

1 TUESDAY, OCTOBER 17, 2023; 9:33 A.M.

2  
3 PROCEEDINGS

09:33:03 4 THE JUDICIAL ASSISTANT: PLEASE COME TO  
5 ORDER. COURT IS ONCE AGAIN IN SESSION.

09:33:06 6 THE COURT: GOOD MORNING.

09:33:08 7 ALL PRESENT: GOOD MORNING.

09:33:09 8 THE COURT: WE HAVE EVERYBODY PRESENT.  
9 WE'RE ON THE RECORD.

09:33:12 10 ANYTHING BEFORE YOU RETURN TO THE  
11 EXAMINATION OF MR. MORROW?

09:33:17 12 MR. RAYGOR: NO, I HAVE NOTHING.

09:33:18 13 THE COURT: OKAY. THEN YOU MAY CONTINUE  
14 YOUR 776 EXAMINATION OF THE WITNESS.

09:33:24 15 MS. HAMILL: THANK YOU, YOUR HONOR.

09:33:25 16  
09:33:26 17 CROSS-EXAMINATION (RESUMED)

09:33:35 18 THE COURT: AND YOU ARE REMINDED YOU ARE  
19 STILL UNDER OATH.

09:33:37 20 THE WITNESS: CORRECT. THANK YOU.

09:33:38 21 THE COURT: THANK YOU.

09:33:42 22 Q. (BY MS. HAMILL) GOOD MORNING, MR. MORROW.  
23 I'M GOING TO START WITH EXHIBIT 52. MAY I APPROACH  
24 THE WITNESS?

09:33:47 25 A. YES.

09:34:04 26 Q. DO YOU RECOGNIZE THIS DOCUMENT?

09:34:07 27 A. I DO, YES.

09:34:08 28 Q. AND DOES THIS REFLECT YOUR PERSONAL TWITTER

1 ACCOUNT?

09:34:12 2 A. IT DOES, YES.

09:34:20 3 Q. SO ON EXHIBIT 52-1, THE FIRST PAGE OF THIS  
4 EXHIBIT, YOU TWEET HOW -- I'M NOT GOING TO SAY THE BAD  
5 WORD -- RIDICULOUS IS THIS ROOM; CORRECT?

09:34:33 6 A. I DO, YES.

09:34:34 7 Q. AND YOU'RE TALKING ABOUT MARA LAGO; CORRECT?

09:34:39 8 A. IT APPEARS SO, YES.

09:34:40 9 Q. AND ON EXHIBIT 52, PAGE 2, DO YOU RECOGNIZE  
10 THIS AS TWEET FROM YOUR PERSONAL TWITTER ACCOUNT?

09:34:48 11 A. I DO, YES.

09:34:49 12 Q. AND YOU SAY USING THIS, THIS APPEARS TO BE A  
13 NIGERIAN OFFICIAL FAKE FAINTED AFTER HE WAS GRILLED  
14 ABOUT MISSING FUNDS.

09:35:13 15 A. YES.

09:35:13 16 Q. AND THE NEXT PAGE, EXHIBIT 53 --

09:35:16 17 THE COURT: WAS THERE A QUESTION?

09:35:18 18 MS. HAMILL: I ASKED IF HE RECOGNIZED THAT  
19 THIS WAS A TWEET FROM HIM AND USING THIS AND  
20 RETWEETED.

09:35:24 21 THE COURT: AS TO PAGE 2.

09:35:26 22 MS. HAMILL: YES.

09:35:26 23 THE COURT: DID YOU ANSWER THAT QUESTION?

09:35:28 24 THE WITNESS: YES.

09:35:29 25 THE COURT: I'M SORRY. I MISSED THAT.

09:35:32 26 GO AHEAD.

09:35:32 27 Q. (BY MS. HAMILL) AND ON EXHIBIT 52,  
28 PAGE 3 -- AND I'M SORRY, THE MARKINGS ON THESE

1 EXHIBITS SOMEHOW WENT INTO THE TWEET THEMSELVES.  
2 IT'S MARKED AS EXHIBIT 52, PAGE 3, IN THE "L.A.  
3 TIMES" TWEET.

09:35:44 4 DO YOU SEE THAT?

09:35:45 5 A. I SEE IT, YES.

09:35:46 6 Q. AND SO YOU TWEETED WHO AT THAT TIME  
7 RETWEETING THE "L.A. TIMES" TWEET FROM DECEMBER 8TH,  
8 2021. DO YOU SEE THAT?

09:35:57 9 A. CORRECT.

09:35:58 10 Q. AND THAT "L.A. TIMES" TWEET SAID, L.A.  
11 COUNTY RECORDS FIFTH OMICRON VARIANT CASE, POSSIBLY  
12 THE RESULT OF COMMUNITY SPREAD.

09:36:08 13 WHAT DID YOU MEAN BY WHO DAT?

09:36:11 14 A. IN THE TWEET FROM THE "LOS ANGELES TIMES,"  
15 THERE WAS A PICTURE OF DR. FERRER AND MYSELF AND I'M  
16 IN THE BACKGROUND AND I'M REFERRING TO MYSELF AND I'M  
17 MAKING A FUNNY FACE. I'M LIKE SCRATCHING MY EYE  
18 BASICALLY OR SOMETHING LIKE THAT. SO THE WHO, I'M  
19 REFERRING TO MYSELF.

09:36:28 20 Q. AND THE NEXT PAGE IS EXHIBIT 52, PAGE 4. DO  
21 YOU RECOGNIZE THESE AS TWEETS FROM YOUR PERSONAL  
22 TWITTER ACCOUNT?

09:36:37 23 A. I DO, YES.

09:36:38 24 Q. AND THE FIRST TWEET DATED JULY 21, 2020, YOU  
25 SAY, QUOTE, I LEARNED EVERYTHING I KNOW FROM BRETT  
26 MORROW, END QUOTE, AT REP ADAM SCHIFF.

09:36:50 27 IS THAT CONGRESSMAN ADAM SCHIFF?

09:36:53 28 A. IT IS, YES. THAT'S HIS OFFICIAL TWITTER

1 HANDLE, I BELIEVE.

09:36:57 2 Q. AND WHAT DID YOU MEAN BY THIS STATEMENT?

09:37:01 3 A. CONGRESSMAN SCHIFF AND DR. FERRER WERE DOING  
4 A TOWN HALL FOR CONGRESSMAN SCHIFF'S CONSTITUENTS AND  
5 WE'VE DONE THIS FOR MANY OTHER MEMBERS OF CONGRESS,  
6 MANY OTHER ELECTED OFFICIALS, NOT JUST FROM FEDERAL  
7 BUT ALSO STATE AND LOCAL AS WELL. JUST TO BRIEF AND  
8 PROVIDE INFORMATION ABOUT COVID-19. PRIOR TO THE  
9 BEGINNING OF THE TOWN HALL, THEY WERE JUST  
10 CHITCHATTING, TALKING ABOUT IT, AND CONGRESSMAN SCHIFF  
11 FANCIES HIMSELF AS AN AMATEUR COMEDIAN. SO HE WAS  
12 JOKING WITH HER AND SAYING, WELL, I LEARNED EVERYTHING  
13 I KNOW FROM BRETT MORROW, WHICH WAS A JOKE AND  
14 EVERYBODY LAUGHED. YEAH.

09:37:46 15 Q. UNDERSTOOD.

09:37:46 16 AND THE SECOND TWEET BELOW SAYS NO, BUT @  
17 PATRICK BOLAND CAN CONFIRM. LOL.

09:37:53 18 WHAT DID YOU MEAN BY THAT?

09:37:55 19 A. SO IF YOU LOOK UNDER THE COMMENT SECTION ON  
20 THE FIRST TWEET, IT DOES SAY THE NO. 2. SOMEBODY HAD  
21 REPLIED TO ME, I CAN'T REMEMBER WHO, BUT I THINK THE  
22 GIST OF IT WAS SOMETHING ALONG THE LINES OF, DID THAT  
23 REALLY HAPPEN? OR IS THAT ON RECORD? WAS THERE A  
24 RECORDING? SOMETHING, I CAN'T REMEMBER. I SHOULDN'T  
25 SPECULATE. SORRY.

09:38:17 26 BUT I WAS RESPONDING TO THAT TWEET AND SAID  
27 THAT PATRICK CAN CONFIRM THAT HE WAS TALKING ABOUT IT  
28 AND LAUGHING ABOUT IT.

09:38:24 1 Q. WAS PATRICK PRESENT AT THAT TOWN HALL?

09:38:26 2 A. IT WAS A TELEPHONE TOWN HALL AND HE WAS ON  
3 THE LINE, YES.

09:38:30 4 Q. HE WAS ON THE LINE?

09:38:31 5 A. SETTING UP THE TOWN HALL, YES.

09:38:38 6 Q. DO YOU RECALL WHAT PATRICK BOLAND'S ROLE WAS  
7 IN ADAM SCHIFF'S OFFICE AT THAT TIME?

09:38:45 8 A. IN 2020, I BELIEVE HE WAS THE COMMUNICATION  
9 DIRECTOR.

09:38:48 10 Q. THANK YOU.

09:38:48 11 A. YEAH.

09:38:49 12 THE COURT: BEFORE WE LEAVE THAT TOPIC, YOU  
13 SAID IT WAS A TELEPHONIC TOWN HALL?

09:38:53 14 THE WITNESS: YES.

09:38:54 15 THE COURT: WHO WAS INVITED TO THAT?

09:38:56 16 THE WITNESS: SO IT'S BEEN A LONG TIME SINCE  
17 I'VE DONE CONGRESSIONAL TELEPHONE TOWN HALLS, BUT  
18 THERE ARE SERVICES THAT MEMBERS OF CONGRESS USES  
19 THROUGH VENDORS THAT WILL YOU LOAD INTO IT  
20 CONSTITUENTS' TELEPHONE NUMBERS THAT THEY HAVE ON  
21 RECORD. THEY WILL CALL -- IT AUTO DIALS THE  
22 CONSTITUENTS WITHIN A SPECIFIC GEOGRAPHIC AREA OR ALL  
23 CONSTITUENTS THAT YOU HAVE WITHIN THE MEMBERS'  
24 DISTRICT.

09:39:24 25 AND THEN ONCE THEY ANSWER THE PHONE, IT WILL  
26 SAY, IF YOU ARE -- SOMETHING ALONG THE LINES OF IF YOU  
27 ARE INTERESTED IN HEARING A TOWN HALL WITH CONGRESSMAN  
28 SCHIFF AND ON THIS AND THIS TOPIC, PLEASE STAY ON THE

1 LINE, KIND OF THING.

09:39:38 2 SO IT CAN BE ANYBODY WITHIN THE DISTRICT OR  
3 IT CAN BE A SPECIFIC NEIGHBORHOOD OR A SPECIFIC  
4 COMMUNITY THAT THEY WANT TO DO OUTREACH TO, THAT THEY  
5 WANT TO PROVIDE INFORMATION FOR.

09:39:52 6 THE COURT: ALL RIGHT. NO INVITATIONS IN  
7 ADVANCE. IT'S AN AUTO DIAL FEATURE.

09:39:57 8 THE WITNESS: THERE MAY BE NOW. I DON'T  
9 KNOW. THE SEVERAL TIMES THAT I DID THEM WHEN I WAS  
10 WORKING FOR A MEMBER OF CONGRESS, I DO NOT BELIEVE  
11 THAT THERE WAS INVITATIONS SENT IN ADVANCE.

09:40:05 12 THE COURT: THANK YOU.

09:40:07 13 Q. (BY MS. HAMILL) WERE PARTICIPANTS IN THAT  
14 TOWN HALL ALLOWED TO ASK QUESTIONS?

09:40:10 15 A. CORRECT, YES. SO A PART OF IT -- I -- I  
16 APOLOGIZE. I DON'T REMEMBER. I -- I CAN'T REMEMBER.  
17 SORRY.

09:40:18 18 Q. LET'S MOVE ON TO EXHIBIT 52, PAGE 5.

09:40:22 19 A. BUT I WILL SAY SOME OF THEM THAT I  
20 PARTICIPATED IN THE PAST, THERE IS A FUNCTION TO ASK  
21 QUESTIONS, AND THERE ARE PORTIONS WHERE PEOPLE CAN ASK  
22 QUESTIONS. I JUST CAN'T SPECIFICALLY REMEMBER FOR  
23 THIS ONE, IF THERE ARE QUESTIONS.

09:40:35 24 Q. LET'S TURN TO EXHIBIT 52, PAGE 5, PLEASE.

09:40:38 25 A. YEAH.

09:40:40 26 Q. AND THIS APPEARS TO BE A REPOST, NOW X CALLS  
27 THESE REPOSTS, BUT IN THE AGE OF TWITTER, THEY WERE  
28 RETWEETS; CORRECT?

09:40:51 1 A. YES.

09:40:51 2 Q. THERE APPEARS TO BE A REPOST OF MAYOR LORI  
3 LIGHTFOOT SAYING, JUST A FRIENDLY REMINDER FROM YOUR  
4 AUNTIE TO STAY HOME. HASHTAG STAY HOME SAVE LIVES.  
5 DO YOU RECALL REPOSTING THAT?

09:41:04 6 A. I DO, YES.

09:41:06 7 Q. AND THE TEXT ON THIS PEOPLE -- DO YOU  
8 UNDERSTAND WHAT A MEME IS?

09:41:10 9 A. YES.

09:41:10 10 Q. DOES THIS LOOK LIKE A MEME TO YOU?

09:41:12 11 A. YES.

09:41:13 12 Q. IT SAYS YOUR JUMP SHOT IS A LITTLE GOING TO  
13 BE WEAK. STAY OUT OF THE PARKS.

09:41:18 14 DO YOU UNDERSTAND WHAT SHE MEANS BY THAT?

09:41:22 15 MR. RAYGOR: CALLS FOR SPECULATION.

09:41:23 16 THE COURT: SUSTAINED.

09:41:24 17 Q. (BY MS. HAMILL) WELL, YOU RETWEETED THIS.

09:41:26 18 A. CORRECT.

09:41:26 19 Q. SO I'M WONDERING WHY YOU RETWEETED THIS  
20 PARTICULAR TWEET.

09:41:31 21 A. SO MAYOR LIGHTFOOT AT THE TIME WAS SENDING  
22 OUT THESE KIND OF HUMOROUS MEMES OR PIECES OF  
23 INFORMATION ABOUT THE PANDEMIC AND DOING IT IN A, WELL  
24 I GUESS I ALREADY SAID IT, A HUMOROUS WAY. ME  
25 PERSONALLY, I'M A FAN OF BASKETBALL. I'M A FAN OF THE  
26 CHICAGO BULLS, SO -- AND TRASH TALK IS A PART OF  
27 BASKETBALL AND FOR BASKETBALL FANS. SO I THOUGHT IT  
28 WAS FUNNY.

09:42:04 1 SO I REPOSTED IT. AND THERE WAS A LOT OF  
2 TALK AMONGST MEDIA OUTLETS AND COMMUNICATORS, TOO,  
3 THAT THIS WAS A DIFFERENT AND ENGAGING WAY TO  
4 COMMUNICATE ABOUT COVID AT THE TIME.

09:42:19 5 Q. AND MAYOR LORI LIGHTFOOT WAS MAYOR OF  
6 CHICAGO, ILLINOIS; CORRECT?

09:42:25 7 A. CORRECT, YES.

09:42:25 8 Q. AND DO YOU RECALL IF THE PARKS WERE CLOSED  
9 IN L.A. COUNTY AT THAT TIME, APRIL 9TH, 2020?

09:42:30 10 A. I DON'T REMEMBER.

09:42:31 11 Q. LET'S MOVE ON TO EXHIBIT 52, PAGE 6.

09:42:34 12 A. UH-HUH.

09:42:36 13 Q. AND IS THIS A RETWEET OR REPOST FROM YOUR  
14 PERSONAL TWITTER ACCOUNT FROM MARCH 18TH, 2020?

09:42:43 15 A. IT IS, YES.

09:42:44 16 Q. AND YOU SAID IT'S THE SMALL VICTORIES LIKE  
17 WHEN THE HOST OF ONE OF YOUR FAVORITE PODCASTS TWEETS  
18 A GRAPHIC YOU WORKED ON. IS THAT CORRECT?

09:42:53 19 A. CORRECT, YES.

09:42:53 20 Q. AND SO YOU WORKED ON THIS GRAPHIC THAT'S  
21 SHARED IN ERIC PINCUS, P.I. N C U.S., HIS TWEET OF  
22 MARCH 18TH, 2020; CORRECT?

09:43:12 23 A. YES.

09:43:13 24 Q. DID YOU WORK ON THIS GRAPHIC?

09:43:15 25 A. CORRECT, YES.

09:43:15 26 Q. AND YOU LET THE PUBLIC KNOW FROM YOUR  
27 PERSONAL TWITTER ACCOUNT; CORRECT?

09:43:22 28 A. WELL, THE PUBLIC DOESN'T FOLLOW MY PERSONAL



1 TWITTER ACCOUNT. I ONLY HAVE A COUPLE HUNDRED  
2 FOLLOWERS. THE PURPOSE OF MY REPOST AND COMMENTARY  
3 THAT I ADDED TO IT WAS THAT I WAS PERSONALLY PROUD  
4 THAT SOMEONE I WAS A FAN OF, HE IS A HOST OR HE WAS AT  
5 THE TIME OF A LOS ANGELES LAKERS PODCAST THAT I LISTEN  
6 TO, AND I'M STILL A FAN OF HIS, AND I WAS JUST PROUD  
7 THAT SOMEONE I WAS A FAN OF HAD SHARED A GRAPHIC THAT  
8 I WORKED ON.

09:43:52 9 Q. ALL RIGHT. LET'S MOVE ON TO EXHIBIT 52,  
10 PAGE 7. AND AGAIN, I'M SORRY FOR THE CLERICAL ERRORS  
11 HERE. IT'S MARKED IN A VERY, VERY TINY FONT IN THE  
12 BOTTOM RIGHT HAND.

09:44:10 13 A. I SEE IT.

09:44:10 14 Q. OKAY. YOU SEE THAT'S EXHIBIT 52-007.  
09:44:14 15 DO YOU RECOGNIZE WHAT THIS IS?

09:44:18 16 A. THESE ARE TWEETS FROM STEFANIE DAZIO AND  
17 CLAUDIA CISNEROS.

09:44:25 18 THE COURT: SPELL THOSE FOR THE REPORTER.

09:44:27 19 THE WITNESS: ST EFA N I E., THE LAST NAME  
20 IS DAZIO, D.A. Z I O. THE SECOND NAME IS CLAUDIA  
21 PESCHIUTTA. CLAUDIA IS C L.A. UD I A.

09:44:44 22 PESCHIUTTA IS P.E.S. C H I UT TA.

09:44:50 23 THE REPORTER: THANK YOU.

09:44:51 24 THE WITNESS: NO PROBLEM.

09:44:52 25 Q. (BY MS. HAMILL) AND LET'S TURN TO THE NEXT  
26 PAGE, WHICH IS EXHIBIT 52-EIGHT. WE HAVE THE SAME  
27 PROBLEM WITH THE VERY TINY FONT AT THE VERY BOTTOM  
28 MARKING THIS TWEET. DO YOU SEE THAT?

09:45:01 1 A. I DO, YES.

09:45:02 2 Q. AND AT THE TOP OF THIS PAGE, IT LOOKS LIKE  
3 YOU RESPONDED TO STEFANIE DAZIO'S TWEET FROM YOUR  
4 PERSONAL TWITTER ACCOUNT SAYING, DHP HAS A SOLUTION  
5 FOR THIS; EENY, MEENY, MINY, MOE. IS THAT CORRECT?

09:45:18 6 A. YES, IT IS.

09:45:19 7 Q. WHAT DID YOU MEAN BY THAT?

09:45:20 8 A. THERE WAS NUMEROUS HUMOROUS EXCHANGES  
9 BETWEEN STEFANIE AND CLAUDIA DURING THE MEDIA  
10 BRIEFINGS ABOUT WHO WAS FIRST IN LINE TO ASK QUESTIONS  
11 FOR DR. FERRER. FOR A COUPLE OF WEEKS OR MAYBE A  
12 MONTH OR SO AS THEY WERE SELECTED, THEY WERE LIKE --  
13 THEY WERE SAYING THINGS SUCH AS, I TRIED TO GET IN  
14 HERE FIRST AND I WANTED TO BE FIRST BUT CLAUDIA BEAT  
15 ME AGAIN, KIND OF THING. SO THIS WAS A HUMOROUS  
16 EXCHANGE WHERE I WAS ENGAGING WITH THE REPORTERS, JUST  
17 SAYING THAT WE WOULD JUST KIND OF RANDOMLY SELECT  
18 PEOPLE AS WELL -- WHICH WASN'T EXACTLY TRUE. IT WAS  
19 JUST A JOKE BASICALLY.

09:45:59 20 Q. STEFANIE AND CLAUDIA IDENTIFIED ON THE FIRST  
21 PAGE OF THIS TWEET THROUGHOUT EXHIBIT 52, PAGE 7, ARE  
22 REPORTERS?

09:46:07 23 A. THEY ARE, YES.

09:46:08 24 Q. AND THEN STEFANIE RESPONDS TO THAT EENY,  
25 MEENY, MINY, MOE TWEET, AND THAT'S HOW I'LL END UP  
26 WITH AT RON LIN FIRST. WHO IS AT RON LIN?

09:46:21 27 A. AT RON LIN IS THE TWITTER ACCOUNT FOR RON  
28 LIN FROM THE "LOS ANGELES TIMES." HE'S A REPORTER ON

1 THE COVID BEAT.

09:46:28 2 Q. AND THEN YOUR NEXT RESPONSE IS -- IT'S FROM  
3 YOU FROM YOUR PERSONAL TWITTER ACCOUNT SAYING,  
4 FOLLOWED BY QUOTE WELL WE'VE RUN OUT OF TIME FOR  
5 QUESTIONS... END QUOTE. AND THEN YOU SAY, I KID RON  
6 LIN.

09:46:42 7 WHAT DID YOU MEAN BY THAT?

09:46:44 8 A. RON LIN HAS A KNACK FOR ASKING SOMETIMES  
9 FIVE, SIX, SEVEN, EIGHT QUESTIONS, MULTIPLE QUESTIONS  
10 WITHIN A QUESTION AS WELL. AND HE WOULD TAKE UP A LOT  
11 OF TIME. SO I WAS JOKING WITH HIM WHERE, IF WE WERE  
12 GOING TO HAVE TO LAND ON RON, THAT SORRY, WE WERE OUT  
13 OF TIME BECAUSE RON IS GOING TO TAKE UP TOO MUCH TIME.  
14 BUT OBVIOUSLY I WAS KIDDING WITH HIM, AS I SAID.

09:47:09 15 Q. THANK YOU.

09:47:10 16 AND LET'S SWITCH GEARS. ON TWITTER, AS A  
17 USER POSTING CONTENT, YOU HAVE THE ABILITY TO HIDE  
18 REPLIES; CORRECT?

09:47:20 19 A. I'M NOT ENTIRELY SURE, TO BE HONEST.

09:47:23 20 Q. SO YOU'VE NEVER USED THAT FEATURE.

09:47:25 21 A. I'VE -- I DON'T BELIEVE I'VE USED IT. AT  
22 LEAST NOT ON PURPOSE.

09:47:30 23 Q. OKAY. I'M GOING TO GET BACK TO WHERE WE  
24 WERE YESTERDAY. OKAY. WE WERE ON EXHIBIT 59. LET ME  
25 GET THAT UP FOR YOU. DO YOU HAVE THAT IN FRONT OF  
26 YOU?

09:48:06 27 A. E-MAILS? 59?

09:48:27 28 Q. SO I BELIEVE MY LAST QUESTION TO YOU

1 YESTERDAY WAS, YOU WERE SEEKING URGENT ACTION TO GET  
2 OPPONENTS TO STOP SPREADING MISINFORMATION; CORRECT?

09:48:36 3 A. I WOULDN'T AGREE WITH THAT FRAMING.

09:48:39 4 Q. AND WHAT IS YOUR FRAMING OF IT?

09:48:41 5 A. I WAS SEEKING ASSISTANCE FROM TWITTER OR  
6 CLARITY ABOUT QUESTIONS THAT I WAS ASKING.

09:48:50 7 Q. AND YOU WEREN'T TRYING TO GET THOSE ACCOUNTS  
8 SUSPENDED; CORRECT?

09:48:54 9 A. I WAS TRYING TO GET TWITTER TO -- TO REVIEW  
10 THEIR POLICIES.

09:48:58 11 Q. WERE YOU TRYING TO BE HELPFUL TO TWITTER?

09:49:03 12 A. NO. AND I IMAGINE I WAS A LITTLE BIT OF A  
13 BURDEN TO THEM BECAUSE I WAS ASKING QUESTIONS.

09:49:09 14 Q. FOR WHOSE BENEFIT?

09:49:11 15 A. I'M SORRY?

09:49:12 16 Q. FOR WHOSE BENEFIT?

09:49:15 17 A. I'M NOT SURE I CAN UNDERSTAND ABOUT WHOSE  
18 BENEFIT IT IS.

09:49:20 19 Q. FOR WHOSE BENEFIT DID YOU REACH OUT TO  
20 TWITTER? WAS IT FOR YOUR OWN PERSONAL BENEFIT?

09:49:25 21 A. I WOULDN'T SAY THERE WAS BENEFIT FOR  
22 ANYTHING. I WAS JUST TRYING TO GET CLARITY.

09:49:29 23 Q. CLARITY.

09:49:29 24 A. I WAS TRYING TO GET INFORMATION OR  
25 ASSISTANCE.

09:49:38 26 Q. SO I WANT TO BREAK DOWN THE ITEMS FOR WHICH  
27 YOU SOUGHT URGENT ACTION. LET'S GO TO EXHIBIT 59,  
28 PAGE 4. AT THE VERY BOTTOM, THE VERY LAST LINE OF

1 YOUR JULY 20TH, 2022 E-MAIL SAYS, OPPONENTS ARE  
2 SPREADING THE FOLLOWING MISINFORMATION:

09:50:05 3 DO YOU RECALL SAYING THAT?

09:50:06 4 A. I DO, YES.

09:50:07 5 Q. AND LET'S MOVE TO EXHIBIT 59, PAGE 5.

09:50:13 6 THE COURT: DIDN'T WE COVER THIS YESTERDAY,  
7 MISS HAMILL?

09:50:17 8 MS. HAMILL: I DON'T THINK WE WENT THROUGH  
9 EACH --

09:50:19 10 THE COURT: MY MEMORY IS, WE DID.

09:50:21 11 MS. HAMILL: OKAY. YOUR MEMORY IS PROBABLY  
12 BETTER THAN MINE BECAUSE MY BRAIN TURNED TO MUSH  
13 AROUND 3:30.

09:50:27 14 THE COURT: OKAY. DO YOU RECALL TESTIFYING  
15 ABOUT THE TOP OF PAGE 5 ON THIS YESTERDAY?

09:50:33 16 THE WITNESS: I REMEMBER BRIEFLY TALKING  
17 ABOUT THEM, YES.

09:50:36 18 Q. (BY MS. HAMILL) DID WE TALK ABOUT YOUR  
19 STATEMENT THAT DR. BARBARA FERRER IS A FAKE DOCTOR?

09:50:42 20 A. I DON'T RECALL.

09:50:43 21 MS. HAMILL: I DON'T RECALL ASKING  
22 MR. MORROW THAT.

09:50:46 23 THE COURT: ALL RIGHT. WELL, I HAVE A  
24 DIFFERENT MEMORY, BUT GO AHEAD.

09:50:48 25 Q. (BY MS. HAMILL) OKAY. SO THE FIRST BULLET  
26 POINT OF WHAT YOU CONSIDER MISINFORMATION IS QUOTE  
27 DR. BARBARA FERRER IS A FAKE DOCTOR.

09:50:59 28 CORRECT.

09:51:00 1 A. YES. I WROTE THAT.

09:51:01 2 Q. AND IN YOUR DEPOSITION, YOU TOLD ME THAT  
3 THIS WAS AN EXAMPLE OF MISINFORMATION THAT REQUIRED  
4 URGENT ACTION BECAUSE IT SOUGHT TO UNDERMINE HER  
5 CREDIBILITY AS A PH.D. AND SPREAD MISINFORMATION ABOUT  
6 HER ABILITY TO LEAD THE RESPONSE. CORRECT?

09:51:16 7 A. I DON'T SPECIFICALLY REMEMBER WHAT I SAID IN  
8 MY DEPOSITION.

09:51:20 9 Q. LET'S PULL UP THE DEPOSITION TRANSCRIPT,  
10 PAGE 113, LINES 10 THROUGH 15.

09:52:01 11 THE COURT: GO AHEAD.

09:52:03 12 Q. (BY MS. HAMILL) QUESTION: CAN YOU EXPLAIN  
13 HOW THE COMMENT THAT DR. BARBARA FERRER IS A FAKE  
14 DOCTOR IS AN EXAMPLE OF MISINFORMATION THAT REQUIRED  
15 URGENT ACTION?

09:52:13 16 ANSWER: I THINK IT SOUGHT TO UNDERMINE HER  
17 CREDIBILITY AS A PH.D. AND SPREAD MISINFORMATION ABOUT  
18 HER ABILITY TO LEAD THE RESPONSE.

09:52:24 19 DO YOU RECALL THAT BEING YOUR TESTIMONY NOW?

09:52:26 20 A. I DO.

09:52:30 21 Q. AND IN YOUR ROLE AS COMMUNICATION DIRECTOR  
22 FOR DEPARTMENT OF PUBLIC HEALTH, YOU FELT IT WAS  
23 URGENT TO MAKE SURE THAT FERRER'S CREDIBILITY WAS NOT  
24 UNDERMINED; CORRECT?

09:52:42 25 A. I DON'T KNOW IF I'D EXACTLY AGREE WITH THAT.  
26 YEAH.

09:52:48 27 Q. WELL, THE WORD URGENT WAS A WORD THAT YOU  
28 USED.

09:52:52 1 A. UH-HUH.

09:52:52 2 Q. SO WHY DID YOU CONSIDER THESE REQUESTS TO BE  
3 URGENT?

09:52:58 4 A. I THINK THE MORE SO THE REQUEST WAS ABOUT  
5 LOOKING FOR GUIDANCE OR INFORMATION FROM TWITTER, LESS  
6 ABOUT THEM TO TAKE ACTION ON IT.

09:53:07 7 Q. AND WHEN I ASKED YOU ABOUT THE SECOND BULLET  
8 POINT HERE AT THE TOP OF EXHIBIT 59-FIVE, THAT L.A.  
9 COUNTY IS LYING ABOUT HOSPITALIZATION NUMBERS, YOU  
10 STATED THAT THAT WAS IN REFERENCE TO THE SEVERITY OF  
11 THE PANDEMIC AT THE TIME; CORRECT?

09:53:24 12 A. AGAIN, I DON'T REMEMBER SPECIFICALLY WHAT  
13 I SAID IN MY DEPOSITION.

09:53:27 14 Q. LET'S PULL IT UP. IT'S PAGE 113, LINES 17  
15 THROUGH 22.

09:53:33 16 MR. RAYGOR: YOUR HONOR, I HAVE AN EXTRA  
17 COPY. SHOULD I GIVE IT TO THE WITNESS?

09:53:36 18 THE COURT: OF WHAT?

09:53:37 19 MR. RAYGOR: THE DEPOSITION.

09:53:39 20 THE COURT: UNLESS SHE'S TRYING TO REFRESH  
21 HIS MEMORY, WHICH SHE DOES NOT SEEM TO BE NOW, I DON'T  
22 THINK THAT'S NECESSARY.

09:53:45 23 WHAT WERE THE PAGE NUMBERS AGAIN?

09:53:47 24 MS. HAMILL: PAGE 113, LINES 17 THROUGH 22.

09:53:51 25 THE COURT: ALL RIGHT. ARE YOU TRYING TO  
26 REFRESH HIS MEMORY?

09:53:54 27 MS. HAMILL: YES.

09:53:55 28 THE COURT: OKAY. THEN YOU MAY HAND UP A

1 COPY, MR. RAYGOR.

09:54:14 2 READ THAT TO YOURSELF.

09:54:16 3 THE WITNESS: WHICH LINES AGAIN?

09:54:20 4 MS. HAMILL: LINES 17 THROUGH 22 ON  
5 PAGE 113.

09:54:25 6 THE WITNESS: I SEE IT, YES.

09:54:27 7 Q. (BY MS. HAMILL) AND SO THE QUESTION IS:  
8 CAN YOU EXPLAIN HOW THE STATEMENT THAT L.A. COUNTY  
9 IS LYING ABOUT HOSPITALIZATION NUMBERS IS AN EXAMPLE  
10 OF MISINFORMATION THAT REQUIRES URGENT ACTION?

09:54:40 11 ACTION: IT WAS IN REFERENCE TO THE SEVERITY  
12 OF THE PANDEMIC AT THE TIME.

09:54:44 13 DO YOU RECALL THAT BEING YOUR TESTIMONY?

09:54:46 14 A. CORRECT, YES.

09:54:47 15 Q. IS THAT STILL YOUR TESTIMONY TODAY?

09:54:50 16 A. I BELIEVE SO, YES.

09:54:52 17 Q. SO YOU FELT IT WAS URGENT TO STOP PEOPLE ON  
18 TWITTER FROM SAYING THAT L.A. COUNTY WAS LYING ABOUT  
19 HOSPITALIZATION NUMBERS; RIGHT?

09:55:00 20 A. I WOULDN'T NECESSARILY AGREE THAT I FELT I  
21 HAD TO STOP IT. I DON'T THINK IT WAS POSSIBLE TO STOP  
22 IT. BUT I WANTED TWITTER TO BE AWARE THAT IT WAS  
23 HAPPENING.

09:55:10 24 Q. AND WHEN I ASKED YOU ABOUT THE LAST BULLET  
25 POINT AT THE TOP OF EXHIBIT 59, PAGE 5, AND THAT WAS,  
26 MASKS ARE NOT EFFECTIVE FOR ADULTS OR CHILDREN, YOU  
27 SAID THAT THIS STATEMENT IS MISINFORMATION BECAUSE IT  
28 CONFLICTED WITH WHAT THE DEPARTMENT OF PUBLIC HEALTH



1 AND MANY OTHER PUBLIC EXPERTS SAID ABOUT MASKS.

09:55:30 2 CORRECT?

09:55:31 3 A. I DON'T RECALL IN MY DEPOSITION WHAT EXACTLY  
4 I SAID IN MY DEPOSITION.

09:55:37 5 Q. LET'S GO TO PAGE 114, LINES 14 THROUGH 25,  
6 PAGE 115, LINE 1.

09:56:03 7 OKAY. SO THE QUESTION: AND THEN THE LAST  
8 BULLET POINT SAYS, QUOTE, MASKS ARE NOT EFFECTIVE FOR  
9 ADULTS OR CHILDREN, END QUOTE. AND YOU CITE THAT AS  
10 AN EXAMPLE OF MISINFORMATION THAT REQUIRED URGENT  
11 ACTION.

09:56:18 12 DID YOU HAVE PROOF AT THE TIME THAT MASKS  
13 ARE EFFECTIVE FOR ADULTS AND CHILDREN?

09:56:23 14 ANSWER: I RELY ON OUR PUBLIC HEALTH EXPERTS  
15 TO INFORM THAT INFORMATION, PROVIDE THAT INFORMATION.

09:56:32 16 QUESTION: AND SO THIS STATEMENT WAS  
17 MISINFORMATION BECAUSE IT CONFLICTED WITH WHAT THE  
18 DEPARTMENT OF PUBLIC HEALTH HAD PUBLICLY STATED.

09:56:43 19 ANSWER: I DON'T THINK JUST US, BUT I THINK  
20 MANY OTHER PUBLIC HEALTH EXPERTS.

09:56:50 21 DO YOU RECALL THAT BEING YOUR TESTIMONY?

09:56:56 22 A. I DON'T HAVE PAGE 115 IN HERE.

09:57:01 23 Q. IT'S JUST ONE LINE. I'M HAPPY TO SHOW THE  
24 WITNESS.

09:57:05 25 THE COURT: SHOW HIM THE TOP OF 115, YES.

09:57:09 26 THE WITNESS: SORRY.

09:57:20 27 OH, I SEE IT. OKAY. SORRY.

09:57:23 28 Q. (BY MS. HAMILL) DO YOU RECALL THAT BEING

1 YOUR TESTIMONY?

09:57:24 2 A. I DO, YES.

09:57:28 3 Q. IS IT STILL YOUR TESTIMONY TODAY?

09:57:29 4 A. YES.

09:57:42 5 Q. LET'S GO TO EXHIBIT 59, PAGE 4. SO THE NEXT  
6 E-MAIL ABOVE YOUR TUESDAY, JULY 26TH E-MAIL THAT WE  
7 JUST DISCUSSED IS A RESPONSE -- IT'S A RESPONSE TO YOU  
8 FROM TWITTER FROM THEIR GOV, G-O-V, AT TWITTER .COM  
9 E-MAIL ADDRESS; CORRECT?

09:58:06 10 A. YES.

09:58:08 11 Q. AND THEY SAY, FILE ANOTHER REPORT, SEND THEM  
12 THE NUMBER, AND THEY WILL ESCALATE IT. CORRECT?

09:58:16 13 A. YES.

09:58:19 14 Q. AND IS THIS AN EXAMPLE OF SPECIAL ACCESS TO  
15 TWITTER?

09:58:25 16 A. I WOULDN'T KNOW.

09:58:28 17 Q. AND ON JULY 26TH, YOU ASKED TWITTER IF THEY  
18 HAVE A REP THAT YOU CAN TALK TO ABOUT A FEW OTHER  
19 GOVERNMENT-RELATED MATTERS; CORRECT?

09:58:37 20 A. I DID, YES.

09:58:38 21 Q. BUT YOU STILL JUST WANTED TO MAKE SURE  
22 TWITTER'S POLICIES WEREN'T BEING VIOLATED; RIGHT?

09:58:43 23 A. CORRECT, YES.

09:58:44 24 Q. AND YOU WEREN'T TRYING TO GET ANY TWEETS OR  
25 ACCOUNTS REMOVED?

09:58:49 26 A. I WANTED THEM TO GO THROUGH THEIR TERMS AND  
27 CONDITIONS AND ENSURE THAT ANYTHING WAS BEING -- IF  
28 ANYTHING WAS BEING VIOLATED.

09:58:59 1 Q. AND ON JULY 30TH OF 2022, YOU CLOSED OFF  
2 PUBLIC COMMENTS ON THE DEPARTMENT OF PUBLIC HEALTH'S  
3 TWITTER ACCOUNT; CORRECT?

09:59:10 4 A. I DON'T RECALL IF THAT WAS THE SPECIFIC  
5 DATE. IT MAY HAVE BEEN THE 29TH.

09:59:16 6 Q. IT MAY HAVE BEEN THE 29TH?

09:59:17 7 A. I CAN'T -- I DON'T REMEMBER. I DON'T RECALL  
8 THE SPECIFIC DATE.

09:59:21 9 Q. SO IN YOUR RECOLLECTION, IT WAS EITHER THE  
10 29TH OF JULY OR THE 30TH OF JULY, 2022.

09:59:27 11 A. I CAN'T RECALL THE SPECIFIC STATE.

09:59:28 12 Q. WE'LL GET TO THAT IN A MINUTE.

09:59:31 13 A. OKAY.

09:59:37 14 Q. ACTUALLY, I DO WANT TO GET TO THAT NOW,  
15 BECAUSE IT GETS US TO WHERE WE NEED TO BE ON THIS  
16 EXHIBIT.

09:59:48 17 A. OKAY.

09:59:49 18 Q. CAN YOU PLEASE GO TO EXHIBIT 45, PAGE 49.

10:00:03 19 A. WHAT PAGE?

10:00:04 20 Q. 49.

10:00:06 21 A. 49.

10:00:30 22 THE COURT: EXHIBIT 45 IN MY BOOK IS  
23 MR. MORROW'S VIDEOTAPED DEPOSITION.

10:00:35 24 MS. HAMILL: YES.

10:00:36 25 THE COURT: I DON'T THINK YOU'RE ON THE  
26 RIGHT EXHIBIT, SIR. IT LOOKS LIKE THIS (INDICATING).

10:00:40 27 Q. (BY MS. HAMILL) I CAN HELP YOU. MAY I  
28 APPROACH?

10:00:42 1 THE COURT: WELL, APPROACH. THERE MAY BE AN  
2 INCONSISTENCY IN OUR EXHIBIT BOOKS.

10:00:50 3 MS. HAMILL: EXHIBIT 45 IS EXCERPTS FROM THE  
4 MORROW DEPOSITION.

10:00:53 5 THE COURT: WELL, CAN YOU LOOK AT WHAT HE  
6 HAS AS 45, PLEASE.

10:00:57 7 MS. HAMILL: YES. THIS IS CORRECT.

10:00:59 8 THE COURT: PAGE 49 LOOKS LIKE THIS?

10:01:01 9 MS. HAMILL: NO, THAT IS -- THAT IS NOT  
10 CORRECT.

10:01:03 11 THE COURT: THIS SAYS PAGE 49 IN MY BOOK,  
12 MISS HAMILL.

10:01:08 13 MS. HAMILL: THAT IS A CLERICAL PROBLEM.  
14 MAY I SEE THIS?

10:01:10 15 THE COURT: SURE. GOT IT.

10:01:12 16 MS. HAMILL: OH, YOU KNOW WHAT? THIS IS  
17 WHY: THAT'S PAGE 49 OF THE DEPOSITION TRANSCRIPT BUT  
18 IT'S PAGE 8 OF THE EXHIBIT.

10:01:21 19 THE COURT: OKAY. ALL RIGHT. THANK YOU.

10:01:32 20 MS. HAMILL: THANK YOU.

10:01:33 21 THE COURT: ARE YOU WITH US, MR. RAYGOR?

10:01:36 22 MR. RAYGOR: YES, I BELIEVE IT'S EXHIBIT 3  
23 TO HIS DEPOSITION.

10:01:39 24 THE COURT: EXHIBIT 3, YES. OKAY. THEN  
25 WE'RE ALL ON THE SAME PAGE. PROCEED.

10:01:43 26 MR. RAYGOR: WE WERE TALKING ABOUT THE SMALL  
27 NUMBERS AT THE BOTTOM. THE E X 45-049.

10:01:57 28 THE COURT: JUST ONE SECOND. EXHIBIT --

1 OKAY, YES. THERE ARE A LOT OF NUMBERS, BUT I THINK  
2 I'M ON THE RIGHT PAGE. GO AHEAD.

10:02:05 3 MS. HAMILL: THANK YOU.

10:02:06 4 Q. (BY MS. HAMILL) SO I'M SHOWING YOU WHAT'S  
5 BEEN MARKED AS EXHIBIT 45, AND THIS IS PAGES 49  
6 THROUGH 51. DO YOU SEE THOSE PAGES BEFORE YOU?

10:02:17 7 A. I DO, YES.

10:02:18 8 Q. OKAY. AND THIS APPEARS TO BE AN E-MAIL  
9 CHAIN BETWEEN YOU AND THE TEAM AT FRASER  
10 COMMUNICATIONS; CORRECT?

10:02:28 11 A. AND SOMEONE FROM THE DEPARTMENT OF PUBLIC  
12 HEALTH.

10:02:31 13 Q. ERICA LESPRON. ERICA. ERI C. A. LESPRON,  
14 LES PR O N.

10:02:45 15 SO THIS STARTS -- LET'S SEE, ON PAGE -- IF  
16 YOU GO TO EXHIBIT 45, PAGE 50, 050?

10:03:04 17 A. OKAY.

10:03:05 18 Q. AT THE VERY BOTTOM, THIS APPEARS TO BE THE  
19 FIRST E-MAIL IN THIS CHAIN OF COMMUNICATION; CORRECT?

10:03:11 20 A. CORRECT, YES.

10:03:12 21 Q. AND THIS IS FROM MONIQUE CISNEROS, CIS N ER  
22 O S, DATED JULY 29TH, 2022, TO BRETT MORROW AND  
23 OTHERS; CORRECT?

10:03:26 24 A. CORRECT, YES.

10:03:27 25 Q. AND SHE TELLS YOU, THESE ARE THE SOCIAL  
26 POSTS FOR TODAY. AND SHE OUTLINES ON THE NEXT PAGE  
27 EXHIBIT 45-051, A VARIETY OF THINGS THAT IT LOOKS LIKE  
28 SHE'S GOING TO POST ON SOCIAL MEDIA. IS THAT CORRECT?

10:03:43 1 A. EITHER SHE OR ERICA FROM OUR TEAM.

10:03:46 2 Q. OKAY. AND THEN THE NEXT COMMUNICATION IN  
3 THIS EXCHANGE IS EXHIBIT 45-050. AND IT'S FROM BRETT  
4 MORROW JULY 29TH, 2022, AT 1:05 P.M.

10:04:01 5 AND YOU SAY, YEP, LET'S CLOSE COMMENTS ON  
6 ALL OF THOSE, TOO, FROM HERE FORWARD. LET ME TEXT  
7 JOHN ABOUT RTING HIM TO GET THE OKAY.

10:04:27 8 AND YOU'RE TALKING ABOUT RETWEETING;  
9 CORRECT?

10:04:30 10 A. YES. IT'S A MADE-UP WORD, SO I APOLOGIZE.

10:04:33 11 Q. AND YOU SENT THIS E-MAIL ON JULY 29TH AT  
12 1:05 P.M.; CORRECT?

10:04:36 13 A. CORRECT, YES.

10:04:37 14 Q. AND GO UP ONE MORE E-MAIL. THIS IS ONE FROM  
15 BRETT MORROW ON JULY 29TH, 2022, AT 1:08 P.M. TO  
16 MONIQUE CISNEROS. AND IT SAYS GOOD TO GO. RT, JOHN.

10:04:54 17 CORRECT?

10:04:55 18 A. SAYS GOOD TO GO TO RT JOHN.

10:04:58 19 Q. THANK YOU.

10:04:58 20 AND YOU SENT THAT E-MAIL; CORRECT?

10:05:01 21 A. CORRECT.

10:05:02 22 Q. AND THEN THE NEXT E-MAIL IN THIS EXCHANGE IS  
23 BROKEN IN TWO. THE BEGINNING OF IT IS ON EXHIBIT 45,  
24 PAGE 049, FROM MONIQUE CISNEROS TO YOU AND OTHERS  
25 ASKING, DO WE WANT TO RETWEET THIS, TOO? CORRECT?

10:05:20 26 A. CORRECT, YES.

10:05:21 27 Q. AND THEN THE NEXT E-MAIL IN THIS CHAIN ABOVE  
28 THIS IS FROM BRETT MORROW AT JULY 29TH, 2022 AT

1 3:08 P.M. TO MONIQUE CISNEROS AND OTHERS. AND YOU  
2 SAY, LET'S HOLD SO WE DON'T FLOOD THEM; CORRECT?

10:05:39 3 A. CORRECT, YES.

10:05:40 4 Q. AND THEN THE NEXT E-MAIL IN THIS CHAIN IS  
5 FROM MONIQUE CISNEROS DATED FRIDAY, JULY 29TH, 2022,  
6 5:01 P.M. TO BRETT MORROW AND OTHERS AND MONIQUE SAYS,  
7 JUST CHECKING. DO YOU WANT COMMENTS OFF ON ALL SOCIAL  
8 POSTS MOVING FORWARD? INCLUDING DAILY NUMBERS? THE  
9 ONLY COMMENTS WE GOT TODAY ON THE HEAT POST WAS PEOPLE  
10 ASKING WHY WE TURNED OFF THE COMMENTS. OTHERWISE, IT  
11 WASN'T BAD. ONLY EIGHT COMMENTS TOTAL. ALSO,  
12 SCHEDULING IN ADVANCE DOESN'T ALLOW US TO TURN OFF  
13 COMMENTING, SO IT'S EASIER IF IT'S ALL OR NOTHING.  
14 LMK.

10:06:36 15 DO YOU RECALL RECEIVING THAT E-MAIL FROM  
16 MISS CISNEROS?

10:06:39 17 A. I DO, YES.

10:06:39 18 Q. AND WHAT DOES LMK MEAN?

10:06:42 19 A. LET ME KNOW.

10:06:43 20 Q. GOT IT. AND THEN FINAL EXCHANGE, THE FINAL  
21 E-MAIL IN THIS EXCHANGE AT THE TOP IS FROM YOU, BRETT  
22 MORROW, DATED JULY 30TH, 2022, AT 12:09 A.M. TO  
23 MONIQUE CISNEROS AND OTHERS. AND YOU SAY, LET'S DO IT  
24 FOR ALL POSTS. I'M OVER PEOPLE RN, LOL.

10:07:06 25 DID YOU WRITE THAT?

10:07:07 26 A. I DID, YES.

10:07:07 27 Q. SO DOES THAT REFRESH YOUR MEMORY THAT YOU  
28 ASKED TO SHUT OFF PUBLIC COMMENTS ON THE SOCIAL MEDIA

1 POSTS ON JULY 30TH OF 2022?

10:07:16 2 A. IT APPEARS SO, YES. ONE THING I WILL SAY IS  
3 THAT JUDGING BY MONIQUE'S E-MAIL AT 5:01 P.M., WE HAD  
4 TURNED OFF COMMENTS PRIOR TO THAT ON A POST OR TWO. I  
5 WOULD SAY IT WAS DONE, UNFORTUNATELY, KIND OF  
6 HAPHAZARDLY WHERE WE HAD TURNED A COMMENT OFF --  
7 TURNED COMMENTS OFF AND THEN ACCIDENTALLY LEFT THEM  
8 ON. IT WAS A NEW PROCESS THAT WE WERE ALL FIGURING  
9 OUT AT THE TIME, AND SO I THINK WE WHY JUST KIND OF  
10 CLARIFYING FROM HERE ON FORWARD, AS I SAID, LET'S DO  
11 IT FOR ALL POSTS MOVING FORWARD.

10:07:56 12 Q. AND CAN YOU TELL ME WHAT RN MEANS.

10:07:57 13 A. THAT MEANS RIGHT NOW.

10:08:00 14 Q. AND LOL?

10:08:01 15 A. LOL MEANS LAUGH OUT LOUD.

10:08:06 16 Q. SO JUST AFTER MIDNIGHT ON JULY 30TH, YOU  
17 CLOSED PUBLIC COMMENTARY ON ALL THE DEPARTMENT OF  
18 PUBLIC HEALTH SOCIAL MEDIA POSTS BECAUSE YOU WERE OVER  
19 PEOPLE RIGHT NOW, LAUGH OUT LOUD?

10:08:18 20 A. I WOULDN'T EXACTLY SAY THAT'S WHY. THAT IS  
21 AN E-MAIL THAT I SENT WHERE I WAS LIKELY EXHAUSTED.  
22 IT'S PAST MIDNIGHT. IT'S A HALF JOKE. I THINK MORE  
23 SO THAN ANYTHING, I WAS GENERALLY FRUSTRATED WITH THE  
24 BACK AND FORTH AND THE VITRIOL THAT WAS HAPPENING  
25 WITHIN OUR -- THE COMMENTS SECTION OF OUR POSTS. THE  
26 HARASSMENT, THE BULLYING THAT WAS HAPPENING ON BOTH  
27 SIDES.

10:08:52 28 Q. ALL RIGHT. WE'RE GOING TO GET BACK TO THAT



1 LATER.

10:08:55 2 A. OKAY.

10:08:55 3 Q. I WANTED TO GO BACK TO EXHIBIT 59.

10:09:16 4 SO WE'VE JUST ESTABLISHED THAT IT WAS  
5 JULY 30TH WHEN YOU CLOSED OFF COMMENTS, PUBLIC  
6 COMMENTS ON THE DEPARTMENT OF PUBLIC HEALTH TWITTER  
7 ACCOUNT; CORRECT?

10:09:26 8 A. HAPHAZARDLY HAPPENED A DAY OR TWO BEFORE,  
9 BUT I MADE IT EXPLICITLY CLEAR ON THAT DAY THAT, YES,  
10 WE SHOULD BE DOING IT ON ALL POSTS MOVING FORWARD. SO  
11 THAT'S WHEN IT WAS EXPLICITLY CLEAR. I THOUGHT I MADE  
12 IT CLEAR, BUT APPARENTLY I HAD NOT, AND THERE WERE  
13 ERRORS.

10:09:43 14 Q. AND ON AUGUST 5TH YOU SENT A LINK TO TWITTER  
15 TO THE ALT ACCOUNT ASKING, CAN THIS BE SHUT DOWN;  
16 CORRECT?

10:09:51 17 THE COURT: WHAT EXHIBIT ARE WE ON NOW?

10:09:53 18 MS. HAMILL: EXHIBIT 59.

10:09:55 19 Q. (BY MS. HAMILL) PLEASE TURN TO PAGE 3 OF  
20 EXHIBIT 59.

10:10:10 21 THE COURT: AND WHERE ON PAGE 3, PLEASE?

10:10:15 22 MS. HAMILL: THIS IS THE FIRST FULL E-MAIL  
23 AT THE BOTTOM OF THE PAGE. IT'S ON FRIDAY,  
24 AUGUST 5TH, 2022, AT 5:58 P.M. FROM BRETT MORROW. AND  
25 IT'S ACTUALLY NOT CLEAR ON THIS E-MAIL WHERE YOU SENT  
26 THIS E-MAIL. IT DOESN'T SHOW THE E-MAIL ADDRESS TO  
27 WHICH YOU SENT IT. DO YOU REMEMBER TO WHOM YOU SENT  
28 THIS?

10:10:44 1 A. THE EXCHANGE IS BETWEEN MYSELF AND GOV AT  
2 TWITTER.COM. SO I'M PRETTY CERTAIN THAT'S WHERE I  
3 SENT IT TO.

10:10:54 4 Q. (BY MS. HAMILL) YOU SAID PLEASE SEE THIS  
5 NEWLY SET UP ACCOUNT THAT MAY CONFUSE PEOPLE. CAN  
6 THIS BE SHUT DOWN?

10:11:02 7 CORRECT?

10:11:02 8 A. I SAID THAT, YES.

10:11:03 9 Q. AND THEN YOU SENT A LINK TO TWITTER.COM/ALT  
10 UNDERSCORE LACPH; CORRECT?

10:11:13 11 A. CORRECT, YES.

10:11:13 12 Q. AND DO YOU RECALL WHAT THAT ACCOUNT WAS?

10:11:17 13 A. IT WAS AN ACCOUNT THAT I WAS WORRIED COULD  
14 RESEMBLE TOO CLOSELY AND POSSIBLY IMPERSONATED OUR  
15 ACCOUNT. IT HAD USED OUR LOGOS, AND IT WAS RETWEETING  
16 OUR CONTENT.

10:11:34 17 Q. CAN YOU PLEASE PULL UP EXHIBIT 6? I CAN  
18 COME UP THERE AND HELP YOU.

10:11:39 19 MAY I APPROACH?

10:11:40 20 THE COURT: YES.

10:12:11 21 Q. (BY MS. HAMILL) SO DO YOU HAVE EXHIBIT 6  
22 IN FRONT OF YOU?

10:12:14 23 A. I DO, YES.

10:12:15 24 Q. AND DO YOU RECOGNIZE THIS?

10:12:17 25 A. I DO, YES.

10:12:19 26 Q. AND WHAT IS THIS?

10:12:21 27 A. THIS IS THE REFERENCED ALT PUBLIC HEALTH  
28 ACCOUNT.

10:12:29 1 Q. CAN YOU JUST TAKE 30 SECONDS TO FLIP THROUGH  
2 THIS EXHIBIT AND FAMILIARIZE YOURSELF WITH WHAT IS  
3 HERE?

10:12:35 4 A. SURE.

10:12:44 5 MR. RAYGOR: YOUR HONOR, I HAVE AN OBJECTION  
6 ABOUT THIS DOCUMENT.

10:12:47 7 THE COURT: ALL RIGHT. HOLD IT FOR NOW  
8 UNTIL THERE'S A FOUNDATION LAID. I GET THE IDEA.

10:13:28 9 Q. (BY MS. HAMILL) DO YOU RECOGNIZE THIS AS  
10 CONTENT THAT WAS POSTED BY THE ALT ACCOUNT ON  
11 TWITTER?

10:13:34 12 MR. RAYGOR: OBJECTION. LACKS FOUNDATION.

10:13:35 13 THE COURT: OVERRULED AS TO THAT QUESTION.

10:13:37 14 YOU MAY ANSWER.

10:13:38 15 THE WITNESS: I DO, YES.

10:13:41 16 Q. (BY MS. HAMILL) AND EVERY SINGLE TWEET IN  
17 THIS EXHIBIT WAS A QUOTE TWEET OF DEPARTMENT OF  
18 PUBLIC HEALTH CONTENT WITH COMMENTS OPEN; CORRECT?

10:13:53 19 A. I DIDN'T LOOK AT EVERY SINGLE TWEET, BUT THE  
20 ONES THAT I SAW APPEARED SO, YES.

10:14:00 21 THE COURT: MR. MORROW, WHAT DO YOU MEAN  
22 COMMENTS OPEN TO MEAN? WHAT DO YOU UNDERSTAND THAT  
23 PHRASE TO MEAN, PLEASE?

10:14:09 24 THE WITNESS: PEOPLE HAVE THE ABILITY IN THE  
25 LOWER RIGHT-HAND CORNER --

10:14:12 26 THE COURT: WHAT PAGE ARE YOU ON THERE?

10:14:14 27 THE WITNESS: I'M ON PAGE 2. SO IF YOU LOOK  
28 AT THE BLUE ONE, IN THE BOTTOM RIGHT-HAND CORNER OF

1 THAT SPECIFIC TWEET, YOU SEE THAT LITTLE ICON WITH THE  
2 3 NEXT TO IT?

10:14:24 3 THE COURT: YES.

10:14:24 4 THE WITNESS: THOSE ARE RESPONSES TO THAT  
5 SPECIFIC TWEET. AND SO BECAUSE THE DEPARTMENT OF  
6 PUBLIC HEALTH -- I'M SORRY, THIS ACCOUNT HAD ALLOWED  
7 PEOPLE TO RESPOND TO THEIR REPOSTING OF OUR CONTENT.

10:14:40 8 THE COURT: THANK YOU.

10:14:42 9 MS. HAMILL: THANK YOU.

10:14:46 10 Q. (BY MS. HAMILL) AND SOME OCCASIONS THE ALT  
11 ACCOUNT TAGGED THE DEPARTMENT OF PUBLIC HEALTH AND  
12 COUNTY SUPERVISORS IN THESE RETWEETS, DIDN'T THEY?

10:14:58 13 A. IN SOME OF THEM, YES.

10:15:00 14 Q. SO IF THE ALT ACCOUNT WAS TRYING TO BE  
15 SNEAKY AND IMPERSONATE THE DEPARTMENT OF PUBLIC  
16 HEALTH, THEY DID A BAD JOB OF HIDING, DIDN'T THEY?

10:15:08 17 A. I WOULDN'T SAY SO.

10:15:09 18 Q. YOU CAN YOU EXPLAIN THAT?

10:15:11 19 A. THEY USE OUR LOGO. IN THIS SCREEN SHOT, IT  
20 IS UPSIDE DOWN. I DON'T RECALL IF IT WAS ALWAYS  
21 UPSIDE DOWN. AND THEN ALSO WITHIN THIS BIO, WHICH I  
22 DON'T BELIEVE IS THE ORIGINAL BIO, IT SAYS THAT IT WAS  
23 CREATED FOR THE LOS ANGELES COUNTY DEPARTMENT OF  
24 PUBLIC HEALTH, INDICATING THAT IT WAS ON OUR BEHALF OR  
25 AT OUR REQUEST. THAT WAS SPECIFICALLY MY ISSUE.

10:15:38 26 THE COURT: WHAT IS UPSIDE DOWN ON THIS  
27 PAGE?

10:15:40 28 THE WITNESS: THE LOGO. IF YOU FLIP IT

1 OVER, THOSE ARE FACES. THAT IS THE DEPARTMENT OF  
2 PUBLIC HEALTH LOGO UPSIDE DOWN; CORRECT.

10:15:50 3 THE COURT: THESE -- LOOKS LIKE A RORSCHACH  
4 DRAWING IN A CIRCLE?

10:15:55 5 THE WITNESS: CORRECT, YES. THAT IS THE  
6 DEPARTMENT OF PUBLIC HEALTH LOGO UPSIDE DOWN. AND THE  
7 BEST OF MY RECOLLECTION -- RECOLLECTION IS THAT IT  
8 WASN'T ALWAYS UPSIDE DOWN; THAT IT WAS JUST OUR LOGO  
9 USED THERE FOR THIS ACCOUNT THAT WAS NOT AFFILIATED  
10 WITH US.

10:16:09 11 THE COURT: OKAY.

10:16:13 12 Q. (BY MS. HAMILL) AND YOU TESTIFIED AT YOUR  
13 DEPOSITION THAT YOU WERE CONCERNED ABOUT THIS ALT  
14 ACCOUNT BECAUSE YOU THOUGHT IT MIGHT CONFUSE PEOPLE;  
15 THAT IT WAS A DEPARTMENT OF PUBLIC HEALTH OFFICIAL  
16 ACCOUNT; CORRECT?

10:16:23 17 A. CORRECT, YES.

10:16:24 18 Q. AND YOU SAID THAT IT USED YOUR LOGO, WHICH  
19 YOU JUST TESTIFIED AS WELL. AND YOU TESTIFIED THAT  
20 THE ALT ACCOUNT RESHARED THE DEPARTMENT OF PUBLIC  
21 HEALTH CONTENT. YES?

10:16:34 22 A. YES.

10:16:35 23 Q. AND IF YOU LOOK AT THE BIO HERE ON  
24 EXHIBIT 6, PAGE 1, THIS ACCOUNT IS DESCRIBED AS AN  
25 UNOFFICIAL ACCOUNT; CORRECT?

10:16:45 26 A. FOR WHENEVER THIS SCREEN SHOT WAS TAKEN?  
27 THAT'S WHAT IT SAYS, YES.

10:16:49 28 Q. AND IT EXPLAINS THAT IT WILL RT, WHICH IS

1 RETWEET, ALL L.A. PUBLIC HEALTH DEPARTMENT CONTENT  
2 WITH COMMENTS TURNED ON; CORRECT?

10:17:00 3 A. IT SAYS THAT, YES.

10:17:04 4 Q. BUT YOU THINK PEOPLE MIGHT HAVE BEEN  
5 CONFUSED ABOUT THAT?

10:17:09 6 A. I THINK PEOPLE WOULD BE CONFUSED THAT IF  
7 THEY SEARCH FOR L.A. PUBLIC HEALTH, THERE WOULD BE --  
8 APPEAR TO BE TWO ACCOUNTS THAT HAD OUR LOGO. AND  
9 THAT, NOT ONLY JUST THAT, IT WAS THE OFFICIAL ACCOUNT  
10 WHICH WOULD BE OURS BUT THEN ONE WAS CREATED ON OUR  
11 BEHALF.

10:17:27 12 Q. SO YOU THINK THAT PEOPLE FOLLOWING THIS ALT  
13 ACCOUNT MIGHT MISTAKENLY BELIEVE THAT THEY'RE  
14 FOLLOWING THE OFFICIAL ACCOUNT?

10:17:35 15 MR. RAYGOR: OBJECTION. VAGUE AS TO TIME.  
16 THERE ARE MULTIPLE VERSIONS.

10:17:39 17 THE COURT: WELL, I DON'T KNOW ABOUT  
18 MULTIPLE VERSIONS, BUT YES, PLEASE LAY A FOUNDATION AS  
19 TO TIME. I'M NOT SURE I HAVE HEARD A FOUNDATION AS TO  
20 WHEN THIS PARTICULAR -- WELL, TO USE THE WITNESS'S  
21 WORDS -- SCREEN SHOT WAS TAKEN.

10:17:59 22 MS. HAMILL: OUR WITNESS FOR THIS EXHIBIT  
23 WILL BE QUESTIONED NEXT, AND WE WILL LAY THAT  
24 FOUNDATION.

10:18:05 25 THE COURT: OKAY.

10:18:07 26 MS. HAMILL: BUT I WILL PROFFER TO THE COURT  
27 THAT THIS ALT ACCOUNT ONLY EXISTED FROM AUGUST 4TH  
28 THROUGH AUGUST 23RD, PERHAPS. SO THE TIME PERIOD I'M

1 ASKING FOR IS AUGUST OF 2022, WHENEVER IT WAS THAT  
2 THIS PARTICULAR ITERATION OF THE ACCOUNT EXISTED. SO  
3 I'M ASKING YOU, BASED ON WHAT YOU'RE SEEING IN FRONT  
4 OF YOU NOW, WERE YOU CONCERNED THAT PEOPLE WOULD  
5 BELIEVE THEY WERE FOLLOWING THE OFFICIAL DEPARTMENT OF  
6 PUBLIC HEALTH ACCOUNT WHEN THEY WERE FOLLOWING THIS  
7 ALT ACCOUNT AS IT APPEARS IN THIS EXHIBIT?

10:18:38 8 THE COURT: IN AUGUST OF 2022?

10:18:41 9 MS. HAMILL: YES.

10:18:42 10 THE COURT: WHAT'S THE OBJECTION?

10:18:43 11 MR. RAYGOR: THE OBJECTION IS AUTHENTICITY.  
12 THIS IS PULLED FROM THE WAY BACK MACHINE, ARCHIVE.ORG.  
13 THERE'S NO FOUNDATION TO THE TIMING OF THIS VERSUS  
14 OTHER VERSIONS.

10:18:52 15 THE COURT: WELL, THAT'S OVERRULED. FIRST,  
16 MISS HAMILL IS NOT MOVING IT INTO EVIDENCE.

10:18:57 17 NO. 2, THE WITNESS IS BEING ASKED TO EXPLAIN  
18 HIS ACTIONS VIS-A-VIS THIS ALT ACCOUNT IN AUGUST OF  
19 2022.

10:19:04 20 DO YOU HAVE THE QUESTION IN MIND?

10:19:07 21 THE WITNESS: I'M SORRY. CAN YOU REPEAT IT?

10:19:09 22 THE COURT: ASK THE QUESTION AGAIN.

10:19:10 23 Q. (BY MS. HAMILL) IS IT POSSIBLE TO READ IT  
24 BACK?

10:19:12 25 THE REPORTER: CERTAINLY.

10:19:13 26 THE COURT: WELL, THERE WAS A LENGTHY  
27 PREAMBLE AS WELL, SO LET'S GET A NARROW, PRECISE  
28 QUESTION, PLEASE.

10:19:19 1 Q. (BY MS. HAMILL) AS THIS DOCUMENT IS BEFORE  
2 YOU, THIS EXHIBIT 6-1, DID YOU BELIEVE THAT PEOPLE  
3 FOLLOWING THIS ALT ACCOUNT WOULD MISTAKENLY BELIEVE  
4 THAT THEY WERE FOLLOWING THE OFFICIAL DEPARTMENT OF  
5 PUBLIC HEALTH TWITTER ACCOUNT?

10:19:38 6 A. CORRECT, YES. AND I SENT THAT TO TWITTER  
7 WHEN I RAISED MY CONCERNS.

10:19:46 8 Q. IT'S IMPORTANT FOR THE BOARD OF SUPERVISOR  
9 OF L.A. COUNTY TO HEAR FROM MEMBERS OF THE PUBLIC  
10 REGARDING PUBLIC HEALTH MEASURES, ISN'T IT?

10:20:02 11 A. I DON'T WORK FOR THE BOARD OF SUPERVISORS OR  
12 BOARD MEMBERS, SO I CAN'T ASSUME WHAT IS IMPORTANT TO  
13 THEM OR NOT.

10:20:30 14 Q. LET'S GO BACK TO EXHIBIT 59, PAGE 2, PLEASE.  
15 LET'S START ON 3 WHERE WE WERE.

10:20:46 16 A. CAN I CLOSE THIS?

10:20:48 17 Q. YES.

10:20:49 18 THE COURT: YOU CAN PUT IT BEHIND YOU TO  
19 MAKE IT MORE COMFORTABLE.

10:20:55 20 THE WITNESS: THANK YOU.

10:21:03 21 Q. (BY MS. HAMILL) OKAY. SO WE WERE JUST --  
22 BEFORE WE GOT TO THIS EXHIBIT 6, WE WERE DISCUSSING  
23 YOUR AUGUST 5TH, 2022 E-MAIL AT 5:58 P.M.; CORRECT?

10:21:14 24 A. CORRECT.

10:21:14 25 Q. DO YOU RECALL THAT? YOU SAID, PLEASE SEE  
26 THIS NEWLY SET UP ACCOUNT THAT MAY CONFUSE PEOPLE, AND  
27 YOU PROVIDE A LINK TO THIS ALT ACCOUNT THAT WE WERE  
28 JUST DISCUSSING IN EXHIBIT 6; CORRECT?



10:21:26 1 A. CORRECT.

10:21:26 2 Q. ABOVE THAT TWITTER RESPONDS TO YOU ON  
3 AUGUST 9TH AT 9:16 A.M. AND THEY THANK YOU FOR  
4 FLAGGING IT, ASKED YOU TO FILE AN IMPERSONATION  
5 REPORT, AND THEN SEND THE CASE NUMBER, AND THEY WILL  
6 EXPEDITE THE CASE.

10:21:41 7 DO YOU RECALL THAT EXCHANGE?

10:21:43 8 MR. RAYGOR: OBJECTION. LACKS FOUNDATION AS  
9 TO WHAT IT LOOKED LIKE ON AUGUST 9.

10:21:47 10 THE COURT: THAT'S NOT THE PENDING QUESTION.  
11 OVERRULED.

10:21:53 12 THE WITNESS: I RECALL THEM SENDING THAT  
13 RESPONSE FOUR DAYS LATER, YES.

10:21:57 14 Q. (BY MS. HAMILL) ALL RIGHT. TURN TO  
15 EXHIBIT 59, PAGE 2, PLEASE. IT LOOKS LIKE ON  
16 AUGUST 19TH, 2022, AT 4:47 P.M., YOU SENT AN E-MAIL,  
17 I'M ASSUMING TO GOV AT TWITTER.COM; CORRECT?

10:22:15 18 A. I WOULD ASSUME SO AS WELL.

10:22:17 19 Q. THAT'S NOT REFLECTED IN THE DOCUMENT. AND  
20 YOU SAY, PLEASE SEE BELOW. DOES THIS WORK?

10:22:23 21 DO YOU RECALL SENDING THAT?

10:22:24 22 A. I DO, YES.

10:22:26 23 Q. AND YOU FORWARDED TO THEM AN IMPERSONATION  
24 REPORT THAT YOU MADE FOR THE ALT ACCOUNT; CORRECT?

10:22:35 25 A. YES.

10:22:36 26 Q. AND THEN ABOVE THAT ON AUGUST 10TH, 2022 AT  
27 8:34 A.M., GOV AT TWITTER.COM RESPONDS TO YOU, BRETT  
28 MORROW, SAYING, YES. THANK YOU FOR THE CASE NUMBER.

1 WE WILL NOW MOVE FOR FURTHER REVIEW.

10:22:52 2 DO YOU RECALL THAT EXCHANGE?

10:22:53 3 A. I SEE IT, YES.

10:22:58 4 Q. AND DO YOU NOTICE WHAT THE SUBJECT LINE IS  
5 IN THAT AUGUST 10TH, 8:34 A.M. E-MAIL?

10:23:04 6 A. I DO. IT'S QUITE LENGTHY.

10:23:06 7 Q. AND IT INCLUDES?

10:23:08 8 A. SUBJECT LINE.

10:23:09 9 Q. AND IT INCLUDES IN ALL CAPITAL LETTERS,  
10 REFERRAL FROM PATRICK BOLAND; CORRECT?

10:23:14 11 A. AND IT HAS MANY OTHER CAPITAL LETTERS IN IT,  
12 TOO.

10:23:17 13 Q. SO LET'S TURN TO EXHIBIT 59, PAGE 1. AND ON  
14 AUGUST 10TH AT 11:43 A.M., YOU THANK TWITTER AND SAY  
15 WHEN MIGHT YOU HAVE AN UPDATE.

10:23:32 16 IS THAT CORRECT?

10:23:34 17 A. YES.

10:23:35 18 Q. AND THEN TWITTER RESPONDS AUGUST 10TH,  
19 12:56 P.M., AND THEY SAY, TWITTER HAS DETERMINED THE  
20 ACCOUNT IS NOT COMPLIANT WITH THEIR POLICIES AND  
21 THEY'LL LOOK TO SOLVE THE ISSUE.

10:23:46 22 CORRECT?

10:23:47 23 A. CORRECT. THEY SAID THAT.

10:23:50 24 Q. AND THEN LATER ON THAT SAME DAY, THE TOP  
25 E-MAIL IN THIS EXHIBIT FROM BRETT MORROW ON  
26 AUGUST 10TH, 2022, AT 8:00 P.M., YOU SAY, THANK YOU.  
27 ON FIRST GLANCE IT LOOKS LIKE IT'S ALREADY BEEN  
28 UNLOCKED AND THEY JUST ADDED COMMENTARY TO THE NAME,

1 BUT THEY AREN'T REALLY PROVIDING COMMENTARY. THEY'RE  
2 JUST REPOSTING OUR CONTENT.

10:24:16 3 AND YOU AGAIN SEND THE LINK TO THE ALT  
4 ACCOUNT; CORRECT?

10:24:19 5 A. I SAID THAT, YES.

10:24:21 6 Q. SO DO YOU RECALL THE DIFFERENCES BETWEEN THE  
7 ORIGINAL ALT ACCOUNT THAT YOU HAD JUST REPORTED AND  
8 THE NEW ITERATION OF THE ALT ACCOUNT ON AUGUST 10TH?

10:24:36 9 A. I DON'T RECALL SITTING HERE, BUT BASED UPON  
10 MY E-MAIL, IT APPEARS THAT THE ONLY CHANGE WAS THAT  
11 THE NAME ADDED THE WORDS COMMENTARY.

10:24:45 12 Q. GOT IT.

10:24:50 13 NOW WE NEED TO LOOK AT EXHIBIT 21, BECAUSE  
14 EXHIBIT 21 IS A PRODUCTION BY X CORP., FORMERLY KNOWN  
15 AS TWITTER, AND IT INCLUDES ADDITIONAL E-MAILS IN THIS  
16 EXCHANGE REFLECTED IN EXHIBIT 59.

10:25:07 17 THE COURT: IS THIS AN OPENING STATEMENT?

10:25:10 18 MS. HAMILL: THAT IS NOT AN OPENING  
19 STATEMENT, BUT I UNDERSTAND THAT MR. RAYGOR IS GOING  
20 TO OBJECT, AND WE NEED TO DISCUSS THE REDACTED VERSION  
21 OF EXHIBIT 21 PURSUANT TO THE MOTION TO UNSEAL THAT  
22 WAS FILED AND SERVED BEFORE YESTERDAY.

10:25:22 23 THE COURT: WELL, ARE YOU INTENDING TO ASK  
24 THIS WITNESS QUESTIONS ABOUT EXHIBIT 21?

10:25:27 25 MS. HAMILL: YES.

10:25:28 26 THE COURT: AND SO WHAT'S YOUR REQUEST OR  
27 MOTION?

10:25:32 28 MS. HAMILL: SO WE FILED A MOTION TO UNSEAL

1 AND TO USE A REDACTED COPY OF EXHIBIT 21 AT TRIAL. I  
2 HAVE THE REDACTED COPY OF EXHIBIT 21 --

10:25:44 3 THE COURT: OKAY. SLOW DOWN. WHAT IS IN  
4 THE BOOK, 21, THAT -- WELL, FIRST OF ALL, CAN YOU GET  
5 THE VOLUME FOR 21? LET'S FIND OUT WHAT'S IN THE  
6 WITNESS'S BOOK, BECAUSE I HAVE A MULTIPAGE EXHIBIT 21,  
7 WHICH APPEARS TO BE PARTIALLY REDACTED.

10:26:08 8 WHAT IS THE FIRST PAGE THERE, MR. MORROW?  
9 WHAT DOES IT SAY AT THE TOP?

10:26:13 10 THE WITNESS: CERTIFICATE OF AUTHENTICITY.

10:26:14 11 THE COURT: AND THAT'S FOLLOWED BY SOME  
12 E-MAILS?

10:26:16 13 THE WITNESS: IT APPEARS SO, YES.

10:26:18 14 THE COURT: WHICH VERSION IS THIS,  
15 MISS HAMILL?

10:26:22 16 MS. HAMILL: YOUR HONOR, YOU HAVE THE  
17 VERSION THAT WAS UNDER SEAL AND UNREDACTED.

10:26:27 18 THE COURT: UNREDACTED, BUT THERE APPEARS TO  
19 BE SOME REDACTIONS IN IT.

10:26:32 20 MS. HAMILL: MAY I LOOK AT YOUR EXHIBIT,  
21 PLEASE?

10:26:33 22 THE COURT: SURE. I'M LOOKING AT PAGE 17,  
23 UPPER PORTION.

10:26:36 24 MS. HAMILL: THAT IS THE ORIGINAL EXHIBIT 21  
25 THAT IS UNDER SEAL THAT CONTAINS REDACTIONS FROM  
26 X CORP.

10:26:50 27 THE COURT: ALL RIGHT. AND SO MR. RAYGOR  
28 SEES IT AS WELL, I AM HOLDING UP PAGE 16. IT ALSO HAS

1 REDACTIONS. BUT YOU'RE SAYING THIS IS AN UNREDACTED  
2 VERSION?

10:26:59 3 MS. HAMILL: THAT'S CORRECT, YOUR HONOR.

10:27:01 4 THE COURT: WELL, YOU WANT TO MAKE A RECORD.  
5 SO THIS SO-CALLED UNREDACTED VERSION, WHICH SEEMS TO  
6 HAVE SOME REDACTIONS, YOUR PROFFER IS THOSE REDACTIONS  
7 WERE MADE BY WHOM?

10:27:14 8 MS. HAMILL: BY X CORP.

10:27:15 9 THE COURT: OKAY. CONTINUE.

10:27:18 10 MS. HAMILL: AND ON FRIDAY OF LAST WEEK,  
11 OCTOBER 13TH, X CORP. AGREED TO UNSEAL EXHIBIT 21 IF  
12 WE USED A REDACTED VERSION OF EXHIBIT 21 THAT HAS --  
13 X CORP. HAS REDACTED ALL OF THEIR COMMENTARY WITHIN  
14 THAT EXHIBIT.

10:27:36 15 THE COURT: OKAY. AND YOU HAVE PROVIDED A  
16 COPY OF THIS FURTHER REDACTED EXHIBIT TO OPPOSING  
17 COUNSEL?

10:27:43 18 MS. HAMILL: YES, YOUR HONOR.

10:27:44 19 THE COURT: DID I GET A COPY?

10:27:46 20 MS. HAMILL: YES, YOUR HONOR.

10:27:47 21 THE COURT: IT WAS ATTACHED TO WHAT?

10:27:48 22 MS. HAMILL: TO MY MOTION TO UNSEAL  
23 DEFENDANTS' EXHIBITS 26 AND 27 AND TO USE A REDACTED  
24 COPY OF EXHIBIT 21 AT TRIAL.

10:27:58 25 THE COURT: OKAY. I HAVE THAT. AND IT HAS  
26 A MEMO OF PS AND A'S, YOUR DECLARATION ON EXHIBITS 1,  
27 2, AND 3. SO WHAT AM I TO LOOK AT?

10:28:11 28 MS. HAMILL: EXHIBIT 2 IS THE REDACTED

1 VERSION OF TRIAL EXHIBIT 21.

10:28:20 2 THE COURT: OKAY. I'VE CAUGHT UP WITH YOU.  
3 AND PUT A BOW AROUND THIS, YOU WANT TO SUBSTITUTE THIS  
4 FURTHER REDACTED DOCUMENT MARKED AS EXHIBIT 2 TO YOUR  
5 MOTION IN LIEU OF EXHIBIT 21 IN THE EXHIBIT BOOK?

10:28:36 6 MS. HAMILL: YES, YOUR HONOR, TO AVOID THE  
7 ISSUES WITH SEALING AND HAVING TO SEAL THE RECORD AND  
8 HAVING TO EMPTY THE COURTROOM.

10:28:42 9 THE COURT: OKAY.

10:28:43 10 MR. RAYGOR, DO YOU HAVE ANY COMMENT OR  
11 OBJECTION?

10:28:47 12 MR. RAYGOR: I DO.

10:28:47 13 THE COURT: YOU MAY PROCEED.

10:28:49 14 MR. RAYGOR: OKAY. THIS IS SOMETHING WE  
15 DISCUSSED AT THE VERY BEGINNING BEFORE THE TRIAL THAT  
16 WE WOULD ADDRESS AS IT CAME UP, SO HERE WE ARE.

10:28:55 17 THE COURT: OKAY.

10:28:57 18 MR. RAYGOR: FIRST, THE -- BEAR WITH ME.  
19 SORRY.

10:29:12 20 FIRST, THE CUSTODIAN OF RECORDS DECLARATION  
21 AT THE BEGINNING IS NOT COMPLETE. IT DOESN'T SATISFY  
22 EVIDENCE CODE 1271. IT DOESN'T INCLUDE ELEMENT B  
23 WHICH IS THE WRITING WAS MADE AT OR WHICH NEAR THE  
24 TIME OF THE ACT, CONDITION, OR EVENT. SO THEREFORE,  
25 THE DOCUMENT ITSELF HAS NOT BEEN AUTHENTICATED AS A  
26 BUSINESS RECORD.

10:29:42 27 THE COURT: WELL, I THINK THE ONLY TOPIC  
28 RIGHT NOW ON THE TABLE IS THE SUBSTITUTION OF AN

1 EXHIBIT SO THAT A FOUNDATION CAN BE LAID. AND PERHAPS  
2 IN THE FUTURE MISS HAMILL IS GOING TO BE MOVING THIS  
3 INTO EVIDENCE, BUT WE'RE NOT THERE YET.

10:29:57 4 MR. RAYGOR: OKAY.

10:29:58 5 THE COURT: AS I PERCEIVE HER REQUEST IS TO  
6 SUBSTITUTE ONE DOCUMENT FOR THE OTHER.

10:30:02 7 MR. RAYGOR: I WILL ADDRESS THAT  
8 SPECIFICALLY.

10:30:04 9 THE COURT: OKAY.

10:30:05 10 MR. RAYGOR: APPARENTLY THIS IS GOING TO BE  
11 SUBSTITUTED PURSUANT TO AN AGREEMENT BETWEEN TWITTER  
12 AND MISS HAMILL, TO WHICH I WAS NOT A PARTY.

10:30:12 13 THE COURT: WELL, THAT'S THE PROFFER. OKAY.

10:30:15 14 MR. RAYGOR: BY REDACTING SUBSTANTIVE  
15 INFORMATION FROM THE DOCUMENTS, NO LONGER AUTHENTIC,  
16 AND MORE IMPORTANTLY FOR DEPARTMENT'S POSITION, IT HAS  
17 REDACTED MATERIAL, IT'S VERY IMPORTANT TO OUR DEFENSE  
18 IN THIS CASE THAT WE NEED TO BE ABLE TO RAISE.

10:30:31 19 SO MY SUGGESTION IS --

10:30:33 20 THE COURT: CAN YOU GIVE ME AN EXAMPLE OF  
21 THAT BY REFERENCING THE UNREDACTED EXHIBIT 21 AND  
22 POINTED TO A PAGE AND PERHAPS A PARAGRAPH?

10:30:42 23 MR. RAYGOR: SURE. IF YOU LOOK AT THE  
24 EXHIBIT 2 TO HER MOTION --

10:30:50 25 THE COURT: OKAY. WE CAN START THERE.

10:30:53 26 MR. RAYGOR: -- AND LET ME JUST  
27 CROSS-REFERENCE TO MINE. OKAY?

10:30:57 28 THE COURT: YEAH. WHAT I'M FOCUSING ON IS

1 YOUR ASSERTION THAT THERE'S IMPORTANT INFORMATION FOR  
2 DHP THAT IS SOUGHT TO BE DELETED AND WHY DON'T YOU  
3 REFER TO EXHIBIT 21, WHICH IS UNREDACTED AND TELL ME  
4 WHERE I CAN FIND SUCH IMPORTANT INFORMATION.

10:31:32 5 MR. RAYGOR: IF YOU LOOK AT THE BOTTOM OF  
6 THE UNREDACTED EXHIBIT 21, AT THE VERY BOTTOM, THERE  
7 IS --

10:31:42 8 THE COURT: WHAT PAGE?

10:31:45 9 MR. RAYGOR: TWENTY-ONE, PAGE 17.

10:31:48 10 THE COURT: SEVENTEEN. I HAVE PAGE 17.

10:31:53 11 MR. RAYGOR: AT THE BOTTOM, THERE IS A  
12 STATEMENT THAT SAYS, ON APRIL 26, 2020, AT 11:14 P.M.

10:32:00 13 THE COURT: I SEE IT.

10:32:01 14 MR. RAYGOR: DOWN BELOW THERE IS A BEST,  
15 LAUREN.

10:32:04 16 THE COURT: YES.

10:32:05 17 MR. RAYGOR: EVERYTHING IN BETWEEN THOSE  
18 TWO, THE DATE AND THE BEST HAS BEEN REDACTED.

10:32:10 19 THE COURT: OKAY. AND THIS IS A STATEMENT  
20 FROM LAUREN CULBERTSON AT TWITTER. AND YOUR CONCERN  
21 IS THE INFORMATION SHE WROTE IS HELPFUL TO YOUR  
22 CLIENT.

10:32:26 23 MR. RAYGOR: IT IS.

10:32:26 24 THE COURT: JUST ONE MOMENT.

10:32:35 25 AND YOU FURTHER SAY IN THE PROPOSED  
26 SUBSTITUTED VERSION OF 21, THAT CORRESPONDENCE HAS  
27 BEEN DELETED.

10:32:43 28 MR. RAYGOR: YES. IF YOU LOOK AT EXHIBIT 2



1 TO MISS HAMILL'S MOTION --

10:32:50 2 THE COURT: RIGHT.

10:32:50 3 MR. RAYGOR: -- THAT PAGE, EXHIBIT 21,  
4 PAGE 17 HAS A BIG BLACK SQUARE OVER THAT TEXT.

10:32:57 5 THE COURT: OKAY. PAGE NUMBERS HAVE BEEN  
6 CUT OFF IN MY EXHIBIT 2, BUT I THINK I FOUND THE PAGE.  
7 I SEE THE BLACKED OUT VERSION, YES. OKAY. SO WHAT DO  
8 YOU PROPOSE?

10:33:10 9 MR. RAYGOR: SO I THINK THE SOLUTION TO IT  
10 IS THAT SIMPLY, WHEN WE ARE DISCUSSING THIS PARTICULAR  
11 EXHIBIT, WE CLEAR THE COURTROOM, KEEP IT UNDER SEAL,  
12 AND DISCUSS IT WITHOUT HAVING TO DEAL WITH THE  
13 REDACTIONS OR THE PROBLEM OF IT BEING AUTHENTIC IF  
14 IT'S BEEN REDACTED.

10:33:27 15 THE COURT: ALL RIGHT. WHY DON'T WE DO IT  
16 THAT WAY, MISS HAMILL? AND THEN YOU DON'T RUN AFOUL  
17 OF YOUR AGREEMENT WITH TWITTER, AND THE WITNESS WILL  
18 BE ABLE TO TESTIFY AS YOU SEE FIT. THE COURT REPORTER  
19 CAN SEAL THAT PORTION, AT LEAST PROVISIONALLY, AND WE  
20 CAN SORT IT ALL OUT AT THE END OF THE CASE.

10:33:50 21 MS. HAMILL: I'M OPEN TO THAT IDEA, BUT I'M  
22 ALSO STRUGGLING WITH THE CONCEPT OF THE OVERRIDING  
23 INTEREST AND NEED OF SEALING DOCUMENTS, WHICH FRANKLY,  
24 IS NOT PRESENT IN THIS EXHIBIT ANYWHERE. IT SHOULD  
25 NOT --

10:34:07 26 THE COURT: BUT THAT'S THE AGREEMENT THAT  
27 YOU ENTERED IN WITH TWITTER.

10:34:11 28 MS. HAMILL: IT WAS ORDERED BY THE COURT.

1 TWITTER MOVED TO SEAL. TWITTER MOVED THIS COURT TO  
2 SEAL THIS DOCUMENT.

10:34:16 3 THE COURT: OKAY. WELL, I'LL ASSUME YOU'RE  
4 CORRECT AND THAT THAT'S THE RULING. IF THAT'S THE  
5 RULING, IT HASN'T BEEN CHANGED.

10:34:26 6 MS. HAMILL: THAT'S CORRECT, YOUR HONOR.

10:34:27 7 THE COURT: AND I DON'T THINK WE'RE GOING TO  
8 CHANGE IT ON THE FLY HERE THIS MORNING.

10:34:30 9 MS. HAMILL: MY PROPOSED SOLUTION WOULD BE  
10 TO ALLOW THE ALLIANCE TO REFER TO THE REDACTED VERSION  
11 IN OPEN COURT SO THAT WE HAVE A PUBLIC RECORD. AND IF  
12 MR. RAYGOR WISHES TO REFER TO THE REDACTED INFORMATION  
13 ON HIS CASE IN CHIEF, THEN WE CAN HAVE A SEALED  
14 EXHIBIT 21 AND A SEALED TRANSCRIPT.

10:34:56 15 THE COURT: OKAY. THAT COULD WORK,  
16 MR. RAYGOR.

10:35:01 17 MR. RAYGOR: BUT I THINK IT'S GOING TO  
18 HAMSTRING US AND BE UNFAIR TO THE WITNESS BECAUSE IT'S  
19 GOING TO BREAK UP THE FLOW OF TESTIMONY ABOUT  
20 EXHIBIT 21 INTO PIECES THAT WE HAVE TO HAVE, OKAY,  
21 GOING THROUGH THIS CHRONOLOGICALLY PRESUMABLY LIKE WE  
22 HAVE BEEN IN E-MAILS, WE GET TO THIS, WE HAVE TO CLEAR  
23 THE COURTROOM WHETHER WE GET TO THAT PART.

10:35:22 24 THE COURT: WE ALREADY DECIDED YOU ARE GOING  
25 TO BE BREAKING UP HIS TESTIMONY. YOU ARE INTENDING TO  
26 CALL HIM IN YOUR SO-CALLED CASE IN CHIEF FOR SEVERAL  
27 HOURS, SO I DON'T VIEW THAT AS A MAJOR PROCEDURAL  
28 IMPEDIMENT.

10:35:35 1 MR. RAYGOR: THERE ARE TWO OTHER PORTIONS  
2 WHERE THERE IS MATERIAL THAT HAS BEEN REDACTED THAT WE  
3 WOULD USE AND NEED -- THAT'S IMPORTANT FOR OUR  
4 DEFENSE.

10:35:43 5 THE COURT: WELL, I ASSUME THERE WAS MORE  
6 THAN ONE. YOU GAVE ME ONE EXAMPLE. OKAY. NOW YOU  
7 ARE TELLING ME THERE ARE THREE. SO WE CAN DO IT IN  
8 THAT FASHION. I THINK THAT'S A WORKABLE SOLUTION  
9 HERE; THAT THE REDACTED PORTION WILL BE USED DURING  
10 THE 776 EXAMINATION OF MR. MORROW BY MISS HAMILL.  
11 AND TO THE EXTENT YOU WISH TO GET INTO SO-CALLED  
12 UNREDACTED PORTIONS, WHEN WE GET TO YOUR CASE, WE CAN  
13 PROCEED ACCORDINGLY.

10:36:11 14 MR. RAYGOR: I'M JUST CONCERNED IT'S GOING  
15 TO BE DIFFICULT FOR MR. MORROW TO BE QUESTIONED ABOUT  
16 AN E-MAIL, LIKE A QUESTION OR A PART OF IT, AND NOT  
17 KNOW WHAT IT IS THAT FOLLOWS IT OR WHAT THE RESPONSE  
18 IS.

10:36:24 19 THE COURT: IT SEEMS LIKE HE'S A PRETTY  
20 SMART FELLOW. HE'S BEEN DOING A HECK OF A JOB SO FAR.  
21 IF HE RUNS INTO A ROADBLOCK, HE'LL LET US KNOW. BUT  
22 HE ALSO KNOWS THAT YOU'LL HAVE A CHANCE TO ASK  
23 FOLLOW-UP QUESTIONS AT A LATER TIME IN ORDER TO  
24 CLARIFY HIS TESTIMONY.

10:36:39 25 SO TO THE EXTENT THAT'S AN OBJECTION, IT'S  
26 OVERRULED.

10:36:43 27 MR. RAYGOR: OKAY.

10:36:44 28 THE COURT: OKAY? ALL RIGHT. WHY DON'T WE

1 TAKE -- WELL, IS THERE SOMETHING ELSE ON THIS? WE'RE  
2 GOING TO TAKE A SHORT BREAK HERE.

10:36:52 3 MR. RAYGOR: I WAS JUST GOING TO SAY. NO.  
4 LET ME THINK ABOUT IT AND TAKE A BREAK.

10:36:56 5 THE COURT: DURING THE BREAK, YOU'RE FREE TO  
6 TALK TO MISS HAMILL, AND MAYBE YOU CAN WORK OUT  
7 ANOTHER ACCOMMODATION. BUT ANYWAY, MISS HAMILL,  
8 BEFORE WE TAKE OUR RECESS, YOU'RE A LITTLE BIT FARTHER  
9 INTO THE TIME THIS MORNING THAN YOU PREDICTED. SO  
10 WHERE ARE WE?

10:37:12 11 MS. HAMILL: WE ARE -- I SHOULD BE ABLE TO  
12 WRAP UP WITHIN 45 MINUTES. BUT I APOLOGIZE. THIS IS  
13 TAKING LONGER THAN I ANTICIPATED. BUT --

10:37:33 14 THE COURT: YOU ESSENTIALLY DOUBLED YOUR  
15 TIME ESTIMATE. I THINK YOU SAID AN HOUR, AND WE'RE  
16 WELL PAST THE FIRST HOUR, AND THEN YOU ARE GOING TO  
17 ADD ANOTHER 45 MINUTES. ANYWAY, GO AHEAD.

10:37:44 18 MS. HAMILL: I BELIEVE MY ESTIMATE ON THE  
19 WITNESS LIST WAS THREE AND A HALF HOURS.

10:37:49 20 THE COURT: I DON'T WANT TO QUIBBLE WITH  
21 YOU, BUT I ASKED YOU LAST NIGHT.

10:37:53 22 MS. HAMILL: MY OTHER WITNESSES TO TESTIFY  
23 TODAY WILL ONLY BE 10 MINUTES EACH, AND I THINK WE CAN  
24 BREEZE THROUGH THE REST OF THE TESTIMONY AFTER  
25 MR. MORROW.

10:38:01 26 THE COURT: OKAY. AND FOR MY EDIFICATION  
27 AND FOR MR. RAYGOR, WHO IS YOUR NEXT WITNESS TO BE?

10:38:06 28 MS. HAMILL: MISS CYNTHIA ROJAS.

10:38:09 1 THE COURT: AND YOU ANTICIPATED 10 MINUTES  
2 OR LESS?

10:38:12 3 MS. HAMILL: YES, YOUR HONOR.

10:38:12 4 THE COURT: OKAY. WE'LL TAKE 10 MINUTES AT  
5 THIS TIME AND RESUME AT 10 MINUTES TO THE HOUR.

10:38:26 6 THE REPORTER: THANK YOU, YOUR HONOR.

10:38:27 7 (RECESS FROM 10:38 A.M. TO 10:51 A.M.)

10:38:27 8

10:38:27 9 PROCEEDINGS

10:51:48 10 THE JUDICIAL ASSISTANT: PLEASE COME TO  
11 ORDER. COURT IS ONCE AGAIN IN SESSION.

10:51:52 12 THE COURT: ALL RIGHT. WE'RE BACK ON THE  
13 RECORD. ARE THERE ANY AGREEMENTS BETWEEN COUNSEL THAT  
14 SOMEBODY WISHES TO RECITE?

10:51:59 15 MS. HAMILL: YES, YOUR HONOR. I HAVE A COPY  
16 OF THE REDACTED, UNSEALED EXHIBIT 21 THAT IS INCLUDED  
17 AS EXHIBIT 2 TO THE MOTION BEFORE YOU. THAT IS  
18 MISSING PAGE NUMBERS, SO I HANDWROTE THE PAGE NUMBERS  
19 ON. I SHOWED IT TO OPPOSING COUNSEL, AND I'M GOING TO  
20 PROVIDE THIS TO YOU SO YOU HAVE AN EASIER REFERENCE  
21 WHILE WE'RE DISCUSSING IT.

10:52:19 22 THE COURT: OKAY. THANK YOU.

10:52:29 23 AND MR. RAYGOR, YOU HAD A CHANCE TO CONFIRM  
24 PAGINATION?

10:52:33 25 MR. RAYGOR: YES.

10:52:34 26 THE COURT: OKAY. DOES THE WITNESS HAVE A  
27 COPY?

10:52:36 28 MS. HAMILL: THE WITNESS IS USING THE SEALED

1 UNREDACTED VERSION. WE DISCUSSED THIS AS WELL.

10:52:42 2 THE COURT: OKAY.

10:52:43 3 MS. HAMILL: HE IS GOING TO USE THE SEALED  
4 REDACTED VERSION -- I'M SORRY.

10:52:47 5 HE'S GOING TO USE THE SEALED UNREDACTED  
6 VERSION, BUT HE IS NOT GOING TO DISCLOSE THE CONTENTS  
7 THAT WERE REDACTED. SO HE IS NOT GOING TO BE  
8 DISCLOSING THE STATEMENTS MADE BY X CORP. IN THESE  
9 DOCUMENTS, BUT IT WILL BE HELPFUL TO HIM TO SEE WHAT  
10 THE CONTENTS OF HIS INTERACTIONS WERE.

10:53:04 11 THE COURT: ALL RIGHT. WE'LL GO THROUGH IT  
12 SLOWLY AND SHOULD YOU HAVE AN OBJECTION, MR. RAYGOR,  
13 YOU KNOW HOW TO MAKE IT.

10:53:10 14 THE WITNESS: I HAVE A QUESTION, I  
15 APOLOGIZE. HOW WILL I KNOW WHATS REDACTED AND WHAT IS  
16 NOT REDACTED?

10:53:14 17 THE COURT: THAT'S A GOOD QUESTION.

10:53:18 18 MS. HAMILL: X CORP. COMMENTARY. SO DO NOT  
19 REPEAT ANY OF THE STATEMENTS MADE BY X CORP. ANYTHING  
20 SAID BY YOU IS WHAT WE WILL BE DISCUSSING. I'M NOT  
21 GOING TO BE ASKING BUT WHAT X CORP. SAID. I DON'T  
22 EXPECT YOU TO BE SAYING ANYTHING BIT. BUT THE  
23 COMMENTARY BY X CORP. IS WHAT IS -- WHAT WAS REDACTED.  
24 ONLY THEIR COMMENTS.

10:53:37 25 THE COURT: SO IF YOU DON'T UNDERSTAND THE  
26 IMPORT OF HER QUESTION AND HER INSTRUCTION, TELL US  
27 THAT AND SHE'LL REPHRASE.

10:53:46 28 THE WITNESS: I'LL TRY MY BEST AND MAY ASK

1 FOR CLARIFICATION.

10:53:49 2 THE COURT: THANK YOU FOR YOUR FLEXIBILITY.

10:53:52 3 THE WITNESS: NO PROBLEM.

10:53:53 4 Q. (BY MS. HAMILL) SO ON EXHIBIT 21, LET'S GO  
5 TO PAGE 12, EXHIBIT 21, PAGE 12. HAVE YOU SEEN THIS  
6 BEFORE?

10:54:55 7 A. YES.

10:54:56 8 Q. AND SO I BELIEVE EXHIBIT 59 LEFT OFF WITH  
9 THIS FRIDAY, AUGUST 5TH, 5:58 P.M. E-MAIL FROM YOU TO,  
10 I ASSUME, GOV AT TWITTER.COM; CORRECT? YOU SAY,  
11 PLEASE SEE THIS NEWLY SET UP ACCOUNT THAT MAY CONFUSE  
12 PEOPLE. CAN THIS BE SHUT DOWN?

10:55:23 13 A. I SEE THAT, YES.

10:55:24 14 Q. OKAY. AND SO IN EXHIBIT 59, THIS IS  
15 REFLECTED ON EXHIBIT 59, PAGE 3. YOU DON'T NEED TO GO  
16 BACK AND LOOK, BUT I'LL JUST HELP HERE.

10:55:40 17 A. OKAY.

10:55:40 18 Q. HELP YOU FOR THE ORGANIZATION. THE REASON  
19 WHY WE HAD TO BRING EXHIBIT 21 IN IS BECAUSE THERE ARE  
20 MORE COMMUNICATIONS IN THIS THREAD OF COMMUNICATION  
21 THAT WE ARE WERE NOT PRODUCED IN DEFENDANTS'  
22 DOCUMENTS. AND SO WE SORT OF HAVE TO LOOK AT BOTH  
23 BECAUSE THERE ARE SOME COMMUNICATIONS IN EXHIBIT 21  
24 THAT ARE MISSING FROM 59 AND SOME IN 59 THAT ARE  
25 MISSING FROM 21. SO THEY BOTH NEED TO BE TAKEN  
26 TOGETHER TO GET THE FULL CONVERSATION.

10:56:06 27 ALL RIGHT. SO IN YOUR E-MAIL IN EXHIBIT 59,  
28 PAGE 1, YOU SAID, THANK YOU. ON FIRST GLANCE IT LOOKS

1 LIKE IT'S ALREADY BEEN UNLOCKED, AND THEY JUST ADDED  
2 COMMENTARY TO THE NAME, BUT THEY AREN'T REALLY  
3 PROVIDING COMMENTARY. THEY'RE JUST REPOSTING OUR  
4 CONTENT.

10:56:34 5 SO IS IT YOUR UNDERSTANDING THAT ON  
6 AUGUST 10TH TWITTER HAD SUSPENDED THE ALT ACCOUNT, BUT  
7 IT WAS UNLOCKED SHORTLY THEREAFTER?

10:56:43 8 A. I DON'T KNOW IF THEY SUSPENDED BECAUSE I  
9 WASN'T SENT ANY INFORMATION ABOUT THE ACTION THAT THEY  
10 WERE TAKING. ALL THEY TOLD ME WAS THAT IT -- I FORGET  
11 THE EXACT WORDING -- BUT THAT IT WASN'T COMPLIANT AND  
12 THAT I HAD NOTICED THAT IT WAS UNLOCKED, BUT I WAS NOT  
13 AWARE IF IT WAS SUSPENDED OR WHAT ACTION WAS TAKEN.

10:57:01 14 Q. WERE YOU MONITORING THE ACCOUNT?

10:57:05 15 A. I DON'T RECALL.

10:57:06 16 Q. HOW DID YOU KNOW IT WAS UNLOCKED?

10:57:08 17 A. I'M -- I CAN'T RECALL. EITHER SOMEONE SENT  
18 IT TO ME OR I LOOKED IT UP.

10:57:20 19 Q. AND THEN DID YOU HEAR ANYTHING AFTER THAT  
20 AUGUST 10TH E-MAIL YOU SENT TO TWITTER ON 8:00 P.M. --  
21 AT 8:00 P.M.?

10:57:30 22 THE COURT: FROM WHOM?

10:57:32 23 Q. (BY MS. HAMILL) FROM GOV AT TWITTER.COM?

10:57:34 24 THE COURT: I THOUGHT WE WEREN'T GETTING  
25 INTO CORRESPONDENCE FROM TWITTER.

10:57:41 26 MS. HAMILL: GOOD POINT.

10:57:43 27 Q. (BY MS. HAMILL) LET'S GO TO  
28 EXHIBIT 21-EIGHT, PLEASE. AND THIS DOCUMENT HAS



1 BEEN REDACTED BY TWITTER. WHAT IS NOT REDACTED IS  
2 THE PART THAT SAYS, THANKS FOR SENDING US YOUR  
3 REPORT. WE REVIEWED THE ACCOUNT AND REMOVED IT FROM  
4 VIOLATING OUR RULES REGARDING IMPERSONATION.

10:58:15 5 DO YOU SEE THAT?

10:58:17 6 A. I SEE THAT, YES.

10:58:18 7 Q. (BY MS. HAMILL) AND THIS IS FROM TWITTER  
8 SUPPORT, SUPPORT AT TWITTER.COM. IS THAT CORRECT?

10:58:24 9 A. YES.

10:58:24 10 Q. ON AUGUST 23RD, 2022?

10:58:28 11 A. YES.

10:58:30 12 Q. TO E. LESPRON. IS THAT ERICA LESPRON?

10:58:34 13 A. IT IS HER E-MAIL ADDRESS, YES.

10:58:35 14 Q. DOES SHE WORK FOR YOU?

10:58:36 15 A. SHE WORKS IN THE COMMUNICATIONS DEPARTMENT,  
16 YES.

10:58:38 17 Q. WHAT'S HER ROLE?

10:58:39 18 A. NOW SHE IS A PUBLIC INFORMATION ASSISTANT.  
19 AT THE TIME SHE MAY HAVE BEEN AN ADMINISTRATIVE AIDE.  
20 SHE GOT PROMOTED.

10:58:48 21 Q. SO DO YOU KNOW IF MISS LESPRON WAS ALSO  
22 REPORTING THE ALT ACCOUNT TO TWITTER?

10:58:56 23 A. I DON'T RECALL.

10:58:57 24 Q. DID YOU DIRECT HER TO REPORT THE ALT ACCOUNT  
25 TO TWITTER?

10:59:01 26 A. I DON'T RECALL.

10:59:03 27 Q. DID MISS LESPRON TELL YOU THAT SHE RECEIVED  
28 THIS MESSAGE FROM TWITTER?

10:59:10 1 A. I DON'T REMEMBER.

10:59:23 2 Q. OKAY. WE CAN PUT THESE EXHIBITS ASIDE FOR  
3 NOW.

10:59:48 4 SO YOU RECALL ME TAKING YOUR DEPOSITION  
5 JULY 7TH OF 2023; CORRECT?

10:59:53 6 A. I DON'T REMEMBER THE DATE.

10:59:55 7 Q. YOU RECALL TESTIFYING ABOUT THE OPINION  
8 PIECE ENTITLED, QUOTE, BRINGING BACK MASK MANDATE IN  
9 LOS ANGELES COUNTY IS UNJUSTIFIED; CORRECT?

11:00:04 10 A. I REMEMBER, YES.

11:00:05 11 Q. AND WHEN THAT OP-ED WAS PUBLISHED ON  
12 JULY 22ND, 2022, YOU REACHED OUT TO THE EDITOR AT  
13 SOUTHERN CALIFORNIA NEWS GROUP, SAL RODRIGUEZ;  
14 CORRECT?

11:00:14 15 A. HE'S NOT THE EDITOR OF SOUTHERN CALIFORNIA  
16 NEWS GROUP. HE IS THE OPINIONS EDITOR.

11:00:19 17 Q. THANK YOU.

11:00:21 18 A. OF THE -- I'M NOT SURE IF HE'S THE OPINIONS  
19 EDITOR FOR THE ENTIRE SOUTHERN CALIFORNIA NEWS GROUP  
20 OR JUST ONE SPECIFIC NEWSPAPER.

11:00:28 21 Q. AND YOU TOLD MR. RODRIGUEZ, QUOTE THE NEW  
22 OP-ED THAT WAS PUBLISHED HAS A GLARING FALSEHOOD THAT  
23 NEEDS TO BE CORRECTED OR THE PIECE NEEDS TO BE  
24 REMOVED.

11:00:39 25 CORRECT?

11:00:39 26 A. CORRECT, YES.

11:00:42 27 Q. LET'S GO TO EXHIBIT 25, PLEASE?

11:01:02 28 A. THIS ONE?

11:01:03 1 Q. MAY I APPROACH.

11:01:05 2 THE COURT: DO YOU HAVE THE BOOK? FOR 25?

11:01:09 3 THE WITNESS: THIS ONE? OKAY. YEAH. I  
4 HAVE IT.

11:01:11 5 Q. (BY MS. HAMILL) OKAY. PLEASE TURN TO  
6 EXHIBIT 25, PAGE 3. IT STARTS ON PAGE 2, SO LET'S  
7 GO TO EXHIBIT 25, PAGE 2 AT THE VERY BOTTOM.

11:01:23 8 A. OKAY.

11:01:23 9 Q. FRIDAY, JULY 202ND, AT 7:24 P.M., YOU WRITE,  
10 HI SAL. CONTINUES ON THE NEXT PAGE, EXHIBIT 25,  
11 PAGE 3.

11:01:36 12 DO YOU RECALL SENDING THIS E-MAIL TO  
13 MR. RODRIGUEZ?

11:01:38 14 A. I DO, YES.

11:01:39 15 Q. OKAY. AND THEN LET'S GO BACK TO EXHIBIT 25,  
16 PAGE 2. SAL'S RESPONSE TO YOU, JULY 22ND AT 7:31 P.M.  
17 IS THE PIECE HAS BEEN UPDATED TO REFLECT THE REMARKS  
18 WERE REGARDING L.A. COUNTY-USC. DO YOU REMEMBER  
19 MR. RODRIGUEZ SAYING THAT TO YOU?

11:02:00 20 A. YES, I SEE IT NOW.

11:02:02 21 Q. AND THEN AFTER MR. RODRIGUEZ UPDATED THE  
22 PIECE, YOU SENT HIM FOUR MORE E-MAILS, A TEXT MESSAGE  
23 AND HAD AT LEAST ONE PHONE CALL WITH HIM ABOUT THE  
24 PIECE; CORRECT?

11:02:14 25 A. I DON'T SPECIFICALLY REMEMBER HOW MANY  
26 E-MAILS OR TEXTS, BUT I ALSO -- I DO REMEMBER SPEAKING  
27 TO HIM THAT EVENING, YES.

11:02:20 28 Q. OKAY. LET'S GO THROUGH THIS EXHIBIT AND

1 IDENTIFY THE E-MAILS. SO YOU SENT HIM ANOTHER E-MAIL  
2 ON THE 22ND OF JULY AT 7:39 P.M. AND THEN YOU SENT  
3 HIM --

11:02:35 4 A. I DON'T BELIEVE I SENT HIM THAT AT 7:39.

11:02:38 5 Q. I'M SORRY. THAT IS ON A E-MAIL FROM  
6 MR. RODRIGUEZ TO YOU AT 7:39 P.M. AND HE'S SHARING  
7 WHAT THE UPDATE WAS; CORRECT?

11:02:46 8 A. YES.

11:02:47 9 Q. AND THEN EXHIBIT 25, PAGE 1 AT THE BOTTOM,  
10 JULY 22ND, 7:46 P.M., YOU SEND HIM ANOTHER E-MAIL AND  
11 IT LOOKS LIKE YOU'RE TAKING ISSUE WITH HOSPITALIZATION  
12 NUMBERS; CORRECT?

11:03:03 13 A. I DON'T THINK I'M TAKING ISSUES WITH  
14 HOSPITALIZATION NUMBERS.

11:03:08 15 Q. WELL, LET'S LOOK AT YOUR STATEMENT. AT THE  
16 BOTTOM OF EXHIBIT 25, PAGE 1, YOU SAY, HOW IS THE REST  
17 OF THE PIECE EVEN TRUE OR ACCURATE, THEN, IF IT'S  
18 TALKING ABOUT ONE HOSPITAL? THE ENTIRE FRAME AS TO  
19 WHY THE MASKS SHOULD NOT COME BACK IS BECAUSE  
20 HOSPITALIZATIONS -- BECAUSE OF COVID ARE OVERBLOWN IN  
21 THE COUNTY. BUT EACH HOSPITAL CAN SEE DIFFERENT  
22 RATES.

11:03:32 23 A. CORRECT. I SAID THAT, YES.

11:03:33 24 Q. OKAY. SO YOU WERE -- YOU HAD CONCERNS ABOUT  
25 THE HOSPITALIZATION RATES IN THE PIECE; CORRECT?

11:03:38 26 MR. RAYGOR: ASKED AND ANSWERED.

11:03:39 27 THE COURT: OVERRULED.

11:03:40 28 THE WITNESS: NO. MY CONCERN WAS THE

1 FRAMING OF THE PIECE THAT FRAMED IT, BECAUSE THIS ONE  
2 HOSPITAL WAS SEEING -- I'M TRYING TO GET THIS RIGHT.  
3 THIS ONE HOSPITAL WAS SEEING A LOW RATE OF  
4 HOSPITALIZATIONS BECAUSE OF COVID. THE FRAMING OF THE  
5 PIECE IS THAT THAT MUST MEAN THAT IT'S APPLICABLE TO  
6 THE REST OF THE COUNTY. AND TO ME, I DIDN'T THINK  
7 THAT WAS A FAIR COMPARISON TO TAKE WHAT'S HAPPENING AT  
8 ONE HOSPITAL AND SAY THAT THAT IS JUSTIFICATION FOR --  
9 FOR NOT RETURNING MASKS AT THE TIME.

11:04:19 10 Q. (BY MS. HAMILL) DID YOU KNOW AT THAT TIME  
11 THAT THE L.A. COUNTY-USC HOSPITAL WAS A PUBLIC  
12 SAFETY NET HOSPITAL?

11:04:25 13 A. I DON'T KNOW WHAT THAT MEANS.

11:04:27 14 Q. SO THEN LET'S GO BACK TO EXHIBIT 25, PAGE 1.  
15 YOU THEN SEND A FOLLOW-UP ON FRIDAY, JULY 22ND, AT  
16 8:02 P.M. TO MR. RODRIGUEZ. CAN YOU CALL ME AND YOU  
17 GIVE HIM YOUR PHONE NUMBER.

11:04:39 18 AND THEN ABOVE THAT, YOU SEND HIM ANOTHER  
19 FOLLOW-UP, JULY 22ND, 11:22 P.M. AND YOU SAY, THANKS  
20 FOR CHATTING EARLIER, SAL.

11:04:47 21 DID YOU GUYS HAVE A PHONE CONVERSATION?

11:04:49 22 A. WE DID, YES.

11:04:50 23 Q. HOW LONG WAS THE PHONE CONVERSATION?

11:04:52 24 A. I DON'T RECALL. BUT IT WAS CUT OFF BECAUSE  
25 I WAS PICKING UP FOOD FOR MY WIFE.

11:04:57 26 Q. OKAY. AND THEN LET'S GO TO EXHIBIT 28,  
27 PLEASE. DO YOU HAVE THAT IN FRONT OF YOU?

11:05:18 28 A. I DO, YES.

11:05:19 1 Q. DO YOU RECALL TEXTING SAL RODRIGUEZ ON  
2 JULY 23RD, 2022, AT 3:14 P.M. HEY SAL, BRETT FROM  
3 DHP. JUST WANTED TO CHECK IN ABOUT THE PIECE AGAIN?

11:05:31 4 A. CORRECT, YES.

11:05:31 5 Q. WHAT WERE YOU TRYING TO DO ON JULY 23RD WITH  
6 THAT TEXT MESSAGE TO MR. RODRIGUEZ?

11:05:38 7 A. THE ENDING OF OUR PHONE CALL WAS, HE SAID  
8 THAT HE WAS GOING TO LOOK AT THE PIECE. I DON'T  
9 RECALL IF HE SAID HE WAS GOING TO DISCUSS IT WITH  
10 OTHERS AND THAT HE WOULD GET BACK TO ME. AND THAT WE  
11 WOULD DISCUSS THE NEXT DAY.

11:05:54 12 BUT I NEVER HEARD BACK FROM HIM AGAIN.

11:05:56 13 Q. WERE ANY CHANGES MADE TO THE PIECE THAT  
14 YOU'RE AWARE OF AFTER JULY 23RD?

11:06:02 15 A. I DON'T RECALL. BUT I DO KNOW THAT THERE  
16 WAS ONE CHANGE MADE ON JULY 22ND AFTER MY INITIAL  
17 E-MAIL.

11:06:08 18 Q. THANK YOU.

11:06:24 19 WOULD YOU AGREE THAT YOUR ATTEMPTS TO KILL  
20 THAT OP-ED FAILED?

11:06:29 21 MR. RAYGOR: OBJECTION. LACKS FOUNDATION.

11:06:33 22 THE COURT: OVERRULED.

11:06:34 23 THE WITNESS: YOU CAN'T REALLY KILL A STORY  
24 AFTER IT'S BEEN PUBLISHED. YOU CAN REALLY ONLY KILL A  
25 STORY BEFORE IT'S BEEN PUBLISHED.

11:06:42 26 Q. (BY MS. HAMILL) DID YOU TRY TO KILL IT  
27 AFTER IT WAS PUBLISHED?

11:06:45 28 A. YOU CAN'T REALLY -- THE VERBIAGE IS ALL

1 INCORRECT. YOU CAN'T KILL SOMETHING THAT'S -- TO USE  
2 THE METAPHOR, ALIVE, BASICALLY. AND PLUS, THIS ISN'T  
3 A STORY. THIS IS AN OP-ED.

11:07:02 4 Q. ALL RIGHT. WE ARE MOVING BACK TO  
5 EXHIBIT 45.

11:07:32 6 OKAY. SO JUST AFTER MIDNIGHT ON JULY 30TH,  
7 YOU DIRECTED FRASER TO CLOSE PUBLIC COMMENTARY ON ALL  
8 OF THE DEPARTMENT OF PUBLIC HEALTH'S SOCIAL MEDIA  
9 POSTS; CORRECT?

11:07:42 10 A. YES.

11:07:43 11 Q. AND YOU SAID --

11:07:45 12 A. FRASER AND DHP STAFF.

11:07:47 13 Q. FRASER AND DHP STAFF?

11:07:49 14 A. CORRECT.

11:07:49 15 Q. THANK YOU.

11:07:50 16 AND YOUR STATEMENT WAS, I'M OVER PEOPLE  
17 RIGHT NOW. LOL. CORRECT?

11:07:54 18 A. CORRECT. IN THAT E-MAIL, YES. THAT IS WHAT  
19 I SAID.

11:07:57 20 Q. AND YOU WERE OVER ANTI-MASKERS; CORRECT?

11:07:59 21 A. NO. I WOULDN'T AGREE WITH THAT.

11:08:01 22 Q. YOU WERE OVER OPPONENTS; CORRECT?

11:08:04 23 A. NO.

11:08:04 24 Q. YOU SAID IN YOUR DEPOSITION THAT YOU MADE  
25 THE DECISION TO CLOSE COMMENTS BECAUSE, QUOTE --  
26 BECAUSE YOU WERE, QUOTE, GENERALLY CONCERNED ABOUT A  
27 LOT OF MISINFORMATION AND ABOUT HOW OUR CHANNELS WERE  
28 BEING USED, END QUOTE.

11:08:18 1 CORRECT?

11:08:18 2 A. I DID SAY THAT AT ONE POINT, YES.

11:08:21 3 Q. YOU SAID YOU WERE WORRIED ABOUT QUOTE PEOPLE  
4 SPREADING FALSEHOODS, PEOPLE BULLYING EACH OTHER.  
5 HARASSING ONE ANOTHER, CURSING AT ONE ANOTHER, END  
6 QUOTE.

11:08:31 7 CORRECT?

11:08:31 8 A. I DON'T REMEMBER SPECIFICALLY.

11:08:33 9 Q. LET'S GO TO PAGE 57, LINE 7 THROUGH 9 OF THE  
10 DEPOSITION OF MR. MORROW.

11:08:40 11 A. WHAT PAGE AGAIN?

11:08:41 12 Q. 57.

11:08:43 13 THE COURT: WE'RE LOOKING AT HIS DEPOSITION  
14 OR AN EXHIBIT?

11:08:47 15 MS. HAMILL: DEPOSITION TRANSCRIPT.

11:08:48 16 MAY I APPROACH?

11:08:49 17 THE COURT: SURE.

11:08:50 18 THE WITNESS: I DON'T HAVE IT.

11:08:51 19 MS. HAMILL: IT'S BEHIND YOU.

11:09:02 20 THE WITNESS: PAGE 57?

11:09:03 21 MS. HAMILL: YES.

11:09:15 22 THE COURT: DO YOU WANT HIM TO READ LINES 7  
23 THROUGH -- WELL, 7 STARTS WITH AN ANSWER.

11:09:20 24 MS. HAMILL: I'LL READ 5 THROUGH 9 ON  
25 PAGE 57.

11:09:24 26 THE COURT: JUST A SECOND.

11:09:30 27 GO AHEAD.

11:09:32 28 Q. (BY MS. HAMILL) QUESTION: WHETHER YOU SAY



1 HOW ARE CHANNELS WERE BEING USED, WHAT DO YOU MEAN  
2 SPECIFICALLY?

11:09:38 3 ANSWER: RATHER, IT COULD BE PEOPLE  
4 SPREADING FALSEHOODS, PEOPLE BULLYING EACH OTHER,  
5 HARASSING ONE ANOTHER, CURSING AT ONE ANOTHER.

11:09:47 6 DOES THAT REFRESH YOUR RECOLLECTION THAT  
7 THAT WAS YOUR TESTIMONY?

11:09:50 8 A. YES.

11:09:51 9 Q. IS THAT STILL YOUR TESTIMONY TODAY?

11:09:53 10 A. YES.

11:09:56 11 Q. AND REGARDING FALSEHOODS, YOU TESTIFIED THAT  
12 YOU WERE CONCERNED THAT PEOPLE SAID THE COUNTY WAS  
13 OVERINFLATING CASE NUMBERS, DEATHS, AND  
14 HOSPITALIZATIONS; RIGHT?

11:10:07 15 A. I REMEMBER SAYING THAT, YES.

11:10:09 16 Q. BUT THE COUNTY WAS OVERINFLATING CASE  
17 NUMBERS, DEATHS AND HOSPITALIZATIONS, WASN'T IT?

11:10:15 18 MR. RAYGOR: OBJECTION. LACKS FOUNDATION OR  
19 EXPERTISE ON THE SUBJECT ON THE PART OF THIS WITNESS.

11:10:25 20 THE COURT: OVERRULED. YOU MAY TESTIFY IF  
21 YOU KNOW.

11:10:27 22 THE WITNESS: I'M NOT AN EPIDEMIOLOGIST OR  
23 A PUBLIC HEALTH EXPERT, SO I CAN'T ANSWER THAT.

11:10:35 24 Q. (BY MS. HAMILL) SO YOU DON'T KNOW IF THESE  
25 STATEMENTS WERE FALSE. I JUST KNOW THAT THEY  
26 CONFLICTED WITH WHAT FERRER SAID; CORRECT?

11:10:42 27 A. I WOULDN'T SAY WHAT DR. FERRER SAID. THAT'S  
28 WHAT OUR ENTIRE TEAM OF EXPERTS AND EPIDEMIOLOGISTS

1 AND PUBLIC HEALTH EXPERTS DETERMINE, ALONG WITH OTHER  
2 AGENCIES.

11:10:58 3 Q. AND WHEN I ASKED YOU ABOUT BULLYING AND  
4 HARASSMENT, YOU TESTIFIED THAT, QUOTE, PEOPLE ARGUING  
5 WITH ANGER, MAKING PERSONAL ATTACKS TO OTHER PEOPLE,  
6 CURSING AT ONE ANOTHER, JUST GENERAL BULLYING AND  
7 HARASSMENT BEHAVIOR.

11:11:11 8 DO YOU REMEMBER THAT?

11:11:12 9 A. I DO, YES, AND THAT WAS MY MAIN CONCERN.

11:11:14 10 Q. AND SO YOU FELT IT WAS YOUR DUTY AS THE  
11 COMMUNICATION CHIEF FOR THE DEPARTMENT OF PUBLIC  
12 HEALTH TO POLICE HOW THE PUBLIC INTERACTS WITH ONE  
13 ANOTHER IN THE COMMENTS SECTION; CORRECT?

11:11:26 14 A. I DON'T KNOW THAT I WOULD AGREE WITH THAT  
15 FRAMING.

11:11:28 16 Q. AND THE MEAN COMMENTS WEREN'T REALLY BETWEEN  
17 USERS. THEY WERE MOSTLY DIRECTED AT THE GOVERNMENT,  
18 WEREN'T THEY, TO YOU AND TO FERRER?

11:11:38 19 A. NO, NOT ENTIRELY.

11:11:39 20 Q. WE WENT THROUGH --

11:11:41 21 A. OH --

11:11:42 22 Q. I'M SORRY.

11:11:43 23 A. A LOT OF THEM WERE BETWEEN USERS AS WELL.

11:11:46 24 Q. WE WENT THROUGH SEVERAL EXHIBITS YESTERDAY  
25 DURING YOUR TESTIMONY WHERE WE LOOKED AT SOME TWEETS  
26 FROM THE DEPARTMENT OF PUBLIC HEALTH IN JULY OF 2022.

11:11:54 27 A. UH-HUH.

11:11:55 28 Q. DO YOU RECALL LOOKING AT THOSE?

11:11:57 1 A. I RECALL FLIPPING THROUGH THEM, YES.

11:11:58 2 Q. AND WE LOOKED TRY THE REPLIES AND THERE WERE  
3 HUNDREDS OF REPLIES TO THOSE IT WAS FROM THE  
4 DEPARTMENT OF PUBLIC HEALTH; CORRECT?

11:12:04 5 A. WE BRIEFLY WENT THROUGH THEM, YES.

11:12:06 6 Q. AND WE DISCUSSED HOW THEY WERE GENERALLY  
7 VERY ANGRY; CORRECT?

11:12:10 8 A. SOME OF THEM WERE, YES.

11:12:11 9 Q. AND THE ANGER IN THOSE REPLIES WAS REALLY  
10 DIRECTED AT THE GOVERNMENT, WASN'T IT?

11:12:20 11 A. I CAN'T NECESSARILY SAY. I ONLY LOOKED AT A  
12 FEW OF THEM. I FLIPPED THROUGH THEM. BUT GENERALLY,  
13 IT SEEMED AS THOUGH PEOPLE WERE ANGRY WHAT I DID  
14 SAW -- WHAT I DID SEE.

11:12:29 15 Q. AND YOU HAD REPORTED COMMENTS TO TWITTER  
16 USING THE REPORT FUNCTION IN THE APP; CORRECT?

11:12:36 17 A. I BELIEVE I DID, YES.

11:12:38 18 Q. BUT THAT REPORTING FAILED, SO YOU HAD TO  
19 ESCALATE TO THE HIGHEST LEVELS OF TWITTER AND SHUT OFF  
20 COMMENTS TO MAKE THE CRITICAL TWEETS STOP, DIDN'T YOU?

11:12:46 21 A. I WOULDN'T NECESSARILY SAY THAT.

11:12:48 22 Q. AND YOU TESTIFIED THAT IT WAS YOUR IDEA TO  
23 CLOSE COMMENTS AND THAT YOU DISCUSSED IT WITH COUNSEL  
24 AND BARBARA FERRER; CORRECT?

11:12:55 25 A. IN EARLY JULY, YES.

11:12:56 26 Q. AND YOU ALSO TESTIFIED THAT YOU DIDN'T  
27 CONSIDER ANY ALTERNATIVES TO COMPLETELY CLOSING OFF  
28 PUBLIC COMMENTS; CORRECT?

11:13:04 1 A. CORRECT.

11:13:04 2 Q. LET'S GO TO EXHIBIT 37, PLEASE.

11:13:20 3 DO YOU NEED ASSISTANCE?

11:13:22 4 A. I DON'T THINK I HAVE 37.

11:13:23 5 MS. HAMILL: MAY I APPROACH?

11:13:25 6 THE COURT: YES.

11:13:51 7 Q. (BY MS. HAMILL) HAVE YOU SEEN THIS  
8 DOCUMENT BEFORE, MR. MORROW?

11:13:53 9 A. I HAVE, YES.

11:13:54 10 Q. SO THIS DOCUMENT SHOWS THAT ON AUGUST 4TH,  
11 2022 IS -- I'M LOOKING AT EXHIBIT 37, PAGE 1 -- YOU  
12 PROVIDED A STATEMENT TO FOX 11, MARLA TELLEZ AND  
13 ELIZABETH FORD REGARDING WHY YOU CLOSED DOWN PUBLIC  
14 COMMENTS; CORRECT?

11:14:15 15 A. CORRECT.

11:14:16 16 Q. AND YOU SAID, QUOTE, PUBLIC HEALTH HAS ZERO  
17 TOLERANCE FOR THREATS, BULLYING, OR HARASSMENT ON ANY  
18 OF OUR PLATFORMS AND MADE THE DECISION TO DISABLE  
19 SOCIAL MEDIA COMMENTS AFTER RECEIVING CONCERNS FROM  
20 NUMEROUS RESIDENTS WHO WERE BEING TARGETED.

11:14:34 21 DO YOU REMEMBER SAYING THAT?

11:14:36 22 A. I DO, YES.

11:14:37 23 Q. AND THEN YOU CONTINUED, RESIDENTS WHO WISHED  
24 TO SHARE THEIR THOUGHTS WITH PUBLIC HEALTH ON SOCIAL  
25 MEDIA CAN STILL DO SO BY SENDING DIRECT MESSAGES TO  
26 OUR ACCOUNTS.

11:14:46 27 DO YOU REMEMBER SAYING THAT?

11:14:47 28 A. I DO, YES.

11:14:48 1 Q. BUT YOU'VE NOT BEEN ABLE TO IDENTIFY ANY  
2 EXAMPLES OF RESIDENTS BEING TARGETED; RIGHT?

11:14:54 3 A. I DO RECALL RESIDENTS SAYING THAT AND  
4 RESIDENTS BEING HARASSED AND BULLIED AND RECEIVING  
5 VEILED THREATS WITHIN THE COMMENTS SECTION OF OUR  
6 POSTS, AND I REMEMBER OBSERVING THAT.

11:15:08 7 Q. CAN YOU GIVE ME ONE EXAMPLE, PLEASE.

11:15:13 8 A. I CAN'T GIVE YOU A SPECIFIC EXAMPLE, BUT I  
9 CAN GIVE YOU THE GIST OF SOME OF THE BACK AND FORTH.

11:15:21 10 Q. I ASKED YOU HOW TO DETERMINE WHETHER  
11 SOMETHING IS MISINFORMATION DURING YOUR DEPOSITION;  
12 CORRECT?

11:15:32 13 A. I REMEMBER THAT, YES.

11:15:33 14 Q. AND I ASKED IF YOU CONSIDERED SOMETHING THAT  
15 DEVIATED FROM WHAT BARBARA FERRER SAYS TO BE  
16 MISINFORMATION, AND YOU SAID, QUOTE, WE DETERMINE  
17 WHAT'S CREDIBLE AND ALSO WHAT MAKES SENSE FOR MOST OF  
18 THE LOS ANGELES, LOS ANGELES COUNTY, AND THAT'S WHAT  
19 WE PROVIDE TO PEOPLE, WHAT'S DETERMINED TO BE CREDIBLE  
20 OR ACCURATE OR MAKING THE MOST SENSE FOR OUR COUNTY'S  
21 RESIDENTS.

11:15:57 22 DO YOU REMEMBER TESTIFYING THAT?

11:16:00 23 A. I DON'T SPECIFICALLY RECALL IF THAT'S MY  
24 EXACT QUOTE.

11:16:05 25 Q. LET'S PULL IT UP. PAGE 85, LINES 23 TO 25  
26 THROUGH PAGE 86, 1 THROUGH 10.

11:16:14 27 A. BACK HERE?

11:16:15 28 THE COURT: BACK TO THE DEPOSITION. DOES

1 THE WITNESS STILL HAVE A COPY?

11:16:19 2 Q. (BY MS. HAMILL) YES.

11:16:20 3 THE WITNESS: I STILL HAVE IT. I'M GETTING  
4 USED TO THIS.

11:16:23 5 WHAT PAGE?

11:16:23 6 Q. (BY MS. HAMILL) PAGE 85, PLEASE, LINES 13  
7 THROUGH 25?

11:16:28 8 A. OPENED UP TO PAGE 86. YES.

11:16:50 9 Q. TO MAKE IT EASIER, I THINK I'M JUST GOING TO  
10 SKIP AND READ FROM PAGE 86, LINE 5 THROUGH LINE 10 TO  
11 SAVE TIME.

11:17:02 12 THE COURT: ALL RIGHT. GO AHEAD.

11:17:03 13 Q. (BY MS. HAMILL) QUESTION: HOW WOULD YOU  
14 SAY IT?

11:17:06 15 ANSWER: WE DETERMINE WHAT'S CREDIBLE AND  
16 ALSO WHAT MAKES SENSE MOST FOR THE LOS ANGELES,  
17 LOS ANGELES COUNSEL COUNTY AND THAT'S WHAT WE PROVIDE  
18 TO PEOPLE, WHAT'S DETERMINED TO BE CREDIBLE OR  
19 ACCURATE OR MAKING THE MOST SENSE FOR OUR COUNTY'S  
20 RESIDENTS.

11:17:21 21 DOES THAT REFRESH YOUR RECOLLECTION THAT  
22 THAT IS YOUR TESTIMONY?

11:17:24 23 A. IT DOES, YES.

11:17:24 24 Q. IS THAT STILL YOUR TESTIMONY TODAY?

11:17:27 25 A. I WOULD SAY SO, BUT I WOULD ALSO ADD THAT IT  
26 IS MUCH MORE COMPLICATED AND NUANCED AND I THINK YOUR  
27 QUESTION GENERALLY ABOUT HOW WE DETERMINE WHAT IS  
28 MISINFORMATION IS -- IS VERY GENERAL. IT'S MUCH MORE

1 COMPLICATED THAN THAT.

11:17:43 2 Q. SO WOULD IT BE FAIR TO SAY THAT IN YOUR  
3 OPINION THE DEPARTMENT OF PUBLIC HEALTH DETERMINES  
4 WHAT IS CREDIBLE AND ACCESSIBLE TO THE PUBLIC?

11:17:52 5 A. DEPENDING ON THE PIECE OF INFORMATION, YES.  
6 BUT I WOULD GENERALLY QUIBBLE AND HAVE ISSUES WITH THE  
7 FRAMING OF THAT AND HOW THAT CAN BE -- MY GENERAL  
8 AGREEMENT, HOW THAT COULD BE INTERPRETED.

11:18:08 9 Q. AND AS COMMUNICATIONS CHIEF, YOU ONLY WANT  
10 INFORMATION DEEMED CREDIBLE BY THE DEPARTMENT OF  
11 PUBLIC HEALTH BEING SHARED IN TRADITIONAL MEDIA AND  
12 DIGITAL MEDIA; CORRECT?

11:18:20 13 A. SHARED? I'M SORRY. CAN YOU REPEAT THE  
14 QUESTION?

11:18:24 15 Q. AS COMMUNICATIONS CHIEF, YOU ONLY WANT  
16 INFORMATION DEEMED CREDIBLE BY THE DEPARTMENT OF  
17 PUBLIC HEALTH BEING SHARED IN TRADITIONAL MEDIA AND  
18 DIGITAL MEDIA.

11:18:38 19 A. I WOULD NOT NECESSARILY AGREE WITH THAT.  
20 IT'S NOT THAT I DON'T WANT IT. PEOPLE CAN HAVE OTHER  
21 OPINIONS OR OTHER VIEWPOINTS, AND THEY ARE ALLOWED TO  
22 SHARE THAT INFORMATION THROUGH TRADITIONAL MEDIA OR  
23 SOCIAL MEDIA AS WELL.

11:18:56 24 SO I DON'T AGREE WITH THE FRAMING OF THAT  
25 QUESTION.

11:18:58 26 Q. AND YOU TESTIFIED THAT YOU WON'T CONSIDER  
27 REOPENING PUBLIC COMMENTS BECAUSE, QUOTE, YOU REMAIN  
28 CONCERNED ABOUT THE SPREAD OF MISINFORMATION AND HOW

1 OUR CHANNELS MAY POTENTIALLY BE USED IN INAPPROPRIATE  
2 WAYS, END QUOTE.

11:19:11 3 DO YOU REMEMBER SAYING THAT?

11:19:12 4 A. I REMEMBER SAYING THAT, AND I REMEMBER MORE  
5 SO BEING CONCERNED ABOUT THE BULLYING, HARASSMENT, AND  
6 VEILED THREATS THAT WERE HAPPENING WITHIN OUR COMMENTS  
7 SECTION.

11:19:24 8 Q. AT THE TIME YOU DECIDED TO SHUT OFF PUBLIC  
9 COMMENTS, THE BOARD OF SUPERVISOR WERE NOT ALLOWING  
10 THE PUBLIC TO ATTEND THEIR MEETINGS IN PERSON;  
11 CORRECT?

11:19:32 12 A. I DON'T REMEMBER.

11:19:32 13 Q. LET'S GO TO PAGE 62, LINES 14 TO 24, OF YOUR  
14 DEPOSITION, PLEASE.

11:19:51 15 A. 62, YOU SAID?

11:19:52 16 Q. SIXTY-TWO, LINES 14 THROUGH 24.

11:19:56 17 A. I DON'T THINK I'M ON THE RIGHT ONE, THEN.

11:19:58 18 MR. RAYGOR: I THINK -- SORRY, YOUR HONOR.

11:20:01 19 MS. HAMILL: TRANSCRIPT.

11:20:02 20 MR. RAYGOR: I THINK SHE'S TALKING ABOUT THE  
21 DEPOSITION TRANSCRIPT.

11:20:05 22 THE WITNESS: THANK YOU. I THOUGHT I WAS  
23 ALL SLICK.

11:20:15 24 OKAY. I'M HERE.

11:20:17 25 Q. (BY MS. HAMILL) OKAY. I AM GOING TO READ  
26 STARTING AT LINE 14.

11:20:19 27 QUESTION: DOES THIS DOCUMENT REFRESH YOUR  
28 RECOLLECTION THAT THE BOARD OF SUPERVISORS MEETINGS



1 REOPENED TO THE PUBLIC ON SEPTEMBER 27TH OF 2022?

11:20:28 2 ANSWER: IT DOES, YES.

11:20:30 3 QUESTION: AND THE DECISION TO DISABLE  
4 PUBLIC COMMENTS WAS MADE IN JULY OF 2022; CORRECT?

11:20:36 5 ANSWER: YES.

11:20:38 6 QUESTION: AND SO AT THAT TIME THAT THAT  
7 DECISION WAS MADE TO CLOSE PUBLIC COMMENTS, THE PUBLIC  
8 COULD NOT ATTEND BOARD OF SUPERVISORS MEETINGS IN  
9 PUBLIC; CORRECT?

11:20:48 10 ANSWER: CORRECT, YES.

11:20:50 11 DOES THAT REFRESH YOUR RECOLLECTION?

11:20:53 12 A. IT DOES, BUT I DON'T RECALL WHAT DOCUMENT WE  
13 WERE REFERRING TO ON LINE 14.

11:20:58 14 MR. RAYGOR: AND YOUR HONOR, THAT LAST LINE,  
15 THE CORRECT, YES, WAS CORRECTED BY MR. MORROW AFTER  
16 THE DEPOSITION BEFORE IT WAS CERTIFIED.

11:21:08 17 THE COURT: DO WE HAVE THOSE CORRECTIONS AS  
18 PART OF THIS?

11:21:13 19 MR. RAYGOR: THEY SHOULD BE PART OF IT, YES.

11:21:16 20 MS. HAMILL: THEY ARE -- THEY ARE AT THE  
21 END.

11:21:19 22 THE COURT: I ALSO HAVE HIS DECLARATION AT  
23 THE FRONT OF HIS VOLUME.

11:21:22 24 MR. RAYGOR: THE DECLARATION OF BRETT MORROW  
25 RE DEPOSITION TRANSCRIPT CORRECTIONS?

11:21:27 26 THE COURT: YES.

11:21:27 27 MR. RAYGOR: IF YOU LOOK AT PAGE --

11:21:29 28 THE COURT: I SEE THE CORRECTION, YES.

11:21:32 1 MR. RAYGOR: CORRECT, YES, AS TO IN-PERSON  
2 ATTENDANCE.

11:21:53 3 Q. (BY MS. HAMILL) AND I CAN TAKE TIME TO  
4 FIND THE SPECIFIC EXHIBIT, BUT I DON'T THINK IT'S  
5 NECESSARY AT THIS POINT. I JUST WANTED TO REFRESH  
6 YOUR RECOLLECTION THAT THE FACT -- ABOUT THE FACT  
7 THAT THE BOARD OF SUPERVISOR MEETINGS WERE CLOSED TO  
8 THE PUBLIC UNTIL SEPTEMBER OF 2022.

11:22:08 9 A. OKAY.

11:22:09 10 Q. DOES THIS TRANSCRIPT REFRESH YOUR MEMORY?

11:22:13 11 A. AS DOES OUR EXCHANGE, YES.

11:22:17 12 Q. OKAY. THANK YOU.

11:22:19 13 AND YOU TESTIFIED THAT MEMBERS OF THE PUBLIC  
14 COULD CONTACT YOU BY E-MAIL AND SEND YOU DIRECT  
15 MESSAGES ON SOCIAL MEDIA; CORRECT?

11:22:28 16 A. ARE YOU TALKING ABOUT ME PERSONALLY?

11:22:29 17 Q. YES.

11:22:30 18 A. OR -- ON MY PERSONAL ACCOUNTS?

11:22:37 19 Q. OR THE DEPARTMENT.

11:22:39 20 A. YES. THOSE ARE SEVERAL WAYS THAT PEOPLE  
21 COULD CONTACT US AND ASK QUESTIONS, BUT THERE ARE  
22 MANY, MANY OTHER WAYS AS WELL. THOSE ARE NOT THE ONLY  
23 TWO.

11:22:49 24 Q. WERE YOU AWARE THAT BARBARA FERRER WAS  
25 HAVING PEOPLE BLOCKED FROM SENDING E-MAILS TO THE  
26 COUNTY?

11:22:53 27 A. I DON'T REMEMBER THAT, NO.

11:22:55 28 Q. AND YOU TESTIFIED THAT YOUR TEAM RESPONDS

1 TO DIRECT MESSAGES ON SOCIAL MEDIA; CORRECT?

11:23:01 2 A. WE TRY TO DO OUR BEST AS BEST WE CAN, YES.

11:23:04 3 Q. AND YOUR E-MAIL ADDRESS IS THE ONE TIED TO  
4 THE @LAPUBLICHEALTH HANDLE ON TWITTER; CORRECT?

11:23:14 5 A. I DON'T REMEMBER.

11:23:15 6 Q. LET'S GO TO EXHIBIT 74, PLEASE.

11:23:39 7 DO YOU RECOGNIZE THIS AS BEING THE ACCOUNT  
8 INFORMATION PAGE FOR THE @LAPUBLICHEALTH TWITTER PAGE?

11:23:47 9 A. THIS IS THE ACCOUNT, GENERAL INFORMATION TAB  
10 ON THE ACCOUNT PAGE FOR THE ARCHIVE, BUT IT IS NOT ON  
11 THE TWITTER PLATFORM ITSELF.

11:23:59 12 Q. THIS IS FROM THE ARCHIVE OF THE DEPARTMENT'S  
13 TWITTER ACCOUNT; CORRECT?

11:24:04 14 A. EXACTLY, YES.

11:24:05 15 Q. AND I WANT YOU TO FOCUS IN ON THE E-MAIL  
16 CHANGES THAT STARTED AT THE BOTTOM OF EXHIBIT 74,  
17 PAGE 1, AND CONTINUE ON EXHIBIT 74, PAGE 2. IT'S  
18 PROBABLY EASIER TO GO TO EXHIBIT 74, PAGE 2, BECAUSE  
19 THIS CONTAINS THE FULL LIST OF E-MAIL CHANGES.

11:24:30 20 A. I SEE IT, YES.

11:24:31 21 Q. AND THIS APPEARS TO SHOW THAT ON JUNE 3RD,  
22 2020, THIS DEPARTMENT OF PUBLIC HEALTH ACCOUNT WAS  
23 ASSIGNED TO YOU, B MORROW @PH DOT L.A. COUNTY .GOV.  
24 IS THAT CORRECT?

11:24:45 25 A. I WOULDN'T SAY IT'S ASSIGNED TO ME, BUT MY  
26 E-MAIL ADDRESS WAS ASSOCIATED WITH IT.

11:24:51 27 Q. AND THEN THAT SHIFTED TO MISS LESPRON ON  
28 JANUARY 17TH, 2023; CORRECT?

11:25:00 1 A. IT DID, YES.

11:25:01 2 Q. AND THEN IT SHIFTED BACK TO YOU ON  
3 APRIL 13TH OF 2023; CORRECT?

11:25:05 4 A. YES.

11:25:05 5 Q. OKAY. IN THE LEFT-HAND SIDE ON EXHIBIT 74,  
6 PAGE 1 SHOWS THAT THE ARCHIVE WAS CREATED ON  
7 APRIL 26TH, 2023; CORRECT?

11:25:21 8 A. I SEE IT, YES.

11:25:29 9 Q. SO IS IT FAIR TO SAY THAT FROM JUNE 3RD,  
10 2020 THROUGH JANUARY 17TH, 2023, WERE YOU HANDLING THE  
11 DIRECT MESSAGE RESPONSES TO THE DEPARTMENT OF PUBLIC  
12 HEALTH TWITTER ACCOUNT?

11:25:46 13 A. NOT PRIMARILY, NO. THERE WERE OTHER PEOPLE,  
14 BUT I WOULD DO IT AT TIMES, AND I WOULD SAY MOSTLY,  
15 YES.

11:25:52 16 Q. AND YOU WOULD SOMETIMES ENGAGE WITH FRIENDS  
17 IN THE DM'S OF THE DEPARTMENT OF PUBLIC HEALTH  
18 ACCOUNT; CORRECT?

11:25:58 19 A. I BELIEVE ONE TIME I DID.

11:25:59 20 Q. WHEN I SAY DM'S, DO YOU KNOW WHAT I'M  
21 TALKING ABOUT?

11:26:02 22 A. DIRECT MESSAGES.

11:26:03 23 Q. THANK YOU.

11:26:05 24 CAN WE GO TO EXHIBIT 20, PLEASE. THAT'S THE  
25 TRANSCRIPT.

11:26:29 26 A. OH.

11:26:30 27 Q. DO YOU WANT ME TO HELP?

11:26:32 28 A. PAGE 20 OF THE TRANSCRIPT?

11:26:34 1 THE COURT: WHY DON'T YOU ASSIST THE  
2 WITNESS.

11:26:36 3 MS. HAMILL: THANK YOU.

11:26:37 4 THE WITNESS: SORRY.

11:26:40 5 MS. HAMILL: HERE YOU GO.

11:26:43 6 THE WITNESS: OKAY.

11:26:48 7 Q. (BY MS. HAMILL) DO YOU RECOGNIZE THIS  
8 MESSAGE ON EXHIBIT 20, PAGE 1?

11:26:52 9 A. I DO, YES.

11:26:53 10 Q. DID YOU SEND THIS MESSAGE?

11:26:54 11 A. I DID, YES.

11:26:56 12 Q. AND TURN TO PAGE, EXHIBIT 20, PAGE 2, DO YOU  
13 RECOGNIZE THIS MESSAGE?

11:27:03 14 A. I --

11:27:04 15 Q. OR THIS SET OF DIRECT MESSAGES?

11:27:05 16 A. I DO, YES.

11:27:06 17 Q. AND THIS IS YOU COMMUNICATING FROM THE  
18 DEPARTMENT OF PUBLIC HEALTH TWITTER ACCOUNT?

11:27:11 19 A. IT APPEARS SO, YES.

11:27:13 20 Q. AND THE SECOND MESSAGE YOU SENT SAYS, I JUST  
21 SAW THIS FOLLOW AND SAW ALL THE GOP HATE ON YOUR  
22 TIMELINE.

11:27:20 23 WHAT ARE YOU REFERRING TO?

11:27:22 24 A. THE PERSON I WAS SPEAKING WITH WAS RATHER  
25 PASSIONATE ABOUT POLITICS.

11:27:27 26 Q. WHO WAS THE PERSON YOU WERE SPEAKING WITH?

11:27:30 27 A. HER NAME IS CARRIE DAVIS. C. A. R R I.E.  
28 DAVIS SPELLED NORMALLY.

11:27:39 1 THE REPORTER: THANK YOU.

11:27:42 2 Q. (BY MS. HAMILL) AND MEMBERS OF THE PUBLIC  
3 WERE NOT ALLOWED TO ATTEND THE DEPARTMENT'S PUBLIC  
4 HEALTH BRIEFINGS; CORRECT?

11:27:50 5 A. WELL --

11:27:51 6 Q. THE WEEKLY PUBLIC HEALTH BRIEFINGS BY  
7 BARBARA FERRER?

11:27:56 8 A. MEDIA BRIEFINGS, TELEBRIEFINGS? WE HELD  
9 MANY TYPES OF BRIEFINGS.

11:28:00 10 Q. THE MEDIA BRIEFINGS.

11:28:03 11 A. AT THE TIME THEY WERE NOT NECESSARILY  
12 WEEKLY. THERE WERE MULTIPLE TIMES DURING THE WEEK.  
13 AT ONE POINT THEY WERE FIVE DAYS A WEEK. BUT  
14 GENERALLY THOSE ARE RESERVED FOR MEDIA. BUT THE  
15 PUBLIC TYPICALLY COULD WATCH THE LIVE STREAM ACROSS  
16 OUR SOCIAL CHANNELS AND AT A TIME YOUTUBE, I BELIEVE,  
17 DEPENDING ON OUR TECHNICAL CAPABILITIES AT THE TIME.

11:28:27 18 Q. AND YOU TESTIFIED IN YOUR DEPOSITION THAT  
19 PUBLIC HEALTH RECEIVED SOMEWHERE BETWEEN 100 AND 1,000  
20 DIRECT MESSAGES SINCE CLOSING COMMENTS ON JULY 30TH;  
21 CORRECT?

11:28:38 22 A. I DON'T SPECIFICALLY REMEMBER TESTIFYING TO  
23 THAT.

11:28:41 24 Q. LET'S GO TO PAGE 65, LINES 23 TO 25 THROUGH  
25 PAGE 66, 1 THROUGH 10.

11:28:49 26 A. WHAT PAGE AGAIN?

11:28:51 27 Q. 65.

11:29:13 28 MAY I PROCEED?

11:29:14 1 THE COURT: ONE SECOND.

11:29:22 2 OKAY.

11:29:23 3 Q. (BY MS. HAMILL) QUESTION: DO YOU HAVE ANY  
4 IDEA YOU HOW MANY DIRECT MESSAGES YOUR OFFICE HAS  
5 RECEIVED SINCE JULY OF 2022?

11:29:30 6 ANSWER: I DON'T KNOW.

11:29:31 7 QUESTION: CAN YOU ESTIMATE -- ESTIMATE THE  
8 NUMBER? IS IT MORE THAN A HUNDRED OR LESS THAN A  
9 HUNDRED.

11:29:37 10 ANSWER: I WOULD SAY MORE THAN A HUNDRED.

11:29:39 11 QUESTION: MORE THAN A HUNDRED?

11:29:42 12 ANSWER: YES.

11:29:45 13 MR. RAYGOR: ASKED AND ANSWERED.

11:29:46 14 QUESTION: MORE THAN A THOUSAND OR LESS THAN  
15 A THOUSAND?

11:29:49 16 ANSWER: LESS THAN A THOUSAND.

11:29:51 17 QUESTION: SO SOMEWHERE BETWEEN 100  
18 AND 1,000.

11:29:55 19 ANSWER: YES.

11:29:56 20 DOES THAT REFRESH YOUR RECOLLECTION THAT  
21 THAT WAS YOUR TESTIMONY?

11:29:59 22 A. IT DOES, YES.

11:30:00 23 Q. IS THAT STILL YOUR TESTIMONY TODAY?

11:30:02 24 A. YES.

11:30:06 25 Q. AND YOU TOLD ME DURING YOUR DEPOSITION THAT  
26 YOU SAID VERY FEW DIDN'T RECEIVE RESPONSES RELATING TO  
27 THE DIRECT MESSAGES; CORRECT?

11:30:16 28 A. AFTER WE CLOSED PUBLIC COMMENTARY AND WE

1 DIRECTED PEOPLE TO DIRECT THOSE QUESTIONS TO THE -- TO  
2 THE DM'S, YES. WE TRIED TO DO OUR BEST AS WE COULD TO  
3 ANSWER AS MANY QUESTIONS AS POSSIBLE.

11:30:29 4 Q. WOULD IT SURPRISE TO YOU KNOW THAT THERE ARE  
5 50 PAGES OF UNANSWERED DIRECT MESSAGES FROM JULY 2022  
6 THROUGH APRIL 2023 IN THE DEPARTMENT OF PUBLIC  
7 HEALTH'S TWITTER ARCHIVE?

11:30:41 8 A. I'M SORRY. CAN YOU SAY THAT AGAIN?

11:30:44 9 Q. WOULD IT SURPRISE YOU TO KNOW THAT THERE ARE  
10 50 PAGES OF UNANSWERED DIRECT MESSAGES FROM JULY 2022  
11 THROUGH APRIL 2023 IN THE DEPARTMENT OF PUBLIC  
12 HEALTH'S TWITTER ARCHIVE?

11:30:56 13 A. IT WOULD SURPRISE ME TO KNOW THAT. BUT I  
14 WOULD SAY THAT TWITTER HAS A FILTER WHERE IT FILTERS  
15 OUT DIRECT MESSAGES, SOMETIMES INCORRECTLY. THIS HAS  
16 BEEN WELL DOCUMENTED, AND THERE ARE MEDIA STORIES  
17 WRITTEN ABOUT IT, SIMILAR TO AN E-MAIL ADDRESS JUNK  
18 MAIL FOLDER, WHERE A MESSAGE COULD COME THROUGH THAT  
19 IS INTENDED FOR THE RECIPIENT, AND IT COULD GET  
20 FILTERED INTO, I DON'T KNOW EXACTLY WHAT THEY CALL IT,  
21 LIKE OTHER MESSAGES OR FILTERED MESSAGES, AND SOME  
22 MESSAGES WERE IMPROPERLY FILTERED INTO TWO SEPARATE  
23 INBOXES THAT WEREN'T ACCESSIBLE TO US UNLESS WE DUG  
24 DEEP FOR THESE SPECIFIC INBOXES.

11:31:39 25 Q. CAN YOU PLEASE TURN TO EXHIBIT 32. YOU CAN  
26 PUT THE TRANSCRIPT AWAY.

11:31:59 27 DO YOU RECOGNIZE -- THIS IS A 50-PAGE  
28 EXHIBIT. DO YOU RECOGNIZE THIS AS REPRESENTATIONS OF



1 THE DIRECT MESSAGES IN THE DEPARTMENT OF PUBLIC HEALTH  
2 TWITTER ACCOUNT THAT WERE INCLUDED IN THE ARCHIVE?

11:32:18 3 A. IT APPEARS SO, YES.

11:32:20 4 Q. AND I'M NOT GOING TO MAKE YOU READ THROUGH  
5 THIS AND I DON'T THINK THE COURT WANTS ME TO READ  
6 THROUGH ALL OF THEM, BUT WHY DON'T WE JUST IDENTIFY A  
7 FEW.

11:32:28 8 A. SURE.

11:32:28 9 Q. SO LET'S GO TO EXHIBIT 32, PAGE 8. DO YOU  
10 RECALL RECEIVING THESE DIRECT MESSAGES?

11:32:48 11 A. I DON'T KNOW. AND I CAN'T SAY BASED UPON  
12 THE ARCHIVE. IT DOES NOT DETERMINE OR NOTE WHETHER OR  
13 NOT A SPECIFIC MESSAGE WAS FILTERED INTO OTHER INBOXES  
14 THAT WE MAY NOT HAVE SEEN.

11:33:02 15 Q. AND THERE'S NO RESPONSE SHOWN HERE; CORRECT?

11:33:07 16 A. AT THE TIME THAT THIS ARCHIVE WAS PULLED ON  
17 APRIL 26, IT APPEARS THAT THERE WAS NO RESPONSE.

11:33:13 18 Q. CAN YOU TURN TO EXHIBIT 32, PAGE 11, PLEASE.  
19 DID YOU RECEIVE THIS DIRECT MESSAGE?

11:33:23 20 A. IT APPEARS WE DID, YES.

11:33:25 21 Q. AND THERE'S NO RESPONSE, IS THERE?

11:33:29 22 A. AT THE TIME OF THIS ARCHIVE BEING PULLED ON  
23 APRIL 26, IT APPEARS THAT THERE WAS NO RESPONSE.

11:33:37 24 I WILL SAY, ALSO, FROM -- ONCE WE BECAME  
25 AWARE THAT POTENTIALLY MESSAGES WERE BEING IMPROPERLY  
26 FILTERED OR WE WEREN'T SEEING MESSAGES, WE WENT  
27 THROUGH ALL THESE POTENTIALLY FILTERED MESSAGES AND  
28 ANSWERED QUITE A FEW MESSAGES THAT WERE NOT -- THAT

1 DID NOT RECEIVE ANSWERS BACK TO LATE JULY.

11:34:02 2 BUT I DON'T SPECIFICALLY REMEMBER IF THESE  
3 MESSAGES RECEIVED RESPONSES.

11:34:11 4 THE OTHER THING THAT I WILL SAY --

11:34:13 5 Q. LET ME ASK YOU ANOTHER QUESTION. ON THIS  
6 EXHIBIT 32, PAGE 11, IF YOU LOOK UP ABOVE THE  
7 AUGUST 11TH HIGHLIGHTED MESSAGE, IT'S THE SECOND  
8 MESSAGE DOWN ON THE LEFT, AUGUST 17TH, 2022, IT SAYS,  
9 HI JOSEPH. WE WILL PROVIDE INFORMATION ON S.

11:34:31 10 DO YOU SEE WHAT I'M LOOKING AT?

11:34:33 11 A. YES.

11:34:33 12 Q. AND WHAT IS THAT?

11:34:35 13 A. THAT APPEARS TO BE -- AND YOU CAN TELL BASED  
14 UPON THE ICON, WHICH IS OUR PROPER ICON, AND IT'S  
15 RIGHT SIDE UP -- THAT IT IS A RESPONSE FROM PUBLIC  
16 HEALTH.

11:34:45 17 Q. GOT IT. I AM NOT GOING TO GO THROUGH THIS  
18 ENTIRE EXHIBIT, BUT I WOULD LIKE TO YOU TAKE A LOOK,  
19 JUST FOR PURPOSES OF THE RECORD, AND LET ME KNOW IF  
20 YOU SEE ANYTHING THAT DOESN'T LOOK LIKE IT'S ACTUALLY  
21 A DIRECT MESSAGE TO THE DEPARTMENT OF PUBLIC HEALTH.

11:35:24 22 THE COURT: WHAT'S THE SOURCE OF THIS  
23 DOCUMENT, MISS HAMILL?

11:35:27 24 MS. HAMILL: THIS IS THE ARCHIVE PRODUCED BY  
25 DEFENDANTS IN THIS ACTION.

11:35:30 26 THE COURT: OKAY. I DON'T SEE A BATES  
27 NUMBER. MR. RAYGOR, DO YOU SO STIPULATE?

11:35:38 28 MR. RAYGOR: YES.

11:35:39 1 THE COURT: OKAY. WHY DOESN'T IT HAVE A  
2 BATES NUMBER?

11:35:58 3 MR. RAYGOR: IT'S MASSIVE AND IT'S ONLY  
4 PRODUCED FROM ONE ELECTRONIC FILE, AND IT'S NOT  
5 PRODUCED IN PAGES. SO WE COULDN'T STAMP IT OR PRINT  
6 IT OUT. AND I BELIEVE MISS HAMILL HAD THE SAME  
7 DIFFICULTY IN TRYING TO USE PORTIONS OF IT.

11:36:14 8 THE COURT: OKAY. THANK YOU.

11:36:24 9 MR. RAYGOR: AND JUST FOR THE RECORD, I  
10 BELIEVE EXHIBIT 65 -- 75, SORRY, IS ACTUALLY ON THE  
11 DISK OR THE THUMB DRIVE THAT WAS GIVEN TO YOUR HONOR  
12 AND I BELIEVE THAT'S SUPPOSED TO CONTAIN THE ENTIRE  
13 ARCHIVE.

11:36:38 14 THE COURT: SEVENTY-FIVE.

11:36:39 15 THE CLERK: IT'S HERE, YOUR HONOR.

11:36:41 16 THE COURT: OH. THE DISK?

11:36:43 17 THE CLERK: IT'S A FLASH DRIVE WITH ALL THE  
18 EXHIBITS LISTED ON THE ENVELOPE.

11:36:48 19 THE COURT: A FLASH DRIVE. OKAY. THANK  
20 YOU.

11:36:50 21 YOU MAY PROCEED.

11:36:52 22 MS. HAMILL: THANK YOU.

11:36:53 23 Q. (BY MS. HAMILL) SO WOULD YOU AGREE THAT  
24 THE COUNTY WAS REALLY NOT ANSWERING ALL OF DRAWER  
25 DIRECT MESSAGES AT THE TIME THAT THIS ARCHIVE WAS  
26 CREATED -- THIS EXHIBIT SHOWS THAT THE COUNTY REALLY  
27 WASN'T ANSWERING ALL OF THEIR DIRECT MESSAGES;  
28 CORRECT?

11:37:08 1 A. IT DOESN'T APPEAR ALL OF THEM, BUT I WILL  
2 SAY AGAIN THAT IT APPEARS THAT MANY OF THESE MAY HAVE  
3 BEEN FILTERED. AND THE REASON I KNOW THAT IS BECAUSE  
4 IF YOU LOOK ON PAGE 21, IT IS ESSENTIALLY THE SAME  
5 QUESTION THAT IS ASKED ON PAGE 12. WE DO NOT PROVIDE  
6 A RESPONSE ON PAGE 12, BUT WE DID PROVIDE A RESPONSE  
7 ON PAGE 21. AND THIS IS 13 DAYS LATER. SO THAT WOULD  
8 LEAD ME TO BELIEVE THAT THE MESSAGE ON PAGE 12 WAS  
9 IMPROPERLY FILTERED.

11:37:40 10 Q. OKAY. SO I WANT TO DIRECT YOUR ATTENTION TO  
11 DEFENDANTS' EXHIBIT 229.

11:37:47 12 MAY I APPROACH TO...

11:37:50 13 THE COURT: YOU MAY.

11:38:07 14 THE WITNESS: 229?

11:38:30 15 Q. (BY MS. HAMILL) MR. MORROW, DO YOU  
16 RECOGNIZE THIS DOCUMENT AS THE POLICY STATEMENT THAT  
17 WAS PINNED ON THE DEPARTMENT'S TWITTER ACCOUNT?

11:38:38 18 A. I WOULDN'T SAY IT'S A POLICY STATEMENT, BUT  
19 I DO RECOGNIZE IT.

11:38:41 20 Q. WHAT WOULD YOU SAY IT IS?

11:38:44 21 A. A STATEMENT AND A SOCIAL MEDIA POST  
22 REGARDING PUBLIC COMMENTS.

11:38:48 23 Q. AND IT SAYS QUOTE RESIDENTS WHO HAVE  
24 QUESTIONS OR ARE LOOKING FOR GUIDANCE CAN SEND A  
25 DIRECT MESSAGE AND PUBLIC HEALTH WILL RESPOND AS SOON  
26 AS POSSIBLE.

11:38:58 27 IS THAT CORRECT?

11:38:59 28 A. IT SAYS THAT, YES.

11:39:00 1 Q. AND WAS THAT THE POLICY OF THE DEPARTMENT?

11:39:03 2 A. AND I WOULD QUIBBLE WITH THE WORD POLICY  
3 BECAUSE THERE'S ACTUALLY A TECHNICAL WORD FOR COUNTY  
4 DEPARTMENTS, WHAT CONSTITUTES A POLICY AND THERE'S A  
5 PROCESS FOR THAT. SO YOU WOULDN'T SAY THAT THAT WAS A  
6 POLICY. WHAT I WOULD SAY IS THAT THAT IS SOMETHING  
7 THAT WE HAD TRIED TO DO; THAT WE OFFERED TO THE  
8 RESIDENTS AND THAT WE TRIED TO DO AND WE TRIED TO  
9 RESPOND AS WELL AS WE COULD.

11:39:28 10 Q. AND YOU ALSO EXCHANGED SOME EMAILS WITH  
11 FOX 11'S MARLA TALLEZ ON THIS ISSUE; CORRECT?

11:39:36 12 A. CORRECT.

11:39:36 13 Q. LET'S LOOK AT EXHIBIT 60, PLEASE. YOU CAN  
14 PUT THAT BINDER AWAY.

11:40:00 15 I HAVE ONE PAGE LEFT, YOUR HONOR. I'M  
16 TRYING TO BURN THROUGH THIS.

11:40:03 17 THE COURT: OKAY.

11:40:05 18 Q. (BY MS. HAMILL) ARE YOU ON EXHIBIT 60?

11:40:07 19 A. I AM, YES.

11:40:08 20 Q. DO YOU RECOGNIZE THIS EXCHANGE OF  
21 COMMUNICATIONS?

11:40:10 22 A. I DO, YES.

11:40:11 23 Q. DOES THIS REFLECT YOUR COMMUNICATIONS WITH  
24 MARLA TELLEZ OF FOX 11 ON AUGUST 25TH, 2022 THROUGH  
25 AUGUST 26TH, 2022?

11:40:32 26 A. BE IT APPEARS SO, YES.

11:40:34 27 Q. AND ON PAGE 3 OF THIS EXHIBIT MARKED  
28 EXHIBIT 60-THREE AT 3:15 P.M. ON AUGUST 25TH, MARLA

1 ASKS YOU A SERIES OF QUESTIONS. HER QUESTION NO. 3  
2 WAS: WHAT SHOULD I TELL THOSE WHO TELL ME THEY HAVE  
3 REACHED OUT VIA E-MAIL AND DIRECT MESSAGE AND HAVE NOT  
4 HEARD BACK? SHALL THEY CONTINUE SENDING MESSAGES?

11:40:59 5 DO YOU REMEMBER THAT?

11:41:00 6 A. I REMEMBER THAT, YES.

11:41:01 7 Q. AND YOU RESPONDED, JUST CURIOUS, WHICH  
8 PLATFORM ARE PEOPLE SAYING THEY AREN'T RECEIVING  
9 RESPONSES? TWITTER? ANYBODY SPECIFIC? WE'VE BEEN  
10 MONITORING PRETTY CLOSELY AND ANSWERING QUESTIONS.

11:41:13 11 DO YOU REMEMBER SAYING THAT?

11:41:14 12 A. I DO, YES.

11:41:15 13 Q. BUT WE JUST LOOKED THROUGH SOME UNANSWERED  
14 DM'S AND THERE WERE AT LEAST 21 UNANSWERED MESSAGES  
15 BETWEEN JULY AND AUGUST 25TH OF 2022; CORRECT?

11:41:28 16 A. I DIDN'T COUNT. SORRY.

11:41:31 17 Q. SO WHEN YOU RESPONDED TO MARLA, WERE YOU  
18 BENDING THE TRUTH OR WERE YOU -- WHAT -- WHAT DID  
19 YOU -- HOW DO YOU RECONCILE THAT WITH WHAT WE JUST  
20 SAW?

11:41:41 21 A. I STAND BY WHAT I SAID; THAT I FELT AS  
22 THOUGH WE WERE MONITORING PRETTY CLOSELY AND ANSWERING  
23 QUESTIONS. AND THEY WOULD LEAD ME TO BELIEVE THAT AT  
24 THE TIME I WAS NOT AWARE THAT MESSAGES WERE BEING  
25 IMPROPERLY FILTERED INTO TWO SEPARATE INBOXES.

11:41:55 26 Q. SO THEN ON EXHIBIT 60, PAGE 1, YOU SAY,  
27 CURRENTLY ALL PUBLIC HEALTH RELATED QUESTIONS HAVE  
28 BEEN ANSWERED OR ARE IN THE PROCESS OF BEING ANSWERED.

1 BUT YES. IF COUNTY RESIDENTS HAVE NOT HEARD BACK  
2 WITHIN 24 HOURS, THEY ARE MORE THAN WELCOME TO SEND  
3 ANOTHER MESSAGE.

11:42:15 4 AND PUBLIC HEALTH DIDN'T ANSWER ALL OF ITS  
5 EMAILS EITHER, DID IT?

11:42:22 6 A. I DON'T HAVE ACCESS TO ALL THE PUBLIC HEALTH  
7 E-MAIL ADDRESSES, SO I CAN'T ANSWER IF EVERY E-MAIL  
8 EVER SENT TO THE DEPARTMENT OF PUBLIC HEALTH WAS  
9 ANSWERED.

11:42:30 10 Q. DO YOU RECALL DURING YOUR DEPOSITION ME  
11 SHOWING YOU AN E-MAIL FROM BOB HOGUE TO THE  
12 DEPARTMENT'S MEDIA E-MAIL ADDRESS?

11:42:38 13 A. YES. I RECALL THAT.

11:42:39 14 Q. AND THAT E-MAIL DID NOT RECEIVE A RESPONSE;  
15 RIGHT?

11:42:42 16 A. I DON'T RECALL IF IT RECEIVED A RESPONSE OR  
17 NOT.

11:42:44 18 Q. AND AT YOUR DEPOSITION, YOU TESTIFIED ABOUT  
19 EIGHT DEPARTMENT OF PUBLIC HEALTH FACEBOOK POSTS ON  
20 WHICH COMMENTS WERE MISTAKENLY LEFT OPEN; CORRECT?

11:42:56 21 A. I DON'T RECALL SPECIFICALLY.

11:42:58 22 Q. LET'S GO TO PAGE 150 OF THE DEPOSITION  
23 TRANSCRIPT. AND I REALLY DON'T WANT TO BEAT A DEAD  
24 HORSE HERE AND WASTE TIME, BUT OUR CONVERSATION AT  
25 YOUR DEPOSITION IS REFLECTED ON PAGES 150 THROUGH 155  
26 OF THIS TRANSCRIPT. CAN YOU PLEASE REVIEW THAT AND  
27 LET ME KNOW WHEN YOU'VE FINISHED IT.

11:45:01 28 A. I'M DONE.

11:45:01 1 Q. OKAY. SO I WANT TO DRAW YOUR ATTENTION TO  
2 THE BOTTOM OF PAGE 150, LINE 20 THROUGH LINE 25. AND  
3 THEN PAGE 151, LINE 1 THROUGH THREE.

11:45:13 4 A. OKAY.

11:45:14 5 Q. I'M GOING TO READ THOSE ALOUD.

11:45:16 6 MAY I PROCEED?

11:45:18 7 THE COURT: ALL RIGHT.

11:45:19 8 Q. (BY MS. HAMILL) QUESTION: WHY WERE THE  
9 COMMENTS LEFT OPEN ON THIS PARTICULAR POST?

11:45:23 10 ANSWER: I'M SURE IT WAS A MISTAKE BY  
11 WHOEVER POSTED IT OR THERE ARE SOME FUNCTIONS BETWEEN  
12 INSTAGRAM AND FACEBOOK WHERE YOU CAN CROSS POST, ADD  
13 CONTENT AT THE SAME TIME, AND I THINK AT TIMES THERE  
14 WERE ISSUES WITH TURNING OFF THE COMMENTS OR NOT  
15 CROSSING OVER TO FACEBOOK IF YOU WERE CROSS POSTING IT  
16 TO INSTAGRAM, AND I THINK WE DISCOVERED THAT LATER.

11:45:49 17 DO YOU RECALL THAT BEING YOUR TESTIMONY?

11:45:50 18 A. I DO, YES.

11:45:51 19 Q. AND DO YOU RECALL HAVING THIS DISCUSSION  
20 ABOUT OPEN COMMENTS ON THE DEPARTMENT'S SOCIAL MEDIA  
21 PAGES DURING YOUR DEPOSITION?

11:45:58 22 A. CORRECT, YES.

11:45:59 23 Q. AND DO YOU RECALL THAT YOU GENERALLY  
24 TESTIFIED THAT THOSE WERE DUE TO MISTAKES?

11:46:05 25 A. GENERALLY MISTAKES OR THAT WE WERE UNAWARE  
26 OF SPECIFIC FEATURES OR FUNCTIONS THAT WERE NOT  
27 ALLOWING US TO TURN OFF THE COMMENTS MANUALLY.

11:46:16 28 Q. OKAY. AND ON TWITTER, ANYONE TAGGED BY THE



1 DEPARTMENT OF PUBLIC HEALTH CAN COMMENT ON A POST;  
2 CORRECT?

11:46:24 3 A. IF THAT IS THE SPECIFIC SETTING YOU SET.

11:46:29 4 Q. HAS THE DEPARTMENT SET THAT SETTING?

11:46:32 5 A. SO YOU HAVE TO DO IT -- MY UNDERSTANDING IS  
6 YOU HAVE TO DO IT FOR EACH POST. AND THERE ARE  
7 INSTANCES, DEPENDING ON IF YOU'RE USING THE SAME  
8 DEVICE WHERE THE COOKIES MAY REMEMBER THAT THAT  
9 SETTING IS SET. BUT YOU DO HAVE TO CONFIRM THAT THAT  
10 SETTING IS STILL ACCURATE. BUT IF SOMEONE DOES USE A  
11 DIFFERENT DEVICE OR THEY USE A DIFFERENT BROWSER, THEN  
12 YOU NEED TO RESET THAT SETTING MANUALLY.

11:46:58 13 EITHER WAY, ANYTIME SOMEBODY IS GOING TO BE  
14 POSTING ON TWITTER, THEY NEED TO ENSURE THAT THAT --  
15 THAT THE PROPER SET ASKING SET BASICALLY.

11:47:08 16 Q. OKAY. YOU CAN PUT THE DEPOSITION TRANSCRIPT  
17 AWAY. I'M GOING TO DRAW YOUR ATTENTION TO EXHIBIT 47,  
18 PLEASE. DO YOU RECOGNIZE THIS AS A TWEET FROM THE  
19 DEPARTMENT OF PUBLIC HEALTH?

11:47:32 20 A. I DO, YEAH.

11:47:33 21 Q. AND DO YOU SEE BELOW THIS TWEET, IT SAYS,  
22 WHO CAN REPLY? PEOPLE @LAPUBLICHEALTH MENTIONED CAN  
23 REPLY?

11:47:42 24 A. I SEE THAT, YES.

11:47:43 25 Q. DOES THAT LOOK LIKE SOMETHING THAT YOU'VE  
26 SEEN BEFORE ON THE DEPARTMENT OF PUBLIC HEALTH'S  
27 TWITTER PAGE?

11:47:53 28 A. I BELIEVE SO. AND OTHER TWITTER PAGES, IF

1 THEY HAVE THAT SAME -- IF THEY SET THAT SAME SITTING  
2 ON A SPECIFIC POST.

11:48:00 3 Q. CAN YOU PLEASE TURN TO EXHIBIT 19. WE'RE  
4 ALMOST DONE. YOU'RE GETTING AN ARM WORK OUT IN FOR  
5 TODAY.

11:48:26 6 A. FEEL LIKE I'M A LAWYER NOW. PULLING OUT  
7 EXHIBITS. OKAY.

11:48:34 8 Q. OKAY. SO LOOKING AT EXHIBIT 19, PAGE 1, DO  
9 YOU RECOGNIZE THIS AS A TWEET ON AUGUST 27TH, 2022,  
10 FROM THE DEPARTMENT OF PUBLIC HEALTHS HE ARCHIVE?

11:48:47 11 A. I DO, YES.

11:48:48 12 Q. AND IF YOU TURN THE PAGE TO EXHIBIT 19,  
13 PAGE 2, IT'S THAT SAME TWEET. DO YOU RECOGNIZE THAT?

11:48:58 14 A. CORRECT, YES.

11:48:59 15 Q. AND DO YOU SEE AT THE VERY BOTTOM, THERE'S A  
16 LITTLE HUMAN ICON AND NEXT TO THAT SAYS DAVID GEFFEN  
17 SCHOOL OF MEDICINE AT UCLA AND PEPPERDINE SCHOOL OF  
18 PUBLIC POLICY?

11:49:11 19 A. I SEE THAT, YES.

11:49:13 20 Q. AND DOES THAT MEAN THAT THOSE TWO ACCOUNTS  
21 WERE TAGGED IN THIS POST?

11:49:17 22 A. TO ME, THAT MEANS THEY WERE TAGGED IN THE  
23 IMAGE OF THE POST BUT NOT THE COPY OF THE POST -- I'M  
24 SORRY. NOT THE TEXT OF THE POST.

11:49:26 25 Q. OKAY. AND THEN TURN TO PAGE,  
26 EXHIBIT 19-THREE.

11:49:34 27 A. OH.

11:49:39 28 Q. AND IF YOU LOOK UP INTO THE MIDDLE IN THE

1 BLUE TEXT OR THE BLUE SHADED TEXT, IT SAYS WHO CAN  
2 REPLY. ACCOUNTS @LAPUBLICHEALTH MENTIONED CAN REPLY.  
3 DO YOU SEE THAT?

11:49:49 4 A. I SEE THAT, YES.

11:49:51 5 Q. AND THEN TURN TO THE NEXT PAGE, EXHIBIT 19,  
6 PAGE 4. AND THIS SHOWS THAT THE PARTIES TAGGED IN  
7 THIS PHOTO ARE DAVID GEFEN SCHOOL OF MEDICINE AT UCLA  
8 AND PEPPERDINE SCHOOL OF PUBLIC POLICY; CORRECT?

11:50:08 9 A. YES.

11:50:08 10 Q. SO THE DEPARTMENT OF PUBLIC HEALTH TAGGED  
11 THOSE PARTIES IN THIS POST; CORRECT?

11:50:13 12 MR. RAYGOR: OBJECTION.

11:50:14 13 THE COURT: WHAT'S THE OBJECTION?

11:50:15 14 MR. RAYGOR: OBJECTION. MISCHARACTERIZES  
15 THE DOCUMENT. VAGUE AND AMBIGUOUS AS TO PHOTO VERSUS  
16 POST.

11:50:20 17 THE COURT: I'M SORRY. YOUR VOICE FADED  
18 AFTER YOUR OBJECTION.

11:50:22 19 MR. RAYGOR: SORRY. OBJECTION. VAGUE AND  
20 AMBIGUOUS AS TO POST VERSUS PHOTO AND MISCHARACTERIZES  
21 THE DOCUMENTS. IT SPEAKS FOR ITSELF.

11:50:32 22 THE COURT: OVERRULED.

11:50:33 23 WHAT'S THE PENDING QUESTION?

11:50:37 24 SO THE DEPARTMENT OF PUBLIC HEALTH TAGGED  
25 THOSE PARTIES IN THIS POST.

11:50:40 26 THE ANSWER?

11:50:42 27 THE WITNESS: WE TAGGED THE PARTIES IN THE  
28 PHOTO, NOT THE POST.

11:50:50 1 Q. (BY MS. HAMILL) AND WOULD THOSE ACCOUNTS  
2 BE ABLE TO COMMENT ON THAT POST, IF THEY WANTED TO?

11:50:55 3 A. IT APPEARS SO, BUT I WILL SAY ONCE WE  
4 DISCOVERED THIS, WE CEASED TAGGING THIRD PARTIES IN  
5 OUR POSTS MOVING FORWARD.

11:51:04 6 Q. LET'S GO TO EXHIBIT --

11:51:06 7 THE COURT: HOLD ON ONE SECOND. CAN YOU  
8 GIVE ME A QUICK LAY DEFINITION OF TAGGING IN THE  
9 CONTEXT HERE.

11:51:11 10 THE WITNESS: SURE. SO LET'S SAY WE WERE  
11 FRIENDS ON FACEBOOK AND WE WERE OUT AT A BARBECUE AND  
12 TOOK A PHOTO TOGETHER, AND I POSTED THAT PHOTO OF US  
13 TOGETHER AT THIS BARBECUE. WHAT I CAN DO IS, I CAN  
14 TAG YOUR FACEBOOK ACCOUNT WITHIN THAT SPECIFIC PHOTO  
15 AND THEN IT WILL SHOW UP AS YOU BEING TAGGED ON YOUR  
16 FEED AND POTENTIAL REPLY YOUR PROFILE, DEPENDING ON  
17 YOUR SETTINGS. IT'S A WAY FOR PEOPLE OR ORGANIZATIONS  
18 TO INCLUDE, I GUESS IT MAY NOT BE THE PROPER WORD, TO  
19 INCLUDE THEM IN THE SPECIFIC POST AS WELL, IF THAT  
20 MAKES SENSE.

11:51:51 21 THE COURT: SO THE TAGGING IS DONE BY THE  
22 CREATOR OF THE CONTENT, NOT BY A RECIPIENT.

11:51:57 23 THE WITNESS: CORRECT, YES.

11:51:58 24 THE COURT: OKAY.

11:51:59 25 THE WITNESS: IT IS THE PERSON CREATING AND  
26 SENDING THE TWEET OR THE POST. BUT LIKE I SAID, ONCE  
27 WE DISCOVERED THIS, WE CEASED TAGGING THIRD PARTIES  
28 AFTER THAT, BECAUSE -- FOR SAID REASONS.

11:52:16 1 THE COURT: OKAY. BACK TO MISS HAMILL.

11:52:18 2 Q. (BY MS. HAMILL) ALL RIGHT. EXHIBIT 324,  
3 PLEASE. YOU MIGHT NEED SOME ASSISTANCE. THIS IS IN  
4 THE SUPPLEMENTAL TRIAL EXHIBITS FROM DEFENDANTS.

11:52:28 5 A. IS THIS THE BIG ONE BACK THERE?

11:52:30 6 Q. YES.

11:53:11 7 A. YOU SAID 324?

11:53:13 8 Q. YES. DO YOU RECALL DURING YOUR DEPOSITION,  
9 WE DISCUSSED THE REVIEW SECTION OF THE DEPARTMENT OF  
10 PUBLIC HEALTH'S EFFACE BOOK PAGE?

11:53:26 11 A. I RECALL THAT, YES.

11:53:28 12 Q. AND AT THE TIME OF YOUR DEPOSITION, THERE  
13 WERE 172 REVIEWS; CORRECT?

11:53:34 14 A. I DON'T REMEMBER THE SPECIFIC NUMBER AT THAT  
15 TIME, BUT I WILL SAY AS OF NOW, I BELIEVE THERE  
16 ARE 184 OR -5.

11:53:44 17 Q. AND THE REVIEWS CONTAIN -- AND THESE REVIEWS  
18 INCLUDE A NUMBER OF DIFFERENT COMMENTS, INCLUDING ADDS  
19 FOR HERBAL HERPES CURES AND CRYPTO CURRENCY SCHEMES;  
20 CORRECT?

11:54:02 21 A. I WOULD DISAGREE WITH THAT. THESE ARE NOT  
22 COMMENTS. THESE ARE REVIEWS AND THEY ARE NOT ON OUR  
23 POSTS.

11:54:09 24 Q. BUT THESE REVIEWS ARE ON THE DEPARTMENT'S  
25 FACEBOOK PAGE; CORRECT?

11:54:14 26 A. THEY ARE WITHIN THE REVISED TAB OF THE  
27 DEPARTMENT OF PUBLIC HEALTH'S FACEBOOK PAGE.

11:54:21 28 Q. SO ANY MEMBER OF THE PUBLIC CAN COME TO THIS

1 REVIEW PAGE AND WRITE ANYTHING THEY WANT AND POST-IT;  
2 CORRECT?

11:54:31 3 A. I'VE NEVER POSTED A REVIEW. I DON'T KNOW  
4 HOW THAT WORKS.

11:54:39 5 Q. AND YOU DIDN'T SHUT DOWN THESE PUBLIC  
6 REVIEWS BECAUSE THERE'S NOT A LOT OF TRAFFIC ON THIS  
7 PAGE; CORRECT?

11:54:47 8 A. I WOULD AGREE WITH THAT, YES.

11:54:51 9 Q. AND I SAW THAT THERE ARE A COUPLE OF  
10 NEGATIVE COMMENTS IN HERE REGARDING FERRER'S APPROACH  
11 TO PUBLIC HEALTH, BUT IT'S OKAY FOR THOSE TO STAY  
12 BECAUSE THIS PAGE DOESN'T GET MUCH TRAFFIC; CORRECT?

11:55:01 13 A. I WOULDN'T SAY THAT. I DIDN'T NECESSARILY  
14 GO THROUGH AND READ ALL THE SPECIFIC COMMENTS. BUT  
15 THAT HAD NOTHING TO DO WITH WHY I WOULD OR WOULD NOT  
16 SHUT IT DOWN. SO I THINK THAT THAT'S A  
17 MISCHARACTERIZATION OF MY INTENT.

11:55:19 18 Q. DOES THIS EXHIBIT 324 ACCURATELY REFLECT THE  
19 DEPARTMENT OF PUBLIC HEALTH'S FACEBOOK SECTION?

11:55:28 20 MR. RAYGOR: OBJECTION. VAGUE AS TO TIME  
21 AND LACKS FOUNDATION THAT IT'S THE DEPARTMENT OF  
22 PUBLIC HEALTH'S REVIEW SECTION.

11:55:36 23 THE COURT: ALL RIGHT. SUSTAINED. LAY A  
24 BETTER FOUNDATION.

11:55:40 25 Q. (BY MS. HAMILL) THIS IS DEFENDANTS'  
26 EXHIBIT. SO --

11:55:44 27 THE COURT: WELL, THAT'S AN INTERESTING  
28 POINT. ARE YOU WITHDRAWING YOUR EXHIBIT?

11:55:49 1 MR. RAYGOR: NO. JUST FOR THE PARTICULAR  
2 QUESTION THAT WAS ASKED, THERE IS NO FOUNDATION.

11:55:54 3 THE COURT: I THOUGHT YOU WERE OBJECTING TO  
4 THE EXHIBIT, BUT COUNSEL REMINDS ME THIS IS ONE YOU  
5 BROUGHT INTO COURT AND IDENTIFIED.

11:56:01 6 MR. RAYGOR: IT IS AND WE'LL BE USING IT  
7 LATER.

11:56:03 8 THE COURT: WELL, WHAT'S THE FOUNDATIONAL  
9 OBJECTION, THEN?

11:56:06 10 MR. RAYGOR: CAN I HAVE THE QUESTION READ  
11 BACK --

11:56:10 12 THE COURT: WELL, NO. LET'S CUT TO THE  
13 CHASE. ARE YOU OBJECTING TO THE FOUNDATION OF THIS  
14 DOCUMENT?

11:56:15 15 MR. RAYGOR: NO.

11:56:16 16 THE COURT: OKAY. ARE YOU OBJECTING TO ITS  
17 ADMISSIBILITY?

11:56:21 18 MR. RAYGOR: NO.

11:56:23 19 THE COURT: ALL RIGHT. IT'S IN EVIDENCE.

11:56:25 20 MS. HAMILL: THANK YOU.

11:56:26 21 THE COURT: 324.

11:56:27 22 Q. (BY MS. HAMILL) I AM GOING TO TRY TO BURN  
23 THROUGH THESE QUESTIONS SO WE CAN HAVE LUNCH AND NOT  
24 BRING YOU BACK. THIS IS MY GOAL.

11:56:34 25 ALL RIGHT. SO AFTER YOU SUCCEEDED IN  
26 GETTING THE ALT ACCOUNT SUSPENDED FROM TWITTER BASED  
27 ON AN IMPERSONATION REPORT, YOU FILED TWO MORE  
28 IMPERSONATION REPORTS TO TRY AND GET MORE ACCOUNTS

1 TAKEN DOWN; CORRECT?

11:56:48 2 A. I DON'T REMEMBER THAT.

11:56:49 3 Q. LET'S GO TO EXHIBIT 21, PLEASE. AND THIS IS  
4 THE ONE THAT IS REDACTED BY TWITTER.

11:57:25 5 I WANTED YOU TO START ON EXHIBIT 21, PAGE 2,  
6 PLEASE, AND YOUR AUGUST 22ND, 2022 E-MAIL AT 1253 TO  
7 TWITTER SAYS, WE REPORTED THE FOLLOWING TWEET WHICH  
8 IMPERSONATES A RECENT STATEMENT, BUT I DON'T THINK  
9 WE'VE RECEIVED A CASE NUMBER AT ALL. IS IT POSSIBLE  
10 YOU CAN LOOK INTO THIS? AND THEN YOU PROVIDE A LINK  
11 TO TWITTER .COM/UPRISING L.A.; CORRECT.

11:58:01 12 A. CORRECT, YES.

11:58:02 13 Q. ARE YOU FAMILIAR WITH THAT UPRISING L.A.  
14 ACCOUNT?

11:58:06 15 A. YES.

11:58:07 16 Q. DO YOU RECALL THAT ACCOUNT INITIATING A  
17 HASHTAG FIRE FERRER CAMPAIGN?

11:58:14 18 A. I DON'T REMEMBER IF THIS WAS THE ACCOUNT  
19 THAT STARTED IT, NO.

11:58:16 20 Q. DO YOU REMEMBER THAT ACCOUNT BEING  
21 ASSOCIATED WITH THAT HASHTAG FIRE FERRER CAMPAIGN?

11:58:24 22 A. I DON'T REALLY REMEMBER. THERE WERE MANY  
23 ACCOUNTS THAT WERE TWEETING HASHTAG FIRE FERRER.

11:58:30 24 Q. LET'S TURN TO HAVE PAGE 6 OF THIS EXHIBIT,  
25 PLEASE.

11:58:32 26 THE COURT: WELL, WE ARE GOING TO TAKE A  
27 BREAK HERE IN A MINUTE, BECAUSE I BELIEVE MR. RAYGOR  
28 IS GOING TO HAVE SOME FOLLOW-UP QUESTIONS.



11:58:37 1 SO MR. MORROW, YOU ARE GOING TO HAVE TO COME  
2 BACK AT 1:30 TO COMPLETE THE EXAMINATION BY  
3 MISS HAMILL AND THEN BY MR. RAYGOR. OKAY?

11:58:46 4 THE WITNESS: SOUNDS GOOD.

11:58:46 5 THE COURT: BEFORE WE TAKE THE LUNCH BREAK,  
6 ARE THERE ANY HOUSEKEEPING ISSUES THAT NEED TO BE  
7 ATTENDED TO?

11:58:52 8 MISS HAMILL?

11:58:54 9 MS. HAMILL: NO.

11:58:55 10 THE COURT: MR. RAYGOR?

11:58:58 11 MR. RAYGOR: NO.

11:59:00 12 THE COURT: GOOD. LUNCH NOW. BACK AT 1:30.  
13 ADJOURNED.

11:59:05 14 (RECESS FROM 11:59 A.M. TO 1:34 P.M.)

01:34:22 15

01:34:22 16 PROCEEDINGS

01:34:22 17 THE JUDICIAL ASSISTANT: PLEASE COME TO  
18 ORDER. COURT IS ONCE AGAIN IN SESSION.

01:34:31 19 THE COURT: WE'RE ONLINE. MISS HAMILL?

01:34:34 20 MS. HAMILL: THANK YOU.

01:34:34 21

01:34:34 22 CROSS-EXAMINATION (RESUMED)

01:34:35 23 Q. (BY MS. HAMILL) BEFORE THE BREAK, WE WERE  
24 JUST DISCUSSING YOUR REPORT TO TWITTER OF THE  
25 UPRISING L.A. ACCOUNT FOR IMPERSONATION. NOW I WANT  
26 TO MOVE TO ANOTHER ACCOUNT THAT YOU REPORTED FOR  
27 IMPERSONATION.

01:34:49 28 DO YOU RECALL AN ACCOUNT KNOWN AS BARBARA

1 FURRAIR, F-U-R-R-A-I-R?

01:34:57 2 A. I REMEMBER THE ACCOUNT, YES.

01:34:59 3 Q. (BY MS. HAMILL) AND WHY DID YOU REPORT  
4 THAT ACCOUNT TO TWITTER?

01:35:02 5 A. I DON'T REMEMBER SPECIFICALLY.

01:35:04 6 Q. CAN YOU PLEASE PULL UP EXHIBIT 21, PAGE 16.

01:35:18 7 A. TWENTY-ONE?

01:35:18 8 Q. MAY I APPROACH TO ASSIST?

01:35:21 9 THE COURT: YES.

01:35:22 10 THE WITNESS: SORRY. I MADE A MESS.

01:35:41 11 THE COURT: MISS HAMILL, LOOK AT THIS.

01:35:43 12 MS. HAMILL: YES, I WILL ADDRESS THAT.

01:35:45 13 THE COURT: OKAY. MR. RAYGOR, I DON'T KNOW  
14 ABOUT YOUR VERSION, BUT MINE IS COMPLETELY  
15 MICROSCOPIC, IMPOSSIBLE TO READ.

01:35:52 16 MR. RAYGOR: SAME HERE. I CANNOT READ IT.

01:35:54 17 THE COURT: OKAY. HOW DO WE REMEDY THIS.

01:35:57 18 MS. HAMILL: I HAVE A COPY OF THIS EXHIBIT  
19 ON MY COMPUTER WHICH HAS BEEN ENLARGED AND I WILL  
20 SHARE WITH OPPOSING COUNSEL AND THEN WITH THE COURT  
21 AND WITH THE WITNESS, IF THAT IS ACCEPTABLE.

01:36:06 22 THE COURT: OKAY. WHY DON'T YOU PUT IT UP  
23 HERE ON THE WITNESS STAND AND WE'LL DO OUR BEST.

01:36:14 24 MS. HAMILL: THIS IS JUST EXHIBIT 21,  
25 PAGE 16, AND IT'S EXPORT PRODUCTION (INDICATING).

01:36:32 26 MS. ALTER: OKAY.

01:36:37 27 Q. (BY MS. HAMILL) DO YOU KNOW HOW TO OPERATE  
28 A MAC?

01:36:40 1 THE WITNESS: YES.

01:36:41 2 THE COURT: MISS HAMILL, I AM GOING TO PUT  
3 THE BURDEN ON YOU TO PRINT OUT SOME LEGIBLE COPIES OF  
4 THIS PAGE FOR COURT AND OPPOSING COUNSEL BY FIRST  
5 THING TOMORROW MORNING. OKAY?

01:36:53 6 MS. HAMILL: YES, YOUR HONOR.

01:36:57 7 Q. (BY MS. HAMILL) DO YOU RECOGNIZE THIS  
8 DOCUMENT MARKED AS EXHIBIT 21, PAGE 16?

01:37:21 9 A. I REMEMBER IT, YES.

01:37:22 10 Q. AND IS THIS A REPORT THAT YOU SUBMITTED TO  
11 TWITTER TO REPORT THE ACCOUNT KNOWN AS BARBARA  
12 UNDERSCORE FURRAIR, F U R R A I R ?

01:37:37 13 A. I'M SORRY. CAN YOU REPEAT THE QUESTION  
14 AGAIN?

01:37:41 15 Q. WOULD YOU MIND READING THAT BACK?

01:37:43 16 THE REPORTER: NOT AT ALL.

01:37:55 17 (RECORD READ.)

01:37:57 18 THE WITNESS: THIS APPEARS TO BE A SCREEN  
19 SHOT OF THE REPORTING FUNCTION ON TWITTER BUT NOT THE  
20 REPORT ITSELF.

01:38:05 21 Q. (BY MS. HAMILL) OKAY. AND I'LL REPRESENT  
22 TO YOU THAT THIS CAME FROM THE X CORP. PRODUCTION,  
23 SO I DID NOT PRODUCE THIS DOCUMENT. THIS CAME FROM  
24 X CORP.

01:38:14 25 IF YOU GO TOWARD THE BOTTOM OF THIS IN THE  
26 MIDDLE WHERE THE TEXT IS, IF YOU SEE WHERE IT SAYS  
27 PLEASE PROVIDE LINKS TO EXAMPLES OF THIS POTENTIAL  
28 IMPERSONATION -- DO YOU SEE WHERE I AM.

01:38:28 1 A. I SEE IT, YES.

01:38:30 2 Q. AND RIGHT ABOVE THAT, YOU CHECKED A BOX THAT  
3 SAYS, THEY ARE POSTING OUR CONTENT.

01:38:36 4 CORRECT.

01:38:36 5 A. IT SAYS THEY ARE POSTING OUR CONTENT LIKE  
6 TWEETS, BIO, OR WEBSITE AND CLAIMING IT AS THEIR OWN.

01:38:42 7 Q. OKAY. SO YOU REPORTED THIS ACCOUNT FOR  
8 IMPERSONATION; CORRECT?

01:38:46 9 A. IT APPEARS SO, YES.

01:38:47 10 Q. I'LL TAKE THAT BACK.

01:38:49 11 MAY I APPROACH?

01:38:51 12 THE COURT: YES.

01:38:52 13 MS. HAMILL: THANK YOU.

01:38:58 14 Q. (BY MS. HAMILL) WERE YOU CONCERNED THAT  
15 TWITTER USERS WOULD MISTAKE THE BARBARA FURRAIR DOG  
16 ACCOUNT FOR THE DEPARTMENT OF PUBLIC HEALTH'S  
17 ACCOUNT?

01:39:08 18 MR. RAYGOR: OBJECTION. LACKS FOUNDATION AS  
19 TO DOG ACCOUNT.

01:39:12 20 THE COURT: AS TO WHAT?

01:39:13 21 MR. RAYGOR: DOG ACCOUNT.

01:39:16 22 THE COURT: CAN YOU ASK YOUR QUESTION AGAIN?  
23 I'M NOT SURE WHAT I HEARD ABOUT A DOG.

01:39:21 24 Q. (BY MS. HAMILL) WAS THIS BARBARA FURRAIR,  
25 F U R R A I R, ACCOUNT A FAKE DOG?

01:39:27 26 A. I CAN EXPLAIN FOR YOU.

01:39:28 27 THE COURT: WELL, WHAT IS A FAKE DOG?

01:39:32 28 Q. (BY MS. HAMILL) IT WAS A SATIRICAL ACCOUNT

1 FROM A DOG'S PERSPECTIVE.

01:39:38 2 THE COURT: OKAY. THAT'S YOUR PROFFER.

01:39:40 3 DO YOU UNDERSTAND THE QUESTION?

01:39:43 4 THE WITNESS: TO A DEGREE, YES. I CAN'T  
5 REMEMBER SPECIFICALLY THE QUESTION.

01:39:47 6 THE COURT: WELL, THE REPORTER WILL READ IT  
7 BACK.

01:39:49 8 THE WITNESS: GOT IT. I'M HAPPY TO EXPLAIN  
9 TO YOU.

01:39:52 10 THE COURT: WELL, LET'S GET A QUESTION AND  
11 THEN GIVE AN ANSWER IF YOU CAN.

01:39:55 12 THE WITNESS: GOT IT.

01:40:21 13 (RECORD READ.)

01:40:22 14 THE COURT: YOU MAY ANSWER THAT IF YOU  
15 UNDERSTAND IT.

01:40:24 16 THE WITNESS: I'M NOT SURE HOW TO ANSWER  
17 THAT QUESTION.

01:40:26 18 THE COURT: WELL, IF YOU DON'T UNDERSTAND,  
19 THEN SHE'LL HAVE TO REPHRASE.

01:40:29 20 Q. (BY MS. HAMILL) EARLIER YOU SAID YOU  
21 REMEMBERED THIS BARBARA FURRAIR ACCOUNT; RIGHT, WITH  
22 THE F U R?

01:40:36 23 A. I DO, YES.

01:40:37 24 Q. DO YOU REMEMBER THIS ACCOUNT BEING A  
25 SATIRICAL DOG ACCOUNT FROM THE PERSPECTIVE OF A DOG?

01:40:43 26 A. I REMEMBER -- I DON'T SPECIFICALLY REMEMBER  
27 IT BEING A DOG THAT IT WAS, BUT I REMEMBER THIS BEING  
28 A SATIRICAL ACCOUNT THAT WOULD POST MEMES, JOKES, AND

1 OTHER KIND OF CONTENT POKING FUN AT OUR PROGRAM TO  
2 TEST ANIMALS FOR COVID-19.

01:41:06 3 Q. OKAY. AND WERE YOU CONCERNED THAT MEMBERS  
4 OF THE PUBLIC WOULD MISTAKE THIS SATIRICAL ACCOUNT FOR  
5 THE OFFICIAL DEPARTMENT OF PUBLIC HEALTH ACCOUNT?

01:41:17 6 A. NO. WHAT MY CONCERN WAS -- AND  
7 UNFORTUNATELY, WE DON'T HAVE COPIES OF THE TWEETS  
8 THEMSELVES -- IF I REMEMBER CORRECTLY, THEY WERE  
9 POSTING OUR CONTENT WITH CHANGES, AND SO THAT WAS MY  
10 CONCERN; THAT PEOPLE WOULD SEE THIS CONTENT, WHETHER  
11 THEY WERE CAMPAIGNS, POSTS, PIECES OF INFORMATION WITH  
12 THEM CHANGED, AND THEN PEOPLE WOULD MISTAKE THOSE  
13 PIECES OF CONTENT FOR CONTENT THAT IS FROM THE  
14 DEPARTMENT OF PUBLIC HEALTH.

01:41:49 15 AND THE REASON THAT I SELECTED THAT SPECIFIC  
16 SELECTION IS BECAUSE IT DOES SAY, THEY ARE POSTING OUR  
17 CONTENT, LIKE TWEETS, BIO AND WEBSITE AND CLAIMING IT  
18 AS THEIR OWN.

01:42:04 19 Q. AND YOU DIDN'T SUCCESS IN GETTING THIS  
20 ACCOUNT TAKEN DOWN, DID YOU?

01:42:08 21 A. I DON'T REMEMBER HEARING BACK OR WHAT  
22 HAPPENED WITNESSED AT ALL.

01:42:13 23 Q. DO YOU KNOW SEAN MISKO? MIS K O.

01:42:19 24 A. I DON'T KNOW WHO THAT IS. NEVER HEARD THAT  
25 NAME BEFORE.

01:42:22 26 Q. DO YOU KNOW JEFF LOWENSTEIN?

01:42:24 27 A. I DO KNOW WHO JEFF LOWENSTEIN IS, CORRECT.

01:42:27 28 Q. HOW DO YOU KNOW MR. LOWENSTEIN?

01:42:29 1 A. HE WAS THE LEGISLATIVE DIRECTOR WITHIN  
2 CONGRESSMAN SCHIFF'S OFFICE WHEN I WORKED THERE IN  
3 2012 FOR THREE-MONTHS.

01:42:39 4 Q. CAN YOU PLEASE TURN TO EXHIBIT 21, PAGE 21.  
5 ACTUALLY, LET'S SKIP TO 21-17, PLEASE?

01:43:08 6 THE COURT: PAGE 17?

01:43:11 7 Q. (BY MS. HAMILL) AND --

01:43:13 8 A. PAGE 17.

01:43:14 9 Q. AND AGAIN THIS EXHIBIT HAS BEEN REDACTED BY  
10 X CORP. FOR USE IN OPEN COURT, SO I WILL AGAIN REMIND  
11 YOU NOT TO RESTATE ANY OF THE COMMENTS WRITTEN BY  
12 X CORP. ON THIS DOCUMENT.

01:43:32 13 HAVE YOU SEEN THIS DOCUMENT BEFORE?

01:43:33 14 A. I HAVE NOT, NO.

01:43:41 15 Q. CAN YOU TURN TO EXHIBIT 21, PAGE 18. CAN  
16 YOU REVIEW THE E-MAIL FROM JEFF LOWENSTEIN ON  
17 APRIL 26TH, 2020, PLEASE.

01:44:19 18 A. OKAY.

01:44:20 19 Q. AND ABOVE THAT E-MAIL, IT LOOKS LIKE THIS IS  
20 A RESPONSE FROM LAUREN CULBERTSON TO JEFF; CORRECT?

01:44:29 21 A. IT APPEARS SO, YES.

01:44:30 22 Q. AND THEN ON THE NEXT PAGE, EXHIBIT 21,  
23 PAGE 17, AT THE BOTTOM, THERE'S ANOTHER E-MAIL FROM  
24 LAUREN CULBERTSON TO MR. LOWENSTEIN; CORRECT?

01:44:43 25 A. YES.

01:44:44 26 Q. AND THEN ABOVE THAT --

01:44:47 27 THE COURT: MISS HAMILL, HE SAID HE HAS  
28 NEVER SEEN THIS BEFORE, WHY IS HE BEING ASKED

1 QUESTIONS ABOUT IT?

01:44:53 2 MS. HAMILL: EXHIBIT 21, 17, IS THE SAME  
3 DOCUMENT THAT DEFENDANTS' COUNSEL REPRESENTED EARLIER  
4 WAS IMPORTANT TO THEIR DEFENSE.

01:44:59 5 THE COURT: WELL, IT MIGHT BE, BUT IF THIS  
6 WITNESS IS UNFAMILIAR WITH IT, IT'S JUST A WASTE OF  
7 COURT TIME.

01:45:04 8 MS. HAMILL: I'LL SKIP IT. I HAVE NO  
9 FURTHER QUESTIONS FOR THIS WITNESS AT THIS TIME BUT I  
10 RESERVE THE RIGHT TO RECALL HIM.

01:45:10 11 THE COURT: ALL RIGHT. MR. RAYGOR, IT'S  
12 YOUR TURN.

01:45:13 13

01:45:15 14 DIRECT EXAMINATION.

01:45:28 15 Q. (BY MR. RAYGOR) I'M SORRY, YOU PROBABLY  
16 JUST PUT -- CAN YOU GET EXHIBIT 21 BACK IN FRONT OF  
17 YOU?

01:45:34 18 A. YES. OKAY.

01:45:43 19 Q. JUST BECAUSE IT WAS FRESH, BECAUSE IT WAS IN  
20 THE LAST FEW MINUTES, CAN YOU LOOK AT EXHIBIT 21,  
21 PAGE 2.

01:45:53 22 A. I SEE IT, YES.

01:45:57 23 Q. MISS HAMILL HAD CALLED IT THE L.A. UPRISING  
24 ACCOUNT. WAS IT AN ACCOUNT OR A TWEET?

01:46:06 25 A. I'M SORRY. I DON'T UNDERSTAND THE QUESTION.

01:46:08 26 Q. IF YOU LOOK AT THE VERY BOTTOM OF PAGE OF  
27 EXHIBIT 21 -- SORRY, EXHIBIT 21, PAGE 2, THERE'S AN  
28 E-MAIL FROM YOU TO THE TWITTER TEAM AT 12:53 P.M.;



1 RIGHT?

01:46:21 2 A. CORRECT, YES.

01:46:22 3 Q. AND COULD YOU JUST READ THE FIRST SENTENCE.

01:46:28 4 A. WE REPORTED THE FOLLOWING TWEET WHICH  
5 IMPERSONATES A RECENT STATEMENT BUT I DON'T THINK  
6 WE'VE RECEIVED A CASE NUMBER AT ALL.

01:46:36 7 Q. A TWEET IS DIFFERENT FROM AN ACCOUNT;  
8 CORRECT?

01:46:39 9 A. CORRECT, YES.

01:46:40 10 Q. SO MISS HAMILL HAD REFERRED TO IT AS AN  
11 ACCOUNT, BUT IT WAS JUST A TWEET, A SINGLE TWEET?

01:46:46 12 A. CORRECT. IT WAS A SINGLE TWEET THAT I HAD  
13 REPORTED, BECAUSE I BELIEVE IT TO IMPERSONATE A RECENT  
14 STATEMENT OF OURS.

01:46:55 15 Q. YOU CAN PUT THAT ASIDE FOR NOW. I'M GOING  
16 TO TAKE YOU BACK A LITTLE BIT TO SOME OF THE QUESTIONS  
17 YESTERDAY, AND IT MAY SOUND LIKE I'M JUMPING AROUND A  
18 BIT, BUT WE'LL TRY TO GET THROUGH THIS QUICKLY.

01:47:14 19 YESTERDAY MISS HAMILL STATED THAT A FEW  
20 TIMES THAT YOU WERE A COMMUNICATIONS DIRECTOR FOR  
21 THREE CONGRESSMEN. IS THAT CORRECT?

01:47:21 22 A. NO, THAT'S NOT CORRECT.

01:47:23 23 Q. DID YOU PERHAPS MISHEAR THE QUESTION?

01:47:26 24 A. PERHAPS, YES.

01:47:29 25 Q. SO WHEN DID YOU WORK FOR REPRESENTATIVE  
26 SCHIFF?

01:47:32 27 A. I WORKED FOR HIM IN AUGUST OF 2012 AS AN  
28 INTERN AND THEN FROM SEPTEMBER UNTIL THE END OF

1 DECEMBER IN 2012, I WORKED AS A PRESS AIDE BECAUSE IT  
2 WAS A TEMPORARY JOB OPPORTUNITY THAT THEY PROVIDED ME.

01:47:51 3 Q. AS A PRESS AIDE, YOU WERE NOT A  
4 COMMUNICATIONS DIRECTOR; CORRECT?

01:47:55 5 A. I WAS NOT, NO. I WAS BRAND-NEW TO CAPITOL  
6 HILL, AND I WAS BASICALLY LEARNING THE REASONS.

01:48:01 7 Q. SO DID YOU ONLY WORK FOR REPRESENTATIVE  
8 SCHIFF OVER A DECADE AGO?

01:48:05 9 A. CORRECT, YES.

01:48:06 10 Q. AND FOR LESS THAN HALF A YEAR?

01:48:09 11 A. IN HIS OFFICIAL CONGRESSIONAL OFFICE, YES,  
12 FOR LESS THAN FOUR-MONTHS.

01:48:16 13 Q. AND NEXT YOU WORKED FOR, I BELIEVE, IN TIME  
14 WAS REPRESENTATIVE MARK TAKANO. IS THAT RIGHT?

01:48:23 15 A. THAT'S CORRECT, YES.

01:48:24 16 Q. AND CAN YOU GIVE ME THE ROUGH TIME FRAME?

01:48:27 17 A. I WORKED FOR HIM FROM EITHER LATE  
18 DECEMBER 2012 OR EARLY JANUARY 2013 UNTIL AROUND  
19 SEPTEMBER OF 2015.

01:48:38 20 Q. AND WHAT WAS YOUR JOB FOR HIM DURING -- AT  
21 LEAST PART OF THAT TIME, WAS IT COMMUNICATION  
22 DIRECTOR?

01:48:45 23 A. INITIALLY IT WAS COMMUNICATIONS DIRECTOR AND  
24 THEN IT EVOLVED -- IT EVOLVED WHERE I ALSO HELD THE  
25 TITLE OF SENIOR ADVISOR.

01:48:52 26 Q. SO JUST SO I'M CLEAR, YOU MOVED FROM WORKING  
27 FOR REPRESENTATIVE SCHIFF TO WORKING FOR MARK TAKANO;  
28 CORRECT?

01:49:01 1 A. CORRECT, CONGRESSMAN TAKANO WAS A FRESHMAN  
2 MEMBER, SO I HELPED OPEN HIS CONGRESSIONAL OFFICE.

01:49:09 3 Q. WHERE DID YOU GO AFTER THAT?

01:49:11 4 A. I BEGAN WORKING FOR CONGRESSMAN KEITH  
5 ELLISON IN SEPTEMBER OF 2015.

01:49:19 6 Q. UNTIL WHEN?

01:49:20 7 A. I WANT TO SAY AROUND NOVEMBER OF 2017.

01:49:25 8 Q. AND WHAT WAS YOUR JOB FOR REPRESENTATIVE  
9 ELLIS SON?

01:49:32 10 A. COMMUNICATIONS DIRECTOR. I DID NOT HOLD A  
11 SENIOR ADVISOR JOB TITLE IN THAT OFFICE.

01:49:40 12 Q. I'M SHIFTING GEARS HERE TO TWITTER  
13 TIMELINES. THERE WAS A REFERENCE TO MISS HAMILL  
14 YESTERDAY ABOUT DEPARTMENT OF PUBLIC HEALTH POSTS NOT  
15 APPEARING IN THE DEPARTMENT'S TWITTER TIMELINE  
16 EARLIER, I THINK SHE SAID THAN JUNE 2022. DO YOU  
17 RECALL THAT?

01:49:57 18 A. I DO, YES.

01:49:59 19 Q. IS THAT TRUE?

01:50:02 20 A. WHAT I UNDERSTAND TO BE TRUE IS THAT THERE  
21 ARE LIMITATIONS WITHIN TWITTER'S SERVERS WHERE CERTAIN  
22 ACCOUNTS, TWEETS, OR POSTS WILL ONLY GO BACK SO FAR.

01:50:17 23 Q. IS THAT -- IS THAT UNDER THE CONTROL OF  
24 TWITTER OR OF THE ACCOUNTHOLDER?

01:50:23 25 MS. HAMILL: OBJECTION. LACKS FOUNDATION.

01:50:26 26 THE COURT: OVERRULED. YOU CAN TESTIFY IF  
27 YOU KNOW.

01:50:29 28 THE WITNESS: MY UNDERSTANDING IS, THAT IS

1 UNDER THE CONTROL OF TWITTER AND THEIR SERVERS OR  
2 POLICIES.

01:50:37 3 Q. (BY MR. RAYGOR) SO IF THERE ARE NO POSTS  
4 APPEARING IN THE DEPARTMENT'S TWITTER TIMELINE  
5 EARLIER THAN JUNE 20, 2022, IS THAT BECAUSE THE  
6 DEPARTMENT HAS REMOVED THEM?

01:50:49 7 A. NO.

01:50:50 8 Q. HAS THE DEPARTMENT EVER DELETED ANY OF ITS  
9 SOCIAL MEDIA POSTS OR TWEETS?

01:50:55 10 A. THE ONLY INSTANCE WHERE WE WOULD EVER DELETE  
11 A SOCIAL MEDIA POST OR TWEET IS IF THERE WAS A TYPO  
12 AND WE CAUGHT IT AND WANTED TO REPOST IT, BECAUSE THAT  
13 WOULD NOT LOOK GOOD. OR IF WE CAUGHT OR DISCOVERED  
14 THAT WE ACCIDENTALLY ALLOWED PUBLIC COMMENTARY. SO  
15 I WOULD ASK THE TEAM TO GO IN, DELETE IT, AND THEN  
16 REPOST IT WITH THE CORRECT SETTINGS.

01:51:23 17 Q. HAS THE DEPARTMENT EVER DELETED ANY COMMENTS  
18 THAT ARE MADE IN RESPONSE TO DHP POSTS?

01:51:29 19 A. NO. THE DEPARTMENT HAS NEVER DELETED ANY  
20 COMMENTS POSTED ON ANY OF OUR POSTS, EVEN THOUGH WE  
21 HAVE THE TECHNICAL ABILITY TO DO SO.

01:51:38 22 Q. IS THAT TRUE EVEN IF COMMENTS WERE LEFT OPEN  
23 MISTAKENLY? THEY'RE STILL THERE?

01:51:43 24 A. ABSOLUTELY, 100 PERCENT.

01:51:48 25 Q. YOU MENTIONED YESTERDAY THAT PEOPLE CAN  
26 RETWEET ANY OF THE DEPARTMENT'S TWITTER POSTS OR  
27 TWEETS, I GUESS THEY'RE CALLED, AT ANY TIME. IS THAT  
28 RIGHT?

01:51:58 1 A. THAT'S CORRECT, YES.

01:51:59 2 Q. WHAT DOES FLAGGING A POST OR TWEET MEAN?

01:52:02 3 A. I'M SORRY. CAN YOU SAY THAT AGAIN?

01:52:04 4 Q. WHAT DOES FLAGGING A POST OR TWEET MEAN?

01:52:09 5 A. I'M NOT SURE I UNDERSTAND THE CONTEXT. I'M  
6 SORRY.

01:52:12 7 Q. HAVE YOU EVER ON TWITTERED FLAGGED ANY  
8 PARTICULAR POST OR COMMENT?

01:52:16 9 A. TYPICALLY WHAT THAT WOULD MEAN IS REPORT.  
10 I'M ASSUMING YOU MEAN REPORT A TWEET TO TWITTER FOR  
11 POTENTIALLY VIOLATING TERMS OR CONDITIONS.

01:52:26 12 Q. WELL, ASSUME THAT I AM NOT VERY TECH SAVVY  
13 IN THIS AREA, EITHER, OTHER THAN WHAT I'VE LEARNED IN  
14 THIS CASE. SO WHAT DOES FLAGGING REFER TO OR  
15 REPORTING THE WAY YOU JUST DESCRIBED IT?

01:52:40 16 A. INDICATING FOR TWITTER TO REVIEW THE -- THAT  
17 TWEET'S CONTENTS OR POST'S CONTENTS FOR POTENTIAL  
18 VIOLATIONS OF THEIR TERMS OF SERVICE.

01:52:55 19 Q. YESTERDAY THERE WAS SOME DISCUSSION ABOUT  
20 YOUR COMMUNICATIONS WITH CORAL ITZCALLI. DO YOU  
21 RECALL THAT?

01:53:01 22 A. I DO, YES.

01:53:07 23 Q. AND AGAIN, WHO IS SHE?

01:53:08 24 A. SHE'S THE COMMUNICATIONS DIRECTOR FOR THE  
25 DEPARTMENT OF HEALTH SERVICES FOR LOS ANGELES COUNTY.

01:53:13 26 Q. THAT'S A SEPARATE DEPARTMENT; RIGHT?

01:53:16 27 A. I BELIEVE SO, YES.

01:53:17 28 Q. IS SHE ESSENTIALLY YOUR COUNTERPART BUT AT A

1 DIFFERENT DEPARTMENT?

01:53:21 2 A. CORRECT, YES.

01:53:23 3 Q. CAN YOU LOOK AT EXHIBIT 23, PLEASE.

01:53:25 4 A. TWENTY?

01:53:26 5 Q. TWENTY-THREE.

01:53:27 6 A. TWENTY-THREE?

01:53:42 7 OKAY.

01:53:44 8 Q. DO YOU RECALL HAVING LOOKED AT THIS  
9 YESTERDAY AND SOME QUESTIONS ABOUT IT.

01:53:50 10 A. I DO, YES.

01:53:51 11 Q. WHAT DO YOU RECALL ABOUT THE PURPOSE FOR  
12 THIS TWEET -- SORRY, NOT A TWEET, AN E-MAIL.

01:53:57 13 A. I'M SORRY. I DIDN'T CATCH THE SECOND.

01:53:59 14 Q. WHAT DO YOU RECALL ABOUT THE PURPOSE OF YOU  
15 SENDING THIS E-MAIL TO MISS ITZCALLI?

01:54:07 16 A. IT APPEARED THAT DR. SPELLBERG HAD RETWEETED  
17 A POST FROM THIS INDIVIDUAL WHO I DON'T KNOW THAT WAS  
18 CRITICAL OF HIMSELF. SO THAT'S WHY I SENT IT TO CORAL  
19 AND STATED THAT I WASN'T SURE IF HE DID THIS BY  
20 ACCIDENT.

01:54:32 21 Q. DID YOU ASK HER TO HAVE DR. SPELLBERG REMOVE  
22 IT?

01:54:37 23 A. NO, I DID NOT, IN MY E-MAIL TO HER.

01:54:40 24 Q. DO YOU KNOW IF HE REMOVED HIS TWEET?

01:54:43 25 A. I DON'T RECALL IF HE REMOVED IT OR NOT.

01:54:46 26 Q. WOULD YOU LOOK AT EXHIBIT 209? THAT WILL BE  
27 IN A DIFFERENT BOOK. IF YOU WANT, MAYBE LEAVE THAT  
28 ONE THERE. I'M GOING TO COME RIGHT BACK TO IT.

01:54:57 1 A. SURE. EXHIBIT 209.

01:55:14 2 Q. DO YOU REMEMBER BEING SHOWN THIS STATEMENT  
3 FROM HEALTH SERVICES YESTERDAY?

01:55:18 4 A. I REMEMBER, YES.

01:55:20 5 Q. DID YOU HAVE ANYTHING AT ALL TO DO WITH  
6 WRITING IT OR SUGGESTING THAT IT BE WRITTEN?

01:55:24 7 A. I DID NOT.

01:55:26 8 Q. WAS THIS SOLELY SOMETHING THAT WAS DONE BY  
9 YOUR COUNTERPART AT HEALTH SERVICES?

01:55:30 10 A. YES, IT WAS.

01:55:31 11 Q. AND THAT'S CORAL ITZCALLI?

01:55:34 12 A. CORRECT, YES.

01:55:37 13 Q. DID YOU EVER HAVE ANY COMMUNICATIONS WITH  
14 MS. ITZCALLI ABOUT CLOSING PUBLIC COMMENTARY IN  
15 RESPONSE TO DHP POSTS ON DEPARTMENT'S SOCIAL MEDIA  
16 ACCOUNTS?

01:55:49 17 A. I DID NOT, NO, AT ANY TIME.

01:55:50 18 Q. DID YOU EVER HAVE ANY SUCH COMMUNICATIONS  
19 WITH ANYONE AT THE DEPARTMENT OF HEALTH SERVICES?

01:55:56 20 A. I DID NOT.

01:55:57 21 Q. DID YOU EVER HAVE ANY SUCH COMMUNICATIONS  
22 WITH ANYONE TELECOMMUNICATIONS OFFICE THAT IS FOR  
23 COUNTYWIDE COMMUNICATIONS?

01:56:04 24 A. I DID NOT.

01:56:05 25 Q. WERE THE ONLY DISCUSSIONS YOU HAD ON THAT  
26 SUBJECT ABOUT CLOSING PUBLIC COMMENTARY IN RESPONSE TO  
27 DHP SOCIAL MEDIA POSTS INSIDE DHP?

01:56:17 28 A. CORRECT, YES.

01:56:19 1 Q. SO YOU CAN PUT THAT BOOK BEHIND YOU NOW.

01:56:32 2 TURN TO EXHIBIT 22. DO YOU RECALL SEEING  
3 THIS YESTERDAY?

01:56:47 4 A. I DO, YES.

01:56:50 5 Q. AND I BELIEVE YOU TESTIFIED THAT LISA FRIAS  
6 IS A DIRECTOR OF ENVIRONMENTAL HEALTH HAD; RIGHT?

01:56:57 7 A. YES.

01:56:59 8 Q. IS THAT A DIVISION WITHIN THE DEPARTMENT OF  
9 PUBLIC HEALTH?

01:57:04 10 A. I WOULD CALL IT A PROGRAM WITHIN OUR HEALTH  
11 PROMOTION BUREAU.

01:57:12 12 Q. AND DO YOU RECALL YESTERDAY THERE WAS SOME  
13 DISCUSSION ABOUT HER SEEKING FOR VOLUNTEERS IN THE  
14 EVENT THERE WAS A NEW MASK MANDATE ISSUED? DO YOU  
15 RECALL?

01:57:25 16 A. SORRY. I DON'T SPECIFICALLY RECALL  
17 DISCUSSING THAT, BUT...

01:57:30 18 Q. CAN YOU JUST TAKE A MOMENT AND LOOK THROUGH  
19 THIS E-MAIL.

01:57:34 20 A. SURE. OKAY.

01:57:51 21 Q. SO TOWARD THE TOP YOU SEE SOME BOLDED TEXT  
22 THERE?

01:57:56 23 A. YES.

01:57:57 24 Q. AND IT SAYS VOLUNTEERS WILL BE NEEDED TO  
25 WORK OVERTIME ON THE WEEKENDS OF JULY 30 AND 31 AND  
26 AUGUST 6 AND 7.

01:58:04 27 CORRECT?

01:58:04 28 A. CORRECT, YES.



01:58:05 1 Q. AND THEN DOWN BELOW, THE SATURDAY AND SUNDAY  
2 TIME LISTINGS SAYS ON THESE WEEKENDS VOLUNTEERS WILL  
3 BE VISITING BUSINESSES AT HIGH RISK FOR COVID  
4 TRANSMISSION.

01:58:17 5 MS. HAMILL: OBJECTION. THIS DOCUMENT  
6 SPEAKS FOR ITSELF AND THE WITNESS HAS NO PERCIPIENT  
7 KNOWLEDGE OF THIS DOCUMENT.

01:58:25 8 THE COURT: HAVE YOU SEEN THIS BEFORE?

01:58:26 9 THE WITNESS: I HAVE SEEN IT BEFORE.

01:58:27 10 THE COURT: OKAY. AND I RECALL THERE WAS  
11 SOME TESTIMONY YESTERDAY.

01:58:32 12 ARE YOU MOVING IT IS INTO EVIDENCE?

01:58:34 13 MR. RAYGOR: YES.

01:58:36 14 THE COURT: THIS IS YOUR EXHIBIT? DO YOU  
15 HAVE ANY OBJECTION?

01:58:38 16 MS. HAMILL: I HAVE NO OBJECTION TO THE  
17 EXHIBIT ITSELF. I'M JUST WONDERING WHERE THIS LINE OF  
18 QUESTIONING IS GOING.

01:58:44 19 THE COURT: WELL, I'M GOING TO GIVE A LITTLE  
20 LATITUDE, BUT EXHIBIT 22 IS IN SO THE CURRENT  
21 OBJECTION IS IN. WHAT'S THE QUESTION, PLEASE?

01:58:53 22 Q. (BY MR. RAYGOR) THE QUESTION, DOWN BELOW  
23 THE SATURDAY AND SUNDAY, DO YOU SEE THE STATEMENTS  
24 SAYS ON THESE WEEKENDS VOLUNTEERS WILL BE VISITING  
25 BUSINESSES AT HIGH RISK FOR COVID TRANSMISSION?

01:59:03 26 A. YES, I SEE THAT.

01:59:05 27 Q. WHAT IS YOUR SENSE OF WHAT THE PURPOSE FOR  
28 READING THE PURPOSE OF THIS E-MAIL IS?

01:59:12 1 MS. HAMILL: OBJECTION. CALLS FOR  
2 SPECULATION.

01:59:14 3 THE COURT: SUSTAINED.

01:59:16 4 Q. (BY MR. RAYGOR) WAS A NEW MASK MANDATE  
5 EVER ISSUED?

01:59:19 6 A. IT WAS NOT, NO.

01:59:21 7 Q. DID YOU HAVE ANY COMMUNICATIONS WITH  
8 MISS FRIAS ABOUT CLOSING PUBLIC COMMENTARY ON ANY OF  
9 THE DEPARTMENT'S SOCIAL MEDIA SITES?

01:59:40 10 A. NEVER.

01:59:49 11 Q. COULD YOU TURN TO EXHIBIT 35. YOU MAY  
12 RECALL, JUST FROM THE FIRST PAGE WHICH IS STATED  
13 EXCERPTS FROM VIDEO AND TRANSCRIPT OF JULY 13, 2022,  
14 LAC+USC TOWN HALL.

02:00:26 15 DO YOU RECALL LOOKING AT THE VIDEO THAT'S  
16 ASSOCIATED WITH THAT?

02:00:29 17 A. I DO, YES.

02:00:37 18 Q. IS THAT VIDEO STILL ONLINE SOMEWHERE?

02:00:40 19 A. MY UNDERSTANDING IS THAT YES, IT IS.

02:00:43 20 Q. DO YOU HAVE ANY PROBLEM WITH THAT?

02:00:45 21 A. NO.

02:00:48 22 Q. HAVE YOU EVER ASKED THAT IT BE TAKEN DOWN?

02:00:50 23 A. NEVER.

02:00:51 24 Q. HAVE YOU TALKED WITH ANYBODY ABOUT ASKING  
25 THAT IT BE TAKEN DOWN?

02:00:55 26 A. NEVER.

02:00:58 27 Q. DOES THE FACT THAT IT'S STILL ONLINE AND  
28 PEOPLE CAN LOOK AT IT CAUSE YOU ANY CONCERN AT ALL

1 FROM A COMMUNICATION POINT OF VIEW?

02:01:06 2 A. NO.

02:01:06 3 Q. WHY NOT?

02:01:09 4 A. BECAUSE IT'S MORE THAN A YEAR OLD, AND IT'S  
5 JUST REPRESENTATIVES FROM THAT HOSPITAL TALKING ABOUT  
6 WHAT THEY'RE EXPERIENCING AT THEIR HOSPITAL.

02:01:36 7 Q. WOULD YOU TURN TO EXHIBIT 52, PLEASE. YOU  
8 WERE ASKED A FEW QUESTIONS EARLIER TODAY ABOUT THIS  
9 SET OF PRINTOUTS FROM -- IT'S YOUR PERSONAL TWITTER  
10 ACCOUNTS; RIGHT?

02:02:05 11 A. CORRECT, YES.

02:02:06 12 Q. BUT THE FIRST COUPLE OF PAGES I'LL JUST ASK  
13 ABOUT. THE FIRST ONE, THE ONE THAT SAYS AT THE TOP,  
14 HOW FUCKING RIDICULOUS IS THIS ROOM?

02:02:17 15 WHAT DID YOU MEAN HERE?

02:02:21 16 A. IT IS VERY GOLD, AND IN MY PERSONAL OPINION,  
17 OVER THE TOP.

02:02:32 18 Q. DID YOU HAVE ANY OTHER INTENT OTHER THAN  
19 JUST COMMENTING ON WHAT THIS ROOM LOOKED LIKE?

02:02:36 20 A. NO, NO, NOT AT ALL.

02:02:38 21 Q. ON THE SECOND PAGE, TURN TO EXHIBIT 52-TWO.  
22 THIS IS ALSO FROM YOUR PERSONAL TWITTER ACCOUNT;  
23 RIGHT?

02:02:53 24 A. YES.

02:02:53 25 Q. A NIGERIAN ARTIFICIAL FAKE FAINTED AFTER HE  
26 WAS GRILLED ABOUT MISSING FUNDS.

02:02:59 27 AND YOUR COMMENT ABOUT THAT IN THE VIDEO,  
28 APPARENTLY THAT'S EMBEDDED BELOW IT IS SIMPLY USING

1 THIS.

02:03:07 2 DO YOU SEE THAT?

02:03:08 3 A. I DO, YES.

02:03:10 4 Q. WHAT DID YOU -- WHAT DID YOU MEAN BY THAT,  
5 USING THIS?

02:03:14 6 A. I WAS MAKING A JOKE IF MY WIFE EVER ASKED ME  
7 A QUESTION THAT I DIDN'T WANT TO ANSWER, SO I WOULD  
8 PRETEND TO FAINT, WHICH I DID DO. AND IT DIDN'T WORK.

02:03:32 9 Q. SMART WIFE.

02:03:33 10 A. SHE IS.

02:03:40 11 Q. TURN TO EXHIBIT 45, PLEASE. THIS IS -- AND  
12 I'M DIRECT YOU TO PAGE 45 OF 49, JUST BECAUSE WE HAD  
13 SOME CONFUSION ABOUT THIS BEFORE, YOUR DEPOSITION IS  
14 FOLLOWED BY SOME EXHIBITS. AND SO LOOK AT 49 TOWARD  
15 THE BACK OF EXHIBIT 40.

02:04:00 16 A. PAGE 49 OF EXHIBIT 45?

02:04:02 17 Q. YES.

02:04:04 18 A. OKAY.

02:04:13 19 Q. IT SHOULD HAVE A YELLOW STICKER THAT APPEARS  
20 THAT SAYS EXHIBIT 3?

02:04:16 21 A. OKAY. I APOLOGIZE. THIS IS EXHIBIT 45-49  
22 OR IS THIS PAGE 49 LISTED ON THE TRANSCRIPT?

02:04:24 23 Q. EXHIBIT 45-049.

02:04:27 24 A. GOT IT. OKAY. ONE SECOND.

02:04:29 25 OKAY. I'M HERE NOW.

02:04:32 26 Q. THE E-MAIL -- THE FULL E-MAIL THAT'S AT THE  
27 BOTTOM OF THAT PAGE IS FROM YOU TO MONIQUE CISNEROS  
28 AND ERICA LESPRON; RIGHT? 3:08 P.M.?

02:04:48 1 A. YES. I SEE IT.

02:04:51 2 Q. YOU STATE THERE, LET'S HOLD SO WE DON'T  
3 FLOOD THEM. WHAT ARE YOU REFERRING TO THERE?

02:04:58 4 A. IN SOCIAL MEDIA, IF YOU DO TOO MANY POSTS  
5 BACK TO BACK OR IN QUICK SUCCESSION, THE AUDIENCE SIZE  
6 OR THE VIEWERSHIP WILL BE CANNABALIZED, AND YOU'LL GET  
7 YOUR AUDIENCE OR IMPRESSIONS WILL BE FEWER. IF YOU  
8 LET THEM BREATHE AND YOU GIVE SOME SPACE IN BETWEEN  
9 THE POSTS BASICALLY.

02:05:23 10 Q. THEN TURN TO THE NEXT PAGE, WHICH IS-50.

02:05:27 11 A. OKAY.

02:05:28 12 Q. IT CROSSES OVER TO-51.

02:05:31 13 A. UH-HUH.

02:05:31 14 Q. THIS IS FROM MONIQUE CISNEROS TO YOU AND  
15 MISS LESPRON; CORRECT?

02:05:37 16 A. AND BUSHRA ALJABER. BU S HR A. LAST NAME  
17 IS ALJABER, ALJ AB ER.

02:05:56 18 Q. THIS IS A QUESTION MORE DIRECTED AT WHAT  
19 WE'RE LOOKING AT ON THE NEXT E-MAIL, MISS CISNEROS  
20 STARTS BY SAYING HI BRETT, HERE ARE THE SOCIAL POSTS  
21 FOR TODAY. AND THEN ON THE NEXT PAGE, THERE'S  
22 SOMETHING AT THE TOP, EXTREME HEAT-DONE.

02:06:13 23 WHAT IS THIS PAGE SHOWING YOU?

02:06:16 24 A. WHAT THIS IS THE -- THEM SENDING ME THE  
25 SOCIAL POSTS, THE COPY, THE TEXT, THE IMAGES AND  
26 POTENTIAL SHARES OR RETWEETS FOR THE DAY, FOR ME TO  
27 REVIEW THE GRAPHICS AND THEN THE TEXT OF THE POSTS.  
28 AND WHAT SHE'S REFERRING TO WHEN SHE SAYS EXTREME

1 HEAT-DONE, THAT MEANS THERE THAT POSE HAS ALREADY BEEN  
2 POSTED FOR THAT DAY.

02:06:46 3 Q. OKAY. AND DOWN BELOW, YOU SEE  
4 IG/FACEBOOK -- SORRY, FB?

02:06:54 5 A. CORRECT, YES.

02:06:55 6 Q. IS THAT REFERRING TO INSTAGRAM AND FACEBOOK?

02:06:58 7 A. CORRECT, YES.

02:06:59 8 Q. DOWN BELOW THERE'S A TW.

02:07:02 9 A. YES.

02:07:03 10 Q. WHAT'S THAT REFER TO?

02:07:05 11 A. TWITTER? NOW IT'S CALLED X.

02:07:08 12 Q. EARLIER TODAY THERE WAS SOME DISCUSSION  
13 ABOUT BOARD OF SUPERVISOR MEETINGS AND WHETHER PEOPLE  
14 COULD ATTEND THEM. DO YOU RECALL?

02:07:17 15 A. I DO, YES.

02:07:19 16 Q. WERE IN-PERSON MEETINGS WITH THE BOARD OF  
17 SUPERVISORS CLOSED FOR A PERIOD OF TIME BECAUSE OF THE  
18 PANDEMIC?

02:07:26 19 A. MY UNDERSTANDING IS, YES, THEY WERE.

02:07:28 20 Q. DO YOU KNOW IF DURING THAT PERIOD COULD THE  
21 PUBLIC STILL COMMENT TELEPHONICALLY?

02:07:33 22 A. YES, THEY COULD.

02:07:34 23 Q. DO YOU KNOW IF THE TELEPHONIC ATTENDANCE WAS  
24 EVER SHUT DOWN DURING THE PANDEMIC?

02:07:38 25 A. I DON'T BELIEVE IT WAS.

02:07:46 26 Q. TURN TO EXHIBIT 32, PLEASE. ARE YOU THERE?

02:08:08 27 A. I AM, YES.

02:08:09 28 Q. IF YOU WANT TO TURN THE BOOK MAYBE IT WILL

1 BE EASIER?

02:08:14 2 A. I CAN SEE IT NOW, YES.

02:08:15 3 Q. WE'LL START WITH PAGE 1, I WILL GO THROUGH  
4 THESE PAGES PRETTY QUICKLY BUT NOT EVERY PAGE.

02:08:21 5 SO I THINK YOU SAID YOU TRY YOUR BEST TO  
6 RESPOND TO QUESTIONS FROM THE PUBLIC AND DIRECT  
7 MESSAGES. IS THAT RIGHT?

02:08:27 8 A. CORRECT, YES.

02:08:29 9 Q. ON PAGE 1, IS THAT A QUESTION ON THE RIGHT?

02:08:33 10 A. IT IS NOT A QUESTION.

02:08:34 11 Q. CAN YOU JUST READ THAT ONE?

02:08:36 12 A. YOU GUYS ARE THE WORST OF THE WORST, A  
13 COMPLETE FRAUDULENT AND CORRUPT ORGANIZATION THAT  
14 SOMEDAY WILL BE BROUGHT DOWN BY THE TRUTH.

02:08:45 15 Q. YOU ALSO MENTION THAT THERE'S AN ISSUE WITH  
16 TWITTER HAVING SOME SORT OF SPAM OR CONTENT FILTER FOR  
17 DIRECT MESSAGES; RIGHT?

02:08:53 18 A. CORRECT, YES.

02:08:54 19 Q. SO WITH THAT IN MIND, CAN YOU TELL FROM THIS  
20 DOCUMENT WHETHER OR NOT THIS MESSAGE HERE ABOUT THE  
21 YOU GUYS ARE THE WORST OF THE WORST, THIS DIRECT  
22 MESSAGE, WAS ACTUALLY EVER RECEIVED AND SEEN BY  
23 ANYBODY AT DHP?

02:09:07 24 A. NO, YOU CANNOT. SO ONCE THE ARCHIVE WAS  
25 PULLED FOR TWITTER, IT PROVIDED ALL OF THE DIRECT  
26 MESSAGES REGARDLESS OF WHETHER OR NOT THEY WERE  
27 FILTERED THROUGH THEIR SEVERAL JUNK OR SPAM FILTERS.

02:09:22 28 MS. HAMILL: OBJECTION. LACKS FOUNDATION.

02:09:25 1 THE COURT: SUSTAINED. LAY A FOUNDATION.

02:09:28 2 Q. (BY MR. RAYGOR) DO YOU KNOW HOW THE FILTER  
3 AT TWITTER, BASED ON YOUR EXPERIENCE IN WORKING WITH  
4 TWITTER OR WITH WORKING WITH SOCIAL MEDIA ACCOUNTS  
5 LIKE TWITTER, FACEBOOK, AND INSTAGRAM, DO YOU KNOW  
6 HOW THAT FILTER WORKS?

02:09:41 7 A. I DO, YES.

02:09:43 8 Q. AND I BELIEVE YOU TESTIFIED EARLIER IT WAS  
9 WELL PUBLICIZED AND YOU READ ARTICLES ABOUT THAT?

02:09:49 10 A. CORRECT, YES.

02:09:49 11 Q. CAN YOU DESCRIBE SOME OF THOSE ARTICLES OR  
12 WHAT YOU'VE READ?

02:09:52 13 A. SURE.

02:09:53 14 MS. HAMILL: OBJECTION. IS THIS EXPERT  
15 TESTIMONY?

02:09:57 16 THE COURT: IS THAT AN OBJECTION?

02:10:00 17 MS. HAMILL: OBJECTION TO IMPROPER EXPERT  
18 TESTIMONY.

02:10:03 19 THE COURT: SUSTAINED. IT SOUNDS LIKE AN  
20 OPINION BASED ON HEARSAY.

02:10:09 21 Q. (BY MR. RAYGOR) SO IS THERE ANYTHING IN  
22 THIS EXHIBIT 32 THAT WOULD INDICATE TO YOU WHETHER  
23 OR NOT A DIRECT MESSAGE THAT APPEARS IN THE  
24 RIGHT-HAND COLUMN OF ANY PAGE HERE WAS ACTUALLY SEEN  
25 BY ANYBODY AT DHP?

02:10:23 26 A. THERE IS NO WAY TO TELL.

02:10:28 27 Q. AND THE FIRST ONE WAS NOT A QUESTION; RIGHT?

02:10:31 28 A. CORRECT. THAT IS NOT A QUESTION.



02:10:32 1 Q. AND WHEN I SAY THE FIRST ONE, ON PAGE 1?

02:10:36 2 A. CORRECT. AND I WOULD ALSO SAY --

02:10:38 3 THE COURT: WHAT ARE YOU REFERRING TO,  
4 MR. MORROW, AS THE FIRST ONE?

02:10:41 5 THE WITNESS: THE FIRST PAGE IN THE EXHIBIT.

02:10:44 6 Q. (BY MR. RAYGOR) AND IS THAT THE BUBBLE IN  
7 THE RIGHT THAT SAYS, YOU GUYS ARE THE WORST OF THE  
8 WORST?

02:10:49 9 A. CORRECT, YES.

02:10:50 10 THE COURT: WELL, DO YOU KNOW WHY THAT  
11 PARTICULAR MESSAGE IS IN A SECOND COLUMN?

02:10:56 12 THE WITNESS: SO SIMILAR TO E-MAILS WHERE  
13 YOU HAVE A COLUMN WITH ALL OF THE MESSAGES THAT YOU  
14 RECEIVE, YOU CAN SELECT THE MESSAGE OVER HERE ON THE  
15 LEFT-HAND SIDE, AND THEN IT WILL POPULATE THE CONTENT  
16 ON THE RIGHT-HAND SIDE OF THAT DIRECT MESSAGE.

02:11:13 17 THE COURT: WELL, DID YOU SELECT THE MESSAGE  
18 THAT IS APPEARING IN THE FAR-RIGHT COLUMN?

02:11:17 19 THE WITNESS: I DID NOT SELECT THIS. THIS  
20 WAS THE ARCHIVE, AND THIS IS A SCREEN SHOT, I'M  
21 ASSUMING, OF THE ARCHIVE. BUT I DID NOT SELECT THIS,  
22 NO.

02:11:30 23 THE COURT: DO YOU KNOW WHO DID?

02:11:31 24 THE WITNESS: I DIDN'T PROVIDE THIS SO --

02:11:33 25 MR. RAYGOR: THIS IS AN ALLIANCE DOCUMENT,  
26 YOUR HONOR.

02:11:36 27 THE COURT: WELL, I UNDERSTAND. I AS A  
28 TRIER OF FACT, I JUST LIKE TO KNOW HOW IT'S PREPARED

1 AND THE IMPORT OF A THIRD COLUMN HERE.

02:11:46 2 BUT WHOEVER IS PROFFERING IT, I SUPPOSE,  
3 WILL DETERMINE HOW THEY WISH TO EDUCATE ME IN THEIR  
4 FACT FINDING FUNCTION.

02:11:54 5 MS. HAMILL: YOUR HONOR, I TOOK SCREEN SHOTS  
6 FROM THE ARCHIVE TO PULL AND PUT INTO EXHIBITS  
7 PURSUANT TO OUR DISCUSSION PRIOR TO TRIAL. WE  
8 DISCUSSED THAT THE ARCHIVE IS AN INTERNET FILE AND  
9 YOUR HONOR ASKED US TO PULL WHATEVER EXHIBITS WE WERE  
10 GOING TO USE FROM THE ARCHIVE AND PUT THEM INTO  
11 EXHIBITS, WHICH IS HOW I CREATED EXHIBIT 32.

02:12:15 12 THE COURT: WELL, ARE YOU TELLING ME THAT  
13 YOU EDITED AN ARCHIVE PRODUCTION FROM THE DEPARTMENT  
14 OF PUBLIC HEALTH AND CREATED THIS THIRD COLUMN OF  
15 INFORMATION?

02:12:27 16 MS. HAMILL: I DID NOT EDIT IT AT ALL. I  
17 SIMPLY TOOK SCREEN SHOTS OF THE CONTENT IN THE  
18 ARCHIVE.

02:12:32 19 THE COURT: HOW DID THAT THIRD COLUMN GET  
20 GENERATED?

02:12:35 21 MS. HAMILL: THE ONE ON THE RIGHT WITH THE  
22 DATE?

02:12:38 23 THE COURT: YES.

02:12:38 24 MS. HAMILL: IF YOU CLICK IN THE MIDDLE  
25 COLUMN, IF YOU CLICK ON ONE OF THOSE MESSAGES, IT  
26 POPULATES THE THIRD COLUMN. SO I CLICKED THROUGH  
27 EACH --

02:12:49 28 THE COURT: YOU MANIPULATED THE DATA TO PULL

1 A PARTICULAR MESSAGE AND PUT IT INTO THIS THIRD  
2 COLUMN?

02:12:58 3 MS. HAMILL: IT'S NOT MANIPULATION OF THE  
4 DATA. IT'S PRODUCING INFORMATION --

02:13:03 5 THE COURT: YOU CLICKED A BUTTON.

02:13:05 6 MS. HAMILL: I CLICKED A BUTTON, BUT YOUR  
7 HONOR HAS THE FULL ARCHIVE AND THE COURT CAN DO THE  
8 SAME.

02:13:10 9 THE COURT: I DON'T INTEND TO MANIPULATE ANY  
10 EXHIBIT.

02:13:13 11 MS. HAMILL: THIS IS THE -- THIS IS -- IT  
12 WAS PRODUCED BY DEFENDANTS AS AN INTERNET DOCUMENT,  
13 AND THE ONLY WAY TO PRODUCE EVIDENCE FROM THE ARCHIVE  
14 TO BE USED IN COURT WAS TO DO IT THIS WAY.

02:13:27 15 THE COURT: WELL, I HAVE NO IDEA IF THAT'S  
16 TRUE. I JUST WANTED TO KNOW HOW IT WAS CREATED AND IT  
17 APPEARS THAT COUNSEL FOR PLAINTIFF TOOK DATA PRODUCED  
18 BY THE DEPARTMENT OF PUBLIC HEALTH AND IN SOME  
19 FASHION, CLICKED A BUTTON AND PRINTED IT OUT, AND  
20 THAT'S WHAT WE HAVE HERE IN EXHIBIT 32; CORRECT?

02:13:49 21 MS. HAMILL: YES, YOUR HONOR.

02:13:50 22 THE COURT: OKAY. ARE YOU MOVING THAT INTO  
23 EVIDENCE?

02:13:53 24 MS. HAMILL: YES, YOUR HONOR.

02:13:54 25 THE COURT: DO YOU HAVE AN OBJECTION,  
26 MR. RAYGOR?

02:14:06 27 MR. RAYGOR: YES, I DO, BECAUSE I DON'T --  
28 WHAT WE HAVE IN FRONT OF US, IF YOU LOOK AT THE FIRST

1 COLUMN UNDER THE TITLE DIRECT MESSAGES, IS A WHOLE  
2 LIST OF WHAT I ASSUME ARE HEADLINES OF DIRECT  
3 MESSAGES. AND IT LOOKS LIKE THERE'S A LITTLE BLUE  
4 LINE NEXT TO THE ONE THAT SAYS JULY 20, 2022, YOU GUYS  
5 ARE THE WORST OF THE WORST.

02:14:28 6 THE COURT: SLOW DOWN, MR. RAYGOR. BECAUSE  
7 THIS IS WHAT YOU HAVE; RIGHT?

02:14:32 8 MR. RAYGOR: YES.

02:14:33 9 THE COURT: IT'S THREE COLUMNS. THE FIRST  
10 COLUMN HAS A COLUMN L.A. PUBLIC HEALTH AT L.A. PUBLIC  
11 HEALTH, ET CETERA. THEN THE SECOND COLUMN SAYS DIRECT  
12 MESSAGES, AND THEN THERE'S A THIRD COLUMN WITH A DATE.  
13 AND MISS HAMILL HAS JUST ADVISED US THAT BY CLICKING  
14 SOME BUTTON, SHE PULLED A MESSAGE FROM THE SECOND  
15 COLUMN AND PUT IT INTO A THIRD COLUMN.

02:14:59 16 MR. RAYGOR: THAT IS CORRECT.

02:15:00 17 THE COURT: OKAY. SO WHAT'S YOUR OBJECTION?

02:15:01 18 MR. RAYGOR: MY PROBLEM IS THAT NOBODY  
19 CLICKED ON, UNDER THE SECOND COLUMN DIRECT MESSAGES,  
20 NOBODY CLICKED ON THE ONE THAT SAYS SENT A PHOTO OR  
21 THE NEXT ONE, I GOT MY FIRST SHOT FOUR WEEKS AGO. AND  
22 I DON'T KNOW WHY THIS PARTICULAR ONE WAS SELECTED AS  
23 OPPOSED TO WHAT THE REST MIGHT OR MIGHT NOT SHOW. SO  
24 IT'S AN INCOMPLETE, INAUTHENTIC EXCERPT HERE. YES,  
25 THIS CAME FROM THE ARCHIVE.

02:15:28 26 THE COURT: WAIT. LET ME SEE IF I  
27 UNDERSTAND. YOU'RE SAYING BECAUSE NOT ALL THE  
28 MESSAGES IN THE SECOND COLUMN WERE PUT INTO THE THIRD

1 COLUMN WITH THIS BOLD FEATURE, THAT IT'S INACCURATE?

02:15:42 2 MR. RAYGOR: IT'S INCOMPLETE.

02:15:43 3 THE COURT: WHY IS IT INCOMPLETE?

02:15:45 4 MR. RAYGOR: BECAUSE IT'S ONLY SELECTING ONE  
5 OF THE AREAS OF THE 10 OR 12 DIRECT MESSAGES HERE TO  
6 FOCUS ON. AND I DON'T KNOW WHY THE OTHERS WERE NOT  
7 ALSO SHOWN TO US AT THE SAME TIME FROM THIS ONE PAGE.  
8 IF THIS ONE PAGE HAD HAD ALL OF THE DIRECT MESSAGES  
9 AND WE COULD SEE IT, THEN I WOULD TAKE THAT AS AN  
10 AUTHENTIC EXCERPT. BUT THIS IS AN EXCERPT OF AN  
11 EXCERPT.

02:16:09 12 THE COURT: OKAY. LET ME JUST REFLECT FOR  
13 THE RECORD HERE THAT APPEARS THAT THE ONE MESSAGE IN  
14 COLUMN THREE OF EXHIBIT 32, PAGE 1, WAS TAKEN FROM THE  
15 SECOND COLUMN, AND THE ONE IN THE SECOND COLUMN IS  
16 INCOMPLETE. THERE IS ONE COMPLETE SENTENCE AND  
17 THERE'S THE BEGINNING OF A SECOND SENTENCE WITH AN  
18 ELLIPSIS. AND THEN IF YOU FURTHER PERUSE THE SECOND  
19 COLUMN, GO DOWN PERHAPS TWO TO JULY 18, 2022, THERE IS  
20 A MESSAGE THAT BEGAN HI, EXCLAMATION POINT. JUST  
21 WONDERING IF WE CAN GET ANOTHER ELLIPSIS.

02:17:04 22 SO THAT IS NOT A COMPLETE MESSAGE. AND IF I  
23 UNDERSTAND YOUR POINT, MR. RAYGOR, NOBODY AND  
24 PARTICULAR COUNSEL FOR PLAINTIFF, HAS CREATED A THIRD  
25 COLUMN WITH A COMPLETE MESSAGE.

02:17:18 26 MR. RAYGOR: CORRECT.

02:17:19 27 THE COURT: OKAY. DOES THAT GO TO THE  
28 WEIGHT OR THE ADMISSIBILITY OF THIS DOCUMENT?

02:17:25 1 MR. RAYGOR: I THINK IT GOES TO THE  
2 ADMISSIBILITY. LIKE I SAID, IF EACH OF THESE 10 OR  
3 12, INCLUDING THE ONE YOU JUST READ, HI, JUST  
4 WONDERING IF WE COULD GET ANOTHER, WERE ALSO IN THE  
5 RIGHT-HAND COLUMN, THEN WE COULD SEE WHAT THE CONTENT  
6 WAS AND WHAT RESPONSES, IF ANY, THERE WERE. IT'S  
7 UNFAIR TO FOCUS ON ONE AT THE EXPENSE OF ALL THE  
8 OTHERS AND IT MAKES IT INCOMPLETE.

02:17:52 9 THE COURT: RESPONSE?

02:17:55 10 MS. HAMILL: THIS ENTIRE ARCHIVE IS MARKED  
11 AS EXHIBIT 75, AND IT'S IN EVIDENCE. IT CAME FROM  
12 DEFENDANTS' ORIGINAL --

02:18:02 13 THE COURT: HOLD ON. IT'S 32.

02:18:04 14 MS. HAMILL: THE FULL ARCHIVE IS EXHIBIT 75.  
15 EXHIBIT 32 IS AN EXCERPT FROM THE ARCHIVE.

02:18:12 16 THE COURT: OKAY. GO AHEAD.

02:18:13 17 MS. HAMILL: AND THE ARCHIVE ITSELF IN  
18 EXHIBIT 75 IS A MASSIVE INTERNET FILE. IT REQUIRES  
19 THE INTERNET IN ORDER TO VIEW THE DOCUMENTS INSIDE THE  
20 ARCHIVE. I BROUGHT THIS UP AT ONE OF OUR FSCS, AND  
21 THE COURT ADVISED THAT IF WE WANTED TO USE ANYTHING  
22 FROM THE ARCHIVE THAT WE WOULD NEED TO PULL IT OUT AND  
23 MARK IT AS AN EXHIBIT AND PUT IT INTO THE EXHIBIT  
24 DOCUMENTS, WHICH IS WHAT I DID.

02:18:39 25 THE INTERNET FILE IS MASSIVE. THERE ARE  
26 THOUSANDS OF DIRECT MESSAGES. SO I COULD PULL ALL OF  
27 THE DIRECT MESSAGES AND PRINT THEM OUT AS AN EXHIBIT,  
28 BUT IT WOULD BE MASSIVE AND LOTS OF IT WOULD BE

1 IRRELEVANT.

02:18:52 2 BUT THE DEFENDANTS' ATTORNEYS ARE FULLY  
3 CAPABLE OF PUTTING IN THEIR EXCERPTS FROM THE ARCHIVE.  
4 THEY DIDN'T DO SO. SO TO ARGUE THAT IT'S INADMISSIBLE  
5 BECAUSE IT DOESN'T CONTAIN EVERY DIRECT MESSAGE IN THE  
6 ARCHIVE, I THINK, IS NOT WELL TAKEN.

02:19:11 7 THE COURT: ARE YOU PROFFERING THAT  
8 EXHIBIT 32 CONSISTS OF A COMPILATION OF THE DIRECT  
9 MESSAGES NOT RESPONDED TO?

02:19:23 10 MS. HAMILL: YES, YOUR HONOR.

02:19:26 11 THE COURT: ALL RIGHT.

02:19:27 12 MS. HAMILL: FROM JULY OF 2022 THROUGH  
13 APRIL 2023.

02:19:32 14 THE COURT: AND YOU INTEND TO CALL SOME  
15 WITNESS TO ESTABLISH THAT?

02:19:35 16 MS. HAMILL: WE'VE DISCUSSED IT WITH  
17 MR. MORROW ON THE RECORD.

02:19:39 18 THE COURT: I DON'T RECALL HEARING ANY  
19 TESTIMONY THAT HE HAS AGREED THAT EXHIBIT 32 CONSISTS  
20 OF ALL OR SOME UNIVERSE OF DIRECT MESSAGES NOT  
21 RESPONDED TO.

02:19:52 22 MS. HAMILL: I ASKED HIM -- I DON'T HAVE THE  
23 TRANSCRIPT IN FRONT OF ME -- BUT I DON'T THINK I ASKED  
24 HIM IF IT WAS ALL OF THE UNRESPONDED TO DIRECT  
25 MESSAGES.

02:20:01 26 THE COURT: LET ME ASK YOU A DIRECT  
27 QUESTION, MR. MORROW. HAVE YOU REVIEWED THIS MASSIVE  
28 DATA COMPILATION THAT IS EXHIBIT 75, I GUESS IT'S IN A

1 FLASH DRIVE IN THIS COURT, HAVE YOU REVIEWED THAT IN  
2 SOME OTHER WAY PRIOR TO COMING TO COURT?

02:20:16 3 THE WITNESS: BRIEFLY, YES.

02:20:18 4 THE COURT: SO YOU PERUSED IT ON A LAPTOP OR  
5 SOME OTHER DEVICE?

02:20:23 6 THE WITNESS: CORRECT, YES.

02:20:23 7 THE COURT: DID YOU DETERMINE WHETHER  
8 EXHIBIT 32 IS -- HAS BEEN PULLED FROM OR IS A  
9 COMPILATION OF SOME OF THE INFORMATION ON EXHIBIT 75?

02:20:37 10 THE WITNESS: I HAD NOT SEEN OR RECALL  
11 SEEING THE SPECIFIC MESSAGES IN EXHIBIT 32, BUT IT  
12 DOES APPEAR TO BE IN THE FORMAT OF OUR -- OF OUR  
13 ARCHIVE, OF OUR TWITTER ARCHIVE.

02:20:51 14 THE COURT: SO THE FORMAT IS FAMILIAR, BUT  
15 ARE YOU ABLE TO SAY, WITH ANY ASSURANCE, THAT  
16 EXHIBIT 32 IS -- WAS PRODUCED FROM EXHIBIT 75 THAT YOU  
17 REVIEWED?

02:21:05 18 THE WITNESS: I'M NOT ABLE TO SAY THAT  
19 BECAUSE I DON'T RECALL SEEING THIS SPECIFIC MESSAGE  
20 FROM -- FROM THE ARCHIVE. LIKE MISS HAMILL STATED,  
21 THERE ARE THOUSANDS OF MESSAGES IN THERE.

02:21:19 22 THE COURT: DO YOU KNOW WHETHER EXHIBIT 32  
23 IS AN ACCURATE COMPILATION OF THE DIRECT MESSAGES NOT  
24 RESPONDED TO BY THE DEPARTMENT?

02:21:28 25 THE WITNESS: I DON'T KNOW THAT.

02:21:31 26 THE COURT: OKAY.

02:21:34 27 DO YOU HAVE ANY FOLLOW-UP QUESTIONS FOR THE  
28 WITNESS ON EXHIBIT 32?



02:21:39 1 MS. HAMILL: YES.

02:21:40 2 Q. (BY MS. HAMILL) SO WE REVIEWED EXHIBIT 32  
3 TOGETHER, I DON'T HAVE THE TRANSCRIPT IN FRONT OF ME  
4 SO I DON'T REMEMBER EXACTLY WHAT WAS ASKED AND WHAT  
5 WAS RESPONDED TO. BUT LET'S LOOK AT EXHIBIT 32,  
6 PAGE 1. I BELIEVE -- I DON'T THINK I ASKED YOU  
7 ABOUT THIS SPECIFIC DIRECT MESSAGE.

02:22:01 8 A. I CAN'T REMEMBER.

02:22:02 9 Q. BUT YOU AGREE THIS SHOWS THAT MESSAGE WAS  
10 NOT RESPONDED TO; CORRECT?

02:22:08 11 A. THIS DOES SHOW APPEAR TO SHOW A MESSAGE THAT  
12 WAS NOT RESPONDED TO ON JULY 20TH, 2022, WHICH I WILL  
13 ALSO SAY IS BEFORE WE NOTIFIED THE PUBLIC THAT THEY  
14 COULD SEND US DIRECT MESSAGES OR QUESTIONS, AND WE  
15 WILL TRY TO ANSWER THEM AS SOON AS POSSIBLE.

02:22:28 16 Q. AND CAN YOU LOOK TO THE LEFT-HAND COLUMN OF  
17 THIS DOCUMENT, PLEASE. IT SAYS, YOUR ARCHIVE INCLUDES  
18 ALT ACCOUNT DATA CREATED UP TO THE MOMENT IT WAS  
19 GENERATED.

02:22:36 20 DO YOU SEE THAT?

02:22:37 21 A. I SEE THAT, YES.

02:22:38 22 Q. AND THEN BELOW THAT IT SAYS, DATE GENERATED,  
23 APRIL 26, 2023 AT 8510, 8 A.M.

02:22:45 24 DO YOU SEE THAT?

02:22:46 25 A. I SEE IT, YES.

02:22:47 26 Q. ESTIMATED SIZE 2597 MEGABYTES; CORRECT?

02:22:51 27 A. YES.

02:22:52 28 Q. DOES THAT REFLECT WHAT THE ARCHIVE LOOKS

1 LIKE WHEN YOU REVIEW THE DIRECT MESSAGES IN THE  
2 ARCHIVE THAT'S MARKED AS EXHIBIT 75?

02:23:00 3 A. I DON'T REMEMBER REVIEWING THAT SPECIFIC  
4 INFORMATION FROM THE -- WHEN I LOOKED AT THIS. IT WAS  
5 VERY BRIEF.

02:23:05 6 Q. I CAN PULL UP THE ARCHIVE FOR THE COURT AND  
7 FOR THE WITNESS.

02:23:11 8 THE COURT: WHAT, 2000 PLUS MEGABYTES?

02:23:14 9 MS. HAMILL: YES.

02:23:14 10 THE COURT: FOR WHAT PURPOSE?

02:23:16 11 MS. HAMILL: TO VERIFY THAT THIS IS WHAT  
12 EXHIBIT 75 LOOKS LIKE WHEN YOU OPEN IT UP AND REVIEW  
13 THE DIRECT MESSAGES.

02:23:27 14 THE COURT: THE MORE IMPORTANT QUESTION, I  
15 THINK, IS BASED UPON YOUR REVIEW OF JUST PAGE 1 OF  
16 THIS EXHIBIT, MR. MORROW, YOU ARE INFERRING THAT THE  
17 MESSAGE IN THE THIRD COLUMN WAS NOT RESPONDED TO  
18 BECAUSE NOTHING IN THE SECOND COLUMN, WHICH HAS  
19 LIMITED -- THE LIMITED DATES OF JULY 15TH THROUGH  
20 JULY 21 SHOWS A RESPONSE. IS THAT RIGHT?

02:23:55 21 A. NOT JUST THE MIDDLE COLUMN UNDER DIRECT  
22 MESSAGES BUT ALSO THE COLUMN ON THE RIGHT AS WELL  
23 WOULD CONTAIN A RESPONSE.

02:24:05 24 THE COURT: WHERE WOULD YOU HAVE EXPECTED TO  
25 SEE RESPONSE IN THE COLUMN ON THE RIGHT?

02:24:12 26 THE WITNESS: YOUR HONOR, IF YOU LOOK AT --  
27 THERE'S ONE HERE THAT DOES HAVE THE RESPONSE.

02:24:20 28 MR. RAYGOR: I CAN POINT YOU TO ONE.

02:24:22 1 THE WITNESS: YEAH. I JUST WOULD LIKE --

02:24:24 2 MR. RAYGOR: IF YOU WOULD LIKE, YOUR HONOR.

02:24:25 3 THE COURT: LET MR. MORROW COMPLETE HIS  
4 THOUGHT. GO AHEAD.

02:24:28 5 THE WITNESS: IF YOU LOOK AT PAGE 21.

02:24:47 6 THE COURT: OKAY.

02:24:48 7 THE WITNESS: SO THAT -- SO THIS MESSAGE WAS  
8 SELECTED IN THE MIDDLE COLUMN UNDER DIRECT MESSAGES.  
9 YOU SEE THAT HIGHLIGHTED PORTION BASICALLY  
10 AUGUST 25TH, SENT A VIDEO.

02:24:58 11 THE COURT: YES.

02:24:59 12 THE WITNESS: THAT POPULATED THE MESSAGE  
13 CONTENTS ON THE RIGHT. THE MESSAGE THAT WAS SENT TO  
14 US BY THIS PERSON WAS, WHY ARE YOUR REPLIES TURNED  
15 OFF?

02:25:12 16 THE CONTENT THAT'S IN THAT BLUE BUBBLE, THAT  
17 IS OUR RESPONSE TO THEM. SO THAT'S HOW WE KNOW  
18 WHETHER OR NOT A RESPONSE WAS PROVIDED, BECAUSE  
19 RESPONSES ARE IN THAT FORMAT WHERE OUR CONTENT THAT WE  
20 REPLY BACK TO THEM IS IN THE BLUE LIKE THAT. SIMILAR  
21 TO A TEXT MESSAGE, HOW THERE CAN BE DIFFERENT COLORS  
22 WITHIN A TEXT MESSAGE CHAIN.

02:25:39 23 THE COURT: BUT THE 2000 PLUS MEGABYTES ONLY  
24 INCLUDES THE SECOND COLUMN; RIGHT?

02:25:45 25 THE WITNESS: IT WILL INCLUDE ALL THE  
26 INFORMATION, INCLUDING THE COLUMN ON THE RIGHT ONCE  
27 YOU SELECT THE MESSAGE FROM THE MIDDLE COLUMN UNDER  
28 DIRECT MESSAGES.

02:25:55 1 THE COURT: IF THE OPERATOR, IN THIS CASE,  
2 MISS HAMILL, SELECTS A MESSAGE IN THE SECOND COLUMN,  
3 THEN A FUNCTION WOULD AUTOMATICALLY POPULATE THE  
4 ENTIRE MESSAGE PLUS ANY RESPONSE THERETO?

02:26:11 5 THE WITNESS: CORRECT, YES. IT'S  
6 INTERACTIVE IN THAT WAY. IT'S SIMILAR TO, LIKE, WHEN  
7 YOU CLICK AROUND A WEB PAGE, WHEN YOU CLICK ON  
8 SOMETHING, SOMETHING ELSE WILL HAPPEN WITHIN THE PAGE  
9 OR IN THIS CASE THE FILE.

02:26:23 10 THE COURT: OKAY. THANK YOU.

02:26:25 11 THE WITNESS: YES. NO PROBLEM.

02:26:26 12 THE COURT: ANY FOLLOW-UP QUESTIONS?

02:26:28 13 MS. HAMILL: NO, YOUR HONOR.

02:26:29 14 THE COURT: DO YOU HAVE ANY VOIR DIRE OF THE  
15 WITNESS?

02:26:31 16 MR. RAYGOR: NO, BUT I HAVE A WAY TO MAYBE  
17 RESOLVE THIS.

02:26:35 18 THE COURT: I'M HAPPY TO HEAR YOUR PROPOSAL.

02:26:38 19 MR. RAYGOR: BECAUSE MISS HAMILL SAID A FEW  
20 MOMENTS AGO THAT THE OTHER ENTRIES UNDER DIRECT  
21 MESSAGES IN COLUMN TWO, THAT ONE CLICKED ON ALL HAD  
22 RESPONSES. SO IF WE CAN JUST STIPULATE TO THAT, THAT  
23 THE ONLY THING THAT IS IN HERE IS THE ONE THAT DIDN'T  
24 HAVE A RESPONSE, I CAN GO FORWARD ON THAT BASIS.

02:26:56 25 THE COURT: THE ONLY ONE WHAT?

02:26:57 26 MR. RAYGOR: THE ONLY DIRECT MESSAGE THAT  
27 DIDN'T HAVE A RESPONSE, FOR EXAMPLE, ON PAGE 1. I CAN  
28 GO FORWARD ON THAT BASIS.

02:27:05 1 THE COURT: OKAY. THAT'S A PROFFERED  
2 STIPULATION.

02:27:08 3 MS. HAMILL: THAT'S ACTUALLY NOT CORRECT.  
4 THIS IS NOT EVERY SINGLE UNANSWERED DIRECT MESSAGE, SO  
5 I'M NOT GOING TO STIPULATE TO THAT.

02:27:14 6 THE COURT: THIS WITNESS DOESN'T KNOW THAT,  
7 EITHER, BECAUSE HE HAS NOT COMPARED EXHIBIT 75 TO 32.  
8 SO I'M GOING TO SUSTAIN THE OBJECTION. I DON'T THINK  
9 AN ADEQUATE FOUNDATION HAS BEEN LAID AS TO PREPARATION  
10 OR THE ACCURACY OF EXHIBIT 32.

02:27:34 11 MS. HAMILL: YES, YOUR HONOR.

02:27:35 12 THE COURT: ALL RIGHT. OTHER QUESTIONS OF  
13 YOUR WITNESS, MR. RAYGOR?

02:27:39 14 MR. RAYGOR: YES, A FEW MORE.

02:27:44 15 Q. (BY MS. HAMILL) CAN YOU TURN TO  
16 EXHIBIT 46, PLEASE?

02:27:49 17 A. FOUR, SIX?

02:27:50 18 Q. YES. I'M SORRY. I MISREAD MY NOTES.  
19 EXHIBIT 47.

02:28:08 20 DO YOU RECALL LOOKING AT THIS, IN PARTICULAR  
21 WITH THE SORT OF BLUE BUBBLE THAT'S DOWN AT THE BOTTOM  
22 OF THE PAGE?

02:28:13 23 A. I DO, YES.

02:28:15 24 Q. AND JUST FOR THE RECORD, WHO CAN REPLY,  
25 PEOPLE @LAPUBLICHEALTH MENTIONED CAN REPLY?

02:28:23 26 A. CORRECT, YES.

02:28:24 27 Q. AND AGAIN, OUTSIDE MY AREA, BUT HOPEFULLY  
28 WITHIN YOUR EXPERTISE, CAN YOU JUST TELL ME WHAT THE

1 DIFFERENCE IS BETWEEN A MENTION AND A TAG?

02:28:31 2 A. A MENTION IS WHEN YOU MENTION SOMEBODY  
3 WITHIN THE TEXT OF THE POST COPY ITSELF.

02:28:48 4 Q. VERSUS A TAG IS WHAT?

02:28:50 5 A. A TAG IS, MY UNDERSTANDING WHEN YOU TAG  
6 SOMEONE ON A PHOTO OR AN IMAGE.

02:29:01 7 Q. AND TURN TO EXHIBIT 19, PLEASE. WE HAD  
8 LOOKED AT THIS EARLIER. THERE IS, ON THE SECOND PAGE,  
9 SO 19-002, AT THE TOP, THERE'S A DHP POST; RIGHT?

02:29:33 10 A. CORRECT, YES.

02:29:34 11 Q. AND BELOW THAT, THERE IS SOME SORT OF  
12 PHOTOGRAPH IN THE UPPER RIGHT-HAND CORNER OF THE  
13 PHOTOGRAPH SAYS DAVID GEFFEN SCHOOL OF MEDICINE AND  
14 PEPPERDINE SCHOOL OF PUBLIC POLICY. DO YOU SEE THAT?

02:29:46 15 A. I DO, YES.

02:29:47 16 Q. AND I THINK YOU HAD SAID EARLIER THIS WAS A  
17 TAG AND A PHOTO. IS THAT CORRECT?

02:29:52 18 A. CORRECT, YES.

02:29:54 19 Q. WHAT WOULD IT LOOK LIKE IF IT WERE A TAG TO  
20 A POST OR IN A POST?

02:29:58 21 A. MENTION? IF THEY WERE MENTIONED WITHIN A  
22 POST, IT WOULD BE WITHIN THE COPY ABOVE THE GRAPHIC  
23 WHERE IT BEGINS SAYING, INTERESTED IN LEARNING ABOUT  
24 THE COVID-19 VACCINE AND LIVE IN L.A. COUNTY? WITHIN  
25 THAT TEXT, IT WOULD SAY SOMETHING LIKE, INTERESTED IN  
26 LEARNING MORE ABOUT THE COVID-19 VACCINE AND LIVE IN  
27 L.A. COUNTY? AND THEN INCLUDE AT WHATEVER THE HANDLES  
28 ARE FOR DAVID GEFFEN SCHOOL OF MEDICINE AND PEPPERDINE

1 SCHOOL OF PUBLIC POLICY. SO NOBODY IN THIS POST IS  
2 ACTUALLY MENTIONED IN THE TEXT OF THE POST.

02:30:37 3 Q. IF PEOPLE WERE MENTIONED, COULD THEY THEN  
4 COMMENT ON THE POST?

02:30:43 5 A. ACCORDING TO WHAT THIS SAYS ON TWITTER ON  
6 PAGE 3, YES. ACCOUNTS L.A. PUBLIC HEALTH MENTION CAN  
7 REPLY.

02:30:52 8 Q. AND THEN IF THEY WERE TAGGED, COULD THEY  
9 REPLY AND POST COMMENTS?

02:30:59 10 A. I HAVE NO IDEA.

02:31:00 11 Q. AT SOME POINT, DID YOU DISCOVER THAT THAT  
12 WAS HAPPENING?

02:31:04 13 A. WE DISCOVERED THAT IT WAS A POSSIBILITY. SO  
14 TO BE SAFE, I INSTRUCTED STAFF NOT TO MENTION OR TAG  
15 THIRD PARTIES.

02:31:15 16 Q. AT ALL GOING FORWARD?

02:31:17 17 A. CORRECT. GOING FORWARD, YES.

02:32:01 18 Q. DO YOU RECALL SOME DISCUSSION ABOUT YOUR  
19 COMMUNICATIONS WITH SAL RODRIGUEZ AT SOUTHERN  
20 CALIFORNIA NEWS GROUP?

02:32:07 21 A. I DO, YES.

02:32:09 22 Q. PLEASE LOOK AT EXHIBIT 25. AND JUST TO  
23 REFRESH YOUR MEMORY, THIS WAS DISCUSSED WITH  
24 MISS HAMILL EARLIER?

02:32:21 25 A. YES.

02:32:22 26 Q. AT SOME POINT IN RESPONSE TO YOUR  
27 DISCUSSIONS ON E-MAIL AND PERHAPS A PHONE CALL WITH  
28 MR. RODRIGUEZ, HE CHANGED THE ARTICLE; CORRECT?

02:32:34 1 A. AFTER MY FIRST E-MAIL, IT APPEARS THAT HE  
2 CHANGED THE CONTENT OF THE OP-ED PIECE.

02:32:44 3 Q. AND DO YOU RECALL SPECIFICALLY WHAT HE  
4 CHANGED?

02:32:52 5 A. HE HAD MADE IT CLEAR THAT DR. BRAD  
6 SPELLBERG, WHO WAS QUOTED IN THE PIECE, WAS NOT  
7 SPEAKING ON BEHALF OF HEALTH SERVICES BUT SPECIFICALLY  
8 SPEAKING ABOUT THE COVID ADMISSIONS AT LOS ANGELES  
9 COUNTY-USC MEDICAL CENTER. SO HE CLARIFIED THIS WAS  
10 NOT A COUNTYWIDE STATISTIC BUT RATHER A STATISTIC OR  
11 PIECE OF INFORMATION ABOUT THAT SPECIFIC HOSPITAL. IN  
12 MY EYES, IT WAS BEING CONFLATED TO THE ENTIRE COUNTY.

02:33:26 13 Q. DID YOU EVER THREATEN SOUTHERN CALIFORNIA  
14 NEWS GROUP WITH LITIGATION OR ANY OTHER CONSEQUENCES  
15 IF THEY DID NOT CHANGE THE ARTICLE?

02:33:33 16 A. I DID NOT, NO.

02:33:35 17 Q. DOES HAVING TO ASK A NEWS PUBLICATION TO  
18 CORRECT FACTUAL OR OTHER MISSTATEMENTS IN THEIR  
19 ARTICLES OR OPINION PIECES HAPPEN FAIRLY OPEN IN YOUR  
20 EXPERIENCE?

02:33:45 21 MS. HAMILL: OBJECTION. LEADING.

02:33:46 22 THE COURT: OVERRULED. YOU MAY ANSWER.

02:33:48 23 THE WITNESS: IT HAPPENS OFTEN, YES.

02:33:49 24 Q. (BY MS. HAMILL) WHAT DO YOU DO WHEN IT  
25 HAPPENS?

02:33:51 26 A. YOU NOTIFY THE REPORTER OR THE EDITOR ABOUT  
27 THE CORRECT INFORMATION.

02:33:57 28 Q. HAVE YOU EVER ASKED THAT AN ARTICLE, AN



1 OP-ED PIECE, BE CORRECTED?

02:34:03 2 A. YES.

02:34:05 3 Q. ARE YOU AWARE OF ANY LAW IN CALIFORNIA THAT  
4 ALLOWS FOR THAT?

02:34:08 5 A. CORRECT, YES. THERE'S A LAW IN CALIFORNIA  
6 THAT ALLOWS PEOPLE TO --

02:34:15 7 MS. HAMILL: OBJECTION. CALLS FOR LEGAL  
8 OPINION.

02:34:18 9 THE COURT: WELL, NOT FOR THE TRUTH OF THE  
10 MATTER. BUT TO EXPLAIN THE CONDUCT OF THIS WITNESS.  
11 YOU MAY QUOTE WHAT YOU BELIEVE TO BE THE LAW.

02:34:29 12 THE WITNESS: CAN YOU REPEAT THE QUESTION?  
13 I'M SORRY.

02:34:31 14 Q. (BY MS. HAMILL) SURE. ARE YOU AWARE OF  
15 ANY LAW IN CALIFORNIA THAT ADDRESSES THIS MATTER OF  
16 MAKING CORRECTIONS IN ARTICLES, OP-EDS, OTHER  
17 PIECES?

02:34:40 18 A. CORRECT. MY UNDERSTANDING IS THAT ANYONE  
19 CAN ASK FOR A CORRECTION OR IF INFORMATION IS  
20 INCORRECT OR A RETRACTION.

02:34:50 21 Q. IS THAT WHAT YOU WERE DOING HERE?

02:34:52 22 A. CORRECT, YES.

02:35:07 23 Q. ONE LAST SUBJECT HERE, AND THEN I'LL MOVE  
24 ON.

02:35:10 25 DO YOU CONSIDER YOURSELF A DEMOCRAT?

02:35:13 26 A. I DO, YES.

02:35:16 27 Q. HAS THAT EVER GOTTEN IN THE WAY OF DOING  
28 YOUR JOB AT DHP?

02:35:20 1 A. ABSOLUTELY NOT.

02:35:21 2 Q. WHAT IS YOUR JOB AT DHP?

02:35:23 3 A. TO COMMUNICATE IMPORTANT PUBLIC HEALTH  
4 INFORMATION TO RESIDENTS REGARDING A WHOLE HOST OF  
5 EVENTS, SERVICES, RESOURCES, AND INFORMATION REGARDING  
6 THEIR HEALTH THAT WOULD BE IMPORTANT FOR THEM AND  
7 THEIR WELL-BEING.

02:35:46 8 Q. ARE THERE ANY REAL-LIFE CONSEQUENCES YOU CAN  
9 THINK OF IF YOU LET POLITICS GET IN THE WAY OF DOING  
10 YOUR JOB?

02:35:53 11 A. ABSOLUTELY. THE WORK WE DO IS REALLY  
12 IMPORTANT, AND I TAKE THAT RESPONSIBILITY SERIOUSLY.  
13 AND I WOULD NEVER ALLOW ANY OF MY PERSONAL POLITICAL  
14 BELIEFS TO IMPACT ANY OF THE RESIDENTS WITHIN L.A.  
15 COUNTY, AND IT IS MY JOB TO PROVIDE PUBLIC HEALTH  
16 INFORMATION, SUPPORTS, AND RESOURCES TO EVERYBODY  
17 REGARDLESS OF MY POLITICAL BELIEFS OR THEIR POLITICAL  
18 BELIEFS.

02:36:27 19 Q. DID YOUR PERSONAL POLITICAL BELIEFS PLAY ANY  
20 ROLE AT ALL IN CLOSING PUBLIC POLICY ON DEPARTMENT OF  
21 PUBLIC HEALTH SOCIAL MEDIA POSTS?

02:36:38 22 A. ABSOLUTELY NOT.

02:36:40 23 Q. AT SOME POINT YOU LEFT POLITICS; RIGHT?

02:36:42 24 A. I DID, YES.

02:36:43 25 Q. WHY?

02:36:46 26 MS. HAMILL: OBJECTION. RELEVANCE.

02:36:49 27 THE COURT: I'M INCLINED TO SUSTAIN THAT.  
28 WHAT IS THE RELEVANCE?

02:36:52 1 MR. RAYGOR: WELL, I'M GOING TO ASK -- IT'S  
2 PART OF WHY HE DOES THIS JOB.

02:36:59 3 THE COURT: GIVE ME A PROFFER. WHY IS IT  
4 RELEVANT?

02:37:02 5 MR. RAYGOR: IT'S IMPORTANT TO KNOW WHY HE  
6 DID THIS JOB AND HOW IT IMPACTS HIS BELIEFS OF WHAT IS  
7 THE RIGHT THING, THE MOST MEANINGFUL THING TO DO IN  
8 THAT JOB TO PROTECT PUBLIC HEALTH.

02:37:13 9 THE COURT: I THINK YOU JUST SELF-TESTIFIED.  
10 SO HIS REASON FOR ENTERING OR EXITING POLITICS, I  
11 THINK, IS NOT ESPECIALLY RELEVANT OR MATERIAL IN THIS  
12 LITIGATION.

02:37:23 13 Q. (BY MS. HAMILL) DO YOU FIND YOUR JOB  
14 MEANINGFUL, MR. MORROW?

02:37:27 15 MS. HAMILL: OBJECTION. RELEVANCE.

02:37:28 16 THE COURT: OVERRULED. YOU MAY ANSWER THAT  
17 ONE.

02:37:32 18 THE WITNESS: ABSOLUTELY. IT'S THE BEST JOB  
19 I'VE EVER HAD AND THE MOST MEANINGFUL JOB THAT I'VE  
20 EVER HAD AND THE MOST FULFILLING WORK THAT I'VE EVER  
21 DONE IN MY LIFE, AND I'VE BEEN IN COMMUNICATIONS FOR  
22 MORE THAN 20 YEARS. AND I AM PROUD AND EXCITED EVERY  
23 SINGLE DAY TO COME TO WORK AND WORK FOR THE DEPARTMENT  
24 OF PUBLIC HEALTH.

02:37:58 25 MR. RAYGOR: I HAVE NOTHING FURTHER WITH  
26 MR. MORROW AT THIS TIME SUBJECT TO RE-REDIRECT, IF  
27 NECESSARY.

02:38:03 28 THE COURT: OKAY. DO YOU HAVE ANY

1 FOLLOW-UP, MISS HAMILL?

02:38:06 2 MS. HAMILL: YES, YOUR HONOR.

02:38:07 3 THE COURT: AND YOUR TIME ESTIMATE?

02:38:09 4 MS. HAMILL: I'M HOPING FOR UNDER 10  
5 MINUTES, BUT I HAVE TO BRING UP THE ARCHIVE, SO IT  
6 DEPENDS ON HOW LONG THAT TAKES.

02:38:15 7 THE COURT: WELL, THEN WE'RE GOING TO TAKE  
8 THE AFTERNOON BREAK FOR 10 MINUTES. WE'LL RESUME AT  
9 10 MINUTES TO THE HOUR. AND YOU CAN MEET AND CONFER  
10 WITH MR. RAYGOR ABOUT BRINGING UP THE ARCHIVES DURING  
11 THAT TIME PERIOD.

02:38:27 12 MS. HAMILL: THANK YOU.

02:38:28 13 THE COURT: PLEASE COME BACK IN 10 MINUTES,  
14 SIR.

02:38:31 15 THE WITNESS: YES, SIR.

02:49:56 16 (RECESS FROM 2:38 P.M. TO 2:51 P.M.)

02:49:56 17

02:49:56 18 PROCEEDINGS

02:51:43 19 THE COURT: WE ARE BACK ON THE RECORD.  
20 FURTHER CROSS-EXAMINATION BY THE PLAINTIFF.

02:51:45 21

02:51:45 22 RECROSS-EXAMINATION

02:51:45 23 Q. (BY MS. HAMILL) I JUST HAVE FOUR ISSUES TO  
24 GO OVER WITH YOU.

02:51:48 25 SO WITH MR. RAYGOR EARLIER, YOU SPOKE ABOUT  
26 THE TWITTER TIMELINE, AND YOU AGREED THAT THE  
27 DEPARTMENT OF PUBLIC HEALTH POSTS FROM JULY 2022 AND  
28 EARLIER ARE NOT APPEARING IN THE DEPARTMENT OF PUBLIC

1 HEALTH TWITTER TIMELINE; CORRECT.

02:52:05 2 A. SUBSEQUENT, YES.

02:52:05 3 Q. AND THAT'S NOT A DEFAULT SETTING FOR  
4 TWITTER, IS IT?

02:52:09 5 A. OH, I HAVE NO IDEA.

02:52:11 6 Q. AND HAVE YOU --

02:52:12 7 THE COURT: COULD YOU ASSIST ME? WHERE IS  
8 THE PUBLIC HEALTH TWITTER TIMELINE? IS THAT AN  
9 EXHIBIT?

02:52:21 10 MS. HAMILL: PATIENTS OF THE TIMELINE ARE IN  
11 THE EXHIBITS. MR. RAYGOR WAS QUESTIONING THE WITNESS  
12 ABOUT THE ABSENCE OF POSTS ON THE PUBLIC TWITTER  
13 TIMELINE BEFORE A CERTAIN DATE. THAT'S WHAT I'M  
14 FOLLOWING UP ON.

02:52:33 15 THE COURT: OKAY.

02:52:35 16 Q. (BY MS. HAMILL) AND HAVE YOU CHECKED YOUR  
17 OWN PERSONAL TWITTER ACCOUNT TIMELINE TO SEE WHETHER  
18 YOUR ENTIRE TIMELINE IS VISIBLE OR WHETHER THERE ARE  
19 EARLIER IN TIME TWITTER POSTS THAT ARE MISSING FROM  
20 YOUR TIMELINE?

02:52:46 21 A. I HAVE, INCLUDING OTHER TWITTER TIMELINES,  
22 INCLUDING YOURS.

02:52:51 23 Q. AND ARE THE OLD POSTS MISSING FROM THE  
24 TWITTER TIMELINE ON YOUR PERSONAL ACCOUNT?

02:52:55 25 A. ON MINE, AND I HAVE SEEN THEM MISSING ON  
26 YOURS AS WELL.

02:52:59 27 Q. ALL RIGHT. LET'S GO TO EXHIBIT 35. YOU  
28 SPOKE TO MR. RAYGOR ABOUT HOW THE L.A. COUNTY-USC

1 VIDEO THAT WE'VE BEEN DISCUSSING IN THIS CASE IS STILL  
2 ONLINE; CORRECT?

02:53:11 3 A. THAT IS MY UNDERSTANDING, YES.

02:53:12 4 Q. BUT IT'S NOT A PUBLIC LINK, IS IT?

02:53:18 5 A. I DON'T KNOW HOW IT'S CLASSIFIED.

02:53:20 6 Q. IT'S AN UNLISTED VIDEO ON YOUTUBE ISN'T IT?

02:53:25 7 A. I DON'T KNOW IF IT WAS UNLISTED OR PRIVATE.

02:53:27 8 Q. ALL RIGHT. WE'RE GOING TO GET TO

9 EXHIBIT 32, THE DOORS THAT WE WERE DISCUSSING EARLIER  
10 AND I HATE TO DO THIS. I HAVE ASKED OPPOSING COUNSEL  
11 FOR A STIPULATION TO THE AUTHENTICITY AND FOUNDATION  
12 OF THIS EXHIBIT. I BELIEVE THEIR POSITION IS STILL  
13 NO. SO I AM GOING TO BRING UP EXHIBIT 75 ON THE  
14 STAND, OPEN UP THE ARCHIVE, AND GO THROUGH TO SHOW  
15 EACH DIRECT MESSAGE AS IT EXISTS IN THE ARCHIVE.

02:53:52 16 THE COURT: THAT SHOULD HAVE BEEN DONE  
17 BEFORE YOU CAME TO COURT. HAD SOME EXPERT OR SOMEBODY  
18 LOOK AT EXHIBIT 75, WHICH SEEMS TO BE A MASSIVE  
19 COMPILATION OF DATA, AND HAVE THAT INDIVIDUAL OR  
20 SOMEBODY WITH PERCIPIENT KNOWLEDGE PURPORT TO CLICK  
21 BUTTONS AND CALL FROM THAT MASSIVE DATABASE YOUR  
22 PROPOSED EXHIBIT 32.

02:54:19 23 BUT IT'S NOT PROPER AT THIS POINT OR GOOD  
24 USE OF THE COURT TIME TO HAVE A WITNESS DO THAT KIND  
25 OF INVESTIGATION AND ANALYSIS. THIS IS SOMETHING THAT  
26 SHOULD HAVE BEEN DONE PROPERLY BEFORE YOU CAME TO  
27 COURT, MISS HAMILL.

02:54:36 28 MS. HAMILL: I CAN SHOW ONE EXHIBIT TO THE

1 COURT TO SHOW HOW THE ARCHIVE OPERATES, BECAUSE I  
2 THINK THERE'S A LACK OF UNDERSTANDING ABOUT HOW THIS  
3 PARTICULAR EXHIBIT FUNCTIONS.

02:54:44 4 THE COURT: WHICH EXHIBIT?

02:54:46 5 MS. HAMILL: EXHIBIT 32 AND EXHIBIT 75.

02:54:48 6 THE COURT: WELL, IF THERE'S A LACK OF  
7 UNDERSTANDING, IT'S THE PROBLEM OF COUNSEL, BECAUSE  
8 YOU ARE HERE TO PRESENT YOUR CASE. AND IF IT'S NOT  
9 UNDERSTANDABLE, THAT FALLS ON YOUR SHOULDERS.

02:55:02 10 MS. HAMILL: SURE.

02:55:03 11 Q. (BY MS. HAMILL) MR. MORROW, CAN YOU TURN  
12 TO EXHIBIT 32, PLEASE. AND YOU TESTIFIED EARLIER  
13 THAT YOU HAVE REVIEWED DIRECT MESSAGES IN THE  
14 DEPARTMENT OF PUBLIC HEALTH'S TWITTER ARCHIVE;  
15 CORRECT?

02:55:27 16 A. SOME, YES.

02:55:29 17 Q. AND DO THE MESSAGES HERE REFLECTED IN  
18 EXHIBIT 32 APPEAR TO BE MESSAGES FROM THE DEPARTMENT  
19 OF PUBLIC HEALTH'S TWITTER ARCHIVE?

02:55:43 20 A. YES. THEY APPEAR TO BE MESSAGES FROM OUR  
21 TWITTER ARCHIVE.

02:55:48 22 Q. DO YOU HAVE ANY REASON TO BELIEVE THAT THESE  
23 MESSAGES HAVE BEEN MANIPULATED?

02:55:53 24 A. NO, NO.

02:56:05 25 Q. I'M GOING TO MOVE ON TO THE EXHIBIT 25,  
26 SAL RODRIGUEZ. IS TELLING SOMEONE THAT THEY NEED TO  
27 TAKE DOWN AN ARTICLE COMMON IN THE COMMUNICATIONS  
28 WORLD?

02:56:16 1 A. I DON'T KNOW WHAT OTHER COMMUNICATIONS  
2 PROFESSIONALS COMMUNICATE TO REPORTERS.

02:56:21 3 Q. AND YOU TESTIFIED THAT MR. RODRIGUEZ MADE  
4 THE CORRECTION AFTER YOUR FIRST E-MAIL; CORRECT?

02:56:31 5 A. YES, IT APPEARS HIS INITIAL REPLY TO MY  
6 E-MAIL WHICH WAS SENT AT 7:24. HIS REPLY WAS AT 7:31,  
7 AND HE SAID, THE PIECE HAS BEEN UPDATED TO REFLECT THE  
8 REMARKS WERE REGARDING LAC-USC.

02:56:48 9 Q. BUT THEN YOU KEPT GOING AFTER HIM; CORRECT?

02:56:50 10 A. I WOULDN'T SAY I KEPT GOING AFTER HIM.

02:56:52 11 Q. YOU FOLLOWED UP WITH MORE E-MAILS?

02:56:55 12 THE COURT: LET HIM FINISH HIS ANSWER.

02:56:58 13 DID YOU FINISH YOUR ANSWER?

02:56:59 14 THE WITNESS: NO.

02:57:00 15 THE COURT: PLEASE DO.

02:57:00 16 THE WITNESS: I WOULDN'T SAY I KEPT GOING  
17 AFTER HIM. I WOULD SAY THAT I WAS SEEKING ADDITIONAL  
18 CLARIFICATION BASED UPON OUR E-MAILS AND OUR  
19 DISCUSSION ON THE PHONE, WHICH HE ALSO SAID DURING OUR  
20 PHONE CALL THAT WE WOULD DISCUSS AGAIN.

02:57:17 21 Q. (BY MS. HAMILL) AND SO YOU FOLLOWED UP  
22 WITH MORE E-MAILS, A PHONE CALL, AND A TEXT AFTER HE  
23 MADE THE CORRECTION THAT YOU WERE SEEKING; CORRECT?

02:57:27 24 A. IT APPEARS SO, BUT MY INITIAL E-MAIL -- MY  
25 FIRST REPLY WAS THAT I WAS JUST NOT SEEING THE UPDATES  
26 ON MY END, SO I COULDN'T -- I DON'T KNOW IF IT WAS  
27 LIKE A SETTING OR IT TOOK A COUPLE OF MINUTES AS WELL.  
28 BUT I WAS SEEKING ADDITIONAL CLARIFICATION LATER ON



1 FROM HIM.

02:57:44 2 Q. AND TAG AND MENTION ARE SYNONYMOUS; CORRECT?

02:57:47 3 A. DEPENDING ON THE PLATFORM, PERHAPS.

02:57:49 4 MS. HAMILL: I HAVE NO FURTHER QUESTIONS FOR  
5 THIS WITNESS, BUT I RESERVE THE RIGHT TO RECALL HIM.

02:57:54 6 THE COURT: OKAY.

02:57:55 7 MR. RAYGOR: I HAVE NOTHING FURTHER FOR HIM.  
8 BUT WE ARE CALLING HIM DURING OUR CASE IN CHIEF, AND  
9 MISS HAMILL WILL HAVE THE OPPORTUNITY TO CROSS-EXAMINE  
10 HIM AT THAT TIME, ALSO.

02:58:04 11 THE COURT: YES, SHE'LL HAVE THAT RIGHT. SO  
12 YOU ARE EXCUSED TODAY, BUT YOU REMAIN ON CALL. THE  
13 LAWYERS WILL CONTACT YOU WHEN YOU NEED TO COME BACK TO  
14 COURT.

02:58:12 15 THE WITNESS: SOUNDS GOOD. THANK YOU, SIR.

02:58:14 16 THE COURT: YES. YOU CAN JUST PUT THAT  
17 BEHIND YOU.

02:58:16 18 ALLIANCE WILL CALL THE NEXT WITNESS.

02:58:20 19 MS. HAMILL: CALLING CYNTHIA ROJAS TO THE  
20 STAND.

02:58:24 21 THE COURT: ALL RIGHT. SHE'LL STEP FORWARD  
22 AND GO TO THE STAND.

02:58:35 23 THE JUDICIAL ASSISTANT: IF YOU CAN JUST  
24 STAND RIGHT HERE, PLEASE.

02:58:37 25 THE CLERK: DO YOU SOLEMNLY STATE THAT THE  
26 TESTIMONY YOU MAY GIVE IN THE CAUSE NOW PENDING BEFORE  
27 THIS COURT SHALL BE THE TRUTH, THE WHOLE TRUTH, AND  
28 NOTHING BUT THE TRUTH, SO HELP YOU GOD?

02:58:45 1 THE WITNESS: YES.

02:58:46 2 THE CLERK: PLEASE HAVE A SEAT IN THE  
3 WITNESS STAND. PLEASE STATE AND SPELL YOUR FIRST AND  
4 LAST NAME FOR THE RECORD.

02:58:57 5 THE WITNESS: CYNTHIA ROJAS. R O.J. AS.

02:59:00 6 THE COURT: DO YOU WANT TO SPELL CYNTHIA,  
7 BECAUSE NOT EVERYBODY SPELLS IT THE SAME WAY.

02:59:04 8 THE WITNESS: C Y N T H I A.

02:59:09 9 THE COURT: GOOD. SO MAKE SURE YOU'RE  
10 COMFORTABLE. YOUR VOICE IS SOFT. TRY TO PROJECT AS  
11 MUCH AS YOU CAN.

02:59:14 12 AND NOW, MISS HAMILL, GO AHEAD.

02:59:16 13 MS. HAMILL: THANK YOU.

02:59:16 14

02:59:16 15 DIRECT EXAMINATION

02:59:16 16 Q. (BY MS. HAMILL) THANK YOU FOR BEING HERE,  
17 MISS ROJAS. DURING THE STANDING PORTION OF THIS  
18 TRIAL, YOU PROVIDED TESTIMONY ABOUT YOUR MEMBERSHIP  
19 IN THE ALLIANCE AND YOUR CREATION OF THE ALT ACCOUNT  
20 ON TWITTER. THE PARTIES HAVE STIPULATED TO THE  
21 TIMELINE OF THE CREATION OF THE ALT ACCOUNT AND ITS  
22 SUSPENSION.

02:59:33 23 EXHIBIT 5 WAS ADMITTED INTO EVIDENCE DURING  
24 THE EVIDENTIARY HEARING. IF THE COURT WOULD LIKE TO  
25 HEAR ADDITIONAL TESTIMONY AND RELAY FOUNDATION FOR  
26 EXHIBIT 5, I CAN DO THAT NOW OR WE CAN STIPULATE THAT  
27 EVERYTHING ENTERED DURING THE BIFURCATED STANDING  
28 PORTION CAN BE ADMITTED FOR THIS TRIAL.

02:59:52 1 THE COURT: EVERYTHING ENTERED? WHAT DOES  
2 THAT ENCOMPASS?

02:59:55 3 MS. HAMILL: THERE ARE -- IT WAS EXHIBITS 1  
4 THROUGH 5, EXHIBIT 11, 13, AND 14.

03:00:04 5 THE COURT: EXHIBIT 1 THROUGH 5, 11, 13, AND  
6 14. YOU'RE SEEKING -- ARE THOSE MARKED IN THIS  
7 PROCEEDING?

03:00:13 8 MS. HAMILL: YES, YOUR HONOR. SAME NUMBERS.

03:00:15 9 THE COURT: OKAY. ANY OBJECTION TO  
10 ADMITTING IN EVIDENCE THE EXHIBITS JUST LISTED BY  
11 MISS HAMILL?

03:00:26 12 MS. ALTER: YES, YOUR HONOR.

03:00:27 13 THE COURT: OKAY. GO AHEAD. WHAT'S THE  
14 OBJECTION?

03:00:30 15 MS. ALTER: THERE ARE A NUMBER OF  
16 OBJECTIONS. FIRST, HEARSAY AS TO NO. 5. THERE HAS  
17 BEEN NO FOUNDATION LAID THAT THIS EXHIBIT WHICH  
18 PURPORTS TO BE AN OUT OF COURT TIMELINE WAS PREPARED  
19 FOR ANYTHING OTHER THAN LITIGATION.

03:00:43 20 THE COURT: OKAY. LET'S DO THIS IN A WAY  
21 THAT WE CAN ALL KEEP TRACK. DO YOU HAVE ANY OBJECTION  
22 TO 1 THROUGH 4?

03:00:52 23 MS. ALTER: FOR NO. 1, YOUR HONOR, IT IS  
24 HEARSAY TO THE EXTENT IT IS BEING BROUGHT FOR THE  
25 TRUTH OF THE MATTER ASSERTED AND ALSO BECAUSE THIS  
26 WITNESS HAS NOT LAID ANY FOUNDATION FOR IT. I DON'T  
27 BELIEVE THIS WITNESS TESTIFIED ABOUT EXHIBIT NO. 1.

03:01:05 28 THE COURT: OKAY. AS TO ANY OF THOSE

1 PROFFERED EXHIBITS AS TO WHICH YOU CAN STIPULATE?

03:01:25 2 MS. ALTER: PROBABLY NO. 3, YOUR HONOR,  
3 WHICH IS MISS HAMILL'S ENGAGEMENT LETTER. EXHIBIT 4,  
4 WHICH I BELIEVE THE TESTIMONY AT THE LAST HEARING WAS  
5 THAT THIS IS A CROWD FUNDING AGREEMENT. AND WE WILL  
6 NOT STIPULATE TO EXHIBIT 5 FOR --

03:01:42 7 THE COURT: I'M JUST ASKING WHICH ONES YOU  
8 CAN STIPULATE TO.

03:01:45 9 MS. ALTER: OH; 3 AND 4, YOUR HONOR.

03:01:47 10 THE COURT: ALL RIGHT. 3 AND 4 ARE  
11 RECEIVED.

03:01:52 12 AND MISS HAMILL, YOU MAY PROCEED WITH  
13 RESPECT TO YOUR OTHER EXHIBITS THROUGH THIS WITNESS OR  
14 OTHER WITNESSES.

03:02:00 15 MS. HAMILL: MAY I APPROACH THE WITNESS,  
16 YOUR HONOR?

03:02:01 17 Q. (BY MS. HAMILL) I'M GOING TO HAVE YOU TURN  
18 TO EXHIBIT 5 IN THE NOTEBOOK.

03:02:05 19 THE COURT: SURE. HELP HER OUT WITH THE  
20 BOOK.

03:02:17 21 I TAKE IT, MISS ALTER, YOU WILL BE  
22 CROSS-EXAMINING THIS WITNESS?

03:02:21 23 MS. ALTER: YES, YOUR HONOR.

03:02:22 24 THE COURT: OKAY.

03:02:23 25 Q. (BY MS. HAMILL) HAVE YOU SEEN THIS  
26 DOCUMENT BEFORE, MISS ROJAS?

03:02:26 27 A. YES.

03:02:27 28 Q. AND WHAT IS THIS DOCUMENT?

03:02:28 1 A. I CREATED THIS DOCUMENT TO -- SO I COULD  
2 ACCURATELY RECALL WHAT HAPPENED.

03:02:37 3 Q. AND DID YOU CREATE THIS IN AUGUST OF 2022?

03:02:41 4 A. THAT SOUNDS ABOUT RIGHT. I DON'T RECALL  
5 EXACTLY WHETHER. BUT IT WAS -- I THINK IT WAS -- I  
6 DID IT -- IT WAS, LIKE, HAD TO BE CLOSE TO  
7 AUGUST 24TH, THE LAST ENTRY.

03:02:55 8 THE COURT: WHAT PAGE ARE YOU NOW LOOKING  
9 AT? LOWER RIGHT-HAND CORNER?

03:03:01 10 THE WITNESS: EXHIBIT 53 OR ALL.

03:03:05 11 THE COURT: FIVE-THREE.

03:03:07 12 THE WITNESS: YEAH.

03:03:13 13 THE REPORTER: A L L 000129.

03:03:27 14 Q. (BY MS. HAMILL) AND DID YOU CREATE THIS  
15 DOCUMENT FOR THE PURPOSES OF LITIGATION?

03:03:29 16 A. NO.

03:03:35 17 Q. SO I'M GOING TO ASK YOU ABOUT THE ALT  
18 ACCOUNT, ITS PURPOSE, AND HOW IT WORKED. DO YOU  
19 REMEMBER THE COUNTY DEPARTMENT OF PUBLIC HEALTH  
20 SHUTTING OFF PUBLIC COMMENTS ON SOCIAL MEDIA IN JULY  
21 OF 2022?

03:03:48 22 A. YES.

03:03:49 23 Q. AND HOW DID YOU FEEL ABOUT THAT?

03:03:52 24 A. I DIDN'T THINK IT WAS APPROPRIATE.

03:03:55 25 Q. I WOULD LIKE FOR YOU TO TURN TO EXHIBIT 15  
26 IN YOUR NOTEBOOK, PLEASE?

03:04:05 27 A. (WITNESS COMPLIES.)

03:04:06 28 Q. DO YOU RECOGNIZE THIS DOCUMENT?

03:04:07 1 A. YES.

03:04:07 2 Q. AND WHAT IS THIS?

03:04:08 3 A. IT'S A SCREEN SHOT THAT I GRABBED AND I SENT  
4 IT TO YOU, BECAUSE THIS IS -- I REMEMBER GRAPHS LIKE  
5 THIS -- I THINK THIS ONE WAS SPECIFICALLY POINTED ON  
6 L.A. COUNTY HEALTH TIMELINE, AND I FOUND THEM VERY  
7 HELPFUL.

03:04:26 8 Q. SO GRAPHS LIKE THIS, THE ONE REFLECTED IN  
9 EXHIBIT 15-1 IS SOMETHING THAT YOU HAD SEEN IN THE  
10 REPLIES TO THE DEPARTMENT OF PUBLIC HEALTH TWITTER.  
11 IS THAT CORRECT?

03:04:40 12 MS. ALTER: OBJECTION. LEADING.

03:04:43 13 THE COURT: SUSTAINED.

03:04:43 14 Q. (BY MS. HAMILL) AND WHAT, IF ANYTHING,  
15 DOES THIS DOCUMENT HAVE TO DO WITH THIS LAWSUIT?

03:04:50 16 THE COURT: WHAT, 15?

03:04:51 17 MS. HAMILL: YES.

03:04:51 18 THE WITNESS: I MEAN, I DON'T KNOW WHAT IT  
19 HAS TO DO WITH THE LAWSUIT, BECAUSE I'M NOT A LAWYER  
20 BUT I JUST KNOW FROM MY PERSPECTIVE THAT THIS WAS THE  
21 TYPE OF INFORMATION THAT I WAS MISSING. AND I PRESUME  
22 OTHER PEOPLE, I ASSUME, ARE LIKE ME, FOUND THIS  
23 INFORMATION REALLY HELPFUL. AND I THINK THAT'S ONE OF  
24 THE BENEFITS OF SOCIAL MEDIA.

03:05:11 25 AND SO I THINK -- I THINK IT WAS, YOU KNOW,  
26 IT WAS NOT GOOD FOR THE PUBLIC TO NOT HAVE ACCESS TO  
27 THIS TYPE OF INFORMATION, IS MY OPINION.

03:05:21 28 Q. (BY MS. HAMILL) ALL RIGHT. LET'S TURN TO

1 EXHIBIT 16, PLEASE. DO YOU RECOGNIZE THIS DOCUMENT?

03:05:27 2 A. YES.

03:05:28 3 Q. WHAT IS THIS?

03:05:29 4 A. IT'S ANOTHER SCREEN GRAB THAT I PULLED TO  
5 SHOW ANOTHER EXAMPLE OF -- I WOULD USUALLY LOOK FOR  
6 DONNIE'S REPLIES ON THE L.A. COUNTY HEALTH TWEETS:  
7 D.O. N N I.E. I'M REFERRING TO THE PERSON'S NAME WHO  
8 WOULD POST IT. AND SO I OFTEN WOULD -- MOST OF THE  
9 TIME I WOULD LOOK FOR DONNIE'S REPLIES SO I COULD SEE  
10 THE DATA THAT THE L.A. PUBLIC HEALTH -- THEY WOULD  
11 POST LIKE A SNAPSHOT OF ONE DAY AND I FOUND THIS VERY  
12 HELPFUL TO SEE IT IN CONTEXT OF 30 DAYS.

03:06:07 13 SO I LIKED HIS POSTS.

03:06:08 14 Q. SO DONNIE HODGES, THE PERSON IN THIS  
15 EXHIBIT 16-1 WAS POSTING THIS KIND OF INFORMATION IN  
16 REPLIES TO THE DEPARTMENT OF PUBLIC HEALTH'S TWITTER  
17 POSTS.

03:06:18 18 A. LIKE EVERY DAY.

03:06:18 19 MS. ALTER: OBJECTION.

03:06:20 20 THE COURT: OBJECTION?

03:06:22 21 MS. ALTER: OBJECTION. LEADING.

03:06:23 22 THE COURT: SUSTAINED.

03:06:24 23 Q. (BY MS. HAMILL) TRYING TO SUMMARIZE THE  
24 TESTIMONY THAT YOU JUST SAID.

03:06:27 25 THE COURT: YOU WILL BE ABLE TO IN CLOSING  
26 ARGUMENT. RIGHT NOW THIS IS YOUR WITNESS, SO DIRECT  
27 QUESTIONS ARE PROPER.

03:06:35 28 Q. (BY MS. HAMILL) SO YOU SAID THAT WOULD YOU

1 ALWAYS LOOK FOR DONNIE'S TWEETS; CORRECT?

03:06:40 2 A. YES.

03:06:40 3 Q. AND WHY IS THAT?

03:06:42 4 A. BECAUSE I LIKED THE INFORMATION. I FOUND IT  
5 HELPFUL TO SEE TRENDS RATHER THAN JUST A MOMENT IN  
6 TIME.

03:06:47 7 Q. DO YOU KNOW WHO DONNIE HODGES IS?

03:06:49 8 A. I ONLY KNOW HIM TO THE EXTENT THAT I SEE  
9 HIS -- HIM ON TWITTER. I DON'T KNOW HIM PERSONALLY.  
10 I NEVER MESSAGED WITH HIM. I FOLLOWED HIM. I DON'T  
11 THINK HE FOLLOWED ME BACK, BUT I LIKED HIM.

03:07:01 12 Q. HOW DID YOU FIND HIM?

03:07:04 13 A. FROM LOOKING AT THE L.A. COUNTY HEALTH  
14 REPLIES, AND THAT'S HOW I FOUND HIM.

03:07:09 15 Q. ON THEIR TWITTER ACCOUNT?

03:07:10 16 A. ON THEIR TWITTER ACCOUNT, YEAH.

03:07:13 17 Q. YOU CREATED THE ALT ACCOUNT A FEW DAYS AFTER  
18 THE COUNTY SHUT OFF THEIR COMMENT SECTION; CORRECT?

03:07:20 19 A. YES.

03:07:20 20 Q. WHY?

03:07:22 21 A. WELL, BECAUSE I -- ONE, I WANTED TO SEE  
22 INFORMATION LIKE THIS AGAIN. I WANTED TO SEE, YOU  
23 KNOW, THE DATA THAT OTHER PEOPLE POSTED. I THOUGHT  
24 THERE'S NOTHING THAT VIOLATES TWITTER'S POLICIES BY  
25 JUST QUOTE TWEETING. SO I THOUGHT THERE'S -- IT'S  
26 IMPOSSIBLE FOR ANYTHING BAD TO COME OF THIS BECAUSE  
27 ANYONE CAN QUOTE TWEET. AND SO I THOUGHT IT WOULD BE  
28 REALLY NICE TO GET PEOPLE WHO WE CAN DISCUSS AGAIN.



1 AND I DO REMEMBER, WHEN DONNIE FOLLOWED THE ALT  
2 ACCOUNT, AND I WAS REALLY EXCITED BECAUSE I WANTED,  
3 YOU KNOW, I DIDN'T WANT ONE VIEWPOINT.

03:08:08 4 I WAS ACTUALLY -- THE INTENTION IS, I WANTED  
5 ALL THAT DISCUSSION AGAIN. I LIKED -- I LIKE HEARING  
6 OTHER PEOPLE'S VIEWPOINTS. I LIKE IT. SO I LIKE  
7 INFORMATION. SO I WAS HOPING TO BRING THAT BACK.

03:08:22 8 Q. AND SO THE PURPOSE OF THE ALT ACCOUNT WAS TO  
9 PROVIDE AN OPPORTUNITY FOR DIFFERENT VIEWPOINTS TO BE  
10 SHARED. IS THAT YOUR TESTIMONY?

03:08:29 11 A. YES.

03:08:30 12 MS. ALTER: OBJECTION. LEADING.

03:08:31 13 THE COURT: SUSTAINED. YOU WILL BE ABLE TO  
14 WRAP UP AT THE END.

03:08:46 15 (A DISCUSSION WAS HELD OFF THE RECORD.)

03:08:46 16 THE COURT: MISS HAMILL WILL HAVE THE  
17 OPPORTUNITY TO SUM UP AT THE END OF THE TRIAL.

03:08:54 18 (RECORD READ.)

03:09:29 19 Q. (BY MS. HAMILL) SO WERE YOU STANDING TO  
20 HAVE ANY PERSONAL GAIN FROM THIS ALT ACCOUNT?

03:09:33 21 A. I CAN'T THINK OF ANY PERSONAL GAIN I WOULD  
22 GET.

03:09:37 23 Q. AND DID YOU APPLY TO TWITTER FOR AN  
24 AUTOMATED API?

03:09:41 25 A. YES.

03:09:44 26 MS. ALTER: OBJECTION, YOUR HONOR. LACKS  
27 FOUNDATION AS TO AUTOMATED API.

03:09:48 28 THE COURT: WELL, THE OBJECTION'S OVERRULED.

1 THE WITNESS HAS ANSWERED "YES," SHE DID SO APPLY AND  
2 PERHAPS NOW WE'LL HAVE A LITTLE BIT OF INFORMATION OF  
3 WHAT THAT MEANS.

03:09:57 4 Q. (BY MS. HAMILL) AND WHAT IS AN AUTOMATED  
5 API?

03:10:01 6 A. I DON'T KNOW IF THAT'S THE EXACT CORRECT  
7 PHRASE, MISS HAMILL, BUT WHAT I APPLIED FOR IS, I  
8 WANTED TO TURN THE ACCOUNT INTO A BOT ACCOUNT, AND  
9 BECAUSE I DIDN'T WANT -- OR 1 IT WAS A LOT OF WORK FOR  
10 ME, AND I DIDN'T -- I WANT IT TO BE A BOT SO THAT NO  
11 INDIVIDUAL PERSON COULD BE TEMPTED TO MAYBE COMMENT OR  
12 LIKE SOMETHING TO -- I DIDN'T WANT ANYBODY TO BE ABLE  
13 TO PUT THEIR OWN BIAS WHO WAS RUNNING THE ACCOUNT.

03:10:35 14 AND SO I WAS -- I CONTACTED SOMEBODY ON  
15 FIVER. IT'S A WEBSITE, TO HELP ME AUTOMATE IT AND  
16 THEN I WAS GOING TO LABEL IT A BOT ACCOUNT AND CLOSE  
17 IT AND KIND OF BE DONE AND THEN JUST LET IT DO ITS  
18 THING AND NOT, YOU KNOW, ANYTHING MORE.

03:10:55 19 THE COURT: AND WHAT?

03:10:56 20 THE WITNESS: AND JUST -- I DIDN'T WANT TO,  
21 YOU KNOW, BE A PERSON MANAGING IT. I DIDN'T WANT A  
22 PERSON MANAGING IT. I WANTED IT TO BE SOMETHING THAT  
23 WAS AUTOMATED.

03:11:06 24 THE COURT: CONTINUE TO USE THE MICROPHONE  
25 AS MUCH AS POSSIBLE.

03:11:09 26 Q. (BY MS. HAMILL) SO WHAT WOULD THE BOT DO?  
27 WHAT SORT OF AUTOMATED ACTIONS WOULD IT DO?

03:11:13 28 A. ALL I WANTED IT TO DO WAS QUOTE TWEET AND

1 TAG L.A. PUBLIC HEALTH. THAT WAS IT.

03:11:21 2 Q. AND QUOTE TWEET MEANS WHAT?

03:11:26 3 A. THERE'S A RETWEET, BUT RETWEET -- WELL, THE  
4 IMPORTANT PART OF THE QUOTE TWEET IS THAT PEOPLE COULD  
5 COMMENT ON THE QUOTE TWEET AND THAT L.A. PUBLIC HEALTH  
6 WAS TAGGED, SO THEY COULD STILL SEE THE REPLIES. SO  
7 THEY WOULD BE NOTIFIED.

03:11:40 8 Q. WERE YOU TRYING TO TRICK PEOPLE INTO  
9 BELIEVING THAT YOU WERE L.A. COUNTY DEPARTMENT OF  
10 PUBLIC HEALTH?

03:11:45 11 A. NO. I ACTUALLY DID SOME RESEARCH ON OTHER  
12 ALT ACCOUNTS, BECAUSE I SPECIFICALLY DID NOT WANT TO  
13 MISLEAD PEOPLE. I LOOKED AT SPECIFICALLY WAS ALT CDC  
14 BECAUSE THAT WAS AN ACCOUNT THAT WAS CRITICAL OF THE  
15 CDC FOR NOT GOING FAR ENOUGH WITH COVID RESTRICTIONS.  
16 SO I THOUGHT IF THEY, YOU KNOW, IF THEY WERE OKAY,  
17 THEN IF I FOLLOWED THEIR FORMAT, THEN I SHOULD BE ABLE  
18 TO, YOU KNOW -- THEN THERE -- I SHOULDN'T HAVE ANY  
19 PROBLEMS.

03:12:20 20 SO I -- THAT WAS HOW I MODELED IT, AFTER  
21 THEM.

03:12:24 22 Q. AND CAN YOU GO TO EXHIBIT 5, PAGE 4, PLEASE,  
23 OF YOUR EXHIBIT BOOK.

03:12:30 24 A. EXHIBIT 5?

03:12:31 25 Q. EXHIBIT 5, PAGE 4. IT IS SO AT THE BOTTOM  
26 IT WILL SAY EXHIBIT 5-FOUR.

03:12:40 27 CAN YOU TELL ME WHAT THIS DOCUMENT SHOWS.

03:12:43 28 A. I WAS COMPARING THE LACPH ACCOUNT WITH THE

1 ALT CDC ACCOUNT, BECAUSE EXACTLY WHAT I JUST SAID. I  
2 MODELED THIS ACCOUNT AFTER THE ALT CDC.

03:12:55 3 Q. GOT IT. CAN YOU PLEASE TURN TO EXHIBIT 6.  
4 AND DO YOU RECOGNIZE THIS DOCUMENT? IT APPEARS TO BE  
5 31 PAGES.

03:13:08 6 A. YES. SO I THINK THIS IS THE ALT ACCOUNT,  
7 LIKE, A DUMP OF THE WHOLE TIMELINE.

03:13:19 8 Q. SORRY?

03:13:20 9 A. OF THE WHOLE TIMELINE. YEAH, I PDF'D THIS.

03:13:25 10 Q. YOU CREATED THIS DOCUMENT?

03:13:26 11 A. YES.

03:13:27 12 Q. AND DID YOU TAKE SCREEN SHOTS OF THE ALT  
13 ACCOUNT?

03:13:32 14 A. I HAVE AT TIMES, YEAH.

03:13:34 15 Q. HOW DID YOU CREATE THIS SPECIFIC DOCUMENT IN  
16 EXHIBIT 6?

03:13:37 17 A. OKAY. I THINK THIS WAS FROM THE WEB ARCHIVE  
18 MAYBE? I'M NOT A HUNDRED PERCENT SURE. I THINK  
19 THAT'S WHAT IT WAS, AND I JUST PRINTED TO PDF AND IT  
20 SPIT THIS OUT IN PRETTY NICE FORMAT. SO I DID NOT  
21 INDIVIDUALLY SCREEN SHOT THIS.

03:13:56 22 Q. AND THE ALT ACCOUNT TAGGED THE BOARD OF  
23 SUPERVISORS; CORRECT?

03:14:02 24 A. YES.

03:14:02 25 Q. IF YOU TURN TO EXHIBIT 6, PAGE 4, IT LOOKS  
26 LIKE THE AUGUST 20TH QUOTE TWEET TAGS L.A. PUBLIC  
27 HEALTH, HOLLY MITCHELL, SHEILA KUEHL, HILDA SOLIZ.

03:14:19 28 A. YES.

03:14:19 1 Q. AND THOSE ARE THE BOARD OF SUPERVISORS;  
2 CORRECT?

03:14:22 3 A. YES. AND I WAS NOT RUNNING THE ACCOUNT AT  
4 THAT TIME. I WOULD NOT HAVE DONE THAT. I HAD TO -- I  
5 WAS ON VACATION AND I ASKED A FRIEND TO DO THIS FOR  
6 ME, BECAUSE WE HAD NOT COMPLETED THE AUTOMATION. AND  
7 THE FRIEND DECIDED TO DO THAT, AND DIDN'T CONSULT WITH  
8 ME, BUT THAT IS WHAT WAS DONE DURING THOSE DATES.

03:14:54 9 WHICH IS AN EXAMPLE OF WHY I WANTED IT TO BE  
10 A BOT, BECAUSE I DIDN'T WANT INDIVIDUAL PEOPLE TO BE  
11 TEMPTED TO DO SOMETHING DIFFERENT THAN WHAT I HAD  
12 ORIGINALLY INTENDED, SO...

03:15:04 13 MS. HAMILL: I DON'T HAVE ANY FURTHER  
14 QUESTIONS FOR THIS WITNESS.

03:15:07 15 THE COURT: OKAY. CROSS?

03:15:09 16 MS. ALTER: YES, YOUR HONOR. AND WITH THE  
17 COURT'S INDULGENCE, WE HAD INTENDED TO CALL MISS ROJAS  
18 AS AN ADVERSE WITNESS AS PART OF OUR CASE IN CHIEF,  
19 BUT I'D LIKE TO DO IT ALL NOW TO THE EXTENT I CAN.

03:15:19 20 THE COURT: SURE.

03:15:20 21 MS. ALTER: RATHER THAN RECALLING HER.

03:15:22 22 THE COURT: THAT'S FINE. THAT WILL BE MORE  
23 CONVENIENT, I'M SURE, FOR MISS ROJAS AS WELL.

03:15:28 24 THE WITNESS: YES, THANK YOU.

03:15:29 25 MS. ALTER: YOUR HONOR, FOR PART OF THIS,  
26 BECAUSE WE ARE GOING TO BE ASKING SOME OF THE SAME  
27 QUESTIONS OF MISS HAMILL'S OTHER WITNESSES, WE WOULD  
28 ASK THAT THE COURT CLEAR THE ROOM OF OTHER WITNESSES

1 WHO ARE POISED TO TESTIFY ON SIMILAR -- POISED TO  
2 TESTIFY IN HER CASE IN CHIEF LATER TODAY.

03:15:44 3 THE COURT: OKAY. THE MOTION TO EXCUSE THE  
4 OTHER WITNESSES IS GRANTED, AND THE PARTIES WILL  
5 MONITOR THE COURTROOM, BECAUSE I'M NOT SURE I KNOW ALL  
6 OF THE WITNESSES. SO WHO ELSE ARE THE OTHER  
7 WITNESSES, MISS HAMILL? YOU'LL HAVE THEM STEP OUT IN  
8 THE HALLWAY.

03:16:13 9 (WITNESSES EXCUSED.)

03:16:15 10 THE COURT: OKAY. YOU MAY PROCEED.

03:16:17 11 MS. ALTER: THANK YOU, YOUR HONOR.

03:16:17 12

03:16:17 13 CROSS-EXAMINATION

03:16:18 14 Q. (BY MS. ALTER) GOOD AFTERNOON, MISS ROJAS.

03:16:20 15 A. HELLO.

03:16:21 16 Q. SO YOU TESTIFIED THAT YOU CREATED THE ALT  
17 LACPH ACCOUNT; CORRECT?

03:16:26 18 A. YES.

03:16:29 19 Q. IF YOU COULD PLEASE TURN TO EXHIBIT 5 IN  
20 YOUR BINDER.

03:16:41 21 DID MISS HAMILL INSTRUCT YOU TO PREPARE  
22 THESE NOTES?

03:16:45 23 A. ABSOLUTELY NOT. I ACTUALLY PREPARED THESE  
24 LONG BEFORE I EVER TALKED TO HER ABOUT THIS.

03:16:54 25 Q. PLEASE TURN TO EXHIBIT 6 IN YOUR BINDER.

03:17:05 26 NOW, THIS IS AN EXHIBIT YOU WERE JUST  
27 DISCUSSING WITH MISS HAMILL AND YOU TESTIFIED YOU  
28 PDF'D IT; CORRECT?

03:17:11 1 A. YES.

03:17:12 2 Q. FROM ARCHIVE.ORG, YOU BELIEVE?

03:17:14 3 A. (INAUDIBLE.)

03:17:16 4 THE COURT: I'M SORRY. YOUR VOICE IS  
5 FADING.

03:17:18 6 THE WITNESS: YES. THAT IS WHAT I BELIEVE  
7 IT IS.

03:17:19 8 Q. (BY MS. ALTER) BUT YOU'RE NOT SURE; RIGHT?

03:17:25 9 A. I'M FAIRLY CERTAIN. I AM, YES. I THINK  
10 IT'S...

03:17:32 11 Q. IS THAT A "YES" OR A "NO," MISS ROJAS?

03:17:35 12 A. I'M FAIRLY CERTAIN. THAT'S ALL I'M GOING TO  
13 SAY.

03:17:38 14 Q. DO YOU REMEMBER WHEN YOU CREATED THIS PDF?

03:17:41 15 A. THIS WAS IN THE LAST THREE- TO FOUR-WEEKS, I  
16 WOULD SAY.

03:17:47 17 Q. CAN YOU TELL ME WHAT DATE BACK IN AUGUST OF  
18 2022 THAT THE ALT ACCOUNT -- IF I CALLED IT THE ALT  
19 ACCOUNT WILL YOU KNOW WHAT I'M TALKING ABOUT?

03:18:00 20 A. YES.

03:18:00 21 Q. CAN YOU TELL ME WHAT DATE THE ALT ACCOUNT  
22 LOOKED LIKE THIS?

03:18:03 23 A. NO, I CAN'T TELL YOU THAT. I DON'T KNOW.

03:18:05 24 Q. DID IT LOOK LIKE THIS ON AUGUST 5TH, 2022?

03:18:08 25 A. I DON'T KNOW. I DON'T HAVE THE MEMORY OF  
26 SPECIFICS AT ALL. I KNOW I CAN LOG INTO THE ALT  
27 ACCOUNT AND I CAN SEE A BUNCH OF STUFF. BUT THAT WAS  
28 TOO HARD TO PDF, SO THAT'S WHY WE HAVE THIS. IT WOULD

1 HAVE BEEN A BUNCH OF SCREEN SHOTS, BUT I CAN LOG INTO  
2 THE ALT ACCOUNT, AND I CAN SEE EVERYTHING THAT WAS  
3 POSTED AND ALL THE COMMENTS.

03:18:31 4 Q. WHEN YOU FIRST STARTED THE ALT ACCOUNT, WAS,  
5 IF YOU CAN LOOK AT THE CIRCLE IN THE TOP LEFT-HAND  
6 CORNER OF PAGE 11 OF EXHIBIT 6?

03:18:51 7 A. OKAY.

03:18:52 8 Q. DO YOU SEE WHAT APPEARS TO BE FOUR PHASES IN  
9 RED?

03:18:55 10 A. YES.

03:18:56 11 Q. YOU HAD THAT RIGHT SIDE UP ON THE ORIGINAL  
12 ALT ACCOUNT; DIDN'T YOU?

03:19:00 13 A. NO, IT WAS NEVER RIGHT SIDE UP.

03:19:02 14 THE COURT: WAIT. I JUST LOST YOU,  
15 MISS ALTER.

03:19:05 16 A. I CAN TELL YOU --

03:19:06 17 THE COURT: FOUR PHASES IN RED?

03:19:09 18 MS. ALTER: NO, FOUR FACES INVERTED, YOUR  
19 HONOR, IN THAT CIRCLE.

03:19:12 20 THE COURT: FOUR FACES INVERTED. HOLD UP --  
21 WELL --

03:19:15 22 THE WITNESS: DO YOU WANT ME TO HELP YOU?

03:19:17 23 THE COURT: IS IT THIS (INDICATING)?

03:19:20 24 MS. ALTER: YES, IF YOU LOOK AT THAT CIRCLE.

03:19:22 25 THE COURT: HERE?

03:19:22 26 MS. ALTER: YES. THOSE SILHOUETTES ARE  
27 FACES. IF YOU TURN THE PAGE UPSIDE DOWN --

03:19:28 28 THE COURT: I SEE WHAT MIGHT BE TWO FACES.



1 DID YOU SAY FOUR FACES?

03:19:32 2 MS. ALTER: I SEE ALTERNATING -- THIS IS A  
3 RORSCHACH DRAWING, YOUR HONOR. I SEE ALTERNATING TWO  
4 BLACK AND TWO WHITE FACES.

03:19:41 5 THE COURT: OKAY. WELL, I WILL REFLECT FOR  
6 THE RECORD THAT ON MY EXHIBIT 6-1 IN THE MIDDLE OF THE  
7 PAGE, THERE'S A CIRCLE WITH A COUPLE OF BLACK  
8 SQUIGGLES, AND YOU MAY INQUIRE OF THE WITNESS AS TO  
9 THE MEANING OF THOSE SQUIGGLES.

03:19:58 10 Q. (BY MS. ALTER) SO IT IS YOUR TESTIMONY  
11 THAT THAT LOGO WAS ALWAYS UPSIDE DOWN?

03:20:03 12 A. YES, AND IT'S GRAY SCALE. I DID THAT. SO I  
13 CREATED THIS LOGO, IF YOU WANT TO KNOW. I AM TERRIBLE  
14 AT GRAPHIC DESIGN. I'M, LIKE OF ALL THINGS I HAD TO  
15 DO FOR THIS, THAT WAS WHAT I --

03:20:18 16 THE COURT: MISS ROJAS, TRY AND ANSWER JUST  
17 THE QUESTION. AND THEN WE'LL BE ABLE TO GET YOU ON  
18 THE FREEWAY EARLIER TONIGHT.

03:20:23 19 THE WITNESS: OKAY. THANK YOU.

03:20:24 20 THE COURT: SO THE QUESTION WAS, WAS IT  
21 ALWAYS UPSIDE DOWN? AND YOU SAID YES.

03:20:28 22 THE WITNESS: YES.

03:20:29 23 THE COURT: NEXT QUESTION.

03:20:29 24 Q. (BY MS. ALTER) DIDN'T HAVE THE WORD  
25 COMMENTARY ON IT WHEN YOU STARTED IT ON AUGUST 5TH,  
26 DID IT?

03:20:38 27 A. CORRECT. BECAUSE I MODELED IT AFTER THE CDC  
28 ACCOUNT WHICH DID NOT HAVE COMMENTARY. IT JUST HAD

1 ALT.

03:20:46 2 Q. LET'S TAKE A LOOK AT THAT ALT CDC ACCOUNT  
3 AGAIN, PLEASE. I BELIEVE IT WAS AT THE VERY BACK.  
4 FIVE-FOUR.

03:21:07 5 THE COURT: YOU ARE REFERRING US BACK TO  
6 EXHIBIT 5?

03:21:09 7 MS. ALTER: EXHIBIT 5, PAGE 4, YOUR HONOR.  
8 MY APOLOGIES.

03:21:13 9 Q. (BY MS. ALTER) IF YOU LOOK AT THE CDC LOGO  
10 IN THE BLUE CIRCLE SAYS ALTERNATIVE RIGHT ABOVE CDC,  
11 DOESN'T IT?

03:21:20 12 A. YES.

03:21:24 13 Q. LET'S GO BACK TO EXHIBIT 6, PLEASE. SO IF  
14 YOU LOOK AT EXHIBIT 6, PAGE 1, WHERE YOU SEE  
15 UNOFFICIAL ALT ACCOUNT TRADE FOR L.A. PUBLIC HEALTH.  
16 ARE YOU WITH ME?

03:21:42 17 A. YES.

03:21:42 18 Q. THAT LANGUAGE WAS NOT THE SAME AS WHAT WE  
19 SEE HERE ON AUGUST 5TH, WAS IT?

03:21:47 20 A. WHEN THE ORIGINAL CREATION, NO, IT WAS  
21 DIFFERENT. THIS WAS, I BELIEVE THIS WAS THE LAST --  
22 OH, I DON'T KNOW. BUT THIS WAS A VERSION.

03:21:56 23 MS. ALTER: YOUR HONOR, MOVE TO STRIKE  
24 EVERYTHING AFTER NO.

03:21:59 25 THE COURT: YOUR MOTION IS GRANTED.

03:22:05 26 Q. (BY MS. ALTER) THE ALT L.A. COUNTY HEALTH  
27 DIDN'T HAVE THE WORD COMMENTARY ON IT ON  
28 AUGUST 10TH, DID IT?

03:22:11 1 A. I DON'T HAVE -- I DON'T KNOW THE DATES BUT I  
2 KNOW THERE WAS A TIME WHEN IT DID NOT HAVE COMMENTARY  
3 ON IT. I MEAN, IF YOU LOOK THROUGH THAT TIMELINE --

03:22:22 4 THE COURT: MISS ROJAS, ONCE AGAIN, JUST  
5 BEAR WITH US. WE HAVE A FORMAL PROCEEDING. SHE'S  
6 GOING TO ASK QUESTIONS. TRY TO RESPOND DIRECTLY TO  
7 THOSE QUESTIONS.

03:22:29 8 Q. (BY MS. ALTER) OKAY. MISS ROJAS, IF YOU  
9 COULD PLEASE TURN TO EXHIBIT 59 IN YOUR BINDER.

03:22:37 10 A. I DON'T HAVE 59.

03:22:39 11 Q. YOU DO NOT HAVE 59?

03:22:41 12 THE COURT: MAYBE MISS HAMILL, YOU CAN  
13 ASSIST YOUR WITNESS WITH THE BINDERS.

03:23:08 14 Q. (BY MS. ALTER) OKAY. MISS ROJAS, IF YOU  
15 LOOK AT THIS E-MAIL, THE VERY TOP, YOU SEE AN E-MAIL  
16 FROM BRETT MORROW TO TWITTER GOVERNMENT AND POLITICS  
17 DATED AUGUST 10TH OF 2022. IS THAT CORRECT?

03:23:25 18 MS. HAMILL: OBJECTION. THIS AS WITNESS  
19 LACKS PERCIPIENT KNOWLEDGE OF THIS DOCUMENT.

03:23:29 20 THE COURT: WELL, THAT MAY BE TRUE, BUT I'LL  
21 ALLOW A LITTLE LEEWAY TO SEE IF A FOUNDATION CAN BE  
22 LAID.

03:23:34 23 DO YOU SEE WHAT COUNSEL'S REFERRING TO,  
24 MISS ROJAS? AT THE TOP?

03:23:39 25 THE WITNESS: AT THE TOP, I SEE BRETT  
26 MORROW. I SEE AUGUST 10TH, YES.

03:23:42 27 Q. (BY MS. ALTER) OKAY. MISS ROJAS, ARE YOU  
28 AWARE OF ANY COMMUNICATIONS BETWEEN LACDPH AND

1 TWITTER ABOUT THE ALT ACCOUNT AFTER AUGUST 10TH OF  
2 2022?

03:23:55 3 A. WHY WOULD I -- HOW WOULD I BE AWARE OF THAT?

03:23:58 4 Q. IT'S A "YES" OR "NO" QUESTION, MISS ROJAS.

03:23:59 5 A. NO, ONLY WHAT I'VE SEEN IN THE DOCUMENTS  
6 THAT I'VE SEEN THROUGHOUT THE COURT CASE.

03:24:04 7 THE COURT: IF YOU DON'T KNOW, THE ANSWER IS  
8 NO. YOU CAN BE CONTENT WITH THAT.

03:24:07 9 THE WITNESS: NO.

03:24:08 10 Q. (BY MS. ALTER) MISS ROJAS, ARE YOU AWARE  
11 AS TO WHETHER LACDPH SAW WHAT THE ALT ACCOUNT LOOKED  
12 LIKE ON OR AFTER AUGUST 10TH?

03:24:19 13 MS. HAMILL: OBJECTION. CALLS FOR  
14 SPECULATION.

03:24:21 15 THE COURT: I'M SORRY.

03:24:22 16 MS. HAMILL: CALLS FOR SPECULATION.

03:24:23 17 THE COURT: THE QUESTION IS, ARE YOU AWARE.  
18 DO YOU KNOW ONE WAY OR THE OTHER?

03:24:26 19 THE WITNESS: NO.

03:24:26 20 THE COURT: OKAY.

03:24:30 21 Q. (BY MS. ALTER) MISS ROJAS, IF YOU COULD  
22 PLEASE TURN BACK TO EXHIBIT 5 IN YOUR BINDER.  
23 PAGE 2 WHERE IT SAYS -- DO YOU SEE WHERE IT SAYS,  
24 AUGUST 23, 2022, ACCOUNT LOCKED.

03:24:59 25 A. YES.

03:25:00 26 Q. VIOLATING OUR RULES AGAINST IMPERSONATION.

03:25:03 27 A. YES.

03:25:04 28 Q. AND THEN DO YOU SEE WHERE IT SAYS,

1 3:15 P.M., CHANGED BIO.

03:25:14 2 A. YES.

03:25:17 3 Q. DO YOU KNOW WHETHER ANYONE AT LACDPH SAW THE  
4 CHANGES THAT YOU MADE TO THE ALT ACCOUNT ON  
5 AUGUST 23RD?

03:25:24 6 A. NO.

03:25:24 7 Q. DO YOU KNOW WHETHER ANYBODY AT LACDPH  
8 CONTACTED TWITTER ABOUT THE CHANGES YOU MADE TO THE  
9 ALT ACCOUNT?

03:25:31 10 A. I KNOW JUST FROM READING THE E-MAILS IN THIS  
11 CASE. OH, YES.

03:25:37 12 Q. LET ME FINISH MY QUESTION, PLEASE.

03:25:39 13 ARE YOU AWARE OF ANY EVIDENCE THAT LACDPH  
14 CONTACTED TWITTER ABOUT THE ALT ACCOUNT AS IT EXISTED  
15 ON AUGUST 23, 2022?

03:25:51 16 MS. HAMILL: OBJECTION. ASKED AND ANSWERED.

03:25:53 17 THE COURT: I'M NOT SURE WE GOT AN ANSWER,  
18 BUT YOU MAY NOW ANSWER.

03:25:57 19 THE WITNESS: YES, BECAUSE THE DOCUMENTS  
20 THAT COME ABOUT FROM THEIR CASE.

03:26:01 21 THE COURT: BECAUSE WHY?

03:26:02 22 THE WITNESS: BECAUSE THE DOCUMENTS ARE  
23 RIGHT IN THIS CASE. THAT'S THE ONLY REASON I WOULD  
24 KNOW.

03:26:07 25 THE COURT: ALL RIGHT. THANK YOU. NEXT  
26 QUESTION.

03:26:09 27 Q. (BY MS. ALTER) MISS ROJAS, WHICH DOCUMENT  
28 SHOWS LACDPH CONTACTING TWITTER ABOUT THE ALT

1 ACCOUNT AFTER AUGUST 23, 2022?

03:26:16 2 A. OH, I DON'T KNOW IF IT WAS THE DATE. I JUST  
3 KNOW THEY WERE CONTACTED. THEY CONTACTED THEM IN  
4 GENERAL.

03:26:22 5 Q. THEN LET ME ASK YOU MY QUESTION AGAIN. ARE  
6 YOU AWARE OF ANY EVIDENCE THAT SHOWS THAT LACDPH  
7 CONTACTED TWITTER ABOUT THE ALT ACCOUNT AS IT EXISTED  
8 ON AUGUST 23RD, 2022?

03:26:42 9 A. I DON'T KNOW.

03:26:46 10 Q. ARE YOU AWARE OF ANY EVIDENCE THAT LACDPH  
11 WAS INVOLVED IN YOUR APPEALS TO TWITTER?

03:26:52 12 A. NO.

03:26:54 13 Q. DO YOU HAVE ANY EVIDENCE THAT LACDPH WAS  
14 EVEN AWARE OF YOUR APPEALS TO TWITTER?

03:27:01 15 A. I DIDN'T INTERACT WERE LACDPH, SO WHY WOULD  
16 I KNOW ANY OF THIS STUFF? I DON'T KNOW WHY I'M  
17 SUPPOSED TO KNOW THIS. SO NO. I MEAN, NO ONE WOULD.

03:27:13 18 MS. ALTER: YOUR HONOR, MOVE TO STRIKE  
19 EVERYTHING AFTER NO.

03:27:16 20 THE COURT: EVERYTHING BEFORE NO.

03:27:18 21 MS. ALTER: EVERYTHING BEFORE AND AFTER NO.

03:27:20 22 THE COURT: YES. MOTION'S GRANTED.

03:27:23 23 MS. ALTER: OKAY.

03:27:23 24 Q. (BY MS. ALTER) SO MISS ROJAS, YOU TALKED  
25 ON DIRECT ABOUT EXHIBIT 15. CAN YOU TURN TO THAT,  
26 PLEASE. WAS THIS TYPE OF INFORMATION AVAILABLE  
27 ANYWHERE ELSE ON THE INTERNET?

03:27:42 28 A. I DON'T KNOW.

03:27:42 1 Q. PLEASE TAKE A LOOK AT EXHIBIT 16. SAME  
2 QUESTION. WAS THIS INFORMATION AVAILABLE ANYWHERE  
3 ELSE?

03:27:51 4 A. I DON'T KNOW.

03:27:55 5 Q. DID DONNIE POST THIS ON HIS OWN TWITTER  
6 PAGE, TO YOUR KNOWLEDGE?

03:27:59 7 A. I DON'T KNOW.

03:28:05 8 Q. SO YOU TESTIFIED, I BELIEVE, THAT ANYBODY  
9 CAN QUOTE TWEET. IS THAT CORRECT?

03:28:09 10 A. THAT'S MY UNDERSTANDING.

03:28:12 11 Q. AND AFTER THE ALT ACCOUNT WAS DISABLED, YOU  
12 DIDN'T QUOTE TWEET -- YOU DIDN'T QUOTE TWEET EN MASSE,  
13 LACDPH'S POSTS EN MASSE?

03:28:39 14 MS. HAMILL: OBJECTION. VAGUE AND AMBIGUOUS  
15 AS TO EN MASSE.

03:28:42 16 Q. (BY MS. ALTER) DID YOU SET UP ANOTHER  
17 ACCOUNT?

03:28:44 18 A. I DID NOT.

03:28:45 19 Q. SO YOU DID NOT SET UP ANOTHER ACCOUNT TO  
20 RETWEET LACDPH CONTENT?

03:28:50 21 A. NO, I DID NOT.

03:29:06 22 Q. CHANGING GEARS HERE, MISS ROJAS, DO YOU HAVE  
23 A FACEBOOK ACCOUNT?

03:29:11 24 MS. HAMILL: THIS EXCEEDS THE SCOPE OF  
25 DIRECT.

03:29:13 26 THE COURT: WELL, SHE ASKED AND THE COURT  
27 GRANTED HER THE OPPORTUNITY TO PUT ALL HER TESTIMONY  
28 ON AT ONE TIME. SO I'LL ALLOW PURSUANT TO 776 AND

1 OVERRULE THE OBJECTION.

03:29:26 2 THE WITNESS: YES.

03:29:26 3 Q. (BY MS. ALTER) IS IT OPEN TO THE PUBLIC?

03:29:29 4 A. NO, I DON'T THINK SO.

03:29:30 5 Q. WHAT'S YOUR HANDLE?

03:29:33 6 A. I DON'T -- I HAVE NOT LOGGED INTO THAT  
7 ACCOUNT FOR OVER A YEAR.

03:29:36 8 THE COURT: I'M SORRY.

03:29:37 9 THE WITNESS: I HAVE NOT LOGGED INTO MY  
10 FACEBOOK ACCOUNT FOR OVER A YEAR. IT'S MY NAME.

03:29:42 11 Q. (BY MS. ALTER) YOUR NAME? OKAY.

03:29:47 12 HOW MANY FACEBOOK FRIENDS DO YOU HAVE?

03:29:49 13 A. I DON'T KNOW.

03:29:50 14 Q. DID YOU BRING A COPY OF YOUR FACEBOOK  
15 ACCOUNT WITH YOU TODAY?

03:29:53 16 A. I DID NOT.

03:29:55 17 Q. DO YOU HAVE AN INSTAGRAM ACCOUNT?

03:29:57 18 A. I DO.

03:29:59 19 Q. IS IT OPEN TO THE PUBLIC?

03:30:00 20 A. NO.

03:30:01 21 Q. WHAT'S YOUR HANDLE?

03:30:03 22 A. MY NAME OF SOME SORT.

03:30:11 23 Q. HOW MANY FOLLOWERS DO YOU HAVE?

03:30:13 24 MS. HAMILL: OBJECTION. RELEVANCE.

03:30:14 25 THE COURT: RELEVANCE, PLEASE?

03:30:16 26 MS. ALTER: YES, YOUR HONOR. THIS IS  
27 RELEVANT BECAUSE ONE OF THE QUESTIONS HERE IS THE  
28 PLAINTIFF IS CLAIMING THAT LACDPH ENGAGED IN



1 CENSORSHIP THAT CUT OFF THEIR ABILITY TO COMMUNICATE  
2 ON CERTAIN TOPICS AND CERTAIN ISSUES, AND THEY ARE  
3 ALSO SEEKING ATTORNEY'S FEES BASED ON A BENEFIT  
4 ALLEGED TO HAVE BEEN OR THEORETICALLY WILL BE  
5 CONFERRED TO THE PUBLIC SHOULD THIS COURT REQUIRE  
6 LACDPH TO REOPEN PUBLIC COMMENTARY ON ITS SOCIAL MEDIA  
7 ACCOUNTS.

03:30:43 8 AND THE POINT OF THIS LINE OF QUESTIONING IS  
9 TO ESTABLISH THAT ANY ALLEGED BENEFIT OR DETRIMENT  
10 FROM THE CLOSURE OF THE ACCOUNT WAS DE MINIMUS.

03:30:53 11 THE COURT: FOR THE PUBLIC?

03:30:55 12 MS. ALTER: SO ALLIANCE HAS, I BELIEVE  
13 MISS HAMILL EXPLAINED IN THE STANDING PHASE OF THE  
14 TRIAL THAT THIS CLAIM IS BEING BROUGHT ON BEHALF OF  
15 ALLIANCE MEMBERS, AND IT IS NOT BROUGHT IN THE NAME OF  
16 THE PUBLIC. WE HAVE TRIED TO -- WE ARE TRYING TO GET  
17 AT THIS IDEA THAT THERE IS NO CONSTITUTIONAL INJURY  
18 HERE AT THE FIRST POINT.

03:31:16 19 AND AT THE SECOND POINT IF ALLIANCE MEMBERS  
20 RECEIVED NO BENEFIT -- WOULD RECEIVE NO BENEFIT FROM  
21 OPENING PUBLIC COMMENTARY ON LACDPH'S SOCIAL MEDIA  
22 ACCOUNTS, THEY ARE PURPORTING -- IF THEY ARE  
23 PURPORTING TO CLAIM PUBLIC BENEFIT HERE BUT THEY  
24 THEMSELVES WOULD NOT RECEIVE ANY REAL WORLD BENEFIT  
25 FROM THE RELIEF THAT THEY ARE SEEKING, WE ARE  
26 ENTITLED, I THINK, TO MAKE THAT ARGUMENT UNDER BOTH  
27 THE MERITS PRONG OF THIS AND UNDER 1021.5.

03:31:54 28 THE COURT: RESPONSE?

03:31:55 1 MS. HAMILL: WE ALREADY STIPULATED YESTERDAY  
2 MORNING THAT EACH OF THE WITNESSES, MISS ROJAS, MISS  
3 BURWICK, MISS HOGUE, AND MISS ORENSTEIN EACH HAVE  
4 SOCIAL MEDIA AND THAT THEY CAN FREELY POST ON THEIR  
5 OWN SOCIAL MEDIA PAGES. WE STIPULATED TO THAT  
6 YESTERDAY.

03:32:14 7 THE COURT: IS THAT PART OF THE STIPULATED  
8 FACTS THAT YOU FILED?

03:32:16 9 MS. HAMILL: I DON'T THINK WE ADDED THEM TO  
10 THE STIPULATED FACTS, BUT WE DID STIPULATE ON THE  
11 RECORD TO THOSE FACTS.

03:32:21 12 THE COURT: I WILL CONFESS I DON'T RECALL  
13 THAT. WAS THAT STIPULATION ENTERED INTO AT THE OUTSET  
14 OF THIS TRIAL; THAT THEY HAVE THESE SOCIAL MEDIA  
15 ACCOUNTS?

03:32:29 16 MS. ALTER: YOUR HONOR, THERE IS ONE  
17 FUNDAMENTAL PROBLEM. MISS HAMILL REFUSED TO STIPULATE  
18 THAT THE ALTERNATIVE MEANS OF COMMUNICATION IS, QUOTE,  
19 ADEQUATE.

03:32:38 20 THE COURT: WELL, BEFORE WE GET TO WHAT SHE  
21 DIDN'T STIPULATE OR YOU CAN'T STIPULATE TO, CAN YOU  
22 STIPULATE THAT THE FOUR WITNESSES THAT WILL BE CALLED  
23 BY THE ALLIANCE DO HAVE SOCIAL MEDIA ACCOUNTS AND CAN  
24 FREELY POST ON THEIR OWN SOCIAL MEDIA PAGES? DID YOU  
25 STIPULATE TO THAT?

03:32:56 26 MS. ALTER: YOUR HONOR, LET ME PULL UP THE  
27 TRANSCRIPT FROM YESTERDAY, AND I CAN READ IT BACK TO  
28 YOU.

03:33:00 1 THE COURT: YOU HAVE THE ADVANTAGE TO ME.

03:33:08 2 MS. ALTER: LET ME PULL THAT UP.

03:33:15 3 THE COURT: DO YOU HAVE ACCESS TO THE  
4 TRANSCRIPT AS WELL, MISS HAMILL? TRIAL TRANSCRIPT?

03:33:23 5 MS. HAMILL: I SHOULD.

03:33:24 6 THE COURT: OKAY. WELL, YOU CAN  
7 DOUBLE-CHECK AS WELL.

03:33:29 8 MS. ALTER: OKAY, YOUR HONOR. THIS IS WHERE  
9 WE ENDED ON THIS, THIS IS TRANSCRIPT FROM YESTERDAY AT  
10 PAGE 15, LINE 5. MR. RAYGOR SAYS, THE WAY I FRAMED IT  
11 IS THAT ITS MEMBERS HAD ADEQUATE ALTERNATIVE MEANS TO  
12 DISCUSS, ADDRESS, AND COMMENT ON DEPARTMENT'S PUBLIC  
13 HEALTH POLICIES FOLLOWING THE JULY 29TH, 2022 CLOSING  
14 OF PUBLIC COMMENTARY ON DPH'S SOCIAL MEDIA SITES.

03:34:05 15 THE COURT: I'M LOOKING FOR WHAT YOU  
16 STIPULATED TO. AND MY QUESTION PRECISELY, MISS ALTER  
17 WAS, DID THE PARTIES STIPULATE THAT THESE FOUR  
18 ALLIANCE WITNESSES HAVE SOCIAL MEDIA ACCOUNTS AND CAN  
19 FREELY POST TO THOSE ACCOUNTS?

03:34:18 20 MS. ALTER: I DON'T BELIEVE WE DID. WE --

03:34:21 21 MS. HAMILL: THE STIPULATION IS RIGHT BELOW,  
22 STARTING AT LINE 14 ON PAGE 15.

03:34:25 23 THE COURT: ALL RIGHT. LET'S GO OFF THE  
24 RECORD FOR ONE SECOND. THE THREE OF YOU PUT YOUR  
25 HEADS TOGETHER, LOOK AT THE TRANSCRIPT AND SEE WHAT  
26 YOU AGREED TO.

03:34:51 27 (A DISCUSSION WAS HELD OFF THE RECORD.)

03:36:12 28 THE COURT: LET'S GO BACK ON THE RECORD.

03:36:13 1 THE RECORD SHOULD REFLECT AND CONSISTENT  
2 WITH THE OCTOBER 16, 2023 MINUTE ORDER -- OR EXCUSE  
3 ME -- MINUTES OF THE COURT PROCEEDINGS, THAT COUNSEL  
4 STIPULATED TO THE FOLLOWING, QUOTE, PLAINTIFF'S  
5 MEMBERS HAD ALTERNATIVE MEANS TO COMMUNICATE THROUGH  
6 THEIR OWN PUBLIC SOCIAL MEDIA, END OF QUOTE.

03:36:34 7 DO YOU UNDERSTAND THAT WAS THE STIPULATION,  
8 MISS HAMILL?

03:36:37 9 MS. HAMILL: YES, YOUR HONOR.

03:36:38 10 THE COURT: MISS ALTER, DO YOU UNDERSTAND  
11 THAT WAS THE STIPULATION?

03:36:41 12 MS. ALTER: YES, YOUR HONOR.

03:36:42 13 THE COURT: SO WHAT ELSE IS RELEVANT AT THIS  
14 POINT AS OPPOSED TO YOUR ARGUMENT AT THE END OF THE  
15 DAY THAT THERE WASN'T A PUBLIC BENEFIT CONFERRED BY  
16 THIS LAWSUIT SHOULD THEY HAVE PREVAILED.

03:36:55 17 MS. ALTER: YOUR HONOR, THE ISSUE IS ONE OF  
18 ADEQUACY. THE FACT THAT THEY HAD ALTERNATIVE MEANS IS  
19 NOT SUFFICIENT. THE QUESTION IS WERE THOSE MEANS  
20 ADEQUATE TO PROVIDE THE -- TO PROVIDE EQUIVALENT  
21 DISCOURSE, TO ALLOW THEM SUFFICIENTLY TO SPEAK THEIR  
22 MINDS ON THESE TOPICS.

03:37:11 23 MISS HAMILL REFUSED TO STIPULATE AS TO THE  
24 ADEQUACY --

03:37:23 25 THE COURT: LET ME STOP YOU THERE. ISN'T  
26 THAT A QUESTION ESSENTIALLY OF LAW FOR THE COURT TO  
27 DETERMINE HAVING HEARD CLOSING ARGUMENTS FROM THE  
28 PARTIES? YOU CAN ARGUE THAT THEY DID HAVE ADEQUATE

1 MEANS TO COMMUNICATE AMONG THEMSELVES AND WITH OTHER  
2 MEMBERS OF THE PUBLIC? I'M SURE MISS HAMILL WILL TAKE  
3 THE OPPOSITE POSITION.

03:37:43 4 BUT I DON'T KNOW HOW INQUIRIES OF WITNESSES  
5 AS TO ADEQUACY CAN REALLY GET US ANYWHERE.

03:37:50 6 MS. ALTER: YOUR HONOR, THE QUESTION OF  
7 ADEQUACY IS ONE OF LAW AS APPLIED TO FACT. WHAT I  
8 NEED TO DO IS TO BE ABLE TO GET IN SOME OF THE FACTUAL  
9 EVIDENCE TO SHOW YOUR HONOR -- FOR EXAMPLE, AS A  
10 PROFFER, WE HAVE AN 800-PAGE EXHIBIT, AND IT, I  
11 BELIEVE IT SPANS FOUR MONTHS WITH A HASHTAG FIRE  
12 FERRER. AND IT SHOWS LEGIONS OF PEOPLE, INCLUDING  
13 PLAINTIFF'S MEMBERS, DISCUSSING WHETHER OR NOT  
14 BARBARA FERRER SHOULD BE FIRED.

03:38:18 15 THE COURT: FINE. WHAT EXHIBIT NUMBER IS  
16 THAT?

03:38:21 17 MS. ALTER: 242, YOUR HONOR.

03:38:22 18 THE COURT: ALL RIGHT. IF IT GETS IN, YOU  
19 GET TO ARGUE THE IMPORT OF THAT. I ASSUME YOU WILL  
20 ARGUE THERE WAS MORE THAN ADEQUATE ABILITY ON THE PART  
21 OF THE MEMBERS TO COMMUNICATE. OKAY?

03:38:34 22 SO I DON'T SEE THIS LINE OF QUESTIONING TO  
23 THIS WITNESS OR PERHAPS THE OTHERS AS WELL TO BE VERY  
24 PRODUCTIVE.

03:38:42 25 MS. ALTER: YOUR HONOR, IF -- I THINK THERE  
26 ARE --

03:38:44 27 THE COURT: DO YOU WANT HER TO GIVE AN  
28 OPINION AS TO WHETHER SHE HAD ADEQUATE ABILITY TO

1 COMMUNICATE WITH HER COLLEAGUES OR THE PUBLIC IN  
2 GENERAL?

03:38:52 3 MS. ALTER: NO, YOUR HONOR. WHAT I WANTED  
4 TO ASK HER, FOR EXAMPLE, IS DID SHE TWEET ABOUT  
5 MASKING? THIS ENTIRE CASE STARTED ABOUT MASKING AND  
6 THEN WHETHER THE COUNTY AND YOUR HONOR HAS HEARD  
7 THROUGHOUT THESE PROCEEDINGS THAT THE COUNTY WAS  
8 CONSIDERING WHETHER TO CLOSE DOWN OR WHETHER TO  
9 REIMPLEMENT ANOTHER MASK MANDATE.

03:39:09 10 AND MISS HAMILL IS ATTEMPTING TO LINK THE  
11 COUNTY'S CONSIDERATION OF ANOTHER MASK MANDATE TO ITS  
12 DECISION TO CLOSE PUBLIC COMMENTARY, AND SHE'S  
13 CLAIMING --

03:39:20 14 THE COURT: RIGHT.

03:39:20 15 MS. ALTER: -- THAT OUR CLIENTS DID WHAT  
16 THEY DID TO TRY TO SHUT DOWN THE COMMENTARY ON  
17 MASKING. WE OBVIOUSLY TAKE THE OPPOSITE POSITION AND  
18 WE WILL PRESENT OUR SIDE OF THE STORY. BUT ONE OF THE  
19 QUESTIONS THERE IS, WERE THE ALLIANCE MEMBERS, DID  
20 THEY STILL COMMENT ON MASKING? DID THEY STILL SPEAK  
21 ABOUT IT?

03:39:39 22 THE COURT: ASK HER THAT QUESTION.

03:39:41 23 MS. ALTER: AND THAT'S WHAT I WAS TRYING TO  
24 ESTABLISH, YOUR HONOR, WHETHER SHE HAS A SOCIAL MEDIA  
25 PRESENCE IN THE FIRST PLACE TO LAY A FOUNDATION SO  
26 THAT I COULD THEN ASK HER IF SHE TALKED ABOUT ALL  
27 THOSE THINGS.

03:39:52 28 THE COURT: WELL, IT TURNS OUT YOU

1 STIPULATED TO THAT. BUT IN ANY EVENT, SHE ANSWERED  
2 THE QUESTION THAT SHE DOES HAVE AN INSTAGRAM ACCOUNT  
3 AND A FACEBOOK ACCOUNT. YOU MAY ASK HER WHETHER OR  
4 NOT SHE TWEETED ABOUT MASKS.

03:40:03 5 MS. ALTER: YOUR HONOR, MAY I ASK HER IF SHE  
6 HAS A TWITTER ACCOUNT, BECAUSE THAT'S THE ONE --

03:40:07 7 THE COURT: YOU MAY ASK HER THAT AS WELL.

03:40:09 8 Q. (BY MS. ALTER) DO YOU HAVE A TWITTER  
9 ACCOUNT?

03:40:10 10 A. YES.

03:40:10 11 Q. HOW MANY FOLLOWERS DO YOU HAVE?

03:40:12 12 MS. HAMILL: OBJECTION. RELEVANCE.

03:40:13 13 THE COURT: SUSTAINED.

03:40:19 14 MS. HAMILL: AND WE'RE HAPPY TO STIPULATE  
15 THAT THE MEMBERS OF THE ALLIANCE TWEETED ABOUT MASKS  
16 AFTER THE COMMENTS WERE SHUT DOWN. WE'RE HAPPY TO  
17 STIPULATE TO THAT.

03:40:26 18 THE COURT: ALL RIGHT. WILL YOU ACCEPT THAT  
19 STIPULATION?

03:40:29 20 MS. ALTER: WILL YOU ACCEPT THE -- WILL YOU  
21 ACCEPT OR STIPULATE INTO EVIDENCE EXHIBITS -- EXHIBITS  
22 242, 318, AND 323?

03:40:46 23 MS. HAMILL: DO YOU HAVE THEM IN FRONT OF  
24 YOU?

03:40:48 25 MS. ALTER: I CAN PULL THEM UP. CAN I SHOW  
26 THEM TO YOU ELECTRONICALLY.

03:40:55 27 THE COURT: WE'RE OFF THE RECORD.

03:40:56 28 (A DISCUSSION WAS HELD OFF THE RECORD.)

03:41:14 1 THE COURT: ALL RIGHT. WE'RE BACK ON THE  
2 RECORD. WHAT IS THE STIPULATION, MISS ALTER?

03:41:18 3 MS. ALTER: THE PARTIES ARE STIPULATION TO  
4 THE ADMISSIBILITY OF EXHIBITS 242, 323, AND 318. AND  
5 MY APOLOGIES, I DON'T KNOW WHY I JUST READ THOSE LAST  
6 TWO OUT OF ORDER.

03:41:33 7 THE COURT: WHY YOU READ THEM WHAT?

03:41:35 8 MS. ALTER: I READ THEM OUT OF ORDER. I  
9 GAVE YOUR HONOR 323 BEFORE 318.

03:41:40 10 THE COURT: IS THERE ANY OTHER PART OF THE  
11 STIPULATION?

03:41:43 12 MS. HAMILL: WE DID AGREE TO STIPULATE THAT  
13 THE MEMBERS OF THE ALLIANCE CONTINUED TO TWEET ABOUT  
14 MASKS AFTER THE COMMENTS WERE CLOSED BY DEFENDANTS.

03:41:52 15 THE COURT: YOU'LL ACCEPT THAT?

03:41:53 16 MS. ALTER: WE'LL ACCEPT THAT.

03:41:55 17 WILL YOU ALSO AGREE TO STIPULATE THAT SOME  
18 OF YOUR MEMBERSHIP DID RETWEET OR QUOTE TWEET LACDPH  
19 CONTENT?

03:42:03 20 MS. HAMILL: YES.

03:42:04 21 THE COURT: LET'S MAKE SURE WE HAVE THIS  
22 DOWN. MEMBERS TWEETED ABOUT MASKS. EXHIBITS 242,  
23 318, AND 323 ARE IN EVIDENCE. WHAT IS THE THIRD PART  
24 OF THE STIPULATION?

03:42:21 25 MS. ALTER: THE THIRD PART OF THE  
26 STIPULATION IS THAT THE ALLIANCE MEMBERSHIP WERE  
27 EITHER RETWEETED OR QUOTE TWEETED LACDPH SOCIAL MEDIA  
28 CONTENT FOLLOWING THE CLOSURE OF PUBLIC POLICY ON



1 LACDPH'S SOCIAL MEDIA.

03:42:41 2 THE COURT: STIPULATE?

03:42:42 3 MS. HAMILL: YES, YOUR HONOR.

03:42:42 4 THE COURT: ALL RIGHT. THE RECORD WILL SO  
5 REFLECT.

03:42:47 6 ANY OTHER QUESTIONS FOR THIS WITNESS?

03:42:49 7 MS. ALTER: YOUR HONOR, CAN WE GO OFF THE  
8 RECORD FOR A MINUTE?

03:42:51 9 THE COURT: SURE.

03:42:52 10 (A DISCUSSION WAS HELD OFF THE RECORD.)

03:46:41 11 THE COURT: ALL RIGHT. WE'RE BACK ON THE  
12 RECORD. AND I UNDERSTAND THERE MAY BE A FOURTH  
13 COMPONENT TO THE STIPULATION.

03:46:47 14 WOULD YOU LIKE TO RECITE IT?

03:46:49 15 MS. ALTER: YES, YOUR HONOR. THE PARTIES  
16 STIPULATE THAT WHEN CONTENT IS QUOTE TWEETED ON  
17 TWITTER, THAT A THIRD-PARTY IS -- MAY THEN COMMENT ON  
18 THE QUOTE TWEET.

03:47:03 19 IS THAT ACCURATE?

03:47:05 20 MS. HAMILL: YES, YOUR HONOR.

03:47:05 21 THE COURT: OKAY. CONDUCT IS QUOTE TWEETED;  
22 THAT THIRD PARTIES MAY COMMENT ON THE QUOTE TWEET?

03:47:13 23 MS. ALTER: YES, YOUR HONOR.

03:47:14 24 THE COURT: THAT'S A STIPULATION?

03:47:15 25 MS. HAMILL: YES, YOUR HONOR.

03:47:16 26 THE COURT: OKAY. RECORD WILL SO REFLECT

03:47:23 27 MS. ALTER: YOUR HONOR, WE WILL DISCUSS  
28 FACEBOOK AND INSTAGRAM LATER WITH RESPECT TO THAT

1 ISSUE. THE PARTIES HAVE TO FIGURE OUT WHAT A  
2 REASONABLE STIPULATION WOULD BE AS TO THOSE TWO  
3 PLATFORMS.

03:47:34 4 THE COURT: OKAY. THEN DO YOU HAVE ANY  
5 OTHER QUESTIONS OF THE WITNESS?

03:47:39 6 MS. ALTER: A FEW ADDITIONAL.

03:47:41 7 Q. (BY MS. ALTER) MISS ROJAS, YOU MENTION YOU  
8 HAVE SCREEN SHOTS OF THE ALT ACCOUNT. IS THAT  
9 CORRECT?

03:47:46 10 A. YEAH, I HAVE SOME, YES.

03:47:47 11 Q. WERE THOSE PRODUCED DURING DISCOVERY?

03:47:50 12 A. I DON'T THINK SO. I DON'T KNOW WHAT -- I  
13 DON'T KNOW WHEN DISCOVERY WAS.

03:47:55 14 THE COURT: SO THE ANSWER IS YOU DON'T KNOW.

03:47:57 15 THE WITNESS: I DON'T KNOW.

03:47:58 16 Q. (BY MS. ALTER) WERE THOSE SCREEN SHOTS  
17 TAKEN DIRECTLY FROM THE ALT ACCOUNT?

03:48:09 18 A. I DON'T REMEMBER.

03:48:12 19 Q. DO YOU HAVE IN YOUR POSSESSION ANY DOCUMENT  
20 THAT SHOWS WHAT THE ALT ACCOUNT LOOKED LIKE ON  
21 AUGUST 5TH OF 2022?

03:48:19 22 A. I CAN HAVE ACCESS -- I HAVE ACCESS TO IT IF  
23 I LOG IN. SO I CAN SHOW YOU WHATEVER YOU WANT TO SEE.  
24 I DON'T KNOW IF I AM SUPPOSED TO SAY THAT.

03:48:28 25 THE COURT: WELL, YOUR VOICE IS FADING. DO  
26 YOU HAVE ANYTHING IN COURT?

03:48:31 27 THE WITNESS: NO, NO, NO, I DON'T. I DON'T  
28 HAVE ANYTHING ON ME.

03:48:35 1 THE COURT: OKAY.

03:48:36 2 THE WITNESS: I CAN'T REMEMBER THE LAST TIME  
3 I TOOK A SCREEN SHOT OF THE ACCOUNT. I DON'T RECALL.

03:48:42 4 THE COURT: YOU COMPLETED YOUR ANSWER.

03:48:45 5 Q. (BY MS. ALTER) SO AS YOU SIT HERE TODAY,  
6 YOU CAN PROVIDE NO EVIDENCE AS TO HOW THE ALT  
7 ACCOUNT LOOKED ON AUGUST 5TH OF 2022. IS THAT  
8 CORRECT?

03:48:52 9 MS. HAMILL: OBJECTION. MISCHARACTERIZES  
10 EXHIBIT 5.

03:48:55 11 THE COURT: OVERRULED. YOU MAY ANSWER THAT.  
12 IT'S CROSS-EXAMINATION.

03:48:58 13 THE WITNESS: SAY THAT AGAIN?

03:49:00 14 Q. (BY MS. ALTER) AS YOU SIT HERE TODAY, YOU  
15 DON'T HAVE ANY EVIDENCE THAT SHOWS HOW THE ALT  
16 ACCOUNT LOOKED ON AUGUST 5TH OF 2022. IS THAT  
17 CORRECT?

03:49:09 18 A. I'M SORRY. I JUST DON'T UNDERSTAND THE  
19 QUESTION.

03:49:12 20 THE COURT: OKAY. THEN COUNSEL WILL  
21 REPHRASE.

03:49:15 22 Q. (BY MS. ALTER) YOU OPENED THE ALT ACCOUNT  
23 ON AUGUST 5TH; CORRECT?

03:49:18 24 A. YEAH.

03:49:18 25 Q. AND YOU MADE CHANGES TO IT SINCE THAT TIME;  
26 CORRECT?

03:49:21 27 A. YES. AS REQUESTED BY TWITTER, YEAH.

03:49:24 28 Q. AND MY QUESTION TO YOU IS: DO YOU HAVE ANY

1 EVIDENCE AS TO WHAT THE ALT ACCOUNT LOOKED LIKE WHEN  
2 YOU FIRST CREATED IT ON AUGUST 5TH OF 2022?

03:49:33 3 A. I HAVE MY MEMORY, IS ALL.

03:49:35 4 Q. SO THE ANSWER IS NO. NO WRITTEN EVIDENCE?

03:49:39 5 MS. HAMILL: OBJECTION. MISCHARACTERIZES  
6 THE EXHIBIT.

03:49:41 7 THE COURT: OVERRULED.

03:49:43 8 THE WITNESS: WRITTEN EVIDENCE? I DON'T  
9 KNOW.

03:49:45 10 Q. (BY MS. ALTER) DO YOU HAVE A WRITING THAT  
11 SHOWS WHAT THE ALT ACCOUNT LOOKED LIKE ON AUGUST 5TH  
12 OF 2022?

03:49:54 13 A. I DON'T THINK SO.

03:49:55 14 Q. DO YOU HAVE A WRITING THAT SHOWS WHAT THE  
15 ALT ACCOUNT LOOKED LIKE ON AUGUST 10TH OF 2022?

03:50:04 16 A. AUGUST 10? NO.

03:50:06 17 Q. YOU UNDERSTAND THAT BY WRITING I'M INCLUDING  
18 PAPER AS WELL AS DIGITAL MEDIA?

03:50:14 19 A. I'M KIND OF JUST NOT UNDERSTANDING WHAT THE  
20 QUESTIONS ARE. I'M SORRY.

03:50:18 21 Q. SO DO YOU HAVE A FILE, A PIECE OF PAPER, AN  
22 IMAGE, ANYTHING IN YOUR POSSESSION THAT SHOWS WHAT THE  
23 ALT ACCOUNT LOOKED LIKE ON AUGUST 5TH OF 2022?

03:50:29 24 A. ON AUGUST 5TH, NO, I DON'T THINK SO.

03:50:31 25 Q. SAME QUESTION WITH AUGUST 10TH OF 2022.

03:50:35 26 A. I DON'T THINK SO.

03:50:50 27 Q. WHY DID YOU NEVER DECIDE TO CREATE -- STRIKE  
28 THAT.

03:50:55 1 HOW COME YOU DIDN'T CREATE ANOTHER ACCOUNT  
2 TO RETWEET LACDPH'S ACCOUNT AFTER THE ALT ACCOUNT WAS  
3 SHUT DOWN?

03:51:05 4 A. FOR ONE, IT WAS A LOT OF WORK, AND I KNOW IT  
5 WAS -- SOMEBODY SUGGESTED TO ME, BUT I JUST DIDN'T  
6 WANT TO DO IT.

03:51:17 7 Q. BUT YOU COULD HAVE; CORRECT?

03:51:20 8 A. SURE.

03:51:28 9 MS. ALTER: YEAH. NO FURTHER QUESTIONS,  
10 YOUR HONOR.

03:51:29 11 THE COURT: ANYTHING ELSE?

03:51:30 12 MS. HAMILL: I JUST HAVE FOUR.

03:51:32 13

03:51:32 14 REDIRECT EXAMINATION

03:51:32 15 Q. (BY MS. HAMILL) HAVE YOU EVER LOST THE  
16 ABILITY TO LOG INTO THE ALT ACCOUNT?

03:51:36 17 A. NO.

03:51:39 18 Q. EXHIBIT 5 EXPLAINS THE CHANGES MADE TO THE  
19 ALT ACCOUNT ON DIFFERENT DATES; CORRECT?

03:51:44 20 A. YES.

03:51:45 21 Q. AND WHEN DID YOU TAKE THE SCREEN SHOTS IN  
22 EXHIBIT 6?

03:51:51 23 A. RECENTLY, IN THE LAST MONTH.

03:51:53 24 MS. HAMILL: I HAVE NO FURTHER QUESTIONS FOR  
25 THIS WITNESS?

03:51:55 26 THE COURT: OKAY. CAN WE EXCUSE MISS ROJAS?

03:51:59 27 MS. HAMILL: YES.

03:52:00 28 MS. ALTER: YOUR HONOR, ONE QUICK RECROSS

1 QUESTION.

03:52:02 2 THE COURT: OKAY.

03:52:03 3

03:52:03 4 RECROSS-EXAMINATION

03:52:05 5 Q. (BY MS. ALTER) EXHIBIT 6, YOU DON'T KNOW  
6 WHAT DAY IN AUGUST OF 2022 THAT IS INDICATIVE OF THE  
7 ALT ACCOUNT, DO YOU?

03:52:13 8 A. I DON'T UNDERSTAND YOUR QUESTION.

03:52:14 9 Q. QUESTION IS: EXHIBIT 6 IS AN IMAGE OF THE  
10 ALT ACCOUNT. YOU CAN'T TELL ME ON WHAT SPECIFIC DATE  
11 THE ALT ACCOUNT LOOKED ON EXHIBIT 6, CAN YOU?

03:52:25 12 A. WHERE AT ON EXHIBIT 6 ARE YOU ASKING? WHICH  
13 IMAGE?

03:52:28 14 Q. VERY TOP. FOR EXHIBIT 6, PAGE 1.

03:52:34 15 A. YOUR ACCOUNT HAS BEEN LOCKED? IMAGE.

03:52:37 16 Q. THAT'S EXHIBIT 5. PLEASE GO TO EXHIBIT 6.

03:52:40 17 A. OKAY. WHAT'S YOUR QUESTION?

03:52:42 18 Q. LOOKING AT EXHIBIT 6, PAGE 1 HERE, YOU CAN'T  
19 TELL ME ON WHAT SPECIFIC DATE THIS IS A REPRESENTATION  
20 OF THE ALT ACCOUNT, CAN YOU?

03:52:51 21 A. I CAN'T BECAUSE I DON'T KNOW.

03:52:54 22 MS. ALTER: NO FURTHER QUESTIONS, YOUR  
23 HONOR.

03:52:56 24 THE COURT: THANK YOU. YOU MAY STEP DOWN.  
25 YOU'RE EXCUSED.

03:52:59 26 AND I THINK WE'VE HAD A GOOD LONG DAY, SO  
27 WE'RE GOING TO ADJOURN HERE IN A FEW MINUTES. AND  
28 YOUR ORDER OF WITNESSES FOR TOMORROW, MISS HAMILL,

1 WILL BE WHAT?

03:53:09 2 MS. HAMILL: YOUR HONOR, I WOULD FIRST LIKE  
3 TO ASK IF WE CAN RELEASE MISS ORENSTEIN FROM THE  
4 SUBPOENA AND FROM HAVING TO TESTIFY. SHE WAS ON THE  
5 STAND DURING THE STANDING PORTION OF THIS TRIAL FOR  
6 OVER AN HOUR, AND SHE WAS THOROUGHLY CROSS-EXAMINED.  
7 ALL OF HER TESTIMONY INVOLVED THE ESTABLISHMENT OF THE  
8 ALLIANCE, HER REASONS FOR DOING SO, AND I WOULD REALLY  
9 LIKE TO AVOID HAVING TO BRING HER BACK AND GO THROUGH  
10 ALL OF THAT TESTIMONY AGAIN.

03:53:34 11 SO I'M WONDERING IF WE CAN AGREE TO RELEASE  
12 MISS ORENSTEIN, BECAUSE I DON'T THINK SHE HAS ANY  
13 ADDITIONAL TESTIMONY THAT WOULD BE HELPFUL TO THIS  
14 COURT'S ADJUDICATION OF THE ISSUES IN THIS CASE.

03:53:45 15 THE COURT: WELL, IF YOU WANT HER TESTIMONY  
16 FROM A PRIOR HEARING TO BE CONSIDERED, HAVE YOU  
17 INVITED A STIPULATION FROM OPPOSING COUNSEL?

03:53:52 18 MS. HAMILL: I HAVE.

03:53:54 19 THE COURT: AND WHAT DID YOU LEARN?

03:53:56 20 MS. HAMILL: NO STIPULATION THUS FAR.

03:53:58 21 THE COURT: OKAY. THEN THIS REMAINS YOUR  
22 CASE IN CHIEF, AND YOU WILL PUT ON EVIDENCE AS YOU SEE  
23 FIT.

03:54:04 24 MS. HAMILL: OKAY, YOUR HONOR. THANK YOU.

03:54:06 25 THE COURT: IT'S MY STUDIED PRACTICE NEVER  
26 TO FORCE A STIPULATION BETWEEN ADVERSARIAL PARTIES.

03:54:13 27 SO WITH THAT IN MIND, WHAT IS YOUR ORDER OF  
28 WITNESSES?

03:54:18 1 MS. HAMILL: TOMORROW, WE WILL TAKE MISS  
2 ORENSTEIN, MISS BURWICK, AND MISS HOGUE. AND I PLAN  
3 TO BE VERY BRIEF WITH EACH WITNESS.

03:54:35 4 THE COURT: AND THEN YOU'LL BE RESTING?

03:54:37 5 MS. HAMILL: AND THEN I WILL BE RESTING,  
6 BARRING ANY UNFORESEEN ISSUES THAT ARISE.

03:54:42 7 THE COURT: WELL, IT LOOKS LIKE, THEN, YOU  
8 WILL COMPLETE YOUR CASE IN CHIEF IN THE MORNING.

03:54:49 9 SO MR. RAYGOR, YOU SHOULD HAVE AT LEAST ONE,  
10 IF NOT MORE THAN ONE WITNESS, DEPENDING ON THE  
11 ESTIMATES OF TESTIMONY AVAILABLE FOR THE LATTER PART  
12 OF THE MORNING SESSION.

03:55:00 13 MR. RAYGOR: SURE.

03:55:02 14 THE COURT: CAN YOU TELL US NOW, INCLUDING  
15 MISS HAMILL, WHAT YOUR ORDER WILL BE.

03:55:07 16 MR. RAYGOR: SO LILY YOUNG CHU.

03:55:12 17 THE COURT: IF YOU WANT TO WHISPER, GO OFF  
18 THE RECORD OR ASK ME TO GO OFF THE RECORD. OTHERWISE,  
19 YOU'RE ON THE REPORT.

03:55:18 20 MS. ALTER: YOUR HONOR, WE MAY BE ABLE TO  
21 OBTAIN THE NEED TO CALL OUR FIRST WITNESS, MISS CHU,  
22 IF WE CAN REACH A STIPULATION WITH MISS HAMILL. SO I  
23 WOULD PROPOSE THAT WE MEET AND CONFER WITH HER OUTSIDE  
24 OF COURT SO THAT WE DON'T WASTE YOUR TIME AND SO THAT  
25 THE PARTIES CAN PERHAPS OBTAIN THAT.

03:55:43 26 THE COURT: FINE. THEN WHO WOULD YOUR NEXT  
27 WITNESS BE?

03:55:47 28 MR. RAYGOR: BRETT MORROW, AND THEN I CAN



1 TELL YOU THE REST OF THEM, IF YOU WOULD LIKE.

03:55:50 2 THE COURT: GO AHEAD.

03:55:51 3 MR. RAYGOR: HE WOULD BE FOLLOWED BY ERICA  
4 LESPRON AND THEN DR. FERRER.

03:55:56 5 THE COURT: DOCTOR WHO?

03:55:59 6 MR. RAYGOR: DR. FERRER. BARBARA FERRER.

03:56:01 7 I RAISE -- GO AHEAD.

03:56:03 8 THE COURT: DO YOU THINK THAT TESTIMONY WILL  
9 TAKE UP MOST OF TOMORROW OR WE'RE GOING TO BE GOING  
10 INTO THURSDAY?

03:56:11 11 MR. RAYGOR: THE ONLY QUESTION I'VE GOT IS  
12 DR. FERRER TOLD ME THAT SHE CAN'T APPEAR BETWEEN 12  
13 AND 2 BECAUSE SHE'S ACROSS THE STREET AT THE MUSIC  
14 CENTER. THE DEPARTMENT IS GETTING SOME SORT OF AWARD  
15 CEREMONY, AND SHE'S GOT TO SPEAK. BUT SHE CAN BE HERE  
16 MAYBE BETWEEN 1:30 AND 2. I THINK THAT SHE WILL STILL  
17 BE GOING WITH MR. MORROW BY THEN.

03:56:37 18 THE COURT: AND YOU HAVE ANOTHER WITNESS,  
19 TOO.

03:56:39 20 MR. RAYGOR: YES, WE DO.

03:56:41 21 THE COURT: SO I THINK BASED ON WHAT I HEAR,  
22 WE SHOULD BE ABLE TO FILL THE DAY APPROPRIATELY.

03:56:46 23 MR. RAYGOR: YES.

03:56:46 24 THE COURT: ALL RIGHT. IS THERE ANYTHING  
25 FURTHER, MR. RAYGOR, BEFORE WE ADJOURN?

03:56:54 26 MR. RAYGOR: NOT THAT I CAN THINK OF.

03:56:56 27 MS. HAMILL: DOES YOUR HONOR PREFER WRITTEN  
28 CLOSING BRIEFS OR ORAL CLOSING STATEMENTS?

03:57:00 1 THE COURT: I THINK IN THIS CASE, SUBJECT TO  
2 A MEET AND CONFER AND I'LL HEAR FROM COUNSEL, THERE  
3 WOULD BE A BENEFIT TO GETTING A TRANSCRIPT. SO YOU  
4 CAN DISCUSS THAT WITH OUR COURT REPORTER WHEN YOU  
5 ANTICIPATE GETTING THAT. AND THEN CLOSING BRIEFS  
6 FOLLOWED BY ORAL ARGUMENT, WHICH IS HOW I NORMALLY  
7 DEAL WITH BENCH TRIALS. THAT GIVES THE PARTIES AN  
8 OPPORTUNITY TO QUOTE WITH PRECISION THE TESTIMONY OF  
9 THE WITNESSES AND THOROUGHLY BRIEF THE ISSUES.

03:57:29 10 THAT'S MY TENTATIVE, BUT YOU ALL MEET AND  
11 CONFER. AND IF YOU AGREE, WE'LL LOCK IT IN AND SET  
12 DATES.

03:57:37 13 MR. RAYGOR: OKAY.

03:57:38 14 MS. HAMILL: THANK YOU, YOUR HONOR.

03:57:39 15 THE COURT: OKAY?

03:57:40 16 MR. RAYGOR: THANK YOU, YOUR HONOR.

03:57:41 17 THE COURT: THANK YOU.

03:57:42 18 MAY I SEE THE CALENDAR FOR TOMORROW? WE'LL  
19 SEE WHEN WE -- JUST ONE MOMENT, COUNSEL. WE'LL DECIDE  
20 WHAT OUR STARTING TIME TOMORROW IS. WE'LL START AT  
21 9:30 TOMORROW. HAVE A GOOD EVENING.

03:58:16 22 ALL PRESENT: THANK YOU, YOUR HONOR.

03:58:17 23 (THE PROCEEDINGS ADJOURNED AT 3:58 P.M.)  
24  
25  
26  
27  
28