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CAUSE NO. 2018-CV-3354-DC

VICTORIA ADVOCATE)	IN THE DISTRICT COURT
PUBLISHING CO.,)	
)	
Plaintiff)	
)	
VS.)	CALHOUN COUNTY, TEXAS
)	
CALHOUN PORT AUTHORITY,)	
)	
Defendant)	135TH JUDICIAL DISTRICT

ORAL VIDEOTAPED DEPOSITION

BLAKE FARENTHOLD

AUGUST 1, 2018

ORAL VIDEOTAPED DEPOSITION OF BLAKE FARENTHOLD,
produced as a witness at the instance of the Plaintiff
and duly sworn, was taken in the above-styled and
numbered cause on AUGUST 1, 2018, from 10:55 a.m. to
3:29 p.m., before Sarah A. Prugh, Certified Shorthand
Reporter in and for the State of Texas, reported by
machine shorthand at the offices of Dykema Cox Smith,
112 East Pecan, Suite 1800, San Antonio, Texas, pursuant
to the Texas Rules of Civil Procedure and the provisions
stated on the record or attached hereto.

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Mr. Chuck Gibbons, Videographer

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1 VIDEOGRAPHER: This is the start of tape
2 one in the videotaped deposition of Blake Farenthold.
3 Today is August 1st, 2018. The time on record, 10:56.

4 BLAKE FARENTHOLD,
5 having been first duly sworn, testified as follows:

6 EXAMINATION

7 BY MR. GRIFFIN:

8 Q. Good morning. Would you please state your full
9 name?

10 A. Randolph Blake Farenthold.

11 Q. How old a gentleman are you, sir?

12 A. 55.

13 Q. All right. Where were you born and raised,
14 sir?

15 A. Corpus Christi.

16 Q. And where did you go to high school?

17 A. Incarnate Word Academy.

18 Q. What year did you graduate?

19 A. 1980.

20 Q. Tell us a little bit about your undergraduate
21 education.

22 A. Bachelors of science, radio/television/film,
23 University of Texas at Austin.

24 Q. And what did you do upon your graduation from
25 UT?

1 A. I went to St. Mary's Law School.

2 Q. All right. And what year did you graduate from
3 St. Mary's?

4 A. That would have been '89.

5 Q. All right. Are you a licensed lawyer as we sit
6 here today?

7 A. Yes, sir.

8 Q. And you have kept your bar license in effect
9 since you passed the bar?

10 A. Yes, sir.

11 Q. Tell us a little bit about your employment
12 after you graduated from law school.

13 A. After I graduated from law school, I went to
14 work for the Kleberg Law Firm in Corpus Christi.

15 Q. How long did you work for them?

16 A. About eight years.

17 Q. Were you ever a partner in that firm?

18 A. I was not.

19 Q. Okay. Why did you leave the firm?

20 A. I started my own computer consulting company.

21 Q. And tell us a little bit about that.

22 A. Opened Farenthold Consulting, LLC. We were a
23 web design, system integration and training firm.

24 Q. How many folks did you have working for you?

25 A. I think we peaked out at about 20. It varied

1 depending on the work load.

2 Q. What years did you operate that business?

3 A. I ran that for about nine years as well until I
4 sold it to a competitor.

5 Q. To a competitor?

6 A. Yes.

7 Q. To whom?

8 A. It was -- what was it? Southern Networks I
9 think.

10 Q. Okay. And what year did you sell it?

11 A. I don't remember the exact year. It would have
12 been in the early 2000s.

13 Q. That's fair enough. And what was your next
14 job?

15 A. I worked uncompensated as a co-host on a
16 morning radio show which I had actually been doing for a
17 while. It was great for promoting the business. I
18 continued to do that and manage family investments.

19 Q. And which radio station?

20 A. That would be KKTU in Corpus Christi.
21 Actually, two radio stations. It was KEYS for a while.
22 And then the person I worked with I moved to KKTU and I
23 went with him.

24 Q. All right. And how are you employed today,
25 sir?

1 A. I am a legislative liaison for the Calhoun
2 County Port Authority.

3 Q. You have been in that position since when?

4 A. About three months.

5 Q. When was your start date?

6 A. It was mid -- I think it was mid May, right
7 around the middle of the month. Either the 14th or
8 16th, somewhere in there.

9 (Exhibit 6 marked)

10 Q. (By Mr. Griffin) Let me ask you to review
11 Exhibit 6 -- I think what has previously been marked as
12 Hausmann Exhibit Number 6. And I will ask you if you
13 have ever seen that before, sir?

14 A. I have.

15 Q. All right. And what is it?

16 A. It is a statement from the House Committee on
17 Ethics.

18 Q. And what is the House Committee on Ethics?

19 A. That is the Committee of the House of
20 Representatives.

21 Q. But what do they do?

22 A. They handle the ethics rules and
23 investigations.

24 Q. Okay. Investigations of whom?

25 A. Of anybody that they choose.

1 Q. Okay. Is it fair to say that you were the
2 subject of an investigation that is referenced in
3 Exhibit 6?

4 A. Yes.

5 Q. Okay. And I want to ask you a few factual
6 questions about the chronology if that is okay. The
7 Committee received its referral from the Office of
8 Congressional Ethics on or about June 29, 2000.

9 A. Actually, it wasn't a referral from the Office
10 of Congressional Ethics. It was a recommendation of
11 dismissal.

12 Q. Let's follow along. I am trying to see what
13 you agree with and what you don't agree with in the
14 press release from the Ethics Committee. Let's go down
15 to the investigation background. If you will follow
16 along with me, I am just going to ask you is it true
17 what the House Ethics Committee says here when it says
18 on June 29, 2015, the Committee received a referral from
19 the Office of Congressional Ethics regarding whether
20 Representative Farenthold sexually harassed a former
21 member of his staff, discriminated against her on the
22 basis of her gender and retaliated against her for
23 complaining about the alleged unlawful treatment? Is
24 that true or not, what the House Ethics Committee says
25 here?

1 A. Again, I would take issue with the word
2 referral. There is -- I believe in the documents that
3 have been produced, there is the actual document from
4 the Office of Congressional Ethics. I do not believe it
5 is titled referral.

6 Q. So you think this sentence is not accurate?

7 A. I don't think that is entirely accurate, no,
8 sir.

9 Q. Did you point out at any time after April 12th,
10 2018, the date of this release by the House Committee on
11 Ethics, this alleged erroneous statement they had in
12 here?

13 A. No, sir.

14 Q. Why not?

15 A. I didn't feel it was necessary.

16 Q. Okay. The statement is made at the bottom and
17 I will ask you here if this is accurate or not. Due the
18 seriousness of the allegations referred by OCE on
19 September 28, 2015, the Committee announced it would
20 continue to review the allegations.

21 A. I believe that is what the Committee decided.

22 Q. Okay. Then it says the Committee reviewed more
23 than 200 pages of documents and interviewed witnesses.

24 A. That is not an accurate statement either. It
25 says over 200,000 pages.

1 Q. So is it accurate or not that they reviewed
2 more than 200,000 pages of documents and interviewed
3 witnesses?

4 A. I can't tell you. I am not on the Committee.
5 I don't know how many documents they actually reviewed.
6 The production was voluminous.

7 Q. Okay. And the statement on the paragraph that
8 begins on December 7th, 2017, the Committee announced it
9 voted to establish an ISC with jurisdiction to
10 investigate the allegations referred by OCE as well as
11 allegations that Representative Farenthold made
12 inappropriate statements to other members of his
13 official staff. Do you see that?

14 A. I do.

15 Q. Is that accurate?

16 A. Again, I am not on the Committee. I am
17 assuming they announced. They obviously announced it.

18 Q. What is -- I am just asking you. If you don't
19 know, it is okay. But they say that they announced that
20 they voted to establish --

21 A. Again, they obviously announced it or they
22 wouldn't have said this. This in and of itself
23 constitutes an announcement.

24 Q. Okay. But this is a release from April 12th.

25 A. Again, I am assuming they announced it. I had

1 a lawyer and he was handling that. So I am not going to
2 dispute that they announced they were going to form an
3 ISC. I knew they were going to form an ISC. I assume
4 they announced it.

5 Q. Do we agree that this release from the House
6 Committee on Ethics was approximately three weeks before
7 the ports' meeting in which it deliberated hiring you?

8 A. I don't know the date the ports met so I can't
9 answer that question.

10 Q. You don't?

11 A. I don't know the date the Port of Victoria or
12 Port of Lavaca meets.

13 Q. But you don't have any independent recall of
14 wanting to attend that meeting on May 7th?

15 A. There was a -- there was a meeting after I left
16 that I sent an email to Charles asking if he thought I
17 should attend the meeting but I don't remember the date
18 of that meeting.

19 Q. In any event, going back to the House Ethics
20 Committee's release here, the second paragraph on the
21 back page says on December 21st, 2018, the Committee
22 voted unanimously to expand the jurisdiction of the
23 ISC's inquiry to include. Do you see that?

24 A. Yes.

25 Q. Is that true, that they did vote unanimously?

1 A. Again, I have no independent -- I was not
2 present for the vote. I am assuming the record will
3 show that.

4 Q. Okay. And then the areas that they are going
5 to investigate are four different areas; am I right?

6 A. Yes.

7 MR. DULSKE: Objection, form. Are we
8 talking about what is written down on the piece of paper
9 or are we taking about his personal knowledge of what
10 the committee was doing? I am confused.

11 MR. GRIFFIN: Object to sidebar.

12 MR. DULSKE: Okay. Let me just --
13 objection, form.

14 Q. (By Mr. Griffin) And Mr. Farenthold, were you
15 aware then that the Committee was investigating
16 allegations of sexual harassment, discrimination or
17 retaliation by you or any person acting on your behalf
18 toward any member of your staff while they were employed
19 in your congressional office?

20 A. I was aware of the investigation, yes, sir.

21 Q. And were you aware that the House Ethics
22 Committee was investigating, secondly, allegations that
23 your congressional staff may have used House resources
24 including staff time to benefit your congressional
25 campaigns?

1 A. Again, I was aware they were investigating.

2 They are free to investigate anything they want.

3 Q. And third, the House Ethics Committee was
4 investigating allegations that you or any person working
5 on your behalf may have required members of your staff
6 to work on your campaign.

7 A. I am aware of that, yes.

8 Q. And fourth, the House Ethics Committee was
9 investigating allegations that you may have made false
10 statements or omissions in testimony to the Committee.

11 A. I am aware they are investigating that.

12 Q. Is it true, sir, that you declined to appear
13 for a voluntary interview with the House Ethics
14 Committee?

15 A. I appeared for an interview with the House
16 Ethics Committee.

17 Q. When did you -- when were you interviewed?

18 A. I believe that would have been in the fall of
19 2017.

20 Q. If you don't know, it is okay. But why do you
21 suppose the House Ethics Committee says that you
22 declined to do so?

23 A. They wanted a second interview and we were
24 unable to reach an appropriate time to schedule that.
25 They gave me less than a one week window they wanted to

1 do that in and I was unavailable during those time
2 frames. And I chose to send them a letter stating
3 that -- I am trying to remember. I don't want to
4 misstate here, stating some facts that I wanted them to
5 know and wanting to continue to work with them on that.

6 Q. But your testimony today is that you did submit
7 to an oral interview with the Committee?

8 A. But they wanted a second one.

9 Q. I appreciate that.

10 A. Yes.

11 Q. How long was the first one?

12 A. It was over an hour.

13 Q. And who was present?

14 A. The chairman and the ranking member of the
15 Committee and several staff members.

16 Q. And that was in 2017 you think?

17 A. Yeah, I am sure it was in 2017, yes, sir.

18 Q. Before or after December 1st, 2017?

19 A. I believe it was before. It was definitely
20 before.

21 Q. At the time you were interviewed by the House
22 Ethics Committee, had it yet become part of the public
23 domain that the settlement with Greene had been
24 effectuated with public funds?

25 MR. DULSKE: Objection, form. I don't

1 understand the word public domain.

2 Q. (By Mr. Griffin) Had it been released?

3 A. I don't -- I don't know.

4 Q. When do you recollect that it became publicly
5 reported?

6 A. It was early December I believe.

7 Q. Fair enough. Fair enough.

8 A. So it would have been before.

9 Q. Okay.

10 A. But they did -- they did have -- they did have
11 knowledge of -- the Committee did have acknowledgment of
12 the settlement.

13 Q. And the funds from which it was paid?

14 A. The funds any settlement is paid for is public
15 knowledge. It is in the statute. It is the only funds
16 that could be used to pay it.

17 Q. And is it true what they say here on March
18 30th, 2018, that the Committee told you that it was
19 going to have a vote regarding the results of its
20 investigation of you?

21 A. No, sir.

22 MR. DULSKE: Objection, form.

23 THE WITNESS: That is not what -- that is
24 not what it says and that is not what happened.

25 Q. (By Mr. Griffin) Just follow with me here. If

1 you think I have taken liberties with it, let me know.
2 I am on the paragraph, the third to the end of the
3 paragraph on the second page where it says pursuant to
4 Committee Rule 26, Subsection C, on March 30th, 2018,
5 the ISC informed Representative Farenthold that it had
6 scheduled a vote on a statement of alleged violation in
7 this matter to occur on April 11, 2018.

8 A. Right. A statement of alleged violation is not
9 a finding. It is more like a pleading or indictment.
10 It states what they are going to investigate and hold a
11 hearing on.

12 Q. So is this true what they say here?

13 A. It is true that they are going -- said they
14 were going to issue a statement of alleged violation,
15 yes.

16 Q. And is it true that less than a week after they
17 announced that vote, that you resigned?

18 A. Yes.

19 Q. Did you resign for fear of what the Committee
20 was going to do?

21 A. No, sir.

22 MR. DULSKE: Objection, form. We are far
23 afield now on any issue in this case.

24 MR. GRIFFIN: Object to sidebar.

25 Q. (By Mr. Griffin) Are there any other errors or

1 misstatements that you think appear in Exhibit Number 6?

2 A. No. But again, I object to your
3 characterization of a statement of alleged violations
4 being a finding. It isn't a finding.

5 Q. You said it is more like an indictment?

6 A. Or pleadings in a case. It tells you what you
7 are going to have to defend.

8 Q. And that is issued by the United States House
9 of Representatives Committee on Ethics?

10 A. I believe it is an investigative subcommittee,
11 not the entire Committee.

12 Q. So is it inaccurate here in this statement
13 where it says the statement is from the Committee on
14 Ethics?

15 A. This release was from the Committee on Ethics.
16 But the paragraph that you are referring to clearly
17 states the ISC, that it was going to vote on -- the ISC
18 is not the entire Ethics Committee. It is a
19 subcommittee of the Ethics Committee.

20 Q. Let me just share this with you. The court
21 reporter to your left is taking down what we are saying.
22 And there are going to be times today when you know my
23 question before I finish with it. And there will be a
24 temptation on my part to begin my next question because
25 I know your answer. But she has to get things down. So

1 I will endeavor to let you finish your answer before I
2 start my next question, and ask if you will pledge to
3 likewise let me finish my question before you begin
4 answering. Is that okay?

5 A. I'm sorry. I felt like you were finished.

6 Q. Okay. Well, you almost did it right there.
7 Just be patient with me. Let me get through and I will
8 try to do the same with you and let you get through
9 before I jump in with the next question. Is that okay
10 with you?

11 A. Sure.

12 Q. As a former congressman, is it your thought
13 that public funds should not be used for private
14 purposes?

15 A. Yes.

16 MR. DULSKE: Objection, form.

17 THE WITNESS: Yes.

18 Q. (By Mr. Griffin) And likewise as a congressman,
19 your work should have been to benefit the public and not
20 private interests; right?

21 MR. DULSKE: Objection, form.

22 THE WITNESS: Yes.

23 Q. (By Mr. Griffin) To your knowledge, at any time
24 before you were hired by the port, had you reached any
25 kind of rapprochement with Speaker Ryan?

1 A. I'm sorry. I don't know the definition of the
2 word rapprochement.

3 Q. Peace making.

4 A. I don't believe I was ever at odds with Speaker
5 Ryan.

6 Q. And what about with Governor Abbott?

7 A. I have supported Governor Abbott since he first
8 ran for attorney general. Our campaigns worked closely
9 together. I felt like I had a good working relationship
10 with -- had a reasonable working relationship with the
11 governor.

12 Q. Have you ever been upset with either the
13 speaker or the governor?

14 A. On policy matters, of course.

15 Q. What about regarding you?

16 A. Well, obviously when -- I felt like the letter
17 that the governor sent to me was I think out of line.
18 And as I indicated in my reply, in most cases, factually
19 inaccurate.

20 Q. Has the governor ever backed down from anything
21 he said about you regarding the events post December
22 1st, 2017?

23 MR. DULSKE: Objection, form.

24 THE WITNESS: The only communication I
25 have had with the governor is the letter that he sent me

1 and the reply that I gave him.

2 Q. (By Mr. Griffin) I am just trying to make sure.
3 You have never gotten an apology or correction or any
4 indication that the governor has withdrawn any of the
5 concerns that he has stated about what you did?

6 A. I have not heard from the governor since that
7 letter which he sent to the wrong congressional office
8 after I had resigned from Congress that I never actually
9 received until months later. The first notification I
10 got from it was from the press.

11 Q. Do you fault him for that?

12 A. Yeah. As I indicated in my letter, I think
13 most elected officials are -- suffer bad decisions that
14 their staff may have made.

15 Q. So you think -- you are blaming him. You are
16 blaming his staff, not him.

17 A. I certainly don't think it is in the governor's
18 day to day business to know my current address but I
19 think good staff work would have found it.

20 Q. Did either the governor or the speaker ever
21 change their minds about the fact that they felt that
22 you should repay the taxpayers for the 84,000 that was
23 used to settle the Greene case?

24 MR. DULSKE: Objection, form.

25 THE WITNESS: Again, I am not entirely

1 sure what you are asking. Could you rephrase that
2 question?

3 Q. (By Mr. Griffin) Sure. Have either one of them
4 withdrawn their thought that you ought to fulfill the
5 pledge you made to repay the taxpayers for the funds
6 that were used to settle the Greene lawsuit?

7 MR. DULSKE: Objection, form.

8 THE WITNESS: I can't legally repay the
9 government to do that. I have been advised by multiple
10 attorneys I cannot do that even if I wanted to. Now,
11 that is not the answer to your question.

12 The answer to your question is I am not
13 aware of where the governor or the speaker stand on that
14 issue today.

15 MR. GRIFFIN: Let me object to the
16 nonresponsive portion of the answer.

17 Q. (By Mr. Griffin) My question is have you ever
18 heard anything from the speaker or the governor that
19 says they don't expect you to repay that money as you
20 promised?

21 MR. DULSKE: Objection, form.

22 THE WITNESS: As I said, I have not heard
23 from the governor since that letter and I have not
24 spoken to the speaker since I left the House.

25 Q. (By Mr. Griffin) Let me ask you if Exhibit --

1 Farenthold Exhibit 2 are the documents that you produced
2 in compliance with the subpoena duces tecum that was
3 served upon you?

4 A. Yes.

5 Q. And these contain your statements made to the
6 public and to news gathering organizations with respect
7 to the events post dating December 1st, 2017; is that
8 right?

9 A. They are responsive to what is in your request
10 duces tecum, yes.

11 Q. They are true and correct copies of documents
12 that you keep in your possession?

13 A. Yes.

14 Q. And you have faithfully complied with the
15 subpoena and brought them with you today?

16 A. Yes.

17 Q. I would like you to look at the third -- the
18 page that either you or your lawyers have marked BF-3.

19 A. Yes.

20 Q. I guess it begins with BF-2. What is this
21 point by point history of the lawsuit? What is that?

22 A. This is something that my chief of staff,
23 communications director and I drafted as the news of the
24 settlement became public. And this was the fact sheet
25 that we were using to share with the media, basically

1 our talking points. And we actually sent it -- for
2 instance, this one was sent -- the copy you have was
3 sent to Bob Jones, a talk show host in Corpus Christi.

4 Q. Okay. Great. Now, this is dated December 3rd,
5 2017, two days after it had been reported that public
6 funds were used to pay the plaintiff in the Greene case;
7 right?

8 A. That's correct.

9 Q. Okay. Now, when I asked you about whether or
10 not the speaker and the governor had ever taken back
11 their statements that you ought to repay that money, you
12 said you were not aware; correct?

13 A. That's correct.

14 Q. But you did, I think, tell me I think in a
15 nonresponsive portion of your answer that you couldn't
16 pay it back. You wanted to pay it back but you just
17 couldn't.

18 A. That's correct.

19 Q. Okay. Now --

20 A. And that I was advised by counsel not to pay it
21 back.

22 Q. Okay. Did counsel also advise you that you
23 couldn't give that money to an appropriate nonprofit
24 that helps victims of sexual harassment?

25 MR. DULSKE: Objection, form. How is this

1 relevant to any issue in the case? Help me -- well,
2 help me with that.

3 MR. GRIFFIN: Object to sidebar.

4 MR. DULSKE: Before you answer -- and I
5 think it is confusing, misleading and I don't think it
6 is relevant. Help me understand why Mr. Farenthold's
7 contribution to a charity has anything to do with the
8 notice requirement under TOMA.

9 MR. GRIFFIN: Object to form. Object to
10 sidebar.

11 MR. DULSKE: You can rephrase your
12 question then because I am confused. I don't think the
13 question is within the scope of discovery. I don't
14 think it is consistent with what the court has ordered.
15 I am concerned about that, Counsel. I don't think the
16 court has said that you can go into those types of
17 matters. So if you can help me, explain that to me,
18 that would be helpful and it would be helpful for the
19 record.

20 THE WITNESS: I would like to answer this.

21 MR. DULSKE: Let's get through this.

22 MR. GRIFFIN: Are you done with your
23 statement?

24 MR. DULSKE: Yes, I am.

25 MR. GRIFFIN: I object to the sidebar and

1 ask counsel to please confine the remarks to objections
2 to form or instructions to the witness not to answer
3 questions that call for privilege.

4 MR. DULSKE: And I appreciate that, John,
5 but I also have a right to object when you are now
6 touching upon the protective order that was issued. I
7 am allowed to do that. And I am asking you specifically
8 if there is a protective order that prevents you from
9 going into these things, I have a right to ask why you
10 are going into it in violation of the protective order.
11 That is the reason I was asking.

12 MR. GRIFFIN: Object to sidebar.

13 Q. (By Mr. Griffin) Mr. Farenthold, you say in
14 this public statement if they won't take your money to
15 repay the taxpayers for the cost of the settlement, you
16 say here that you are prepared to donate that amount to
17 an appropriate charity that assists victims of sexual
18 harassment. Do you see that?

19 A. Yes.

20 Q. Have you done that?

21 A. No, sir.

22 Q. Why haven't you fulfilled that promise?

23 MR. DULSKE: Objection, form.

24 THE WITNESS: I have been advised by
25 counsel not to do that because there is legislation

1 pending in congress right now that would claw back those
2 funds from either my retirement or social security.
3 Until the revamp of the CAA has been done, I have been
4 advised not to do that for being in jeopardy of having
5 to repay it twice.

6 Q. (By Mr. Griffin) So your concern was you might
7 have to pay the 84,000 twice, once back to the tax
8 payers and also to a nonprofit?

9 A. Yes, sir.

10 Q. And that is your best explanation for why you
11 have not repaid the taxpayers or a nonprofit that
12 supports --

13 A. No, sir.

14 Q. -- victims of sexual harassment?

15 A. No, sir, that is not correct. I have not
16 repaid the taxpayer because I have been advised and upon
17 reading the statute, I believe it would be illegal for
18 me to pay back the government for that.

19 The Congressional Accountability Act
20 states that only appropriated funds under that act can
21 be used to settle a lawsuit under that act so it would
22 be illegal for me to do so.

23 I have not repaid the charity or not
24 donated to charity because there is several people --
25 there are several pieces of legislation pending that

1 would attempt to claw that back through retirement funds
2 or social security or other means.

3 Q. Is that one of the reasons why you declined the
4 governor's request that you reimburse the Texas
5 taxpayers for a special election made necessary because
6 of your resignation in April of this year?

7 MR. DULSKE: Objection, form.

8 THE WITNESS: No, sir. No, sir.

9 Q. (By Mr. Griffin) Is there a different reason
10 that you declined that?

11 A. Never in the history of elections has somebody
12 who resigned office been asked to do that. I didn't
13 call the special election as I stated in that letter.
14 The governor called the special election.

15 In fact, I was considering resigning
16 earlier but waited until after April 1st where it was
17 the governor's discretion to call a special election.
18 Had I chosen to resign before April 1st, there would
19 have been a mandatory special election. I did it in
20 attempt to save the taxpayers and the political parties
21 money by not creating a necessity for a special
22 election.

23 MR. GRIFFIN: Let me object to the
24 responsiveness. I am just trying --

25 THE WITNESS: Sir, you asked me why and I

1 am answering why.

2 MR. GRIFFIN: Let me object to the
3 nonresponsive answer.

4 Q. (By Mr. Griffin) Let me just ask it this way.
5 One of the motivating factors for your turning the
6 governor down was not your fear of paying the money back
7 twice. It wasn't the claw back issue that motivated you
8 to turn down the governor's request that you reimburse
9 the Texas taxpayers for the special election.

10 A. No, sir. The money, the argument that I would
11 give it back to the taxpayers would be the United States
12 taxpayer, the county taxpayers, different group of
13 taxpayers for the special election. I would have been
14 depriving the other Americans.

15 Again, the idea that somebody who resigns
16 office should have to pay for their replacement election
17 is ludicrous.

18 Q. So I am right in saying it did not motivate
19 you -- it was not a motivating factor of yours when you
20 turned the governor down that you were worried about
21 having the money clawed back?

22 MR. DULSKE: Objection, form.

23 THE WITNESS: I believe I have already
24 answered that, sir.

25 Q. (By Mr. Griffin) Forgive me. I might be dense.

1 Maybe I asked a double negative. Is that right, it was
2 not -- that did not motivate you?

3 A. It certainly was not one of the primary
4 factors. Whether it was part of my thought process or
5 not at the time, I don't recall.

6 Q. All right. Look at page 18 if you don't mind
7 in Bates BF-18. In looking through these emails,
8 Mr. Farenthold, it appears that the attachments have
9 been stripped from the emails. And I would like you to
10 confirm that the documents you brought with you have
11 their attachments to the emails stripped here.

12 A. My attorney printed them out. The PDF files I
13 provided him had the attachments. They were given to my
14 attorney. Whether or not they were printed out, I don't
15 know.

16 Q. Do we agree though that these emails reference
17 attachments that are not included in this?

18 A. I have not gone through what he has printed
19 out. I only provided him the electronic copies so I
20 can't answer that question.

21 Q. If you don't mind, look at Bates number 19.
22 And when you are there, let me know.

23 A. Okay.

24 Q. It appears to me there is a email that says,
25 Charles, attached is the revised contract.

1 A. That is not an attachment from me. That is
2 from Charles's attorney. So that attachment, I don't
3 know if I -- I don't know if Charles sent me that
4 attachment or not.

5 Q. But your thought is that when you gave them to
6 counsel, your counsel, Mr. Dulske, they had contained
7 all of the attachments to the emails that came into your
8 box and out of your box?

9 A. That is correct. If they are not here, I am
10 sure he will be happy to print them for you.

11 Q. Fair enough. Thank you for that.

12 MR. DULSKE: Let me -- on the record, if
13 we didn't print them, that was just an oversight. I
14 will make sure they get printed and get them produced to
15 you.

16 MR. GRIFFIN: And I appreciate that.

17 Q. (By Mr. Griffin) Let me turn to page 89 of the
18 documents that you brought in compliance with the
19 subpoena and ask you what that is.

20 A. That is a job description for the legislative
21 liaison for the Calhoun Port Authority.

22 Q. When were you first provided that?

23 A. I believe in my first meeting with Charles
24 which would have been in mid May.

25 Q. Were you provided this before or after you were

1 hired?

2 A. I believe it was contemporaneously with being
3 hired.

4 Q. Had you guys discussed the contents of this
5 before the day you were hired?

6 A. I don't believe so. I mean the discussions we
7 had were relatively broad. What they told me they
8 wanted me to do was to get the funding for their
9 jetties, jetty repairs taken care of. That was my
10 number one goal and that is what I should be focused on.

11 Q. Well, if I read this two page job description,
12 I don't see anything about the jetties here. Is there
13 anything in this job description that describes that
14 precise project?

15 A. Coordinating activities with the US Army Corps
16 of Engineers including obtaining direction or obtainment
17 of identified goals and policy recommendations I think
18 would be one of them.

19 Q. Okay.

20 A. I think develop I think CPA's priorities in
21 driving their message to the Army Corps of Engineers and
22 members of the government, media and the public would be
23 there. Research and drafting of legislation. I think
24 that all of those would be directly related to
25 legislative goal of getting the law changed to where the

1 government share of funding the jetty repair that the
2 Army Corps of Engineers screwed up when they built at
3 100 percent.

4 Q. Does this two page description on BF-89 and 90
5 of Exhibit Number 2 accurately reflect the job duties of
6 the job that were discussed with you before you were
7 hired?

8 A. Again, I think this is substantially broader
9 than what our discussions were.

10 Q. But is this the job description that now covers
11 the job that you have?

12 A. Again, I have been directed to focus
13 100 percent on -- I wouldn't say 100 percent -- the vast
14 majority of my time on the jetties issue. And I think
15 it talks about dealing with the media and the public. I
16 have also been instructed not to interact with the
17 media.

18 MR. GRIFFIN: Okay. Let me object to
19 nonresponsive answer.

20 Q. (By Mr. Griffin) I am asking is this the only
21 job description that we have for the job that you now
22 have?

23 A. I think there have been some verbal
24 instructions that modify and supplement this.

25 Q. Are they documented in any way?

1 A. No, sir.

2 Q. Are these like verbal?

3 A. I speak on the phone every week with Charles
4 and we go over what I am doing. And he tells me that is
5 good, that's good or you need to focus on this.

6 Q. Who prepared this job description?

7 A. I have no idea.

8 Q. Who gave it to you?

9 A. Charles Hausmann.

10 Q. In person?

11 A. I believe so, yes.

12 Q. Did you go over the job duties?

13 A. Read it. We didn't really discuss it.

14 Q. Was there any disagreement about any of these
15 items that are in there?

16 A. No.

17 Q. Okay. So is this a true and correct copy of
18 the job description for legislative liaison that was
19 handed you by the port?

20 MR. COBB: Object to form.

21 THE WITNESS: Yes.

22 Q. (By Mr. Griffin) And if I am hearing you right,
23 and you correct me if I am wrong, even though it has all
24 of these essential responsibilities, you verbally have
25 been instructed to basically do only one thing which is

1 work on the jetties?

2 A. I think I corrected myself and said focus
3 primarily on the jetties, the jetties proper.

4 Q. What else were you supposed to focus on besides
5 the jetties?

6 A. That was the number one issue. They have also
7 got a widening and deepening project. That is a
8 long-term project. There is also some environmental
9 concerns with the erosion of a beach south of the --
10 south of the port that could be remedied by some Corps
11 of Engineers actions.

12 There is some issues with Pass Cavallo
13 that could also help mitigate some of the problems with
14 the jetties. I am also on the lookout for potential and
15 probably not listed in here is possible business
16 development opportunities for the port as well.

17 Q. You mentioned -- I thought a moment ago you
18 were given a verbal -- and if I heard this wrong, you
19 share with me that you were -- were you told not to
20 interact with the public in some way or did I --

21 A. I was told not to interact with the media.

22 Q. Not to interact with the media.

23 A. That is primarily because of this litigation.

24 Q. When were you first given the directive not to
25 be interacting with members of the media?

1 A. It was very shortly after -- very shortly after
2 my hiring, a couple of weeks.

3 Q. All right. And what is the origin or -- let me
4 ask you this. Why do you call the local daily newspaper
5 in Corpus Christi the Scrawler Times.

6 A. I have been calling it that -- actually
7 Scrawler Grimes. It is a slang term that other media
8 have been using to refer to it since I was a teenager.

9 MR. GRIFFIN: Let me object to the
10 responsiveness.

11 Q. (By Mr. Griffin) My question is why do you call
12 them that?

13 A. That is what I have called them for years.

14 Q. What does it mean to you to call them --

15 A. It is a derogatory term.

16 Q. In what sense? Tell me more about it.

17 MR. COBB: John, I want to object on the
18 basis of the protective order which limits the scope of
19 the deposition to information relating to whether the
20 hiring of Mr. Farenthold is of special interest to the
21 public. I don't see how this line of questioning or any
22 line of questioning goes there. So I don't know how you
23 want to handle that. Do we need to go off the record?
24 Do we need to call the judge? What do we need to do to
25 get us back on track?

1 MR. GRIFFIN: Let me object to the
2 sidebar.

3 Q. (By Mr. Griffin) It is derogatory you said?

4 A. Yes.

5 MR. COBB: Do we need to stop the
6 deposition? I asked you a question.

7 MR. GRIFFIN: No, we are not going off the
8 record. Let me object to the sidebar.

9 Q. (By Mr. Griffin) What is derogatory about it?

10 MR. DULSKE: Well, wait a minute.
11 Objection, form. If your question is outside of the
12 protective order and he is not required to answer it,
13 then at this point, he probably shouldn't answer and we
14 should go call the court on it and make sure that your
15 questions -- because we want to make sure your questions
16 are within the four corners of his order. I am sure you
17 don't want to violate that.

18 So I think the objection he has and the
19 objection I have is your question about his meaning or
20 his intent of those statements don't go to any issue
21 that the judge has authorized questioning on. Can you
22 explain why it does?

23 MR. GRIFFIN: Object to the sidebar.

24 Q. (By Mr. Griffin) Your lawyer can instruct you
25 not to answer if he pleases. But I am going to get you

1 to elaborate on the question that the term is meant in a
2 derogatory manner.

3 A. That's correct. Since I was 15 --

4 MR. COBB: Same objection.

5 THE WITNESS: -- I was in competing media.

6 I think it actually originated from a play at summer
7 melodramas of the Corpus Christi Harbor Playhouse. It
8 is a moniker that has stuck.

9 Q. (By Mr. Griffin) When you use the term to
10 describe that paper, did you mean it in a derogatory
11 manner?

12 MR. COBB: Objection, relevance,
13 protective order.

14 THE WITNESS: I am not a fan of the Caller
15 Times but I don't necessarily -- I am not sure
16 derogatory would be the right word to describe how I
17 used it.

18 Q. (By Mr. Griffin) It is okay, you being a
19 legislative liaison. I am asking you your relationship
20 is one that -- with the Caller Times you described, do
21 you have that same relationship say with the Victoria
22 Advocate?

23 A. I didn't grow up with that paper. I don't have
24 a particular opinion of that paper.

25 Q. What about the Port Lavaca Wave?

1 A. Again, I didn't grow up with that paper. We
2 had good relations when I was in Congress and I talked
3 to them once or twice since.

4 Q. And the Houston Chronicle, a fan of them?

5 MR. DULSKE: Objection, form.

6 THE WITNESS: Again, I am not a fan of the
7 media in general right now. If you were to ask me what
8 some of my more favorite newspapers are, I think I would
9 include the Chronicle in there.

10 Q. (By Mr. Griffin) If you will go to page 113 and
11 let me know when you are at BF-113.

12 A. I am there.

13 Q. Just so we understand, these are statements
14 that you made to members of the public about the events
15 that happened after December 1st, 2017 when it was made
16 public that taxpayers funds had been used to settle the
17 Greene case; right?

18 A. Yes. Mr. Woodbright is a former reporter for
19 the Caller Times who covered me.

20 Q. And you engage in conversation with him. He is
21 a member of the public; is he not?

22 A. He retired from the media so he is a member of
23 the public. He is a friend though.

24 Q. He is friendly to you?

25 A. We are friends. We have gone out to have

1 dinner together. I mean social friends.

2 Q. Thank you for that. And when you -- when you
3 tell this member of the public who is a friend that
4 F-tards one, who are you referring to there?

5 MR. COBB: Objection, form.

6 THE WITNESS: The media.

7 Q. (By Mr. Griffin) Okay. And forgive me for
8 being indiscreet by asking this question. But what does
9 the term F-tards mean?

10 MR. COBB: Objection.

11 MR. DULSKE: Objection, form.

12 MR. COBB: Relevance, protective order.

13 THE WITNESS: The word speaks for itself.

14 Q. (By Mr. Griffin) What does it mean to you? I
15 have never heard this.

16 A. It means F-tard.

17 MR. DULSKE: Objection.

18 Q. (By Mr. Griffin) What would be a synonym in
19 case the judge or the ladies and gentlemen of the jury
20 have never heard this term before? What does it mean?

21 MR. COBB: Objection, relevance,
22 protective order.

23 THE WITNESS: Ass.

24 Q. (By Mr. Griffin) A-S-S?

25 A. Yes.

1 Q. Perfect.

2 A. I guess it would be plural, A-S-S-E-S.

3 Q. Okay. All right. If you don't mind moving to
4 page 122. Let me know when you are there.

5 A. Okay.

6 Q. You reference in the days after it had become
7 public, that the public funds were used to pay the
8 Greene settlement, that some members of your own party
9 were turning on you.

10 A. I have a general belief that in Washington,
11 that we leave our wounded on the playing field, yes.

12 Q. And when you said that to this member of the
13 public, that the republicans, members of your own party,
14 were turning on you, who were you referring to?

15 MR. COBB: Objection, form.

16 THE WITNESS: There were a couple of
17 people in the Republican party who were threatening to
18 come out and call for my immediate resignation.

19 Q. (By Mr. Griffin) And who were those
20 Republicans?

21 A. I believe Mia Love and there was one other one
22 and I don't remember who.

23 Q. And Mia Love is a --

24 A. Congresswoman.

25 Q. African-American congresswoman, Republican?

1 A. Yes. And I would also say some folks that had
2 worked for me in the past were also turning on me. My
3 former political consultant, Steve Ray, had gone to work
4 for one of my opponents. So it wasn't --

5 Q. And if you will move to page 131. And let me
6 just ask you who is Robby Burdge?

7 A. He was a campaign contributor in Victoria.

8 Q. Do you know what his day job is?

9 A. He is a business, small business owner.

10 Q. Do you know him as a person, very active in the
11 Victoria community?

12 A. Yes.

13 Q. And a very sociable person?

14 A. Yes.

15 Q. All right. Does he volunteer to you that he
16 has been -- that in listening to folks in Victoria, it
17 is not going very well for you, Mr. Farenthold. Do you
18 see where he tells you that?

19 A. Yes.

20 Q. Okay. Did you speak with him on the phone
21 about the public reaction to the knowledge that you had
22 used taxpayer funds to settle the Greene case?

23 MR. DULSKE: Objection, form. Don't
24 answer that question.

25 MR. COBB: Objection, form.

1 MR. DULSKE: You can rephrase it. I think
2 that misstates the -- what his testimony is. Any answer
3 at this point would be misleading.

4 Q. (By Mr. Griffin) I am trying to get you to tell
5 me whether you had a phone conversation with Mr. Burdge
6 about what he was hearing in the community after it was
7 known that taxpayers funds paid the Greene settlement.

8 MR. COBB: Objection, form.

9 MR. DULSKE: Objection, form.

10 THE WITNESS: I remember having a phone
11 call with Mr. Burdge. I do not remember the contents of
12 that call.

13 Q. (By Mr. Griffin) Can you -- if you can't, it's
14 okay. But do you recollect him telling you that there
15 is a public outcry because those funds were used in that
16 manner?

17 MR. COBB: Objection, form.

18 THE WITNESS: I don't believe he said that
19 but I can't be positive.

20 Q. (By Mr. Griffin) In any event --

21 A. I will be happy to expand upon that. The issue
22 at this time was whether or not I was going to seek
23 re-election. And I was trying to gauge whether what was
24 happening with respect to the disclosure was going to --
25 what effect that was going to have. I think it was not

1 specifically on any issue in particular, but in general,
2 what was going on.

3 Q. But this -- these strings of emails that we see
4 here are all in the days following the revelation that
5 taxpayers funds had been used to pay the Greene
6 settlement; right?

7 A. I believe there was also a CNN report around
8 that time as well that Ms. Greene appeared on.

9 Q. In any event, when you are getting this report
10 from Robby Burdge, he is telling you it is not going so
11 well, what he is hearing in Victoria, and that your path
12 to victory appears to be getting slimmer and slimmer.

13 MR. DULSKE: Objection, form.

14 THE WITNESS: I think that is maybe a
15 little bit of an exaggeration. I believe the general
16 message I got from -- again, I didn't specifically
17 recall Mr. Burdge's conversation. But a variety of
18 conversations with supporters indicated that it would be
19 a harder re-election should I choose to stay in the
20 election.

21 Q. (By Mr. Griffin) But not to cut to the chase,
22 but harder because of the events that happened around
23 December 1st, 2017?

24 A. I think for a variety of things that were going
25 on.

1 Q. But that would be number one; right?

2 A. Probably, yes.

3 Q. And what we have been looking at in page 131 is
4 not your notes about a phone call with Robby Burdge but
5 rather either a text or email?

6 A. That is a text chain, yes.

7 Q. Text chain, thank you for that. I appreciate
8 that. Now, did you share with me a moment ago that your
9 resignation a few days after the Ethics Committee
10 released its intention to vote on the allegation or vote
11 to -- let me rephrase that question.

12 You told me it was in the nature of
13 charges or an indictment and not a finding of wrongful
14 conduct that the Ethics Committee was going to vote on.

15 A. No, sir.

16 Q. You didn't tell me that?

17 A. No, sir. We were talking about the
18 investigative subcommittee, not the Ethics Committee.

19 Q. Thank you for that. The subcommittee of the
20 Ethics Committee, I thought you had told me that you did
21 not resign out of any fear as to what the Ethics
22 Committee subcommittee would do with respect to the
23 allegations against you.

24 A. I don't believe I said that, no, sir. Go
25 ahead.

1 Q. So let me ask it again. Was one of your
2 motivations for resigning to avoid the vote by that
3 body?

4 MR. COBB: Objection, relevance,
5 protective order.

6 MR. DULSKE: Same objection.

7 THE WITNESS: I would say my primary
8 motivation was the expense associated with defending it.
9 I was informed by my ethics attorney it would cost
10 between 300 and 500,000 dollars to defend, money I did
11 not have in my campaign fund. And is twice what I would
12 have made in Congress over a year.

13 Q. (By Mr. Griffin) Let me ask you one more time.
14 Was one of the motivations for your resignation avoiding
15 the House Ethics Committee's subcommittee voting on the
16 allegations involving you?

17 MR. DULSKE: Objection, asked and
18 answered.

19 MR. COBB: Objection, relevance,
20 protective order.

21 THE WITNESS: My primary motivation was
22 the expense associated with defending an ethics
23 investigation.

24 MR. GRIFFIN: Let me object to the
25 responsiveness.

1 Q. (By Mr. Griffin) You told me that was one of
2 your reasons. Either the fear of what they were going
3 to do motivated you or not.

4 A. Sir, I have been dragged through the mud by the
5 media on this enough. Quite frankly, I very much would
6 have liked to get much more of my side of the story out
7 because I feel like the truth would have been on my
8 side.

9 However, I could not afford to do it. It
10 wasn't worth the emotional stress on me and my family
11 with what was going on in the media. But the truth is I
12 could have probably gone through it, would have liked
13 to. My family couldn't have.

14 MR. GRIFFIN: Let me object to the
15 responsiveness.

16 Q. (By Mr. Griffin) So did it play a role in your
17 decision making fear of what the House Ethics Committee
18 was going to do with the allegations that were being
19 investigated by its subcommittee?

20 MR. COBB: Objection, relevance,
21 protective order.

22 MR. DULSKE: Objection, form, asked and
23 answered.

24 THE WITNESS: It was not the primary
25 consideration but it was a consideration.

1 Q. (By Mr. Griffin) You have told members of the
2 public that the House Ethics Committee and subcommittee
3 were looking to steamroll you?

4 MR. COBB: Objection, form.

5 Q. (By Mr. Griffin) Is that right?

6 A. I believe the Ethics Committee is driven more
7 by politics than by the facts. I would say yes.

8 MR. GRIFFIN: Thank you. Let me object to
9 the nonresponsive portion of the answer.

10 Q. (By Mr. Griffin) You think constituents and
11 members of the public would be interested in a sitting
12 congressman who accuses the House Ethics Committee of
13 looking to steamroll someone who is asking for a job as
14 a lobbyist?

15 MR. COBB: Objection, form.

16 THE WITNESS: I am not sure what you are
17 asking.

18 Q. (By Mr. Griffin) It is unusual to have a
19 sitting member of Congress to accuse the House Ethics
20 Committee of trying to steamroll.

21 A. I don't think it is unusual at all.

22 Q. Has any other person being investigated by the
23 House Ethics Committee ever accused the congressional
24 committee or subcommittee of trying to steamroll a
25 member of Congress?

1 A. I would assume so but I don't -- I couldn't
2 cite any particular instance of it. And again, that was
3 not a statement made to the media or to the public. It
4 was made to a friend and supporter.

5 Q. But in a communication that was with a member
6 of the public.

7 MR. COBB: Objection, form.

8 THE WITNESS: It was with one person, yes,
9 sir.

10 Q. (By Mr. Griffin) Who else did you tell the
11 House Ethics Committee was trying to steamroll you?

12 MR. DULSKE: Objection, form.

13 THE WITNESS: I have no idea if I told
14 anybody else or if I told a dozen other people.

15 Q. (By Mr. Griffin) Can you see why the members of
16 the public in Calhoun County would be interested in
17 hiring -- whether or not a person applying for a job as
18 a lobbyist has accused those who he intends to lobby of
19 steamrolling him?

20 MR. COBB: Objection, form.

21 MR. DULSKE: Objection, form.

22 THE WITNESS: No, sir.

23 Q. (By Mr. Griffin) You didn't think they would
24 have any interest in that?

25 A. I don't think it would be much interest, no.

1 Q. In any event, the couple of hundred pages of
2 emails, text messages and other documents are your
3 statements about that matter; right?

4 A. They are responsive to your request.

5 Q. Thank you. Do you think the public has the --
6 has an interest in the right to expect members of
7 Congress to honor their commitments to the taxpayers?

8 MR. COBB: Objection, objection, form.

9 MR. DULSKE: Objection, form, relevance.

10 THE WITNESS: Of course.

11 Q. (By Mr. Griffin) And when you -- when you --
12 let me ask you this. You were acquainted with the mayor
13 of Victoria, Paul Polasek; are you not?

14 A. Yes.

15 Q. And you assured him, did you not, and made a
16 commitment to him as the mayor of Victoria, quote, I am
17 going to pay back the settlement amount; is that right?

18 MR. COBB: Objection, form.

19 MR. DULSKE: Objection, form.

20 THE WITNESS: It was my intent at the time
21 to pay it back until I was advised and researched on my
22 own that it would be illegal to do that. I believe the
23 taxpayers and the mayor would be more interested in my
24 following the law.

25 MR. GRIFFIN: Let me object to the

1 responsiveness.

2 Q. (By Mr. Griffin) I am trying to confirm that
3 you made a commitment to Mayor Polasek on December 4,
4 2017, despite my innocence, I am going to pay back the
5 settlement amount, unquote.

6 A. I said that. But again, if I commit to
7 something and find out it is against the law, I am going
8 to not do it. I am not going to break the law.

9 Q. Who is Lembo?

10 A. He is a supporter in -- I'm sorry. He is a
11 supporter of district -- he is married to a friend of
12 mine. He is a -- I'm sorry. He is a supporter of mine
13 in Lockhart. I'm sorry. Luling.

14 Q. What is the name of this person?

15 A. Lembo Allen.

16 Q. A-L-L-E-N?

17 A. Yes. Sorry. He wasn't in the directory of my
18 phone so it didn't pull up a name associated with his
19 phone number.

20 Q. So this member of the public has told you that
21 he was proud of you for doing the right thing by paying
22 the money back.

23 A. I think he would be equally proud of me for
24 obeying the law.

25 MR. GRIFFIN: Let me object to the

1 responsiveness.

2 Q. (By Mr. Griffin) I am just trying to get at
3 what he is telling you in this text message.

4 MR. DULSKE: Objection, form.

5 MR. GRIFFIN: You got to let me finish my
6 question too.

7 MR. DULSKE: You are asking him what --

8 MR. GRIFFIN: Stop, please don't
9 interrupt. I will let you make your objection when I am
10 through.

11 MR. DULSKE: You are asking him what has
12 been written. I mean that is --

13 MR. GRIFFIN: Object to sidebar.

14 MR. DULSKE: Okay.

15 Q. (By Mr. Griffin) Where he says this is Lembo,
16 he says here he is proud of you for, quote, doing the
17 right thing by paying the money back, unquote; right?

18 MR. DULSKE: Objection, form.

19 THE WITNESS: That is what he said.

20 Q. (By Mr. Griffin) Okay. And sort of cutting to
21 the chase, regardless of who is wrong and right on the
22 illegal or not illegal or giving to a charity, not
23 giving to a charity, whatever, those are issues that
24 have been debated vigorously in public ways among those
25 who have been interest in that subject.

1 MR. COBB: Objection, form.

2 THE WITNESS: I would disagree with that
3 completely. It is barely ever reported in any of the
4 stories that it would be illegal for me to repay it or
5 that I would be in jeopardy of having to repay it twice
6 if I were in charity. I think you will find that in
7 very few of the news reports. I would not say it has
8 been vigorously publicly debated.

9 MR. GRIFFIN: Let me object to the
10 nonresponsiveness.

11 Q. (By Mr. Griffin) I am just talking about the
12 subject matter of this payment and the way it was made
13 and the events that followed such as your commitment to
14 pay the money back to the taxpayers or to pay it back to
15 a non-profit or your communications with the governor
16 and the speaker. These were all matters that have been
17 debated vigorously among social media, the press and
18 bloggers over the last several months; right?

19 MR. COBB: Objection, form.

20 MR. DULSKE: Objection, form.

21 THE WITNESS: I don't know because I, for
22 the most part, quit reading social media and blogs. And
23 I can tell you from what few news reports that I
24 actually have read, I don't believe a debate indicates
25 that both sides of the issue are presented. And so no.

1 Q. (By Mr. Griffin) But people are interested in
2 this subject; aren't they?

3 MR. COBB: Objection, form.

4 MR. DULSKE: Objection, form.

5 THE WITNESS: I think there is a small
6 subset of trolls on the internet and folks who are
7 attempting to score cheap political points to capitalize
8 on this.

9 Q. (By Mr. Griffin) Do you think that the district
10 court is a troll for asking whether it should be of
11 concern to the public in Calhoun County whether public
12 funds are used for private purposes?

13 MR. COBB: Objection, form.

14 MR. DULSKE: Objection, form.

15 THE WITNESS: I don't think asking the
16 question is a debate. So no, I think anybody is
17 entitled to ask a question. And in the instances where
18 it is appropriate for me to answer, I will answer.

19 I also want to put on the record that I am
20 not neither confirming nor denying that the amount in
21 question is \$84,000. It is settlement money. The
22 settlement agreement specifically prohibits me from
23 disclosing the amount of the settlement, whether it was
24 one dollar or 100 million dollars.

25 Q. (By Mr. Griffin) And if you don't mind looking

1 at BF-143 and 144 and let me know when you are there.

2 A. Uh-huh.

3 Q. What is that?

4 A. That is the form letter that my office sent out
5 to anybody who wrote in about the issue.

6 Q. How many of them got sent out?

7 A. I don't know.

8 Q. Who would be the best person to ask that
9 question?

10 A. I don't believe anybody would know now because
11 the system is offline. I have a back up of it but I
12 don't have the software to determine who it was sent to.
13 So I have no idea how many people, if any, this was sent
14 to. This was -- I got a copy of all of the form letters
15 we sent out. This was in it and it was responsive.

16 Q. Right. And I am not beating you up over your
17 memory. Who would be the person that would have the
18 most knowledge about how many members of the public you
19 sent that letter to?

20 A. There would not be one single person. It would
21 be the people who held the office of legislative
22 correspondent in my office at the time this letter was
23 active.

24 So since the OCE opinion or since -- I
25 would have to read the letter to estimate what the date

1 of was. But it would be -- it would be the legislative
2 correspondent in my office. I doubt they would remember
3 those particular numbers either without access to the
4 program.

5 Now, I did give access to my form letters
6 to Michael Cloud but I did not give him the contact
7 list. So he wouldn't have the -- he wouldn't have the
8 number either I don't think.

9 Q. But can we be confident that this letter that
10 you sent out to members of the public who were asking
11 about these events were sent out after it broke that the
12 settlement funds were paid from public funds?

13 MR. COBB: Objection, form.

14 MR. DULSKE: Objection, form. Can you --
15 can I -- can you read back the question real quick?

16 (Requested portion read.)

17 THE WITNESS: Yes, because it says
18 repayment of the funds. So the body of the letter
19 suggests that.

20 Q. (By Mr. Griffin) Fair enough.

21 A. So relatively confident.

22 Q. And it looks to me like the pages starting with
23 page 145 or basic social media posts regarding you in
24 the wake of these events.

25 A. You asked for all communications with the

1 public. I gave you everything that we posted to Twitter
2 and Facebook during the time period in question. There
3 are literally thousands of emails and stuff that I went
4 through.

5 I just -- in the amount of time we had, I
6 didn't have time to cull what was relevant and not
7 relevant from social media. I did look at my Instagram
8 account but there was nothing posted that was relevant
9 on Instagram.

10 Q. And have you complied with the subpoena and
11 covered Facebook, Instagram and Twitter?

12 A. Yes.

13 Q. Are those the only social media platforms that
14 you participate in?

15 A. There was also YouTube. And I believe we
16 provided you a couple of videos, some of which were on
17 YouTube, some of which were not. There were things we
18 helped local TV stations produce. I had a LinkedIn
19 account but nothing -- I don't ever post to that. So
20 those are all of the social media accounts that I am
21 active on.

22 Q. And when you mention the --

23 A. Or was active on. I am not active on them
24 anymore. I want to clarify that answer.

25 (Exhibit 2 marked)

1 Q. (By Mr. Griffin) Okay. And let me just ask you
2 this. In terms of Exhibit Number 2, page 145 to 219 are
3 the ones that have to do with social media as opposed to
4 emails, text messages and press releases?

5 A. That is -- what is the final page number?

6 Q. You can look as well as I can but I think it is
7 219; is it not?

8 A. Yes, that appears to be the social media
9 accounts. There were two -- I have three -- so there
10 are three Facebook accounts, my campaign account, Elect
11 Blake, Farenthold, the official, and then -- Congressman
12 Farenthold, the official, and then a personal.

13 I quit using my personal my second year of
14 congress so there was nothing to produce there.
15 Twitter, there was an elect and an official. I think I
16 also have a personal YouTube but I haven't posted
17 anything on that since I was elected to congress I don't
18 think.

19 (Exhibit 1 marked)

20 Q. (By Mr. Griffin) I am not going to spend a lot
21 of time on this. But describe, if you will, the videos
22 that are on the USB drive that the court reporter has
23 marked as Exhibit 1.

24 A. There is a video that was posted to Facebook of
25 a conference call with your congressman that was done in

1 early December. That was an hour long. It was focused
2 primarily on Hurricane Harvey relief. But I vaguely
3 recall somebody may have asked something about that so I
4 produced it.

5 There ought to be the announcement that I
6 will not run again. And then I do not -- there is a
7 video out there that I do not have a copy of my -- of my
8 resignation. I searched for that but could not find it.
9 I believe that that may have been on the C drive of my
10 communications director. And all I backed up when I
11 left was the shared hard drive.

12 There is also three or four videos of me
13 doing interviews with local TV stations. The way we
14 would do that is they would call -- we would put them on
15 speaker phone and ask questions. I would answer those
16 questions on a video camera and we would email them the
17 high res video of me answering the questions. So we
18 basically taped my end of the interview and they spliced
19 it together to form their final story.

20 (Exhibit 24 marked)

21 Q. (By Mr. Griffin) Okay. Sort of going
22 chronological order with these exhibits. I am going to
23 start with Exhibit 24.

24 A. All I have is Exhibit 2.

25 Q. No, you don't have it yet. I am going to hand

1 you it.

2 THE WITNESS: If we are going to shift
3 gears, can I have just like three minutes to go to the
4 bathroom?

5 MR. GRIFFIN: You can have more than that
6 and as much as anybody needs. We can go off the record.

7 VIDEOGRAPHER: This is the end of tape
8 one. Time off record, 12:07.

9 (Recess taken)

10 VIDEOGRAPHER: This is the start of tape
11 two. Time on record, 12:26.

12 Q. (By Mr. Griffin) Forgive me for asking this but
13 are you aware that Governor Abbott has said that you are
14 a disgraced former congressman?

15 A. A lot of people have said that.

16 Q. And --

17 A. But I was not specifically aware the governor
18 said that.

19 Q. Have any of the folks who have had that
20 opinion, right or wrong, withdrawn it or retracted their
21 view that you are a disgraced former congressman?

22 MR. COBB: Objection, form.

23 MR. DULSKE: Objection, form.

24 THE WITNESS: I have just seen it in print
25 occasionally. I don't read my press very much anymore.

1 Q. (By Mr. Griffin) Have any of them to your
2 knowledge withdrawn that characterization?

3 A. I wouldn't know.

4 MR. DULSKE: Objection, form.

5 Q. (By Mr. Griffin) And I am going to run through
6 some exhibits with you. Let me just give you all of
7 them. We will go in order that they appear there
8 starting with Number 24.

9 MR. DULSKE: Do you have an extra copy
10 that we can look at?

11 MR. GRIFFIN: You are -- I am happy for
12 you to look over my shoulder. I do have one in a
13 notebook here.

14 MR. DULSKE: Are those -- let's just --
15 let me go make copies of those real quick.

16 MR. GRIFFIN: Would you like to?

17 MR. DULSKE: Yeah.

18 MR. GRIFFIN: Sure.

19 MR. DULSKE: If you don't mind, it will
20 take me two or three minutes.

21 MR. GRIFFIN: We can go off record to
22 accomplish that.

23 VIDEOGRAPHER: Off record at 12:27.

24 (Recess taken)

25 VIDEOGRAPHER: Back on record at 1:09.

1 THE WITNESS: You want me to have this
2 one?

3 MR. DULSKE: Yeah, that is the one he gave
4 you. Take the original sticker off.

5 THE WITNESS: They are all the same. What
6 does it matter?

7 MR. DULSKE: That one is for Bill. That
8 was Bill's. So there is two stacks. You got two
9 stacks. You got this one which is in front of him now.
10 The second stack is right here. That's John's. Okay.

11 Q. (By Mr. Griffin) Let me ask you this if I
12 could. Do you consider Speaker Paul Ryan to be into
13 deep state?

14 MR. COBB: Objection, form.

15 MR. DULSKE: Objection, form.

16 THE WITNESS: What do you mean by the deep
17 state?

18 Q. (By Mr. Griffin) The deep state you referred to
19 in your letter to Governor Abbott when you were talking
20 about the deep state.

21 A. No.

22 Q. Okay. Do you consider Governor Abbott himself
23 to be part of the deep state?

24 MR. COBB: Objection, form, relevance.

25 THE WITNESS: No.

1 Q. (By Mr. Griffin) Or Port Lavaca Wave?

2 A. No.

3 Q. Or the Victoria Advocate?

4 A. No.

5 Q. I am going to go through these series of
6 exhibits with you. I am going to try to go in
7 chronological order of dates that start from December
8 1st, 2017 and running through May 2nd, 2018. And I will
9 ask you if you will first look at Exhibit 24. And I
10 will ask you if anything has been reported here that you
11 think is not truthful or inaccurate?

12 MR. COBB: Objection, form.

13 THE WITNESS: This stands for itself.
14 What I think about it doesn't -- what possible relevance
15 can that have?

16 MR. GRIFFIN: Let me object to the --

17 THE WITNESS: I am going to object to the
18 question myself. I mean this has zero relevance.

19 MR. DULSKE: Objection, form.

20 MR. GRIFFIN: I join that objection, form.

21 Q. (By Mr. Griffin) I just need you to tell me
22 factually, we agree Exhibit 24 is an article in the
23 Texas Tribune about you and the events surrounding it
24 becoming public knowledge that taxpayer's funds had been
25 used to fund the Greene settlement; right?

1 MR. COBB: Objection, form.

2 Q. (By Mr. Griffin) Right?

3 A. So I cannot answer that question based on the
4 confidentiality agreement in the Greene settlement which
5 prohibits me from commenting on the amount of the
6 settlement or anything contained in the settlement.

7 MR. GRIFFIN: Let me object to the
8 nonresponsive.

9 Q. (By Mr. Griffin) I am only asking you --

10 A. Would one of my lawyers please say that --

11 MR. DULSKE: We object. Blake, we have
12 objected as to form, okay. Let's let him ask the
13 questions.

14 THE WITNESS: I am personally --

15 MR. DULSKE: Can I take a quick break real
16 quick?

17 MR. GRIFFIN: I want him to finish this
18 answer. I don't want him to take a break in the middle
19 of the answer. I want you to continue with your answer.

20 THE WITNESS: I am done answering.

21 MR. GRIFFIN: All right. Thank you. Now
22 you can go visit with him.

23 VIDEOGRAPHER: Off the record at 1:12.

24 (Recess taken)

25 VIDEOGRAPHER: Back on record at 1:15.

1 Q. (By Mr. Griffin) Mr. Farenthold, I will not ask
2 you anymore to confirm or deny that they got the amount
3 of money right in this article, whether it is 84,000 or
4 some other number. But I will ask you do you deny that
5 you have publicly committed to paying back \$84,000 in
6 connection with that settlement of the Greene
7 litigation?

8 MR. COBB: Objection, form.

9 MR. DULSKE: Objection, form.

10 THE WITNESS: I committed to paying it
11 back before I knew it would be illegal to do so.

12 Q. (By Mr. Griffin) Right. But do you deny
13 specifically committing to paying back the \$84,000
14 number?

15 MR. COBB: Objection, form.

16 THE WITNESS: I did not give a number.

17 Q. (By Mr. Griffin) You did not give a number?

18 A. I have not ever given a number.

19 Q. So other than you confirming the -- not wanting
20 to address the amount of the settlement here in the
21 report, do they have any of their facts wrong here?

22 MR. COBB: Objection, form.

23 MR. DULSKE: Objection, form.

24 THE WITNESS: It will take me a while to
25 read it.

1 MR. DULSKE: Objection to the extent you
2 are asking for the terms and conditions of any
3 settlement agreement, I am going to instruct him not to
4 answer those.

5 Q. (By Mr. Griffin) I don't want you to talk
6 about -- I don't want you talking about the settlement
7 you made with Greene.

8 A. So I am not commenting at all on the first
9 paragraph of this story.

10 Q. I don't need you to comment on that paragraph.

11 A. Then please let me read it.

12 MR. COBB: Objection, form. The judge's
13 order says questions about the Greene lawsuit and/or any
14 settlement agreements are not to be inquired into.

15 MR. DULSKE: Is your question, John, a
16 question regarding the Greene lawsuit and/or the
17 settlement agreements?

18 Q. (By Mr. Griffin) There is no question on the
19 table. He asked to be able to finish reading the
20 document so I am waiting to ask my next question when he
21 is finished.

22 MR. DULSKE: Come on in.

23 THE WITNESS: Okay. So what is your
24 question?

25 Q. (By Mr. Griffin) My next question is were you

1 aware at the time this story broke that Michael Cloud
2 who currently serves as a congressman, your successor,
3 had said that if these revelations were true, then it
4 was, quote, a gross betrayal of the public trust,
5 unquote.

6 MR. COBB: Objection, form.

7 THE WITNESS: I have no idea what Michael
8 Cloud may or may not have said. He never said that to
9 me.

10 Q. (By Mr. Griffin) Is today the first time you
11 are aware that Congressman Cloud had said that if it
12 were true, that taxpayers funds were used to fund the
13 Greene settlement, that it was a gross betrayal of the
14 public trust?

15 A. This is the first time I read this story.

16 MR. GRIFFIN: Let me object to the
17 nonresponsiveness.

18 Q. (By Mr. Griffin) I am asking you until today,
19 were you aware that Congressman Cloud who currently
20 succeeds you in congress and who you presumably would be
21 lobbying had said that if it were true that you had used
22 or that public funds had been used to fund the Greene
23 settlement, that it was a, quote, gross betrayal of the
24 public trust, unquote?

25 MR. COBB: Objection, form.

1 THE WITNESS: This is the first I have
2 seen of that quote. And I am sure if Michael knew all
3 of the underlying facts, he would very likely have a
4 different opinion.

5 MR. GRIFFIN: Let me object to the
6 nonresponsive portion of the answer.

7 Q. (By Mr. Griffin) Is this -- do we agree this
8 article is about the revelation regarding the report
9 that public funds were used to settle the Greene claim?

10 MR. COBB: Objection, form.

11 THE WITNESS: I'm sorry. I don't know
12 what you are asking. The article is the article. The
13 article is the article.

14 Q. (By Mr. Griffin) I didn't ask you if the
15 article is the article. I said can you confirm that
16 this is one of the accounts of the events that became
17 known on December 1st, 2017?

18 MR. COBB: Objection, form.

19 THE WITNESS: I didn't read it at the
20 time. This is the first I have seen it. I can't answer
21 that question.

22 Q. (By Mr. Griffin) Neither you nor your staff
23 showed it to you?

24 A. No.

25 Q. Let's move then to other accounts.

1 A. Now, I will clarify it probably showed up in my
2 Google alerts but I wasn't reading negative press at the
3 advice of my staff.

4 Q. Okay. All right. You are not saying that the
5 public wasn't interested in it. What I hear you saying
6 is that you were not paying attention to it; right?

7 MR. COBB: Objection, form.

8 THE WITNESS: This is the Texas Tribune.
9 The public is not interested in anything they publish.

10 Q. (By Mr. Griffin) Tell me more about that.

11 A. It is a known liberal publication. Abby
12 Livingston, I felt like I never got a fair shake from
13 Abby Livingston. I would say I didn't get a fair shake
14 from Abby Livingston in 80 percent of what she
15 published.

16 Q. And who is Abby Livingston?

17 A. She was the Texas Tribune Washington reporter.

18 Q. Is it she that wrote that story you just looked
19 at it?

20 A. I am assuming so, yes.

21 Q. So getting back to my original question.
22 You -- your staff kept you from reading this kind of
23 story?

24 A. They said it would not be worth reading.

25 (Exhibit 5 marked)

1 Q. (By Mr. Griffin) Did they tell you the same
2 thing about Exhibit Number 5?

3 A. Again, they didn't specifically refer to any
4 story. I don't even know what New York Magazine is.

5 Q. Look at the second page of Exhibit 5 if you
6 don't mind. Who are the people pictured in the
7 photograph on the second page of Exhibit 5?

8 MR. COBB: Objection, relevance.

9 THE WITNESS: That would be me, two
10 attendees at a fundraiser for a charity, the women. And
11 the gentleman there was a friend at the time who is
12 married to a person who worked on my campaign in my
13 official office.

14 Q. (By Mr. Griffin) Right. But who are they? I
15 can see you on the right. Who is the woman next to you
16 on your right?

17 A. I do not know her name.

18 Q. What about the gentleman to his right?

19 A. His name is Eric Herman.

20 Q. Herman?

21 A. Yes.

22 Q. Where does he live?

23 A. He is in Corpus Christi.

24 Q. And the woman to his right?

25 A. Don't know. The photographer asked for us to

1 pose for a picture at a charity fundraiser.

2 Q. For which non-profit?

3 A. There were a variety of non-profits. It was a
4 birthday party that a gentleman named Terry Willingham
5 did annually. There was a \$25 cover charge which was
6 donated to non-profits of Mr. Willingham's choosing.

7 Q. Who was the host of the party?

8 A. Mr. Willingham.

9 Q. Where was the party?

10 MR. COBB: Objection, form.

11 THE WITNESS: It was downtown Corpus
12 Christi. I believe the venue was known as Aria.

13 Q. (By Mr. Griffin) It was not a fundraiser for
14 you?

15 A. No. This was before I even considered running
16 for congress.

17 Q. So this is my next question. When did this
18 picture get taken?

19 A. It was before I even decided to run for
20 congress.

21 Q. I know that. But when?

22 A. I don't remember the date.

23 Q. But was it a year before, six months?

24 A. I think it was around four to six months.

25 Q. Before you ran?

1 A. Before I filed to run.

2 Q. Before you filed to run. Thank you for that.

3 A. And before I decided -- I even had an inkling
4 of running.

5 (Exhibit 12 marked)

6 Q. (By Mr. Griffin) Fair enough. Look at the next
7 Exhibit 12. Can you confirm that this is your press
8 release that you released after it had been reported
9 that taxpayers funds were used to pay Ms. Greene?

10 A. Yes.

11 (Exhibit 8 marked)

12 Q. (By Mr. Griffin) And can you confirm that
13 Exhibit 8 is an editorial from the Victoria Advocate
14 asking you to resign now?

15 MR. DULSKE: Objection, form.

16 THE WITNESS: I can't confirm it. I
17 didn't write and I didn't see it when it was published.
18 Your client would be the one to confirm the authenticity
19 of that.

20 Q. (By Mr. Griffin) So am I right, Mr. Farenthold,
21 that you have not seen that until today, the call for
22 your resignation on December 16, 2017?

23 A. I don't recall it. I don't recall reading it.

24 Q. You don't have any memory of it?

25 MR. DULSKE: Objection, form. Asked and

1 answered.

2 THE WITNESS: Being in the Advocate, it is
3 something I might have read but I have no specific
4 recollection of reading it.

5 (Exhibit 9 marked)

6 Q. (By Mr. Griffin) Okay. Move to Exhibit 9 if
7 you don't mind. Can you confirm this story is from one
8 of the local newspapers, the Victoria Advocate regarding
9 your resignation in April of this year?

10 A. No, sir, I can't.

11 Q. Why not?

12 A. Because I didn't see it when it was published
13 and all I have to go for is what you put in front of me.

14 Q. Well, your words are here and I need the jury
15 and the judge to make sure that they are -- that they
16 are in fact your words. So why don't we --

17 MR. COBB: Objection to sidebar.

18 THE WITNESS: You didn't ask me as to the
19 accuracy of the quotes.

20 Q. (By Mr. Griffin) Well, you are going to have to
21 let me finish my question.

22 A. Okay.

23 Q. Looking at it again, is it accurate the way
24 that the Advocate has portrayed the words that you spoke
25 to its reporter regarding your resignation from

1 Congress?

2 MR. COBB: Objection, form.

3 THE WITNESS: I believe the quotes that
4 are in there were taken from a video that I produced for
5 you when I announced I wasn't going to run again. You
6 can compare them to the video to see if they are
7 accurate. I do not remember my exact words on that
8 video.

9 Q. (By Mr. Griffin) But the judge and jury need
10 your --

11 MR. COBB: Objection to sidebar.

12 Q. (By Mr. Griffin) I just need you to tell me do
13 you stand by these words here that are attributed to you
14 on the top of page two of Exhibit Number 9?

15 MR. COBB: Objection, form.

16 MR. DULSKE: Objection, form. Which
17 specific words are you talking about?

18 MR. GRIFFIN: Object to sidebar.

19 THE WITNESS: So the quotes appear similar
20 to -- I can't -- again, without reviewing the video,
21 they look and are in the spirit of what was said in the
22 video. It would be easily enough to compare them to
23 what is in the video. I'm sorry. I don't remember the
24 exact words I used.

25 Q. (By Mr. Griffin) Were you aware that the

1 Republican chair of the National Republican
2 Congressional Committee had called upon you to pay back
3 the 84,000 of taxpayers money that was used as a
4 settlement?

5 MR. DULSKE: Objection, form.

6 MR. COBB: Objection, form.

7 THE WITNESS: Yes.

8 Q. (By Mr. Griffin) Were you aware of that?

9 A. Yes.

10 Q. Were you aware that Bech Bruun was one of the
11 people -- turning to the bottom of the page, he was one
12 of -- one of the candidates in the special election.
13 Was he not?

14 A. Yes.

15 Q. Were you aware that Mr. Bruun had called upon
16 you to honor the promise to pay back the 84,000 note to
17 taxpayer?

18 A. Again, a promise made before I knew it was
19 illegal to repay it. And yes, I was aware he made that
20 statement.

21 MR. GRIFFIN: Let me object to the
22 nonresponsive portion of the answer. Thank you.

23 THE WITNESS: And again, the amount of the
24 settlement and not \$84,000. Again, I am not confirming
25 or denying the \$84,000, the amount of the settlement. I

1 think you will find none of my statements have referred
2 to a specific dollar amount as I am prohibited by the
3 settlement agreement from confirming or denying whether
4 \$84,000 was the amount of the settlement.

5 (Exhibit 26 marked)

6 Q. (By Mr. Griffin) Turning then to Exhibit Number
7 6 -- pardon me. I can't read my own writing. I
8 apologize about that, 26. It should be the next one in
9 the sequence that you have before you.

10 A. Yes.

11 Q. Is it fair to say that the photograph of what
12 has been called in the press reports the ducky pajamas
13 photograph has been widely circulated and in the public
14 eye for some years?

15 MR. COBB: Objection, form.

16 THE WITNESS: It was -- it was out in my
17 first election. I mean it was an issue in the first
18 campaign election so it has been out since before I
19 served in congress.

20 Q. (By Mr. Griffin) Right. But it has been
21 continually in the public eye since then?

22 MR. COBB: Objection, form.

23 MR. DULSKE: Objection, form.

24 THE WITNESS: It has been posted by trolls
25 from time to time.

1 Q. (By Mr. Griffin) Have you shared with the
2 Houston Chronicle that a week doesn't go by that there
3 is not some reference to that photograph?

4 A. Again, the trolls post it regularly.

5 Q. No. My question is more limited. Do you
6 recall in fact telling the Houston Chronicle that a week
7 doesn't go by?

8 MR. COBB: Objection, form.

9 THE WITNESS: It sounds like something I
10 would have said.

11 Q. (By Mr. Griffin) The next day in the chronology
12 is Exhibit 6. And that is the Ethics Committee's press
13 release concerning you on April 12; right?

14 A. Let me get to -- yes.

15 Q. And what is next in your sequence?

16 A. Exhibit 6.

17 Q. Okay. And after 6?

18 A. It originally said 1. Now says 27.

19 (Exhibit 27 marked)

20 Q. (By Mr. Griffin) Okay. Thank you for that.
21 And what is the date of that exhibit?

22 A. 27, that would be April 25.

23 Q. Yes. And let me ask you this. Do you --

24 A. We are skipping 6? I'm sorry.

25 Q. I think we fully covered 6; have we not?

1 MR. DULSKE: At the beginning of the depo.

2 THE WITNESS: That's fine.

3 Q. (By Mr. Griffin) Turning to Exhibit 27 I think,
4 do you have a hostile relationship with this reporter
5 Patrick Svitek?

6 A. I don't know who he is.

7 Q. How did you learn that Governor Abbott was
8 expecting you to pay back the taxpayers of Texas for the
9 cost of the special election to fill your position?
10 When did you first learn the governor was expecting you
11 to do that?

12 MR. DULSKE: Objection, form.

13 THE WITNESS: When I received an email
14 from my former chief of staff containing a press inquiry
15 from the Houston Chronicle.

16 Q. (By Mr. Griffin) Was it -- was it reported to
17 you that the governor had said these words that are on
18 the second page in quotes, while you publicly offered to
19 reimburse the 84,000 in taxpayer funds you wrongly used
20 to settle a sexual harassment claim, there is no legal
21 recourse requiring you to give that money back to
22 congress, Abbott wrote. Do you see that?

23 A. Yes.

24 Q. Did your staff people inform you that is what
25 the governor had said?

1 MR. DULSKE: Objection, form.

2 THE WITNESS: The only thing I know the
3 governor had said is what is in the letter that he sent
4 to me.

5 Q. (By Mr. Griffin) Well, did the letter he sent
6 to you indicate that he expected you to pay the \$84,000
7 to cover the cost of that election?

8 MR. COBB: Objection, form.

9 THE WITNESS: Again, I think this
10 inaccurately reports that I promised to pay back \$84,000
11 when in fact my promise was to pay back the settlement
12 amount made before I became aware that it would be
13 illegal to do so.

14 Q. (By Mr. Griffin) In any event, this story is
15 about that topic of the governor's call on you to repay
16 the taxpayers for the cost of the special election.

17 MR. DULSKE: Objection, form.

18 THE WITNESS: If you say so. If you would
19 like me to read it, I will.

20 Q. (By Mr. Griffin) I thought you just did.

21 A. I glanced at it. I didn't read it. I looked
22 at the author and looked at the amount.

23 Q. Can you tell from the headline that is what it
24 is about?

25 MR. DULSKE: Objection, form.

1 THE WITNESS: That is what it purports to
2 be about.

3 (Exhibits 3 & 13 marked)

4 Q. (By Mr. Griffin) Okay. All right. I am not
5 trying to hurry you through any of these exhibits. I am
6 just trying to get through them. If you want to take
7 more time to read them, I want you to have that time.
8 If you don't mind going to Exhibit 13.

9 A. Yes.

10 Q. Can you see that this is a story in USA Today
11 about Governor Abbott's request that you pay the cost of
12 this special election to replace you?

13 A. Yes.

14 Q. And I would like you to go to the last
15 paragraph in quotes that quotes you. USA today quotes
16 you as saying I had no idea how to run a congressional
17 office. And as a result, I allowed a work place culture
18 to take root in my office that was too permissive and
19 decidedly unprofessional. It accommodated destructive
20 gossip, offhand comments, off-colored jokes and behavior
21 that in general was less than professional, unquote.
22 Are those your words?

23 MR. DULSKE: Objection, form.

24 Q. (By Mr. Griffin) Are those your words?

25 A. No, sir, you misread it.

1 Q. Does the last paragraph of Exhibit 13 that is
2 in quotes here, are those your words?

3 A. I believe so but it is not the entirety of the
4 statement. The statement that was released went on to
5 say to the effect that nothing that happened in my
6 office was illegal or arose to the legal definition of
7 sexual harassment. So while those are my words, it is
8 not the entirety of it. It is not the entirety of the
9 statement that I made.

10 Q. Was Governor Abbott correct in his letter to
11 you in your view that there was no legal recourse
12 requiring you to give the money back to congress? Isn't
13 that your position too?

14 A. My position is that it would be illegal for me
15 to do so so I think that is consistent.

16 Q. Okay.

17 A. That being said, there is pending legislation
18 that would claw it back from my social security or
19 rather meager congressional retirement account.

20 Q. Let me ask this. Forget about your official
21 office or your official duties. As part of the money
22 that was paid to Ms. Greene, were you given a personal
23 release?

24 MR. DULSKE: Objection, form. That goes
25 to the settlement agreement.

1 MR. COBB: Objection, form.

2 Q. (By Mr. Griffin) From her?

3 A. Are you asking me about the terms and
4 conditions of the settlement agreement?

5 Q. Not with the government. I am only asking you
6 this narrow question of whether you personally obtained
7 a benefit of that settlement by getting a release from
8 Ms. Greene.

9 MR. COBB: We are going to object to form,
10 object to relevance. The judge's order specifically
11 says questions about the Greene lawsuit or any
12 settlement agreements are not to be inquired into. We
13 have given you a lot of latitude.

14 MR. GRIFFIN: I appreciate it. You told
15 him not to answer. I just want to move on.

16 THE WITNESS: Well, nobody told me not to
17 answer. I am bound by a confidentiality agreement not
18 to discuss the terms of the agreement which is, my
19 understanding, protected by an order from the court.

20 MR. DULSKE: So I am not instructing him
21 not to answer. We are hoping that you withdraw your
22 question and move on.

23 MR. GRIFFIN: I just need him to tell me
24 that he doesn't want to answer it and I am not going to
25 go any further with it today.

1 THE WITNESS: I am prohibited from
2 answering it by the terms of the settlement agreement
3 and believe you cannot ask me that based on the
4 protective order.

5 (Exhibit 7 marked)

6 Q. (By Mr. Griffin) I am not going to get into an
7 argument with you on that. That's okay. Moving to
8 Exhibit 7, were you made aware that the Houston
9 Chronicle had called you, had called upon you to pay
10 back that \$84,000 used to settle the Greene case?

11 MR. COBB: Objection, form.

12 MR. DULSKE: Objection, form.

13 THE WITNESS: Again, without confirming or
14 denying the amount, there were numerous media outlets
15 and folks that asked that I repay the settlement.

16 Q. (By Mr. Griffin) Sure.

17 A. And again, at the time, we were looking for a
18 way to do that. I met with Speaker Ryan to talk about a
19 way to do that. I met with the chairman of the house
20 administration committee about a way to do that. And
21 eventually, we all came to the conclusion that I am
22 not -- I don't know what conclusions other people came
23 to but my legal team came to the conclusion and showed
24 me the statute and I agreed with him that it would be
25 illegal to do it and potentially put me in jeopardy of

1 having to repay it twice if I pursued other options.

2 MR. GRIFFIN: Let me object to the
3 nonresponsive portion of the answer.

4 Q. (By Mr. Griffin) This subject, the subject of
5 repaying or not repaying, that is something that you
6 said you discussed with Speaker Ryan; right?

7 A. I asked him how to repay it.

8 Q. No, I am just asking from the people that you
9 interacted with on this subject, the speaker was one of
10 them?

11 A. Yes.

12 Q. Members of the public were another.

13 MR. COBB: Objection, form.

14 Q. (By Mr. Griffin) Because it is in the stack of
15 subpoenaed materials.

16 A. Yeah.

17 Q. And the press; right, interact?

18 A. I was very limited in what I could comment to
19 the press about based on the settlement agreement. And
20 again, I have done my best not to confirm or deny any
21 amount.

22 Q. Let me ask you this. If you are not supposed
23 to talk about the Greene case because of your
24 confidentiality agreement, then why did you share with
25 Governor Abbott, quote, that you wanted to make it

1 perfectly clear there were never any allegations that I
2 ever touched anyone, unquote?

3 MR. COBB: Objection, form.

4 THE WITNESS: Those are in the pleadings
5 that are part of the public record.

6 Q. (By Mr. Griffin) So what is meant there is that
7 there is nothing about that in any of the documents that
8 are in the public record about the Greene case. That is
9 what you meant by that.

10 MR. COBB: Objection, form.

11 THE WITNESS: That she never alleged in
12 anything she filed with the court that I ever touched
13 her.

14 Q. (By Mr. Griffin) In the public record.

15 MR. COBB: Objection, form.

16 THE WITNESS: There are no -- to my
17 knowledge, there are no nonpublic records.

18 Q. (By Mr. Griffin) I thought you said the whole
19 settlement process and everything you all did in private
20 is what you are not supposed to talk about.

21 MR. COBB: Objection, form.

22 MR. DULSKE: Objection, form.

23 THE WITNESS: Again, you are asking me to
24 go into the Greene case. That comment was based on the
25 pleadings in Ms. Greene's that could be found on the

1 internet.

2 Q. (By Mr. Griffin) That is my point. That is
3 what I am trying to get the judge and jury to
4 understand. You were relying solely on what was in the
5 public record in the Greene case in saying that.

6 MR. COBB: Objection, form. Object to
7 sidebar.

8 THE WITNESS: I cannot neither confirm nor
9 deny anything that happened outside of the public record
10 on that.

11 Q. (By Mr. Griffin) You don't say what is public
12 and private. You just make a blanket statement that
13 there were never any allegations that you touched
14 anyone. You could not confirm or deny if that
15 allegation was made outside of the pleadings; could you?

16 MR. DULSKE: Objection, form.

17 Q. (By Mr. Griffin) Or at a mediation; could you?

18 A. I am not going to -- I am not going to answer
19 that. I will tell you that why wouldn't she plead it if
20 it happened? It would have been her best pleading. You
21 are a plaintiff's attorney. It would be the most
22 salacious of the claims if it happened. I believe she
23 would have pled it without confirming or denying
24 anything that happened in confidence.

25 Q. But you are not violating any confidentiality

1 agreement by relying on anything that was said in
2 confidential mediation or other --

3 MR. COBB: Objection, form.

4 THE WITNESS: That statement was not based
5 on anything that was said privately, was or was not
6 said.

7 (Exhibit 11 marked)

8 Q. (By Mr. Griffin) Thank you for that. And let's
9 move to Exhibit Number 11. This is the letter that you
10 posted to your web site and sent to Governor Abbott;
11 right?

12 A. Yes, apparently I misspelled his first name.

13 Q. I was going to say you faulted the governor for
14 sending it to the wrong office; right?

15 A. I misspelled his name.

16 Q. And in --

17 A. I take full responsibility for that.

18 Q. I am not beating you or the governor up. You
19 say he sent it to the wrong office and you misspelled
20 his first name; right?

21 A. Yes.

22 Q. Okay. What would you call this issue where he
23 says you did something wrong and you say you didn't in
24 using taxpayers money to -- taxpayers funds to pay
25 Ms. Greene?

1 MR. COBB: Objection, form.

2 MR. DULSKE: Objection, form.

3 THE WITNESS: I believe the governor was
4 not aware that under the law, the only funds that could
5 be used to settle a lawsuit against a congressional
6 office of this type were funds allocated or appropriated
7 for that process and approved by the office of
8 compliance.

9 MR. GRIFFIN: Let me object to the
10 responsiveness.

11 Q. (By Mr. Griffin) I am not arguing the point of
12 whether you are right or wrong or he is right. I am
13 talking about what would you call this? Would you call
14 it a disagreement, a feud, a spat? What would you call
15 it, this argument that you say "Governor Abbott, it is
16 simply not true that I wrongfully used taxpayers funds?"

17 MR. COBB: Objection, form.

18 MR. DULSKE: Objection.

19 THE WITNESS: I believe the governor
20 didn't have all of the facts.

21 Q. (By Mr. Griffin) But what I am saying is what
22 do you call it? A disagreement?

23 A. No, I call it me correcting him on the facts he
24 was -- I believe he was unaware of.

25 Q. You disagreed with his assertion that you acted

1 wrongfully; right?

2 MR. COBB: Objection, form.

3 THE WITNESS: And I pointed out under the
4 law why I did not -- I was giving him the facts so he
5 would be aware of his -- what I believe to be mistaken
6 impressions.

7 Q. (By Mr. Griffin) Right. And I am not praising,
8 condemning or judging in any way. But you and he had a
9 disagreement on whether or not you acted wrongfully in
10 paying that money.

11 MR. COBB: Objection, form. Objection,
12 sidebar.

13 THE WITNESS: Again, we never conversed
14 other than in those letters, these two letters. He said
15 I wrongfully used it. I sent him a letter back saying
16 that I don't believe I wrongfully did it. Here are the
17 reasons. And I don't know if he changed his mind on
18 whether I wrongfully used money or not after the fact
19 because these are the only communications that I have
20 had with the governor.

21 Q. (By Mr. Griffin) But you know he has
22 continually called upon you to fund the special
23 election; right?

24 MR. COBB: Objection, form.

25 MR. DULSKE: Objection, form.

1 THE WITNESS: I read some comment that his
2 press secretary made about it but I haven't heard
3 anything directly from the governor.

4 Q. (By Mr. Griffin) Okay. Well, the truth is you
5 guys have not talked spoken on the phone or in person
6 about this; right?

7 A. I don't believe I have ever spoken to the
8 governor on the phone. I don't -- I have no
9 recollection of ever having spoken to him on the phone.

10 Q. Or in person?

11 A. I have talked to him numerous times in person.

12 Q. Let me get back to the question. You and he
13 have never conversed about this on the phone or in
14 person?

15 A. No, sir.

16 MR. COBB: Objection, form.

17 Q. (By Mr. Griffin) Am I right in saying that?

18 A. I have not been in communication with the
19 governor other than his letter to me and my reply on
20 this subject. Or I have not spoken to him at all after
21 I sent this letter.

22 Q. Right.

23 A. Have not made contact with him in any way.

24 Q. Now, you make a statement to the governor of
25 Texas on page two of four in the next to last paragraph.

1 And let me know when you are at the sentence where you
2 say "once the OCE investigation was over, the suit
3 settled and I won re-election in 2016, I assumed this
4 matter was concluded and I could move forward to help
5 President Trump make America great again." Do you see
6 that sentence?

7 A. Yes.

8 Q. At the time you told that to the governor,
9 there was -- at that time, there was an open
10 investigation of you by the House Ethics Committee's
11 subcommittee; correct?

12 MR. COBB: Objection, form.

13 Q. (By Mr. Griffin) At the very time you wrote
14 that letter?

15 MR. COBB: Objection, form.

16 MR. DULSKE: Objection, form.

17 Q. (By Mr. Griffin) You knew in 2016 that the
18 Ethics Committee had an open investigation on you;
19 didn't you?

20 A. It was my belief at the time that Ethics was
21 going to follow the recommendation of the Office of
22 Congressional Ethics and dismiss it which they normally
23 do.

24 Q. You didn't tell the governor in this letter
25 that you had an open ethics investigation pending in

1 2016.

2 A. No, because I felt like because of the OCE
3 settlement, it was over. It was my belief at the time.
4 We were merely waiting for the Ethics Committee which is
5 notoriously slow to do something, to dismiss it. I was
6 not worried about the ethics investigation at all after
7 the 2016 election.

8 Q. So is that your justification for not sharing
9 with the governor that you were aware in 2016 that the
10 House Ethics Committee was still investigating you?

11 A. I had been informed by my attorneys that the
12 Ethics Committee was only moving forward as a matter of
13 formality. Neither my attorney nor I felt like anything
14 was going to come of it. The "me too" movement had not
15 begun at the 2016 election -- that is an entirely
16 accurate statement of how I felt after the election in
17 2016 and I stand by it.

18 Q. And this letter that you wrote to Governor
19 Abbott, that was exactly a week before the port's May 9
20 meeting in which you were deliberated; correct?

21 A. If you say so.

22 Q. Well, May 2nd to May 9th.

23 A. Okay. I don't know the date the port met to
24 deliberate to hire me. I am sure I knew it but it is
25 not top of mind.

1 Q. You felt so strongly about this that you wanted
2 the world to know your position and posted this on your
3 own web site; did you not?

4 A. The governor wrote me a letter. I replied in
5 the same fashion he replied by releasing it to the
6 media.

7 Q. And to the public.

8 MR. COBB: Objection, form.

9 THE WITNESS: The media is the public,
10 yeah.

11 Q. (By Mr. Griffin) But you didn't release it to
12 the media. You put it on your open web site; did you
13 not?

14 A. I believe he posted a copy of his letter on his
15 web site as well.

16 Q. So both of you, you and the governor, both put
17 their positions out there regarding this disagreement of
18 whether or not you had acted wrongfully in allowing
19 taxpayers funds to fund a settlement with Ms. Greene.

20 MR. COBB: Objection, form.

21 MR. DULSKE: Objection, form. That is not
22 his testimony.

23 THE WITNESS: And I, again, I don't
24 believe we are calling it a disagreement. My belief was
25 and still is that the governor was not aware of all of

1 the facts when he wrote the letter. That is the reason
2 I wrote the reply was to give him my side of the story.

3 The plethora of news articles that you put
4 before me earlier today, few, if any, talk about the OCE
5 investigation or the requirement that the settlement
6 funds be paid by the office of compliance out of these
7 appropriated funds.

8 MR. GRIFFIN: Let me object to
9 nonresponsive answer.

10 Q. (By Mr. Griffin) What I am really trying -- I
11 think you have said this but I need to confirm. You
12 posted this letter on your web site for public
13 consumption.

14 MR. COBB: Objection, form.

15 THE WITNESS: Yes.

16 Q. (By Mr. Griffin) And continuing, you posted in
17 a public way for the press and the public that you were,
18 quote, becoming a political liability to the Republican
19 establishment in Washington.

20 MR. COBB: Objection, form.

21 Q. (By Mr. Griffin) Are those your words?

22 MR. COBB: Objection, form.

23 THE WITNESS: Yes.

24 Q. (By Mr. Griffin) Were you including Speaker
25 Ryan in that description as the Republican establishment

1 in Washington?

2 A. There was no person in particular that I was
3 referring to.

4 Q. Was he included within it?

5 A. I believe that I was a liability. I believe
6 that the negative press as a result of this was
7 something the Democrats could use to gain election. I
8 feel like I gained a fair amount of respect by stepping
9 back so as I wouldn't drag anyone else down with me.

10 MR. GRIFFIN: Let me object to
11 nonresponsiveness.

12 Q. (By Mr. Griffin) I am just asking a simple
13 question. When you said you were a liability to the
14 Republican establishment in Washington, you were
15 referring to Speaker Ryan within that description.

16 MR. DULSKE: Objection, form. That is not
17 his testimony.

18 MR. COBB: Objection, form.

19 THE WITNESS: He was included in the
20 group.

21 Q. (By Mr. Griffin) That is all I am asking.
22 Thank you for that. I appreciate that. And this
23 Republican establishment at the time a week before the
24 port met to discuss you, at that point in time, the
25 Congress and Senate and the presidency were all in the

1 hands of the Republican party; correct?

2 MR. COBB: Objection, form.

3 THE WITNESS: Yes.

4 Q. (By Mr. Griffin) You accuse Speaker Ryan of
5 telling you that he was facing pressure for you to
6 resign immediately; is that right?

7 A. Where are you looking?

8 Q. The last paragraph on page two of four, you say
9 here --

10 A. Yes, that is correct. I just -- again, I want
11 to make sure we get the words exactly right.

12 Q. Right. And did he tell you why he wanted
13 you -- why he was pressuring you to quit early?

14 A. He never pressured me to quit early.

15 MR. DULSKE: Objection, form.

16 Q. (By Mr. Griffin) Well, it says here that -- Oh,
17 excuse me. Let me ask it in this way. Did he tell you
18 who was pressuring him to have you resign early?

19 MR. DULSKE: Objection, form. I instruct
20 the legislative privilege. We are talking about
21 conversations between Speaker Ryan and Congressman
22 Farenthold while he was a congressman. Is that your
23 question?

24 MR. GRIFFIN: Let me object to sidebar.

25 MR. DULSKE: No, no. I am asking you just

1 for clarification sake.

2 Q. (By Mr. Griffin) My question is when you spoke
3 with Speaker Ryan about his feeling pressure to have you
4 resign immediately, did he tell you who was pressuring
5 you?

6 MR. DULSKE: Okay. So this is a
7 communication between -- let me object. I am asserting
8 the legislative privilege here. This is a communication
9 between Speaker Ryan and Congressman Farenthold. Is
10 that what you are asking him? I just want to make sure
11 that the privilege is proper.

12 MR. GRIFFIN: Let me object to sidebar.

13 Q. (By Mr. Griffin) We are reading from your
14 letter to the governor; right?

15 A. Right.

16 Q. You have given this account. You say you spoke
17 to the speaker.

18 A. Right.

19 Q. You say he informed me he was facing political
20 pressure for me to resign immediately.

21 A. Right.

22 Q. That is what you volunteer. My next question,
23 who did he tell you was pressuring to have him quit
24 immediately?

25 MR. COBB: Objection.

1 THE WITNESS: I think that does fall
2 within the area of legislative privilege. My
3 conversations with the speaker and my relationship with
4 other members of congress while I was in congress does
5 fit squarely within the terms of that. And quite
6 frankly, I am not -- I am going to exert that privilege
7 so I don't have to throw any of my colleagues under the
8 bus.

9 Q. (By Mr. Griffin) Do you understand, sir, that
10 you have revealed yourself to the governor and to the
11 people of the State of Texas this conversation with
12 Speaker Ryan in your letter to Governor Abbott?

13 MR. COBB: Objection, form.

14 THE WITNESS: I spoke in generalities, not
15 specifics.

16 Q. (By Mr. Griffin) You said specifically he
17 informed me he was facing political pressure for me to
18 resign immediately. And as I understand it, you were
19 refusing to answer the question of who he -- who he
20 shared with you was pressuring him to have you resign
21 immediately.

22 MR. COBB: Objection to the question.
23 Object to sidebar.

24 THE WITNESS: As far as members of
25 Congress, I think that is covered under legislative --

1 the speech and debate clause and legislative immunity.

2 MR. GRIFFIN: Are you instructing him not
3 to answer?

4 MR. DULSKE: Yes, I am. And in addition
5 to that, it is, again, consistent --

6 MR. GRIFFIN: I am not going to beat you
7 up.

8 MR. DULSKE: I want to make sure my
9 objection is on the record. I don't want to waive
10 anything. We had a Rule 11 Agreement which specifically
11 went into you weren't going to talk about anything
12 dealing with legislation and legislative privilege. And
13 here we are, you are doing it.

14 MR. GRIFFIN: Let me object. We are not
15 in agreement. And I appreciate -- your objection is
16 noted. I am not going to argue you waived the privilege
17 because you have instructed him not to answer. I accept
18 that.

19 Q. (By Mr. Griffin) I just want to make sure that
20 we -- that we have a good understanding of what you said
21 in this letter. You are not going to tell me what else
22 the speaker told you about this subject of members
23 pressuring him to have you quit immediately. You are
24 not going to tell me that.

25 MR. COBB: Objection, form.

1 THE WITNESS: No, on the advice of
2 counsel.

3 Q. (By Mr. Griffin) These would be the same
4 elected representatives of the people who you would be
5 lobbying as a legislative liaison for the Port of
6 Calhoun County; right?

7 MR. COBB: Objection, form.

8 MR. DULSKE: Objection, form.

9 THE WITNESS: They got what I wanted, what
10 they wanted so I suspect they are much happier with me
11 now. That is my speculation.

12 MR. GRIFFIN: Let me object to the
13 nonresponsive answer.

14 Q. (By Mr. Griffin) The people that you won't tell
15 me about who were pressuring Speaker Ryan to have you
16 resign immediately, those are the same people that you
17 would be lobbying if you were employed as a legislative
18 liaison for the Calhoun Port Authority; right?

19 MR. DULSKE: Objection, form.

20 MR. COBB: Objection, form.

21 THE WITNESS: They would be a small
22 subset, a very small subset.

23 Q. (By Mr. Griffin) Great. In the answer that you
24 volunteered a moment ago, you said you thought certain
25 people would be happy with you.

1 A. Again, I took a bullet for the team.

2 Q. In what sense?

3 MR. COBB: Objection, form.

4 THE WITNESS: I gave up my seat in order
5 to avoid negative publicity and issues that could be
6 used against all Republicans.

7 Q. (By Mr. Griffin) Okay. You are not talking
8 about anything with respect to the port in that
9 happiness answer you just gave me?

10 MR. COBB: Objection, form.

11 THE WITNESS: No. I think it actually
12 improved my relationship with almost everybody up there
13 including folks who were at the time -- the small group
14 of folks who were my detractors.

15 Q. (By Mr. Griffin) Sure. In other words, people
16 can have an interest -- both people who agree with you
17 and people who disagree with you, both sides have been
18 following this issue; right?

19 MR. COBB: Objection, form.

20 MR. DULSKE: Objection, form.

21 THE WITNESS: Who are you referring to?

22 Q. (By Mr. Griffin) Well, there is a bunch of them
23 in these emails and texts you have given me from
24 people -- some of them calling you all kinds of names.
25 Other people saying you have done a good job of this and

1 it is not your fault. You have given me pages of
2 communications from people.

3 MR. COBB: Objection, form. Objection,
4 sidebar.

5 THE WITNESS: Nationwide, again, a very
6 small amount of people but those are the people that I
7 have talked to.

8 Q. (By Mr. Griffin) Okay. And you have talked to
9 people who both criticize you and agree with you; right?

10 A. Yes.

11 Q. Okay. Let me just ask you to confirm something
12 that you had said in one of your motions in this case
13 that might shorten the deposition somewhat. These
14 issues of the way that it was paid, the statements by
15 the governor and the speaker, all of that, all of these
16 are in the press reports and are in the public domain
17 and certainly known by the community at large.

18 MR. DULSKE: Objection, form.

19 MR. COBB: Objection, form.

20 Q. (By Mr. Griffin) Do you agree?

21 A. I was a member of Congress that received a lot
22 of press so I consider myself to be well known in the
23 community.

24 Q. Sure.

25 A. And things affecting my life are known by some

1 in the community.

2 Q. Sure. And what I am reading from one of the
3 papers that were filed for you in this case, I just want
4 to make sure there is no distance between you and what
5 you said in the papers --

6 MR. COBB: Object to sidebar.

7 MR. DULSKE: Object, form.

8 Q. (By Mr. Griffin) -- these allegations and press
9 reports are in the public domain and certainly known by
10 the community at large; true?

11 MR. COBB: Objection, form.

12 THE WITNESS: I am not sure at large is a
13 correct word but they are out there for anybody wants to
14 see them.

15 Q. (By Mr. Griffin) Well, do you disagree that it
16 is certainly known by the community at large?

17 MR. DULSKE: Objection, form.

18 THE WITNESS: I don't know the percentage
19 of people who know about it or not. You would be -- you
20 would be surprised how many people don't follow the
21 news. But it is well known.

22 Q. (By Mr. Griffin) Do you know why it said in the
23 papers in this case that these issues are certainly
24 known by the community at large?

25 MR. COBB: Objection, form.

1 MR. DULSKE: Objection, form.

2 THE WITNESS: Again, I mean I am not going
3 to quabble over definitions. I would say the community
4 at large, assuming that is 50 percent of the people, I
5 will accept that.

6 Q. (By Mr. Griffin) That's perfectly fine.

7 MR. COBB: Object to sidebar.

8 Q. (By Mr. Griffin) And then you also had the
9 issue between you and the governor on -- I am not
10 beating either one of you up over this. You didn't call
11 him before you resigned and he didn't call you before he
12 wrote the letter about repaying the taxpayers for the
13 special election.

14 A. That's correct.

15 Q. Okay.

16 A. And I apologized I believe in the letter for
17 not calling him.

18 Q. Did he apologize to you for not calling you?

19 MR. COBB: Objection, form.

20 THE WITNESS: Again, as I have said, I
21 have had no communications with the governor since this
22 letter.

23 Q. (By Mr. Griffin) So that would be no, he hasn't
24 apologized to you?

25 MR. COBB: Objection, form.

1 THE WITNESS: No.

2 Q. (By Mr. Griffin) If I ask you this, I
3 apologize. You make the comment on the third to last
4 paragraph of your letter to Governor Abbott a week
5 before the Port deliberated your hiring --

6 MR. COBB: Objection, form.

7 Q. (By Mr. Griffin) -- that you were tired of
8 cowardly self-serving politicians. Do you see that?

9 A. Yes.

10 Q. And you also were tired of the deep state. Do
11 you see that?

12 A. Yes.

13 Q. And that you were tired of fake news.

14 A. Yes.

15 Q. Do you consider Speaker Ryan part of the deep
16 state?

17 A. No.

18 Q. Governor Abbott?

19 A. No.

20 Q. The House Ethics Committee?

21 MR. DULSKE: Objection, form. Asked and
22 answered.

23 Q. (By Mr. Griffin) House Ethics Committee?

24 A. Members or staff?

25 Q. The Committee itself.

1 A. No.

2 Q. Or the Subcommittee on Investigations?

3 A. No.

4 Q. Do you consider the Port Lavaca Wave fake news?

5 MR. COBB: Objection, form.

6 MR. DULSKE: Objection, form.

7 Q. (By Mr. Griffin) When you wrote this letter,
8 were you referring to the Port Lavaca Wave as part of
9 this fake news business?

10 A. Not particularly, no.

11 Q. Or the Victoria Advocate?

12 A. Not particularly, no.

13 Q. Or the Corpus Christi Caller Times?

14 A. I think they might have been in my brain.

15 Q. Fair enough. Houston Chronicle?

16 A. Again, I believe that the phenomena of fake
17 news, all media outlets fall victim to it, some
18 intentionally and some not.

19 Q. But you were not referring to any one of these
20 except the Caller Times in this particular --

21 A. And I wasn't particularly specifically
22 referring to the Caller Times. I was referring to the
23 phenomena of fake news. And in particular, reporters
24 unwilling to give the entirety of both sides, reporting
25 things from other reporters rather than original sources

1 and not doing due diligence to make sure what they are
2 publishing is either entirely true or complete.

3 Q. Right. But I mean I just want to make sure
4 that since this is a week before the Port deliberated
5 your hiring --

6 MR. COBB: Objection, form.

7 Q. (By Mr. Griffin) Did you have any -- let me
8 rephrase that question. Maybe I misspoke. A week
9 before they deliberated your hiring on May 9, you were
10 not suggesting by this fake news animosity toward the
11 Wave, the Advocate or the Chronicle; right?

12 MR. COBB: Objection, form.

13 THE WITNESS: Again, what I was referring
14 to with fake news is the news media in general not
15 reporting both sides of the story, not reporting all of
16 the facts, and not particularly -- and appearing to me
17 to not particularly care if they got it right or wrong.

18 Q. (By Mr. Griffin) And my question has the Port
19 Lavaca Wave done that?

20 A. I have not read every story that they have
21 published so I can't tell you if -- I would be surprised
22 if they haven't fallen victim to it whether it was
23 intentional or not.

24 Q. I just want to know any specific accusations
25 you have against the Wave for being fake news.

1 MR. DULSKE: Objection, form.

2 THE WITNESS: I have no specific --

3 Q. (By Mr. Griffin) The Victoria Advocate?

4 MR. COBB: Objection, form.

5 THE WITNESS: I don't feel like they have
6 covered this case -- I don't believe they have covered
7 this case or my retirement in a way that I would
8 consider to be fair and accurate.

9 Q. (By Mr. Griffin) And you don't think they
10 pointed out every time you have said that you acted
11 lawfully and that you acted appropriately in everything
12 that you did? You don't think they reported that?

13 MR. COBB: Objection, form.

14 THE WITNESS: Again, I don't think they
15 have done what I would be consider to be as professional
16 a job as I hoped.

17 Q. (By Mr. Griffin) What would you want them to do
18 that they didn't do?

19 MR. DULSKE: Objection, form.

20 MR. COBB: Objection, form. Objection,
21 relevance.

22 THE WITNESS: Again, I am unhappy with the
23 tone and some of the contents of some of the stories
24 that they have printed. Without going back and reading
25 them all, I can't name specifics. The same is true with

1 the Caller Times and certainly the Texas Tribune.

2 Q. What about the Chronicle, Houston Chronicle?

3 A. Again, I would have to go back and look at all
4 of their stories.

5 Q. Are is any grievances that you have in your
6 mind today of where any media outlet has engaged in fake
7 news or said something false about you?

8 MR. DULSKE: Objection.

9 MR. COBB: Objection, form. Objection,
10 relevance. Clearly beyond the scope of discovery
11 authorized in the judge's order.

12 THE WITNESS: This letter referred to fake
13 news in general, whether it was about me, whether it was
14 about President Trump, whether it was about anything.
15 That is what this letter meant. So I think we are
16 straying way off in to what my personal opinion of
17 specific media outlets is.

18 I think if you were to talk to any
19 conservative, they would think MSNBC is fake news. If
20 you talk to any liberal, they would think Fox news is
21 fake news.

22 Q. (By Mr. Griffin) I understand that. But the
23 reason why I am asking you these questions, we are using
24 the language that you have placed in the public
25 record --

1 MR. COBB: Objection to sidebar.

2 Q. (By Mr. Griffin) -- to Governor Abbott.

3 A. Right.

4 Q. I just want to make sure that --

5 A. I was referring to the media in general.

6 Q. I don't want to say -- necessarily use the word
7 smear or stereotype. But you have you have used this
8 label in your letter without any specific example of any
9 news gathering organization mistreating you in any way;
10 isn't that right?

11 MR. DULSKE: Objection, form. That is not
12 what he said.

13 MR. COBB: Objection.

14 THE WITNESS: This letter was referring to
15 the phenomena, that of fake news. The fake news with
16 respect to President Trump made it more difficult for me
17 and every other member of Congress to do their job to
18 make America great again which I think is bolstered by
19 my comment also in this letter about doing so.

20 It is -- yes, it is partially about me.
21 But I am -- this letter, we are talking about the
22 phenomena of fake news in general and its negative
23 effect both on the ability of Congress to get things
24 done and the American public's understanding of the
25 important issues in our nation.

1 I feel -- I have a radio/television/film
2 degree. I have worked in media since I was 15 years
3 old. And the media used to hold themselves up as the
4 neutral arbiter of the truth and getting it right was
5 more important than getting it fast and that is gone.

6 And I think what has happened to the media
7 in general in this country has done a great disservice
8 to our republic.

9 MR. GRIFFIN: Let me object to the
10 nonresponsive answer.

11 MR. DULSKE: What part of it was
12 nonresponsive?

13 MR. GRIFFIN: Let me object to sidebar.

14 MR. COBB: I think you have to clarify.

15 MR. DULSKE: I think you have to clarify.
16 What part -- wait a minute, Counsel. What part of his
17 response was nonresponsive so we can make the record
18 clear today what it is?

19 MR. GRIFFIN: Object to sidebar.

20 MR. DULSKE: Are you not going to provide
21 me that information?

22 MR. GRIFFIN: Object to sidebar.

23 Q. (By Mr. Griffin) I just wanted you to confirm
24 you didn't cite any specific examples of any news
25 gathering organization's shortcoming when you labeled --

1 used this label in the letter to the governor of the
2 State of Texas of, quote, fake news?

3 A. He knows what fake news is I am sure.

4 MR. GRIFFIN: Object to the nonresponsive
5 answer.

6 MR. COBB: Object to the form of the
7 question.

8 Q. (By Mr. Griffin) My question is not what the
9 governor knows or what he thinks. My question is -- and
10 I am trying to get to the end here. I want you to
11 confirm you did not cite any examples whatsoever of any
12 news gathering organization mistreating you in any way
13 when you labeled those who gather news as fake news.

14 MR. DULSKE: Objection, form.

15 THE WITNESS: Again, I was not referring
16 to fake news with respect to me. I was referring to
17 fake news in general. So that is not what I was talking
18 about.

19 MR. GRIFFIN: Let me object to the
20 nonresponsive answer.

21 Q. (By Mr. Griffin) I want to ask you this then.
22 The cowardly self-serving politicians, do you see that
23 word you used there?

24 A. Yeah.

25 Q. Are you talking about Speaker Ryan then because

1 he didn't back you up and let you serve?

2 MR. COBB: Objection, form.

3 THE WITNESS: The speaker did back me up.

4 Q. (By Mr. Griffin) He is the one that asked you
5 to resign.

6 A. He asked me to retire, not resign.

7 Q. Retire, beg your pardon. I am just asking you
8 who are the cowardly self serving politicians you are
9 referring to with Governor Abbott in this letter that
10 was written a week before the Port deliberated your
11 hiring?

12 MR. COBB: Objection, form.

13 THE WITNESS: I was referring to any
14 person who does not stand up for their beliefs in doing
15 and voting for what is right and choosing to put
16 politics over policy with no individual person in mind.

17 Q. (By Mr. Griffin) You are aware the speaker has
18 stated publicly that he expects you to repay the monies
19 that were used, the public funds that were used to
20 settle the Greene case; right?

21 MR. COBB: Objection, form.

22 MR. DULSKE: Objection, form.

23 THE WITNESS: I have not had a
24 conversation with the speaker after my lawyers and I
25 determined it would be illegal to do so. So I do not

1 know what his current belief is.

2 Q. (By Mr. Griffin) I didn't ask you --

3 A. Because my belief at the time I spoke to the
4 speaker is I could repay it. And we agreed on that.
5 However, more knowledge induced me to change my mind and
6 I don't know where the speaker stands today.

7 MR. GRIFFIN: Let me object to
8 nonresponsive.

9 Q. (By Mr. Griffin) I am not asking you where the
10 speaker stands today. I am saying the speaker in the
11 past has called upon you to repay those funds; right?

12 MR. COBB: Objection, form. Objection,
13 sidebar.

14 MR. DULSKE: Objection, form.

15 THE WITNESS: The speaker called for a lot
16 of things in the past that he changed his mind on but
17 yes.

18 MR. GRIFFIN: Let me object to the
19 nonresponsive portion of the answer.

20 Q. (By Mr. Griffin) And am I right that anyone who
21 thinks that you ought to repay the taxpayers or even
22 give the money to a charity, would you call those who
23 believe that -- I know you disagree with it but would
24 you call them cowardly self serving politicians if they
25 feel that way?

1 MR. COBB: Objection, form.

2 THE WITNESS: No.

3 Q. (By Mr. Griffin) And you are aware that these
4 two office holders, the Texas governor who is a
5 Republican and the speaker of the house who is a
6 Republican, in the past, have both called you to pay
7 that money back; right?

8 MR. DULSKE: Objection, form. Asked and
9 answered.

10 THE WITNESS: Yes.

11 Q. (By Mr. Griffin) Okay. And those two are not
12 in mindless opposition to the president of the United
13 States; are they?

14 MR. DULSKE: Objection, form.

15 THE WITNESS: No, I don't know -- where
16 you are pulling mindless opposition?

17 Q. (By Mr. Griffin) The words you used in your
18 letter to Governor Abbott.

19 A. Of the never Trumpers, okay.

20 Q. They are not never Trumpers; are they?

21 A. No, the president.

22 Q. I mean the speaker and the governor are not.

23 A. No.

24 Q. Okay. How long have you known Randy Boyd?

25 A. Six, probably six years or so.

1 Q. How much money has he personally contributed to
2 you?

3 MR. COBB: Objection.

4 THE WITNESS: I would have to go look at a
5 campaign finance report to answer that question. I
6 don't know.

7 MR. DULSKE: Objection, form.

8 Q. (By Mr. Griffin) You certainly know it is more
9 than 10,000; don't you?

10 MR. COBB: Objection, form.

11 THE WITNESS: Well, he can contribute
12 2,500 a cycle so I would imagine it is over 10,000, yes.

13 Q. (By Mr. Griffin) Do you consider him a friend,
14 personal friend?

15 A. Yes.

16 Q. How long have you been a personal friend of
17 his?

18 A. Probably about four or so years, four or five
19 years.

20 Q. Are you aware of any other candidate that the
21 Port notified that it was considering hiring a
22 legislative liaison besides you?

23 A. No.

24 Q. Does Exhibit 2 contain all of the records that
25 are kept of communications you have had on the one hand

1 and the Calhoun Port Authority on the other regarding
2 your employment?

3 MR. COBB: Objection, form.

4 THE WITNESS: It doesn't include phone
5 conversations as I don't necessarily have a record of
6 those. But it is all texts or emails.

7 Q. (By Mr. Griffin) Okay. And what records do you
8 keep of communications you have had with Mr. Boyd, the
9 board chairman?

10 A. If they are over the phone, none. Maybe there
11 is some -- there may be some over the years. We get
12 logs of people to call for fund raising events. There
13 may be records of my making calls to him in his response
14 to that.

15 Q. How do you communicate with Mr. Boyd?

16 MR. COBB: Objection, form.

17 THE WITNESS: Since I have only spoken to
18 him twice since I have left Congress, once in person and
19 I think once over the phone.

20 Q. (By Mr. Griffin) Okay. But let's say -- what
21 is today? We are in -- is today the 1st of August?

22 MR. DULSKE: August 1st.

23 Q. (By Mr. Griffin) For the last couple of years,
24 what is your preferred method of communication with him?

25 MR. COBB: Objection, form.

1 THE WITNESS: Phone call.

2 Q. (By Mr. Griffin) I beg your pardon?

3 A. Phone call.

4 Q. Not email?

5 A. No.

6 Q. Not text?

7 A. I would occasionally text hey, can you talk? I
8 generally preface -- sometimes will preface a phone call
9 with a text.

10 Q. Do we agree it would be important to know
11 whether a candidate for a job of a lobbyist had used
12 public funds to benefit private parties?

13 MR. DULSKE: Objection, form.

14 MR. COBB: Objection, form.

15 Q. (By Mr. Griffin) While in office?

16 MR. COBB: Objection, form.

17 THE WITNESS: Yes.

18 Q. (By Mr. Griffin) Okay. And as a former elected
19 congressman, you know the public and voters would be
20 very interested in that topic?

21 MR. COBB: Objection, form.

22 THE WITNESS: I don't know how very
23 interested in it they would be. It would be a topic of
24 interest. But again, in my case, I didn't use public
25 funds to settle a private matter.

1 Q. (By Mr. Griffin) No, I understand that. In
2 addition to -- in addition to that, let me just ask you
3 this. As a congressman, did you attempt to steer
4 private business Mr. Boyd's way as an elected
5 congressman?

6 A. No.

7 MR. DULSKE: Objection, form.

8 THE WITNESS: That would be illegal and
9 unethical.

10 (Exhibit 10 marked)

11 Q. (By Mr. Griffin) And turning to Exhibit 10 --
12 and it may be in the order in the big -- in the big
13 stack there I think.

14 A. Yeah, I don't have the big stack.

15 MR. DULSKE: I gave it back to you.

16 MR. GRIFFIN: Thank you for that.

17 MR. DULSKE: It is the last, second to
18 last.

19 Q. (By Mr. Griffin) Yeah, I am going to show you
20 Exhibit 10 and ask if you can confirm that that news
21 article was also on May 2nd of this year?

22 MR. DULSKE: Objection, form.

23 THE WITNESS: Again, I didn't read the
24 Chronicle so I can't answer that question. I am
25 assuming that it is.

1 Q. (By Mr. Griffin) Okay. Now, do we agree -- did
2 you in fact -- what it says here, it says that
3 Farenthold, quote, blames the "me too" movement,
4 unquote, for targeting him in a, quote, witch hunt
5 because of your, quote, unwavering support, unquote, for
6 President Donald Trump. Do you see that?

7 A. No. But where is it?

8 Q. It asks on the page three of six and it is the
9 second full paragraph. My question is you don't blame
10 the "me too" movement for the House Ethics Committee
11 investigating the four areas that we discussed earlier
12 today; are you?

13 MR. COBB: Objection, form.

14 THE WITNESS: I believe the public
15 attention to the "me too" movement created a political
16 environment where it would be much more difficult for
17 the members of the Ethics Committee to separate politics
18 from the facts.

19 But again, this is not -- I did not speak
20 to the Chronicle. I assume this is something they are
21 pulling out of the Abbott letter. I had no independent
22 contact with the Chronicle with respect to anything in
23 that article. So anything in there is what they took
24 liberty with from my letter to the governor.

25 Q. (By Mr. Griffin) Take a look at the letter to

1 the governor and see if you are right, that the
2 Chronicle is quoting your letter to Governor Abbott with
3 respect to the "me too" movement and the witch hunt.

4 A. I believe.

5 MR. COBB: Object to form.

6 THE WITNESS: I don't know where the
7 Abbott letter has gone. There it is. The press,
8 however, would not let go. With my current unwavering
9 support of President Trump, the "me too" movement and
10 the current cut throat environment, I was back under
11 attack. I believe that is where they pulled that from.

12 Q. (By Mr. Griffin) Where is the witch hunt part?

13 A. I don't believe I used that -- I don't know if
14 I used that or not. If it is not in the letter, I did
15 not give an interview with the Chronicle or anyone with
16 respect to the letter. So that quote would be
17 inaccurate if it is not in the Abbott letter.

18 Q. So do you -- I just want to make sure that we
19 get a clear record. Do you contend that the House
20 Ethics Committee and its investigative subcommittee are
21 any sort of witch hunt?

22 A. I believe that the House Ethics Committee was
23 under political pressure to find a scapegoat. And I was
24 there at the time. So yes, I do believe that.

25 Q. And these --

1 A. I believe Congress in general was under
2 pressure.

3 Q. And these are the same people that you desired
4 to lobby on behalf of the Calhoun Port Authority.

5 MR. COBB: Objection, form.

6 THE WITNESS: And by resigning, I gave
7 them -- I did them a favor and took myself and this
8 whole issue out. Quite frankly from the lobbying
9 standpoint, I think they -- I did them a favor by
10 resigning when I did. And I think it actually helps me
11 as a lobbyist.

12 MR. GRIFFIN: Let me object to
13 nonresponsive.

14 Q. (By Mr. Griffin) I am just -- the same people
15 who you have said were numb, I don't want to put words
16 in your mouth, the witch hunt or however you were
17 capitulating or whatever, are people that you desired to
18 lobby on behalf of the Calhoun Port Authority; right?

19 MR. COBB: Objection, form.

20 MR. DULSKE: Objection, form.

21 THE WITNESS: It is -- when you speak, it
22 is normal to throw Congress in general under the bus
23 because Congress has an approval rating down with
24 roaches and rodents. And that is accepted practice.
25 But when you start throwing individuals under the bus,

1 then you are starting to tread into an area that would
2 damage your ability to work with that person either as a
3 current member of Congress or as a lobbyist after your
4 tenure in congress.

5 So the way the way Washington works in my
6 belief and my experience is that generalities are fine.
7 When you start naming individuals and throwing them
8 under the bus, you are burning bridges.

9 Q. (By Mr. Griffin) And I gather you don't agree
10 that you were burning bridges when you claimed that the
11 Republican establishment had let you down?

12 A. No.

13 MR. COBB: Objection, form.

14 THE WITNESS: I am not a bridge burner by
15 nature.

16 Q. (By Mr. Griffin) In terms of this notion, I
17 think you answered a question a moment or two ago that
18 people, the general public, some elements of the general
19 public can see what you called fake news in media
20 outlets that are perceived not to be of their liking.

21 For example, I think you used a specific
22 example is that liberal minded people can see Fox news
23 as fake news, or conservatives or Trump folks might say
24 that MSNBC or CNN is fake news or whatever.

25 MR. COBB: Object to sidebar.

1 Q. (By Mr. Griffin) Did I basically understand
2 what you were sharing with us about that?

3 A. Yes.

4 Q. All right.

5 A. But the term is broader than that.

6 Q. In what sense?

7 MR. COBB: Objection, form.

8 THE WITNESS: Specifically, specific
9 stories can be fake news or perceived bias can label an
10 outlet as being a purveyor of fake news.

11 Q. (By Mr. Griffin) In any of what you provided in
12 the subpoena documents or in any of the exhibits that we
13 have looked at before, is there any news outlet at all
14 across the spectrum who has not reported that it was
15 your position that you had not acted wrongfully or
16 unlawfully in settling the Greene case the way you did?

17 MR. COBB: Objection, form.

18 MR. DULSKE: Objection, form.

19 THE WITNESS: There are quite a few
20 articles out there that I do not believe give any of my
21 side of the story or only part of my side of the story.

22 Q. (By Mr. Griffin) Do you have any specific
23 criticism of any of the ones we have looked at today?

24 A. I didn't read them.

25 MR. COBB: Objection, form.

1 THE WITNESS: With that in mind, I imagine
2 I could find a complaint in one or more of them.

3 Q. (By Mr. Griffin) Do you have a memory of any of
4 them as we sit here today?

5 A. I have a memory of the reports in general. One
6 of the reasons I quit reading and quit talking to the
7 media during a lot of this on this topic was I didn't
8 feel like, regardless of what I said, my complete side
9 of the story would get out. As I said before, I am
10 embarrassed to have been a part of the media.

11 Q. Because you were yourself at one point on the
12 radio?

13 A. Yes.

14 MR. GRIFFIN: He needs to change the tape.
15 And I think we will be no more than 20 or so minutes
16 after the change but we have more than two minutes.
17 Let's go off the record for him to change the tape and
18 anyone to take any other personal time they need.

19 VIDEOGRAPHER: This is the end of tape
20 two. Time off record is 2:27.

21 (Recess taken)

22 VIDEOGRAPHER: This is the start of tape
23 three. Time on record, 3:03.

24 (Exhibit 25 marked)

25 Q. (By Mr. Griffin) Let's look at Exhibit Number

1 25, the last page of that exhibit. Let me know when you
2 are on the last page if you don't mind.

3 A. Digital edition, FAQ -- you don't mean the last
4 page. Second to last page?

5 Q. Yes. Thank you for that. I appreciate your
6 correcting me on that. That's right. The last full
7 paragraph of the story. Do you see it?

8 A. Yes.

9 Q. Does that confirm that even in June after you
10 were hired by the Port on June 26, that the governor is
11 continuing, no disrespect intended, continuing to call
12 you a disgraced ex-congressman?

13 MR. COBB: Objection, form.

14 THE WITNESS: That is not the governor.
15 That is his spokesperson. I think that is indicative.
16 The Governor didn't say it. He is potentially
17 distancing himself by having a spokesperson saying it.

18 Q. (By Mr. Griffin) That is what you think?

19 A. Again, I think he is backing away from it or he
20 would have said it himself. But I can't -- I don't know
21 what the governor is thinking.

22 Q. You think the governor is backing off though?

23 A. Again, he -- rather than say -- in my office
24 when I didn't want to say something, I would have a
25 spokesperson say it for me. So I don't -- that is the

1 way I was. I don't know how the governor operates.

2 Q. So you are speculating about that with the
3 governor?

4 A. And I probably shouldn't be. But I do note it
5 was a spokesman and not the governor.

6 (Exhibit 23 marked)

7 Q. (By Mr. Griffin) Fair enough. And who is
8 Representative Mark Walker, Congressman Mark Walker?

9 A. He is a congressman from the Carolinas.

10 Q. Is he part of the Republican folks or the
11 Democratic folks?

12 A. He is an R.

13 Q. What is your relationship with him?

14 A. We are acquainted and served on the -- we
15 served on the Republican study committee together. And
16 again, I wouldn't call him a close friend but I call him
17 and acquaintance.

18 (Exhibit 30 marked)

19 Q. (By Mr. Griffin) Can you identify Exhibit
20 Number 30 as the referenced attachments to the emails
21 that were produced within Deposition Exhibit Number 2
22 that are correlated with the email to which the
23 attachment would have been included?

24 A. This looks like the employment agreement that I
25 got from Mr. Hausmann.

1 MR. GRIFFIN: Let me object to it as
2 nonresponsive.

3 Q. (By Mr. Griffin) I don't want to examine you on
4 any of those. I just want you to confirm what I was
5 handed by Mr. Dulske are the attachments that were
6 omitted in Exhibit Number 2 and they are correlated with
7 the Bates number of the email to which --

8 A. I believe that is correct, yes.

9 (Exhibit 29 marked)

10 Q. (By Mr. Griffin) Then that can go back to the
11 court reporter. That is all of the questions I have on
12 that. And Exhibit Number 29 as I understand it is the
13 privilege log for the documents that have not been
14 produced?

15 A. Yes.

16 Q. Okay. Fair enough.

17 A. And those are all with respect to the request
18 for information regarding any communications regarding
19 my employment with the Port.

20 Q. All right. Do you have Exhibit 10 before you?

21 A. I do.

22 Q. Is it true that at the time the Port hired you
23 at a sum of \$13,333 a month, you had already said that
24 your services as a congressman were not needed in
25 Washington, D.C.; right?

1 MR. COBB: Objection, form.

2 THE WITNESS: I don't recall those terms,
3 no. I think I have a statement that was released when I
4 resigned but I don't think that I said my services
5 weren't needed. I think I pointed out some of the
6 accomplishments that I had completed and those were the
7 big deals currently facing the district.

8 (Exhibit 28 marked)

9 Q. (By Mr. Griffin) Right. But do you deny having
10 a conversation with Houston Chronicle reporter Jeremy
11 Wallace on or about May 2nd, 2018?

12 A. I don't recall speaking to a -- I was not
13 speaking to many reporters but let me see if anything in
14 here refreshes my memory.

15 Q. And if it helps you to speed things along, I
16 want to direct you to the last two paragraphs of the
17 story.

18 A. That is correct. We are in August recess. So
19 that's all correct. All that has been done, the bulk of
20 what has been done since I left was appropriations bills
21 which I doubt will get through the Senate intact. We
22 are gone for August recess for a month. And word on the
23 street is most of October will be given back for a
24 recess so folks can go back and campaign.

25 MR. GRIFFIN: Let me just -- I want to

1 object to responsiveness.

2 Q. (By Mr. Griffin) The quote that you are quoted
3 here is accurate, what you said, that Congress was
4 shutting down until November as members go back to their
5 districts to campaign for another term in office.

6 A. I don't believe that is the entirety of the
7 quote but that looks like part of it.

8 Q. And this is something that was said on June --
9 excuse me -- May 2nd, 2018; right?

10 A. I don't know the date it was said.

11 Q. Look on the first page.

12 A. That is the date it was published. It may not
13 have been the date it was said. It may not have been
14 the date I said it.

15 Q. Is it true that there is a light agenda in the
16 fall?

17 A. Yes. We were actually told -- if you would
18 like me to elaborate on that, we were actually told that
19 the -- if you had a bill, a messaging bill you wanted to
20 get through, put it up because we were going to pass a
21 lot of stuff for messaging purposes. And not to expect
22 the Senate to get to anything because they are going to
23 be focused primarily on confirmation of judges.

24 Q. All right. And in the run-up to the May 9 Port
25 meeting, with whom had you had oral conversations about

1 working for the Port?

2 A. I am not sure of the dates. The only people I
3 have ever talked to about working for the Port were
4 Mr. Hausmann and Mr. Body. And after I became aware
5 that they were going to offer me a job, I talked with my
6 wife about it, and an employment law attorney in
7 Washington.

8 Q. I am only concerned --

9 A. And a couple of attorneys.

10 Q. Thank you for that. I am only concerned about
11 the Port people at this point. You said Mr. Boyd and
12 Mr. Hausmann?

13 A. Yes.

14 Q. Did you on the one hand and either one of them
15 on the other hand discuss these issues that had arisen
16 between you and the governor?

17 MR. COBB: Objection, form.

18 THE WITNESS: I don't know.

19 Q. (By Mr. Griffin) You don't know or you don't
20 think --

21 A. I don't think so.

22 Q. Okay. And like --

23 A. Again, I didn't have -- I was offered the job
24 and then there was a period of time before I was
25 actually employed. And I don't recall any specific

1 conversations before I was offered the job.

2 Q. Okay. Let's get a chronology together. When
3 were you offered the job?

4 A. I don't do dates. I don't know.

5 Q. How much time elapsed between the time when you
6 were offered and when you finally went to work?

7 A. I think we can determine that based on the date
8 of my first email with Mr. Hausmann and my hire date.
9 We would have to go back and look. I don't know the
10 dates.

11 Q. So April, you were in communication verbally
12 with Mr. Hausmann and Mr. Boyd?

13 MR. COBB: Objection, form.

14 THE WITNESS: We would have to -- again, I
15 didn't start talking to them until I got the offer. The
16 date of that would be within a few days of when the
17 first email was exchanged.

18 Q. (By Mr. Griffin) So were you offered the job
19 before the May 9 meeting?

20 MR. COBB: Objection, form.

21 THE WITNESS: I don't know the date I was
22 offered the job.

23 Q. (By Mr. Griffin) Was it offered in writing, by
24 email or over the phone?

25 A. Over the phone.

1 Q. Okay.

2 A. But again, I couldn't tell you the date. I
3 couldn't tell you the date.

4 Q. At any point between the time, the day you
5 resigned in Congress until the day that you started work
6 for the Port, did you have a conversation with
7 Mr. Hausmann about any of the issues we have discussed
8 with respect to, first, the use of taxpayers funds to
9 settle the Greene case?

10 MR. COBB: Objection, form.

11 THE WITNESS: I am not allowed to discuss
12 that under the settlement agreement so I certainly
13 wouldn't have discussed it with Mr. Hausmann. Again, I
14 am not confirming or denying that the settlement was
15 \$84,000.

16 Q. (By Mr. Griffin) Right. But did you discuss
17 the issue, that you issued press releases and the like
18 about this topic? I am not --

19 MR. COBB: Objection, form.

20 THE WITNESS: I don't recall.

21 Q. (By Mr. Griffin) And likewise, same question
22 about Mr. Hausmann. Did you discuss with him the
23 disagreements that you were having with Governor Abbott?

24 MR. COBB: Objection, form.

25 THE WITNESS: I don't believe I was having

1 a disagreement with Governor Abbott.

2 Q. (By Mr. Griffin) Do you discuss the fact that
3 your letter says he is wrong and he calls you a
4 disgraced ex-congressman?

5 MR. COBB: Objection, form.

6 THE WITNESS: No.

7 Q. (By Mr. Griffin) Did you talk about that
8 subject?

9 MR. COBB: Objection, form.

10 THE WITNESS: No, not to my recollection.

11 Q. (By Mr. Griffin) Did you talk about the
12 business that Speaker Ryan was facing pressure to get
13 you out of Congress?

14 MR. COBB: Objection, form.

15 THE WITNESS: Again, we did not discuss it
16 but I am sure Mr. Boyd was -- Mr. Hausmann was aware of
17 whatever was in the media.

18 Q. (By Mr. Griffin) Okay. And same questions for
19 Mr. Boyd. Did you talk with Mr. Boyd about any of these
20 issues about the -- how it was reported that taxpayers
21 funds were used to settle the Greene case, the issues
22 with Speaker Ryan or the issues with Governor Abbott?

23 MR. COBB: Objection, form.

24 Q. (By Mr. Griffin) Did you talk about any of
25 those with Mr. Boyd?

1 MR. COBB: Objection, form.

2 THE WITNESS: Again, I didn't speak with
3 anybody about the use of \$84,000, the issue of taxpayer
4 funds. I never mentioned \$84,000, didn't talk about the
5 terms of the settlement agreement to anybody, Mr. Boyd
6 included.

7 I may have during -- between the
8 culmination of the Greene case and my retirement from
9 Congress, discussed it in a fundraising call or in a
10 social setting with Mr. Boyd. It would not have been
11 unreasonable for me to have done that but I have no
12 specific recollection of any such conversation.

13 Q. (By Mr. Griffin) What about after your
14 resignation?

15 MR. COBB: Object to form.

16 THE WITNESS: Not to my recollection.

17 Q. (By Mr. Griffin) With Mr. Boyd?

18 A. Correct.

19 Q. Okay. Did you discuss with Mr. Boyd or
20 Mr. Hausmann any of the potential downsides of hiring
21 you as its legislative liaison? Did you talk about pros
22 and cons?

23 A. I think we had a conversation about the fact
24 that I was media focus right now. And that we both
25 agreed that in a month or so, that that would die down

1 and we would be able to go on with my job without a lot
2 of media scrutiny. With this litigation, that has not
3 come to pass.

4 MR. GRIFFIN: Let me object to the
5 nonresponsive portion of the answer.

6 Q. (By Mr. Griffin) Who are the Crush Girls?

7 MR. COBB: Objection, form, relevance.

8 THE WITNESS: It was a viral marketing
9 group in Corpus Christi.

10 Q. (By Mr. Griffin) Share with me -- forgive me
11 for being a hill-billy -- but what is a viral market?

12 A. It is a group of folks that are hired to go out
13 in public and promote a product or service. So for
14 instance, you have produced a new product to the market.
15 You send these people out into public using the product
16 or talking about the product.

17 Q. Yes, sir. And what were the -- what are they
18 called? I forgot their name already. I almost said the
19 Spice Girls but not the Spice Girls.

20 A. Tell me who they are, who they really really
21 are.

22 Q. Well, I forgot the name of them. Crush Girls.
23 Sorry. Not Spice Girls. Crush Girls, what are they
24 promoting?

25 MR. COBB: I am going to object on the

1 grounds that this deposition should be limited to the
2 issue of whether the hiring of Blake Farenthold for the
3 job of legislative liaison is a matter of special
4 interest to the public. And this question in no way
5 relates to that.

6 THE WITNESS: I have no idea who their
7 clients were.

8 Q. (By Mr. Griffin) That's okay. That's all
9 right.

10 A. I don't even know if they still exist.

11 Q. That's okay. Did Mr. Hausmann share with you
12 that you would be the first full-time legislative
13 liaison the Port had ever had?

14 A. Yes.

15 Q. Did he share with you that you would be among
16 the highest paid people in the employ of the Port?

17 A. No.

18 Q. Did he share with you that your hiring would be
19 unprecedented in the sense that they were hiring a
20 full-time lobbyist for the first time, that an
21 ex-congressman would be filling that role, and that the
22 salary would be \$160,000 a year?

23 MR. COBB: Objection, form.

24 MR. DULSKE: Objection, form.

25 THE WITNESS: No, he didn't. But from my

1 understanding of what other ports spend on government
2 relations, it is not unreasonable. I know the Port of
3 Corpus Christi has a full-time legislative person and
4 two D.C. lobbyists and I think one in Austin.

5 Q. (By Mr. Griffin) Any of them, any of them have
6 the sort of public notoriety in the same class as you?

7 MR. COBB: Objection to form.

8 MR. DULSKE: Objection, form.

9 THE WITNESS: I know Bech Bruun who ran
10 for this office is now an employee of the Port of Corpus
11 Christi. So I mean he didn't win the election but he
12 certainly spent some money and developed some notoriety.

13 Q. (By Mr. Griffin) Sure.

14 A. And I believe the Port of Brownsville employs
15 as a lobbyist Randy Delay, the brother of the former
16 speaker of the house, Tom Delay who also left under a
17 fair amount of media pressure and was eventually
18 exonerated.

19 Q. Say that again?

20 A. Randy Delay, Tom Delay's brother, works for the
21 Port of Brownsville as a contractor. Tom Delay was
22 indicted and went to prison when he was Speaker of the
23 House of Representatives and has since appeared on
24 Dancing With the Stars and has been exonerated through
25 the appellate system. I don't think it is that

1 unprecedented.

2 I also know the Port of Corpus Christi
3 interviewed another former congressman for their
4 lobbyist position and chose not to hire him.

5 Q. And I appreciate that. Did any of them, were
6 any of them confronting the same sort of issues with
7 disagreements or whatever you want to call it between
8 you, on the one hand, and the governor and speaker of
9 the house on the other regarding repayments of public
10 funds?

11 MR. COBB: Objection, form.

12 THE WITNESS: I don't believe I have a
13 disagreement with the speaker of the house. I don't
14 believe I have a disagreement with the governor. I
15 believe his letter was based on incomplete facts.

16 Q. (By Mr. Griffin) Well, then why -- help the
17 judge and jury to understand why is he continuing --

18 MR. COBB: Object to sidebar.

19 Q. (By Mr. Griffin) -- in June calling you
20 disgraced if you think he is laboring under the wrong
21 impression?

22 MR. COBB: Objection, form.

23 MR. DULSKE: Objection, form.

24 THE WITNESS: I don't know what is in the
25 governor's thinking. But I also -- my job is to

1 legislate primarily on a federal level. So any
2 relationship with the governor would have minimal -- I
3 believe would have minimal impact on my actual job
4 performance in Washington, D.C.

5 MR. GRIFFIN: Let me object to
6 nonresponsive.

7 (Exhibit 22 marked)

8 Q. (By Mr. Griffin) I am with you. I hear you.
9 Now, is Exhibit 22 --

10 MR. COBB: Object to sidebar.

11 Q. (By Mr. Griffin) Does Exhibit 22 refresh your
12 memory as to your quote to the Houston Chronicle that a
13 week doesn't go by that the picture of you in pajamas
14 doesn't show up on Twitter?

15 MR. COBB: Objection, form.

16 THE WITNESS: I don't have Exhibit 22.

17 Q. (By Mr. Griffin) Let's see. I might have it
18 right here.

19 A. Again, I haven't disagreed that I have said
20 that.

21 Q. I am not trying to suggest you did. I couldn't
22 find it when I was questioning you before and I just --
23 was just going to get you to confirm that that is what
24 you told the Houston Chronicle last year, that that
25 photo had followed you through the years and that you

1 told the Chronicle that a week doesn't go by that it
2 doesn't show up on Twitter.

3 MR. COBB: Objection, form. Object to
4 sidebar.

5 THE WITNESS: It is true. I mean I said
6 it.

7 Q. (By Mr. Griffin) Fair enough.

8 A. I don't know if it is still showing up on
9 Twitter because, again, I am not following that anymore.

10 (Exhibit 31 marked)

11 Q. (By Mr. Griffin) Let me -- I want to ask you
12 about one other exhibit and then we will be done. Can
13 you identify Exhibit 31?

14 A. I believe it was some case work we did for
15 Mr. Boyd.

16 Q. Okay. And the page after the letter, it looks
17 like a message of some sort. Do you recognize what is
18 on here? It says from Representative Farenthold, a
19 request summary report from the 3/26/15 meeting.

20 A. Yeah. We set up a meeting with Mr. Boyd and
21 the Corps of Engineers based on some changes or
22 something going on on the changes he wanted to make and
23 some issues he was having with the corps. We
24 regularly -- part of what the job is mediating or trying
25 to resolve issues that constituents have with government

1 agencies. It is called constituent case work. We
2 settle thousands of issues whether it is veterans not
3 being paid, a wide variety of issues.

4 Q. Yes. And this was done for Mr. Boyd, not as a
5 member of the Port or not as the chair of the board of
6 the Calhoun Port. This was done to benefit Mr. Boyd
7 with respect to work being done on the Houston ship
8 channel; correct?

9 MR. COBB: Objection, form.

10 THE WITNESS: This was work done on behalf
11 of a constituent having an issue with a government
12 agency.

13 Q. (By Mr. Griffin) Yes. I think I am
14 understanding this. This has to do with his work for --
15 on another project other than the Calhoun Port
16 Authority; right?

17 A. Yes.

18 MR. COBB: Objection, form.

19 Q. (By Mr. Griffin) All right. All right.

20 MR. COBB: Do I have a copy of that?

21 MR. GRIFFIN: You can look over my
22 shoulder. Jim Drought copied this for me because I only
23 had it this morning.

24 Q. (By Mr. Griffin) The people in the email
25 string, for example, Richard Pannell, he is with the

1 corps; right?

2 A. I believe so, yes.

3 Q. And who is Joe Hrametz?

4 A. Don't know.

5 Q. Okay. No problem. And Blake Adami, that is
6 one of your staff members; right?

7 A. He is my legislative director who handled
8 transportation issues.

9 Q. Exactly. You were facilitating a meeting for
10 Mr. Boyd to assist him with a project on the Houston
11 Ship Channel?

12 MR. COBB: Objection, form.

13 THE WITNESS: He was having an issue with
14 the corps. And again, it is something I would do for
15 any constituent.

16 Q. (By Mr. Griffin) Sure. I understand.

17 MR. COBB: Objection to sidebar.

18 THE WITNESS: Well, I don't think I did
19 anything personally on this other than sit in on a
20 meeting. This was all handled routinely by my staff.

21 Q. (By Mr. Griffin) Right. But under your
22 direction and authority?

23 MR. COBB: Objection, form.

24 THE WITNESS: Again, we did thousands of
25 these.

1 Q. (By Mr. Griffin) Okay. But for example, if we
2 go to the next to last page, it looks like Blake Adami,
3 your -- what is he the director of?

4 A. Legislative director.

5 Q. Legislative director. He identifies Mr. Boyd
6 as the board chairman of the Calhoun Port Authority and
7 wants to meet for a dredging project for the Houston
8 Ship Channel. And that you will be meeting with
9 Mr. Boyd at 5:00 p.m. and he would like to assure
10 Mr. Boyd that there can be a meeting. Can you confirm
11 confirm, confirm, confirm? You were aware of this; were
12 you not, Mr. Farenthold?

13 MR. COBB: Objection, form.

14 THE WITNESS: I don't remember it in
15 particular. Again, we did a boat load of these. I mean
16 I remember sitting down with Mr. Boyd and several
17 members of the corps where Mr. Boyd laid out his case
18 for the corps. I didn't have any input in that. I just
19 facilitated the meeting. I think I sat there for about
20 15 minutes and left.

21 Q. (By Mr. Griffin) I am not accusing you of any
22 misconduct whatsoever. I just want to ask do we agree
23 that your job as a congressman should not be to help
24 private interests get governmental contracts?

25 MR. COBB: Objection, form.

1 MR. DULSKE: Objection, form.

2 THE WITNESS: My job as a congressman is
3 to help my constituents with issues they are having with
4 the government. Sometimes those are business issues.
5 It is certainly not my job to push one person over
6 another to get a government contract but it is to bring
7 economic development to the district that I represent.

8 I traveled with Corpus Christi Regional
9 Economic Development Corporation on business development
10 meetings. I mean I did all sorts of things to promote
11 economic growth within the community and to help
12 constituents.

13 Q. (By Mr. Griffin) I think from your answer, you
14 agree that you should not be picking which private
15 enterprises should be doing business with the
16 government.

17 MR. COBB: Objection, form.

18 MR. DULSKE: Objection, form.

19 THE WITNESS: Nor did I.

20 Q. (By Mr. Griffin) All three of you were speaking
21 exactly at the same time. What was your answer?

22 MR. COBB: Objection, form.

23 THE WITNESS: Repeat the question. You
24 got me all flustered.

25 Q. (By Mr. Griffin) I didn't say a word. These

1 guys both spoke at the same time you did.

2 A. That is why they are getting paid the medium
3 bucks.

4 Q. Just a minute. I think I might be able to
5 remember it. We agree it would be inappropriate for you
6 as a congressman to be trying to ship public work to
7 specific private interests?

8 A. Nor have I ever done that.

9 MR. DULSKE: Objection, form.

10 Q. (By Mr. Griffin) We agree --

11 A. Nor have I ever done it.

12 Q. Right. You answered two questions, one I
13 asked, one I didn't. My next question was have you ever
14 tried to benefit a private government vendor or contract
15 for doing public work?

16 MR. DULSKE: Objection, objection, form.

17 THE WITNESS: No.

18 MR. GRIFFIN: I will pass the witness at
19 this time. Thank you.

20 MR. COBB: Reserve questions for trial.

21 VIDEOGRAPHER: This is the end of tape
22 three, the end of the deposition. Time off record,
23 3:30.

24 (Proceedings concluded at 3:29 p.m.)

25

1 CHANGES AND SIGNATURE

2 WITNESS NAME: BLAKE FARENTHOLD
DATE OF DEPOSITION: AUGUST 1, 2018

3 PAGE LINE CHANGE REASON

4 _____

5 _____

6 _____

7 _____

8 _____

9 _____

10 _____

11 _____

12 _____

13 _____

14 _____

15 _____

16 _____

17 _____

18 _____

19 _____

20 _____

21 _____

22 _____

23 _____

24 _____

25 _____

1 I, BLAKE FARENTHOLD, have read the foregoing
2 deposition and hereby affix my signature that same is
3 true and correct, except as noted above.

4

5

6

BLAKE FARENTHOLD

7

8 THE STATE OF _____)

9 COUNTY OF _____)

10

11 Before me, _____, on this day
12 personally appeared BLAKE FARENTHOLD, known to me or
13 proved to me on the oath of _____ or through
14 _____ (description of identity card
15 or other document) to be the person whose name is
16 subscribed to the foregoing instrument and acknowledged
17 to me that he/she executed the same for the purpose and
18 consideration therein expressed.

19 Given under my hand and seal of office on this _____
20 day of _____, _____.

21

22

23

NOTARY PUBLIC IN AND FOR

24

THE STATE OF _____

25 My Commission Expires: _____

1 CAUSE NO. 2018-CV-3354-DC

2 VICTORIA ADVOCATE) IN THE DISTRICT COURT
PUBLISHING CO.,)
3)
Plaintiff)
4)
VS.) CALHOUN COUNTY, TEXAS
5)
CALHOUN PORT AUTHORITY,)
6)
Defendant) 135TH JUDICIAL DISTRICT
7

8 REPORTER'S CERTIFICATE

9 ORAL VIDEOTAPED DEPOSITION OF BLAKE FARENTHOLD

10 AUGUST 1, 2018

11

12 I, Sarah A. Prugh, Certified Shorthand Reporter in
13 and for the State of Texas, hereby certify to the
14 following:

15 That the witness, BLAKE FARENTHOLD, was duly sworn
16 and that the transcript of the deposition is a true
17 record of the testimony given by the witness;

18 That the deposition transcript was duly submitted on
19 _____ to the witness or to the attorney for
20 the witness for examination, signature, and return to me
21 by _____.

22 That pursuant to information given to the deposition
23 officer at the time said testimony was taken, the
24 following includes all parties of record and the amount
25 of time used by each party at the time of the

1 deposition:

2 Mr. John W. Griffin, Jr. (2h55m)
Attorney for Plaintiff
3 Mr. Bill Cobb (0h0m)
Attorney for Defendant
4 Mr. John C. Dulske (0h0m)
Attorney for Witness
5

6 That a copy of this certificate was served on all
7 parties shown herein on _____ and filed
8 with the Clerk.

9 I further certify that I am neither counsel for,
10 related to, nor employed by any of the parties in the
11 action in which this proceeding was taken, and further
12 that I am not financially or otherwise interested in the
13 outcome of this action.

14 Further certification requirements pursuant to
15 Rule 203 of the Texas Code of Civil Procedure will be
16 complied with after they have occurred.

17 Certified to by me on this 10th day of August, 2018.

18

19

20

21

22

23

24

25

Sarah A. Prugh, CSR
Texas CSR 3972
Expiration: 12/31/19
Firm Registration Number 631
Kim Tindall & Associates, LLC
16414 San Pedro, Suite 900
San Antonio, Texas 78232
210-697-3400

1 FURTHER CERTIFICATION UNDER TRCP RULE 203

2

3 The original deposition was/was not returned to the
4 deposition officer on _____.

5 If returned, the attached Changes and Signature
6 page(s) contain(s) any changes and the reasons therefor.

7 If returned, the original deposition was delivered
8 to Mr. John W. Griffin, Jr., Custodial Attorney.

9 \$_____ is the deposition officer's charges to the
10 Plaintiff for preparing the original deposition and any
11 copies of exhibits;

12 The deposition was delivered in accordance with Rule
13 203.3, and a copy of this certificate, served on all
14 parties shown herein, was filed with the Clerk.

15 Certified to by me on this _____ day of
16 _____, _____.

17

18

19

20

21

22

23

24

25

Sarah A. Prugh, CSR
Texas CSR 3972
Expiration: 12/31/19
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