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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 FRED MEYER, taken in the above-entitled matter, pursuant to Notice, before Angie D. Threlkeld, court reporter and notary public, at 658 Cedar Street, Third Floor, St. Paul, Minnesota, on the 12th day of June, 2012, commencing at approximately 2:15 p.m.</p> <p style="text-align: center;">* * *</p>	<p style="text-align: center;">I N D E X</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 80%;"></th> <th style="text-align: right;">PAGE</th> </tr> </thead> <tbody> <tr> <td>1 WITNESS</td> <td style="text-align: right;">4</td> </tr> <tr> <td>2 FRED MEYER</td> <td style="text-align: right;">4</td> </tr> <tr> <td>3 Examination by Mr. Sigurdson</td> <td style="text-align: right;">16</td> </tr> <tr> <td>4 Examination by Mr. Goldsmith</td> <td style="text-align: right;">4</td> </tr> <tr> <td>5 EXHIBITS:</td> <td></td> </tr> <tr> <td>6 1 Minutes of the 2/17/11 Meeting</td> <td style="text-align: right;">4</td> </tr> <tr> <td>7 2 Minutes of the 9/9/11 Meeting</td> <td style="text-align: right;">4</td> </tr> <tr> <td>8 3 Minutes of the 2/10/12 Meeting</td> <td style="text-align: right;">4</td> </tr> <tr> <td>9 4 Minutes of the 4/24/12 Meeting</td> <td style="text-align: right;">4</td> </tr> <tr><td>10</td><td></td></tr> <tr><td>11</td><td></td></tr> <tr><td>12</td><td></td></tr> <tr><td>13</td><td></td></tr> <tr><td>14</td><td></td></tr> <tr><td>15</td><td></td></tr> <tr><td>16</td><td></td></tr> <tr><td>17</td><td></td></tr> <tr><td>18</td><td></td></tr> <tr><td>19</td><td></td></tr> <tr><td>20</td><td></td></tr> <tr><td>21</td><td></td></tr> <tr><td>22</td><td></td></tr> <tr><td>23</td><td></td></tr> <tr><td>24</td><td></td></tr> <tr><td>25</td><td></td></tr> </tbody> </table>		PAGE	1 WITNESS	4	2 FRED MEYER	4	3 Examination by Mr. Sigurdson	16	4 Examination by Mr. Goldsmith	4	5 EXHIBITS:		6 1 Minutes of the 2/17/11 Meeting	4	7 2 Minutes of the 9/9/11 Meeting	4	8 3 Minutes of the 2/10/12 Meeting	4	9 4 Minutes of the 4/24/12 Meeting	4	10		11		12		13		14		15		16		17		18		19		20		21		22		23		24		25	
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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 Minnesota Campaign Finance and Public Disclosure</p> <p>5 Board, Centennial Office Building, Suite 190,</p> <p>6 658 Cedar Street, St. Paul, Minnesota 55155-1603,</p> <p>7 appeared for and on behalf of the Minnesota Campaign</p> <p>8 Finance and Public Disclosure Board.</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18 WHEREUPON, the following proceedings were</p> <p>19 duly had and entered of record, to wit:</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 (Exhibits 1 through 4 marked.)</p> <p>2 FRED MEYER,</p> <p>3 after having been first duly sworn, was</p> <p>4 examined and testified on his oath as follows:</p> <p>5 EXAMINATION</p> <p>6 BY MR. SIGURDSON:</p> <p>7 Q Sir, would you please state your name and address</p> <p>8 for the record?</p> <p>9 A Fred E. Meyer, 2177 Rosewood Lane North, Roseville,</p> <p>10 Minnesota 55113.</p> <p>11 Q Thank you. And I do appreciate you coming in to</p> <p>12 take this time to talk to us today. And I also</p> <p>13 apologize that we're starting a little bit late</p> <p>14 here, but we shouldn't take too long to get through</p> <p>15 the material.</p> <p>16 I understand, Mr. Meyer, that you are</p> <p>17 currently a member of -- or a board of the director</p> <p>18 of Count Them All Properly, Incorporated; is that</p> <p>19 correct?</p> <p>20 A Yes.</p> <p>21 Q Just for shorthand, I tend to refer to that as CTAP,</p> <p>22 so...</p> <p>23 A Fine.</p> <p>24 Q How would you describe the purpose of CTAP?</p> <p>25 A The purpose was to raise money and fund the recount</p>

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1 of the last gubernatorial election.
 2 Q Okay. And how did you become a member of the board?
 3 A I was invited.
 4 Q And who invited you to join?
 5 A Dan Puhl.
 6 Q Okay. And you knew Mr. Puhl before he invited
 7 you --
 8 A Yes.
 9 Q -- to be a member of the board? Had you known
 10 Mr. Puhl for quite a while or...
 11 A Couple years.
 12 Q Okay. How did he explain to you the -- what CTAP
 13 was going to be or why he needed to have board
 14 members for the organization?
 15 A Because it was a corporation.
 16 Q Okay. Okay. And prior to Mr. Puhl contacting you,
 17 had you heard of any organization other than the
 18 Republican Party of Minnesota paying for the cost of
 19 the recount?
 20 A No.
 21 Q Okay. I have had the court reporter mark Exhibits 1
 22 through 4. These are copies of the minutes of the
 23 four meetings that we're aware of of CTAP. I
 24 provided them, one, because I do have a couple of
 25 specific questions, items listed on the minutes; but

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1 also, secondly, just in general to help you prod
 2 your memory. I do realize that these were more than
 3 a few months ago.
 4 But on the first meeting, which is dated
 5 February 17th, 2011, at the Meritage Restaurant,
 6 subsequent minutes list the membership who was
 7 there, but you're not listed on this one. Were you
 8 at that meeting, do you recall?
 9 A As far as I know, I was. And I don't remember Mary
 10 Hible.
 11 Q We have been told that that is actually a mistake in
 12 spelling; that that's actually Mary Igo. And those
 13 exhibits I'll need back; but if you want to make
 14 reference to that in your notes, that's great.
 15 A Igo?
 16 Q Right.
 17 A Yes, I was at that meeting.
 18 Q Okay. And to the best of your knowledge, was that
 19 the first meeting of CTAP?
 20 A To the best of my knowledge, that was the best --
 21 first meeting.
 22 Q Okay. And did Dan Puhl organize that meeting, do
 23 you know?
 24 A To the extent that he organized it, he suggested the
 25 Meritage as our location, yes.

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1 Q Okay. On that first meeting on February 17th,
 2 towards the bottom, I think it's the third line from
 3 the bottom, one of the items on the -- that was
 4 discussed was, Take recommendations from the RPM,
 5 and then in parenthesis, Tony Sutton, on what to pay
 6 with the cash on hand.
 7 What was the relationship or what was the
 8 communication -- let me rephrase that. How was Tony
 9 Sutton being communicated with in terms of
 10 recommendations on who would be paid?
 11 A I have no idea.
 12 Q Okay.
 13 A As far as I know, he never communicated with us and
 14 we never communicated with him. I've never seen
 15 anything involving any communication between CTAP
 16 and Tony Sutton.
 17 Q Okay. So you don't recall who made that suggestion
 18 at the meeting, then, or the context of it?
 19 A No.
 20 Q Was there any contact with anyone other than Tony
 21 Sutton with any member of the Republican Party that
 22 you're aware of?
 23 A To the best of my knowledge, no.
 24 Q Okay. Was there any discussion led by either
 25 Mr. Puhl or by any other members of CTAP -- or board

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1 members of CTAP on how the organization came to
 2 exist, whose idea it was, just the background of the
 3 organization?
 4 A Other than what I've told you, no, I don't have
 5 any...
 6 Q So Dan Puhl didn't, you know, explain where the idea
 7 came from; he just said that there was just a
 8 corporation and we'd like you to join?
 9 A Well, no, I mean, the purpose of the corporation was
 10 to facilitate the recount.
 11 Q Okay.
 12 A And -- yes. And I agreed to help with that --
 13 Q Okay.
 14 A -- as a member of the board.
 15 Q Was there sort of a general impression that this was
 16 Mr. Puhl's idea or was he operating with somebody
 17 else, do you know?
 18 A Can't answer that. I mean, I -- I just can't. I
 19 don't know.
 20 Q Okay. The next meeting there on the next exhibit is
 21 for September 9th, 2011, at the Green Mill
 22 restaurant in Woodbury. There's a -- the fourth or
 23 fifth line down, there's an indication that there
 24 was proposed to have Tom Emmer come to the next
 25 meeting to formally inform him of a debt incurred

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1 from the recount on his behalf.
 2 Can you kind of tell me about that
 3 statement, what that discussion was?
 4 A Pretty self-explanatory. We wanted Tom Emmer to
 5 come and talk to us about what was going on.
 6 Q Okay. Is it -- is it reading too much into that
 7 statement to say that there hadn't been any
 8 communication with Tom Emmer prior to the meeting?
 9 A To the best of my knowledge, there had been no
 10 communication prior to that with Tom.
 11 Q So the debt that the recount that CTAP was taking
 12 over, from the members -- board members'
 13 perspective, was coming from the Republican Party
 14 and not from Tom Emmer; is that accurate?
 15 A Restate that.
 16 Q Yeah, I'm sorry, that was a long question. The debt
 17 that -- the purpose of CTAP, you stated, was to
 18 repay for the cost of the recount. Was that a cost
 19 that was coming from the Republican Party? Who
 20 initially incurred the debt for conducting the
 21 recount?
 22 A I'm assuming whoever asked for the recount, which
 23 would have been the candidate.
 24 Q Okay.
 25 A If that answers your question.

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1 Q So from your perspective it was -- it was a debt
 2 raised by Tom Emmer, as far as you know?
 3 A As far as I know, yes.
 4 Q A little bit further down on the same September 9th
 5 meeting minutes, there's a time mark of 11:45 --
 6 A 11:45? Okay.
 7 Q Yep -- discussion about Bob Cummins' payment. This
 8 was the first that you had heard about the Bob
 9 Cummins' payment?
 10 A Yes.
 11 Q Okay. And we're aware that that was a \$30,000
 12 payment?
 13 A Yes.
 14 Q Can you explain how basically that came to CTAP?
 15 Was that -- did CTAP solicit Mr. Cummins for that
 16 payment?
 17 A I have no idea who solicited it, but it came to
 18 CTAP.
 19 Q Okay. And so it was --
 20 A For the purpose of the recount.
 21 Q Okay. And who informed the rest of the board about
 22 that, do you recall?
 23 A I don't recall.
 24 Q Okay. Below that a little bit later there's a
 25 listing of -- that starts off with, Our current

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1 debts are all legal, and then there's three
 2 different amounts --
 3 A Right.
 4 Q -- which I'm assuming are the amounts that CTAP
 5 recognizes --
 6 A Right.
 7 Q -- as bills from those attorneys, with a total debt
 8 of \$558,712 --
 9 A Right.
 10 Q -- 35 cents. Where did the information about how
 11 much those attorneys were owed, where did that
 12 information come from?
 13 A I would assume they submitted bills to that extent.
 14 Q Okay.
 15 A I have never seen it.
 16 Q Okay. In terms of bringing that sort of information
 17 in front of the board, was that being done by
 18 Ms. Igo or Mr. Puhl or...
 19 A In terms of who brought the information, I'm not
 20 sure. It could have been Tom. I don't know.
 21 Q Okay.
 22 A But obviously the bills had been submitted to the
 23 corporation, and we -- the board was made aware of
 24 what those debts were.
 25 Q Okay. And right below that it says, Have paid

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1 \$9,000 to each. Was there a decision made on that
 2 payment or was that -- there's no reference in the
 3 earlier minutes that a specific payment of \$9,000
 4 was authorized. Do you recall how that came about?
 5 A We approved that. That's all.
 6 Q Okay.
 7 A As far as I know. I mean, I was never contacted,
 8 asked should we pay, of which I would have said yes.
 9 But I was never contacted. This was reported to us.
 10 I believe there was a motion to approve that payment
 11 that was done.
 12 Q Okay. Towards the bottom of those minutes, right
 13 above 12:05, there's just a brief statement that
 14 says, Revenue generation ideas were discussed. Do
 15 you recall what approach CTAP was going to use to
 16 try to raise additional funds?
 17 A No. I think we just were talking back and forth
 18 about what we were going to do. Nothing specific.
 19 Q So do you recall if there was any discussion of
 20 approaching the Republican Party for assistance in
 21 raising money on the debt?
 22 A As far as I know, no.
 23 Q Okay. On the -- what would be marked Exhibit 3, the
 24 minutes from February 10th, 2012 --
 25 A Right.

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1 Q -- there is a statement about, oh, halfway down that
 2 says, Possible guarantees the chairman, Tony Sutton,
 3 made. Is this in reference to the lawyer bills, do
 4 you know, do you recall?
 5 A I believe if you'll check back, this was after
 6 Tony's resignation from the party. And that
 7 statement reflected things that were in the paper.
 8 Q Okay.
 9 A It had nothing to do with CTAP.
 10 Q Okay. I've probably drilled this point to death,
 11 but I guess I want to make sure I'm very clear on
 12 it. Chairman Sutton, either prior to or after
 13 leaving his role as chairman of the Republican
 14 Party, he didn't have any communication with you
 15 about CTAP in any way?
 16 A Me personally?
 17 Q Correct.
 18 A I don't think I've talked to Tony Sutton in five
 19 years.
 20 Q Okay. Thank you. Right below that reference I made
 21 on February 10th, 2012, there's a line that says, No
 22 jurisdiction over nonfederal debt, post-election
 23 nonfederal recount. Frankly, I'm not sure what that
 24 sentence means. Do you have any idea what that
 25 reference was to?

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1 A I think it references why the heck we're here today.
 2 We're not an election committee. We were formed
 3 after the election. We're a separate corporation.
 4 We have nothing to do with the election.
 5 Q Okay.
 6 A And I'm sure that's what it was all about.
 7 Q And the non --
 8 A Plus state elections are not under federal.
 9 Q Okay. There's -- and then the last line of the
 10 minutes that I have a question about is the third
 11 from the bottom, Also the committee never agreed to
 12 pay interest charges. I guess my question, agreed
 13 with who? Was that a reference to -- do you know
 14 what that was a reference to?
 15 A It was a reference to the fact that a couple of
 16 those attorneys charged interest on the fact that we
 17 hadn't paid their bill in full, and we had never
 18 agreed to that.
 19 Q Okay. Was there -- but there was an agreement to
 20 take on at least the initial amount that they had
 21 incurred?
 22 A That was what the corporation was formed to do.
 23 Q Okay. The last one, Exhibit 4, frankly I don't have
 24 any questions about the specific items listed. It's
 25 mostly about individuals leaving the board and

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1 possibility of new board members coming on.
 2 A Okay.
 3 Q Has this been the last meeting? The April 24th,
 4 2012, was this the last meeting?
 5 A This year, yes.
 6 Q Okay. From your perspective, what is the future of
 7 CSTAP -- CSTAP -- try again. Is CTAP still an
 8 entity that's trying to raise funds for the recount
 9 expenses?
 10 A To the best of my knowledge, we have made no effort
 11 to raise additional funds.
 12 Q Let me look at my notes for a second and see if I
 13 forgot to ask a question.
 14 A But a corporation can exist without doing anything.
 15 It can just exist.
 16 Q Do you recall -- and this is in reference to
 17 possible ways to raise funds for the recount -- if
 18 there was a discussion at any of the meetings about
 19 approaching organizations like the Midwest
 20 Leadership Conference to help pay for the cost of
 21 the recount?
 22 A To the best of my knowledge, that discussion -- I
 23 mean, I've never heard that.
 24 MR. SIGURDSON: Okay. All right. That
 25 actually is all I have.

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1 Mr. Goldsmith may have some questions.
 2 EXAMINATION
 3 BY MR. GOLDSMITH:
 4 Q Just -- I think I already know the answer, but just
 5 to clarify. Prior to your attending the first
 6 meeting of the corporation, which --
 7 A Do you need these back?
 8 MR. SIGURDSON: Yes, sir.
 9 BY MR. GOLDSMITH:
 10 Q We will need those.
 11 A I corrected this. Do I need to initial that?
 12 Q No. Prior to your first meeting in February of
 13 2011, had you been involved in any discussions or
 14 activities leading up to the formation of the
 15 corporation itself?
 16 A I don't understand your question.
 17 Q Well, somebody made a decision to form this
 18 corporation, to file the articles of incorporation,
 19 and so on. Were you involved in that process?
 20 A No.
 21 Q Your first involvement was the first meeting you
 22 went to --
 23 A Yes.
 24 Q -- is that correct? Okay. Have you ever been
 25 involved in any discussion or evaluation by the

1 corporation or any of its directors or officers as
 2 to whether the corporation might somehow come under
 3 Minnesota's campaign finance laws?
 4 A It doesn't.
 5 Q Well, that wasn't --
 6 A Yes.
 7 Q -- my question. My question is whether you've
 8 discussed that subject with anyone.
 9 A The board discussed it.
 10 Q The board discussed it?
 11 A Yes.
 12 Q And that was that reference to not falling under --
 13 A Right.
 14 Q -- federal and post --
 15 A Right.
 16 Q -- election --
 17 A Right.
 18 Q Other than the contribution from Mr. Cummins, which
 19 you've indicated you don't know exactly how that
 20 arose, do you know of any activity that CTAP
 21 undertook to raise money to pay the recount cost?
 22 A Best of my knowledge, we have done nothing other
 23 than accept that contribution.
 24 Q That's all I have. Typically at this point we allow
 25 the person who is being deposed to add anything else

1 STATE OF MINNESOTA)
) ss.
 2 COUNTY OF DAKOTA)
 3
 4 Be it known that I took the deposition of FRED MEYER
 on June 12, 2012, at Minneapolis, Minnesota;
 5
 6 That I was then and there a notary public in and for
 the County of Dakota, State of Minnesota, and that I was
 duly authorized to administer an oath;
 7
 8 That the witness before testifying was first duly
 sworn to testify the truth and nothing but the truth;
 9 That the testimony was recorded by myself and
 transcribed into a computer-aided transcript and that
 the deposition is a true record of the testimony given
 by the witness to the best of my ability;
 10
 11 That I am not related to any of the parties hereto
 nor interested in the outcome of the action;
 12 That the cost of the original transcript has been
 charged to the party noticing the deposition, unless
 otherwise agreed by Counsel, and that copies have been
 made available to all parties at the same cost, unless
 otherwise agreed upon by Counsel;
 15 That the reading and signing of the deposition by the
 witness was waived.
 16
 17 WITNESS MY HAND AND SEAL THIS 19th day of June, 2012.
 18
 19
 20 ANGIE D. THRELKELD
 Court Reporter
 21
 22
 23
 24
 25

1 or clarify anything that you want to, but you're
 2 certainly not required to.
 3 A I don't have anything to add. I mean, other than
 4 are you investigating as hard to find out who got
 5 into the Secretary of State's computer to change the
 6 names on the board? Which would appear to me to be
 7 a violation of state law if not campaign law.
 8 Q Our board has asked us to take a look at that. It
 9 doesn't seem to fall under campaign finance law.
 10 But to the extent that we can, we're taking a look
 11 at it.
 12 A Well, it's obviously a more irregular activity
 13 involving the Secretary of State than our
 14 corporation, which is a legal corporation, which
 15 also doesn't fall under the realm of campaign
 16 financing.
 17 Q Right.
 18 A So I -- that's my mystery.
 19 MR. GOLDSMITH: Okay. I think that
 20 concludes the deposition. Thanks.
 21 THE WITNESS: Thank you.
 22 (Deposition concluded at 2:39 p.m.)
 23
 24
 25