougov.com>

Sent: Monday, November 9, 2020 1:34 PM

To: Shah, Raj <Raj.Shah@fox.com>; Schwartz, Elliott <Elliott.Schwartz@fox.com>; Sam Kraus <sam.kraus@yougov.com>; RealTime US <realtime.us@yougov.com>

Cc: Samantha Luks, Ph.D. <sam.luks@yougov.com>; Ashley Grosse, Ph.D. <ashley.grosse@yougov.com>; Alexander Marsolais Ph.D. <alexander.marsolais@yougov.com>; Kelly Llaguno <Kelly.Llaguno@yougov.com>; Marissa Shih <marissa.shih@yougov.com>

Subject: RE: External: Pricing for FNC viewers custom poll

Hey Raj,

I just connected with my colleagues on our custom research team and Marissa (CC'd) is going to pick this up and will respond shortly with any questions.

Best,
Ryan

Ryan Gross

Head of East Coast Accounts

Tel: +1-646-537-9819

Office: New York

From: Shah, Raj <Raj.Shah@fox.com>

Sent: Monday, November 9, 2020 1:38 PM

To: Ryan Gross <ryan.gross@yougov.com>; Schwartz, Elliott <Elliott.Schwartz@fox.com>; Sam Kraus <sam.kraus@yougov.com>; RealTime US <realtime.us@yougov.com>

Cc: Samantha Luks, Ph.D. <sam.luks@yougov.com>; Ashley Grosse, Ph.D. <ashley.grosse@yougov.com>; Alexander Marsolais Ph.D. <alexander.marsolais@yougov.com>; Kelly Llaguno <Kelly.Llaguno@yougov.com>

Subject: Re: External: Pricing for FNC viewers custom poll

Hey Ryan,

Thanks for replying. When can we expect some options? Sooner the better. We are under pretty heavy fire with a fast moving situation on our hands.

From: Ryan Gross <ryan.gross@yougov.com>

Date: Monday, November 9, 2020 at 11:07 AM

To: "Schwartz, Elliott" <Elliott.Schwartz@fox.com>, Sam Kraus <sam.kraus@yougov.com>, RealTime US <realtime.us@yougov.com>

Cc: Raj Shah <Raj.Shah@fox.com>, "Samantha Luks, Ph.D." <sam.luks@yougov.com>, "Ashley Grosse, Ph.D." <ashley.grosse@yougov.com>, "Alexander Marsolais Ph.D." <alexander.marsolais@yougov.com>, Kelly Llaguno <Kelly.Llaguno@yougov.com>

Subject: RE: External: Pricing for FNC viewers custom poll

Hi Elliott,

I hope you had a great weekend! I spoke with the RealTime team about this, and they suggested bringing in our political researchers due to the nature of the survey. I've added them on CC and someone will jump in shortly with any further questions and to discuss next steps.

Best,
Ryan

From: Schwartz, Elliott <Elliott.Schwartz@fox.com>

Sent: Saturday, November 7, 2020 2:28 PM

To: Sam Kraus <sam.kraus@yougov.com>; Ryan Gross <ryan.gross@yougov.com>; RealTime US <realtime.us@yougov.com>

Cc: Shah, Raj <Raj.Shah@fox.com>

Subject: External: Pricing for FNC viewers custom poll

Hey guys,

We're considering running a poll (maybe a series of them) on Fox News viewers to gauge their satisfaction with the network. Some conservative accounts online with large followings have been very critical of the network in relation to election coverage and we want to test if that has had any real impact with viewers. Can we get pricing on this and any thoughts or ideas to improve results.

Possible questions to ask:

FNC favorability

do you think the president won or lost?

Did you watch FNC election coverage?

approve or disapprove of fnc election coverage?

Will you continue to be a FNC viewer?

If no, where do you plan to watch instead?

Thanks

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Exhibit 624

From: Shah, Raj </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=33A7EC98BFB14AC1B1B80D99A31D1CDE-RAJ.SHAH>
To: Briganti, Irena (FoxNews); Klein, Megan
Sent: 11/11/2020 4:54:58 PM
Subject: Re: Tracking Data Shows Another Drop....

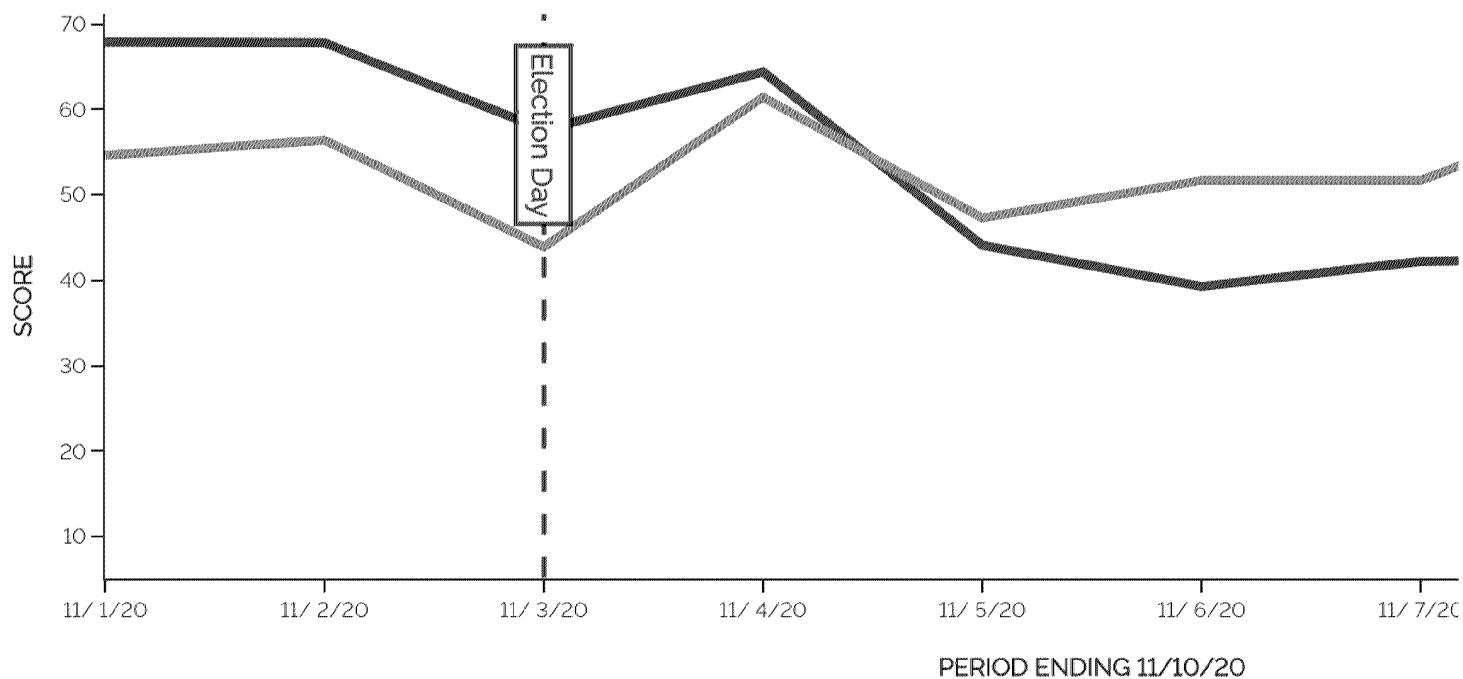
Hey guys,

Given the sharp negative trajectory we have been on, we dug into our 3-day rolling average. Red line is Fox News primetime viewers, green line is all Fox viewers.

This now carries very small samples and should be taken with a grain of salt, but it shows figures that will have us underwater (meaning more of our viewers have an unfavorable opinion rather than favorable opinion of Fox) This might be slightly off, but the trajectory I'm certain of, so on our current course, if not already then by the weekend, opinions of Fox from our core viewers will be underwater.

Irena, as I told you, I've shared my thoughts with Lachlan and Viet, that bold, clear and decisive action is needed for us to begin to regain the trust that we're losing with our core audience.

Moving Average 3 days ▾ Scoring Population Total ▾



From: Raj Shah <Raj.Shah@fox.com>
Date: Wednesday, November 11, 2020 at 9:37 AM
To: "Briganti, Irena (FoxNews)" <irena.briganti@foxnews.com>, "Klein, Megan" <Megan.Klein@fox.com>
Subject: Tracking Data Shows Another Drop....

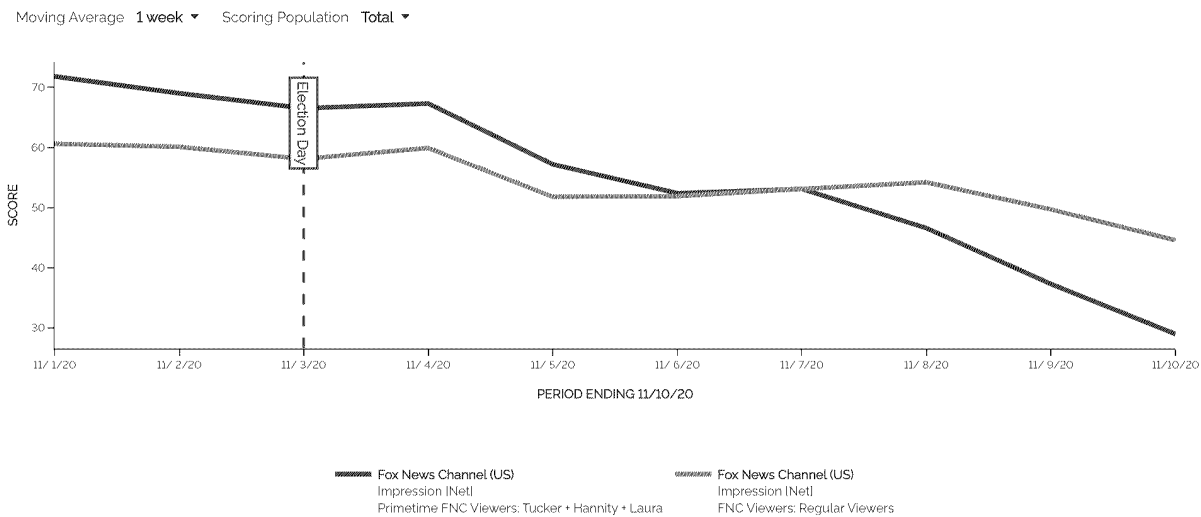
Below is updated tracking data from YouGov, showing another day of data and more clear declines in favorability, especially with primetime viewers. It's getting pretty perilous.

FNC Net Favorability

	11/01/20	11/10/20	Net Change	Change from yesterday	Sample per day
Primetime viewers - one week rolling average	+71.8	+29.0	-42.8	-8.3	73-82
FNC viewers - one week rolling average	+60.6	+44.6	-16.0	-5.1	94-108
Primetime viewers - two week rolling average	+69.3	+46.8	-22.5	-5.3	136-157
FNC viewers - two week rolling average	+62.2	+51.2	-11.0	-3.5	182-203

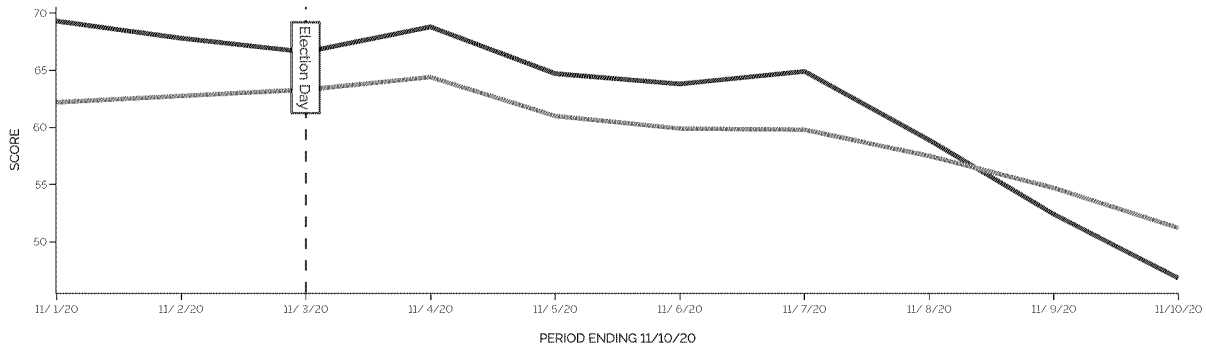
FNC Net Favorability

ONE-WEEK ROLLING AVERAGE



TWO-WEEK ROLLING AVERAGE

Moving Average 2 weeks Scoring Population Total



● Fox News Channel (US) Impression (Net)
● Fox News Channel (US) Impression (Net)
■ Primetime FNC Viewers: Tucker + Hannity + Laura
■ FNC Viewers: Regular Viewers

Exhibit 625

From: Shah, Raj </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=33A7EC98BFB14AC1B1B80D99A31D1CDE-RAJ.SHAH>
To: Murdoch, Lachlan; Dinh, Viet; Scott, Suzanne
CC: Griswold, Alex; Schwartz, Elliott
Sent: 11/13/2020 5:43:46 PM
Subject: Brand Protection Roundup - 11/13/20

Lachlan/Suzanne/Viet,

Below is our weekly report, with a summary of the strong conservative and viewer backlash to Fox that we are working to track and mitigate.



BRAND PROTECTION UNIT ROUNDUP

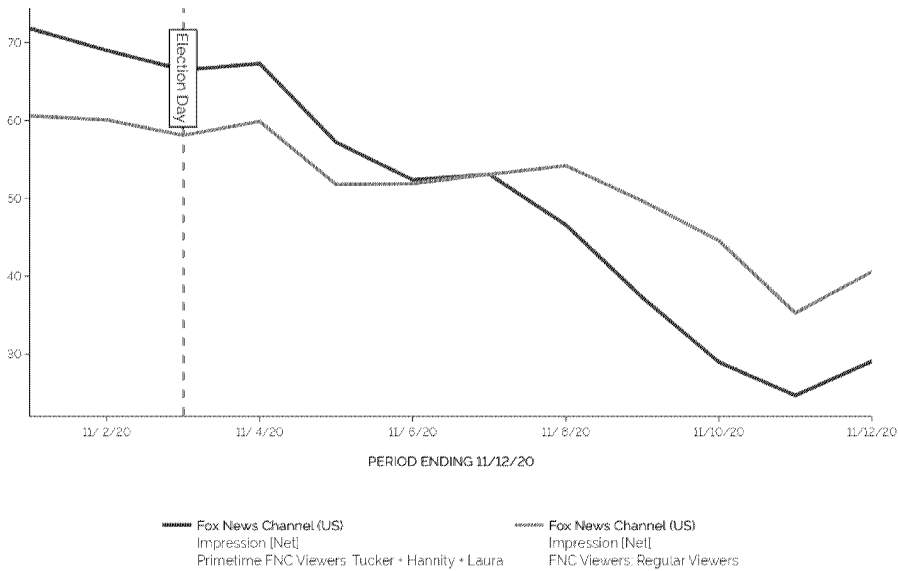
November 13, 2020

Summary of Brand Threats This Week

This week we continued to see extremely high levels of conservative discontent towards Fox News, both on social media and in the pro-Trump commentariat. Roughly half of the top 100 tweets and a third of the top 100 Facebook posts mentioning Fox News were from angry conservatives criticizing Fox or threatening to boycott the network. Both Donald Trump and Newsmax have taken active roles in promoting attacks on Fox News, including by pushing leaked footage and false reports about Fox News talent.

We are continuing to monitor conservative and regular viewer sentiment toward FNC using tracking data from YouGov. Positive impressions of Fox News among our viewers dropped precipitously after Election Day to the lowest levels we've ever seen, but we did begin to see some signs of recovery late in the week.

7-DAY TRACKING OF VIEWER FAVORABILITY TOWARD FOX



Pictured: Net favorability of Fox News among primetime viewers and regular viewers (One week rolling average)

We also worked with Ad Sales about concerns from Pfizer over Fox News reporting on criticism of the post-election timing of it’s vaccine announcement to develop responses on programming and show brand polling data showing how Fox viewers have very high favorability of Pfizer when compared to the general public.

Notable Attacks On Fox Brand & Talent

OUTLET	AUTHOR	POST
Axios	Mike Allen	Scoop: Trump eyes digital media empire to take on Fox News
Newsmax	Eric Mack	Fox News Cancels 'Justice With Judge Jeanine' This Weekend Over Trump
Breitbart	John Nolte	Nolte: Bret Baier Deletes Tweet that Exposed Exploding Backlash Against Fox News
The Rush Limbaugh Show	Rush Limbaugh	Fox News Turned Its Back on Its Base
Newsmax	Eric Mack	Fox News Censors McEnany Briefing on Election Fraud

Defense Of Fox Brand Efforts

Author	Instance of Pushback	Social interactions	Potential Impressions
3rd Party Allies	Tweets highlighting MSM bias or in defense or promotion of FNC talent	224,006	99,083,485
Bill Asher	American Greatness: Fox and Criticism Among Friends	79	2,518,615

YouGov Talent Favorability Tracking
 30 Day Average - 10/02/20 to 11/01/20

TALENT	FAVORABILITY					
	Strongly Positive	Slightly Positive	Neutral	Slightly Negative	Strongly Negative	Not Heard Of
Tucker Carlson	19.40%	10.50%	14.20%	5.00%	25.80%	25.10%
Sean Hannity	15.70%	16.60%	15.50%	7.40%	29.10%	15.80%
Laura Ingraham	14.90%	13.30%	15.80%	3.80%	23.10%	29.10%
Bret Baier	11.60%	14.70%	16.80%	5%	8.80%	42.9%
Chris Wallace	13.8%	25.1%	18.60%	11.10%	16.30%	15.20%

TALENT	FAVORABILITY			
	Total Positive	Total Negative	Net Fav	Net Change
Tucker Carlson	29.90%	30.80%	-0.90%	-0.20%
Sean Hannity	32.30%	36.50%	-4.20%	+2.10%
Laura Ingraham	28.20%	26.90%	1.30%	-2.40%
Bret Baier	26.30%	14.00%	12.30%	+0.0%
Chris Wallace	38.90%	27.40%	11.50%	+5.80%

Exhibit 626

REDACTED IN ITS ENTIRETY


Exhibit 627

Start Date November 14, 2020 12:12:22 PM EST

End Date November 14, 2020 12:59:04 PM EST

Chat Suzanne Scott <[REDACTED]> (IMessage)>, Lachlan Murdoch
Account [REDACTED], Lachlan Murdoch <[REDACTED]> (IMessage)>, Suzanne
t Scott <[REDACTED]> (Sms)>, Lachlan Murdoch <[REDACTED]>, Lachlan
Murdoch <[REDACTED]> (Mms)>, Suzanne Scott <[REDACTED]>, Suzanne
Scott <[REDACTED]> (Mms)>, Lachlan Murdoch <[REDACTED]> (Sms)>

(no sender information available)

 News guys have to be careful how they cover this rally. So far some of the side comments are slightly anti, and they shouldn't be. The narrative should be this is a huge celebration of the president. Etc 12:12:22

Suzanne Scott <[REDACTED]> (IMessage)>

 Yes thanks 12:13:54

(no sender information available)

 Leland is not good 12:14:31

Smug and obnoxious 12:15:12

Suzanne Scott <[REDACTED]> (IMessage)>

 Yup calling now 12:16:41

(no sender information available)

 Need to get him off 12:17:34

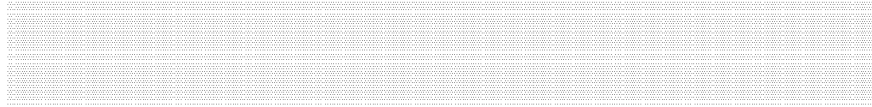
Thx. He seems to have calmed down. That was crazy. 12:57:32

Suzanne Scott <[REDACTED]> (IMessage)>

 Yes we got them all in line! 12:57:54

I also said we should be over-promoting pirro and Jesse and Greg since they were bumped last sat so they are fixing that 12:58:29

(no sender information available)



12:59:04

Exhibit 628

PARTICIPANTS: David Clark - [REDACTED]; Meade Cooper - [REDACTED]; Unknown - [REDACTED]

Sent 2020-11-14 12:10:44 AM UTC FROM: Unknown - [REDACTED];

Yes

Sent 2020-11-14 01:14:19 AM UTC FROM: Unknown - [REDACTED]

The wonderful Dianne will help with Jeanine tomorrow if needed...

Sent 2020-11-14 01:14:42 AM UTC FROM: Meade Cooper - [REDACTED]

Oh good thank you

Sent 2020-11-14 01:15:46 AM UTC FROM: Unknown - [REDACTED]

[REDACTED]

Sent 2020-11-14 01:16:02 AM UTC FROM: Unknown - [REDACTED]

Get some rest.

Sent 2020-11-14 01:18:36 AM UTC FROM: Meade Cooper - [REDACTED]

Thank you for handling

Sent 2020-11-14 01:19:01 AM UTC FROM: Unknown - [REDACTED]

[REDACTED]

Sent 2020-11-14 04:05:05 PM UTC FROM: Unknown - [REDACTED]

[REDACTED]

Sent 2020-11-14 04:05:46 PM UTC FROM: Unknown - [REDACTED]

[REDACTED]

Sent 2020-11-14 04:45:41 PM UTC FROM: Unknown - [REDACTED]

[REDACTED]

Sent 2020-11-14 05:29:34 PM UTC FROM: Unknown - [REDACTED]

[REDACTED]

Sent 2020-11-14 05:29:42 PM UTC FROM: Meade Cooper - [REDACTED]

Thanks

Sent 2020-11-14 05:41:11 PM UTC FROM: Unknown - [REDACTED]

[REDACTED]

EXHIBIT 3035

Sent 2020-11-14 05:42:03 PM UTC FROM: Meade Cooper - [REDACTED]

Sent 2020-11-14 05:45:40 PM UTC FROM: Unknown - [REDACTED]

Sent 2020-11-14 05:46:39 PM UTC FROM: Meade Cooper - [REDACTED]

Sent 2020-11-14 05:46:57 PM UTC FROM: Unknown - [REDACTED]

Copy will do

Sent 2020-11-14 07:02:09 PM UTC FROM: Unknown - [REDACTED]

Texting Irena now

Sent 2020-11-14 07:05:43 PM UTC FROM: Meade Cooper - [REDACTED]

Ok let me know if I should call JJP

Sent 2020-11-14 07:08:04 PM UTC FROM: Unknown - [REDACTED]

Copy. Irena texted back saying she's sending me something shortly and she's dealing with a lot today.

Sent 2020-11-14 07:09:23 PM UTC FROM: Meade Cooper - [REDACTED]

Ok I can call JJP to try to get her on board if needed

Sent 2020-11-14 07:19:01 PM UTC FROM: Unknown - [REDACTED]

See Irena mail

Sent 2020-11-14 07:20:01 PM UTC FROM: Meade Cooper - [REDACTED]

Ok thanks I'll let SS know

Sent 2020-11-14 07:21:18 PM UTC FROM: Unknown - [REDACTED]

Copy

Sent 2020-11-14 08:38:03 PM UTC FROM: Unknown - [REDACTED];

Sent 2020-11-14 08:38:20 PM UTC FROM: Meade Cooper - [REDACTED]

Thanks

Sent 2020-11-14 08:45:11 PM UTC FROM: Unknown - [REDACTED]

Good now per Wilder

Sent 2020-11-14 11:35:25 PM UTC FROM: Unknown - [REDACTED]

From Irena: Didn't need the I missed you here like she's been gone for 6 months Jeanine Pirro @JudgeJeanine I'm back on Fox News tonight and you know what - I missed you! See you at 9pm ET! [https://video.twimg.com/ext_tw_video/1327746292869640193/pu/vid/720x720/IQBFwUttysVfCZG.mp4?](https://video.twimg.com/ext_tw_video/1327746292869640193/pu/vid/720x720/IQBFwUttysVfCZG.mp4?tag=10) tag=10 5:52pm · 14 Nov 2020 · Twitter for iPhone

Sent 2020-11-14 11:36:17 PM UTC FROM: Meade Cooper - [REDACTED]

Oh boy. Thanks

Sent 2020-11-14 11:37:21 PM UTC FROM: Unknown - [REDACTED]

[REDACTED]

Sent 2020-11-14 11:47:48 PM UTC FROM: Unknown - [REDACTED]

[REDACTED]

Exhibit 629

Start Date November 29, 2020 8:55:17 PM EST

End Date November 29, 2020 8:55:17 PM EST

Chat Suzanne Scott <[REDACTED]> (IMessage)>, Lachlan Murdoch
Account [REDACTED], Lachlan Murdoch [REDACTED] (IMessage)>, Suzanne
t Scott <[REDACTED]> (Sms)>, Lachlan Murdoch [REDACTED] Lachlan
Murdoch [REDACTED] (Mms)>, Suzanne Scott [REDACTED] Suzanne
Scott [REDACTED] (Mms)>, Lachlan Murdoch [REDACTED] (Sms)>

(no sender information available)



Just FYI to discuss tomorrow, the ticker at bottom of screen is all wrong. Way too wordy and long. And anti trump whenever possible.

20:55:17

Exhibit 630

From: [REDACTED]
To: rthomson
Sent: 11/14/2020 4:04:47 PM
Subject: Re: Pollster: It's Curious How Biden Underperformed Hillary Clinton In Every City...Except These Four.

Ok. But where's the evidence?
West Coast too?
If this is all true there must be something somewhere to prove it.

Sent from my iPhone

On Nov 14, 2020, at 8:40 PM, Robert Thomson [REDACTED] wrote:

<https://townhall.com/tipsheet/mattvespa/2020/11/14/democracy-institute-pollster-yes-i-think-this-election-was-stolen-n2579970>



[REDACTED]

1211 Avenue of the Americas
New York, NY 10036

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Exhibit 631

Rage Against the Voting Machine

WSJ [wsj.com/articles/rage-against-the-voting-machine-11605656036](https://www.wsj.com/articles/rage-against-the-voting-machine-11605656036)

November 17, 2020

By The Editorial Board

Nov. 17, 2020 6:33 pm ET

3254



Voters cast ballots at the polling station in Atlanta, Ga., Nov. 3. Photo: Jessica McGowan/Getty Images

President Trump has so far been unwilling to concede to Joe Biden, and his latest argument is that the voting machines must have been rigged. Where's the evidence? Strong claims need strong proof, not rumors and innuendo on Twitter.

Chatter is swirling around Dominion Voting, a company that supplies equipment in some 28 states. What seems to have launched this theory was an early misreport of results in Antrim County, Mich. In 2016 Mr. Trump won 62% of its 13,600 ballots, so eyebrows rose this year when the initial tallies showed Mr. Biden up by 3,000.

Covid Cases Rise, and States Tighten Rules

In reality, Mr. Trump had won 61% of Antrim County. The unofficial reporting was wrong, but the underlying votes were counted correctly. As officials later explained: In October the county had to tweak the ballot information for two local races. Tabulating machines in the affected areas were updated, but others weren't. On Election Day the differing data didn't line up right after being merged. But the printouts from the tabulators showed accurate totals.



In any case, the Michigan Secretary of State's office said the error "would have been identified during the county canvass," when Democrats and Republicans "review the printed totals tape from each tabulator." Antrim County Clerk Sheryl Guy told the Associated Press: "There was no malice, no fraud here, just human error." She's a Republican.

A different problem hit Gwinnett County, Ga. Officials had trouble with a Dominion module for adjudicating absentee ballots, for example, if the voter put a check mark in the circle instead of filling it in. Some adjudicated ballots, the county said, "were displayed as in progress but would not move over to be accepted." The county ended up re-adjudicating some votes until Nov. 5. Sounds like the usual boring IT snafu.

Other pundits mash together all sorts of stuff. A couple of counties in Georgia had trouble with electronic poll books, but that would affect wait times at precincts, not final vote totals. There's footage from a House hearing a few years ago, at which Princeton Computer Science Professor Andrew Appel said that voting machines could theoretically be hacked. Where's the proof they actually were in 2020? "Vulnerabilities," Mr. Appel wrote in a blog post Friday, "are not the same as rigged elections, especially when we have paper ballots in almost all the states."

Mr. Trump was even further astray last week in a tweet. "REPORT: DOMINION DELETED 2.7 MILLION TRUMP VOTES NATIONWIDE. DATA ANALYSIS FINDS 221,000 PENNSYLVANIA VOTES SWITCHED FROM PRESIDENT TRUMP TO BIDEN. 941,000 TRUMP VOTES DELETED." Dominion says it's "impossible" that its machines deleted nearly a million Trump votes in Pennsylvania, where it serves only 14 counties. With turnout at 76%, it adds, those counties registered 1.3 million votes.

Others have tried to draw lines between Dominion and prominent Democrats. In the category of no good deed goes unpunished, the company in 2014 agreed to donate voting machines to "emerging and post-conflict democracies" via a Clinton Foundation initiative. This shows exactly nothing about Dominion's current operations. The company says it has no ownership relationships "with any member of the Pelosi family, the Feinstein family, or the Clinton Global Initiative."

Another rumor is that Dominion has deep ties with Smartmatic, which has supplied voting systems to Venezuela, where the ruling regime manipulates elections. Both companies deny this. Smartmatic says it “has never provided Dominion Voting Systems with any software, hardware or other technology.” Dominion says they “do not collaborate in any way and have no affiliate relationships or financial ties.” In 2009, Dominion adds, Smartmatic “licensed Dominion machines for use in the Philippines,” but the contract “ended in a lawsuit.”

No voting system is foolproof, and hiccups are inevitable in a country with roughly 3,000 counties. The distributed nature of American elections is a strength on this point, since voting is handled by innumerable local officials instead of a few central authorities. Texas has declined to certify Dominion systems for its elections. The examiners objected to everything from the “tedious” and “unintuitive” setup, to a crash they witnessed in an adjudication module, to an indicator light that hackers could hypothetically remove to get at a USB port.

But so far there’s no good evidence of voting problems that would come close to Mr. Biden’s lead of 73,000 votes in Pennsylvania or 145,000 in Michigan. In Georgia, the Republican Secretary of State last week ordered a hand recount of all five million ballots. The effort turned up 2,600 missing votes that Floyd County forgot to upload. Adding them would cut Mr. Biden’s lead to slightly north of 13,000. But the error isn’t Dominion’s fault, and it better hope no glitches are revealed, given its 10-year contract with the state for \$107 million.

If Georgia’s recount doesn’t find big irregularities, then these claims should be put to rest. In the George W. Bush years, the conspiratorial left focused on Diebold, a maker of electronic voting machines. It would be a mistake for anyone on the right to go down a similar dead end, especially if Georgia’s paper ballots give the same result as the computers.

Wonder Land: Want to know why no one will give an inch in 2020? Revisit Bush v. Gore in the 2000 election. Images: Newsmakers/Getty Images Composite: Mark Kelly

Appeared in the November 18, 2020, print edition as 'Rage Against the Voting Machine'.

Sponsored Offers

Exhibit 632

From: Vacchiano, Andrea </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=FE93088E81154D14A2FC252459AE60C7-VACCHIANO,>
To: Grossberg, Abby; Aloe, Rocco; Steele, Jeremy; Faulkner, Christopher
CC: Pittock, David; Sklar, Jonathan
Sent: 11/29/2020 11:37:23 AM
Subject: TRANSCRIPT: PRESIDENT DONALD TRUMP SMF INTERVIEW

SHOW ID: Z7546409

***** ATTENTION – THIS IS AN AUTOMATED TRANSCRIPT – PLEASE VERIFY ACCURACY BEFORE AIRING *****

Maria Bartiromo [10:11:59] And now the president of the United States, Donald Trump, on the telephone. Mr. President, thank you very much for being here.

President Donald Trump [10:12:07] Thank you, Maria. Thank you.

Maria Bartiromo [10:12:09] It is great to have you. And I want to say that Americans today have a lot of questions this morning. Mr. President. We hope that you can be as precise as possible and we can get through as much as possible this morning. Thank you for talking with us in the first interview since Election Day.

Maria Bartiromo [10:12:25] Mr. President, you've said many times that this election was rigged, that there was much fraud, and the facts are on your side. Let's start there. Please go through the facts, characterize what took place.

President Donald Trump [10:12:39] Well, first of all, I have to start by saying the whole world is watching and nobody can believe what they're saying. And you have leaders of countries that call me say that's the most messed up election we've ever seen. You start with these machines that have been suspect, not allowed to be used in Texas, the Dominion machines where tremendous reports have been put out.

President Donald Trump [10:13:00] We have affidavits from many people talking about what went on with machines that had glitches, you know, the glitches that glitches supposed to be when a machine breaks down. Well, no, we had glitches where they moved thousands of votes from my account to Biden's account. And these are glitches. So they're not glitches.

President Donald Trump [10:13:18] They're theft they're fraud absolute fraud. And there were

President Donald Trump [10:13:57] This election was over. And then they did dump's they call them dump's big massive dumps in Michigan and Pennsylvania and all over. If you if you take a look at you, just take a look at just about every state that we're talking about, every swing state that we're talking about.

President Donald Trump [10:14:18] And they did these massive dumps of votes. And all of a sudden I went from winning by a lot to losing by a little.

President Donald Trump [10:14:27] And in some cases, it took a period of time to do it. North Carolina, they couldn't do it. I won North Carolina. They couldn't somehow they had a better system, but they couldn't do anything. I believe they tried. We have affidavits, but they couldn't do anything without really a great place. North Carolina, we appreciate the incredible work they put in and we won, but they did tens of thousands of tens of thousands of Biden votes.

President Donald Trump [10:14:57] And all of a sudden I went from and I could tell you, the people that were calling me, congratulating me, the people that you know very well, friends of your show, they said it's over. I said, well, I hear bad things about the machines. I hear bad things about corruption. One of your great pollsters who actually got it right, you know, the gentleman I'm talking about, he said, well, Trump is going to win Pennsylvania, but you have to allow at least five percent for cheating because they cheat.

President Donald Trump [10:15:23] And that's in Philadelphia and various areas around Philadelphia. They cheat and they cheat like crazy. So we have him winning Pennsylvania. But you have to allow five points for cheating. This is a terrible thing that's happened to mail in ballots are a disaster. They sent millions and millions and millions of mail in ballots. I'm sure, you know, people that got two, three or four because I do what they said. You know, we got four ballots. They got one in a country home, dead people.

President Donald Trump [10:15:52] We're seeing ballots. But even worse, dead people were applying to get a ballot. They were making application to get ballots. Many. And, you know, we're not talking about ten people. We're talking about there are a lot of dead people that so-called voted in this election. But dead people were in some cases, in many, many cases, thousands of cases voted. But also dead people made application to vote.

President Donald Trump [10:16:17] They were dead ten years, fifteen years, and they actually made application. This is total fraud. And how the FBI and Department of Justice, I don't know, maybe they're involved, but how people are allowed to get away from this stuff with this stuff is unbelievable. This election was rigged.

President Donald Trump [10:16:33] This election was a total fraud and it continues to be as they hide. And the problem we have, we go to judges and people don't want to get involved. The media doesn't even want to cover it. I mean, you're doing something. You're actually very brave

the press in this country. We have suppression by the press. They suppress. You know, you can't have a scandal if nobody reports about it.

President Donald Trump [10:17:25] This is the greatest fraud in the history of our country from an electoral standpoint. And I guess you could build it up bigger than electricals. What's what's bigger from a electoral standpoint? What's bigger than this? This is the essence of our country. This is the whole ballgame. And they cheated. Joe Biden did not get 80 million votes.

President Donald Trump [10:17:49] Now, we was we were planning I got 63 million votes four years ago and won quite handily in the in the Electoral College, won quite handily. We did very well. I got 63. We were hoping to get 68 or so. And we felt that was a path to an easy victory. I got 74 million votes, the largest in the history of a sitting president. So much more, many millions more than anyone thought. You know, then we were even trying to get and.

President Donald Trump [10:18:23] Everybody said this is over. I'm telling you, 10 o'clock, everybody thought it was over and then the phone. Then the phone email and started coming in. But just so you understand, I get 74 million votes. It was over. And then Mayland started happening. Glitches started happening. This election was rigged. This election is a total fraud.

Maria Bartiromo [10:18:46] Mr. President, these are obviously very serious charges, and I want to walk through them and ask you how you will prove this in the courts, because, as you know, what I've been saying on the air is that elections are the reason that our young men and women go on battlefields across the world and in some cases lose their lives because they believe that their vote, my vote matters just as much as your vote. And if that is not true, this is a very serious turning point for America. So this is no longer about you, President Trump. This is about America.

Maria Bartiromo [10:19:25] And many people agree with you. According to Reuters, 68 percent of Republicans and 28 percent of all Americans that includes Democrats believe there was fraud in this election. So let's go through some of the states, the six states that your team is challenging. What specific strategy does your legal team take going forward?

Maria Bartiromo [10:19:47] Let's start with Pennsylvania. I know you said that you have a pile of affidavits. That's part of the evidence. What other evidence can you talk about that will enable you to prove this in court in the coming weeks?

President Donald Trump [10:20:02] Well, we're trying to put the evidence in and the judges won't allow us to do it. We are trying we have so much evidence. You probably saw on Wednesday of last week, we had a hearing in Gettysburg, Pennsylvania. It was an incredible hearing, unbelievable witnesses, highly respected people that were truly aggrieved.

President Donald Trump [10:20:21] A woman came in and she wanted to vote and they said, no, I'm sorry you can't vote. You've already voted your ballots. And she said, no, no, I want to

them. They weren't allowed to have poll watchers, the Democrats and thugs, thugs. I'm not talking about saying, could you please move over? They threw him out of the counting rooms.

President Donald Trump [10:21:11] They weren't allowed to be in. They threw him outside in many cases. You heard the story with the people that went out and sent for binoculars because they wouldn't allow him to watch. And during that period of time, a lot of bad things happened. Then they closed, as you know, they closed up the voting and then unexpectedly they closed up all of the counting.

President Donald Trump [10:21:31] Unexpectedly, new ballots came in and it was all new numbers being added. We have pictures and we have evidence of new ballots being brought into counting rooms. Maria, there's never been anything like this in history. And it all started with the mainland. But it also goes to Dominion. It goes through a lot of things.

President Donald Trump [10:21:51] But the mainland, millions and millions of ballots being shipped all over and ballots, as you know, there were a lot of ballots where it was just Biden on top. They didn't do anything else because they were in a rush. And from what everybody is saying and from what I don't think we even have to prove this, they say that I was doing so much better than they thought that they panicked and they started just doing ballot after ballot very quickly and just checking the Biden name on top.

President Donald Trump [10:22:20] They didn't have time to have all these ballots with just one name check. People don't vote that way. People don't vote that way. They want to vote against taxes and they want to vote for judges and they want to vote for a lot of other things that you have on a ballot, you know, different different races, including Congress. And they were just checked out tremendous numbers of ballots like that.

President Donald Trump [10:22:42] And that was done for the sake of speed. We have stories that are unbelievable, but we're not allowed to put in our proof. They say you don't have standing. I said, I'd like to file to the lawyers. I would like to file one nice, big, beautiful lawsuit talking about this and many other things with tremendous proof. We have we have affidavits.

President Donald Trump [10:23:04] We have hundreds and hundreds of affidavits like the people that you saw the other day and Pennsylvania willing to sign under penalty of perjury. You go to jail, willing to sign, unlike Comi who didn't go to jail for lying, by the way, and McCabe, who didn't go to jail for lying, which is an amazing thing to me. We might as well bring it up. But under perjury, you go to jail. We have hundreds getting to be thousands if they're coming in all the time. And these are respected people.

President Donald Trump [10:23:33] These are people that are putting their lives at risk and they don't want to take the affidavits. Then they say we don't have proof. I wanted to file one suit, Donald Trump, president of the United States, against, you know, and put everything into one simple suit. And they say, sir, you don't have standing. I say, I don't have standing. Give me

they all I think most of them think it was a fraud. I watched you look at the election, look at the election you have coming up right now.

President Donald Trump [10:24:25] You're using the same garbage machinery, Dominion, and she's going around Abrams. She's going around screaming that she's got 800 or 850000 ballots. What kind of an election is it? She's going around collecting votes.

President Donald Trump [10:24:40] What kind of an election is this? What kind of a country are we living in now where you can vote four months ahead of schedule? And then the other thing we have in Justice Alito, highly respected, a great man. Justice Alito seems to have big problems, but the election ended and they gave people an extension to vote.

President Donald Trump [10:24:59] That's never happened before. In other words, the election ended. But we'll give you more time if you want to vote. And what I understand is they didn't think it was good either. So they backdated all these ballots that came in. They had people and we have affidavits on that, too.

President Donald Trump [10:25:13] They had people backdating ballots so that if somebody came in the fourth or fifth or sixth, which was illegal because the legislature didn't approve it, which everything has to be approved by the legislature and they had judges making deals and they had electoral officials making deals like this character in Georgia who's a disaster. And the governor has done nothing. He's done absolutely nothing.

President Donald Trump [10:25:36] I'm ashamed that I endorsed him, but I look at what's going on. It's so terrible. But what happened in this election, Maria? I can't imagine that has ever happened before they stuffed the ballot boxes, you know, I've been hearing that expression for many years. You have to stuff the belt. They stuffed the ballot boxes and they use covid as a means to stuff the ballot box, as Joe Biden did not get 16 million more votes than Barack Hussein Obama.

President Donald Trump [10:26:09] He didn't get it. Joe Biden did not get 14 million more votes than Hillary Clinton. And by the way, he didn't beat Obama in the black communities. You go to some of these communities where Obama is very, very popular and he beats him in some of these communities, but all throughout the rest of the United States, in a black community, he does he does actually poorly.

President Donald Trump [10:26:34] He doesn't do very well, but he beats Obama in swing states. Now, think of that. He beat Obama in swing states. You know, that didn't happen. They stuffed the ballot box. Everybody knows that.

Maria Bartiromo [10:26:47] This is this is some of the, you know, impossible statistics that we have found, and this is from the Federalist article, they call it Biden Magic, and they list a number of of ways that Joe Biden magically outperformed election norms. They include 80

Maria Bartiromo [10:27:44] Mr. President, will you be able to prove that the computers can circumvent the controls that are in place? A lot of people say, oh, no, we have controls in place. There are paper ballots. The computers cannot get through the controls that are in place. Can you do that? And secondly, in terms of Pennsylvania, your team got a blow on Friday, an appeals court rejecting the request to block the certification of Pennsylvania's election results.

Maria Bartiromo [10:28:12] Your attorneys have said they will appeal to the Supreme Court. Give us your timing on that. Will you get a different outcome in the next couple of days? Will we be hearing a victory in Pennsylvania in the next couple of days?

President Donald Trump [10:28:25] OK, well, let me just talk about the Federalist paper just for a second, because you mentioned it. There are five points. And it was written brilliantly, but sarcastically because they were saying he must be a great campaigner because he lost here.

President Donald Trump [10:28:38] He lost here. He lost here. He won the election. If president this is over a long, many period to hundreds of years, 100 years or something.

President Donald Trump [10:28:47] They went into all of the elections. If you win one of the five points, I won all five. If you win one of the points you become president, you automatically the sitting president gets re-elected. I won all five and I still lost. There was only one reason for that fraud, stuffing the ballot boxes, all of the things that they did.

President Donald Trump [10:29:06] There's only one reason and everybody knows it. And your numbers are much different. It's I mean, this country, I cannot believe it is more spirit. I see more spirit right now. This country cannot have fake elections like we have fake news, like we have all of the things happening with big tech. It's I mean, there's a tremendous move on to repeal Section two 30 big tech has no liability.

President Donald Trump [10:29:33] They can do whatever they want. It's ridiculous. But there's a big move to do that. I don't know if the politicians have the guts to do it, but they're hurting themselves very badly. There are so many different things. Yeah. Will be appealing different cases where, you know, it's not only our case. Mike Kelly, great congressman, as you know, from Pennsylvania, has a great case.

President Donald Trump [10:29:54] He well, he had a good decision that he went a step above and they turned him down. I think that was in Pennsylvania. I think he's got a great appeal to the United States Supreme Court at 77, where the the legislature is supposed to approve all this stuff. And they had it approved by local officials or a judge.

President Donald Trump [10:30:17] I think it's a great case, but I'm sure they'll be appealing to they have a fantastic case. You know, a lot of the cases that have been lost haven't been on cases that people that are aggrieved that went out and filed lawsuits because they saw things

President Donald Trump [10:31:10] They got thrown out of buildings in different states. They were thrown out. And this is a well coordinated attack because you don't do it with everybody. Maybe it would happen in Philadelphia, but it wouldn't happen in Detroit. Now, Detroit and Philadelphia, Milwaukee, these are among the most dishonest political places in years. Just look at the past history. I'm not being rude to anybody. These are highly corrupt locations politically.

President Donald Trump [10:31:35] But poll watchers were walked out by thugs out of the building and you have it all over the news. We could give you everything you need. All you have to do is local news covers it actually much differently than national news. National news. Does it like covering anything that would be like that? They don't. They don't.

President Donald Trump [10:31:53] They do not report the news. That's why I call them fake news. But they've never been fake like they are now. Now they're a disgrace. But the news is the enemy, the our our newspapers, major newspapers and major networks are truly the enemy of the people in this country. They're very dangerous. And big tech is making them even more dangerous.

President Donald Trump [10:32:17] But they got rid of people [crosstalk].

Maria Bartiromo [10:32:20] I'm going to get back to big tech because this is a critical part of this story, Mr. President. But if you take out the contested swing states electoral votes, you're back down to President Trump having two hundred and thirty two electoral votes and Joe Biden having two hundred and twenty seven. That is if you strip out the six states with the legal challenges.

Maria Bartiromo [10:32:42] So that is the thinking here, that because of the various ballot issues, that the Supreme Court will rule that the vote is tainted and that will mean that they have to take votes away from Biden and not certify. Is that the thinking? And secondly, what's your timing on this, Mr. President?

Maria Bartiromo [10:33:00] Because we've got some notable election dates here that I want to ask you what you believe you consider to be your drop dead date in terms of proving this case is December 18th when the states finalize electoral appointments or when electors cast votes in each state. Is it the vice president receiving electoral votes or is it the House and Senate counting electoral votes or is it Inauguration Day, January 20th? How do you see it?

President Donald Trump [10:33:26] Well, I don't want to give you an actual date. A lot of people say the 18th or they say the 14th or they say January 20th. I'm not going to say a date, but I will say we have to move very fast. We have been moving fast. You know, look, when you say is it tainted, everyone knows it's tainted.

President Donald Trump [10:33:43] Everyone knows that the that the poll watchers were

those people. And by the way, just to set the record straight, because a couple of these cases were dismissed because they didn't have enough votes, enough bad tainted votes so that you'd overturn the state.

President Donald Trump [10:34:37] No, in all cases we have many times I don't even know where the judges would have gotten that information. We have thousands and thousands and tens of thousands of votes, more than we need. In other words, if I lost a state by 9000 votes or if I lost Georgia by, let's say, 12000 votes, we have tens of thousands more votes that we don't have it where we found nine dead people.

President Donald Trump [10:35:03] And therefore, we want you to turn over the state and give us those electoral votes in all cases. And yet judges are one judge. We're saying we didn't have the votes to turn it over. Therefore, it's meaningless. In other words, if you don't have the votes, I understand that if you had far fewer votes than the amount.

President Donald Trump [10:35:23] Now, in one way, you could also say it's so fraudulent when they make up, when they're voting for dead people and when dead people are signing applications, meaning they're not meeting somebody else's fraudulently saying, I mean, in the name of a dead person. Well, that tells you a lot. But we actually have thousands of votes, in some cases hundreds of thousands of votes, more than we need in every swing state that we're talking about.

Maria Bartiromo [10:35:52] Mr. President, have you received from your chief of Cyber Command any briefing on electronic interference from either internal or external influences? Have you received this briefing?

President Donald Trump [10:36:05] We're dealing with John Ratcliffe, who's fantastic. We're dealing with other people and we don't always get you know, they've been there for a long time. Maria, it's a long story. It's a long story. You know, we're disappointed that other people, more people didn't get involved because this is a fraud. This is a fraud against the American people.

President Donald Trump [10:36:26] It's a fraud against the United States of America. And we're disappointed that some people don't get more involved like this character on 60 Minutes. They're putting them with this guy. We had so many things. He's talking about how honest the election is.

President Donald Trump [10:36:39] Well, how come there are thousands of dead people voting? How come there are all these other people voting that shouldn't be voting? How come we find thousands of votes? How come pollwatchers every every vote that went through an election area, what they call it, accounting area where our poll watchers were locked out of the building outside, standing outside or standing so far away that you couldn't see where they literally went out and said, binoculars, you're supposed to be right next to that vote.

thousands of votes. And they were done in many of the states, swing states that we're talking about.

Maria Bartiromo [10:37:46] Where is the DOJ and the FBI in all of this? Mr. President, you have laid out some serious charges here. Shouldn't this be something that the FBI is investigating? Are they? Is the DOJ investigating?

President Donald Trump [10:38:00] Missing in action can't tell you where they are. I ask, are they looking at it? Everyone says, yes, they're looking at it. Look, where are they with Comey, McCabe and all these other people? You know, I said, I'll stay out of it. I wish I didn't make that statement. I just there's no reason really why I have to. But where are they?

President Donald Trump [10:38:21] With Comey, with McCabe, with Brennan, with all these people. They lied to Congress. They lied. They leaked. They they spied in our campaign. I see Carter Page is bringing a lawsuit. That's good news. Where are they with all of this stuff? And you know what happened to Durham? Where's Durham? So, you know, you're asking me a question. These people have been there a long time.

President Donald Trump [10:38:47] And I know FBI and FBI is great at the levels that we talk about. But I just it's inconceivable you would think if you're in the FBI or Department of Justice, this is this is the biggest thing you could be looking at. Where are they? I've not seen anything. I mean, I just they just keep. Move it along and they go on to the next president, they've been there for a long time, people don't understand this.

President Donald Trump [10:39:15] They've been there for a long time. Some of them have served a lot of different presidents and well, they have their own views. All I can say is I haven't heard with all of the fraud that's taking place. Nobody has come to me and said, oh, the FBI's nabbed, you know, the people that are doing this scheme, the FBI is looking at dominion, which nobody even knows where they're based, which nobody even knows where the votes are counted. You know, the votes in Dominion, they say, are counted in foreign countries.

President Donald Trump [10:39:46] OK, can you believe this? Now, Dominion is also based in a number of foreign countries. One of them is Canada. And Canada refuses to use Dominion and their base, their data they won't get anywhere near Texas will not get anywhere near Dominion. I spoke with the attorney general. I spoke with a lot of a lot of different people.

President Donald Trump [10:40:07] Texas, you should see the reports that Texas wrote on Dominion. They wouldn't use them. They wouldn't under any circumstance. They wouldn't use them. So, you know, they as you as you probably have heard. But can Canada does paper votes. And the only way this is going to be safe is paper votes. Even the mailman. Look, the mailman is carrying thousands of ballots back and forth, back and forth. There are many mailman. There are big trouble right now for selling ballots, getting rid of ballots.

communities of various cities. And then he did very badly compared to Obama in other cities throughout the United States.

President Donald Trump [10:41:17] There's no way it happened this this election was a fraud, it was a rigged election.

Maria Bartiromo [10:41:23] This is disgusting, and we cannot allow America's election to be corrupted. We cannot. So you believe you can prove that the computers can circumvent any controls that are in place? And before we leave the subject of Durham, I feel like something happened in September. I don't know what happened, but we were all expecting Durham to come out and Andy Barr to be aggressive.

Maria Bartiromo [10:41:48] He told me back in June that mail in ballots opened the floodgates of fraud. Why wasn't anything done about it? Why weren't there surveillance cameras to shoot what we know now to be trucks backing up ballots, for example, in Michigan? And finally, this question.

Maria Bartiromo [10:42:07] Will you appoint a special counsel to investigate and to continue the investigating into what took place in the 2016 election? You mentioned Jim Comey and Andrew McCabe not facing accountability. Will you appoint a special counsel, by the way?

President Donald Trump [10:42:21] Comey. McCabe, that's the least of it. You talk about the Logan Act. They use the Logan Act on General Flynn, who I was very proud to pardon, but they wanted to use and they did use the Logan Act on General Flynn.

President Donald Trump [10:42:33] And you know where that started. Look, this whole thing is a terrible situation. They should have never been allowed to happen. And, you know, it's it's an embarrassment to our country. All over the world. They're talking about it.

President Donald Trump [10:42:47] And, yeah, I would consider a special prosecutor because, you know, this is not a counsel. It sounds so nice. I went through three years of a special counsel, prosecutor, I co prosecutor, because it's a much more accurate term.

President Donald Trump [10:43:01] They spend forty eight million dollars, Weissman and all trumpeter's. They spend forty eight minutes. That was the Mueller investigation. They went through taxes. They went through everything for 48 million.

President Donald Trump [10:43:12] You look at everything and they found no collusion, no nothing. They found nothing. After friends of mine said you must be the cleanest guy in the world because nobody could have gone through an examination like that. And then they announced we have no collusion. There was none. And Marco Rubio said President Trump with the Senate Judiciary is absolutely was totally uninvolved.

President Donald Trump [10:44:05] With what you know, what turned out to be our future first lady, who was very popular, by the way, but when I came down the escalator from very shortly thereafter and you know this almost better than anybody else, I was under investigation now at the time, I didn't know it, but I was all they do is investigate and they send everything they have into New York. When I beat them and the federal I beat them in federal. They send everything into New York.

President Donald Trump [10:44:32] I'll let them take a crack at it. What's going on in this country is not to be believed. I could say some very strong words where this country has gone over the last 10 or 15 years. But it's not to be believed and we were changing it. If I got in or get in, we will very quickly have deals with Iran. But now they're going to give the ship away. They'll they'll pay hundreds of billions of dollars to Iran. China didn't want me in because we were beating China so badly.

President Donald Trump [10:45:03] And now they're going to go to China, actually. Actually stated, you probably heard it two days ago, we want to deal with the United States, but we don't like America first, and now the Democrats are saying, oh, we won't use America first. America first is exactly what it is. America first we have to take care of ourselves first, and then we can help others.

President Donald Trump [10:45:26] But we have to take care of ourselves first or we won't have a country. But that's where we are. Maria, it's a very sad thing. Why isn't the FBI all over the place? They're not. They're not. It's an incredible thing. They're not.

President Donald Trump [10:45:38] And it's an embarrassment to our country.

Maria Bartiromo [10:45:41] Confirm that your cases will reach the Supreme Court in the next two weeks. Confirm that for us. And also, what do you want to say to people like business people like, for example, Jamie Dimon, the CEO of JPMorgan, who said it's time to move on and unify and accept the results, or Stephen Schwarzman, who's a supporter of you, who said soon we will have to move on. And what about the ramifications of the Supreme Court agreeing with you?

Maria Bartiromo [10:46:09] Are you worried that we could see riots? And, you know, when you have people who don't agree with you, they think it's just fine to throw bricks through your window and for small businesses to board up. Are you worried about unrest and rioting? Should the Supreme Court agree with you?

President Donald Trump [10:46:30] So the people that we have and the people that are so committed to this, like I've never seen, I think almost they have more spirit now than they do even before the election. All of the people these are not rioting types, but they are stronger, they are smarter, they are more successful.

over their heads when nobody's looking and then nobody talks about it. It's a disgrace. It's absolutely a disgrace. And if I'm not here, I'm sort of your world. You know, we're completing the wall, like I said I would.

President Donald Trump [10:47:32] Everyone said you'd never be able to do it. I got that's another one I got built and it's had a huge impact. We have the best numbers we've ever had on the southern border. People come in, but they come in legally. But the wall is almost complete. And to be honest, we look and we see all of the different problems. MS 13, we take care of it. We bring thousands of MS 13 back to where they came from. We don't want them here. We bring them back. But Antifa is a real problem in this country and nobody wants to take them on. It's disgraceful. It's disgraceful.

Maria Bartiromo [10:48:07] Which which cases specifically will reach the Supreme Court and when?

President Donald Trump [10:48:11] Well, the problem is it's hard to get into the Supreme Court. I've got the best Supreme Court advocates, lawyers that want to argue the case if it gets there. But they said it's very hard to get a case up there. Can you imagine Donald Trump, president of the United States files a case, and I probably can't get a case even with. And we have tremendous proof. We have hundreds and hundreds of affidavits, sworn affidavit and. It's very hard to get a case to the Supreme Court. That's what everybody is fighting for. I thought that Mike Kelly, Congressman, I thought they had a great case and it got thrown out the other day.

President Donald Trump [10:48:54] Now they'll appeal it. I hope to the Supreme Court they have a great case because the legislature didn't make the decision on this stuff and they have a great case. But you have to appeal it. The big thing is, can you get it? We could have a great case. We do have a great year. We have the greatest case ever. We have many different forms of fraud. It's not just one form. It's ballot fraud.

President Donald Trump [10:49:18] It's it's we have it all documented and we have tremendous evidence. So we'll say we want to show you the evidence and the judge will say they didn't show us the evidence. That's what we want to do.

President Donald Trump [10:49:30] We want to have hearings to show the evidence. The time people started seeing evidence was in Gettysburg, Pennsylvania. When people started showing it, you probably saw that great people came forward with affidavits, signed affidavits. We have hundreds of people like that, hundreds and hundreds.

President Donald Trump [10:49:48] They make it like we don't have evidence, we have evidence all over the place, and by the way, you ask me about Dominion. [cross-talk]

President Donald Trump [10:49:56] I hope so. For the good of the country, it will take a brave

What's going on? It's never nobody's ever seen anything like this. It will take a brave judge or justice or both.

Maria Bartiromo [10:50:46] Supreme Court, well, it sounds like if you if it sounds like if you can't be heard by the Supreme Court, you lose, do you believe you will win this?

President Donald Trump [10:50:55] We should be heard by the Supreme Court. Something has to be able to get up there. Otherwise, what is the Supreme Court if election fraud at the highest level anyone's ever seen with tremendous evidence?

President Donald Trump [10:51:07] In a presidential election, if a man gets 80 million votes and he's not even close to that number, may look again, I don't want to bore you with this. He did not beat President Obama in areas where they said he beat President Obama. In fact, the black community had very little enthusiasm for Joe Biden.

President Donald Trump [10:51:27] You know that you've been reporting on that very little enthusiasm for Joe Biden. The Hispanic community has very little enthusiasm for Joe Biden. He didn't get those numbers. And by the way, I got the I was the most successful with the Hispanic and the black communities. I was unbelievably successful. You saw that record record numbers?

Maria Bartiromo [10:51:47] Yeah, I we've talked about it.

President Donald Trump [10:51:50] How did Joe Biden get all these votes. How did he get up to 80 million? How did he get up to 80 million votes? And again, I told you we wanted to get 67, 68 votes that we felt we had it made. John McLaughlin couldn't believe it.

President Donald Trump [10:52:02] John McLaughlin's a legitimate pollster, not one that, you know, says I'm 17 points down in Wisconsin and then end up really effectively winning. They tried to take it away. We'll see what happens with Wisconsin, but essentially winning 17 points to a couple of days before the election. And, you know, I really, you know, won the state. They were 17 points off. Think of that, 17 points off.

President Donald Trump [10:52:29] This is also, by the way, this is also corruption, Maria. This is also corruption, because then [cross-talk].

Maria Bartiromo [10:52:36] I want to I want to ask you two more questions before we wrap up. I want to get your take on how much of an influence on this election was big tech and the media. We know that the media declared Joe Biden president elect on November 7th.

Maria Bartiromo [10:52:51] They set the narrative that the election was over and discredited. Any challenges? Big tech and the media have been censoring you and getting more aggressive at it. The president of the United States and others being censored literally during a

President Donald Trump [10:53:43] And yet they won't talk about Hunter Biden. Never talk about it until Biden stole millions and millions of dollars. And if you do talk about them, they take you off their platforms. No, it's massively corrupt. I think what happened is in in 2016, where I won, I caught them by surprise. I got them by surprise. And they said this is we're not going to let the I don't know why, though, because business has never been better.

President Donald Trump [10:54:10] You know, we got hit by a pandemic. But prior to the pandemic, I had the highest numbers in history. And even now, the stock market just hit an all time high during a pandemic. And what did I do? I came up with vaccines that people didn't think we'd have for five years. And we have them. They're going to be distributed in two weeks. I mean, think of what we've done and nobody's done it like this.

President Donald Trump [10:54:33] And we're doing much better than Europe, by the way. You know, you never hear about Europe. We're doing better than the rest of the world. We're doing better. But we have two vaccines. We're coming up with another one, Johnson and Johnson's coming up with one. We'll have four or five great vaccines four or five years ahead of schedule.

President Donald Trump [10:54:53] People hardly talk about that, and they'll try and claim they'll try and say that Biden came up with the vaccines. But actually I watched I watched a few of the shows last night. I got to see a couple of them. And Mark Levine was was fantastic last night. Mark was was great talking about the vaccines. His show is great. I guess they had it on, like, last night sometime, and he was great. And so many others are great. Sean Hannity, he knows. He gets it.

President Donald Trump [10:55:27] He gets it. But Mark Levin, Mark Levin, Mark Levin said it very well last night. But you have people that get it, but people are afraid to speak out. So it is the power of the media. There's no question about it. But with all that power, we won the race. This was corruption because we got far more votes than him. We got 74 million votes.

President Donald Trump [10:55:49] He did not get anywhere near 80. And that's 74 before they throw away. You know, they threw away ballots. They threw away many Trump ballots. That's the easiest way they could cheat. But we got 74 million votes. He didn't get anywhere close to 80 million votes.

Maria Bartiromo [10:56:05] And you believe you will be able to prove this in the coming weeks?

President Donald Trump [10:56:09] Well, I'm going to use one hundred and twenty five percent of my energy. To do it, you need a judge that's willing to hear a case, you need a Supreme Court that's willing to make a real big decision based on everything that it's not like you're going to change my mind. In other words, my mind will not change in six months.

happened. Look what we're supposed to lose seats. We didn't lose one seat and we gained many and others were leading in others. And by the way, you know why the votes aren't in yet are like five or six others because the mail in voting is all screwed up on congressional races.

President Donald Trump [10:57:20] And we held the Senate OK. And yep, I'm the only one. They say it's statistically impossible. I led the charge. We won state houses. We won Congress, we won the Senate and I lost. They say it's statistically impossible for that to happen.

Maria Bartiromo [10:57:39] It's all quite extraordinary, Mr. President, we want to thank you so much for joining me today and thank you for your work on Operation Warp Speed. You told us we would have a vaccine by year end and now we've got three.

Maria Bartiromo [10:57:51] Thank you so much, President.

President Donald Trump [10:57:52] Thank you very much. Thank you very much, Maria. Bye.

Exhibit 633

From: [REDACTED]
To: Saad Mohseni
Sent: 11/19/2020 5:01:39 PM
Subject: Re: Perhaps a short term solution

Saad,

Thanks. This is very good news. Not so sure what Biden might do.

State legislators changing result sounds ridiculous. There'd be riots like never before. Can't believe it.

Just watched Giuliani press conference.

Stupid and damaging. The only one encouraging Trump and misleading him.

Both increasingly mad. The real danger is what he might do as president.

Apparently not sleeping and bouncing off walls!

Don't know about Melania, but kids no help.

So there it is.

Sent from my iPhone

> On Nov 19, 2020, at 9:28 PM, Saad Mohseni [REDACTED] wrote:

>

>

>

> Dear Rupert

>

> Spoke to a friend who was a former senior DoD official. The military has some tricks up its sleeve including the use of "Temp Duty Travel" (TDY) to count troops as not there. It is a form of 'book cooking' where they end up fudging the numbers (which is totally legitimate and legal for the military). This will allow them to officially comply with Trump's orders without doing so.

>

> They can also rely on contractors as logisticians etc which ensures that they continue with their operations.

>

> This creative approach will ensure that they keep troop levels at 4500 or thereabouts until a new president takes over.

>

> Post Trump the Afghan approach will most probably switch to an ISR (Intelligence, surveillance and reconnaissance) one, where they will rely more on Special Operations, CIA (intel), drones, satellite etc.

>

> Keeping troops at the existing level, would allow Team Biden to switch from transitioning from a full withdrawal to supporting the Afghan govt if peace talks fail. They will use the idea of residual forces as leverage to push the Taliban.

>

> America remains obsessed with troops numbers (media as well as the public). Washington can address this with "official" drawdowns etc. However, the ISR approach could provide them with a lots of flexibility and freedom.

>

> What are your thoughts on this push to have state legislators (Michigan, Pennsylvania) to 'gift' the electoral college votes to Trump (contrary to the voters wishes)? Can Trump seriously do this (and succeed)?

>

> With best

>

>

>

> Saad

>

>

> Please consider the confidential nature of this email and its content, in accordance with

Moby Group's email policy and take caution when printing such confidential information :
https://urldefense.proofpoint.com/v2/url?u=http-3A__www.mobygroup.com_email-2Ddisclaimer&d=DwIGaQ&c=uw6TLu4hwhHdiGJOgwcWD4AjKQx6zvFcGESbfiY9-EI&r=j7UjSdPLGINRoWXkLyar0w&m=L03nLDWEeMojF8LF11ICr6wLqYzIkRRi_pTDMzdGszw&s=fWFWSA1Yrish7KxoWWfB6Oyt_ak_ga6HlqdxUt1JSe0&e=

Exhibit 634

From: [REDACTED]
To: PRESTON PADDEN
Sent: 11/23/2020 12:29:55 PM
Subject: Re: Fox News Dilemma: Indulge Trump's Conspiracies or Lose Viewers

Mediate an old lefty enemy.
Some truth, but I have been listening sometimes to Tucker Carlson, our #1 hour. And very good, sometimes brilliant.
The way he called out that crazy would be lawyer really great. So much that Giuliani had to disown her.

I think, generally, we are navigating it pretty well. And losing tons of viewers - but not leadership yet! Just have to hold our nerve and up our game!

In another month Trump will be becoming irrelevant and we'll have lots to say about Biden, Dems, and appointments - so far pretty dull.

They told Kissinger first thing they'd re-sign the flawed Iran agreement. Henry said "What will you ask for?" And they just looked blank! Saudis, Gulf Arabs and Israel will be furious.

Newsmax not good people! Being advised by Don jr's girlfriend Kimberley Strassel who I insisted we fire for inappropriate behavior. Not one of our people will join her.
Newsmax desperate for money. Scoured the world, so far without luck.

Sent from my iPhone

On Nov 23, 2020, at 4:59 PM, PRESTON PADDEN [REDACTED] wrote:

No worries. 5G will be slow to roll out.

Preston Padden

Boulder Thinking, LLC
[REDACTED]

On Nov 23, 2020, at 9:48 AM, Murdoch, Rupert [REDACTED] wrote:

Many thanks. I wish I understood all this 5G stuff! Certainly revolutionary.


Sent from my iPhone

On Nov 23, 2020, at 4:32 PM, PRESTON PADDEN [REDACTED] wrote:

<https://www.mediaite.com/tv/fox-news-identity-crisis-indulge-trumps-election-conspiracy-or-reject-it-and-watch-its-audience-flee/>

Preston Padden

Boulder Thinking, LLC



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Exhibit 635

PARTICIPANTS: Justin Wells - [REDACTED] Tucker Carlson [REDACTED] Tucker Carlson - [REDACTED]

Sent 2021-01-15 12:29:08 AM UTC FROM: Justin Wells - [REDACTED]

[REDACTED]

Sent 2021-01-15 12:29:23 AM UTC FROM: Justin Wells - [REDACTED]

I forwarded from Tom Fox at 6:46p

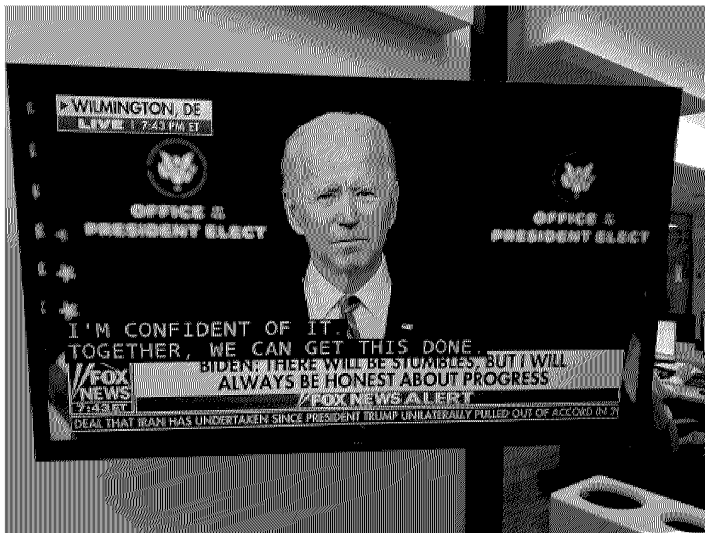
Sent 2021-01-15 12:40:55 AM UTC FROM: Tucker Carlson - [REDACTED]

Got it. Thanks man. Good call. It's great. I ended with it.

Sent 2021-01-15 12:42:36 AM UTC FROM: Justin Wells - [REDACTED]

Reading it now.

Sent 2021-01-15 12:43:46 AM UTC FROM: Justin Wells - [REDACTED]



IMG_6916.jpeg

Sent 2021-01-15 12:44:28 AM UTC FROM: Tucker Carlson - [REDACTED]

He won't be with us long.

Sent 2021-01-15 01:23:24 PM UTC FROM: Justin Wells - [REDACTED]

There's no way they'll let us book Megyn Kelly. It'll start rumors she is taking the 7 which is not what they claim the want the rumors to be. That's the first person I named and suggested and SS said Rupert and Lachlan are a hard no there.

Sent 2021-01-15 01:28:36 PM UTC FROM: Tucker Carlson - [REDACTED]

Shit. She'd be perfect.

Sent 2021-01-15 01:33:08 PM UTC FROM: Justin Wells - [REDACTED]

Also — it'd be ironic to bring her on to talk about divisiveness as it would cause extreme divisiveness within Fox. Ha.

Sent 2021-01-15 01:33:29 PM UTC FROM: Justin Wells - [REDACTED]

It just won't fly today so there's no reason to waste capital fighting with Fox over something we won't win.

Sent 2021-01-15 01:33:34 PM UTC FROM: Tucker Carlson - [REDACTED]

Which I'd love. They're such babies.

Sent 2021-01-15 01:33:59 PM UTC FROM: Tucker Carlson - [REDACTED]

[REDACTED]

Sent 2021-01-15 01:34:08 PM UTC FROM: Justin Wells - [REDACTED]

Suzanne just isn't that bold.

Sent 2021-01-15 03:18:47 PM UTC FROM: Justin Wells - [REDACTED]

This is a far worse comparison than anything Glenn Beck said—

Sent 2021-01-15 03:18:53 PM UTC FROM: Justin Wells - [REDACTED]

<https://www.mediaite.com/tv/don-lemons-remarks-about-trump-voters-and-the-klan-and-nazis-are-a-slap-in-the-face-to-74-million-americans/>

Libr_1(22)

[F7B01572-3177-4588-8E5F-25A923762D84.pluginPayloadAttachment](#)

Sent 2021-01-15 03:48:09 PM UTC FROM: Tucker Carlson - [REDACTED]

Holy shit.

Sent 2021-01-15 03:48:13 PM UTC FROM: Tucker Carlson - [REDACTED]

<https://www.thedailybeast.com/fox-news-ceo-suzanne-scotts-job-is-in-jeopardy-insiders-say>

Libr_1(23)

Libr_1(24)

Sent 2021-01-15 03:49:39 PM UTC FROM: Tucker Carlson - [REDACTED]

This seems real to me.

Sent 2021-01-15 05:00:32 PM UTC FROM: Tucker Carlson - [REDACTED]

Me: Fuck the Daily Beast. We are grateful you're in charge. Suzanne: Ha! I don't care about I made changes and making more Some ppl unhappy so be it Me: Amen! Good for you. I love it.

Sent 2021-01-15 05:01:54 PM UTC FROM: Tucker Carlson - [REDACTED]

Talked to Viet. They really love us.

Sent 2021-01-15 05:11:59 PM UTC FROM: Justin Wells - [REDACTED]

[REDACTED]

Sent 2021-01-15 05:15:18 PM UTC FROM: Tucker Carlson - [REDACTED]

[REDACTED]

Sent 2021-01-15 05:16:37 PM UTC FROM: Tucker Carlson - [REDACTED]

[REDACTED]

Sent 2021-01-15 06:11:53 PM UTC FROM: Tucker Carlson - [REDACTED]

[REDACTED]

Sent 2021-01-15 06:12:13 PM UTC FROM: Justin Wells - [REDACTED]

Whoa. Really?

Sent 2021-01-15 06:12:20 PM UTC FROM: Justin Wells - [REDACTED]

Why isn't that public?

Sent 2021-01-15 06:12:39 PM UTC FROM: Tucker Carlson - [REDACTED]

No idea.

Sent 2021-01-15 06:12:53 PM UTC FROM: Justin Wells - [REDACTED]

Want me to make it public?

Sent 2021-01-15 06:12:55 PM UTC FROM: Tucker Carlson - [REDACTED]

I'm sure they've got some deal with him.

Sent 2021-01-15 06:13:01 PM UTC FROM: Justin Wells - [REDACTED]

Or obvious you're the source?

Sent 2021-01-15 06:13:03 PM UTC FROM: Tucker Carlson - [REDACTED]

No reason to right now.

Sent 2021-01-15 06:13:06 PM UTC FROM: Tucker Carlson - [REDACTED]

They'll know.

Sent 2021-01-15 06:13:18 PM UTC FROM: Justin Wells - [REDACTED]

Okay. I won't then.

Sent 2021-01-15 06:13:26 PM UTC FROM: Tucker Carlson - [REDACTED]

Sent 2021-01-15 06:16:32 PM UTC FROM: Tucker Carlson - [REDACTED]

[REDACTED]

Sent 2021-01-15 06:16:35 PM UTC FROM: Tucker Carlson - [REDACTED]

<https://www.foxnews.com/politics/biden-tries-to-go-from-normalcy-to-relevancy>

Libr 1(25)

[54EAA986-4B62-4469-8C69-A56B959D655B.pluginPayloadAttachment](#)

Sent 2021-01-15 06:16:45 PM UTC FROM: Tucker Carlson - [REDACTED]

I must have misunderstood what Viet said.

Sent 2021-01-15 06:17:19 PM UTC FROM: Tucker Carlson - [REDACTED]

[REDACTED]

Sent 2021-01-15 06:17:25 PM UTC FROM: Justin Wells - [REDACTED]

[REDACTED]

Sent 2021-01-15 06:17:27 PM UTC FROM: Tucker Carlson - [REDACTED]

[REDACTED]

Sent 2021-01-15 06:17:38 PM UTC FROM: Justin Wells - [REDACTED]

[REDACTED]

Sent 2021-01-15 06:17:46 PM UTC FROM: Tucker Carlson - [REDACTED]

[REDACTED]

Sent 2021-01-15 06:17:48 PM UTC FROM: Justin Wells - [REDACTED]

[REDACTED]

Sent 2021-01-15 06:17:54 PM UTC FROM: Justin Wells - [REDACTED]

[REDACTED]

Sent 2021-01-15 06:17:59 PM UTC FROM: Tucker Carlson - [REDACTED]

[REDACTED]

Sent 2021-01-15 06:18:32 PM UTC FROM: Justin Wells - [REDACTED]

[REDACTED]

Sent 2021-01-15 06:18:59 PM UTC FROM: Tucker Carlson - [REDACTED]

[REDACTED]

Exhibit 636

Fox News Identity Crisis: Indulge Trump's Election Conspiracy or Reject It ... and Watch Its Audience Flee?

mediaite.com/tv/fox-news-identity-crisis-indulge-trumps-election-conspiracy-or-reject-it-and-watch-its-audience-flee

November 23, 2020

By [Colby Hall](#) Nov 23rd, 2020, 8:10 am

[2219 comments](#)



Drew Angerer/Getty Images.

Viewers of Fox News can be forgiven if they are confused about the results of the 2020 election. The reason for their confusion is less defensible.

Fox News has projected **Joe Biden** to have won the election— well, its *news* division has.

Simultaneously, the network's top-rated opinion hosts have continued to entertain the increasingly loony conspiracy theory that the election was stolen from Trump through widespread voter fraud. They have been careful in their words, but the near-constant

EXHIBIT 3367

01/20/2023
Rupert Murdoch

Exhibit 3367 - 001 - SEC. CA 028-1437A

amplification of baseless allegations of a rigged or stolen election has lent credibility to the InfoWars-esque conspiracy theories being touted by Trump. The same theories mocked behind closed doors are being laughed out of courtrooms.

The growing disconnect between the two sides of Fox News programming reveals its current identity crisis and raises a question about their immediate future. Do they want to be a news outlet where facts, as disappointing as they may be, are paramount? Or an information entertainment company that today solely acts as cheerleaders for outgoing President **Donald Trump**?

This dissonance was neatly illustrated last weekend when **Maria Bartiromo**, a Fox News anchor and ardent Trump booster, who had just given the platform of her Sunday morning show to Trump lawyers **Rudy Giuliani** and **Sidney Powell**. Both laid out wild and unproven conspiracy theories and claimed that Trump was the rightful winner of the election. Bartiromo seemed pleased to hear the news and never once challenged her guests on their claims, simply accepting their claim that they had evidence as evidence enough.

But just an hour or so later, Fox News *NEWS* reporter **Eric Shawn** filed a thorough report that effectively debunked every single claim that had been presented as real on Bartiromo's show. It was yet another look at Fox News schizophrenia, and viewers who watched both segments surely endured intense whiplash.

A similar moment occurred when Fox News host **Pete Hegseth** reported on-air that "So far, state election officials have not reported serious irregularities with the vote that would affect the outcome of the race." Immediately after, the Trump-boosting host added, "That was in the teleprompter. I read it. I don't know if I even believe it."

No wonder that a recent poll found 70% of Republicans believe President **Donald Trump** was cheated out of the election. Where do those Republicans get their news? Outlets like Newsmax are certainly a venue, but the top hosts at Fox — **Tucker Carlson**, **Sean Hannity**, and **Laura Ingraham** — remain the most prominent source for the president's supporters.

Trump alone is not responsible for such vast indoctrination. His baseless claims of a stolen election are just unhinged musings in the absence of a pro-Trump media taking them seriously.

To get it out of the way: No serious person believes that Trump actually won the election until it was stolen from him through a mass conspiracy, as Trump's legal team is arguing. These arguments are made mostly outside of court, since now nearly all of their 30-plus or so legal challenges have been dismissed. Nonetheless, the massive audience of Fox News prime time is being told, night after night, that there is reason to suspect foul play.

Why?

To put it simply: Fox News is in a very uncomfortable bed of its own making. Telling its viewers that Trump is full of it and that the insane conspiracy theories he is pushing are meritless could prove lethal to the bottom line. The news division's efforts to dispel these increasingly loony conspiracies have enraged viewers, driving them to outlets like Newsmax and OANN, where Trump is the true victor of the 2020 election.

Trump transparently complained about Fox News forgetting the "Golden Goose," forgetting that Fox News had long been the dominant network before he entered the political fray. In fact, Trump owes far more to Fox News promotion than the other way around. But It does seem that Fox's opinion hosts are concerned that Trump's supporters, like the president himself, are not willing to move on to the next administration, and are gritting their teeth as long as they can, with the hope that Trump gives up the farce before they anger too many of their viewers.

If you care about the country, and the truth, and not Fox's ratings, all you can do is hope that it doesn't go too far.

Ratings are dipping at Fox News. The network is actually getting beaten in many metrics by CNN, which is enjoying a rating surge due to a confluence of TWO once-in-a-century news events: a global pandemic and a president unwilling to concede an election he has clearly lost.

There are several reasons for this. Election fatigue, certainly. And just like some sports fans don't stay to the end of a game when their team has clearly lost, people turn the TV off, especially if that channel tells them the team has lost, when they want to believe otherwise.

The first stage of grief is denial, and many Trump fans are in denial that he lost the election. A few decisions by Fox News has turned that denial into anger.

There was the early call of Arizona, which seemed premature given how long it took for every other network to project the state for Biden (Though AP was close behind Fox News in making the call).

There was **Neil Cavuto's** stunning decision to cut off **Kayleigh McEnany's** press conference over what he — quite fairly — considered baseless and specious claims of voter fraud. "That was a total CNN move," said one cable news insider. "Fox News has always aired press briefings and let their viewers decide for themselves."

And then there was the leaked video of **Sandra Smith's** shocked reaction, delivered off-camera when a guest claimed that the election wasn't over.

"What is happening? We've called it," Smith said incredulously in the video, which went viral and drew fury from pro-Trump viewers.

For a base of supporters angry that their candidate had lost and looking for a new entity to blame, all while being told by Trump himself to keep fighting, Fox News apparently caving to Biden along with the rest of the mainstream media was a stab in the back.

Shockingly, there are now channels out there that will tell people their favorite team is actually winning, regardless of the score. So viewers are not just turning off the TV; they're actually migrating to smaller, Trumpier outlets like OANN and Newsmax — which reached an impressive 1 million viewers in one crack hour recently.

Therein lies the Fox News dilemma: Appease or embrace reality.

Jonah Goldberg earned attention on Friday when he pushed back on The Federalist's Mollie Hemingway, flatly stating that Trump is trying to steal an election by falsely claiming the election was stolen. He is absolutely right, yet much of Fox News programming is willfully playing along.

Exhibit A is Sunday's *Fox & Friends Weekend*, where co-host **Will Cain** offered three clear courses of action that the Trump administration is undertaking to change the election results. The first two are allegations of local and widespread fraud, neither of which are making any headway in the courts since they have failed to provide evidence to back them up. Numerous judges, including some appointed by Trump himself, had methodically dissected and discarded various arguments pronounced before election day, that if Trump lost, the election would have been rigged. And now he is looking to find something, anything, to back up that prediction. In the courts, it works the other way around where you start with the evidence and go from there.

The third course of action that Cain suggested is a political one, that is to say, the White House needs to convince enough people that there was something nefarious afoot—despite any evidence beyond isolated errors—and encourage state legislators to disregard the actual results and appoint their electors that will literally ignore the will of the people. In the same segment, Hegseth pointed out a Rasmussen poll that showed that 50% of Americans don't feel like this election was above-board.

The only way that Trump can change the election results is a political, not legal, maneuver that is entirely built upon the deliberate misinformation from people like Cain, Hegseth, and Hemingway, and virtually every other opinion host on Fox News that spends precious airtime giving rise to what is truly a propaganda-based attempt at stealing the election. And Fox News opinion hosts, though not directly advocating for the cause, are willingly doing their part to foster doubt, or just "asking questions" about an election that had remarkably few issues compared to others.

Fox News's recent dip in ratings would have any media executive worried, and frankly, it's not good news. That said, their network has been through worse, and this current dip most likely just a short-term reaction — not a long-term problem.

Fox News senior management team has long eschewed the sort of programming micromanagement one sees at other outlets, allowing the network's top talent and showrunners to make their own editorial and programming decisions. This is far from the micromanagement style that Fox News founder **Roger Ailes** was notorious for, but it hasn't interfered with profits.

On-air talent and producers will privately admit that they enjoy autonomy. But the lack of a cohesive editorial vision — or even an agreed set of facts on which to report — can sometimes lead to awkward and dissonant moments like what we saw between Bartiromo and Shawn. The current disconnect between top-rated opinion programming is a problematic divide for the President & Executive Editor of Fox News Media **Jay Wallace** to bridge.

To be clear, Fox News ratings are still dominant. Since Memorial Day, it has been the highest-rated network in all of television for primetime viewers. A historic milestone, no other cable network in the history of television has ever surpassed broadcast primetime for a season, let alone a six month period. And Fox News ratings are often 10 to 20 times greater than that of NewsmaxTV.

Fox News has dominated for most of the last two decades by playing the long game, so they will probably ignore some of the short term hyperventilating. But the trend line since the night of the election is going in the wrong way, and that's something they need to address.

As goes Fox News prime time, so goes half the nation. It's reasonable to assume that the 2020 election won't be over until Tucker, Sean, Laura, and *The Five*, and *Fox & Friends* all deem it so. Yes, there will be fringe members of the Trump base that will now lump Fox into the lamestream media set, but Fox News's footprint is big enough to take that hit.

So when will Fox News start to pivot to the post-Trump presidency? It is impossible to know, and the answer might be never. A reasonable person might predict that it would take a week or two, that there is no set date or schedule. Top voices at the network cannot get ahead of Trump. They've already made several decisions that pissed off viewers (calling Arizona so early being the Original Sin) and will likely follow Trump's lead.

But viewers of Tucker Carlson on Thursday night saw one of the first cracks in the Trump-Fox wall.

Carlson announced that he had invited **Sidney Powell** on his show to provide evidence of her wild claim that the election rigging scheme was communist in flavor, with roots in the scheming of late Venezuelan dictator **Hugo Chavez**. When Powell refused, Carlson called her out on air, drawing fire from Powell, who called him “rude” (on Maria Bartiromo’s show Friday morning, naturally.)

So Carlson pointed out that Powell has not provided evidence to support her conspiracy theories and was duly rewarded with bile. His mentions on Twitter are filled with MAGA and QAnon users declaring him a traitor or sell-out. A considerable quotient of MAGA Twitter has deemed him a sleeper agent for all-powerful Democrats.

This perfectly illustrates the dangerous tightrope walk being indelicately pursued by Fox. If Trump refuses to step down or ever accept that he lost the election fairly and squarely, and Fox News hosts continue to cower in the face of his conspiracies, a large subset of the more than 70 million Americans who voted for Trump will always believe 2020 to have been a stolen election.

That’s a remarkably dangerous position to be in, with tensions on either side.

The lucrative approach for Fox News is to continue to draw in viewers with more conspiracy theories, which is what a free market system, devoid of any journalistic responsibility, would suggest being the profitable path. But the responsible and the journalistically sound decision is to call facts as facts.

In other words, Fox News executives have to make the fundamental decision that they are staying in the news business.

Have a tip we should know? tips@mediaite.com

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Exhibit 637

From: Briganti, Irena <Irena.Briganti@FOXNEWS.COM>
To: Scott, Suzanne; Wallace, Jay (FoxNews)
Sent: 12/1/2020 4:54:21 PM
Subject: FW: Washington Post Inquiry

FYI – we spoke with Lauren and Meade and there’s nothing to combat this, so we are not responding.

From: Barr, Jeremy <Jeremy.Barr@washpost.com>
Sent: Tuesday, December 1, 2020 1:45 PM
To: Ketner, Jessica <Jessica.Ketner@FOXNEWS.COM>; Cronin, Caley <Caley.Cronin@FOXNEWS.COM>
Subject: [EXTERNAL] Quick Question - Sidney Powell

Hi Jessica and Caley,

As you may have seen, the attorney Sidney Powell appeared on both Lou Dobbs' show and Sean Hannity's show last night.

Powell told Dobbs: "The system was set up to shave and flip different votes in different states. It’s really the most massive and historical egregious fraud the world has ever seen.”

Powell told Hannity: Voting machines “ran an algorithm that shaved votes from Trump and awarded them to Biden,” “used machines to trash large batches of votes that should have been awarded to President Trump,” and “used the machine to inject and add massive quantities of votes for Mr. Biden.”

I wanted to ask: does Fox News Media management have any concerns about the veracity of the claims that Powell has been making on network shows? Is Sidney Powell welcome to appear on any Fox News Media show? Has Fox News Media encouraged show hosts to fact-check claims about voter fraud? (I am aware, for example, of Eric Shawn's comments on Sunday afternoon about voter fraud.)

I am planning to write a story today about Powell's appearances on Fox News and Fox Business, and to note that the Trump campaign distanced Powell from their legal operation on Nov. 22.

Thanks,

Jeremy

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Exhibit 638

Start Date December 6, 2020 10:59:44 AM EST

End Date December 6, 2020 10:59:44 AM EST

Chat Paul Ryan <[REDACTED]> (iMessage)>, Paul Ryan <[REDACTED]>
Account Lachlan Murdoch <[REDACTED]> (iMessage)>, Rupert Murdoch
t [REDACTED] Lachlan Murdoch <[REDACTED]> Rupert Murdoch
[REDACTED] Message)>

Paul Ryan <[REDACTED]> (iMessage)>

Morning guys! Happy to chat Trump if you want. I think we are entering a truly bizarre phase of this where he has actually convinced himself of this farce and will do more bizarre things to delegitimize the election. I see this as a key inflection point for Fox, where the right thing and the smart business thing to do line up nicely. A solid pushback (including editorial) of his baseless calls for overturning electors, etc. will undoubtedly accrue pushback and possibly a momentary ratings dip, but will clearly redound to our benefit in terms of credibility. Trump is going to wear thin and look crazier by the day. Let him cleave off the fringe for his DTC venture and we can keep the largest pool of people (the center and center right). Fox is stronger than he is now and later IMO. Just a few thoughts at this pivotal time. Best, Paul Ryan

10:59:44

Exhibit 639

From: [REDACTED]
To: Scott, Suzanne
Sent: 12/7/2020 8:28:13 AM
Subject: Re: Could you call when convenient?

Good.

Sent from my iPhone

On Dec 7, 2020, at 1:26 PM, Scott, Suzanne <Suzanne.Scott@fox.com> wrote:

fwiw White House denying those inauguration day plans.

From: Murdoch, Rupert [REDACTED]
Sent: Monday, December 7, 2020 7:32 AM
To: Scott, Suzanne <Suzanne.Scott@fox.com>
Subject: Could you call when convenient?

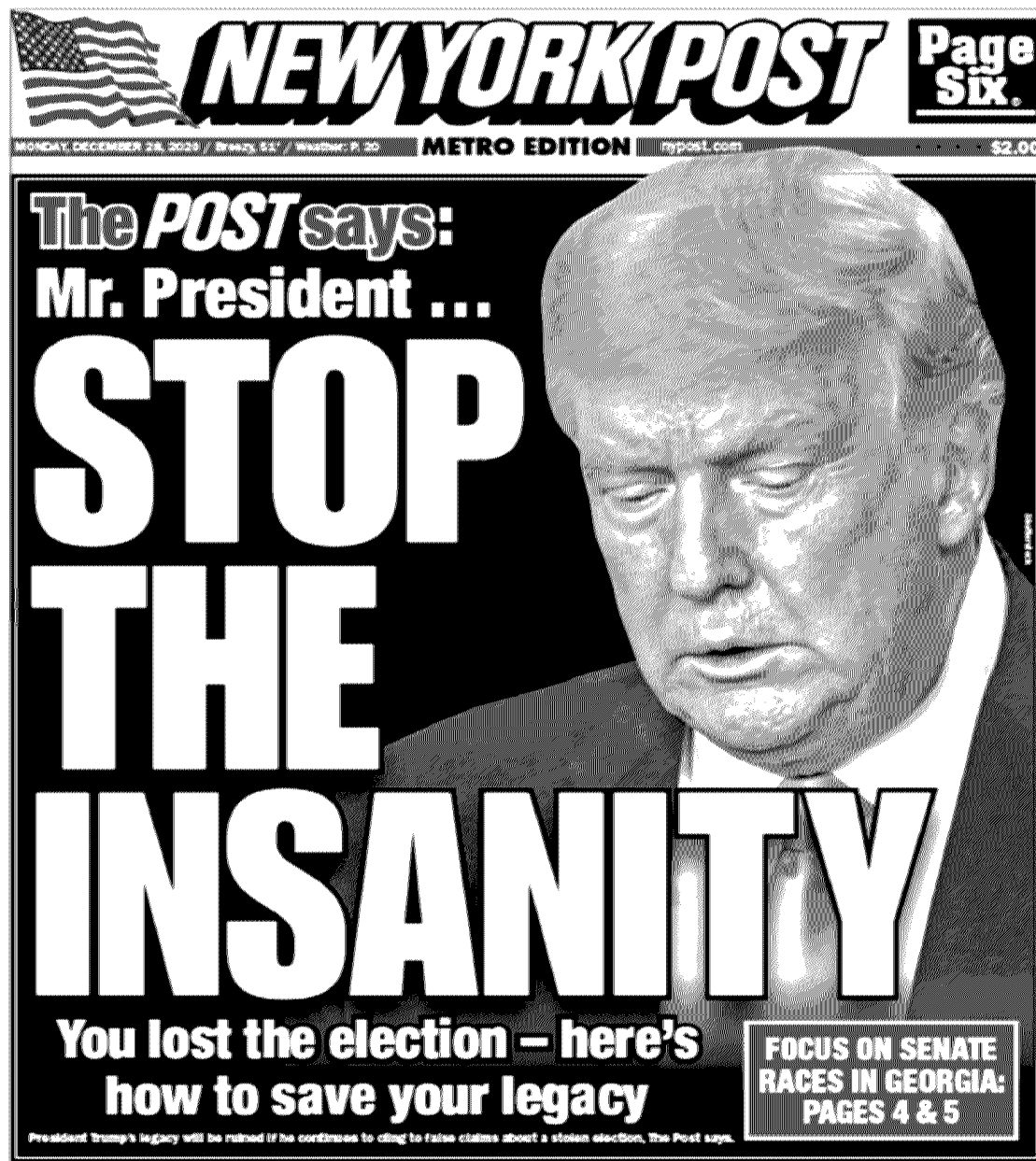
Axios report on Trump plan for inauguration (horrible) and Fox News reporting Barr thinking of early retirement plus his Saturday performance all making it harder for us to straddle the issue!
We should talk this through. Very difficult
and we should include Lachlan later.
No hurry.

Sent from my iPhone

Exhibit 640

From: Robert Thomson <rthomson@newscorp.com>
To: Murdoch, Rupert
Sent: 12/28/2020 5:10:05 AM
Subject: Monday metro.png

Spoke to Col over the weekend...having seen Trump up close, he agreed that we should take a stronger line. Georgia is crucial.



212.416.3012 tel
rthomson@newscorp.com

1211 Avenue of the Americas

New York, NY 10036

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Exhibit 641

From: Col Allan [REDACTED]
To: Murdoch, Rupert
Sent: 12/28/2020 11:33:39 AM
Subject: Re: Monday metro.png

Cheers. Thanks Rupert.

Sent from my iPhone

On Dec 28, 2020, at 10:04 AM, Murdoch, Rupert <crc@fox.com> wrote:

Just read the whole editorial.
Just great. Congratulations.
If he doesn't tweet it'll mean he's read it and stopped to think.

Sent from my iPhone

On Dec 28, 2020, at 9:19 AM, Murdoch, Rupert <crc@fox.com> wrote:

Sounds like Donald read this. Flash says he is signing now!

Sent from my iPhone

On Dec 28, 2020, at 2:57 AM, Col Allan [REDACTED] wrote:

<Monday metro.png>

Sent from my iPhone

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Exhibit 642

REDACTED IN ITS ENTIRETY

Exhibit 643

From: crc@fox.com
To: PRESTON PADDEN
Sent: 1/8/2021 3:43:39 PM
Subject: Re: Hard Criticism Of Fox News In The Washington Post

Preston,

You are such a flatterer! Honored just to be your humble friend.

Washington Post new logo - replace "darkness" with "daftness"! Ridiculous. But there will be much more.

Fox News very busy pivoting. After a few days ignore Trump and quickly become the loyal opposition. It will be easy once Biden starts rolling out policies. I'm told their first priorities will be 1. COVID 2. The economy, and 3. Racial inequality.

Ok but if 3. turns to be reparations things will heat up. And be challenging to us to handle properly.

We want to make Trump a non person.
Fairly easy unless they charge him and he remains in the news.

I'll be interested how you react to vaccine.
I feel unusually tired today. Nothing more.
Told it means that it's working.
Disease even more out of control here!
So stay safe.

Sent from my iPhone

On Jan 8, 2021, at 8:21 PM, PRESTON PADDEN [REDACTED] wrote:

Sorry for delayed response. I just took a 23 mile bike ride (pedal assist e-bike) on a sunny but cold morning.

I love you like a surrogate father/older brother/uncle. Working for you was the highlight of my career.

The criticism of WSJ is ridiculous. The paper is vastly better since you bought it.

For what it's worth, I do think Fox News needs a course correction. And I think fair-minded people can conclude that FNC bears some responsibility for the polarized divisions in our Country.

CNN is repeatedly reporting on the WSJ "resignation" editorial. I don't think FNC is doing the same. I tuned into Lou Dobbs last night and he was just unhinged - unwatchable.

Just my opinion - offered with respect and affection.

Hope you stay safe and well.

Preston Padden
Boulder Thinking, LLC



On Jan 8, 2021, at 10:14 AM, Murdoch, Rupert <crc@fox.com> wrote:

FYI!

Sent from my iPhone

Begin forwarded message:

From: Robert Thomson <rthomson@newscorp.com>
Date: January 8, 2021 at 5:11:15 PM GMT
To: "Murdoch, Rupert" <crc@fox.com>
Subject: Re: Hard Criticism Of Fox News In The Washington Post

It is such irredeemable nonsense...and she was supposed to be the "Public Editor" (ie standards) at the NYT before heading to the Wash Post, whose motto should be Democracy Dies in Daftness.



212.416.3012 tel
rthomson@newscorp.com

1211 Avenue of the Americas
New York, NY 10036

On Jan 8, 2021, at 4:59 PM, Murdoch, Rupert <crc@fox.com> wrote:

We're going to get more of this.
Suggest we ignore.

Sent from my iPhone

Begin forwarded message:

From: PRESTON PADDEN [REDACTED]
Date: January 8, 2021 at 4:48:00 PM GMT
To: "Murdoch, Rupert" <crc@fox.com>
Subject: Hard Criticism Of Fox News In The Washington Post

The pro-Trump media world peddled the lies that fueled the Capitol mob. Fox News led the way.

By Margaret Sullivan January 7 at 11:27 AM MT

"Fair and balanced" was the original Fox News lie, one of the rotten planks that built the foundation for Wednesday's democratic disaster. Over decades, with that false promise accepted as gospel by millions of devotees, Fox News radicalized a nation and spawned more extreme successors such as Newsmax and One America News. Day after day, hour after hour, Fox gave its viewers something that looked like news or commentary but far too often lacked sufficient adherence to a necessary ingredient: truth.

Birtherism. The caravan invasion. Covid denialism. Rampant election fraud. All of these found a comfortable home at Fox. In the Trump era, the network — now out of favor for not being quite as shameless as the president demands — was his best friend and promoter. So to put it bluntly: The mob that stormed and desecrated the Capitol on Wednesday could not have existed in a country that hadn't been radicalized by the likes of Sean Hannity, Tucker Carlson and Laura Ingraham, and swayed by biased news coverage.

Right-wing media outlets spent significant time on Jan. 6 suggesting that the pro-Trump mob that stormed the U.S. Capitol weren't actually Trump supporters. (JM Rieger/The Washington Post) Since this is an especially good day for calling out the names of those to blame, here are a few more from the leadership of Fox News: Rupert Murdoch, Lachlan Murdoch, Suzanne Scott.

What have they wrought? People like Jul Thompson, a right-wing activist who boarded one of the two buses from Western New York to Washington this week, then bragged to the hometown Buffalo News about being “absolutely justified” in egging on those who scaled a Capitol wall to penetrate the complex. After all, she claimed, there had been rampant fraud, a stolen election and corrupt courts! “We would like all the courts to see the evidence of massive fraud and election interference. . . . If they saw the evidence they would have no choice but to rule for Trump.”

That all these allegations have been considered and rejected by the courts and roundly debunked didn't seem to enter her mind. Is Fox the only culprit? Of course not. Social media — the president's corrosive Twitter feed and the conspiracy-coddling hotbed of Parler — have played their necessary role. Facebook and YouTube, too. Even very serious places like the editorial page of the Murdoch-affiliated Wall Street Journal have helped the cause, fostering dubious claims in op-ed pieces like Vice President Pence's contribution from June on how there would be no second wave of covid-19 or in editorials that failed to powerfully call out Trump's falsehoods on any number of issues.

As Mona Charen wrote in the *Bulwark*, the Journal editorial page “has trimmed and hemmed and to-be-sured its way through the most sustained assault on truth and the American political order of our lifetime.” William Grueskin, Columbia University journalism professor and a former Wall Street Journal editor, pointed the finger Wednesday at his erstwhile employer, among others: “This is the logical conclusion of everything you have tolerated, encouraged and enabled for 5 years.” In fact, far too much of mainstream media has been less than stellar.

Decision-makers took years to allow the words “racist” or “lie” about Trump; eager coverage too often parroted his calumny in headlines or news alerts; and journalists allowed him to play assignment editor by pivoting to magnify his insults or distractions. But nobody has done it as destructively as Fox.

On Wednesday, as surreal scenes unfolded, some Fox anchors and commentators couldn't seem to change their tune, even as they tut-tutted about violence. Martha MacCallum called the invasion of the Capitol “a huge victory” for the rioters (my word choice, not hers) because they “have disrupted the system in an enormous way.” Maybe it was just a gaffe; if so, a bad one. And it was jarring to hear Harris Faulkner echo Trump's deceptive language with her references to his “Stop the Steal” rally. Sure, Chris Wallace did a tough Trump interview. But it's a fig leaf for Fox's usual sycophancy.

Rather than staying with news coverage on Wednesday evening, Fox allowed its usual prime-time hosts, the guiltiest parties, to spew their misleading toxicity — particularly in repeated suggestions that a significant number of rioters weren't really Trump supporters at all, but perhaps leftist infiltrators. On Fox Business, Bernard Kerik, the Trump pardon recipient and former New York City police commissioner, offered sympathetic and baseless sentiments, while adding that violence wasn't justified: “There's never been anything like this where the election was stolen from a president. And that's my opinion. But that's the opinion of probably 75 million other people.”

And even on Thursday morning, as the nation woke up to contemplate the horror of what had unspooled, they were still at it. One of Trump's most avid cheerleaders, Pete Hegseth, rejected the notion that Trump incited the

riot. Rather it was “the result of a frustration that a lot of people feel” about their values and beliefs being dissed in an America leaning toward socialism. “What do folks expect to happen?” he asked rhetorically.

Where on earth, I wonder — on what popular cable network — could so many people have gotten the idea, day after day, that the election was stolen and their values were being systematically denied? Success has many fathers, goes the aphorism, while failure is an orphan. But Wednesday’s indelible stain on American democracy turns out to be the one with many parents: Trump himself; his lawyer Rudy Giuliani who called Wednesday morning for “trial by combat”; the crazies of Q-Anon; the dark rabbit holes of social media; and the appalling Republican enablers and fomenters, led by Sen. Josh Hawley of Missouri, who was shameless enough to send out a fundraising appeal even as the invasion was underway. Many fathers. But the pro-Trump media — led by Fox News — has earned its disgraceful place near the top of the list of infamy. They own this.

Preston Padden

Boulder Thinking, LLC
[REDACTED]

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Exhibit 644

REDACTED IN ITS ENTIRETY

Exhibit 645

From: Anne Dias
Sent: Monday, January 11, 2021 11:01 PM EST
To: Rupert Murdoch; Lachlan Murdoch
CC: Viet D. Dinh; Jacques Nasser
BCC: pryan [REDACTED]
Subject: FW: The limits on free speech in the internet era from the Financial Times

<https://on.ft.com/2XzkFz4>

Dear Rupert,
Dear Lachlan,

Freedom of speech is a pillar of free government. Yet, as I wrote to you earlier this week, I was relieved to read that the editorial board of the Wall Street Journal drew a clear line in the sand to sanction what is unacceptable speech and behavior by a President of the United States.

Today, the Financial Times is asking Fox to draw such a line in the sand too (text at the end of the email).

And what the Financial Times is asking is what conservatives everywhere in America are asking: as Donald Trump has willfully incited acts of violence and desecration, as he has trampled human decency and the public good, all the way to the inner sanctum of our democracy, how will he (and the views he espouses) be treated on Fox News post election? Will he be interviewed and treated like just another viewpoint? Will he be "canceled" because he has gone beyond the pale in his transgressions and incitations of imminent violence?

It would have been unthinkable just a few days ago that Fox News would be called upon to explain what represents abuse of power and what is unacceptable in a democracy. Yet, considering how important Fox News has been as a megaphone for Donald Trump, directly or indirectly, I believe the time has come for Fox News, or for you Lachlan to take a stance. It is an existential moment for the nation, for the nation, and for Fox News as a brand.

I do not believe that the company can stay silent on this matter.

Aside from this very important statement of principle, I also believe that Fox has a critical role to play in laying the ground for a conservative renaissance. Now that Trumpism has self-immolated, what other medium besides Fox News can do a better job at showcasing America's best conservative thinkers and doers, so that out of the ashes of Trumpism can emerge a winning brand of conservatism that is true to its founding principles: one that unites us, that makes us more free and more prosperous, and a beacon to other nations old and new, all across the world.

I wanted to bring this to your attention and am at your disposal to speak if you'd like. No doubt we will discuss these items at the board meeting.

All the best,
Anne

Below the article from the Financial Times

How quickly, in a crisis, the unthinkable can become reality. If it might have seemed fanciful a week ago that a US president could incite insurrection or face a second impeachment in a single term, so, too, would the prospect of social media platforms barring the “leader of the free world”.

The bans by Twitter, Facebook and Instagram on President Donald Trump raise profound issues — of freedom of speech, and the precedents they may set for less free societies. While the “permanent” nature of Twitter’s suspension is questionable, however, not acting would have created even bigger risks. In the exceptional circumstances of America today, platform companies were right to suspend Mr Trump’s access at least until the end of his presidential term.

The president has glorified violence and egged on a challenge to US institutions that left five dead. Critics are right to say the move came cynically late. The president has repeatedly flouted the platforms’ user rules. Had the platforms acted earlier to remove offending presidential posts selectively, the need for tougher actions might have been averted. Police had good reason for concern, moreover, that the president’s supporters were using both mainstream and more niche platforms to plot further violence. That justifies moves by Apple, Google and Amazon to restrict access to Parler, the “alt-tech” Twitter alternative beloved of the radical right.

These are, without doubt, complex ethical issues. German chancellor Angela Merkel criticised Twitter’s indefinite suspension of Mr Trump as a breach of the “fundamental right to free speech”. Alexei Navalny, the Russian anti-corruption blogger, said it could be “exploited by the enemies of freedom of speech around the world”. Yet America’s ability to promote democracy and political freedoms elsewhere collapses if it cannot defend its own. While some question why US enemies retain Twitter access while Mr Trump is barred, the president has unique power to undermine American democracy, should he so choose. It is misleading to suggest Mr Trump has been “silenced” when he retains access to the powerful US presidential pulpit. Free speech, moreover, cannot be wholly untrammelled.

Liberals should be wary of their own arguments being misused to undermine what they believe in. Constraints are legitimate on hate speech and online incitement. Though the cultural context is very different, Ms Merkel notes the US would be better to follow Germany in passing laws restricting such behaviour than leaving it to social media platforms to devise and police their own rules.

Such legal restraints in the US might run into First Amendment problems. Yet recent days highlight above all the need for debate on the limits of American free speech and the power of

the tech companies. Clearer regulation must be a priority for the incoming Biden administration and for Congress. That may not mean repealing Section 230 of the Communications Decency Act, which gives internet companies immunity for user-generated content on their sites. But it should at least be reformed, with exemptions extended to cover, for example, incitement to violence or terrorist propaganda.

A more effective redress mechanism is needed. What cannot be overlooked, either, is the responsibility of conventional TV outlets such as Rupert Murdoch's Fox News, which has enabled Mr Trump for too long, and according to one study has been more influential in spreading false beliefs than social media. The UK, which has given approval for a Murdoch-owned "opinionated" news channel, should pay careful heed.

Exhibit 646

From: Murdoch, Rupert </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6F0571C63E7B49769B4A58009B115570-CRC>
To: Murdoch, Lachlan
Sent: 1/12/2021 4:36:40 AM
Subject: Re: The limits on free speech in the internet era from the Financial Times

Yes. Just tell her we have been talking internally and we intensely along these lines, and Fox News, which called the election correctly, is pivoting as fast as possible. We have to lead our viewers which is van not as easy as might seem

Sent from my iPhone

On Jan 12, 2021, at 4:57 AM, Murdoch, Lachlan <lkm@fox.com> wrote:

... and best to just let me call Anne after you and I speak.

Xx
L

Sent from my iPhone

Begin forwarded message:

From: "Murdoch, Lachlan" <lkm@fox.com>
Date: January 11, 2021 at 8:08:59 PM PST
To: "Murdoch, Rupert" <crc@fox.com>
Subject: Fwd: The limits on free speech in the internet era from the Financial Times

Dad, let's discuss the below today. I will be in the office from around 9 west coast time.

Love you
L

Sent from my iPhone

Begin forwarded message:

From: Anne Dias [REDACTED]
Date: January 11, 2021 at 8:01:22 PM PST
To: "Murdoch, Rupert" <crc@fox.com>, "Murdoch, Lachlan" <lkm@fox.com>
Cc: "Dinh, Viet" <Viet.Dinh@fox.com>, "nasser, j" [REDACTED]
Subject: FW: The limits on free speech in the internet era from the Financial Times

<https://on.ft.com/2XzkFz4>

Dear Rupert,
Dear Lachlan,

Freedom of speech is a pillar of free government. Yet, as I wrote to you earlier this week, I was relieved to read that the editorial board of the Wall Street Journal drew a clear line in the sand to sanction what is unacceptable speech and behavior by a President of the United States.



Today, the Financial Times is asking Fox to draw such a line in the sand too (text at the end of the email).

And what the Financial Times is asking is what conservatives everywhere in America are asking: as Donald Trump has willfully incited acts of violence and desecration, as he has trampled human decency and the public good, all the way to the inner sanctum of our democracy, how will he (and the views he espouses) be treated on Fox News post election? Will he be interviewed and treated like just another viewpoint? Will he be "canceled" because he has gone beyond the pale in his transgressions and incitations of imminent violence?

It would have been unthinkable just a few days ago that Fox News would be called upon to explain what represents abuse of power and what is unacceptable in a democracy. Yet, considering how important Fox News has been as a megaphone for Donald Trump, directly or indirectly, I believe the time has come for Fox News, or for you Lachlan to take a stance. It is an existential moment for the nation, for the nation, and for Fox News as a brand.

I do not believe that the company can stay silent on this matter.

Aside from this very important statement of principle, I also believe that Fox has a critical role to play in laying the ground for a conservative renaissance. Now that Trumpism has self-immolated, what other medium besides Fox News can do a better job at showcasing America's best conservative thinkers and doers, so that out of the ashes of Trumpism can emerge a winning brand of conservatism that is true to its founding principles: one that unites us, that makes us more free and more prosperous, and a beacon to other nations old and new, all across the world.

I wanted to bring this to your attention and am at your disposal to speak if you'd like. No doubt we will discuss these items at the board meeting.

All the best,
Anne

Below the article from the Financial Times

How quickly, in a crisis, the unthinkable can become reality. If it might have seemed fanciful a week ago that a US president could incite insurrection or face a second impeachment in a single term, so, too, would the prospect of social media platforms barring the "leader of the free world".

The bans by Twitter, Facebook and Instagram on President Donald Trump raise profound issues — of freedom of speech, and the precedents they may set for less free societies. While the "permanent" nature of Twitter's suspension is questionable, however, not acting would have created even bigger risks. In the exceptional circumstances of America today, platform companies were right to suspend Mr Trump's access at least until the end of his presidential term.

The president has glorified violence and egged on a challenge to US institutions that left five dead. Critics are right to say the move came cynically late. The president has repeatedly flouted the platforms' user rules. Had the platforms acted earlier to remove offending presidential posts selectively, the need for tougher actions might have been averted. Police had good reason for concern, moreover, that the president's supporters were using both mainstream and more niche platforms to plot further violence. That justifies moves by Apple, Google and Amazon to restrict access to Parler, the "alt-tech" Twitter alternative beloved of the radical right.

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Exhibit 647

From: Scott, Suzanne </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=85BFE6824750416486BDA0F78D10943E-SUZANNE.SCO>
To: Briganti, Irena (FoxNews)
CC: Wallace, Jay (FoxNews)
Sent: 11/9/2020 12:10:39 PM
Subject: Re: Wash Post/Ellison story

Irena - just spoke to Lachlan.

Can you call Raj and walk him through everything we are doing...I'm told he made a comment that maybe we changing based on our coverage this weekend.

From: Briganti, Irena <Irena.Briganti@FOXNEWS.COM>
Sent: Monday, November 9, 2020 12:08 PM
To: Scott, Suzanne <Suzanne.Scott@fox.com>
Cc: Wallace, Jay (FoxNews) <jay.wallace@foxnews.com>
Subject: Re: Wash Post/Ellison story

Exactly and he and Raj both talked for the story which is both Fox execs sound clueless. Sarah had that Meadows called Sammon (not just the decision desk) and he obviously asked her to take out his name. I didn't confirm Meadows called him but she had it as late as Friday. Sammon doesn't want his name in here so there's no backlash against him by our viewers. And I got Jay out of this story completely re: the AZ call which she was trying to pin on him yesterday.

On Nov 9, 2020, at 12:04 PM, Scott, Suzanne <Suzanne.Scott@fox.com> wrote:

Sammon not understanding the impact to the brand and the arrogance in calling AZ and how that played out by him is astonishing. Mishkon is a scientist - but Bill is supposed to be a top executive whose job it also is to protect the brand. S

From: Briganti, Irena <Irena.Briganti@FOXNEWS.COM>
Sent: Monday, November 9, 2020 11:36 AM
To: Scott, Suzanne <Suzanne.Scott@fox.com>; Wallace, Jay (FoxNews) <jay.wallace@foxnews.com>
Subject: Wash Post/Ellison story

Reading now

https://www.washingtonpost.com/lifestyle/the-long-love-affair-between-fox-news-and-trump-may-be-over-heres-how-it-ended-last-week/2020/11/09/f4dddb5e-2095-11eb-90dd-abd0f7086a91_story.html

The long love affair between Fox News and Trump may be over. Here's how it ended last week.

<In a scene from a happier time in the Fox-Trump relationshi, anchors Bret Baier and Martha MacCallum greet the president at a Fox News town hall in Scranton, Pa., in March..jpg>

In a scene from a happier time in the Fox-Trump relationship, anchors Bret Baier and Martha MacCallum greet the president at a Fox News town hall in Scranton, Pa., in March. (Brendan Smialowski/AFP/Getty Images)

By

[Sarah Ellison](#) and

[Josh Dawsey](#)

November 9, 2020 at 11:27 a.m. EST

[Add to list](#)

The last day of Donald Trump's 2020 presidential campaign began just after 7 a.m., as polls opened on the East Coast, with a call to "Fox & Friends," the television morning show that had turned the reality star into a U.S. president. He got his usual hero's welcome. But it was no longer enough.

[Follow the latest on Election 2020](#)

"This has been a very special show for me," he told the hosts of this broadcasting safe haven where he had workshopped his birther message, shared gossip and conspiracy theories and repeatedly set the tone for his entire administration's day. "We've had a great relationship, and you have a great show. So, it's my honor." But his remarks quickly turned pointed that early [Tuesday morning](#) as he boasted about how well he had done in the job of president, despite some unexpected challenges. Not China, he said, nor Russia nor North Korea, but the U.S. And what had changed the most for him since 2016, he mused rhetorically?

AD

"Fox," he said, answering his own question. "It's much different now." As the hosts sputtered, he elaborated: "In the old days they wouldn't put sleepy Joe Biden on every time he opened his mouth . . . It's a much different operation, I'm just telling you."

It was the last day of a campaign Fox had done so much to support, but it was a preview of the war — now one week old but months in the making — that may have permanently ruptured the bond between Trump and his once-favorite television channel. As he faces expulsion from the White House, Trump has vowed revenge on the network that propelled his political career, according to close White House aides — perhaps by publicly attacking Fox or undermining its business model by endorsing a competitor.

His early-morning grumblings flew in the face of the friendly venue Fox has been for him — as well as the personal guidance he's taken from its marquee stars, opinion hosts Tucker Carlson and Sean Hannity, who advised him on his reelection strategy, from how to conduct himself in a debate to where he should hold his rallies, according to three people familiar with these exchanges.

[What was Trump talking about? How the language of Fox News invaded the final debate.](#)

He has also maintained the unswerving support of other Fox opinion hosts, including Laura Ingraham and Jeanine Pirro, both of whom would be in attendance that same Tuesday at the election night party in the White House's chandeliered East Room, where Fox was on the big-screen TVs as he won the key state of Florida and the room filled with increasing optimism that their candidate had once again defied the polls.

AD

Until 11:20 p.m., when Fox News called Arizona for Biden with 73 percent of the expected vote counted — a “screeching of tires” that brought the party to a halt, said one official present.

This account is based on interviews with eleven current and former Fox News and Trump officials, all of whom spoke on the condition of anonymity to discuss the sensitive dynamics between Fox News and Trumpworld.

Trump erupted in anger, telling others in the White House to “get that result changed,” a senior administration official said. His chief of staff Mark Meadows phoned Fox News’s decision desk repeatedly. Top aide Hope Hicks, who had returned to the White House earlier this year after a stint at Fox Corp., messaged Raj Shah, a former Trump White House staffer whom she hired at Fox, about how to get the call reversed. Kellyanne Conway got in touch with Fox News chief political anchor Bret Baier to complain. Jared Kushner reached out to Fox Corp.’s billionaire owner Rupert Murdoch.

AD

But even as White House officials vowed to Fox executives that they had data from Arizona Gov. Doug Ducey demonstrating Trump could still win, and all the other major networks continued to hold off on a call, Fox decision desk chief Arnon Mishkin remained unmoved. *Stick with us*, he and his deputies told the anchors. *We’ll be right*. And that was the path Fox News chose.

<President Trump arrives to speak at an election night party at the White House early Wednesday..jpg>

<President Trump arrives to speak at an election night party at the White House early Wednesday..jpg>

President Trump arrives to speak at an election night party at the White House early Wednesday. (Jabin Botsford/The Washington Post)

<Fox News was on the TV screens at the party — leading to a shock when the network made an early call of Joe Biden winning Arizona. jpg>

Fox News was on the TV screens at the party — leading to a shock when the network made an early call of Joe Biden winning Arizona. (Jabin Botsford/The Washington Post)

It is almost impossible to overstate the closeness of the relationship between Fox News and the Trump White House.

In 2018, Pirro complained personally to the president that she had been unable to get any White House staffers to appear on her show for two weeks running. Little wonder, said one administration official: “No one wanted to do it every week because it was on Saturday night, and it screws up your weekend.” But Trump came to the rescue — volunteering to call into the show himself. After that, his staff set up a rotation system to make sure one of them would perform the duty for Pirro’s show every week.

AD

Yet even as Fox opinion hosts reliably cheered for Trump, the relationship with the network could be problematic for top White House staff, largely because of the president’s thrall to what it broadcast. While he was White House chief of staff, John Kelly regularly complained to aides that the show hosted by conspiracy-minded immigration opponent Lou Dobbs on Fox Business Network had far too much sway over the president, according to two former senior administration officials. Another former White House official described the constant angst over

how Fox might cover certain White House initiatives because of the potential blowback from the boss.

“What we were always concerned about inside is that when he’d do a spending deal, or make an announcement that was controversial, and then Fox would attack him, and he’d blow it up the next day,” the former official said. “We’d call the hosts, and say, ‘Please can you tamp it down a bit?’ Because we were afraid the next day he’d rip it up. . . . They usually were pretty good about working with us.” But Trump demanded an unattainable level of loyalty from the network. His reelection campaign at one point asked for a bulk discount advertising deal. Fox said no, noting that everyone has to pay the same rates, according to two people familiar with the exchange — leaving Trump extremely unhappy with Fox.

AD

In recent months, he had begun to complain — both on Twitter and among his aides — that Fox had turned on him. That impression was only heightened when reports emerged that Murdoch was telling associates that the president was going to lose. Even as the New York Post, another Murdoch-controlled property, published a dubious front-page story last month, facilitated by Trump’s lawyer Rudolph W. Giuliani, that alleged nefarious business dealings by Biden’s son Hunter, the personal relationship had undeniably cooled.

What happens to Fox News if Trump loses? Rupert Murdoch is prepared.

Trump took any perceived slight from Fox News especially personally because he viewed Fox as “my network,” three administration officials said. “I give Fox these mega ratings. It’s all me,” Trump has told advisers, according to a person who heard the comments.

In reality, ratings have been buoyed across all networks by increased audience interest spurred by the drama of the Trump presidency — and while Fox, too, has prospered, it has also been the number-one rated cable news program for more than 18 years. And for all its Trump sympathies, Fox remained an independent business and a news organization — one that couldn’t help turning its attention to the wider pantheon of political personalities as the 2020 campaign heated up.

“People think Fox and they think what they think. And you can’t do anything about that,” a Fox executive said. “But on Election Night, I’m telling you, the news side is running the show.”

<Advertising banners outside Fox News’s New York headquarters along Manhattan’s Sixth Avenue show several of the network’s stars — Bret Baier, Martha MacCallum, Tucker Carlson, Laura Ingraham, and Sean Hannity. .jpg>

Advertising banners outside Fox News’s New York headquarters along Manhattan’s Sixth Avenue show several of the network’s stars — Bret Baier, Martha MacCallum, Tucker Carlson, Laura Ingraham, and Sean Hannity. (Drew Angerer/Getty Images)

The fury with which Team Trump fought back against Fox’s call for Arizona signified the extent to which they saw it as a dire omen — and a betrayal. It was the birthplace of Barry Goldwater’s conservative movement, a state that had only gone blue once since 1948, and the home of Trump’s late GOP antagonist Sen. John McCain, whose widow, Cindy, had taken the devastating step of endorsing

Biden.

AD

Yet the state had long been trending more liberal, and Mishkin maintained that his projection was rooted in pure math — hardly a concerted attempt by the network to kneecap Trump.

Indeed, in the following days, Fox’s opinion hosts doubled-down on their show of loyalty to the president — even going so far as to obliquely cast doubt on their own network’s call by repeating Trump’s unsubstantiated claims of voter fraud.

On Wednesday evening, Ingraham took the airwaves to declare that Democrats were trying to “destroy the integrity of our election process with this mail-in, day-of registration efforts, counting after the election is over, dumping batches of votes a day, two days, maybe even three days after an election.” She interviewed Newt Gingrich, the former speaker of the House, who was even more strident: “As they watch Joe Biden’s Democratic Party steal the election in Philadelphia, steal the election in Atlanta, steal the election in Milwaukee, I think the more information that comes out, the greater the rage is going to be.”

Here are the GOP and Trump campaign’s allegations of election irregularities. So far, none has been proved.

On Friday night, Hannity told his viewers that “we have serious reports of irregularities and fraud and not allowing vote counters to observe counting.” And on Maria Bartiromo’s Sunday morning Fox Business show, attorney Sidney Powell baselessly alleged that Democrats “were flipping votes in the computer system or adding votes that did not exist” — and the host listened intently without asking the Trump ally to offer proof.

AD

But other Fox personnel stood their ground — even as Trump fans gathered outside vote-counting locations in Arizona’s Maricopa County, chanting “Fox Sucks.”

“Lawsuits, schmawsuits,” scoffed Fox’s politics editor, Chris Stirewalt, assessing the Trump campaign’s threats of legal challenges over the election results. “We haven’t seen any evidence yet that there’s anything wrong.” Baier, Fox’s nightly news anchor for the past decade, repeatedly pushed back against claims of voter fraud leveled by Trump allies. And when correspondent Eric Shawn was asked Friday by host Dana Perino about Trump allegations that GOP poll watchers were being blocked in Philadelphia, he responded, “That’s not true. That’s not true. That’s just not true.”

“To come out and say that there is voter fraud . . . to make a statement about an election being stolen or an election being rigged, that can be a dangerous statement,” said Jedediah Bila, a co-host of “Fox & Friends Weekend.” “I haven’t seen any evidence”

Arnon Mishkin, the Fox News analyst who called Arizona for Biden, is under attack from the Trump campaign

A Fox executive acknowledged that regular viewers, attuned to messaging from the campaign, were “really pissed off” at the network. “But we aren’t backing down

from it.” On Thursday, after the Trump campaign tweeted a list of Mishkin’s modest political contributions — including \$1,500 to Barack Obama’s 2008 campaign — to make the case he was biased against Republicans, the network came to his defense by putting the analyst on the air with Baier and MacCallum to point out that he had also given money to Republicans.

AD

Still, Trump and his allies have become convinced that the Arizona call represented a strategic decision by Fox to “go to great lengths to prove their objectivity at Trump’s expense,” said one friend of the president. Conservative radio host Rush Limbaugh, amplified this theory on his Friday show: “The cable networks are waiting for Fox” to declare the race, he said. “They want you to eat crow. They want you guys to be the ones to repudiate Trump.”

As it happened, after Fox’s early call on Arizona — which as of Monday morning still had not yet been matched by any other major news organization other than the Associated Press, as Trump continued to narrow the gap through the counting of mail-in ballots — the network seemed to slow down to meet the pace of its rivals, who all refrained from making aggressive calls in other states this year. Having placed Arizona in Biden’s column, Fox could well have been the first news organization to call the presidency for Biden, with only the addition of another small state like Nevada. Yet the network was loathe to do so, according to two Fox executives. Ultimately, Fox was a full 16 minutes after CNN on Saturday to call Pennsylvania and the presidency for Biden.

The Trump campaign is vowing to push forward with lawsuits, but some of his advisors are counseling him not to fight too hard so he can leave with his dignity intact and prepare for his next step, whether it is as the leader of a resistance or a 2024 candidate.

But officials said Trump was in some ways angrier about Fox News on Wednesday than his actual loss. One ally said that when Trump called on Wednesday, he expected him to complain about the results. Instead, the ally said, Trump “railed about Fox.”

Trump’s advisors had long discussed the possibility that when he left office, he’d support a news network to compete with Fox or start his own. “This,” said one of his close advisors, “only exacerbates that desire.”

Jeremy Barr contributed to this story.

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Exhibit 648

Fake Claims About Dominion Voting Systems Do Real Damage

WSJ [wsj.com/articles/fake-claims-about-dominion-voting-systems-do-real-damage-11606755399](https://www.wsj.com/articles/fake-claims-about-dominion-voting-systems-do-real-damage-11606755399)

November 30, 2020

By John Poulos

Nov. 30, 2020 11:56 am ET

1662



A voter fills out her ballot in Norcross, Ga., Nov. 3. Photo: Jessica McGowan/Getty Images

Accurate, transparent and accessible elections—this is the objective that motivated me to create Dominion Voting Systems 18 years ago in Canada. From the start, the company was focused on improving paper-based voting, and it continues to pursue vote-tabulation solutions that enhance accuracy and transparency through audits and reviews, as well as by allowing voters to create, verify and privately cast a marked paper ballot. But if you've heard about our role in the U.S. election on Twitter, it's likely you've heard something different.

The allegations against Dominion are bizarre, but I'll set the record straight. Dominion is an American company, now headquartered in Denver. Dominion is not and has never been a front for communists. It has no ties to Hugo Chávez, the late dictator of Venezuela. It has never been involved in Venezuelan elections. None of Dominion's systems use the Smartmatic software that has come under attack, as any state certification lab could verify.

There is no secret "vote flipping" algorithm. Third-party test labs, chosen by the bipartisan Election Assistance Commission and accredited by a program of the National Institute of Standards and Technology, perform complete source-code reviews on every federally certified tabulation system. States replicate this process for their own certifications. Postelection canvassing and auditing also exist to provide additional assurance of the vote totals' accuracy.

The part of the election process on which Dominion focuses is highly regulated and certified. The company doesn't work in noncertified areas such as voter-registration systems, poll books or signature-verification software, and it doesn't provide vote-by-mail printing. Dominion voting machines do one thing: accurately tabulate votes from county-verified voters using a durable paper ballot controlled and secured by local elections officials.

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Some of the main counties where results have been contested, like Philadelphia and Allegheny (Pittsburgh), don't even use Dominion voting systems. In fact, across the 14 Pennsylvania counties that use Dominion systems, President Trump received 52.2% of the vote.

Despite the company's limited role in elections, it has been the target of a stream of outrageous statements since Election Day—increasingly reckless and defamatory allegations that don't stand up to scrutiny. Dominion is never able to affect the outcome of an election. The entire certification process makes sure of that. Regardless, the company's focus has always been to be nonpartisan and respectful of all views. Dominion's customers are election officials from both parties in the 28 states where it operates.

Unlike its critics, Dominion has had to attest to every part of its business ownership and operations to governmental agencies and in courts—under oath and penalty of perjury. We believe it is important to welcome the highest degree of scrutiny and transparency in the election process. This builds trust and leads to more resilient and robust elections. The

widespread disinformation campaign America currently faces, however, does the opposite. Baseless and ludicrous smears are presented without evidence and amplified across social media.

These attacks undermine the tens of thousands of state and local officials who run our elections. When it comes to counting ballots, officials have established a distributed, multilayered system with checks and balances, in which robust safeguards ensure that no one needs to trust blindly any person, company or technology. Here are some of the safeguards in place in Georgia, where the Trump campaign has contested the result:

- Tabulation machines are tested publicly, before bipartisan witnesses, before and right after Election Day.
- On Election Day, poll workers—not Dominion systems—verify voters’ identities, including a signature check.
- Voters mark a paper ballot to vote. Absentee voters use pens, while in-person voters use “ballot marking devices,” which display a digital ballot for voters to make a selection and then print a paper record. In both cases, voters verify the marked paper ballot before casting it in a secure ballot box through an air-gapped scanning tabulator.
- After polls close, results are tallied by local officials. Paper ballots are safeguarded by thousands of poll workers distributed across 2,656 precincts.
- The Georgia Secretary of State’s Office certified election results after hand-auditing five million ballots, which showed that the paper-ballot voting system counted and reported results accurately. The small change to the final tally was due entirely to the addition of ballots that had been uncounted due to human process errors.
- The state also enlisted Pro V&V, a certified third-party testing laboratory, to audit a random sample of Dominion machines. No tampering was found.

The wild allegations of recent weeks have fueled the harassment of election officials and Dominion employees across the country—including stalking and death threats. The lies and smears have no basis in fact, but they do real damage to our democracy by casting doubt on the legitimacy of the electoral process. The false allegations should be retracted immediately.

Citizens should know that America’s rigorous, layered and transparent electoral process—in which Dominion is proud to participate—ensures its elections are secure, accurate and credible.

Mr. Poulos is president and CEO of Dominion Voting Systems.

Advertisement - Scroll to Continue

Potomac Watch: Despite Democratic Party predictions of a "blue wave," Chuck Schumer remains Senate minority leader, and Nancy Pelosi will lead a thinner majority in the House. Image: Jonathan Ernst/Reuters

Appeared in the December 1, 2020, print edition as 'Fake Claims About Dominion Voting Systems Do Real Damage'.

Sponsored Offers

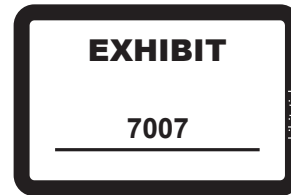
- Michaels:
Michaels coupon code for senior - Extra 10% Off
- Dyson:
Dyson promo code: Extra 20% off sitewide
- GoPro:
Student discount promo code: \$100 off the GoPro HERO11
- American Eagle Outfitters:
All Jeans + Pants 25% off! Plus, 60% off clearance with American Eagle promo code
- Postmates:
\$20 off \$25 Postmates delivery coupon code

Exhibit 649

REDACTED IN ITS ENTIRETY

Exhibit 650

**FOX CORP
BOARD OFFSITE**



Attendees:

Board:

1. Rupert Murdoch
2. Jacques Nasser
3. Anne Dias
4. Roland Hernandez
5. Paul Ryan
6. Chase Carey

Corporate Management:

1. Lachlan Murdoch (also Board)
2. John Nallen
3. Viet Dinh
4. Steve Tomsic

Management:

1. Paul Cheesbrough
2. Mike Biard
3. Farhad Massoudi
4. Charlie Collier
5. Suzanne Scott
6. Eric Shanks
7. Jack Abernethy

External:

1. Peter Jackson or Matt King

Tuesday, November 10

(Meetings moved up from what is currently scheduled for Wednesday, November 11)

Time	Topic	Presenter
2.00pm – 3.00pm	<i>NCG Committee Meeting</i>	
3.00pm – 5.00pm	<i>Audit Committee Meeting</i>	
5.00pm – 5:45pm	<i>Compensation Committee Meeting</i>	
6.30pm	Board Dinner (Nobu)	

Wednesday, November 11

Time	Topic	Presenter
8.00am – 9.00am	Board matters: Committee reports/business update/approvals, etc.	LKM
9.00am – 9.30am		
9.30am – 10.15am	Perspectives from Wall Street	Michael Nathanson
10.15am – 10.30am	Break	
10.30am – 11.15am		
11.15am – 12.00pm	Consumer Media Choices today	PC/MB
12.00pm – 1.00pm		

1.15pm – 2.00pm	[REDACTED]	
2.00pm – 4.15pm	[REDACTED]	
4.15pm – 4.30pm	Break	
4.30pm – 5.45pm	[REDACTED]	
5.45pm – 6.30pm	[REDACTED]	

Thursday, November 12

Time	Topic	Presenter
9.30am – 11.00am	[REDACTED]	
11.00am – 12.00pm	[REDACTED]	
12.30pm – 2.30pm (and working lunch)	[REDACTED]	
2.30pm – 3.30pm	Summary, Priorities and Specific Next Steps. AOB	LKM

DETAILED AGENDA

**FOX CORP
BOARD OFFSITE**

Tuesday, November 10

(Meetings moved up from what is currently scheduled for Wednesday, November 11)

Time	Topic	Presenter
2.00pm – 3.00pm	<i>NCG Committee Meeting</i>	
3.00pm – 5.00pm	<i>Audit Committee Meeting</i>	
5.00pm – 5.45pm	<i>Compensation Committee Meeting</i>	
6.30pm	Board Dinner (Nobu)	

Wednesday, November 11th

Time	Topic	Presenter
8.00am – 9.00am		
9.00am – 9.30am		

9.30am – 10.15am	Perspectives from Wall Street	Michael Nathanson
10.15am – 10.30am	Break	
10.30am – 11.15am		
11.15am – 12.00pm	Consumer Media Choices today <ul style="list-style-type: none"> • Comparison of content offers in the market, their emphasis, pricing and packaging 	PC/MB
12.00pm – 1.00pm		
1.15pm – 2.00pm		
2.00pm – 4.15pm		

4.15pm – 4.30pm	Break		
4.30pm – 5.45pm			
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	•		
	•		
5.45pm – 6.30pm			

Thursday, November 12

Time	Topic	Presenter
9.30am – 11.00am	<i>FOX Corp AGM (10am)</i>	
11.00am – 12.00pm		
12.30pm – 2.30pm (working lunch)		
2.30pm – 3:30pm		