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1 A Well, I think that Tony Sutton told me that they
2 had legal bills to pay for the recount and they
3 set up some special fund for the legal
4 reimbursement or whatever to handle those legal
5 bills, and he asked me if I'd help him.
6 Q Okay. Did he suggest an amount?
7 A I don't recall.
8 Q Okay. Did you talk to him about how much the
9 total amount of the legal bills was?
10 A You know, I don't recall that either.
11 Q Okay. So he gave you the name of the -- Did he
12 give you the name of the company to write the
13 check to or did he give that to somebody else?
14 A Well, he gave it to -- I think he e-mailed it to
15 -- From what I can see here, he e-mailed it to
16 Mike Scholl and then Mike passed it on to me.
17 Q And who is Mike Scholl?
18 A I work with him. He's kind of my gatekeeper for
19 contributions. He just passed it on.
20 Q And that's S-C-H-O-L-L; is that correct?
21 A Yep.
22 Q Okay. Prior to Mr. Sutton contacting you
23 soliciting a contribution, had you known anything
24 about some other organization that might be paying
25 the legal bills?

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1 A I don't know. I don't recall. I don't think so.
2 Q Okay. Has Mr. Sutton or anyone else solicited you
3 for additional contributions to this corporation?
4 A I don't recall that either. It's possible, I just
5 don't recall.
6 Q Okay. And you have not made any additional
7 contributions to this corporation; is that
8 correct?
9 A I think that's correct. I think that's right.
10 Q Okay. I mean, we don't have any record of them.
11 I'm just trying to confirm that that's correct.
12 A Yeah. I mean, I think that we did -- My wife and
13 I, I think we did a search when we got your
14 request for information. And sort of as near as
15 our -- as far as Quicken knows, which is where we
16 keep all of our checking stuff, it says this was
17 it.
18 Q Okay. I'm just sort of curious as to whether you
19 questioned or wondered why you would be giving
20 this money to some other organization? You had
21 previously been a generous donor to the Republican
22 Party. Did you question why the Party itself
23 wasn't simply going to pay these bills?
24 A Well, it was just explained to me that this was a
25 special fund they set up just to handle their

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1 legal bill, and that's about as much as I knew,
2 really.
3 Q And that was Mr. Sutton told you that?
4 A Yeah, it must have been him. Like I said, it's a
5 little fuzzy, but he would have probably been the
6 guy.
7 Q Okay. Just give me one moment here. I actually
8 think that's all the questions I have, but I do
9 have my assistant director, Jeff Sigurdson, here
10 who catches anything that I miss. I'm going to
11 ask him if he has any questions.
12 EXAMINATION
13 BY MR. SIGURDSON:
14 Q I just have one question, sir. And this is just,
15 I suppose, to verify that it was Mr. Sutton that
16 contacted you. We're also under the impression
17 that Tom Emmer was also making certain phone calls
18 looking for funding for use in the recount. Do
19 you recall if you were contacted by him for that
20 purpose?
21 A To my best recollection, I don't think I was.
22 Q Okay.
23 A I could have been, but I don't -- I don't think
24 so.
25 Q Okay. That's all I have, sir. Thank you.

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1 A Okay.
2 MR. GOLDSMITH: That would conclude our
3 questions, unless, John, you have something or,
4 Mr. Cummins, you want to say anything additional.
5 MR. HINDERAKER: No, I don't have any
6 questions, Gary. I don't know, in the rules that
7 we're operating under here, if there's a provision
8 for reading and signing of deposition
9 transcripts. I don't think that's necessary, in
10 any event, under these circumstances. So to the
11 extent that Mr. Cummins has rights in that regard,
12 we will waive them.
13 MR. GOLDSMITH: Okay. As a courtesy,
14 I'll send you an electronic copy.
15 MR. HINDERAKER: We'd like to get a copy
16 of it, but I think that's plenty for our purposes.
17 MR. GOLDSMITH: All right. That
18 concludes the deposition. Thank you,
19 Mr. Cummins.
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1 STATE OF MINNESOTA)
2) ss.
3 COUNTY OF DAKOTA)
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7 Be it known that I took the deposition of ROBERT
8 P. CUMMINS on the 13th day of June, 2012, at Suite 190,
9 658 Cedar Street, St. Paul, Minnesota;

10
11 That I was then and there a notary public in and
12 for the County of Dakota, State of Minnesota, and that
13 I was duly authorized to administer an oath;
14

15 That the witness before testifying was first duly
16 sworn to testify the truth and nothing but the truth;
17

18 That the testimony was recorded by myself and
19 transcribed into a computer-aided transcript and that
20 the deposition is a true record of the testimony given
21 by the witness to the best of my ability;
22

23 That I am not related to any of the parties hereto
24 nor interested in the outcome of the action;
25

1 That the cost of the original transcript has been
2 charged to the party noticing the deposition, unless
3 otherwise agreed by Counsel, and that copies have been
4 made available to all parties at the same cost, unless
5 otherwise agreed upon by Counsel;
6

7 That the reading and signing of the deposition by
8 the witness was waived.
9

10 WITNESS MY HAND AND SEAL this 25th day of June,
11 2012.
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16 JULIE A. RIXE
17 Court Reporter
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