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<p>BEFORE THE CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD OF THE STATE OF MINNESOTA</p> <p>-----</p> <p>In the Matter of the Republican Party of Minnesota</p> <p>-----</p> <p>Statement of MARY IGO, 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 Ramsey, State of Minnesota, on the 21st day of May, 2012, commencing at approximately 10:15 a.m.</p> <p style="text-align: center;">* * *</p>	<p style="text-align: center;">I N D E X</p> <table style="width: 100%;"> <tr> <td style="width: 50%;">WITNESS</td> <td style="width: 50%; text-align: right;">PAGE</td> </tr> <tr> <td>Examination by Mr. Goldsmith</td> <td style="text-align: right;">4</td> </tr> <tr> <td>Examination by Mr. Sigurdson</td> <td style="text-align: right;">60</td> </tr> </table>	WITNESS	PAGE	Examination by Mr. Goldsmith	4	Examination by Mr. Sigurdson	60
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<p>1 APPEARANCES:</p> <p>2 GARY GOLDSMITH, Executive Director, and</p> <p>3 JEFFREY SIGURDSON, Assistant Executive Director,</p> <p>4 and JODY POPE, Management Analyst, Minnesota</p> <p>5 Campaign Finance and Public Disclosure Board,</p> <p>6 Centennial Office Building, Suite 190, 658 Cedar</p> <p>7 Street, St. Paul, Minnesota 55155-1603, appeared</p> <p>8 for and on behalf of the Minnesota Campaign</p> <p>9 Finance and Public Disclosure Board.</p> <p>10 JOHN H. GILMORE, Attorney at Law,</p> <p>11 64 West Delos Street, St. Paul, Minnesota 55107,</p> <p>12 appeared for and on behalf of the Deponent.</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22 WHEREUPON, the following proceedings</p> <p>23 were duly had and entered of record, to wit:</p> <p>24</p> <p>25</p>	<p>1 MARY IGO,</p> <p>2 after having been first duly sworn, was</p> <p>3 examined and testified on her oath as follows:</p> <p>4 MR. GOLDSMITH: My name is Gary</p> <p>5 Goldsmith. I'm with the Campaign Finance Board.</p> <p>6 And I'll also have the record reflect that Jeff</p> <p>7 Sigurdson and Jody Pope from the Board are here</p> <p>8 with us as well.</p> <p>9 EXAMINATION</p> <p>10 BY MR. GOLDSMITH:</p> <p>11 Q Thank you for being here. Good morning.</p> <p>12 As you know from receiving the</p> <p>13 complaint, we did receive a complaint regarding</p> <p>14 the relationships and transactions between the</p> <p>15 Republican Party of Minnesota and a corporation</p> <p>16 called Count Them All Properly, Inc., which we</p> <p>17 from refer to sometimes for short as CTAP,</p> <p>18 C-T-A-P. So if I say CTAP, that's what I'm</p> <p>19 talking about.</p> <p>20 Will you provide your mailing address</p> <p>21 and telephone number, please?</p> <p>22 A Sure. 165 Western Avenue North, St. Paul 55102.</p> <p>23 And phone number is 651-298-0000.</p> <p>24 Q Do you have any formal or informal role with the</p> <p>25 Republican Party of Minnesota?</p>

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1 A Just an activist.
2 Q No office or director or committee person or
3 anything like that?
4 MR. GILMORE: Do you mean now or
5 throughout --
6 BY MR. GOLDSMITH:
7 Q Well, let's start with now.
8 A No.
9 Q I'll expand that, then. Have you in the past had
10 any formal role with the Republican Party of
11 Minnesota?
12 A Officer and a BPOU.
13 Q Nothing at the state party level?
14 A State credentials chair.
15 Q Okay. How long have you been active in Republican
16 politics in Minnesota?
17 A Twenty years.
18 Q In connection with your activism, I presume you've
19 come to know who Tony Sutton is?
20 A Yes.
21 Q How long have you known Tony Sutton?
22 A Ten years maybe. Time escapes me.
23 Q Sure. I'm just trying to get some general
24 background, so we're not asking for specific dates
25 or anything.

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1 A Awhile, yes.
2 Q Do you know Dan Puhl?
3 A Yes.
4 Q How do you know him?
5 A Dan, first of all, was a neighbor and then was
6 involved in the national convention, when it was
7 here in Minnesota.
8 Q Are you still neighbors?
9 A No. He moved to Washington, Virginia.
10 Q As I said, we're going to be talking about this
11 corporation that we call CTAP. When is the first
12 timed you heard -- Well, let me back up one step.
13 When is the first time you had a
14 discussion with anybody about the fact that there
15 might be a recount of the 2010 gubernatorial
16 election?
17 A I read it in the paper before I had any
18 discussions. Only -- I -- When asked to
19 volunteer.
20 Q You volunteered in some way for the recount?
21 A Yes.
22 Q What were your duties going to be as a volunteer?
23 A I was going to go to the recount area and witness
24 ballots. I'm trying to think.
25 Q So that was like many volunteers. They have to

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1 have a lot of eyes on the ballots and so on?
2 A (Indicating.)
3 MR. GILMORE: An observer?
4 THE WITNESS: An observer, yes.
5 BY MR. GOLDSMITH:
6 Q And you need to answer yes or no rather than nod,
7 for the court reporter.
8 A Got it.
9 Q When is the first time you heard about the concept
10 of some organization other than the Republican
11 Party paying for the recount?
12 A I think it was maybe -- Let's see. The election
13 was in 2010. It was probably the first part of
14 2011.
15 Q And tell me how you heard about that concept.
16 A I had a voicemail message that asked if my husband
17 or I would sit on the board.
18 Q And who was that message from?
19 A Dan Puhl.
20 Q Did you call him back as a result of that
21 voicemail message?
22 A Pat did.
23 Q And Pat is your husband?
24 A Yes.
25 Q Had you and Pat discussed the message before Pat

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1 made the return call?
2 A Yes.
3 Q Tell me about that discussion.
4 A At the time I was going to run for national
5 committeewoman, so we talked about it and decided
6 that I would sit on the board so I could put it on
7 my resume.
8 Q In the voicemail was there any more detail about
9 what this corporation was or any more information
10 than that they were looking for directors?
11 A I did not hear the voicemail. The report that I
12 was given is they needed somebody to sit on this
13 company that was going to be responsible for
14 raising money for the recount debt.
15 Q So did you make the call to Dan Puhl, then?
16 A Pat did.
17 Q Pat did. To tell Dan that you would sit on the
18 board?
19 A Yes.
20 Q Okay. What is the next contact you had from
21 anyone about becoming a board member?
22 A The request to meet at Meritage for a board
23 meeting.
24 Q What was the name of the place?
25 A Meritage.

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<p>1 MR. GILMORE: M-E-R-I-T-A-G-E. It's on 2 St. Peter. It's quite good. 3 BY MR. GOLDSMITH: 4 Q Who made that request and how did you receive that 5 request? 6 A I don't remember. I think somebody called, but 7 I'm not -- I think Dan probably called. 8 Q Okay. And then the next event surrounding your 9 involvement with CTAP would have been attending 10 that meeting or -- 11 A Yes. 12 Q Do you know what the date of that meeting was or 13 the approximate date? 14 A I want to say it was February 11th, but I don't 15 know exactly. There should be minutes. 16 Q I have minutes from February 17th of 2011. Was 17 that -- 18 A Does it say it's at Meritage? 19 Q Yes, it does say it's at Meritage. 20 A That was it. 21 Q So up until this meeting, you didn't know very 22 much about Count Them All Properly. Tell me what 23 you learned about the corporation at the first 24 board meeting. 25 A It was being set up to raise money to pay off the</p>	<p>1 the minutes. Was anyone else in attendance at 2 that first meeting? 3 A Dan Puhl, Tom, myself and Fred Meyer. 4 Q Fred? 5 A Meyer, M-E-Y-E-R. 6 Q And who is Fred Meyer? 7 A He's another party activist, a long time. 8 Q And so the four of you, then, who were at that 9 meeting consisted of the complete board of 10 directors at that time? 11 A Yes. 12 Q There was a suggestion at that meeting that Tom 13 Emmer be made the majority shareholder of Count 14 Them All Properly, Inc. Did that ever occur? 15 A No. 16 Q Who was in fact at that time, at this first 17 meeting, the shareholder? 18 A No one. 19 Q No one. Is there anyone a shareholder at this 20 time? 21 A I understand I am. 22 Q Okay. And do you understand how that came about? 23 A Yes. At the time that the taxes were to be filed, 24 they needed an owner. Since everything else was 25 under my name, I said I'm fine with that.</p>
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<p>1 recount debt, because it was after-election 2 expense that the Party couldn't be responsible for 3 or raise money for. I'm not sure exactly how it 4 was worded. 5 Q Okay. So you didn't understand why the Party 6 itself couldn't undertake to pay this debt; is 7 that what you're saying? 8 A I didn't understand it, never asked. 9 Q Okay. The minutes reflect election results and 10 say, Mary Hagle, board chair. Is that actually 11 Mary Igo, board chair? 12 A Yeah. I didn't catch that. 13 Q There is no Mary Hagle, H-I-G-L-E? 14 A No. I'm sure Tom did not know how to spell my 15 last name. 16 Q So you were and have been the board chair since 17 this first meeting? 18 A Yes. 19 Q Also at the meeting was Dan Puhl, who we've talked 20 about, and Tom Datwyler. Who is Tom Datwyler? 21 A Tom works for Dan Puhl at Cardinal FEC. 22 Q And does Tom work at the Minnesota office? 23 A Yes. 24 Q Now, I see that at this meeting, there are only 25 three people in attendance, at least according to</p>	<p>1 Q Okay. Now, I notice -- I presume you're familiar 2 with these minutes. You might need to look at 3 them. If you do want to look at them, let me 4 know. 5 Apparently there was a discussion of the 6 order in which bills would be paid, and number one 7 was counties for copying. I presume this means 8 the various photocopying of ballots that counties 9 were asked to do? 10 A Yes. 11 Q And were any of the counties paid from CTAP funds? 12 A No. 13 Q Okay. Do you have anything more to add on that as 14 to why not or how that came about, that they were 15 paid first? 16 A The bills were not presented, to my knowledge. 17 They were presented to Tom Emmer. 18 MR. GILMORE: You have to speak up a 19 little bit louder. 20 THE WITNESS: They were presented to Tom 21 Emmer. 22 BY MR. GOLDSMITH: 23 Q And next in line under payment was Bryan Cave. I 24 presume that's the law firm of which Michael Toner 25 is a member or was, at that time, a member?</p>

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1 A I do not know the attorney's name that was from
 2 Bryan Cave.
 3 Q And then we have Trimble & Associates, which would
 4 be Tony Trimble. I see that Eric Magnuson and his
 5 law firm are not listed on this list.
 6 Were you aware that there were also
 7 attorney's fees from a third law firm?
 8 A I was told there were three attorney's bills, and
 9 I did not relate to who was with which company.
 10 Q Okay. And the last thing indicates that the --
 11 Well, the statement says, take recommendation from
 12 RPM, parenthesis, and Tony Sutton on what to pay
 13 with the cash on hand.
 14 At this first meeting, what was your
 15 understanding of the relationship between CTAP and
 16 Tony Sutton or the Republican Party?
 17 A My understanding was that the Party had nothing to
 18 do with this and that the attorneys had made this
 19 recommendation.
 20 Q The attorneys had made what recommendation?
 21 A To open this company.
 22 Q Oh, okay. Do you know what attorneys specifically
 23 might have made this recommendation?
 24 A No. Only what I read in the paper.
 25 Q Okay. So we've covered, really, up through

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1 February 17, 2011, which was the first meeting of
 2 the corporation. You had a voicemail and Pat
 3 returned a phone call to Dan, but there were no
 4 e-mails or other communications prior to
 5 February 17th about CTAP or your relationship with
 6 CTAP; is that correct?
 7 A Right. I have to say it was one of the few
 8 meetings that I went to having no idea what the
 9 meeting was going to be about or what was going on
 10 with it.
 11 Q The minutes are fairly sparse. Did you have
 12 discussions at this first meeting about what was
 13 going to be expected of you personally, as far as
 14 what you were going to need to do?
 15 A We talked only about fund-raising and disbursing
 16 the existing funds. No, there was no other
 17 directives.
 18 Q Okay. Now, disbursing the existing funds, that
 19 would be the \$30,000 that was in the account,
 20 approximately 30,000?
 21 A Yes.
 22 Q And that was the result of a single contribution
 23 from Robert Cummins; is that correct?
 24 A Yes.
 25 Q Did anybody explain to you how Mr. Cummins had

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1 come about giving CTAP this check for \$30,000?
 2 A No.
 3 Q You just knew it was there; you didn't know how it
 4 got there?
 5 A Initially I did not know it came from Cummins.
 6 Q Okay.
 7 A The account had \$30,000. I was trusting that it
 8 was... I had no idea where it came from.
 9 Q Up to this point, and I mean February 17th, was
 10 Dan Puhl essentially the person running CTAP, to
 11 the extent that anybody was running it?
 12 A Yes.
 13 Q And maybe Tom Datwyler, since he worked for
 14 Mr. Puhl; do you know?
 15 A I think your comment about in the sense that
 16 anybody was running it, it was Dan.
 17 Q Do you know if this first meeting was Fred Meyer's
 18 first exposure to CTAP, like your own?
 19 A I think --
 20 MR. GILMORE: Do you mean does she know
 21 if he was aware of CTAP before this meeting?
 22 BY MR. GOLDSMITH:
 23 Q Yeah. Let me rephrase that. Do you know if
 24 Mr. Meyer came into this first meeting the same as
 25 you did, having simply been asked to be a

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1 director?
 2 A I don't know. He just showed up.
 3 Q Now, the next minutes that you've provided are
 4 from a meeting on September 9, 2011 at Green Mill
 5 in Woodbury?
 6 A Yes.
 7 Q Was that the very next meeting of the corporation?
 8 A Yes, to my knowledge.
 9 Q None in between?
 10 A No.
 11 Q And the minutes show the four directors present,
 12 including Dan Puhl. Do you know if all four of
 13 the directors were physically present at that
 14 meeting at the Green Mill?
 15 A At the Green Mill, yes. Dan was in town.
 16 Q Was he living in the DC area by that --
 17 A Yes, but he was here for a wedding.
 18 MR. GILMORE: You have to let him ask
 19 the question first.
 20 THE WITNESS: I'm sorry. Okay.
 21 BY MR. GOLDSMITH:
 22 Q Even if you know what I'm going to say, you have
 23 to wait until I finish.
 24 A It's a female thing.
 25 Q So now I'm going over the minutes of the

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1 September 9th meeting. I see this is where
 2 apparently whoever had suggested that -- I'm
 3 sorry. Strike that.
 4 This is where whoever had suggested that
 5 Tom Emmer be made the sole shareholder removed
 6 that suggestion or withdrew that motion. Do you
 7 know who had suggested that?
 8 A Dan Puhl.
 9 Q And there was a discussion about the payment and
 10 apparently how that should be treated. The
 11 question is stated as, is this a capital
 12 contribution. The notation is that you will check
 13 with volunteer counsel about the treatment of this
 14 Bob Cummins payment. Who was the volunteer
 15 counsel that you might have checked with?
 16 A Ed Matthews. Or did I ask him?
 17 Q And did you check with volunteer counsel about how
 18 that contribution might be handled?
 19 A No, I don't think so, because the same thing as
 20 with making Emmer shareholder. I knew enough that
 21 you cannot assign a company ownership to someone
 22 who knows nothing about it, nor could that
 23 ownership be assigned to Bob Cummins without his
 24 knowledge. So I think I maybe blew it off.
 25 Q Because a capital contribution would be something

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1 like a shareholder putting money into the
 2 corporation?
 3 A Yes. And it was not a capital contribution. It
 4 was, essentially, a donation.
 5 Q Okay. Now, by this time some payments have been
 6 made to the three law firms. In fact, \$9,000 has
 7 been paid to each of the three law firms. Do you
 8 know any of the details of what occurred between
 9 the February meeting and September meeting that
 10 caused those payments to be made to the law firms?
 11 A That was directed at the February meeting, to
 12 make -- to pay them what we could.
 13 Q Okay.
 14 A The fact that it was \$9,000 that was made to each
 15 one, I'm not sure who made that decision.
 16 Q Okay. Who would have authority to make that
 17 decision?
 18 A Probably the treasurer.
 19 Q So it could have been Dan Puhl --
 20 A Dan Puhl.
 21 Q -- who made the decision?
 22 A We had just directed that the money be paid or
 23 could be paid after the copying.
 24 Q Now, at this point, September 9th of 2011, Dan
 25 Puhl brings up the fact that he's moved to

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1 Washington and would like to be replaced, the
 2 minutes say, as the legal officer. Was there more
 3 to it than that? Was it just as the legal
 4 officer, or what was the discussion about Dan Puhl
 5 moving?
 6 A I'm not sure why they termed it legal officer
 7 because Dan was the contact person listed on the
 8 document. Dan moved to Virginia because he took a
 9 position with the RNC as their CFO. So he felt
 10 since he wasn't here, he should be off of it.
 11 Q Okay. Does he still have that position?
 12 A He -- My understanding is he does not, but that's
 13 rumor.
 14 Q And he still live in the DC area or has he --
 15 A Yes.
 16 Q He has not returned --
 17 A No.
 18 Q You have to wait. He has not returned to
 19 Minnesota?
 20 A No.
 21 Q You were going to contact Mr. Matthews regarding
 22 replacing Mr. Puhl. Was that Ed Matthews?
 23 A Yes.
 24 Q And I don't think I asked you this: Is he another
 25 Republican activist, or how did you know him?

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1 A He's our Republican activist, ran for Congress,
 2 and is an attorney.
 3 Q The minutes say you also discussed revenue
 4 generation ideas. Can you tell me about that
 5 discussion?
 6 A We talked about having a fund-raiser and inviting
 7 some of the large donors from -- that we were in
 8 contact with or had relationships with to try to
 9 resolve this debt.
 10 Q Was any decision made?
 11 A No.
 12 Q Did you ever have such a fund-raiser?
 13 A No.
 14 Q When you mentioned large donors that you were in
 15 contact with, do you mean large donors that the
 16 four on the board of directors knew about who
 17 might donate to a Republican cause or --
 18 A Yes.
 19 Q Were you working in any way with the Republican
 20 Party or with Tony Sutton on ways to get money
 21 into CTAP?
 22 MR. GILMORE: What do you mean, Gary, by
 23 working with?
 24 BY MR. GOLDSMITH:
 25 Q Well, did you have any discussions with Tony

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1 Sutton or anybody at the Republican Party about
 2 how to get money into CTAP?
 3 A At that time? No.
 4 Q Up to and including September 9th.
 5 A No.
 6 Q Okay.
 7 A Can I tell you why we didn't have any?
 8 MR. GILMORE: No, the question is not
 9 pending.
 10 BY MR. GOLDSMITH:
 11 Q Well, it will be. Can you tell us why you didn't
 12 have any discussions with Tony Sutton or anyone at
 13 the RPM about how you might raise money for CTAP?
 14 A My understanding was the Party had no knowledge
 15 or -- of this company, of what was, you know,
 16 going on within this company.
 17 Q Okay. Do you know the date that CTAP was actually
 18 incorporated?
 19 A I believe, in looking at the documents, it was
 20 December 3rd. It's actually in that thick packet.
 21 Q That's correct.
 22 MR. GILMORE: You mean the complaint?
 23 THE WITNESS: Yes.
 24 BY MR. GOLDSMITH:
 25 Q And the election was November 2nd?

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1 A It could have been.
 2 Q Okay. What I'm struck with with respect to your
 3 comment about the Republican Party having no
 4 knowledge of CTAP is that from the day the recount
 5 activities started, which were, at the latest,
 6 November 3rd, at least through December 3rd, when
 7 CTAP was incorporated, attorney's fees were being
 8 accrued and CTAP didn't even exist. So it would
 9 seem that the Republican Party would have known
 10 about those attorney's fees, at least.
 11 MR. GILMORE: There's no question.
 12 There's no question.
 13 BY MR. GOLDSMITH:
 14 Q Are you aware of the fact that the Republican
 15 Party actually advised the three law firms at a
 16 later point to reissue invoices in the name of
 17 CTAP?
 18 A I know that the bill --
 19 MR. GILMORE: Answer the question. Were
 20 you aware that they were advised --
 21 THE WITNESS: No.
 22 BY MR. GOLDSMITH:
 23 Q You know that CTAP, at some point, received bills
 24 from three law firms, the three firms that had
 25 provided services in the recount?

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1 A Yes, when I saw the documents from Tom in
 2 preparation to get them to you.
 3 Q Okay.
 4 A That was the first time I ever saw the bills.
 5 Q So the whole process between the last meeting that
 6 you were at on -- I'm sorry, not the last -- the
 7 meeting that you were at on February 17th, between
 8 then and September 9th, when the bills by that
 9 time had been paid, you were not involved with
 10 that process; is that correct?
 11 A I'm not sure -- I would have to say no, I was not
 12 involved in that process. I did not see the
 13 bills, had no contact with the attorneys. I know
 14 Dan talked to the attorneys and I knew the
 15 payments were made.
 16 Q Okay. Now, there was at least an intention to
 17 have another meeting in November of 2011. That's
 18 noted at the bottom of or near the end of the
 19 September 9, 2011 minutes, that you would meet on
 20 November 16th. Did that meeting occur?
 21 A No.
 22 Q Are we okay?
 23 A Yeah, we're good, except my paper is stuck to my
 24 cough drop.
 25 Q Let's move on to what -- I'll ask you if this was,

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1 then, the next meeting in chronological order,
 2 which would be February 10, 2012?
 3 MR. GILMORE: I'm sorry. What was the
 4 date again?
 5 BY MR. GOLDSMITH:
 6 Q February 10, 2012.
 7 A Yes.
 8 Q So that would be the third meeting of the
 9 corporation. The corporation, up to that time,
 10 had only those three meetings?
 11 A Formal meetings, yes.
 12 Q Were there informal meetings?
 13 A No. There are e-mails.
 14 Q Right, okay. And I see that the minutes say Dan
 15 Puhl is attending as a guest of the chairwoman.
 16 Can you explain why it's written that way, what
 17 that meant?
 18 A Dan was on Skype. Dan had been removed from the
 19 legal representative or whatever it was. I think
 20 that was early December. I'd have to look at
 21 those papers that I filed. I filed them from
 22 Boulder. And so he was no longer part of the
 23 board, but had not -- his resignation had not been
 24 formally received, so I asked him to come if there
 25 were any questions.

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1 Q His formal resignation as a board member had not
 2 been received?
 3 A Yes.
 4 Q So he had been removed as the agent and as an
 5 officer of the corporation, but technically was
 6 still a board member?
 7 A He was removed is the agent. He was no longer on
 8 the board. Yeah, I guess so.
 9 Q It's more of a legal question, so I won't ask you
 10 to try to get to the details of that.
 11 There were about 15 minutes of
 12 discussion, according to the minutes, going from
 13 about 1:05 to 1:20. I'd like to ask you to recall
 14 the discussion. This is back just February of
 15 this year.
 16 The first point of discussion was the
 17 purpose of the committee to finance Tom Emmer's
 18 2000 (sic) recount election. It seems that that
 19 had been discussed at the very first meeting as
 20 well. Can you tell me what the discussion was at
 21 the February 2012 meeting?
 22 A Could you read that to me again?
 23 Q Sure. I'll be asking about the three items I've
 24 marked.
 25 MR. GILMORE: Thank you.

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1 THE WITNESS: This was in February. It
 2 was after the state central meeting in December.
 3 It was after Tony's resignation.
 4 And I think I had been bombarded with
 5 questions at state central meeting. And so I
 6 wanted to go back again and just reiterate why we
 7 were doing this or of, based on the discussion
 8 that had occurred in December in the paper, had
 9 sort of negated the purpose of this company, which
 10 gets to the possible guarantees that Tony made.
 11 And apparently there was a letter that
 12 was signed by Tony that Tony Trimble had put
 13 together. And, no, I didn't see that, nor had any
 14 knowledge of it. So that was sort of it. It was
 15 like, is there any purpose to this anymore or
 16 should we just close the company, et cetera.
 17 And the discussion that occurred, and
 18 I'm sure that this statement was made by Dan, no
 19 jurisdiction over non-federal debt. And to tell
 20 you the truth, the way that's worded, I have no
 21 idea what that means. But the further discussion
 22 was this post-election non-federal recount. It
 23 was a state election. It was post-election -- I
 24 mean, yeah, post-election. It was not campaign
 25 and election related. And so that, again, sort of

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1 refreshed why it was here.
 2 BY MR. GOLDSMITH:
 3 Q Okay.
 4 A I need to go back and clarify something, because I
 5 think September 17th you asked me if I had talked
 6 to Tony. I do not remember when the Midwest
 7 Leadership Conference was, and right before the
 8 Midwest Leadership Conference I did ask Tony if
 9 the Party was going to be able to pay any of this
 10 debt or pay CTAP money. And Tony told me that he
 11 anticipated that there would be money from the
 12 Midwest Leadership meeting that could be given to
 13 CTAP to pay this debt.
 14 MR. GILMORE: We should probably use
 15 Sutton and Trimble, since both of them are named
 16 Tony. I have a feeling both of those names will
 17 come up frequently.
 18 BY MR. GOLDSMITH:
 19 Q Staff will understand, but, for the record, it
 20 might be better to talk about Tony Sutton and Tony
 21 Trimble.
 22 A Okay. I've never met Tony Trimble.
 23 Q Do you remember, was there any conclusion reached
 24 about whether the corporation should be shut down
 25 in some way at this meeting of February 10th?

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1 MR. GILMORE: He means by the board.
 2 THE WITNESS: By our board?
 3 BY MR. GOLDSMITH:
 4 Q Yes.
 5 A No, there was not.
 6 Q And I also see there was some discussion or at
 7 least a mention of possible ways of settling the
 8 debt with the three law firms. Do you remember
 9 any conversation about that topic?
 10 A That was a question of mine, of should we contact
 11 the attorneys and see if there was a settlement
 12 amount that could be made. Because it was
 13 certainly far after the election, and no one was
 14 going to donate at this time to something like
 15 that. That was the discussion.
 16 Q Did any of the other board members have comments
 17 on that question?
 18 A No, not that I can remember.
 19 Q Do you know who drafted the bylaws for the
 20 corporation?
 21 A Dan Puhl.
 22 Q Now I'm going to turn to the group of e-mails that
 23 your attorney has provided to me. And first I
 24 just wanted to ask a general question so that I
 25 can understand them better. I've noticed

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1 throughout the e-mails that there will be places
 2 where in brackets it says, quoted text hidden. Is
 3 that something that you trigger in the e-mail, or
 4 what does that mean?
 5 MR. GILMORE: If I could jump in for a
 6 minute, Mr. Goldsmith. That's a function of
 7 G-mail and is part of that nesting properties that
 8 I referenced. And when you expand, it either has
 9 additional data of the e-mail itself or it
 10 replicates what already is shown just below.
 11 And so on a couple of the e-mails -- We
 12 expanded one to I think nine pages to show that.
 13 If there's anything that you want expanded, we'll
 14 be happy to go back and do that, but I checked
 15 myself for that. It looks like it's occluding the
 16 information, when in fact it's not. The text of
 17 each of those e-mails is subsequently laid out.
 18 MR. GOLDSMITH: All right. That's what
 19 I thought. There may be a couple that I will ask
 20 you later to expand just to make sure we have
 21 everything.
 22 MR. GILMORE: Sure, happy to do so.
 23 BY MR. GOLDSMITH:
 24 Q I can see in the group of these e-mails that it
 25 looks like towards the very end there's an

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1 indication that you forwarded them to your
 2 attorney as part of this process; is that correct?
 3 A Yes.
 4 Q I also notice, and I'll cover it in general terms
 5 rather than individually, that on many of them it
 6 looks like they were forwarded to Mike Vekich near
 7 the end of February. Can you explain that?
 8 A Mike Vekich was researching the Party debt, and I
 9 was instructed to talk to Pat Shortridge about
 10 where the Party was at with the letter by the
 11 Board. And when I talked to Pat Shortridge, he
 12 suggested that I talk to Mike Vekich.
 13 And Mike called me and we went over sort
 14 of this superficial history. And the ones that
 15 were relevant with some stuff in it, part of the
 16 conversation that he and I had, like the e-mails
 17 from Tony Trimble, I forwarded to him by his
 18 request.
 19 Q So just so I'm clear, this was in the context,
 20 then, of both you and the Party responding to the
 21 Board's complaint or the complaint that the Board
 22 was investigating. Mike Vekich was not involved
 23 in the operation of CTAP or recommending how CTAP
 24 might raise money or anything like that?
 25 A No. He had no knowledge of it at all, other than

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1 it existed.
 2 Q Okay. I've marked the e-mails in I think
 3 chronological order, at least by the first date
 4 that's on each one, which I realize a lot of them
 5 are a trail-out over several days, but there were
 6 a few things that I wanted to ask you to clarify.
 7 And let me just start with something you
 8 just said. You said you were instructed to talk
 9 to Pat Shortridge about the complaint. Was that
 10 an instruction of your board of directors, or who
 11 instructed you to do that?
 12 A The board. It might have been Dan Puhl. I think
 13 there's an e-mail where Dan says he had talked to
 14 an attorney and that I should be in contact with
 15 Pat Shortridge.
 16 Q Now, you've given me a lot of e-mails, the oldest
 17 of which is September 14th of 2011. Does that
 18 mean that there were no e-mails prior to that time
 19 relating in any way to CTAP or just that you don't
 20 have them anymore?
 21 A That's an interesting question. I don't have
 22 any. Those are the only ones I have. I have
 23 searched in every which way.
 24 Q I don't mean to suggest that there are more.
 25 Actually, the first one is sending you the minutes

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1 from September 9th, which was only your second
 2 meeting, so there may not have been in between
 3 there.
 4 A There wasn't.
 5 Q There wasn't?
 6 A (Indicating.)
 7 Q In this string of e-mails, starting with the one,
 8 September 14th at 8:37 a.m., a little ways down in
 9 the string is one from you to Thomas Datwyler in
 10 which you indicate that you had talked to Ed
 11 Matthews and he's willing to be on the board. Did
 12 Ed Matthews ever join the board?
 13 A No. He was willing to help the board. He was not
 14 willing to be on the board.
 15 Q Okay. So this statement here, I've highlighted it
 16 in green. On the previous page you can see it's
 17 from you to, I think, Dan.
 18 A Yeah. It was inappropriate wording, because Ed
 19 said he did not want to be part of the board, but
 20 he would come and talk with us if there were
 21 issues.
 22 Q Sure, okay. It also notes that you're going to
 23 meet him on a subsequent Monday evening, and he
 24 had some questions and you were going to try to
 25 answer those. Did that meeting occur?

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1 A Yes, it did. And that's why that says that,
 2 because when I called Ed and asked him if he would
 3 be interested to be on the board, he said yes.
 4 Then when we met on Monday night, he was having
 5 some personal issues and didn't want to get
 6 involved in anything, but he said he would help if
 7 he could.
 8 Q And you mention you have a list of questions that
 9 he had and you were going to get answers. Did you
 10 write out answers to those questions?
 11 A No. My questions were primarily about me, what
 12 was my personal risk with getting involved in
 13 this. The other had to do with clarification of
 14 that question you asked before, of whether Tom
 15 Emmer or Bob Cummins could be owners of the
 16 company.
 17 Q In preparing -- Or in considering the question
 18 about whether Bob Cummins could be an owner of the
 19 company, did you then, at that time, go and talk
 20 to anybody else about the Cummins contribution?
 21 A No.
 22 Q It's my understanding that during 2011, you made
 23 efforts to reach Tom Emmer to talk to him about
 24 the corporation. Can you describe those efforts
 25 to reach Mr. Emmer?

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1 MR. GILMORE: First of all, is that
 2 true?
 3 THE WITNESS: Yes.
 4 MR. GILMORE: Okay.
 5 THE WITNESS: I e-mailed him. No, I
 6 didn't e-mail him. I called him and I e-mailed
 7 his wife through Facebook and said, Jackie, can
 8 you get him to call me back. And he didn't call
 9 and didn't call.
 10 Then I ran into him at the Midwest
 11 Leadership Conference and said, I need to talk
 12 with you about this company. And he said he knew
 13 nothing about it at that time and that he
 14 really -- he had raised significant money to pay
 15 off the debt, and that he didn't know where that
 16 money had been located or was located.
 17 BY MR. GOLDSMITH:
 18 Q Did that surprise you, that he said he raised
 19 significant money to pay off the debt?
 20 A Yes.
 21 Q Did he ask you if CTAP had received any of that
 22 money?
 23 A No. He really did not want to talk to me.
 24 Q Did you talk -- At the Midwest Leadership
 25 Conference when you talked to Mr. Emmer, did you

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1 tell him what the future of CTAP might be?
 2 A I told him I didn't know, but it seemed that it
 3 was going to be very difficult to raise money. I
 4 may have told them -- told him -- Timing-wise I
 5 don't remember if I told him about the
 6 fund-raising that we were talking about before, in
 7 the minutes, that we were going to hold a coffee,
 8 \$10,000 apiece, to try to get this paid off. I'm
 9 not sure if I told him that that was the
 10 discussion. I said I did not know how we were
 11 going to raise the funds to get this paid off.
 12 Q We talked to Mr. Emmer, of course, and he relates
 13 to us your conversation at the Midwest Leadership
 14 Conference. He says that when you referred to
 15 CTAP, you referred to it as the company Tony set
 16 up for the recount. Does that sound like how you
 17 would have referred to CTAP?
 18 A I would have said the company Dan set up, I don't
 19 think Tony, although my understanding was I --
 20 that Tony and Dan and the attorneys had discussed
 21 this. You know, I can remember that day. I can
 22 remember where I was when I was talking to him,
 23 and it was a little bit chaotic. He was not
 24 anxious to talk to me. I may have been nervous
 25 and said that. I don't remember.

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1 Q Okay. And whether you mentioned Tony or not in
 2 that conversation, just to be clear, the Tony
 3 we're talking about is Tony Sutton?
 4 A Yes.
 5 Q In that conversation, again, at the Midwest
 6 Leadership Conference, he also relates that you
 7 told him that you were considering filing
 8 bankruptcy for CTAP and that you wanted him to
 9 know about that. Do you recall telling him that?
 10 A I told him -- I don't remember -- I may have -- I
 11 may have said that -- It went back, again, to that
 12 fact of him being the owner of the company and
 13 then trying to assign that ownership to him. And
 14 I may have said that if bankruptcy was there,
 15 because I did not know how we were going to pay
 16 off that. If we closed company, did that declare
 17 bankruptcy. I may have said something like that.
 18 All of that was a little bit strange to me. I
 19 mean, you know, how you do that or how it
 20 processes was a little bit weird to me. So I may
 21 have said that.
 22 Q Okay. As long as we're talking about your
 23 conversations with Mr. Emmer, we might as well
 24 conclude that line of our discussion. Because he
 25 mentions that a few weeks after or sometime after

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1 the Midwest Leadership Conference was the State
 2 central committee meeting and that you saw him
 3 again at the state central committee meeting. He
 4 was there in the morning helping with his
 5 congressional district registration, is what he
 6 terms us, at least.
 7 A He was. He was sitting at the table.
 8 Q Okay. Did you have a conversation with him?
 9 A I said, Tom, you haven't called me back. I said,
 10 specifically, should I call you on Wednesday
 11 morning, when you're on the way home, in order to
 12 get your attention.
 13 Q What --
 14 MR. GILMORE: Can I ask a question?
 15 Mary, when you're saying this, are you
 16 referring -- There were two state central meetings
 17 in December. One was on December 3rd -- What
 18 didn't happen to the Republican Party in December
 19 of 2011? -- December 3rd and December 31st.
 20 THE WITNESS: It would have been the
 21 December 3rd meeting.
 22 MR. GILMORE: Okay.
 23 BY MR. GOLDSMITH:
 24 Q I didn't know there were two meetings.
 25 A December 31st I quickly left.

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1 Q So you mentioned he hadn't called you. What was
 2 his response to that?
 3 A He told me he had nothing to talk about with this
 4 company. He didn't know anything about it. It
 5 had been set up without his knowledge.
 6 Q Did you, again, talk about the potential for
 7 either bankruptcy or shutting down the company or
 8 anything like that?
 9 A I told him we may have to shut the company down,
 10 because, again, I would have reiterated that I
 11 don't know where the money is coming from.
 12 Q Sure. Now I'm looking at a Thursday, November 10,
 13 2011 e-mail from yourself to the other directors.
 14 You mention you have not gotten any return calls
 15 from Tom. Would that be Tom Emmer that you're
 16 talking about?
 17 A Yes.
 18 MR. GOLDSMITH: John, do you have some
 19 of these? Do you have the one that's Thursday,
 20 December 8, 2011?
 21 MR. GILMORE: This one (indicating)?
 22 MR. GOLDSMITH: Yes.
 23 BY MR. GOLDSMITH:
 24 Q Giving you an e-mail series that starts on
 25 Thursday, December 8, 2011 at 10:09, I'm actually

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1 going to ask you some questions about the next one
 2 down, which was a little later, 10:42. And I'll
 3 give you a little -- or what time you need to read
 4 through that first.
 5 A Okay.
 6 Q The second sentence of that e-mail says, when all
 7 this broke I had been asked to hold until the
 8 Party clears up Tony Trimble's breach of
 9 attorney-client.
 10 Who asked you to hold any action at that
 11 point?
 12 A Dan. No. Wait a minute. December 8th I was
 13 asked by Kelly Fenton.
 14 Q That name is familiar to me, but refresh my --
 15 A She was elected deputy chair on December 3rd and
 16 then subsequently had taken over as Party chair --
 17 MR. GILMORE: Temporary.
 18 THE WITNESS: -- temporary, but was in
 19 chaos and just said, please don't do anything, I
 20 don't know what's happening sort of thing.
 21 BY MR. GOLDSMITH:
 22 Q This was right after Tony Sutton had resigned,
 23 then?
 24 A Yes.
 25 Q It sounds like you were already regretting or

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1 maybe had been for some time regretting getting
 2 involved in CTAP; is that a fair statement?
 3 A Yes. I was --
 4 MR. GILMORE: There's no question.
 5 THE WITNESS: -- bombarded.
 6 BY MR. GOLDSMITH:
 7 Q She can comment if she'd like to.
 8 A I was just bombarded with questions about this.
 9 MR. GILMORE: You mean at state
 10 central?
 11 THE WITNESS: Yes.
 12 BY MR. GOLDSMITH:
 13 Q I think there's an e-mail about that as well.
 14 Let's just move on a bit. I'm going to
 15 ask -- Actually, I'm looking at one. I don't have
 16 specific questions about it, except I had a note
 17 on another December 8th one where there's an
 18 indication that it's to Mike Vekich on
 19 February 27th. That was just part of the package
 20 where you sent him all the e-mails?
 21 A Yeah. And I'm not sure if I did them all on the
 22 same day. I know when I was on the phone with
 23 him, I couldn't find everything I was looking
 24 for. So I may have done it the next day or
 25 something. I don't know. I was anxious to let

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1 Mike Vekich know because I didn't want to be the
 2 only one that knew anything.
 3 Q Knew anything about what?
 4 A Count Them All Properly. I felt like I was
 5 sitting in a vacuum.
 6 Q Do you know if Dan Puhl was in communication with
 7 Tony Sutton or others at the RPM to keep them up
 8 to date about CTAP?
 9 A I don't know that. Not to my knowledge.
 10 Q Move forward a little bit now to February 3rd.
 11 This is after the complaint had been received by
 12 the Board and was accepted by the Board. And we
 13 had sent letters out to at that point, I think,
 14 Dan and the Republican Party. I don't think you
 15 were involved at that point.
 16 A No.
 17 Q And there's an e-mail from Dan Puhl to you and the
 18 other board members, indicating that he is going
 19 to give the Republican Party's lawyer as much
 20 information as he can. And he suggests that you
 21 keep in contact with Pat Shortridge to get
 22 updates. Do you remember that e-mail?
 23 A Yes.
 24 Q What was the purpose for keeping in touch between
 25 the CTAP group and the Republican Party group

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1 around that time?
 2 A It had to do with the letter that Tony Sutton had
 3 signed from Tony Trimble and where this company
 4 fit with the Republican Party.
 5 Q Did you draw any further conclusions about where
 6 this company fit with the Republican Party as a
 7 result of these discussions, if there were any
 8 discussions?
 9 A Well, the only discussion I had with Pat
 10 Shortridge was to call him and say did we need to
 11 meet. And he said he wanted me to talk to Mike
 12 Vekich. So then I contacted Mike Vekich and we
 13 scheduled a phone call. But, no, I did not. This
 14 company just seemed to be out there.
 15 Q So now we're in February. I mean, the complaint
 16 has been filed, the Board is investigating. Up to
 17 that point in time, at any time did you have any
 18 further discussions with Dan Puhl about just how
 19 this company came into existence and who might
 20 have thought to do this?
 21 A No, I didn't, not about -- No, not about that.
 22 I -- Over whatever the year and however many
 23 months, I really just -- that's why I asked those
 24 questions again at the board meeting, because it
 25 seemed like it had no purpose. And, no, that was

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1 the extent of my discussion. I did not talk to
 2 Dan anything other than e-mail. Didn't talk to
 3 him on the phone, except I called him. Saturday
 4 morning I found Tony Sutton had resigned and asked
 5 him if he was aware of that.
 6 Q Okay. I see an e-mail in February of 2012 about
 7 changing you to the owner of the corporation. Is
 8 that the change that you mentioned that was
 9 required for tax filing purposes?
 10 A Yes.
 11 Q And did Tom Datwyler take care of that or was it
 12 just something you did on the tax form, or how was
 13 that accomplished?
 14 A It was done on the tax form and nothing was filed
 15 with the Secretary of State. It was just I had to
 16 sign the tax return.
 17 Q Now, in this same e-mail stream there was a
 18 discussion, an e-mail discussion about whether you
 19 should actually file something with the Secretary
 20 of State's office to indicate that you were the
 21 sole shareholder. And apparently the conclusion
 22 was made at least at that time not to file
 23 anything. Do you recall that?
 24 A Yes. And that was 'cuz we didn't know what we
 25 were going to do with the company.

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1 Q And in the conclusion of that e-mail string, you
 2 send out to the other board members -- and at this
 3 point it's still going to Dan Puhl -- that, let's
 4 just sit on it; I talked with Jeff Johnson and
 5 we'll meet with Mike Vekich this Friday.
 6 So what prompted the discussion or the
 7 telephone call to Jeff Johnson? Was it a
 8 telephone call?
 9 A No. It was -- I ran into him at an Elephant Club
 10 breakfast. And Dan said we probably need to -- He
 11 said, you probably -- I said I had talked to Pat
 12 Shortridge and Pat had directed me to Mike Vekich,
 13 and Jeff confirmed that.
 14 Q Okay. So that was at this meeting Jeff said you
 15 should go ahead --
 16 A Yeah.
 17 Q -- and meet with Mike?
 18 A Yeah.
 19 Q And I know you said you had a phone call. Did you
 20 actually meet with Mike Vekich?
 21 A No, just on the phone.
 22 Q And what did he want to know from you in that
 23 phone call?
 24 A When the company was opened, what my involvement
 25 was, what I understood the company was there for,

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1 what we had paid. He would be a great poker
 2 partner because he didn't -- he acted like he
 3 didn't know at all about the complaint that Dan
 4 Puhl had responded to. We had some superficial
 5 discussion about Tony Trimble's bill and the fact
 6 that he was tagging interest on it. That was
 7 pretty much it. I mean, I told him Dan had
 8 responded to that complaint and we had heard
 9 nothing more. And so that's when I forwarded him
 10 some of that stuff too.

11 Q Okay. Did Mr. Vekich give you any advice as to
 12 what the Party would like CTAP's position or
 13 approach to be?

14 A He said it doesn't really make any difference, you
 15 can do what you want to do. And I said, well, at
 16 one point there was some concern about the
 17 validity of the letter and whether we should
 18 stay -- the validity of the letter that Tony
 19 Trimble had Tony Sutton sign and whether we should
 20 stay in play. And he said it didn't matter, but
 21 it didn't hurt or it didn't make things any
 22 better.

23 Q Okay. I'm going to veer off now, just because the
 24 e-mail stream veers off in chronological order to
 25 another problem that came up, which sort of seems

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1 to be unrelated, but my Board has asked me to
 2 clarify what details we can figure out about it.
 3 And I know you've been trying to figure it out
 4 too.

5 This is the fact that a couple of other
 6 people became named in the Secretary of State's
 7 records as the CEO of Count Them All Properly.
 8 And we have a copy of a memo -- or a letter,
 9 actually, an e-mail from Tony Trimble to a
 10 Mr. Schroeder, S-C-H-R-O-E-D-E-R, I believe it's
 11 Jon, J-O-N. And Trimble is indicating that
 12 Schroeder is listed as CEO of CTAP as of
 13 December 20th.

14 And then subsequently -- Let me just get
 15 the dates right here. As of December 20th, 2011,
 16 the Secretary of State lists Jon Schroeder as
 17 chief executive officer. And then in a subsequent
 18 filing, on January 5th of 2012 it lists George
 19 Fraley, F-R-A-L-E-Y, as chief executive officer.
 20 And Mr. Trimble was trying to figure out how he
 21 could get paid, so he's writing to these people to
 22 try and get paid.

23 And you got involved. Somehow I guess
 24 they copied this e-mail to you or to Dan Puhl.
 25 First of all, tell me what you learned about

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1 Mr. Schroeder's being listed as CEO.

2 A I don't know anything about Mr. Schroeder. And,
 3 actually, the first time I became aware of it was
 4 when --

5 THE WITNESS: John, I think you
 6 forwarded me the article from Blue Stream or
 7 something in Southern Minnesota that listed those
 8 two.

9 MR. GILMORE: Blue Stem Prairie.

10 THE WITNESS: Blue Stem Prairie. And I
 11 didn't know either of those names. I asked Dan if
 12 he knew those names and he didn't.

13 I had changed the legal representative,
 14 I believe it was like December something. And at
 15 that time the Secretary of State's website had a
 16 notation on there of, how do you like our new
 17 format; you can now see the CEO and other people
 18 on the forms. I didn't realize you couldn't see
 19 it before. I really didn't know that a CEO was
 20 ever listed. And so then I went back and saw that
 21 George Fraley was on there.

22 And George called me maybe about a week
 23 after he received Tony Trimble's letter requesting
 24 that he pay him \$719,000. And George and I had
 25 worked together before we were both in

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1 healthcare. We had worked together on some Blue
 2 Cross and Blue Shield contracts.

3 So George told his attorney he would
 4 call me directly. And he called me and he said,
 5 did you have anything to do with that e-mail that
 6 went to the Secretary of State's office
 7 changing -- adding me as CEO, and I said no. And
 8 he said, the interesting thing is it came from
 9 behind George Fraley's firewall at his business.

10 And he was in contact with the Secretary
 11 of State's office, had gotten the IP address that
 12 it was sent from, and had his own IT people
 13 investigating where it came from and how it had
 14 transpired.

15 So I kept trying to get George's name
 16 off the Secretary of State's thing, was having
 17 trouble doing it. Burt Black was helping me.
 18 There was confusion when we took it down there.

19 MR. GILMORE: Who is Mr. Black?

20 THE WITNESS: He's the attorney for the
 21 Secretary of State.

22 MR. GILMORE: Okay.

23 THE WITNESS: And Pat took it down there
 24 for me. Because I do consulting so I'm out of
 25 town frequently, so he took it down to Burt

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1 Black. It got confused, they sent him to another
 2 building, et cetera, et cetera, and it didn't get
 3 changed.
 4 George's attorney, the kid's name is Bob
 5 King, was involved and sort of gave me the form --
 6 or a form letter -- Excuse me a second. I may
 7 have to step out for a minute.
 8 Can I be excused for a second?
 9 Q Sure.
 10 (Break taken.).
 11 THE WITNESS: Where was I?
 12 BY MR. GOLDSMITH:
 13 Q I think I can pick up with another question and
 14 we'll see if we cover everything.
 15 A Okay. So George said they had this information
 16 from behind their firewall, they were
 17 investigating it and he would get to the bottom of
 18 it. He asked if I knew anybody that worked for
 19 him or if I had been in his offices. I said no.
 20 Was trying to change that CEO.
 21 And then didn't contact George again
 22 until maybe last week or the week before. And I
 23 talked to him. The e-mail did come from behind
 24 their firewall to -- or the change was made from
 25 behind their firewall by their employee at

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1 11:07 a.m. and he had all the keystrokes.
 2 And the person that did it went in
 3 directly to Count Them All Properly, typed in the
 4 account number for the company, knew exactly where
 5 the person was going, and he had subsequently
 6 fired her, terminated her. She claimed that she
 7 had nothing to do with it. Someone should have --
 8 Or someone got on her computer when she walked
 9 away, which also violated some HIPAA policies in
 10 the healthcare world. So she was sort of between
 11 the devil and the deep blue sea.
 12 He had detail down to the keystrokes.
 13 It was a little bit scary. And then George said,
 14 the interesting thing is that you know this woman
 15 and I know this woman; we both worked with her on
 16 some issue at the Department of Surgery at the
 17 University of Minnesota.
 18 I vaguely can remember a woman -- I
 19 mean, this has to be 15 years ago, you know, but I
 20 can't remember her name. And I asked George her
 21 name and then I said, hold it, I don't want to
 22 know her name.
 23 And then George made a comment that
 24 said, you know, this woman makes \$31,000, and I'm
 25 thinking she was paid to do this. And that was

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1 sort of that, oh, my God, you know, why would
 2 somebody -- George has nothing to do with the
 3 Republican Party in an activist sort of way. I
 4 don't know what his involvement is, but his father
 5 was actively involved. How they got -- How they
 6 selected his name just blew my mind.
 7 So I did everything I could to get that
 8 off of there so he was not bothered with this. It
 9 was bad enough everybody else was being, you know,
 10 worried about it.
 11 Q Just before Mr. Fraley was listed as CEO, Jon
 12 Schroeder had been listed, but that was for a
 13 short time. Because it was so short, was there
 14 any effort or anything done to find out who had
 15 made that change?
 16 MR. GILMORE: I can jump in here if I
 17 might, Gary.
 18 MR. GOLDSMITH: Sure.
 19 MR. GILMORE: Independently of Mary I
 20 asked Burt Black about that process. And as I
 21 expected, it's a Data Practices request that would
 22 have had to have been generated by Mr. Schroeder.
 23 And he would be free to share or not whatever
 24 information he would like. I have not contacted
 25 Mr. Schroeder.

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1 I knew, based on my conversations with
 2 Mrs. Igo, that this would be of interest to you
 3 and the Board because it certainly struck me as
 4 not coincidental or very suspect.
 5 THE WITNESS: Yeah. I thought something
 6 happened when they made that change in what they
 7 were showing, but I read someplace in one of the
 8 articles that Burt said it's too coincidental and
 9 highly unlikely that one error was made, much less
 10 two on the same company and in the same category.
 11 So to tell you the truth, I didn't investigate it
 12 because I was just trying to get it resolved.
 13 BY MR. GOLDSMITH:
 14 Q In an e-mail subsequent to your learning about
 15 this, this is now February 28th, so the end of the
 16 month of February, again, from you to the other
 17 board members, still copying, by the way, Dan Puhl
 18 in on this e-mail, you mention you had a call from
 19 George and had a discussion, which I presume is
 20 the discussion we just talked about.
 21 You say that he is sending you the info
 22 he has secured so far. Did he actually send you
 23 any information about this incident?
 24 A He sent -- What he sent me was the letter from
 25 Tony Trimble. He sent me the letter that Tony

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1 sent him sort of requesting the money, but I don't
 2 even know if I ever got it. I figured it was the
 3 same one I got, so I didn't pay any attention to
 4 it.
 5 Q But he didn't send you any info about the
 6 investigation that he had undertaken?
 7 A Oh, no, no, no. He just told me that over the
 8 phone.
 9 Q We're moving up toward close to the present time
 10 here. I've skipped over a lot of interchange
 11 about the CEO issue because I think you've
 12 clarified that to the extent that you have
 13 information.
 14 I'm now moved up to Tuesday, April 10th,
 15 so six weeks ago or so. And this is an e-mail
 16 from you, again, to the other directors. I see
 17 that you're still including Dan Puhl in the
 18 correspondence. By that point he had still not
 19 submitted a formal letter of resignation; is that
 20 correct?
 21 A No, but he verbally resigned at that meeting.
 22 Q And you did not have -- other than Mr. Puhl, you
 23 didn't have a fourth director, an additional
 24 director at that point?
 25 A No.

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1 Q And still don't?
 2 A No. I did not want to bring another person into
 3 it.
 4 Q Your reporting to the board and Mr. Puhl that the
 5 reporter from the Star Tribune had reached you and
 6 asked you to comment. Did that reporter -- Your
 7 note to them says, they, meaning the Star Tribune,
 8 had talked to Tony, which I presume would be Tony
 9 Sutton, and he told them that he raised \$30,000
 10 for this company.
 11 Do you remember them telling you that?
 12 A Yeah, yeah. I was surprised. I was surprised on
 13 two parts: One, that Tony said he raised it; but
 14 the other one, that Tony was even talking to them
 15 about it. I mean, he -- I didn't know he had any
 16 knowledge of it.
 17 I must have a list on my e-mail that has
 18 all the board members, and Dan is probably still
 19 on that.
 20 MR. GILMORE: Are you talking about why
 21 you're still continuing to include Dan Puhl in the
 22 e-mails?
 23 THE WITNESS: Yes.
 24 BY MR. GOLDSMITH:
 25 Q You also note that he asked you who set the

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1 company up, and he asked if Tony, this would be
 2 Tony Sutton, did. And you asked what Tony said.
 3 And the reporter states that Tony said he was
 4 involved in it. Did that surprise you at all?
 5 A Yes.
 6 Q What was your understanding prior to hearing that
 7 Tony Sutton claimed involvement?
 8 A That Dan Puhl had set it up. I knew there had
 9 been discussion with Tony and the attorneys, but
 10 I -- it was my understanding they were out of it
 11 at that point.
 12 The reason I asked what Tony said is
 13 because I was still sort of in shock about or in
 14 awe that Tony was talking to them, yeah.
 15 Q Moving on, then, to April 19th, this is an e-mail
 16 from Dan Puhl to you. Well, I won't read into
 17 it. Here's what it says, in order for me to
 18 answer truthfully (I expect to be deposed) that I
 19 don't have anything to do with CTAP, I can't
 20 participate in your meetings.
 21 And then it goes on to say, FYI, the
 22 bylaws say that four board members are required as
 23 well.
 24 Do you remember that e-mail?
 25 A Yes.

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1 Q Did anything different happen as a result of that
 2 e-mail than had happened previously with respect
 3 to Dan Puhl's participation in meetings?
 4 A No. I had invited him to that meeting, and the
 5 only discussion that we had after that was about
 6 securing a fourth member, and Fred had recommended
 7 Mike Boguszewski. Don't ask me how to spell
 8 that.
 9 THE WITNESS: Do you know?
 10 MR. GILMORE: I can get it for the court
 11 reporter during the break.
 12 THE WITNESS: And Fred gave me his phone
 13 number. And I went out of town, came back in
 14 town, had your envelope and decided I wasn't going
 15 to add anybody else into the equation at this
 16 point.
 17 BY MR. GOLDSMITH:
 18 Q Okay. I think, according to this e-mail,
 19 Boguszewski is B-O-G-U-S-Z-E-W-S-K-I.
 20 Now, this series of e-mails that we've
 21 been talking about on Thursday, April 19th, 2012
 22 is talking about another meeting. Did you
 23 actually have another meeting of the Board?
 24 A Yes. No. Yes. Can you check the minutes?
 25 Q We don't have minutes for it, so that's why I'm

1 asking.
 2 MR. GILMORE: Does it reference --
 3 THE WITNESS: Yeah, there was a meeting
 4 right after that because we had further discussion
 5 about Mike Boguszewski, and that's when I said I
 6 was going to call him.
 7 BY MR. GOLDSMITH:
 8 Q I apologize. I do have the minutes. I'm not used
 9 to two-sided copying yet. So let me look --
 10 MR. GILMORE: I had them copied as they
 11 were produced.
 12 MR. GOLDSMITH: My staff did this, so
 13 they were fine.
 14 BY MR. GOLDSMITH:
 15 Q So you had another meeting April 24th at
 16 W.A. Frost?
 17 A Yes.
 18 Q And the three board members who were active were
 19 at that meeting?
 20 A Yes.
 21 Q And at that meeting, then, you formally accepted
 22 Mr. Puhl's resignation?
 23 A I realized that there was nothing in the minutes,
 24 yes.
 25 Q Because you had verbally or informally accepted it

1 Q What do you expect to happen to Count Them All
 2 Properly, Inc., as you move forward through the
 3 rest of this year?
 4 MR. GILMORE: I think you're asking her
 5 to speculate, Gary.
 6 THE WITNESS: I have no idea.
 7 BY MR. GOLDSMITH:
 8 Q Okay.
 9 A I actually did not read Jeff's report on the Party
 10 in its entirety. I don't know. I haven't really
 11 thought about it. I've been focused on this.
 12 Q Is there anything that you think that you would
 13 want to add that I haven't allowed you to cover
 14 that you would just want to make sure we know
 15 about before we end the deposition? I will ask my
 16 colleagues if they have questions, but I'd like to
 17 give you the opportunity if there's something you
 18 want to clear up or something like that.
 19 A No. I'm not sure if --
 20 MR. GILMORE: You can go ahead.
 21 THE WITNESS: You know, I took this on
 22 thinking it was no big deal, listened to I think
 23 Dan and, you know, the hearsay about the attorney
 24 comment that this was the right thing to do. I
 25 had multiple discussions right before that state

1 earlier?
 2 A Yes.
 3 Q And then you talked about the Secretary of State
 4 problems, and then you had the new member
 5 discussion. Tell me about the new member
 6 discussion that occurred.
 7 A Fred described Mike's involvement, level headed,
 8 straightforward, reasonable person, and that he
 9 had asked Mike in passing at the fourth
 10 congressional district meeting. Mike said he
 11 would be interested. He wanted me to call him and
 12 invite him to the next board meeting, and that was
 13 that.
 14 Q And you also report on a discussion with Mike
 15 Vekich about financial status updates. Can you
 16 tell me what financial status updates you had
 17 received from Mike Vekich?
 18 A None. That was the discussion, that after that
 19 discussion with Mike Vekich I had received nothing
 20 back, didn't know how he felt about it. And this
 21 was prior to Jeff Johnson's statement coming out
 22 about the Party finances.
 23 Q Do you have any meetings scheduled for the board
 24 of directors in the foreseeable future?
 25 A No.

1 central meeting with a couple Party activists that
 2 there was nothing going on here, it wasn't
 3 illegal, it wasn't unethical. If it was, it
 4 wouldn't be something that I would have been
 5 involved in. And I feel real bad that I wasn't
 6 more meticulous. I would not have gotten away
 7 with running the business that I was employed at
 8 the way this was run. So for that I apologize. I
 9 thought it was the right thing to do.
 10 MR. GOLDSMITH: Jeff?
 11 EXAMINATION
 12 BY MR. SIGURDSON:
 13 Q I think I have three questions. And I'm sorry.
 14 They may jump around a little bit, but this was
 15 based on answers you provided to Mr. Goldsmith's
 16 questions.
 17 At this point is Count Them All Properly
 18 still receiving bills from the three law firms for
 19 the recount?
 20 A I don't know that.
 21 Q Okay.
 22 A It would be whatever is in the file that we gave
 23 you is what we have.
 24 Q To your knowledge, there was never any
 25 re-invoicing of activities unrelated to the

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1 recount that was --
 2 MR. GILMORE: I'm sorry. I can't hear
 3 you.
 4 BY MR. SIGURDSON:
 5 Q I'm sorry. Was there any indication or any
 6 information provided to you that there was
 7 anything other than recount billings that Count
 8 Them All Properly was responsible for?
 9 A No.
 10 Q Okay. When Mr. Emmer indicated to you at the
 11 Leadership Conference that he had raised
 12 substantial money for the recount, did you or
 13 anyone else contact the Republican Party to see if
 14 those funds were available?
 15 A No, because I had talked to Tony right before that
 16 and had asked him if there was money available to
 17 contribute to this company. And he said no, but
 18 he expected money out of the Leadership
 19 Conference. So when Tony told me that at the
 20 Leadership Conference, again, it just baffled me.
 21 I mean, I was concerned about it.
 22 Q I realize this contribution came in -- Or at least
 23 I believe this contribution came in prior to you
 24 actually joining the board, but the contribution
 25 from Mr. Cummins, do you know, was that made to

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1 CTAP or was it made to the Republican Party and
 2 then forwarded to CTAP?
 3 A I don't know that.
 4 Q Okay. And then I guess one last question, and I
 5 realize that this is more an impression question.
 6 In your conversations with Mr. Puhl on CTAP and
 7 its origins and what it was going to try to
 8 achieve, did he ever provide a motivation for
 9 CTAP? And by that I mean why the bills would no
 10 longer be the responsibility of the Republican
 11 Party.
 12 A The only thing he said is that it was
 13 post-election expense that could not be filed on
 14 the FEC report. That's the only piece I remember
 15 that relates to your question.
 16 Q Okay. On the FEC report. Did you mean the
 17 campaign finance report or did you actually mean
 18 at the federal election level?
 19 A I don't know that. He said --
 20 Q He said FEC?
 21 A I think he said FEC report. That was back
 22 February of 2011.
 23 Q Okay. All right. Thank you.
 24 MR. GOLDSMITH: All right. That
 25 concludes the deposition. Thank you very much.

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1 We're off the record.
 2 (Deposition concluded at 11:50 a.m.)
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1 STATE OF MINNESOTA)
 2) ss.
 3 COUNTY OF DAKOTA)
 4
 5 Be it known that I took the statement of MARY IGO
 6 on the 21st day of May, 2012, at Suite 190, 658 Cedar
 7 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 statement by
 28 the witness was waived.
 29 WITNESS MY HAND AND SEAL this 30th day of May,
 30 2012.
 31
 32 JULIE A. RIXE
 33 Court Reporter
 34
 35