UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 22-cv-01129-NYW-SBP

ERIC COOMER,

Plaintiff,

v.

MICHAEL J. LINDELL;
FRANKSPEECH, LLC; and
MY PILLOW, INC.,

Defendants.

REPORTER'S TRANSCRIPT
(JURY TRIAL - DAY 4)

Proceedings before the HONORABLE NINA Y. WANG, Judge, United States District Court, for the District of Colorado, commencing at 8:51 a.m. on the 5th day of June, 2025, Alfred A. Arraj United States Courthouse, Denver, Colorado.

A P P E A R A N C E S

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JUNE 5, 2025

(Proceedings commence at 8:51 a.m.)

(Outside the presence of the jury.)

THE COURT: Thank you. Please be seated.

All right. On the record in 22-cv-1129-NYW-SBP, Coomer v. Lindell et, al.

Could I have appearances of counsel, please.

MR. CAIN: Good morning, Your Honor, Charlie Cain, Brad Kloewer, David Beller, and Ashley Morgan for the plaintiff, Dr. Eric Coomer.

THE COURT: Thank you.

MR. KACHOUROFF: Good morning, Your Honor, Christopher Kachouroff, Mike Lindell, James Duane, and Jennifer DeMaster for the defense.

THE COURT: Good morning.

I understand there is an issue with respect to Mr. Dennis Montgomery, I believe. I don't necessarily expect you to argue it this morning if you are not prepared, but I would like to understand and get a preview of what the issue is.

MS. DEMASTER: Thank you, Your Honor. It will just be -- we just had a slight issue, and thanks for giving us some time, we don't need much, it is regarding some of the designations. And we know that this Court struck some of our counter-designations under Rule 106, but there are two

days of the deposition transcript, and we do feel that some of what was counter-designated by the defendants is relevant and applies to the completeness of some of the testimony from day two, even though it was designated from day one. Some of the topics switch back and forth.

Now, that being said, Your Honor, we don't intend to argue or seek partial reconsideration over every counter-designation objection that was sustained, it would just be a few lines that we do believe provides more context, clarity under Rule 106 for parts of deposition transcript from day two.

THE COURT: All right. Okay. So have you started to meet and confer, or is that process over?

MS. DEMASTER: Yes, we did meet and confer this morning with plaintiff's counsel, Ms. Morgan, and she stated that we need to bring this motion for reconsideration.

THE COURT: All right. So, Ms. Morgan, is that an accurate statement of where you all are?

MS. MORGAN: It is, with the caveat that I don't know what specific designations they are asking to have you reconsider for us to confer about. We may be able to get closer to that. Our issue is that -- and I won't belabor the point, but there were counter-designations that were up to 11 to 20 pages.

And I don't -- respectfully, I don't believe that that is pursuant to Rule 106, that seems to be reopening topics not part of our designations. And I won't go into the whole history, but they didn't timely designate and then over-designated on the counter-designations, to the point where they designated the entire deposition transcript.

And then given a third bite at the apple, went well beyond the scope of the Court's ruling. So that is the reason for the opposition, Your Honor, but we may be able to reach some agreements if I know what pages and lines we are talking about.

THE COURT: So it sounds like, again, the conferral process isn't over, and then we can take it up for argument tomorrow before the jury comes in.

MS. DEMASTER: That sounds good, thank you.

THE COURT: All right. Counsel, anything else this morning? Do you know if our jury is here? Are they ready to go?

COURTROOM DEPUTY: I have not seen all of them yet.

THE COURT: So we will take a recess, then we will be back.

(A break is taken from 8:54 a.m. to 9:02 a.m.)

THE COURT: Thank you. Please be seated.

Madam deputy, could you bring in our jury, please.

COURTROOM DEPUTY: Yes, Your Honor.

(In the presence of the jury.)

THE COURT: Thank you. Please be seated.

Are we ready for the next witness?

MS. MORGAN: Yes, Your Honor, Harri Hursti, and this will be by video deposition.

(Videotaped deposition of Harri Hurst played in open court but not reported.)

THE COURT: All right. Thank you.

Mr. Cain, are you all ready to call your next witness?

MR. CAIN: May we approach?

THE COURT: Yes.

(A bench conference is had.)

MR. CAIN: We have Tina Peters to fill before Mr. Oltmann, so we can do that. Would you like to take our morning break?

THE COURT: Do you know how long Ms. Peters is?

MS. MORGAN: She is 52 minutes.

THE COURT: We should take our break to give the jury some stretching time.

MS. DEMASTER: We had -- we wanted to show one line from his deposition, just one line, and we were not -- this is more of impeachment and goes to motive and bias, from 22, line 8 through 19, and it wasn't a

counter-designation, it doesn't go to Rule 106. But also we didn't know at the time that -- because according to the Court's Docket 265 and the standing -- the pretrial order, we were not -- the parties had to provide their affirmative designations on the same date. And so we weren't aware how much -- if they would be bringing Mr. Hursti at all or how much they were going to be designating of his testimony.

And we are just looking at, again, lines 8 through 19. It just goes to motive and bias, nothing more than that. We just wanted to introduce that.

THE COURT: It is overruled. All deposition designations have been due. And if you needed any verification with respect to that, you should have filed a motion seeking clarification. So overruled.

(In the hearing of the jury.)

THE COURT: All right. Ladies and gentlemen of the jury, we will take our morning break because our next witness is also by deposition, and I think it might be helpful for you to be able to stand up and stretch your legs before we embark on that.

So we will take 15 minutes. I give you the normal admonition, do not discuss the case among yourselves or with anyone else, and we will see you back here in 15 minutes.

(Outside the presence of the jury.)

THE COURT: All right. We will be in recess.

(A break is taken from 10:39 a.m. to 10:55 a.m.)

THE COURT: Thank you. Please be seated.

All right. Back on the record. I hear from my courtroom deputy we have some sort of evidentiary issue with respect to the next deposition.

MS. MORGAN: Yes, Your Honor, that's correct. There are two matters to bring up before the jury comes in. The first is that there is an exhibit in her deposition that we wish to show side by side, that is Exhibit No. 116.

THE COURT: Do I have a copy of that?

MS. MORGAN: You do, Your Honor. It is the District Attorney's Report for Mesa County, it is 116 on our exhibit list.

THE COURT: Madam deputy, could you bring me the exhibit. All right.

MS. MORGAN: We wanted to move to admit that before the video starts.

THE COURT: Any objection?

MR. DUANE: I am not clear of the relevance, why it wouldn't be hearsay. I could be mistaken, I am just inquiring.

MS. MORGAN: As to relevance, Your Honor, this is

the District Attorney's report indicating that there was no malfeasance with respect to the events in Mesa County. So the district attorney did an investigation, and in her deposition, Ms. Peters is asked about that investigation and why it is that she was still spreading lies about Dr. Coomer when she had the awareness that this investigation had taken place and that there was no evidence of election fraud.

So this is relevant to the issues of actual malice, as well as exemplary damages and Mr. Lindell's -- well, the defendants' affirmative defense of substantial truth.

THE COURT: Wasn't this an exhibit while Ms. Peters was testifying? She testified to it.

MS. MORGAN: Yes, Your Honor, that's correct. For housekeeping, we wanted to make sure it is admitted before she is asked about it and it is shown to the jury.

THE COURT: Mr. Duane.

MR. DUANE: My understanding is plaintiff's counsel wishes to offer into evidence a copy of the Certified Judgment of Conviction establishing that she was convicted of those same charges.

THE COURT: Can we just stick with the DA's report, first?

MR. DUANE: Yes, of course. I mentioned that first because I want the Court to know we have no objection to

the other exhibit, which is why I said the DA's report is cumulative and unnecessary hearsay. The jury is allowed to learn without objection that she was convicted.

I think it is not necessary and not helpful to allow the jury to see the details of the conclusions that were reached by the district attorney with respect to their investigation of the same charges. All that matters is the bottom line; she was convicted. That, we don't object to.

THE COURT: Ms. Morgan, can you tell me what rule you are proceeding under in Rule 803?

MS. MORGAN: Yes, we are proceeding under 803(8), as well as 803(22). Well, 803(22) is with respect to the proof of conviction. 803(8) is the public record. This is a record of a public office. And these are -- the exhibits relate to two different things, Your Honor.

In the district attorney's report, he is not clearing Ms. Peters. And the Judgment of Conviction is for impeachment of the witness. And as a fallback, I would ask the Court to take judicial notice of that conviction.

THE COURT: Well, I think the DA's report, which is Exhibit 115, is admissible under 803(8)(a)(III). I also believe the conviction is stipulated to at this point. So that will also be admitted.

All right. Anything else before we bring the jury in?

MR. DUANE: No, Your Honor, not for the defense.

MS. MORGAN: No, Your Honor.

THE COURT: Madam deputy.

Oh, I am sorry, just to clarify, which exhibit number is the conviction so that we can make sure the exhibit list is appropriately updated.

MS. MORGAN: I believe this will be 265, Your Honor. It is not marked, if I may trouble your deputy for a sticker.

THE COURT: All right.

MS. MORGAN: We had to overnight it, so I only have the one certified copy.

(In the presence of the jury.)

THE COURT: Thank you. Please be seated.

Mr. Cain, your next witness, or Ms. Morgan.

MS. MORGAN: Plaintiff will be calling Tina Peters, who will be testifying by two depositions.

THE COURT: All right. Thank you.

(Videotaped depositions of Tina Peters played in open court but not reported.)

THE COURT: All right. Are you all ready for your next witness?

MR. KLOEWER: We could be. Our next witness is

Joseph Oltmann. Given the timing, we can start, but it may be more efficient to take our lunch break now and take him when we come back.

THE COURT: Ladies and gentlemen, we will now take our lunch break and resume live witnesses after the lunch break. So we will take 45 minutes. If you can just make sure that you are back here a little bit before 1:00 so we can start promptly at 1:00, I would appreciate it.

I would remind you not to talk to anyone inside or outside of the courthouse about what you are hearing in this case. I appreciate your attention. We will be in recess.

(Outside the presence of the jury.)

THE COURT: All right. Thank you, counsel. Please be seated.

All right. Do you have anything to address or any supplements to what we discussed yesterday with respect to the procedure for the upcoming witness?

MR. KLOEWER: I don't believe so, Your Honor, I think where we left off yesterday is where we remain today.

THE COURT: Any other issues?

MR. DUANE: One quick question. We received from your clerk this morning a copy of the proposed jury charge, and we wanted to find out what Your Honor's

preference would be, what your plan is as to when you expect we would have the opportunity to discuss this. Has that been decided yet?

THE COURT: I think the issue would be up to when we think an appropriate break would be for the attorneys. My hope was to get to that early next week. So you might want to meet and confer, we will get the witness list, and see when we can either carve out a morning to do it so that the jury can come in later, or we release the jury earlier in the day and we do it at the end of the day sometime. But it makes the most sense that we try to get through the live witnesses that we can.

MR. DUANE: Good. Thank you.

THE COURT: Anything else?

MR. KACHOUROFF: Nothing, Your Honor.

THE COURT: All right. We will take our lunch break.

(Lunch is taken from 12:07 p.m. to 1:07 p.m.)

THE COURT: Thank you. Please be seated.

All right. Are you all ready for the jury?

MR. KACHOUROFF: I believe so, Your Honor.

MS. MORGAN: There is one thing we wanted to --

THE COURT: You want to admit the exhibits? I will do so in front of the jury when they come in.

MS. MORGAN: Thank you.

THE COURT: All right. Anything else?

Madam deputy.

(In the presence of the jury.)

THE COURT: Thank you. Please be seated.

Before we call our next witness, I just want to formally admit Exhibits 116 and 265 that were shown in conjunction with the last deposition of Ms. Peters.

(Exhibit Nos. 116, 265 are admitted.)

THE COURT: Are you all ready to call your next witness?

MR. KLOEWER: Yes, Your Honor. The plaintiff calls Joe Oltmann.

THE COURT: Ms. Hall, if you would like to come forward and sit at counsel table, it is okay.

MS. HALL: Is it okay that I sit here? I already have all my stuff here.

THE COURT: That is fine, as long as you speak into the microphone.

MS. HALL: No problem, Your Honor.

JOE OLTMANN

having been first duly sworn, testified as follows:

THE WITNESS: Yes, ma'am.

COURTROOM DEPUTY: Please be seated.

Please state your name, and spell your first and last name for the record.

THE WITNESS: Joe Oltmann. What else?

COURTROOM DEPUTY: Spell your first and last name for the record.

THE WITNESS: J-O-E. Last name is O-L-T-M-A-N-N.

DIRECT EXAMINATION

BY MR. KLOEWER:

Q. All right. Mr. Oltmann, you are here pursuant to a subpoena; correct?

A. Yeah. I didn't get served a subpoena but, yes, that is why I am here.

Q. That subpoena was issued by Eric Coomer; correct?

A. I think so.

Q. Not by Mike Lindell.

A. I think so. I think they did serve one, I am not sure.

Q. Okay. So Eric Coomer, he is the one who has demanded you appear in this courthouse today to answer questions under oath; correct?

A. I think I cooperated with both sides.

Q. Eric Coomer is the one who demanded you be here today; correct?

A. I wasn't demanded by anyone. You reached out to an attorney that does not represent me in this case, and so I said I would not miss it.

Q. All right. Let's get started. We have a lot to get

through today, and I have a lot of questions on a number of different topics. But I think it would be helpful, before we get into the specific facts and your relationship with these defendants at the time, to understand a little bit more about your relationship with these defendants as it exists right now.

So as of today, June 5, 2025, your title is the director of the Mike Lindell Media Corporation; correct?

A. It is not.

Q. That is not your title with the entity?

A. I don't work for the entity.

Q. I am referring to the corporation that is registered in the State of Wyoming.

A. I do not work for that entity.

Q. You are not listed as a director of that entity, along with Mr. Lindell, himself?

A. I am not.

MR. KLOEWER: Approach the witness, Your Honor.

THE COURT: You may.

Q. (BY MR. KLOEWER) See that document, Mr. Oltmann?

A. Yes, sir.

Q. It identifies Mike Lindell Media Corporation at the top.

A. Yes.

Q. And indicates its principal office is at 6200 S.

Syracuse Way, Suite 125. Do you see that?
A. I do.
Q. In Greenwood Village, Colorado.
A. Yes.
Q. You are familiar with that office, aren't you, Mr. Oltmann?
A. Yes, I am.
Q. Why are you familiar with that address?
A. That was my office address for 5 years.
Q. Okay. That is the address of your company, PIN Business Network.
A. Yes.
Q. And if we look down here lower on this document, it indicates a name change. Just to be clear, this document was pulled from the Wyoming Secretary of State's website. Do you see that indication at the top?
A. Yes.
Q. And in the history of the documents filed with respect to this entity, if you see that yellow bar towards the bottom, it says "name change."
A. Yes.
Q. It indicates that on January 27th of this year, less than five months ago, that the entity Frankspeech Network, Inc., changed its name to the Mike Lindell Media Corporation. Do you see that?

A. I do.
Q. Let's turn the page here. Look at the bottom of page 2.
A. Okay.
Q. It identifies the parties. Do you see that section?
A. I do.
Q. It says "Joseph Oltmann, Director." Do you see that?
A. I do.
Q. And about four lines down it says, "Mike Lindell, Secretary/Director." Do you see that?
A. Yes.
Q. So it is your sworn testimony here today that you are not the director of the Mike Lindell Media Corporation registered in the State of Wyoming.
A. I am not.
Q. Did your status change?
A. It changed last year.
Q. Well, we just looked at the document reflecting this was up to date as of May 8th of this year; correct?
A. Yes.
Q. Okay. So is it your testimony that the State of Wyoming is mistaken in the relationship of these parties?
A. I am not a --
MR. KACHOUROFF: Objection, Your Honor, form.
THE COURT: Overruled.

THE WITNESS: I am not a director for Mike Lindell. I do not work with Mike Lindell. I do not have a job with Mike Lindell. I do not work with the entity at all in any capacity.

Q. (BY MR. KLOEWER) Okay. We talked a little bit about PIN Business Network. You own a number of companies, don't you, Mr. Oltmann?

A. I am a shareholder in a number of companies, yes.

Q. In addition to PIN Business Network, there is another one, PiDOXA Tech Solution. Do you recognize that name?

A. I do.

Q. You are the CEO of PiDOXA; is that correct?

A. I am not.

Q. What is your role at PiDOXA?

A. I am a shareholder of PiDOXA.

Q. Am I pronouncing that right?

A. PiDOXA.

Q. PiDOXA. Okay. PiDOXA had a contract to run the Frankspeech website, didn't it?

A. At one point, yes.

Q. Can you pull up what has been marked as Exhibit 126 for Mr. Oltmann to see there. Do you recognize this document, Mr. Oltmann?

A. I do.

Q. That is the PiDOXA logo at the top right-hand corner

there.
A. It is.
Q. And we see that address of 6200 S. Syracuse Avenue, No. 125, Greenwood Village, Colorado; correct?
A. Yes, sir.
Q. And I would like to draw your attention to the third page of this document if I could. So if we scroll down there to page 3, and right up at the top there under that first black bar right there, you see that portion, Mr. Oltmann, and it says "document created by Joe Oltmann." And then it has an email address of "joe@pidoxa.com."
A. Yes.
Q. Did you create this document, Mr. Oltmann?
A. I don't remember, but the account that this comes off of is owned by joe@pidoxa.com.
Q. Okay. Is this the sort of document that PiDOXA keeps in its normal course of business?
A. It is.
Q. And you typically, in your role with that company, you create this type of document for the records of PiDOXA; correct?
A. I typically do not.
Q. Okay. But in this instance, did you?
A. I do not recall. I don't typically do any of the

contracts, I just go through what the necessities are. So I will write up the reports.

Q. And the bottom right-hand corner of that document, you see it says "Frankspeech-0003."

A. Yes.

Q. Indicating that it was produced to us by Frankspeech in this lawsuit.

A. Okay.

MR. KLOEWER: Your Honor, move to admit Exhibit 126.

MR. KACHOUROFF: Relevance.

THE COURT: Overruled. So admitted.

(Exhibit No. 126 is admitted.)

Q. (BY MR. KLOEWER) Mr. Oltmann, let's look at the top of that, go back to page 1 of that document, and I want to focus on a few details here. Number one up top, it says "Customer and Order Information. Frankspeech, LLC." Do you see that?

A. I do.

Q. And the order date indicates September 5th of 2022. Do you see that?

A. I do.

Q. And let's take a look down in the bottom right-hand corner of this document. Year one and year two totals. The year one total indicates $1,892,646. Did I read that

correctly?
A. Yes.
Q. Year two says, $1,935,528. Did I read that correctly?
A. Yes.
Q. This was a contract that you entered into on behalf of PiDOXA with Frankspeech to run their website; is that right?
A. No. I mean, I was involved in it, yes. I mean, technically you could say I was responsible for the contract, yes.
Q. All right. So your company had a roughly $1.9 million a year contract with Frankspeech to run their website for at least 2 years; correct?
A. It was not to run their website, no.
Q. It was for purposes of sort of putting up a back-end to the website to make sure that it ran smoothly, something to that effect; correct?
A. No, sir, it is not true. Would you like to know what it is?
Q. You can briefly describe what that contract served.
A. So Frankspeech had about four server stacks, 740s, 750s, Palo Altos, sophisticated equipment, infrastructure equipment that is used to run a network. And so this contract specifically was for the network, itself; in

other words, making sure the network was kept up and that we did all firmware updates and made sure that the hardware and software necessary in order to run the network was safe, secure, and had all of the, you know, cybersecurity measures in place to make sure we could protect it.

Q. All right. Thanks. Now let's scroll down to page 2. I want to focus on this box on the left-hand side, about halfway down, the "delivery contact."

MR. KLOEWER: If you would zoom in on that, please. A little bit higher. Just above that. Perfect. Thank you.

Q. (BY MR. KLOEWER) "Delivery Contact." Do you see that, Mr. Oltmann?

A. I do.

Q. It says "Todd Carter, CTO."

A. Yes.

Q. And the email address is tc@mypillow.com.

A. Yes.

Q. Do you see that?

A. Yes.

Q. Who is Todd Carter?

A. He is the CTO of My Pillow.

Q. And he was the one that was coordinating your contract with Frankspeech -- or PiDOXA's contract with

Frankspeech; correct?
A. Yes. And I just want to correct the record if I can.
Q. Go ahead.
A. He was the CTO for Frankspeech and for My Pillow. He worked in both capacities.
Q. And I believe you indicated a few moments ago that PiDOXA no longer runs the Frankspeech website; is that correct?
A. It does not.
Q. And is that -- that is following a lawsuit that Frankspeech filed against you, PiDOXA and PIN Business Network earlier this year, is it not?
A. It is not.
Q. You are aware of that lawsuit.
A. It's actually not -- it is not a lawsuit.
Q. Okay. But you are aware the lawsuit was filed against you.
A. It was not filed against me. Do you want to know the circumstances of that?
Q. No, I don't.
Let me ask you this, Mr. Oltmann. Mike Lindell owes you money, doesn't he?
A. Quite a bit.
Q. How much money does Mike Lindell owe you?
A. Mike Lindell personally owes me $3 million, and

Frankspeech owes us, with subrogation, approximately $900,000, plus the remainder of the contract that went unfulfilled.

Q. So fair to say that if the jury were to enter a verdict against Mike Lindell and Frankspeech, that would impact their ability to pay you back, wouldn't it?

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

Q. All right. We are going to get into some questions about the facts of this case a little more. I want to talk a bit more about your credentials and background before we do that. There is a certification in the cybersecurity field called CISSP. Are you familiar with that credential?

A. I am.

Q. It stands for a Certified Information Systems Security Professional. You don't have that certification, do you?

A. I do not.

Q. And as far as experience in the election world specifically, you've never held a senior role in the elections security field, have you?

A. I have not.

Q. You never worked in elections as an election official at the state level.

A. No. It's just a calculator. You are supposed to

count ballots.
Q. You never worked as an elections official at the local level, either, have you?
A. I was an observer.
Q. You've never done any work for the Cybersecurity and Infrastructure Security Agency.
A. No.
Q. You have never done any work for the Department of Homeland Security.
A. Have not.
Q. You haven't done any work for the U.S. Election Assistance Commission, or the EAC.
A. No.
Q. You never served as a technical assistant for any election official, have you?
A. Well, yes, I have.
Q. Which election official is that?
A. Am I forced to break confidentiality?
THE COURT: Mr. Oltmann, you need to answer the question.
Q. (BY MR. KLOEWER) Which election official did you work as a technical assistant for?
A. I actually don't know if you'd call it "technical assistant," but I advised a county clerk.
Q. Which county clerk?

A. The one in Elbert County.
Q. Okay. You never had any security roles with any election technology companies, have you?
A. No.
Q. You've never published any peer-reviewed articles relating to election security.
A. I did publish a white paper for what to do in 2025 to get rid of machines and mail-in ballots for the upcoming cycle for 2026.
Q. You know what I mean -- you understand what I mean when I say "peer-reviewed," correct?
A. I mean, if Walter Daugherity and David Clements and others are peers, then they reviewed it.
Q. All right. But as far as like a professional journal, you have never published anything related to elections security in any journal directed towards an audience of elections security experts, have you?
A. I've worked extensively with election integrity and election systems experts over the last 5 years.
Q. All right. But that is not my question. You haven't published any peer-reviewed work in any elections security expert journals, have you?
A. I didn't know there was a journal for election integrity.
Q. You've never been invited to speak at a professional

conference for people working in the elections industry, have you?
A. No.
Q. You've never served as an expert witness in any election-related litigation, have you?
A. Say that one more time, I am sorry?
Q. You've never served as an expert in any election-related litigation, have you?
A. I was not -- well, I was asked to speak in John Eastman's trial in California.
Q. And you didn't ultimately speak at that trial, though, did you?
A. No.
Q. Let's talk a little bit about your podcast. You are the host of a podcast; correct?
A. I am.
Q. The podcast is called Untamed.
A. Yes.
Q. And previously the podcast went by the name of Conservative Daily.
A. It did, yes.
Q. And you just recently changed the name of the podcast.
A. I did.
Q. Throughout this discussion today, I am going just to

refer to it as "the podcast," whether Untamed or Conservative Daily, just to be clear.

A. That works.

Q. You record that podcast every day.

A. Mostly, yes.

Q. You've got advertisers on the podcast; correct?

A. Sometimes, yes.

Q. You derive revenue from those advertisements.

A. Sometimes, yes.

Q. So the podcast is a business venture for you; correct?

A. No, I would not call it a business venture.

Q. You do derive revenue from it; correct?

A. It has never made money.

Q. I understand that. But my question is, you do derive revenue from your podcast, don't you?

A. Yes.

Q. And uploading the episodes of that podcast to different platforms is something you regularly do in the course of that business; right?

A. I don't personally, no.

Q. You have people that do that for you.

A. I do.

Q. And they publish that on a variety of different platforms; correct?

A. Yes.
Q. And you would agree, wouldn't you, that old episodes of your podcast would give us insight to what you knew at the time those podcasts were published; right?
A. I would assume, yes.
Q. As well as any insight into what you were thinking about at the time.
A. I can't speak to my -- I would assume so, yes.
Q. I want to get into the specific facts of this case. From a 30,000-foot level, zooming out a little bit, you've stated that your claims about Eric Coomer are the genesis of the theories that Dominion Voting Systems played a role in rigging the 2020 election; correct?
A. No, that is not what I state.
Q. You never stated that your claims about Eric Coomer gave rise to discussions about voting machines?
A. No. Eric Coomer was on a conference call. That conference called led me to do research on Eric Coomer. That wasn't actually what I was looking at, I was looking for Antifa journalists, which led to me speaking at Bandimere two-and-a-half weeks before the election, and that's --
Q. Mr. Oltmann, that is not my question.
A. I am trying to get to -- this is the answer in full to your question. Which led me to the election, which led

me to three days after the election, while I was up elk hunting, which led me back to Eric Coomer being on the call.

The fact that I looked into the election fraud of 2020 was a direct correlation of the circumstances of being on that call. But the reality of it is --

Q. Mr. Oltmann, we are going to get into all those details.

A. But you asked the question about how it led to Dominion being a fraudulent system, which it is.

Q. I didn't ask that. I asked if you had stated that your claims about Eric Coomer are what gave rise to questions about Dominion Voting Systems after the 2020 election. That was my question.

Let me do this, Mr. Oltmann --

A. Can you show me the transcript?

Q. That is exactly what I would like to do. You recall that I have taken your deposition a couple times now, haven't I?

A. Yes.

Q. And one of those depositions was for purposes of this case; right?

A. I think so, yes.

Q. And, in fact, you appeared for a deposition here in this courthouse to provide that sworn testimony; right?

A. I don't think it was here. I think that was for the Clark deal. I don't think I was here for the deposition for Lindell. I could be wrong.

Q. I will represent to you, Mr. Oltmann, that deposition did occur here. I have a certified transcript of that deposition. I want to hand that to you and take a look at some of the things you stated then.

MR. KLOEWER: May I approach the witness, Your Honor?

THE COURT: Yes.

MR. KACHOUROFF: May I also have a copy of the transcript?

THE COURT: Do you have it?

MR. KACHOUROFF: I don't have that transcript that he handed him.

MS. HALL: Neither do I, Your Honor.

THE COURT: It is a copy of his deposition?

MR. KLOEWER: Yes, Your Honor, the certified deposition transcript of the deposition taken on December 16, 2022.

MR. KACHOUROFF: I want him to show me what he was handing up.

MS. HALL: I don't have a copy, Your Honor.

MR. KACHOUROFF: I will give her mine.

THE COURT: All right. Thank you.

Q. (BY MR. KLOEWER) You appeared for that deposition, Mr. Oltmann, and you took an oath before providing that testimony; correct?
A. I did.
Q. Just like you did here today.
A. Yes, sir.
Q. To provide the whole truth and nothing but the truth; right?
A. Absolutely.
Q. I want to direct your attention to page 243 of that document. Now, the version I have given you has four pages to a page, so the script is a bit small. But I am looking to the document that is labeled page 243. You can see the page number in the top right-hand corner. Let me know when you have reached that page.
A. I have that, yes.
Q. Okay. Let me get there myself.
MR. KLOEWER: Can you pull that up, and zoom in on lines 4 through 15, please.
Q. (BY MR. KLOEWER) All right. We see here I asked you a question. I said, "Okay. Is it your understanding that your claims about Dr. Coomer are what gave rise to claims about Dominion Voting Systems? I believe you've said that before, and you can correct me if I am wrong, taking responsibility for being the genesis of the claims against

the voting systems."

Did I read that correctly?

A. Yes.

Q. And your response is, "I don't think anyone was looking at the machines. I think they were looking at a bunch of bad actors walking around and doing things, until we started talking about Eric Coomer. Yes, I think that was the genesis behind looking into -- well, wait a minute, let's look at the machines."

So you have taken credit for being the genesis of the scrutiny of the voting machines following the 2020 election; correct?

A. No. That is actually not the question you just asked me. You asked me if the genesis behind Dominion Voting Systems being a fraudulent system was Eric Coomer. Eric Coomer is the one that gave me the ability to look into Dominion Voting Systems to be able to uncover the fraud within Dominion Voting Systems.

Q. Mr. Oltmann, my question is if you took credit, but I think the testimony speaks to that.

A. I did not take credit.

MR. KACHOUROFF: Objection to counsel's commentary.

THE COURT: Sustained.

Q. (BY MR. KLOEWER) Let's start talking about your claims about Eric Coomer. And I have a lot of questions

myself about this Antifa call, and I know the jury does, too.

MR. KACHOUROFF: Can you ask counsel to ask a question instead of adding commentary.

MR. KLOEWER: I am happy to do that, Your Honor. I am just trying to signpost the testimony so we are all clear what I am addressing here.

THE COURT: Let's just be a little more efficient about it.

Q. (BY MR. KLOEWER) I want to talk briefly about some of the other things that you published about Eric Coomer over the years. And you've published many episodes of your podcast about Eric Coomer, haven't you?

A. Yes.

Q. You've discussed a variety of claims about Eric Coomer in those podcasts, haven't you?

A. I have.

MR. KLOEWER: Can you pull up what has been marked as Exhibit 169.

Q. (BY MR. KLOEWER) Do you see the image on the screen there, Mr. Oltmann?

A. I do.

Q. Is that your Conservative Daily banner across the top?

A. It is.

Q. Is that you on the right-hand side of the screen?
A. It is.
Q. That individual on the left, who are we looking at there?
A. Max McGuire.
Q. Who is Max McGuire?
A. My co-host.
Q. He is no longer your co-host, is he?
A. He is not.
Q. At the bottom here we see the phrase, "Georgia Trying to Wipe Dominion Voting Machines." Do you see that?
A. Yes.
Q. Was this your podcast from November 30, 2020, Mr. Oltmann?
A. I do not recall.
Q. Okay. You would agree this is an accurate representation of what your podcast looked like; right?
A. Yeah. It is definitely from an episode.

MR. KLOEWER: Okay. Move to admit Exhibit 169.

MR. KACHOUROFF: No objection.

THE COURT: So admitted.

(Exhibit No. 169 is admitted.)

MR. KLOEWER: Let's go ahead and play that clip.

(Exhibit 169 is played in open court.)

Q. (BY MR. KLOEWER) You said he was a major shareholder

of Dominion Voting Systems; right?
A. Yes.
Q. You said he had shell companies.
A. Yes.
Q. You said he had foreign bank accounts.
A. Is that what that said?
Q. We just watched a clip. You said shell companies and foreign entities.
A. Yes.
Q. And we just indicated you have been deposed several times, both by myself and Mr. Cain.
A. Yes.
Q. And in all those depositions, you have never produced the source of those claims that Mr. Coomer was a shareholder in Dominion Voting Systems or that he had shell companies, have you?
A. That is not true.
Q. You have identified the source of the claim that Eric Coomer was a major shareholder of Dominion Voting Systems?
A. Absolutely. It was the researcher, and we just had this in the Clay Clark deposition. If you give me that deposition and a little bit of time, I can find it in the deposition.
Q. Who is the researcher?
A. He is a guy that reached out to me literally three or

four days after the first podcast.
Q. His name, Mr. Oltmann.
A. He never gave me his name. I gave you the email address for him, which is on the documents. You asked me this question several times, and I cooperated and gave you all of the evidence related to the researcher.
Q. So you don't know the name of the person.
A. I believe it is actually also a part of the in limine that we are not allowed to talk about the researcher.
Q. That is not my question.
THE COURT: Mr. Oltmann -- counsel, approach.
(A bench conference is had.)
THE COURT: Ms. Hall, did you advise your client what he is not supposed to be discussing during his testimony, what has been excluded?
MS. HALL: Yes, I did, Your Honor.
MR. KACHOUROFF: I don't think he is talking about the Court's order. What he is talking about has nothing to do with the Court's order.
THE COURT: He just referenced the motion in limine.
MR. KACHOUROFF: In this case. The topic he was talking about was a source researcher, and that wasn't even a part of our motion in limine.
MR. KLOEWER: He supposedly wrote the dossier.

MR. KACHOUROFF: What's that?

MR. KLOEWER: He supposedly wrote the dossier that has been --

THE COURT: Let me be very clear for the record. We discussed yesterday evening what he can testify to, and that's not what he has been testifying to, and so I will interrupt him.

MS. HALL: I can appreciate you being upset, but you have no right to be upset at me. I didn't do anything. I followed the Court's instructions. And I wasn't part of this case. So when I received the order this morning, and I was told by Mr. Kloewer that apparently this order was issued when he had Randy Corporon and that my client had seen it. I also gave him a copy of it. I can only do so much. But I don't know why the Court is glaring at me like I did something wrong.

THE COURT: I am not suggesting that you did, Ms. Hall.

MS. HALL: Thank you.

THE COURT: I am suggesting to all attorneys that this witness needs to answer the questions so that we can get through his testimony.

MR. KACHOUROFF: Judge, if she could have a moment with him to remind him of that duty. In the meantime, I would offer that the question -- he has been very amiable

so far answering questions, and he is trying, but my colleague is trying to amp it up a little bit. I think if he just asks him questions, he is going to answer it. But the more antagonistic he gets with him, the more antagonistic he will get.

THE COURT: He is an adverse witness.

MR. KACHOUROFF: I am not saying he is not an adverse witness, I got it, I am just saying.

THE COURT: So ask the question, and he can answer, and Ms. Hall will have advised him.

(In the hearing of the jury.)

Q. (BY MR. KLOEWER) Mr. Oltmann, you never provided the name of the individual that you have identified as the researcher, have you?

A. No.

Q. You don't even know that name yourself, do you?

A. I do not.

Q. And that is the only source for your claims that Eric Coomer was a major shareholder of Dominion Voting Systems; correct?

A. Yes.

Q. It is the only source for the claims that he had shell companies; correct?

A. Yes.

Q. And he is the only source for the claim that Eric

Coomer had foreign bank accounts; correct?
A. Yes. But it fit all of the other stuff that matched up to Eric Coomer prior to that, going all of the way back to the original call.
Q. And around about the same time when you were still claiming that Eric Coomer was a major shareholder of Dominion Voting Systems, with shell companies and foreign bank accounts, you actually had people stalking Dr. Coomer around.
A. I did not.
Q. You didn't have people monitoring his movements for you?
A. No. There were people in this town that he had previously had issues with that would send me information about Mr. Coomer.
Q. You had people watching his house, didn't you?
A. I did not.
MR. KLOEWER: And can you pull up Exhibit 170, please.
Q. (BY MR. KLOEWER) Do you see the image on the screen there, Mr. Oltmann?
A. Yes.
Q. The bottom caption there is "Shameful Dems Attacking Election Fraud Witnesses." Do you see that?
A. Yes.

Q. This is an image from your podcast on December 3, 2020.
A. I am sure it was.
MR. KLOEWER: Your Honor, move to admit Exhibit 170.
MR. KACHOUROFF: Without objection.
THE COURT: So admitted.
(Exhibit No. 170 is admitted.)
MR. KLOEWER: Let's take a look at this clip from December 3.
(Exhibit 170 played in open court.)
THE WITNESS: It's true.
Q. (BY MR. KLOEWER) You said, "I know his truck is parked at his house." Did I hear that correctly?
A. Yeah.
Q. You said, "We know where he is," right?
A. Yeah.
Q. You said, "He has dummy accounts."
A. Yeah. I think what I was referring to was Dominion at that point, not Eric Coomer, but Eric Coomer being head of Dominion.
Q. You said, "He has dummy organizations all over the world."
A. And they do.
Q. Eric Coomer has dummy organizations all over the

world?
A. Dominion Voting Systems has dummy corporations all over the world.
Q. You said "he" though, didn't you?
A. Yeah. I probably misspoke.
Q. You said "People in the government are doing that investigation right now."
A. Yes.
Q. You also boasted about how you knew when Eric Coomer -- where he was all of the time, "moving all over across Salida," didn't you?
A. Yeah. So he has lots of enemies in Salida that don't care much for Eric Coomer, and so we would get updates about Eric Coomer pretty regularly.
Q. Let's take a look at some of the statements you made about that.

MR. KLOEWER: Can you pull up Exhibit 171.

MR. KACHOUROFF: Without objection.

THE COURT: So admitted.

(Exhibit No. 171 is admitted.)

MR. KLOEWER: Let's take a look at this video.

(Exhibit 171 played in open court.)

Q. (BY MR. KLOEWER) You said "he should never be able to leave his house at all," right?
A. I did.

Q. You said, "I have people in Salida that are literally following him around," didn't you?
A. Yeah, but it wasn't at my behest, it is just they were following him around.
Q. You said, "Same where he is at. Joe, here is where he is at next."
A. Yes.
Q. You ever met Eric Coomer?
A. Several times.
Q. You ever met him before all this started?
A. I didn't know him from the man on the moon.
Q. You never even spoke to him once, did you?
A. I did not.
Q. You didn't know a single thing about him.
A. No.
Q. Your first podcast about Eric Coomer was on November 9th of 2020; correct?
A. It was.
Q. But even before that, you were certain the election had been rigged, weren't you?
A. We were talking about Biden's statements related to an election fraud network.
Q. You were publishing your podcast every day after the 2020 election; right?
A. Most days, yes.

Q. And you were still using the pseudonym Joe Otto at that time; right?
A. I was.
Q. And just one example -- so November 9th was a Monday. And on November 6th, the Friday before that November 9th podcast, you discuss other ways you were certain the election had been rigged; right?
A. I don't recall. I know I came out on November 6th, because that is the day that I was elk hunting. That is when I put all of the pieces together.
Q. Yeah, we will get into all of that.
(BY MR. KLOEWER) Let's take a look at Exhibit 160. If you will pull that up now.
Q. (BY MR. KLOEWER) See the image there, Mr. Oltmann. You are still identified as Joe Otto in this podcast, do you see that?
A. Yes.
Q. Okay. Does this appear to be an image of your podcast?
A. Yes.
MR. KACHOUROFF: Stipulated, Judge, without objection.
THE COURT: So admitted.
(Exhibit No. 160 is admitted.)
MR. KLOEWER: Let's take a look at Exhibit 160.

(Exhibit 160 played in open court.)

Q. (BY MR. KLOEWER) So before the words "Eric Coomer" ever came out of your mouth, you were certain that Biden would never be president; right?

A. What date is that?

Q. That was November 6, 2020.

A. Yeah. I didn't say anything about Eric Coomer.

Q. Exactly. Because you didn't start talking about Eric Coomer until November 9th, did you?

A. I didn't even know Dominion Voting Systems ran 50 percent of the vote of the American people.

Q. You had decided that Biden would not be president before you did that.

A. Pretty much the same way that President Obama said President Trump would never be president.

Q. That is not my question, Mr. Oltmann. You stated there is no way Biden will be president days before you ever started discussing Eric Coomer, didn't you?

A. I did say that, yes.

Q. Once you started talking about Eric Coomer through your podcast, ratings started to skyrocket, didn't they?

A. Yeah. So did the death threats.

Q. You were a relatively unknown podcast prior to that time; right?

A. I wouldn't say that, no.

Q. But you certainly started to get a lot more viewers after you started talking about Eric Coomer, didn't you?
A. We had quite a big following. We have been around since 2012.
Q. That following grew substantially after you started talking about Eric Coomer, didn't it?
A. We had more listeners, yes.
Q. Let's get into your relationship with Mr. Lindell. So Eric Coomer sued you on December 20, 2020; correct?
A. Yes.
Q. And we already established you had never even met Eric Coomer before that.
A. No.
Q. You'd never even spoken to him before that, had you?
A. I had not.
Q. And you haven't really spoken to him until today, have you?
A. A couple coarse words, but, no.
Q. You first met Mr. Lindell in February of 2021; right?
A. I don't recall when I first met him.
Q. Okay. Well, he was a guest on your podcast for the first time on March 9th of 2021. Does that sound correct?
A. It could be.
Q. Okay. So that's more than 4 years ago at this point, March of 2021.

A. Yes.
Q. Okay. So just to be clear here, if Mr. Lindell were to assert in this case that he doesn't even know Joe Oltmann, that wouldn't be true, would it, Mr. Oltmann?
A. Mike knows me very well.
Q. He has known you very well for a very long time, hasn't he?
A. Yes. I have been friends with Mike for a long time.
MR. KLOEWER: I want to show you what has been marked as Exhibit 59. Can you pull that up, please, just for Mr. Oltmann.
Q. (BY MR. KLOEWER) All right. See this document, Mr. Oltmann, it has an address of joe@pinbn.com. Is that your email address?
A. Yes, it was.
Q. Dated March 10, 2021.
A. Yes.
Q. And it is to dawn@mypillow.com. Do you see that?
A. Yes.
MR. KLOEWER: Your Honor, move to admit Exhibit 59.
MR. KACHOUROFF: Objection, relevance.
THE COURT: Overruled. So admitted.
(Exhibit No. 59 is admitted.)
MR. KLOEWER: Thank you, Your Honor.
Q. (BY MR. KLOEWER) Let's take a look at this here.

You state at the top, "Hi, Dawn. Thank you for your time today. Items we discussed are below. Promo code: 1st choice: Trump. 2nd choice: CD2021. 3rd choice: freedom." Do you remember sending this email, Mr. Oltmann?

A. No, but I am sure I did. I think we produced it at some point.

Q. And this was to get a promo code for you to start selling My Pillow products on your podcast; right?

A. Yes.

Q. And by utilizing a promo code, that gave you the ability to generate revenue for the podcast while also selling Mr. Lindell's products; right?

A. Yes.

Q. And the way that worked is you would collect a portion of the sale price, and the remainder would go to My Pillow; right?

A. Yes.

MR. KLOEWER: All right. Let's take a look at the next exhibit, which has been marked as Exhibit 60, just for the witness, please.

Q. (BY MR. KLOEWER) All right. This document is from Dawn Curtis, dcurtis@mypillow.com. Do you see that at the top?

A. Yes.

Q. And it is to joe@pinbn, which we just established is your email address.
A. Yes.
Q. Do you recognize this email?
A. No, but it looks legitimate. Yes.
MR. KLOEWER: I move to admit Exhibit 60.
MR. KACHOUROFF: Same objection, relevance.
THE COURT: Overruled. So admitted.
(Exhibit No. 60 is admitted.)
Q. (BY MR. KLOEWER) All right. Okay. So at the top, Dawn, who is identified at the bottom of this email as the marketing director for My Pillow, she says, "I have set up promo code-CD21 also your 800 number is," and she lists the phone number. You started utilizing that CD21 promo code from this March 10th day forward; right?
A. I believe so, yeah.
Q. And this goes on to provide a sort of script to sell My Pillow products on your podcast. Would you agree with that characterization?
A. Yes.
Q. It gives you some pointers to try to encourage people to purchase the product.
A. Yes.
Q. It tells you about promo prices and different specials available at that time.

A. Yes.

MR. KLOEWER: Okay. And I want to look next at what has been previously marked as Exhibit 134. Can you pull that up just for the witness, please.

Q. (BY MR. KLOEWER) Okay. Do you see this document, Mr. Oltmann?

A. Yes.

Q. I believe this was produced to us by My Pillow. Do you recognize what we are looking at here?

A. I think it is a transaction report.

Q. Okay. It says, "Bill Payments for CD Solutions Inc." Do you see that?

A. Yes.

Q. CD Solutions Inc., is the name of the entity that the Conservative Daily podcast operated under; is that fair?

A. Yes.

Q. And it indicates the total amounts of revenue generated by that CD21 promo code. Do you agree with that?

A. Yes.

MR. KLOEWER: Your Honor, move to admit Exhibit 134.

THE COURT: Any objection?

MR. KACHOUROFF: Same objection, which is relevance.

THE COURT: Overruled. So admitted.

(Exhibit No. 134 is admitted.)

Q. (BY MR. KLOEWER) So we can see here from this document, which begins about May 28th of 2021, and continues through December of '22, so about a year and a half, it generated about $35,294 in revenue for your podcast. Do you agree with that?

A. Probably. I would assume it is correct.

Q. Okay. You don't have a promo code anymore, do you, Mr. Oltmann?

A. No. I haven't for quite some time.

Q. You don't sell My Pillow products on the podcast anymore.

A. No.

Q. Of that $35,000 we are looking at in Exhibit 134, how much, if you can estimate, was directed towards My Pillow, or was this just your revenue you derived?

A. I don't understand the question.

Q. Does this number reflect the revenue that you collected, or is it a total amount of sales of products?

A. That, I am not sure, it says "ACH," so I assume this is what we would receive.

Q. Okay. Tell me this, what was the split between you and My Pillow when you sold My Pillow through that promo code?

A. I don't recall.
Q. Do you have an estimate as to what percentage you collected from those sales?
A. No, nor did I even keep track of the money that came in from My Pillow.
Q. And your podcast was invited to be one of the first on Mr. Lindell's new Frankspeech network before it launched; right?
A. I was not.
MR. KLOEWER: Let's pull up what has been marked as Exhibit 71.
Q. (BY MR. KLOEWER) All right. Mr. Oltmann, do you see this document?
A. I do.
Q. It has been marked "Frankspeech-00054" in bottom right-hand corner.
A. Yes.
Q. And it is an email dated April 9, 2021. Do you see that up top?
MR. KACHOUROFF: Stipulated without objection.
THE WITNESS: Yes.
THE COURT: Are you offering it?
MR. KLOEWER: Yes, Your Honor.
THE COURT: So admitted.
(Exhibit No. 71 is admitted.)

Q. (BY MR. KLOEWER) The title of this email is "Frank Influencer Demo." The attendees, we have several here. Mike Lindell is first, then we have "brannon@worldviewweekend." Several -- I will not read them all, but if we get down to about the fifth line, on the far right side, it says "Joe Oltmann." And coming into the next line, "joe@pinbn."

A. Yes.

Q. We have "Diamond Silk" there, and a handful of others. Do you recall when the Frankspeech website initially launched?

A. I do not.

Q. Do you recall attending this Frank Influencer Demo?

A. No, I don't believe I attended it.

Q. Safe to say, though, your podcast was -- you started publishing it on the Frankspeech website shortly after that website launched; is that fair?

A. I don't think that is what happened, no.

Q. Well, you did publish the Conservative Daily podcast on Frankspeech for quite some time; right?

A. I did.

Q. And your podcast ran on Frankspeech virtually every day that it aired; correct?

A. No, it is not true. It was quite some time before we were actually put on the network.

Q. Do you have a recollection of when you were put on the network?
A. I do not.
Q. When you were put on the network, though, your podcast became part of the daily schedule, didn't it?
A. Yes.
Q. So that allowed you and your podcast to reach a much broader audience than before; right?
A. I was not on the main channel, so I didn't get a majority of that, no. It didn't create a whole lot of opportunity for us, no.
Q. It created some amount of additional opportunity though right?
A. Yes, it did.
Q. Okay. And you appeared for an interview with Brannon Howse shortly after that Frankspeech Influencer Demo. Do you remember that?
A. I don't recall it, but it probably -- I did have an interview with Brannon Howse, yes.
Q. Was that in May of 2021, if you recall?
A. Yes.
Q. And a few months after that first interview, you went on to appear at Mike Lindell's Cyber Symposium; right?
A. Can you repeat that question again, please?
Q. A few months after you first appeared on Frankspeech,

you went out to Mike Lindell's Cyber Symposium in South Dakota, didn't you?

A. I was invited out, yes.

Q. You were invited.

A. Yes.

Q. And that Cyber Symposium occurred from August 10th to 12, 2021. Does that sound accurate to you?

A. I will assume for the record you are accurate, yes.

Q. Okay. And you were actually ordered to appear for a deposition in the Denver County Courthouse on the same day when you ultimately appeared on screen, on stage at the Cyber Symposium; right?

A. I don't recall.

Q. You don't recall missing your deposition here in Denver to appear on stage at the Cyber Symposium in South Dakota?

A. No, I don't.

Q. Do you recall filing a motion with the Court claiming that you were afraid of catching COVID so you couldn't appear for your deposition in the Denver County Courthouse on August 11, 2021?

A. I don't recall. But if you want to give me the motion, I would look at it.

MR. KLOEWER: May I approach the witness, Your Honor?

THE COURT: You may.

Q. (BY MR. KLOEWER) All right. Mr. Oltmann, you see the top right-hand corner says, "Date Filed: August 9, 2021." Do you see that?

A. Yes.

Q. And just below that it says "Case No. 20-cv-34319."

A. Yes.

Q. The case is styled Eric Coomer v. Donald J. Trump for President, Inc., et al, meaning other parties. Do you see that?

A. Yes.

Q. That is a case where you are still a defendant to this day; right?

A. Yes.

Q. And the first page indicates the nature of the motion. It says, "Defendant Joseph Oltmann, Motion for Relief From the July 7, 2021 Order Requiring Joseph Oltmann to Appear at the Courthouse for His Deposition on August 11, 2021." Do you see that?

A. Yes.

Q. Let's turn to page 2 of this document. The last sentence of that first paragraph says, "Mr. Oltmann's physician has provided his medical opinion that due to Mr. Oltmann's immune status, a personal appearance poses an unwarranted medical risk." Do you see that?

A. Yes.
Q. And down at the bottom of that page it is signed by "Andrea M. Hall, Attorney for Defendant Oltmann." Do you see that?
A. Yes.
Q. Andrea Hall is the attorney joining you here today; correct?
A. Yes.
Q. You weren't actually afraid of catching COVID, were you, Mr. Oltmann?
A. I had COVID prior to that.
Q. But you weren't afraid of catching COVID in the courthouse, were you?
A. No, I wasn't.
Q. But you didn't appear for that deposition anyway, did you?
A. I did not.
Q. You traveled to South Dakota to appear on stage at Mike Lindell's Cyber Symposium.
A. I actually did not travel to appear on --
Q. You said you were invited; right?
A. Yes.
Q. Who invited you?
A. Sherronna Bishop.
Q. Did she invite you on behalf of Mr. Lindell?

A. I think she invited people on behalf of herself, frankly.
Q. All right. But she was working closely with Mr. Lindell around this time; correct?
A. I didn't know the personal relationship between them at the time, no.
Q. When you got to that event, you spoke with Mr. Lindell multiple times at the symposium, didn't you?
A. I am sure I had a conversation or two with him, yes.
Q. And you were backstage at that event interacting with various folks who were sort of behind the scenes. Would you agree with that characterization?
A. I had conversations with people behind the scenes, yes.
Q. Including Mr. Lindell's attorney, Kurt Olsen.
A. I did.
Q. You spoke with him several times.
A. I did.
Q. And they both knew that you were there, obviously; right?
A. Yes.
Q. And this will seem like a silly question given the video we are about to watch, but you were obviously permitted to go on stage at that event; right?
A. I would not say that I was a willing participant. It

was -- look, 2020 and 2021 represented some of the two worst years I could possibly say from a frenzy standpoint, and I can't explain it. Yeah, so during that time they needed someone on stage. I was standing right there, somebody looked at me and says, why don't you go on stage.

Q. Nobody forced you to go, though, did they?

A. They did not.

Q. You chose to attend that event.

A. I did.

Q. And nobody was -- nobody tried to stop you from going on stage, did they?

A. No.

Q. Nobody raised any concerns about you being on stage in front of the cameras, did they?

A. I don't think so, no.

Q. After that event, you flew back to Colorado on Mike Lindell's private jet, didn't you?

A. I did.

Q. With Tina Peters.

A. Yes.

Q. And he dropped you off at the airport in Arapahoe County; right?

A. Yes. Mike Lindell was not on the plane.

Q. I want to get into this Antifa call.

A. And I spent about 15 minutes total talking to Mike

Lindell at the symposium.
Q. Backstage at the event; right?
A. Yeah. Yes.
Q. So, again, if he were to suggest that he didn't even know you were there, that wouldn't be true, would it, Mr. Oltmann?
A. Knowing what I know about Mike, it could be true, yes.
Q. Okay. Even though you spoke with him at the event.
A. That has no bearing on the fact of whether he recognizes you or even acknowledges you. He could have had a conversation with me for two hours, and somebody could ask him four hours later whether or not he had a conversation with me, and he would be, like, what are you talking about? I have no idea what you are talking about.

So, no, it is not a fair assessment to say he would have recognized or remembered having any conversation with me at that time, because there was -- between the operators and the grifters and all of the other people around him, he was surrounded by people who were pariahs.
Q. You would agree Mr. Lindell sometimes doesn't recall things that he's said or done.
A. I would say that is a fair assessment.
Q. Let's take a look at some of those videos from the Cyber Symposium. I want to sort of set the stage because

I have a lot of questions about the Antifa call. So let's see how you presented information about that Antifa call and Dr. Coomer on stage.

MR. KLOEWER: Can you pull up Exhibit 192, please. This has been stipulated. The jury already watched this video yesterday. Let's give it one quick replay to refresh our memories of what the content of the publication was.

(Exhibit 192 played in open court.)

THE WITNESS: They spelled my name wrong.

Q. (BY MR. KLOEWER) All right. Do you remember appearing at that event, Mr. Oltmann?

A. I do.

Q. You saw that promo code L66 scrolling across the bottom for discounts of My Pillow.

A. Yes.

Q. You see "Frankspeech" in the corner of that video.

A. Yes.

Q. Obviously we will not play the entire video of that discussion, but I do want to play one other part briefly to sort of --

A. Did you play the full amount for the jury previously, or is this just a part of it?

Q. Mr. Oltmann, I am asking the questions here. We need to stay on schedule here to keep moving, but I am going to

show more of that video right now.

MR. KLOEWER: So if you can pull up what has been marked as Exhibit 191.

Okay. This is another portion of that same event, Your Honor. I move to admit 191.

MR. KACHOUROFF: I am sorry, Your Honor, I thought it was the same clip. Give me one moment.

THE COURT: Just a clip from the same proceeding.

MR. KACHOUROFF: Without objection.

THE COURT: So admitted.

(Exhibit No. 191 is admitted.)

MR. KLOEWER: All right. Let's take a look at that clip.

(Exhibit 191 played in open court.)

Q. (BY MR. KLOEWER) "I would never ever ever put somebody's name out there if I was not 100 percent sure that he was the one on that call with Antifa." Did I hear you correctly when you said that, Mr. Oltmann?

A. Yes.

Q. And that is your position here, that is your sworn testimony today; right? You "would never ever ever put somebody's name out there."

A. Yes.

Q. And you're sure, as you sit here today under oath, that this guy right here, Eric Coomer, was on that Antifa

call; right?
A. Yes.
Q. Not a doubt in your mind.
A. I think that I went through the care necessary to assure that Eric Coomer was the one on that call. And when I had the first video on the 9th that I put out there, I wasn't thinking about advertising clips, I was thinking about how my life was going to change. And two days later, I got approached in a grocery store by someone that threatens to take my life.
Q. That is not my question, Mr. Oltmann. My question is, there is not a doubt in your mind --
A. I am answering that question, and that question is not answered yes or no. It cannot be answered yes or no. Soon after that, I had people come to my house and try to kill my wife, and my --
Q. You can't say yes to the question that there is not a doubt in your mind, as you sit here today, that Eric Coomer --
A. No, as I sit here today --
Q. -- was on that call?
A. -- there is not a doubt he was on that call.
Q. All right. We talked a little bit about that November 9th podcast. Let's pull up a couple clips from that podcast.

MR. KLOEWER: Can you pull up Exhibit 161. This is from the original episode, titled Dominion, Big Tech and How They Stole It. Do you recognize the image on the screen?

A. I do.

MR. KLOEWER: Move to admit 161.

THE COURT: Any objection?

MR. KACHOUROFF: No objection.

THE COURT: So admitted.

(Exhibit No. 161 is admitted.)

(Exhibit 161 played in open court.)

Q. (BY MR. KLOEWER) "I can't tell you if it is the same Eric." Did I hear that correctly?

A. I was walking through in my mind the whole process of getting to Eric Coomer, connecting to the other parts of the other information that led me back to say, okay, I put all this stuff together. In other words, I was going through the process mentally while I am on the podcast to talk about how I correlate Eric Coomer to the information I was able to derive.

Q. Well, let's take a look at some more of that mental process playing out on the podcast.

MR. KLOEWER: Can we pull up Exhibit 164? I move to admit Exhibit 164.

MR. KACHOUROFF: No objection, Your Honor.

THE COURT: So admitted.

(Exhibit No. 164 is admitted.)

(Exhibit 164 played in open court.)

Q. (BY MR. KLOEWER) "Compared to what I remember hearing in his other videos, I think it is a match, but I can't be sure." Did I hear that correctly?

A. Yes.

Q. And this is your mental process playing out on the podcast; is that fair?

A. Yes.

MR. KLOEWER: Let's take a look at another one. Can you pull up Exhibit 165. Another clip from the same episode.

Move to admit Exhibit 165.

THE COURT: Any objection?

MR. KACHOUROFF: Without objection.

THE COURT: So admitted.

(Exhibit No. 165 is admitted.)

(Exhibit 165 played in open court.)

Q. (BY MR. KLOEWER) "Maybe it is a different guy." I heard that correctly, too, didn't I?

A. Yes.

Q. So in your first podcast on November 9th we have three separate admissions that you were not sure that the Eric you claim to have heard on an Antifa call was this

guy right here, Eric Coomer; right?
A. Yeah. But you have to understand when you are going through the process you literally are mentally going through the process.
Q. We will go through the process. I have a lot of questions about your process, that is what we are getting into next.
I want to ask you about an email you sent to OAN the next day, on November 10th. Do you remember doing that?
A. I do not.
Q. OAN Network is One American News Network. Does that sound familiar?
A. Yes.
Q. Do you recall you appeared on One American News in late November 2020.
A. I believe so, yes.
Q. But before that happened, you reached out to them to tell them about your story about Eric Coomer, didn't you?
A. Actually somebody called me and told me to reach out to them.
Q. Okay. Was that Taylor Scott?
A. I don't know who Taylor Scott is.
MR. KLOEWER: Let's pull up what has been marked as Exhibit 29.

Q. (BY MR. KLOEWER) Do you recognize this document, Mr. Oltmann? I will give you a chance to look at it. It says "From: Joe Oltmann." This is a different email address. We have lots of email addresses for you throughout this correspondence. This one indicates joe@fecunited. Do you see that?

A. Yes.

Q. The date is Tuesday, November 10, 2020, at 3:28 p.m. Do you see that?

A. Yes.

Q. And the subject is "Voter Fraud Follow Up."

A. Yes.

Q. Do you remember sending this email now as you look at it?

A. No, but I did send it.

MR. KLOEWER: Okay. Your Honor, move to admit Exhibit 29.

THE COURT: It is stipulated. It is so admitted.

(Exhibit No. 29 is admitted.)

Q. (BY MR. KLOEWER) Okay.

A. Do you want me to read this?

Q. No. We will focus on a few parts. We don't have time to read the entire thing, but I want to focus your attention on a few aspects of this document.

First let's look towards the bottom of this first

page. It is the paragraph that ends at the blue link, starting with, "here is the beginning." And you state, "Here is the beginning notes for the podcast. It could be the biggest tie to the validity of the voting system and turn the tide of things, IMHO." That acronym stands for, in my humble opinion; correct?

A. Yes.

Q. You go on to say, "But obviously I relent and give you the opportunity to decide if it is important. Here is the link to the CD podcast as well." So you were providing OAN with the link to the podcast you published the day before; right?

A. Yes.

Q. And the purpose of this email was to tell them about your story about Eric Coomer.

MR. KLOEWER: Let's just scroll up and look at that first paragraph to sort of set the tone.

Q. (BY MR. KLOEWER) You say, "Yes I do. What I have we did in the podcast at Conservative Daily yesterday. We have 80 screen shots of Eric Coomer's Facebook page that is private. I was also on an Antifa call where Eric Coomer stated that 'Trump cannot win, he made sure of it.'" Then we have the word "(paraphrased)." Do you see that?

A. I do.

Q. Which part of that statement is paraphrased?
A. I was doing it from my recollection and the notes that I had.
Q. Which part of the phrase -- of the sentence is paraphrased?
A. I didn't add in, I just -- most of it is from recollection, right. So it is not -- it is not exact words.
Q. And we will get more into the timing, but the call you claim you were on was supposedly sometime in late September; right?
A. Yes.
Q. So you are paraphrasing your recollection from something that occurred about 6 weeks prior.
A. Yes.
Q. This sentence, "Trump is not going to win, he made sure of it," what were the actual words that were spoken?
A. Well, I think that the notes reflect it. And how I remember it best is how I described it on the podcast. Somebody asked if the -- "what happens if Trump wins?" And their statement was, "Don't worry about it, Trump is not going to win, I made F'ing sure of it."
Q. But at the time you wrote this email, you were unsure of those words, that is why you wrote "paraphrase," right?
A. I wrote "paraphrase" because I had written down very

quickly that "Trump cannot win." He didn't say, "Trump cannot win," he said "Trump is not going to win," so I paraphrased it.

Q. But you don't recall the exact words as you sit here today, do you?

A. You know, 5 years is a long time. You remember more 5 years ago than you do today.

Q. Five years is a very long time, you are right about that, Mr. Oltmann.

Let's look at the bottom of this first page. The text changes, it becomes bold. Do you see that?

A. Yeah.

Q. And I want to scroll down to page 2. There is a paragraph that begins, "So let me back up after this short bit and tell you about a call I was able to listen in on. And why this is important. Ok, So I was on a call discussing the "fascists" it was fascinating honestly how they thought and spoke. It was downright scary. As the call carried on a person who called themself Eric was on the call. Now I want to start that I cannot verify on this call that it is the same Eric but let me tell you as I jotted down notes what I discovered." Those are your words; right, Mr. Oltmann?

A. They are, yes.

Q. This is you putting in writing to OAN the day after

your podcast that you could not be sure that the Eric you claimed to have heard on this call was this Eric sitting right here; right?

A. I don't know what I was thinking when I wrote it. No, I don't remember what I was thinking when I wrote it, other than the fact that I had it smashed in my ears, use "allegedly," "allegedly." I would have an attorney call me and say, you have to say that you are not sure. Everyone in the world was telling me that I needed to, you know, say it could be someone else.

Q. You stopped saying that very shortly after this email, didn't you?

A. I stopped saying that when they came to my house to kill my family. You don't cut the tongue out of the guy that is lying, you cut the tongue out of the guy that is telling the truth. They came to my house with guns to kill my family.

Q. Mr. Oltmann, that has nothing to do --

A. Twenty times they came to my house to kill my family.

THE COURT: Mr. Oltmann, counsel will have an opportunity to redirect you or cross-examine you, so if you can listen to the question that Mr. Kloewer is asking and answer that question, I would appreciate it. Thank you.

Q. (BY MR. KLOEWER) You stopped saying "allegedly." As

you just indicated, people told you that you should be saying "allegedly," right?
A. Yes.
Q. And you stopped doing that.
A. I did.
Q. You certainly didn't say "allegedly" when you were on stage at the Cyber Symposium, did you?
A. I did not.
Q. You said you would never ever ever name somebody if you weren't 100 percent sure they were on that call. That is what you said on stage; right?
A. Yes. And if you want to follow that up with the fact that the further I got down the road, Eric Coomer wrote an op-ed that said that I had manufactured all his Facebook posts, and --
Q. Mr. Oltmann, we are going to stop --
A. -- then destroyed all of the evidence. Then he said that he not only was not on the call, but he wasn't --
Q. That is not my question, Mr. Oltmann.
A. -- associated with them.
Q. Hey --
A. So the further I got down the line, the more information --
Q. Mr. Oltmann --
THE COURT: Mr. Oltmann --

THE WITNESS: -- I got.
Q. (BY MR. KLOEWER) -- we have got a lot of information to get through and --
THE COURT: Mr. Oltmann, I hate to interrupt you --
Q. (By MR. KLOEWER) -- I am the one asking the questions.
THE COURT: -- but you need to listen to the question that Mr. Kloewer is asking and answer the question.
THE WITNESS: Okay.
THE COURT: Thank you. And I am going to strike that last portion starting with "And if you follow that."
Q. (BY MR. KLOEWER) Did you ever have a conversation with Mr. Lindell about how uncertain you were on November 9th and 10th about identifying Eric Coomer?
A. Never.
Q. Did Mr. Lindell ever ask you if you had doubts about your identification of Eric Coomer being on that call?
A. I do not have any doubts.
Q. You did then, didn't you?
A. When you are a good person, you go through a process where you are introspective; you look at whether or not, could I be wrong, could I be wrong, could I be wrong.
Q. And you had doubts at the time; right?
A. I didn't want to be right.

Q. That is not my question. You had doubts at the time.
A. Any person that is a good person would have doubts because of the fact you are putting out information about another person.
Q. And you had doubts, didn't you?
A. I would not say it was a lot of doubt but, yes, I had a doubt.
Q. You mentioned your notes here that -- and we will talk about those notes, but I just want to get a clear answer. Did Mr. Lindell ever ask you how certain you were about your identification of Eric Coomer?
A. You know, Mike is a brilliant marketer, but his passion for the country did not lead him to look at details.
Q. That is not my question. Did Mr. Lindell ever ask you if you were certain that you had identified Eric Coomer correctly?
MR. KACHOUROFF: Objection, foundation, assuming they spoke about this issue.
THE COURT: He just testified that they spoke, so overruled.
THE WITNESS: It was never a question that was asked. My credibility was not in question.
Q. (BY MR. KLOEWER) Has he ever asked you about Eric Coomer?

A. On a podcast, I think. I don't recall the conversations related to Eric.
Q. All right. Let's talk about these notes you claim to have taken during this call. Exhibit 29 sort of runs through some of those, so let's stay on the same page we are at here.
MR. KLOEWER: Right about where you are at there, but one line from the paragraph above, it says, "this is from my notes." Can we pull the top portion up a bit so the last line of that paragraph starting with "notes that I discovered." And then pull it down to just below, "but not sure."
Q. (BY MR. KLOEWER) In your email to OAN you say "this is from my notes." What notes are you referring to here?
A. There were notes that I jot -- so I write in this book, and then I had other notes that I wrote on a piece of paper that were on my desk. It is a nervous habit I have to write down notes.
Q. You are talking about a specific set of notes here though; right?
A. Yes.
Q. You are talking about the notes that you claim you took during the supposed Antifa conference call; right?
A. In the Antifa conference call, yes.
Q. Okay. Let's read through a couple of those. "I have

a bunch to add. We have to be prepared for the new future where we put down these fascist fucks." Did I read that correctly?

A. Yes.

Q. "Someone interrupts. Who is Eric? Someone answers, Eric is the Dominion guy. Go ahead Eric. Someone interrupts. What are we going to do if fucking Trump wins." Did I read all that correctly?

A. Yeah.

Q. "Eric responds, (paraphrased) Don't worry about the election Trump is not going to win. I made fucking sure of that.. hahaha." Did I read that correctly?

A. Yes.

Q. Last part here. "Someone responds fucking right. Eric continues with fortifying the groups and recruiting. He was eccentric and boisterous. I compared what I remembered hearing with his videos I was able to find... and I think it is a match but not sure." Did I read that part correctly?

A. You did.

Q. Okay. We are going to come back to this a couple times here because I want to look at the handwritten notes you took, as well. And you did produce those notes in the lawsuit that Dr. Coomer filed against you; right?

A. I did.

Q. And you remember reading from those notes in your original November 9th podcast.
A. Yes.
Q. Let's look at a clip of that.
MR. KLOEWER: Can you pull up Exhibit 162, another clip from the same podcast.
Move to admit Exhibit 162.
THE COURT: Any objection?
MR. KACHOUROFF: No, Your Honor.
THE COURT: So admitted.
(Exhibit No. 162 is admitted.)
(Exhibit 162 played in open court.)
Q. (BY MR. KLOEWER) All right. So that is you saying again on your podcast that it was a paraphrase, that quote you attributed to Eric Coomer.
A. Yes.
Q. Now let's compare these things that you have said to the notes you claim you took.
MR. KLOEWER: Let's pull up what has been marked as Exhibit 25.
Q. (BY MR. KLOEWER) You would agree, Mr. Oltmann, in that last clip we were looking at, you were reading from your notes in realtime; right?
A. No, I did not. We prepare stuff for each show, and so I was reading from what I prepared from what I worked

on on Saturday and Sunday.
Q. So you were reading from a separate set of notes?
A. I was reading -- I wrote down stuff out of my notes that we had for the show.
Q. But not from the notes you took during the Antifa call.
A. No. This is just me going through the notes and then writing out what I would go through on the show.
Q. But in the email you wrote to OAN where you said "this is from my notes." In that email you were quoting from the actual notes you took during the Antifa call; right?
A. Well, I was quoting from the actual notes in both. But when I was on the show, my written notes -- I can't read through my written notes when I am on the -- you will see from my notes that I don't have the greatest handwriting.
Q. Okay. But in your email to OAN, you said you were reading from your notes you took on the Antifa call; right?
A. That I was reading from my notes -- when I was on there, I went through my notes. But when you do a podcast, you basically go through the bullet points and the things you want to get from the things you recall and the things you have in your note. The notes are just an

indication of giving you the ability to go back and recall things that happened in realtime.

Q. Let's take a look at the notes you produced. Those have previously been marked as Exhibit 25. Do you see those, Mr. Oltmann?

A. I do.

Q. This is a four-page document that you produced to us. Does this look like the notes that you took during that Antifa call?

A. Yes.

MR. KLOEWER: Move to admit Exhibit 25.

THE COURT: Stipulated. So admitted.

(Exhibit No. 25 is admitted.)

Q. (BY MR. KLOEWER) We are not going to read every line here, but I do want to sort of scroll through each of those four pages and ask several questions about this.

A. That is the first page?

Q. Well, that is the first thing I want to address. This is the order they were produced to us, but we have discussed these before, and I understand they may be out of order; is that correct?

A. I don't recall that being the first page.

Q. Well, we will look through the four pages as they were disclosed in that order, and at the conclusion of that, you can try to reorder them if necessary.

So this is the first page here. It says, "Who is Eric Dominion guy?" And under that we have "Denver? Colorado Springs?" Was Eric -- well, let me ask you this. Somebody referred to someone else as "Eric," right?

A. Yes.

Q. Who referred to someone else as "Eric"?

A. No idea.

Q. You don't know who said that person is "Eric"?

A. No, I don't recall.

Q. And who referred to Eric as the "Dominion guy"?

A. I don't recall.

Q. Was it a different person than the person who identified Eric?

A. It could have been, yeah.

Q. So you don't know if the people who said he is "Eric" and who said he is the "Dominion guy" are the same person. You don't know.

A. Correct.

Q. And nobody ever said "Eric Coomer" on this call, did they?

A. They did not.

Q. You never heard the word "Coomer."

A. No.

Q. And nobody ever said "Dominion Voting Systems," did they?

A. No.
Q. Just "Dominion." So all you had was "Eric" and "Dominion," right?
A. Yes.
Q. Now, this "Denver? Colorado Springs?" Where was Eric from, was it Denver or Colorado Springs?
A. I put "Colorado Springs" probably in relation to other questions about people that were on the call.
Q. Well, that is not my question, was Eric from Denver or from Colorado Springs?
A. Well, based on who I thought was on the call, I put Colorado Springs because it was a specific Antifa member in Colorado Springs.
Q. But was Eric from Denver or from Colorado Springs?
A. I just told you what my intent was based on the fact that one of the people that was on this call -- that I thought was on this call was in Colorado Springs.
Q. I understand that. That is not the question I am asking. Was Eric from Denver or from Colorado Springs?
A. The thing that was said was that it was Denver -- "the guy from Dominion." It didn't say "Denver" it just said the "Dominion guy." So I put "Denver" and "Colorado Springs" so I could run a report or run a check on who this person is.
Q. So you don't know if the "Eric the Dominion guy" was

from Denver or Colorado Springs, do you?
A. It was an Antifa call in the Denver -- I assume in the Denver area, so --
Q. So you don't know if "Eric the Dominion guy," was from Denver or from Colorado Springs, do you?
A. On the call? No.
Q. We look down here, we see "Brian CRT-media? Bev. Sam?" Where are these names coming from?
A. I need to see all of the notes. If you have a copy of all four pages I can take a look at them and give you an idea.
Q. Sure. We will keep scrolling through them. Just off the basis of this page, you don't know what these references are to "Bev." "Sam." We have "Yan-ni - RD knows." You don't know what the basis for those names are, do you?
A. Yan-ni is another name somebody said, I believe on the call.
Q. So somebody said "Yan-ni." Did somebody say "Bev"?
A. I don't recall.
Q. Did somebody say "Sam"?
A. Again, it has been 5 years, I don't recall. If I see all of the notes I can give you a better idea who said what and what part it plays.
Q. This was a Zoom call, wasn't it?

A. It was.
Q. You were on a laptop.
A. I was.
Q. Were these names written on the screen?
A. No.
Q. This was a Zoom call where there were no names visible for the speakers.
A. Yes. So people did use names or use, you know, partial phone numbers or just digits. You can change the Zoom call to whatever you want, I assume.
Q. Did Bev and Sam use their name on the Zoom call?
A. I don't recall.
Q. Well, do you recall what they looked like?
A. What do you mean? Do I recall what they looked like?
Q. Well, it is a Zoom call, a videoconferencing app; right? What did Bev look like?
A. There were no people on there showing their faces.
Q. There were no people showing their faces on the Zoom conference call?
A. Well, that is not true, you had one person that came on and came off.
Q. Who was that?
A. I have no idea.
Q. Was it Bev?
A. I have no idea.

Q. What did that person look like?
A. I don't recall.
Q. You recall seeing a person, but you don't know what they look like?
A. Correct.
Q. So just one person on this whole videoconferencing call was briefly visible for a moment, that is your testimony.
A. You know, if they had other people that came in and out, at the time I was looking for Antifa journalists, and I wasn't even concerned with Eric at all. I was only concerned with Antifa journalists, that's it.
Q. So there was no one visible on this videoconference call except one person, who was briefly visible for a moment. That is your testimony.
A. There could have been other people that were visible on the call.
Q. There could have been, why do you say that?
A. Because I wasn't staring at the screen the entire time.
Q. You weren't watching the screen on the Antifa call?
A. I was literally sitting there laughing about the fact that they could even think that what they are saying is legitimate.
Q. Okay. So you were sitting laughing and not watching

the videoconference call.
A. No. I wasn't staring at the monitor, itself.
Q. All right. Let's look at the next line down. "Woman on call? Is that Heidi?" Who is Heidi?
A. Sean Beedle.
Q. Heidi is -- well, you referred to somebody as Heidi here. Who is Heidi?
A. That person's name is Sean Beedle, an Antifa journalist out of Colorado Springs.
Q. But your notes say "Heidi," right?
A. Yeah.
Q. Why were you asking "Is that Heidi?" Do you know Heidi?"
A. I asked questions that I can go back and just validate later.
Q. Why were you asking "Is that Heidi?" Do you know Heidi?
A. Sean Beedle interviewed me previously.
Q. Okay. Why were you asking "Is that Heidi?" Do you know Heidi?
A. Because Sean Beedle interviewed me on a call and that's the person I thought was on the call, so I was going back to get notes so I could go back and validate it later.
Q. To be clear, it is your position that Heidi Beedle's

name is Sean.
A. Heidi Beedle's name is Sean.
Q. We don't see the name "Sean" here in your notes, do we?
A. No, because he goes by Heidi Beedle, but his name is Sean Beedle.
Q. "Jojo Joey Camp?" Who is Joey Camp?
A. He is a guy that they didn't like very much.
Q. He was on your podcast, wasn't he?
A. I think so, yes.
Q. You know Joey Camp.
A. I do.
Q. Do you know where Joey Camp is today?
A. I have no idea.
Q. When is the last time you spoke to Joey Camp?
A. It has been a long time.
Q. When is the last time, if you recall?
A. I don't recall.
Q. Years ago?
A. It has been a long time.
Q. It says "hit this guy." Why does it say "hit this guy"?
A. I think what I was referring to is the fact they wanted to -- it was pretty bad what they wanted to do to Joey Camp.

Q. Did they want to "hit this guy" or did you want to "hit this guy"?
A. I think what I was referring to there is I needed to figure out who he was.
Q. Why?
A. Because they had an interest in him.
Q. All right. Let's scroll down to page 2. Okay. Now we see "Antifa Call." And it says "*RD*" Who is RD?
A. He is the person who gave me access to the call.
Q. Okay. But what is his name? What is his name, Mr. Oltmann? What is RD's name?
MR. KACHOUROFF: Your Honor, may we approach?
THE COURT: You may.
(A bench conference is had.)
MR. KACHOUROFF: I suppose this is the dramatic event that now Mr. Kloewer wanted to produce by asking him --
MR. KLOEWER: This is not, Your Honor. I will circle back if I need to. I am just going to get through the notes.
THE COURT: Mr. Kloewer, you need to let Mr. Kachouroff finish his statement so that the record is clear. You will have an opportunity to respond.
Ms. Hall, you will have an opportunity to respond.
Mr. Kachouroff.

MR. KACHOUROFF: If Mr. Kloewer is getting to the event where he invokes a journalist privilege or some other privilege, I would ask that we have this hearing outside the hearing of the jury. That is all.

MR. KLOEWER: I can move on, Your Honor. I won't try to break the privilege unless we need to, and I will alert the Court if and when that moment comes. But I will move on through the questioning now.

THE COURT: Just to be clear, if he invokes the privilege, Ms. Hall, are you just going to object?

COURT REPORTER: I am not hearing you. Into the mic, please.

MS. HALL: I apologize.

I didn't know how the Court wanted me to proceed with this issue. It was my understanding that we weren't going to get into this until we had a hearing. So I guess --

THE COURT: Just go ahead and object so we can preserve it on the record and so it is clear to me or anybody else that wants to read this record in the future. So I just want to make sure the record is clean.

MS. HALL: That is fine. I also want to get clarification, is the Court allowing me to object, because I think some of these questions are not relevant. I mean obviously --

THE COURT: He is not on trial as a party, so if it is a relevance objection, a hearsay objection, that is not permitted. However, if you have an objection that is personal as to Mr. Oltmann, the reporter's privilege, then you can make an objection.

MS. HALL: Understood, I just wanted to be clear. Thank you, Your Honor.

THE COURT: Thank you, Ms. Hall.

(In the hearing of the jury.)

Q. (BY MR. KLOEWER) Mr. Oltmann, we may come back to that question, but I will move on right now, and we might circle back to discuss that in a bit.

Let's keep reading through these notes. Here we see next is "Who is woman? Heidi?? Beedle. Not sure. Maybe." So there we see a note to Heidi Beedle again.

A few lines down we see "Eric?? Dominion Guy? Guy is a Jedi." What do you mean by that?

A. We named all of our offices -- conference rooms in the office about Star Wars. We have a lot of people that like Star Wars. And so when you say something like "Trump is not going to win," you make sure it doesn't feel real, doesn't feel like it is even possible that you could steal an election or you could take something away from Trump. So it was like a way of thinking that they just weren't thinking clearly in their head.

Q. So it didn't seem like that was a possible thing to you.
A. It did not.
Q. Didn't seem real.
A. No.
Q. And you say, "Who the fuck is this guy??" Then beneath it says "Angry!!!" Do you see that?
A. Yes.
Q. Was the "Eric" angry?
A. It was into the -- so it was a culmination of how the call was going. People were pretty upset over a woman that was killed, and it was a pretty emotional call.
Q. So was the "Eric" angry?
A. I think the whole call was angry.
Q. But Eric specifically, was he angry?
A. Well, he wasn't being very nice.
Q. Okay. Where do we see in your notes that he wasn't being very nice?
A. Well, the notes are for me to recall things. It is not -- I didn't write out everything that was said.
Q. All right. Let's keep moving through here. In the bottom right-hand corner, it is underlined. It says "19 on call. Do you see that?
A. Yeah.
Q. Is that an indication of how many people were on this

conference call?
A. Yes.
Q. So there were 19 of them. And if I understand your prior testimony correctly, you didn't see any of their faces.
A. Well, I think for a brief moment I did. But, no.
Q. You think you did or you did?
A. For a brief moment somebody went on screen.
Q. Just the one person.
A. I believe so, yes.
Q. Okay. And of those 19, how many had their names written on the screen?
A. Well, they all had different things. And I probably picked up some of the names that were on the other thing based on what was on the screen.
Q. Where would we be able to see which of the names you wrote down as the names reflected on the screen?
A. Well, I didn't write names on the screen and hear the name. But based upon the notes, I wrote down the people or the names that either came up from somebody speaking it or came up from me being able to see it.
Q. Didn't you just say you were on the call trying to identify Antifa journalists?
A. Yes.
Q. And you didn't write down the names that were on

screen?
A. Well, I did. I either wrote down the names on the screen or the names that were stated, but I can't tell you which ones were which.
Q. All right. Let's move on here to the third page. "Contact this Joey!! 'Rat.' Tay-I? This guy is Antifa??" Is that Joey the same Joey Camp we talked about before?
A. Yeah.
Q. Okay.
A. Yes.
Q. Who called him a "rat"?
A. Several people.
Q. Which ones call him a "rat"?
A. I don't remember. I don't think I knew exactly who called who what.
Q. Okay. If we go down we see "organizing for event. BLM. Breonna Taylor."
A. Yes.
Q. "Last protest a success." Kind of scrolling through here.
A. They talk about vandalizing something and blaming it on the Proud Boys.
Q. "Yanni fighter." What does that mean?
A. I think Yanni is one of the people that somebody said

his name. He is just an Antifa fighter. He is like a fighter on a hockey team. They didn't say anything about hockey, but like an enforcer. He likes to fight.

Q. Who said that Yanni likes to fight?

A. Somebody on the call. Yanni did.

Q. Yanni said he likes to fight?

A. Yeah. I mean, the comments made during the course of the meeting were I believe him talking about fighting.

Q. Okay. If we look down we see "October protests. *food water* organizer says 'unknown.'" The last line says "Keep Pressure," then "teachers professors." What does that mean?

A. I believe that somebody was talking about a teacher being on there, professors being a part of this movement to get water and food.

Q. Okay. Let's look at the last page. It says "'fortify' training." What does the word "fortify" mean?

A. Yes. So I think that is page 2. Page 1 was the second page. And page -- or page 2 was the -- the second page you talked about was the first page. This is the second page. Then you have the third page, which is the one about Joey at the very top. And then the fourth page was where I go through and just kind of recap any names or other questions I may have.

Q. We will try to make sense of that in a minute, but

let's get through the substance, then try to reorder these pages in a way that is more helpful for the jury. This word "fortify," what does it mean?

A. That was one of the comments that was made on the call. And, again, it has been 5 years. I don't remember exactly the context.

Q. Who made that "fortify" comment?

A. Eric.

Q. Eric said "fortify." Where do we see that reflected in your notes here?

A. Well, so there was -- Eric has a pretty distinctive voice, and he was the one that was talking originally. And as I was writing stuff down, on page 1, if we go back to the previous page, page 2, the second page you showed, this one, he was involved in talking during this period. Can I put my finger on this?

Q. Sure.

A. Right here (indicating), and then moved into here (indicating). Then if you pull up the next page we were just on -- no, the second one. This one, he continues speaking right here (indicating) with the "'fortify' training." I had another page of stuff written down on a piece of paper I had on my desk, but I was unable to locate that in January of 2021.

Q. Well, we are going to talk about that in a minute

because we did discuss whether you had any additional pages to this previously, but let's get through these here.

So Eric says "'fortify' training." Next it says "PSL - comrades" what does that mean?

A. PSL, I believe that is an organization in Denver.

Q. Okay. Is that something that Eric said?

A. No. I was talking notes of an organization they were talking about.

Q. I thought "fortify" was a continuation of things that Eric said.

A. Yeah, but I am just writing down notes as I -- key words and things that I actually can remember so I can remember the key parts.

Q. How do you know when Eric stopped talking?

A. It becomes pretty obvious. There was a few people on there that were kind of running the meeting.

Q. How would I know looking at these notes where Eric stops talking?

A. You wouldn't, because the notes were meant for me.

Q. Okay.

A. And, again, Eric is just a byproduct of what happened a few days after the election, not that I was looking for Eric Coomer or even Dominion, because even up until this time I had no idea that Dominion was the election system

for half of America.
Q. Eric is a byproduct of what happened after the election?
A. After the election, yes.
Q. Okay. But these are notes you took 6 weeks before the election; right?
A. In September, yes. You don't understand the significance of it because there is no book or nobody out there talking about the fact that Dominion runs 50 percent of the vote of the American people. I mean, Eric is one of 2,500 people, right, that works for Dominion, approximately 2,000, 2,500. How did I pick Eric out of a hat? He happened to be the Antifa guy.
Q. Now, wait just a minute there, Mr. Oltmann. You raise an important point, and this is something that I may come back to later again, but I do have a couple questions on this topic right now.

You said, did you just "pick Eric out of a hat." And I do wonder when you first identified Eric Coomer. So who gave you access to Eric Coomer's Facebook account?

MS. HALL: Your Honor, I object, reporter's privilege.

THE COURT: All right. Counsel, do you want to preserve it?

MR. KLOEWER: Yes, I do. I will preserve it. We

may circle back.
Q. (BY MR. KLOEWER) But I just want to confirm, you won't answer that question, will you, Mr. Oltmann?
A. I will not. I will not subject anybody to what I have gone through over the last 5 years.
Q. We've asked you that question many times under oath; right?
MS. HALL: Your Honor, I am going to object.
THE COURT: Approach.
(A bench conference is had.)
MS. HALL: Your Honor, we discussed this, and it was my understanding that the Court was going to have a hearing on this, and he knows that the Court instructed us to have a hearing on this, and he keeps pressuring him about this question.
So if he is going to continue to go into this line of questioning, I think we need to have the hearing on this outside the presence of the jury.
THE COURT: Your client can continue --
COURT REPORTER: Judge, I am not hearing you.
THE COURT: Your client can continue to refuse to answer and the jury can evaluate that, and then we will have this hearing before he is compelled to waive the privilege or if he is going to continue to waive the privilege.

MR. KLOEWER: Your Honor, I won't ask any further questions about the person's identity. I would like to ask a few questions about the refusal to answer, then I will move on to another topic.

THE COURT: You can do so. But, Ms. Hall, I assume that you are -- you can continue to object to questions you think are appropriate.

MR. KLOEWER: And I won't be requesting that the Court compel an answer at this time, so there won't be a need for a hearing.

THE COURT: All right.

(In the hearing of the jury.)

Q. (BY MR. KLOEWER) Okay. Real quickly, Mr. Oltmann, I know you are not going to answer that question, and I am not going to ask you to identify that person right now. But we have asked you to identify him multiple times in the past; right?

A. Yes.

MS. HALL: Your Honor, I renew my objection to the reporter's privilege.

THE COURT: All right. It is preserved.

Q. (BY MR. KLOEWER) So you are the only person who knows the identity of the person who gave you access to Eric Coomer's Facebook account; right?

MS. HALL: Renewing my objection to the reporter's

privilege.

THE COURT: All right.

THE WITNESS: Do you want me to answer that question?

Q. (BY MR. KLOEWER) Yes.

A. So there are several affidavits that were supplied in the state case that have been supplied to you that you have of John Tiegen, who was supposed to be on that call, who had a conversation with me before that call and after that call --

Q. Well, if we don't know who got you on that Facebook --

A. -- but you never deposed him. You had an opportunity to depose John Tiegen --

Q. That is not my questions.

A. -- but you never deposed him. And you had an affidavit from him stating he could verify there was a call that occurred.

Q. That is not my question. My question is, if you won't identify who got you access to Eric Coomer's Facebook account, then we have to take you at your word that you got that access when you tell us you did, don't we?

A. Okay. Can you rephrase that question?

Q. If you will not identify who gave you access to Eric

Coomer's Facebook account, then we have to rely on your word alone for when you got access to that Facebook account, don't we?

A. No, because there is another affidavit that came in from Gordon Beckstead -- let me finish stating this because you just asked the question -- that stated very clearly that I was at his house elk hunting on November 6th when I reviewed all of this with him.

Q. Gordon Beckstead didn't get you access to Eric Coomer's Facebook account, did he?

A. No, but you just asked when I got access to it, and that you have to rely on the fact that it just came from me. But there is an affidavit that shows that that was the day that I got access to the Facebook page, and it wasn't just Facebook, he had Twitter posts, as well.

Q. We have to take your word that the person who gave you that access didn't give you that access until after the election, don't we?

A. That is why you have an affidavit of someone when it happened. Like, I'm up there elk hunting. I don't understand, what more do you want other than the pound of flesh that you take from giving that name so someone can go and do harm to those people.

Q. We have to believe that the person who gave you access to Eric Coomer's Facebook account didn't give you

that access before the election, don't we?
A. That's the truth.
Q. And we have to take you at your word that you didn't identify Eric Coomer long before the election, don't we?
A. So I don't understand what you are asking. Are you saying that I actually knew about Eric Coomer prior to the election?
Q. If we can't confirm with the person who gave you access to that Facebook account, if you won't tell us who that is, then we can only rely on you to establish the timing of when that person first told you about Eric Coomer, don't we?
MS. HALL: Your Honor, I am going to renew my objection to the reporter's --
THE COURT: Counsel, approach.
(A bench conference is had.)
THE COURT: Counsel.
MS. HALL: Your Honor, he keeps using the language of "you are refusing to answer." At this point in time I think it has gone beyond the scope of what the Court was going to allow the latitude for. And if he keeps insinuating that, I think the Court needs to move into the hearing with regard to whether or not the privilege applies.
THE COURT: Sustained. Move on.

MS. HALL: I'm sorry?

THE COURT: I told Mr. Kloewer he needed to move on.

MS. HALL: Thank you.

(In the hearing of the jury.)

MR. KLOEWER: I will move on to a new line of questioning but, Your Honor, it strikes me this has been a fairly dense line of questioning, would it be a good time to take a break?

THE COURT: Are you transitioning to a new topic?

MR. KLOEWER: Well, within the context of the Antifa call, but still have more aspects of it to address. It is as good a time to take a break as any.

THE COURT: All right. Ladies and gentlemen of the jury, we are going to take our afternoon break for about 15 minutes. We will resume a little after 3:30.

(Outside the presence of the jury.)

THE COURT: All right. Thank you. Please be seated.

I just wanted to check with counsel about the timing. Mr. Kloewer, how much longer do you think you have with Mr. Oltmann?

MR. KLOEWER: Thirty minutes maybe.

THE COURT: All right. And then do you have a sense of any cross?

MR. KACHOUROFF: No, Your Honor. I think I will go into a lot of topics. Probably an hour and a half, 2 hours.

THE COURT: Okay. All right. So I am just thinking about the timing. So let's take our break, then we will see how far we can get today.

(A break is taken from 3:03 p.m. to 3:22 p.m.)

THE COURT: Thank you. Please be seated.

Mr. Kloewer, are you ready for the jury?

MR. CAIN: Yes, Your Honor.

THE COURT: Mr. Oltmann, could you take the stand again, please.

MR. KACHOUROFF: I am not ready, I have one -- just may we approach?

THE COURT: Okay.

(A bench conference is had.)

MR. KACHOUROFF: As I thought about my time estimate, and then I started thinking about the interview I had of Mr. Oltmann a few days ago, I am going to need some time with him to navigate the Court's order because this story weaves into documents that the motion in limine covers, and I have to figure out how to ask questions instead of me saying to him, you can't say this. But at the same time, it is going to be difficult because I have to create a story that is consistent, because otherwise

the motion in limine takes chunks of it out by virtue of what it excludes.

And I am not asking you to reconsider your opinions, but I can get through some preliminary things, but at some point, when I start to go back to the call and to get him to, well, how did you get there, how did this happen, it is going to invariably go into things that may touch on the motion in limine.

So I am not saying I want to revisit the motion in limine, I will just need time to navigate this with this witness.

THE COURT: Well, I assume that Ms. Hall will be here and that Mr. Kloewer will be here to object to the extent that they think you are straying into --

MR. KACHOUROFF: That he will be straying, the witness. As long as you understand, I don't want you to take it out on me when I ask a question and he says something, and then you look at me.

THE COURT: In general, we will just take it as it comes. And to the extent -- I try not to interrupt witnesses. I have tried to redirect Mr. Oltmann to the question at times today, not because I want to provoke him, but because you are going to have an opportunity to examine him, and I am just trying to do this as efficiently as possible to keep him moving.

MR. KACHOUROFF: I just wanted to apprise the Court so you didn't look at me and think I was up to skullduggery of some sort.

MS. HALL: Just to further add -- just to further add to that, I have explained the order to my client, but as I have explained to counsel, it is very difficult. We weren't here for the ruling. And how he got to the ultimate conclusion that it was Eric on the call is some of the stuff that the Court precluded.

So it is going to be very difficult for him to testify and connect the dots from A to Z based on the Court's ruling. And so he is attempting to navigate and not violate the Court's order and get in trouble with the Court, but yet explain to the jury how he got from A to Z.

THE COURT: All right. Well, I understand your characterization. I mean, obviously the motion in limine speaks for itself. I expect all parties will follow the ruling in the motion in limine, and to the extent we have trouble with that, we will take it up as it comes.

COURTROOM DEPUTY: Your Honor, should I get the jury?

THE COURT: Yes.

Counsel, for timing purposes, the jury can go until 5:00. I have been alerted they need a hard stop by 4:30 tomorrow.

MR. KLOEWER: Sure.

(In the presence of the jury.)

THE COURT: Thank you. Please be seated.

Mr. Kloewer.

Q. (BY MR. KLOEWER) Okay. Mr. Oltmann, we have spent a while going through those notes you claim to have taken during the Antifa call. I want to wrap this section up, and I think the easiest way to do it is if we can pull back up Exhibit 25. And I can see from previously you already used the sort of pen function of the screen there.

Mr. Oltmann, can you scroll through those notes, and I would like you to circle for the jury the portion that says "I have a bunch to add. We have to be prepared for the new future where we put down these fascist fucks." Can you scroll through and circle that section when you are ready.

A. We went through this in one of the depositions that you had before about notes that we had related to when I was speaking to Randy Corporon. So you are aware that there was another page or two pages of notes that are not included in this because it was in that deposition.

Q. Well, not notes that you took at the time of the call, though; right?

A. What do you mean notes that were not at the time of the call?

Q. You created a second set of notes just before your podcast.
A. For the podcast, yeah.
Q. Okay. But the call notes you took during the call, though, don't include that phrase anywhere, do they?
A. No, so you are absolutely wrong. So the note that had -- if you were to walk into my office you would see I have papers all over my desk. I operate out of these books, and I write down my notes in these books. But I will also just grab a piece of paper and just start writing on that piece of paper. It is a nervous habit that I have, that when I am doing -- well, I will write down some stuff.

When I first met with Randy Corporon, one of the things I did is I had a note here and I had notes here.
Q. So you had additional notes just before you published your November 9th podcast, but you lost those notes and you don't have them anymore?
A. I wouldn't -- I actually thought I gave them to Randy Corporon when he was representing me back in November.
Q. But you don't have them, do you?
A. I do not.
Q. So that phrase -- just to be clear, Randy Corporon he is a Republican National Committeeman for the State of Colorado?

A. He is a lawyer. I believe he was.
Q. Republican National Committeeman for the State of Colorado; right?
A. Is he that now?
Q. He was at the time, wasn't he?
A. Yes. Yes, he was.
Q. He is also a top radio host on 710 KNUS.
A. I don't believe he is -- yes.
Q. He was at the time.
A. He was at the time.
Q. And the founder of the Arapahoe County Tea Party Movement.
A. That, I am not aware of.
Q. So you lost the notes that you had. It is your testimony there were extra pages, but you don't have them.
A. Yeah. So I have looked for those notes extensively.
Q. So we are not ever going to find that phrase "we have to be prepared for the new future where we put down these fascist fucks." That is not in the notes we have, and we are not ever going to see that, are we?
A. I mean, I don't have those notes. But, again, I have gone to Randy to ask him if he could search for that stuff. I did that at the last meeting that we had.
Q. Well, let's do this. Why don't you look through those notes and circle for me the portion that says

"Someone interrupts. What are we going to do if fucking Trump wins." Why don't we scroll through those and find that portion.

A. You don't write notes for that, you write notes to recall what actually happened on the call. Nobody writes notes and says, "okay interrupt." You go through the set of notes and then you recall what happened on that particular call or meeting.

Q. Well, okay, just circle the part for me that says "what are we going to do if fucking Trump wins?"

A. Well, that is why I put in "what Eric Coomer said."

Q. So the question, "What are we going to do if fucking Trump wins," that is not in your notes, is it?

A. I don't know. Can you let me have access to where I can scroll pages? It sounds like I can't give you that access, but --

THE COURT: What paper exhibit number is it, Mr. Kloewer?

MR. KLOEWER: It is Exhibit 25, I believe. 25.

THE WITNESS: Thank you. Okay. What are you asking me to do?

Q. (BY MR. KLOEWER) Find the phrase, "What are we going to do if Trump fucking wins?"

A. I wrote, "Trump is not going to win. I made F'ing sure of it."

Q. But the question that preceded that quotation, that is not in your notes, is it?
A. Yes. And that is why I wrote "guy is a Jedi." That is why I wrote down what was said in response to it.
Q. Okay. So this question, "What are we going to do if Trump fucking wins," that is something you wrote down 6 weeks after you took your notes to prepare for your podcast?
A. No. These are the notes I actually wrote down while I was on the call. The notes from the podcast are completely different.
Q. Okay. So where in the notes from the call is the phrase, "What are we going to do if fucking Trump wins?"
A. That is not how you write notes. You write notes to remember what happened in the conversation, not to write down the question. You write down -- as I am going through, I am listening to them, and I write down what he said.
Q. But when you wrote your email to OAN, you said, "this is from my notes," didn't you, and you relayed this dialog.
A. This is in my notes.
Q. Well, it is not in the ones we've seen, is it?
A. That is not how you write notes, Brad. You don't write notes that way. You write notes to remember and

recall the entire course of events that are going on in the phone call. You don't write notes to say, okay, here is verbatim, or even here is what was said every minute of every part of the conversation.

Q. All right. So the words that you wrote in your email are not reflected in the notes written.

MR. KACHOUROFF: Objection, asked and answered.

THE WITNESS: Oh, my gosh.

Q. (BY MR. KLOEWER) Let's move on. Why don't you circle the part that says, "hahaha," after the statement, "Trump is not going to win. I made fucking sure of it," which you already confirmed was a paraphrase. Why don't you circle the part of your notes that indicates there was laughter after that statement.

A. Well, I remember that there was laughter after the statement.

Q. Okay. Well, why don't you scroll down to page 2 of that Exhibit 25. And we looked at this, because after that statement, "Trump is not going to win. I made fucking sure of it," it says "Angry!!!" Doesn't it?

A. Yeah.

Q. Okay. So are they angry or are they laughing?

A. Well, you have to go to the next page if you would, because it will kind of go through what they are talking -- no, I am sorry, number -- the page is 206.

Yeah, there you go, so that is a continuation of the previous one.

Q. Okay. Where is the "hahaha"?

A. That was just them laughing on the call.

Q. Where does it say "laughing on the call"?

A. It is what I recall about the call.

Q. Okay. Even though you wrote the word "Angry!!!" with three exclamation marks, what you recall 6 weeks later is that they were laughing?

A. Yeah, but "Angry!!!" wasn't related to one specific event, it is related to how the call was going specifically.

Q. Okay. So they were all angry, but they were all also laughing?

A. Have you watched any Antifa calls online that have been recorded?

Q. I am asking the questions today, but we will leave that one alone.

Let's move through this because I want to understand a little more about the timing of this call. I think we belabored the notes, and I may revisit them a couple of times, but the timing of this call is something that is -- I think would be very helpful for the jury to understand. So you provided a sworn affidavit relating to this call, didn't you?

A. Yes.
Q. You provided that to Sidney Powell and the Trump legal team.
A. No, I did not. I provided it to Randy Corporon.
Q. The Randy Corporon we just discussed; right?
A. Yes.
Q. And he provided it to Sidney Powell.
A. Yes.
MR. KLOEWER: All right. Let's look at what has been marked as Exhibit 32, just for the witness please.
Q. (BY MR. KLOEWER) Is this that affidavit we are talking about, Mr. Oltmann?
A. I believe so, yes.
Q. Okay. And let's look at the last page of that real quick. That is your signature there; correct?
A. Yes.
Q. Dated the 13th day of November 2020.
A. Yes.
MR. KLOEWER: Move to admit Exhibit 32, Your Honor.
THE COURT: Any objection?
MR. KACHOUROFF: Without objection.
THE COURT: So admitted.
(Exhibit No. 32 is admitted.)
MR. KLOEWER: If we can scroll back up to the first page. And I want to zoom in on second-to-the-last

paragraph, it begins, "on or about the week of September 27th."

Q. (BY MR. KLOEWER) So this is -- just to be clear, this is your sworn statement; correct?

A. Yes.

Q. And you read this, you've reviewed it before you handed it over to Mr. Corporon.

A. Yeah. Yes.

Q. And you ensured that everything in this document was accurate before you signed it.

A. Well, they cut out a ton of stuff they said wasn't relevant, but kind of condensed it, and said we would get to it later. So it was kind of a, hey, here is what I wrote, and they said, we are going to cut all these parts because it is not relevant, and we will put -- then pushed it together and said "sign it."

Q. And you reviewed the final version to ensure it was accurate before you signed; correct?

A. Yes.

Q. And you would never provide sworn testimony that isn't true, would you, Mr. Oltmann?

A. I would not.

Q. Okay. So we see this line here that says "On or about the week of September 27, 2020, I was able to attend an Antifa meeting which appeared to be between Antifa

members in Colorado Springs and Denver, Colorado." That is your sworn testimony; right?

A. Yes.

Q. All right. You have testified before that shortly after this call you tried to identify this anonymous "Eric from Dominion," right?

A. Yes.

Q. You did that by Googling "Eric Dominion Denver Colorado," right?

A. Yes.

Q. And you didn't Google "Eric Coomer," because as we have already established, no one on that call said "Coomer," did they?

A. They did not.

Q. You didn't Google "Eric Dominion Voting System" because nobody on that call said "Dominion Voting Systems."

A. Correct.

Q. They just said "Eric from Dominion."

A. Yes.

Q. That is why you Googled "Eric Dominion Colorado."

A. Yes.

Q. You didn't Google "Eric Dominion Colorado Springs."

A. I did not.

Q. We looked at your notes a minute ago, and if I recall

your testimony correctly, you weren't sure if Eric was from Denver or Colorado Springs, were you?

A. At the time I put "Denver" and "Colorado Springs" because of the context of the call being a metro area Antifa call.

Q. But you didn't Google "Eric Dominion Colorado Springs" to confirm the accuracy of your search results, did you?

A. No. I went to the search results, which were pretty evident, and Eric Coomer was all over it. And then I went and watched some videos, and it was the same voice that was on the -- it was matching who was on the actual call.

Q. Well, we heard your sworn testimony before. You weren't able to confirm it was the same voice, were you?

A. No, I said -- you asked me if I had doubts, and the answer is yes, I had doubts. But it matched Eric Coomer from the multiple videos that were on YouTube, many of which, by the way, have been taken down. So all of the videos on the internet, from everything Eric Coomer five days after the election, were gone, which can only happen if you have some sort of government agency that can climb in and literally make someone disappear.

Q. Compared to what I remember hearing in the other video, "I think it is a match but I can't be sure," that is what you stated in your video; right?

A. Correct.
Q. Let's keep moving through the timeline here. So as you sit here today, you don't know the specific date of the call; right?
A. I don't, because I really wasn't looking for Eric, and had very little, if any, desire to look at anything related to an election.
Q. And your claim is you forgot about this call until sometime after the election; right?
A. What do you mean I forgot about the call? I didn't forget about the call at all. Eric Coomer was not my target. He wasn't the person I was looking at. I was looking for Antifa journalists. I was looking for actual journalists that were on the call. The context of the call was very simple, I have access to this Antifa call.
Q. Sure. But what happened is at sometime after the election, somebody sent you a message, according to you, that made you remember this call; right?
A. No, not remember the call, but when I read the article, Eric Coomer was actually the spokesperson for Dominion Voting Systems down in Georgia. Look, everyone saw what happened on November 3rd --
Q. That is not my question.
A. Everyone saw what happened on November 3rd, November 4th, what happened on November 5th.

Q. That is not my question. Let's set the stage here for the jury because they need to get the facts straight on this, it is important.

Your claim is that somebody sent you a text message while you were elk hunting on November 7th, somebody sent you a text message that included a link to an article; right.

A. I think it was a Signal message, but I don't recall. They sent me an article, and I read the article, and Eric Coomer was talking about how four precincts in Georgia, right before election, while in the middle of election, had to get an update, and he was talking about that update as the person that was responsible for those updates in Georgia.

Q. So you received an article that named Eric Coomer by name discussing the election -- an issue in Georgia. That is your testimony; right?

A. Yes.

Q. And you never provided that article that identifies Eric Coomer by name, have you?

A. Actually, I was able to find it going through the Wayback Machine, so I actually do have it now.

Q. Now you do?

A. Yeah, because I literally have fervently gone through. But Eric Coomer and/or people that worked with

him walked place by place, went to Google, had people take down articles all over the country, and replaced people in those articles with different people other than Eric Coomer as a spokesperson. So how would that happen --

Q. We requested --

A. -- how do you remove someone like Eric Coomer?

Q. -- you produce the article that named Eric Coomer by name, and you never did that, did you?

A. No. It was removed.

Q. And you didn't produce the text message that was sent to you with the link to that article either, did you?

A. Because I don't have the text message.

Q. You deleted it?

A. No, the Signal just -- yeah, it isn't there.

Q. You didn't take a screen shot?

A. I didn't take a screen shot? A screen shot of what?

Q. The text message that sent you a link to an article.

A. Why would I take a screen shot of a text message?

Q. Well, because --

A. Why would I do that?

Q. Well, didn't you -- haven't you said that when you read that article and saw the name "Eric Coomer," your stomach sank, right? That is what you said.

A. Yeah.

Q. And your stomach sank because suddenly you remembered

the Antifa call that you were on 6 weeks before; right?
A. I didn't remember the Antifa call that I was on 6 weeks before, I knew about the Antifa call. But the significance of Eric at Dominion then became significant. And so I started digging in further into Eric Coomer and who is Eric Coomer. At that point you just start digging in. Who is Eric Coomer?
Q. So you would agree that receiving that message changed the trajectory of your life, didn't it?
A. In ways that I can't ever even describe.
Q. But you didn't save it.
A. Why would I save it?
Q. Well, who sent you that message, Mr. Oltmann? Let's ask that question.
A. I actually -- if I had that, it would make everything much easier for me.
Q. You don't know who sent you that message.
A. I don't.
Q. So you got an anonymous message --
A. Not true. I ran an organization called FEC United, it stands for Faith, Education, and Commerce. I have over a hundred thousand people that were involved in that organization all over the country. People send me stuff today, and I have no idea who they are, I have no idea where the messages came from, but things are often sent to

me pretty regularly.
Q. Well, you knew who that person was before, didn't you, who sent you that message?
A. I might have, yes.
Q. Who was it?
A. I don't recall.
Q. Let's take a look at that deposition transcript that we looked at a little bit before from when I deposed you in this courthouse a couple years ago. Do you have that copy in front of you, Mr. Oltmann?
A. I do.
Q. Why don't you open that up to page 294.
A. Okay.
Q. The last line of that, I am going to read through here --

MR. KLOEWER: And if we can you pull that up, 294, line 25, and I am going to read through all of page 295, as well.

MR. KACHOUROFF: If I can have just one moment.

MR. KLOEWER: Sure.

THE COURT: Counsel, for clarification, is that the actual page in the four square, 294, that you are referring to?

MR. KLOEWER: I don't know the page. I gave him a condensed version, which has four pages on each, so I

would assume that is somewhere near page 75, 74 probably. But it is identified as page 294 on the top of the transcript.

Q. (BY MR. KLOEWER) And line 25, my question starts, "Let's take a look at Exhibit 9." And scrolling down to page 295, I said "We requested all text messages allegedly sent to you at any point between November 3rd and the 9th wherein you were supposedly alerted of an article claiming that Georgia voting systems went down on election day, as well as a copy of the article linked to in those text messages."

In response you said, "It has been wiped from the internet, much like everything else that is linked to Eric Coomer. But my attorney from the district court is searching for a hard copy form."

I then asked if your attorney -- I said, "Is that Ms. DeFranco?"

You said, "Yes."

I asked, "And has she been able to locate an article that references Dr. Coomer with respect to election day in Georgia?"

You answered, "Not yet."

I said, "Not yet. And who sent you the text message? Who sent you the message in that article?"

You answered, "I am not answering that question."

I said, "Is it because there was no text message, Mr. Oltmann?"

You responded, "You know what, your client is a liar, not me."

I asked, "Here is your chance to tell the truth and to -- if I am wrong, tell me, who sent the text message?"

Your response, "I am not going to tell you."

So you know who sent you that message, don't you?

A. I actually don't.

Q. You don't. Did you forget since the time of this deposition?

A. No. I think that we just had a very tense deposition, and at that point I was just done with you.

Q. Well, you didn't tell me you didn't know who that person was, did you?

A. This is the third deposition, right, or is this the second of the four depositions or three depositions that I took?

Q. You didn't tell me --

A. It was almost 24 hours of depositions that I took with you --

Q. You didn't tell me --

A. -- where you growled at me for 24 hours, so I --

THE COURT: Gentlemen. Gentlemen. Gentlemen.

Mr. Oltmann, so for the court reporter, you need to

let Mr. Kloewer finish his question, and then you can answer. And then just answer the question that Mr. Kloewer is asking. It will make this proceeding go a little bit more efficiently and it will be helpful for our court reporter because she cannot transcribe when both of you are speaking over each other.

THE WITNESS: I apologize.

MR. KLOEWER: I will move on, Your Honor.

Q. (BY MR. KLOEWER) The point is, we have to take you at your word that you received an article that identified Eric Coomer by name, don't we?

A. Well, if you would like to see that article, I think I have it on my computer, I can actually pull it up for you right now.

Q. We have to take you at your word that someone sent that to you and that is what made you start looking into Eric Coomer.

A. Yeah. You don't, though --

Q. And you didn't want --

A. -- and if you want, I can give you the article.

Q. All right. Let's talk about the search you did to identify the anonymous Eric as Eric Coomer. Because that Google search is how you got from point A to point B; right? "Eric Dominion" to "Eric Coomer Dominion Voting Systems," because you Googled him; right?

A. Yes.
Q. And you did that shortly after the call.
A. Yes.
Q. And you took a screen shot of those search results at the time, didn't you?
A. I did not.
Q. You didn't take a screen shot at the time?
A. No. So this is the -- when we were going through it, I took a screen shot when I was sitting with Randy, and I don't remember what day it was, I took two of them. And you are in possession of both of those screen shots. I believe it was the 12th or 13th.

And whatever the day was, he said, "You need to replicate how you got the information from Eric Coomer," so I did. And as a matter of fact, it is a part of the affidavit. So if you look in the affidavit, you can actually see a part of a screen shot that was taken from that inside of Google. Randy says, you have to be able to show me how you came to that information. How do you draw a line from Eric Coomer, Eric Dominion Colorado, and Dominion Voting Systems. And so I went in and did what is called a Wayback.

And I can actually perform it right now for the Court if you would like me to so the jury can see it.
Q. Well, let's do this --

A. Let me finish, because you asked me to respond to this. So you can go into Google, there is a tool inside of Google that lets you actually put specific dates. I modified that several times over the last 4 years, but in that modification you would be able to go back. And one of the things that happened when we went through this with Randy is that we were able to put side by side two screen shots --

Q. Mr. Oltmann --

A. -- and what it did is I took the screen shot, the first I took, and I changed it to an approximate date of when the Antifa call was, only changing the actual date, not changing anything else, because when you hit a screen shot on Google -- or, excuse me, on Apple, it records this entire line of events over on the deal. So I just wanted to make sure I could remember it. Now, that information was --

Q. Mr. Oltmann, I am going to get into details, but we are getting into a bit of narrative here.

MR. KLOEWER: Let's pull up what has been marked as Exhibit 167.

Q. (BY MR. KLOEWER) And this is from an episode of your podcast on November 12th of 2020, so three days after you made these claims about Eric Coomer.

A. I am sorry what day?

Q. November 12, 2020. The title of the episode is "They are Destroying Envelopes in Philly."
A. Okay.
MR. KLOEWER: Move to admit 167.
MR. KACHOUROFF: Not sure what the relevance of this is.
THE COURT: Overruled.
(Exhibit No. 167 is admitted.)
(Exhibit 167 played in open court.)
BY MR. KLOEWER: So let's pull up what has been marked as Exhibit 26.
Q. (BY MR. KLOEWER) I want to spend time looking at this screen shot we just saw the video of. Do you recognize that document, Mr. Oltmann?
A. Yes.
Q. And at the bottom right-hand corner, it says "20-cv-34319." Do you see that?
A. Yes.
Q. "JO-disclosures-0199." Do you see that?
A. Yeah.
Q. And that means that is a document that you produced in evidence in the lawsuit filed against you by Eric Coomer; right?
A. Yes.
Q. This is how you produced it to us.

A. Yes.

MR. KLOEWER: Okay. Move to admit Exhibit 26?

MR. KACHOUROFF: No objection.

THE COURT: So admitted.

(Exhibit No. 26 is admitted.)

Q. (BY MR. KLOEWER) All right. There are a couple things to note on this. So at the top we see in capital letters "SCREEN SHOT of 'Eric Dominion Colorado' taken on 9/24/2020." So that indicates the screen shot was taken on that date; correct?

A. Yeah. But that is not the case. It is the date by which -- it is the date by which I went back on the timeframe for what would have shown up on the 26th of September.

Q. Okay. So that's not when you actually took the screen shot, is it?

A. Correct.

Q. And underneath that, in smaller font it says, "Screen Shot 2020-09-26 at 2:03:31 p.m." Do you see that?

A. Yes.

Q. That is not correct either, is it?

A. No, the only thing that changed was the "2020-09-26."

Q. And we know that wasn't taken on September 26th because of this little image over here on the left, don't we?

A. What image on the left?
Q. The Google little rectangle right there that is being highlighted (indicating). Do you see that?
A. Yes.
Q. And you know what a Google Doodle is; right, Mr. Oltmann?
A. I do. I am very familiar with Google.
Q. And this particular Google Doodle was only in effect for a single day; right?
A. All Google Doodles are in effect for a single day.
Q. And the day that Google Doodle was in effect was November 11, 2020, wasn't it?
A. I will take your word for it, yes.
Q. Two days after you first made claims about Eric Coomer.
A. Yes.
Q. Let's zoom out here and take a look at the actual links here.

For my colorblind co-counsel here and any others in the courtroom who may have this distinction lost on them, we can see from this screen shot that a number of these links are purple and a number are blue. Do you see that, Mr. Oltmann?
A. Yes.
Q. So the first one that says "Dominion -- Colorado

Secretary of State," that is purple.
A. Yes.
Q. The second one, "Eric Coomer's email & phone," that is purple.
A. Yes.
Q. The third one, "Eric Schussler -- Old Dominion University," that is blue; correct?
A. Yes.
Q. "Eric E. Johnson, Attorney," that is blue too, right?
A. Correct.
Q. Then we have "Dominion Voting Systems," that is purple.
A. Yes.
Q. And then the last one, "Dominion Voting Systems," that is blue.
A. Yes.
Q. And a link turns purple to indicate you have clicked on it; right?
A. Yes.
Q. So you didn't click on "Eric Schussler -- Old Dominion University" to determine if he is "Eric the Dominion guy," did you?
A. No. And actually if you go back to the video that you just showed, it will reinforce how this actually happened.

Q. That is not my question. You didn't click on "Eric Schussler -- Old Dominion University" to confirm whether he was "Eric the Dominion guy," right?
A. Yeah, but I was basically doing this for Randy to --
Q. But --
A. Hold on a second, you just asked a question. -- for Randy, who said I need you to show me what you were looking at when you looked up Eric Coomer at Dominion Voting Systems, so I did. And when I took the screen shot of this on November 11th, that is how I knew that all of the stuff online was disappearing about Eric Coomer, and that is why I had the thing on the 13th that showed that "Eric Coomer Dominion Voting Systems" was getting scrubbed from the internet.

So if you look at the click, when I was actually making this on November 11th --
Q. Yeah.
A. -- I clicked on these to see what information would show up, and there was no information that showed up. They had literally gone through and deleted everything on the internet about Eric Coomer within five days or three days --
Q. Okay. But you didn't click on "Eric Schussler -- Old Dominion University" to see if he was "Eric the Dominion guy," did you?

A. No, but that was the whole point --
Q. Okay.
A. -- is that when I was on Google on November 11th --
Q. And you didn't --
A. -- I used a feature that is inside of Google. You can go onto it, you can go in and change. The tool that you can change, the dates by which --
THE COURT: Mr. Oltmann. Mr. Oltmann. I need you to listen to Mr. Kloewer's question and answer his question, and --
THE WITNESS: Ma'am, I am answering that question, and this is relevant.
THE COURT: -- the defendants will have an opportunity to present a cross, so I just need you to listen --
THE WITNESS: Okay.
THE COURT: -- and answer the question --
THE WITNESS: Apologies.
THE COURT: -- asked.
THE WITNESS: Apologies. Yes.
THE COURT: Thank you.
Q. (BY MR. KLOEWER) More broadly, Mr. Oltmann, are you familiar with -- that about four block away from here there is a building called the Dominion Tower; do you know about that?

A. I do not.
Q. Did you make any effort to make a catalog of all of the Erics that might work at the Dominion Tower to see if they were the "Dominion guy" you heard on the call?
A. Yeah. I am just not -- I am not following you, because when I originally did the check into Eric Coomer, the thing that I looked at was, does his voice match, and it did. But I didn't care about the fact that Eric Coomer matched the voice on the videos about election machines, that had no bearing on me --
Q. Well, Mr. Oltmann --
A. -- because at that time I was looking for Antifa journalists, and the whole idea of this call was for Antifa journalists. It was not to look at the guy that worked for Dominion Voting Systems that would be stealing elections, because I never even thought it was possible.
Q. "I think it is a match but I can't be sure." Did you try to find any videos of Eric Schussler to see if maybe his voice was a match?
A. No, I wouldn't have done that. Because why would -- the whole thing, it is confirmation bias at the time, and then you go and you then take all of the information you are able to collect and say, does it align with Eric Coomer being on this call with Antifa? Is he Antifa? Is he a bad guy? Is he a good guy? I mean, what kind of guy

is this guy?

I mean, he runs 50 percent of the vote of the American people --

Q. Okay.

A. -- does he even have the capability of stealing an election?

Q. Mr. Oltmann, we are getting a bit far afield again here.

A. Okay. I apologize.

Q. Suffice it to say, you didn't make an effort to make any sort of comparison between different potential Erics and "Eric the Dominion guy," did you?

A. I identified who I thought it was, I walked through the process, and at that point I went back to doing what I was doing, which was identifying Antifa journalists. On October 15, 2020, I literally was on the stage --

Q. That is not the question, Mr. Oltmann.

A. Again, you have to ask the question, how did I end up --

Q. Mr. Oltmann.

A. -- how did I end up on this call?

Q. I am asking --

THE COURT: Gentlemen. Our court reporter cannot record you all when you are speaking over each other --

THE WITNESS: Sorry.

THE COURT: -- so I am going to remind both of you again. Listen to the question, answer the question, Mr. Oltmann, and it will make things go much smoother.

Q. (BY MR. KLOEWER) Let's wrap this one up here. And you have already acknowledged this, I believe, but just to put -- just to wrap this one up, you changed the date on that screen shot, didn't you?

A. I did.

Q. And you submitted it into evidence.

A. I gave it to my attorney, yes.

Q. Okay. You didn't disclose that you changed the date on that until we asked you about it, did you?

A. Actually, I think that the attorneys and I talked about it about two weeks before the deposition.

Q. You didn't disclose that you had changed the date of that document you submitted into evidence until we asked you about it, did you?

A. I actually don't think that is true. I am fairly sure -- actually, I know that I am sure that I did talk to counsel about that previous to that. And there is a lot going on at the time, because during all of this I was literally having to hire personal security detail to protect my family --

Q. Let's go on to talk about --

A. -- 24 hours a day.

Q. -- another topic here. We've heard a little bit about somebody by the name of Heidi Beedle. I want to ask you just a couple questions about Ms. Beedle.

MR. KLOEWER: Can we pull up Exhibit 29, please. And if we could scroll down to the second page of this document, second paragraph there beginning with the phrase, "You have all seen the video of Kris Jacks."

Q. (BY MR. KLOEWER) We are looking back at the email you sent to OAN on November 10th. And I am going to read this for you here. It says, "You all have seen the video of Kris Jacks, the Our Revolution Leader in Northern Colorado who called for the beheading of Americans. If you check out the video from Project Veritas, you will see that he stated they hold a majority of the seats in the democratic party across Colorado. In a subsequent video, I observed a journalist who has been known for being a rhetoric junkie and Antifa member. She is a journalist and she is also a Our Revolution leader in Southern Colorado. She used the systems in the Business Journal and Colorado Springs Independent to gather and dox people in the community. And this use of gathering intel, infiltrating calls, groups, and collecting information on individuals, we uncovered 13 Antifa journalists across Colorado."

You are talking about Heidi Beedle here, aren't

you.
A. The "13" or the "Antifa member and rhetoric junkie"?
Q. The "Our Revolution junkie," who is that?
A. I believe I am talking about Heidi Beedle, yes.
Q. Okay. And I asked you about Ms. Beedle once before.
MR. KLOEWER: Can we pull up Exhibit 22, please.
Q. (BY MR. KLOEWER) Do you remember this image?
A. I do.
Q. Does this reflect the Project Veritas video you were writing about in that video to OAN?
A. I think so.
MR. KLOEWER: Okay. Move to admit Exhibit 22.
THE COURT: Any objection?
MR. KACHOUROFF: I have no objection.
THE COURT: So admitted.
(Exhibit No. 22 is admitted.)
MR. KLOEWER: All right. Let's pull that up.
Q. (BY MR. KLOEWER) You remember I asked you in your deposition to take a look at this image and circle for me Heidi Beedle. Do you remember that?
A. Yes.
Q. And we see a circle around someone on the screen there. Do you see that on the right?
A. Yes.
Q. That is who you identified as Heidi Beedle; right?

A. Well, yes.
Q. And it is still your sworn testimony today that that is Heidi Beedle; right?
A. I believed at the time that was Heidi Beedle, yes.
Q. Is it your testimony today that that is Heidi Beedle?
A. I was told that that is not Heidi Beedle.
Q. You were told that is not Heidi Beedle. But you claim that she was an identified leader of Our Revolution based on this image alone; correct?
A. She actually is the Southern Colorado leader of Our Revolution, and she was, and still is, to the best of my knowledge, the head of Antifa and started Antifa in Colorado Springs.
Q. Your sworn testimony today is that Heidi Beedle is the leader of Our Revolution, a political movement aligned with Bernie Sanders.
A. It is not a political movement aligned with Bernie Sanders. That is not --
Q. But your testimony is she is a leader of that organization; correct?
A. No. She was the leader of that organization, and she was the founder of Antifa in Colorado Springs --
Q. And you concluded --
A. -- and she denied that she was the leader of Antifa, and that she didn't start it until she was uncovered by

Andy Ngo --

Q. Mr. Oltmann --

A. -- in late 2023.

Q. I am asking the questions here --

A. All right.

Q. -- and we need to get through this.

A. All right.

Q. You identified her as being associated with Our Revolution on the basis of this video; correct?

A. There was more basis than that.

MR. KLOEWER: Let's pull up Exhibit 32 real quick.

Q. (BY MR. KLOEWER) This is that sworn affidavit we looked at before. Do you remember that?

A. Yes.

Q. Let's take look at the last paragraph on that first page. And this is after you are describing the Antifa call.

A. Yes.

Q. You state, "Then I honed in among other conversations key actors in the organization who worked for local and state news publications. One such person of interest was Heidi Beedle, identified leader of Our Revolution in El Paso County, Colorado." Do you see that?

A. Yes.

Q. That was your sworn testimony in your sworn

affidavit; right?
A. Yes.
Q. You didn't take any steps to confirm that Ms. Beedle was associated with Our Revolution beyond believing that you saw her in that video; isn't that right?
A. Actually, we did. We did quite a bit. But getting the information, that wasn't as important for us as the Antifa connection.
Q. Getting that information wasn't more important than providing sworn testimony?
A. No. We had a very firm belief in understanding that she was a part of that organization, he/she.
Q. While we are on this exhibit, I do have another quick question for you. If you want to look down at the second page of that document, this is where -- we have been over this dialog a couple of times. You describe it again here.
MR. KLOEWER: Can you zoom in on the portion that begins with "The conversation went like this." And ends -- yep, that will do.
Q. (BY MR. KLOEWER) "The conversation went like this: Someone identified as 'Eric' began to speak. Someone asked who Eric was, and someone else replied, 'he is the Dominion guy' (paraphrased)." So this, the identification of "Eric the Dominion guy," that was also a paraphrase;

right?
A. Yeah. I don't know who told me to say everything was paraphrased, but somebody stated when we were walking through this to say "paraphrase," because is that his exact words, and I said, I think so.
Q. But you don't know if the anonymous third party who identified the anonymous speaker as "Eric" actually said these words, do you?
MR. KACHOUROFF: Objection, Your Honor.
THE WITNESS: That is not true.
Q. (BY MR. KLOEWER) But your sworn testimony here is it is a paraphrase --
THE COURT: Wait, wait, there is an objection.
MR. KLOEWER: Sorry.
THE COURT: Counsel, can you approach because I am not quite sure what the objection was.
(A bench conference is had.)
MR. KACHOUROFF: He is walking afoul of the Court's last ruling. He starts to say, "you can't identify." He never said he can't identify, but then that means he has to assert the privilege again.
MR. KLOEWER: I am talking about the anonymous person who identified him as "Eric," that's not who got him on the call.
MR. KACHOUROFF: The anonymous person who what?

MR. KLOEWER: Who identified him as "Eric," that's not who got him on the call.

THE COURT: It is the person, as I understand it, the person who was on the call who said that.

MR. KACHOUROFF: I am sorry, my fault, I misunderstood it.

THE COURT: Overruled.

(In the hearing of the jury.)

Q. (BY MR. KLOEWER) So what were the actual words spoken, Mr. Oltmann?

A. That is pretty close to what was spoken.

Q. What were the actual words?

A. It has been 5 years.

Q. You don't know the words that were spoken, do you?

A. I have a pretty good idea of the words that were spoken. But, I mean, if you are asking me if this is the exact words, I would probably say no, I don't know if it is the exact words. But I do know that somebody asked, "Who's Eric?" And somebody else said, "he is the Dominion guy."

Q. So we don't know -- so by your testimony today, we have two paraphrases. Number one is the quote that has been attributed to Eric Coomer saying "Trump is not going to win. I made fucking sure of it." And number two is the third party identifying the anonymous Eric as the

Dominion guy?
A. So I know for a fact he used the F word, for a fact, right, and that is why I wrote it down. So what I wrote down was a little shocking to me that anybody thought that they could adversely affect or push the election one way or another. I didn't think that was possible, right. It seemed out of the realm of possibilities that that could even remotely be something that could happen.
Q. That is not my question. Let's move on, I want to talk about the other participants on this call. We looked at your notes, and you said before that there were 19 people on that call; right?
A. Yes.
Q. And --
A. I don't think all 19 stayed on the entire time, I just think at one point it had 19, so I wrote it down.
Q. But any one of those could conceivably corroborate your claims, couldn't they?
A. A hundred percent.
Q. And so presumably you have made extensive efforts to identify every single member of that call, haven't you?
A. I have. I actually called Zoom, which we have a Zoom account, and I asked them if they could pull records. We have a group right now that is directly tied to a government program that is doing an extensive search based

on dates, IP addresses. I am still to this day, 5 years later, looking under every hood to get information about that particular call, yes, a hundred percent.

Q. So it is your testimony today that you have spent a lot of time trying to identify those people.

A. I wanted to get the call, because if you get the call, you get IP address for others. And there is -- I guess there is a program -- I mean, again, this is above my pay grade, but there are people that are in the government that have the ability, based on our IP, to cross-correlate that IP address with other IP's and other people that were on during that time period.

Q. Let's pull up that deposition transcript that we looked at a couple times. And do you want to open that up to page 353 for me, Mr. Oltmann.

A. Yes.

Q. We are going to start at line 15. All right. This is me asking you a question. I said, "Oh, I am confused, as well. I am asking you if you have made any effort to identify anyone who could corroborate your story. It sounds like there are 18 potential individuals out there. Have you done that?"

Your response, "No, I have not."

The question, "So in 2 years of dealing with this litigation, which you have described as destroying your

life and costing you hundreds of thousands of dollars -- I believe this is representations you have made."

You say, "Hundreds of thousands?"

I say, "Is that correct? Is that an accurate assessment?"

You respond, "No. How about millions of dollars."

Then question, "So in the 2 years of litigating costs, it has cost you millions of dollars, by your representation, and gotten 24 other defendants sued, and by your repeated statement today, subjected you and your family to bodily harm. At no point in that time have you ever tried to identify any of the other 18 people who could corroborate your story."

You responded, "Have you?"

I said, "Yes."

The answer is "And?"

My question is, "The call did occur, so we don't -- we are not able to do that. The only way we can get there is through you, Mr. Oltmann. The only way anybody in the world can get facts about this story is through you, and it is surprising to me that you haven't made any effort in two years and all of the turmoil you have described to identify a single other individual who could corroborate that story and, if true, presumably work to" --

Here is your counsel, Ms. DeFranco objecting to my

question.
A. Actually, she didn't object, she said "You are not here to make speeches," because you were indicting my character at that point, so that is not what it says.
Q. (BY MR. KLOEWER) Sure. Page 355, first line, "Okay. That's fair. I understand your testimony to say you've not made any effort to identify the" --
And you say, "No. You've spent the last 2 hours literally just badgering me and pushing conjecture. That's what you spent the last two hours doing."
And then my question, "So you haven't been able to identify them; correct? Is that a yes? You haven't identified any other members of the call"?
And your answer, "I have spent all of my time not doing that. I have been spending my time on Dominion Voting Systems, ESMS, Smartmatic, making sure that we have enough information to get rid of the voting machines and the mail-in ballots. That's what I spent my time on."
So at least as of December 22nd, you hadn't made any effort to identify those people; right?
A. Well, that is not what you said. You said, have you made any efforts, so I called Zoom prior to, or as soon as I got sued by Eric Coomer in December of 2021 or 2020. So since then, I have now dug, because somebody gave me access to people that can dig under the hood and figure

out how they can zero in on who else was on that call.

I didn't have access to information that would have allowed me to dig into that. And, frankly, the last 5 years have been pretty tough.

Q. Last question, Mr. Oltmann. You have refused to identify who got you on that call, haven't you?

MS. HALL: Objection, Your Honor.

THE COURT: Sustained.

Q. (BY MR. KLOEWER) Mr. Oltmann, you won't -- it is not that you won't identify the source, it is that you can't identify the source, isn't it?

MS. HALL: Objection, Your Honor.

THE COURT: Overruled.

THE WITNESS: It is not true.

Q. (BY MR. KLOEWER) And you can't identify the source because the whole thing is made up, isn't it, Mr. Oltmann?

A. No.

MS. HALL: Objection, Your Honor.

THE COURT: Counsel approach.

(A bench conference is had.)

THE COURT: What is the basis of your objection?

MS. HALL: Your Honor, this is going into the --

COURT REPORTER: Please don't whisper, and speak directly into the microphone.

MS. HALL: Thank you. I am sorry.

This is going the same way on questions that deal with the reporter's privilege. And if he wants to ask the question, I think the Court needs to go into whether or not a reporter's privilege applies.

MR. KACHOUROFF: Judge, I want to make an objection, that is argumentative.

THE COURT: Any response?

MR. KLOEWER: I am done, Your Honor.

THE COURT: All right. The objection is overruled.

(In the hearing of the jury.)

THE COURT: Overruled.

Mr. Kloewer, could you re-ask the question, please.

Q. (BY MR. KLOEWER) Mr. Oltmann, you can't answer that question because the whole thing is made up, isn't it?

A. No, you are wrong.

MR. KLOEWER: Pass the witness.

THE COURT: Mr. Kachouroff.

MR. KACHOUROFF: Yes, ma'am -- Your Honor, I am sorry.

And I am under the weather, I apologize if I have a nasal voice, I have a clogged sinus.

Would you put up Exhibit 26 for me, please.

CROSS-EXAMINATION

BY MR. KACHOUROFF:

Q. You were asked about Eric Schussler.

A. Yes.
Q. Were you looking for a physical therapist?
A. No. I don't know how a physical therapist would adversely affect or be able to make sure that Trump doesn't win.
Q. So would you then click on somebody who was a physical therapist to investigate Eric Coomer?
A. No.
Q. Okay. And would you -- Eric E. Johnson, did you click on that one?
A. No.
Q. Why not?
A. Because how is an attorney going to adversely affect or make it so that Trump didn't win.
Q. Okay. How many depositions have you done?
A. Total, six.
Q. How many hours have you sat and answered questions?
A. Sixty hours probably, 50 hours.
Q. You were asked by my colleague, "we have to take you at your word" about the article, do you remember that, and you said you could produce the article here today.
A. Yes.
Q. And you are willing to produce it.
A. Yes.
MR. KACHOUROFF: Your Honor, I would like to have

Mr. Oltmann --

THE COURT: Counsel, approach.

(A bench conference is had.)

THE COURT: All right. Mr. Kachouroff.

MR. KACHOUROFF: Ma'am -- I am sorry, Your Honor.

THE COURT: Go ahead. What is the basis for him to produce things today which he should have produced --

MR. KLOEWER: He should have years ago.

THE COURT: -- in response to a subpoena.

MR. KACHOUROFF: Not in this case, and he's opened the door.

MR. KLOEWER: The subpoena requested all documents.

MR. KACHOUROFF: He also said he just located it on Wayback Machine just a couple days ago.

MR. KLOEWER: I'm hearing that, Your Honor, but it is too late.

THE COURT: I don't see how this can be admitted in evidence.

MR. KACHOUROFF: I would like to see what he has got.

THE COURT: It is not admissible --

MR. KLOEWER: It is inadmissible.

THE COURT: -- the way that you are presenting it. I don't see any basis for admissibility.

MR. KACHOUROFF: Can we do an in-camera inspection

so you can determine whether there is an adequate foundation that I can lay, so that you can determine that it is also authentic.

THE COURT: That is not -- that is not the basis of my concern here. There is no way to authenticate this document. So he can say he got it off the internet. There is no one here from whatever to say it is an authentic document.

MR. KACHOUROFF: He does IT. He can authenticate it from the Wayback Machine. The standard for admissibility or authentication under 901 is not even a preponderance of the evidence, it is sufficiency to support a finding.

THE COURT: Overruled, Mr. Kachouroff.

MR. KACHOUROFF: For the record, he has his computer here, he could do it today if he wanted to.

THE COURT: You can preserve the objection. Overruled.

MR. KACHOUROFF: Understood. Thank you, Judge.

(In the hearing of the jury.)

Q. (BY MR. KACHOUROFF) Mr. Oltmann, would you tell us -- there was some indication that this has been a great deal, it has cost you a lot to come out and say the things that you have said; correct? You have to give me a yes, I am sorry --

A. Yeah.
Q. -- or no, whatever it is.
Would you tell us -- you said, I think two days later when you realized what it was going to cost you, let's pick up from there. What has this cost you, if you'd tell the jury, please.
MR. KLOEWER: Objection, Your Honor, relevance.
THE COURT: Sustained.
MR. KACHOUROFF: Your Honor, it was raised on -- okay. I will move on.
Q. (BY MR. KACHOUROFF) As a result of coming out with this story, did you have to hire police protection?
MR. KLOEWER: Objection, relevance.
THE COURT: Sustained. Please approach.
(A bench conference is had.)
THE COURT: All right. Mr. Kachouroff, what is the basis of the relevance of what has happened to Mr. Oltmann?
MR. KACHOUROFF: It's relevant to establishing his credibility; that if he were telling a lie, why would he spend all this money on private security, why would he undergo the threats? It is just to establish his credibility.
THE COURT: How is whether or not he told a lie as to whether or not he was on this Antifa call and that Eric

Coomer is the individual identified in that Antifa call, how is his credibility about that tied to what has happened to him since?

MR. KACHOUROFF: The insinuation is that he's told a lie. And the relevance is people that tell lies aren't going to spend hundreds of thousands of dollars protecting their family because they came out with a story. They would either recant or they were telling the truth. So it is going to bolster his credibility, Your Honor.

MR. KLOEWER: This is all after the fact, Your Honor. It is whether it was true at the time he told it. Things after the fact have no bearing on whether the story was believable or whatever was true at the time he told it.

THE COURT: Well, whether it was true or he had a substantial basis to believe it; correct?

MR. KACHOUROFF: Correct.

THE COURT: All right. Sustained.

(In the hearing of the jury.)

Q. (BY MR. KACHOUROFF) Let's pick up with how did you first come across -- why did you start investigating Antifa here in Colorado?

A. I was never political. I voted for President Obama. I didn't really care about Democrats or Republicans or none of that, wasn't a big thing for me. 2020 hit us all

pretty hard with COVID and everything with COVID. And so I couldn't sit back and watch businesses that I represented burn to the ground. And the --

Q. Why were they burning to the ground?

A. Well, because they shut down the economy, and so you had small business owners that were committing suicide, you had people that were losing their companies, you had all this stuff that was happening --

MR. KLOEWER: Objection, Your Honor, relevance.

THE COURT: I am going to let Mr. Oltmann finish this sentence. Overruled.

THE WITNESS: And so --

Q. (BY MR. KACHOUROFF) Is that what led you to investigate Antifa, you were talking about that.

A. No, I --

Q. Do you need a minute?

THE COURT: All right. Let's take a quick break.

(A break is taken from 4:26 p.m. to 4:34 p.m.)

(Outside the presence of the jury.)

THE COURT: Thank you, Mr. Oltmann.

Everyone may be seated.

Could you bring the jury back in, please.

(In the presence of the jury.)

THE COURT: Thank you. Please be seated.

Mr. Oltmann, I remind you, you are still under

oath.

MR. KACHOUROFF: Thank you, Your Honor.

Q. (BY MR. KACHOUROFF) There was entered into evidence an exhibit, Exhibit 32, I believe, which was your affidavit that you executed at some point in time in the last couple of years. Is that affidavit accurate to the best of your knowledge, recollection, and belief?

A. Yes.

Q. And there was also a discussion of whether Mike -- you said Mike could meet you, but then not remember you.

A. Yes.

Q. Is that because he has a lot of people around him?

A. Yes, he does.

Q. A lot of people want to meet him.

A. Yes. A lot of people take advantage of him. And, frankly, Mike is his own worst enemy. Although I told the truth about everything that happened, there is not a part of it that I made up, I didn't embellish it, I didn't add anything to it, I didn't take anything from it --

MR. KLOEWER: Objection, nonresponsive.

Q. (BY MR. KACHOUROFF) We will get to it.

THE COURT: So, Mr. Oltmann, I am just going to remind you of the same thing. Mr. Kachouroff is going to ask you questions, you answer the questions, he will ask you follow-up questions. I know it is not necessarily a

natural way of your speaking --

THE WITNESS: Yes.

THE COURT: -- but if you could listen to the question and answer the question, it will make things move a little bit faster.

THE WITNESS: Apologies.

Q. (BY MR. KACHOUROFF) On direct examination you were asked the question, did you have a conversation with Mike Lindell about your doubts about Eric, and your answer was no.

A. I did not.

Q. Why not?

A. Because I didn't have any doubts.

Q. Tell us, did you just pick Eric out the blue? How did you come across his name to begin with?

A. No. You know, it is a process that you go through where you are under attack. So how it all started, me getting involved with Antifa is that up until the November election of 2020 and I came out, I was the darling of the tech business world, the tech business.

Q. How so? Can you explain that to us?

A. I am a two time Ernst & Young Entrepreneur of the Year nominee. I was a finalist in 2020. And they told me if I would have shut my mouth that I would have won. And I didn't shut my mouth. And so it cost me selling my

company for hundreds of millions of dollars.
Q. Okay. So you investigate Antifa sometime in the summer, early fall of 2020.
A. Yes. So COVID led us to a place where, you know, I watched people burn down. I had clients that quit. I had people that were losing their livelihood.
Q. Were you a journalist at this time?
A. I was.
Q. And were you operating a podcast.
A. Yeah. We had a podcast and we had Conservative Daily, although the whole idea of Conservative Daily wasn't necessarily conservative, it was showing that people on both sides probably have similar ideologies. So since 2012, we would do things like the military officer down in Mexico that was caught walking across the border and had guns, you know, we got him out. We petitioned Congress to get him out.

We wrote articles about the Navy seaman that was out and was getting his parental rights stolen from him, and so we stopped the judge in that case from going in and taking away his rights.

So we did things to kind of empower and give people a voice that normally didn't have a voice. And so we did that for the --
Q. Was it a small podcast, or did you have -- were you

on other platforms, stations?

A. Yeah. We were on Apple podcast, Google podcast, Spotify, Pandora, iHeartradio --

COURT REPORTER: Please slow down.

THE WITNESS: Oh, I'm sorry. I said that very quickly.

TuneIn, YouTube. We were pretty -- were much all over the place.

Q. (BY MR. KACHOUROFF) Going back, I want you to tell us -- I mean, just after the November election, November 9th, you do your podcast on Dr. Coomer.

A. So this --

Q. -- and I am not clear how you came up with --

A. So the whole idea of being on the Antifa call wasn't my idea. I didn't line up to do this, I was doing an FEC United meeting.

Q. Let me stop you for a second. What do you mean by a "FEC United meeting"?

A. So during 2020 we had the whole thing with George Floyd. And I am a little torn by the whole deal; my dad is black, my mom is white, my whole family is interracial. So you know, I had my own feelings about racism and all of the other stuff you have to deal with.

But I also recognized that you have to deal with the problem. Like you can't just go and burn down the

community. And since I grew up in the hood, I literally grew up super poor, I just felt like you had to stand up for kids specifically.

And so we started hearing all of the things they were doing to children inside the schools, and we started hearing about what --

MR. KLOEWER: Objection, relevance and narrative.

THE WITNESS: All of this goes to --

THE COURT: I think the specific question, Mr. Oltmann, was, "Let me stop you for a second. What do you mean by a 'FEC United meeting?'"

THE WITNESS: Well, so ma'am, I am getting to that by the fact of why I started FEC United. And the organization was started on the precipice and which led me to be on that call with Antifa, but I didn't seek it out. I wasn't looking for Antifa at the time. I was combatting what was happening in the community. So it is relevant to the reason why we had the organization.

THE COURT: Again, if you can listen to the question that Mr. Kachouroff is asking you, just try to limit your answer to that question and it will make things move a little bit quicker.

Q. (BY MR. KACHOUROFF) Do you remember the month in 2020 you started FEC United?

A. Yeah. It was in -- I have some FEC United people

that are here, but I think it was April or May.
Q. Okay. Were there Antifa protests/riots going on in Colorado at that time?
A. That started with the Summer of Love, which is right around June, I think, is when -- or end of May, is when that all started.
Q. So, again, I want to try to get to this question. You just didn't come up with a -- did you go to the Dominion site after the general election in 2020 and just randomly pick somebody on their staff and say that is the guy? Or how do you come up with Dr. Coomer's name, is what I am trying to understand.
A. So somebody approached me at a FEC United meeting and said that he was part of Antifa or was Antifa, and said that "I was, but now I am not." I am like, "good for you." And we would have somewhere between 500 and a thousand people that would just show up at these meetings.

And the idea was, everyone was just looking for an answer. It was just crazy. Do you have the COVID vaccine? Do you not have the COVID vaccine? Is it going to help you? Is it not going to help you? Do you wear a mask? Do you not wear a mask? Nobody was settled on the issue, and everyone in the community was tore apart.

So he walks up and he says, "I was Antifa." And I said, "Good for you." I shook his hand, and that was it.

A couple weeks go by, we have another meeting, and he shows up again says, hey, I can get you on -- those journalists that are writing those bad things about you -- because by this time they had written all sorts of articles about me, which is not normal, and I am going through the process for Entrepreneur of the Year at the same time, so it is antipolitical a little bit --

Q. By the way, let me stop you. Entrepreneur of the Year. So you were business owner at this time.

A. Yes.

Q. Are you still a business owner?

A. Kind of.

Q. All right. What was the business you owned back then?

A. PIN Business Network.

Q. And what is the purpose of PIN Business Network?

A. We did data. We were a data company.

Q. For those of us that don't know, what do you mean by "data company"?

A. Using a tool called Prometheus Intelligence Technology, it basically allows us to do creepy things and find out what your PPV is, propensity and probability value; in other words, what you are likely to buy next.

So we built this tool that built -- so we have clients all over the country, and we just help mostly SMBs

and enterprise-level customers create an opportunity where they can find customers that have a closely related product to what people are looking for.

Q. So you know a little bit about tech yourself.

A. I do. I am a system architect.

Q. And do you have formal training?

A. I probably went to 200 -- I am more of a math guy. But I didn't follow the traditional, like I am going to get involved in tech. I got involved in it then went and took classes everywhere. I am the guy who just loves to learn.

Q. The podcast you were doing, how long have you been doing the podcast?

A. About 6-and-a-half years I think.

Q. Okay. So April 2020 you start FEC United and you are doing the podcast then?

A. Yeah.

Q. And you do your investigations. This phone call that you had, was it an Antifa call, a BLM call, does it matter to you which one it was?

A. It does. And I say Antifa call because the person that started all this stuff, started writing bad stuff about me is a part of Antifa, and then denied that she was a part of Antifa, but then later, 2 years later in 2023, had to admit that she was a part of Antifa.

Q. You are referring to Heidi Beedle.
A. Yeah. She thought it was acceptable to kill people. I mean, that was crazy. So I had some interest in the call because why wouldn't I get on a call if I could identify these Antifa journalists? But what they are saying -- and they skipped over this part, and it is important, and that is in October, on October 15th --
Q. What happened on that date?
A. -- I had a meeting at Bandimere Speedway, there was about 500, 600 people there, and we talked about the fact that we had infiltrated Antifa; right. So nobody was talking about elections, it was a pretty tense environment.

But, you know, I said that I had infiltrated Antifa. I know that they are not journalists, they are Antifa journalists.
Q. And you were referring back to the September phone call that you were on?
A. Yes. Yes. And we had one journalist that showed up there that was a part of the Colorado Times Recorder, Erik Maulbetsch, and we kicked him out of the meeting because he had written all these bad things about us and, yeah.
Q. Do you know if the plaintiff's lawyers ever tried to depose any of the people that were at this Bandimere Speedway?

A. They did not.
Q. Did they ever try to depose Erik Maulbetsch to see if he was kicked out of a meeting?
A. I don't think so. I don't know. But John Tiegen, who is the guy that was 13 hours Benghazi, was on the roof, saved all of the Americans that were below, and watched two of his friends die on the roof, he was the one that was supposed to be on the call with me, and he ran an organization that basically kept the communities safe, and stopped them from going into communities and burning it down.
Q. Why wasn't he on the call with you?
A. He was traveling out of town to go speak at a meeting. He does speaking engagements all over the country.
Q. And he is willing to give an affidavit to plaintiff.
A. He did give an affidavit to the plaintiff.
Q. Okay. And did the affidavit support what you were saying?
A. A hundred percent.
MR. KLOEWER: Objection, Your Honor, hearsay.
THE COURT: Sustained.
MR. KACHOUROFF: Okay, Your Honor, except I never asked for hearsay, I just asked whether --
THE COURT: Mr. Kachouroff.

Q. (BY MR. KACHOUROFF) Mr. Oltmann, you know that Mr. Lindell has never repeated your story directly, has he?
A. He has not.
Q. He has never publicly come out and endorsed you.
A. He has not.
Q. You gave, on May 3, 2021, an interview to Brannon Howse.
A. Yes.
Q. He wasn't there for the interview.
A. I don't recall.
Q. As far as you know, he didn't call you and say, hey, hey, Joe, would you tell your story on Brannon's interview.
A. No, he did not do that.
Q. Moving forward to the Cyber Symposium of August 12th, can you tell this jury, that is the last day of the Cyber Symposium.
A. I am sorry, say that again.
Q. August 12th of 2021 was the last day of the Cyber Symposium.
A. Yes. I believe so, yes.
Q. Was a little chaotic in there?
A. It was very chaotic.
Q. Did Mr. Lindell say, take the stage and tell your

story?
A. No. He had people all around him that were basically grifting him in ways that I can't even imagine. And Mike has a problem with -- he just loves people.
Q. Did he ask -- as far as you know, did he even know you were going on stage on August 12th?
A. No.
Q. Were you scheduled to go on stage on August 12th?
A. No, I was not. I was never scheduled to go on stage at all, but when I showed up I could see that they were running a con on him, and that this Dennis Montgomery guy said that there were PCAPs and magic people coming from Mars that were beaming stuff down through China. It is all BS. It is a lie. And he grabbed onto it hook, line, and sinker, like he just believed it, because he was so committed to what he could see, which was the election fraud, that he just -- when people brought him stuff, he just believed it, it was --
Q. There were a lot of experts at the Cyber Symposium, would you agree with that?
A. Yes.
Q. Can you name a few?
A. Harri Hursti was there.
Q. Did you talk to Harri Hursti?
A. I did.

Q. And what was your impression of him?
A. He is a smart guy. He is a smart guy. They had a bunch of people, they had probably 20 people in a room that were supposed to be looking at PCAPs, but the PCAPs were BS, so they didn't exist.

Sorry, they don't exist. He just got grifted for millions of dollars pursuing something that doesn't exist.
Q. But he didn't tell you to go on stage on August 12th and say anything about Dr. Coomer.
A. No. No, not at all.
Q. And you know David Clements; right?
A. Yes.
Q. And he never told David Clements to go on stage and interview you and say things about Dr. Coomer.
A. No. Mike was focused, the best I can remember, was focused on the PCAP story and making sure to get PCAPs to the other people. And I found myself right in the middle -- like I am a CEO of a company. I have a lot of people that work for me. I can smell garbage from a mile away, and it was absolute garbage.

And, sorry, Mike, but that is just the truth. And I told him this at the beginning.
Q. You know he disagrees with you.
A. He absolutely disagrees with me.
Q. And you know he has other people that have told him

that the PCAP data is legitimate.
A. Yeah, and these are all people that he has had to pay money to them. These are not people that really are legitimate people that understand the full concept behind what went on in 2020 election. I have a whole file full, they said I saw an expose that said there was no election fraud. I literally have experts; you know, Walter Daugherity.
Q. You know he knows Walter Daugherity; right?
A. Yeah, he does.
Q. You don't think Walter Daugherity is fraudulent.
A. Absolutely not. He is absolutely legitimate, but he also believes the PCAP are garbage.
Q. Okay. What evidence did you have to support all the claims about the voting machines?
A. So, prior to January 6, I went to Washington -- I was asked to come to Washington. I read the entire Democracy Suite manuals, I got all of the RFPs.
Q. What is Democracy Suite? Tell the jury what that is.
A. Democracy Suite are the manuals for how Dominion works in different states.
MR. KLOEWER: Objection, Your Honor, 702.
THE COURT: I am going to allow a little bit of this.
MR. KACHOUROFF: I am not going to go in-depth.

Q. (BY MR. KACHOUROFF) Give us a brief description of what that is in your mind.
A. So that is the manuals for Dominion Voting Systems, that runs -- every state has election software, and that election software, it is what they use. So they use tabulators. Do they have a --
Q. Well, not every state uses Dominion Voting Systems; correct?
A. Yeah. So give or take 50 percent of the voting American people go through a Dominion Voting Systems in the country.
Q. You also mentioned RFPs. What is an RFP?
A. A request for proposal. Any time they go into a government contract they have --
Q. I want to back up because this is cardboard -- what I call eating cardboard.

But so Dominion contracts with the government exclusively, as far as you know.

A. Yes.
Q. And the government says, we want you to give us a proposal, and you are calling that an RFP.
A. Yeah. So they have a request for proposal and they fill it out, and then you have -- basically you fill that out and send it back to the government, and at that point you go in, you do a presentation. So you will present to

the government, or whatever the entity is, about the -- what Dominion has the ability to do, what gap it fills.

MR. KLOEWER: Objection, lacks personal knowledge.

THE COURT: Sustained.

THE WITNESS: I don't lack personal knowledge.

Q. (BY MR. KACHOUROFF) Let's just talk about it. What is your basis -- do you have any prior experience working with requests for proposal?

A. Yes. Yes.

Q. And what is that history?

A. I have CAGE codes and I have done prime contracts for governments. At one point I stepped in when my friend had to step out of his company.

Q. So you have been a government contractor yourself?

A. Not a government contractor, me being a contractor, but I have been a contractor, meaning my company was a contractor.

Q. Okay. That is what I meant. I am sorry.

A. Yes.

Q. So that is part of the stuff you reviewed to look at all of the election claims.

A. Yeah. So I have written white papers overseas that have been presented to the UN. I have done a whole lot of crazy stuff. And so it is not like I have no understanding of system architecture, but I was asked to

look into it, and when I got sued -- first, it is okay to say the stuff about Eric, and I can see that correlation, but can Dominion actually steal an election? That is the next step.

Q. Let me stop you. Do you think Dr. Coomer rigged or stole the election himself?

A. No, I believe --

Q. Do you have any suggestion he did it at all?

A. There was a lot of evidence in a federal case out of Washington, D.C. where Patrick --

MR. KLOEWER: Objection, Your Honor.

Q. MR. KACHOUROFF: Do you personally have any evidence to suggest that Dr. Coomer single-handedly stole the election?

A. Well, he couldn't have single-handedly done it.

Q. But you have no evidence to know whether he was engaged in hyperbole. If it was him on the call, could it have been hyperbole from him?

A. Yes. And he is a hyperbolic guy by his own reputation.

Q. Do you think he is a genius, let me ask that?

A. I absolutely think he is a genius.

Q. Do you have respect for that academic prowess that he has?

A. I think I know quite a bit about Eric Coomer, I do,

yeah.

Q. Do you have any animus against Dr. Coomer?

A. I don't.

Q. What other evidence have you relied upon to support your claims about election fraud?

A. Well, I wrote a model that went to Washington on January --

MR. KLOEWER: Objection, Your Honor, 702.

THE COURT: Sustained.

MR. KACHOUROFF: Your Honor, I am not asking for his opinion, I am asking what he relied upon to investigate his claim.

THE COURT: Mr. Kachouroff, no speaking objections.

MR. KACHOUROFF: I am sorry. I apologize.

THE COURT: If you would like to approach, you may ask to approach. So let's go ahead and approach.

MR. KACHOUROFF: May I approach?

(A bench conference is had.)

THE COURT: I understand, Mr. Kachouroff, that you do not have control over this witness. He seemed like he was about to start talking about some model he was writing giving some opinion based on his professional experiences outside the province of a lay person. That is why I stopped you.

MR. KACHOUROFF: Right. He really has enough

computer experience that he's testified to as a system architect.

THE COURT: Right. He has not been qualified as an expert. He has not been designated as --

MR. KACHOUROFF: Allow me to finish what I was saying, Your Honor. The issue here in this case is the reason for these people's beliefs. And so by me asking what he relied upon, I'm establishing whether his belief was reasonable; that he didn't just concoct these opinions --

THE COURT: Isn't the issue whether or not he had sufficient evidence of Dr. Coomer being on this call and saying that he heard that Dr. Coomer said on this Antifa call, don't worry about it, I F'ing -- Trump won't win. I F'ing -- he fixed it, or whatever the phrase is.

So whether or not he believes that there is a capability that fraud can occur, how is that pertaining to whether or not he said that with sufficient knowledge?

MR. KACHOUROFF: You are limiting me to the scope of direct, and the problem with that is, I only get to call him one time, and so I also have a case-in-chief, and my case-in-chief has to also establish the reasonableness of the beliefs. And that is why if I was -- if I can't call him -- I will stick within the scope of direct and be done, but then I can't call him back for my case,

following your order.

MR. KLOEWER: Your Honor, these are all after the fact. Things he came up with months or years later don't provide any evidence to support whether his story was true in the first instance. That's the whole point. It is not relevant to whether he was on that call, whether he said those things, whether his claims are true. If he came up with a theory afterwards, that doesn't mean that his beliefs at the time were reasonable.

MR. KACHOUROFF: We are like two ships passing in the night. I understand the concept about the phone call, and I would agree with you if that is what I was doing. But I also have to get reasonableness of their beliefs, and that is what the case is about; it is a first amendment case on actual malice, right; did he believe at the time that they did these things, did they engage in reckless disregard.

THE COURT: Right. But at the time he made the statements.

MR. KACHOUROFF: I will clarify the scope, but that wasn't the objection. So I will clarify that scope.

THE COURT: That he didn't start investigating Dominion until after the call. So how could he be relying on information that he gathered after the call after -- to substantiate -- I guess I just need a better timeline,

because I am not tracking.

MR. DUANE: Could I confer with him?

THE COURT: You can confer, but you cannot argue.

MR. DUANE: Just one second.

MR. KACHOUROFF: Thank you.

MR. KLOEWER: I want to note, Mr. Oltmann is flipping through the exhibit notebook right now.

THE COURT: He should also not do that.

MR. KACHOUROFF: This entire case is more than just the phone call -- at that time, what he knew of the phone call. I get that that is their case, but my case is also addressing that, plus addressing all of the other issues and all other statements all the way around, including the Cyber Symposium, which they are going to have experts on; they already did, Harri Hursti, calling the whole thing "BS," all this kind of stuff. That is what he said, his words were "BS."

In fact, he is calling it that, as well. So now we have the whole -- I was trying to stay out of the election controversy. I never really thought this case was about the election controversy, it should have been about whether Mr. Lindell endorsed Mr. Oltmann's statements, but we have gone far afield of that.

So now I have to address the reasonableness of these people's belief at the Cyber Symposium, everywhere.

So I don't think my questions are out of bounds, and I wasn't planning to go a whole long time on it. I don't find this topic very interesting to begin with, Judge.

THE COURT: Well, why don't we take a recess, I will take it under advisement and think about it, and I will issue a ruling tomorrow morning before trial starts.

MR. KACHOUROFF: Okay. Thank you.

(In the hearing of the jury.)

THE COURT: All right. Ladies and gentlemen of the jury, it is 5 o'clock I have some issues to consider that you do not need to sit and watch me consider, so I am going to release for you this evening. Just be back by 8:45 in the morning. We will start again at as close to 9:00 as we can.

I give you your normal admonitions, do not talk about anything about this trial to other people, do not talk amongst yourselves. I hope you have a lovely evening.

(Outside the presence of the jury.)

THE COURT: Thank you. Please be seated.

All right. Other than the issue we talked about at side bar, counsel, is there anything else that you believe we are going to need to address tomorrow morning or right now?

MS. DEMASTER: Your Honor, yes, one thing other

than what we had discussed this morning which we will confer on tonight.

One thing was brought to our attention recently, there are several local media outlets that are publishing about this, and that is fine, they are posting details about testimony, and it is not about this, it is the First Amendment, and we are the last ones that want to go against this. And I know this Court provided preliminary jury instructions, but these articles are all heavily very slanted towards plaintiff and plaintiff's legal team and plaintiff's legal case, even providing factual conclusions that defendants' statements are false. So they are very misleading.

We know the Court has the preliminary instructions for the jury, but we are only asking if the Court could perhaps remind the jurors tomorrow just in general, not of the preliminary instructions, just do not listen to any media stories right now.

THE COURT: I am happy to remind them that they should not be talking to each other or anyone else about this trial, they should not be deliberating about the outcome, they should not be searching for media. That was my concern that I addressed with Mr. Lindell earlier about their feed. And so I am happy to reinstruct them and remind them of their obligations.

MS. DEMASTER: Thank you, Your Honor.

THE COURT: Anything else?

All right. We will resume tomorrow morning at 8:30 with the attorneys.

Ms. Hall, did you have anything?

MS. HALL: No, I apologize, Your Honor.

THE COURT: Thank you very much, we will be in recess.

(Proceedings conclude at 5:03 p.m.)

R E P O R T E R ' S C E R T I F I C A T E

I, Darlene M. Martinez, Official Certified Shorthand Reporter for the United States District Court, District of Colorado, do hereby certify that the foregoing is a true and accurate transcript of the proceedings had as taken stenographically by me at the time and place aforementioned.

Dated this 3rd day of August, 2025.

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s/Darlene M. Martinez

RMR, CRR