

Page 1

BEFORE THE CAMPAIGN FINANCE
AND PUBLIC DISCLOSURE BOARD
OF THE STATE OF MINNESOTA

In the Matter of the Republican
Party of Minnesota

Deposition and exhibits of RON HUETTL,
taken in the above-entitled matter, pursuant to Notice,
before Julie A. Rixe, court reporter and notary public,
at Suite 190, 658 Cedar Street, in the City of St.
Paul, County of Hennepin, State of Minnesota, on the
21st day of February, 2012, commencing at approximately
8:30 a.m.

* * *

Page 2

1 APPEARANCES:
2 GARY GOLDSMITH, Executive Director, and
3 JEFFREY SIGURDSON, Assistant Executive Director,
4 and JODY POPE, Management Analyst, Minnesota
5 Campaign Finance and Public Disclosure Board,
6 Centennial Office Building, Suite 190, 658 Cedar
7 Street, St. Paul, Minnesota 55155-1603, appeared
8 for and on behalf of the Minnesota Campaign
9 Finance and Public Disclosure Board.
10 RICHARD G. MORGAN, Attorney at Law,
11 Bowman and Brooke, 150 South Fifth Street,
12 Suite 3000, Minneapolis, Minnesota 55402,
13 appeared for and on behalf of the Republican Party
14 of Minnesota and the Deponent.
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22 WHEREUPON, the following proceedings
23 were duly had and entered of record, to wit:
24
25

Page 3

I N D E X

1	WITNESS	PAGE
2	RON HUETTL	
3	Examination by Mr. Goldsmith	6, 93
4	Examination by Mr. Sigurdson	92
5	Examination by Mr. Morgan	91
6	HUETTL EXHIBITS:	PAGE
7	1 - List of obligations	4
8	2 - Withdrawn	
9	3 - E-mail dated 3/16/11	4
10	3-2 - E-mail string dated 3/16/11	4
11	3-3 - E-mail string dated 3/16/11	4
12	3-4 - E-mail string dated 3/16/11	4
13	3-5 - E-mail string dated 3/16/11	4
14	3-6 - E-mail string dated 3/16/11	4
15	3-7 - E-mail string dated 3/18/11	4
16	3-8 - E-mail string dated 3/22/11	4
17	3-9 - E-mail string dated 3/22/11	4
18	3-10 - Guaranty	4
19	3-11 - E-mail dated 11/8/10	4
20	3-12 - E-mail dated 11/15/10 with attachments	4
21	3-13 - E-mail dated 11/22/10 with attachments	4
22	3-14 - E-mail dated 11/30/10 with attachments	4
23	3-15 - E-mail dated 12/6/10 with attachments	4
24	3-16 - E-mail dated 12/8/10 with attachments	4
25	4 - Withdrawn	
	5-1 - E-mail dated 3/16/11	65
	5-2 - E-mail dated 3/22/11	65
	5-3 - E-mail string dated 2/23/11	65
	5-4 - E-mail string dated 4/7/11	65
	5-5 - E-mail string dated 3/16/11	65
	5-6 - E-mail string dated 4/8/11	65

Page 4

1 RON HUETTL, JR.,
2 after having been first duly sworn, was
3 examined and testified on his oath as follows:
4 THE REPORTER: And could everyone state
5 their names, please?
6 MR. GOLDSMITH: Gary Goldsmith,
7 executive director, Minnesota Campaign Finance and
8 Public Disclosure Board.
9 MR. SIGURDSON: Jeff Sigurdson,
10 S-I-G-U-R-D-S-O-N, assistant director of Campaign
11 Finance and Public Disclosure Board.
12 MS. POPE: Jody Pope, management
13 analyst, Campaign Finance and Public Disclosure
14 Board.
15 MR. MORGAN: Rick Morgan. I'm with the
16 law firm of Bowman and Brooke. I'm here on a pro
17 bono basis representing Mr. Huettl and the
18 Republican Party of Minnesota.
19 THE WITNESS: Ronald Huettl,
20 H-U-E-T-T-L. I'm the finance director of the
21 Republican Party of Minnesota.
22 MR. GOLDSMITH: Good morning,
23 Mr. Huettl. Good morning, Rick. Thank you for
24 being here this morning.
25 Do we have a time constraint?

Page 5

1 MR. MORGAN: My change runs out at
 2 10:00 a.m.
 3 MR. GOLDSMITH: Well, we can take a
 4 break then.
 5 MR. MORGAN: And I may collect ask for
 6 some change. I may collect quarters from you in
 7 exchange for my dollars.
 8 MR. GOLDSMITH: We have the room until
 9 noon. Do you need to leave before that?
 10 MR. MORGAN: I do, yes. I mean, I would
 11 hope this would not last -- I have an obligation.
 12 I have to be at another meeting at 11 and I have
 13 an airplane taking off at 12:30.
 14 MR. GOLDSMITH: All right. Well, we'll
 15 get started. With that in mind, there's a lot of
 16 material to cover. And, in addition, some of the
 17 documents that we requested were not provided, and
 18 so we'll be making a second request for those same
 19 documents.
 20 MR. MORGAN: Gary, can I ask why that
 21 was not done ahead of this meeting?
 22 MR. GOLDSMITH: It wasn't done because I
 23 didn't realize it until I had a chance over the
 24 weekend to review everything.
 25 MR. MORGAN: Because obviously if we had

Page 6

1 had communication, we would have gladly provided
 2 any documents.
 3 MR. GOLDSMITH: The request was quite
 4 clear and they weren't there, so I don't know why
 5 they weren't provided.
 6 MR. MORGAN: Well, I'm interested to see
 7 what they are.
 8 EXAMINATION
 9 BY MR. GOLDSMITH:
 10 Q So, anyway, it may be necessary that we recess
 11 this deposition and come back at a time that's
 12 convenient for you. Even with what we have to
 13 cover today, we may be pressed for time.
 14 Let me first give you some information.
 15 The Board is investigating a complaint filed by
 16 Common Cause Minnesota regarding the Republican
 17 Party of Minnesota. The complaint also
 18 potentially implicates others, including
 19 Mr. Anthony Sutton, also possibly an organization
 20 called Count them All Properly, Incorporated, and
 21 its principals.
 22 You, yourself, are not a party to the
 23 complaint and are not, at this point, under
 24 investigation. But as investigations unfold,
 25 particularly ones like this, where we don't have

Page 7

1 all of the facts going in, sometimes the scope
 2 expands. And when the Board does investigate a
 3 matter, its practice has always been, and is in
 4 this case, to allow the investigation to expand to
 5 look at all of the potential violations.
 6 Therefore, there's some possibility that
 7 the investigation might expand to include you as
 8 an actual person who would be responding. The way
 9 I would see that possibly happening is one count
 10 of the investigation -- of the complaint claims
 11 that Mr. Sutton and others worked together to
 12 circumvent the provisions of Chapter 10A. The
 13 theory of the complaint is that they raised money
 14 for a Republican Party obligation related to a
 15 recount, but they did that through another
 16 organization for the purpose of hiding the
 17 donors. That matter includes both civil penalties
 18 as well as criminal penalties in the form of a
 19 gross misdemeanor.
 20 If it should turn out that somehow you
 21 were -- First of all, it should turn out that
 22 those allegations were proven and, secondly,
 23 should turn out that you were involved in that
 24 effort to circumvent Chapter 10A, then you could
 25 be a party to the investigation and findings could

Page 8

1 be made against you. Is that clear?
 2 A I understand.
 3 Q Okay. Since that's the case, I want to give you
 4 some additional information. I'm going to give
 5 you a copy of this, which you can share with your
 6 attorney. This is a standard form that the Board
 7 produces for people who are subject to an
 8 investigation, so I want to provide it to you.
 9 And, in particular, I'd like you to take a moment
 10 and review at least the first three paragraphs
 11 that are numbered there. Tell me when you've had
 12 a chance to look at that.
 13 MR. MORGAN: If you have any questions
 14 about it, I'll be happy to answer those.
 15 THE WITNESS: Sure.
 16 BY MR. GOLDSMITH:
 17 Q All right. Do you understand the document?
 18 A I do.
 19 Q And you have no questions?
 20 A I have no questions.
 21 Q And you're willing to proceed with the deposition?
 22 A I am.
 23 Q All right. Thank you. And your name is Ron
 24 Huettl?
 25 A Ron Huettl.

Page 9

1 Q Huettl.
 2 MR. MORGAN: You may want to spell that
 3 for the court reporter.
 4 THE WITNESS: H-U-E-T-T-L.
 5 BY MR. GOLDSMITH:
 6 Q And what's your address, Mr. Huettl?
 7 A 1905 Blue Stem Lane, Shoreview, Minnesota 55126.
 8 Q Telephone number?
 9 A 651-298-1470.
 10 Q And you're currently employed by the Republican
 11 Party of Minnesota?
 12 A I am.
 13 Q And you are actually an employee in your current
 14 status?
 15 A I'm an employee, yes.
 16 Q What is your position?
 17 A I am the finance director.
 18 Q What date did you first become the finance
 19 director?
 20 A April 14th of 2010.
 21 Q And tell me in general, and be as specific as you
 22 want, what your duties are with respect to the
 23 position of finance director.
 24 A My duties as finance director are -- There are
 25 many, but basically I help construct the budget,

Page 10

1 the yearly budget, working with the chair and the
 2 treasurer and the executive director and the
 3 department heads; help project revenues so that
 4 they can decide what the priorities are going to
 5 be and how much money will be available to meet
 6 those priorities; pretty much manage the
 7 day-to-day finances, cash flow, and working with
 8 our compliance company.
 9 Q Do you have a supervisor?
 10 A Currently I direct reportely (sic) to the
 11 treasurer and the state chair.
 12 Q That's currently. Tell me about earlier -- Well,
 13 what about when you first started on April of
 14 2010?
 15 A April 14th I was reporting directly to the
 16 chairman and the executive director.
 17 Q And that changed at some point?
 18 A After Mr. Sutton had resigned, I was reporting
 19 directly to the acting chair. And then once the
 20 new chair was elected and he appointed a new
 21 treasurer, I was reporting directly to that
 22 treasurer and the chair.
 23 Q And you no longer report to the executive
 24 director?
 25 A No. We didn't have an executive director until

Page 11

1 just recently. There was a short period where we
 2 didn't have one.
 3 Q All right.
 4 A And I do not report to that person now.
 5 Q So coming in in April, you were -- would it be
 6 fair to say you were closely involved with the
 7 planning of spending and implementation of
 8 spending for the 2010 election cycle?
 9 A No. I became finance director April 14th of
 10 2010. Prior to that that finance director had
 11 constructed the budget and worked with the party
 12 leadership on the 2010 budget.
 13 Q Did you have any responsibility for seeing that
 14 the Party stayed on budget after you came on
 15 board?
 16 A That would normally be a responsibility of the
 17 finance director, but -- and I did work with the
 18 chair in trying to stay on budget, but the
 19 chairman made all of the financial decisions at
 20 that time.
 21 Q All right. Tell me, then, since you didn't work
 22 on the budget and you didn't really make financial
 23 decisions, what did you do for 2010 up until the
 24 point, let's say, after the election?
 25 A Well, I was receiving the invoices that would come

Page 12

1 in. I should probably start kind of at the --
 2 Q Sure.
 3 A -- kind of at the beginning. The process that --
 4 How the invoices worked was the invoices would
 5 come in mostly through the mail, some by e-mail.
 6 Those that came by e-mail would go directly to the
 7 department head, who initiated the expense, but
 8 the vast majority of them came in through the
 9 mail.
 10 And the administrative assistant would
 11 receive the mail and she'd distribute those
 12 invoices to the various department heads,
 13 depending on what department the expense was for.
 14 If it was political, it would go to the political
 15 director, IT, the IT director, and so forth.
 16 Then the department head would attach a
 17 check request form to that invoice, which included
 18 the vendor name, the amount, and the department
 19 that the expense was attributed to. And then they
 20 would get approval from either the executive
 21 director or the chairman on that expense.
 22 And then once it was approved, it came
 23 to me, and then I would determine whether it
 24 was -- using state and federal guidelines and
 25 statutes and, when necessary, consulting our

1 chairman, fund-raising appointments.
2 And then I also retained my duties as
3 the telemarketing director when I became finance
4 director, so I had, at that time, about 45
5 employees underneath me in the call center.

1 compliance company, whether it was a state expense
2 or a federal obligation, state obligation or
3 federal obligation.

4 And then I would pass it on to our
5 compliance company for processing.

6 Q Okay. And I'll get to some other questions about
7 that as we move forward.

8 A Sure.

9 Q Did you have any position at the Republican Party
10 prior to being employed as chairman -- or prior to
11 being appointed finance director?

12 A I was a telemarketing director prior to that from
13 February of 2007 until April 13th of 2010.

14 Prior to that I was the daytime phone
15 bank supervisor in our in-house call center, and I
16 held that position from April of two thousand --
17 or 1998 to February of 2007.

18 Q All right. So in all those times, you were an
19 employee of the Republican Party?

20 A Yes.

21 Q Okay. As far as moving into your position as
22 finance director, did you have any particular
23 training, classes, education or anything to help
24 you understand the compliance rules that you were
25 going to have to start applying?

1 A Not at the state level. But in October of 2009,
2 the finance director at that time sent me and two
3 other finance employees to an RNC federal election
4 commission school or finance director school,
5 which did not include any state laws or
6 regulations, but gave me kind of a broad overview
7 of some of the federal rules. But mainly it was a
8 finance director training on how to raise money
9 and how to do budgets and that sort of thing.

17 Q All right. In your position as finance director,
18 did any people report to you?

19 A Yes.

20 Q Who would they be?

21 A In 2010 I inherited Angie Neilson's finance staff
22 and I had three people who were reporting to me.
23 We had a deputy finance director, an Elephant Club
24 coordinator or event coordinator, and then a
25 scheduler who was scheduling appointments for the

6 Q And who was the deputy director?

7 A Deputy finance director --

8 Q Deputy finance director.

9 A -- was Samantha Fitzgerald.

10 Q Is she still with the organization?

11 A No, she is not.

12 Q How long did she continue in that position?

13 A We decided to downsize the finance department in
14 early 2011, and so she was one of the people that
15 we had let go.

16 Q Okay. And who was the Elephant Club coordinator?

17 A Jeanette Purcell.

18 Q Is she still with the organization?

19 A No, she is not.

20 Q When did she leave?

21 A She left voluntarily mid-2011. I think it was at
22 the end of the summer, sometime in the summer, to
23 take another job.

24 Q And this scheduler person, did that person have
25 anything to do with financial matters, handling

1 invoices or discussions about payments, anything
2 like that?

3 A No, not -- No. But prior to that we had -- it was
4 her and two other folks who were doing our caging,
5 when we had our caging in-house. This was when

6 Angela Neilson was still finance director. She
7 had decided to outsource the caging to our
8 compliance company. So Christy had been involved
9 in receiving the checks that came in and
10 processing them, you know, adding them up, the
11 caging services.

12 And then when we outsourced the caging,
13 the other two cagers were let go and she was
14 retained to do the scheduling. But as scheduler
15 she didn't have -- In both of her capacities she
16 had nothing to do with the finances.

17 Q And her last name?

18 A That is Christy McGill.

19 Q And during what period was she involved in the
20 caging operation?

21 A I don't remember exactly when she was hired. It
22 was in 2007, probably in the fall or late summer.

23 Q And when did that become outsourced?

24 A I don't remember that exactly either. I was still
25 telemarketing director at the time. And Angie and

Page 17

1 I didn't discuss those things. But my best
 2 recollection would be sometime in 2010, probably
 3 in the summer, I would think.
 4 Q You became finance director in 2010, in April.
 5 Was she still handling caging at that time or was
 6 it outsourced by then?
 7 A No, it was outsourced by then.
 8 Q And I've come across the word caging, but could
 9 you just tell us in a little bit more detail what
 10 that actually means?
 11 A Caging is -- They handle all the recording of the
 12 checks, you know, the contributions that come in.
 13 So they -- they'll -- the mail will come in and
 14 they will sort the checks. And usually when we
 15 solicit people for contributions, it's either by
 16 direct mail or telemarketing.
 17 And when we send a direct mail letter or
 18 a fulfillment letter for telemarketing, there will
 19 be a code so that they can enter that code, along
 20 with the name and address and all the required
 21 information about that contribution and that
 22 donor.
 23 And then they will batch things up and
 24 then produce a daily deposit report of, this is
 25 how much money came in under which revenue stream.

Page 18

1 whether it's telemarketing, direct mail, major
 2 donor, online and so forth. That's basically what
 3 caging is.
 4 Q And it has nothing to do with paying bills?
 5 A No.
 6 Q Just getting the money in?
 7 A Yes, just accounting for all the money and making
 8 sure that it's entered correctly and properly
 9 accounted for.
 10 Q I want to just make sure I have clear the position
 11 of executive director in at least 2009, if you
 12 know, and then through the present. Did you have
 13 an executive director in 2009, do you know?
 14 A Yes.
 15 Q Who was that?
 16 A There was two. Darrin Bearson was the executive
 17 director until Mr. Sutton was elected chairman.
 18 After -- I don't know the exact date, but after
 19 Chairman Sutton was elected, he replaced Darrin
 20 with Ryan Griffin.
 21 Q Is Mr. Griffin still executive director?
 22 A No, he is not.
 23 Q When did he leave?
 24 A December 2nd of 2011.
 25 Q Is that the date that Mr. Sutton resigned?

Page 19

1 A Yes.
 2 Q So during the period that you were finance
 3 director, what was the -- what were the
 4 responsibilities of the executive director?
 5 A I don't know exactly. From my observation, his
 6 responsibilities were primarily in the political
 7 area, working with activists and planning all the
 8 political activities. From my observation and
 9 experience, he was also involved in the process of
 10 approving invoices that were brought to him by
 11 various department heads.
 12 Q When was Mr. Sutton elected as chair of the
 13 Republican Party?
 14 A That was June of 2009, I believe.
 15 Q Was that a paid position?
 16 A Not originally. He ran asking for no salary, so
 17 he ran as a volunteer chairman.
 18 Q And did that change?
 19 A That did change.
 20 Q Do you know when?
 21 A I believe in June of 2011.
 22 Q And as finance director, did you see payments,
 23 then, go through the system for this -- Was it
 24 called a salary?
 25 A Yeah, he had a salary.

Page 20

1 Q So he became an employee?
 2 A He became an employee at that point, yes.
 3 Q And did payments go through the system to pay his
 4 wages then?
 5 A Yes. I should note that I also do the payroll.
 6 I'm kind of the human resources person, as well,
 7 so I was asked to add him to the payroll at that
 8 time.
 9 Q As long as you mentioned payroll, do you actually
 10 cut the checks for payroll or is that outsourced?
 11 A Paychecks is our payroll company, so they write
 12 the checks and they calculate the taxes and all
 13 that.
 14 Q And you produce the information that goes to them?
 15 A Yep, yep. I fax them the payroll every two weeks.
 16 Q During 2010 up through -- Well, let's just limit
 17 it to 2010. What were Mr. Sutton's
 18 responsibilities as they related to the financial
 19 operation of the Republican Party?
 20 A He was the chief fundraiser, met with all of our
 21 major donors and raised the major donor money, but
 22 he also had a lot of oversight on the budget and
 23 which invoices were going to be approved and
 24 paid. So he had a lot of involvement in the
 25 finances of the Party. Not as much when he was a

Page 21

1 volunteer chairman, but later on he had a lot more
 2 involvement.
 3 Q What was his authority to incur obligations on
 4 behalf of the party?
 5 A I don't know what his official authority would
 6 have been, but he did take on that authority. He
 7 made a lot of decisions on what we were going to
 8 spend money on.
 9 In fact, in late 2010, I don't remember
 10 exactly when, but when he -- he was running a
 11 business for the first part of his chairmanship,
 12 and then he was in the process of selling that
 13 business. I don't know exactly when it was sold,
 14 but that's when he became a full-time chairman.
 15 And around October, November, as I had
 16 testified earlier, all the invoices were coming to
 17 me. At that point he asked -- or he decided that
 18 all the invoices would now go directly to him and
 19 that he would decide when they would go to our
 20 compliance company for processing and when things
 21 would be paid. And he was deciding that already,
 22 when things would get paid. Because he and I
 23 would work together on what bills, you know,
 24 needed to be paid, so, you know, the phones
 25 wouldn't get cuff off and that kind of thing. But

Page 22

1 after the fall of 2010, he was handling all the
 2 invoices.
 3 Q After the fall of 2010?
 4 A Yep, yep.
 5 Q So you mean -- Give me a more specific date frame
 6 if you can.
 7 A It was around October or November is when he
 8 became more of a full-time chairman. Prior to
 9 that he wasn't in the office every day, but he
 10 would -- when he was in the office, most days it
 11 would only be for a couple hours a day.
 12 And when he became a full-time chairman,
 13 he was in the office every day. And even though
 14 he had a role in the finances, he took on even a
 15 greater role at that point.
 16 Q Whose job was it to keep track of how much money
 17 was in the checking account?
 18 A That was a combination of myself and our
 19 compliance company.
 20 Q And what was the role of the compliance company in
 21 that?
 22 A The compliance company, well, their overall role
 23 is they -- their job is to ensure we're in
 24 compliance. But they do our reports, our federal
 25 and state reports, but they can only do those

Page 23

1 reports based on the information they're given.
 2 And they have access to our bank accounts. And
 3 they are the ones who will provide the daily
 4 deposit reports, as they're doing the caging. And
 5 they also provide, I think it's on a weekly basis,
 6 a report of what bills have been paid and to whom
 7 and what amounts. And they also produce the
 8 payables report.
 9 So they produce the financial reports
 10 that are given to the committee for review. But
 11 they just serve basically as a reporting entity
 12 and a compliance entity. They have nothing to do
 13 with the finances or decisions or anything like
 14 that.
 15 Q So if an invoice came in and wasn't going to get
 16 paid, they wouldn't know about it?
 17 A Yeah, they would not know if it had not been given
 18 to them. And they also provide the daily -- it's
 19 not daily, but every couple days they'll produce a
 20 cash-on-hand report.
 21 Q Did you say they produce an accounts payable
 22 report too?
 23 A Yes.
 24 Q So in some cases invoices were given to them, even
 25 though they weren't yet paid?

Page 24

1 A Oh, yes, yes, in most cases. There are some that
 2 did not make it to them that weren't paid. But
 3 the way the process is supposed to work is when an
 4 invoice is approved, it's supposed to go to them
 5 and then they enter it into our QuickBooks,
 6 actually, is what we use.
 7 Q And then how does it get paid once that happens?
 8 A In 2010 the compliance company would write the
 9 checks. And we had up to four signers at that
 10 time and we required each check has two signers.
 11 And I'm one of them and Mr. Sutton was one of them
 12 at that time, too, so most of the checks had
 13 Mr. Sutton's signature and my signature on it.
 14 Now I actually write -- I actually print
 15 the checks from QuickBooks. The compliance
 16 company still handles all the reporting and
 17 entering of bills, and I'll enter some bills. In
 18 fact, we have an accountant now, too, who does
 19 most of the accounting and enters the bills. So I
 20 would just write the checks now.
 21 Q In 2010 when an invoice was given to the
 22 compliance company, was it at that point always
 23 approved for payment or were invoices given to
 24 them that were not approved for payment?
 25 A No, they were all approved. Whether they were --

Page 25

1 But we didn't know -- There wasn't an order of
 2 when to pay them yet, but they were all approved
 3 to be eventually paid, yes.
 4 Q Did somebody tell them when to actually pay them,
 5 then?
 6 A Yeah, I would tell them via Chairman Sutton.
 7 Q So in theory, if everything was working perfectly,
 8 all of the invoices would have been submitted to
 9 the compliance company and they would be in the
 10 system as payables until the authorization was
 11 made to pay them, and then they would be paid
 12 bills?
 13 A Yes, but not all of them actually made it to the
 14 compliance company.
 15 Q Correct. During 2010 did you have any
 16 responsibility for the Campaign Finance reports
 17 that were filed with the Board?
 18 A No.
 19 Q Did you have any responsibility for the Campaign
 20 Finance reports that were filed with the FEC?
 21 A No. As finance director they were presented to me
 22 for my review, but I did not approve them. In
 23 2010 I was learning, you know, the ropes of the
 24 job, basically, so I wasn't qualified enough to
 25 know what the reports should look like. That's

Page 26

1 why we have a compliance company. But it's not my
 2 responsibility, though, to approve the reports.
 3 Q You reviewed the state reports as well as the
 4 federal reports?
 5 A In 2010 I don't remember if I saw those reports or
 6 not. I honestly can't tell you. It wasn't until
 7 2011 that I got more involved in looking at the
 8 reports.
 9 Q I want to go over just a little bit more this
 10 process of getting invoices in. Let's take the
 11 ones that come in by mail. Some person gets the
 12 mail?
 13 A Yep.
 14 Q And let's limit this to 2010.
 15 A Sure.
 16 Q Who would be the person that would receive the
 17 mail?
 18 A The administrative assistant.
 19 Q Was that one person throughout 2010?
 20 A Yes, yep.
 21 Q Who is that?
 22 A Her name is Barbara Linert.
 23 Q And did she open the mail when she received it?
 24 A Yes.
 25 Q To identify what was inside?

Page 27

1 A Yep.,
 2 Q All right. And let's say, then, that there were
 3 invoices. What did she do with the invoices?
 4 A She would try to determine which department head
 5 that they should go to. And some of them are
 6 obvious because we had ongoing bills for, you
 7 know, ongoing services, like IT or telephone
 8 service, stuff like that. And then she would
 9 distribute them to the appropriate department
 10 head. She put them in their box, basically.
 11 There's a wall of mailboxes.
 12 Q And how many department heads are there?
 13 A Well, at that time we had one, two, three, four,
 14 five, six. Six, I believe. There could have been
 15 seven.
 16 Q Tell me what they were.
 17 A We had the political department, the IT
 18 department, finance department, the executive
 19 department, the research department, and
 20 communications department.
 21 Q Okay. And then as I understand it, the department
 22 head would look at the invoice?
 23 A Yep.
 24 Q If it were appropriate, they would fill out a
 25 form?

Page 28

1 A Yes. We have a check request form that they fill
 2 out, they attach to the invoice. They fill out
 3 the vendor, the amount, the department, the date
 4 received or the date that they're filling out that
 5 request, and then the department head's signature
 6 and then the approval signature from whoever was
 7 approving it.
 8 Q And then that goes to whom?
 9 A And then that would go, once approved -- Well, it
 10 would go to either the executive director or the
 11 chairman for their approval, and then sometimes go
 12 back to the department head and then to me, but
 13 eventually they came to me.
 14 Q And in each case it also got a second approval
 15 from either the chairman or the executive
 16 director --
 17 A Yes.
 18 Q -- is that correct? And how was the determination
 19 made as to which two of those people would do the
 20 second approval?
 21 A I don't know.
 22 Q Okay. What department would a category such as
 23 polling fall within?
 24 A Probably the political department.
 25 Q How about printing for political mail?

Page 29

1 A That would be the political department.
 2 Q What did the communications department do?
 3 A They had very few expenses, but they -- That's the
 4 press secretary. You know, they handle the press
 5 releases. And anytime the chairman or any other
 6 party official would be interviewed, they would
 7 handle the interview. Basically they handled the
 8 communications, the political communications of
 9 the Party.
 10 Q And in 2010, who was the head of the political
 11 department?
 12 A Tony Post, Anthony Post. But for part of that
 13 time, and I don't remember how long and I don't
 14 remember -- I think there was a time when we
 15 didn't have one briefly and then we did. And I
 16 don't remember everyone who was in that position,
 17 but Tony Post was -- for most of that year he was.
 18 Q Who is it now?
 19 A Now it is Zach Freimark.
 20 Q Who is it?
 21 A Zach Freimark.
 22 MR. MORGAN: Could you spell Freimark,
 23 please?
 24 THE WITNESS: I believe it's F-R -- I
 25 don't remember if it's I-E or E-I -- and then

Page 30

1 M-A-R-K.
 2 BY MR. GOLDSMITH:
 3 Q Now, these reports that the compliance company
 4 produced on a periodic basis that indicated the
 5 financial status of the organization, who got
 6 those reports?
 7 A They would come to me, but they also went to
 8 Chairman Sutton, David Sturrock, the treasurer,
 9 Ryan Griffin, the executive director, and I
 10 believe that was it.
 11 Q So they didn't go outside the organization to
 12 committee members or any party unit members other
 13 than the ones that you mentioned?
 14 A Not those reports.
 15 Q Were there any reports that did?
 16 A Yeah. The executive committee meets once a month,
 17 and a budget versus actual financial report was
 18 produced by our compliance company which would
 19 come to me, and then I would give that to Chairman
 20 Sutton. And then it would be prepared for
 21 presentation to the executive committee by the
 22 treasurer, David Sturrock. And I would give it to
 23 David Sturrock, too, sorry.
 24 Q And who prepared Mr. Sturrock for the
 25 presentation?

Page 31

1 A That was a combination of the chairman and
 2 myself. David Sturrock and I would talk about the
 3 financial report before that week of the executive
 4 committee meeting, and then before the meeting
 5 we'd sit down and go through it.
 6 Q How often did those executive committee meetings
 7 take place?
 8 A Once a month.
 9 Q That's been ongoing, so that would be through 2010
 10 and --
 11 A Yes.
 12 Q -- 2011?
 13 A It's been that way since -- I first was asked to
 14 go to them in 2007, when I was telemarketing
 15 director. So they've been happening going back as
 16 far as then.
 17 Q In 2010 were you aware that there were invoices
 18 that had not been paid in a timely manner?
 19 A Well, yeah. That had not been paid in a timely
 20 manner, yes.
 21 Q Okay. How were you aware of that?
 22 A Well, there are a couple different ways. One,
 23 vendors would call me and say, well, we haven't
 24 been paid. And as finance director, you know, all
 25 the invoices were being -- were sent to me. And

Page 32

1 at that time they were going to the compliance
 2 company, the ones that I was getting, and I
 3 believe I got the vast majority of them.
 4 In the case of Rapid Printing, there was
 5 some invoicing problems there and I don't know if
 6 we received all those invoices until 2011.
 7 In the case of Strothers, Chairman
 8 Sutton had met privately with the Strothers people
 9 periodically about their invoices. I did not
 10 receive those. I wasn't allowed to give those to
 11 the compliance company.
 12 And occasionally after the meetings with
 13 Strothers, Chairman Sutton would ask me to issue
 14 them a check or have Cardinals issue them a check
 15 for partial payment on the money that was owed
 16 them.
 17 MR. MORGAN: What's Cardinals?
 18 THE WITNESS: I'm sorry, Cardinals
 19 Compliance is our compliance company.
 20 BY MR. GOLDSMITH:
 21 Q I'm going to try and quote you; but if I get it
 22 wrong, we can read it back. I think you said you
 23 were not allowed to give the Strothers invoices to
 24 the compliance company?
 25 A That is correct.

Page 33

1 Q And that was on Mr. Sutton's order?
 2 A That is correct.
 3 Q So you knew that there were a number of invoices
 4 from Strother Communications for polling that were
 5 not being handed over to the compliance company?
 6 A That is correct.
 7 Q And as a result of that, they weren't on the
 8 reports that that company did?
 9 A That is correct.
 10 MR. MORGAN: What company?
 11 MR. GOLDSMITH: The compliance company,
 12 the Cardinals.
 13 MR. MORGAN: All right.
 14 BY MR. GOLDSMITH:
 15 Q Did you make anyone aware of your knowledge of
 16 these unpaid invoices other than Mr. Sutton, who
 17 already was aware?
 18 A I did not.
 19 Q So when you prepared Mr. Sturrock for his periodic
 20 presentations to the executive committee, you did
 21 not inform him that there were unpaid bills?
 22 A I did not inform him that there were unpaid bills,
 23 not at that time.
 24 Q So you were aware that he was presenting as
 25 accurate an inaccurate report?

Page 34

1 A I was aware of that, yes.
 2 Q Now, you said you didn't inform him at that time.
 3 I presume that means you meant -- means that you
 4 informed him at some later time?
 5 A After Chairman Sutton had resigned.
 6 Q Why didn't you tell him about that when you were
 7 preparing for the meetings in which he was going
 8 to present the financial condition of the
 9 organization?
 10 A Although Chairman Sutton never told me directly
 11 not to tell him, it was my understanding that I
 12 shouldn't tell him or anyone else.
 13 Q Do you know if Strothers contacted anybody else
 14 other than you or Chairman Sutton?
 15 A Not to my knowledge.
 16 Q During 2010 was there any process through which
 17 the treasurer was required to approve either major
 18 or even minor obligations of financial resources,
 19 money?
 20 A There was not a process in place for that. And to
 21 my knowledge, not before I became finance director
 22 either.
 23 Q You've not taken the Campaign Finance Board's
 24 training on compliance?
 25 A I have not.

Page 35

1 Q Explain the purchasing process to me. In other
 2 words, if somebody wanted to order polling, for
 3 example, from Strother Communications, what would
 4 be the process to get authorization to go ahead
 5 and make that commitment?
 6 A I don't know exactly. From my observation that
 7 was handled, you know, between the political
 8 department and the executive director and the
 9 chairman. It was not my job or responsibility to
 10 be involved in those processes, so I don't know
 11 exactly what that process was.
 12 Q Okay. So you didn't have a purchase order process
 13 where you had to sign off or anything like that?
 14 A No. The -- No, not -- No, we did not. In early
 15 2011 I recommended that we implement that sort of
 16 process, that before an invoice became an
 17 obligation, that there should be a form that is
 18 filled out as a request, I'd like to spend this
 19 amount of money on this project. It never came to
 20 fruition, though.
 21 Q Given what you've just said, at least with the
 22 knowledge you have as finance director, was there
 23 any way to understand the organization's complete
 24 scope of financial obligations until an invoice
 25 came in for a particular item?

Page 36

1 A Can you repeat the question, please?
 2 Q Well, yeah, it was badly worded.
 3 I understand that you might be able to
 4 calculate what you owed once invoices came in.
 5 A Yep.
 6 Q But was there a way that you could ever calculate
 7 the total obligations of the organization for
 8 things that hadn't yet been invoiced?
 9 A It was a difficult thing to do not having all the
 10 invoices, not being aware of all of them, so no.
 11 Our compliance company, which serves as
 12 kind of the accounting company, too, they would be
 13 the ones who -- with the accounts payables report
 14 and so forth would try to account for what they
 15 knew what our overall obligations were, but it
 16 was -- it wasn't accurate, though.
 17 Q Because they wouldn't know about the
 18 obligations --
 19 A No.
 20 Q -- until an invoice came in?
 21 A No.
 22 Q Remember to wait for me to finish the question.
 23 A Sorry, sir.
 24 Q Not only did Mr. Sturrock not approve obligations
 25 in advance, he didn't approve payments of

Page 37

1 obligations either; is that correct?
 2 A He did not. There was not a process in place for
 3 him to be able to do that.
 4 Q As far as you understood it, what did he do in
 5 2010?
 6 A Well, all I can speak to is my relationship with
 7 him, which was -- You know, given his proximity,
 8 it was two hours away, in Marshall, he didn't have
 9 an opportunity to be at the Party hands-on. We
 10 communicated occasionally by e-mail and phone.
 11 But when he received the daily reports
 12 of, you know, the cash deposits and the periodic
 13 reports of what bills had been paid and the cash
 14 on hand and the accounts payable, he would ask me
 15 occasionally, what was this payment for, or, what
 16 is this bill for on the payables list. Or he'd
 17 ask me about a particular donation. Oh, I see we
 18 got this amount from this person, great job, or,
 19 how did that happen.
 20 So I think he made an attempt to
 21 communicate with me, to understand what was going
 22 on day to day with the finances. But there was no
 23 process in place. There was not a process in
 24 place that allowed him to be more involved than
 25 that.

Page 38

1 Q I want to turn in a little bit more detail to the
 2 Campaign Finance reports filed with the State --
 3 A Sure.
 4 Q -- with the Campaign Finance Board, although I now
 5 understand you didn't have a big role in that.
 6 And let's, again, limit our discussion to 2010.
 7 During that year was it strictly the compliance
 8 company who prepared those reports?
 9 A Yes.
 10 Q And was there anyone in the Republican Party
 11 organization who was responsible for ensuring the
 12 accuracy of those reports as they came out from
 13 the compliance company?
 14 A No. That responsibility, my understanding is,
 15 would fall upon the treasurer. And, like I said,
 16 I don't remember exactly the process of the 2010
 17 reports and how they were approved, so I don't
 18 know.
 19 Q Did anybody review those reports with the
 20 treasurer, to your knowledge?
 21 A I don't recollect in 2011 -- I'm sorry -- 2010.
 22 Because in 2011 David and I would review the
 23 federal reports, and in 2010 as well.
 24 I was so early on in my finance director
 25 job that I wasn't quite clear and no one really

Page 39

1 told me what my responsibility was according to
 2 those reports, so I don't know how the 2010
 3 reports got reviewed or reported.
 4 Q Even the year-end one, which would have been filed
 5 in January of 2011?
 6 A Yeah, I don't recollect. I mean, it's possible
 7 that I actually looked at that one, but it wasn't
 8 my responsibility to make sure it was accurate or
 9 to approve it.
 10 Q In 2010, during the period that you were finance
 11 director, did you keep separate and independent
 12 electronic records related to the finances in
 13 addition to those the compliance company kept?
 14 A No, I did not.
 15 Q You do now?
 16 A I do not now either, I mean, nothing beyond just
 17 with the call center I'll keep statistical reports
 18 of money being raised and that type of thing. I
 19 don't keep any financial reports unless it's been
 20 asked of me to create -- you know, give me a list
 21 of vendors, and I might put that in an Excel
 22 report, or give me a list of what we owe this
 23 person or that person.
 24 Q I think you mentioned that you entered data into a
 25 QuickBooks --

Page 40

1 A Yeah.
 2 Q -- program. You have to wait. Is that part of
 3 the compliance program?
 4 A QuickBooks is part of our accounting system. And
 5 I believe they started using QuickBooks in 2007,
 6 mid-2007. And prior to I think summer of 2011,
 7 the only computer that had QuickBooks on it was
 8 the one in the accounting office. And, also, our
 9 compliance company, Cardinals, has a copy at their
 10 office and they can access our data. So the
 11 primary users of that program at that time was the
 12 compliance company.
 13 I was taught how to write checks from
 14 there and how to enter bills. And when the
 15 compliance company wasn't available to do that,
 16 then I could do that, but that was limited.
 17 Mid-2011 Dan Puhl, who is the owner of
 18 that company, he was in the office periodically to
 19 do the accounting at that time, from 2010 to about
 20 the summer of 2011, I believe. At that time we
 21 didn't have an accountant because he received a
 22 job at the Republican National Committee and now
 23 he works in Washington primarily.
 24 So at that point I decided to put
 25 QuickBooks on my computer. This is summer of

Page 41

1 2011. And so now -- And then for a period of time
 2 I was entering the bills into there or Cardinal.
 3 Sometimes I'd have them do it. And then I was
 4 writing the checks at that point.
 5 We now have an accountant again, so the
 6 accountant enters all the bills now. It's really
 7 the accountant's realm. But I still write the
 8 checks, though.
 9 Q Just to clarify, then, this QuickBooks system is
 10 the same system that the compliance company uses
 11 to generate reports?
 12 A Yes. And I know how to generate those same
 13 reports, but they're the ones that do it. I know
 14 now. I didn't know in 2010.
 15 Q The Republican Party operates as both a state
 16 committee registered with the Campaign Finance
 17 Board and as a federal committee. Does it have
 18 separate checking accounts for those two
 19 committees?
 20 A Yes.
 21 Q So when we see on a report that you might file
 22 with us a payment from the state committee
 23 reimbursing the federal committee, an actual check
 24 would have been issued from one account to
 25 another?

Page 42

1 A In that case it's a transfer that's initiated
 2 online.
 3 Q Okay. Does the Republican Party of Minnesota have
 4 any checking accounts besides the two that we've
 5 just discussed?
 6 A Those are the only two checking accounts we have.
 7 Q Savings accounts?
 8 A We have one savings account and that is for our
 9 public finance funds.
 10 Q In a response that the Republican Party's attorney
 11 provided to us it said that the finance director
 12 makes the determination of the federal-state split
 13 for invoices. Is that correct?
 14 A That is correct.
 15 Q And that's you?
 16 A That is me.
 17 Q And when did you start taking on that part of the
 18 responsibility?
 19 A Right away pretty much, but when necessary I'll
 20 consult the compliance company. For the first few
 21 months that I was on the job, Dan Puhl was in the
 22 office quite a bit so he --
 23 MR. MORGAN: How do you spell Puhl?
 24 THE WITNESS: P --
 25 MR. GOLDSMITH: P-U-H-L.

Page 43

1 MR. MORGAN: That's correct, yep.
 2 THE WITNESS: P-U-H-L. Sorry, bad with
 3 spellings.
 4 MR. MORGAN: We can all agree with
 5 that. Sorry to have interrupted.
 6 THE WITNESS: He knew more about federal
 7 law. He didn't know a whole lot about state law,
 8 though. So he advised me a lot early on and tried
 9 to teach me these types of things. But we follow
 10 state and federal guidelines and statutes,
 11 basically, on how to determine which is a state
 12 and federal obligation.
 13 BY MR. GOLDSMITH:
 14 Q Now, we've talked a little bit already --
 15 MR. MORGAN: Did you want to add to your
 16 answer?
 17 THE WITNESS: I actually -- Sorry. And,
 18 also, I have called the Campaign Finance Board on
 19 occasion to ask what -- if this is a state
 20 obligation or how I should handle a certain
 21 obligation.
 22 BY MR. GOLDSMITH:
 23 Q We've talked a little bit about Dan Puhl already,
 24 and I'd like to go into a little more detail about
 25 his role. And, for the record, the name of his

Page 44

1 company is Cardinals FEC Compliance; is that
 2 correct?
 3 A That's correct.
 4 Q Do you know when Cardinals FEC Compliance, as an
 5 organization, as a corporation, first started
 6 working for the Republican Party?
 7 A I don't know the exact date, but Angela Neilson
 8 brought them on in 2009. I think it was June or
 9 July of 2009. It was right after Chairman
 10 Sutton's election.
 11 Q And they've been with the Party since then?
 12 A Yes.
 13 Q In your capacity as finance director, have you had
 14 contact with other people with Cardinals other
 15 than Mr. Puhl?
 16 A Yes.
 17 Q Who would they be?
 18 A Tom Datwyler -- And I do not remember how to spell
 19 his name; I think it's D-A-T-Y -- or W-Y-L-E-R,
 20 perhaps -- and Mai Thao, M-A-I, T-H-A-O, I think,
 21 or O-A. In fact, most of my contact is with Mai
 22 now.
 23 Q Are they here locally?
 24 A Yeah. Their office is in Woodbury.
 25 Q Is Mr. Puhl still associated with Cardinals?

Page 45

1 A Yeah, he still owns the company.
 2 Q Does Mr. Puhl have any other roles with respect to
 3 the Republican Party of Minnesota?
 4 A Not to my knowledge.
 5 Q I notice among the invoices to the Republican
 6 Party during 2010, there are invoices prior to the
 7 general election from Tony Trimble or Trimble &
 8 Associates. He's a lawyer, right?
 9 A Correct.
 10 Q And he was the Republican Party's lawyer at that
 11 time?
 12 A He was.
 13 Q I didn't see, and I think we actually didn't ask
 14 for, any kind of retainer agreement for
 15 Mr. Trimble's ongoing services over the years. Do
 16 you know if such an agreement exists?
 17 A I do not have any knowledge of that. I do not
 18 know.
 19 Q And so you would also not have any knowledge of
 20 how the hourly billing rate was arrived at, for
 21 example?
 22 A I do not know.
 23 Q Just as the election approached in November of
 24 2010, how would you assess the Party's financial
 25 status, at least at the state level?

Page 46

1 A I would not say that we were financially -- It
 2 wasn't all bad, but we weren't financially well.
 3 We had already had a lot of debt at that time. We
 4 were spending more than we were raising,
 5 basically.
 6 Q So you were in a negative cash position?
 7 A Yeah.
 8 Q Now, after the election it became almost
 9 immediately clear that there was going to be a
 10 recount. Do you remember that?
 11 A Yes.
 12 Q Were there discussions about that at the Party
 13 headquarters?
 14 A To my -- Yeah, there were. I wasn't involved in
 15 most of them.
 16 Q Were you involved in any of them?
 17 A Just limited. Just to the extent of should the
 18 Party take on a role in the recount at all or
 19 should the Party not do that.
 20 Q And who was asking that question?
 21 A It was -- From my recollection it was a casual
 22 conversation between Chairman Sutton and the
 23 executive director, Ryan Griffin. And
 24 Mr. Sutton's office is right next to mine, so it
 25 was pretty easy for me to walk into that or to

Page 47

1 hear what they were talking about, but I wasn't
 2 directly involved in any of those decisions.
 3 Q You weren't asked for your opinion?
 4 A No.
 5 Q This Mr. Griffin, I notice he -- I forget when he
 6 came into the picture, but he left exactly when
 7 Mr. Sutton left. Did they know each other before
 8 he came to work for the RPM, or what happened that
 9 they left at the same time?
 10 A I don't have any personal knowledge of their
 11 relationship outside of work, but my impression is
 12 that they did know each other. And how he came to
 13 leave the Party is the executive committee, there
 14 were -- The budget that was proposed for 2012,
 15 originally the budget committee and then the
 16 executive committee eliminated the executive
 17 director position, and I was told that that was to
 18 save money. And so he was pretty much being let
 19 go. And he decided, well, I'm just going to leave
 20 on December 2nd, the same day as Chairman Sutton,
 21 was my impression. We never talked about it,
 22 but...
 23 Q I think I'd like to turn to some of the exhibits
 24 that you provided to us. In particular, I'll
 25 start with Exhibit 3 and with a group of e-mails

Page 48

1 in which you were typically involved.
 2 A May I have a copy?
 3 MR. MORGAN: And, Gary, I have a
 4 separate copy here so I don't need a set, as long
 5 as you identify what you're talking about.
 6 BY MR. GOLDSMITH:
 7 Q We'll start with the document that's been marked
 8 Exhibit 3-1. I've numbered them, had the number
 9 to correspond to your main exhibit number and then
 10 sequentially.
 11 A Sure.
 12 Q Exhibit 3-1 appears to be a printout of an e-mail
 13 from you to Tony Trimble. Is that what this is?
 14 A Yes.
 15 Q Did you print this out on our request?
 16 A Yes. Exhibit 3 --
 17 MR. MORGAN: Do you want to explain
 18 that?
 19 THE WITNESS: Yeah. Exhibit 3 is
 20 actually a collection of e-mails and documents
 21 that were sent to the Party from Tony Trimble, and
 22 then I provided that to Mr. Morgan.
 23 BY MR. GOLDSMITH:
 24 Q Okay. Were you requested by your attorneys to
 25 review your own e-mail records and other records

Page 49

1 to find any documents that might be relevant to
 2 this discussion?
 3 A Yes.
 4 Q And did you do so?
 5 A I did.
 6 Q Did you find anything?
 7 A I did. That would be Exhibit 5, I believe.
 8 Q Okay.
 9 MR. MORGAN: And, Gary, we did a
 10 thorough search of the Republican Party's
 11 computers. And when I was not satisfied that we
 12 had everything, I contacted Mr. Trimble and asked
 13 him to provide us with any records he had so I'd
 14 have a more complete picture of what was going on,
 15 and that's what we provided to you. So the
 16 documents that are in Exhibit 3 are from
 17 Mr. Trimble, and I believe it's 5 --
 18 THE WITNESS: 5.
 19 MR. MORGAN: -- are from the Party.
 20 MR. GOLDSMITH: All right. Thank you
 21 for that clarification.
 22 BY MR. GOLDSMITH:
 23 Q We'll deal with Exhibit 3. And since you didn't
 24 provide them directly, you'll have to read them
 25 and see if you recall them.

Page 50

1 A Sure.
 2 Q Exhibit 3-1 appears to be an e-mail from you to
 3 Mr. Trimble on March 16th at 12:36 p.m. Could you
 4 read that and tell me if you remember sending that
 5 e-mail?
 6 A I do remember sending this e-mail.
 7 Q Now, I don't find anything else from Mr. Trimble
 8 earlier than this and I don't find anything in the
 9 e-mails you provided earlier than this. So this,
 10 from the document evidence, seems to just come
 11 from nowhere, but I presume it didn't. So can you
 12 tell me how it came about that you're writing this
 13 e-mail?
 14 A Mr. Sutton had asked me to send an e-mail to the
 15 three law firms that were involved with the
 16 recount, asking them to issue any recount-related
 17 invoices to Count Them All Properly.
 18 Q Why was he doing that; why was he asking you to do
 19 that?
 20 A From my knowledge, it was because the attorneys
 21 kept sending invoices to the Party, and that's not
 22 where, my understanding, where they were supposed
 23 to go. They were supposed to go to Count Them All
 24 Properly.
 25 Q What was Count Them All Properly?

Page 51

1 A From my understanding, it was a corporation that
 2 was formed to --
 3 Q Let me stop you there.
 4 A Sure.
 5 Q You're saying, from my understanding. Is this
 6 from something somebody has told you since this
 7 lit- -- or this investigation started or did you
 8 know this at the time?
 9 A I knew of this corporation at the time, but I
 10 don't know how it was set up or exactly why it was
 11 set up. Since then it's been explained to me.
 12 Q All right. I don't want to know what somebody
 13 else has told you --
 14 A Sure.
 15 Q -- or what you know now. I want to know what you
 16 knew at the time.
 17 A Okay.
 18 Q So at the time you sent this e-mail, did you
 19 understand what Count Them All Properly was?
 20 A At that time I did. I mean, I didn't know much,
 21 but my understanding at the time was that it was
 22 set up to handle the legal costs related to the
 23 recount.
 24 Q And were you involved in any discussions about
 25 setting up that organization?

Page 52

1 A I was not.
 2 Q Did Mr. Sutton dictate the text of this e-mail or
 3 did he just sort of tell you what to say and you
 4 said it?
 5 A He just told me what to say.
 6 Q Let's turn on to Exhibit 3-2, which is the next in
 7 the sequence. And this appears to be
 8 Mr. Trimble's response to you coming about nine
 9 minutes later. Do you recognize that?
 10 A Yes.
 11 Q And Mr. Trimble says the RPM had committed to pay
 12 all of these costs.
 13 Do you have any personal knowledge of
 14 that?
 15 A I do not.
 16 Q And he also asks that you call at your earliest
 17 convenience. Did you make that call?
 18 A I did not.
 19 Q So if we turn to Exhibit 3-3, which is only
 20 another nine minutes or so later -- And I'm off by
 21 the time. I just want to make the point it's a
 22 short time later.
 23 A Sure.
 24 Q This appears to be a response from you back to
 25 Mr. Trimble. Is that what this represents?

Page 53

1 A Yes.
 2 Q And I note that each of these sort of incorporates
 3 everything that went before it --
 4 A Sure.
 5 Q -- because I'm primarily looking at the top line.
 6 So you indicate that Mr. Trimble will want to talk
 7 to the chairman --
 8 A Yep.
 9 Q -- about his allegation, Trimble's allegation that
 10 the Party is responsible for this?
 11 A Yes.
 12 Q And then let's turn to the next exhibit, 3-4.
 13 Now, 3-4 actually has two communications on them
 14 that weren't on the previous exhibit, one just a
 15 little -- actually, three communications. It
 16 appears that you forwarded the series of
 17 correspondence to Mr. Sutton, and that would be
 18 the third block down. Is that correct?
 19 A Yep.
 20 Q And you're indicating that Trimble has concern
 21 about reissuing the invoices?
 22 A Yes.
 23 Q And it appears shortly later you send another
 24 correspondence to Mr. Trimble, that would be the
 25 second block down from the top, at 13:09, the

Page 54

1 time.
 2 A This one was to Mr. Sutton.
 3 Q All right. Let's back up. I'm starting with the
 4 one that says, see below --
 5 A See below, yes.
 6 Q -- Tony Trimble has concerns. That was to
 7 Mr. Sutton?
 8 A That was to Mr. Sutton, yes.
 9 Q And then above that, again, this is to Mr. Sutton
 10 from you?
 11 A Yes.
 12 Q And it's just elaborating on the problem with the
 13 invoices?
 14 A I was just communicating to Mr. Sutton
 15 Mr. Trimble's -- what Mr. Trimble communicated to
 16 me.
 17 Q All right. The block that we just talked about,
 18 the one that says FYI, Trimble called me --
 19 A Yep.
 20 Q -- that refers to a telephone call, so there was a
 21 telephone call at this point?
 22 A Yeah. Tony Trimble -- I don't recollect exactly,
 23 it was a long time ago, but Tony Trimble called
 24 me.
 25 Q Do you remember anything about it other than

Page 55

1 what's stated in your e-mail?
 2 A No, I do not.
 3 Q And then Mr. Sutton's reply was simply, okay; is
 4 that correct?
 5 A Yeah.
 6 Q We'll move on to Exhibit 3-5. This appears to be
 7 an e-mail from Mr. Trimble to you copied to
 8 Mr. Sutton. This is occurring on the same day,
 9 March 16th. It's now 2:16 p.m. And I'd like you
 10 to just review this e-mail to Tony and Ron for a
 11 moment and tell me if you remember receiving this
 12 e-mail.
 13 A I don't remember specifically receiving this
 14 e-mail, but I did, though.
 15 Q Okay. And this describes the invoices that will
 16 now -- or once a guarantee is signed will be
 17 reissued to this other corporation?
 18 A That's my understanding from reading it, yes.
 19 Q Let's move on to Exhibit 3-6. And this indicates
 20 that a draft invoice is attached that can be
 21 reissued. And I'll go over those in a moment, but
 22 do you remember receiving a package of -- an
 23 e-mail of invoices from Mr. Trimble?
 24 A I don't remember.
 25 Q And, actually, since these invoices run from early

Page 56

1 November into December, you would have received
 2 them in the course of your activities as finance
 3 director as well; is that correct?
 4 A Yes.
 5 Q Correct?
 6 A Correct, yes.
 7 Q And during this period of time, because there was
 8 a lot of activity, Mr. Trimble was actually
 9 invoicing the Party on a weekly basis, correct?
 10 A I don't remember exactly, but that probably is
 11 what was happening, yeah.
 12 Q Turn to Exhibit 3-7. And this starts, actually,
 13 with the second block below, where Mr. Trimble
 14 appears to be writing to you asking about the
 15 status of the guarantee?
 16 A Yep.
 17 Q You respond that you're out of the office. And he
 18 thanks you at 3:30, and this is on March 18th, two
 19 days after the original exchange started?
 20 A Yep.
 21 Q And those appear to be accurate representations of
 22 e-mails that you did receive in the course of
 23 business?
 24 A They appear to be, yes.
 25 Q And we'll move on to 3-8. This is another e-mail

Page 57

1 from Mr. Trimble. Actually, it consists of two
 2 blocks of new information. One says, we have not
 3 received the fax signed -- of the signed
 4 guarantee. That's dated 3/21. It's the second
 5 block from the top.
 6 A Yep.
 7 Q And then the next day, 3/22, any further status
 8 update.
 9 Do you remember receiving these?
 10 A I don't remember specifically, but I did.
 11 Q But you know that during that time, Mr. Trimble
 12 was continually contacting you to make sure --
 13 A Yes.
 14 Q -- the guarantee got signed?
 15 A Yes.
 16 Q I also notice he asks you about the Midwest
 17 Leadership Conference check in the amount of
 18 \$1,468.95 for the last invoice. He wants to know
 19 if it's on the way from Mr. Dan Puhl, is it?
 20 A Dan Puhl.
 21 Q Puhl, yes. Why would he be asking you about that?
 22 A I don't remember. I don't know. Tony Trimble
 23 often called me or e-mailed me when he wasn't
 24 getting answers from Mr. Sutton, was my
 25 impression. But I would always defer Tony Trimble

Page 58

1 to Tony Sutton. But he contacted me a lot about
 2 the Republican Party bills, and then obviously
 3 this one and then the guarantee.
 4 Q Had he at any other time contacted you about
 5 Midwest Leadership Conference bills?
 6 A He may have, but I don't remember exactly.
 7 Q What would be the relationship between you or
 8 Mr. Sutton and the Midwest Leadership Conference
 9 that would cause Mr. Trimble to contact you about
 10 their bills?
 11 A I don't know. Tony Trimble might have thought
 12 because I was the finance director and worked with
 13 Tony Sutton that I might be able to, you know,
 14 expedite whatever he was looking for, which was
 15 not the case. I always deferred.
 16 Q What is the Midwest Leadership Conference?
 17 A The Midwest Leadership Conference was an event
 18 that the Republican Party helped coordinate in
 19 late 2011, I believe. And there was a Midwest
 20 Leadership Conference Corporation that was created
 21 to handle the expenses for that.
 22 Q So something came up before late 2011 because this
 23 e-mail is March of 2011.
 24 A They might have been -- I don't remember exactly.
 25 I think that was in October, but the preparation

Page 59

1 for it began before then. But I don't remember
 2 the exact date of the conference itself.
 3 Q Was this a Republican Party of Minnesota event?
 4 A It was an event that we sponsored. It's a
 5 conference that different states in the Upper
 6 Midwest will sponsor periodically. The last time
 7 the Republican Party sponsored it was in 2001,
 8 from my understanding. But I'm not all that
 9 familiar with how that all works.
 10 MR. MORGAN: And, Gary, we'll need to
 11 take a break because my parking meter is about to
 12 run out.
 13 (Break taken.)
 14 BY MR. GOLDSMITH:
 15 Q Back on the record. Mr. Huettl, I will just show
 16 you quickly Exhibit 1. Just to clear up, I notice
 17 that some of the entries on this exhibit have an
 18 asterisk under the vendor name. This is a list of
 19 obligations of the Republican Party. Can you
 20 explain what the asterisk signifies, for those
 21 that have it?
 22 A The asterisk signifies that that was previously
 23 unreported state debt so that it clearly -- so
 24 it's clearly defined, so it stands out, as opposed
 25 to the reported debt. And the unreported debt has

Page 60

1 been reported on our 2010 Amended Schedule D.
 2 Q Okay. Thank you. We concluded with Exhibit 8,
 3 3-8, and we'll quickly conclude with the remainder
 4 of Exhibit 3. 3-9, just the top frame of that
 5 one, this is maybe the two frames. We still --
 6 Trimble is still asking for the waiver, and you're
 7 confirming you weren't able to speak with the
 8 chairman. Is that the substance of this
 9 particular e-mail?
 10 A Yes.
 11 Q And apparently this is on March 22nd, and he is in
 12 at the time; is that correct?
 13 A He must have been. I don't remember exactly, but
 14 he must have been.
 15 Q It says, as soon as he gets off the phone, I'll
 16 follow up --
 17 A Oh, yes. Sorry. Yep, he was.
 18 Q And then looking at 3-10, is this an accurate copy
 19 of the guarantee that was ultimately signed on
 20 March 22nd?
 21 A Yes.
 22 Q And does that appear to be Mr. Sutton's signature
 23 on the document?
 24 A That appears to be his signature, yes.
 25 Q Did you bring it in to have him sign it, do you

Page 61

1 know?
 2 A I don't recollect exactly, but I must have. I
 3 mean, I put it on his desk and had him sign it.
 4 Q All right. I'm going to show you as a group the
 5 next exhibits, which are 3-11 through 3-16. And
 6 these are invoices -- appear to be invoices from
 7 the Trimble & Associates law firm, with cover
 8 e-mails indicating the weeks that they are for.
 9 Can you review those, please.
 10 MR. MORGAN: 3-11, that's 3-12. All
 11 right. The witness has looked at the collective
 12 Exhibits 3-11 through 3-16.
 13 BY MR. GOLDSMITH:
 14 Q Okay. And, Mr. Huettl, these e-mails are actually
 15 addressed to Mr. Sutton and Mr. Ryan at the Party
 16 headquarters. Did you, as finance director,
 17 receive copies of these invoices, which all occur
 18 beginning of November through early December?
 19 A Not to my recollection, no.
 20 Q So you wouldn't -- Have you -- Strike that.
 21 All right. That takes care of those.
 22 At the time surrounding the recount, in your
 23 position as finance director, you were unaware of
 24 charges being incurred for services in connection
 25 with the recount?

Page 62

1 A I was aware that there were charges being, you
 2 know, accrued to the recount, but I wasn't aware,
 3 you know, of the -- of who -- early on of who was
 4 going to be responsible for them.
 5 Q Okay. But you didn't get copies of actual
 6 invoices during that time?
 7 A Invoices came in. I don't recollect getting those
 8 invoices. Those obviously weren't e-mailed to
 9 me. But whenever we got invoices from Trimble &
 10 Associates, I would pass them on to Mr. Sutton.
 11 Q When you passed the invoices on to Mr. Sutton, you
 12 didn't make a file copy that you would keep, the
 13 original went to him?
 14 A I did not.
 15 Q Do you remember any invoices from Bryan -- Is it
 16 pronounced Cave law firm or Cave? --
 17 MR. MORGAN: Cave.
 18 THE WITNESS: Cave.
 19 BY MR. GOLDSMITH:
 20 Q -- Bryan Cave's law firm?
 21 A I don't recollect. I mean, we did get invoices
 22 from them, but I don't recollect exactly the
 23 nature of them because they were also handling
 24 another thing for us that was unrelated.
 25 Q And Michael Toner is an attorney with that firm;

Page 63

1 is that correct?
 2 A He was.
 3 Q He isn't anymore?
 4 A No.
 5 Q He was during the time of the 2010 recount?
 6 A That's my understanding. Well, yeah, he was,
 7 actually, because he was handling the other matter
 8 for us.
 9 Q The other matter?
 10 A It was --
 11 MR. MORGAN: Don't comment on that, it's
 12 privileged. And, Gary, if it were related to this
 13 at all, I would let him.
 14 BY MR. GOLDSMITH:
 15 Q Okay. Some unrelated matter?
 16 A Yeah, unrelated, right.
 17 Q But he was also involved in the recount effort?
 18 A That was my understanding later on. I didn't know
 19 right away.
 20 Q Do you know who else was involved in the recount
 21 effort?
 22 A I don't know off the top of my head.
 23 MR. MORGAN: And, Gary, I presume you're
 24 aware that the Briggs & Morgan law firm was also
 25 involved.

Page 64

1 MR. GOLDSMITH: Magnuson?
 2 MR. MORGAN: Correct, Eric Magnuson. I
 3 don't think he would have knowledge of that, but
 4 that's the case.
 5 BY MR. GOLDSMITH:
 6 Q I just have a couple of additional things to
 7 cover. You said that Mr. Puhl joined the
 8 Republican National Committee sometime in
 9 mid-2011?
 10 A Yes.
 11 Q In November and December of 2010, how often was he
 12 in the Republican Party offices in St. Paul?
 13 A Almost daily. Not every day, I don't think, but
 14 almost daily, but only for a couple of hours a day
 15 because he was doing the accounting work at that
 16 time.
 17 Q He was doing the compliance work?
 18 A Well, him and his team. But he would come in to
 19 do the accounting, entering the invoices and doing
 20 cash balance reports and stuff, reconciling the
 21 bank accounts, that sort of thing.
 22 Q Did he meet with Mr. Sutton when he came in for
 23 those times?
 24 A Probably. I recollect a few times they met, but
 25 normally how it worked is Mr. Sutton would go

Page 65

1 through me to communicate whatever he wanted to
 2 communicate to Dan.
 3 Q Did you ever inform Dan that there were invoices
 4 that were not being input into the compliance
 5 systems?
 6 A I did not.
 7 Q How often does he get back now?
 8 A I haven't seen him in the office in several
 9 weeks. From talking to him, I believe he comes
 10 home on the weekends, but he spends the entire
 11 week in Washington, DC.
 12 Q Okay. Do you see him in the Republican Party
 13 office once a month or --
 14 A I haven't seen him in the Republican Party office
 15 in a couple of months, actually.
 16 Q I want to go on to some additional e-mails. And I
 17 don't have them as well organized, I think, as the
 18 last, so let me just have a moment to take a quick
 19 look.
 20 MR. MORGAN: Let's go off the record for
 21 a second.
 22 (Discussion held off the record.)
 23 (Huettl Exhibits 5-1 through 5-6 were
 24 marked for identification by the court
 25 reporter.)

Page 66

1 BY MR. GOLDSMITH:
 2 Q All right. Mr. Huettl, I'm going to give you some
 3 additional copies of e-mails. These, I believe,
 4 we were told, were taken from your records or the
 5 records of the Republican Party?
 6 A Yep.
 7 Q They're Exhibit 5 in your attorney's response. I
 8 may skip a couple of them that you probably don't
 9 have knowledge about, but I'm going to talk about
 10 the ones that have your name on them, starting
 11 with 5-1. And can you take a quick look at that
 12 exhibit? And this is from Mr. Sutton. Do you
 13 remember the context of this e-mail?
 14 A From my best recollection, Mr. Sutton was asking
 15 me to get the recount-related invoices to Dan Puhl
 16 at Count Them All Properly.
 17 Q So this is March 16th, which is the same date as
 18 you advised Mr. Trimble to re-invoice these
 19 amounts to Count Them All Properly; is that
 20 correct?
 21 A Yes, it looks like that's correct.
 22 Q And then turning to 5-2, I'm skipping a couple of
 23 pages here, this is Mr. Sutton the day after or
 24 the day that the guarantee was signed, I think
 25 March 22nd, and you can confirm that if I'm wrong,

Page 67

1 asking if the payments had been made. Do you
 2 remember that e-mail?
 3 A I don't remember it specifically, but it appears
 4 he's asking me if Dan had communicated to me
 5 whether or not the payments were issued to the
 6 lawyers.
 7 Q And were you in communication with Dan at this
 8 time about those invoices?
 9 A I don't remember exactly. I don't recall exactly.
 10 Q Now turning to 5-3, which is a two-page e-mail,
 11 now, these start, actually, down -- further down,
 12 actually at the end, and they work back upwards.
 13 These are actually earlier. These are February,
 14 so this is before the guarantee was signed and, in
 15 fact, before you advised Mr. Trimble that he was
 16 going to need to redo the invoices, correct?
 17 A Yeah.
 18 Q All right.
 19 MR. MORGAN: Hold on. Did you advise
 20 Mr. Trimble to reissue the invoices?
 21 THE WITNESS: I did not advise him to do
 22 that.
 23 MR. MORGAN: All right. Gary, that
 24 assumes facts not in evidence.
 25 BY MR. GOLDSMITH:

Page 68

1 Q Well, by e-mail at the direction of Mr. Trimble, I
 2 thought you did.
 3 A No, at the direction of Mr. Sutton.
 4 Q Mr. Sutton. Sorry.
 5 A Yeah. At the direction of Mr. Sutton I was asked
 6 to send e-mails asking the law firms to reissue
 7 those invoices, but I didn't advise them to do
 8 that, per say. I was following the direction of
 9 Mr. Sutton.
 10 Q Correct. I didn't mean that you were making any
 11 decision about it, but conveying a message.
 12 A Sure, yeah.
 13 Q So this is in February, before there was any
 14 discussion about a guarantee. And this is a
 15 follow-up, then, to the February 23rd question,
 16 did Dan send those checks. That's the very bottom
 17 issue -- or the bottom line.
 18 We go forward from that and you respond
 19 to Mr. Sutton. This is February 23rd, 10:45 a.m.
 20 You had just talked with him. He, that's
 21 Mr. Puhl, wants to discuss the matter with
 22 Mr. Sutton. And I'm reading the e-mail, so
 23 correct me if I say anything wrong. But
 24 apparently he indicated that he didn't want to pay
 25 Mr. Trimble anything until everybody else had been

Page 69

1 paid.
 2 Do you remember that conversation?
 3 A I remember -- Yeah, I remember -- I don't remember
 4 exactly every word or anything, but I have a
 5 general sense of what the conversation was about,
 6 yes.
 7 Q And tell me what it was about.
 8 A My impression at the time was that Dan Puhl had
 9 not a very good experience talking with Tony
 10 Trimble and wasn't anxious to pay Trimble anything
 11 because Trimble wasn't treating him nicely or the
 12 conversation didn't go well.
 13 Q And he's also insisting on invoices. What does
 14 that mean?
 15 A From my recollection, Dan -- I didn't understand
 16 this at the time because I didn't understand how
 17 this worked, but he didn't want to issue checks
 18 unless he had the actual invoices in hand from the
 19 corporation.
 20 Q Sure. From the --
 21 A Count Them All Properly.
 22 Q It sounds like he wanted invoices from the people
 23 he was going to pay?
 24 A Yeah. That's what I meant. Sorry.
 25 Q And we can sort of skip the next note from

Page 70

1 Mr. Sutton at 11:27 asking what there is to
 2 discuss and move on. You replied almost
 3 instantly. Are these internal e-mails; was he
 4 sitting in the office right next to you at this
 5 time or was he somewhere else?
 6 A I don't remember.
 7 MR. MORGAN: May I?
 8 MR. GOLDSMITH: Sure.
 9 MR. MORGAN: There's a reference in some
 10 of these e-mails to external. Do you understand
 11 what that means?
 12 THE WITNESS: That would have been his
 13 external, a personal e-mail account, not his Party
 14 e-mail account.
 15 MR. MORGAN: So it does indicate where
 16 he is?
 17 THE WITNESS: Not necessarily.
 18 BY MR. GOLDSMITH:
 19 Q He probably wasn't sitting right next to you then?
 20 A He wasn't sitting right next to me, no.
 21 Q So after he asks what to discuss, you reply on
 22 February 23rd at 11:32. And he says, again, he
 23 wants invoices -- or you indicate, again, that
 24 Puhl wants invoices and says there's not \$30,000
 25 in the account.

Page 71

1 Is that a response to a request by
 2 Mr. Sutton to make specific payments to the
 3 attorneys?
 4 A I believe so.
 5 Q He asked for \$10,000 per attorney to be made?
 6 A From my best recollection, he wanted 10,000 each,
 7 to each law firm.
 8 Q And that would be the Bryan Cave, the Trimble
 9 firm, and the firm that Mr. Magnuson was
 10 associated with?
 11 A That would be my understanding at this point, yes.
 12 Q Do you know what Sutton -- What did you take
 13 Sutton's response at 11:44 to mean, when he says,
 14 maybe it would be easier to get someone else to do
 15 this?
 16 A To my best recollection, he must not have been
 17 happy with how -- with Dan not issuing these
 18 checks when he wanted them to be issued. I mean,
 19 he must have had conflict with Dan Puhl on this.
 20 I'm not sure exactly.
 21 Q Mr. Puhl wasn't issuing the checks when Mr. Sutton
 22 directed; is that what you're saying?
 23 A I -- I -- I mean, I don't know. I can't -- You'd
 24 have to ask Mr. Sutton.
 25 Q Did Mr. Sutton express to you verbally, in any

Page 72

1 conversations, frustration in Mr. Puhl's operation
 2 of Count Them All Properly?
 3 A Not specifically. Tony did express frustration
 4 with Dan in general, but, I mean, I don't
 5 recollect any specific conversation where he's
 6 saying that about the corporation.
 7 Q Now, you make a response to his comment that
 8 suggested you'd maybe given it some thought as
 9 well. Can you take a moment to read your
 10 response, starting with, well, to be honest.
 11 You're response says it would be better, in your
 12 opinion -- You don't use the word opinion. You
 13 say, well, to be honest, it would be better
 14 overall if a third party not affiliated in any way
 15 to the Republican Party of Minnesota administer
 16 the corporation.
 17 Why did you make that statement?
 18 A I believe at the time I was concerned, given Dan
 19 Puhl owned Cardinals Compliance and they were a
 20 vendor of ours, that Dan Puhl might be too close
 21 to the Party. I was just concerned about that
 22 impression, what that might look like.
 23 Q He was a significant vendor, correct?
 24 MR. MORGAN: Objection. He was a
 25 vendor.

Page 73

1 BY MR. GOLDSMITH:
 2 Q Was he affiliated with the Republican Party of
 3 Minnesota in any other way than as a vendor in his
 4 capacity with Cardinals FEC compliance?
 5 A Not to my knowledge. He has -- He has donated
 6 money to the Party, but just in small amounts.
 7 Q And Mr. Sutton responds at 19:21 in the 24-hour
 8 time, but sometime later asking you to also
 9 explore options for a new FEC consultant. Did you
 10 explore options either for someone else to run
 11 Count Them All Properly or for a new FEC
 12 consultant?
 13 A I did not explore any options on someone to run
 14 the corporation. And as far as the FEC
 15 consultant, I don't remember any conversations
 16 occurring after this about finding a new FEC
 17 consultant.
 18 I advocated for Dan Puhl to remain our
 19 FEC consultant because I thought he was doing a
 20 good job at that. But I had no conversation or
 21 gave any opinion or any advice on who should or
 22 who -- who should run the corporation or who
 23 should look for running the corporation.
 24 Q And Ryan Griffin, who's been copied on the
 25 e-mails, gets into the conversation. In fact,

Page 74

1 maybe it was even directed to him. The one to
 2 look at new options included him in the to
 3 heading. And he says, Ron, let's talk about this
 4 after the Lincoln/Reagan and give Tony some
 5 options.
 6 Do you know if you had that conversation
 7 or meeting with Ryan Griffin on the subject?
 8 A I don't remember if we had or not, but I don't
 9 believe we did because nothing ever came of this.
 10 We might have had a small conversation about it,
 11 where I'm advocating that, you know, I really
 12 think Dan is doing a great job, that we don't
 13 really need to talk about this.
 14 Q I'll turn now to Exhibit 5-4. And this, now, is
 15 somewhat later, April 7th, so the guarantee has
 16 been in place for some time. And you are writing
 17 to Mr. Puhl to ask if he got the invoices from
 18 Trimble and could write the check. Do you
 19 remember writing that e-mail?
 20 A I don't remember writing it, but I did.
 21 Q It seems to be an e-mail from you?
 22 A Yeah.
 23 Q Okay. And you received a response from Mr. Puhl.
 24 Is that his response at the top of this page?
 25 A Yep, it appears to be.

Page 75

1 Q And did that response surprise you at all?
 2 A I don't remember what my response was at the time.
 3 Q You knew that you were writing to Mr. Puhl as part
 4 of -- in his role as the person running Count Them
 5 All Properly, correct?
 6 A At that time I did.
 7 Q Okay. I see that the response comes back from
 8 Cardinalsfec.com. Did Count Them All Properly
 9 have its own e-mail?
 10 A Yes.
 11 Q It did at that time?
 12 A Yep.
 13 Q There was no office for Count Them All Properly,
 14 however; is that correct?
 15 A I don't know.
 16 Q All right. Well --
 17 A The only address I've ever seen besides the one in
 18 that e-mail is a post office box.
 19 Q Okay. Do you know if there was any staff other
 20 than Mr. Puhl?
 21 A I don't know.
 22 Q We're a little bit out of order, but we'll turn to
 23 5-5. I had hoped to get these in orders, so I
 24 apologize that they're out of order, but I just
 25 want to confirm what each of them is so we have

Page 76

1 the record on that.
 2 Again, this one seems to start at the
 3 bottom. March 16th, again, this is from Sutton to
 4 you with a copy to Mr. Puhl dated March 16,
 5 9:42 a.m. And Mr. Sutton is saying, I really need
 6 to get the payments out to the lawyers.
 7 I think this is the same e-mail that we
 8 saw in another exhibit, correct?
 9 A I don't know for sure, but it looks like it, yeah.
 10 Q Yeah. I think it was probably 5-1. But now we
 11 have some additional follow-up on this particular
 12 e-mail, with the next one being your response --
 13 actually, not your response, your e-mail to
 14 Mr. Puhl also March 16 asking him how he wants you
 15 to handle it.
 16 Now, you note in this e-mail that he has
 17 said he doesn't want invoices coming to him that
 18 exceed the balance in the account.
 19 Can you tell me about that conversation
 20 or how you knew that?
 21 A I don't remember the conversation exactly, but,
 22 again, I don't understand how this all works with
 23 that type of entity. I remember Dan saying that
 24 he didn't want to show invoices on the
 25 corporation's records that exceeded the amount of

Page 77

1 money that was in the account. That was -- That's
 2 what he told me, but I didn't understand what that
 3 meant. So I was just conveying that to
 4 Mr. Sutton, as to why Dan said he had to...
 5 Q This actually was from you to Mr. Puhl?
 6 A Oh, yeah.
 7 MR. MORGAN: I think he's referring to a
 8 separate conversation with Mr. Sutton.
 9 THE WITNESS: Sorry, sorry.
 10 BY MR. GOLDSMITH:
 11 Q Now, you offered to direct the law firms to either
 12 contact him, Mr. Puhl, to work out invoicing or he
 13 could tell you what the invoices should be and you
 14 would arrange with the law firms to provide
 15 invoices in the amounts he wants. Is that a
 16 correct analysis of the substance of what you're
 17 telling him?
 18 MR. MORGAN: Objection. Just review the
 19 materials in front of you.
 20 THE WITNESS: Can you repeat the
 21 question?
 22 BY MR. GOLDSMITH:
 23 Q Yeah. Did you offer that you could do one of two
 24 things: You could either have the law firms work
 25 with Puhl to get invoices in the form he wanted or

Page 78

1 you could work with the law firms to accomplish
 2 that goal?
 3 A I don't remember exactly. It appears that that's
 4 what I'm saying. However, I -- Again, I'm acting
 5 as an agent for Mr. Sutton. Mr. Sutton had asked
 6 me to take care of this, to assure that the
 7 invoices got to Count Them All Properly so
 8 payments could be made.
 9 Q Okay. All right. And there are three more
 10 segments to that e-mail. Just take a look at them
 11 and tell me if, generally, they appear to be an
 12 accurate representation of the stream of e-mails
 13 between you and Mr. Puhl.
 14 A (Indicating.)
 15 Q They do --
 16 A Yeah.
 17 Q -- appear to be accurate? I do notice that you're
 18 suggesting how much might be paid to the law
 19 firms, nine to \$10,000 each. Where did that
 20 figure come from?
 21 A From my best recollection, this was -- I must have
 22 talked to Mr. Sutton after this initial contact
 23 with Mr. Puhl. And that's when Mr. Sutton had
 24 asked me to reissue the in- -- or asked the law
 25 firms to reissue the invoices. And Mr. Sutton

Page 79

1 must have indicated that he wanted nine to \$10,000
 2 each paid to each of those law firms.
 3 Q Thank you. Then we'll go on to what I think is
 4 the last of the exhibits, 5-6. And this appears
 5 to be some additional correspondence between,
 6 first of all -- Actually, it comes -- Strike
 7 that. Let me just have a moment.
 8 All right. This appears to be an
 9 additional correspondence ultimately reaching you
 10 for Mr. Trimble, which also includes some
 11 communication between Mr. Trimble and Mr. Puhl?
 12 A Uh-huh.
 13 Q Does this look to be an accurate representation of
 14 an exchange of e-mails that occurred at that time?
 15 A It does.
 16 Q Just a couple more things. When it became evident
 17 to people observing the Republican Party of
 18 Minnesota that its financial reports to the
 19 Federal Elections Commission and the Campaign
 20 Finance Board may not have included all of its
 21 obligations, but may have only included what it
 22 had actually paid, the Party itself started to do
 23 some internal examination; is that correct?
 24 A That's correct.
 25 Q And tell me how this unfolded, that Party unit

Page 80

1 members or committee members became aware that
 2 there were problems? And what did they decide to
 3 do about those problems?
 4 A I don't know exactly how certain, you know, Party
 5 officials or Party members became aware of the
 6 problem, but I do know some of the steps that they
 7 took to address it. One of them was the executive
 8 committee appointed a subcommittee called the
 9 financial controls and oversight committee, which
 10 charged with looking into whether or not all the
 11 debt was being reported and looking into the
 12 nature of it, the whole scope, and making sure
 13 that everything was being handled the way it
 14 should be; and, if not, you know, recommend
 15 actions to take.
 16 Q And did this all occur after Mr. Sutton resigned?
 17 A No. This was in the weeks leading up to his
 18 resignation.
 19 Q So there was an executive committee meeting at
 20 which they appointed this financial controls and
 21 oversight committee?
 22 A Yes. However, at that meeting, most of the
 23 executive committee meetings are public, but they
 24 do have the privilege of going into executive
 25 session. And I believe it was decided at one of

Page 81

1 those executive sessions, but I'm not a part of
 2 those as an employee so I can't confirm that.
 3 But after -- I don't remember which
 4 executive committee meeting it was, but Mr. Sutton
 5 informed me that this committee was formed and
 6 that we would have to start gathering information
 7 and documents for that committee, as they
 8 requested them.
 9 Q What did he tell you about cooperating or not
 10 cooperating with this committee?
 11 A He told me to fully cooperate. But at that time
 12 he was controlling the invoices, so I didn't have
 13 all the information to begin with. But he did
 14 tell me to fully cooperate with them. But most of
 15 the requests went directly to him. As an
 16 employee, executive committee members wouldn't
 17 naturally go to an employee. They would go to the
 18 chairman or whoever the elected official they
 19 should go to.
 20 Q Okay. Who are the members of the financial
 21 controls and oversight committee?
 22 A I don't remember.
 23 MR. MORGAN: At that time?
 24 BY MR. GOLDSMITH:
 25 Q Right, at that time, yes.

Page 82

1 A At that time I don't remember everybody who was on
 2 there because I didn't have a lot of direct
 3 contact with them.
 4 Q We can get that from Counsel.
 5 A Yeah.
 6 MR. MORGAN: Do you know who the chair
 7 was?
 8 THE WITNESS: The chair was Jeff
 9 Johnson, I believe, was the chair at the time.
 10 MR. MORGAN: Yes. That was my
 11 recollection also.
 12 BY MR. GOLDSMITH:
 13 Q As a result of this committee being formed, did
 14 you then have things to do in the office to
 15 provide documents and information to this
 16 committee?
 17 A Yes. Mr. Sutton had asked me to print out the
 18 bank statements for the state and federal accounts
 19 and also to print out the QuickBooks check
 20 registers. And I believe -- And I believe -- And
 21 I believe that was the only two items he asked me
 22 for at that time.
 23 Q Who was physically in the offices working on --
 24 Well, what did they call this, an internal review
 25 or --

Page 83

1 A It was an internal review, yeah.
 2 Q And who was physically in the offices working on
 3 the internal review?
 4 A No one. None of the executive committee members
 5 or members on that committee were in the office.
 6 They all made the requests through Mr. Sutton, who
 7 then had asked me to gather the bank account
 8 statements and the check register from QuickBooks.
 9 Q During that --
 10 A He might have asked me for more stuff, but I don't
 11 remember, because the committee didn't have a long
 12 time to do their work before he resigned.
 13 Q Did anyone ask you about unpaid bills that hadn't
 14 been entered into the system?
 15 A No one directly asked me anything. The committee
 16 did not communicate with me at that time, I should
 17 say.
 18 Q One of the things we're concerned about is
 19 determining whether what the Republican Party has
 20 done up to now is sufficient so that the Board
 21 would be justified in not doing it over again or
 22 not doing its own audit or hiring its own CPA to
 23 come in. So it's important to understand the
 24 scope of what they did.
 25 So far what you've told me, the scope

Page 84

1 seems to be fairly limited because it was limited
 2 to what was already on the books or what
 3 Mr. Sutton might have provided to them.
 4 A Yep. And this was up until he resigned.
 5 Q All right.
 6 A Following his resignation, when the committee was
 7 fully informed of the potential of unreported debt
 8 and financial problems and issues and so forth,
 9 that same financial controls committee along with
 10 the executive committee decided to bring on
 11 outside professionals and some professionals that
 12 were already on the committee, such as certified
 13 public accountants and a couple outside people,
 14 volunteers, they were volunteering, to help assess
 15 the nature of the debt and any campaign violations
 16 and so forth.
 17 And that is when the committee started
 18 communicating directly with me, in some cases.
 19 They still were, you know, going through Party
 20 leadership at that time, which is currently the
 21 Party leadership, just to follow procedure.
 22 An accountant was brought on in
 23 December, who is still with us, who has done a lot
 24 of the work. And all of the debt that was
 25 previously known and unknown was accounted for,

Page 85

1 assessed and accounted for. And that was the
 2 thing that's come to be known as Attachment E from
 3 Common Cause. That was what we released to the
 4 public in the interest of full disclosure.
 5 And following that and, actually, during
 6 that time, too, we assessed what was the federal
 7 debt, what was the state debt. And that's on
 8 Exhibit 1. And all of the printed reports, the
 9 state reports and the federal reports, have all
 10 been amended and it is accurate now. I don't
 11 think there's anything else out there that is
 12 unknown.
 13 Q If you recall, when was the statement, the public
 14 statement released by the Party?
 15 A I don't remember exactly, but it was in December,
 16 mid-December, late December.
 17 Q And so this statement had the input from both the
 18 internal accountant and the other people on the
 19 team that was working on the internal
 20 investigation?
 21 A Uh-huh, yep.
 22 Q Who is the internal accountant?
 23 A His name is Bob Weyant, and he owns a firm called
 24 Whatever Services. I think it's -- It's not a
 25 company or anything. It's his company that he

Page 86

1 does his accounting under. And he was actually
 2 our accountant in 2007 until 2009, when Cardinals
 3 was brought on.
 4 Q I see.
 5 A And then he's been brought back to help with this
 6 effort. And I recommended that we retain him for
 7 the near and long-term.
 8 Q Is he an employee or on contract?
 9 A No, he's on contract. Well -- Well, he doesn't
 10 have a contract, but he's a vendor. He invoices.
 11 Q Okay. What other people were directly involved in
 12 actually completing this internal review to make
 13 sure that all of the previously unidentified debt
 14 was known?
 15 A We have Michael Beckage (phonetic), who's brought
 16 on as the turn-around person, and he's pretty much
 17 overseeing everything right now. And, of course,
 18 myself, I've been asked, and more than willing, to
 19 help assess all the debt and all the obligations.
 20 And I've been involved in the filing of the
 21 amendments and so forth. And I've been in contact
 22 with the Board also the FEC personally to seek
 23 advice on how we correct our reports and amend
 24 them and get everything back in order.
 25 Q And Mr. Beckage is an accountant himself?

Page 87

1 A I believe so.
 2 Q Has he been physically present in the Republican
 3 Party offices?
 4 A He has.
 5 Q And has he physically looked through files and so
 6 on, or what does he do when he's in the office?
 7 A He has looked through files. I mean, he's asked
 8 me and Bob and other people at the Party for
 9 documentation and files, such as contracts, such
 10 as invoices, cash balances, and financial reports
 11 and so forth, and he's looked through them all.
 12 So whatever he asks for, we provide him.
 13 Q What process do you have in place now, if any, to
 14 make sure that you capture obligations as they
 15 become incurred rather than as they are paid?
 16 A All the invoices now come back to me again, and
 17 then I give them -- Once I've assessed whether
 18 they're a state obligation or a federal
 19 obligation, what department they're supposed to go
 20 to or be attributed to in QuickBooks, I give them
 21 directly to Bob, who does all the accounting now.
 22 And he enters them into QuickBooks and -- to make
 23 sure that they get reported, so that process where
 24 the administrative assistant is gathering them.
 25 But I do run them all by Bron Scherer,

Page 88

1 our treasurer. And he approves all expenditures
 2 and he's aware of all invoices that come in. And
 3 the department heads, I mean -- And our new chair
 4 and deputy chair, I mean, there's more than one
 5 eye these invoices before they come to me. So I'm
 6 not the first one to see them.
 7 Q How confident are you that all of the obligations
 8 of the Party are disclosed -- Let me strike that.
 9 Have you filed your federal amendments,
 10 as well, already?
 11 A The federal amendments have not yet been filed,
 12 but they will be this week. They have been
 13 completed and they're currently under review by
 14 our treasurer and myself.
 15 Q How confident are you that once the state and
 16 federal amendments are all completed there won't
 17 be any other surprise obligations for the periods
 18 covered?
 19 A I am very confident. And I should note on the
 20 federal reports, our 2011 report was filed as if
 21 those amendments had already been completed. So
 22 all of the debt was reported on our 2011 year-end
 23 report to the federal government. We just have
 24 not filed the actual amendments yet. And we've
 25 been receiving guidance from the FEC on how to

Page 89

1 amend those reports, but they will be filed
 2 sometime this week.
 3 Q For state reporting purposes, an obligation is
 4 reportable once the obligation is incurred,
 5 regardless of whether the invoice has been
 6 received or not. Are you aware of that now?
 7 A I'm aware of that now, yeah.
 8 Q Okay. And that means that as a reporting period
 9 comes up and the cut-off date is reached, you have
 10 to report unpaid bills as well as -- even if they
 11 haven't been invoiced. Do you understand that?
 12 A I do understand that.
 13 Q What processes do you have to capture unpaid bills
 14 that haven't been invoiced but yet should be
 15 included on a report?
 16 A One of the financial controls in place is that we
 17 won't acknowledge -- we require an invoice before
 18 we can put it in QuickBooks or -- before the
 19 expenses -- I mean, I will not write a check
 20 unless I have an invoice in hand. So we will not
 21 expend any money unless I have an invoice.
 22 Q All right. But I think to you expend is different
 23 than to us. Expenditure is an incurrence of an
 24 obligation --
 25 A Yes.

Page 90

1 Q -- regardless of whether it's paid or invoiced or
 2 not.
 3 So the question is, do you have systems
 4 in place that will allow you to capture those
 5 uninvoiced obligations for reporting purposes?
 6 A Well, yes. For example, if we are -- For example,
 7 we're planning or state convention which is coming
 8 up. And if we sign a contract with the venue, I
 9 and the treasurer and the chair will require an
 10 invoice be accompanying that contract before it's
 11 signed. So the actual debt will not be incurred
 12 or the obligation will not be incurred unless
 13 there's an invoice in hand.
 14 Q Okay. That may not be possible for everything,
 15 such as attorneys who are on retainer.
 16 A Well, but --
 17 Q I think --
 18 MR. MORGAN: Gary, I'm getting a
 19 sense --
 20 MR. GOLDSMITH: Not you.
 21 MR. MORGAN: No, no, no, not me. He may
 22 not know -- And this may be something we could
 23 follow up with the current treasurer to give you
 24 the assurances you need. I get a sense that he
 25 may not know the full processes that are in

Page 91

1 place.
 2 BY MR. GOLDSMITH:
 3 Q I think I've made our point clear. And we do need
 4 to work with you to make sure that you and the
 5 treasurer understand the reporting obligations
 6 going forward.
 7 Do you have anything else that you think
 8 is important that we should know that I haven't
 9 asked you about?
 10 A Not that I can think of.
 11 MR. MORGAN: If I may follow up with
 12 just two brief questions, Gary?
 13 MR. GOLDSMITH: Certainly. And I'm
 14 going to let Jeff see if I omitted anything as
 15 well.
 16 EXAMINATION
 17 BY MR. MORGAN:
 18 Q I just want to be clear. When Mr. Sutton took
 19 over the invoicing, what was that time frame?
 20 A That was late 2010, either October or November. I
 21 don't remember the exact date.
 22 Q And that's when he became a full-time chair?
 23 A Yeah.
 24 Q And then what was your role with the invoices, how
 25 did that change?

Page 92

1 A That changed -- The invoices were no longer coming
 2 to me. They would go directly to the chairman. I
 3 would only see the invoice when it was to be paid,
 4 basically when it was to be paid.
 5 Q One of the things I heard you say, and you'll
 6 correct me if I'm wrong, is at some point you
 7 understood that you were not to tell Mr. Sturrock
 8 about some of the unpaid or unrecorded invoices;
 9 is that correct? Well, what was the basis for
 10 that? I need to understand that better.
 11 A It was clearly understood by me from Mr. Sutton
 12 that I wasn't to tell David Sturrock. Mr. Sutton
 13 had made that clear.
 14 Q What involvement did you have, if any, in the
 15 formation of this Count Them All Properly or CTAP?
 16 A I had no involvement whatsoever.
 17 MR. MORGAN: All right. That's all the
 18 questions I have.
 19 MR. GOLDSMITH: Jeff?
 20 EXAMINATION
 21 BY MR. SIGURDSON:
 22 Q I think mine might relate to the same line of
 23 questions, which is the invoices dealing with the
 24 2010 recount. Were any of those sent to the
 25 appropriate director before they went to

Page 93

1 Mr. Sutton or did they all go to Mr. Sutton
 2 directly?
 3 A They all went to Mr. Sutton.
 4 Q Would that include the accounting invoices for
 5 reproducing various documents for the recount?
 6 A Some of them were e-mailed to me by the counties
 7 themselves or via Tony Trimble, but they all went
 8 to Mr. Sutton.
 9 Q Okay. But all attorney invoices would have gone
 10 directly to Mr. Sutton, even if they arrived in
 11 the mail, they wouldn't have gone through the
 12 political director first?
 13 A No.
 14 Q Were any of the invoices that were eventually
 15 redirected to Count Them All Properly entered in
 16 as invoices by Cardinal before being redirected?
 17 A They were not.
 18 Q Okay. I believe that's all I have. Thank you.
 19 FURTHER EXAMINATION
 20 BY MR. GOLDSMITH:
 21 Q I just have one other thing. Another person who's
 22 been mentioned as a partner in the recount effort
 23 is Golnik Strategies, which is Ben Golnik. Did
 24 you receive any invoices from him for his work on
 25 the recount?

Page 94

1 A I did.
 2 Q And where did they go?
 3 A They went to -- I don't remember when we got them,
 4 but they were e-mailed to me. Because when the
 5 assessment was done in December, I discovered
 6 them. I probably gave them to Mr. Sutton because
 7 they all went to him. And now they are on our
 8 report. They're a state Party obligation.
 9 Q So those invoices will be paid or have been paid
 10 by the state Party?
 11 A They have not been paid yet, but they will be.
 12 Q But they're listed as unpaid bills?
 13 A Yes, they are.
 14 Q Okay. I don't have anything further. Thank you
 15 very much.
 16 A You're welcome.
 17 MR. MORGAN: I don't know how this works
 18 from the administrative side. Does he get a
 19 chance to receive a copy or to review his
 20 transcript?
 21 MR. GOLDSMITH: If you want, yep.
 22 MR. MORGAN: All right.
 23 (Deposition concluded at 11:01 a.m.)
 24
 25

Page 95

1 VERIFICATION OF DEPONENT TO TRANSCRIPT
 2 I, RON HUETTL, JR., do hereby verify that I have
 3 read the foregoing transcript consisting of the
 4 preceding 94 pages and do further verify that it is a
 5 true and complete transcript of the testimony given by
 6 me (except for the following, stating page and line
 7 number and the reason for the change).
 8
 9 1.
 10 2.
 11 3.
 12 4.
 13 5.
 14 6.
 15 7.
 16 8.
 17 9.
 18 10.
 19
 20 RON HUETTL, JR.
 21 DATED:
 22
 23 NOTARY PUBLIC
 24 DATED:
 25 Julie A. Rixe, Court Reporter

Page 96

1 STATE OF MINNESOTA)
 2) ss.
 3 COUNTY OF DAKOTA)
 4
 5 Be it known that I took the deposition of RON
 6 HUETTL, JR., on the 21st day of February, 2012, at
 7 Suite 190, 658 Cedar Street, St. Paul, Minnesota;
 8 That I was then and there a notary public in and
 9 for the County of Dakota, State of Minnesota, and that
 10 I was duly authorized to administer an oath;
 11 That the witness before testifying was first duly
 12 sworn to testify the truth and nothing but the truth;
 13
 14 That the testimony was recorded by myself and
 15 transcribed into a computer-aided transcript and that
 16 the deposition is a true record of the testimony given
 17 by the witness to the best of my ability;
 18 That I am not related to any of the parties hereto
 19 nor interested in the outcome of the action;
 20
 21 That the cost of the original transcript has been
 22 charged to the party noticing the deposition, unless
 23 otherwise agreed by Counsel, and that copies have been
 24 made available to all parties at the same cost, unless
 25 otherwise agreed upon by Counsel;
 26
 27 That the reading and signing of the deposition by
 28 the witness was not waived.
 29 WITNESS MY HAND AND SEAL this 28th day of
 30 February, 2012.
 31
 32 JULIE A. RIXE
 33 Court Reporter
 34
 35