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4 SELECT COMMITTEE TO INVESTIGATE THE
5 JANUARY 6TH ATTACK ON THE U.S. CAPITOL,
6 U.S. HOUSE OF REPRESENTATIVES,
7 WASHINGTON, D.C.

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11 INTERVIEW OF: DONALD JOHN TRUMP, JR.

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Tuesday, May 3, 2022

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Washington, D.C.

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The interview in the above matter was held via Webex, commencing at 10:32 a.m.

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Present: Representatives Luria and Aguilar.

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2 Appearances:

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5 For the SELECT COMMITTEE TO INVESTIGATE

6 THE JANUARY 6TH ATTACK ON THE U.S. CAPITOL:

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9 [REDACTED] INVESTIGATIVE COUNSEL

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2 For DONALD JOHN TRUMP, JR.:

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2 [REDACTED] Good morning. This is a transcribed interview conducted by the
3 House Select Committee to Investigate the January 6th Attack on the United States
4 Capitol, pursuant to House Resolution 503.

5 Mr. Trump, could you please state your full name for us.

6 Mr. Trump. Donald John Trump, Jr.

7 [REDACTED] Thank you. This will be a staff-led interview, and members of the
8 committee may join and ask questions as well.

9 My name is [REDACTED] I'm a senior investigative counsel on the staff. And
10 joining me in the room is [REDACTED], who is an investigative counsel. And another
11 senior investigative counsel, [REDACTED], is joining us by Webex.

12 I'll also note that Ms. Luria has joined us, a member of the select committee.
13 Thank you for being here.

14 And, Mr. Trump, as we progress through the day if other members join, I'll pause
15 to let you know that they're in the room or if they exit. Okay?

16 Mr. Trump. Thank you.

17 [REDACTED] Before we begin, I'll just ask your counsel to please introduce
18 themselves for the record.

19 And, Alan, if you'd like to just introduce everyone, that's fine too.

20 Mr. Futerfas. I think that works. Thank you. Alan S. Futerfas, F-u-t-e-r-f-a-s,
21 counsel for Mr. Trump; Bettina Schein, that's B-e-t-t-i-n-a, last name S-c-h-e-i-n, joining
22 me as co-counsel; Ellen Resnick, R-e-s-n-i-c-k, also with my firm, counsel as well.

23 And we're joined by two paralegals: Madeleine White and Eleanor Buse, B-u-s-e.

24 [REDACTED] Thank you.

25 And, before we get started, what I'll do is just go over a few of the ground rules for

1 today. And the first one I'll say that, and as you've seen, Mr. Trump, there is an official
2 reporter who is transcribing the interview today. And we will provide you a copy of the
3 transcript before, if it is published, so that you can review it with Mr. Futerfas and your
4 team and make any corrections that are needed. Okay?

5 But as part of this, we would just ask that -- and it's a rule -- that this not
6 otherwise be recorded. So we ask every witness, but are you or any member of your
7 team recording the interview yourselves?

8 Mr. Futerfas. We are not.

9 [REDACTED] Thank you.

10 Mr. Futerfas. We are not. We're taking notes, but we're not recording.

11 [REDACTED] Understood. So, as is the case in any sort of interview of this
12 nature with a reporter, if you could just wait to answer a question until I'm done or a
13 member is done before you answer, and we'll do our best to wait until you're done
14 before we ask our next question.

15 The reporter can't record any nonverbal responses like shaking your head, and so
16 there might be times -- and I apologize in the front -- that I might have to butt in and say,
17 could you say yes or no or just answer in words.

18 And if you say something, a word that we don't know the spelling, I might have to
19 ask you to do that, to spell it for us, or pronunciation, like Futerfas.

20 Mr. Trump. I'm not sure that I'd be able to help you with the spelling part either.
21 My vocabulary is a lot better than my spelling.

22 [REDACTED] To that point, we're just asking you to provide answers to the best
23 of your knowledge and to the best of your recollection. And if you don't know an
24 answer or a spelling, just tell us and let us know, and that's fine. And if a question I ask
25 or anyone else asks isn't clear, let us know, and we'll do our best to rephrase it so it is.

1 the purpose of doing this is just to make clear for the record that you're here today
2 voluntarily. Is that right?

3 A I am.

4 Q So we -- the select committee reached out to Mr. Futerfas to say that we
5 were interested in speaking with you and also receiving documents. And you agreed to
6 do both without the need for a subpoena. Is that right?

7 A Correct.

8 Q All right. Well, we appreciate that. And I'm showing the exhibit 1, which
9 is an email I had with Mr. Futerfas about the document requests. And, as we do with all
10 witnesses, we just want to make sure that we understand what you produced and to
11 make sure there's nothing left that you might have that needs to be produced.

12 So here is the email where we have the categories of documents that we asked
13 for, and if you can scroll down on that first page.

14 A Let me just try to blow this up a little bit, guys. It's very, very small. And,
15 while I still have 20/20, I'm probably on the verge of losing it.

16 Q I can sympathize, and that's fine. We can also zoom in on our side as well.

17 A Yeah. I can zoom in on mine. Yeah.

18 Mr. Futerfas. That's good. Thank you.

19 

20 Q Mr. Trump, I don't want to know about any discussions you've had with
21 Mr. Futerfas about substance, but are you familiar with the fact that we made requests
22 for documents that you see in front of you?

23 A I am, yes.

24 Q And, to the best of your knowledge, did you provide the documents or give
25 your attorneys access to the places where you have documents that would be responsive

1 to these requests?

2 A I did, yes.

3 Q And so, to your knowledge, have you failed to produce anything that's
4 responsive to these requests?

5 A Nothing that I am aware of, no.

6 Q So just to get into the particulars, we appreciate the thousands of pages of
7 documents you produced, almost all of which came from an email account with The
8 Trump Organization.

9 Is that your primary email account that you use?

10 A Yes, it is.

11 Q We also understand from the production that you may have at one time or
12 maybe still do have an email account with iCloud or Apple. Is that right?

13 A I believe I do. That is, I think it's something that if you set up an iCloud
14 account, I think they give you like a default email address. I don't know that I've ever
15 used it. I don't know what a password is. I don't think I -- if I've ever checked it, it
16 certainly hasn't been in years.

17 Q We also understood from Mr. Futerfas that you might have a Hotmail
18 account. Is that right?

19 A That's correct. That's, you know, sort of personal stuff, online shopping
20 and, you know, basically as a two-form authentication for all the crazy password
21 protections because I can't remember most of my passwords for all the -- all the stuff
22 that's out there.

23 Q And, as part of your working with Mr. Futerfas, again, it sounds like you
24 made available to him and his team your Trump Org email address and your Hotmail
25 email address so they could look for whatever is responsive. Is that right?

1 A That is correct.

2 Q Are there any other email accounts that you were using during the time this
3 the select committee is focused on, which is November of 2020 through January of 2021?

4 A No, not to my knowledge.

5 Just for clarification, there's two Hotmails. Like I said, one is just the one that's
6 there, and then the other is the backup for sort of essentially passwords and, you know,
7 junk mail. And I've made both of those available to Mr. Futerfas' team and the guys
8 looking into this stuff.

9 Q Your cell phone that you were using during the time at interest we
10 understand to be -- and maybe it still is, but at that time was [REDACTED] Is that
11 right?

12 A That is correct.

13 Q The select committee submitted a subpoena to your phone company to get
14 the records, which I understand you were provided notice of and an opportunity to
15 challenge if you wanted to. Is that right?

16 Mr. Trump. Is that correct?

17 Mr. Futerfas. [REDACTED], do you mind if I --

18 Mr. Trump. I don't know, but I -- you know, I certainly have been as open book,
19 and, you know, they can do whatever they want with it.

20 [REDACTED] And, Mr. Trump, to that point, that's why I raise it, that maybe you
21 don't know or don't remember, but you were given a chance to object, and you didn't.
22 So I just want to make clear that, as you said, you have been forthcoming with your
23 information.

24 And so I just wanted to show, because we might refer to it today, what we have as
25 exhibit 2, if we can put that up.

1 Mr. Futerfas. Yeah, just for the record for clarity, we did receive
2 correspondence, verbal and written, from the carrier, and we did not lodge an objection
3 to the request made of the carrier.

4 ██████████ Thank you.

5 Mr. Futerfas, we appreciate that. And I know it's your voice.

6 I'll just ask the court reporter, since they can't see you on camera, is it okay that
7 he's off camera? I think he'll be the only one speaking on Mr. Trump's behalf.

8 Mr. Futerfas. I'm now on camera for a moment. I'm sitting next to Mr. Trump.

9 ██████████ Thank you.

10 Mr. Trump. If you want, I can make it a little easier.

11 ██████████

12 Q So last week we provided the documents that the carrier provided in their
13 original format so that you could see or your attorneys could see the phone records, Mr.
14 Trump. But what you're looking at is exhibit 2, which is an annotated version that we
15 created to make it easier today. So I'll just explain the format so that, as we work
16 through it, if we do refer to it, you understand what we're talking about.

17 It's fairly self-explanatory, but what we did is, at the top, you'll see that it will be
18 the date and time of any phone call; the direction, so whether you were placing the call
19 or receiving it; the other number you were communicating with; and then how long the
20 call lasted in seconds; and then the last column is for -- to list the numbers of certain
21 people that may come up during your testimony today. You see the first entry there, for
22 instance, is Arthur Schwartz.

23 One note on the date and time that you can see is the date and time is presented
24 in some cases in eastern time and, if so, it's reflected with GMT minus five. In other
25 words, minus five hours off Greenwich mean time. And other times the time is reflected

1 as at GMT plus zero, that is, just at Greenwich mean time.

2 That's just the way the records came, and so it's reflected there. So, if we need
3 to convert the time, that's why we're doing that as we talk about it.

4 A Thank you.

5 Q To also talk about other phone records we have that will help with your
6 testimony, we have at exhibit 3 in a similar format Ms. Kimberly Guilfoyle's records during
7 roughly the same time period, and if we can show those.

8 Exhibit 4 is Andy Surabian's phone records, and then exhibit 5 are Arthur Schwartz'
9 phone records. And that's just a level set so you know what we'll be working with.

10 As I understand from Mr. Futerfas, when it comes to your cell phone and text
11 messages, he's represented to us that you have your setting on your phone such that they
12 delete automatically after 30 days. Is that right?

13 A That is correct.

14 Q And how long have you had that in place, do you know, roughly?

15 A Probably I would think about sometime this fall. I didn't even realize that
16 was something until about then. So I put it on there.

17 Q Was there anything that had to do with the select committee's work -- and
18 understand we hadn't reached out to your attorney until just a couple months ago -- that
19 prompted you to do that with your text messages?

20 A No, not even a little bit.

21 Q So you think it was fall of 2021?

22 A That is correct.

23 Q One of the issues we discussed with Mr. Futerfas is whether, since January of
24 2021 till now and really up until the time you turned on the 30-day deletion, whether you
25 were under any court order or discovery order in any other litigation to preserve your

1 documents.

2 Do you know whether you were during that time?

3 A I had made my phone available to all of our counsel on everything else that
4 was outstanding prior to that, which, you know, has been rather extensive. So, you
5 know, they did everything they needed to do in compliance with all of those things before
6 I did that.

7 Q One of those things that we understand is that they took an image of your
8 phone in roughly the summer of 2021, copied all the contents. Is that right?

9 A That is correct.

10 Q And, as part of your process in responding to the request we made for the
11 select committee, did your attorney search through that image, to your knowledge, that
12 copy, to see if there was anything there from November of 2020 to January of 2021 that
13 was relevant?

14 A That is correct, yes.

15 Q So we did not receive any text messages from your phone. So, as we
16 understand it then, you don't have anything that's in your possession in your texts from
17 that timeframe. Is that right?

18 A That is correct. But I imagine, you know, if others don't have that, you
19 could get that from, you know, the other side to make that available. That's obviously
20 fine.

21 Mr. Futerfas. Can I -- [REDACTED] if you don't mind, just to correct the record a
22 little bit, the summer -- my understanding is the summer, a full picture of the phone was
23 taken, but that that -- but that what we were able to search recently in response to this
24 request was a subset of that image, which was made for a different investigation. But
25 that subset was searched with search terms for your committee.

1 [REDACTED] Was that subset, Mr. Futerfas, created using search terms related to
2 that litigation that's separate from what the select committee is doing?

3 Mr. Futerfas. Yes.

4 [REDACTED] And so do you have access to the broader or the full set?

5 Mr. Futerfas. The full set, there's -- the problem is the full set went -- according
6 to our IT people, the people we were using, the full set went between different kind of
7 storage devices, and they're having difficulty reconstructing the original full set.

8 The subset that I'm referring to is the subset -- I'm referring to was for different
9 litigation with different search terms. They were still pretty broad search terms, but it
10 was for different litigation. The subset is complete.

11 [REDACTED] And the efforts of the IT team in looking at the full copy, are those
12 still ongoing? In other words, are they still trying to --

13 Mr. Futerfas. They are. They are. There was some corruption that occurred
14 between storage devices when that subset was moved between storage devices.

15 What I could say to you is that if at the end of the day the full phone, the full is
16 reconstituted and then -- and we can run our search terms that we have created for your
17 committee, we'll, of course, run them on that full set.

18 But, as of today, as we sit here today, our IT is having difficulty reconstructing
19 that, because of that technical issue.

20 [REDACTED] Thank you for that. We'll certainly follow up afterwards, but we
21 appreciate the efforts you're making.

22 [REDACTED]

23 Q When it comes to messaging apps, we received, Mr. Trump, a handful of
24 messages from WhatsApp. And it looks like that was a program maybe you used or
25 somewhat used during that time. Is that right?

1 A That is correct.

2 Q Did you use any other messaging apps during November of '20 to January of
3 '21, such as Signal or Telegram, to communicate with people?

4 A I'm on Telegram. I mostly use it just as a channel, sort of like a social
5 channel. I don't really use it for messaging. Signal, I don't know if I was on at that
6 point in time. I don't think I was.

7 Q And, if you were, it would have been --

8 A Neither of them I really -- neither of them are used extensively, but --

9 Q Now, when it comes to communications with your father during the time
10 that we're focused on, President Trump, when you would speak to him on the phone,
11 how would he -- what phone would he use to talk to you, as a general matter? Would
12 you reach him through a landline at the White House? Would he use a cell phone, or
13 both?

14 A Generally speaking, I think I usually got a hold of him through the White
15 House operator. So however -- you know, I'd call a landline at the White House.

16 Q We understand that during the time that we're focused on and throughout
17 his Presidency, he did have a cell phone or cell phones that he would use in the normal
18 course. Did you understand that as well during that time?

19 A I don't recall if I understood that or not. I just -- yeah. Like I said, I
20 generally went through the White House operator, but --

21 Q There has been some reporting that your father might have used what are
22 referred to sometimes as burner phones. Do you have any reason to think that he was
23 using a phone like that?

24 A I don't at all, no.

25 Q Did you ever have occasion during November of '20 to January of '21 to

1 receive a call from your father when he was using, say, another staffer's phone, say
2 someone like Mark Meadows or Dan Scavino, and when you received the call it was
3 actually your father?

4 A It's possible, but not that I remember.

5 Q And would you ever exchange text messages with your father during the
6 time we're focused on?

7 A No. My father doesn't use text messaging or email.

8 Q And similarly then, would he use any messaging app to communicate with
9 you that you know of?

10 A I'm not sure he'd even know what they were.

11 Q Was there -- and I'll keep referring to the time but maybe -- the time period,
12 but maybe to shorten things, if you're unclear about what time period I'm asking about,
13 just let me know, but I'm really focused on, again, November of '20 to January of '21.

14 And, during that time, was there anyone in particular within the White House
15 staff -- not your father but the White House staff -- that you were in regular contact with?

16 A I guess it depends on your definition of regular contact, but I guess the
17 primary points of contact would have been either Mark Meadows or Dan Scavino.

18 Q And, when you would communicate with Mr. Scavino or Mr. Meadows, was
19 that typically calling in through a landline, or would you talk to them on their cell phones,
20 or it depends?

21 A If I'm speaking to them, I would imagine cell phone.

22 Q Many other folks have come to talk to the select committee, and I just have
23 to ask, as we do of all witnesses, prior to you coming in today, have you spoken with
24 anybody who you understand to have appeared before the select committee about the
25 substance of their testimony?

1 A Not really of the substance. Obviously, the people I know that went in, I
2 know that they went in. And, you know, my fiancée went in, so, you know, obviously
3 spoke to her about it. But I figured, as in all things like this, it's better not to ask
4 questions that you don't know anything about because you're going to be asked about
5 them, and let's keep things simple.

6 Q So that does keep that simple then. I'll move on.

7 So, when it comes to your father, have you spoken to him about the fact that
8 you've been asked to and are, in fact, appearing before the select committee?

9 A I told him a few weeks ago that I was coming in. And that was about the
10 extent of the conversation, for the same reasons.

11 Q Are you aware that certain witnesses who have been appearing before the
12 select committee are having their legal fees paid for by, for instance, the Save America
13 PAC or other people close to your father? Is that something you're aware of?

14 A I've heard that, yes.

15 Q Was a similar offer made for you with regard to your legal fees?

16 A I don't know -- I don't know if that was an offer. I've certainly asked for
17 them to do that since -- but yes.

18 Q We'll turn to the reelection campaign for 2020, the Presidential campaign.
19 What role, if any, officially did you have with President Trump's reelection campaign?

20 A I'm not sure I actually had an official role. I was -- I was out there and, you
21 know, reasonably good on the stump, on social media channels. So, you know, I was out
22 there to amplify the messaging and, you know, get people, you know, in the -- kind of get
23 out the vote efforts.

24 Q A term we've heard people use in describing not just you but others similarly
25 situated is a surrogate for the campaign. Is that a fair term for what you were doing at

1 the time?

2 A Yes, it is.

3 Q Now, understanding you didn't have an official role but given being a
4 surrogate and your family relationship, were you involved with the campaign in
5 developing political strategy?

6 A I would be on some of those calls, yes.

7 Q And, when you would be doing that, were there particular people within the
8 campaign you would work with?

9 A I imagine it just depends on whatever the issues would be would have been
10 who I would have worked with.

11 Q Sometimes, I imagine while he was still the campaign manager, Brad
12 Parscale?

13 A Yes.

14 Q And Bill Stepian after he took over?

15 A Yes.

16 Q And how about in terms of just developing the overall messaging for the
17 campaign? Was that something you were involved in?

18 A I was probably involved peripherally on some of those things. I think I have
19 a pretty good feel for our base and people, so oftentimes I just do that on my own.

20 Q When it came to the legal strategy for the campaign prior to the election,
21 were you involved in any, you know, planning for that, you know, with regard to, you
22 know, mail-in balloting or other changes in State election laws in the lead-up to
23 November 3rd?

24 A I may have been on some calls, but I sort of -- I know my role, and I'm not
25 a -- I'm not a legal expert or an elections expert, so I probably would have stayed away

1 from those things.

2 Q When it comes to fundraising for the campaign, we've seen in the
3 production you made that there would be fundraising emails that would go out under
4 your name it seems like in the normal course, just like other family members. Is that
5 right?

6 A Correct.

7 Q Were you involved directly in developing messaging for the fundraising prior
8 to the election?

9 A Not that I remember. That doesn't mean that perhaps, you know,
10 someone didn't ask if they could: Hey, can we write it this way or that way?

11 But it would not have been something I would have been intimately involved in.

12 Q And, on that point, as a part of the process, before the campaign would send
13 out a fundraising email in your name, would you have to approve it first, or they had your
14 kind of standing approval to send it out without you having to look at it?

15 A I don't recall specifically, but if I had to sort of, you know, speculate, it was
16 either they sort of had an unwritten rule that they could probably run with it as long as it
17 was sort of vetted by legal or whoever it was or, you know, perhaps run it through Andy
18 Surabian. So I probably did not check the contents of all of the texts, et cetera, of all of
19 these messages.

20 Q And, since you raise Mr. Surabian's name, and I know we referenced his
21 phone records earlier, what is his relationship to you, at least during that time? Was he
22 an employee of yours, a consultant, or how would you describe that?

23 A Of mine, more of a friend. You know, I don't pay Andy for that kind of
24 work. I think we're sympatico on, you know, political issues, and so we end up doing a
25 lot together. He did work with the campaign and such, but it was generally a go-to point

1 person for me. And, you know, he does some of my comms work and these kinds of
2 things, but, you know, he's not an employee of mine either.

3 Q And beyond just emails, for instance, going out, were you involved in
4 fundraising efforts, you know, person to person, you know, events and the like and
5 reaching out to people, larger dollar donors, that sort of thing?

6 A Yes. I would certainly, you know, host various fundraising events. I
7 probably was not involved in the intimate details of, you know, those events, but I'd show
8 up, and I could speak at these events.

9 I probably -- I definitely made some calls to some of the higher dollar donors that I
10 either knew or had a relationship with, but dialing for dollars is sort of my idea of hell so I
11 avoid it whenever possible.

12 Q So, coming to November 3rd, election night, we understand that you were at
13 the White House with many other people. Is that right?

14 A That is correct.

15 Q And where were you, what rooms, if you remember, did you spend the
16 majority of your time in? We've heard a lot about the Map Room and about being up in
17 the residence, but can you just walk us through your experience that night and where you
18 were.

19 A Well, certainly the Map Room. It sort of had a, you know, a setup in there.
20 Because of the nature of sort of the way that night works, it's basically one big viewing
21 party. So I would have been in a lot of sort of the -- you know, the more open rooms. I
22 forget the exact names of what the rooms were, but with the guests. You know, I think
23 part of my job there is, you know, entertaining a lot of those people. So I was running
24 around all over the place doing that.

25 Q And do you recall when or what the reaction was, where you were when

1 FOX News called the election -- excuse me, called Arizona for Joe Biden?

2 A I don't specifically remember where I was.

3 Q We understand that there was disbelief or anger about the fact that FOX was
4 the first to call the State for Joe Biden, and that discussion amongst attendees there at
5 the White House was had about reaching out to the network to get them to rescind that
6 or to somehow take it back.

7 Do you recall any discussion of that sort?

8 A I've read that since. I don't -- I don't recall that at the time, but --

9 Q President Trump gave a speech in the early morning hours of November 4th
10 around 2 a.m. Were you there when he gave that speech?

11 A Yes, I was.

12 Q And, if we look at exhibit 7, we have the speech. I just want to direct your
13 attention to just a couple portions of it. So I'll just read a few portions and then come
14 back to it, okay, Mr. Trump, but you'll be able to see it.

15 So, if we turn to page 2 and we zoom in right there at the top, in the top
16 paragraph.

17 A The top cut-off paragraph or the top full paragraph?

18 Q Yes, exactly. Thank you for that. The carryover paragraph, the last two
19 sentences. President Trump says: Millions and millions of people voted for us tonight,
20 and a very sad group of people is trying to disenfranchise that group of people, and we
21 won't stand for it. We will not stand for it.

22 And then, if we continue to page 4 of that same exhibit, the last full paragraph
23 that starts "so Florida was a tremendous victory," and I'll just go down and, again, I'll just
24 read a couple sentences.

25 Within there, President Trump says: This is a fraud on the American public.

1 This is an embarrassment to our country. We were getting ready to win this election.
2 Frankly, we did win this election. So our goal now is to ensure the integrity for the good
3 of this Nation. This is a very big moment. This is a major fraud on our Nation.

4 And then just a few sentences down he says: And we will win this. And, as far
5 as I'm concerned, we already have won it.

6 So did you discuss with your father prior to him giving this speech that night,
7 November 3rd into November 4th, what he should say that night? Did you have any
8 input into what his words were going to be?

9 A I don't recall that, no. Generally, he speaks fairly impromptu, so -- which is
10 sort of my style as well. So I don't know if I gave any input into what this was
11 going -- you know, what was going to be said.

12 Q Did you hear other people give him input prior to him speaking that night?

13 A I'm sure, you know, most, you know, opined on something, but I don't recall
14 specifically anyone doing that.

15 Q Do you recall -- and, again, I have to ask. I understand what you're saying,
16 but we'll see if this jogs your memory. Was there any discussion by certain people that
17 you remember about whether your President -- excuse me, whether President Trump
18 should declare victory that night?

19 A I have read that since. And perhaps, you know, in some of what I imagine
20 we'll get into today -- there's been so much written about all of these events that
21 sometimes I think it will be difficult to conflate what actually happened versus what
22 you've read when you've been bombarded with so much extra information.

23 So I hope that makes sense, but it actually throws a little bit of a cloud in terms of
24 my specific memory on what actually happened, just because, again, having been in the
25 room plenty in the last 5, 6 years, what's always written isn't necessarily even remotely

1 close to what actually transpired. But you see enough of it, and all of a sudden it's a
2 little bit of a jumbled thing. So I just want to make sure that I'm accurate and just let
3 you know that as well.

4 Q That's all we're asking and appreciate that context.

5 One of the reporting -- one of the things that's been reported about that night is
6 that Rudy Giuliani in particular was pushing your father to declare victory.

7 So I'll start with this: Do you remember Mr. Giuliani being there at the White
8 House on election night?

9 A I know that he was there. I don't -- I don't remember seeing him, but I do
10 know that he was there, yes.

11 Q So then do you have any memory of him speaking to your father about what
12 to say that night to the Nation?

13 A I don't.

14 Q Any discussion you recall before your father spoke about whether he should
15 characterize the election as a fraud?

16 A Not that I recall.

17 Q And if you look -- let me see. On that same page, if we just scroll up to the
18 carryover paragraph above, right at the bottom of it. So, again, this is page 4 of exhibit
19 7.

20 You'll see where it says President Trump says: And did I predict this? Did I say
21 this? I've been saying this from the day I heard they were going to send out tens of
22 millions of ballots. I said exactly this.

23 Were you aware that President Trump had been saying prior to the election that
24 the use of mail-in balloting could result in fraud that would cause him to lose an election
25 that he actually won?

1 A I imagine he said that specifically. I don't recall a specific instance. I know
2 I've read a lot of conservatives talking about just that. And I know that at the time there
3 were a lot of people playing clips of even various Democrats saying the exact same thing
4 as it related to mail-in balloting.

5 So I don't remember specifically, but I know it was certainly a concept that was
6 discussed, you know, thoroughly prior to the election.

7 ██████████ And I'll just note for the record that Mr. Aguilar has joined us.

8 Thank you for being here, sir.

9 ██████████

10 Q On that point, Mr. Trump, about people saying before the election or
11 commenting on fraud, it's -- I can show you an article, but do you recall yourself that you
12 were saying that there would be millions of votes submitted through the mail-in ballots
13 that would be fraudulent and could be used to steal the election?

14 A I may have said that, sure.

15 Q Prior to election night, did you have any discussions with your father about
16 whether -- about the fact that there could be a delay in counting mail-in ballots, and so
17 that the vote total could change over time and wouldn't be certain on election night?

18 A Not that I recall, no.

19 Q Did you ever have a conversation with your father prior to election night that
20 he should declare victory no matter what was being reported that night?

21 A No.

22 Q Did you understand or had you heard anybody else to have given that advice
23 prior to election night, that he should just declare victory?

24 A No.

25 Q Now, you said it's possible that you yourself said prior to the election that

1 there would be millions of ballots that were fraudulent through the mail.

2 Do you recall ever having anybody in your father's reelection campaign pushing
3 back on you about that or telling you not to say something to that effect?

4 A I don't recall that, no.

5 Q If we look at exhibit 9 --

6 Well, I should stop there and ask whether anybody else who's either in the room
7 with me or on the Webex has any questions before we move on.

8 If we see exhibit 9, Mr. Trump, we just have a selection of some of your tweets.
9 And, if we look at page 2, I'm going to ask about this one, but I'll start with this: Do you
10 write your own tweets?

11 A Oftentimes, yes.

12 Q And if you don't, who is it that -- who writes them for you?

13 A Generally speaking, it would be me, but, you know, again, as it related to
14 campaign stuff, they may send out talking points that they'd ask to -- you know, if I would
15 tweet XYZ, et cetera.

16 Q So, when we look at page 2, this is a tweet from November 5th of 2020 at
17 5:08 p.m., and I'll just read it. It says: The best thing for America's future is for -- and
18 you cite your father's Twitter handle -- to go to total war over this election to expose all
19 of the fraud, cheating, dead/no longer in State voters that has been going on for far too
20 long. It's time to clean up this mess and stop looking like a banana republic!

21 Is that a tweet that you wrote yourself?

22 A I don't know.

23 Q But you're familiar with this tweet that went out under your account?

24 A I'm familiar with it to the extent of I -- you know, I guess I saw it yesterday
25 for the first time since.

1 Q The concept of going to total war over this election, what did you -- what
2 was meant by that?

3 A It's political vernacular. You know, going through the legal process to
4 investigate, you know, whatever was out there, to make sure that we had the utmost
5 transparency in our elections.

6 Q Was this advice about going to total war in the manner you just described
7 something you gave personally to your father?

8 A I don't know.

9 Q Looking back now on the efforts that were undertaken, would you
10 characterize those efforts by your father on his behalf as going to total war, as you
11 described it?

12 Mr. Futerfas. If you don't mind, I would -- I don't understand the question. I
13 would -- I don't know if we're objecting in this kind of format, but if you could rephrase
14 the question, I would appreciate it.

15 [REDACTED] Sure.

16 [REDACTED]

17 Q And, understand, Mr. Trump, just the way you described total war and, as
18 you've said, I think, pursuing whatever legal avenues there were for challenging elections,
19 is that how you described it?

20 A Yes.

21 Q And so, looking back now on the efforts that you're aware of and that were
22 undertaken, is this advice that is here in your tweet, would you agree that that's what
23 your father did, in fact, do?

24 A I know they did a lot. I'm not enough of an elections expert to know what
25 else could have been done, but, you know, I know they made great efforts to try to get to

1 the bottom of those things.

2 Q If we go back to page 1 of this same exhibit, there's a tweet from your
3 account, same day but earlier in the day. At the bottom, you can see -- if we can just
4 scroll down so you can see the time. It's at 1:56 p.m. on November 5th of 2020.

5 A Okay.

6 Q And it's a graphic that's sent out with a hotline number for reporting fraud to
7 the campaign. Do you remember that that was a -- a hotline was set up by the
8 campaign to receive those reports?

9 A I only remember that to the extent, you know, in a little bit of preparation
10 for this yesterday, I heard about that for the first time since. So I don't recall it
11 specifically, but I know it to be the case.

12 Q We'll come back to that then, but if we look at the body of the tweet itself, if
13 we scroll up, you see at the end of the tweet, there's the hashtag "stop the steal." Do
14 you see that?

15 A I do.

16 Q So where did you or why did you use that phrase, "stop the steal"?

17 A I don't know.

18 Q Do you know where you got it from?

19 A I don't, but looking at just the verbiage of the tweet itself, it looks like it was
20 more of a, you know, campaign or otherwise, you know, form letter that I cut and pasted
21 to send with the graphic because it just doesn't -- it doesn't look or read like a normal
22 tweet of mine.

23 Q Are you aware that the phrase "stop the steal" originated with Roger Stone
24 during the 2016 Presidential campaign?

25 A I'm not aware of that, no.

1 Q Do you know Mr. Stone personally?

2 A I do.

3 Q Prior to the election, so November 3rd, but during the election campaign,
4 did you personally communicate with Mr. Stone at all that you can recall?

5 A No, not to my knowledge.

6 Q Did you know him -- again, during the campaign but before election night,
7 did you know him to be in touch with anyone in your father's campaign, that is,
8 Mr. Stone?

9 A Not to my recollection.

10 Q And did you know Mr. Stone to be during that time in touch with anyone in
11 the White House?

12 A I don't know.

13 Q If we look at exhibit 10, it's an article that was published in The Washington
14 Post on March 4th of 2022, and it's about a documentary that was being filmed of
15 Mr. Stone during the election campaign and up through January 6th.

16 I want to just direct your attention to a certain part of that article and then ask
17 you some questions about it. If we look at page 5, toward the bottom, the next-to-last
18 paragraph starts "on November 5th." So just bear with me: On November 5th, as vote
19 counts in key States slipped away from Trump, Stone coordinated a response during a
20 rapid-fire succession of calls. As the filmmakers drove him to his makeshift office space
21 in a strip mall near his home, Stone told one associate to create an account for hunting
22 election fraud on an encrypted email service to avoid surveillance. Dictating text
23 messages, Stone told an aide to resurrect his "stop the steal" campaign, predicted to
24 another aide that his brand was about to be, quote, quite a bit hotter, close quote, as a
25 result, adding, quote, we're going to raise money from "stop the steal." It will be like

1 falling off a log, close quote.

2 Just a few more parts of this on the next page if we carry on to page 6, and the
3 third paragraph down starts: On November 5th, Stone drew up a "stop the steal" action
4 plan that was visible on Alejandro's -- that's his assistant -- on Alejandro's laptop in
5 footage captured by the filmmakers. As protesters were mobilized, the plan said, State
6 lawmakers would be lobbied to reject official results. That tactic later proved central to
7 Trump's efforts. And, also that day, Stone had a 15-minute call with Flynn, the video
8 shows. That's General Flynn, General Michael Flynn. He told Flynn they could
9 document an overwhelming and compelling fraud in each battleground State and urged
10 him to spread the word on social media. That day, Flynn, Trump's campaign, and his
11 sons Donald Jr. and Eric began using hashtag "stop the steal" on Twitter. And then
12 Stone and Flynn discussed the need to coordinate with the White House and oppose
13 demands by Republicans in some States to stop counting votes. Our slogan should be
14 count every legal ballot. Much better messaging, more positive, Stone said. And after
15 an inaudible response from Flynn, Stone replied: Well, we both know he often does
16 things he shouldn't do.

17 And then the last part: That evening, Trump gave a speech from the White
18 House briefing room. If you count the legal votes I easily win, he began.

19 So the article references the fact that, on November 5th, Mr. Stone started using
20 "stop the steal" again and then notes the fact that in your tweet and in your brother Eric's
21 that the hashtag "stop the steal" showed up that same day.

22 So do you know whether -- as you sit here now and having heard that, do you
23 know whether the use of that in your tweet had anything to do with Roger Stone?

24 A It does not have anything to do with Roger Stone, to my knowledge. You
25 know, that doesn't mean that -- again, it seems more like a copy-paste from somewhere

1 else. So, you know, it doesn't mean I didn't see it. And I clearly, you know, posted it or
2 someone posted it for me, but I do most -- the vast majority of that by myself.

3 But, again, I don't -- I don't believe I even spoke to Roger Stone during the
4 campaign in 2020, so I don't think it came from him.

5 Q So, on that point, after November 3rd, so after the election and before
6 January 6th, do you recall ever speaking with Mr. Stone?

7 A I don't recall that, no.

8 Q How about General Michael Flynn, do you recall talking to him at all during
9 that time period?

10 A I don't, no.

11 Q Do you know whether either of those men were in touch with your father's
12 reelection campaign after election day?

13 A I don't know.

14 Q And do you know whether or not -- again, referenced in the article, they
15 discussed the need to coordinate with the White House. Do you know whether either
16 of those men was in touch with anyone in the White House about the challenges to the
17 election results?

18 A I don't know. I don't live in D.C., and I wasn't at the White House often.

19 Q I have to ask, but understood.

20 A Understood.

21 Q Now, if we -- I want to direct your attention to -- this is just an article we had
22 this morning so if you need time to look at it, but I'll show it to you and if you need to
23 take a break.

24 I want to direct your attention to December 27th of 2020, so a couple days after
25 Christmas. Look at exhibit 57. It was reported by ABC News and another outlet I'll

1 show you that Mr. Stone had dinner on Sunday, December 27th, at the Trump
2 International Golf Club in West Palm Beach. If we scroll down, I'll show you where it
3 says that. Right there on the first page, if we can zoom in.

4 This is just a few days after Mr. Stone had been pardoned by President Trump.

5 A I see that.

6 Q And if we continue to page 2, and we see the first and second paragraph,
7 and if you just focus on the second paragraph, this is a quote from Mr. Stone about who
8 was at the club that night when he was there.

9 A Okay.

10 Q According to Mr. Stone, you were there and Ms. Guilfoyle was there as well.
11 Do you recall that incident at all at the Golf Club on December 27th?

12 A I don't, but that would -- you know, during the holidays, that would be a
13 common practice for us to do the Sunday night, you know, buffet over at Trump
14 International. So I believe that that would be accurate, but -- most Sundays we'd be
15 doing that that time of year.

16 Q If we turn to exhibit 59, it's another article about that dinner published in the
17 Sun Sentinel. And, if you see there, again, this is published on December 28th.

18 And the second paragraph says: Stone wrote that he counseled the President
19 during this meeting on how he could, quote, ensure that Donald Trump continues as our
20 President, close quote.

21 If you continue down to the second page, this article, there is a picture from
22 Mr. Stone's Parler account from that night. Do you see that picture with Mr. Stone and
23 your father?

24 Mr. Futerfas. Do you guys, do you all -- excuse me. Do you all mind just
25 expanding that picture a little bit, making it a little larger?

1 [REDACTED] Of course. Yeah, we'll zoom in.

2 Mr. Futerfas. Thank you. Okay, thank you.

3 [REDACTED]

4 Q Can you see that okay now?

5 A Yes.

6 Q Do you recognize that I guess location as the golf course or the club at the
7 golf course?

8 A Yes.

9 Q And that's a picture Mr. Stone posted to his Parler account. It looks like
10 he's speaking with President Trump, and it appears that Ms. Guilfoyle is there as well.
11 Do you see that?

12 A I do.

13 Q Do you recall speaking to your father or Ms. Guilfoyle about what they
14 discussed with Mr. Stone that evening at the club?

15 A I don't.

16 Q Does it surprise you to hear Mr. Stone say that he counseled your father on
17 how to -- how to win the election?

18 A It -- I guess it doesn't surprise me that Roger Stone would say something like
19 that. I -- you know, that's the extent of what I would know about it.

20 Q To your point, you say it was a routine to go on Sunday nights to eat at the
21 club. If you look at page 3 of this same article and you look at the paragraph that starts
22 near the bottom of the screen, it says: Reports from the White House press pool on
23 Sunday evening said Trump's motorcade arrived at Trump International Golf Club at 7:40
24 p.m. The motorcade departed the Golf Club at 9:30 p.m. for the drive back to his
25 Mar-a-Lago club.

1 Does that roughly sound right about the time you would have been there at the
2 club for dinner that night?

3 A Probably.

4 Q Now, I'll stop there before we move on to the next topic and see if anyone
5 has any questions. No, okay.

6 One of the things we provided, Mr. Trump, to you in advance, and it's been
7 reported on in the press, are text messages that you exchanged with Mark Meadows.
8 And so I'd like to talk just about a few of those that were exchanged right after the
9 election, and we can see them in exhibit 12. They're quite small so I --

10 A Yeah. Can you blow that up a little bit further?

11 Q We will, but hopefully you had a chance to look at these. And then we'll
12 blow them up.

13 Mr. Futerfas. We have. It's Alan Futerfas. We have certainly, and appreciate
14 you giving us an opportunity to review, you know, this document before today.

15 But, if you're going into the specific words of any of those messages, that's -- even
16 though we've seen it before, if there's a way to expand it so we can see the words on the
17 screen.

18 [REDACTED] We will.

19 Mr. Futerfas. Thank you.

20 [REDACTED] We absolutely will. I just wanted to make sure.

21 [REDACTED]

22 Q I guess I'll start out at the outset, since you've had a chance to look at these
23 in advance, Mr. Trump, and having seen comments by Mr. Futerfas in the press, is it right
24 that these text messages are ones that you did exchange with Mr. Meadows?

25 A Yes, I believe so.

1 Q Okay. So I'm just going to focus on ones that were exchanged with him on
2 November 5th and November 6th of 2020 for right now. If we can zoom in, that's going
3 to be -- okay.

4 Mr. Futerfas. That's great. That's much better.

5 [REDACTED] Is that good? Okay, perfect.

6 [REDACTED]

7 Q So, again, on November 5th, you start off at 12:50 p.m. And the blue
8 messages are from you to Mr. Meadows; the white are his responses. But at 12:50 p.m.
9 you write: This is what we need to do. Please read it and please get it to everyone
10 that needs to see it because I'm not sure we're doing it.

11 And then, at 12:51, you send a longer text. I'm not going to read it all right now,
12 but I'll ask this: That longer text you sent, is that something you wrote, or did you cut
13 and paste that from somebody else?

14 A It doesn't look like -- it doesn't sound like me, doesn't -- you know, I imagine
15 I cut and paste it from somewhere. You know, at that time, people all over the place
16 blowing you up with different ideas.

17 That looks like a cut and paste, and it especially looks like a cut and paste since,
18 you know, I sent one at 12:50 and the other at 12:51, which is -- you know, I added my
19 thoughts to make sure he gets it to everyone who needs to see it, which I imagine means,
20 you know, both campaign/the legal team looking into these things, you know, and then
21 the rest of the idea as a separate text.

22 So I imagine it was a cut and paste of, you know, something that someone had
23 showed me or I had seen somewhere, perhaps even read.

24 Q And, as you said, I imagine at this time -- and we've seen your emails -- you
25 were getting quite a lot of -- people were reaching out to you to give their thoughts and

1 their strong reactions to what they thought was a stolen election from your father, right?

2 A Right.

3 Q And so this -- whatever this was that you sent was one amongst many
4 different things, I imagine, you saw or read after the election about ways to move
5 forward?

6 A Correct.

7 Q And who then -- this is the only one that we see that you send to Mr.
8 Meadows. So what about this one in particular stood out to you as one that you wanted
9 to share with him to make sure everybody saw as opposed to all the other input you were
10 getting from other people?

11 A Perhaps in reading it, it was the most sophisticated, you know, and detailed,
12 and again, about things I don't necessarily, you know, know too much about, but it
13 sounded plausible, and I wanted to make sure that we were looking into the issues
14 brought up in the text.

15 Q Who wrote this?

16 A I don't know.

17 Q Do you at least have a sense of who it could be within a universe of people,
18 you know, or you have no idea who it is?

19 A For all I know, I could have -- you know, I could have seen it, you know,
20 scrolling through Facebook. I don't -- I don't know.

21 Q Did it come from Roger Stone?

22 A As I said, I don't think I was in communications with Roger Stone, so I don't
23 imagine he was the person who sent it.

24 Q Mr. Meadows doesn't respond to you that day, and so you follow up the
25 next morning. I think it's a typo, it starts "sis." I think you meant to write "did." And

1 then it continues: You see this and what do you think?

2 Do you see that?

3 A I do.

4 Q Why did you send this message to Mr. Meadows?

5 A I just want to, again, make sure that things were being looked into
6 appropriately. He's the chief of staff. You know, I imagine he was involved in a lot of
7 the -- the strategy at the White House because, again, I was not in the White House or,
8 you know, even in D.C. I just wanted to make sure that all efforts were being used to
9 look into these things.

10 Q Sure. But Mr. Meadows' role as chief of staff was one within the White
11 House, but this -- from reading it, this is about steps the campaign could take to challenge
12 the election results. Is that right?

13 A Correct, but it's I guess my father's campaign, so he would have been
14 involved in that strategy, I would think.

15 Q Did you send a similar message to Bill Stepien, to your knowledge?

16 A I don't know.

17 Q Do you know who else you sent this message to, if you remember?

18 A I don't.

19 Q And Mr. Meadows responds that day within a couple minutes, November 6:
20 Much of this had merit. Working on this for PA, so Pennsylvania, Georgia, and North
21 Carolina already.

22 Do you recall having any followup conversations with Mr. Meadows that day
23 about what steps he was taking, or did you discuss with him indepth about what was
24 going on at that time?

25 A I don't recall having any further conversations on that one.

1 Q And did you -- why send this to Mr. Meadows as opposed to, say, you know,
2 emailing this to your father, you know, Molly Michael or whoever else could get an email
3 to your father with this advice?

4 A I imagine -- I don't recall specifically, but if I had to guess, it would be
5 expediency. You know, my father doesn't email, so it was probably easier to go through
6 a chief of staff than it would have been to an assistant, but --

7 Q You follow -- you respond to Mr. Meadows and explain, in sum and
8 substance, that you were down in Georgia with Nick Ayers and Sonny Perdue, and talked
9 about bringing in Lin Wood to assist in the effort. Is it right that that day or on or about
10 that day, you did a press conference in Georgia about seeking to challenge the results?

11 A Yes, that is correct.

12 Q And Mr. Meadows tells to you connect with Cleta Mitchell, who's on the
13 ground there, and that he'll send you her contact information. Did he end up doing
14 that, and did you make contact with Ms. Mitchell?

15 A I know that she ended up showing up there. So I don't know exactly how
16 that happened or if he did it through others, but I know, you know, the end result is that
17 she was there.

18 Q Just going forward and at a high level from this day through Inauguration
19 Day on January 20th of 2021, what was your role in the efforts to challenge the election
20 results?

21 A Again, more of a -- more of a surrogate than anything. I'm not a campaign
22 lawyer or a constitutional lawyer or an elections lawyer. So, you know, I would take
23 what the team was coming up with and go with it in that surrogacy role.

24 Q And who were the members of the team that you referred to that you were
25 in contact with most regularly who would give you the information that you would go out

1 there with?

2 A Probably Bill Stepien, Justin Clark, Brad Parscale, you know, any number
3 of -- you know, probably any number of pundits that would have been out there as well
4 talking about these things. So it wouldn't just necessarily be the team. Obviously,
5 there was a lot of conversation going on at that time, but I can't remember specifically
6 who.

7 Q And, when we go back to your tweet, if you recall, the one about the fraud
8 reporting hotline, and understanding that you don't recall really much about what was
9 being done with the fraud reporting hotline, we provided an exhibit -- I could show it to
10 you if you like, but that said that within a week that hotline was shut down because not
11 much of substance was coming in through the hotline.

12 Do you remember that being the case?

13 A I don't remember that being the case. I remember just, in studying for
14 some of this, a lot of that just shut down for, you know, sort of being spammed out, you
15 know, as well. So I think it was just inundated and perhaps, you know, with stuff that
16 wasn't legit or just wasting people's time, but the concept didn't work because of that.

17 Q In terms of what was legit, where were you getting facts about what was
18 being found, if anything, by the campaign on voter fraud? Who was providing that
19 information to you?

20 A I don't recall specifically.

21 Q Did you understand there to be a person or persons within the campaign
22 who were responsible for fact-checking allegations of fraud?

23 A I don't remember.

24 Q But do you remember if there was somebody responsible, or you don't even
25 know if there was?

1 A There may have been. I don't recall.

2 Q Did you have people working with you that would help you assess facts
3 about the election and supposed voter fraud?

4 A No. Again, I was mostly there amplifying whatever got out there.

5 Q So, if something was given to you by the campaign, you wouldn't do an
6 independent fact check. You would take that as verified, and you would use that in any
7 messaging you would put out.

8 A I imagine so, yes.

9 Mr. Futerfas. I'm sorry. Can we take a 2-minute restroom break, if you don't
10 mind?

11 [REDACTED] Certainly. Why don't we do -- it's 11:31. Why don't we come
12 back at 11:35.

13 Mr. Futerfas. Thank you so much.

14 [REDACTED] Off the record.

15 [Recess.]

1

2 [11:37 a.m.]

3 [REDACTED] It is 11:38. We're back on the record.

4 [REDACTED]

5 Q So, Mr. Trump, we notice in your email production -- have an example of it
6 at exhibit 15 -- that you had a Google alert on mentions of your name in the news,
7 standard practice, and if we can just show exhibit 15.

8 In the first article that pops up on this alert, on November 20th of 2020, it's -- you
9 can see there that the headline is: Eric Trump and Donald Trump, Jr. amplified claims of
10 election fraud, analysis shows. And it's referencing a report by ABC news. And that
11 report is at exhibit 16.

12 And I'll start with, just more generally, were you aware of reports that at least
13 some of the things that you were saying about the election and the supposed fraud
14 people were saying were false?

15 A I don't -- I don't remember what I -- what I read back then, unfortunately.

16 Q But you were aware, generally, that there were reports that what you were
17 saying was false without the particulars?

18 A I have -- I have read that since, yes.

19 Q Okay. So, whatever you might've read back then, did it lead to a change in
20 how you approached the things you said about the election whether, you know, fact
21 checking things yourself or making sure the campaign was fact checking them?

22 A Not to my knowledge. Again, you know, whether I was getting stuff from
23 campaign, whether I was getting it from a number of professional politicos, you know,
24 major media TV pundits, you know, those -- I was trying not to amplify, you know, some
25 of the fringy stuff that you see on -- you know, from Trump Lover underscore 26436 on

1 Twitter, I was trying to avoid that and going with the larger sources from whatever I
2 would see just, again, to put it out there and make sure that these things are being looked
3 at and that there would be transparency into the entire process.

4 Q One of the things that you tweeted about as reported in this ABC News
5 article that was in the alert on your name and if we look at page 2 towards the bottom, I'll
6 just read the last three paragraphs: A video taken at State Farm Arena in Fulton County,
7 Georgia, purporting to show a ballot counter throwing out a ballot was copied and
8 reposted across conservative accounts on social media, although many of those shares
9 received little to no engagement.

10 But the footage was amplified online when the President's sons both shared the
11 video on November 5th racking up over 50,000 retweets combined. Their posts have
12 since been labeled with the fact check by Twitter. Local election officials said on
13 November 6th that the video showed the election worker discarding a ballot packet but
14 not the ballot itself. And Fulton County election director Rick Barron told reporters on
15 Friday that the worker had gone into hiding for his own safety.

16 Were you aware during this time period that there were concerns expressed by
17 election workers about their safety because of the allegations of fraud that were being
18 made?

19 A Not that I recall.

20 Q If we look at exhibit 9, again, back to your tweets -- and we can take up your
21 point about people looking in to the allegations. On page 6, get there in a moment.
22 Okay. If we can go down, so you can see the date of this, on -- at 7:29 p.m. on
23 December 1st of 2020, you comment on an NPR Politics story from that same day -- or a
24 tweet -- that summarizes: In an interview with the AP, Attorney General William Barr
25 said neither Justice Department attorneys nor the FBI have found evidence of widespread

1 voter fraud in the 2020 election, contradicting President Trump's false claims of
2 widespread fraud.

3 And you respond: Well, it would help if they actually looked, but the Democrats
4 don't want them to so they won't bother. They were too busy sending 15 people to
5 investigate a garage pull.

6 When you comment that it would help if they actually looked, why did you believe
7 that the Department of Justice and the FBI had not looked into voter fraud?

8 A Because I -- I believe that there was so much stuff there; I don't know that
9 they could've possibly looked into all of it in the amount of time in question.

10 Q You said that the Democrats don't want them to -- and, again, this was
11 Attorney General William Barr, who had been appointed by your father as the head of the
12 Department of Justice, right?

13 A Correct.

14 Q Okay. Did you ever discuss with your father his views about the efforts
15 made by Attorney General Barr, the broader Department of Justice, and the FBI to look
16 into voter fraud?

17 A Not to my recollection, no.

18 Q And so seeing what Attorney General Barr said about the efforts, did that
19 cause you to change your approach to whether to fact check or make sure people at the
20 campaign were fact checking these allegations of voter fraud given what Barr had said?

21 A No, it didn't. You know, unfortunately, with sort of what I had gone
22 through myself, whether it's the Russia, Russia, Russia stuff for the last few years, you
23 know, I've become a pretty big cynic into much of these processes and these institutions.
24 So, you know, again that's just a learned response, unfortunately.

25 Q If we look at the next page, page 7, it's a tweet that you sent on Christmas

1 Eve of 2020 at 11:43 a.m., and it's commenting on a tweet by Lance Gooden. And the
2 tweet by Mr. Gooden, I think, for context is helpful to read. I think it says: \$33 billion
3 for democracy in Venezuela, \$130 million for democracy in Nepal, \$15 million for
4 democracy in Pakistan, and zero dollars and zero effort to investigate the massive claims
5 of voter fraud in America that threaten our democracy, and that's why I will be objecting
6 on January 6th.

7 And you comment: The bullshit never ends.

8 The comment that Mr. Gooden says about zero dollars and zero effort to
9 investigate, you know, certainly there had been dollars and effort expended on behalf of
10 your father's re-election campaign to investigate this. Isn't that right?

11 A Yes.

12 Q Had you been involved -- we talked earlier about fundraising prior to the
13 election. Were you involved in fundraising efforts after the election regarding the
14 campaign in raising money to help challenge the election results?

15 A Not that I recall, but that doesn't mean I didn't send out a tweet with a link
16 to something if people wanted to contribute, but not specifically.

17 Q If we look at exhibit 20, it's a Forbes article from January 31st of 2021,
18 referencing public documents from the Federal Election Commission about money raised
19 by your father's re-election campaign after the election, and it reports on the fact that
20 over \$250 million was raised between the time of the election and the end of his term.

21 Were you aware that much money or to that magnitude had been raised during
22 that time?

23 A I know they raised a lot of money. I don't -- I don't know the exact number,
24 no.

25 Q And given, as you described earlier, that you have a good feel -- a finger on

1 the pulse for your President's supporters and his kind of the grassroots, how would you
2 characterize the resonance of the messaging or this issue of election fraud with the
3 President's supporters, you know, versus any other issue that had been focused on during
4 the election?

5 Did you have a sense whether there was a stronger reaction, the same, or less
6 than other issues?

7 A There was clearly a strong reaction at that time, yes.

8 Q And so much so that this much money was raised. It says in the article,
9 though, that only -- at least as of December, only approximately almost \$9 million had
10 been spent on the efforts to challenge the election.

11 Did you have any sense at the time of how much money was being spent by the
12 campaign to challenge the results?

13 A I did not.

14 Q Did you ever have any discussions within the campaign about why more
15 wasn't being done to challenge the results and if there was sufficient resources to do
16 that?

17 A Not that I recall.

18 Q Now, we've heard, the select committee has, from several people who
19 worked in the White House or on the re-election campaign who have said that they,
20 during this time we've been talking about, looked at the fraud allegations and like
21 Attorney General Barr saw no evidence of sufficient fraud to change the outcome of the
22 election.

23 Did anyone within the White House or the campaign ever tell you that between
24 the election and when your father left office, that there wasn't enough fraud there,
25 whatever there was to overturn the results?

1 A Not that I remember.

2 Q Several of these people have also said that they told your father this directly
3 before he left office. Were you aware of him being told that?

4 A Not that I remember.

5 Q Were you ever present for a conversation with your father where either you
6 or someone else in your presence told him that he had lost the Presidential election,
7 again, during the time we're focused on?

8 A I don't believe so.

9 Q Were you ever present for a conversation with your father where either you
10 or someone else there advised your father to concede the election, to just move on and
11 drop the challenges?

12 A Not that I recall.

13 [REDACTED] I'll stop there to see if anybody has any questions to this point.

14 [REDACTED] Yes, just briefly, Mr. Trump. I don't know -- can you hear me? Is
15 this coming through?

16 Mr. Trump. I can, yes.

17 [REDACTED] [REDACTED] senior investigative counsel.

18 [REDACTED]

19 Q I just wanted to follow up on something that my colleague asked about the
20 \$250 million that was raised. I know he asked you regarding the post-election litigation
21 spending and the numbers being, I think, \$10 million or less. Sitting here today, do you
22 know what happened to the other \$240 million?

23 A I do not.

24 Q Have you had any conversations with your father or anyone else about what
25 happened to the money that was raised?

1 A Not that I recall.

2 Q And earlier you said that -- I believe you said that your attorneys' fees were
3 being paid by Save America at the beginning. Did I hear that right? I just wanted to
4 make sure I understood what you were saying there.

5 A I believe it's Save America, yes.

6 [REDACTED] Okay. Thank you so much.

7 [REDACTED]

8 Q So, on the issue of the grassroots, during this time period, were you aware of
9 the nationwide protests that were being put on by various people at State capitals or in
10 D.C. to protest the results of the election?

11 A I am generally aware of that. I don't -- you know, I don't know about the
12 specifics of each one of those groups or -- yeah.

13 Q Did you yourself -- did you attend any of these protests that you can
14 remember prior to January 6th?

15 A I don't believe I attended protests, no, but I -- I could have. It could have
16 been, you know, a rally. I guess it depends on how it's framed. But I don't believe I
17 attended a specific protest, but I could be mistaken if, again, depending on how it's
18 framed.

19 Q Prior to the planning for January 6th and what ended up being the event
20 that happened in D.C., were you aware that, you know, Alex Jones, the host of Info Wars,
21 was involved in rallies challenging the results of the election, rallies or protests, whatever
22 you want to call it?

23 A I've heard that -- I heard that in studying for this. I don't recall whether I
24 remember that being the case at the time, but I've heard that since, yes.

25 Q How about the gentleman by the name of Ali Alexander or otherwise known

1 as Ali Akbar, did you know who he was during this time prior to January 6th?

2 A I know, you know -- I know of him as sort of a Twitter, you know, personality,
3 but, you know, I don't -- I don't know that I've ever met him.

4 Q And do you recall whether, during this time and prior to January 6th, you
5 had any concerns about the rhetoric that Mr. Alexander was using at those protests?

6 A I'm not sure I even heard the rhetoric that he was using at those protests.

7 Q Were you aware at the time that the protests were drawing groups like the
8 Proud Boys?

9 A Again, I've read that since, but I don't know if I remember -- I don't know if I
10 knew that at the time.

11 Q How about the Oath Keepers?

12 A I imagine it's the same answer. I don't know that I had heard of them
13 before.

14 Q So, prior to January 6th, as best you can remember, did you have any
15 concerns about the tenor and the nature of the rallies that were taking place in support
16 of challenges to the election?

17 A Not that I recall, no.

18 Mr. Futerfas. Could we go off record for one second?

19 [REDACTED] Certainly.

20 Mr. Futerfas. Thank you so much.

21 [Discussion off the record.]

22 [REDACTED] So it's 11:53, and we just took a minute or two break.

23 [REDACTED]

24 Q So, Mr. Trump, as I understand it, as far as we understand it, you became
25 involved in the Save the U.S. Senate PAC regarding the Georgia runoff re-election for the

1 Senate. Is that right?

2 A I helped them, yes.

3 Q Okay. And so, actually not talking about that effort, but focusing on
4 Georgia politics, I want to just show you an article from November 18th that's exhibit 23
5 and also recalling that you had gone down to Georgia on November 6th, as you told Mr.
6 Meadows.

7 Were you aware of a protest that occurred at the Georgia State Capitol on
8 November 18th where Alex Jones and Ali Alexander actually went into the capitol
9 building?

10 A Not that I recall know.

11 Q Now, had you been aware -- I can show you news articles, but there -- that
12 there had been incidents at other State capitals in 2020 where armed protesters had
13 come to the capitol buildings and, in some instance, gone inside? Were you aware that
14 that had been happening?

15 A I may have seen stuff. I don't -- I don't recall specifically if I was aware or
16 not, though.

17 Mr. Futerfas. Can I -- this is Alan Futerfas. I don't want to interrupt your flow,
18 but are you talking about armed protests with respect to election issues because I
19 recall -- I mean, I just personally recalled armed protests with respect to people wearing
20 masks and things relating to COVID. So I just wanted to kind of flag a little bit of
21 ambiguity in your question, if you don't mind.

22 [REDACTED] No. It's a good point, Mr. Futerfas, and that's why I was just asking
23 the general question, and to that point, we provided articles in advance, which I can
24 show. Exhibit 24, for instance, is an article about a protest in Michigan on April 30th at
25 2020 and, again, to Mr. Futerfas's point, demonstrating against COVID-19 lockdown at the

1 capitol.

2

3 Q So, again, I can show you these articles, but, Mr. Trump, as you sit there, do
4 you recall these types of protests with armed people coming to the capitols being on your
5 radar at the time?

6 A I'm sure I -- I'm sure I read it, but, again, I don't recall specifically, you know,
7 articles for what people were protesting.

8 Q Well, one of these protests we'll show you at exhibit 27, occurred on
9 December 21st of 2020 at the Oregon State Capitol. And this is a New York Times article
10 about that, and I just want to read a part of it and then we'll ask questions. But at the
11 start, it says: Armed protesters trying to force their way into Oregon's State Capitol
12 Building on Monday were met by officers in riot gear.

13 And we continue the next paragraph, the second sentence: Police arrested at
14 least two people, including one person authorities said had used bear spray against
15 officers. Later, some in the crowd smashed windows at an entrance to the capitol.
16 Many in the crowd, which included people from far-right groups, carried weapons, wore
17 body armor, or held flags supporting President Trump.

18 And it goes on to say: Governor Kate Brown had called a 1-day session of the
19 legislature to address issues related to the pandemic.

20 And the next to last paragraph says: Riot officers with batons, some wearing gas
21 masks, later moved in large numbers to shove protesters out of an entranceway to the
22 capitol building. Many in the crowd yelled that they had long supported law
23 enforcement officers, including at, quote, Back the Blue rallies, but would no longer back
24 them.

25 Do you recall hearing about this incident at the Oregon State Capitol on

1 December 21st?

2 A Not that I remember.

3 Q This happens to be 2 days after your father tweeted for the first time about
4 the protest that would take place in D.C. on January 6th. And, if we look at exhibit 27, I
5 can show you the tweet. Excuse me. Exhibit 28.

6 If you see the tweet, the first part is about a report by Peter Navarro, but the last
7 two sentences the President tweeted: Big protest in D.C. on January 6th. Be there,
8 will be wild.

9 Do you recall seeing this tweet when it came out?

10 A I don't recall that, no.

11 Q Have you ever talked to your father about what prompted him to send this
12 tweet?

13 A I have not.

14 Q Or how about, in particular, the language that -- will be wild. Have you
15 ever talked to him about that?

16 A I have not.

17 Q Now this was -- he posted this, the time stamp on there is not quite right.
18 Might be because of a time zone issue. He posted it at 1:42 a.m. on December 19th of
19 2020, after a reported late night meeting he had in the White House with several people
20 including Eric Herschmann, Sidney Powell, Rudy Giuliani, and Patrick Byrne.

21 Have you seen reporting on that, on that meeting?

22 A Not to my recollection.

23 Q Have you ever had a conversation with your father about that meeting? I
24 think it's the first time Patrick Byrne, the CEO of Overstock, ever met your father and
25 certainly first time he ever came to the White House?

1 A Not that I remember.

2 Q When do you first remember becoming aware that your father was
3 promoting a protest in D.C. on January 6th?

4 A I don't know.

5 Q Did there ever come a time where you became concerned about what would
6 happen in D.C. on January 6th given the temperature in the country and in protests at
7 other places, whether at State capitols or any other way, just generally concerns about
8 the security posture for that day?

9 A Not that I remember.

10 Q If we look at exhibit 28, but on page 2, if we can bring that up, you'll see
11 another tweet by your father. Now, this is going back to December 27th of 2020, if you
12 remember, it's the day we talked about you having dinner at the golf club in Florida, a
13 Sunday, and at 5:51 p.m., he tweets out: See you in Washington, D.C., on January 6th.
14 Don't miss it. Information to follow.

15 I'll tell you that this -- I'll represent to you that, on December 27th, by this
16 day -- and we'll talk about it -- Caroline Wren had gotten financing for the rally on the 6th
17 and engaged with Justin Caporale of Event Strategies, who had put on all your father's
18 campaign rallies, for him to coordinate the event on the 6th, and the White House knew
19 about that all the way up to Mark Meadows.

20 Did you talk with your father on that Sunday on December 27th, either at dinner
21 or on the way there or otherwise, about the fact that he would be attending this protest
22 on the 6th or this rally?

23 A I don't recall that.

24 Q When do you first recall talking to your father about that, about January 6th,
25 the rally?

1 A I'm not sure that I ever recall talking to him about it before it.

2 Q So, just to be clear, you don't have any memory before the day of
3 January 6th speaking to him about it?

4 A I don't.

5 Q Well, if we look at exhibit 29, this is a series of text messages exchanged
6 between Caroline Wren and Ms. Guilfoyle. Ms. Wren, can you please describe what
7 your relationship is with her?

8 A She's a fundraiser. She was a fundraiser for the campaign, and I believe she
9 did some fundraising for this event.

10 Q And do you recall we saw in the article from the Orlando Sun Sentinel about
11 the dinner you had on the night of December 27th and that the White House logs show
12 that the President arrived at 7:40 p.m.

13 And here you see from Ms. Wren that first she sends Ms. Guilfoyle the tweet I just
14 showed you from the President from that day on the 27th, and then, at 7:10 p.m., Ms.
15 Wren sends Ms. Guilfoyle what appear to be talking points to talk to the President about
16 the event.

17 And the first part reads: January 6th, million MAGA March. Mr. President, I am
18 getting so many calls about the rally in D.C. on January 6th. It's going to be huge. I'm
19 helping to fund it, and buses of people are coming in from all over the country to support
20 you. It's going to be huge. We are also adding in programming the night of
21 January 5th?

22 Do you recall Ms. Guilfoyle talking to your father that night about her efforts or
23 Ms. Wren's efforts to help put on this event?

24 A I don't.

25 Q Did you come to learn at that time or have you since that the woman who

1 paid or funded the event on the 6th, the Ellipse rally, is named Julie Fancelli?

2 A Yes, I've heard that, I guess, since or in studying for this.

3 Q Did you know who she was back during the time period of November 2020
4 to January 6th?

5 A I don't recall that, no. I don't know that I have a relationship with her or
6 that I've even spoken to her.

7 Q Okay. When it comes to the Save the U.S. Senate PAC, I'm not asking for
8 who your donors were; I'm just asking, were you generally familiar with who the larger
9 dollar donors were in support of that effort?

10 A Again, I was more of a PAC surrogate. I wasn't organizing the PAC, so I
11 don't know that I know that -- I don't know that I know any of the donors, but it doesn't
12 mean -- it's sort of conservative politics; I may know all of them, but I have no idea who
13 the donors are.

14 Q Did you know that Ms. Fancelli was the largest donor to the Save the U.S.
15 Senate PAC?

16 A I did not know that I don't think.

17 Q Did you know that Ms. Wren had solicited the donation from her, from Ms.
18 Fancelli, that is?

19 A Not that I recall.

20 Q And I mentioned earlier Justin Caporale, is he someone you were familiar
21 with as having put on events for your father during the campaign?

22 A Yes.

23 Q So, if you don't recall, you know, discussing on December 27th, do you
24 remember when you became aware that Caroline Wren was involved in helping to put on
25 this event for January 6th?

1 A I don't.

2 Q To your knowledge, did Ms. Guilfoyle have anything, any role in soliciting the
3 donation from Ms. Fancelli to pay for the event?

4 A I don't believe Kim did any fundraising for this event.

5 Q How would you characterize, if you know, what Ms. Guilfoyle's involvement
6 in the event was? What role she played, other than speaking on the day of?

7 A Yeah. I don't know that she had any other involvement with that event.
8 She's got a relationship with, you know, Caroline, who was, I guess, helping to put it on
9 with Katrina Pierson, but I don't think Kim had any sort of actual involvement in soliciting
10 funds for it or, you know, putting it on or deciding anything.

11 Q Do you know whether Caroline Wren was asked to find a donor to pay for
12 the rally or if, rather, it was Ms. Fancelli who came to Ms. Wren and said she wanted to
13 pay for the rally? Do you know one way or the other?

14 A I don't know.

15 Q Now, obviously, you came to know of the event because you ended up
16 coming to town and speaking. So I'll just ask this as a general matter, what -- before you
17 came to D.C. for the event, what did you understand the purpose of it to be, that rally,
18 the morning of the 6th?

19 A I think the purpose of it to be would be to, you know, let people, you know,
20 exercise their First Amendment rights to express concern about what had happened in
21 the 2020 election and to, you know, support their Congressman or legislators in wanting
22 to get the utmost transparency into what happened in that election that many were not
23 satisfied with what they were seeing.

24 Q And so did you understand that, to your point, to voice the opinion and to
25 give support to the members of Congress, that the event would be taking place before

1 the joint session of Congress started at 1 p.m. that day to take up the certification of the
2 election?

3 A Yes. I believe I probably understood that.

4 Q And did you have any understanding that there would be protests at the
5 Capitol Building itself that day on January 6th before you came to town?

6 A I don't recall.

7 Q Did you have any understanding about whether there would be a march
8 from the Ellipse, where the event took place where you spoke, to the Capitol, where the
9 joint session was taking place?

10 A Yes. I believe -- I believe I was aware of that.

11 Q And how were you aware of that? Who told you, and what did they tell
12 you about it?

13 A That I don't know.

14 Q Prior to January 6th, did you understand that your father would be, himself,
15 going from the Ellipse to the Capitol that day with the protesters?

16 A I don't know that I knew that or didn't know that.

17 Q Now, do you recall having conversations with Ms. Guilfoyle and Ms. Wren
18 about who else would be speaking on the stage at the Ellipse in addition to your father,
19 prior to that day?

20 A I don't recall that.

21 Q Well, if we look at --

22 Mr. Futerfas. Can I -- I'm sorry. Can I just have a moment with Mr. Trump
23 before the next question?

24 [REDACTED] Sure, absolutely. We'll go off the record at 12:08 p.m.

25 [Discussion off the record.]

1 [REDACTED] Let's go on the record at 12:16 p.m.

2 Mr. Futerfas, you just explained helpfully that I had asked specific questions -- I
3 think what you're referring to is about conversations Mr. Trump had with Ms. Guilfoyle,
4 Ms. Wren about the run of show, and you wanted to make sure that we understand like
5 the conversations with other people. I planned to talk about other people in a moment,
6 so I appreciate that.

7 Mr. Futerfas. Okay. Just want to make --

8 [REDACTED] Not to hide the ball. And we'll talk about, you know, Arthur
9 Schwartz and Andy Surabian and maybe Taylor Budowich whoever, but that will come up.

10 Mr. Futerfas. Okay. Great. Thank you.

11 [REDACTED] Okay. But, to the point of Ms. Guilfoyle and Ms. Wren, Mr. Trump,
12 I understand you don't remember, and we'll see if this helps. I'm going to go through
13 some text messages and some phone records just to see if that jogs your memory.

14 So I'll start first with exhibit 29 or rather -- hold on one second.

15 Yes, exhibit 29 on page 6 and, again, these are the messages exchanged between
16 Ms. Wren and Ms. Guilfoyle. Ms. Wren is on the right. Her messages are in blue.

17 [REDACTED] White.

18 [REDACTED] Or White.

19 [REDACTED]

20 Q So, on January 2nd, at 6:56 p.m., you see that Ms. Wren sends to Ms.
21 Guilfoyle a list of times and speakers. Do you see that there?

22 A I do.

23 Q Okay. And, included within there at the bottom, you'll see segment 5,
24 Women for America First, starts with Katrina Pierson and Amy Kremer; then
25 to-be-determined Congressman and Senator; then Kayleigh McEnany; your brother, Eric

1 Trump; Ms. Guilfoyle; then yourself.

2 Women for America First, did you understand them to be the organization that
3 put on the rally at the Ellipse on January 6th?

4 A I had heard that I believe, but I don't recall, specifically.

5 Q Understood. And you mentioned Ms. Pierson earlier. Did you know Ms.
6 Pierson to be working to help organize the event?

7 A I believe she was the person that I thought was organizing the event.

8 Q So this is a list of -- proposed list of speakers 4 days before the event that
9 Ms. Guilfoyle gets. If we look at exhibit 31, these are text messages that Ms. Wren
10 exchanged with you, and if we go down on that same day, January 2nd of 2021, at 7:35
11 p.m., Ms. Wren sends you the same list.

12 Do you see that?

13 A I do.

14 Q And then I told you we'd look at some phone records for context. So I'll do
15 that briefly just to show you in and around that time on the 2nd, and I'll start with
16 exhibit 3, which are Ms. Guilfoyle's records. And if you look down towards the bottom,
17 you'll see that, on January 2nd -- you have to go to page 6, I'm sorry.

18 So, January 2nd, starting at 1854 hours, so 6:54 p.m., Ms. Guilfoyle has two
19 conversations with Ms. Wren. You then attempt to call Ms. Guilfoyle at 1946 hours, or
20 7:46 p.m.

21 And then, within a few minutes of that, Ms. Guilfoyle is on the phone with Ms.
22 Wren for a call that looks like it lasts quite a long time. You see right there,
23 6,336 seconds. And then, if we just compare your records just to set the timing, if you
24 look at exhibit 2, you see, on January 2nd, on that first page, at 7:34 p.m., that you have a
25 conversation with Ms. Wren. You call her for just under or just over 8 minutes.

1 Afterwards, you try to call Ms. Guilfoyle.

2 So do you remember that conversation you had with Ms. Wren about this list of
3 speakers she sent you and why you all were talking?

4 A I don't know that I even spoke to her about that issue, but I don't recall it,
5 no.

6 Q Then, again, and we're going to get to other people, but we'll stick with Ms.
7 Guilfoyle and Ms. Wren. Back to Ms. Wren's messages with Ms. Guilfoyle, on exhibit 29,
8 at page 7, just read a few to you. At the bottom, you see, starting on January 3rd, so the
9 next day, at 12:38 a.m., or rather carrying over from January 2nd, Ms. Guilfoyle writes to
10 Ms. Wren: No Mike Lindell on the 6th.

11 Ms. Wren asks why. If you go to the next page, she comments that he, that is,
12 Mr. Lindell donated \$600,000.

13 A Is that a question or a statement?

14 Q No, just saying it. Sorry. I'm just reading it to get through it. Sorry.

15 A I don't mean that. Do you have any context from Kimberly's conversation
16 with you -- is the "no Mike Lindell," is that a question or a statement?

17 Q No. I'll get to it in a moment. Since you don't remember, I'm just going
18 down to get this all out. The next is at 9:35 a.m. that same day where Ms. Wren writes:
19 Did grumps say anything more about the rally?

20 Ms. Guilfoyle writes: No, leaving it as is.

21 And Ms. Wren asks: What's that mean?

22 And Ms. Guilfoyle says: Told him last night he had to do it so I'm not bringing it
23 up again. He has no choice.

24 And Ms. Wren writes: LOL. Love you.

25 So, again, just asking, do you recall having a conversation maybe later the night of

1 the 2nd with Ms. Guilfoyle about whether you wanted to do the event on the 6th?

2 A I don't. I mean, just the timing -- I know -- I guess the Georgia special
3 election was coming up on the 5th, I was probably more focused on that than anything.

4 Q Okay. And, to your question earlier, again, do you know why there was a
5 comment about "no Mike Lindell" on the 6th?

6 A I don't.

7 Q So then who, if at all, did you speak to about who might be on the stage at
8 the Ellipse on the 6th that you can remember?

9 A I don't recall a specific conversation. I probably would've spoken to Andy
10 Surabian or Arthur Schwartz about those kinds of things just from a political comms type
11 of standpoint.

12 Q Do you recall them having a strong opinion on whether Alex Jones, Ali
13 Alexander, or Roger Stone would be speaking on the same stage as you and the
14 President?

15 A Not -- not specific, but that would not surprise me at all.

16 Q So I know you don't specifically remember, but was the thrust -- you
17 remember that the thrust of conversations you had with them was that you shouldn't
18 appear on the stage with people like that?

19 A I think that's accurate.

20 Q And what, if anything, did you do about that in hearing that advice from
21 them?

22 A I don't remember that now.

23 Q Do you remember why they told you it was a bad idea for those
24 men -- again, Ali Alexander, Roger Stone, and Alex Jones -- to be on the stage with you
25 and the President?

1 A You know, I imagine sort of, given -- given the characters involved, they
2 probably took away from the, you know, the gravitas of the situation.

3 Q We've heard from witnesses who have spoken to you that there was
4 concern about the rhetoric, the inflammatory, potentially violent rhetoric that Ali
5 Alexander, in particular, and Alex Jones used. Do you remember that coming up as a
6 conversation topic?

7 A I don't remember that, no.

8 Q Do you remember what Ms. Guilfoyle's views were on whether those three
9 people should speak at the event? Did she give you her advice?

10 A I don't recall that.

11 Q Did you recall that it became a point of contention with Ms. Wren, who did
12 want those people -- again, they were on her list that she sent to you and Ms.
13 Guilfoyle -- that became a point of contention that there was pushback on Mr. Stone, Mr.
14 Jones, and Mr. Alexander speaking at the event?

15 A I don't recall that.

16 Q Did you know that Ms. Katrina Pierson ended up having to meet with your
17 father personally at the White House on January 4th to discuss who would be on the
18 stage?

19 A I've read that in preparation for this, but I don't know that I knew that at the
20 time.

21 Q So, focusing on January 4th, you mentioned the special election. Do you
22 remember being at a rally in Dalton, Georgia, that night with your father, Ms. Guilfoyle,
23 and others to encourage people to vote the next day in the Senate runoff?

24 A Yes, I do.

25 Q How did you get down to Georgia that night for the speech you gave?

1 A I don't remember how -- I know I flew back with my father, I believe, on Air
2 Force One from that rally. I don't remember how I got up there.

3 Q Do you recall whether you flew down on Marine One?

4 A No, I wouldn't have gone to Georgia from -- yeah, I don't think -- no. A
5 helicopter wouldn't get you to --

6 Q Do you remember flying on Air Force One down there?

7 A I don't remember if -- I thought -- again, in studying for this, I think I left from
8 Florida. So I don't remember how I got up there.

9 Q Was Ms. Guilfoyle with you when you went to Georgia that you remember?

10 A I don't remember.

11 Q But she was with you, certainly, at the rally once you got there that evening,
12 right?

13 A Yes, she was.

14 Q Okay. Do you recall that learning that the President had decided in his
15 meeting with Ms. Pierson not to have Ms. Guilfoyle speak at the Ellipse?

16 A I don't remember learning that, no. It would be pretty customary at just
17 about every rally we've done if we were both there, Kim would get up and speak before
18 me, introduce me, and that was sort of -- part of, let's call it, the dog and pony show.

19 Q But just to see if it refreshes your recollection, we'll look at exhibit 37. And
20 these are additional messages between Ms. Wren and Ms. Guilfoyle and, in particular,
21 from January 4th in the evening. And, if we look on page 1 and, again, I'll just read a few
22 and it's just for context. Towards the bottom, starting at 6:14 p.m., you can see there
23 the date and time, and then, at the bottom, Ms. Guilfoyle says: We are confirmed. I
24 told Don, and we are landing soon.

25 It seems to suggest that the evening of the 4th that the two of you were together.

1 I don't know if that refreshes your recollection in traveling.

2 A It doesn't, no, but, again, I don't -- I don't doubt that we were. I just don't
3 remember it.

4 Q And Ms. Wren responds: No, you're not.

5 And Ms. Guilfoyle says: What? Yes, we are. Told Don money sent, speaking
6 Wednesday. Okay. Cool?

7 And Ms. Wren explains: This is why I called you earlier, and you hung up on me.
8 Meeting with the President just finished. It was relayed to him Don was hesitant about
9 speaking so now nobody is speaking. So please thank Taylor, Andy, and Arthur for
10 costing you \$60,000. That's why I needed you to call Katrina before that meeting had
11 happened.

12 And Ms. Guilfoyle responds: Bullshit. I told you.

13 And then it continues on lower to say that she's furious about this.

14 The Taylor, Andy, and Arthur that Ms. Wren is referring to, do you understand
15 those to be Taylor Budowich, Andy Surabian, and Arthur Schwartz?

16 A Yes.

17 Q And she talks about it being relayed to the President that you were hesitant
18 about speaking. Did you understand that to be in relation, so far as you know, to
19 concern about who Ms. Wren was proposing to have speak at the event?

20 A I don't know that any of those things happened. If they did, you know, I
21 imagine that would have been a concern that I could've had.

22 Q Have you talked to Ms. Pierson about what she talked to the President about
23 during that meeting?

24 A I don't believe so.

25 Q Have you talked to your father about what he talked to Ms. Pierson about?

1 A I have not.

2 Q How about Max Miller?

3 A Not to my recollection, no.

4 Q It continues on, on the next page, page 3, the exchange, and I'll stop in a
5 moment, but after Ms. Guilfoyle said she was furious, you know, she said that it was -- to
6 Ms. Wren: This is your fault, and we are speaking.

7 And Ms. Wren says: It's my fault? Are you kidding me?

8 And Ms. Guilfoyle says: Yes, actually, it is.

9 And Ms. Wren says: I told Katrina you all wanted to speak and Don had
10 approved it, but it was relayed to her that wasn't true so I don't know what you wanted
11 me to do. I did everything I could.

12 And, given the way Ms. Guilfoyle is reacting, saying she's furious and angry, do you
13 recall that being the case while you were with her, that night that she was angry about
14 this?

15 A I don't -- I don't remember talking about it, but, again, doesn't mean that we
16 didn't have a conversation about it, but I -- clearly wasn't too big a deal to me.

17 Q The reference to the \$60,000, what was that about?

18 A I guess Turning Point USA paid Kim and I, you know, for this speech as part of
19 their thing. And my recollection was that we had spoken for them prior to Christmas at
20 an event that we did annually and always got sort of paid for speaking fees to show up.

21 Given some of the craziness of the time and, you know, I had gone on vacation
22 with my son for 10 days, came back specifically for the Turning Point speech, left the next
23 day with my son again for another, sort of, father/son trip, we were -- we always had
24 gotten paid for speaking at that event; we just sort of forgot about it in some of the
25 craziness of the moment.

1 And I think the speaking fees was just going to be, you know, essentially tabulated
2 to this one for us to kind of -- to catch us up on what we had always done.

3 Q That earlier Turning Point event, was that at Mar-a-Lago?

4 A I think it was at the Palm Beach Hilton if I remember correctly. They always
5 did a, sort of, a donor event at Mar-a-Lago the day before, and then they did an event at
6 the -- you know, sort of a larger one like 5-, 6,000 young students at, you know, the Palm
7 Beach Hilton over by the airport in West Palm Beach.

8 Q And so you were, for that event and given the effect it had on your schedule,
9 the arrangement you had was to get paid \$30,000 each for appearing at that earlier
10 event? Is that what you're saying?

11 A That's what we had always done and, again, that's sort of the craziness of all
12 of this, you know, between COVID and campaigning and everything. You know, I took
13 my son to a trip we had already had to cancel a couple times to Alaska, came back, did
14 the Turning Point thing, otherwise.

15 So my recollection of it is that this was essentially a true-up for what we had
16 always done but had forgotten to do in some of the craziness of just, again, what was
17 going on.

18 Q But in terms of a true-up, is it that -- was the standard fee you would get for
19 Turning Point events, was it \$30,000 each, or was it less?

20 A Approximately. Yeah, depends on the event, the distance traveled, sort of
21 the size of the crowd, but yes, that would have been around approximately correct.

22 Q So had you understood before January 4th that you were going to be paid by
23 Turning Point, you and Ms. Guilfoyle that is, specifically for speaking at the January 6th
24 event?

25 A I don't -- I don't recall that.

1 Q Well, what Ms. Guilfoyle does, if we look at that page 3, the next -- yeah.
2 She ends up sending this -- and we'll come back to the page -- she ends up sending a
3 screen grab of a text exchange, and we can zoom out a little bit. If you see
4 there -- she doesn't say who it's from, but I'll share in a moment it came from Katrina
5 Pierson.

6 So, if we look at exhibit 34, this is -- these are the texts between Ms. Pierson and
7 Ms. Guilfoyle and from the night of January 4th, at 6:45 p.m. I can read them out loud,
8 or if you want to take the time to read it to yourself. What would you prefer?

9 A Doesn't matter. I can -- if you can scroll, I can read them myself.

10 Q Yeah. We may need to zoom in -- can you read that in green okay?

11 A I got it.

12 Q Okay. Are you able to read --

13 A Yeah, generally. That long paragraph I may have, you know, skimmed it,
14 but I think I got it for the most part.

15 Q Understood. So Ms. Guilfoyle is reaching out to Ms. Pierson. I think you
16 can read here about being told that she may not be speaking on the 6th. Fair to say,
17 she's checking with Katrina Pierson. Is that true?

18 A That seems to be the case, yes.

19 Q And Ms. Guilfoyle says to Ms. Pierson when she hears that, at least for the
20 time being, she's not on the run of show: I'm only introducing Don, setting it up and
21 raised so much money for this. Literally one of my donors, Julie at 3 million.

22 So, as you said, when she references "only introducing Don and setting it up," is
23 that when you talked about, your words, "the dog and pony show," the two of you
24 appearing together at events and speaking?

25 A Yeah. Kimberly's a phenomenal speaker. We've done this probably

1 hundreds of times, and so that was always, you know, usual course of action.

2 Q And Ms. Guilfoyle says: Raised so much money for this, literally one of my
3 donors, Julie, at 3 million.

4 Do you know -- again, I asked earlier, but does that refresh your memory? Did
5 Ms. Guilfoyle do anything to actually raise the money for the event, to your knowledge?

6 A No. I think Julie Fancelli was a donor to the campaign. Kim handled a lot
7 of the bundling programs and stuff like that. So I don't know that she -- she could be
8 one of the campaign's donors that, you know, a program that Kim would have been in
9 charge of, but that doesn't mean she raised money for this event. I don't believe or
10 recall her raising money for this, meaning for the January 6th event.

11 Q And, later down, Ms. Guilfoyle tells Ms. Pierson in discussion of, you know,
12 the list of speakers and Ms. Pierson talks about Caroline having made the list and Ms.
13 Guilfoyle says: Yeah. And this the list we approved.

14 And she clarifies: This is the list we approved.

15 Again, do you remember, quote/unquote, approving the list that Ms. Wren had
16 sent that included Ms. Guilfoyle and others?

17 A I don't think I approved -- I don't know that that doesn't mean
18 that -- because this is between Kim and Caroline -- Kim and Katrina, correct?

19 Q Could be. Yeah, when she says we --

20 A So the list we approved could also be her and Caroline, you know, having
21 gone through, you know, a list or whatever. I don't -- I don't know. I don't -- I don't
22 recall approving a list, and, candidly, it wouldn't be my place to approve it, right? I could
23 have been a speaker at it, but, you know, there are bigger people that would be involved
24 in, you know, putting that list together that were either putting on the event or perhaps
25 White House or whoever. It's not my -- it wouldn't be my place to approve any way.

1 Q To that point, in exhibit 36, I can show you text messages between Ms.
2 Pierson, Mr. Budowich, and Mr. Schwartz when Ms. Pierson updates them on this
3 conversation she had with Ms. Guilfoyle. So it's exhibit 36, page 1. If you can zoom in,
4 you can see -- I'll just direct your attention at 6:39 -- at 6:42 p.m., on the 4th, Ms. Pierson
5 tells Mr. Budowich and Mr. Schwartz, you know, and she said that she and Don approved
6 Caroline's list -- "she" being Ms. Guilfoyle.

7 And Mr. Schwartz, if you go to the left, you can see he responds: Laughing at
8 that comment.

9 Go all the way over, and then down below, says: Don was going to pull out when
10 he heard the list. Only agreed to stay in once he heard that DJT was going to be there.
11 He didn't approve jack shit.

12 Is that consistent with what you remember about your take on the list that Ms.
13 Wren sent?

14 A I don't remember, you know, again, looking at the list from Caroline. I do
15 vaguely recall conversations with either Arthur or Andy, sort of, talking about, you know,
16 people that would have been there and what it would have done and that I wouldn't have
17 wanted to necessarily, you know, share a stage with some of those people.

18 Once my father's speaking, then, you know, I feel obligated to obviously to do it.

19 Q Why obligated?

20 A I'm going to, you know -- I'm going to help my father, you know, when I can.

1

2 [12:40 p.m.]

3

4 Q And to the point you just raised on exhibit 32, it's an email that we'll show
5 you, and we had provided earlier, from Taylor Budowich to Ms. Wren that same night
6 that you received the list, January 2nd, at 6:37 p.m., telling her -- I can read it.

7 You know, "I thought my text was clear earlier. Gonna help Kat and Justin if they
8 need it, but this isn't what I agreed to help on - a separate event limited to the family, Ken
9 Paxton and Rudy as speakers and organizers as attendees. Ali Akbar and Alex Jones are
10 destructive to what the President is working toward and terrible for Don and Kim to share
11 a stage with. I don't want to be involved with that."

12 And consistent with what you recall generally, your discussions with Mr.
13 Budowich, Mr. Schwartz, and Mr. Surabian?

14 A Yes, that's correct.

15 Q Okay.

16 Now, do you know -- well, let me go through a couple exhibits.

17 I know what we're talking about, the earlier Turning Point event. If we look at
18 some emails regarding the payment, though, that ends up coming through, if you look at
19 exhibit 38, exhibit 38 is an email exchange with Ms. Guilfoyle, Ms. Wren, and a Rebecca
20 Karabus.

21 Do you know Ms. Karabus?

22 A I don't believe so.

23 Q Okay.

24 But on the email thread, if you go to page 2, it's Ms. Wren writing on January 2nd
25 and saying, "Please put together two invoices to Turning Point Action" -- Kimberly

1 Guilfoyle for \$30,000 and Donald Trump, Jr., for \$30,000.

2 And then when you go up, Ms. Guilfoyle writes just a few minutes later, "So
3 actually we're going to go ahead and invoice for 60k to tru media I talked to Don for
4 Kimberly Guilfoyle Donald Trump Jr for Wednesday, January 6 and I will just 1099 him and
5 I'll wire the money so it's my tru media LLC and chase bank account number and routing
6 and Rebecca you have it thank you so much!"

7 So did Ms. Guilfoyle -- did you end up receiving the \$30,000 yourself that is
8 discussed here for you?

9 A I don't recall specifically. I think, once -- you know, once the events of
10 January 6th happened, I just sort of wanted nothing to do with it, so I don't even know if
11 I -- you know, I don't believe I even invoiced her for it.

12 Q Do you know that the money was, in fact, paid, though, to TruMedia, Ms.
13 Guilfoyle's company?

14 A I -- I'm not 100 percent sure.

15 Q But, here, what she's referencing is -- she's saying it's for January 6th, not for
16 the earlier event. Do you know why Ms. Guilfoyle is saying that?

17 A I don't. Again, I know they were -- you know, my understanding was, it was
18 a catching up of the prior event, but -- you know, on that event. But I don't know
19 specifically, no.

20 [REDACTED] Can I ask what your understanding of that true-up was based on?
21 In other words, what led you to believe that you were being caught up from the Turning
22 Point event in December with this \$60,000 payment?

23 Mr. Trump. I think I may have had conversations with either Charlie Kirk or
24 Turning Point just about that -- you know, just, again, the sort of hectic nature of what we
25 would normally get, but, given the timing of that and -- that we were just going to get

1 caught up whenever.

2 You know, we do a lot of work with them. I've spoken for them a lot. I've, you
3 know, been paid for those speaking events over the years. And so it was, you know, sort
4 of a longstanding relationship, so I wasn't too concerned about it.

5 [REDACTED] And so it's your understanding, then, that you had not been paid this
6 standard speaking fee for the December Turning Point event up until this point when
7 there's emails discussing the \$60,000 payment.

8 Mr. Trump. I believe that's right.

9 [REDACTED]

10 Q Were you ever paid for that December event, separately?

11 A Not to my recollection.

12 Q So, if the payment was for the December event and not for January 6th, why
13 didn't you go forward and take the payment then?

14 A Again, I don't know when it came up or how we found out about it or how
15 we even remember bringing it up. I just, you know, clearly wasn't all that involved in it.

16 Q Well, if we look at exhibit 39, it's an exhibit from Ms. Wren -- excuse me,
17 "exhibit" -- it's an email from Ms. Wren to Charlie Kirk about the speaker fees. And you
18 can see there, it's on January 3rd in the afternoon.

19 And she's writing a budget update, and she's saying that "below are expected
20 invoices from Event Strategies." And, "I've attached the invoice for Bluebonnet and
21 then for Tru Media for Don/KG speakers fees. There shouldn't be any additional
22 expenses past this."

23 Did you know prior to January 6th that Turning Point was spending money on
24 behalf or to help put on the event on the 6th?

25 A I don't remember.

1 Q And there's attachments there, one of which is an invoice from
2 TruMedia -- that's at exhibit 40 -- from TruMedia to Turning Point. And you see there
3 that it's an invoice for \$60,000 and it's for the "March to Save America, strategic advisory,
4 promotion, keynote speeches by Kimberly Guilfoyle and Donald Trump, Jr. on 1/6/21."

5 So, again, no reference to the December event.

6 And did you have any role in preparing this invoice or know about it?

7 A I didn't.

8 Q And did you provide any strategic advisory or promotion for the event on the
9 6th?

10 A I did not.

11 Q And do you know whether Ms. Guilfoyle had?

12 A I don't know.

13 Q Do you remember who you talked with about whether you should take the
14 money after the events of January 6th occurred?

15 A I don't recall.

16 Q I've got a text message that suggests it was Andy Surabian. Does that
17 make -- would that be -- does that seem right to you?

18 A That -- yeah, I don't recall it happening, but that would be certainly someone
19 in my orbit who I talked to about those kind of things.

20 Q And the sum and substance, whoever it was you spoke to, of the advice was
21 what about whether you should take the money?

22 A I don't -- I don't recall having that conversation specifically. I think I just -- I
23 may have come to that conclusion on my own. I just don't remember.

24 [REDACTED] I'll stop there and ask if anyone has any questions up to this point
25 before we move on.

1 Okay.

2 ██████████

3 Q I think we asked earlier, but if we didn't, I'll just ask again: Do you
4 remember why you, yourself, personally, came to the decision not to accept the money?

5 A I -- you know, I -- having seen sort of how things get blown up in the media
6 over the last 6 years, I figured it was just easier to stay away from it.

7 Q Okay.

8 And I don't see anybody coming in, anybody with any other questions, so we're
9 just going to --

10 ██████████ ██████████

11 ██████████ Well, I was going to say, ██████████ I think you have a series of
12 questions that maybe would fit in right here, talking about January 4th and the PAC.

13 ██████████ Oh, I definitely didn't want to derail you or interrupt your flow. I just
14 wanted to follow up on --

15 ██████████

16 Q A moment ago, Mr. Trump, you said that you had decided not to take the
17 money. Do you remember having conversations with Ms. Guilfoyle, telling her to not
18 wire the funds or to not issue the 1099?

19 A I don't remember.

20 Q Okay. If it was the normal course of practice for the two of you, how would
21 she have known whether to stop the funds or not transfer the funds?

22 A I may have said something. I just don't remember doing it.

23 Q Okay.

24 And was it, in fact, the normal course for her? I think earlier you said you don't
25 believe you invoiced her. Was that the normal process for you guys with the Turning

1 Point speeches, for you to invoice her TruMedia entity for your portion of the payment?

2 A I don't know that there's a normal course of prac- -- we live together;
3 sometimes it's just easier to do it through, you know, an LLC that she had set up for those
4 things. Sometimes -- you know, it depends on the group -- they just send directly.

5 You know, I don't know that there's a -- I don't know that there's a standard
6 operating procedure per se. Each thing could be different, depending on who we're
7 doing it for or what it may be.

8 Q And just based on the email that [REDACTED] had put up earlier where it said
9 that Ms. Guilfoyle intended to issue the 1099 and wire the half, sitting here today, do you,
10 in fact, remember whether she, in fact, paid you or did not pay you?

11 A I don't know.

12 Q Okay. Thank you.

13 [REDACTED]

14 Q Regarding Mr. Charlie Kirk, have you talked to him about the events of
15 January 6th since everything happened?

16 A Not that I remember.

17 Q Have you ever talked to him about why he didn't come to Washington on
18 the 6th?

19 A No. I don't -- I don't think I have. But I could -- I could have; I just don't
20 remember that.

21 Q Has anybody -- do you know if anybody's ever told you that Mr. Kirk
22 expressed a concern prior to January 6th that the events could turn chaotic and he just
23 didn't want to be in town that day, something to that effect?

24 A I don't think I've heard that, no.

25 Q Let's see. Okay. Moving through, then.

1 So, regarding the rally in Dalton, Georgia, on January 4th before the Senate runoff,
2 I know that you spoke and your father also spoke. And I can show you an article, but I
3 can -- or just tell you that one of the things your father spoke about that night, if you
4 remember, was, quote, "I hope Mike Pence comes through for us. Of course, if he
5 doesn't come through, I won't like him so much."

6 Did you remember generally your father bringing up Mike Pence and what he
7 would do on January 6th at the joint session?

8 A At that speech specifically? I know -- I know he had said that on occasion.
9 I don't know the specifics of what was said in the speech, no.

10 Q That night, you said, you flew back with him on Air Force One and others to
11 D.C., is that right, after the rally?

12 A Yes, that's correct.

13 Q Did you have any conversations on the flight back with anyone about the
14 rally on the 6th?

15 A Not that I recall, no.

16 Q Do you remember Marjorie Taylor Greene being on the flight back with you
17 all?

18 A Yes, I do remember seeing her there.

19 Q Do you remember her raising or discussing the rally and in particular Ali
20 Alexander?

21 A I don't.

22 Q Did you discuss -- or did you have discussions with anyone on that flight back
23 about what the current state of play was with the Vice President, what he was going to do
24 on January 6th?

25 A Not that I remember.

1 Q Well, as of January 5th, so before the 6th, what did you understand the
2 situation to be with Vice President Pence, what he was going to do at the joint session?
3 So, the day before, what did you expect?

4 A Well, I ex- -- I don't know that I -- you know, I don't know that I expected
5 anything much, you know, from it. I know, you know, there was a notion that he could
6 not certify and send it back to the States that we'd been hearing about, but, you know, I
7 don't know that there was an expectation that he would do that. So I don't really know.

8 Q Did you learn that the Vice President had lunch with your father on January
9 5th and told him that he, the Vice President, was not going to send the electors back to
10 the States, that he was just going to count the electors in front of him?

11 A I have read that since. I don't know that I knew it at the time.

12 Q So why don't we start, then, with January 5th.

13 As I understand, did you stay at the Trump Hotel in downtown D.C. when you got
14 back from Georgia?

15 A Yes, I did.

16 Q Do you remember what you did during the day on January 5th?

17 A Not off the top of my head.

18 Q Did you go to the White House at all that you can recall?

19 A Not that I can recall, but I'm sure the call -- I'm sure they have logs that could
20 tell you if I was there or not.

21 Q Do you remember being at an event at the Trump Hotel the evening of
22 January 5th that was put on by Ms. Wren?

23 A Yes. We had a watch party for the Georgia, you know, results coming in.

24 Q Just --

25 Mr. Futerfas. I'm sorry to interrupt you. The very last part of your question

1 said "that was put on by Ms. Wren." I don't know if -- I don't know if
2 Mr. Trump Jr. knew it was put on by her or not. I'm just saying there were --

3 Mr. Trump. Yeah, okay, that's fair. I don't -- I know there was sort of a watch
4 together. I don't know who put it together. Yeah.

5

6 Q All right. Was Ms. Wren there?

7 A I don't -- I don't know. Probably, but I don't know.

8 Q Okay. Did you see other, what I'll call, kind of, large-dollar do -- or,
9 understand large-dollar-donor supporters of your father were there at the watch party?

10 A Yes.

11 Q So, for instance, Charles Herbster was there?

12 A Yes, I believe he was.

13 Q I'm going to butcher his name: Richard K-o-f-o-e-d. Do you know how to
14 pronounce his last name?

15 A Kofoed.

16 Q Was he there as well?

17 A Yes, I believe he was there.

18 Q Okay. And, as we understand it, did you see people like Peter Navarro or
19 Rudy Giuliani come to speak to the people in attendance?

20 A Yes, I believe they did.

21 Q Did you see Senator Tuberville there?

22 A I saw him as he was leaving, because, actually, I don't think I'd ever met him
23 face-to-face. It was, as I showed up, he was on his way out of the room in question.

24 Q When it comes to, say, Mr. Navarro, did you see him speaking to the people
25 who were collected there? And if he was, what were the sorts of things he was talking

1 about?

2 A I don't remember.

3 Q How about Mr. Giuliani?

4 A I'm not sure I even saw Mr. Giuliani there, but -- so I don't -- I don't even
5 know if I saw him speak, let alone what he talked about.

6 Q Was Ms. Guilfoyle there, at least for a time, at the event with you?

7 A Yes.

8 Q Do you know whether or not Ms. Guilfoyle placed a call, with the help of
9 Ms. Wren, that evening to Ali Alexander?

10 A I don't know.

11 Q Now, turning to or thinking about the joint session on January 6th, were you,
12 yourself, involved in any discussions with State officials in the contested States about
13 what, if anything, to do about their slates of electors?

14 A I don't believe I was.

15 Q Were you involved in any discussions with Senators or Members of Congress
16 about whether to object to the certification of Joe Biden's election on January 6th?

17 A I don't recall. I mean, I've probably spoken to many of those guys
18 over -- you know, over time. So that doesn't mean I didn't see someone, perhaps, at the
19 Trump Hotel and, you know, had a conversation about it.

20 But, no, I don't recall, you know, specific conversations, and I don't recall reaching
21 out to any of them to do something like that. But I -- doesn't mean I didn't have a
22 conversation somewhere along the way.

23 Q Did you have any discussions with Vice President Pence or members of his
24 team about his authority to act on January 6th?

25 A Not that I recall.

1 Q Now, it's been reported publicly and because he's said it himself, Steve
2 Bannon has said that, you know, he worked closely with your father and Peter Navarro on
3 planning for how to potentially challenge the election on January 6th.

4 Are you familiar with the fact that Mr. Bannon has said that?

5 A I have read that.

6 Q If I show you exhibit 21, they're text messages between Alexandra Preate
7 and Johnny McEntee. And I'll get to the substance in a moment, but do you know
8 Ms. Preate?

9 A Yes.

10 Q All right. And how do you know her?

11 A I think she did the comms for, you know, Steve Bannon.

12 Q Is she friends or friendly with Ms. Guilfoyle?

13 A Yes, she is.

14 Q And does she have a business relationship with Ms. Guilfoyle, or it's just
15 personal?

16 A My understanding, it's most- -- personal. I don't know about business.

17 Q Do you know Johnny McEntee?

18 A I do.

19 Q Okay. And at the time in December of 2020, what was his role within the
20 White House?

21 A He was sort of, you know, my father's, you know, body man.

22 Q So, if you can see here, on December 13, 2020, Ms. Preate writes to
23 Mr. McEntee and says, "KG wants Steve and POTUS to talk. Steve have three next steps
24 that he can take to stop the steal. Also he says he needs to meet with Navarro who has
25 gone over the #s. Steve would be free to talk with him of course. Thoughts?"

1 And Mr. McEntee says, "I will relay to the boss. What's best # for Steve if he
2 decides to call?" And Ms. Preate gives Steve Bannon's phone number.

3 The reference to "KG" we understand to be to Ms. Guilfoyle. Did you know at
4 the time that Ms. Guilfoyle wanted Steve Bannon to connect with President Trump?

5 A No, not that I remember.

6 Q Did she ever discuss this with you at all that you can recall, whether, you
7 know, before January 6th or after the fact, that she had sought to make this connection?

8 A Not that I remember.

9 Q Now, it's been reported in the book "Peril" by Bob Woodward and Robert
10 Costa that Steve Bannon talked to your father on December 30th of 2020 when your
11 father was at Mar-a-Lago for the holidays and told him that he needed to come back to
12 D.C. to focus on January 6th.

13 So that's just a preface to say, were you at Mar-a-Lago on December 30th that you
14 can recall?

15 A I could've been, but, you know, I could also be there, you know, at the beach
16 with my kids. So, you know, it's sort of a family vacation spot. So, yeah, I imagine I
17 was there, but, you know, I don't recall having, you know, a meeting or, you know, a
18 dinner or anything like that with Steve.

19 Q Let me put it this way. On December 31st, were you there at that New
20 Year's Eve party at Mar-a-Lago?

21 A I was, yes.

22 Q All right.

23 And as we understand it, President Trump did, in fact, leave earlier than he had
24 planned to stay, through January 3rd. He came back on December 31st before the
25 party. Do you remember that he wasn't there for the party that --

1 A I do.

2 Q -- night?

3 A I do, only because it's my birthday. So --

4 Q Ah.

5 A -- there's always a tradition of him getting up and sort of embarrassing me in
6 front of a thousand people. So, you know, that's why I remember it. But, yes, I do
7 remember that.

8 Q Do you remember why he left early and didn't go for the party or your
9 birthday?

10 A I don't.

11 Q You never asked him then or since about why he chose --

12 A No. You know -- no. I've gotten to the age where I avoid talking about my
13 birthday.

14 Q I don't know. Your brother talked about his birthday on January 6th. But
15 maybe that was his wife bringing it up.

16 But did anybody tell you why he left early, your father, on New Year's Eve?

17 A Not that I remember, no.

18 Q Now, thinking through the day of January --

19 [REDACTED] I'll stop there before we get to the day of January 6th and see if
20 anyone has any questions.

21 I don't see anybody.

22 We're almost done, Alan. Should we keep going and just finish up? Or Mr.
23 Trump?

24 Mr. Trump. Yeah, that's fine with me, guys.

25 [REDACTED] Okay.

1 Mr. Futerfas. Yes, thank you. Thank you.

2 [REDACTED] Okay. All right.

3 Mr. Futerfas. Do you want to take -- can we take a 2-minute break?

4 [REDACTED] I think that'd be great. Why don't we come back at 1:05, if that
5 works.

6 Mr. Futerfas. Okay. Yeah, that's perfect. Thank you. Thank you.

7 [REDACTED] Okay. Thanks, guys.

8 We'll go off the record.

9 [Discussion off the record.]

10 [REDACTED] Okay. It is 1:07 p.m. We can go back on the record.

11 [REDACTED]

12 Q So, turning to January 6th, the day of, I understand that you were at the
13 White House prior to going to the Ellipse for the event. Is that right?

14 A Yes, that's correct.

15 Q Okay. Do you remember approximately what time in the morning you got
16 to the White House?

17 A I don't. I don't know if I went there before I spoke or just before my father
18 spoke and after I spoke. So I don't know if I was there, you know, the two times in
19 between or if I was just there after having spoken at the event.

20 Q Okay. Let's start with before the event, though. You were there at least
21 at some point before the event?

22 A I -- I don't know. You could tell me on the call logs. It sort of -- all of
23 those things are blending into one these days.

24 Q Okay. Well, I'll show you the diary, the daily diary, for the President. It's
25 at exhibit 48.

1 Mr. Futerfas. Right. And just for the record, you all graciously sent us two of
2 these, one which was annotated in blue ink and the other one, which is plain, which is this
3 one. So we appreciate that.

4 [REDACTED] And that second one is exhibit 49.

5 Mr. Futerfas. Okay.

6 [REDACTED]

7 Q But this one on 48, page 2 -- this is from January 6th of 2021 -- the daily diary
8 shows that at 11:11 a.m., at the bottom, you can see that the President met in the Oval
9 Office with several people. You're the first one listed, Mr. Trump, and then other
10 members of your family and Stephen Miller as well.

11 Okay.

12 And then, as Mr. Futerfas said, at exhibit 49 there's an annotated copy of the
13 President's private schedule that day that shows, at 11:10 a.m., the people who were
14 there: your brother, yourself, Ms. Guilfoyle, I believe that's an acronym for your sister
15 Ivanka, then the letters "CO-" -- I can't read what it is, but Eric Herschmann is --

16 A Yes, I think it's an acronym for chief of staff.

17 Q I figured, so Mark Meadows. And then General Kellogg.

18 So does seeing that remind you of being in the Oval Office that morning prior to
19 the Ellipse?

20 A Yes.

21 Just to clarify, I guess, you know, I spoke at the Ellipse myself, but at, like, 10:00
22 a.m. And so this is after I spoke but before my father spoke. That's what I was trying
23 to reference. I wasn't sure if you were asking me if I was there before I spoke as well.

24 So, you know, think I only went to the White House, you know, once as opposed
25 to twice. And this seems to verify that. That was just a point of clarification for me

1 because I wasn't sure if you were asking me about multiple, somehow, occasions.

2 Q No. So you remember, and that's helpful. After you spoke, you think you
3 came back to the White House and then came back when your father spoke?

4 A Came back to the Ellipse with my father when he spoke, yes.

5 Q Okay.

6 Was there any point that morning, though, before being in the Oval Office for this
7 meeting referenced in the diary, where you were in the residence with your father and
8 your family members that you remember?

9 A I may have been. I'm not sure.

10 Q Sure. Okay.

11 Do you recall any discussions that morning about whether, you know, your father
12 might have potential -- get potential partial ownership in the messaging app Parler? Do
13 you remember that coming up as a discussion point that morning?

14 A I don't.

15 Q All right. Do you remember that ever being a discussion before your father
16 left office, about him possibly, as the next step in his career, having partial ownership in
17 Parler?

18 A I don't know. I'm -- I don't know. Not that I remember.

19 Q We have heard from people that there was discussion in the residence that
20 morning amongst family members and the President about the need for the President to
21 speak to Vice President Pence before the joint session that day and try to get him to come
22 around to the President's view to send the electors back to the States.

23 Does that -- do you recall any discussion encouraging the President to reach out to
24 the Vice President?

25 A I don't recall specific discussions that day of, you know, people suggesting he

1 do that.

2 Q Okay.

3 In the Oval Office, as reflected in exhibit 49, as we understand, while you were
4 there, at 11:20 a.m., President Trump did call and reach Vice President Pence and had a
5 conversation.

6 Do you remember being in the Oval Office when that phone call took place?

7 A Yes, I do.

8 Q Okay. And who do you recall being in the Oval Office with you and your
9 father at the same time that that call was taking place?

10 A I think it was my family, meaning brother, sister, their respective spouses,
11 Kimberly, maybe Stephen Miller, and I'm not sure who else.

12 Q And did you -- what do you recall -- were you able to -- was the call on
13 speakerphone, such that you could hear Vice President Pence, or not?

14 A I don't believe it was, no.

15 Q Were you able to hear your father's side of the conversation?

16 A I probably was, but, you know, in thinking about it while we were, you know,
17 sort of reviewing for this, you know, when you're hearing a one-sided conversation, you
18 tend to tune out. So, with all those people in the room, I don't know that I was fully
19 paying attention to what was going on.

20 Q What do you remember about what was going on?

21 A Not much.

22 Q Okay. But what is the "not much" that you do remember?

23 A Again, I couldn't give you specific things that were said, or this. You know, I
24 know he tried to reach out to Mike Pence to -- and, again, to what I sort of said earlier
25 with the disclaimer language, I've read so much about what happened since and what

1 was said on a phone call and what Mike Pence said that I couldn't hear. So it's a little bit
2 hard to conflate these things.

3 But, you know, I know the line of questioning was about sending it back to the
4 States, but that's about the extent of my recollection.

5 Q And how would you describe the tone, at least from what you observed of
6 your father, of the conversation? From what you could tell, his body language and the
7 level of his voice, how would you describe that?

8 A You know, I don't -- I certainly don't think it was excessive from my -- from
9 my father. I think he was actually reasonably composed.

10 Q People have described the conversation differently, as being heated. Did
11 you not observe it being heated or something to that effect?

12 A I didn't see that. I think, you know, my father's default mode is probably
13 heated. So maybe that's what I'm used to, so I don't know that this was anything out
14 the ordinary. And I think anyone who's probably watched him on TV in the last few
15 years would probably agree with that.

16 Q Had you ever observed your father speak with the Vice President previously,
17 prior to that day?

18 A Speak of the Vice President?

19 Q Speak to him.

20 A Oh. Probab- -- yeah, I'm sure. I've been in the room with them numerous
21 times. I -- you know.

22 Q We have heard from people that the tone in which your father was speaking
23 to Vice President Pence the morning of January 6th was different than they had seen your
24 father speak to him in the past, that it was -- one of them said "heated," that it was just,
25 again, a different tenor of the conversation than how the two had interacted previously.

1 Is that consistent with what you had seen or not?

2 A I'm not sure I even thought about it.

3 Q People have said that your father said to Vice President Pence something to
4 the effect that, you know, you're a wimp, or words to that effect, for not sending the
5 electors back to the States.

6 Do you recall him saying something like that to Vice President Pence?

7 A I don't recall it.

8 Q What was your father's reaction after ending the call with the Vice
9 President?

10 A I don't remember that specifically either.

11 Q Well, do you remember him telling you and the people there in the room
12 what the Vice President planned to do, since it would determine whether your father
13 would remain President, or potentially remain President, or not?

14 A I don't remember.

15 Q Do you recall what the reaction of other people in the room was at the time
16 to that conversation, whether anybody made any comments about, you know, Vice
17 President Pence or what was going to happen at the joint session?

18 A I don't.

19 Mr. Futerfas. Could we take one second before we continue, if you don't mind?

20 [REDACTED] Sure thing.

21 Mr. Futerfas. Thank you. Thank you.

22 [Discussion off the record.]

23 Mr. Futerfas. Thank you very much.

24 [REDACTED] Sure thing.

25 [REDACTED]

1 Q Okay. Well, you know, it might be -- stepping back, in thinking about this
2 conversation in the Oval, it might be helpful just to look at another exhibit, exhibit 47.

3 When we bring that up, it's going to be a text exchange between you, Mr. Trump,
4 and Mr. Budowich on January 5th.

5 A Yes.

6 Q And if we go down so you can see it -- if we can zoom in, and you can read it
7 to yourself. It's just the one page. And so just let us know as you need to scroll. But
8 we'll zoom in so you can read the messages.

9 A I got ya.

10 Q Okay.

11 So, as you said earlier and as reflected here, you tell Mr. Budowich, "If
12 Pence" -- you know, talking about whether you would appear to talk on "Hannity," you
13 say, "If we pull off [the Georgia race] maybe but if pence folds tomorrow what's there to
14 talk about?"

15 And so, there, I imagine, "if pence folds," you're talking about, if he doesn't send
16 the electors back to the States and the election is certified for Joe Biden, then what is
17 there to talk about on "Hannity." Is that fair?

18 A Yes, it is.

19 Q Okay. And so, as you had said earlier, in your mind, it was still an open
20 question, what Vice President Pence was going to do on the 6th?

21 A Well, I don't think that I had direct knowledge. I think, you know -- I don't
22 know that too many people assumed that, you know, that he was going to not certify. I
23 think -- you know, I probably imagined he was going to, you know, go ahead and do that.
24 So, you know, I don't know that I had expectations that he was going to do something
25 different.

1 Q But still an open question. It --

2 A Correct.

3 Q -- wasn't for sure. Right.

4 And so, coming back to that Oval Office call that you described, on the morning of
5 the 6th, where your father calls Vice President Pence, again, you don't remember
6 anything about the discussion, even afterwards, by your father about what he had just
7 heard from the Vice President about what the Vice President was going to do during the
8 joint session?

9 A I just don't, you know. It was a crazy time, a lot of people, and, you know, a
10 one-sided conversation. I probably just -- after speaking in front of all those people, I
11 was probably just a little bit in that moment, and I just don't remember the details of it.

12 [REDACTED] Do you recall when you did, sort of, definitively know what the Vice
13 President was going to be doing during the joint session?

14 Mr. Trump. I don't.

15 [REDACTED] Okay.

16 [REDACTED]

17 Q So, in the Oval Office, before the President left to go speak, did you talk with
18 him or did you hear other people talk with him about what he was going to say at the
19 Ellipse?

20 A I don't -- I don't believe so, no. I think he had a -- you know, his
21 speechwriters had written the speech. I don't know what's in that.

22 Q Mr. Miller, for instance, wasn't helping the President practice his lines or talk
23 it through, that you can recall?

24 A I don't think my father does a lot of line practicing, so I don't remember ever
25 seeing him do that. But I don't remember that, no.

1 Q What was your father's mood after the phone call ended with Vice President
2 Pence, from what you observed?

3 A I don't remember what his mood was.

4 Q Was it not long after that he left to go to the Ellipse?

5 A You could tell me the exact chronology, but I think it was, you know,
6 reasonably soon thereafter.

7 Q And did you -- you traveled over there to be there at the location while he
8 spoke, I think you said earlier?

9 A I did.

10 Q Okay. And before your father took the stage, when he was in the offstage
11 announce area, you know, there's been a video you shared, you know, of what's going on
12 back there. But you were relatively close to him before he went up, within a few feet of
13 him, I imagine, before he took the stage?

14 A Yes.

15 Q Okay. Did you hear him have any conversation with anybody about
16 wanting to go to the Capitol after he was done speaking?

17 A Not that I remember, no.

18 Q Did anybody tell you that they had discussed with your father his desire to
19 want to go to the Capitol after he was done speaking?

20 A Not that I recall.

21 Q Did you listen to your father's speech?

22 A I did, to the extent that, you know, I was backstage with 30 people and we
23 were talking and -- you know. Again, I've been to a lot of these rallies, and this,
24 obviously, slightly different topic, but backstage with people for an hour-plus-long
25 speech, you know, I don't know that I was listening to every word, no.

1 Q Did you hear him say or did someone bring to your attention that he said
2 that he was going to go to the Capitol with the people who were there at the rally?

3 A I've read that in preparation for this, where I read his speech, but I don't
4 remember hearing that at the time.

5 Q So, when he got off stage, you don't recall any discussion about whether he
6 would go to the Capitol?

7 A I don't.

8 Q Now, had you been privy to any conversations with White House staff or
9 your father about just security preparations for that day?

10 A You know, I have not -- I had not been in those conversations, I don't -- to my
11 recollection.

12 Q Okay. So had you had any conversations with your father or his staff about
13 whether National Guard troops would be deployed in the city on that day?

14 A You know, I know I had heard him talk about that, you know, like,
15 somewhere along the way. I'm not sure exactly when.

16 And, you know, certainly afterwards, I know he was -- he had definitely mentioned
17 a few times that, you know, he was frustrated why he couldn't, you know, get that. I
18 believe he had put in some sort of request. I don't remember the specifics of it. But I
19 know I've heard him talk about it.

20 Q You think you talked about that with him before January 6th?

21 A I'm saying I know I've heard him say it numerous times, and it could've been
22 in the context of, "Hey, I was asking for this stuff in the days before, and nothing got
23 done, or it was shut down for whatever reason," but, you know, I don't remember the
24 specifics of it. But I know it was something, you know, certainly that was on his mind.

25 Q So, after the President was done speaking, we know that he went back to

1 the White House. Where did you go?

2 A I don't know if I went back to the White House, perhaps just to get my
3 car -- to get in the cars. You know, I had a Secret Service detail at the time, so, you
4 know, perhaps they could give you better, more accurate timing or logs.

5 But I know I had a -- I believe it was a 3 o'clock flight, based on what -- and I can
6 defer to the legal team here, but I think I had a 3 o'clock flight. And so, you know, about
7 the time he was getting done would've been about the time I would've had to start, you
8 know, heading over to the airport.

9 Q And you were with --

10 A So I may have gone back to the White House, got my stuff, and just gone, but
11 I don't think I -- I wasn't lingering.

12 Q And were you with Ms. Guilfoyle and Mr. Herbster when you got on the
13 flight, if you remember?

14 A I don't. I think I flew commercial.

15 Q Did you fly back to Florida, if you remember?

16 A No. I believe I flew to New York.

17 Q Okay.

18 Do you remember when you first learned that there was violence at the Capitol or
19 how you learned about it?

20 A I'm not sure how I learned about it. You know, I think -- or specifically
21 when. I know, you know, if I'm going to an airport, I would've probably been scrolling
22 through social media and either, you know, seen it that way probab- -- so I imagine that's
23 how I saw that.

24 Q And we're going to use a tweet you sent, so at exhibit 9, just for our
25 reference point.

1 So exhibit 9, page 8. And if we scroll down so you can see the time. At 2:17
2 p.m. on January 6th, you send a tweet -- it's linking to a tweet by someone named Elijah
3 Schaffer reporting on the violence at the Capitol.

4 Did you write this tweet that you sent that starts, "This is wrong"?

5 A I believe so.

6 Q And it says, "This is wrong and not who we are. Be peaceful and use your
7 1st Amendment rights, but don't start acting like the other side. We have a country to
8 save and this doesn't help anyone."

9 So, obviously, by this time, you knew about the violence, at 2:17 p.m. And if we
10 look at page 9, the story you -- if we go to page 9, the tweet you're linking to from Elijah
11 Schaffer, if we go down, he tweeted at 1:10 p.m. on the 6th, just in terms of reference.

12 So why did you feel the need to tweet out at that time about the violence at the
13 Capitol?

14 A I sort of feel like the tweet speaks for itself, you know? It's not who we are.
15 I'd spent the last, you know, 18 months calling out, you know, violent riots, protests,
16 arson, looting, murder all over the country. And I think I opened up my speech earlier
17 that morning, you know, praising the people in attendance for, you know, doing this
18 peacefully, exercising, you know, their voice and their First Amendment rights, but not
19 doing so violently. So it's something I believe in strongly.

20 Q And did you expect that the tweet you sent out, with the number of
21 followers that you had, would reach at least some number of the people who were at the
22 Capitol at that time?

23 A I don't remember specifically that, but, yes, of course, you know.

24 Q Right. Because the second sentence is, "Be peaceful and use your 1st
25 Amendment rights" -- in other words, talking to the people who were there, right?

1 A Right.

2 Q Now, if we look at exhibit 28, these are, you know, a collection -- I'm to go
3 through the tweets that your father did that day on January 6th in relation to what you
4 know are tweets he sent to Mark Meadows. But it's helpful to walk through the timing
5 and the chronology.

6 But the first tweet that the President sends on the 6th after he's done speaking is
7 on page 3, so we can zoom in. You can see it's at 2:24 p.m., so after your tweet, and
8 talking about how Mike Pence didn't have the courage to do what should've been done to
9 protect our country. And no mention of the violence at the Capitol or telling people to
10 be peaceful.

11 Do you remember seeing this tweet when it came out?

12 A I don't.

13 Q You don't.

14 The next one he sends is at 2:38 p.m. "Please support our Capitol Police and Law
15 Enforcement. They are truly on the side of our Country. Stay peaceful!"

16 And if we look at your -- we're just going to have as comparison your text
17 messages to Mr. Meadows, which are at exhibit 12. We can bring those up.

18 On January 6th, if we look down, at 14:53, or 2:53 p.m., you write to Mr.
19 Meadows, "He's got to condemn this shit. Asap. The capitol police tweet is not
20 enough."

21 Why did you think the Capitol Police tweet was not enough?

22 A I don't remember, but I didn't think it was enough.

23 Q Okay. So why did you reach out to Mr. Meadows and, say, not your father
24 directly?

25 A Well, again, I think by this time I was either at the airport, on my way to the

1 airport, in a public place, perhaps on a plane without cell phone reception.

2 Also, my father doesn't -- you know, if I was in those areas, I wouldn't want to
3 have a conversation that way. Sort of, you know, walking around with a Secret Service
4 detail and people, it's -- you know, it's not like there's anything subtle about it.

5 And if I was on a plane with WiFi, my father doesn't text, so I couldn't reach out to
6 him directly, so I reached out to his chief of staff.

7 Q And as you said, he's got to condemn it ASAP. And when you said
8 "condemn this shit," condemn -- condemn what?

9 A The violence that's going on. Again, you know, I think I made it pretty clear
10 in my speech, we can do this peacefully. You know, use your First Amendment rights;
11 do it that way. But, you know, violence has no place in this situation.

12 Q And Mr. Meadows responds, "I am pushing it hard. I agree."

13 And then you come back, "This" -- I think it's a typo; you meant to say "is" -- but it
14 says, "This his one you go to the mattresses on. They will try to fuck his entire legacy on
15 this if it gets worse. I'm not convinced these are trump supporters either btw so we
16 should be looking into that."

17 So, you know, Mr. Meadows says he's pushing it hard. Did it surprise you at the
18 time that he was having to push hard for there to be a stronger statement from your
19 father on this?

20 A Yeah, I don't -- I don't know what he was or wasn't actually doing. That
21 would be hearsay, I guess, but -- so I don't know; I just wasn't there.

22 Q Did you ever talk to him after the fact about what he was doing during that
23 time in trying to get your father to put out a different statement?

24 A I don't believe I have, no.

25 Q We understand that your sister Ivanka had input into the Capitol Police

1 tweet and, in particular, with respect to the last words of "stay peaceful."

2 Have you ever spoken to your sister about her experience that day and discussions
3 with your father about what he was tweeting?

4 A I don't believe I have.

5 Q Now, your next message that we have comes through at 4:05 p.m. to Mr.
6 Meadows. Do you remember if you were landed in New York by this point or still on the
7 plane? Do you know?

8 A I don't know.

9 Q Okay.

10 Now, in terms of the part about having a call with your father around this time,
11 you know, if we look at your phone records on exhibit 2, we can look at page 2, and then
12 you can see there, on January 6, 2021, at 1:40 p.m., you had an outgoing call to Andy
13 Surabian that lasted for, you know, roughly almost 8 minutes. And then he called you
14 back, you know, half an hour later for just under a minute.

15 And so do you recall having that conversation with Mr. Surabian on the 6th, that
16 afternoon, before you got on your flight?

17 A I probably -- I probably certainly would've had, you know, a conversation
18 with him about it. You know, he'd be a go-to person for me to, you know, talk about,
19 you know, stuff politically and certainly, you know, anything with comms. So I don't
20 remember the specifics of a conversation, but it wouldn't surprise me.

21 Q And same, that you had tried before you -- sure.

22 And so do you remember whether he helped you with the tweet that you ended
23 up sending out at 2:17 p.m. and that's when he -- do you know, or recall?

24 A He very well may have. I don't remember.

25 But, you know, I would certainly -- in certain things, especially sensitive ones, I

1 could say, "Hey, what do you think of the wording of this" or something like that or, you
2 know, get an opinion or, you know, at times maybe text him the text of a tweet to be like,
3 "Hey, do you want to clean this up a little bit? What do you think?" So it wouldn't
4 surprise me.

5 Q And you'll see there that you placed an outgoing call to someone with a 631
6 area code at, you know, 2:26 p.m. on January 6th. So that's after your father's tweet
7 about Vice President Pence at 2:24 p.m.

8 And so you were able to make a call there. And I know you said earlier you
9 might not have had cell reception, but it looks like you did around that time. So,
10 again -- about why you wouldn't have tried to call the switchboard to talk to your father.

11 A Well, again, you know, I may speak to -- I don't know who that is, but I could
12 probably find out for you. But I may speak to a regular person, but I may not want to
13 speak to the President of the United States in a public area, right? There's a difference.

14 Q Sure. But I imagine you could find a private spot in an important discussion
15 like this to talk with him if you could. So it's just, at that time, that's just not what you
16 did?

17 A Apparently.

18 Q All right.

19 Now, if we go back to Mr. Meadows's text messages that you had with him, at
20 4:05 p.m. you write to him -- well, I guess I should -- let me stop there.

21 At 2:58, when you say that Mr. Meadows needs to go to the mattresses on this
22 issue, when you say "go to the mattresses," what does that mean?

23 A It's just a reference for going all in. I think it's a "Godfather" reference.

24 Q And you say, "I'm not convinced these are trump supporters either btw."
25 What was making you say that?

1 A You know, again, I had watched, you know, violence for the prior 18 months
2 all over the country, all of these things done by the other side. So it wouldn't surprise
3 me if there were people in this group functioning as agitators, you know, et cetera. You
4 know, again, when you've been through what I've been through, you can be a cynic on
5 some of these things.

6 Q But certainly you thought there were enough supporters of the President
7 there that you tweeted and you thought your father needed to tweet about this, right?

8 A Well, it didn't matter who the -- if it was supporters or not supporters. It
9 shouldn't have happened, and I wanted to make that very clear.

10 Q But if it wasn't his supporters, why would it fuck his legacy if he failed to say
11 anything more?

12 A Well, just because it's not his supporters doesn't mean the media will run
13 with it as such. So, you know, it didn't matter. Again, I've seen -- it's not my first rodeo
14 with this stuff, so I understand what media will do to whatever situation and, you know, I
15 know exactly what they would try do. And it turns out I was right.

16 Q So, at 4:05, you write, "We need an oval address. He has to lead now. It's
17 gone too far and gotten out of hand."

18 And so what was the importance, in your mind, of an Oval address versus tweets?

19 A I think the gravitas of, you know, the situation and, you know, an Oval
20 address or, you know, an address to the people of the United States, you know, it would
21 do a lot more than a tweet. Even if they say the exact same thing, sometimes you have
22 to do it in person.

23 Q And you say "He has to lead now" after you say "We need an oval address."

24 And, up to that point, to the tweets you'd seen, did that -- it seems like you're
25 saying that didn't come across as leadership on that day?

1 A I'm not saying it didn't come across as leadership. I think he needs to go
2 further, you know. I don't think a -- an Oval address doesn't just magically, you know,
3 appear in seconds; I think that takes time. I wasn't in the White House to help with that,
4 I wasn't there, so I don't know what happened. But I did think we just needed to be
5 more forward and more out there at that point.

6 Q And, on that point, you sent that at 4:05, and then you say at 4:11, "Now
7 Biden beating us to the punch," I think referencing the fact the President, or
8 President-elect Biden at the time, had put out a statement saying that President Trump
9 needed to denounce the violence.

10 Do you remember that?

11 A I don't remember sending it, but, yes, I remember, generally speaking, the
12 reference.

13 Q In terms of what was going on at the White House, if we look at your phone
14 records on exhibit 2, page 2 -- if we can just bring those up, exhibit 2.

15 You see there, right there, towards the top, at 4:11 p.m. on the 6th, Mark
16 Meadows calls you. Do you see that? And it shows a call for 30 seconds.

17 Do you recall -- tell me when you see the line.

18 A I don't see it. Hold on.

19 Mr. Futerfas. 202?

20 [REDACTED] No. He's an 828 number, 200-2544.

21 Mr. Futerfas. Oh.

22 [REDACTED] And it's right in the middle.

23 Mr. Trump. I got it. Yep.

24 [REDACTED]

25 Q Okay. Do you remember talking to Mr. Meadows?

1 A I don't. But, you know, 30 seconds seems like it could be a voicemail.
2 Just, you know, given everything that's going on, I don't know that I could've
3 accomplished much in 30 seconds.

4 Q That's true. And so, just generally, do you remember talking to him that
5 afternoon at all, ever being on the phone with him or hearing from Mr. Meadows directly,
6 other than through the text?

7 A I don't.

8 Q I'll stop there -- well, I mean, you know that not long after, within a couple
9 minutes, at 4:17 p.m., your father posted to Twitter the message telling people to go
10 home. Do you remember that message?

11 A Is that the video that was --

12 Q Yes.

13 A -- then taken down by Twitter?

14 Q I don't know if it was taken down. We can show it to you.

15 A If it's the video that he posted that afternoon, yes, I believe I -- I'm aware of
16 what it is.

17 Q Okay. All right.

18 It's the last page, page 6.

19 Yeah, I think his whole -- I mean, I know his whole account was taken down. I
20 don't know if this video was taken down at the time. This is the video.

21 A Fair enough.

22 Q Did you speak with your father at any point the rest of that day, January 6th?

23 A Not to my recollection, but, you know, you could obviously check the White
24 House call logs or my phone. And, you know, perhaps I did, but I don't remember it.

25 Q Uh-huh.

1 Late in the early morning hours of January 7th, at 3:49 a.m., Dan Scavino tweeted
2 out a statement on behalf of your father that there was going to now be an orderly
3 transition to the next administration.

4 Did you have any input or did you have any discussion with, you know,
5 Mr. Scavino or anyone within the White House about getting that statement out?

6 A Not that I recall.

7 ██████████ So let me stop right there and see if anybody has any questions up
8 to this point.

9 And we're almost done, Mr. Trump.

10 Okay, I don't see any.

11 If you could just give me a minute, I'll collect my thoughts, and it'll only take a
12 couple more minutes. Just give me one second. I'll go off.

13 Mr. Futerfas. Okay.

14 [Recess.]

1

2 [1:44 p.m.]

3 [REDACTED] So we're back on at 1:44 p.m.

4 [REDACTED]

5 Q So we've already spoken, Mr. Trump, about whether you've ever talked to
6 your sister Ivanka about her experience that day on January 6th, and Mr. Meadows, and I
7 think it's right you said you don't remember speaking to either of them about what they
8 did that day. Is that fair?

9 A That's correct.

10 Q Okay. Did you ever speak to Dan Scavino about what he observed that day
11 in the White House, on January 6th?

12 A You know, again, that would've been someone I would've -- you know,
13 would've been a go-to, but I don't remember ever speaking to him about it, no.

14 Q How about Ms. Kayleigh McEnany?

15 A Not to my recollection.

16 Q Eric Herschmann?

17 A Again, not to my recollection.

18 Q Tony Ornato?

19 A I wouldn't have -- I don't think I would've spoken to Tony about that.

20 Q Anyone else on the White House staff that you can recall that you spoke to
21 about their experiences in the White House that day?

22 A No, not that I remember.

23 Q Have you spoken to your father about that day and, in particular, what he
24 was doing between the time he got back to the White House after his speech and when
25 he sent the video telling people to go home?

1 A No, I don't believe I did.

2 Q Have you ever spoken to your father about his speech that he gave at the
3 Ellipse, you know, that featured in the impeachment proceedings that came in February
4 of 2021?

5 A I may have. I don't specifically recall doing that.

6 Q Have you ever asked him if he had, in fact, made plans to go to the Capitol,
7 as he said he did during the speech?

8 A No, I don't believe so.

9 [REDACTED] Let me see if anyone has any questions on those topics.

10 [REDACTED] Can I -- maybe this is a different way of asking the same questions,
11 and if it is, I'm sorry for being redundant.

12 But from the text messages to Mr. Meadows, the way that it appears is, you trying
13 to reach out, as you've described it, through the best channel that -- I don't want to
14 misstate this, but it seems that you were saying that was the best channel available to
15 you to be able to get word through, given your travel plans and your father doesn't text.
16 But you were reaching out to try to make sure that there's additional efforts made to get
17 out on this, to condemn this, to, you know, preserve the legacy of your father's
18 Presidency.

19 But what I also understand you to be saying is that you haven't spoken to anyone
20 who was there in the White House with him that day about what was going on. Is that
21 right?

22 Mr. Trump. To the best of my recollection, that's correct. Once, you
23 know -- yes.

24 [REDACTED] Okay.

25 [REDACTED] I think [REDACTED] has just a few questions to follow up on, if I'm right.

1 Mr. Trump. Sure.

2 ██████████ I did, but they were unrelated to your most recent topic, so I didn't
3 want to disturb your flow if you were still going.

4 ██████████ We are good.

5 ██████████

6 Q Mr. Trump, I just wanted to follow up on something. Earlier, when you
7 were discussing the Save the U.S. Senate PAC, I think you said that you were a surrogate
8 for the PAC, and I just wanted to understand your role.

9 We had witnesses who said that was a PAC that you founded. Is that correct or
10 incorrect?

11 A I don't know that I founded it. I know, you know, some people, you know, I
12 work with, you know, put it together and asked if I would do, you know, some stuff as it
13 related to the Georgia special election for it.

14 Q Was that Mr. Surabian and Mr. Budowich?

15 A I know Mr. Surabian was involved with it. I'm not sure -- I'm not sure if
16 Budowich was officially involved or perhaps did, you know, comms work for them or not.

17 Q And I believe earlier ██████████ asked you about the donations. But were
18 you aware that Ms. Fancelli, the same donor who donated to January 6th, had made
19 three separate donations to the Save the U.S. Senate PAC?

20 A I'm not sure that I knew that.

21 Q How active were you in the fundraising for the PAC?

22 A I don't remember doing any of it, but, again, it wouldn't surprise me if I
23 made a couple of calls, you know, to do that.

24 Like, as I probably stated earlier, you know, dialing for dollars is sort of my idea of
25 hell, but, you know, sometimes with the big-dollar donors, you know, I may carry more

1 weight, you know, than a fundraiser.

2 So, you know, I certainly do it at times, so I perhaps did it for this, but I don't
3 remember specifically doing it.

4 Q Do you remember making any ads featuring yourself encouraging Senators
5 Loeffler and Perdue to vote to stop the steal on January 6th?

6 A I think that I did a commercial for the PAC. I don't remember the specific
7 details of what it was for that one. But I probably did.

8 Q Do you remember whose idea it was to film the commercial?

9 A I don't.

10 Q And other than Mr. Surabian, do you know anyone affiliated with the PAC or
11 its decisions?

12 A I may know people affiliated with the PAC. I don't know that I could tell
13 you who those people are, you know, now. There may be people involved with the PAC
14 that I know and, you know, maybe I know very well; I just may not know that they were
15 involved or not.

16 Q In terms of anyone that can exercise control over the spending, do you know
17 anyone other than Mr. Surabian?

18 A I'm not aware of who else that may be.

19 Q And were you aware of Ms. Wren's affiliation with the Save the U.S. Senate
20 PAC?

21 A I don't recall if she was involved or not.

22 Q Did you ever hear any conversations that anyone had regarding Ms. Wren
23 making money off of soliciting funds for the Save the U.S. Senate PAC?

24 A Not that I recall, but doesn't mean -- you know, doesn't mean it didn't
25 happen. But I don't recall it.

1 Q Okay. Thank you.

2 A No problem.

3 [REDACTED] Mr. Trump, you know, we tried to keep it as we could to early
4 afternoon. I don't see anybody with any further questions. I want to say thank you for
5 taking time out of your schedule. We very much appreciate it.

6 And, Alan, thanks for your professionalism in dealing with us. We'll follow up
7 about the cell phone issue if they're able to recover the full image, but, otherwise, I think
8 we're done.

9 Mr. Futerfas. Okay. And thank you for your assistance and your
10 professionalism through this process. We appreciate it a lot.

11 [REDACTED] Okay. Thank you.

12 Mr. Trump. Thank you very much, guys.

13 Mr. Futerfas. All right. Thank you. Bye-bye.

14 [Whereupon, at 1:51 p.m., the interview was concluded.]

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Certificate of Deponent/Interviewee

I have read the foregoing ____ pages, which contain the correct transcript of the answers made by me to the questions therein recorded.

Witness Name

Date