

EXHIBIT 31

CHRISTOPHER COX
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July 27, 2021

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Page 5

1 PROCEEDINGS

2

3 (Exhibits premarked for ID.)

4

5 THE VIDEOGRAPHER: This is take one of

6 the video deposition of Christopher W. Cox in

7 the matter of the National Rifle Association of

8 America versus Ackerman McQueen, Incorporated

9 and Mercury Group, et al., being heard before

10 the U.S. District Court for the Northern

11 District of Texas, Dallas Division. Case No.

12 3:19-cv-02074-G. This deposition is being held

13 at Winston & Strawn, 1901 L Street, Washington,

14 DC, 20036 on July 27, 2020 [sic]. The time is

15 9:39 a.m.

16 My name is Malcolm Peplow, and I am the

17 videographer. The court reporter is Lauren

18 Buzzerio. Counsel, will you please introduce

19 yourselves and affiliations and then the court

20 reporter will swear in the witness.

21 MR. MASON: This is Brian Mason. And my

22 colleague Christina Carroll is here on behalf of

23 Ackerman McQueen, Mercury Group, and the three

24 individually named defendants.

25 MS. EISENBERG: Good morning. This is

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1 Svetlana Eisenberg, Brewer, Attorneys and

2 Counselors, on behalf of the NRA. I'm joined by

3 Serhiy Moshak and Brooke Burschlag. Good

4 evening, Mr. Cox.

5 MR. BUCHANAN: This is Tom Buchanan with

6 the law firm Winston & Strawn. I represent Mr.

7 Cox. With me is John Harding, also from Winston

8 and Strawn.

9

10 CHRISTOPHER COX, a witness called on

11 behalf of the Defendant, Ackerman McQueen, Inc.,

12 duly sworn pursuant to Executive Order 144, on

13 oath deposes and says as follows:

14

15 MS. EISENBERG: Mr. Mason, may I jump in

16 about the privilege?

17 MR. MASON: Sure.

18 MS. EISENBERG: Thank you.

19 Mr. Cox, as a former officer of the NRA,

20 as I'm sure you know, you have a duty to

21 preserve privileged information belonging to the

22 NRA. For that reason, from time to time during

23 today's deposition, I may object to Mr. Mason's

24 questions on that basis and instruct you not to

25 answer certain questions to the extent you

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1 cannot answer them without revealing privileged

2 information. Do you understand that?

3 THE WITNESS: I do.

4 MS. EISENBERG: Moreover, Mr. Cox, if

5 Mr. Mason inquires into your communications

6 with, let's say, Mr. LaPierre or others and you

7 believe that what they may have told you comes

8 from counsel, Mr. Hart, Mr. Brewer, or others,

9 that also would be privileged. So I'd just ask

10 you to please be careful about that as well. In

11 other words, even if you obtain certain

12 information not directly from a lawyer, but

13 indirectly, that, too, could implicate

14 privilege. Obviously, no one expects you to

15 make those judgment calls, but what we can do is

16 confer with your counsel offline to make sure

17 that Mr. Mason obtains all the information to

18 which his client is entitled, but at the same

19 time we work together to reserve the privileges.

20 Is that okay?

21 THE WITNESS: Yes.

22 MS. EISENBERG: Thank you.

23 Thank you, Mr. Mason.

24 EXAMINATION BY MR. MASON:

25 Q. Good morning, Mr. Cox. Like I mentioned before,

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1 my name is Brian Mason. I'm an attorney in

2 Dallas, Texas with Dorsey & Whitney. I

3 represent Ackerman McQueen and Mercury Group in

4 a lawsuit that is currently pending in federal

5 district court down here in Dallas, Texas. I

6 appreciate you being here today. Have you ever

7 given a deposition before?

8 A. I have not.

9 Q. Okay. I'm sure that you have had discussions

10 with your counsel relating to how this process

11 works. A couple of just big picture points. It

12 is important, even more so because of the Zoom

13 kind of world we're living in right now, how

14 we're doing this, that I don't talk over you and

15 you don't talk over me. Just because we have a

16 court reporter taking down everything and it

17 gets very, very difficult for her.

18 The other thing I'll say is this is not a

19 marathon. And at any point in time if you need

20 a break, just let me know, and I'm more than

21 happy to accommodate that.

22 Can you please state your full name for

23 the record?

24 A. Christopher William Cox. C-O-X.

25 Q. Mr. Cox, where do you currently reside?



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1 A. I live in Alexandria, Virginia.
 2 Q. Can you describe a little bit of your
 3 educational background?
 4 A. Sure. I went to high school in Chattanooga,
 5 Tennessee. Baylor School. I went to Rhodes
 6 College in Memphis, Tennessee. I did a little
 7 study abroad, but finished at Rhodes and then
 8 moved to Washington shortly thereafter.
 9 Q. Do you have any certifications or licenses
 10 besides, of course, your driver's license?
 11 A. Not from an -- if you're asking for like a Ph.D.
 12 or a master's degree, I do not.
 13 Q. Okay. Are you a CPA?
 14 A. I am not.
 15 Q. How are you currently employed?
 16 A. I'm the president of the firm that I started
 17 roughly two years ago called Capitol 6 Advisors.
 18 Q. What kind of business is Capitol 6?
 19 A. We do consulting. We do a little crisis
 20 management. We do a little political work. We
 21 do a variety of public affairs-type stuff.
 22 Q. So is Capitol 6 Advisors, is that based out of
 23 Washington, DC?
 24 A. It is. It's based out of Virginia. The office
 25 is in Washington.

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1 Q. And I believe you said that you started Capitol
 2 6 Advisors approximately two years ago?
 3 A. When I left the National Rifle Association. I
 4 officially started -- I incorporated before
 5 then. But I started it after my departure.
 6 Q. So prior to -- and you just referenced this
 7 Capitol 6 Advisors -- you were employed by the
 8 National Rifle Association, correct?
 9 A. That's correct.
 10 Q. Approximately when did you leave the NRA?
 11 A. June of 2019. And my official departure date or
 12 end of employment was, I believe, in early July
 13 of 2019.
 14 Q. At the time that you left the NRA in June or
 15 July of 2019, what was your position?
 16 A. I was the executive director of the Institute
 17 for Legislative Action.
 18 Q. Can you kind of just explain for the ladies and
 19 gentlemen of the jury what the Institute for
 20 Legislative Action does?
 21 A. So the Institute for Legislative Action was
 22 formed in the 1970s and 1975 to handle all the
 23 political legislative and legal operations for
 24 the NRA. Basically, anything in defense of the
 25 second amendment. That included in the

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1 legislative arena, the political arena. In
 2 campaigns. It grew into other areas. I served
 3 as the president of a foundation entity that we
 4 started called the Freedom Action Foundation. I
 5 served as chairman of the Political Action
 6 Committee, the NRA Political Victory Fund. I
 7 had other areas I worked in. The honorary
 8 chairman of the NRA countries outreach efforts.
 9 But my primary role was as an officer and
 10 executive director of the legislative action.
 11 Q. How long were you executive director of -- and
 12 is it fair to say -- is the Institute for
 13 Legislative Action commonly referred to as the
 14 ILA or the NRA-ILA?
 15 A. With permission of you all, I'll refer to it as
 16 either ILA or ILA. That was what NRA -- that's
 17 what we -- that's what NRA-ILA is known as.
 18 ILA. Yes.
 19 Q. Okay. So we can agree if at any point today
 20 that comes up, ILA or ILA, we'll understand
 21 we're referring to the Institute for Legislative
 22 Action?
 23 A. Yes.
 24 Q. How long were you executive director of the ILA?
 25 A. I was appointed in April out of 2002. So a

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1 little over 17 years.
 2 Q. Can you just describe your kind of job
 3 responsibilities and role as the executive
 4 director of ILA?
 5 A. Sure. So as I mentioned earlier, we ran -- I
 6 was responsible for overseeing all the political
 7 legislative legal operations. We had roughly
 8 nine divisions within ILA. Those that most
 9 people are familiar with, federal affairs, which
 10 handled Capitol Hill and the administration and
 11 agencies in DC. State and local affairs, which
 12 is obviously all 50 state legislatures. And
 13 then from there, we had various other divisions
 14 including the public affairs division, research
 15 and information. Our own fiscal division.
 16 Grassroots division. Office of legislative
 17 counsel. Office of external affairs. And I
 18 might be -- I don't have it in front of me -- I
 19 might be forgetting. But if you need a more
 20 comprehensive list, I'm happy to think a little
 21 harder about it.
 22 Q. No. That's helpful. So with respect to ILA and
 23 the National Rifle Association kind of as a
 24 whole, is the NRA and ILA, are those two
 25 separate divisions? Are they two separate

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1 entities?

2 A. Well, it's set up separately by the bylaws, but

3 it's all one NRA. There's basically two

4 different -- there were two different prior

5 executive directors that served as officers

6 still, my understanding, still to this day are

7 the executive director of general operations

8 that runs more the programmatic side, training,

9 those sorts of things, within the NRA. And then

10 ILA, the executor director of the ILA, that

11 runs, as I said, the kind of political

12 legislative legal arm from a defense of the

13 second amendment standpoint. And then there are

14 other -- you know, there's the NRA Foundation,

15 which is separate, but all within the main

16 corporate structure of what I refer to as

17 Mother -- Mother NRA.

18 Q. And with respect to Mother NRA, would Wayne

19 LaPierre -- was he the executive vice president

20 of the NRA during your time at ILA?

21 A. Yes. Wayne served as executive vice president

22 and basically the CEO of the NRA from 1991 to

23 the present day. So my entire my 20 -- nearly

24 25 years, 24 and a half years, Wayne was

25 executive vice president.

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1 Q. Did you typically interact and deal with

2 Mr. Powell during your time there?

3 A. I did.

4 Q. We'll talk more about Mr. LaPierre here in a

5 little bit. Prior to becoming -- let me ask you

6 this: When did you first join the NRA?

7 A. I was hired as a federal lobbyist on Capitol --

8 in the federal affairs decision on Capitol Hill

9 for the NRA in February of 1995.

10 Q. Okay.

11 A. And served in that division -- I moved up in

12 that division and served as deputy director of

13 that division, but was in that position or in

14 that office for about seven and a half years

15 roughly before I was appointed as executive

16 director of ILA in April of 2002.

17 Q. While you were the executive director of ILA,

18 were you also a member of the NRA board of

19 directors?

20 A. I was not an elected member of the NRA, but

21 was -- as an officer of the organization, I

22 don't -- Svetlana can correct me -- I don't know

23 if they call it or refer to it as ex officio

24 or -- I was an officer, one of five salaried

25 officers, of the NRA. But not an elected board

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1 member. But I attended board meetings.

2 Addressed the board. Gave board presentations

3 50-some-odd times at 50-some-odd board meetings

4 over the roughly 18 years that I was there.

5 Q. So it's fair to say that you had a significant

6 amount of interaction with the NRA board?

7 A. On a very regular basis throughout the year,

8 particularly during the three board meetings

9 that were held every year.

10 Q. During your time at the NRA, and, I guess, let's

11 just take the last ten years of your time at the

12 NRA, is it fair to say that Mr. LaPierre and

13 yourself were kind of the two predominant faces

14 of the NRA, if you will?

15 MS. EISENBERG: Objection to form.

16 You may answer.

17 A. So as far as public faces, I would answer that

18 as the two people who did the most -- the public

19 speaking, the most media, including national

20 news media, were Wayne LaPierre and myself. So,

21 yes, we were -- we were to a certain degree

22 public faces of the organization. And certainly

23 represented the organization at large forums and

24 events, whether those were, you know, the

25 Republican National Convention where I spoke in

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1 2016 or on national news programs. But, yes,

2 that would be accurate.

3 MS. EISENBERG: I object to the response

4 to the extent it's nonresponsive.

5 And, Mr. Cox, this is just for purposes

6 of us preserving our record. There will be

7 certain objections that I will make, but that's

8 just for the record.

9 Q. And along those lines, Mr. Cox, I may end up

10 asking you some follow-up questions. There will

11 likely be objections throughout the day. And

12 Ms. Eisenberg, I'm sure, will instruct you. But

13 even if there are objections, you still are

14 permitted and should answer the questions unless

15 there's an instruction relating to privilege.

16 So because there was an objection, let me go

17 back and just ask another question.

18 Mr. Cox, during kind of the last ten

19 years of your time at ILA, who were the

20 predominant faces in the public in the media

21 with respect to the NRA?

22 MS. EISENBERG: Objection to form.

23 You may answer.

24 A. Wayne LaPierre and myself from an NRA employee

25 standpoint were the primary spokespeople



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1 towards -- in the last several years, there was
 2 an effort to bring more people, more public
 3 faces, more people to handle media,
 4 particularly. But from a National Rifle
 5 Association standpoint, Wayne LaPierre and Chris
 6 Cox, myself, were the primary faces.
 7 Q. As part of what you just referenced as an
 8 attempt to have more faces in the media -- and I
 9 don't want to put words in your mouth so please
 10 correct me if I misunderstood -- but was part of
 11 the way that the NRA was trying to put and get
 12 more people out of the media through NRATV?
 13 MS. EISENBERG: Objection to form.
 14 A. Can I answer?
 15 Q. Yeah. You can answer.
 16 A. Yes. But not through the -- not just through
 17 the NRATV platforms. There were other
 18 commentators that did other media outside of
 19 NRA. Dana Loesch, for example, comes to mind of
 20 someone who did media other than just NRATV.
 21 But, to answer your question, yes, there was an
 22 effort built around providing more faces, more
 23 voices, than just Wayne and myself.
 24 Q. So going back to the summer of 2019, can you
 25 explain why you ultimately left the NRA?

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1 A. I was placed on administrative leave in late
 2 June, I believe. And I don't remember the exact
 3 day. Paid leave pending an investigation of
 4 some sort. And shortly thereafter, I made the
 5 decision to resign.
 6 Q. Did you have an understanding as to what that
 7 investigation was?
 8 A. No. And I still don't necessarily know the
 9 answer to that. But it was involving -- it
 10 was -- I don't remember exactly what I was told
 11 at the time other than pending -- pending some
 12 sort of investigation.
 13 Q. Are you aware that the NRA has in the past
 14 accused you of being part of an extortion
 15 attempt to have Mr. LaPierre resign from the
 16 NRA?
 17 A. Yes.
 18 Q. Do you believe that allegation is accurate?
 19 A. It's false.
 20 Q. Why is it false?
 21 A. It's false because it's not true. It's not only
 22 false, but offensive. As I said, in the only
 23 really public statement I made at the time I was
 24 placed on administrative leave, which I found
 25 out about the morning that I was named in an --

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1 or not named, but mentioned in a lawsuit
 2 involving the Colonel Oliver North. And I was
 3 notified that through the press.
 4 Q. Did the allegations that the NRA was making
 5 against you and others, did that relate to your
 6 decision-making with respect to resigning from
 7 the NRA?
 8 MS. EISENBERG: Objection. Foundation.
 9 You may answer.
 10 A. I'm sorry. Can you --
 11 Q. Sure. Sure. You just testified that you
 12 understood that the NRA falsely accused you of
 13 being involved in an extortion attempt of
 14 Mr. LaPierre. And so my question is simply, did
 15 that accusation against you play into your
 16 decision-making with respect to why you decided
 17 to resign from the NRA?
 18 A. Yes.
 19 Q. During your time at the NRA, did you know
 20 Lieutenant Colonel Oliver North?
 21 A. I did, yes.
 22 Q. How long have you known Colonel North?
 23 A. I met Colonel North in the early '90s, around
 24 '94 or '95. It was the first time I remember
 25 meeting Colonel North.

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1 Q. Was that initial meeting or interaction with
 2 Colonel North based on something having to do
 3 with the NRA or something else?
 4 A. It had to -- it was something else. I actually
 5 had a friend who had at the time ran or worked
 6 on -- I don't know if he had a radio show or
 7 what sort of program he had. But a friend of
 8 mine worked for him. And I remember I believe
 9 that was the first time that I met Colonel North
 10 was through that. I possibly met him in '94. I
 11 believe that's the year he ran for the U.S.
 12 Senate. I'm not certain on that. But I do know
 13 that my first meeting with Colonel North was in
 14 roughly '94 or '95.
 15 Q. Can you describe your relationship with Colonel
 16 North while you all were both at the NRA?
 17 A. I was able to spend more time with Colonel North
 18 really after I became executive director of
 19 NRA-ILA because I had more interaction with the
 20 board. I obviously gave board reports. I'd
 21 spoken at various committees and -- as the
 22 person running the political legislative and
 23 legal operations. And in that role, I had more
 24 interaction, particularly those with -- people
 25 like Colonel North who were involved in



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1 conservative causes and elections and different
 2 issues. So it was really over the last 15 years
 3 that I started spending more time with Colonel
 4 North. And then really maybe over the last ten
 5 years that I got to know him more both on a
 6 personal and professional level.
 7 Q. Did you consider him a friend?
 8 A. I do.
 9 Q. Do you consider him a friend today?
 10 A. I do.
 11 Q. Do you consider Colonel North to be a man of
 12 integrity?
 13 A. Of high integrity. Yes.
 14 Q. What was your understanding of Colonel North's
 15 role at the NRA prior to 2018?
 16 A. Colonel North was a member of the board of
 17 directors elected by the membership at large,
 18 and certain categories and above. And he served
 19 on various committees. I remember him being on
 20 military and veteran -- maybe chairing military
 21 and veteran affairs committee. I remember at
 22 one point I believe he chaired the public
 23 affairs committee. He was involved in various
 24 committees where there was overlap with the
 25 responsibilities that I had within my roles at

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1 NRA. But he was a board member, and I
 2 interacted with him the way I interacted with
 3 the dozens of other board members and that was
 4 somewhat regular basis. And --
 5 Q. And based on those --
 6 A. Go ahead. I'm sorry.
 7 Q. No. I'm sorry. I didn't mean to cut you off.
 8 Go ahead.
 9 A. He was involved in other areas, you know,
 10 outside of NRA, where I had opportunities to
 11 interact with him as well.
 12 Q. Based on your relationship with Colonel North
 13 and your involvement with the NRA board, did you
 14 have an opportunity to see how involved Colonel
 15 North was with the NRA board of directors?
 16 MS. EISENBERG: Objection to form.
 17 A. Can you ask that question again, please.
 18 Q. Sure. Sure. Based upon your relationship with
 19 Colonel North and your involvement with the NRA
 20 board, did you have an opportunity to witness
 21 Colonel North's involvement, generally speaking,
 22 with the NRA board?
 23 A. I did. Obviously, that changed when he moved,
 24 you know, into the role of president. But, yes,
 25 I observed Colonel North's involvement the way I

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1 observed others' involvement. Yes.
 2 Q. What kind of board member was Colonel North?
 3 A. I remember Colonel North -- if I remember
 4 correctly, I think I attended 55, 56 board
 5 meetings as an officer, as executive director of
 6 ILA. I remember that he was a board member who
 7 was usually -- I remember him being there and
 8 being involved. I remember him being part of
 9 the -- I believe he was the highest vote getter
 10 amongst the board members who were elected. So
 11 he obviously was a very -- he had a certain
 12 celebrity status. He was on Fox News. He, you
 13 know, had a military background and history. So
 14 he was -- Colonel North was not an average board
 15 member. He was, you know, a very well-known,
 16 well-respected -- you know, within the NRA
 17 world, more of a celebrity type of board member,
 18 if that makes sense.
 19 Q. Did you have an opportunity to observe or
 20 interact in the relationship between Colonel
 21 North and Mr. LaPierre during your time at the
 22 NRA?
 23 A. I did, yes.
 24 Q. How would you describe their relationship?
 25 A. Well, it obviously changed towards the end. But

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1 before that, they were -- they were very close.
 2 Wayne spoke very highly of Colonel North, and
 3 Colonel North spoke very highly of Wayne.
 4 Obviously, towards the end, it's somewhat well
 5 known according to press reports that there was,
 6 you know, a -- however you want to -- his
 7 departure from the presidency of the NRA was
 8 quite controversial at the time. But before --
 9 before he was president and he was one of 76
 10 board members, I witnessed a very close
 11 relationship and two people who I considered to
 12 be -- it appeared to me that they were very
 13 close personal friends as well as professional
 14 friends and that was for a long period of time.
 15 Q. You touched on this a little bit already, but
 16 isn't it true that Colonel North's role with
 17 respect to the NRA changed in 2018, correct?
 18 A. That's correct.
 19 Q. And how did his role change within the NRA?
 20 A. He became president of the board of directors.
 21 President of the association.
 22 Q. Were you involved with the recruitment of
 23 Colonel North being president of the NRA?
 24 A. I was not.
 25 Q. Do you know who was?



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1 A. Yes.

2 Q. And who was that?

3 A. I don't know who all was involved. But I

4 remember finding out from Wayne because I asked

5 him directly when I found out that -- we had

6 heard rumors that Pete Brownell, who was then

7 president, was going to be stepping aside. And

8 I remember asking Wayne -- I don't remember

9 exactly where I was. But we were somewhere

10 obviously, probably a board meeting -- who was

11 going to be the next president, what was the

12 plan. And he told me Colonel North had agreed

13 to do it, had agreed to serve as president.

14 Q. Were you supportive of Colonel North becoming

15 the NRA's president in 2018?

16 A. Yes. I was thrilled. Yes.

17 Q. During your time at the NRA, how often would you

18 be at the NRA headquarters?

19 A. It would depend, Mr. Mason. I had an office on

20 Capitol Hill. The main NRA headquarters, which

21 is currently in Fairfax, Virginia, is where most

22 of the employees, including most of ILA's

23 employees. Of the nine divisions, eight of

24 those divisions are based out of headquarters.

25 So I could have spent all of my time at

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1 headquarters; I could have spent all of my time

2 in the Washington, DC office dealing with those

3 issues. But I spent kind of on average maybe

4 half of my time at headquarters. Sometimes

5 more; sometimes less. Same with the Washington,

6 DC office. And then I traveled a lot on behalf

7 of the organization. So it would depend on --

8 if there was a big fight going on on Capitol

9 Hill, a big legislative issue, I would spend

10 more time there. When Congress was in recess or

11 not there or there weren't events going on, I

12 spent a lot more time at headquarters. But some

13 days I would spend half the day in the

14 Washington office and half the day at

15 headquarters. It just really depended on the

16 time.

17 Q. After Colonel North became president and when

18 you were at the NRA headquarters, did you have

19 an opportunity to see whether Colonel North was

20 typically present at headquarters?

21 A. Yes.

22 Q. And was he?

23 A. Yes.

24 Q. How would you describe Colonel North's

25 involvement with the NRA as NRA president?

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1 MS. EISENBERG: Objection to form.

2 A. Can you --

3 Q. Yeah. Let me rephrase. That was a bad

4 question. And if at any time today -- I should

5 have said this at the outset, and you're doing a

6 good job, you don't understand what I'm asking

7 you, just let me know, and I'll do my best to

8 rephrase the question. Was Colonel North an

9 active NRA president?

10 A. Yes.

11 Q. How so?

12 A. I don't want to answer a question that you

13 didn't ask. So if you're asking me with regards

14 to being president at headquarters versus

15 traveling and giving speeches to try to raise

16 money, if you could be a little more specific.

17 Or I can give you a general answer. But if you

18 want me to be more specific, you can maybe

19 re-ask me.

20 Q. Sure. Well, what I'd like -- this question is

21 more general in the sense that, you know, how --

22 you said he was a very involved NRA president.

23 So I'd like for you to describe in your own

24 words what that means.

25 A. I believe Colonel North, and I can't speak for

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1 Colonel North, but what I saw was that Colonel

2 North wanted to serve the organization. That he

3 had stepped away from a different position at

4 Fox News. That he wanted to be involved. He

5 wanted to provide assistance and support the

6 efforts and the mission of the organization.

7 And that manifested itself in various different

8 ways.

9 You had asked me about my -- about his

10 involvement. For example, he was at our

11 headquarters on a regular basis much more so

12 than I'd witnessed previous presidents, like

13 significantly more time than previous

14 presidents. And he would usually bring his dog

15 with him, which was, you know, somewhat

16 entertaining. And people enjoyed seeing him.

17 Again, you know, the staff, by and large,

18 knew who Colonel North was obviously. They

19 were, you know, fans, I'm sure, on some level.

20 But people enjoyed seeing him. He would always

21 stop -- I would witness him stop and visit with

22 people, ask them -- introduce himself, ask them

23 they do, ask them if they liked their job. But

24 he was -- he was -- he was there. And it was

25 a -- I viewed that as a good thing.

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1 Q. At some point in 2018 or even 2019 -- let me
2 just ask it this way. At some point, did you
3 become aware that Colonel North was also doing a
4 television show with Ackerman McQueen?
5 A. Yes.
6 Q. Did you have anything to do with the
7 negotiations or recruitment of Colonel North
8 with Ackerman in terms of the television show?
9 MS. EISENBERG: Objection to form.
10 A. I did not. No.
11 Q. Did you have any knowledge regarding the -- and
12 I don't want you to go into any specifics on
13 this -- but in 2018, did you have any knowledge
14 regarding Colonel North's wife's health
15 situation?
16 A. I did.
17 Q. And without going into any specifics, can you
18 generally describe what you understood that
19 situation to be?
20 A. I understood, based on various conversations
21 that, Ms. North -- Betsy, I believe, is her
22 name -- was suffering from either early
23 Alzheimer's or dementia.
24 Q. Did you have any conversations with Colonel
25 North or anyone else about the importance of

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1 Colonel North maintaining his health insurance?
2 A. Yes.
3 Q. Who did you have that conversation with?
4 A. I remember having that conversation with Wayne.
5 I had that conversation with Millie. I'm sorry.
6 Wayne LaPierre. Millie Hallow. Certainly
7 Colonel North. It was not a -- even though it
8 wasn't something people talked about openly
9 given the sensitivity, the people who kind of
10 cared about Colonel North personally and
11 professionally were very well aware of the --
12 what we all considered to be the sad situation
13 and the reality of what that was most likely
14 going to mean moving forward for Colonel North
15 and his family.
16 Q. So did you have specific conversations with
17 Mr. LaPierre about Colonel North's desire or
18 need to maintain health insurance for his wife
19 in or around 2018?
20 A. I don't remember the exact date, Mr. Mason, but
21 I would assume it was around, you know, mid to
22 late 2018 that those conversations were
23 happening. It was more than one conversation.
24 It was a -- something that was talked about on
25 more than one occasion. And usually, at the

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1 personal level of -- we all felt awful for
2 Colonel North and his family and what they were
3 going through.
4 Q. Do you recall there being any discussions in or
5 around 2018 about whether Colonel North was
6 going to be an employee or independent
7 contractor with Ackerman McQueen?
8 A. I do remember conversations around that time
9 about that subject.
10 Q. Who did you have those conversations with?
11 A. I remember -- I mean, the only people I would
12 have had that conversation with were those who
13 would've been involved in that conversation.
14 Obviously, that wasn't something that would've
15 been appropriate for, you know, staff to be
16 talking about. But certainly amongst the people
17 who would've been involved in those
18 conversations, you know, Wayne LaPierre, Millie.
19 I don't recall if others were involved in that.
20 Certainly Colonel North. But Colonel North made
21 it known that it was important -- it was
22 important that, obviously, he had stepped away
23 from, you know, what a lot of people considered
24 to be a great job at Fox News telling war
25 stories on TV and that there were things that

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1 were important to him. And, obviously, his
2 wife's health and the ability to provide for,
3 you know, steady health care for her was
4 important to him.
5 MS. EISENBERG: Objection to answer to
6 the extent it's nonresponsive.
7 Q. Was it your understanding that if Colonel North
8 was going to be an independent contractor of
9 Ackerman McQueen, that he would be responsible
10 for finding medical insurance elsewhere?
11 A. I don't -- I don't remember being in -- I
12 certainly was not involved in any of those
13 conversations as it relates to -- I'm sorry.
14 Can you ask that question again for me. I
15 apologize.
16 Q. Sure. And it was probably a bad question so let
17 me see if I can rephrase it in a little bit
18 better way. Was it your understanding when
19 these conversations were going on with respect
20 to Colonel North's wife's health situation and
21 the medical coverage and whether he's going to
22 be an employee versus an independent contractor,
23 was it your understanding that if Colonel North
24 was going to be an independent contractor of
25 Ackerman McQueen, that Ackerman McQueen would

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1 not be providing health insurance for Colonel
2 North?
3 A. I don't -- I don't remember any conversation as
4 it relates to -- and I apologize for, you know,
5 not understanding what the different benefits
6 are as it relates to independent contractor
7 versus employees. But it was my understanding
8 that it was important to Colonel North to have
9 ongoing health coverage as part of whatever he
10 structured with Wayne and Ackerman McQueen
11 moving forward. I was not involved in any of
12 those negotiations other than the, you know,
13 what Wayne told me and then what I had heard
14 from others.
15 Q. With respect to what Wayne told you, at any
16 point in time, did Mr. LaPierre tell you that he
17 was concerned about Colonel North essentially
18 becoming an employee of Ackerman McQueen?
19 MS. EISENBERG: Objection.
20 Mr. Cox, this is one of those situations
21 where I don't know what the answer is. But to
22 the extent it may be based on advise of counsel
23 or the NRA so...
24 THE WITNESS: I don't -- Counselor
25 Eisenberg, can you give me further instruction.

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1 This is the first time I've had one of these
2 conversations and I'm a little confused as to --
3 does that mean you want me to answer the
4 question, not answer the question? I don't want
5 to do anything as it relates --
6 MS. EISENBERG: Of course. I understand.
7 I don't know if you had those discussions with
8 Mr. LaPierre. And I don't know if, if you had
9 those discussions, they were based on
10 communications with NRA lawyers. So I'm not in
11 a position to assert that your answer would
12 involve privileges, but I need to be erring on
13 the side of caution. So for that purpose, I
14 will instruct you not to answer for now. And
15 perhaps we can discuss with your counsel in a
16 break what your answer might be and whether,
17 depending on what it is, it may be okay for you
18 to answer because there would be no risk.
19 Is that okay, Mr. Mason and Mr. Buchanan?
20 MR. BUCHANAN: Yeah. That's fine. We
21 can -- if you want to take a break now and --
22 MS. EISENBERG: I don't want to interrupt
23 Mr. Mason's sort of flow of his questioning.
24 MR. MASON: No. Well, I appreciate that.
25 But I think this is an issue that's likely to

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1 come up, it sounds like, throughout the day. So
2 I think it's important that Mr. Cox confer with
3 Mr. Buchanan on this particular issue.
4 MS. EISENBERG: Okay. And, Mr. Buchanan,
5 feel free to give me a call on my cell phone, if
6 it's helpful, for us to discuss any NRA
7 privilege-related issues.
8 We're going off the record, correct?
9 MR. MASON: Let's just take five minutes.
10 Does that work?
11 THE WITNESS: Yes.
12 MS. EISENBERG: Thank you all.
13 THE VIDEOGRAPHER: We are off the video
14 record at 10:20 a.m.
15 (Recess taken.)
16 THE VIDEOGRAPHER: We are back on the
17 video record at 10:37 a.m.
18 Q. (By Mr. Mason) Mr. Cox, did Mr. LaPierre ever
19 express any concerns to you about Colonel North
20 becoming an employee of Ackerman McQueen?
21 A. I don't remember any specific conversations we
22 had about the specifics of Colonel North's
23 engagement. I remember it was important that
24 Colonel North was going to leave his position at
25 Fox News, assume the presidency. And as part of

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1 making Colonel North whole, he was going to work
2 for NRATV. And that it was important -- that
3 health care was important given the challenges
4 with his wife. But I do not remember -- I never
5 had a conversation with Wayne about the contract
6 itself. I never saw the contract. I don't know
7 what was in his contract, what wasn't. I don't
8 know the exact dollar amounts. There were
9 conversations about those things, but I don't
10 remember having a specific conversation with
11 Wayne about the specifics of Colonel North's
12 engagement as it relates to his contract.
13 Q. So you don't recall Mr. LaPierre expressing
14 concerns to you about Colonel North being an
15 Ackerman employee then; is that fair?
16 A. That's fair.
17 Q. Do you know Josh Powell?
18 A. I do.
19 Q. How do you know Mr. Powell?
20 A. Josh served on the NRA board of directors. I
21 don't remember the years. He was subsequently
22 hired as Wayne's chief of staff at NRA. He then
23 served as the executive director of general
24 operations for a short period of time. And then
25 I know he had some sort of legal title or

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1 something towards the end of my service at NRA.
 2 But, yes. Short answer is, yes, I do know Josh
 3 Powell.
 4 Q. Do you recall when Mr. Powell was hired at the
 5 NRA?
 6 A. I apologize. I don't remember the exact date.
 7 I believe it was in -- I believe it was in 2016.
 8 But I admit that I don't -- I don't remember
 9 exactly.
 10 Q. And you testified that when he was initially
 11 hired, he was hired to become Mr. LaPierre's
 12 chief of staff; is that correct?
 13 A. I believe that was his first title. Yes.
 14 Q. Were you involved with the recruitment or hiring
 15 of Mr. Powell at the NRA?
 16 A. None whatsoever. No.
 17 Q. At the time that Mr. Powell was hired as
 18 Mr. LaPierre's chief of staff, did you have an
 19 opinion as to whether or not he was qualified to
 20 take on that role?
 21 A. That was -- I had an opinion. But it was not my
 22 decision. That was Wayne's decision to hire who
 23 he felt was appropriate for him. And so I
 24 didn't really have a -- I didn't have a say. I
 25 certainly had an opinion, but I was not asked

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1 what my opinion was. And so I did not have a
 2 role in his employment.
 3 MS. EISENBERG: Objection to the extent
 4 the answer is nonresponsive.
 5 MR. MASON: Ms. Eisenberg, are you taking
 6 the position that it is not responsive or not?
 7 I don't know what you mean by "to the extent."
 8 MS. EISENBERG: I'm happy to explain.
 9 Can we have the witness go off the record? I'm
 10 sorry. Can we ask the witness to step out. I
 11 don't want to burden him with all the legal
 12 stuff. Or I can tell you on the break.
 13 Whatever you prefer.
 14 MR. MASON: Let's move on. We'll deal
 15 with it at break.
 16 MS. EISENBERG: Thank you.
 17 Q. (By Mr. Mason) After Mr. Powell was hired by
 18 Mr. LaPierre, did you have an opportunity to
 19 observe the work that he was doing for the NRA?
 20 A. Yes, to the extent that I was exposed to it. He
 21 had very little involvement, obviously, in the
 22 ILA. But, yes, I did observe his -- his work
 23 product to a certain extent. And I was not
 24 involved in -- you know, I know that he looked
 25 at -- he was tasked with looking at, you know,

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1 the NRA store because he had had a clothing line
 2 or a clothing catalog in his past. And I know
 3 that there were a variety of different things
 4 that he was tasked with looking at, not by me,
 5 but by, I would assume, Wayne and others.
 6 Q. Did you have any concerns about Mr. Powell,
 7 Mr. Powell's employment at the NRA, and the job
 8 that he was doing at the NRA?
 9 A. I did.
 10 Q. What were those?
 11 A. That he was unqualified, unprofessional. Had a
 12 terrible reputation among staff. But, yes, I
 13 had numerous concerns.
 14 Q. Are there particular examples of that you can
 15 provide with respect to him being unqualified?
 16 A. I mean, I was concerned. Based on, you know, a
 17 basic Google search on someone, you can find
 18 out, you know, some things that are true, some
 19 things that are not true. But I knew he had a
 20 record of -- or a track record of some pending
 21 lawsuits and things against him with his failed
 22 past businesses. I didn't particularly care --
 23 somebody pointed out that he didn't graduate
 24 from college. I thought it was somewhat odd
 25 someone without a college degree would be put in

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1 such a significant position, but there are
 2 plenty of people that had gone on to succeed
 3 without a formal education. That was a concern.
 4 He constantly inflated his past -- his role. I
 5 mean, he -- I remember he had told people that
 6 he ran the political action committee and was
 7 instantly involved in passing right to carry in
 8 I believe it was Michigan or Wisconsin. I
 9 forget which state. And, you know, pull up the
 10 pack -- the pack raising and expenditures and it
 11 was zero raised, zero expended. So I had
 12 concerns about -- concerns about Josh from the
 13 very beginning.
 14 Q. What about -- you mentioned that he was
 15 unprofessional. What examples -- are there any
 16 particular examples that come to mind that you
 17 witnessed during your time at the NRA?
 18 A. Josh -- and I had multiple conversations with
 19 Wayne on a pretty regular basis about, you know,
 20 rumors of, you know, being belligerent with
 21 staff, particularly, you know, those in a lower,
 22 you know, a lower level, which I found to be
 23 wildly unprofessional. The National Rifle
 24 Association at the time in that building, we
 25 took pride in that atmosphere of the family.

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1 You know, a lot of people made a lot of
 2 sacrifices to work there and people deserved to
 3 be treated with respect, and I didn't feel like
 4 Josh treated people with respect. I felt very
 5 strongly, and I shared with Wayne, that Josh had
 6 no earned capital in that building and traded
 7 off Wayne's capital and threw Wayne's name
 8 around. Obviously, he was serving as his chief
 9 of staff. And I thought that that was
 10 unprofessional. I thought it was not the way
 11 people should be handling themselves when
 12 they're in a position of significance. And then
 13 were there other concerns, you know, as he was
 14 involved in other programs.
 15 I don't want to risk getting into any of
 16 the privileged issues that Ms. Eisenberg has
 17 instructed me not to be engaged in. But I had
 18 serious concerns about some of the other more
 19 formal programs that he was involved in and
 20 things that were being brought to my attention
 21 by, you know, other people on the staff that had
 22 serious concerns about Josh's behavior and work
 23 product or lack thereof. I found his overall
 24 demeanor to be one of arrogance and
 25 condescending towards people.

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1 Q. How often did you express these concerns to
 2 Mr. LaPierre about Mr. Powell?
 3 A. It was a regular -- it was a regular occurrence.
 4 Because there were regular problems that I would
 5 hear about, concerns that I would hear about.
 6 Behavior that I found to be truthfully a
 7 liability for Wayne. And I told Wayne that I
 8 was concerned that Josh would cause him trouble.
 9 And I'm not sure anybody now would argue that I
 10 wasn't correct.
 11 Q. When you brought these concerns to Mr. LaPierre,
 12 what was his response?
 13 A. Without -- without failure or without exception
 14 rather, Wayne usually agreed. Agreed, you know.
 15 I know it was a regular answer. But, again, I
 16 want to be respectful of Ms. Eisenberg's
 17 instructions. Because I don't -- I know the
 18 issues surrounding Mr. Powell and his departure
 19 were of concern so I don't want to cross any
 20 lines there.
 21 MS. EISENBERG: I appreciate it, Mr. Cox.
 22 And, for the record, I do instruct the
 23 witness not to answer the question to the extent
 24 it would divulge any privileges belonging to the
 25 NRA.

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1 Q. Do you know when Mr. Powell departed,
 2 approximately, the NRA?
 3 A. I don't know. It was after -- obviously, it was
 4 after I departed in July of 2019. I don't
 5 remember if it was late '19, early '20, mid '20.
 6 I paid very little attention to him when I was
 7 there and even less when I departed. So I don't
 8 know the answer to that.
 9 Q. Do you recall approximately when you started
 10 having these conversations with Mr. LaPierre
 11 regarding your concerns about Mr. Powell?
 12 A. I don't remember, Mr. Mason, the exact date.
 13 But it was not -- it was not long after he
 14 started. There were -- I had concerns about
 15 his, what seemed to me to be a desperate desire
 16 to be a political operative, to be involved in,
 17 you know, politics and things where he had no --
 18 certainly no background and no level of
 19 sophistication and understanding of what it took
 20 to run ILA, to deal with the complicated
 21 legislative and political policy issues that we
 22 were dealing with. I would have welcomed, and I
 23 did welcome, anyone who, you know, had something
 24 that could help me professionally and could help
 25 the cause. But I just didn't find Mr. Powell to

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1 be either qualified or insightful or otherwise
 2 productive in what he might think he had to
 3 offer.
 4 MS. EISENBERG: Objection.
 5 Nonresponsive.
 6 Q. I believe you testified earlier that you thought
 7 Mr. Powell may have been hired around 2016. Is
 8 it fair to say that you communicated your
 9 concerns to Mr. LaPierre about Mr. Powell in
 10 both 2017 and 2018?
 11 MS. EISENBERG: Objection.
 12 A. Can I answer?
 13 MR. BUCHANAN: Yes.
 14 A. Yes.
 15 Q. Are you aware of Mr. LaPierre taking any action
 16 with respect to Mr. Powell based on the concerns
 17 that you raised with him?
 18 A. I should -- I was not the only one to have
 19 concerns with Mr. Powell. And so I can't say
 20 that Wayne took any action specifically at my
 21 encouragement. I do know there were a lot of
 22 people with a lot of complaints about
 23 Mr. Powell.
 24 MS. EISENBERG: At this point, Mr. Cox --
 25 I apologize. I don't mean to interrupt -- to



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1 err on the side of caution, I need to either
2 speak to your attorney to understand if it would
3 divulge the privileges or, for the moment,
4 instruct you not to answer.
5 A. I guess my answer would be Wayne changed --
6 removed him as executive director of general
7 operations for some reason. My understanding
8 and belief is it was because of the issues
9 relating to Mr. Powell. But I'll respect
10 Ms. Eisenberg's --
11 MR. BUCHANAN: Ms. Eisenberg is basically
12 directing you not to answer if it concerns
13 communication directly or indirectly with a
14 lawyer of the NRA. So if you're just saying
15 that there's some other individual who also
16 complained like Millie or some secretary, that's
17 not privileged.
18 A. There were concerns --
19 MS. EISENBERG: I'm sorry. Mr. Buchanan,
20 you slightly --
21 THE COURT REPORTER: Yeah. It's hard to
22 hear Mr. Buchanan. If --
23 MS. EISENBERG: Okay. Well, let's deal
24 with the audibility issue first and then I have
25 a quick comment. How should we -- should

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1 Mr. Buchanan repeat what he said so that the
2 record is clear?
3 THE COURT REPORTER: I got everything he
4 said. It's just that his voice is coming in
5 soft.
6 MS. EISENBERG: Okay. So you got it?
7 THE COURT REPORTER: I did.
8 MS. EISENBERG: He doesn't need to repeat
9 anything?
10 THE COURT REPORTER: Correct.
11 MS. EISENBERG: Okay. Thank you, Lauren.
12 So Mr. Buchanan's characterization of my
13 instruction doesn't completely reflect it
14 accurately. I specifically wanted to make clear
15 that just because a conversation didn't involve
16 a lawyer doesn't mean it doesn't arise and
17 relate to privileged communication.
18 So and that's exactly my point, Mr. Cox.
19 Just because a lawyer wasn't in the room, does
20 not mean you're clear to answer the question.
21 You may be, if I speak to your attorney and I'm
22 confident that the answer wouldn't reveal the
23 privileges, but we still have to tread very
24 carefully. And you've done that so far and I
25 appreciate it.

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1 Now, of course, Mr. Buchanan is correct
2 that if you are having a conversation with a
3 colleague and I have no reason to believe that
4 that person's communication with you is based on
5 his or her discussion with lawyers, that
6 probably is okay. But, unfortunately, it's very
7 granular and nuanced and I need to know which
8 employee or officer of the NRA we're talking
9 about. So we're really going to need to take it
10 a step at a time.
11 MR. BUCHANAN: So, Brian, why don't you
12 just ask him --
13 Q. (By Mr. Mason) Yeah. Let me rephrase the
14 question. Mr. Cox, without going into any of
15 the substance of any conversations that you had,
16 can you please identify all of the individuals
17 that you recall at one point or other expressing
18 concerns about Mr. Powell?
19 MS. EISENBERG: Again, I don't mean to be
20 difficult, but I instruct him not to answer at
21 the moment. We have the last link doctrine for
22 purposes of privileges. I don't know what
23 Mr. Cox will say. So I first need to know what
24 the answer will be before I can allow him to
25 answer.

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1 MR. BUCHANAN: Well, it's not privileged
2 if he identifies who he talked to about Josh
3 Powell. You --
4 MS. EISENBERG: No. Right. The last
5 link --
6 MR. BUCHANAN: Excuse me. Excuse me, Ms.
7 Eisenberg. Let me just -- you would need to
8 know who he spoke to about Josh Powell, if
9 anyone, before you could even have a remote
10 notion that it could be privileged.
11 MS. EISENBERG: No.
12 MR. BUCHANAN: You just said that if he's
13 talking to some staffer, you know, that's
14 probably not privileged. So he's going to name
15 who he spoke to. Maybe no one that he can
16 remember. Maybe, you know, his wife. I don't
17 know. But so why don't we find out who he spoke
18 to.
19 MS. EISENBERG: Right. But once the cat
20 is out of the bag, it's out of the bag. There's
21 the doctrine called the last link doctrine. And
22 depending on who those enumerated individuals
23 are, we might be getting into that territory.
24 So just obviously I want to be very careful.
25 And it may be okay for him to answer it. But



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1 can we take a break and you can tell me what the
2 answer will be?
3 THE WITNESS: Maybe I could --
4 Ms. Eisenberg and Mr. Mason, maybe I can give
5 just a very generic answer. And then you can
6 instruct me -- without any names -- and then you
7 can instruct me as to --
8 MS. EISENBERG: We appreciate it, Mr.
9 Cox. And I apologize if this is so tedious and
10 slow. But, unfortunately, in the course of
11 trying to help move this along, you kind of
12 might walk right into what we're trying to
13 avoid. In addition, this is like a very
14 structured Q and A. You have to be answering
15 the exact question that Mr. Mason asked. If you
16 think he can ask a separate question or slightly
17 different question and help us move on, you can
18 tell Mr. Buchanan that. Or you can say -- and
19 that might not be -- but we can't just like, you
20 know, he said one thing and then you start
21 talking. It doesn't directly answer the
22 question but it sort of relates. Unfortunately,
23 it's a very structured process so we can't do
24 that. I'm sorry.
25 MR. BUCHANAN: I don't think it's

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1 privileged if he identifies who he spoke to
2 about the complaints about Mr. Powell, if
3 anyone.
4 MS. EISENBERG: Okay. Mr. Buchanan, I
5 respect your view and I'm happy to provide you
6 with an authority during the break. And, of
7 course, you are free to disagree in front of the
8 judge or whatever. But, for the record, I'm
9 confident on this legal point based on the last
10 link doctrine. So I agree that there might be
11 some people where it would not invade
12 privileges. But for some people, it may. So
13 for that reason, at the moment, I'm instructing
14 the witness to please not answer.
15 MR. BUCHANAN: I'll just add to this
16 that's there so much testimony out there about
17 Josh Powell and endless depositions. And, you
18 know, I assume that the NRA knows about the book
19 he's written, that it wouldn't be that much of a
20 concern about Josh Powell and what he did and
21 didn't do.
22 But go ahead, Mr. Mason. What do you
23 want to do?
24 MR. MASON: Let's put a pin in that one.
25 Because I think we're going to put a pin in a,

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1 you know, some other things. And then that way
2 when we take our next break, we can take this
3 issue. I don't want to do this we stop every
4 ten minutes back and forth and waste everybody's
5 time. So I'm going to put a pin in that one and
6 we'll come back to it.
7 MR. BUCHANAN: Okay.
8 Q. (By Mr. Mason) Mr. Cox, did you have an
9 opportunity to see Mr. Powell interact with
10 Mr. LaPierre on various occasions?
11 A. I did, yes.
12 Q. What kind of influence do you believe that
13 Mr. Powell had over Mr. LaPierre?
14 A. I wouldn't be able to answer that question,
15 Mr. Mason. I know that most of the
16 conversations that Wayne had with Josh I was not
17 there for. So I can't speak to the influence.
18 I can speak to what Wayne told me. But I can't
19 speak to what -- I just don't have any like
20 insight as to how influential Josh was to
21 Wayne's decision-making, if that's the question.
22 I just don't have the ability to answer that.
23 Q. Are you familiar with the NRA engaging in a
24 course correction or self-correction beginning
25 in or around early part of 2018?

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1 A. Yes.
2 Q. And I want to use your terminology. Well, let
3 me ask this first. What was your understanding
4 of what that course correction or
5 self-correction was?
6 A. Again, I want to be careful with
7 Ms. Eisenberg's -- I don't want to answer
8 something that I'm not supposed to answer. But
9 I'll do my best. My understanding was that
10 based on New York's efforts with the
11 organization and the concern over New York
12 coming after the organization, that compliance
13 needed to be looked at. We needed to make sure
14 that there were -- from -- I can really only
15 speak to -- I'll speak to ILA. You know, make
16 sure that the contracts were, you know,
17 appropriate, up to date, had, you know,
18 appropriate legal clauses and whatnot. But that
19 we needed to make sure that the organization was
20 in compliance with New York not-for-profit law.
21 Q. Was there a name that you had for that process
22 or that you understood it was called? Was it
23 the self-correction? Course correction?
24 A. I don't -- I never used self-correction or
25 course correction in my interactions. We



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1 were -- you know, I can tell you what we did.
 2 We were asked to provide our -- all of our
 3 contracts that we had to the general counsel's
 4 office, which we did. I do remember David
 5 Lehman, who served as deputy executive director
 6 in --
 7 MS. EISENBERG: Mr. Cox, I'm sorry to
 8 interrupt. This is getting into privileged
 9 territory. And I was trying not to break up
 10 Mr. Mason's flow, but I'm sort of paying the
 11 price for it. I instruct you not to answer.
 12 MR. BUCHANAN: He --
 13 THE COURT REPORTER: I'm sorry. I can't
 14 hear you.
 15 MR. MASON: All he said was that he had a
 16 conversation with David Lehman.
 17 MR. BUCHANAN: Yeah. If you had
 18 conversations with Mr. Lehman and he's your
 19 general counsel, those would be --
 20 MS. EISENBERG: I don't have an objection
 21 to the witness testifying about the fact that he
 22 had conversations with Mr. Lehman. That's
 23 certainly fine. But, I'm sorry, maybe I'm
 24 confused. What is the pending question?
 25 THE WITNESS: The process that we went

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1 through?
 2 MS. EISENBERG: No, no.
 3 Lauren, would you mind, please, reading
 4 it back to us.
 5 THE COURT REPORTER: Sure. One moment.
 6 So we're looking for the pending question?
 7 MS. EISENBERG: Yes. Thank you.
 8 THE COURT REPORTER: Okay. He was mid
 9 answer when you made your objection. So you
 10 want the question he was answering, correct?
 11 MS. EISENBERG: Yeah. Mr. Mason's
 12 question. Thank you.
 13 (Question read as follows:
 14 Q. Was there a name that you had for
 15 that process or that you understood it was
 16 called? Was it the self-correction? Course
 17 correction?)
 18 MS. EISENBERG: Okay. So the question is
 19 was there a name that you understood the
 20 practice to have. So you either did or not. So
 21 perhaps it's actually a yes-or-no question.
 22 A. There were various terms that were used. But I
 23 don't -- I didn't have one -- the question was
 24 did I have a term for it? It was -- if there
 25 was a term, it would've been compliance related.

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1 Q. Was Mr. Powell, to your knowledge, involved in
 2 that compliance effort?
 3 A. Yes.
 4 Q. What did you understand his role to be?
 5 A. My understanding is that he was working with
 6 Bill Brewer and Ms. Eisenberg's firm to review
 7 various operations and contracts to make sure
 8 that compliance was -- I used the word
 9 "compliance," whatever the correct term is. I
 10 don't know what they used -- was -- was up to
 11 date.
 12 Q. In the fall of 2018, or the spring of 2019, at
 13 some point in time, did you become aware that
 14 the NRA was attempting to audit or gather
 15 information from Ackerman McQueen?
 16 A. Yes. And I was not --
 17 MS. EISENBERG: Sorry, Mr. Cox. The
 18 question was yes or no. Were you aware? I
 19 apologize. I don't mean to be rude. But it's
 20 hard for me to object if you sort of take the
 21 question as a cue for a topic and go on to talk
 22 about it.
 23 A. The answer is yes.
 24 Q. What was your understanding in terms of what the
 25 NRA was requesting?

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1 A. My understanding is there was a -- a document
 2 request or some sort of other request for
 3 information related to Ackerman McQueen's work
 4 on behalf of the organization.
 5 Q. Were you involved with the -- those document
 6 requests that were being made by the NRA?
 7 A. No.
 8 MS. EISENBERG: Objection.
 9 You may answer.
 10 A. No.
 11 Q. Do you know who at the NRA was involved with
 12 those document requests?
 13 A. No.
 14 Q. Were you ever provided any information relating
 15 to those document requests that were being made
 16 of Ackerman or the audits that were being done
 17 of Ackerman?
 18 A. No.
 19 Q. Do you know if Mr. Powell was involved in that
 20 process?
 21 A. I don't.
 22 MS. EISENBERG: Objection to form.
 23 You may answer.
 24 A. I don't know what Mr. Powell's involvement was
 25 other than just what I had heard.

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1 Q. Do you know Bill Brewer?
 2 MS. EISENBERG: You can answer.
 3 A. I know who Mr. Brewer is. Yes.
 4 Q. How do you know Mr. Brewer?
 5 A. Mr. Brewer was retained, I believe, in 2017 by
 6 the organization.
 7 Q. Were you involved with the NRA's retention of
 8 Mr. Brewer?
 9 A. No.
 10 Q. Do you know why Mr. Brewer and his firm were
 11 retained?
 12 A. My understanding at the time was due to the New
 13 York, the various New York issues including --
 14 and, again, I don't want to overstep my
 15 instructions. But as it relates to the carry
 16 guard issue and then the other New York issues.
 17 Q. And when you refer to the carry guard issue, are
 18 you referring to the issues with Lockton?
 19 A. Yes.
 20 Q. Are you aware that -- do you know Steve Hart?
 21 A. I do.
 22 Q. And who is Mr. Hart?
 23 A. Steve Hart was a lawyer and lobbyist with
 24 Williams & Jensen. I don't know what Steve is
 25 doing now. But I knew him. I've been in

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1 Washington for nearly 30 years so I've known who
 2 Steve was and I've had some knowledge of Steve
 3 probably for 20 years.
 4 Q. Are you aware that Mr. Hart testified that he
 5 hired Mr. Brewer initially to only handle the
 6 NRA's litigation with Lockton?
 7 MS. EISENBERG: Are you making that
 8 representation for the record?
 9 MR. MASON: I am.
 10 A. I am aware that -- or I was told -- I am -- yes.
 11 The answer is, yes, I am aware that it was
 12 Mr. Hart who recommended Mr. Brewer.
 13 MS. EISENBERG: It appears that the
 14 question might have gotten jumbled. I believe
 15 the question was are you aware that Mr. Hart
 16 testified to a particular point?
 17 A. No. With relation to his testimony, I'm not
 18 sure what Mr. Hart testified.
 19 Q. Are you aware that Mr. Hart hired -- to help to
 20 facilitate the NRA's retention of the Brewer
 21 firm to initially only handle the Lockton
 22 ligation?
 23 A. Yes.
 24 MS. EISENBERG: Objection. Foundation.
 25 You may answer.

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1 A. Yes. Yes. I just want to make sure you can
 2 hear me.
 3 Q. During 2018, did you have an understanding as to
 4 whether or not the Brewer firm's role within the
 5 NRA was expanding?
 6 A. Yes.
 7 Q. And what was that understanding?
 8 A. My understanding was that the Lockton issue, the
 9 New York issue which turned into
 10 compliance-related work, there was -- I believe
 11 it was around that time, and I apologize if I'm
 12 wrong. This was a while ago and my memory is
 13 not the best in all these things. But there was
 14 a pending, you know, issue related to
 15 congressional investigations surrounding a
 16 Russia issue. There were a number of different
 17 things that my understanding was the Brewer firm
 18 had been -- had been becoming involved in or
 19 taking over. But, yes, expanding -- expanding
 20 outside of Lockton. Yes.
 21 Q. Regarding the Brewer firm's retention, did you
 22 have any prior knowledge about Mr. Brewer or his
 23 firm's prior political affiliations?
 24 MS. EISENBERG: Objection to form.
 25 You may answer.

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1 A. Prior to Mr. Brewer and the Brewer firm being
 2 engaged, I had never heard of Bill Brewer's
 3 firm.
 4 Q. At some point in time, did you become aware of
 5 Mr. Brewer and his firm's political
 6 affiliations?
 7 MS. EISENBERG: Objection to form.
 8 You may answer.
 9 A. Yes, with regard to Mr. Brewer. But I can't
 10 speak to Ms. Eisenberg or other people in the
 11 firm. But yes as it relates to Mr. Brewer.
 12 Q. And what did you learn with respect to
 13 Mr. Brewer?
 14 A. I learned that his political giving had skewed
 15 heavily towards Democrat candidates, Democrat
 16 causes. You can -- those are all publicly
 17 available. And it was brought to my attention.
 18 Yes.
 19 Q. Was that concerning at all to you to learn that
 20 information while also knowing Mr. Brewer's role
 21 with the NRA at that time?
 22 A. Yes.
 23 Q. Why is that?
 24 A. The mission of the National Rifle Association is
 25 in promotion and defense and support of the

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1 second amendment of the U.S. Constitution. In
 2 my role as executive director of ILA, that
 3 involved dealing with legislative bodies,
 4 legislative arena, legislators, dealing with the
 5 elections. And I found it to be odd and
 6 troubling that our newly hired lawyer was a
 7 personal donor to some of the most outwardly and
 8 publicly anti-second amendment types of
 9 candidates. And I found that to be troubling.
 10 I didn't -- I had a philosophical problem with
 11 that.
 12 Q. During kind of the 2018 time period, did you
 13 have an opportunity to witness Mr. Brewer
 14 working together with Mr. LaPierre?
 15 A. Not often. I was -- I was rarely in the room
 16 with Mr. Brewer. He made several addresses to
 17 the board of directors. I won't get into the
 18 specifics of those. Some of those were during
 19 an executive session. I think I had one phone
 20 call with Mr. Brewer separately ever. But I
 21 was -- I was -- I don't remember, other than one
 22 particular meeting -- I don't remember other
 23 than that one meeting, being in the meeting. I
 24 might have been, Counselor, and I apologize, but
 25 I don't recall ever being in meetings with Bill

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1 and Wayne.
 2 Q. When you left the NRA in 2019, what was your
 3 understanding of the various tasks that
 4 Mr. Brewer and his firm had been assigned to
 5 take up on behalf of the NRA?
 6 MS. EISENBERG: Objection.
 7 I instruct you not to answer on the
 8 grounds of attorney-client privilege and the
 9 work project doctrine.
 10 MR. BUCHANAN: Why don't we come back to
 11 that. I mean, I think he's already testified to
 12 what he knew while he was there, right. He
 13 identified various things until when he left. I
 14 don't know if he knew any more than that, but...
 15 MS. EISENBERG: I object.
 16 I instruct you not to answer, Mr. Cox.
 17 MR. BUCHANAN: On the basis that it's
 18 privileged?
 19 MS. EISENBERG: I stated my objection.
 20 And yes.
 21 MR. MASON: I think that issue has also
 22 been waived to the extent that there was a
 23 significant amount of testimony in the
 24 bankruptcy and documents produced related to
 25 that. But we'll put a pin in that one, too.

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1 Q. Regarding the NRA's audits of Ackerman in the
 2 fall of 2018 and the spring of 2019 that we were
 3 discussing earlier, did you have an
 4 understanding as to Mr. Brewer and his firm's
 5 role with respect to those audits?
 6 MS. EISENBERG: Objection to form.
 7 You may answer.
 8 A. Can you ask that question again, please,
 9 Mr. Mason.
 10 Q. Sure. We talked earlier about -- I believe you
 11 testified that you were aware that the NRA was
 12 trying to obtain various -- obtain documents
 13 from Ackerman or they were doing some audits of
 14 Ackerman; is that true?
 15 A. Yes.
 16 Q. My question is regarding those audits or
 17 document requests. Did you have an
 18 understanding as to what Mr. Brewer and his
 19 firm's role was with respect to Ackerman
 20 McQueen?
 21 MS. EISENBERG: Objection to form.
 22 You may answer.
 23 A. My understanding was that the Brewer firm was in
 24 charge of that -- of that inquiry issue, however
 25 it would be best described, and that would

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1 eventually turn into legal action. But my
 2 understanding was that Mr. Brewer and his firm
 3 were managing that aspect of that issue.
 4 MS. EISENBERG: Objection to the extent
 5 it's not responsive.
 6 Q. Are you aware that Mr. Brewer is the son-in-law
 7 of the late Angus McQueen?
 8 A. Yes.
 9 Q. When did you first become aware of that?
 10 A. Shortly after the Brewer firm was retained
 11 initially. So prettily quickly after -- after
 12 the Brewer firm was engaged by the organization.
 13 Q. Who told you that?
 14 A. I don't remember who told me. But it was --
 15 among other things, it was pretty wildly
 16 discussed.
 17 Q. Were there concerns about the hiring of the
 18 Brewer firm in part because of Mr. Brewer's
 19 relationship with Mr. McQueen and Ackerman
 20 McQueen?
 21 MS. EISENBERG: Objection to form.
 22 You may answer.
 23 A. I can't speak to others' concern or lack
 24 thereof. I was -- I didn't know anything about
 25 Mr. Brewer's marriage to Angus's daughter. I

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1 had no idea. My initial assumption, I remember,
 2 was thinking, you know, not really being
 3 surprised that a law firm close to Ackerman had
 4 been retained. But it was quickly pointed out
 5 that it was not apparently a good relationship
 6 between Angus and Mr. Brewer. I remember
 7 learning that shortly after the firm was
 8 retained.
 9 Q. Is it fair to say that that was a controversial
 10 subject within the NRA at one point in time?
 11 A. Yes.
 12 Q. I believe you mentioned a few minutes ago a
 13 meeting that you had had with Mr. Brewer. Do
 14 you recall that?
 15 A. I do.
 16 Q. When did that meeting take place approximately?
 17 A. Counselor, I believe it was in 2018. It
 18 possibly could've been early '19. But,
 19 honestly, I'd have to go back and look at a
 20 calendar that I no longer have access to. I
 21 just don't remember. And I apologize. I just
 22 don't really remember the exact date.
 23 Q. Who was present at that meeting?
 24 A. I remember Wayne LaPierre, Bill Brewer, John
 25 Frazer, David Lehman, Paul Clement, and myself.

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1 I believe there might have been another person
 2 or two in there. But I believe that was -- that
 3 was the group that gathered that day.
 4 Q. What was the purpose of this meeting?
 5 MS. EISENBERG: Objection.
 6 I instruct you not to answer.
 7 MR. MASON: Well, I think I can explore
 8 what the purpose of the meeting was before we
 9 start getting into any potential privilege
 10 issues.
 11 MS. EISENBERG: Well, I think I need to
 12 know what the answer is going to be. Because
 13 hypothetically, if the witness said, oh, we're
 14 discussing a potential lawsuit against, X, Y and
 15 Z or a potential exposure issue for my company,
 16 that certainly would divulge privileged
 17 information to which Ackerman is not entitled.
 18 So I'm objecting on that basis. But if you want
 19 to take a break for me to find out what Mr. Cox
 20 would say and if it's generic enough that I
 21 don't feel it invades privilege, I'm happy to do
 22 that. It's your call.
 23 MR. MASON: Let's go ahead and take a
 24 break. And then at the same time, let's talk
 25 about those other two issues that we put a pin

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1 in, the different issues that the Brewer firm
 2 was handling for the NRA at the time that
 3 Mr. Cox left in 2019, the conversation with
 4 David Lehman that was referenced earlier. I
 5 believe that's it.
 6 MS. EISENBERG: Can we just go off the
 7 record?
 8 MR. MASON: And then the complaints
 9 regarding the identity of the individuals that
 10 had complaints about Mr. Powell.
 11 MS. EISENBERG: Right. And let's, you
 12 know, get the specific questions in front of us
 13 before we try to get past it. We do have to do
 14 it on the record. It's up to you, Mr. Mason.
 15 THE VIDEOGRAPHER: We're off the record
 16 at 11:20 a.m.
 17 (Recess taken.)
 18 THE VIDEOGRAPHER: We are back on the
 19 video record at 11:50 a.m.
 20 Q. (By Mr. Mason) Mr. Cox, we talked earlier about
 21 Mr. Powell. With respect to Mr. Powell and
 22 without divulging any of the specifics
 23 surrounding the complaints or concerns, who were
 24 all of the individuals that you recall
 25 expressing concerns about Mr. Powell?

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1 A. Mr. Mason, the -- it's a long list. There was
 2 not a -- there were not one or two people who
 3 over a short period of time that expressed
 4 concerns and problems. It was widely talked
 5 about for a -- basically as long I was there
 6 when he was there. So if you want me to name a
 7 few names, you know, from my staff, from board
 8 members, from others, if Ms. Eisenberg's okay
 9 with that, I can do that. But the short answer
 10 is it was a lot of people both on the board and
 11 from the staff standpoint and outsiders who
 12 expressed concerned.
 13 Q. Okay. And we were talking about earlier a
 14 meeting that I understand that you attended with
 15 Mr. LaPierre, Mr. Brewer, Mr. Frazer,
 16 Mr. Lehman, and Mr. Clement. Do I understand
 17 that correctly?
 18 MS. EISENBERG: Is the question whether
 19 those are the people who attended the meeting?
 20 MR. MASON: Yes.
 21 MS. EISENBERG: Or is the question did
 22 you discuss it earlier in the deposition?
 23 Q. The question is is it correct that those are the
 24 people that attended the meeting?
 25 MS. EISENBERG: You may answer.



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1 A. There may have been another one or two people.
 2 I honestly don't remember. But I do remember
 3 those people being there at that meeting.
 4 Correct.
 5 Q. And Mr. Clement, who is -- who is Mr. Clement?
 6 A. Paul was the former solicitor general of the
 7 United States under President Bush, 43. He's an
 8 outside lawyer. I believe he's with Kirkland &
 9 Ellis now.
 10 Q. Was he an outside lawyer at the time that this
 11 meeting took place?
 12 MS. EISENBERG: Objection to form.
 13 You may answer.
 14 Q. That was a bad question. Let me ask it this
 15 way. Was Mr. Clement an employee or affiliated
 16 with the NRA in any way at the time of this
 17 meeting that took place?
 18 MS. EISENBERG: Objection to form.
 19 You may answer.
 20 A. I'm not sure if Paul was actively working on any
 21 of the cases that ILA was involved in. He was
 22 certainly part of our -- the outside legal team
 23 that we relied upon certainly at higher-level
 24 cases. I don't know if he was working on
 25 anything at the time. I asked him --

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1 MS. EISENBERG: Excuse me. The question
 2 was --
 3 A. I don't know. Sorry.
 4 MS. EISENBERG: Did you know, yes or no?
 5 A. I apologize. I don't -- yes, he was part of an
 6 outside team. I don't know if at that time he
 7 was actively engaged in working on anything on
 8 ILA's behalf or not.
 9 Q. Did you ask Mr. Clement to attend this meeting?
 10 A. I did, yes.
 11 Q. Why did you do that?
 12 A. Because I believed it was important for me to
 13 have someone from the outside be there because I
 14 was not sure of what was going to be said and
 15 covered at that meeting. And I truthfully
 16 wanted someone representing me in that meeting.
 17 Q. Without going into any specifics right now in
 18 terms of what may or may not have been discussed
 19 in the meeting, what was your general
 20 understanding as to the purpose of that meeting?
 21 MS. EISENBERG: I apologize. I must
 22 object and instruct the witness not to answer.
 23 If he's going to say that this was a briefing
 24 with outside counsel, I don't have an objection
 25 to that. But anything that goes beyond that.

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1 Anything that gets into any level of specificity
 2 however general, I am objecting on the grounds
 3 of attorney-client privilege, attorney work
 4 product, and I'm instructing Mr. Cox not to
 5 divulge any details and not to answer.
 6 A. So can I answer without getting into detail? I
 7 don't think Ms. Eisenberg's going to have a
 8 problem with my answer. It was to provide me
 9 with an update on what was being worked on by
 10 the Brewer firm and to update on kind of the
 11 strategy and what was going on. That was my
 12 understanding of what the meeting was for.
 13 Wayne wanted me to be updated and so he
 14 requested the meeting and I went.
 15 MS. EISENBERG: Mr. Mason, are we good?
 16 MR. MASON: Yeah. I think we're good for
 17 right now.
 18 MS. EISENBERG: In terms of planning
 19 lunch and the like, I do want to obviously
 20 mention I'm going to have cross. I'm going to
 21 try to keep it to no more than two hours. But
 22 in terms of planning our day and how long we
 23 take for lunch and the like.
 24 Q. (By Mr. Mason) Mr. Cox, I will represent to you
 25 that Mr. Hart testified yesterday that

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1 Mr. Brewer made threats to him accusing him of
 2 mail fraud. My question to you is, at any point
 3 in time, did Mr. Brewer make what you deemed as
 4 a threat to you?
 5 MS. EISENBERG: It's a yes-or-no
 6 question. And if the witness answers it with
 7 either a yes or a no, I don't object on
 8 attorney-client privilege grounds and he may
 9 answer. Anything beyond that, we need to talk.
 10 A. Mr. Mason, can you maybe re-ask me that question
 11 again?
 12 Q. Sure. Mr. Hart testified yesterday that
 13 Mr. Brewer falsely accused him of committing
 14 mail fraud. My question for you is at any point
 15 in time did you have a conversation with
 16 Mr. Brewer where you felt that he was accusing
 17 you of any sort of wrongdoing?
 18 MS. EISENBERG: Objection to form. The
 19 counsel is testifying. With those objections,
 20 you may answer, if you answer with either a yes
 21 or no.
 22 A. Yes.
 23 Q. Let me ask the question again just so that we
 24 have a clean record, Mr. Cox. Mr. Cox, at any
 25 point in time, did you communicate with



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1 Mr. Brewer where you believed Mr. Brewer was
2 making a threat to you?
3 MS. EISENBERG: I repeat that if the
4 answer is a yes or no, I don't have an objection
5 on attorney-client privilege or attorney work
6 product grounds. Otherwise, we need to take a
7 break.
8 A. Mr. Mason, can you please ask that question
9 again?
10 Q. Sure. Mr. Cox, at any point in time, did you
11 have a conversation with Mr. Brewer where
12 Mr. Brewer made a statement that you believed
13 was threatening to you?
14 MS. EISENBERG: To the extent the witness
15 is going to provide a yes or no answer, no
16 objection on privilege grounds. Otherwise, we
17 need to take a break for me to assess whether
18 the answer would reveal privileges.
19 A. I'll answer the question yes or no. But the
20 first time you asked it was with regards to an
21 accusation; the second time was a threat. Can
22 you rephrase the question and ask it with
23 regards to an accusation versus a threat?
24 Sorry. I'm just trying to clarify what it is
25 that you're asking me and answer it in a

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1 one-word -- one-word answer to cover
2 Ms. Eisenberg's request. So I apologize if
3 that's confusing. But if you could rephrase the
4 question or ask the question with regards to
5 accusation again.
6 Q. Sure. And I'll see if I can do it to cover both
7 bases just so we have a clean record here.
8 Mr. Cox, at any point in time, did you have a
9 communication with Mr. Brewer that you believed
10 he was accusing you of some sort of wrongdoing?
11 A. Yes.
12 Q. Mr. Cox, at any point in time, did you have a
13 conversation with Mr. Brewer where you believed
14 that he was communicating a -- let me strike
15 that and start over. Mr. Cox, at any point in
16 time, did you have a conversation with
17 Mr. Brewer that you felt as though it was
18 threatening to you?
19 MS. EISENBERG: If the witness is going
20 to answer yes or no, no objection to him doing
21 so on privilege grounds. Otherwise, I ask that
22 we take a break for me to assess any danger of
23 privileges being revealed.
24 THE WITNESS: Ms. Eisenberg, would it be
25 okay if I answer the question separately with

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1 regards to accusation and threat? Would that be
2 okay to answer? Because he's asking two
3 different things. And I'm not trying to...
4 MS. EISENBERG: Sure. I think what
5 you're trying -- perhaps you're suggesting that
6 Mr. Mason break it down, right? Maybe he should
7 use one word in his first question and a
8 different word in his second question, one
9 threat, one accusation. We can take those
10 questions one at a time and then I'll repeat
11 that instruction.
12 MR. BUCHANAN: We've already got the
13 answer to the issue of accusations. Now he's
14 asking if he was threatened ever by Mr. Brewer.
15 So I think what Mr. Cox is getting at is we're
16 waiting for you to define what you mean by a
17 threat. And, you know, maybe that's hard to do.
18 Q. Sure. Mr. Cox, at any point in time, did you
19 have a conversation with Mr. Brewer where you
20 felt as though he was being threatening to you?
21 MS. EISENBERG: Objection to the extent
22 the answer might reveal privileged
23 communications. However, if the answer is
24 either yes or no, the witness may answer.
25 A. I did not feel permanently threatened by Bill

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1 Brewer. I don't know if that's the question.
2 The first question was did I feel like I was
3 falsely accused, and the answer to that is yes.
4 And the second question was, was I -- if it was
5 was I threatened by it, threatened is not the
6 word I was used. So if it was the threatened,
7 then I would say no. If you --
8 MS. EISENBERG: That's okay. It's not a
9 discussion. It's a yes-or-no question. Did you
10 feel threatened? No.
11 A. I felt -- it depends on how you want to define
12 "threatened." I believe it was false and
13 accusatory and I was bothered by it. I don't
14 know if I'd use the word "threatened." But I
15 was troubled. Angry. Angered and troubled.
16 Q. When you had the conversation with Mr. Brewer,
17 was anybody else present?
18 A. Yes.
19 Q. Who?
20 A. Everyone.
21 MS. EISENBERG: Objection. Asked and
22 answered.
23 A. The same group that we talked about already.
24 Q. So the accusation that Mr. Brewer made about you
25 took place in the meeting that we were briefly



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1 discussing with Mr. LaPierre, Mr. Brewer,
2 Mr. Frazer, Mr. Lehman, and Mr. Clement?
3 MS. EISENBERG: Objection to form.
4 You may answer.
5 A. Yes.
6 Q. Were you surprised -- without disclosing the
7 accusation, were you surprised about the
8 accusation?
9 MS. EISENBERG: Same instruction. If
10 it's a yes or no, you may answer.
11 A. Yes.
12 Q. Why were you surprised?
13 MS. EISENBERG: Object on the grounds of
14 privilege. I need to understand how the witness
15 might answer before I can form a view on whether
16 I need to instruct him not to answer. We can
17 take a break or put a pin in it. Whatever you
18 want to do, Mr. Mason.
19 MR. BUCHANAN: So you're instructing him
20 not to answer?
21 MS. EISENBERG: Incorrect. I said I need
22 to understand what his answer would be before I
23 can form a view on whether I should be
24 instructing him not to answer.
25 MR. BUCHANAN: That's not the way the

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1 rule works. It's either attorney-client
2 privilege, attorney work product, or not based
3 on the question.
4 MS. EISENBERG: Which rule are you
5 referring to?
6 MR. BUCHANAN: The rule you're citing. I
7 mean, you're saying you're not going to let him
8 answer until you know the answer and then you'll
9 determine whether it's privileged or not. I
10 don't think that's how it operates.
11 MS. EISENBERG: We can agree to disagree.
12 MR. BUCHANAN: Okay. So...
13 MS. EISENBERG: Are we taking a break, or
14 are we putting a pin in it? Mr. Mason, it's
15 your call.
16 MR. MASON: Let me -- well, we may do
17 both.
18 Q. But let me ask another question, Mr. Cox. Do
19 you believe, Mr. Cox, that you can explain to
20 the ladies and gentlemen of the jury why you
21 were concerned about this accusation that was
22 being made -- well, let's strike that. Prior to
23 that meeting and this accusation that was being
24 made by Mr. Brewer, had you heard this
25 accusation -- had you heard about this

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1 accusation before?
2 A. No.
3 Q. At a certain point in time, did you learn
4 whether or not there was any truth to the
5 accusation that was being made?
6 MS. EISENBERG: Hang on. Let me just
7 assess the question. I object to the form of
8 the question for the record. However, to the
9 extent the witness can answer it with a yes or
10 no answer, I'm not going to instruct him not to
11 answer. To the extent that he cannot answer it
12 with a yes or no, then we need to break -- to
13 take a break to understand what the answer would
14 be for me to assess whether I need to instruct
15 him not to answer.
16 Q. Let me rephrase the question. Mr. Cox, was
17 there ultimately a determination made as to
18 whether or not this accusation raised by
19 Mr. Brewer during this meeting -- was there
20 ultimately a determination made as to whether or
21 not it was true?
22 MS. EISENBERG: Hang on. Objection to
23 the form of the question. Foundation.
24 To the extent you can answer yes or no,
25 I'm not going to instruct you not to answer. To

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1 the extent you can't answer it with a yes or no,
2 I need to understand what the answer is going to
3 be before I can form a view on whether to
4 instruct you not to answer.
5 A. Can you rephrase the question for me, Mr. Mason,
6 or ask it again, rather.
7 Q. Sure. Mr. Cox, are you aware of there being a
8 determination made as to whether this accusation
9 that was raised by Mr. Brewer was true or not?
10 MS. EISENBERG: I repeat the same
11 objection to form. Foundation. If the witness
12 can answer yes or no, he may do so. Otherwise,
13 I need to understand what the answer is in order
14 to form a view of whether or not to instruct him
15 not to answer.
16 MR. BUCHANAN: We need 30 seconds. Can I
17 have 30 seconds?
18 THE VIDEOGRAPHER: We're off the record
19 at 12:08 p.m.
20 (Recess taken.)
21 THE VIDEOGRAPHER: We are back on the
22 record at 12:12 p.m.
23 Q. (By Mr. Mason) Mr. Cox, we were just discussing
24 a few moments ago about the accusation that
25 Mr. Brewer raised in this meeting. Do you



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1 recall that?

2 A. Yes.

3 Q. Are you aware of whether there was ever a

4 determination made as to whether or not that

5 accusation was true?

6 A. Yes.

7 MS. EISENBERG: Hang on. Mr. Cox, I'm

8 sorry. I need to get my objections in on the

9 record. I don't mean to speak over you. I

10 think we can all agree that that question was

11 subject to the previously asserted objection?

12 MR. BUCHANAN: Yes.

13 Q. Did the accusation raised by Mr. Brewer in that

14 meeting, did it ultimately prove to be false?

15 MS. EISENBERG: Hang on. Objection to

16 form and foundation. No objection to the

17 witness answering if he can answer it yes or no.

18 Otherwise, I need to know what the answer is to

19 determine whether I need to instruct him not to

20 answer on privileged grounds.

21 A. Yes.

22 Q. During the fall of 2018, spring of 2019 time

23 period, did you ever hear from anyone within the

24 NRA that Mr. Brewer was not going to be there

25 very long?

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1 A. Yes.

2 Q. Who did you hear that from?

3 A. Wayne LaPierre.

4 Q. What did Mr. LaPierre tell you with respect to

5 Mr. Brewer not being with the NRA very long?

6 A. That the New York issue was going to be wrapped

7 up in a matter of months and Mr. Brewer would no

8 longer be there.

9 Q. Let's change to -- well, let's change topics a

10 little bit. At some point in early 2019, did

11 you become aware that Colonel North was looking

12 into the NRA's retention of the Brewer law firm?

13 A. Yes.

14 Q. What was your understanding of what Mr. -- of

15 what Colonel North was doing?

16 A. My recollection was that Colonel North had

17 concerns over both the cost associated with the

18 work as well as the, if I remember rightly, the

19 process and board approval of the retention.

20 Q. Are you aware of other individuals within the

21 NRA that shared Colonel North's same concerns?

22 MS. EISENBERG: Hang on. I don't know

23 the what the answer is to the extent --

24 MR. MASON: It's a yes-or-no question.

25 MS. EISENBERG: Okay. If Mr. Cox can

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1 answer it -- I'm sorry. Can we read the pending

2 question?

3 (Question read as follows:

4 Q. Are you aware of other individuals

5 within the NRA that shared Colonel North's same

6 concerns?)

7 MS. EISENBERG: To the extent the witness

8 hears it as a yes-or-no question and him

9 answering it with a yes or no, you may do so.

10 A. Yes.

11 Q. Who were -- without going into what was

12 specifically discussed, who are those people

13 that you recall being -- also sharing Colonel

14 North's concerns?

15 MS. EISENBERG: Hang on. I don't know

16 who those people are, but some of them might

17 implicate privilege issues.

18 MR. MASON: Not an identity of them. I'm

19 not asking him to go into any of the substance.

20 I'm simply requesting who are the individuals.

21 That's it.

22 MS. EISENBERG: Brian and Mr. --

23 MR. MASON: That's a fact.

24 MS. EISENBERG: Sorry?

25 MR. MASON: I said that's an underlying

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1 fact. There's nothing privileged about that.

2 MS. EISENBERG: Well, we can agree to

3 disagree. I stand by my objection and

4 instruction, and I instruct him not to answer

5 because I need to understand what the answer

6 will be in order to determine whether I need to

7 instruct him not to answer in this regard.

8 MR. BUCHANAN: So what about if he -- if

9 none of the people were lawyers? If the only

10 people that he identifies are people, say, board

11 members or officers and if there's no lawyer

12 present?

13 MS. EISENBERG: I mean, if one of them

14 came back from a meeting with a lawyer, then

15 we're back to where we started. So I can't

16 hypothetically give advisory opinions on that

17 issue.

18 MR. BUCHANAN: But you're basically --

19 your objection is an advisory, what you're

20 saying. I don't know the --

21 MS. EISENBERG: Right. Because once the

22 privilege is out of the bag, it's out of the

23 bag. We can take a break. You can tell me what

24 his answer is. And chances are I won't have an

25 objection.



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1 MR. BUCHANAN: I'm just going to note
2 that these objections are frivolous. Because
3 there's no way that identifying a foundational
4 question that who did you talk to about the
5 issue at hand implicates privilege. It's only
6 the conversation or communication, not the name
7 of the lawyer. Even if it was a lawyer. Even
8 if he said I talked to Bill Brewer about that
9 subject, okay, objection, do not go beyond that.
10 That's -- in order to get there, you have to
11 have the identity of the person. You can't just
12 keep having breaks and me telling you what he's
13 going to say and you determining whether harmful
14 or hurtful and then say, okay, I object. So...
15 MS. EISENBERG: Respectfully, I disagree.
16 I can put on the details of my position on the
17 record if anyone thinks that that would be
18 productive. Otherwise, let's either move on,
19 put a pin in it, or take a break. It's
20 Mr. Mason's call.
21 Q. (By Mr. Mason) Well, we're going to come back to
22 this. But let me ask you this, Mr. Cox. You
23 testified -- you testified a moment ago that
24 there were other people within the NRA that you
25 understood shared the same concerns as Colonel

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1 North. Do you recall that?
2 A. Yes.
3 Q. When you learned about those concerns from those
4 individuals, did any of those conversations take
5 place with NRA counsel?
6 A. Can you clarify when you say "NRA counsel," do
7 you mean NRA counsel, the general counsel and
8 John Frazer or with outside counsel Bill Brewer
9 or whatever his formal role is, title is?
10 Q. Well, it could include all of the above.
11 A. As I testified earlier --
12 MS. EISENBERG: The question is yes or
13 no. Did any of those conversations involve
14 lawyers?
15 A. Did any conversation -- to clarify, did I ever
16 have a conversation with a lawyer with regards
17 to concerns about Bill Brewer? Is that the
18 question?
19 MS. EISENBERG: No. That's not the
20 question. The question -- we can read it back
21 so it's 100 percent accurate.
22 Q. The question, Mr. Cox, was you testified -- I
23 originally asked you were there other -- were
24 you aware of other people within the NRA that
25 shared the same concerns that Colonel North had

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1 with respect to the Brewer firm, and I believe
2 your answer to that question was yes, correct?
3 A. Correct.
4 Q. So let me ask it this way. When you learned
5 about -- when you learned from those other
6 individuals within the NRA, were any of those
7 conversations outside the presence of NRA
8 counsel, whether that counsel is in-house
9 counsel like Mr. Frazer or outside counsel?
10 MS. EISENBERG: Objection. Form.
11 You may answer.
12 But it's also confusing. You're asking
13 were any of them outside the presence of
14 counsel. Did you mean to say with counsel
15 present?
16 MR. MASON: Nope.
17 MR. BUCHANAN: Go ahead.
18 THE WITNESS: Can I answer?
19 MR. BUCHANAN: Yes.
20 A. The answer is yes.
21 Q. Who do you recall speaking with outside the
22 presence of NRA counsel regarding Colonel
23 North's concerns about the Brewer firm?
24 MS. EISENBERG: Objection. Hang on.
25 You're doing a end run about the specific

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1 objection that I articulated. I said that
2 depending on who it is, that person might have
3 come from a conversation with a lawyer and
4 you're getting into the privileged territory to
5 which you're not entitled. It may or may not be
6 true. For me to ascertain that, I need to
7 understand the answer --
8 MR. MASON: No. You're making an
9 assumption that literally everything is
10 privilege and that's completely improper. You
11 all did this yesterday with Mr. Hart. It was
12 done all throughout the bankruptcy. And it's
13 inappropriate. It's completely frivolous. You
14 can't just object to literally everything.
15 MS. EISENBERG: Mr. Mason, there are
16 going to be points at which we disagree and we
17 can make assertions on the record. What is the
18 point of your previous statement? You're saying
19 it's frivolous. Are you saying you disagree
20 with my position?
21 MR. MASON: I think that's pretty
22 obvious.
23 MS. EISENBERG: Okay. Well, I disagree
24 with you most respectfully. We can move on, or
25 we can take a brief break and Mr. Cox can tell

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1 his lawyer what the answer would be and I may or
 2 may not instruct him not to answer -- I mean,
 3 let him answer. But by trying to ask questions
 4 about these topics, you are inevitably --
 5 MR. MASON: I'm trying to test the
 6 privilege and I have a right to do that. I have
 7 a right to figure out who he had conversations
 8 with and who those people were. And he's not
 9 going to know necessarily where, whoever the
 10 third party was, got the information that they
 11 got.
 12 MS. EISENBERG: Yes. But that doesn't
 13 mean that I can't object on privilege grounds.
 14 There are ways of finding out how somebody knew
 15 something. Look, please, let's not --
 16 MR. BUCHANAN: I mean, I can tell you --
 17 MS. EISENBERG: I'm not going to change
 18 my mind by you just saying that it's frivolous.
 19 MR. BUCHANAN: So what is it --
 20 MS. EISENBERG: If you want to take a
 21 break, ask Mr. Cox what the answer is, I may say
 22 fine, go ahead and answer. Do you want to do
 23 that?
 24 MR. BUCHANAN: So --
 25 MS. EISENBERG: Mr. Mason, that's a

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1 question to you.
 2 MR. MASON: I would like to know the
 3 individuals that Mr. Cox is aware of within the
 4 NRA that shared Colonel North's same concerns
 5 about the Brewer firm. So if that requires us
 6 to go off the record to identify those
 7 particular individuals, then yes.
 8 MS. EISENBERG: Okay. That's fine with
 9 me. Let's go off the record. You have my cell
 10 phone.
 11 MR. BUCHANAN: Do we want to keep going
 12 for a while, or do you want to break for lunch?
 13 And how much more time do you have, Brian?
 14 MR. MASON: I've got -- I've got a good
 15 chunk of time, honestly, Tom.
 16 MR. BUCHANAN: Okay. I'm not
 17 complaining. I just --
 18 MR. MASON: No. I understand.
 19 MR. BUCHANAN: Two hours? Three hours?
 20 MR. MASON: At least two hours. But a
 21 lot of it is going to depend on are we stopping
 22 every ten minutes.
 23 MS. EISENBERG: You can't blame me for
 24 making objections on privilege grounds on behalf
 25 of my client. If you ask questions that

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1 potentially call for a frivolous matter, I'm
 2 going to have to make those objections.
 3 THE VIDEOGRAPHER: Can I point out we're
 4 still on the video record, folks?
 5 THE COURT REPORTER: Yeah. I'm still on
 6 the record as well.
 7 MR. BUCHANAN: Yeah. I think we should
 8 be on the record. So --
 9 MS. EISENBERG: No. We decided to go off
 10 the record so you can tell me what the answer is
 11 so I can decide whether I need to instruct
 12 Mr. Cox not to the answer.
 13 MR. BUCHANAN: I know. But right now
 14 we're on the record.
 15 MS. EISENBERG: Okay. Let's stay on the
 16 record until you guys want to go off.
 17 MR. BUCHANAN: Okay. So did you want to
 18 just go off now and then come back to this right
 19 now, Brian, just so that we keep rolling, or do
 20 you --
 21 MR. MASON: It's up to Mr. Cox. I'd like
 22 to do what he wants to do. If he wants to go
 23 ahead and break for lunch, I'm happy to do that
 24 if -- I will do whatever everybody else wants to
 25 do.

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1 MR. BUCHANAN: Let's go off the record
 2 and I'll call Svetlana and we will try to get
 3 this resolved.
 4 MS. EISENBERG: Thank you.
 5 THE VIDEOGRAPHER: We are off the record
 6 at 12:25 p.m.
 7 (Recess taken.)
 8 THE VIDEOGRAPHER: We are back on the
 9 video record at 12:36 p.m.
 10 Q. (By Mr. Mason) Mr. Cox, I want to circle back on
 11 a topic that we were just discussing and make
 12 sure that I understand your prior testimony.
 13 Was it your understanding that in the earlier
 14 part of 2019, Colonel North was looking into the
 15 NRA's retention, both the retention of the
 16 Brewer law firm and amount of money that they
 17 had been paid? Is that an accurate description
 18 of your primary testimony?
 19 MS. EISENBERG: Objection to form.
 20 You may answer.
 21 A. Yes.
 22 Q. Are you aware of other individuals that
 23 expressed the same concerns as Colonel North?
 24 A. Yes.
 25 Q. Who -- without going into any of the specific



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1 conversations that you had, who are those
2 individuals that you recall?
3 MS. EISENBERG: To the extent, Mr. Cox,
4 you can answer this without divulging any
5 privileged information, you may go ahead and do
6 so. For example, if you had discussions with
7 people in non-privileged settings, you are free
8 to identify them.
9 A. Yes. And this was a hot topic. This was a
10 conversation that was happening amongst a lot of
11 people over an extended period of time. I had
12 multiple conversations with board members.
13 There were staff asking questions. This was a
14 hot topic. It wasn't something that was secret
15 or really even behind closed doors. They were
16 just conversations that were happening with a
17 lot of individuals, a lot of board members, and
18 a lot of other people who shared that concern.
19 Q. Did you personally have any concerns with
20 Colonel North looking into the NRA's retention
21 of Brewer firm and the amount of money that they
22 were paid?
23 A. Did I have a concern with Colonel North doing
24 that?
25 Q. Correct.

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1 A. No, I did not.
2 Q. Do you believe that there was anything wrong
3 with the NRA president attempting to get more
4 information about the NRA's retention of an
5 outside law firm?
6 MS. EISENBERG: Objection. Form.
7 Foundation.
8 You may answer.
9 A. I did not.
10 Q. Do you believe there was anything wrong with the
11 NRA president trying to ensure an NRA vendor was
12 in compliance with NRA policies during a
13 self-correction process?
14 MS. EISENBERG: Objection. Misstates the
15 evidence. Form and foundation.
16 You may answer.
17 A. I did not.
18 Q. At some point in time, did you learn -- let me
19 see if I can ask it a different way. At some
20 point in time, did you become aware of
21 Mr. LaPierre's response to the information that
22 Colonel North was trying to obtain with respect
23 to the Brewer firm?
24 MS. EISENBERG: Objection to form.
25 You may answer.

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1 A. I'm sorry. Mr. Mason, could you ask me that
2 question again?
3 Q. Sure. At some point in time, did you become
4 aware of Mr. LaPierre's response to Colonel
5 North's efforts to obtain more information
6 regarding the Brewer firm?
7 MS. EISENBERG: Objection. Form.
8 You may answer.
9 A. Can you help me understand, Mr. Mason, what you
10 mean by "response"?
11 Q. Sure.
12 A. I apologize. I just don't want to answer the
13 wrong question.
14 Q. Let me ask it this way. Did you ever have any
15 conversations with Mr. LaPierre regarding what
16 Colonel North was attempting to do with respect
17 to the Brewer firm?
18 A. Yes.
19 MS. EISENBERG: I'm sorry. What was the
20 question?
21 THE COURT REPORTER: Do you want me to
22 read it back?
23 MS. EISENBERG: I'm sorry. We just
24 couldn't hear it very well.
25 MR. MASON: It was whether he had

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1 conversations with Mr. LaPierre directly
2 regarding Colonel North, and he said yes.
3 MS. EISENBERG: Regarding Colonel North
4 in general or regarding Colonel North's
5 concerns?
6 MR. MASON: Regarding Colonel North's
7 concerns.
8 MS. EISENBERG: Okay. Thank you.
9 Q. (By Mr. Mason) Mr. Cox, what do you recall being
10 Mr. LaPierre's response to Colonel North's
11 concerns about the Brewer firm?
12 MS. EISENBERG: I instruct him not to
13 answer to the extent it will reveal privileged
14 information; otherwise, he may answer.
15 A. If you could ask me that again, Mr. Mason.
16 Sorry. With the breaks, I just want to make
17 sure I get the question right.
18 Q. Sure. If I understand your prior testimony, you
19 had conversations with Mr. LaPierre directly
20 regarding Colonel North's concerns about the
21 Brewer firm; is that true?
22 A. Yes.
23 Q. What do you recall being Mr. LaPierre's response
24 to Colonel North's concerns regarding the Brewer
25 firm?

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1 MS. EISENBERG: Objection to form.
 2 You may answer to the extent it doesn't
 3 reveal privileged information belonging to the
 4 NRA.
 5 A. We became increasingly frustrated with the
 6 inquiries. And so it grew, Mr. Mason, over time
 7 from frustration to what ultimately became what
 8 I viewed as a hostile -- a hostile situation.
 9 Q. And when you say it grew to be a hostile
 10 situation, was that a hostile situation
 11 between -- what do you mean by that?
 12 A. The questions surrounding the Brewer firm,
 13 whether it was an engagement or the expanded
 14 scope of work or the growing billing or bills or
 15 cost associated with that work became a -- it
 16 became more and more kind of -- controversial is
 17 not the word, but it became a source of
 18 contention between initially what I viewed as
 19 Colonel North and others who had concerns about
 20 Mr. Brewer and the things that I mentioned. And
 21 then Wayne becoming more and more convinced that
 22 it was an effort to undermine his authority and
 23 his decision-making and that it grew more and
 24 more hostile. Confrontational, maybe, is a
 25 better word than hostile as it related to how

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1 Wayne -- at least the views Wayne shared with me
 2 of how he viewed it.
 3 Q. Were you ever part of any conversations with
 4 Mr. LaPierre and Colonel North discussing these
 5 issues?
 6 A. I don't remember being in the same room with
 7 Colonel North and Wayne. It might have
 8 happened. It might have happened in a board --
 9 you know, we have officer meetings with the
 10 elected officers and the paid officers, you
 11 know, during annual meetings and whatnot and
 12 other meetings. It could've come up. I
 13 don't -- but I don't recall the specifics of a
 14 conversation where Wayne and Colonel North and I
 15 were in the room talking about these things. It
 16 could've happened. There were a lot of
 17 conversations, as you can imagine, certainly
 18 leading into the annual meeting in Indianapolis.
 19 A lot of conversations going on. A lot of other
 20 things going on. So I can't say with certainty.
 21 But I don't recall the specifics of a meeting
 22 that I sat in with Colonel North and Wayne where
 23 they discussed this.
 24 Q. I'll represent to you, Mr. Cox, that the NRA has
 25 alleged that Ackerman McQueen was working with

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1 or that Colonel North was working on behalf of
 2 Ackerman McQueen when he was attempting to
 3 gather this information with respect to the
 4 Brewer law firm. So with that representation,
 5 let me ask you this: Do you have any evidence
 6 that Colonel North was taking these actions with
 7 respect to the Brewer firm on behalf of Ackerman
 8 McQueen?
 9 MS. EISENBERG: Objection to form.
 10 Foundation.
 11 You may answer.
 12 A. No.
 13 Q. Do you have any evidence that Colonel North was
 14 conspiring with Ackerman when he was taking
 15 these actions with respect to the Brewer firm?
 16 MS. EISENBERG: Objection. Form.
 17 Foundation.
 18 You may answer.
 19 A. No.
 20 Q. Do you know Chuck Cooper?
 21 A. Yes.
 22 Q. How long have you known Mr. Cooper?
 23 A. I have probably known Chuck for certainly over
 24 20 years. I don't -- 20, 22. Somewhere North
 25 of 20 years.

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1 Q. Without going into any specifics of what he may
 2 or may not have done, is it true that Mr. Cooper
 3 did some -- provided the NRA with some legal
 4 services over the years?
 5 A. Yes.
 6 Q. Do you have an opinion as to the integrity of
 7 Mr. Cooper?
 8 A. I have found Chuck to be a man of great
 9 character and integrity.
 10 Q. Did you have any opinion about the quality of
 11 the work that Mr. Cooper did for the NRA?
 12 A. Yes.
 13 Q. And what was that?
 14 A. Phenomenal. Great. You know, successful.
 15 Chuck was an important part certainly of ILA's
 16 team. I did not retain Chuck. I believe
 17 Wayne -- I believe when Chuck left the justice
 18 department back whenever that was 30 years ago,
 19 I believe that Wayne hired him. It might have
 20 been his first client or second client. So
 21 Chuck had been involved with the NRA long before
 22 I took over as the executive director of ILA.
 23 So he was part of the -- I guess part of the
 24 legal family. Certainly an integral part of our
 25 litigation strategy from an ILA standpoint.



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1 MS. EISENBERG: Object to the extent it's
2 speculative.
3 Q. Who else besides Mr. Cooper would you generally
4 describe as being part of that legal family?
5 MS. EISENBERG: Objection to form.
6 You may answer.
7 A. There were -- we were involved with a lot of
8 lawyers, Mr. Mason, and lawsuits all over the
9 country. Challenges to gun control restrictions
10 that violated preemption laws. There were --
11 the legal budget for ILA was significant. So we
12 worked with a lot of lawyers at the state level.
13 In California, for example, we got -- the lawyer
14 Chuck LaShelle (phonetic) was intimately
15 involved in our, you know, California litigation
16 strategy. There were others in different
17 states. But from a DC standpoint, Chuck Cooper
18 was a big part. And David Thompson and his
19 firm, they were big parts of our -- certainly of
20 ILA's litigation counsel and strategy. There
21 were others that were involved. Paul Clement I
22 brought on in my former capacity, obviously,
23 with NRA during the historic supreme court
24 decisions around Heller and McDonald. So I
25 would put Paul in that important mix, at least

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1 from when I was running that aspect of the
2 organization.
3 Q. With respect to Mr. Cooper, do you know whether
4 Mr. Cooper is currently doing -- well, let me
5 ask it this way. Do you know whether Mr. Cooper
6 was terminated by the NRA?
7 A. It's my understanding that he was. Yes.
8 Q. Do you know why?
9 A. I don't know. I don't recall what NRA's
10 justification was other than, you know,
11 disloyal. I forget what was said at the time.
12 It's been obviously a couple of years ago.
13 Q. Now, when you say disloyal, disloyal to whom?
14 MS. EISENBERG: Objection. Foundation.
15 You may answer.
16 A. To, I would assume, Wayne given that they were
17 the ones that relieved Chuck of his work.
18 Q. During your time at the NRA, how would you
19 describe your relationship with Wayne LaPierre?
20 A. Well, it changed, obviously, over time,
21 Mr. Mason. But Wayne was -- Wayne was my
22 friend. He was my friend. He was my boss. He
23 was my friend. We went through a lot of
24 legislative battles together, particularly in
25 the early years. I considered him -- I

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1 considered him more like family for a long
2 period of time. He -- I believe that he cared
3 about me and my family. I certainly cared about
4 him and his family. I dedicated my -- half of
5 my life to the organization and to Wayne. So it
6 was -- we were very close for a very long period
7 of time. And that obviously changed. That
8 changed at the end in a way that was very
9 painful for me and my family.
10 Q. Did that begin to change at all when Josh Powell
11 came into the picture in 2016?
12 A. That was a big part of it. Yes. I mean, that
13 was one in a series of things that I had
14 concerns about and problems with. There were
15 other things that caused strain in our
16 relationship. But, yes, that was -- that was
17 certainly when things started to move in a
18 different -- in a different area. Even though I
19 remained loyal to Wayne to the end and wanted to
20 continue to help Wayne until the end.
21 Q. Prior to January of 2018, did you have an
22 opinion as to whether Mr. LaPierre kind of kept
23 an inner circle of confidants or advisors?
24 MS. EISENBERG: Objection to form.
25 You may answer.

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1 A. Sure. I think on some level we all do. But,
2 yes, Wayne had people who he relied on and
3 trusted different people for different things.
4 But there was certainly, you know, what I would
5 view as an inner circle of people that Wayne
6 relied on and sought insight and assistance
7 from.
8 Q. And who, in your opinion, prior to January of
9 2018 was part of that inner circle?
10 MS. EISENBERG: Objection to form.
11 You may answer.
12 A. Well, I'd like to think that I was from a
13 political and legislative -- from an ILA
14 standpoint and both personally and
15 professionally. He was obviously very close
16 with Angus McQueen. Everyone knew that. He was
17 to Tony Makris who was certainly part of his --
18 if you look at his public persona, team of
19 people. I think he was very close -- at least I
20 got the impression that he was very close with
21 Colonel North. He obviously worked very closely
22 with whoever was in the chairs of the
23 organization. I say that being the president,
24 first vice president, second vice president. So
25 closer than others. But, yeah, I mean, that's

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1 who I would -- that's who I would point to.

2 Q. Do you understand --

3 A. I think Steve Hart -- I think Steve Hart at one

4 point was a confidant of Wayne's.

5 Q. Is it your understanding that all of those

6 individuals, yourself, Mr. McQueen, Mr. Makris,

7 Colonel North, and Mr. Hart, is your

8 understanding that none of these individuals are

9 no longer with the NRA?

10 MS. EISENBERG: Objection to form.

11 You may answer.

12 A. That's correct. And I would probably add Chuck

13 Cooper to that last list of people that Wayne

14 sought advice from in the earlier times. But,

15 yes, that's correct.

16 Q. And you understand that the NRA has made

17 allegations against Ackerman and Mr. Angus,

18 right?

19 A. Yes.

20 Q. And you understand that the NAR and Mr. LaPierre

21 at one point in time has made accusations

22 against you as well, correct?

23 MS. EISENBERG: Objection to form.

24 You may answer.

25 A. Yes, that's correct.

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1 Q. You also understand that the NRA has made

2 allegations against Mr. Makris as well, correct?

3 A. Yes.

4 Q. You also understand that the NRA has also made

5 accusations against Mr. Hart, correct?

6 A. Yes.

7 Q. You also understand that the NRA has made

8 accusations and allegations against Colonel

9 North, correct?

10 A. Yes.

11 Q. You also understand that the NRA has made

12 accusations with respect to Chuck Cooper,

13 correct?

14 A. Yes.

15 Q. Is it concerning to you, Mr. Cox, that all of

16 the people that were once part of Mr. LaPierre's

17 inner circle, these confidants, are now being

18 accused by the NRA and Mr. LaPierre of taking

19 advantage of him and taking advantage of the

20 NRA?

21 MS. EISENBERG: Objection. Form.

22 Foundation. Misstates prior testimony.

23 You may answer.

24 A. Yes.

25 Q. Who is Scott Christman?

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1 A. Scott Christman was a former ILA employee. He

2 served as my -- I don't know when he left if he

3 was deputy chief of staff or chief of staff was

4 his title. But, yeah, Scott served as my

5 predecessor. And then he stayed on and he

6 worked for me and was promoted over Tom working

7 with the ILA executive office.

8 Q. Did you like Scott?

9 A. Very much so. Scott was -- was for my operation

10 that I ran at ILA, and not just for me, but for

11 ILA itself, an extremely important piece of the

12 puzzle that was challenging at times to put

13 together. But, yeah, Scott was a great

14 employee, an extremely hard worker, and I

15 thought did a fantastic job.

16 Q. And just so I'm clear, Mr. Christman was your

17 deputy chief of staff?

18 A. That's --

19 MS. EISENBERG: Objection to form.

20 You may answer.

21 A. When I started as executive director of ILA, I

22 don't remember what his first title was. But he

23 worked directly in my executive office operation

24 for, I believe, for all 18 years that I was

25 there.

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1 Q. Was Mr. Christman ultimately terminated from the

2 NRA?

3 MS. EISENBERG: Objection to form.

4 Foundation.

5 You may answer.

6 A. Yes.

7 Q. Let me back up and ask this question. Do you

8 know whether Mr. Christman was ultimately

9 terminated from the NRA?

10 A. Yes.

11 Q. Do you know who made the decision to terminate

12 Mr. Christman?

13 A. I do not.

14 Q. Do you know, were you consulted prior to the

15 termination of Mr. Christman?

16 A. No. Mr. Christman was placed on administrative

17 leave the same day -- I believe it was the same

18 day that I was placed on administrative leave.

19 Q. Do you know how Mr. Christman was placed on

20 administrative leave or ultimately terminated

21 from the NRA?

22 A. My recollection was that he was -- he was

23 informed that he was being placed on

24 administrative leave. He was escorted out of

25 the building, out of headquarters, by security.

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1 They took his phone. And he was instructed to
 2 do no business for the organization. I believe
 3 that he was kind of in limbo, continued as an
 4 employee or being put on paid administrative
 5 leave maybe for six months or some extended
 6 period of time, and then eventually terminated.
 7 MS. EISENBERG: Objection to the extent
 8 it's speculative and nonresponsive.
 9 Q. Did you have concerns with respect to how
 10 Mr. Christman's termination was handled?
 11 A. Yes.
 12 Q. And what were those concerns?
 13 MS. EISENBERG: Objection. Form.
 14 Foundation.
 15 You may answer.
 16 A. Well, I was concerned, first of all, that the
 17 chief of staff, a guy who helped make the trains
 18 run on time, who was critically important to the
 19 mission of the organization and the mission of
 20 ILA, would be placed on administrative leave for
 21 apparently, you know, no real stated reason. I
 22 was -- I was not surprised, but extremely
 23 disappointed to learn that he had been, you
 24 know, escorted out of the building as if he was,
 25 you know, some sort of threat to someone. He's

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1 a good man. He deserved to be treated better in
 2 my opinion. And so, yes, I did have concerns
 3 about that.
 4 MS. EISENBERG: Objection to the extent
 5 it's nonresponsive.
 6 Q. With respect to Mr. LaPierre, is it fair to say
 7 that during your time at the NRA, and in
 8 particular the last ten years during your time
 9 at the NRA, that Mr. LaPierre had a significant
 10 amount of control regarding how certain things
 11 were done?
 12 MS. EISENBERG: Objection. Form.
 13 You may answer.
 14 A. Yes.
 15 Q. How would you describe the control that
 16 Mr. LaPierre had with respect to the NRA?
 17 MS. EISENBERG: Objection to form.
 18 You may answer.
 19 A. Wayne, as the executive vice president, serves
 20 effectively as the chief executive officer. So
 21 even though there were a couple of people or a
 22 couple positions that were voted on by the board
 23 or approved by the board, ultimately Wayne had,
 24 you know, hiring and firing control over the
 25 organization. He was also extremely involved in

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1 the board of directors and committees and those
 2 sorts of efforts as well. But Wayne was --
 3 Wayne was certainly the boss and everyone knew
 4 it.
 5 Q. Do you believe that Mr. LaPierre had a
 6 significant amount of control with respect to
 7 who was or was not on the NRA's board of
 8 directors?
 9 MS. EISENBERG: Objection to form.
 10 Foundation.
 11 You may answer.
 12 A. Yes.
 13 Q. Let's take a look at Exhibit 86, if we can. And
 14 I don't know what your setup is. And if we can
 15 go maybe look at a few documents first quickly,
 16 if that works for you, Mr. Cox.
 17 A. Sure. I don't see anything yet. Do I need to
 18 click on this?
 19 Q. And I believe my colleague -- I believe
 20 Christina is putting Exhibit 86 into the --
 21 A. I was able -- Mr. Mason, I was able to pull it
 22 up.
 23 Q. Okay. Very good. If we can go down to -- and
 24 I'll represent to you, Mr. Cox, this is a
 25 transcript from April 20th in the recent NRA

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1 bankruptcy proceeding in Dallas, Texas. Are you
 2 familiar with the recent NRA bankruptcy?
 3 A. Yes.
 4 Q. Okay. And if you can go down to page 101.
 5 A. Okay.
 6 Q. And I'll represent to you, Mr. Cox, that this is
 7 some of the testimony of Esther Schneider from
 8 that bankruptcy proceeding. Do you know who
 9 Ms. Schneider is?
 10 A. I do.
 11 Q. Who is Ms. Schneider?
 12 A. She's a former member of the board of directors.
 13 I believe she lives in Texas. I'm not certain
 14 of that. But I remember Esther was a member of
 15 the board of directors. That's how I know her.
 16 Q. And if you will go down to -- again, for the
 17 record, we're on page 101, line 12. Do you see
 18 where it has:
 19 Question: Do you have an opinion as to
 20 Mr. LaPierre's influence over the NRA's board of
 21 directors?
 22 Answer: Yes.
 23 Question: What is that?
 24 Answer: There are no decisions made
 25 pertaining to the board or the operation of the

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1 NRA that do not have Wayne's blessings --
 2 blessing.
 3 Do you see that?
 4 A. I do.
 5 Q. Did I read that correctly?
 6 A. You did.
 7 MS. EISENBERG: Objection. Hearsay.
 8 MR. MASON: It's not hearsay. But that's
 9 fine if you want to make that objection.
 10 Q. Mr. Cox, do you agree with Ms. Schneider's
 11 statement, her testimony here?
 12 A. Mr. Mason, I can't speak to every board decision
 13 because I was not a member of the board of
 14 directors. But the overall -- if the question
 15 is were major decisions made without Wayne's
 16 blessing, the answer would be -- I would agree
 17 with her. But all -- like, I don't think I
 18 would characterize it as every board decision,
 19 only because I wasn't privy to every board
 20 decision or every board discussion.
 21 Q. Sure. Fair enough. Let's go back to page 29
 22 now, if we can, on that same document. And I'll
 23 represent to you, in the same NRA bankruptcy
 24 proceeding, this is some of the testimony from
 25 Owen "Buz" Mills.

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1 A. Yeah.
 2 Q. And I'll ask you first, do you know who
 3 Mr. Mills is?
 4 A. I do know. I do know Mr. Mills.
 5 Q. How do you know Mr. Mills?
 6 A. I know Mr. Mills from his service on the board
 7 of directors. He also owns a firearms training
 8 operation in Arizona that I've actually trained
 9 at his facility. So I do know Buz and I'm
 10 familiar with him. But primarily through his
 11 service on the board of directors.
 12 Q. Is Mr. Mills somebody that's been on the board
 13 of directors for a long period of time, do you
 14 know?
 15 A. Honestly, Mr. Mason, I don't -- I don't remember
 16 when Buz or Mr. Mills was elected to the board.
 17 I know that he served on the board for years.
 18 But I don't know -- off the top of my head, I
 19 don't remember exactly how long. But he was --
 20 he was on the board for years.
 21 Q. Fair enough. So, if you will, on page 29, let's
 22 look at line 22.
 23 MS. EISENBERG: Can you just give me a
 24 moment to get there.
 25 Mr. Cox, if I may ask you to give me two

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1 seconds to object if I deem it necessary after
 2 Mr. Mason finishes his question, I would really
 3 appreciate it.
 4 THE WITNESS: Sure.
 5 MR. MASON: Are you there, Ms. Eisenberg?
 6 MS. EISENBERG: Yes. Thank you very
 7 much.
 8 Q. If we look at page 29, line 22. Do you see,
 9 Mr. Cox, where it says:
 10 Question: Judge Journey previously
 11 testified that the NRA is essentially operated
 12 as Wayne's kingdom, rather than a Corporation.
 13 Do you agree with that statement?
 14 Answer: I would call it a sole
 15 proprietorship, but yes.
 16 Do you see that?
 17 A. I do see that.
 18 Q. Do you believe that there is -- do you agree
 19 with the sentiment behind Mr. Mills' testimony
 20 here?
 21 MS. EISENBERG: Objection. To the extent
 22 the question seeks to introduce in the record
 23 improper hearsay evidence.
 24 MR. MASON: It's an in-court statement so
 25 it's not hearsay.

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1 Q. But you can answer the question, Mr. Cox.
 2 A. And can you just repeat the question about the
 3 sentiment of --
 4 Q. Sure. Sure. My question is -- and we just
 5 reviewed Mr. Mills' testimony from the NRA
 6 bankruptcy proceeding. And my question for you
 7 is do you agree with the sentiment behind
 8 Mr. Mill's testimony that NRA operated or that
 9 he was -- well, let me back up. Do you agree
 10 with Mr. Mill's sentiment in terms of describing
 11 Mr. LaPierre's influence over the NRA?
 12 A. Yes.
 13 Q. Let's look at, I believe, one more. Let's look
 14 at Exhibit 48, briefly.
 15 MR. BUCHANAN: Can we break for lunch
 16 after that?
 17 MR. MASON: Yes.
 18 A. Mr. Mason, are you saying to go to page 48.
 19 Q. No. It's going to be another exhibit. It's
 20 going to be 48.
 21 A. I have it up.
 22 Q. Okay. And if you can go to page 229, please.
 23 MR. HARDING: Do you have PDF number,
 24 Brian?
 25 MR. MASON: I don't have a PDF number. I

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1 know that it's page 229 of the transcript.
 2 MS. EISENBERG: It's page 59. And,
 3 Mr. Mason, just because something was uttered in
 4 court, doesn't mean it's not hearsay. It's an
 5 out-of-court statement offered for the truth of
 6 the matter asserted including in a different
 7 court. Obviously, you are entitled to ask
 8 whatever questions you wish and I'll continue to
 9 object on the same grounds. You could just say
 10 do you agree with the statement that, and then
 11 you would avoid the hearsay issue. But you
 12 handle it however you wish.
 13 A. Mr. Mason, can I ask a quick question just to
 14 clarify, are we on page 299 of the -- page 59.
 15 But of the document that I have up, it will say
 16 page 229.
 17 Q. Yeah. That's correct. Yes. And, for the
 18 record, Mr. Cox, this was the deposition
 19 transcript of Colonel North that was taken both
 20 in the Virginia litigation and in this
 21 litigation. This is his deposition testimony.
 22 And I just -- I'd like to ask you -- I'd like to
 23 ask you to read a portion of this. And then I'd
 24 like to ask you a question. So if you could, on
 25 page 229, if you could begin reading on page --

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1 I'm sorry -- on line 13 that begins when Wayne
 2 first arrived... if you could just read the
 3 remainder of that over onto the following page
 4 to line 3, please.
 5 A. Do you want me to read it out loud, or do you
 6 want me to just read it to myself?
 7 Q. If you could read it out loud, I would
 8 appreciate it.
 9 MS. EISENBERG: And, of course, I object
 10 to that to the extent it is an inappropriate
 11 effort to get hearsay evidence into the record,
 12 but, please, go ahead and read it.
 13 A. "When Wayne first arrived at the meeting,
 14 Richard confronted him with an accusation. He
 15 said you basically told the nominating committee
 16 that they're not to nominate North and Childress
 17 again and Wayne lied about it. I mean, Wayne
 18 just flat out lied. He said I don't know what
 19 the nominating committee is going to be, but
 20 everybody knows that in the NRA that if Wayne
 21 LaPierre doesn't want you on a committee,
 22 doesn't want you anymore, he controls that
 23 committee. Let's not kid ourselves about how
 24 independent this board is. It's not. There's
 25 nobody on that board that Wayne doesn't -- I'm

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1 sorry -- that Wayne doesn't want on it. And
 2 it's pretty clear to me that the whole
 3 controversy over Mr. Brewer was actually much
 4 bigger than I had originally foreseen it to be.
 5 And so eventually" --
 6 Q. That's good, Mr. Cox. Thank you.
 7 MS. EISENBERG: And, of course, to the
 8 extent Mr. Cox may have misread some aspects,
 9 the record speaks for itself. But, obviously,
 10 he did a good job overall.
 11 Q. Mr. Cox, do you believe it's a fair
 12 characterization that there's nobody on the NRA
 13 board that Wayne LaPierre doesn't want on it?
 14 MS. EISENBERG: Objection to form.
 15 You may answer.
 16 A. No. Because there have been board members that
 17 have run by petition that go outside of the
 18 control of the nominating committee process. I
 19 agree with the overall point that he's making.
 20 But, individually, I think it could be argued
 21 that there are individual members that ran
 22 outside of the normal process or the favored
 23 process. So I wouldn't go so far as to say all
 24 76. But certainly the point that he's making I
 25 agree with.

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1 MR. MASON: Okay. Let's go ahead and
 2 break for lunch if that works for everybody.
 3 You all just tell me how long you want.
 4 MS. EISENBERG: We recommend a short
 5 break because we have a bunch of cross as well
 6 and I'm sure people will be trying to get out of
 7 here before it gets dark. But if you want to
 8 take a longer break, that's fine with us.
 9 MR. BUCHANAN: Okay. How about -- so how
 10 much more time do you have, Brian? Estimating.
 11 I won't hold it to you. Hold you to it, I
 12 should say.
 13 MR. MASON: You know, Tom, I mean, I've
 14 got to look and see how much of this I think
 15 Svetlana is going to object to privilege on and
 16 how many breaks. Can we go off the record?
 17 THE VIDEOGRAPHER: We are off the record
 18 at 1:15 p.m.
 19 (Recess taken.)
 20 THE VIDEOGRAPHER: We are back on the
 21 video record at 1:39 p.m.
 22 Q. (By Mr. Mason) Mr. Cox, in early 2019, do you
 23 recall around that time there being more and
 24 more publicity with respect to the NRA? Let me
 25 ask that -- that was a bad question.

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1 A. There's always publicity.
 2 Q. Sure. No. Fair enough. In the early part of
 3 2019, do you recall there being various news
 4 articles coming out about some potential issues
 5 or problems within the NRA?
 6 MS. EISENBERG: Objection to form.
 7 You may answer.
 8 A. Yes.
 9 Q. Did you have concerns -- or do you recall any of
 10 those in particular?
 11 A. Mr. Mason, I don't. If you're asking me
 12 specifically about any one, I'm happy to share
 13 my thoughts on it. But to answer your question,
 14 yes, there were a lot of stories including a lot
 15 of bad stories, what I would view as considered
 16 to be bad stories.
 17 Q. Was that concerning to you?
 18 A. Yes.
 19 Q. And in terms of these bad stories, were these
 20 issues that had previously not come up in the
 21 past -- let me ask it this way. These issues
 22 that were concerning, these weren't necessarily
 23 second amendment issues, correct?
 24 MS. EISENBERG: Objection. Form.
 25 Foundation.

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1 You may answer.
 2 A. Correct.
 3 Q. When did you first learn that the NRA filed a
 4 lawsuit against Ackerman McQueen?
 5 A. I would have read about it in the press. I was
 6 not given any kind of indication or involved in
 7 any discussions or litigation strategy
 8 internally. And so I believe I would have read
 9 about it when it was reported on in the press.
 10 Q. And I'll represent to you that the NRA filed its
 11 first lawsuit against Ackerman in April -- on
 12 April 12th of 2019. Does that sound generally
 13 consistent with your recollection?
 14 A. I'll take your word for it. That sounds about
 15 right.
 16 Q. Do you recall why the NRA filed a lawsuit
 17 against Ackerman?
 18 A. Counselor, there's been so many lawsuits filed
 19 it's hard to keep up. I do remember something
 20 with regards to document production possibly.
 21 But I don't -- without looking at it, I don't
 22 remember exactly what the first -- what the
 23 first action was there. But I believe it was --
 24 I believe it was involving -- involving document
 25 production. But I could be -- I could be wrong

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1 in my recollection.
 2 Q. Are you aware of whether the NRA board was
 3 consulted prior to the NRA filing its first
 4 lawsuit against Ackerman in April of 2019?
 5 A. I don't believe the board was consulted, but I
 6 don't know that for certain. I don't remember
 7 with certainty. But I don't believe that was
 8 the case. I know I was not. If I was not, then
 9 I would assume that others weren't either.
 10 Q. Did you understand at that time in April of 2019
 11 that the NRA and Ackerman McQueen had a long
 12 history of a relationship together?
 13 A. Yes.
 14 MS. EISENBERG: Objection to form.
 15 You may answer.
 16 A. Yes.
 17 Q. Was it concerning at all to you that the NRA
 18 filed a lawsuit against Ackerman in April of
 19 2019?
 20 A. To be honest with you, the -- I didn't -- I
 21 wasn't involved in any sort of litigation
 22 strategy. I wasn't involved in preparing the
 23 lawsuit. I never saw any sort of, you know,
 24 documents relating to the allegations or
 25 anything else. So I can't really speak to

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1 the -- to that other than to say any time you're
 2 fighting with someone you know well and have
 3 worked with well at any time, it starts to get,
 4 you know, more and more, you know, hostile and
 5 more and more public, then that spills into the
 6 arena that I was responsible dealing with, not
 7 only fundraising, member services, but also, you
 8 know, the political and legislative arena, you
 9 know, going into what would end up being, you
 10 know, what we knew was going to be a tough and
 11 extensive 2020 election cycle, particularly
 12 coming off of the 2018 cycle that was not the
 13 best for the second amendment.
 14 Q. So is it fair to say that you had concerns about
 15 how this litigation with Ackerman could have
 16 escalated and potentially negatively impact what
 17 you were doing at the ILA?
 18 A. Yes. Yes.
 19 Q. Okay. Let's take a look at Exhibit 281.
 20 A. Is that in the same document 48?
 21 Q. Yeah. It's going to be a separate exhibit.
 22 A. Okay. I have that up.
 23 Q. And I guess at the same time let's do this, if
 24 we can put in Exhibits 279 through 283. And I
 25 would ask you, Mr. Cox, once you have Exhibits



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1 279 to 283, once you have access to those
2 documents, if you would just briefly review them
3 and let me know when you've had a chance to do
4 that.
5 A. Okay. I have all of them.
6 Q. Okay. With respect to Exhibits 279 to 283, have
7 you seen these letters before?
8 A. I don't recall seeing the Craig Spray letters.
9 But I could have. But I could have. I do
10 remember -- I do remember the letters signed by,
11 it looks like, William Winkler. I do remember
12 seeing those on more than one occasion. But
13 I'm -- I'm familiar with the subject matter.
14 Q. Do you have any -- for the record, each of these
15 letters is dated -- well, actually, let me ask
16 you -- no. Let's not look at Exhibit 283.
17 Let's just focus on 279, 280, 281, and 282.
18 Because I believe you were saying 283 was the
19 one that you didn't know if you had seen before;
20 is that correct?
21 A. I don't have a 280. Okay. 280 just popped up.
22 Sorry. Give me one second to look at that.
23 Okay. All right. I've got them all. I have
24 them all available.
25 Q. Okay. So Exhibits 279, 280, 281, and 282,

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1 these, each of these letters is dated April 22,
2 2019. Do you see that?
3 A. I do.
4 Q. And each of these letters is addressed -- was
5 sent by William Winkler at Ackerman McQueen. Do
6 you see that?
7 A. I do.
8 Q. And some of these letters -- one of -- I believe
9 two of these letters were sent to Mr. LaPierre.
10 One was sent to Mr. Spray. And was one sent to
11 Mr. Schropp. Do you see that?
12 A. I do.
13 Q. With respect to these four letters, Exhibits 279
14 to 282, do you have any direct knowledge as to
15 why these letters were sent by Mr. Winkler?
16 A. I do not.
17 Q. Were you aware that the NRA alleged in the
18 lawsuit it filed on April the 12th of 2019 that
19 Ackerman refused to turn over certain
20 information that was actually not in Ackerman
21 McQueen's possession?
22 A. I'm aware -- I'm aware that that's what that --
23 that the lawsuit was focused on was about the
24 documents or some sort of document request. But
25 I was not -- I'm not sure I've read -- read it.

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1 I wasn't involved it. I hadn't seen it. It
2 wasn't discussed with me prior. But I do
3 remember that it was -- it had to do with
4 turning over documents of some sort.
5 Q. Okay. If you will, let's take a look really
6 quickly at Exhibit 281. And I won't ask you to
7 read it out loud, but if you could just read to
8 yourself the e-mail, the letter from
9 Mr. Winkler, and I'll just ask you a few
10 follow-up questions about that.
11 A. I remember this. I remember this letter, this
12 issue.
13 Q. Is there anything in Exhibit 281, in your
14 opinion, that suggests Ackerman is going to take
15 some sort of action if the NRA doesn't comply
16 with its demands?
17 MS. EISENBERG: Objection to form.
18 Foundation.
19 You may answer.
20 A. Do I view this letter as suggesting that there's
21 going to be a legal action?
22 Q. Let me ask it another way. Do you believe
23 there's anything extortionate about what
24 Mr. Winkler states in Exhibit 281?
25 A. I do not.

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1 Q. There's no quid pro quo you have to do this or
2 we'll do this in Exhibit 281, correct?
3 A. Not the way it's written or that I read it.
4 Q. Based on your review of Exhibit 281, is it your
5 understanding that Mr. Winkler is requesting
6 certain documentation from Mr. LaPierre?
7 MS. EISENBERG: Objection. Form.
8 Foundation.
9 You may answer.
10 A. Counselor, I can only read it the way it's
11 written. And it seems to request a complete
12 itemized list of items purchased. I don't read
13 anything into it other than requesting
14 information. I certainly, you know, found it to
15 be -- anyway, that's my -- that's the way I read
16 it.
17 Q. Okay. Let's take a look then at Exhibit 282.
18 And if you'll do the same thing for me, please.
19 Just take your time and review Mr. Winkler's
20 letter and then I'll just ask you a few
21 follow-up questions.
22 MS. EISENBERG: For the record, do you
23 wish the witness to review the attachments as
24 well?
25 Q. Mr. Cox, if you want to do that, if you want to

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1 skim them, feel free to do that. I'm just going
2 to be asking you questions with respect to the
3 front page and Mr. Winkler's statements.
4 A. Yeah. I remember -- I remember this, seeing
5 this. And I have it in front of me so I'm
6 prepared to answer your questions.
7 Q. Do you believe that there's anything
8 extortionate about what Mr. Winkler is stating
9 in Exhibit 282?
10 MS. EISENBERG: Objection. Form.
11 Foundation.
12 You may answer.
13 A. Counselor, I can't -- I can't speak for
14 Mr. Winkler. Obviously, these were -- there was
15 a pattern here that was troubling. But I can't
16 speak to what Mr. Winkler -- I read it as a
17 pretty straightforward request for documents.
18 But what's being requested obviously caused at
19 the time concern and conversation.
20 Q. And you don't have any actual knowledge as to
21 whether the information Mr. Winkler was asking
22 for here was actually information that the NRA
23 was requesting of Ackerman?
24 A. I did not.
25 Q. Do you recall when you first -- when you first

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1 saw these letters?
2 A. I don't, Mr. Mason. But it was -- I know it was
3 right around the time of the -- before the
4 annual meeting in Indianapolis.
5 Q. Let's take a look at Exhibit 278, please.
6 A. Okay.
7 Q. And let me know when you've had an opportunity
8 to briefly review Exhibit 278.
9 A. Counselor, can I ask a question?
10 Q. Absolutely.
11 A. I don't know if this is just on my screen or
12 others, but it looks like part of this is cut
13 off on the right side. I'm having a hard time
14 reading it in its entirety.
15 Q. Unfortunately, this is the only version that we
16 have as far as I know so...
17 A. I do remember. I do remember.
18 MS. EISENBERG: I'm sorry. What's the
19 pending question?
20 THE WITNESS: So, Ms. Eisenberg, when I'm
21 reading this on my screen, like, for example, on
22 the third -- it looks like third paragraph, I
23 only learned of the details of the AM lawsuit
24 from press reports. As you can imagine AM is...
25 MS. EISENBERG: Yeah. I have the same

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1 issue. Yeah. It's just cut off.
2 THE WITNESS: I don't think it changes
3 the flavor of the e-mail. I remember --
4 MS. EISENBERG: I'm sorry. What's the
5 pending question that's pending?
6 Q. (By Mr. Mason) Let me ask you this, Mr. Cox, do
7 you see this is an e-mail from Steve Hart dated
8 April 22, 2019?
9 A. I do, yes.
10 Q. And it appears that Mr. Hart sent this e-mail to
11 a variety of recipients and that there were
12 certain attachments to this e-mail. Do you see
13 that?
14 A. I do.
15 Q. Do you recall receiving this particular e-mail
16 from Steve Hart on April 22, 2019?
17 A. I remember -- I remember seeing this. And the
18 time seems to make sense as to when I would have
19 seen it.
20 MS. EISENBERG: So, Mr. Mason, it says
21 attorney-client privilege communication. This
22 appears to be a privileged communication. I do
23 see that it was previously marked as an exhibit.
24 I don't want to slow you down, but, you know,
25 I'm not going to object to your use of it on

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1 privilege grounds just to kind of speed things
2 up as long as you don't hold my failure to do so
3 as a basis for any waiver arguments.
4 MR. MASON: Well, I believe to the extent
5 there was a privilege, it was waived in North's
6 deposition, Frazer's deposition, Hart's
7 deposition, and Meadow's deposition when it was
8 used there previously. But I understand your
9 objection.
10 Q. Do you see, Mr. Cox, that this letter -- I mean
11 this e-mail from Mr. Hart was sent on at
12 approximately, it looks like, 6:07 p.m. on April
13 22nd?
14 A. I do.
15 Q. And just so the record is clear, do you recall
16 receiving this either directly from Mr. Hart or
17 someone maybe forwarding it to you?
18 A. Yes, I do.
19 Q. And Mr. Hart, I believe you testified earlier,
20 was previously the counsel to the board; is that
21 right?
22 A. That's correct.
23 Q. Were you aware that Mr. Hart was terminated by
24 Mr. LaPierre less than three hours after sending
25 this e-mail on Exhibit 278?



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1 MS. EISENBERG: Objection. Form.
 2 You may answer.
 3 A. I do remember Mr. Hart being terminated or his
 4 services board -- the board counsel being
 5 terminated around that time. So that seems to
 6 be consistent with my recollection.
 7 Q. I'm going to ask the question one more time just
 8 because there was an objection. Do you know,
 9 Mr. Cox, whether Mr. Hart was terminated shortly
 10 after sending the e-mail identified in
 11 Exhibit 278?
 12 MS. EISENBERG: Objection to form.
 13 You may answer.
 14 A. Yes.
 15 Q. If we can take a look at Exhibit 277, please.
 16 And let me know when you've got Exhibit 277 up?
 17 A. I have it up, Counsel.
 18 Q. And if you will, do you see at the bottom this
 19 is an e-mail originally from, it looks like,
 20 Mr. LaPierre to Mr. Hart on April 22, 2019. Do
 21 you see that?
 22 A. I do.
 23 Q. And the time of Mr. LaPierre sending this to
 24 Mr. Hart according to this is 7:18 p.m. Do you
 25 see that?

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1 A. I do, yes.
 2 Q. And Mr. LaPierre is referencing an attached
 3 letter. Do you see that?
 4 A. I do.
 5 Q. And if you flip to the second page, do you see
 6 the attached letter?
 7 A. I do, yes.
 8 Q. Have you seen this letter from Mr. LaPierre to
 9 Mr. Hart before?
 10 A. I believe I -- yes, at some point I saw it.
 11 Probably that week of the board meeting in
 12 Indianapolis or at some point. But I do
 13 remember -- I do remember seeing this or at
 14 least knowing about it. Yeah.
 15 Q. So based upon what we looked at on 278 and
 16 Mr. Hart's e-mail to various members of the
 17 board at 6:07, it looks like Mr. LaPierre's
 18 letter to Mr. Hart was sent less than an hour
 19 and a half later. Do you see that?
 20 A. I do.
 21 Q. Is it your understanding that this letter that
 22 Mr. LaPierre sent to Mr. Hart was suspending
 23 Mr. Hart's attorney-client relationship with the
 24 NRA?
 25 A. I remember believing it was a, as it reads, a

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1 termination of your engagement. So that's the
 2 way I remember it. Reading it, I remember
 3 that's the way it being characterized.
 4 Q. Were you consulted before Mr. Hart was
 5 terminated by Mr. LaPierre?
 6 A. No.
 7 Q. Are you aware if the board was consulted before
 8 Mr. LaPierre terminated the attorney for the NRA
 9 board?
 10 A. I'm not aware of that.
 11 Q. When did you -- and I apologize if you already
 12 said this -- when did you first learn that
 13 Mr. Hart had been terminated by Mr. LaPierre?
 14 MS. EISENBERG: Objection to form.
 15 You may answer.
 16 A. I would assume, without remembering every aspect
 17 of a really, really busy time for all of us for
 18 various different reasons going on, but it was
 19 obviously around -- it was around this time.
 20 Q. Let me see if I can refresh your recollection.
 21 Let's take a look at Exhibit 284. Let me know
 22 when you've had a chance to skim this.
 23 A. Okay.
 24 Q. And just so the record is clear, I don't know if
 25 it's just the version that I'm looking at, but

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1 page 2 of Exhibit 284 appears to be
 2 inadvertently included on here.
 3 MS. EISENBERG: Do you want it to be part
 4 of the exhibit for purposes of the record?
 5 MR. MASON: Yeah. We can take off the
 6 second page.
 7 MS. EISENBERG: Okay. So it's a one-page
 8 exhibit marked 284, Bates numbered 0LN00076.
 9 MR. MASON: Correct.
 10 Q. And, Mr. Cox, do you see that this is what
 11 appears to be an e-mail from Mr. LaPierre that
 12 same day on April 22, 2019, now at 10:21 p.m.
 13 Do you see that?
 14 A. I do.
 15 Q. And it appears to be a message from Mr. Hart
 16 that was sent from Mr. Frazer. Do you see that?
 17 A. I do.
 18 Q. And is it common for Mr. Frazer to send e-mails
 19 to the board and executive counsel members on
 20 behalf of Mr. LaPierre?
 21 MS. EISENBERG: Objection to form.
 22 You may answer.
 23 A. I believe -- I believe so. Obviously, Wayne
 24 didn't send out e-mails himself. And I don't
 25 know -- sometimes they might have come from



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1 Millie or from somebody else. But John's role
 2 as secretary and interacting as officer or
 3 directly with the board -- that would not --
 4 that would -- that is my recollection that that
 5 would've been the appropriate person to -- maybe
 6 not the appropriate, but that would've been the
 7 person who would have delivered those messages.
 8 Q. And it appears that Mr. Frazer at the top says,
 9 Dear board and executive counsel members. Do
 10 you see that?
 11 A. I do.
 12 Q. Please see the e-mail -- please see below
 13 regarding a change in counsel. Do you see that?
 14 A. I do.
 15 Q. Is this an e-mail that you received from
 16 Mr. Frazer?
 17 A. Counselor, I don't remember if -- as an officer,
 18 I usually would've been copied or blind copied
 19 on these sorts of e-mails. I might have. I
 20 might not have. But I do remember -- I mean, it
 21 wasn't a -- yeah. It wasn't a secret. I mean,
 22 that was a, you know, an issue that people
 23 talked about.
 24 Q. When you found out about -- or let me ask it
 25 this way. Did you ever have any conversations

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1 after Mr. Hart's termination regarding the facts
 2 and circumstances of why he was terminated?
 3 A. With Steve? Or with Mr. Hart?
 4 Q. With Mr. Hart or with anybody else?
 5 A. I'm sure that I did on some --- on some level.
 6 But I don't recall who I -- who I would've
 7 discussed that with or and in what context or
 8 how it would have come up. I mean, there
 9 were -- this was one of a number of things that
 10 were going on at the time. And I was dealing
 11 with a lot of other things with my day job. But
 12 I do remember when all of this kind of went
 13 down. But I don't remember -- and, certainly, I
 14 don't remember having any discussion. I'm just
 15 looking at that earlier list of, you know,
 16 talking to the New York Times or leaking
 17 information or whatever. I don't remember
 18 getting into any of those specifics with anyone.
 19 MR. BUCHANAN: Excuse me. I need to take
 20 a quick break. Just a couple of minutes.
 21 MR. MASON: Sure.
 22 THE VIDEOGRAPHER: We are off the record
 23 at 2:09 p.m.
 24 (Recess taken.)
 25 THE VIDEOGRAPHER: We are back on the

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1 video record at 2:16 p.m.
 2 Q. (By Mr. Mason) Mr. Cox, I apologize if I
 3 already asked you this, but I can't remember so
 4 I'm going to do it just in case. But do you
 5 believe the board should've been consulted
 6 before Mr. Hart was terminated?
 7 MS. EISENBERG: Objection form.
 8 Misstates the record.
 9 You may answer.
 10 A. Yes. My understanding was that Steve Hart was
 11 the board's counsel, not the NRA's counsel, and
 12 so, yes, I believe that the board should've been
 13 notified, if they weren't, or at least
 14 consulted.
 15 Q. Let's go back to April 24, 2019. Do you recall
 16 what was going on with the NRA on or about that
 17 date?
 18 A. I do, yes.
 19 MS. EISENBERG: Objection to form.
 20 You may answer.
 21 A. Yes.
 22 Q. What was occurring at the NRA on or about
 23 April 24 of 2019?
 24 MS. EISENBERG: Objection. Form.
 25 You may answer.

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1 A. We were in Indianapolis, Indiana for the annual
 2 meeting, which also incorporated the board
 3 meetings, a full board meeting, that was to be
 4 on that Monday, whatever the date was. I
 5 believe the 24th was a Wednesday. During the
 6 week we were dealing with committee meetings,
 7 standing committees of both of the board. And
 8 so it was -- for me and for others, it was the
 9 busiest week of the year. For me, personally,
 10 it was particularly busy. I was hosting an
 11 event with the President of the United States,
 12 the Vice President of the United States, various
 13 governors, senators, high-profile individuals
 14 that were participating in an event I organized
 15 that was scheduled for that Friday. Obviously,
 16 with all of these other issues going on, it
 17 was -- it was a very busy and extremely
 18 stressful time both for me and I'm sure for
 19 others.
 20 Q. Do you recall on or about April 24, 2019, Dan
 21 Boren reaching out to you?
 22 A. I do.
 23 Q. Who is Mr. Boren?
 24 A. Dan is the former member of Congress from
 25 Oklahoma. His father was the governor of

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1 Oklahoma. He served from maybe 2005 or '6 for
2 four or five terms. I don't remember when he
3 finished his career in Congress. He served on
4 the NRA board of directors. Served on the
5 various committees. Obviously, given his
6 legislative background, legislative affairs, and
7 other committees that I was intimately involved
8 in given my role as executive director of ILA.
9 But at the time, he was a board member of the
10 National Rifle Association.
11 Q. How long have you personally known Mr. Boren?
12 A. I had known Dan Boren for probably 15 years.
13 Probably around the time he was elected to
14 Congress, if not maybe a little bit before. But
15 around that kind of mid 2005-2006 time frame.
16 Q. Did you consider him a friend back in 2019?
17 A. I did.
18 Q. Do you still consider him a friend today?
19 A. I do.
20 Q. When was the last time you've talked to
21 Mr. Boren?
22 A. I think I talked -- I recall speaking to Dan
23 once after my departure. Just a friendly
24 conversation. I don't remember -- I think he
25 reached out me. I don't remember if I reached

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1 out to him. But it was a, you know, how are you
2 doing. You know, I think he felt bad for what
3 had happened to me. But it was just a friendly,
4 you know, checking in and how are you doing,
5 let's stay in touch sort of deal.
6 MS. EISENBERG: Objection to the extent
7 it's not responsive.
8 Q. As of kind of April 2019, would you have
9 characterized Mr. Boren as an active NRA board
10 member?
11 A. I would not.
12 Q. And why do you say that?
13 A. When Dan was in Congress, he was obviously
14 active on second amendment issues, which is how
15 I got to know him. He was a strong supporter,
16 which ultimately led him to decide to run for
17 the board, being recruited to run for the board.
18 But once he became a former member and spent
19 less time in Washington, he was, you know, less
20 involved. I remember -- I don't remember him
21 being at -- certainly not at all the board
22 meetings. I remember specifically him missing a
23 number of board meetings. He certainly was a
24 valuable committee member on legislative affairs
25 given, again, his legislative background. But,

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1 no, he was not -- he's not somebody who called
2 us a lot sharing, you know, his thoughts on, you
3 know, legislative strategy or campaign strategy
4 or those sorts of things. So I did not consider
5 Dan to be an active board member compared to
6 others.
7 Q. Do you consider Mr. Boren to be an honest man?
8 A. I do.
9 Q. Do you consider Mr. Boren to be a man of
10 integrity?
11 A. I do.
12 Q. Do you believe -- do you consider Mr. Boren
13 during his time as a NRA board member to have
14 been somebody that cared about the NRA?
15 A. I do.
16 Q. Now, going back to -- let me ask you this: I
17 asked you on or about April 24, 2019, whether
18 Mr. Boren reached out to you. Do you recall
19 what the date was?
20 A. I believe -- I think it was the 24th. It was
21 whatever that Wednesday during -- I remember
22 getting a text from him during legislative
23 affairs. It normally falls -- it would normally
24 fall on Thursdays, but because of all the other
25 events going on, it was scheduled -- I believe

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1 it was scheduled a day early and I believe we
2 met for legislative affairs on Wednesday. And
3 if Wednesday is April 24th, then it would've
4 been Wednesday, April 24th.
5 MS. EISENBERG: We can represent for the
6 record April 24, 2019, was in fact a Wednesday.
7 A. Then my memory serves me correctly.
8 Q. Good memory. Mr. Cox, I believe you just
9 referenced it. Did Mr. Boren -- or how did
10 Mr. Boren originally reach out to you?
11 A. I'm sorry. Can you repeat that?
12 Q. Sure. You said that Mr. Boren reached out to
13 you on April 24, 2019. How did he initially
14 reach out to you?
15 A. He reached out to me via, I believe, via text
16 was the initial contact.
17 Q. Do you recall what Mr. Boren said in that text
18 message?
19 A. Something to the effect of, you know, can you
20 give me a call or something along those lines.
21 I need to talk to you. Can you give me a call.
22 I don't remember exactly what he said. But it
23 was basically can you call me.
24 Q. Was it -- were you surprised to get that text
25 message from Mr. Boren?

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1 A. Yeah. I didn't have any idea. I thought maybe
 2 he was calling to -- from time to time he would
 3 reach out and say please tell Wayne or Ollie or
 4 whoever I'm sorry I can't come to the board
 5 meeting; I've got a work conflict or something
 6 else going on. So I had no indication of what
 7 it might be about. I don't know if he tried to
 8 call me and I didn't answer so he texted me.
 9 But I was in a committee meeting and I wasn't in
 10 a position to take a call from Dan or anybody
 11 really other than Wayne or the President of the
 12 United States. So I told him I'd call him back.
 13 Q. You called him back shortly thereafter?
 14 A. I did.
 15 Q. And how long did that conversation last with
 16 Mr. Boren?
 17 A. Counselor, I don't recall. I believe -- I
 18 believe I left the legislative policy committee
 19 meeting which would've been at the host hotel,
 20 went up to my room, and called him. I might
 21 have called him from an empty room. But I think
 22 I went to my room and returned his call. But I
 23 don't remember. I'm sorry. I don't remember
 24 how long that conversation lasted.
 25 Q. What do you recall Mr. Boren telling you during

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1 that telephone call?
 2 A. I remember Dan saying that he was very concerned
 3 about all of the talk around these allegations
 4 and the allegations of misspending. That he had
 5 spoken to Ed Martin or someone at Ackerman
 6 McQueen, that he was -- that there was bad
 7 stuff, you know, that there was bad stuff coming
 8 and he, you know, was hopeful that, you know,
 9 things, you know, things could be, I don't know,
 10 patched up or not go down a path of, you know,
 11 destruction and cause more problems for the
 12 organization.
 13 Q. Anything else you recall about specifically
 14 about that conversation?
 15 A. Yeah. I remember Dan saying that, you know, if
 16 things need to be, you know, if things -- if
 17 there's -- I don't know if he mentioned
 18 documents specifically. But if there's issues
 19 that needed to be resolved, then, you know, they
 20 need to have a conversation, you know. If not,
 21 you know, they're -- what I took is Ackerman's
 22 ready to strike back. And in fact, Ackerman's,
 23 you know, you know, ready to -- there's
 24 impending -- there's an impending response of
 25 some sort that was going to be bad. That it was

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1 going to be, you know, embarrassing for Wayne
 2 and bad for the organization.
 3 Q. All right. Let's break that down a little bit.
 4 But before we do that, Mr. Cox, was it your
 5 impression from having that conversation with
 6 Mr. Boren that Mr. Boren was just trying to
 7 help?
 8 A. Yes. It was a very calm, you know, measure. He
 9 was not threatening. He was -- it came across
 10 to me that he was relying on the information
 11 that was important. That's how I interpreted
 12 it.
 13 Q. So with respect to -- I believe you said you
 14 thought he mentioned Ed Martin's name
 15 specifically. Do you specifically remember him
 16 referencing Mr. Martin?
 17 A. I remember him referencing a conversation he had
 18 had. I believe that he said Mr. Martin. It
 19 could've been someone else. But I do remember
 20 him specifically referencing a conversation he
 21 had had and he obviously didn't get it -- he
 22 didn't just make it up on his own. So it was
 23 clear to me that he had spoken with someone,
 24 someone who knew something.
 25 Q. Do you know Ed Martin?

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1 A. I probably have crossed paths. And if I -- I
 2 mean, at the time, I met thousands of people,
 3 literally thousands of people, including a lot
 4 of Ackerman people. And I don't want to say it
 5 to be disrespectful. I'm not sure I would know
 6 Ed. But if we walked in, I might recognize his
 7 face. But he was not someone that I interacted
 8 with or dealt with on regular basis at all. And
 9 certainly not one of the Ackerman McQueen people
 10 who I interacted with on more regular basis.
 11 Q. So is it fair to say you don't know what
 12 Mr. Martin's role is at Ackerman McQueen?
 13 A. I think I've been -- I don't know if he was
 14 creative officer. I don't know what -- I
 15 truthfully don't know what Mr. Martin's title is
 16 or role is either now or back in 2019.
 17 Q. And let me ask you this: Do you know a Henry
 18 Martin?
 19 A. I do know Henry Martin. Yes.
 20 Q. And Henry Martin is -- do you understand that --
 21 well, let me ask you this: Did you ever work
 22 with a Henry Martin over at Ackerman McQueen?
 23 A. I did.
 24 Q. What did Henry Martin do to -- did you -- what
 25 kinds of work did you do with Henry Martin?



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1 A. My interaction with Henry was around speeches,
2 if I'm thinking of the right person, the right
3 Henry Martin, or the right Henry. It was -- he
4 worked on speeches.
5 Q. So when we're talking about Ed Martin and Henry
6 Martin, do you understand that those are two
7 separate people?
8 A. I do, yes.
9 Q. And if I represented to you that Ed Martin is
10 chairman of the board at Ackerman, would you
11 have any reason to disagree with that
12 representation?
13 A. I would not.
14 Q. If I represented -- let me ask it this way. Do
15 you know what involvement, if any, Ed Martin had
16 at Ackerman McQueen with respect to the NRA
17 account?
18 A. I have no recollection or even reason to know
19 whatsoever.
20 Q. So in terms of your conversation with Mr. Boren,
21 I believe that you referenced initially that he
22 was concerned about some allegations of
23 misspending. Do I have that correct?
24 A. Yes. There were -- there were the concerns that
25 were now becoming public. And there were

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1 concerns about the unknowns, like is there more,
2 is there more coming. And I believe that based
3 on that conversation, that he was trying to help
4 the NRA avoid on some level more, you know, more
5 problems.
6 Q. Do you recall there being any specific
7 discussions about misspending during that
8 telephone call?
9 A. I don't remember if there were, to be honest
10 with you. There were so many conversations
11 going on at the time about all of these
12 different issues. And I know that this is an
13 important one in all of this. I remember the
14 conversation with Dan. I remember that he was
15 worried about allegations of impropriety and
16 that he was -- he was -- it came across to me
17 that he was passing along information that was
18 important and that he was trying to -- that he
19 was trying to be a helpful, you know, messenger
20 is the way it came across to me.
21 Q. In terms of the allegation of impropriety, was
22 there any specific reference to what those --
23 what those allegations of impropriety were or
24 who they related to?
25 A. You know, a lot of it I already knew. And then

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1 my concern was what you know what I didn't know,
2 to be honest with you, and what was impending.
3 Like what was -- what was about to happen. And
4 that was -- that was the concern. And what I
5 was -- what I was told was that there's more --
6 there's more embarrassing spending and other
7 things that are -- that are going to be used.
8 And I don't know if he was referring to the
9 things that were already out or new things. I
10 didn't know. And I'm not sure I have a reason
11 to believe that he knew.
12 Q. Do you recall Mr. Boren making any reference to
13 a lawsuit during -- a counterclaim?
14 A. I don't remember the exact words that Dan used.
15 But I remember him saying that, you know, it
16 doesn't have to go -- it doesn't have to be --
17 you know Ackerman doesn't want it to be an ugly
18 fight. If there's issues that need to be
19 resolved, you know, you all should sit down and
20 resolve them. But I was -- I was under the
21 impression based on that conversation that the
22 clock was ticking, that something was about to
23 happen. And that was extremely troubling to me.
24 Q. What gave you the impression -- what did
25 Mr. Boren specifically say to you that gave you

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1 the impression that the clock was ticking?
2 A. He made a reference to Ackerman is basically --
3 not his words, but basically going to strike
4 back. That, you know, there was -- there was
5 something, you know, there was more -- there was
6 more that was going to come and it was going to
7 be bad and embarrassing and, you know, god, I
8 hope that, you know, that they can sit down and
9 resolve this stuff. And I took it from him as
10 he was not, you know, he was not taking the
11 position necessarily even though he did at one
12 point, but he was -- he was trying to relay
13 on -- I had this conversation; you guys need to
14 know about it. And so my -- I can tell you what
15 happened next with my advice to him. But that
16 was -- that was what I took from that
17 conversation.
18 Q. In terms of -- because you said he was wanting
19 to rely on his conversation with Ed Martin,
20 right?
21 A. That was -- that was the impression that I --
22 that he didn't make this up. He didn't come
23 about it on his own, that he was relying on
24 something that someone clearly had told him and
25 that he was trying to help and try to help



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1 mitigate it or however -- whatever the right
 2 word is. But I viewed him as trying to help
 3 avoid a further -- further, you know, problems.
 4 Q. Did he say anything to you that made you think
 5 that Ackerman had requested or demanded that
 6 Mr. Boren take some sort of action to -- well,
 7 let me -- that's a bad question. Let me ask it
 8 a different way. Let me ask you a few more
 9 factual questions first. During that call with
 10 Mr. Boren, do you recall there being any
 11 discussion about Mr. Powell and a sexual
 12 harassment claim?
 13 A. I don't remember. There were certainly
 14 conversations and rumors going on around that
 15 time as it related to Josh. I don't remember if
 16 Dan mentioned that in the conversation or not.
 17 He might have. He might not have. I honestly
 18 don't remember if Josh was mentioned as part of
 19 that call. He could've just made a reference to
 20 Josh as a disaster or something along those
 21 lines. But I don't remember if that -- if that
 22 was part of the conversation or not.
 23 Q. Did Mr. Boren specifically tell you that he was
 24 calling at the direction of Ackerman McQueen?
 25 A. He did not.

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1 Q. Was it your impression from your conversation
 2 with Mr. Boren that he had just learned some
 3 information and he was simply passing along that
 4 information to you and the NRA because he felt
 5 like it was important?
 6 A. Can you repeat the first part of that question
 7 again.
 8 Q. Sure. Was it your impression from your
 9 conversation with Mr. Boren that he had just
 10 learned certain information from this
 11 conversation that he had with Ed Martin and
 12 based on that he was just trying to pass it
 13 along to you and the NRA?
 14 A. Yes. My impression was that he was passing
 15 along information that he felt needed to be --
 16 needed to be known. Yes.
 17 Q. During that call, do you recall there being any
 18 discussion with respect to Mr. LaPierre stepping
 19 down or resigning?
 20 A. I do remember Dan making some sort of comment
 21 with regards to, you know, if this is true or
 22 something along those lines, Wayne's got to go.
 23 Q. During that call, did Mr. Boren state that
 24 Ackerman McQueen was making any kind of threats?
 25 A. What I took from that call, Counselor, was there

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1 was something that Ackerman was about to do,
 2 that there was something impending with regards
 3 to more information, bad information, something
 4 that was going to be bad and embarrassing to
 5 Wayne and to the organization. I don't know if
 6 he mentioned Josh. Maybe he did. Maybe that
 7 was another conversation that was going on at
 8 the same time. It all gets muddled. But, yes,
 9 I do remember a sense from my interpretation
 10 that there was something -- there was something
 11 that was about to happen and he was trying to
 12 help avoid. And that, you know, if there's
 13 disagreements, they need to -- you know, I hope
 14 they can sit down and resolve them. You know,
 15 if there's -- I don't know what Dan knew or what
 16 Dan didn't know about the back-and-forth that
 17 was going on. And I didn't -- truthfully, I
 18 didn't know a lot about it and I certainly
 19 didn't share any of that in that conversation.
 20 But that was the sense that I got from the call
 21 with Dan.
 22 Q. Did Mr. Boren ask you to convey a message on
 23 behalf of Ackerman that it believed Mr. LaPierre
 24 should resign?
 25 A. I did not -- I did not take from that

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1 conversation that Dan was doing anything other
 2 than relying on his feelings and Ackerman's
 3 feelings with regards to Wayne. But I do know
 4 that Dan made a comment with regards to if it's
 5 true, Wayne's got to go.
 6 Q. Did you take any notes from that conversation
 7 with Mr. Boren?
 8 A. I did not.
 9 Q. What was your response to Mr. Boren when he was
 10 conveying this information to you?
 11 A. I was -- honestly, I was saddened by the entire
 12 ordeal. And I told Dan exactly what I thought
 13 was the right thing to do. And I told Dan he
 14 needed to call Wayne. And if he couldn't get in
 15 touch with Wayne, to call Millie. I gave him
 16 Millie's cell phone number. I didn't give him
 17 Wayne's cell phone number because I wasn't in
 18 the habit of giving people Wayne's cell phone
 19 number or even board members. And I told him to
 20 call Ollie North as president of the board only
 21 because Dan was a board member. Here's a board
 22 member; he's presenting some information that I
 23 believed was really important. I was worried.
 24 I was concerned. And I did what I thought was
 25 the right thing to do which was call Ollie.



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1 Call Wayne. That's what I -- that's what I
2 recommended Dan do.
3 Q. Did you ever speak with Mr. Martin, Mr. Ed
4 Martin, about what Mr. Boren was telling you?
5 A. No.
6 Q. Did you ever speak with anyone Ackerman McQueen
7 regarding what Mr. Boren was telling you during
8 that telephone call?
9 A. No.
10 Q. Did you ever have any discussion with anyone
11 from Ackerman regarding Mr. LaPierre resigning?
12 A. No.
13 Q. Did you ever have any discussion with anyone
14 from Ackerman McQueen regarding Mr. LaPierre's
15 expenses?
16 A. No.
17 Q. Did you ever have a discussion with anyone from
18 Ackerman regarding Ackerman filing a lawsuit
19 against the NRA?
20 A. No.
21 Q. Did you ever have any discussion with anyone
22 from Ackerman regarding Ackerman filing a
23 counterclaim against the NRA?
24 A. No.
25 Q. You were not on the telephone call with

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1 Mr. Boren and Mr. Martin, correct?
2 A. Correct.
3 Q. And you don't know what was actually said during
4 that call between Mr. Boren and Mr. Martin,
5 correct?
6 A. Correct. I do not. That's correct.
7 Q. Would you agree with me that the recollection of
8 Mr. Boren and Mr. Martin regarding what was
9 discussed during their telephone call would be
10 the best evidence of what was actually
11 discussed?
12 MS. EISENBERG: Objection. Form.
13 You may answer.
14 A. Can you repeat the question, Counsel.
15 Q. Sure. Would you agree with me that the
16 recollection of Mr. Boren and Mr. Ed Martin
17 regarding what was discussed during their
18 telephone call would be the best evidence of
19 what was actually discussed?
20 MS. EISENBERG: Objection.
21 You may answer.
22 A. Yes.
23 Q. You don't have any direct evidence that anyone
24 from Ackerman was demanding or threatening that
25 Mr. LaPierre must resign or they were going to

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1 take some sort of action, do you?
2 MS. EISENBERG: Objection to form.
3 You may answer.
4 A. I have no direct evidence of that. No.
5 Q. Do you -- so I just want to be sure that the
6 record is clear on this. So is my understanding
7 correct that you don't recall specifically there
8 being any discussion with Mr. Boren about a
9 lawsuit or counterclaim. Is that accurate?
10 MS. EISENBERG: Objection to form.
11 You may answer.
12 A. I do remember -- and, Counselor, I'm not a
13 lawyer and I do apologize for not understanding
14 all the different aspects of pleadings and
15 claims and counterclaims and all the rest of it.
16 But I believed based on my conversation with Dan
17 that some sort of action, what that action was I
18 don't know, but was imminent. It was imminent
19 and it was going to be problematic. That was my
20 recollection. And that's what I encouraged Dan
21 to pass on to others. And I gave others a
22 heads-up that all this was coming. The last
23 thing I wanted to do was be in the middle of
24 that. And so I encouraged Dan to call the two
25 people who I thought would be the most

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1 appropriate for him to call and talk to about
2 it.
3 Q. Let's take a look at -- give me one second. So
4 have you told me at this point everything that
5 you recall, as you sit here today, relating to
6 your conversation with Mr. Boren?
7 A. Without going back and reading the transcript, I
8 believe that we've touched on the nature of the
9 call, that my interpretation of it, what I
10 believed, was being passed along. I believe
11 we've talked about it. But if you have more
12 questions, I'm happy to answer them.
13 Q. So you get off the phone with Dan Boren. What
14 do you do next? What happens next?
15 A. I would have called Wayne and/or Millie first
16 and then Ollie second to pass along that I just
17 had a conversation with Boren he's going to be
18 calling you. You know, Millie, you need to
19 answer. Ollie, I don't remember if I connected
20 with Ollie or not when I first tried him. I
21 didn't connect with Wayne. But I did talk to
22 Millie and shared that, you know, Dan Boren
23 is -- basically Dan Boren is going to be calling
24 you and you need to take that call.
25 Q. Anything else you recall telling Millie besides



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1 Boren's going to be calling and you need to take
2 the call?
3 A. I might have captured the essence of the
4 conversation. I might not have to kind of stay
5 out of it and let Wayne and Ollie have the
6 conversation and not have me dragged in the
7 middle of it. But, unfortunately, I was in the
8 middle of it at that point. But I don't
9 remember if I shared the nature of the
10 conversation. I might not have given the
11 sensitivity to it with Millie. But I just told
12 her that Dan Boren was trying to get in touch
13 with Wayne and Ollie.
14 Q. So let me make sure I've just got the sequence
15 of events right. You get off the phone with
16 Mr. Boren and then you tried to get in touch
17 with Mr. LaPierre, Ms. Hallow, and Mr. -- and
18 Colonel North; is that true?
19 A. I don't remember if I got -- like the exact
20 timing of it, if it happened immediately. But
21 it would have happened, obviously, given what I
22 viewed as the important nature of the subject
23 matter. It would've happened very quickly. I'd
24 have to go back and look at when I made those
25 calls. But I know that I made those calls.

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1 Q. And you know that you weren't able to reach
2 Mr. LaPierre when you tried to reach him, right?
3 A. I don't -- Mr. Mason, I don't remember. Again,
4 this was during our meetings. This was an
5 annual meeting. We were all over the place.
6 The only person busier than me that week
7 would've been arguably Wayne. And so I don't
8 know if I -- that's why I said Wayne and/or
9 Millie. I might have just called Millie. I
10 know that I called Millie. I don't know if I
11 tried to call Wayne or not. But calling Millie
12 was the second best -- you know, they were
13 always together at the annual meetings so I knew
14 that was the best way to get a message to him.
15 And then I also at some point relayed the
16 message to Millie that I really -- I don't know
17 if it was that call or another call that I
18 needed to connect with Wayne, which was not
19 uncommon for me to call her and tell her that.
20 Q. At some point after your call with Mr. Boren
21 that same day, did you get in touch with Colonel
22 North?
23 A. Probably. I don't remember the exact time it
24 would've been. But I know that I would have had
25 a conversation with Ollie you know out of

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1 professional deference that I told someone to
2 call him and I wanted to give him a heads-up as
3 to the fact that Dan was going to be calling.
4 Q. Do you remember anything about your conversation
5 substantively with Colonel North?
6 A. I don't. My assumption is that I would have
7 relayed on the nature of the conversation and
8 that he needed to talk to Dan and that I had
9 told Dan to call Wayne and to call him.
10 Q. Do you recall anything that Colonel North said
11 to you during that call?
12 A. I do not.
13 Q. Do you recall during that call with Colonel
14 North there being any sort of discussion about
15 Mr. LaPierre resigning?
16 A. No.
17 Q. At some point that day, did you have a
18 conversation with Mr. LaPierre about your call
19 with Mr. Boren?
20 A. Counselor, I honestly don't remember if I talked
21 to Wayne that day or not. Obviously, my
22 understanding is they were in some sort of
23 officer's meeting. Obviously I wasn't part of
24 it. But with Ollie and Richard Childress and
25 others. But I don't know on Wednesday if I

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1 talked to Wayne or not. I might have. But I
2 don't -- I don't know if I did or not. I don't
3 recall talking to him that day. But I did talk
4 to Millie. I know I talked to Millie.
5 Q. So let me ask you this then. At some point in
6 time do you remember having a conversation with
7 Mr. LaPierre about your conversation with
8 Mr. Boren?
9 A. Yes.
10 Q. Where did that conversation take place?
11 A. That conversation took place at the host hotel
12 in the room that I was using. I don't remember
13 if that was Thursday. But we had -- we had a
14 meeting. It wasn't that day. I don't think it
15 would've been Friday because I was dealing with
16 the President and all the speakers at the event
17 at the forum. So I believe in my recollection,
18 I could be wrong, but I believe that meeting
19 took place on Thursday. That might be -- my
20 memory might be wrong there. But I believe that
21 meeting took place on Thursday.
22 Q. Who was present for that meeting?
23 A. It was Wayne, Carolyn Meadows, and myself.
24 Q. How long did that meeting last?
25 A. It was a -- it wasn't a quick meeting. It was

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1 a -- it was a relatively long or annual meeting
 2 type of conversation like that. But it was a
 3 discussion. I don't -- honestly, I can't tell
 4 you if it was 15 minutes or 30 minutes. But it
 5 was real conversation.
 6 Q. Do you recall the purpose of that meeting?
 7 A. I do. I had requested the meeting. I wanted to
 8 have a conversation with Wayne just the two of
 9 us. I had not talked to Wayne about all of
 10 these things that were breaking with regards,
 11 you know, to the clothing charges and all these
 12 other things and I wanted to have a conversation
 13 with my boss and also with my friend to find
 14 out, you know, what -- what was going on, what
 15 was the plan, and to do everything I could to
 16 not have the President of the United States pull
 17 out of our event. This was -- you know,
 18 having -- the year before was the first year
 19 since Ronald Reagan that a sitting president had
 20 spoken at the NRA convention. So I was
 21 responsible for getting him there the year
 22 before. That year, for the first time in NRA's
 23 history, both the President and the sitting Vice
 24 President were both going to address NRA members
 25 at the convention. Obviously I was responsible

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1 for orchestrating not only, you know, their
 2 attendance but all of the headaches that go with
 3 dealing with the Secret Service and staff and
 4 all the rest of it. I had governors. I had
 5 senators. I had congressmen. I had other VIPs.
 6 And this was -- this was a showcase of NRA's
 7 strength. That NRA was going to have the
 8 President and the Vice President. And this was
 9 the bright light. This was the media takeaway.
 10 From a public affairs standpoint, this was the
 11 sign of strength, the showing of power. And not
 12 just that from a public image standpoint, but
 13 for the idea that this could all blow up, that
 14 we could have a terrible story, that we could
 15 have some bad thing happen was extremely
 16 troubling to me. And I was desperate to not
 17 have our members hurt by it, our donors hurt by
 18 it, our political clout hurt by it, and the
 19 image of national rifle association hurt by all
 20 of this. I was desperate to make sure I did
 21 what I could to not see that happen.
 22 Q. What do you recall telling Mr. LaPierre during
 23 that meeting that you had?
 24 A. I remember asking Wayne directly is it true?
 25 Did you have an Ackerman McQueen credit card?

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1 Did you charge suits at Zegna? I remember
 2 asking him what is the plan. Like I want to
 3 help you. This is a problem. I want to help
 4 you. And I remember -- I remember telling him
 5 that this is bad. We cannot have another --
 6 another problem hit the day before the President
 7 shows up because then he doesn't show up or even
 8 worse have it hit while the President is
 9 speaking at the event, then I'm responsible --
 10 the biggest event of the year arguably for the
 11 organization that I'm responsible for putting
 12 on. And I was desperate to get him to buy time.
 13 Like engage in a conversation, don't have this
 14 blow up, and don't have -- I remember telling
 15 him don't let Ackerman hand you your head on a
 16 silver platter which is what I was worried was
 17 going to happen. That this was going to be
 18 embarrassing and bad. I didn't know. I mean,
 19 my fear was what I didn't know. I knew a lot.
 20 But my concern was there was more and it was
 21 imminent. And that this was going to cause a
 22 major problem for the National Rifle
 23 Association, our members, and our image. And I
 24 was desperate to not have it happen then. Buy
 25 some time. Like get into next week, engage in a

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1 conversation. Let's not have this blow up at
 2 our meeting.
 3 Q. Did you tell Mr. LaPierre that you thought he
 4 should resign as executive vice president of the
 5 NRA?
 6 A. I never told Wayne that I thought he should
 7 resign as executive vice president of the NRA.
 8 Q. What do you recall Mr. LaPierre's response being
 9 when you communicated these various things to
 10 him?
 11 A. Well, it was -- as I said, it was a somewhat
 12 lengthy conversation. And I remember when I
 13 asked about the credit card and all those sorts
 14 of things, I remember him saying, you know, that
 15 doesn't happen anymore. And I remember being
 16 pleased with that answer. I remember being
 17 encouraged that, okay, like that's good. Like,
 18 you know, let me help you, you know, with this
 19 campaign to get out of this mess. I do remember
 20 Wayne referencing the fact that he had heard
 21 that I had written a letter of resignation and
 22 that he was hopeful that I would not resign. I
 23 remember Carolyn Meadows making a similar
 24 comment about hoping that I wouldn't resign.
 25 But I was -- I was desperate to not have this --



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1 this great celebration that we were going to
 2 have on literally at this point the next day,
 3 have it all completely blow up and be a big
 4 problem for NRA's political influence, our
 5 fundraising ability, our membership. Obviously,
 6 the press would've been just horrific from a
 7 public standpoint. And I was desperate to not
 8 have -- to not have this happen.

9 Q. Let's take a look at Exhibit 45, please. And,
 10 Mr. Cox, I'll represent to you that that is a
 11 deposition transcript from Mr. LaPierre in
 12 the -- in a Virginia lawsuit relating to the
 13 same issues. And the lawsuit is currently
 14 pending in the district court in Dallas. If you
 15 could, let's go down to page 179, I'm sorry,
 16 page 172 of the actual PDF document.

17 A. Can you tell me, Counselor, if you scroll down
 18 on the left side of that, which page that would
 19 reference? If not, I can figure it out, but --
 20 all right. I'm close. Which page do you -- 20
 21 what?

22 Q. Look at 172, please.

23 A. Okay. I'm on page 172.

24 Q. And if you will, let's go down to line 19 that
 25 states, "I was also called." Do you see that?

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1 A. I do.

2 Q. And Mr. LaPierre says, I was also called to
 3 Chris Cox's room. And Chris Cox said to me,
 4 man, Wayne, you need to withdraw that lawsuit
 5 against Ackerman McQueen. He goes, you need to
 6 go along with these guys. You need to alleviate
 7 the pressure. He goes, if you don't, he goes,
 8 I've been talking to Dan Boren and they are
 9 going to smear you to the point where you will
 10 not be able to walk down the street. Do you see
 11 that?

12 A. I do.

13 Q. Is that testimony from Mr. LaPierre consistent
 14 with your recollection or no?

15 A. Overall, no. There's a -- I do remember telling
 16 Wayne that I believed, based on my conversation
 17 with Boren, that Ackerman was going to -- was
 18 going to -- smear would not have been the word I
 19 would have used, but, you know, try to embarrass
 20 you or, you know, that there was going to be
 21 more, they had more information or there was
 22 going to be more bad stuff that was going to
 23 come out. But to be honest with you, Counselor,
 24 I never would've said withdraw a lawsuit against
 25 Ackerman. Because, truthfully, I believed based

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1 on my knowledge of what was being asked that
 2 there was nothing wrong with asking for
 3 documents. If there was a contract that was
 4 signed with documents, then they should --
 5 Ackerman should turn them over.

6 I didn't have a -- I had never talked to
 7 Ackerman about their lawsuit. To this day, I
 8 haven't talked to Ackerman about their lawsuit.
 9 It's -- it's just not consistent with what I
 10 would have said because I didn't say that. It
 11 was a -- I was -- I was worried and I think you
 12 can say I was frantic. I was concerned. I was
 13 concerned about my friend at that point. I was
 14 concerned that there was going to be more
 15 damaging information that came out that I didn't
 16 even know about on top of the things that were
 17 already being thrown around. But I never -- I
 18 never said withdraw a lawsuit. Because I
 19 truthfully didn't believe that the NRA had a
 20 reason to withdraw the lawsuit.

21 Q. And like you testified earlier, you didn't know
 22 enough about what the lawsuit was anyway, right?

23 A. That is -- that is correct. My understanding
 24 was that the NRA was requesting documents. What
 25 was told to me is that Ackerman wasn't turning

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1 the documents over that were needed. And quite
 2 frankly, I had, you know, I had concerns outside
 3 of that about some of these things regarding
 4 Ackerman. And you know I never would've said
 5 drop a lawsuit because I wasn't involved in the
 6 lawsuit. It wasn't my decision. Wayne wasn't
 7 going to -- even if I had said that, Wayne
 8 wasn't going to say okay I'll drop a lawsuit.
 9 That's just not -- it did not -- those words did
 10 not come out of my mouth. It was a -- not a
 11 heated conversation, but it was a heightened
 12 level of concern and emotion. But, no, I never
 13 told Wayne to drop a lawsuit.

14 Q. If you will, Mr. Cox, let's take a look at
 15 Exhibit 81, please. And if you will go down to
 16 page 24. And I will represent to you again,
 17 Mr. Cox, that this is a part of the transcript
 18 from the recent NRA bankruptcy trial back in
 19 April of this year. And we're going to look at
 20 a portion of the testimony from Mr. LaPierre on
 21 page 24.

22 A. Okay. I have that up.

23 Q. And if you will, if you'll look at -- starting
 24 on line 23, do you see that where it has "Okay,
 25 and that's what this is all about."?



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1 A. I do see that.

2 Q. So beginning on line 23:

3 Question: Okay, and that's what this is

4 about. Can you tell me who called you directly

5 and made ultimatums in this time frame we're

6 talking about?

7 Answer: Chris Cox wanted to meet with

8 me. I went and met with him. And he told me,

9 Wayne, he said, you've got to resign. You need

10 to withdraw that lawsuit against Ackerman

11 McQueen. You've got to get on board with these

12 guys or they're going to smear you to the point

13 where you not -- will not be able to walk down

14 the street. He said it's going to be horrible.

15 And he said --

16 Question: And he said -- did he say he

17 was speaking on behalf of AMC?

18 Answer: He implied it was AMC and

19 Colonel North and when he said -- when he said

20 they.

21 Do you see that testimony we just read?

22 A. I do.

23 Q. Do you believe Mr. LaPierre's testimony from

24 this bankruptcy trial relating to this is

25 accurate?

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1 A. There are parts of this just like the last

2 exhibit that we looked at that the concern that

3 I had that Wayne was going to be smeared by

4 Ackerman McQueen and what they knew, that is

5 accurate. That is an accurate concern. I was

6 extremely worried about that. Not just for the

7 National Rifle Association but for Wayne who was

8 still not just my boss but my friend. I was

9 worried about Wayne at that point. I can tell

10 you this -- Wayne's recollection of that

11 conversation is not accurate. The idea that I

12 would have told Wayne to resign -- I actually

13 told Wayne the opposite in that meeting. And I

14 remember -- to be honest with you, I try not to

15 use profanity in general. And I certainly try

16 not to use profanity around Carolyn Meadows, but

17 I just acted as if she wasn't there. I remember

18 saying eff Ack-Mac. They don't get to decide

19 whether you leave, whether it's next week, next

20 month, or ten years from now. Just don't --

21 engage them in a conversation and don't let them

22 hand you your head on a silver platter. That

23 was the conversation. I never told Wayne -- the

24 idea that I would tell Wayne three days before

25 he was scheduled to reappoint me as he did every

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1 year to my position is simply outside the realm

2 of credibility.

3 Wayne on Monday during the annual meeting

4 or Monday during the full board meeting, so

5 three days after this threat that I supposedly

6 made against him that he had to resign, that he

7 was going to get back up in front of the board

8 and reappoint me as executive director of ILA

9 and never mentioned the fact that I told him to

10 drop a lawsuit or told him to drop -- or that he

11 had to resign is simply Wayne not -- not

12 remembering the conversation that took place

13 accurately is the nicest way I could describe

14 that.

15 Q. Are you aware that Mr. LaPierre has stated that

16 he believed that you were part of this criminal

17 conspiracy?

18 MS. EISENBERG: Objection. Form.

19 Misstates the record. Go ahead.

20 A. Yes. I'm aware of the false accusations made

21 against me prior to my departure and since my

22 departure. Yes.

23 Q. Let's take a look at AMC Exhibit 58, really

24 quick, please. And if you'll go down to page

25 626.

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1 A. Okay.

2 Q. If you go to page 626, line 18. Do you see

3 that?

4 A. I'm sorry. Give me one second.

5 MS. EISENBERG: For the record, of

6 course, we object to the admissibility of all

7 these giant transcripts into the record at the

8 trial. But I know that Mr. Mason --

9 THE COURT REPORTER: I'm sorry.

10 Svetlana. You said "that Mr. Mason," and then I

11 lost you after that.

12 MS. EISENBERG: -- is simply using these

13 lengthy exhibits for purposes of showing the

14 witness a specific page. But to the extent,

15 it's not clear, of course, to the extent these

16 records and transcripts are voluminous, they may

17 or may not be admissible. And I'm not in a

18 position to assess their admissibility. And all

19 of those objections are reserved until later.

20 And I assume that Mr. Mason agrees with that.

21 MR. MASON: I agree that your objections

22 to admissibility of trial evidence is preserved.

23 Sure. But, for the record, these are statements

24 of Wayne LaPierre and they're admissions by a

25 party opponent. But we can have that

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1 conversation later on.

2 Q. Mr. Cox, Exhibit 58, is a transcript -- I don't

3 know if you call it a deposition or a sworn

4 statement -- of Mr. LaPierre. And if you will

5 look at page 626 -- are you there now on line

6 18?

7 A. I was there. Sorry. Give me one second. Yes.

8 I'm -- I believe I am there. Yes.

9 Q. Question: Chris Cox, he came on board about...

10 Do you see that?

11 A. I do.

12 Q. So Mr. LaPierre, the question on line 18:

13 Question: Chris Cox, he came on board

14 about the same time you did or shortly

15 thereafter. You concluded that he was part of a

16 criminal conspiracy; isn't that correct?

17 Answer: I believe -- yeah, I believe he

18 was.

19 Do you see that?

20 A. I see that.

21 Q. Were you part of a criminal conspiracy with

22 respect to trying to get Mr. LaPierre to resign,

23 Mr. Cox?

24 A. No.

25 Q. Does it bother you that Mr. LaPierre would make

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1 such an allegation like that against you?

2 A. It bothers me on a personal level and a

3 professional level. I dedicated half of my life

4 to not only that organization but to Wayne

5 LaPierre. And the suggestion that I would have

6 participated in a conspiracy, let alone a

7 criminal conspiracy, it's offensive. It's

8 hurtful. But it's absolutely not true.

9 Q. Are you aware that the NRA has made allegations

10 that Dan Boren was also engaged in this criminal

11 conspiracy?

12 A. I am.

13 Q. Do you believe those allegations against

14 Mr. Boren are accurate?

15 A. I do not believe that Dan Boren was part of a

16 criminal conspiracy. No.

17 Q. Do you understand that the NRA has also made

18 allegations against Colonel North stating that

19 he was working, with among other people,

20 Mr. Boren and Ackerman McQueen in a failed

21 extortion attempt. Are you aware of that?

22 A. I'm aware of that.

23 Q. Do you believe those allegations to be true?

24 A. I can't speak to any conversations that Ollie

25 had with Dan Boren that I wasn't a part of. I

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1 can't speak to any conversations that Dan Boren

2 had other than the conversation I had. But, no,

3 I do not believe that Colonel North was involved

4 in a criminal conspiracy and I do not believe

5 that Dan Boren was involved in a criminal

6 conspiracy.

7 Q. If you will, let's look at AMC Exhibit 51,

8 please. And we can probably take a break for a

9 few minutes.

10 A. Okay. I have that pulled up.

11 Q. This is a -- if you'll go down to page 242,

12 please, Mr. Cox. This a deposition that was

13 given by Carolyn Meadows in January 2020. And

14 if you'll go down to the depo page 242.

15 A. Sure. One second. 242?

16 Q. 242. So it looks like it's PDF number 62.

17 A. Okay. I've got that.

18 Q. And actually let's start just above that on page

19 241, line 21. The question, what do you know

20 about Chris Cox. Do you see that?

21 A. I do.

22 Q. So beginning on, for the record, page 241, line

23 21:

24 Question: What do you know about Chris

25 Cox being part of an Ackerman-North-Boren

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1 conspiracy?

2 Answer: At four o'clock on April the

3 24th, at the request of Chris Cox, Wayne

4 LaPierre and I met with him. And he pretty much

5 parroted what Dan Boren had said earlier in the

6 day and what Ollie North had said. And for

7 about 20 minutes he was telling Wayne why he

8 should resign. And that if he didn't,

9 everything that he had done in his 38 years at

10 the NRA would be smeared in every paper in the

11 country. And he has -- his family would be

12 humiliated.

13 Do you see that?

14 A. I do.

15 MS. EISENBERG: Objection to the extent

16 the reading slightly misstates what she said --

17 the witness said. But the record, the

18 transcript, will speak for itself.

19 MR. MASON: Sure. If I misstated it, the

20 transcript states what it says.

21 Q. Mr. Cox, with respect to Ms. Meadows -- and,

22 just for the record, Ms. Meadows is now the --

23 do you understand Ms. Meadows is the current

24 president of the NRA?

25 A. I do.



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1 Q. Do you understand that Ms. Meadows became the
2 president of the NRA when Colonel North was --
3 stepped down or resigned?
4 MS. EISENBERG: Objection. Form.
5 You may answer.
6 A. Yes.
7 Q. Let me ask that another way. At some point in
8 time did you understand that Colonel North was
9 no longer going to be the president of the NRA?
10 A. Yes.
11 Q. Who took over, or do you know who took over for
12 Colonel North as NRA president?
13 A. Carolyn Meadows.
14 Q. And Ms. Meadows states on page 242 of this depo
15 transcript that you were telling Wayne for about
16 25 minutes why he should resign. Do you see
17 that?
18 A. I do.
19 Q. That's a false statement, isn't it?
20 A. It's a misrepresentation of the conversation
21 that happened including that I requested to meet
22 with Wayne and her. I didn't request to meet
23 with Carolyn. I requested to meet with Wayne
24 and she showed up. But also, if I could,
25 Counselor, going back to the lack of logic

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1 behind the suggestion again, Carolyn Meadows
2 assumed the presidency at the full board meeting
3 on Monday is when she took over. She was
4 effectively at the annual meeting on that
5 Saturday, but -- the next day or two days
6 later -- but on Monday she presided as president
7 over the full board meeting where I was
8 placed -- where I was reappointed by Wayne
9 LaPierre. She would've been the one to call me
10 to microphone from the dais. I gave my speech,
11 received a standing ovation. And Carolyn
12 Meadows, the suggestion is that two days or
13 three days before I had told Wayne that he had
14 to resign. But yet Wayne and Carolyn Meadows,
15 neither one told anybody that and didn't bring
16 that up but instead reappointed me to my
17 position with great thunderous applause. It's
18 just not a -- I understand the narrative that's
19 been put out there, but it's a false narrative
20 and a misrepresentation of the conversation that
21 I had with Wayne and Carolyn.
22 Q. Let's do this, Mr. Cox. If we can, let's take
23 about a ten-minute break, if that works for you
24 and everybody else.
25 MS. EISENBERG: Yes. So back at 3:32.

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1 MR. BUCHANAN: How much more do you have?
2 MR. MASON: That works. I don't think --
3 I got to talk to the boss, but hopefully not too
4 much more.
5 MR. BUCHANAN: Okay.
6 THE VIDEOGRAPHER: We are off the record
7 at 3:22 p.m.
8 (Recess taken.)
9 THE VIDEOGRAPHER: We are back on the
10 record at 3:43 p.m.
11 Q. (By Mr. Mason) Mr. Cox, if we can, let's take a
12 look at Exhibit 59, please.
13 A. I'm sorry, Mr. Mason. Can you tell me again
14 what --
15 Q. 59. It's the deposition transcript of
16 Mr. Boren.
17 MS. EISENBERG: Mr. Mason, just for the
18 record, my partner, Ms. Rogers, just joined as
19 well.
20 MR. MASON: Good afternoon, Ms. Rogers.
21 Q. Let's go to page 39, please, if we can.
22 A. Okay.
23 Q. And let's go to line 8 that begins "did you do
24 anything after." Do you see that?
25 A. Yes.

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1 Q. If you look at line 8:
2 Question: Did you do anything after your
3 first phone call with Mr. Martin to try to get
4 things resolved?
5 Answer: I did. I visited with Chris Cox
6 and, again, Millie Hallow and Mr. North.
7 Question: The third person was who?
8 Answer: Oliver North.
9 Question: And what did you discuss with
10 Mr. Cox?
11 Answer: I mentioned that there are --
12 that there are a potential lawsuit from Ackerman
13 McQueen, that they were not wanting to file and
14 damaging corruption allegations against
15 Mr. LaPierre.
16 Do you see that?
17 A. I do.
18 Q. When you had your initial telephone conference
19 with Mr. Boren, do you recall him telling you
20 that there was a potential lawsuit that Ackerman
21 McQueen was not wanting to file?
22 MS. EISENBERG: Objection. Form.
23 You may answer.
24 A. Yes. I remember him saying there was potential
25 action. I don't recall if he said lawsuit or

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1 filing or how he described it. It could've been
 2 lawsuit. But that is exactly consistent with
 3 what I remember him telling me.
 4 Q. To your knowledge, Mr. Cox, is there anything
 5 illegal about filing a lawsuit?
 6 MS. EISENBERG: Objection. Form.
 7 You may answer.
 8 A. Clearly not.
 9 Q. If we can, let's skip over to page 48, please.
 10 A. Okay.
 11 Q. And line 13, see where it said:
 12 Question: Now, did you get the
 13 impression that Mr. Cox wasn't familiar with
 14 these allegations of corruption?
 15 Answer: I was under the impression he
 16 was not surprised by these allegations and but
 17 was troubled by them.
 18 Do you see that?
 19 A. I do.
 20 Q. When you had your initial telephone call with
 21 Mr. Boren, were you surprised by the things that
 22 he was telling you?
 23 MS. EISENBERG: Objection. Form.
 24 You may answer.
 25 A. Counselor, a lot of this obviously I knew. I

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1 knew what I had seen, you know, that had been
 2 passed around. I knew, you know, the rumor mill
 3 was cranking at full speed as you can imagine
 4 during a time like this. And so I didn't -- the
 5 honest answer is I had no clue what, you know,
 6 what he was talking about with regards to like
 7 they were going to file -- I forgot what the --
 8 they were going to file a lawsuit with a bunch
 9 of damaging allegations.
 10 If it was -- if it was -- I was under the
 11 impression that it was new stuff, that the other
 12 shoe was going to drop, and that this was going
 13 to be extremely problematic. And if I wasn't --
 14 I think you characterized it as not surprised.
 15 I mean, there were some things that weren't a
 16 surprise because I knew of allegations. I knew
 17 some of the stuff that had had been reported.
 18 Whether or not it was true or not, I didn't
 19 know. But obviously it was -- any time you have
 20 accusations like that, it's troubling. And I
 21 was -- I was concerned. I mean there were board
 22 members that were, you know, publically calling
 23 Wayne's resignation. So this was not -- this
 24 was not a normal, you know, a normal board
 25 meeting or a normal time. But I did say that he

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1 should call Millie and I gave her contact
 2 information.
 3 Q. Do you recall when approximately the NRA started
 4 investigating or looking into your involvement
 5 with the discussions with Mr. Boren and things
 6 that happened around that time period in
 7 April 2019?
 8 MS. EISENBERG: Objection. Form.
 9 Foundation.
 10 You may answer.
 11 A. I don't. I don't know when -- when -- I assumed
 12 it was around the time they placed me on
 13 administrative leave. But I don't know. I
 14 don't know when that -- I don't know when
 15 that -- when they would have gotten that. I
 16 know that, you know, I turned that stuff over.
 17 But I don't know when they would've gotten it.
 18 MS. EISENBERG: Objection to the answer
 19 to the extent it's speculative and not
 20 responsive.
 21 Q. Did anyone from the NRA ever reach out to you to
 22 give your version of the events in terms of what
 23 happened on or about April 24, 2019?
 24 A. No.
 25 MS. EISENBERG: Objection to form.

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1 You may answer.
 2 A. No.
 3 Q. At any point in time did you ever have a
 4 conversation with anyone from Ackerman about
 5 Mr. LaPierre's removal or resignation?
 6 A. No.
 7 Q. Have you ever heard anyone from Ackerman McQueen
 8 speak to you about Mr. LaPierre's removal or
 9 resignation?
 10 A. No.
 11 Q. Did you have an opportunity to observe -- well,
 12 let me ask it this way. Do you believe that
 13 prior to just, say, 2019 that Mr. LaPierre was a
 14 supporter of Ackerman McQueen and the work that
 15 they were doing for the NRA?
 16 A. Yes.
 17 Q. Was Mr. LaPierre an important component, in your
 18 opinion, to the relationship between Ackerman
 19 and the NRA?
 20 MS. EISENBERG: Objection. Form.
 21 Foundation.
 22 A. Yes.
 23 Q. Why do you say that?
 24 A. For as long as I can remember, and certainly as
 25 long I was an employee for the National Rifle

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1 Association, even prior to my services as
 2 executive director, Ackerman was intimately
 3 involved in NRA messaging campaigns. And Wayne
 4 was -- it was -- Wayne was their most vocal
 5 supporter both internally and externally,
 6 including not only the staff, but the board.
 7 And it was well known that they were Wayne's --
 8 they were Wayne's team. I mean, and to go
 9 against them is to go against Wayne. So it was
 10 very clear to everybody that Ackerman was
 11 important to Wayne and he believed strongly in
 12 their work.

13 Q. So based on that, Mr. Cox, wouldn't you agree
 14 that if Ackerman were acting in its
 15 self-interest, it would want to do everything
 16 possible to make sure that Mr. LaPierre stays as
 17 the executive vice president of the NRA?

18 MS. EISENBERG: Objection. Form.

19 A. Are you -- I'm sorry, Counselor. Just to
 20 clarify, are you talking about over the course
 21 of my 25 years there or at the very end of what
 22 became a -- clearly a confrontational/hostile
 23 relationship? Because when there's lawsuits
 24 going on and whatnot, clearly I was under the
 25 impression that this was an ugly divorce that

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1 was taking place. And so I'm not trying to
 2 avoid the question. I'm just trying to better
 3 understand the specifics of what you're asking.

4 Q. Well, let me ask it this way. Based on your
 5 knowledge about the relationship between the NRA
 6 and Ackerman McQueen and the involvement of
 7 Mr. LaPierre in that relationship, do you think
 8 that, generally speaking, Ackerman McQueen would
 9 want Mr. LaPierre to continue to be the
 10 executive vice president of the NRA?

11 MS. EISENBERG: Objection. Form.
 12 Foundation.

13 A. I can't -- I can't speak to Ackerman's desires
 14 because I never spoke to Ackerman about it.
 15 Clearly, in the past, it was a very -- it was a
 16 very lucrative relationship. I mean, it was a
 17 lot of money every year that was spent with
 18 Ackerman McQueen with Wayne being their most
 19 vocal and -- vocal supporter. So do I believe
 20 that it was a mutually beneficial relationship
 21 in the past? Yes, I absolutely think that Wayne
 22 valued Ackerman McQueen and the work that
 23 Ackerman did. I think that Ackerman was
 24 extremely well compensated for the work that
 25 they did. But towards the end, I mean, just --

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1 I'm not trying to avoid -- but towards the end
 2 they clearly had their issues and it clearly
 3 became you have a very public and ugly divorce.
 4 So how they viewed each other towards the very
 5 end, my guess, is not favorably. But I'm not
 6 trying to avoid the question, Counselor. I'm
 7 just trying to separate the kind of the good
 8 times quote/unquote from the reality of what was
 9 going on at the end. But, hypothetically, would
 10 it have been in their interest to have someone
 11 who had been a vocal supporter, if they would
 12 continue to be a vocal supporter and defender,
 13 then I guess the answer would be yes. But that
 14 was -- that was clearly changing at the end.

15 Q. We talked a little bit earlier about how
 16 Ms. Meadows was the successor NRA president to
 17 Colonel North. Do you recall that?

18 A. I do.

19 Q. Was it concerning at all to you that Ms. Meadows
 20 became the new NRA president after her
 21 involvement with this alleged coup?

22 MS. EISENBERG: Objection to form.
 23 Misstates prior testimony.
 24 You may answer.

25 A. I was not surprised by Carolyn -- it was not the

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1 traditional line of succession. It would've
 2 been Ollie stepped down for whatever reason, and
 3 then it would've been Richard Childress as first
 4 vice president. Richard made the decision not
 5 to, which that was more telling than Carolyn
 6 moving up. But I was not surprised by Carolyn's
 7 ascension after this all played out.

8 Q. Do you know why Mr. Childress didn't become the
 9 next president of the NRA?

10 MS. EISENBERG. Objection. Form.
 11 You may answer.

12 A. I believe Mr. Childress was troubled by what he
 13 had seen. I can't speak for Richard. But I
 14 don't believe that he was interested in, after
 15 what happened with Ollie North and the reason
 16 why, moving forward and being president. I'm
 17 sure there were professional reasons that were
 18 stated at the time, but I think there was -- I
 19 think it was complicated.

20 Q. After your initial telephone call with
 21 Mr. Boren, did you have any subsequent
 22 communications with him whether it was text
 23 messages or telephone calls?

24 A. Yes.

25 Q. Do you recall when those conversations -- well,



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1 let me ask it this way. Do you recall whether
2 it was text messages or was it a telephone call?
3 Both?
4 A. I know, Counselor, that there were additional
5 text messages. I might have had one more
6 conversation. I could've had two. But I
7 don't -- I don't remember. The main
8 conversation was the first -- the first one.
9 And I was not trying to be stuck in the middle
10 of that.
11 Q. If we could, let's take a look at Exhibit 286,
12 please.
13 MS. EISENBERG: So if it's hard to see
14 it, we have a better version of that that we're
15 happy to e-mail to you, Mr. Mason. On my end I
16 can't make out some of the words, I suspect
17 Mr. Cox may be having similar difficulty.
18 MR. MASON: Do you have the Bates number
19 for that?
20 MS. EISENBERG: No, I don't. But I have
21 the document. It's your call if you want to
22 just --
23 MR. MASON: Yeah. If you have a cleaner
24 version, I'd like to see it. I'm not sure if
25 I've seen that before.

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1 MS. EISENBERG: Okay. What's your e-mail
2 address?
3 MR. MASON: mason, M-A-S-O-N.brian,
4 B-R-I-A-N@dorsey.com.
5 MS. EISENBERG: Okay. My colleague,
6 Moshak, will e-mail it to you right now.
7 Mr. Buchanan, it's just a copy of what
8 you produced to us and Mr. Cox. It's the same
9 in substance, but it's much easier to read.
10 MR. MASON: Do you all have the ability
11 to drop it in the Agile program?
12 MS. EISENBERG: No. We don't have access
13 to it. But we can e-mail it to you.
14 MR. MASON: Okay. If you'll e-mail it,
15 maybe we'll try to get it uploaded and then let
16 me see if I can cover some other things then
17 maybe we'll come back to that real quick.
18 Christina, when we get this, I'll send it
19 to you and if you can try and upload it to
20 Agile, that would be great.
21 MR. MOSHAK: Just to jump in. This is
22 Serhiy Moshak. The e-mail is
23 mason.brian@dorsey.com?
24 MR. MASON: Correct.
25 MR. MOSHAK: Thank you.

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1 Q. (By Mr. Mason) Mr. Cox, at some point in time,
2 do you recall Colonel North attempting to form a
3 crisis management committee?
4 A. I do.
5 Q. Did you have an understanding as to why Colonel
6 North believed that a crisis management
7 committee should be formed?
8 A. I remember, Mr. Mason, maybe a letter or some
9 sort of correspondence that went out that
10 outlined the reasons. But they were, if my
11 recollection is right, they were based around
12 these allegations of -- allegations of financial
13 impropriety, the Brewer billing issue or invoice
14 issue. I don't remember exactly. But I do
15 remember some sort of -- some sort of
16 explanation going out outlining as to why
17 Colonel North believed that was necessary.
18 Q. Let's take a quick look at Exhibit 228, if we
19 can.
20 A. Okay. I have that up.
21 Q. I'm sorry. Not 228. 288. I apologize.
22 A. Okay.
23 Q. And if you will, Mr. Cox, if you can scroll to
24 the second, third, and fourth pages?
25 A. Yes.

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1 Q. Is this a true and accurate copy of the letter
2 that you were just referencing from Colonel
3 North relating to the formation of the crisis
4 management committee?
5 MS. EISENBERG: Objection to form.
6 You may answer.
7 A. It appears to be, Mr. Mason. I don't --
8 Q. Do you recall receiving a copy of this document?
9 A. I remember seeing it. It could've been -- I
10 don't remember when I saw it. But I do remember
11 seeing this at some point. Yes.
12 Q. Do you know whether a crisis management
13 committee was ever formed?
14 A. I do not -- I do not believe a crisis committee
15 was ever formed. If it was, it was quickly
16 dissolved or never met. I don't know the answer
17 to that. But I don't -- I don't recall any
18 mentioning of a crisis committee meeting or
19 discussing issues. But, again, I wouldn't have
20 been -- I wouldn't have been involved in, you
21 know, a crisis committee or appointing members
22 or anything along those lines.
23 Q. So is it fair to say you don't have any
24 knowledge as to why this crisis management
25 committee was not formed?



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1 A. I remember based on this letter and at the time
 2 Colonel North believing it was important to form
 3 it, and clearly with him not there as president,
 4 it was no longer important to form.
 5 Q. Did you think the formation of a crisis
 6 management committee was a good idea?
 7 MS. EISENBERG: Objection to form.
 8 You may answer.
 9 A. To be honest with you, Counselor, I didn't have
 10 an opinion one way or the other on a committee
 11 being formed. I mean, we do committees at NRA
 12 on all sorts of things. I believed that there
 13 were problems that needed to be addressed,
 14 whether that took shape in a committee or a
 15 working group or individuals, I didn't really
 16 have an opinion and truthfully didn't really
 17 care one way or the other. I just -- there were
 18 concerns out there that everybody knew were
 19 concerns. And I was one person who believed
 20 that we needed to have a plan. We needed to
 21 have a strategy. And we needed to deal with
 22 these things, in my opinion, quickly. Because
 23 of my concern over these things causing a
 24 problem for the organization, for the
 25 membership, for fundraising, for our political

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1 operations. So whether it took form in a crisis
 2 management committee or some other group, I
 3 didn't have an opinion on how it happened. I
 4 was hopeful that it would happen.
 5 Q. If we can, I believe -- well, if we can
 6 introduce this. It looks like txt.pdf document.
 7 MS. CARROLL: Just give me one second. I
 8 need to assign an exhibit number to it.
 9 (Exhibit No. 419 marked for ID.)
 10 A. Okay. I do have this up, Mr. Mason.
 11 Q. And, for the record, Mr. Cox, is --
 12 cox357@mac.com. Is that an e-mail address that
 13 you're affiliated with?
 14 A. Yeah. That was -- whatever number was
 15 associated with my text exchange. I assume that
 16 was just the way it came up from my iPhone.
 17 But, yes, that's -- that appears to be the
 18 exchange that I had with Congressman Boren.
 19 Q. And, for the record, is it your understanding,
 20 and I'll represent to you that he's testified
 21 that his phone number is in fact (918) 577-0477,
 22 but is there any reason for you to believe that
 23 this -- this text thread on this document that I
 24 believe we've marked as Exhibit 419, is there
 25 any reason for you to believe that this is not a

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1 true and correct copy of a conversation, text
 2 conversation, between you and Mr. Boren?
 3 A. No. There's no concern there.
 4 Q. If we go down to about -- well, let's just start
 5 from the top. The second line, it appears on
 6 April the 24th that Mr. Boren states to you,
 7 Chris, I need to visit with you as soon as
 8 possible. Thank you. Dan. Do you see that?
 9 A. Yes.
 10 Q. Was that the text message that you were
 11 referring to earlier when Mr. Boren first
 12 contacted you?
 13 A. Yes.
 14 Q. And if you go down to the next line, it states,
 15 In federal subcommittee, but will call as soon
 16 as I can slip out. Do you see that?
 17 A. Yes.
 18 Q. Was that your initial response to Mr. Boren?
 19 A. It was. I was in -- I thought it was full
 20 committee, but it's clearly the federal
 21 subcommittee that morning. But I do remember --
 22 I do remember receiving that text from Dan. And
 23 I do remember that we were wrapping up but I
 24 couldn't leave early and I told him I'd call him
 25 back.

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1 Q. And it looks like Mr. Boren states, Good. I
 2 have something that is very timely. Do you see
 3 that?
 4 A. I do.
 5 Q. And then Mr. Boren further states, You will want
 6 to step out. And that I really need to visit
 7 with you. Do you see that?
 8 A. I do.
 9 Q. Is that your recollection of the initial --
 10 A. It is.
 11 Q. -- communication you were receiving from
 12 Mr. Boren?
 13 A. It is. And the reason I -- this was basically
 14 the subcommittee that deals with congressional
 15 action. So they're going to want to talk to me
 16 so I couldn't walk out in the middle of whatever
 17 question I was answering or conversation we were
 18 having. But, yes, I do remember that. And I
 19 was -- I was going to call him back. I just
 20 didn't call him back at the moment.
 21 Q. And then it looks like you state, Calling in 30
 22 seconds, and he gives you a thumbs up emoji. Do
 23 you see that?
 24 A. Yup.
 25 Q. Is your recollection that your initial telephone



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1 call with Mr. Boren would've been right around
 2 that 11:56 a.m. time period on April 24, 2019?
 3 A. That's -- it would've been enough time for me to
 4 probably go up to my room or find a place to
 5 call him back. But, yes, it would've been right
 6 around that time.
 7 Q. And then it looks like about 30 minutes later,
 8 give or take, maybe a little bit longer you
 9 state, Hope you connected. Do you see that?
 10 A. Yes.
 11 Q. Do you know what you were referring to when you
 12 said hope you connected?
 13 A. Hope you connected with Millie and Ollie.
 14 Q. Mr. Boren writes back, Yes, we did. She was
 15 informing Wayne in the exec meeting going on.
 16 Do you see that?
 17 A. I do.
 18 Q. And then it looks like you respond a few minutes
 19 later, Thanks I'll call you later today. What a
 20 tragic mess. Do you see that?
 21 A. I do.
 22 Q. What did you mean when you told Mr. Boren what a
 23 tragic mess?
 24 A. I meant that it was my opinion and my belief
 25 that it was indeed a tragic mess that this great

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1 organization was going through some really
 2 troubling times, troubling allegations, internal
 3 disagreements, and fighting. And I just
 4 believed in remaining -- I keep the same opinion
 5 today that it was tragic. I believed it was sad
 6 and that it was clearly, in my opinion, a mess.
 7 Q. And when you say it's tragic and a mess, are you
 8 just referring to the situation between the NRA
 9 and Ackerman at the time, or are you referring
 10 to all of those other issues that you've
 11 described?
 12 A. I was referring to all of it. Because the
 13 conversation was obviously a messy conversation
 14 about a lot of different issues. And at the
 15 time, I'm sure I was referring to what all was
 16 going through my head on top of everything else,
 17 was, you know, we had this great meeting that's
 18 about to take place and we have this messy
 19 situation going on that's spilling and it's
 20 spilling onto the, you know, from behind the
 21 curtain on the main stage, and I felt it was --
 22 I don't know how to better describe it. I
 23 apologize I can't articulate it better. But I
 24 believe that it was a tragic mess. The entirety
 25 of the situation, not just the specific issue

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1 with Ackerman.
 2 Q. And then in response to your statement, Thanks
 3 I'll call you later today. What a tragic mess,
 4 Mr. Boren gives you a thumbs up emoji and then
 5 states, I have things held for a few more hours
 6 awaiting what happens. Do you see that?
 7 A. Yes.
 8 Q. Did you have an understanding as to what
 9 Mr. Boren meant when he said that?
 10 A. I believe he was referring to the initial
 11 conversation that Ackerman was about to file,
 12 according to his recollection, a lawsuit with a
 13 bunch of damaging information about Wayne and
 14 possibly others but that he -- I was under the
 15 impression that he was relaying on that he had
 16 Ackerman McQueen holding off on this what I
 17 believe to be impending or pending action.
 18 Lawsuit was his word. Whatever it was. The
 19 response that he had it held off for a few more
 20 hours.
 21 Q. Your response to that is, Ollie calling you.
 22 And then you say, Millie didn't give any
 23 details. Just the ultimatum. Not trustworthy.
 24 Do you see that?
 25 A. I do.

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1 Q. So when you say Millie didn't give any details,
 2 did you send that text message to Mr. Boren
 3 after the call that you had with Millie Hallow?
 4 MS. EISENBERG: Objection to form.
 5 A. My recollection, Counselor, was that I -- I
 6 asked Mr. Boren, Dan Boren, to call Millie and
 7 Ollie. Clearly I spoke to Ollie at some point
 8 in that time frame. What I was told was that
 9 Millie came in, I think, sobbing, weeping,
 10 emotional some -- I don't remember the exact
 11 description -- saying that, you know, that
 12 Wayne, if we don't back off or I don't know what
 13 her words were. I never spoke to her about what
 14 she relayed on. I don't know what Dan Boren
 15 told her. That, you know, that it's going to
 16 get bad, you know, that they're going to file a
 17 lawsuit whatever it is. But what I was
 18 referring to when I said not trustworthy and
 19 ultimatum was that Dan had relayed to me in the
 20 conversation that, you know, they're going to
 21 file a lawsuit. This is, you know, it's going
 22 to be bad and embarrassing. You know, they
 23 don't want it to be ugly. You know, can't they
 24 work things out. You know, if there's
 25 disagreements, you know, sit down and work them



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1 on whatever it is. And what my understanding
 2 was is that Millie didn't share any of those
 3 things about what I perceived as Dan's, you
 4 know, Dan's what I believed to be good faith
 5 efforts to try to help resolve, mitigate, you
 6 know, deal with these problems. And then
 7 clearly she, you know, didn't tell -- she didn't
 8 relay what Dan had relayed to me with regards to
 9 have a conversation, work these things out. You
 10 know if there's things that they need to turn
 11 over or whatever like figure -- like resolve it
 12 and figure it out. And I was interested in
 13 buying time. That's all I cared about.
 14 Literally a couple of days, not any longer. I
 15 just wanted to get through the event on Friday.
 16 Q. And then in response to that, it looks like
 17 Mr. Boren states, Understood. I will await
 18 Ollie's call. And you respond, Thanks let me
 19 know how it goes. And then Mr. Boren gives a
 20 third thumbs up emoji. And then states, I
 21 talked to Ollie. I think I can buy 24 hours if
 22 things work out, but need to explain. Do you
 23 see that?
 24 A. I do.
 25 Q. Do you know what Mr. Boren meant when he said I

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1 think I can buy 24 hours if things work out but
 2 need to explain?
 3 A. My -- I don't know what he meant by the "need to
 4 explain." But I was under the impression just
 5 like when he said earlier that he could have
 6 things held for a few more hours that he was
 7 relaying on the conversation he had had with
 8 someone at Ackerman or Ed Martin or someone,
 9 that he had calmed the waters that, you know,
 10 things weren't going to move forward and that he
 11 was buying time in an effort to try to, you
 12 know, help, you know, encourage a conversation
 13 to try to, you know, resolve things or whatever
 14 the goal was. But that's what I took from --
 15 that's what I took from that message and the
 16 conversations we had. I mean, he wasn't telling
 17 me he could buy 24 hours until he went to buy a
 18 beer and have dinner. I mean, it was
 19 obviously -- he was buying time to postpone what
 20 I believed to be the action that was -- that was
 21 discussed in the initial call.
 22 Q. Mr. Cox, did you ever play the telephone game
 23 growing up?
 24 A. The telephone game? I played a lot of games.
 25 I'm not sure I'm familiar with that one. I'm

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1 not sure I want to admit all the games I played
 2 when I was young, but you can ask me.
 3 Q. Do you remember the game, and I think it's the
 4 telephone game, where you've got, you know, a
 5 line of let's just say kids and somebody on one
 6 end communicates to the first person a message,
 7 right, and then that person tries to communicate
 8 the message to the next person and so on and so
 9 forth and you try to see how closely the
 10 ultimate message at the end was to the original
 11 conversation or message that was said. Do you
 12 remember that game?
 13 A. I do remember. I do remember that game. I
 14 don't remember it being called the telephone
 15 game but I'm aware of what -- the game that
 16 you're talking about. Yes.
 17 Q. You've seen that the various allegations that
 18 the NRA has made with respect to this extortion
 19 coup attempt regarding Ackerman and yourself and
 20 Colonel North and Dan Boren, right?
 21 A. Yes.
 22 Q. Does part of you feel like this whole -- these
 23 allegations -- well, let me ask it this way. Do
 24 you believe that that is what happened here,
 25 that there was a conversation between Ed Martin

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1 and Mr. Boren and that that conversation was
 2 relayed to you and then there was conversations
 3 with Mr. LaPierre and Colonel North and Millie
 4 Hallow and that the messaging changed and -- you
 5 know throughout all of those various
 6 conversations?
 7 MS. EISENBERG: Objection to form.
 8 A. I believe that that's possible in any
 9 conversation that gets passed along the way
 10 conversations get passed along. So do I believe
 11 that it's possible that there were things that
 12 were misinterpreted? Sure. But just to
 13 reiterate, there are certain things that weren't
 14 misinterpreted. There were certain things that
 15 were just flat out not said. We talked about
 16 some of those earlier. So I don't want to
 17 suggest that, you know, that things could've
 18 gone from bad to worse or bad to better in all
 19 instances. But I understand your point. And,
 20 yes, I do believe that things can get lost as
 21 they're passed along or changed as they're
 22 passed along from one person. But I can't speak
 23 to Dan's conversation with Millie. I can't
 24 speak to Millie's conversation with Wayne. I
 25 can't speak to Dan's conversation with Ollie. I

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1 can't speak to Ollie's conversation with Wayne
 2 or Millie because I was not -- I was not
 3 present. So I don't know if things were
 4 misinterpreted. I don't know if there was a
 5 complete narrative that was built to cause
 6 problems for me or others. I can't say what
 7 happened. I just know -- I just know what's
 8 true and what's not.
 9 MS. EISENBERG: Objection to the extent
 10 it's nonresponsive and speculative.
 11 Q. Did you watch any of the NRA bankruptcy
 12 proceedings?
 13 A. No. I read, you know, articles that came out.
 14 But I didn't watch -- I didn't watch it
 15 personally.
 16 Q. Were you aware that there was testimony at the
 17 NRA bankruptcy relating to an arbitration that
 18 you're currently engaged in?
 19 A. Yes.
 20 Q. Have you -- and I don't want to get into the
 21 specifics about it, but have you personally
 22 brought an arbitration against the NRA?
 23 A. I am in arbitration with the NRA. Yes.
 24 Q. And you asserted certain claims against the NRA,
 25 correct?

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1 A. Correct.
 2 Q. And the NRA has asserted certain claims against
 3 you in response to that, correct?
 4 A. Correct.
 5 Q. When is that arbitration set for a final
 6 hearing?
 7 MR. BUCHANAN: It's August 23rd. It's
 8 supposed to last two weeks.
 9 Q. I think I've just got a couple more things,
 10 Mr. Cox. I want to circle back on a question
 11 that I asked you earlier, and I think we got it
 12 resolved with Ms. Eisenberg, relating to Colonel
 13 North's concerns about the Brewer firm's
 14 retention and amount of money that they had been
 15 paid. Do you recall me asking you earlier -- do
 16 you recall earlier discussing that topic?
 17 A. I do.
 18 Q. And I want to be sure the record is clean on
 19 this, but were you aware of other NRA
 20 representatives that shared Colonel North's
 21 concerns about the Brewer firm?
 22 A. Yes.
 23 Q. Who, in particular, do you, without going into
 24 any conversations you had with them, who, in
 25 particular, do you recall sharing those same

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1 concerns?
 2 MS. EISENBERG: To the extent, Mr. Cox,
 3 answering this question will not reveal the
 4 substance of any privileged conversations, you
 5 may go ahead and answer.
 6 A. Thank you. Counselor, I apologize for asking
 7 for this clarification, but can you break those
 8 two issues into two separate questions, the
 9 retention and then the billing? Because
 10 they're -- I know they're both related to the
 11 Brewer firm but they're actually different
 12 issues that -- different conversations had with
 13 regards to those. So, again, I'm not trying
 14 to --
 15 Q. No. Sure. Absolutely.
 16 A. But if you could just ask that in two separate
 17 questions that would be helpful.
 18 Q. Are there certain -- are you aware of certain
 19 individuals at the NRA that had concerns about
 20 the NRA's retention of the Brewer firm?
 21 MS. EISENBERG: Same instruction,
 22 Mr. Cox.
 23 A. Yes.
 24 Q. Who are those people?
 25 MS. EISENBERG: Same instruction.

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1 A. There were conversations amongst board members.
 2 And Wayne involved in some of those
 3 conversations. John -- sorry. There were
 4 numerous people involved in conversations
 5 regarding the retention. I don't remember that
 6 being a very long or drawn-out series of
 7 conversations unlike the billing conversation.
 8 But the conversation with regards to retention,
 9 I do remember there were questions with regards
 10 to did it go through the proper board process to
 11 engage with a vendor of over X amount, whatever
 12 the amount was 50,000 or \$100,000 according to
 13 the board situation or the board policies. And
 14 I do remember that being an issue. And there
 15 was concern there. And then I remember, you
 16 know, a series of answers that it was proper
 17 based on whatever was deemed allowed for
 18 administratively for those decisions to be made
 19 by Wayne. But that was -- I don't recall that
 20 being a long contention drawn out. I do
 21 remember it being an issue. And I do remember
 22 Ollie and Richard and others wanting to make
 23 sure that things were being done appropriately
 24 and through the right process and people sharing
 25 some concerns about it. But I don't remember it



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1 being -- compared to others, I guess it's all
 2 relative, but compared to other things, I don't
 3 remember it being a long drawn-out episode
 4 compared to the other issues.
 5 Q. Who were the other NRA representatives that you
 6 know about who shared Colonel North's concerns
 7 about the Brewer firm's billings?
 8 MS. EISENBERG: Objection to form.
 9 MR. MASON: On what basis? What's the
 10 basis to the form objection?
 11 MS. EISENBERG: The term "billing" is
 12 vague and it can mean different things in
 13 different contexts. Are you concerned about the
 14 size of the bill, or are you concerned about
 15 something else? So when you use the term
 16 "billing," it's very general. And I'm objecting
 17 to the form of your question on that basis.
 18 Q. All right. Let me rephrase then, Mr. Cox. What
 19 did you understand Colonel North's concerns to
 20 be with respect to the Brewer firm and the
 21 amount of money that the NRA was paying to the
 22 Brewer firm?
 23 A. The concern was both over scope and over amounts
 24 was my recollection. And it was shared not just
 25 by Colonel North, but by -- I don't want to say

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1 countless but a lot of other people, a lot of
 2 other board members, a lot of other staff
 3 people, a lot of other people who became aware
 4 of how much money was being spent. And that was
 5 a real -- that was a real concern from a lot of
 6 people. From a lot of people. And there were
 7 discussions -- I remember discussions about some
 8 of these issues with the numerous board members
 9 including all three board officers at the time
 10 being Ollie, Richard, and Carolyn. I remember
 11 discussions that took place with the Pete
 12 Brownell, Jim Porter, Allan Cors. There were
 13 numerous conversations with numerous people,
 14 board members and others. And then just the
 15 internal staff concern over the sustainability
 16 of the amounts that were being -- that were
 17 being paid and billed, rather billed and paid.
 18 MR. MASON: Mr. Cox, that's all the
 19 questions that I have right now. I appreciate
 20 the time. And I will pass the witness.
 21 MS. EISENBERG: Thank you. I would like
 22 to take a ten-minute break or longer if more
 23 helpful to the witness or the videographer.
 24 THE VIDEOGRAPHER: Thank you.
 25 THE WITNESS: A quick one is fine,

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1 Ms. Eisenberg, for me. Oh, actually, I think
 2 the video is going to move so it might be a
 3 little longer.
 4 MS. EISENBERG: Okay. So why don't we
 5 say -- I don't know how far the walk is.
 6 Malcolm, you tell us.
 7 THE VIDEOGRAPHER: I say 15 to 20 minutes
 8 at the most.
 9 MS. EISENBERG: Okay. So let's plan to
 10 resume at 4:52.
 11 THE VIDEOGRAPHER: We are off the video
 12 record at 4:32 p.m.
 13 (Recess taken.)
 14 (Exhibits 1 - 6 marked for ID.)
 15 THE VIDEOGRAPHER: We are back on the
 16 record at 4:57 p.m.
 17
 18 EXAMINATION BY MS. EISENBERG:
 19 Q. Good afternoon, Mr. Cox. My name is Svetlana
 20 Eisenberg. I'm here on behalf of my client, the
 21 National Rifle Association of America. I'm
 22 going to be asking you some questions this
 23 afternoon. And as before, I want to talk a
 24 little bit about privilege. As you know and
 25 were very kind to observe throughout your

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1 deposition to date, there are conversations that
 2 you had as an officer of the association that
 3 constitute what is considered privileged
 4 communications. And when Mr. Mason was asking
 5 you questions, I instructed you not to answer at
 6 times because I believed there was risk of
 7 divulging privileged information. So we're
 8 switching gears. I'll be the one asking
 9 questions. However I want to make clear that by
 10 asking a question, I'm not kind of going back on
 11 my instruction not to reveal privileged
 12 communications. It's not my intent to ask any
 13 questions that would inquire into such
 14 communications, but if I do so inadvertently, I
 15 ask you to please alert us all and say I can't
 16 answer that question fully or at all because it
 17 would involve the revelation of privileged
 18 communication. Does that make sense?
 19 A. It does. And I will do my best.
 20 Q. Thank you very much. You are testifying today
 21 under oath. And just something we normally ask
 22 all of our witnesses, are you taking any
 23 medications today, or is there any reason
 24 whatsoever why you might not be able to testify
 25 truthfully at your deposition today?



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1 A. There is not.
 2 Q. And who is in the room with you?
 3 A. The videographer, John Harding from Winston &
 4 Strawn, and Tom Buchanan from Winston & Strawn.
 5 Q. And you understand when you took the oath to
 6 testify truthfully, that means that you must
 7 testify truthfully and provide us with your
 8 truthful recollection of the events. Do you
 9 understand that?
 10 A. I do.
 11 Q. We've talked about a company called Ackerman.
 12 Are you familiar with Mercury Group?
 13 A. I am.
 14 Q. And that is an affiliate of Ackerman; is that
 15 correct?
 16 A. That's correct.
 17 Q. From time to time, I may refer to Ackerman, and
 18 if that's okay with you, I will be using the
 19 term "Ackerman" to refer to both companies
 20 Ackerman and its affiliate Mercury Group. Is
 21 that okay?
 22 A. Yes.
 23 Q. So we talked a little bit about a variety of
 24 professionals who work for Ackerman, and what
 25 I'd like to ask you is a few questions that get

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1 at whether or not you've a lot of interactions
 2 with them, no interactions with them whatsoever,
 3 or something in the middle. So I'll -- I have a
 4 list of names. And let's try it this way. So
 5 I'm going to list a variety of names. And if
 6 there are people on this list with whom you have
 7 never spoken whether in person or on the phone
 8 and never communicated with, if you can please
 9 let us know. Angus McQueen?
 10 A. Ms. Eisenberg, are you asking for yes or no, or
 11 do you want some more flavor as to how often?
 12 Just to clarify what you want me to answer here.
 13 Q. Thank you. If I say a name of a person with
 14 whom you've never communicated, please identify
 15 that person. Like let's say you never met Ed
 16 Martin, you'd say I never met him. Otherwise, I
 17 don't need any additional information. Okay?
 18 A. Okay.
 19 Q. Okay. Angus McQueen. Have you met him person?
 20 A. When Angus was still alive, yes, I did meet
 21 Angus on numerous occasions.
 22 Q. May he rest in peace. And what about Revan
 23 McQueen?
 24 A. I had much less interaction with Revan, but,
 25 yes, I had met Revan.

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1 Q. Bill Winkler?
 2 A. I assume that I've met Winkler at some point.
 3 But I don't -- I can't tell you how often or
 4 when. It's not somebody I interacted with on
 5 any sort of regular basis.
 6 Q. What about Brandon Winkler?
 7 A. That name is not familiar to me. Again,
 8 Ms. Eisenberg, and I will do my best to answer
 9 these questions, but I met a lot of people over
 10 the course of 25 years with the organization,
 11 some in passing, some -- I will do my best. But
 12 I do not remember a Brandon Winkler. But that
 13 doesn't mean that I didn't meet him at some
 14 point.
 15 Q. Yes. That's a very good point. There are
 16 things that may have occurred that you might not
 17 remember. And all I'm trying to elicit is your
 18 recollection.
 19 A. Thank you.
 20 Q. So it's perfectly understandable if you say I
 21 don't recall. Of course sometimes you might
 22 know for sure you've never met someone which
 23 you're obviously going to say as well.
 24 A. Thank you.
 25 Q. What about Melanie Montgomery? Have you met

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1 her?
 2 A. Yes.
 3 Q. Nader --
 4 THE COURT REPORTER: I didn't hear that
 5 name. I'm sorry.
 6 Q. Nader Tavangar. T, as in Thomas, A-V, as in
 7 victory, A-N, as in Nancy, G-A-R. You've met
 8 Mr. Tavangar, correct?
 9 A. Tavangar. Yes.
 10 Q. Mr. Van Horn?
 11 A. I'm sorry. Can you say that name again, please.
 12 Q. Eric Van Horn?
 13 A. I believe -- I'm having trouble placing the face
 14 with the name. But, yes, I believe I've met
 15 Eric Van Horn.
 16 Q. Now, focusing your attention specifically on the
 17 week in Indianapolis leading up to the 24th of
 18 April and then the meetings the following
 19 Monday, what I'm interested in is with which of
 20 these people you had any interactions with
 21 whatsoever during that week to the extent you
 22 recall?
 23 A. Sure. Nader Tavangar, Melanie Montgomery most
 24 likely. They usually were there at my speech
 25 practice. I would do speech practice throughout



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1 the week once I arrived and usually every day
 2 leading up to the big speeches that I gave on
 3 Friday and Saturday. Not the smaller ones, but
 4 the bigger ones that I had, you know,
 5 videoconference for. And they ran, you know,
 6 the teleprompters and the video content that was
 7 used. So I would have seen -- I would have seen
 8 Nader, probably Melanie at some point there at
 9 those speech practice sessions. And then there
 10 were Ackerman McQueen employees that they
 11 basically ran the AV you know aspect of all the
 12 different meetings and the board meetings and
 13 others. So I would see them kind of milling
 14 around. But as far as interacting with them
 15 that week, it would've been most likely limited
 16 to my -- my speech practice there at the hotel.
 17 Q. Do you recall having any interaction whatsoever,
 18 whether in person or the phone, through a text
 19 or a phone call with Mr. Angus McQueen during
 20 that week in Indy?
 21 A. I don't recall any interactions whatsoever with
 22 Angus. I don't remember Angus being at that
 23 meeting. And I would have had no reason to talk
 24 to Angus by phone or certainly wouldn't have
 25 texted him or anything along those lines. So I

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1 don't recall any interaction with Angus that
 2 week at all. If he was there and I'm wrong, I
 3 might have seen him backstage. But I don't
 4 remember -- I don't remember Angus being at that
 5 meeting. My understanding was that he was
 6 really sick at that point and probably not
 7 there. But I don't know that for sure. But I
 8 don't recall any conversations with him.
 9 Q. And what about Tony Makris? I failed to mention
 10 his name when we first went through the list.
 11 Have you met Mr. Makris?
 12 A. Yes.
 13 Q. And during the week in Indianapolis in April of
 14 2019, did you have any interaction with
 15 Mr. Makris?
 16 A. Ms. Eisenberg, I don't remember if Tony was
 17 there. But he could've been there. And I'm not
 18 saying it wouldn't be memorable. But I don't,
 19 like, I don't remember interacting with Tony at
 20 all. He might have been there. He was usually
 21 with Wayne a lot of times. Maybe not at that
 22 meeting. But I don't remember seeing Tony. But
 23 again I was -- I was literally -- I jokingly
 24 referred to myself as the wind-up monkey that
 25 week, where I just kind of scooted along and

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1 clapped my hands and gave speeches and
 2 interacted with people. So I crossed paths
 3 literally with tens of thousands of people over
 4 the course of that week including on the floor.
 5 And if I ran into Tony, maybe I ran into him.
 6 But I don't remember having any sort of
 7 meaningful interaction or conversations with
 8 him.
 9 Q. Okay. So let's phrase the question -- is there
 10 a communication that you recall having with that
 11 particular person during that week? So using
 12 that framework, do you have a recollection of a
 13 communication with Bill Winkler during the week
 14 in Indianapolis?
 15 A. I don't have any recollection of having a
 16 conversation or any communication with Bill
 17 Winkler that week.
 18 Q. What about Brandon Winkler?
 19 A. Again, I don't believe that I -- I'm not
 20 familiar with the name Brandon Winkler. If it's
 21 somebody that I know by face, but not by name,
 22 then it's possible. But I don't remember any
 23 conversation with a Brandon Winkler.
 24 Q. And insofar as you mentioned that you did
 25 interface with Nader --

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1 A. Tavangar.
 2 Q. -- Tavangar and Melanie Montgomery. What, if
 3 any, interaction do you recall having with them,
 4 either Ms. Montgomery or Mr. Tavangar, on that
 5 day Wednesday April 24, 2019?
 6 A. Ms. Eisenberg, I would have to look at the
 7 calendar that I obviously no longer have access
 8 to to see if I scheduled speech time. It's
 9 possible that I had gone in early in the morning
 10 or possibly that afternoon to do speech prep for
 11 Friday, a little bit maybe for Saturday. But I
 12 primarily focused on the Friday speech. But it
 13 would've been -- it would've been limited to my
 14 speech prep. And they -- again, I don't
 15 remember if Melanie was there. She usually came
 16 by and listened to, you know, my speech. And
 17 Nader was much more involved because I would
 18 make changes or I would request like that video
 19 is too long; please cut that video back. And
 20 they would be the ones responsible for making
 21 those edits and making those changes along with
 22 -- I remember Henry Martin most likely would've
 23 been there unless he was with Wayne or one of
 24 the officers doing speech practice with someone
 25 else. But those are the people. And it

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1 would've been focused on my speech preparation.

2 Q. You were asked earlier today about the text

3 messages from Mr. Boren and the various

4 communications that occurred afterwards. Do you

5 recall having a conversation with Mr. Tavangar

6 about any of those events?

7 A. I don't remember any conversation with Nader

8 about those events. No.

9 Q. What about Ms. Montgomery?

10 A. No. I --

11 Q. Fair to say -- sorry. Go ahead.

12 A. No. I just, again, I'm running from meeting to

13 meeting. And if I had some interaction with

14 them in passing or at the speech prep, I don't

15 remember having any conversation about anything

16 other than, you know, what was going on with my

17 speech. If there was some passing comment

18 about, you know, what a mess you know this stuff

19 is, maybe that could've happened. But I don't

20 recall anything along those lines, having any of

21 those conversations with anyone from Ackerman.

22 Q. Do you recall having dinners at restaurants in

23 Indianapolis during that week?

24 A. I do, yes.

25 Q. Do you recall any of the Ackerman colleagues

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1 coming to one of those, one or more of those

2 dinners?

3 A. No. The -- I remember I usually did a smaller

4 group dinner of some staff, some outside

5 consultants. Sometimes my family. You know I

6 might have a brother who comes in. And it was

7 the one -- it's usually Tuesday night or

8 Wednesday night might have been the one night or

9 Thursday night. I forget which night. I

10 remember one night seeing Dana Loesch and her

11 husband Chris at a table outside of our room and

12 stopping by and visiting and saying hello you

13 know how are you all doing, you know, exchanging

14 pleasantries and then going to a smaller room

15 where I had gathered some staff and other people

16 to have a little quiet before the storm before

17 things got too crazy before the speeches and the

18 interactions with tens of thousands of NRA

19 members. It's kind of the one peaceful night,

20 so to speak, for me to relax before really

21 hitting the ground running.

22 Q. You had no conversations with Ms. Loesch about

23 the subject matter of Mr. Boren's phone call to

24 you?

25 A. No.

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1 Q. Or with Chris Loesch?

2 A. No. I don't recall any conversation with them

3 other than you know exchanging pleasantries.

4 Even though it was -- obviously it was a -- it

5 was a very -- you know, it was a crazy week.

6 You know, it was, you know, the week where, you

7 know, bad stories had been written and people

8 were concerned and what was going to happen and

9 board members were talking and other people were

10 talking. So I'm sure there were conversations

11 happening because it was kind of the topic of

12 everybody in and around that time. But I don't

13 recall ever having any specific conversation

14 about any -- anything of substance with Dana or

15 Chris.

16 Q. To whom did you say anything about your

17 conversation with Mr. Boren and/or Mr. North

18 that day? And I'm just focusing on the events

19 of April 24th. Obviously it was an impactful

20 interaction, and what I'm wondering is if you

21 recall having conversations with either

22 Mr. Lehman, Mr. Christman and/or others during

23 that day about the subject matter of Mr. Boren's

24 call?

25 MR. MASON: Objection to form.

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1 Sorry. Go ahead.

2 A. I would -- while I don't remember -- again it

3 was a frantic and stressful time. I certainly

4 would've had a conversation with David at some

5 point about it, about the troubling aspects of

6 the call. And I would have shared with David,

7 you know, most likely the content of the

8 conversation or at least, you know, what I refer

9 to as a tragic mess and probably my -- probably

10 express my strong desire to not be stuck in the

11 middle of it.

12 Q. So you used the term "would have," "I would

13 have." And I understand what it means in a

14 conversational setting. For your deposition,

15 it's very important for us to be very clear

16 whether you have a distinct specific

17 recollection of a conversation or it's what you

18 said, you're sure you would have had this, but

19 you actually don't have a recollection of it.

20 A. I apologize for the confusion there. I don't

21 recall a specific conversation. But I'm not

22 saying that it didn't -- that I didn't have a

23 conversation. I don't recall having the

24 conversation with David or with Scott or

25 anybody. But I'm not certain that I didn't at

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1 some point have a conversation.
 2 Q. Understood. So other than Mr. Lehman and the
 3 individuals whom we've already discussed, any
 4 recollection of any specific conversations or
 5 communications with anyone regarding the subject
 6 matter of Mr. Boren's call?
 7 A. Ms. Eisenberg, the subject matter as it relates
 8 to this -- you know, these allegations and this
 9 mess, as I said, I remember talking to Millie
 10 Hallow. I remember talking to Colonel North. I
 11 remember having the meeting with Wayne and
 12 Susan. Not Wayne and -- I apologize. Wayne and
 13 Carolyn Meadows. There were conversations going
 14 on before Wednesday and conversations going on
 15 throughout the week and weekend and into the
 16 following week, obviously the following months,
 17 years at this point, over all of these different
 18 issues that were floating around. And the
 19 Brewer's confrontation with -- not
 20 confrontation -- Brewer's disagreements with or
 21 Ollie's disagreements with Brewer and people's
 22 problems with Josh Powell. So there were -- I
 23 don't recall the specifics of conversations.
 24 But there were a lot of conversations going on
 25 in the middle of conversations about the

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1 President coming and the Vice President coming,
 2 committee assignments, and speeches and all
 3 these other things. You know getting pulled
 4 into fundraising speeches and all the other
 5 things that I had to do. So I apologize. I'm
 6 not at all trying to be evasive. It was just a
 7 very, very busy time where I was -- I was on
 8 from 7:30 in the morning until 11:30, midnight
 9 every night dealing with -- dealing with
 10 something. And so it's -- my recollection of
 11 individual specific conversations just where it
 12 might have come up, I'm just not -- I don't
 13 recall the specifics of those.
 14 Q. Did you give a heads-up to the President or the
 15 Vice President team about the fact that there
 16 was something happening with regard to the NRA
 17 that you were concerned about?
 18 A. Can you ask that again?
 19 Q. Certainly. You testified about your fear that a
 20 negative news article might result in President
 21 Trump not showing up for the meeting, right.
 22 Did you at any point relay to anyone on his team
 23 that there was something happening that
 24 potentially could cause or create a negative
 25 context?

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1 A. No. I don't recall ever having a conversation
 2 about a hypothetical that might come down --
 3 that might or may not come to pass. No.
 4 Q. What about Vice President Pence?
 5 A. No. I was in -- I was in regular contact with
 6 the White House as it relates their attendance.
 7 And not to belabor the point but this was not a,
 8 hey, show up on Friday, come speak at our event,
 9 it will be great. There was dealing with Secret
 10 Service, dealing with subject matter, dealing
 11 with, you know, the stage placement and the
 12 risers for the media. So it was -- there were a
 13 lot of conversations going on back and forth
 14 literally up until the minute the event started
 15 and even backstage during that event that
 16 Friday. But I don't recall ever having shared a
 17 conversation of concern because it's the last
 18 thing I would have done. I wanted to get people
 19 excited, make sure the President knew we were
 20 going to give him a great response and our
 21 members were excited to see him. I do remember
 22 having conversations because he, you know,
 23 unsigned a U.N. Arms Trade Treaty at that event.
 24 And there were -- how were we going to stage
 25 that and what was that going to look like. And

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1 so there were a lot of conversations going on
 2 with advanced people, with Secret Service. But
 3 I don't recall ever having a conversation -- a
 4 conversation about a potential problem coming
 5 down the road before Friday.
 6 Q. Understood. And, Mr. Cox, I don't want you to
 7 have to stay here longer than necessary. So I
 8 want you to be comfortable saying yes or no if
 9 one of my questions simply calls for a yes or no
 10 answer. The context that you provided is
 11 helpful, but you should feel free to not provide
 12 it unless I ask for it. Okay?
 13 A. Understood.
 14 Q. Was anyone present for your conversation with
 15 Mr. Boren?
 16 A. I don't believe -- I don't believe so. And if
 17 anyone was in the room, I would have stepped
 18 into another room or certainly I wouldn't have
 19 put it on speakerphone or anything along those
 20 lines. So I don't believe anyone was present
 21 for that conversation. Or I don't recall anyone
 22 being present.
 23 Q. You testified earlier that you might have gone
 24 up to your room for that conversation, but then
 25 you testified that suggests -- you gave

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1 testimony that suggests that you weren't sure.
 2 Sitting here right now, do you have a distinct
 3 recollection as to where you were when you
 4 called Mr. Boren?
 5 A. I'm not certain. I believe I was -- I went to
 6 my room to make that call. I was at a room
 7 there at the hotel where the committee meetings
 8 and stuff were being held. So that is my
 9 recollection, that I was there. But if I wasn't
 10 there, I was somewhere close by to wherever we
 11 had that subcommittee meeting that I called
 12 afterwards.
 13 Q. Was anyone present during your conversation with
 14 Colonel North?
 15 A. I don't recall anyone being present for my
 16 conversation with Colonel North.
 17 Q. We'll come back to this topic a little bit
 18 later. But for now I'd like the switch gears a
 19 little bit. Have you ever thought that Ackerman
 20 wanted to control what the NRA does?
 21 MR. MASON: Objection. Vague.
 22 Ambiguous.
 23 You can answer the question, Mr. Cox.
 24 A. Ms. Eisenberg, can you repeat the question for
 25 me, please.

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1 Q. Sure. Did you ever have the feeling or the
 2 observation that Ackerman wanted to control
 3 everything that the NRA does?
 4 MR. MASON: Objection. Compound. Vague
 5 and ambiguous.
 6 A. Ms. Eisenberg, I will ask for a little bit of
 7 leeway here to answer the question. Because to
 8 say everything, do I think they wanted to
 9 control the NRA cafeteria? No. Do I think they
 10 wanted to control, you know, the maintenance of
 11 the building? No. Do I believe that they
 12 wanted to control a significant amount of
 13 messaging around NRA's -- NRA messaging? Yes.
 14 I believe that they, to a certain degree, were
 15 paid to do a lot of that. I didn't agree with
 16 all of it. But, yes, I think that they sought
 17 to control a lot of the messaging. But not --
 18 not the -- not everything. Not everything,
 19 obviously.
 20 Q. Understood. And is it fair to say that you had
 21 that belief in or around 2012?
 22 MR. MASON: Objection. Foundation.
 23 Vague.
 24 A. I believed -- I believed Ackerman McQueen had an
 25 influence at times that I felt was -- was too

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1 significant. But you'd have to be -- I felt
 2 that long before 2012. So you'd have to be --
 3 if you can be more specific, I'll try to be as
 4 specific as you as you want me to be.
 5 Q. Certainly. Let's look at NRA Exhibit 1. It is
 6 a July 2012 e-mail thread.
 7 A. Okay. I have that up.
 8 MR. MASON: Ms. Eisenberg, has this
 9 document been produced?
 10 MS. EISENBERG: I'm not aware that it has
 11 been. It may have been. I'm not ready to
 12 represent it has not. But I believe we are
 13 producing it to you in the middle of this
 14 deposition.
 15 MR. MASON: Okay. Well, I'm just going
 16 to insert an objection to any questions being
 17 asked about this document. I don't believe that
 18 it's been produced in this case. And if I can,
 19 otherwise, I'm happy to do it after each
 20 question, but I would ask for a standing
 21 objection relating to any questions with respect
 22 to this document.
 23 MS. EISENBERG: Yes. I will certainly
 24 agree to a standing objection. I just want to
 25 make sure I understand what the objection is. I

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1 assume you're objecting to the use of the
 2 testimony I elicit by reference to any documents
 3 that you have not previously received from the
 4 NRA, correct?
 5 MR. MASON: That's correct.
 6 MS. EISENBERG: Okay.
 7 Q. Mr. Cox, do you -- what is NRA Exhibit 1?
 8 A. Okay. I just want to make sure I'm looking at
 9 the right -- now I'm looking at the document,
 10 the first page is, is this something I need to
 11 discuss with Wayne, or can we resolve this
 12 immediately? Am I looking at the -- hold on.
 13 I'm sorry. The first page is to me from Scott
 14 Christman, an e-mail. Is that -- am I looking
 15 at the right document?
 16 Q. Yes. Exactly right. It's a multi e-mail thread
 17 culminating in a July 19, 2012, e-mail message
 18 from Scott Christman to you. And it contains
 19 multiple e-mail communications including two
 20 with Mary Corrigan, about which I would like to
 21 ask you.
 22 A. Okay. This has been obviously 11 or how long
 23 ago, 9 years ago. So if you can give me just a
 24 minute to read this and --
 25 Q. Yes. Please take as much time as you need. And

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1 if I might make a suggestion, I think if you
 2 look at the e-mail message that starts at the
 3 bottom of the first page and carries over to the
 4 top of the second page, that might provide you
 5 some context to help refresh your recollection.
 6 But of course feel free to read the entire
 7 document.
 8 A. If you give me just one minute, I'll read this
 9 as quickly as I can.
 10 Q. Take your time. Thank you.
 11 A. Ms. Eisenberg, do you -- I have no reason to
 12 doubt the --
 13 Q. There's no question pending. You were taking a
 14 moment to refresh your recollection. Let us
 15 know when you're done.
 16 A. I'm done. I was just going to ask is there
 17 anything else with this as far as the Facebook
 18 ad issue? If not, we can go through this. I'm
 19 just -- I'm -- I don't -- I'm reading this. I
 20 have no doubt that this was an exchange that
 21 happened. I'm not doubting that Mary said this
 22 and I said this. But I was just wondering if
 23 you have whatever it was, the artwork or the ad,
 24 whatever it was we're talking about. Just
 25 because I have no -- I have nothing to like base

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1 the exchange on. I just don't remember from
 2 nine years ago.
 3 Q. I understand. But to make it easier, I think
 4 just a couple of very simple questions. If I
 5 may direct your attention to Ms. Corrigan's
 6 e-mail to you 10:33 a.m., which is the first
 7 full e-mail on the first page of Exhibit 1. Do
 8 you have that in front of you?
 9 A. Just to make sure I'm looking at page 3, the
 10 last page; is that right?
 11 Q. Sorry. The first page.
 12 A. Okay. I apologize. If you can give me just one
 13 second to...
 14 Q. Take your time. Thank you very much.
 15 A. I didn't see this last page.
 16 MR. BUCHANAN: We're talking about page 1
 17 of the document. It's chronologically, it's the
 18 last page, but it's the first page of the
 19 document down at the bottom. It says July 19,
 20 2012, 10:33 a.m. Mary Corrigan says, "Hi,
 21 Chris." Do you see that?
 22 A. Okay. I apologize. I see it now.
 23 Q. And who was Ms. Corrigan?
 24 A. Mary Corrigan served in different positions over
 25 her career at the National Rifle Association.

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1 Her last position was as Wayne's chief of staff.
 2 I don't remember when Mary transitioned out. It
 3 was -- it was -- anyway, I don't remember when
 4 she left. But to answer your question, she, at
 5 the time, she would've been communicating with
 6 me in her position as Wayne's chief of staff.
 7 Q. Fair to say that in her e-mail message she
 8 states, Hi, Chris. All of us think this should
 9 go back up since it's been effective...Wayne was
 10 jerked around by AM who claimed that this
 11 member-marketing tool is bad for our image. But
 12 they don't understand how Facebook works and
 13 that the discounted offer reflects pricing that
 14 we've used for more than a decade...in short, AM
 15 wants to control everything NRA does, yet they
 16 have no positive experience with marketing. Do
 17 you see that language?
 18 A. I do.
 19 Q. When Ms. Corrigan used the acronym AM, did you
 20 understand her to refer to Ackerman McQueen?
 21 A. Yes.
 22 Q. And when she said "but they don't understand how
 23 Facebook works," did you understand the word
 24 "they" to refer to Ackerman McQueen?
 25 A. Yes.

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1 Q. And fair to say that you agreed with her
 2 statement that Ackerman wants to control
 3 everything NRA does?
 4 MR. MASON: Objection. Foundation.
 5 Speculation. Misstates what he says.
 6 Go ahead, Mr. Cox.
 7 A. When I say I couldn't agree with you more about
 8 Ack-Mac's motives, how should I proceed with
 9 this -- again, this is going back nine years and
 10 I'm not even going to pretend to remember nine
 11 years. I think what I remember taking from that
 12 is that Mary was frustrated that Ackerman got a
 13 Facebook ad pulled. Ackerman didn't control the
 14 Facebook page. There were -- there were a lot
 15 of different entities that wanted to control the
 16 main Facebook page. Facebook was not that big
 17 in 2012 like it is now. ILA started NRA's
 18 Facebook page. ILA started the first Facebook
 19 page, the first Twitter account. And so the
 20 reason that we would have been involved in this
 21 is up until just a few years before I left, ILA
 22 controlled the main Facebook page that continued
 23 to grow and have more and more followers. And I
 24 also don't pretend to be a Facebook expert. But
 25 what I believe had happened there was a



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1 promotion, a Facebook promotion, for a
 2 discounted life membership like a half off,
 3 50 percent off, of life membership just running
 4 a special promotion. Mary is pointing out that
 5 we had used that in the past. I don't -- when I
 6 say Ack-Mac's approved artwork versus John
 7 Bailey's approved artwork, I'm sure there was
 8 some disagreement over, you know, should we use
 9 a, you know -- what type of photo or whatnot.
 10 But I think Mary was expressing her frustration
 11 that this was an issue -- this was an issue that
 12 Ackerman should not be trying to control, that
 13 it should be left to staff to control it or
 14 Mother NRA, ILA, however you wanted to describe
 15 that. But if my recollection is right, this was
 16 Mary viewing this as an overstep from Ackerman
 17 and, at the time, me agreeing that it was an
 18 overstep by Ackerman to try to control what it
 19 was -- membership. John Bailey being the
 20 membership -- I think it was membership
 21 coordinator or director or manager. I forget
 22 what his title was at the time of an internal
 23 squabble over a Facebook -- a Facebook ad
 24 promotion. That would be my guess. But I'm,
 25 without seeing it, I don't know for certain.

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1 Q. Okay.
 2 MR. MASON: Objection. Nonresponsive.
 3 Go ahead.
 4 Q. So with all that, what is the answer to the
 5 question whether or not you agreed with her
 6 statement that Ackerman McQueen wants to control
 7 everything NRA does? It's just a yes-or-no
 8 question. If you can't answer it with a yes or
 9 no, just tell me.
 10 MR. MASON: What's the original question
 11 again, please?
 12 Q. The original question is whether it's fair to
 13 say that on or about July 19, 2012, Mr. Cox
 14 agreed with Ms. Corrigan's statement that
 15 Ackerman wants to control everything NRA does?
 16 MR. MASON: Objection. Speculation.
 17 Foundation. Go ahead.
 18 A. Ms. Eisenberg, I will do my best to answer that
 19 question. I believe at the time nine years ago,
 20 doing the best that I can, that Mary was
 21 frustrated with a number of different issues,
 22 was voicing her frustration, as this being an
 23 example of what she believed, Ackerman trying to
 24 control things that they didn't have any
 25 business controlling. That's what -- reading

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1 this now that's my -- that's what I believe that
 2 she was saying. And I was agreeing with her
 3 concerns at the time that this was probably at
 4 the time I viewed it to be ridiculous, annoying,
 5 unprofessional, however you want to describe it.
 6 But it was internal squabble over a Facebook ad.
 7 I don't think Mary was saying Ack-Mac wants to
 8 control the cafeteria. I think she was
 9 expressing a frustration that they were trying
 10 to be involved in things that they shouldn't be
 11 involved in. And I was at the time agreeing
 12 Mary on what I viewed probably at the time to be
 13 a frustrating issue.
 14 Q. When you refer --
 15 MR. MASON: Objection. Nonresponsive.
 16 Go ahead, Ms. Eisenberg.
 17 Q. And when, Mr. Cox, you referred to Ack-Mac's
 18 motives in the first sense of your e-mail
 19 message, was the word "motives" in reference to
 20 her statement that Ackerman wants to control
 21 everything?
 22 A. Yes. And specifically with this, I believe that
 23 Ackerman wanted to control NRA's Facebook page.
 24 Just like MMP wanted to control NRA's Facebook
 25 page. Just like other parts of the building

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1 wanted to control it. The reason that we
 2 were -- that I was even involved in this
 3 conversation is because ILA started and grew
 4 NRA's original Facebook over a multiyear period
 5 to over, you know, I think it was four or five
 6 million followers when we eventually had agreed
 7 to turn it over. It was when Josh Powell was
 8 there. It was years later.
 9 Q. Is it fair to say that in or around 2018 you
 10 thought that the NRA was run by Wayne LaPierre,
 11 Angus McQueen, and Tony Makris?
 12 MR. MASON: Objection. Speculation.
 13 Vague. Ambiguous.
 14 Go ahead, Mr. Cox.
 15 A. I believe that Angus had a profound --
 16 Q. It's a yes-or-no question. Is it fair to say
 17 that you thought the organization was run by the
 18 three individuals that I named?
 19 MR. MASON: Same objections.
 20 MR. BUCHANAN: Do you have a -- are you
 21 going to show him an e-mail about this? I mean,
 22 you know --
 23 MS. EISENBERG: Right now I'm asking for
 24 Mr. Cox's recollection.
 25 A. I did not believe that Tony Makris ran the

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1 National Rifle Association as much as he might
 2 have believed he did or should be. I believe
 3 that Angus McQueen had a very strong influence
 4 over how the organization was messaged and run.
 5 So I did believe that ultimately, at the end of
 6 the day, these were all Wayne's decisions. But
 7 that Wayne listened. That Wayne listened.
 8 Didn't always agree with what Tony said, but
 9 usually agreed with what Angus said. That Angus
 10 had a profound influence over Wayne. Yes. I
 11 believe that.

12 Q. Have you ever said that the organization, the
 13 NRA, is run by Wayne LaPierre, Angus McQueen,
 14 and Tony Makris?

15 A. I might have said that in frustration over some
 16 issue that had annoyed me at some point. But if
 17 I did, then I did. There were times when I
 18 believed that others had, you know, too much
 19 influence that, you know, certain staff people
 20 had too much influence. But I did believe that
 21 particularly and, again, this is -- this is
 22 2012.

23 MR. HARDING: I think she asked 2018.

24 A. Oh, 2018. I'm sorry. I'm -- I was talking
 25 about 2012.

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1 MR. HARDING: She asked you if they
 2 controlled -- she asked about if those two
 3 individuals, Tom and Wayne, controlled the NRA.

4 A. I believe that Wayne controlled NRA. I believe
 5 that Wayne listened and sought advice on a
 6 regular basis that I think was pretty well known
 7 from Angus. That he leaned on Angus a lot. He
 8 told me that.

9 MR. HARDING: Well, I think the question
 10 is, she's asking you if you ever said that. Did
 11 you recall ever saying that Tony Makris, Angus
 12 McQueen, and Wayne, controlled the NRA? Do you
 13 recall that? Yes or no?

14 A. I don't recall that but I could have said that
 15 as it relates to some messaging issue or some
 16 specific thing that was going on at the time.

17 MR. HARDING: Okay.

18 Q. Let's take a look at NRA Exhibit 2. Please let
 19 me know when you have the document in front of
 20 you, Mr. Cox.

21 MR. MASON: Again, I'm going to object to
 22 the use of this document and any questions being
 23 asked about this document. This has not been
 24 produced.

25 MS. EISENBERG: We agreed to a standing

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1 objection, Mr. Mason.

2 MR. MASON: And to the extent that any of
 3 the prior questions that were asked were being
 4 read off of this document, I would object to
 5 those and move to strike those questions and
 6 answers.

7 A. I have your document in front of me.

8 Q. What is NRA's Exhibit 2?

9 A. That's an e-mail -- are you asking me that,
 10 Ms. Eisenberg?

11 Q. Yes.

12 A. That's an e-mail to myself. I would often, if I
 13 had -- if I had a meeting scheduled with Wayne
 14 usually, you know, the night before, the day
 15 before, I'd try to gather my thoughts because I
 16 wanted to cover a lot things that were on my
 17 mind and I would make notes. I would make notes
 18 to myself with regards to what I wanted to talk
 19 about. I usually wouldn't take the notes with
 20 me. I mean, I didn't, like, unless I had
 21 something I needed to share with Wayne or ask
 22 him to sign a hiring request or something. But
 23 these were -- these were notes to myself at a
 24 time when I was -- when I was -- when I was
 25 ready to leave. I was -- I was frustrated.

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1 These were -- this was a -- yeah, this was a --
 2 at the time when I was giving serious
 3 contemplation to leaving and having
 4 conversations with Wayne about me leaving.

5 Q. So these are your notes to yourself, correct?

6 A. Yes. They're my notes to my myself.

7 Q. These are words you typed into an e-mail,
 8 correct?

9 A. Correct.

10 Q. And the date on which you sent the e-mail is
 11 March 8, 2018, correct?

12 A. Let me back up. Yes. That appears to be
 13 March 8, 2018.

14 Q. And fair to say, Mr. Cox, that in that e-mail
 15 message to yourself you wrote, you and I don't
 16 run the organization. It's you and Angus and
 17 Tony. And I'm referring to the last paragraph
 18 in Exhibit 2.

19 MR. MASON: I'm going to object to the
 20 extent that that's not all that this statement
 21 says. And for optimal completeness, I would ask
 22 that you read the remainder of that statement,
 23 that sentence.

24 MS. EISENBERG: Lauren, can you please
 25 read my question for the witness. I'd like

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1 Mr. Cox to answer the pending question.
 2 A. I typed out at the end of my notes to myself,
 3 You and I don't run the organization; it's you
 4 and Angus and Tony, and that's okay. You all
 5 can search for his replacement. That was
 6 relating to the dismissal of Kyle Weaver as
 7 executive director of general operations.
 8 Wayne's -- anyway, you can ask me about that if
 9 you want to. But I did type that notes to
 10 myself.
 11 Q. So it's fair to say that you typed in your notes
 12 to yourself that Wayne and you don't run the
 13 organization, rather it's Wayne, Angus, and Tony
 14 Makris, correct?
 15 MR. MASON: Objection. Misstates his
 16 testimony and the document.
 17 Q. Yes or no, Mr. Cox, did you type those words?
 18 A. I did type those words.
 19 MR. MASON: Same objections.
 20 Q. And directing your attention to the first
 21 paragraph on that second page that starts with
 22 the words "we can't win." Do you see that
 23 language?
 24 A. Yes.
 25 Q. It's fair to say that you typed in these notes

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1 to yourself that "we can't win." And then you
 2 go on to list a number of different things, one
 3 of which is a PR firm in Texas and Oklahoma
 4 that's more interesting in marketing to raise
 5 money than advertising to grow the brand. Did
 6 you type those words?
 7 A. I did type those words.
 8 Q. And the PR firm in Texas and Oklahoma that you
 9 referenced is Ackerman, correct?
 10 A. That's correct.
 11 Q. And when you wrote "more interesting," did you
 12 intend to write "more interested"?
 13 A. I did. I was typing quickly, clearly, and
 14 didn't type it correctly.
 15 Q. You were critical of Ackerman, correct?
 16 A. Correct.
 17 Q. Have you ever felt that Ackerman's strategy
 18 toward their work for the NRA was defective or
 19 deficient?
 20 A. Yes.
 21 Q. Tell us about that.
 22 A. Well, I believed that Ackerman had a great
 23 product at times. I believe that they failed at
 24 delivering that product. I believe that they
 25 were -- they were tasked with speaking, not an

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1 audience that I had to deal with day in and day
 2 out. It was legislative audience, which was a
 3 different audience than the membership that I
 4 also had to deal with and donors who I also had
 5 to deal with. So there were various audiences
 6 that had to be communicated with. But I often
 7 felt that Ackerman's messaging was at times
 8 politically tone deaf and caused me to have more
 9 challenges in my responsibilities even if they
 10 were, you know, providing, you know, benefit to
 11 others. So, yes, I had some ongoing concerns
 12 with regards to our messaging. And then also
 13 with regards to our, not always the messaging.
 14 I thought some of the messaging was great. But
 15 I often had times with -- or trouble with or
 16 problems with the delivery of those messages.
 17 Q. Turning your attention to NRA Exhibit 3.
 18 A. Ms. Eisenberg, is this going to be a new
 19 exhibit?
 20 Q. Yes. For the record, it's a multipage document
 21 that bears Bates numbers COX00060983 through
 22 0988. Mr. Cox, do you have NRA Exhibit 3 in
 23 front of you?
 24 A. I don't have it. Hold on. I think it's coming
 25 up. I apologize.

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1 MR. MASON: Just for the record, I'm
 2 going to assert another objection to use of this
 3 document. That Bates number is not in this
 4 case. I know that for a fact. So I'm going to
 5 also object to any questions being asked about
 6 this document. It hasn't been identified or
 7 produced in this litigation unless -- from as
 8 far as I know.
 9 MS. EISENBERG: Okay. May we go off the
 10 record for just one second?
 11 THE VIDEOGRAPHER: We are off the record
 12 at 5:51 p.m.
 13 (Recess taken.)
 14 THE VIDEOGRAPHER: We are back on the
 15 record at 5:53 p.m.
 16 MS. EISENBERG: I've been advised in the
 17 short break we took by opposing counsel that he
 18 would like to make a brief statement for the
 19 record. Go ahead, Mr. Mason.
 20 MR. MASON: No. I believe I made the
 21 statement before we went off. And that's simply
 22 that I would essentially, again, I lodge an
 23 objection to this document. I don't think it's
 24 been produced in this litigation. And it does
 25 have a Cox Bates number, but that's not from



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1 this case. So I would object to any questions
 2 either relating to any testimony relating to
 3 this particular document.
 4 MS. EISENBERG: Mr. Mason, of course, you
 5 understand that I'm using this for impeachment.
 6 But I heard your objection and I thank you for
 7 making it clearly on the record.
 8 MR. MASON: Well, I'm going to object to
 9 an improper impeachment. Because I don't think
 10 that's been established. But proceed.
 11 MS. EISENBERG: Thank you.
 12 MR. BUCHANAN: Impeachment about what? I
 13 mean, I don't think he's ever said anything
 14 contrary to what you're showing him in terms of
 15 Ackerman McQueen.
 16 MS. EISENBERG: Mr. Buchanan, do you
 17 object to my showing the document to your
 18 client?
 19 MR. BUCHANAN: I object to the comment
 20 that you said this is for impeachment.
 21 MS. EISENBERG: Okay.
 22 MR. BUCHANAN: I mean, what are you --
 23 you're showing him the document and he's
 24 admitting he said these things. He never said
 25 anything contrary to that so how can you be

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1 impeaching him. But go ahead.
 2 MS. EISENBERG: Okay. Your objection has
 3 been noted.
 4 Q. Mr. Cox, turning your attention to NRA
 5 Exhibit 3, this appears to be a series of text
 6 messages between you and Jennifer Baker,
 7 correct?
 8 A. Correct.
 9 Q. And Jennifer Baker was the head of public
 10 relations at ILA?
 11 A. Public affairs at ILA. That's correct.
 12 Q. And if I ask you to please take a look at the
 13 two pages of NRA Exhibit 3.
 14 A. Page 5 and 6?
 15 Q. They end in Bates No. 987 and 988.
 16 A. Is it where my response is "okay," or is that a
 17 different one? Oh, okay. I've got you. What
 18 about the ads --
 19 Q. That's correct. And I'm going to read for the
 20 record what Ms. Baker texted to you. Fair to
 21 say that Ms. Baker texted to you, What about the
 22 ads? It would've been great to have them in
 23 these previous stories that are all about what
 24 every town is doing to bracket us. Do you see
 25 that?

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1 A. Yes.
 2 Q. And that's what she said to you, correct?
 3 A. Correct.
 4 Q. Now, you responded on the next page, I honestly
 5 have no clue what they are doing. You wrote
 6 those words, correct?
 7 A. Bear with me one second. I'm sorry. Yes.
 8 Q. And "they" is Ackerman, correct?
 9 A. Correct.
 10 Q. When you wrote this text message, you felt that
 11 you honestly had no clue what Ackerman was doing
 12 with regard to this situation that Mrs. Baker
 13 described, correct?
 14 A. That is correct.
 15 MR. MASON: Objection.
 16 Q. And fair to say that when you sent this text to
 17 her, you did not think that Ackerman had a
 18 strategy outside of buying Fox?
 19 MR. MASON: Objection. Misstates his
 20 testimony.
 21 A. Ms. Eisenberg, if I can answer that question.
 22 Q. The question is, is it fair to say that that's
 23 what you thought? You thought that they had no
 24 strategy outside of buying Fox?
 25 MR. MASON: Objection. Misstates his

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1 testimony. Also compound question.
 2 Q. You can answer Mr. Cox. Do you want the
 3 question repeated?
 4 A. No. I think I understand the question. I did
 5 say that I don't believe -- honestly have no
 6 clue what they're doing and don't think they
 7 have the strategy outside of buying Fox. And I
 8 probably should've have added the word ad or
 9 advertising strategy. And what -- I can give
 10 you some detail on that if you would like for me
 11 to or I'll just answer the question and be
 12 quiet. Whatever you'd prefer.
 13 Q. All I want to know is whether the words on the
 14 page reflect what you thought in your mind?
 15 A. Those are my words and that's what I felt at the
 16 time.
 17 Q. Let's take a look at NRA Exhibit 4. Please let
 18 me know when you can see it on your screen. I
 19 know it takes a little while for it to come up.
 20 And thank you to Mr. Mason's colleague to the
 21 extent they are putting it up. I really
 22 appreciate that.
 23 MS. CARROLL: Yes. This is Christina
 24 Carroll. You're welcome.
 25 MR. MASON: And I'll, again, for the

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1 record object to the use of this document. It
 2 appears to be text messages with Mr. Cox. This,
 3 again, has not been produced in our case. It
 4 appears to be another document that may have
 5 been from the confidential arbitration between
 6 Mr. Cox and the NRA. So again I'll insert an
 7 objection to any questions being asked relating
 8 to this particular document. And we will move
 9 to strike any testimony relating to that.
 10 Q. (By Ms. Eisenberg) Mr. Cox, can you see NRA
 11 Exhibit 4 in front of you?
 12 A. Is it one that starts, "Did you catch all the
 13 Angus speak in --
 14 Q. Yes.
 15 A. Yes, I have that.
 16 Q. Fair to say that NRA Exhibit 4 appears to be a
 17 series of text messages that you exchanged with
 18 David Lehman on or about February 8, 2018?
 19 A. Yes.
 20 Q. And is it fair to say that the first page of
 21 Exhibit 4 contains a text message sent to you by
 22 Mr. Lehman?
 23 A. Yes.
 24 Q. He was the general counsel and deputy executive
 25 director of ILA at the time?

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1 A. Yes.
 2 Q. He reported directly to you, correct?
 3 A. Correct.
 4 Q. And fair to say that in the text message
 5 Mr. Lehman says, did you catch all the Angus
 6 speak in Hart's draft?
 7 A. Yes. That's what I'm reading.
 8 Q. When you received this text message, did you
 9 understand Angus to refer to Angus McQueen?
 10 A. He's the only Angus I know or I knew so that
 11 would be correct.
 12 Q. Fair to that say in his text message, Mr. Lehman
 13 proceeded to criticize Ackerman?
 14 MR. MASON: Objection. Calls for
 15 speculation. Lack of foundation as to what
 16 Mr. Cox -- what Mr. Lehman was thinking at the
 17 time he sent this.
 18 Q. I'm only looking for your understanding,
 19 Mr. Cox. When you received this text message,
 20 did you believe that Mr. Lehman was critical of
 21 Ackerman?
 22 MR. MASON: Same objections.
 23 A. Yes.
 24 Q. And you agreed with his statement that the
 25 communication "read like Angus," correct?

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1 A. Ms. Eisenberg, I clearly agree. But I don't
 2 know -- I don't know without seeing Hart's
 3 draft. I'm not sure what he's referring to. I
 4 have no doubt that he's critical and I have no
 5 doubt that I agreed. I'm just saying I don't --
 6 I can't give you much insight because I don't
 7 know what we're referring to here.
 8 Q. That's okay. My only question is whether he was
 9 critical and whether you agreed. And you've
 10 already answered those. So thank you. Let's
 11 turn to the last page of Exhibit 4. Fair to say
 12 the last page of Exhibit 4 is the text message
 13 that you sent on February 8, 2018?
 14 A. Yes.
 15 Q. And fair to say it states, It is bullshit. So I
 16 get it. But they are effing with the wrong
 17 entity. U.S. Senate is not USA Today. Did I
 18 read that correctly?
 19 A. Yes.
 20 Q. And when you said they are effing with the wrong
 21 entity, does the word "they" refer to Ackerman?
 22 A. Yes. And I believe this was in response to the
 23 letter that had been drafted to send to the U.S.
 24 Senate in response to something. I don't know
 25 if it was -- it was Russia or whatever it might

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1 have been. I don't remember exactly. If you
 2 can find it for me, I'd be happy to give you
 3 more insight. But in reading this, it's clear
 4 to me that there was a letter drafted to the
 5 U.S. Senate that David believed was wrong that I
 6 agreed with. And to me what I'm saying in that
 7 is the U.S. Senate is not the USA Today. That's
 8 me saying don't send something to the United
 9 States Senate that reads like it should go to
 10 the USA Today. I'm making a comment as it
 11 relates to messaging is my recollection.
 12 Without seeing the letter, that's my best
 13 recollection, Ms. Eisenberg.
 14 Q. So your best recollection is that Ackerman
 15 treated a communication to the United States
 16 Senate as if it was going to the USA Today,
 17 correct?
 18 MR. MASON: Objection. Misstates his
 19 testimony.
 20 A. Ms. Eisenberg, I believe -- I don't know without
 21 seeing the final draft of what was sent to the
 22 Senate, what was in there versus the original
 23 draft or if it was the same one. I'm not trying
 24 to be evasive. I just honestly don't know what
 25 was in there. But that's my recollection is

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1 that it was -- it was -- the way I'm reading
 2 this, my recollection is they're screwing with
 3 the wrong entity. They're starting a messaging
 4 war with the United States Senate that's more
 5 appropriate for USA Today, which I was not
 6 saying that to compliment the USA Today. That
 7 was a reflection of disagreement in tone or
 8 content. But I don't -- again, without seeing
 9 it -- I'm happy to read it and give you my
 10 educated opinion. But that's my recollection.
 11 Q. I appreciate that. That's okay. All I'm
 12 getting at is whether it's fair to say that you
 13 were, in this text message, being critical of
 14 Ackerman, correct?
 15 A. Correct.
 16 Q. Has Ackerman ever done anything that you thought
 17 was embarrassing for the NRA?
 18 A. Yes.
 19 Q. What are some of the examples?
 20 A. The one that comes to mind was the NRATV with
 21 Dana Loesch where they did some content of
 22 Thomas the Tank or whatever the children's tank
 23 engine, children's cartoon. And they put a Ku
 24 Klux Klan head or hat, hood, whatever on Thomas
 25 or one of the trains. And that's an example of

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1 something I was -- I was extremely angry,
 2 offended, embarrassed about it. And I --
 3 brought it to my attention -- I immediately took
 4 it to Wayne's attention.
 5 Q. You thought that was problematic, correct?
 6 A. I thought that was extremely problematic.
 7 Correct.
 8 Q. Any other examples of things they did that you
 9 thought were embarrassing the NRA?
 10 A. There were often -- Ms. Eisenberg, I had -- I
 11 had disagreements often with some of the
 12 messaging that came out of Ackerman McQueen. I
 13 had strong agreement with a lot of the messaging
 14 that came out of Ackerman McQueen. They did
 15 not -- I'm sorry. To answer your question, yes,
 16 I had -- I had concerns -- problems with content
 17 at times that came from Ackerman McQueen.
 18 Q. So this instance with this Thomas the Tank
 19 episode, this was not the only time that
 20 Ackerman embarrassed the NRA, was it?
 21 MR. MASON: Objection. Misstates his
 22 testimony.
 23 MS. EISENBERG: I'm not asking him
 24 whether he testified it before. I'm asking him
 25 a question.

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1 Q. You may answer, Mr. Cox. Do you need the
 2 question repeated?
 3 MR. MASON: Same objection. Also
 4 foundation.
 5 A. This was not the only time that I disagreed with
 6 messaging coming from Ackerman McQueen content.
 7 Q. But the only time that you recall as being
 8 embarrassing as you sit here today?
 9 A. If you'll give me just a minute to think about
 10 that. I was there for a long time. There was a
 11 lot of content, magazine content, and others.
 12 Sitting here today, I don't -- nothing comes to
 13 mind. But I do know that on more than one
 14 occasion I had -- I had concerns and problems
 15 and asked for things to be changed. And a lot
 16 of things I successfully changed before they
 17 ever -- before they ever went out because I
 18 believed they would cause a problem. But I
 19 can't -- that one just sticks out because it was
 20 memorable. But, yes, I had -- I had
 21 disagreements at time with Ackerman McQueen's
 22 messaging. That's accurate.
 23 Q. So sitting here today, you think that there were
 24 other instances where Ackerman embarrassed the
 25 NRA; it's just that you can't recall a specific

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1 other instance; is that fair?
 2 A. That's fair.
 3 Q. And with regard to Thomas the Tank engine
 4 episode, is it fair to say that you thought that
 5 what Ackerman did was going to be detrimental to
 6 NRA's ability to get donations?
 7 A. I believed that we were representing gun owners
 8 in support and defense of the second amendment
 9 and that the further we got away from the core
 10 issue of the second amendment, the -- not only
 11 the less effective we would be, but the more we
 12 opened ourselves up to unnecessary criticism. I
 13 didn't believe we should be engaging in, you
 14 know, things that I considered to be racially
 15 insensitive. I didn't think that we should be
 16 engaging in things that were outside of the core
 17 mission of the National Rifle Association.
 18 Q. And in fact you believe that what Dana Loesch
 19 did hurt the NRA with donors, with voters, and
 20 with legislators, correct?
 21 A. I believe that that was an embarrassing episode
 22 that caused problems. I can't point to the
 23 specifics of -- or any analytics behind the
 24 donors or those sorts of things. But I can just
 25 tell you, as the person responsible for engaging

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1 with elected officials and other people, that it
2 was not helpful.
3 Q. But at the time this happened and before you saw
4 any repercussions, you believed that it was
5 going to hurt the NRA with donors, voters, and
6 legislators, correct?
7 A. Yes, that's correct.
8 Q. And fair to say that Colonel North characterized
9 this as lack of message discipline?
10 A. Ms. Eisenberg, I don't remember if he said that.
11 I would not be surprised if he stated that. I
12 believe that to be an accurate -- an accurate
13 statement. But I don't remember. He might have
14 said that. I have no recollection. But if he
15 said that, I would have agreed with him.
16 Q. Let's take a look at NRA Exhibit 6.
17 MR. MASON: And, again, for the record,
18 I'm going to point out that this is now the
19 fifth or sixth document that has been shown to
20 the witness that has not been previously
21 produced in this litigation. I'm going to
22 object to any questions relating to it now and
23 that have previously been asked. Because I
24 believe it's improper to ask questions about
25 this document along with the others that have

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1 been used and attempt to use it as some sort of
2 impeachment. I also note this litigation has
3 been going on since August of 2019. The
4 discovery deadline is Friday. And none of these
5 documents have been produced. And so --
6 including all these text messages from
7 apparently the arbitration -- so with that said,
8 assuming my standing objection on this
9 particular stands, Ms. Eisenberg.
10 MS. EISENBERG: Thank you, Mr. Mason.
11 First, it's incorrect to assume that it's from
12 the arbitration. But that doesn't matter for
13 purposes of your objection. Second, we
14 obviously recognize your objection. We think
15 it's meritless. Discovery has not closed. You
16 noticed Mr. Cox's deposition recently. It's
17 being used for impeachment. There's no
18 prejudice. And you certainly are welcome to ask
19 him questions about these documents as well.
20 But I'm sure that we will --
21 MR. MASON: And just for the record --
22 MS. EISENBERG: -- not agree on any of
23 these matters. So I think we've both stated our
24 objections for the record and I suggest we move
25 on.

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1 MR. MASON: Let me just say real quickly
2 that this deposition, I think, has been noticed
3 for at least a month. Actually, I know it has
4 been. And so I don't think -- there's more than
5 enough time to produce these documents. And I
6 will leave it at that.
7 Q. Mr. Cox, do you have NRA Exhibit 6 in front of
8 you?
9 A. Ms. Eisenberg, is it the one the starts,
10 "Colonel, I share your concerns of"?
11 Q. Yes, that's correct.
12 A. Yes, I do.
13 Q. Does this appear to be an e-mail exchange
14 between you and Colonel North?
15 A. Ms. Eisenberg, I'm confused. I'm confused
16 because the e-mail appears to come from Deb
17 Sargol, but it's clearly -- it's clearly me
18 writing to the Colonel, because I was referring
19 to him as Colonel. So I believe that this does
20 represent an e-mail that I sent to or that was
21 directed to Colonel North. I'm a little
22 confused by why Deb Sargol's name is on it, but
23 there might be a --
24 Q. Does it look like potentially a calendar entry
25 in your calendar that she may have created for

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1 you where it says subject Colonel North
2 discussions?
3 MR. BUCHANAN: Ms. Eisenberg, is this
4 from Mr. Cox's calendar at the NRA? Is that
5 where you got this from?
6 MS. EISENBERG: I believe it is. But I'm
7 not -- I need to double-check to make that
8 representation.
9 MR. BUCHANAN: But you're saying this is
10 not a document that's been produced in the
11 arbitration? I thought you said that. But I
12 want to clarify that.
13 MS. EISENBERG: I was not making a
14 representation whether or -- about whether or
15 not this document was produced in the
16 arbitration. What I said previously was
17 Mr. Mason made an assumption that these
18 documents are from the arbitration, which is not
19 necessarily accurate. But we don't need to get
20 into that. I do not know if this has been
21 produced in the arbitration. And I'm sure that
22 we would be happy to get back on you on this
23 later today if you'd like.
24 MR. MASON: Well, just while we're all
25 here right now, let me -- with these documents

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1 that have Cox Bates number at the bottom, since
 2 we have counsel for Mr. Cox and the NRA's
 3 counsel in the arbitration, are the
 4 Bates-numbered documents that have been shown
 5 that have a Cox Bates number on them, are
 6 those --
 7 MS. EISENBERG: Yes. I can answer your
 8 question. Let's try to speed it up. And if my
 9 answer doesn't address your concern, please let
 10 me know. Mr. Cox is former fiduciary of the
 11 NRA. He had in his possession a variety of
 12 documents over which the NRA didn't have
 13 physical control. And after he left the NRA,
 14 through his counsel, he produced to NRA records
 15 related to the service to the NRA including some
 16 of the documents you're seeing here. So they're
 17 stamped with a Bates prefix that tracks his
 18 name. But I'm not -- I'm nor sure that your
 19 characterization that you gave on the record in
 20 terms of them being -- having been produced in
 21 arbitration is necessarily accurate. But I
 22 don't think we need to debate that right now.
 23 Is there another question that you have,
 24 Mr. Mason, before we move on?
 25 MR. MASON: I'm sure there will be, but

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1 not right now.
 2 MS. EISENBERG: Okay. Just let us know.
 3 Q. Mr. Cox, you have Exhibit 6 in front of you. I
 4 understand you're -- it's a little confusing
 5 about the format. But you said that you do
 6 believe that it appears to be an e-mail thread
 7 exchange with Mr. North, Colonel North. Turning
 8 your attention to Colonel North's message, fair
 9 to say that he says, All, at or about 1100 on
 10 Thursday, 13th September I will be at NRA HQ.
 11 He says that, correct?
 12 A. Correct.
 13 Q. And NRA HQ, does that refer to the headquarters
 14 building Alexandria, Virginia?
 15 A. Yes.
 16 Q. I'm sorry. In Fairfax, Virginia?
 17 A. Yes.
 18 Q. And fair to say in this e-mail message Colonel
 19 North is talking about the Thomas the Tank
 20 engine episode?
 21 A. It seems to be pretty long. Can you just point
 22 me to where I need to look, or just the whole
 23 thing?
 24 Q. Certainly. Let's take a look at Ms. Hallow's
 25 e-mail message that starts at the bottom of page

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1 2 of Exhibit 6 and ends on page 3. She writes,
 2 Are you getting any calls or messages about this
 3 data thing, putting a kid show character in KKK
 4 hoods? Does this help refresh your recollection
 5 about whether or not Colonel North's message was
 6 about that topic?
 7 A. I apologize --
 8 MR. MASON: Objection. Calls for
 9 speculation. Foundation.
 10 Go ahead, Mr. Cox.
 11 A. I apologize, Ms. Eisenberg. Could you tell me
 12 where you are?
 13 Q. Yes, of course. Okay. So Exhibit 6 is a
 14 multipage PDF.
 15 A. Yes.
 16 Q. If you count from the beginning and go to page 3
 17 of the PDF.
 18 A. Okay. Got it.
 19 Q. At the very top, do you see a language that says
 20 are you getting any calls?
 21 A. Yes.
 22 Q. And if you scroll up to the previous page, you
 23 see this was a message sent by Millie Hallow,
 24 correct?
 25 A. Correct.

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1 Q. Okay. And she says what I already read plus I
 2 am getting lots -- and I think she's referring
 3 to calls. Then she said, OLLIE, it's Dana and
 4 it's NRATV. Correct? That's what she wrote?
 5 A. Correct.
 6 Q. Having refreshed your recollection, do you know
 7 if when Colonel North writes his e-mail message
 8 that's Bates stamped 2:15 a.m. on the first
 9 page, he is referring to the Thomas the Tank
 10 issue?
 11 MR. MASON: Objection. Foundation.
 12 Calls for speculation as to what Colonel North
 13 was thinking or saying.
 14 Go ahead, Mr. Cox.
 15 A. Ms. Eisenberg, without reading, taking the time
 16 to read Colonel North's entire e-mail, it says,
 17 Without disrupting the plans of others or
 18 embarrass anyone, we should take the event below
 19 as an opportunity for to determining how we
 20 should best advance our message. So based on
 21 reading that, I do believe that Colonel North
 22 was referring to the Dana Loesch issue regarding
 23 the children's tank cartoon Thomas the Tank.
 24 Q. Did you understand him to be critical of Dana
 25 Loesch?

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1 A. Yes.

2 Q. And you obviously shared his concern over what

3 you called message discipline, correct?

4 A. That's correct.

5 MR. HARDING: I just want to --

6 THE COURT REPORTER: I'm sorry. I didn't

7 hear that question. I'm sorry. Can you repeat

8 that, sir. I can't hear you.

9 MR. HARDING: I just said I wanted to

10 make sure we did not have an Exhibit 5. We went

11 from 4 to 6.

12 MS. EISENBERG: That's correct. Thank

13 you. Okay. I need two minutes off the record

14 to use the restroom or whatnot. We can do so

15 now. If not, I can just review my outline.

16 THE VIDEOGRAPHER: We are off the record

17 at 6:20 p.m.

18 (Recess taken.)

19 THE VIDEOGRAPHER: We are back on the

20 record at 6:25 p.m.

21 Q. (By Ms. Eisenberg) Mr. Cox, Mr. Lehman left the

22 NRA, correct?

23 A. Correct.

24 Q. As far as you know he was not fired?

25 A. That's correct.

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1 Q. He left voluntarily, correct?

2 A. Correct.

3 Q. And you left voluntarily as well? You were not

4 fired; is that correct?

5 A. I resigned after being placed on administrative

6 leave. I made the decision to resign. Correct.

7 Q. And when you were placed on administrative

8 leave, that was with pay?

9 A. Correct.

10 Q. Mr. Lehman works with you?

11 A. He does.

12 Q. He is working for your company, correct?

13 A. He is.

14 Q. Do you consider him a friend?

15 A. I do.

16 Q. Did you consider him a friend in 2019?

17 A. I did.

18 Q. You previously testified that you considered

19 Colonel North a friend. Is that also a fair

20 characterization of your relationship in 2019?

21 A. Correct.

22 Q. And the same with Mr. Cooper? Friend today;

23 friend in 2019?

24 A. Correct.

25 Q. Who is Megan Allen?

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1 MR. MASON: Objection.

2 Q. If you don't remember, you can say you don't

3 remember.

4 A. I remember the name. I believe it was a young

5 lady who worked for NRA.

6 Q. And she interned at ILA, correct?

7 A. I don't -- to be honest with you, I don't

8 remember if she interned at ILA. She very well

9 may have.

10 Q. So when Mr. Winkler sent that letter talking

11 about intern rent, did you at the time make the

12 connection that that reference was to the person

13 who interned at ILA?

14 MR. MASON: Objection. Foundation.

15 Calls for speculation. Compound question.

16 A. Ms. Eisenberg, I don't know if I've ever had a

17 conversation with Ms. Allen. I don't remember

18 her interning for ILA. ILA was a big division.

19 We had nine, you know, nine different divisions

20 within ILA. I don't -- I don't recall her

21 interning for ILA. But she very well may have.

22 I just don't remember her being an intern within

23 ILA. But she -- if that was the case, then I

24 just don't remember her -- I don't remember her

25 being there.

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1 Q. When they --

2 A. I don't say that to be critical of her. I'm

3 just saying I don't remember. I don't remember

4 her interning for ILA.

5 Q. And you don't have any personal knowledge

6 related to whether or not anyone paid for her

7 rent when she interned at the NRA, correct?

8 A. I had no personal knowledge other than what I've

9 read in some of these -- in some of these

10 proceedings and accusations and other things,

11 that she was provided rent. I wasn't aware of

12 that at the time. Because honestly I don't -- I

13 don't know that she was an intern at ILA. But I

14 don't say that in a disrespectful way to her.

15 She might have been and might have done a great

16 job.

17 Q. Have you ever worked with her on anything?

18 A. I don't recall. Honestly I don't recall ever

19 having a conversation with Ms. Allen. But I

20 might have in passing. I tried to say hello and

21 tried to be nice to everybody in the building.

22 So if I'd seen her, I would have said hello and

23 been nice. But I don't remember any -- I don't

24 recall any conversation or working with

25 Ms. Allen.

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1 Q. Did you ask Mr. LaPierre about that allegation
2 when you spoke to him in your hotel room?
3 MR. MASON: Objection. Vague.
4 Ambiguous. Foundation.
5 A. I don't recall ever having a conversation with
6 Wayne about -- about Ms. Allen ever. I remember
7 Wayne at one point saying that she was the
8 daughter of maybe a law enforcement officer or
9 someone with some -- an NRA member. A law
10 enforcement officer. Someone with some
11 connection to the NRA. But it wasn't something
12 that we had a long conversation on. But I do
13 remember Wayne saying something about she's
14 so-and-so's daughter or something along those
15 lines. Or there was some relationship to law
16 enforcement officer or someone. But I don't
17 recall it being a long conversation or anything
18 other than a shoulder shrug. I didn't think
19 much of it.
20 Q. When Mr. Winkler sent his letters, did you
21 understand Mr. Winkler to be asking Mr. LaPierre
22 about the rent paid for Ms. Allen when she
23 interned at the NRA?
24 MR. MASON: Objection. Foundation. Also
25 to the extent you're asking him about the

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1 know if it was the Winkler letter or somewhere
2 else -- that there was rent paid to -- an
3 intern's rent was paid for by the organization
4 or by someone. But I don't remember honestly
5 thinking much of it or paying much attention to
6 it.
7 Q. Did you think for the NRA to pay for an intern's
8 rent is inappropriate?
9 A. I honestly don't know what the standard -- the
10 standard process would be or procedures would be
11 with regards to providing rent for an intern.
12 If there was an intern who, you know, is part of
13 the compensation that structured a deal -- it
14 wasn't with me obviously, but structured a deal
15 to have their rent paid for the summer or
16 however long it was, then I wouldn't view that
17 to be necessarily inappropriate to provide
18 lodging for an intern. I don't know if that
19 answers your question or not.
20 Q. So when you felt concerned about some of the
21 issues raised by Mr. Winkler in his letters, was
22 this allegation about Mr. Allen's rent among the
23 things about which you felt concerned or not?
24 MR. MASON: Objection. Misstates his
25 testimony.

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1 document that he never looked at. Go ahead.
2 Q. Mr. Cox, would you like the question reread?
3 A. Yes, please.
4 THE COURT REPORTER: Do you want me to
5 reread it?
6 MS. EISENBERG: Ms. Court Reporter, would
7 you be so kind as to please do so. Thank you.
8 (Question read as follows:
9 Q. When Mr. Winkler sent his letters, did
10 you understand Mr. Winkler to be asking
11 Mr. LaPierre about the rent paid for Ms. Allen
12 when she interned at the NRA?)
13 MR. MASON: Same objections.
14 A. Ms. Eisenberg, the question is do I recall the
15 Winkler letter referencing an intern's rent and
16 did I believe that that was related to
17 Mrs. Allen or Mrs. Allen?
18 Q. Yes. When you first saw the letters, did you
19 make that connection?
20 A. I honestly don't remember making a connection.
21 I don't remember -- I remember that issue, that
22 allegation coming out of some sort of, you know,
23 suggested impropriety as it related to an
24 intern. I remember that coming out. I remember
25 that -- reading somewhere that there -- I don't

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1 A. I didn't -- I don't remember ever paying much
2 attention to that issue at all. Because I
3 didn't know -- I didn't know what the -- I
4 didn't know who paid for rent. I didn't know
5 how much the rent was. I still don't know how
6 much the rent was. I don't know who paid for
7 it. So I didn't have a -- really any knowledge
8 of it and therefore didn't really have any
9 concern over it.
10 Q. Did you ever describe Ackerman as a tumor on the
11 NRA?
12 A. Can you repeat that question, please?
13 Q. Yes. Did you, Mr. Cox, ever describe Ackerman
14 as a tumor on the NRA or words to that effect?
15 A. Are you saying tumor? Like a T-U-M-O-R. Tumor.
16 Q. Yes.
17 A. I quite possibly used all sorts of things to
18 describe different people and groups at
19 different times. Sometimes colorfully. I
20 regret using that word. Because I had a son
21 with a tumor. So I don't make light of that.
22 And so if I used that word, I shouldn't have.
23 But if I did it, I'm not saying that I didn't or
24 I wouldn't have.
25 Q. And is it possible that you used that expression

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1 in relation to Ackerman?
 2 MR. MASON: Objection. Calls for
 3 speculation.
 4 A. It's possible. Yes.
 5 Q. And what is it about Ackerman that might have
 6 caused you to use that expression in relation to
 7 them?
 8 A. I believed, Ms. Eisenberg, that there were times
 9 when the Ackerman's influence over the
 10 organization and over Wayne and their
 11 integration into the National Rifle Association,
 12 the different divisions of the National Rifle
 13 Association, and different parts of the building
 14 and the -- the deep-seated involvement in a lot
 15 of different areas was not something that I
 16 agreed with and I shared those concerns at
 17 times.
 18 Q. Do you believe that Tom King is a good member of
 19 the board?
 20 A. I don't have an opinion one way or the other on
 21 Tom.
 22 Q. Do you believe that Sandy Froman is a good
 23 member of the NRA board?
 24 A. I worked very closely with Ms. Froman. I spoke
 25 at various events she invited me to, fundraisers

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1 that she invited me to keynote in Arizona. So I
 2 always believed that I had a good working, good
 3 professional relationship with Ms. Froman. I
 4 always tried to help her whenever she asked.
 5 Q. Do you believe that she is a good member of the
 6 NRA board?
 7 MR. MASON: I'll just object to the form
 8 of the question as vague and ambiguous as to the
 9 term of what "good" means.
 10 Go ahead, Mr. Cox.
 11 A. I guess I would want to define what "good"
 12 means. If "good" means showing up at meetings
 13 and participating in meetings, yes. She was --
 14 she was generally supportive of me and my
 15 efforts and my leadership of ILA. I appreciated
 16 her support from a board member standpoint. I
 17 guess, you know, depending on what your
 18 definition of a good board member is, I just
 19 don't have a strong -- a strong feeling. I
 20 haven't been there in two years. I don't know
 21 what they're all doing now. I haven't been in
 22 touch with any of them. So I can't really speak
 23 to that. At the time there were times that I
 24 certainly enjoyed working with Sandy and believe
 25 that she was an asset -- an asset to the

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1 organization.
 2 Q. At the time you worked at the NRA, did you
 3 believe that she had solid judgment?
 4 MR. MASON: Objection. Vague and
 5 ambiguous as to what -- go ahead.
 6 A. With all due respect to the 76 board members of
 7 the National Rifle Association, at times they
 8 all believed they were political and legislative
 9 experts. I didn't always believe that they
 10 were. So I did not always agree with what their
 11 recommendations might be on, you know,
 12 endorsement decisions and, you know, legislative
 13 strategy. So that's not being speaking ill of
 14 Sandy or any of them. But there were times when
 15 I agreed with them and times when I disagreed
 16 with them.
 17 Q. What about her honesty? Did you consider her to
 18 be an honest person?
 19 A. I had no reason to believe that Sandy was a
 20 dishonest person.
 21 MS. EISENBERG: We have something showing
 22 up on our screen that we need to address. May
 23 we please go off the record. I apologize for
 24 any inconvenience.
 25 THE VIDEOGRAPHER: We are off the record

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1 at 6:39 p.m.
 2 (Recess taken.)
 3 THE VIDEOGRAPHER: We are back on the
 4 record at 6:40 p.m.
 5 Q. (By Ms. Eisenberg) Mr. Cox, we are back on the
 6 record after the short break. Before the break
 7 I asked you about Sandy Froman. Same question
 8 about Scott Bach. Did you think that he was a
 9 good member of the board when you were at
 10 the NRA?
 11 MR. MASON: I object to the form of the
 12 question.
 13 A. Ms. Eisenberg, I disagreed probably with every
 14 board member on some issue at some point during
 15 the 24-year period of employment and service to
 16 the organization. I respected Scott for
 17 fighting on behalf of the second amendment in
 18 the state of the New Jersey which was a
 19 difficult undertaking given the politics in New
 20 Jersey. So the fact that Scott fought on behalf
 21 of New Jersey members, I admired that about
 22 Scott. I didn't agree with Scott on everything.
 23 But I didn't agree with necessarily everybody on
 24 anything.
 25 Q. Are there any individuals who served on the NRA

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1 board since, let's say, 2015 who you thought
2 they were a good board member?
3 MR. MASON: Objection to -- it's vague
4 and ambiguous as to the term "good."
5 A. I believed Colonel North was a good board
6 member. I believed Richard Childress was a good
7 board member. I thought very highly of Allan
8 Cors as a board member. I thought highly of
9 Graham Hill as a board member. I thought highly
10 of those who had an experience or background
11 that provided the insight or the benefit or
12 knowledge to the organization. There were some
13 that at times were great, I thought, for the
14 organization. There were times where I thought
15 they were problematic. You know, Ted Nugent
16 comes to mind. Ted could fire up the membership
17 and engage a part of the membership that was
18 very passionate and followers of his, you know,
19 his music career and his outspokenness. And
20 there were times that Ted said things that were
21 problematic. And so I'm not trying to avoid the
22 question. I just believe that everybody has you
23 know some good qualities, and everybody has some
24 not as productive and helpful qualities. And I
25 think they all fell under that. But there

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1 were -- I believe that Dave Butz was a good guy
2 and a good board member. Every time I was
3 around Dave and he was engaged in, you know,
4 shooting and teaching young people or first-time
5 shooters, and I thought that he was, you know,
6 he provided, you know, a good, you know, a good
7 benefit to the organization. I thought that
8 Ronnie Barrett and Bob Nosler, leaders in the
9 firearms industry, who could provide, you know,
10 not only some business acumen and support, but,
11 you know, their brand development and expertise.
12 So I mean, I worked with a lot of board members
13 over a long period of time. And I can say you
14 know something nice probably about all of them
15 and something not as nice about plenty of them.
16 But that's as good an answer as I can give you.
17 Q. Coming back to Scott Bach, did you ever have any
18 reason to question his honesty?
19 A. I didn't know at the end as things got so bad
20 what anybody was necessarily doing good or doing
21 what I viewed to be problematic. I never had
22 any interactions with Scott that were -- that
23 were negative as it relates to that. Like I
24 said, I didn't always agree with Scott's
25 political judgment. But I had no reason to

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1 think that Scott was a dishonest -- a dishonest
2 guy. But I can't speak for what I don't -- to
3 what I didn't see or I don't know.
4 Q. So fair to say with all of that that you had no
5 reason to question his honesty?
6 A. I did not.
7 Q. And fair to say you had no reason to question
8 his integrity?
9 A. I did not.
10 Q. And what about Marion Hammer? Would you -- when
11 you were at the NRA, did you believe that she
12 was a good member of the NRA board?
13 A. I believed that Marion provided a valuable
14 service as the first female president of the
15 National Rifle Association back in the '90s or
16 whenever that happened. I believe that Marion
17 was very involved in Florida legislative
18 politics for a period of time. But I grew to
19 believe that Marion was not being honest with me
20 and was committed to causing me problems.
21 Towards the end I believe that her compensation
22 far outweighed the value that certainly ILA was
23 getting or the organization was getting. So I
24 had less than positive view of Marion Hammer
25 when I left the organization.

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1 Q. Did you ever have any reason to question her
2 honesty?
3 A. Yes.
4 Q. Did you ever have -- let me back up. Did you
5 ever have any reason to question her integrity?
6 A. Yes.
7 Q. And coming back to Tom King, did you ever have
8 any reason to question his integrity?
9 A. No.
10 Q. Did you ever have any question to -- withdrawn.
11 Did you ever have any reason to question Tom
12 King's honesty?
13 A. No.
14 MR. MASON: Objection. Asked and
15 answered.
16 Q. Did you -- you are aware, Mr. Cox, are you not,
17 that there was a communication that was drafted
18 before Winkler's letters came out that referred
19 to your becoming an executive vice president of
20 the NRA?
21 A. I never -- I don't recall ever seeing a
22 document. I heard about the document during the
23 convention in Indianapolis. I was -- I was
24 offended over the suggestion that I would
25 challenge my boss and my friend for that

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1 position. I told not only Wayne and Sandy
 2 Froman and numerous other board members that if
 3 there was any effort to nominate me, that I
 4 would withdraw my name immediately.
 5 Q. Who told you about this document that you just
 6 referenced?
 7 A. I don't remember ever seeing a document,
 8 Ms. Eisenberg. But there was -- there was
 9 chatter, is the best way I could describe it, at
 10 the board meeting or at the annual meeting in
 11 Indianapolis about, you know, a move to, you
 12 know, for Chris to assume -- and I can assure
 13 you I had written a letter of resignation. My
 14 wife was not at all okay with me moving up in
 15 the organization. She wanted me to leave years
 16 before then. And this idea that I would, you
 17 know, just rise to the EVP position over Wayne's
 18 objection was never accurate. It was never
 19 discussed by me or with me. And I never would
 20 have pursued any attempt to challenge Wayne. As
 21 I told Wayne over the years repeatedly that I
 22 would rather lose my job than lose my friendship
 23 with Wayne. And I had that position up until
 24 the very end when I left.
 25 Q. Understanding that you haven't seen such a

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1 document and don't yourself know if one exists,
 2 but if one was prepared, fair to say based on
 3 what you just said, that it was without anyone
 4 asking you if you were okay with your name being
 5 mentioned in such context?
 6 A. No one -- no one discussed with me moving into
 7 the executive vice president's role. And when
 8 it was mentioned, I was very clear and
 9 unequivocal that I would remove my name from
 10 consideration.
 11 Q. Okay. So we are sending over a document for use
 12 through Agile. And in the meantime, to make
 13 good use of the time, let me just ask, Bob Owens
 14 is a chief fiscal officer at ILA, correct?
 15 A. That's correct.
 16 Q. And he started ILA on or about August 2, 2018?
 17 A. That sounds -- that sounds about right. I don't
 18 remember the exact date.
 19 Q. And for a period of time before you left the
 20 NRA, you worked with Mr. Owens, correct?
 21 A. I hired Bob.
 22 Q. You considered him to be capable?
 23 A. I did. Bob was the former CFO of the Republican
 24 National Committee. When I found out that he
 25 was potentially replacing Mary Rose as ILA's

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1 fiscal officer, I was thrilled over the idea of
 2 having such a capable and qualified fiscal
 3 officer to come in and replace Mary Rose. So,
 4 yes, I thought he was the right person. I
 5 thought that I was lucky to be honest with you
 6 to be in position to hire him and bring him on
 7 board.
 8 Q. And once he started working with you, did you
 9 continue to think that you were lucky to have
 10 gotten him to join the NRA?
 11 A. I did. I found Bob to be a -- a hard worker.
 12 Anyone who's new to the organization, it takes
 13 time for people to understand the inner workings
 14 and the personalities involved and the vendors
 15 and all the rest of it. But, yes, I believed
 16 Bob to be capable of doing a very good job, if
 17 not a great job for ILA.
 18 Q. You considered him to be an honest person?
 19 A. I had no reason to think Bob was dishonest.
 20 Q. Fair to say that you think Jason Ouimet is
 21 capable?
 22 A. I hired Jason as well and trained Jason as one
 23 of my deputies. So I believed that Jason was a
 24 good legislative person. I believed that he had
 25 room to grow and had areas that he needed to

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1 work on. But, yes, I believe that Jason was a
 2 good federal lobbyist, a good director of the
 3 federal affairs division and believed that when
 4 I left, certainly not under the terms that I
 5 departed, but that he would've been my choice to
 6 replace me as executive director of ILA.
 7 Q. Jason Ouimet is an honest person, correct?
 8 A. I believed Jason to be honest. I haven't spoken
 9 to Jason in a couple years. But I have no
 10 reason to believe that he's not an honest
 11 person.
 12 Q. Same about John Commerford? You considered him
 13 to be honest?
 14 A. I think John's a good guy. I didn't know him
 15 well enough or work with him close enough to
 16 have a real opinion on his character. But I had
 17 no reason to think that John was dishonest.
 18 Q. And what about his capabilities? Did you think
 19 of him as a capable colleague?
 20 A. I don't want to disparage John. I liked John.
 21 I don't think that -- you know, compared Jason
 22 Ouimet or someone who was more polished and more
 23 skillful in advocating on behalf of the
 24 organization. But that's more, I guess, praise
 25 for others than criticism of John. But I



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1 thought John was a good -- a good employee. And
 2 a true believer in the second amendment. And
 3 that carried a lot of weight in my hiring
 4 decision. And I hired John as well.
 5 Q. May we please go back to Exhibit 419. I believe
 6 this is the text messages between Mr. Cox and
 7 Mr. Boren. It was used by Mr. Mason during his
 8 direct.
 9 A. Okay.
 10 Q. Mr. Cox, you previously testified at length
 11 about this document. I'm not going to repeat
 12 any of Mr. Mason's questions. My question is
 13 about the line that is time-stamped 14:29:12.
 14 Sort of towards the end there where it says,
 15 "Millie didn't give any details." Did you see
 16 that?
 17 A. I do.
 18 Q. And again that is a text message that you sent
 19 to Mr. Boren on the 24th of April, correct?
 20 A. That's correct.
 21 Q. And you testified about the meaning that you
 22 gave or the significance of the word "detail"
 23 before. You testified that in your mind this
 24 referred to the fact that there was not a
 25 discussion of sitting down and seeing if things

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1 could be resolved amicably. Do you recall that
 2 testimony?
 3 A. I do.
 4 Q. Now, when you testified about what Mr. Boren
 5 conveyed and when you testified about the
 6 various other discussions that you had on that
 7 day, there was a reference to specific things
 8 that might be alleged against Wayne LaPierre
 9 like Josh Powell's sexual harassment or specific
 10 things related to the intern rent or things
 11 perhaps related to Tyler Schropp. Is it your
 12 testimony here today that when you wrote Millie
 13 didn't give any details, that when you wrote
 14 this text message, the word "detail" was not
 15 intended by you to refer to the specifics of
 16 those allegations against Wayne LaPierre and NRA
 17 that were referenced in those various
 18 conversations?
 19 MR. MASON: I'm going to object to --
 20 misstates his prior testimony. The compound
 21 nature of the question. And it also being vague
 22 and ambiguous and lack of foundation as well.
 23 Q. Mr. Cox, did I misstate your prior testimony?
 24 A. You did, Ms. Eisenberg. I don't remember ever
 25 referencing the intern. I remember some mention

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1 of Tyler Schropp. But I don't remember us
 2 discussing those issues with regard to Tyler.
 3 I'm happy to discuss Mr. Winkler's letter
 4 because I know that that was -- that that was
 5 referenced in that. But I don't remember us --
 6 I don't remember having that -- making any
 7 comment about the intern or any comment about
 8 Tyler as it related to that. And, again, and I
 9 apologize and I'm not -- there was so much, and
 10 I'm not making excuses, there was so much going
 11 on, so many things being thrown around, so many
 12 sidebar conversations and allegations and crap
 13 being thrown everywhere, that I'm doing my best
 14 to remember the specifics of a conversation in
 15 the middle of the busiest week during the most
 16 stressful time in my professional life for sure
 17 as it relates to not just the President and Vice
 18 President and all that went on with that, but
 19 meetings and speeches, accusations against my
 20 boss, and fights with Ollie and all the rest of
 21 it, that I'm doing the best I can. But I don't
 22 recall ever having a conversation about the
 23 intern and her rent. I don't remember having a
 24 conversation about Tyler. I'm happy to share my
 25 thoughts on that.

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1 Q. Okay. Okay. I apologize. I did not mean to
 2 misstate your testimony. So let me ask it
 3 differently. You see that you used the word
 4 "detail" in your text message, correct?
 5 A. Correct.
 6 Q. Do you recall previously testifying about what
 7 you meant by this word?
 8 A. I do.
 9 Q. And is it fair to say that your testimony was
 10 that this referred to what Ackerman or what
 11 Boren was suggesting could be done to get past
 12 what you perceived to be a tragic situation?
 13 MR. MASON: Objection. Misstates his
 14 testimony.
 15 A. Yes. Ms. Eisenberg, I believe that the details
 16 that I was referring to based on what
 17 Congressman Boren, what Dan had said to me was
 18 with regards to the desire to not have this turn
 19 into a lawsuit, you know, and more -- more
 20 smearing and the rest of it. That was what I
 21 recall the details that I was referring to.
 22 Q. Okay. But in other words, insofar as the
 23 various allegations can also be referred to as
 24 "detail," it's your testimony here today that
 25 when you used the word "detail," you weren't



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1 referring to the details of the various
2 allegations; is that correct?
3 A. No. That's correct. Because most of these
4 things were -- a lot of this stuff was already
5 out there. It was known. It was -- the only --
6 I wouldn't refer to them as details. There was
7 an unknown that I was worried about. You know
8 that something else is coming that is going to
9 be bad. That was -- that was different -- that
10 was different from the details related to the
11 desire to -- you know, Boren's desire to help,
12 you know, avoid a catastrophe at the worst
13 possible time, in my opinion, for the
14 organization.
15 Q. Okay. You did not observe Ms. Hallow relay her
16 conversation with Mr. Boren to Mr. LaPierre, did
17 you?
18 A. I did not.
19 Q. Amongst the accusations that were lodged against
20 Mr. LaPierre while you were at Indy, did you
21 have any personal knowledge as to any facts that
22 suggested to you that the allegation -- any of
23 the allegations were true?
24 MR. MASON: Objection. Foundation.
25 Calls for speculation. It's also a vague and

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1 ambiguous question.
2 A. Ms. Eisenberg, I will answer whatever question
3 you have for me. But will you just be a little
4 more specific in your question.
5 Q. Yes. So we already talked about the rent,
6 right. You testified that whatever the
7 insinuation might have been, you had no personal
8 knowledge to conclude one way or another whether
9 there had been any kind of impropriety with
10 regard to that rent. Do you recall that
11 testimony?
12 A. Yes, that is correct.
13 Q. So it was alleged and implied by Ackerman that
14 their purchase of wardrobe for Mr. LaPierre for
15 his appearances on television somehow involved
16 impropriety. Do you recall that allegation by
17 Ackerman?
18 A. Yes.
19 MR. MASON: Objection. Lack of
20 foundation. Assumes facts not in evidence.
21 Speculation.
22 Go ahead, Mr. Cox.
23 Q. And so I think he already answered yes.
24 Correct? Okay. Do you recall realizing while
25 you were in Indianapolis that this wardrobe

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1 allegation was amongst the allegations that was
2 made by Ackerman?
3 MR. MASON: Objection. Objection to the
4 form of the question. It's vague and ambiguous.
5 Go ahead.
6 A. Ms. Eisenberg, I believe from a time line
7 standpoint and I'm -- I'd have to go back and
8 look at the calendar. But I believe that that
9 happened right before we went to Indianapolis.
10 So I believe that I was -- I think I was at home
11 in Alexandria when I learned of that allegation,
12 not in Indianapolis. But, yes, in Indianapolis,
13 I was aware that that was an allegation. I just
14 want to make sure the timing of this is right.
15 Q. Yes. I appreciate that clarification. So when
16 you heard about that allegation on or about the
17 22nd of March [sic], whether it was before or on
18 the 22nd of April, did you have any knowledge or
19 information upon which you could form a belief
20 that the transactions that Ackerman were
21 referencing were inappropriate?
22 MR. MASON: Objection. Foundation.
23 A. Could you ask me -- I'm sorry. Can you just ask
24 me that one more time.
25 Q. Absolutely. So, you know, if somebody says,

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1 hey, Bob did this and you know this violates the
2 law. And you can say, oh, yeah, I saw Bob cross
3 the street when the light was red. He did
4 violate the law, right. Or you might say I was
5 not there. I have no idea. Or you might say I
6 crossed streets with Bob hundreds of times and
7 he never crosses the street when the light is
8 red. So my question is when you heard the
9 allegation about the purchase of the suits and
10 the implication that that was somehow
11 inappropriate, did you have a reaction? Did you
12 think to yourself that, oh, that must have been
13 wrong because I observed something or heard
14 something that said that's wrong?
15 MR. MASON: Objection to form.
16 A. I think -- I'll try to answer this to the best
17 of my ability. When I read the allegation, I
18 was -- I was shocked. I was floored. The idea
19 that it would be true was extremely
20 disappointing to me.
21 Q. If what would be true? I'm sorry to interrupt.
22 If what would be true?
23 A. The allegations of the clothing spending. I'm
24 sorry.
25 THE VIDEOGRAPHER: We have less than four

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1 minutes.

2 A. I'll be quick. I had no knowledge of -- direct

3 knowledge of if it was true or not. I was

4 extremely troubled by the allegations. But I

5 had no direct knowledge. I had not seen Wayne

6 go the Zegna store. I had not seen Wayne use an

7 Ackerman McQueen credit card. So I did not have

8 any direct knowledge that was true or false.

9 But it was -- it was troubling to me. If you're

10 asking for what my reaction was, I was worried

11 and I was troubled.

12 Q. And the other shoe that you thought might drop,

13 did you have any specific knowledge that

14 suggested to you that in fact there was --

15 A. No.

16 Q. -- negative information?

17 A. Nothing outside of the conversation that I had

18 with Mr. Boren.

19 MS. EISENBERG: We have literally three

20 minutes. Do you mind if we go off the record

21 for just two minutes?

22 THE WITNESS: Sure.

23 THE VIDEOGRAPHER: We're off the record

24 at 7:07 p.m.

25 (Recess taken.)

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1 THE VIDEOGRAPHER: We are back on the

2 order at 7:08 p.m.

3 Q. (By Ms. Eisenberg) Mr. Cox, you testified that

4 there were a number of board members who shared

5 Mr. North's concern about Brewer's billing. Do

6 you recall that testimony?

7 A. Yes.

8 Q. And you testified there were two aspects to that

9 concern, one was the amount and the other was

10 scope. Do you recall that?

11 A. I do.

12 Q. And are any of the board members who you

13 understood shared Colonel North's concerns --

14 let me rephrase. Did, as far as you know, any

15 of the board members who shared Colonel North's

16 concerns ever review Brewer's bills?

17 A. I don't know. I don't know, Counselor, who

18 reviewed Brewer's bills, if anyone. I don't

19 know the answer to that.

20 MS. EISENBERG: No further questions at

21 this time. Thank you for your time.

22

23 FURTHER EXAMINATION BY MR. MASON:

24 Q. Mr. Cox, I've just got a few follow-up

25 questions. With respect to allegation relating

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1 to the suits that Ms. Eisenberg was just asking

2 you about, are you referring to -- when you say

3 the allegation relating to the suits, are you

4 referring to Mr. Winkler's letter, the April 22,

5 2019, letter?

6 A. Are you asking me? I'm sorry.

7 Q. I am.

8 A. I apologize. Can you repeat that question?

9 Q. Sure. Ms. Eisenberg was just asking you about

10 the allegation relating to Mr. LaPierre's suits

11 and so my question for you is when you're

12 referring to the allegation relating to those

13 suits, are you referring to Mr. Winkler's letter

14 that was sent to Mr. LaPierre on April 22, 2019?

15 A. Whichever -- whichever correspondence

16 outlined -- yes, I believe that's accurate.

17 It's whichever letter -- I don't know if it was

18 Winkler or whoever signed it that laid out the

19 charges, the large charges at the Zegna store in

20 Los Angeles. That's what I'm referring.

21 Q. And we looked at that letter earlier and I

22 believe you agreed that Mr. Winkler was simply

23 requesting information in that letter; isn't

24 that true?

25 A. I would have to go back and look. I do recall

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1 or it's my belief that that letter concluded

2 with some request for receipts or invoices or

3 some accounting on some level. Yes.

4 Q. Ms. Eisenberg, asked you about the work that

5 Ackerman did for the NRA and you expressed some

6 concerns that you had with Ackerman and the

7 messaging. Do you recall that?

8 A. Yes.

9 Q. I believe you also said that you thought that

10 Ackerman did some good work for the NRA; is that

11 true?

12 A. Correct. Yes.

13 Q. Can you tell us a little bit about the good work

14 that you believe that Ackerman did for the NRA?

15 A. I believe that some of the message campaigns

16 surrounding freedom's the safest place ads, some

17 of the messaging surrounding the stand and

18 fight. Some of the earlier, way back in the

19 day, I'm the NRA campaign, with high-profile

20 celebrities and politicians was great. I think

21 everybody agrees with that. Or at least I've

22 never heard anybody criticize those. So I

23 believe that they did good work at times. I

24 believe that a lot of their product was very

25 well produced. I believe at times it was way

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1 too expensive. I believed at times the delivery
 2 of the message was wrong. But the message
 3 itself and the product itself, I think they did
 4 great work on in some areas. And, as I said, I
 5 think I disagreed with them strongly at times.
 6 And I had -- I had good conversations with them
 7 and I had confrontational conversations with
 8 them. It's -- that's the way I viewed it. But
 9 it was Wayne's -- it was Wayne's decision. They
 10 were Wayne's people. And I worked with -- I
 11 played the hand that I was dealt, not the hand
 12 that I wanted.

13 Q. Do you believe that there could've been
 14 different messages needed for maybe more of the
 15 political face with ILA and the lobbying groups
 16 in Washington, DC versus more of the grassroots
 17 NRA?

18 A. Yes.

19 MS. EISENBERG: Objection to form.
 20 You may answer.

21 A. Yes, I do.

22 Q. Did that at times make it difficult to figure
 23 out what the best message was for the NRA to put
 24 out at the time?

25 A. The messaging surrounding the National Rifle

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1 Association was challenging on a good day. It
 2 became more and more challenging during
 3 high-profile tragedies and events. So this
 4 was -- I'm not suggesting it was an easy job or
 5 an easy needle to thread. And so, yes, there
 6 were different audiences that had to be
 7 cultivated, different audiences that had to be
 8 communicated with. Other brand work that needed
 9 to be done. I agreed strongly with some of
 10 those efforts and I disagreed strongly with some
 11 of those efforts.

12 Q. You were asked about Thomas the Tank and Dana
 13 Loesch. Do you recall that?

14 A. I do.

15 Q. Do you know whose idea Thomas the Tank was?

16 A. I don't. There were -- there was from time to
 17 time episodes that were just -- I was befuddled
 18 by, shocked by. There was one we're defending a
 19 blind person's right to carry a firearm. Just
 20 some bizarre things that I went -- I thought
 21 were outside of the scope of common sense and
 22 reality. And so do I know who wrote that? I
 23 don't know who -- if Dana wrote it, if someone
 24 at Ackerman wrote it, it was written by someone
 25 on the outside. I have no idea how it came to

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1 life. I was just hopeful that it die a quick
 2 death.

3 Q. Do you know whether anyone at the NRA approved
 4 that Thomas the Train segment before it went
 5 out?

6 A. I don't -- I'm not aware of anyone approving
 7 that or any other episode. But I was not
 8 involved in the programming on NRATV or those
 9 sort of things. I don't know what the process
 10 was or the protocol. It might have been someone
 11 who approved it. But I think I would have known
 12 that. I think we would've gotten to the bottom
 13 of it. So I don't believe that was the case,
 14 but I can't say definitively.

15 Q. Are you aware that the NRA retained Ms. Loesch
 16 as its national spokesperson?

17 A. I was aware that the NRA retained or that
 18 Ackerman McQueen retained Mrs. Loesch to be a
 19 commentator. And I'm aware that around the time
 20 of the Sandy Hook tragedy that Dana was given
 21 the title of national spokesperson right around
 22 that time. That's not how she started to my
 23 recollection. But I do remember that taking
 24 place somewhere around maybe -- no. I take that
 25 back. Parkland. I confused the tragedies. Not

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1 the Sandy Hook tragedy. It was Parkland
 2 tragedy. It was around that time when she was
 3 given that title.

4 Q. I believe you testified that you -- and I guess
 5 I want to get this straight -- you believed or
 6 you knew. So let me -- was it your
 7 understanding that you believed that the Thomas
 8 the Train segment would hurt relationships with
 9 donors, legislators, and voters? Was that your
 10 belief? Was that your concern?

11 A. I was very concerned that it was a PR and donor
 12 member embarrassment and debacle. And when I
 13 was informed about it, I shared those concerns
 14 with Wayne as I did when I had other concerns.

15 Q. Do you believe that Mr. LaPier's financial
 16 improprieties have hurt the NRA's relationship
 17 with donors, legislators, and voters?

18 MS. EISENBERG: Objection. Form.
 19 Misstates prior testimony. Mischaracterizes
 20 evidence.
 21 You can answer.

22 A. Did you say I can or cannot?

23 Q. You can.

24 A. Can you repeat the question, please.

25 Q. Sure. My question is, Mr. Cox, do you believe

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1 that Mr. LaPierre's financial improprieties have
 2 hurt the NRA's relationships with donors,
 3 legislators, and voters?
 4 MS. EISENBERG: Same set of objections.
 5 A. I believe the allegations of financial
 6 impropriety, regardless of who they were
 7 directed at, are extremely problematic for the
 8 National Rifle Association across pretty much
 9 every economic demographic, membership
 10 demographic, and certainly the political spheres
 11 of influence. But bad stories don't help. And,
 12 again, allegations -- allegations don't help.
 13 Those are not stories that you read and have
 14 great confidence after you read them. They're
 15 concerning.
 16 Q. Do you believe the congressional Russian
 17 investigation hurt the NRA's relationship with
 18 donors, legislators, and voters?
 19 MS. EISENBERG: Objection. Foundation.
 20 A. I don't know, Mr. Mason, what the long-term
 21 fallout of that was. I do know at the time it
 22 was extremely frustrating to me. I shared that
 23 frustration with Wayne. I believe that Wayne
 24 shared the same frustration. But I can't speak
 25 to what it did long term because I'm no longer

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1 working for that National Rifle Association.
 2 But I don't believe it was helpful. And at the
 3 time I believe that that was yet another
 4 distraction and bad story that was not good for
 5 the overall health of the organization.
 6 Q. Do you believe that the recent dismissal of
 7 NRA's bankruptcy in Dallas was good for the
 8 overall health of the NRA?
 9 MS. EISENBERG: Objection.
 10 You can answer.
 11 A. I do not believe -- I do not believe that that
 12 was good for the National Rifle Association. I
 13 can only speak as a member now, as a benefactor
 14 member of the organization. I'm not an
 15 employee. So I'm only speaking for myself.
 16 But, no, I do not believe that the word
 17 "bankruptcy" and NRA, this great, historic,
 18 wonderful organization should ever be in the
 19 same sentence. I can't imagine that that
 20 invokes great support for donors or other
 21 people. So, no, I don't believe that's a
 22 positive. I believe it's an unfortunate
 23 situation, not a positive situation.
 24 Q. Do you believe that the New York attorney
 25 general's investigation and claims against the

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1 NRA is hurting the NRA's relationships with its
 2 donors?
 3 A. Again, I can't speak to what NRA's donor
 4 situation is. I'm not privy to any of that
 5 information. But my personal opinion is do I
 6 believe that the New York attorney general's
 7 efforts to dissolve the organization is a good
 8 thing for the NRA? No. Do I think it's a good
 9 thing for the second amendment? No. So, again,
 10 I can only -- this is just my personal opinion.
 11 But, no, I don't believe that the New York's
 12 efforts are beneficial to the organization.
 13 Q. Do you believe that the Brewer firm's influence
 14 and control over the NRA is beneficial for the
 15 NRA?
 16 MS. EISENBERG: Objection to form.
 17 You may answer.
 18 A. I had concerns when I was there. I just have
 19 opinions now. But, no, I don't believe that --
 20 I believe that the focus of the members of the
 21 National Rifle Association should be on the
 22 defense of second amendment. I believe that's
 23 the reason members join. I believe --
 24 voluntarily -- I believe it's the reason that
 25 members voluntarily send donations. And I hope

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1 to see a return to that mission in the funding
 2 that's provided to the NRA by members and by
 3 supporters and, you know, by advertisers and the
 4 rest of them that go to the fight that I
 5 dedicated my professional life to.
 6 MR. MASON: Thank you, Mr. Cox. I
 7 appreciate your time.
 8 MS. EISENBERG: I have a little bit of
 9 re-cross on the Russia issue and a general
 10 statement. Mr. Buchanan, of course, is free to
 11 cut me off.
 12 MR. BUCHANAN: No. Go ahead.
 13 MS. EISENBERG: Thank you.
 14
 15 FURTHER EXAMINATION BY MS. EISENBERG:
 16 Q. Mr. Mason referenced a congressional
 17 investigation related to Russia issues. Do you
 18 recall that question, Mr. Cox?
 19 A. I do. Yes.
 20 Q. And do you recall that that investigation in
 21 part focused on a trip to Russia that occurred
 22 in or around December 2015?
 23 A. Yes. I mean, the suggestion, which is absurd,
 24 at the time was that somehow there was a
 25 inappropriate Russian influence over the NRA's



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1 elections, decisions, and funding, which I can
 2 speak to because I ran every aspect of it. And
 3 so if you're asking me do I believe that -- so I
 4 apologize. Can you ask the question again,
 5 Ms. Eisenberg.
 6 Q. Is it your recollection that one of the issues
 7 that was --
 8 A. Yes.
 9 Q. -- raised was that members or individuals
 10 affiliated with NRA should not have gone to
 11 Russia?
 12 A. Yes.
 13 Q. And did you know about the trip before it
 14 occurred?
 15 A. Yes.
 16 Q. You opposed the trip, correct?
 17 A. Correct.
 18 Q. Wayne LaPierre opposed that trip as well,
 19 correct?
 20 A. That's my understanding. Wayne was not
 21 comfortable with that trip. And it was more
 22 than that trip, Ms. Eisenberg. I'm happy to
 23 share more thoughts on that. But it was the
 24 entire engagement of Maria Butina in our board
 25 meetings and with board members. And, I mean,

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1 it's like a cheap novel. But I'm happy to share
 2 more thoughts on that. But, no, my -- I shared
 3 my concerns with Wayne. And I believe that
 4 Wayne -- Wayne agreed and shared the same
 5 concerns. And I heard him share those concerns
 6 with others.
 7 Q. He was vocal? He didn't keep his opinion to
 8 himself, correct?
 9 A. I don't remember Ms. Eisenberg the specifics
 10 because I believe there were actually two trips.
 11 I might be wrong on that, but I believe there
 12 might have been two trips. And I remember Maria
 13 Butina's participation and presence at NRA
 14 functions and board members. I was not
 15 comfortable with that. I shared that with
 16 Wayne. I recall Wayne being uncomfortable as
 17 well. The fact that the then president of the
 18 organization, or I don't know if he was
 19 president or not, Pete Brownell was going. I
 20 know that that was of concern. I do remember --
 21 I seem to recall that Wayne encouraged Allan
 22 Cors not to go, who was a former president. And
 23 so it's a fair characterization that -- I can't
 24 speak for Wayne other than I do remember him
 25 having concerns about this entire Russian

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1 presence at NRA events.
 2 Q. And did you know if Mr. LaPierre told
 3 Mr. Brownell that Mr. Brownell should not go to
 4 Russia?
 5 A. I don't recall that. But I would not be
 6 surprised if he did. But I don't recall. And I
 7 was not present for any of the conversation
 8 where he might have told him. But I'm not -- I
 9 have no reason to believe that he didn't
 10 encourage people not to go.
 11 Q. Thank you, Mr. Cox.
 12 MS. EISENBERG: I just want to make one
 13 last statement for the record unless there's
 14 further from my opposing counsel. I literally
 15 have like three inches' worth of paper of
 16 follow-up questions because Mr. Mason obviously
 17 covered a lot of ground. But I also realize
 18 that it's 7:30 and everyone has better things to
 19 do this late in the day. So insofar as
 20 someone -- so bottom line is there are tons of
 21 questions that I'd like to ask Mr. Cox to follow
 22 up on things that were covered by Mr. Mason.
 23 But I knew that everyone is anxious to go home.
 24 And I don't want to torture anyone with further
 25 questions at 7:30 at night, unless of course

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1 everyone has no objection to that. So I would
 2 like an opportunity to ask additional questions.
 3 I didn't get an opportunity to ask all the
 4 questions that I have. But because of the time
 5 of the day, I don't object to this deposition --
 6 well, I guess maybe what I'm trying to say is
 7 that part of me would like to keep the
 8 deposition open just so that if, when I look at
 9 my notes and decide that there are some things
 10 that I would like to follow up on, I would like
 11 that. But, like I said, I'm not asking that we
 12 stay here longer unless everyone agrees to do
 13 that.
 14 THE WITNESS: I am not in a position to
 15 stay longer, Ms. Eisenberg, only because I have
 16 a professional commitment that I need to -- that
 17 I'm already late for. I didn't expect to go
 18 this long. But I will defer to my counsel to
 19 figure out if there's anything moving forward.
 20 But, otherwise, I need to stick to the
 21 seven hours. It's actually --
 22 MS. EISENBERG: Understood. And we're
 23 not going to have to make any decisions right
 24 now. So we appreciate your time very much. And
 25 we also thank Lauren and Malcolm for providing



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1 terrific support.
 2 THE VIDEOGRAPHER: We are off the video
 3 record at 7:28 p.m.
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1 CERTIFICATE
 2 Commonwealth of Massachusetts
 Middlesex, ss.
 3
 4 I, Lauren M. Buzzerio, a Certified
 Shorthand Reporter and Notary Public in and for
 5 the Commonwealth of Massachusetts, do hereby
 certify: that CHRISTOPHER COX, the witness
 6 whose deposition is hereinbefore set forth, was
 satisfactorily identified, then duly sworn by
 7 me, and that such deposition is a true record of
 the testimony given by the said witness.
 8 I further certify that I am not a
 relative or employee or counsel or attorney for
 9 any of the parties, or a relative or employee of
 such counsel or attorney, nor am I financially
 10 or otherwise interested in the outcome of the
 action.
 11 A review of the transcript was not
 requested.
 12 IN WITNESS WHEREOF, I have hereunto set
 my hand and notarial seal this 2nd day of
 13 August, 2021.
 14
 15
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 19
 20 LAUREN M. BUZZERIO
 My commission expires
 21 on January 18, 2024
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 24
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