EXHIBIT 1
MEMORANDUM

TO: TO WHOM IT MAY CONCERN
FROM: Elliot S. Berke
DATE: September 5, 2020
RE: Internal Review of Office of Congressman Hagedorn Franking Issues

Berke Farah LLP was engaged by Congressman Hagedorn on June 18, 2020 to conduct an internal review of costs his office incurred by franked mail vendors after he became concerned about the extent of the charges. During the review, Congressman Hagedorn and members of his official staff and his campaign team were interviewed and nearly 2,000 pages of documents provided by his office were reviewed. On July 30, 2020, Congressman Hagedorn notified the Committee on House Administration (“House Administration Committee”) about this internal review and stated that he may need additional guidance as it proceeded. On August 10, 2020, Congressman Hagedorn filed a self-report with the Committee on Ethics (“Ethics Committee”) in accordance with its Rule 18(c), and the Ethics Committee informed Congressman Hagedorn that it appreciated his diligence in self-reporting the matter and would consider it under its Rule 18(a) (“Self-Report”). Congressman Hagedorn appreciates the Ethics Committee’s oversight of this matter and will provide these findings to it for its consideration.

Findings

On June 8, 2020, an article appeared in LegiStorm entitled “Rep. Hagedorn spent 40 percent of his 2020 budget in just 3 months.”¹ Out of the abundance of caution and to make certain that his office’s franking charges during this quarter were consistent with all House Rules and Standards of Conduct, Congressman Hagedorn engaged this law firm to conduct an internal review (“Internal Review”). Nine franking vouchers were identified for scrutiny, six of which were performed by vendor Abernathy West LLC (“Abernathy West”) and three of which were performed by vendor Invocq Technologies LLC (“Invocq”).


Navigating the Law of Politics
The Congressman’s then-Chief of Staff, Peter Su, was responsible for contracting with both Abernathy West and Invocq, as Congressman Hagedorn had delegated that task to Mr. Su. Congressman Hagedorn generally weighed in on franking content but was not involved with selecting the vendors or negotiating the costs. No actual contracts were located for either vendor, but the fees charged by Abernathy West and Invocq were compared against three independent firms recognized in the industry. Based on these objective comparisons, it appears that Abernathy West and Invocq charged Congressman Hagedorn’s office significantly more than the fair market for franking services.

Upon determining that the congressman’s office was charged significantly more than fair market for these franking services, an attempt to determine why said charges deviated from the industry norm was undertaken. While the House Administration Committee offers guidance to Members of Congress on franking issues, it does not set rates for franking vendors. Based on a review of office expenditures, Congressman Hagedorn has not overspent his $1.4 million annual office allotment and is presently on target to operate at a surplus for 2020.

The Internal Review revealed a potential familial interest in Abernathy West by one senior office employee and a direct ownership interest in Invocq by a part time office employee. According to a provision in the House Administration Committee Member’s Congressional Handbook:

Unless specifically authorized by an applicable provision of federal law, House Rules, or Committee Regulations, no Member, relative of the Member, or anyone with whom the Member has a professional or legal relationship may directly benefit from the expenditure of the MRA.²

Congressman Hagedorn had no knowledge of the potential interest or the direct staff interest prior to the Internal Review. Upon learning of them, he suspended the two employees until further notice while the Internal Review was pending and barred the two staffers from returning to the official office. He also ceased all franked mail contracts. Congressman Hagedorn

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² See https://cha.house.gov/member-services/handbooks/members-congressional-handbook (visited on September 3, 2020). Although Congressman Hagedorn has accepted responsibility for the contracts even though they were executed without his knowledge of the potential and direct staff interests, the actual impact of the expenditures when applied against this provision is by no means settled. The Ethics Committee, in the House Ethics Manual, has offered some insight into the scope of this provision but it does not appear to be conclusive: “While the application of these rules is within the jurisdiction of the House Administration Committee, it appears that these rules preclude a Member or committee from contracting with a staff member for the acquisition of goods, or of any services outside of the employment context.” See https://ethics.house.gov/sites/ethics.house.gov/files/documents/2008_House_Ethics_Manual.pdf (visited on September 3, 2020)(emphasis supplied).
consulted with the House Administration Committee about the potential interest and direct interest by the employees and included the information in the Self-Report to the Ethics Committee so that it could evaluate the relationships against this provision. Congressman Hagedorn fully agrees that he is ultimately responsible for actions of those in his employ, even when undertaken without his knowledge, and conveyed that sentiment to the Ethics Committee. He has directed his office staff to receive additional training and reestablished an office policy to prevent any contracts to be executed without his prior approval.

*Abernathy West*

It was determined that Abernathy West shared the same co-working address, phone service, and registered agent as Artemis ESB, whose CEO is Mr. Su’s brother Szu-Nien Su. Although registered in Delaware (which does not require LLC’s to disclose its members or ownership), Abernathy West and Szu-Nien’s interest was not denied by Mr. Su or by counsel for Szu-Nein Su and Abernathy West. When initially approached about this matter, Mr. Su agreed to cooperate fully with the Internal Review. Mr. Su’s employment with Congressman Hagedorn’s office ceased on June 19, 2020.

Over the next few weeks, both Mr. Su and Szu-Nien Su through counsel promised cooperation on multiple occasions. That cooperation never materialized. Mr. Su’s counsel authorized direct contact with Mr. Su, but Mr. Su did not respond. Counsel for Szu-Nien Su and Abernathy West consistently stated that their clients would cooperate with the Internal Review but never responded to multiple requests for information (and Congressman Hagedorn has no ability to compel said information at this time). This recalcitrance served to frustrate the Internal Review and delayed Congressman Hagedorn’s Self-Report to the Ethics Committee by several weeks. Due to the limited documents that existed within Congressman Hagedorn’s office, it could not be determined why Mr. Su selected Abernathy West as a vendor or if he had any relationship with it beyond his brother’s apparent connection with it as discussed herein. Abernathy West does not appear to have engaged in franking work for any other Member of Congress.

*Invocq*

John Sample, a part time employee of Congressman Hagedorn’s office, owned Invocq equally with Catherine Keszei. Mr. Sample submitted to multiple interviews during the Internal Review. He explained that Invocq, a two member LLC, became a vendor to the office after Mr. Su expressed dissatisfaction with vendor franking proposals because they were “too cookie
cutter.” Mr. Sample said the office felt it was under time pressure to get the franking “out the door.” Mr. Sample told Mr. Su that he was part owner of Invocq, a graphic design firm, with Catherine Keszei and that the firm could likely design and produce the franking content in a time effective manner. Invocq had not undertaken any franking work for any Member of Congress.

According to Mr. Sample Ms. Keszei performed the actual services for the LLC. Mr. Sample showed Mr. Su examples of Ms. Keszei’s work, and Mr. Su decided to award the franking work to Invocq. While Invocq’s hourly rates were higher than competitors as franking vendors, Mr. Sample provided a client comparison for Ms. Keszei demonstrating that the rate charged by her was commensurate to other non-franking graphic design production clients.

Shortly after Invocq completed its work, Ms. Keszei died. According to Mr. Sample, her passing rendered Invocq essentially defunct with no financial assets. While the documents surrounding its work for the Congressman’s office were limited (further complicated by Ms. Keszei’s death), it was determined that a $0.25PP postage charge was incorrectly applied to vouchers 01239479 and 01246586. Mr. Sample apologized for this inadvertent charge, and on behalf of Invocq, agreed to adjust the rates accordingly and return the difference of $8,800.00 and $7,700.00, respectively. He agreed to reimburse the U.S. Treasury for the postage Invocq erroneously charged to Congressman Hagedorn’s office. As part of its consideration of this matter, Congressman Hagedorn requested guidance from the Ethics Committee on how Mr. Sample should effectuate that transaction and awaits its response.

Mr. Sample stated he did not believe his ownership interest, which was disclosed to Mr. Su, raised any concerns under the Member’s Congressional Handbook or any other House Rules or Standards of Conduct. Mr. Sample said he talked with Mr. Su about the permissibility of Invocq taking on the franking work. He also said he generally recalled asking about the permissibility of earning outside income as a part-time employee during an Ethics Committee training session but did not specifically discuss Invocq or franking work. He stated he did not perform services on the Invocq franking matter during official time beyond facilitating the relationship. If Mr. Sample’s ownership interest in Invocq rendered it ineligible to serve as a vendor to Congressman Hagedorn’s office in accordance with the Member’s Congressional Handbook provision discussed herein, it did not enter into contract with Congressman Hagedorn’s office with any intent to violate, or knowledge of, the provision. Mr. Sample’s suspension was lifted, and his employment was reinstated on July 9, 2020.
Conclusion

When Congressman Hagedorn became concerned about potential excessive franking charges incurred by his office on June 18, 2020, he took swift action and took corrective action. Among the steps he took were to commission an internal review by outside counsel; cancel any future franked mail contracts; make personnel changes (both temporary and permanent); and reestablished an office policy to prevent any contracts to be executed without his prior approval. He consulted with the House Administration Committee and ultimately self-reported this matter to the Ethics Committee. He will work with the Ethics Committee as it reviews his office’s past vendor relationships with Abernathy West and Invocq. Congressman Hagedorn fully agrees that he is ultimately responsible for actions of those in his employ, even when those actions are taken without his knowledge. Congressman Hagedorn acted in good faith and did not personally direct, profit or intend for his office to bypass any established office procedures or potentially or technically violate any rule of the House.
EXHIBIT 2
Transcript of Interview of Peter Su

Review No. 21-7750
April 30, 2021
Interview of PETER SU, conducted virtually.

Pursuant to Notice, before Kevin James Kiser, Notary Public in and for the District of Columbia.
A P P E A R A N C E S

ON BEHALF OF THE OFFICE OF CONGRESSIONAL ETHICS OF
THE UNITED STATES HOUSE OF REPRESENTATIVES:

SEAN QUINN, ESQUIRE

INDHIRA BENITEZ, ESQUIRE

425 3rd Street, S.W.
Suite 1110
Washington, DC 20024
Phone: (202) 225-9739
MR. QUINN: Kevin, we can go ahead and go on the record.

And hey, Peter, and thanks for joining us today. How are you doing?

MR. SU: Good. Go ahead. Who else is on?

MR. QUINN: So I was just about to let you know. So I have Indhira is also -- she's my co-counsel, she's also in the Office of Congressional Ethics. I'll let her say hello, quickly.

MS. BENITEZ: Hi, Peter, how are you.

MR. SU: Hey. Go ahead.

MR. QUINN: Indhira will mostly just be listening in but she might have just a few questions for you, kind of as we go through our conversation. I think Indhira is going to turn off her video and she'll turn that on in case she has any questions.

And the other two people on the call, just so that you know, Peter, are Kevin, who will
be transcribing our conversation, and then you just heard from Crystal who is the -- our tech support, and she will help us resolve any issues if we have any technical issues. And then also, she's going to be the one that if you have to look at any documents she'll put them up on the screen for you to see.

Does that sound good?

MR. SU: Yep.

MR. QUINN: Okay. Great. And obviously you and I have spoken before. Just for the record, my name is Sean Quinn, I'm investigative counsel at the OCE. We've talked before and I've explained that you are just a third-party to this review that the OCE is conducting, just a witness that we think might have some information relevant to the issues that we're looking into.

I also wanted to make clear that the OCE, the Office of Congressional Ethics, is separate from the Ethics Committee. We have separate processes. Our process just results to
the Ethics Committee and then they take that and
do what they will with it.

So today our goal is just to kind of
have, hopefully, a pretty easy conversation about
some of the things that you and I have talked
about on the phone previously and maybe just dive
into a little bit more detail on some of those
topics.

So forgive me if some of my questions
are things that I have asked you previously. I
know it seems a little bit repetitive or
redundant, it's just to get everything in one
place on the record. And then also, let me know
either now or at any point during the interview
if you have any questions about our process or
what we're doing here today.

Does that sound good so far?

MR. SU: Sure. I just have a quick
question. Perhaps this was discussed before, but
I just want to clarify it here since we have
Indhira also on the line. So the jurisdictional
coverage has oversight only applied to current
congressional staffers, and therefore I'm not
under your oversight, right?

MR. QUINN: Correct, yeah. So our --
well, number one as I said, the review that we're
conducting in this investigation you are not the
subject of that review. You're just a third
party witness to some of the issues that we're
looking into. And yes, our office, the Office of
Congressional Ethics, as well as the committee
only have jurisdiction over members and current
employees of the House.

As I understand it, you are not a
current employee of the House so we do not have
jurisdiction over you. You're a voluntary
participant in this process, and we very much
appreciate your participation.

MR. SU: Okay. And in the -- a lot of
the narrative that was driven by Congressional
member --

MR. QUINN: Peter.

MR. SU: Yeah.

MR. QUINN: Peter if I can -- we're
going to get into a lot of that and I'm going to have specific questions for you. And then, at the end of the interview, if you have some things that you want to add I'll give you that opportunity. But I want to respect your time and everybody on the call, and I hope that we can get through this relatively quickly, hopefully in about an hour we can get through my questions.

But the easiest way to do that is going to be if I can ask my questions and, we can keep the answers, kind of, you know, concise and targeted at what I've asked you. And then, I'll give you a little bit of time at the end if there's anything you want to add.

MR. SU: Yeah.

MR. QUINN: But mainly this is more of a question and answer situation.

So with that, let me know, at any point if you need a break while him asking questions. If you need to use the bathroom or anything like that, and then also if there's any technical difficulties, like you can't understand what I'm
saying or if there's a glitch, or if I just
worded the question poorly, feel free to ask me
to repeat any questions that I've asked you,
okay?

Can you hear me? Did you understand
that?

MR. SU: Yeah.

MR. QUINN: Okay. Great. So as I
said, hopefully it's just kind of an easy fairly
informal conversation. There is a little bit of
formality that the resolution that created our
office requires, which is that I make you aware
of the law 18 U.S.C. 1001, it's the False
Statements Act. And basically, that law which
always obviously applies to our conversation,
just means that it is a crime to lie, or make a
material omission to a congressional
investigator. And so I just want to make you
aware of that.

And I've actually just sent you an
email which you should be able to access through
your PeterSu2020 account. I sent you two
emails, actually. One is a copy of 1001 which will also pull up on the screen right now --

Crystal, if you can do that?

-- so you can look at that.

And then, Peter, I sent you a copy of the False Statements Act as well. And then a docusign email which will allow you to pull that up and we just have a brief acknowledgement that I'll ask you to sign that just says we talked about 1001 and I kind of let you know the basics of the content of that law.

So if you can check your email and pull up -- let me know if you got the docusign email.

And then, if you want actually -- Yeah, Crystal, if you can give Peter control of that document that you pulled up.

Peter, feel free to look at that and scroll through that and ask me any questions that you may have. But as I said, it's just simply sort of -- you can think of that as essentially being under oath. That any -- I'll give you a second.
(Exhibit A was marked for identification.)

MR. SU: Well, since you don't have jurisdictional issue over me, my discussion with my lawyer is that I participate on a voluntary basis. I'm going to give you the best recollection of the situation --

MR. QUINN: Yes, (indiscernible).

MR. SU: -- oh your check said.

MR. QUINN: What's that?

MR. SU: Well, I said I talked to my lawyer prior to this, the whole time we've been having conversations because you don't have jurisdiction over a private citizen I'm participating this in good faith, as a conversation to help you with the background. So I don't think it's fair for you to stick this in my face and ask me to sign it without my counsel's review.

MR. QUINN: Okay. That's fine. I -- we don't have to have you sign it. Or don't have to have you sign the acknowledgement. I just
want to know that 18 U.S.C. 1001 applies to this conversation.

MR. SU: No, I'm fine with -- yeah, I'm fine but I'm not going to sign it without counsel.

MR. QUINN: Okay. Great.

And then, as Crystal and Kevin let you know -- or Crystal, let you know, the interview is being recorded. And then Kevin is a court reporter that is transcribing the interview. Once we have finalized the interview I will send you a copy of the transcript and you can look at it and make any corrections, if there are any transcription errors.

MR. SU: Okay. Thank you.

MR. QUINN: Great. So then, just with those housekeeping items kind of taken care of we can get started.

If you can just state your full name for the record, and then spell that out?

MR. SU: Yeah, it's Peter Su.

P-E-T-E-R, S-U.
MR. QUINN: Okay. And then, we'll just start super basic questions. Can you tell me a little bit about yourself and where you're from? Specifically, just where you're from.

MR. SU: I'm just from here in Virginia. So prior to -- yeah, prior to this conversation, I guess, I was working for Congressman Hagedorn up until, if my memory is correct, June 19th, June 18th when I quit the job.

MR. QUINN: And that was June 18th, 2020?

MR. SU: Yeah. It was either '18, or 20, 19, like that.

MR. QUINN: Okay.

MR. SU: 2020 is right.

MR. QUINN: And can you tell me how you came to work for Congressman Hagedorn?

MR. SU: Yeah, it was -- I think it was accidental. I didn't ask for a job. And like many, I was not on his campaign. I simply have worked with him and known him over the years when
he was in federal government.

MR. QUINN: Okay. So you had met

him --

MR. SU: So after --

MR. QUINN: You had met him previously

when he was employed by the federal government?

MR. SU: Yeah. A long time ago. It

was like 20 some years ago.

MR. QUINN: Okay. And from the time

that you met him to about the time that you were

hired by his office, or by him, what was -- can

you describe your relationship?

MR. SU: I think it was just a former

colleague. A friendly former colleague, that

would be the extent of the relationship. He had

moved to California and then moved to Minnesota

after retirement and, you know, probably very

occasional contact, you know. A few times a

year, sometimes not at all. So it wasn't a --

yeah, it basically wasn't until he was elected

that he contacted me and we got in touch -- yeah,

he told me he was coming back in town and he was
asking what I was doing. So that's kind of how
the conversation started.

    MR. QUINN: Okay. And then, when were
you hired by Representative Hagedorn?

    MR. SU: It was after freshman
orientation because I know his former -- his
campaign manager was interested in the job and so
were a bunch of other of folks that interviewed
with him. He told me that subsequently. I
didn't know that at the time. So it was after
freshman orientation and he said he needed
somebody that has a -- that he's worked with
before. So he offered me --

    MR. QUINN: Okay. After freshman
orientation; was it before he was sworn in?

    MR. SU: No. No, no, no. My
paperwork -- my onboarding, I was not hired until
after swearing in.

    MR. QUINN: Okay. Got it.

    MR. SU: So everything was already
determined. Everything was already predetermined
by Congressman Hagedorn. He's a very hands-on
member as you know from his file. He used to
work on the Hill for Congressman Stangeland so he
had already made final decisions on staff hiring.
He pretty much hired everybody on his campaign
team.

Hired everybody, brought me on board.
I think the only person we had not hired was some
low level staff. But all the key people were
already in place. I was just going through the
paperwork process of A) getting their resume,
giving them to our office administrative person,
Melissa Carr, and say hey, can you help process
the onboarding. And that's it.

MR. QUINN: Okay. And then was -- you
mentioned that he had mostly hired his staff
before you came on or had made those decisions.
Was John Sample one of those people that he had
hired before you came on?

MR. SU: I don't think so. I think he
knew John as well. He knew John, I don't know to
what extent they knew each other but he knew him
as a technical savvy person and I believe he came
in to ask John to help him set up the office website.

And he had spoken to me about it because I had worked with John before too. And I said, sure, you know, try him out. If you like him, hire him because it is well-known in that office that he makes hiring decisions, not me, unlike other offices.

MR. QUINN: Okay. Great.

MR. SU: And part of the problem that our office administrator, Melissa Carr, will be able to confirm is that his pay bands well exceed normal pay bands for specific positions, especially for folks that came from his campaign. And that's why it was critical that we monitor the budget and the spending very closely because he wanted to spend, you know, a lot on personnel, wanted the highest mileage reimbursement for the district, so on and so forth. You know, travel back every opportunity he gets.


And you were hired on --
MR. SU: If you --

MR. QUINN: -- I know you said that you were hired on as the Chief of Staff. Did you hold any other positions during the time that you were Representative Hagedorn's Chief of Staff, either in his office or outside of the office?

MR. SU: No. I spent full time working for him. Yeah, that's a 24/7

MR. QUINN: Right. Right. I'm sure it is. Okay. And then you said it was June 18th or 19th of 2020 that you ended employment with Representative Hagedorn; is that correct?

MR. SU: Right.

MR. QUINN: Okay. And just focusing on kind of that time. And the event of you leaving the office, can you tell me how that happened? We can save for later some of the substance of the issues that came out in public reporting, but just the conversation about how you were going to leave the office, or the way that (16:14).

MR. SU: Yeah. So from the get-go, you know, just the very hands on on his public
affairs business. Basically, he told everybody that he must see everything that goes out with his signature and -- because he had been a calms a director before when he was on the hill.

MR. QUINN: Right.

MR. SU: He asked that -- what has been you know, because what I because what I said is irrelevant, it's what he said, right? I mean he has publicly interviewed. You know, for example, on KGCTV he said we've had a -- we have a portion of our budget that goes towards mailings. We were always going to do that. And on June 8, you know, he also said, and reported to the press, that we will be spending far less than others in the last three quarters, no big deal. They told us to send out the mail to keep our constituents informed and that we did. Okay?

And the reason I'm saying this -- there's a reason also, on a August 7th phone call to me he also made it clear that he wanted to send a mail piece to every DM (ph.) household now. So the mail project was no -- it was not a
stealth project, it was his project. We were helping him executing it from the beginning.

So what happened was sometime around June -- June 6, I believe LegiStorm wrote a short clip that Hagedorn spent 40 percent of his 2020 budget in just three months. That didn't come as a surprise either because based on what I just quoted, in the Member's own words, this was his project.

And in further press reporting, which we can get into -- I'm not going to get into it here -- it was clearly showing that he was showing that he was directing and asking us to do mail piece, let's say, you know, quote/unquote he said we should do an updated mail piece on Cambria. He wrote that on September 5th, 2019.

And in August 2019 he was briefed by email, and his emails always include a bunch of staffers, explaining that the office had just sent out 67,800 pieces of mail so far. And there are details about --

MR. QUINN: What are the --
MR. QUINN:  We're going to get in --
yeah, we're going to get into some of the details
of that. If we could focus more closely just on
the time right around June 18th and 19th.

MR. SU:  Sure.

MR. QUINN:  Maybe I'll ask some more
specific questions. Did Representative Hagedorn
tell you that he was going to be relieving you of
your position or how did that happen?

MR. SU:  Oh, no, no, no. No, far from
the truth. Far from the truth. So when the
LegiStorm article came out on June 6th,
internally, you know, he immediately responded to
several senior staffers that basically we'll be
spending far less. And somebody in the chain of
command, not me, informed him about the article
and that's where he said we'll be spending far
less in the last three quarters.

And internally, he said what should we
do about this? Sure we spent a lot, it was
frontloading. It was all preplanned to execute
his program. And he said that, you know months -- this doesn't look good. And he called me with the intent of saying -- he said, hey, can you just take a break? You know, maybe -- he called it maybe call it a suspension?

We'll put you on a break and we'll get through this because my lawyer -- he said my lawyer told me there was no specific rules based on their understanding that probably was broken.

And so he said, hey, can you take a break. And so at the time that's how it was framed.

MR. QUINN: And that was the -- he asked you to take that break on June 18th or June 19th?

MR. SU: Correct.

MR. QUINN: And then, at some point that break became permanent?

MR. SU: Well, I made that decision.

He did not make that decision.

MR. QUINN: And when did you tell him --

MR. SU: Because --
MR. QUINN: And when did you tell him that?

MR. SU: Yeah. Because as we thought about this situation I said, now look, they're going to come after you asking you to explain why you printed all these mail pieces. Which we understand, it was his program. We were just helping him to execute it. There's nothing wrong with it.

Every single piece of mailer was accounted for. Every single piece of mailer was approved by the bipartisan franking commission. And in fact, he had done reviews on almost every single piece of those mailers and many of those he drafted himself. So there was no rules -- the whole process -- we even competed --

MR. QUINN: So Peter, just if we can focus on -- could we just focus on when did you tell Representative Hagedorn that you were going to leave the position permanently?

MR. SU: Well, because the article came on LegiStorm June 9th.
MR. QUINN: Yeah.

MR. SU: So we already had that conversation prior to June 18th or June 19th. So that's one point I wanted to make clear.

MR. QUINN: Yes.

MR. SU: So it was June 18 or June 19 when I told him. I said, look Jim, it's easier if I just exit. And that way I'm not hanging over you. I don't have to be -- you know, you can say your problem is gone.

MR. QUINN: Okay. So just to verify --

MR. SU: But I don't --

MR. QUINN: Just to clarify, it was the same conversation on June 18th or June 19th, Representative Hagedorn asked you to take a temporary break or some sort of leave of absence while this issue was resolved, and in the same conversation you recommended, or informed him that you would leave permanently; is that correct?

MR. SU: Yes, exactly. Correct.

MR. QUINN: Okay. Okay.
MR. SU: Yeah, I told him -- I think I'm going to resign because I don't want to be hanging around and so you have excess baggage.

MR. QUINN: Okay.

MR. SU: And he said no, don't do that. Just take a break because, you know, I still need you and just take a break. We'll ride this out and then you can come back. I said, look, I can resign and when you ride this out if you still want me to come back I can still come back. So that's exactly how it went down. So I was not fired.

MR. QUINN: Okay. Understood.

MR. SU: And also --

MR. QUINN: Okay. Let's --

MR. SU: Yeah.

MR. QUINN: Let's talk a little bit about your responsibilities as Chief of Staff, and I want to focus on approval for MRA spending and any approval for contracts. Can you tell me what your role as chief of staff was with relation to those activities; MRA spending and
approving any contracts that the office was
entering into?

MR. SU: Right. So on all MRA
spendings he was briefed on the budget because --
on a regular basis. Our office finance
administrator, Melissa, she stops by the office,
usually Tuesday, Thursday every week, and she
also interacts with Hagedorn regularly because he
gives her receipts for reimbursement.

And in my standard operating procedure
on any kind of office spending was to check with
Melissa first because she represents multiple
offices. And she has the contacts in House
finance to determine whether a purchase is
authorized or unauthorized. Because ultimately,
the Member's responsibility is for any
unauthorized spending that can't be covered by
the MRA or any overspending.

MR. QUINN: Right.

MR. SU: And as a result we kept very
close touch at keeping the Member informed the
whole time as to, hey if you want to pay
everybody at the highest rate, give everybody the highest reimbursement and you still want to send a mail piece to every DM household down there, we just don't have the money.

MR. QUINN: Right.

MR. SU: We won't have -- right.

MR. QUINN: Just so that I understand.

So I know that Melissa was the administrative person that handled those finances, but as far as final signoff for MRA spending was that Representative Hagedorn or was that you or did he delegate that responsibility to somebody else?

MR. SU: On small purchases I don't need -- I got delegated authority, like, office supplies and things of that nature.

MR. QUINN: Okay.

MR. SU: But on slightly bigger items, for instance if we were going to upgrade the computers for a couple of staffs or they needed a monitor, of course the staffs tell me that they that they have these requirements and then I check the pricing, I check with Melissa whether
we can purchase it. And then, I inform the
Congressman, hey we're going to do -- we're going
to make these purchases.

MR. QUINN: Okay.

MR. SU: One way or another, when he
gets his biweekly budget briefing, of course, the
numbers always -- MRA numbers always decline
because of whatever spendings there are.

MR. QUINN: Okay. Okay. So for small
purchases, small office item purchases you had
authority to approve that spending. But for
anything larger Representative Hagedorn was
informed of that spending in these weekly budget
reviews?

MR. SU: I'll give you a parallel
equivalent. You know, he wanted to do telephone
town halls and let's say I only scheduled three.
And he said, hey I want to do two more, I would
tell him, hey, this is costing -- you know, in
that same conversation I'd tell him the price
varies depending on how many people you call.
This is what each tele-town hall costs. And if
you want five the numbers don't add up.

And usually that's when I'd bring
Melissa in. I said, Melissa, help me out here.
Go explain to Jim because you're kind of
independent body in this office, you know. So
you can explain as a second party verifier to Jim
that, hey, it is true. You know, we've got to
prioritize what we spend because we only have a
finite amount.

MR. QUINN: Just so that I understand
the specific process. So once -- let's say an
invoice for one of those tele-town hall comes in
for some sort of service that was provided. Who
signs that invoice? Or who signs the approval
for the MRA funds to be disbursed?

MR. SU: Yeah. Okay. So an incoming
invoice does not need to be signed by anybody.
They go straight to Melissa's mailbox.

MR. QUINN: Okay.

MR. SU: That's SOP in the office. In
fact, staff assistant or whoever opens mail comes
in, sees an invoice puts it in -- sees a bill, a
Verizon phone bill, puts it in Melissa's phone box. Every piece of invoice goes into Melissa's phone box. I mean Melissa's mailbox.

MR. QUINN: Okay. And then does Melissa generate some sort of summary, like, for that weekly budget meeting that lists all the MRA expenditures that would have happened?

MR. SU: Yeah. It's a fixed grid. So it's a fixed grid. All I want to know is are we on track; because just like running a business she has -- based on the amount of MRA available divided by 12 months our burn rate, our expenditure rate for each month has to be at or below a certain number. So sometimes those meetings are actually quite easy. Are we on target? That's all.


MR. SU: Plus in that same month, if the Congressman has an additional request for additional tele-town halls or as part of his wanting to send a mail piece to every DM household down there, wanted -- said, hey, we've
got to send it to every farmer. We've got to send it to every healthcare worker. Well, those numbers are going to go up. Then again, I'd ask Melissa what's our upper limit? How far can we go before we cross that line? And she gives me that number.

MR. QUINN: Okay. Great.

MR. SU: And that's what we tell the Congressman. We have -- we can only do this much based on the monthly burn rate. Or, if you want to exceed that we'll have to spend less later on.

MR. QUINN: Okay. We're going to return to some of that stuff a little bit later. But maybe if I could just ask you quickly, so after June 18th, June 19th, when you left Representative Hagedorn's office can -- and then up to today, can you describe your relationship with Representative Hagedorn?

MR. SU: I've had pretty much no contact with him other than out of the blue he called me -- when did he call me. August 7th, as was reported. When I first left, after I told...
him that he didn't call me either. So you know,
I just --

MR. QUINN: Okay.

MR. SU: -- because he really wanted me to stay. He really wanted me to stay on and I said no. You know, I said no. I'll get out of your way. You can tell people that he left. And I said, once the storm's over if you really think it's fitting for me to come back, I can come back. We can have a conversation. That was how I left it.

MR. QUINN: Okay. And so August 7th is the only conversation you had with him since you left employment?

MR. SU: Yes, to the best of my recollection.

MR. QUINN: Okay. Great. So --

MR. SU: Yeah. I want --

MR. QUINN: Obviously, we've talked. Sorry, say that again?

MR. SU: Oh, I said I've already moved on. So you know -- not that I have any reason to
MR. QUINN: Okay. So I want to move to the topic of Abernathy West, which we've talked about on the phone before. But you are familiar with the company called Abernathy West, correct?

MR. SU: Yes.

MR. QUINN: Okay. Can you tell me a little bit about that company?

MR. SU: Well, the company was my brother's company. He had some people that worked for him on the mail piece project, so. But just like all other vendors that walked into the office pitching what they can do for us you know, mail pieces, business cards, telephone town halls, surveys, you know, we treat them all the same.

MR. QUINN: Okay. So you just described it as your brother's company. He is the sole owner of Abernathy West; is that correct?

MR. SU: Yes, he is. Can you verify if you've received the documentation from Delaware
State Corporation division confirming that's the fact that I had zero interest in the company?

MR. QUINN: We're going to -- yeah, we're going to look at that document in a minute. I've just got some general questions for you first and then we'll get specifically into that -- into that document.

And he is the sole owner currently, has he always had been the sole owner of Abernathy West?

MR. SU: He's always been the sole owner as far as I know, as far as public record reflects it. I've always acted in good faith in this project and I did not benefit from his involvement.

MR. QUINN: Okay.

MR. SU: When was Abernathy West formed? When was the company formed?

MR. SU: You have the document; you can look at the document. I am not the Representative.

MR. QUINN: As far as you know, did
Abernathy West existed before the mailing project with Representative Hagedorn's office?

MR. SU: I know he's been involved in graphic design work before, right out of college. And I think this whole line of questions is insinuating that a minority owned company cannot do what an established companies can do is a rather anti-Asian.

MR. QUINN: That's -- yeah, absolutely not our intention. We're just trying to fill out the details of the ownership of the company, what the company does, and so I'll just be asking some basic kind of questions about what the company does. Obviously, I don't have that knowledge and I think you know a little bit more about the company than I do.

Can you tell me, does Abernathy West have any other -- are you aware of any other clients other than Representative Hagedorn?

MR. SU: I can't answer that question. It's none of my business what a private company does in their own time. And again, (inaudible)
MR. QUINN: There is absolutely no -- and none of that happening here. I'm just asking if you're aware if Abernathy West has any other clients other than Representative Hagedorn.

MR. SU: I am not involved in a private company's business. So I have no knowledge.

MR. QUINN: Do you know if Abernathy West is still in operation?

MR. SU: I have no knowledge of the private companies business affairs.

MR. QUINN: This is your brother's business, correct?

MR. SU: Doesn't mean I have to know everything about his business.

MR. QUINN: Have you had conversations with your brother about Abernathy West?

MR. SU: No.

MR. QUINN: You've never discussed Abernathy West with your brother?

MR. SU: Oh, no, no. Not recently.

MR. QUINN: Okay.
MR. SU: Yeah.

MR. QUINN: In --

MR. SU: I can tell you about we select vendors, maybe that will help.

MR. QUINN: I'm just going to have some questions about the company first, and then we can talk about how you select vendors.

MR. SU: Okay.

MR. QUINN: But it's important that we fill out the details on all the issues that we're looking into.

So you are not aware currently whether or not Abernathy West still exists? Or is still in operation?

MR. SU: Right. I do not have knowledge, and I'm not in the private business of an independent company.

MR. QUINN: Okay.

MR. SU: The full --

MR. QUINN: And do you know where the company is based?

MR. SU: Not to my knowledge.
Obviously, what has -- with all LLCs they have a registry of record so the registry of record -- let me ask you this. Do we have knowledge of where the company that prints our business cards is based? No. Right? Do we have knowledge of where the vendors that provide the telephone -- the tele-town hall? No.

As OSE -- does House Rule have regulations to ask each company to disclose where they're based, their incorporation documents and who owns the company. Does OSC have those rules, or in House Rules? I don't think so.

MR. QUINN: I'm just asking you what you're aware of. All we are here to talk about --

MR. SU: I --

MR. QUINN: -- is -- and if you don't know the answer to my question you can say that you don't know. That's fine.

MR. SU: Okay.

MR. QUINN: But we're here just to talk about what you know.
MR. SU: That's okay. I don't know about where companies or based for any of our vendors, including Abernathy West. I don't know about the owners of any of our vendors.

MR. QUINN: Okay.

MR. SU: Except Abernathy West because it came up in this discussion.

MR. QUINN: Okay.

MR. SU: But --

MR. QUINN: Where -- can you tell me where your brother lives, then?

MR. SU: You can ask him yourself. That's none of my business. He does not live with me if that's what you're insinuating.

Again, this line of questioning is not something that I'm interested --

MR. QUINN: I have no idea where he lives, and I was not insinuating that he lives with you. But if you know where he lives then that's what I'm asking you.

MR. SU: Yes, I do. I don't think that's -- I don't think that's relevant to this
line of questioning. Okay? You know, the House has records of where his business is, how they contact him, you know, I'm not his representative. I acted in good faith the whole time and I followed established office procedures on purchases and I did not benefit from his involvement.

MR. QUINN: I understand.

MR. SU: Before --

MR. QUINN: I understand that. To complete our review, like I said, we just need to fill out some of the details in the story. Then, maybe we can move to -- can you tell me --

MR. SU: Let me just -- he is in --

MR. QUINN: Can you tell me how --

MR. SU: He is in the process of getting a -- so I'd rather not get into that --

MR. QUINN: Getting a --

MR. SU: -- you know, any further.

MR. QUINN: He's in the process of what?

MR. SU: Getting a divorce, so I'd
rather not get into this any further.

MR. QUINN: Okay.

MR. SU: I'm not his representative and he's not my (inaudible).

MR. QUINN: Then let's just talk about Abernathy West as it relates to Representative Hagedorn. Can you tell me how did your brother and Abernathy West discover that representative Hagedorn had a need for printed materials and related services?

MR. SU: Sure. As a freshman office it has all kinds of needs because it is brand-new. They need somebody to do the website, somebody to do mail pieces, surveys, tele-town halls, business cards so our staffs, including myself, and many other offices attend these vendor forms in Rayburn and different parts of the House where they -- where vendors were present to engage a lot of companies -- I'm sorry. To engage a lot of offices, pitching products from database that targets constituents, franked mail pieces, as well as tele-town halls. And also, a lot of
those followed up by coming to our office to have
further discussions.

So one of Abernathy West's
representatives had stopped by the office.

MR. QUINN: Who was that?

MR. SU: My brother has also --

MR. QUINN: Who was that representative?

MR. SU: I don't remember. I don't remember the kid's name.

MR. QUINN: Okay.

MR. SU: He's been in the office a couple of times. But he also does not need an introduction to Congressman Hagedorn. They had met before when Hagedorn worked in government. So they've known each other before.

MR. QUINN: This is --

MR. SU: On a professional --

MR. QUINN: This is your brother, or the representative that you're talking about?

MR. SU: I don't know. I don't know if one or both but they know each other, you know.
It's Washington. People know people.

MR. QUINN: Yeah. I'm just asking; you said somebody, I wasn't sure if you meant your brother or the representative, had a prior relationship with Representative Hagedorn so I'm asking you which one of those people had a prior relationship with Representative Hagedorn?

MR. SU: Yeah, I don't know. I don't know which one. Somebody from the company has had a prior -- all I'm saying is he doesn't need to go through me to learn about things because everybody in the office knows that Representative Hagedorn wanted a large franking program. And that's when we went through the effort of talking to various vendors at these vendor forms and talking to these vendors when they come in the office. And basically, we tell them what his requirements are. If you can meet the requirements we can keep talking. You know, what are your prices?

MR. QUINN: Well, you mentioned going to, essentially, like a vendor fair where people
were offering their services; was Abernathy West present at one of those vendor fairs?

MR. SU: Yeah. Yeah. Their representative was hovering around, so.

MR. QUINN: Okay. And you don't recall who that representative was?

MR. SU: No. It was a kid. He used to work for another company but I -- but he told me he worked for Abernathy West so I said okay.

MR. QUINN: Okay. And your brother wasn't present at that meeting?

MR. SU: There's been several of these late afternoon happy hours; he was present at some of these, sure.

MR. QUINN: You --

MR. SU: But not at -- not at these part -- he didn't -- he did not come in the picture. He did not come in the picture initially.

MR. QUINN: Okay. Do you know what the first contact between either Representative Hagedorn or anybody on his staff and anybody at
Abernathy West or their representatives would have been?

MR. SU: No. I would have -- I don't have any information on when we were in contact with any vendors at that office. There's so much stuff going on in a congressional office that you know, that's not something we keep tabs of.

MR. QUINN: Okay. Do you know an approximate date of when Representative Hagedorn, or his office engaged Abernathy West to start providing some of this printed material?

MR. SU: No, I don't remember because there was just so much going on at that office, you know. He wanted a mailer piece sent to every DM household down there and we were doing our best to help him meet those requirements. He did -- Hagedorn did provide the first printshop to print a couple of them. Again, I don't remember how many were printed but there is a differentiation between customized design print and a print shop that simply prints.

MR. QUINN: Do you remember that
previous entity that Representative Hagedorn had
used? You said he provided one of the
printshop's first?

MR. SU: I think it was reported in one
of the news articles. It's a company in Blue
Earth -- I don't know the name of the company.
Just like all our vendors, as I've said, I don't
know who owns it, whether it's a donor, it's a
friend of his; I don't know. I've never talked
to anybody at that printshop. I just know that
he said use them first, so we used them.

And subsequently, when he is printing
pieces become more demanding because printshop's
don't do design bills, they don't design the
pieces for you, they simply are like Kinko's,
they just print it out for you. That's it.

MR. QUINN: Okay. And so at some point
and does Blue Earth Graphics ring a bell? Does
that -- I think that's from that article.

MR. SU: Yeah. I don't know the name
of it. I remember it was Blue Earth something.
And Hagedorn said he knew them and he said one
of -- he said his requirements are, you know, all
the pieces, he doesn't care who designs it, it
has to be printed in the state of Minnesota. It
has to be mailed out by franked mail in the
district.

MR. QUINN: Okay. So at some point you
all determined that Blue Earth Graphics wasn't
providing the services you were looking for and
instead you switch to use Abernathy West; is that
correct?

MR. SU: Well, that's not they were not
able to provide key requirements that the
Representative had. One was to be able to --

THE WITNESS: And what were those?

MR. SU: Well, one was to be able to do
very quick -- well design build. They don't
design bills. They don't do original art. They
don't do any design build., To my knowledge.
Again, I never talked to the company so I don't
know. And they don't do quick turnarounds.

For him to approve a piece that's been
initiated, you know, goes through 10 or more
mockups of the mail piece. And you know, sometimes he doesn't like the photo in there, and it has to be an original photo of him in the district. Sometimes, he doesn't like the message even though he's initiated on the message and asked us to help the thoughts, the message.

And then, so after every mockup and go through editing, it goes to franking commission. The bipartisan franking commission, to make sure that this close to final mockup still meets franking rules. And then, he looks at it again and if he still doesn't like it, which is usually the case, like I said, a finished product normally goes through 10 or more iterations with him. So that's not something that the print shop in Blue Earth does.

And we had discussed with all the vendors that came to the office and vendors that we interacted at these vendor forums to see what kind of services they provide. And those vendors provided what -- the term was cookie cutter. Cookie cutter products. So they give you a
template and said insert the -- they ask you to
provide a background picture to insert. And
there's a fixed location for the subject. You
know, there's a fixed location for the body
message. So it was very fixed. And that's not
something that he was looking for.

So through that evaluation process
that's how -- and most -- by the way, most of the
companies were basically not interested because
of the number -- unlimited number of reviews and
editing that he required. And also, the
customization. Okay. So imagine, like, going to
McDonald's they ain't gonna to customize that
burger a whole lot. You want a customize it, go
to Five Guys; and you're going to pay more for
it.

MR. QUINN: So once you made a
determination that the other vendors weren't able
to provide that customization then, that's when
the office decided to obtain the services of
Abernathy West?

MR. SU: Yeah. It was not a singular
person, I, making that determination. So let me make that clear. Because before a --

MR. QUINN: Can you tell me -- can you
tell me who was involved --

MR. SU: Yeah.

MR. QUINN: -- in that decision?

MR. SU: Well, you know, we as the coms
group, as a coms group, I didn't go to the vendor
form by myself. I went with the whole group. So
everybody is involved in comms. The LAs were
involved in the issue areas that the Congressman
wanted to communicate through these mail pieces.
So they were part of the editorial team, if you
would call it that. All right?

Then, you have the coms director, at
the time, who was from the district. So he knew
a lot about the district and also John was in the
office part time and he is a digital, I don't
know -- digital a lot of things. He knows a lot
about digital stuff.

So when it comes to whether a company
has the capabilities we collectively have to put
our heads together and ask who can provide us
this level of service. So yes, you know,
ultimately I have to synthesize everybody's view,
but it was pretty clear collectively who could do
it and who can't do it.

But -- and actually John was the one
that told us he knew a company who can do this
first. It wasn't Abernathy West.

MR. QUINN: Okay.

MR. SU: But we didn't (inaudible) jump
to Abernathy West. Like I said, we interviewed a
lot of vendors. We tried out the -- the print
shop that Congressman asked us to use.

MR. QUINN: Okay. And you said John
brought another company up during that
conversation. What was the name of that company?

MR. SU: He didn't mention the exact
company at the time. He said, look, you know, I
know another company that can do this too,
customized work. Okay. And my first interaction
and reaction to that is why don't you check with
Melissa first. Make sure, just like all
expenditures make sure that they are registered properly and that.

You know, House finance, House administration will be able to -- you have to be a registered vendor. You can't just walk in and do it without being a registered vendor. So again, I was hands off from there. I said, go figure it out. Look, I'm the Chief of Staff but that doesn't mean that I do everything.

MR. QUINN: Just whether or not he mentioned the name of the company, what was the name of the company; I assume you know it now.

MR. SU: I don't remember at the time.

Later on, I found out the name of the company because it was in the newspaper, they had -- you know --

MR. QUINN: And just --

MR. SU: AT one point --

MR. QUINN: Just for the record, can you say the name of the company?

MR. SU: Yeah. I think it's called Invocq. I don't know --
MR. QUINN: Okay.

MR. SU: I don't -- I forgot.

MR. QUINN: And we're talking about -- and we're talking about, when you say John, we're talking about John Sample, correct?

MR. SU: Right.

MR. QUINN: Okay.

MR. SU: And because he was a part time --

MR. QUINN: And -- I had asked previously when you said at some point John raised this company but didn't name it at the time. Do you remember when that conversation was?

MR. SU: Well, it was at the time when the Blue Earth print shop wasn't able to keep up with the demands --

MR. QUINN: Okay.

MR. SU: -- the Congressman's mailings.

MR. QUINN: And when approximately was that?

MR. SU: I don't remember. I left the
office; I don't have access to any documentation or any phone records. I don't --

MR. QUINN: Do you know was it -- it was in 2019?

MR. SU: Yeah, definitely 2019 because the press reporting on the Congressman goes way back. I mean it goes way back.

MR. QUINN: Was it in -- do you remember the season? Was it the summer of 2019?

MR. SU: No. I don't remember the -- the day-to-day job of a congressional office is hectic enough. You get out of there you try to forget everything, so.

MR. QUINN: Was it right when you were hired on or was it some months later?

MR. SU: No, it was some months later. It was some months later because we didn't do the -- we didn't do the mailers until the leadership told us that hey, you know, this is -- as a vulnerable member this is what you need to do. You need to allocate the maximum amount of budget for franking projects, mostly mailers.
And you know, we simply asked the leadership representatives (inaudible). I mean, I asked him well, how much do you think we need to put aside because the way Melissa says the budget is we have to have specific categories. So they said, yeah, you know --

MR. QUINN: And when --
MR. SU: -- at least --
MR. QUINN: Well, what was approximately the time? You said at some point the leadership informed you or Representative Hagedorn or your office generally that sending out these mailers would be a good idea. Do you remember the approximate date of that conversation?

MR. SU: No. I don't. I just -- you know the session started in January so, you know, it could have been -- it could have been two months, three months after.


MR. SU: Yeah. I should --
MR. QUINN: I mean, really as -- just to emphasize, as we have this conversation I don't expect you to remember exact dates but it's just helpful if we can kind of create a general timeline. And if it -- you know, if it's just early 2019 or if it's spring of 2019 or summer, that's helpful as well.

MR. SU: Yeah, it was (inaudible) and then a couple of other friendly offices, you know, incumbents, also told us about vendors that they used. So once again, they said, hey these are all cookie cutter man. Just take this and take Congressman's so and so name's off. Put your congressman's name in. It's the same issue anyway, you know.

Because when issues are relevant there are issues that are being debated, there are issues that being voted on. Change the district but not the -- they all approached it as a cookie cutter project. But again, because Hagedorn won by less than 1 percent, therefore, he was -- and also as a former communications director on the
Hill he was very particular about customization, making sure that he maximizes what is being printed and maximizes on the quality and the delivery.

MR. QUINN: Okay. If we can just to nail down that timeline a little bit.

Crystal, if you can pull up the document that's titled Entity Search, status copy.

(Exhibit B was marked for identification.)

MR. QUINN: Peter, just to help us establish a little bit of a timeline, I'll pull up that document that you sent me; the Entity Search document and we'll look at the second one later as well. But -- hold on a second. Can you see the screen, Peter?

MR. SU: Yes.

MR. QUINN: Okay. Great. So this -- can you tell me what actually -- can you just tell me what this document is?

MR. SU: Well, it's from the State of
Delaware. You were asking me part of this conversation -- on a separate conversation if I could provide the entity registration. And I said, I'll go look and request that from the State of Delaware because that's going to be a (inaudible) document.

MR. QUINN: Okay. and it looks like at the top of this document there's a date 4/2/2021, 3:27:19 p.m.

MR. SU: Right. Yes.

MR. QUINN: Did you print this document? Did you obtain this document yourself?

MR. SU: They sent it to me because I had to pay $20.00. You could have found out yourself and gotten the same thing.

MR. QUINN: Okay. And so you're telling me that you didn't print this document, this was sent to you by somebody from the State of Delaware?

MR. SU: Yeah, of course.

MR. QUINN: Okay. And then let's just look at that --
MR. SU: This --

MR. QUINN: Let's just look at that document. There's the incorporation date, formation date 8/21/2019.

MR. SU: Okay.

MR. QUINN: You see that? Okay. I just want to understand did -- given that your brother is the owner, did you know that your brother was creating this company before it was incorporated in Delaware? Did you ever have a conversation with him about Abernathy West before its formation?

MR. SU: No. I don't know the creation, the formation date for any of our vendors. Including --

MR. QUINN: Okay. Did you ever have a conversation about -- with your brother about him starting this company?

MR. SU: No. I do not have conversations with any of our vendors on when they should start a company. And it's not a requirement from House Rules that we obtain that
information from any of our vendors including Abernathy West.

MR. QUINN: Okay. And then, let's look at the second document that you sent me.

Crystal, if you can pull up that tab 1, titled Exhibit A.

(Exhibit C was marked for identification)

MR. QUINN: Okay. Can you see that document, Peter?

MR. SU: Yes.

MR. QUINN: Actually, Crystal, can you zoom out so that the full document is visible? That's great, right there.

Okay. And so you sent me -- I asked you to send me documents would show that your brother was the owner of Abernathy West and you agreed to do that and you sent me two documents. We just looked at the first one which was Exhibit B and then we're looking at the second document, Exhibit C and it's titled, confusingly, sorry, the title of the document itself printed
on it is Exhibit A, Members. And then, when we received that document we Bates stamped it. I mean we applied our own numbering system to it and the Bates stamp for this document is PS_0002. This is the document that you sent me, Peter?

MR. SU: Yes.

MR. QUINN: Okay. And how did you obtain this document?

MR. SU: Same thing, you asked for incorporation documents and percentage of ownership. They file a report and that's the report that I got, the page that shows the ownership.

MR. QUINN: And you're telling me that somebody from Delaware sent you this document?

MR. SU: Yes.

MR. QUINN: From the State of Delaware?

MR. SU: Yeah. I already said that, yeah.

MR. QUINN: How did you request that document?
MR. SU: I called.

MR. QUINN: Okay. And it looks like this document has a page number at the bottom. It says page 14.

MR. SU: I do not have (inaudible) if that's what you're asking. That's the only page that I (inaudible).

MR. QUINN: What's that?

MR. SU: I do not have other pages in case that's what you're asking. I do not have other -- I asked -- you asked a specific question and I requested a specific page.

MR. QUINN: Okay. Since we --

MR. SU: I mean, that's what --

MR. QUINN: And so just to clarify. I made that request of you and so you went to the State of Delaware, the secretary of State and requested this document. So this is a publicly available document?

MR. SU: I would assume so. They said that -- he register -- they told me that the company was registered through Legal Zoom, but
that won't be a document, that would be part of their filing. So that's what I got.

MR. QUINN: Okay.

MR. SU: And again, there is no House rule prior to purchasing any services that required us to go through obtaining a vendor's incorporation document, any vendor's ownership so --

MR. QUINN: Okay. And did you ever have -- so have you ever had a conversation with your brother about the services that Abernathy West was providing to Representative Hagedorn?

MR. SU: I guess I -- in the beginning two or three months after --

MR. QUINN: Crystal, you can take this document now, sorry.

MR. SU: So in the beginning, two or three months after three session started was when we learned from senior leadership that we should do these mailers. And then, we engaged the Blue Earth company based on Congressman Hagedorn's direction.
And then, as the volumes he requested built up they were not able to do so, so John Sample said he knew a company. And then I asked John Sample, go check with Melissa. Go make sure the company can do business and make sure this is not something that you're directly doing. You're a part-time employee and he said, yeah there's somebody else that owns the company.

So then, we went with that company for a while. But then the volume --

MR. QUINN: And that's Invocq?

MR. SU: And the volume's still building up. So it wasn't until much later that Abernathy came about. But we had engaged Abernathy. We had interfaced with Abernathy through these vendor forums and you know, drop bys at the office. So it was not like this minority owned company, you know, cannot do what an established companies can do. We treat all vendors the same way. We talk to them; we tell them these are our requirements. It has to be
mailed from the district.

    MR. QUINN: Had any --

    MR. SU: Had to be printed in --

    MR. QUINN: I understand that you said that Abernathy West had a representative that was in contact with Representative Hagedorn's office and you don't remember his name and that your brother also had some direct contact with Representative Hagedorn's office. I'm asking did you ever have any one-on-one conversations with your brother about Abernathy West and the services it was providing Representative Hagedorn's office?

    MR. SU: Yeah, of course. Yeah, it was in a public context. When he comes we sit there and we talk about hey, okay so if you guys are going to do this you can meet these requirements, right? And so the final answer was yes, we can meet these requirements. Again, go talk to Melissa see if your company is properly registered to do business with member offices.

    So again, my hands are off --
MR. QUINN: You just had the final -- a final interview, was that a conversation that you had with your brother in Representative Hagedorn's offices?

MR. SU: Well, the final -- we have a final interview with any vendor before we actually hand them the first project.

MR. QUINN: Okay. And when did that happen? And when did that happen with Abernathy West?

MR. SU: I don't remember. So just like --

MR. QUINN: Okay. When --

MR. SU: -- it was in --

MR. QUINN: Do you remember --

MR. SU: And we did. Huh?

MR. QUINN: If you don't remember the time do you remember who was present for that conversation?

MR. SU: Well, usually it's out in the lobby or back in the bullpen where everybody sits. So John would have been -- John probably
would have been around. The staff assistant
would have been around, but I don't remember.
There are so many people come to a congressional
office and work in a personal office.

MR. QUINN: And were you present for
that conversation?

MR. SU: Yeah, of course. I want to
make sure that any vendors that's pitching
services to the Member's office is able to meet
the Member's requirement. And secondly, any
vendors, including Abernathy Wet has to be pre-
approved by House Administration and Finance to
do business with the House. So those standard
operating procedures were all checked including
asking Melissa to check on those things.

MR. QUINN: Okay. So John, so just to
go back to that one conversation, it sounds like
your brother was in Representative Hagedorn's
office, you think usually or in that instance
John would have been there. You were also there,
potentially a staff assistant. Was
Representative Hagedorn present for that
conversation?

MR. SU: No, I don't remember if he was there but he's met with my brother independently at his office many times. So what they talked about (inaudible) business.

MR. QUINN: And did Representative Hagedorn, when he met -- sorry I couldn't -- I don't think we've said it for the record yet. Can you give me your brother's name?

MR. SU: Yeah. It's Szu-Nien Su.

MR. QUINN: Okay. Nien Su?

MR. SU: Yeah.

MR. QUINN: Okay. And you said that he's independently met with Representative Hagedorn?

MR. SU: Yeah.

MR. QUINN: Does he know Nien as your brother? He knows that he's your brother?

MR. SU: Yeah, he's known him -- he's been to Washington several (inaudible) he's known him before. I don't know how they know each other but he's known him before.
MR. QUINN: Okay. And then going back to that conversation that we -- that you referred to as kind of the final interview, was Melissa present for that conversation?

MR. SU: I don't remember because Melissa only comes Tuesday and Thursday. Like I said, when I had that conversation with him it was after his company whether himself or his employee had been in touch with Melissa, had been in touch with House administration and, like I said, I don't know when they did these things and what other offices he's approached. I'm not saying that he did this just to get the business of this office. I'm saying that I did ask him to verify -- ask Melissa to verify that a new company can do business with a House if it's registered properly and I also made sure that he knew that he had to still do his due diligence and that he has all the registration taken care of. And so as long as those are all taken care of, and at least we've got the basics out of the way. And then, most importantly just like all
vendors, can you meet the requirements. And if it's yes, then we'll do a first purchase with the vendor to see what the quality turns out.

So that's how it works when it comes to buying business cards, buying mail pieces, buying you know, surveys, tele-town halls. The same SOP for all the office purchases.

MR. QUINN: Okay. Understood. And then, I just want to ask you a couple of questions. I think you understand that in the public reporting and certainly to some extent in the way Representative Hagedorn's office has presented the issues there is an insinuation or an allegation that you had some additional financial or other sort of tie to Abernathy West. So I just want to ask a couple of basic questions and --

MR. SU: Yeah. No --

MR. QUINN: And I know that your answer -- you told me your answer to these before, but just for the record; did you receive any financial benefit from Representative
Hagedorn's office acquiring Abernathy West services?

MR. SU: No, never.

MR. QUINN: Okay. Did your brother ever make any payments or give you anything of value in exchange for that business?

MR. SU: No, never.

MR. QUINN: Okay. And so I just want to be clear that if we obtain financial records and look at either your financial records or at your brother's financial records we won't see any large transfers of -- or any significant transfers of money or any gifts from your brother to you around this time?

MR. SU: Correct, you will not.

MR. QUINN: Okay. Has anybody else, other than anybody at Abernathy West, to your knowledge received any financial benefit or anything of value in exchange for Representative Hagedorn's office using Abernathy West as its printing service?

MR. SU: No. All our purchases from
Hagedorn's office are very straightforward and follows the standard operating procedure as I described earlier. They have to be pre-checked, pre-approved to do business with House administration. Then Melissa checks to make sure that it isn't registered and then if they can meet the requirements and we start up with one purchase, see how they do and if they do well and there's a need for a secondary purchase we proceed.

MR. QUINN: Okay. Great. Thanks for answering those questions. I know those are not allegations you enjoy hearing or -- but important that we just address them directly.

MR. SU: Sure. Happy to bring -- just those transactions there's none whatsoever between him and I.

MR. QUINN: And then, you know, you mentioned that you used Blue Earth Graphics first, realized that they couldn't meet your requirements, and then started looking at other vendors, Invocq came up as the first vendor that
you used and then, as they couldn't meet all your
demands after that Abernathy West also came in to
provide some services.

Were there any other companies that you
recall the name of that you or anybody in
Representative Hagedorn's office looked into as
other companies that could provide those
services?

MR. SU: Yeah. What's the name of --
I'm drawing a blank on the company. They're the
ones that provide -- I think they're the one that
provide the targeting information, you know,
constituent targeting information. I can't
remember what the office used again, but -- it
might come to me later. I can't remember. But
they are -- they currently provide the office
with another product. They have --

MR. QUINN: How about --

MR. SU: It's the --

MR. QUINN: How about other companies
that would do, like, the printed material? Like
Invocq and Abernathy West did?
MR. SU: No, we -- we did not because we talked to several vendors besides them. The company that provide the targeting constituent information that also did some of our tele -- the office's tele-town halls, their service rep has come by the office before and said, hey, if you want to do mailers we can do that for you too. You know, then when we got into discussions; well, what do you provide and again, it's usually the template. It's always been the template, cookie cutter thing which the Member was not interested. He wanted a customized job.

MR. QUINN: And then quickly, just touching on Blue Earth Graphics also, the first company that you all used. Did you ever have any direct communication with them?

MR. SU: No, not that I can remember.

MR. QUINN: Okay. Does the name --

MR. SU: I might have called them. I might have called them once because they were behind and usually John Sample is the one who calls. And you know, I thought John would,
perhaps brushing me off and didn't call them so I might have called the line and said, hey, this is Representative Hagedorn's office calling. Where are we on that print job?

So that will be the only time that I vaguely remember I might have called because I thought that John Sample and some other staffs were not giving me the clear answer.

MR. QUINN: Okay.

MR. SU: But again, that was not my job. (inaudible) everybody's job. They all had their jobs, so. You know, my job was to make sure that standard operating procedure was followed.

MR. QUINN: Right. I believe from the public reporting I've seen that Jamie Lemon is the owner of Blue Earth. Does that name ring a bell for you?

MR. SU: No. No.

MR. QUINN: No. MR. QUINN: No. =

MR. SU: House Rules doesn't require the member's office to find out who the members
are and what their incorporated. I have no knowledge of any owners of any businesses that have done -- that have served the member's office.

MR. QUINN: (Indiscernible) the questions, of course.

MR. SU: However, at the point -- Sean, at this point can you clarify based on OCE House Rules if an office used a business that may have a familial relationship, as in this case, but the person in charge does not have -- did not have benefit, did not have stakes in that -- ownership stakes in that company, did that break any OCE regulation?

MR. QUINN: I really can't answer those kind of questions in the abstract. We really only answer questions about specific situations that we've been able to investigate. So --

MR. SU: Well, you just -- you just showed me that incorporation document with 100 percent ownership by my brother. So yeah. I have no ownership interest.
MR. QUINN: Yes. And as I --

MR. SU: So based on that (inaudible).

MR. QUINN: And as I've told you we've seen that document. We've reviewed it. We will be taking it into account. But like I've said to you in the past, you know, I just can't give you the conclusions of our investigation before we close it out. I want to talk --

MR. SU: Not --

MR. QUINN: -- a little bit about Melissa Carr. So can you tell me what her role is? What her position is?

MR. SU: She is the office financial administrator. She handles all the purchasing, all the budget and all the onboarding for the staffs, as well, as the Congressman's personal expenditures paid for by DMRA.

MR. SU: Okay. And do I understand correctly that she is shared with other members as well?

MR. SU: Yeah, she's a shared employee.

MR. QUINN: Okay.
MR. SU: And so she comes with a lot of knowledge of what is authorized spending and what is not. And whenever there's a question she goes and asks House Administration, and House Finance, and gets that clarified.

MR. QUINN: Okay. And then, can you explain to me -- let's just take Abernathy West as an example. Explain to me Melissa's role in first -- well, let's break it down. First in any approval of using Abernathy West as a contractor or service provider.

MR. SU: Well, I looked to Melissa to give me the approval on any spending. Number one, on the dollar amount to make sure that we didn't exceed the monthly cap. Number two, I sought to her approval to check, verify with House Finance, House Administration whether this is an approved item that we can purchase.

I'll give you an example. I tried to buy masks during the beginning of COVID and they said that's not approved. So we didn't buy any because we didn't want to be responsible for that
unauthorized expenditure.

MR. QUINN: Okay.

MR. SU: So for this -- for any print vendor, including business or print vendor I asked her, hey, we've talked to this company and they're going to do print pieces for us. Can you check, make sure they're properly registered to provide services? We tell the vendor the same thing.

It doesn't matter if they're selling us tele-town halls, you know, if they're selling us business cards or selling us mail pieces. We tell them the same thing. Are you an approved vendor? But we're not going to take the vendor's word. I have Melissa go check. So that was her role.

MR. QUINN: Okay.

MR. SU: And when she -- her reasons is yeah, they're good to go. Okay. So before we -- in the case of the mailers in order to pay a payment, I don't have a checkbook. Okay? I only have a credit card that pays for stuff on Amazon.
MR. QUINN: Okay.

MR. SU: And so all the invoices, like I said earlier in this interview. Whoever sends invoices to the office, whoever sorts the mail immediately, automatically, puts it in Melissa's mailbox. And then, she pays for it.

MR. QUINN: Do you know, does Melissa have to go to Representative Hagedorn to get him to sign off on the individual disbursements from the MRA?

MR. SU: No.

MR. QUINN: Like, is there any document that he signs that approves, you know, like let's say $1,000 was going to --

MR. SU: No.

MR. QUINN: -- Abernathy West for a particular mailing; does he sign anything?

MR. SU: No. I got the --

MR. QUINN: Okay. So Melissa has that authority?

MR. SU: Say again?
MR. QUINN: So Melissa had that authority?

MR. SU: Yes.

MR. QUINN: Okay. And then, and when I ask this question I'm not making any implications about what the House Rules are but did you ever have a conversation about -- tell me your brother's name again, Nien?

MR. SU: Yes.

MR. QUINN: Did you ever tell Melissa that Nien was your brother?

MR. SU: No. There was no need because the House manual didn't ask us --

MR. QUINN: I understand. I just want -- I was just curious factually whether you know, in the office Melissa knew, you know, friendly conversation. Oh yeah, the guy that owns Abernathy West is actually my brother.

MR. SU: Yeah. No, I didn't tell her -- have that conversation about the company that John is associated with either. I simply, go, John, go talk to Melissa. Figure it out and
don't do it on your time here because you're part
time so if somebody else is doing it and you
don't own the company and so they went and
figured that out themselves.

MR. QUINN: Okay. Let's talk about
John a little bit and the company that you said
he brought up as a potential contractor, Invocq.
You are aware now that John Sample owned part or
all of Invocq?

MR. SU: No, I'm not aware of that.
All I am aware of is what everybody can search.
In the state -- I believe in the State of Texas
where that company was registered. As you know,
Delaware has different rules about putting all
the registrar's names. So all I know is the
company is registered and it shows a Catherine
somebody as the chief executive of that company
which suggests it the owner.

MR. QUINN: Okay. But now, you're
aware from public reporting and what you've seen
in the news that John Sample was at least a part
owner or Invocq; is that correct?
MR. SU: I heard about that. I have not seen the specific reporting.

MR. QUINN: Okay.

MR. SU: Because for it to be factual somebody would have to say they saw the incorporation document and 100 percent ownership of somebody. Without that, how can you be sure?

MR. QUINN: Right. Right. Okay. You were pointing out and directing me to the Texas -- it's I guess the Texas registration entity that lists ownership information about companies. Have you ever looked that up yourself?

MR. SU: Yeah. I briefly looked it up once when the -- when Hagedorn's, you know, own reports start talking about it. So I thought, hey, why don't I take a look. And, like I said, (inaudible) it seems like Catherine somebody is the chief executive and he was -- I don't remember the exact position he had, but he was either a registering agent or something down the food chain.
But as a part-time employee, you know, he's not -- he's certainly free to have other employments.

MR. QUINN: Right. And so at the time that you were employed by Representative Hagedorn and the office was using Invocq, at that time you did not know that John Sample was a part owner of Invocq?

MR. SU: Right. Because the way he told me about it was he knew the company and that -- I did ask who owns it and he said, you know, it's Catherine.

MR. QUINN: Okay. And why did you ask him who owns the company?

MR. SU: Because he was a part-time employee and I just wanted to make sure that he wasn't doing something, you know -- I know that at least -- I know enough that if you are a member -- you're in a job, you cannot have a side job doing this -- you know, getting paid for that lay job. You know, anybody knows that.

MR. QUINN: Okay.
MR. SU: Right. So --

MR. QUINN: And so you asked John who
the owner of Invocq was because you had some
reason to believe that he might be connected to
the company?

MR. SU: No. That was out of
curiosity. I said, well, who owns the company?
Who is the company? And then I said go figure it
out with Melissa whether they can do business
with the House and you know, as you're part time
make sure that this is not done on your time
here.

MR. QUINN: Okay. And what did he say
when you asked him that? Who was the owner of --

MR. SU: Oh, he just gave me the name
Catherine.

MR. QUINN: Okay. And who's Catherine?

MR. SU: I have no idea. And like I
said, later on, after this report came out and I
looked at the report, looked up the companies.
So there is a name, chief executive for the
company is Catherine. So. And the House manual
does not require the office to investigate every
vendor's owner and every vendor's incorporation
docs. So that was just on a whim. I was
just curious. So who's this company? What's
this company?

    MR. QUINN: Okay. And then so after
John told you about Invocq and said that
Catherine was the owner of the company just to
your knowledge what happened after that?

    MR. SU: Well, he went and checked.
Oh, the company that you are asking other
groups that I can recall the name of, it was
Lidos. Lidos did something for the office and
did one of their presentation and followed up and
said, hey, we can do mailers for you, so.

    MR. QUINN: You said Lidos and then
what about their presentation?

    MR. SU: Oh they were already a service
provider. We were already buying products form
Lidos. And it was one of their sales reps in one
of their meetings said, hey, we can also do these
mailers for you. But there were many others that came by the office, including one that does the business cards for Jim. I don't know their name. But they said the same thing.

MR. QUINN: And then -- so as far as you know, John went and spoke to Melissa about beginning to use Invocq as a contractor?

MR. SU: Yeah.

MR. QUINN: Is that correct? And did you ever talk to --

MR. SU: So just --

MR. QUINN: -- Melissa or John after that about that conversation? Or about stating to use Invocq?

MR. SU: Yeah, of course. Yeah, of course because Melissa, just like all other purchases she has to check with House Finance, House Administration whether it is properly registered and can conduct business with a House office. The answer was yes, and John told me the same thing. Yeah, we can do it. You know, the company can -- we can do it meaning the office
can do it. Okay.

MR. QUINN: Sure.

MR. SU: And then from there on Congressman Hagedorn somehow in a conversation or a briefing became aware of that. You know, obviously, it was a company that John knew so together we just kind of said hey, just make sure that you don't cross official time and if you're working for any companies outside this is not something you -- this is not something you can be doing. So we just want to make sure. We just wanted to make sure of that. You know, he is not --

MR. QUINN: When did that conversation happen?

MR. SU: Oh, it was early on. Whenever the yes came back that Invocq can properly -- the answer came back from House Administration that Invocq can properly do work for the office.

And the review was very (inaudible) because time an invoice -- before, you know, a vendor can be paid for mailers it's got to -- the
MR. QUINN: Okay. I just want to focus
a little bit on that conversation. You said you
and Representative Hagedorn had a conversation
with John after Invocq was approved as a
contractor to make sure -- and this is what I
want to clarify that he wasn't doing work for
Invocq on House time; is that what that
collection was about?

MR. SU: No. I think in general it was
hey, you know, make sure that this is not
something that you're doing. Make sure that you
don't have your foot in both boats.

MR. QUINN: Okay.

MR. SU: That was generally the term
that was used.
MR. QUINN: And why -- okay. And why did you have that conversation with him?

MR. SU: Well, I think it's just in general wanting to make sure that, you know, like I said if you're working for a company part time, you can't be working for the same company part time, right? I mean it's just basic logic.

MR. QUINN: Sorry, I'm not sure I understand that. Can you just restate that maybe? You're saying John couldn't work for who part time?

MR. SU: Well first, John told me that it was Catherine's company. So I never assumed that it was John's company.

MR. QUINN: Okay.

MR. SU: So let me clarify that point.

MR. QUINN: Understood.

MR. SU: And he did speak with Melissa and Melissa also did separately verify with House Administration saying that the company is good to go.

MR. QUINN: Okay.
MR. SU: But we just didn't want the -- we just didn't want the -- you know, we didn't want to have a situation where -- because John is employed by the office and at the same time is also employed by the other office. But Melissa's word at the time was, yeah, as long as he's not doing the same thing, that's fine.

MR. QUINN: And the other --

MR. SU: And that --

MR. QUINN: When you said the other office, you mean Invocq?


MR. QUINN: Okay.

MR. SU: So I guess --

MR. QUINN: I think Indhira might have a question for you.

MS. BENITEZ: Okay Peter. I guess I just want to clarify. I know Sean is asking you about this, but I guess if the company -- to your knowledge the company was owned by Catherine, why was there a concern that John Sample may have been working for this company part time?
MR. SU: Well, you don't -- look, you don't want somebody that when they're working -- if you don't work -- if you are working for the Congressman's office, we don't want him to be doing outside employer's work while he's at the office, understand? That's basically what it was.

MR. QUINN: I think we understand that concern. I think the question is, why did you think that John might be doing work for Invocq?

MR. SU: Oh, we tell every part-time employee that. I've been a manager before at other organizations. I tell the employees the same thing. While you are doing work here, I don't want you to be selling Amway products. I don't want you to be making Amway calls because we've seen that before. We've had people doing Mary Kay --

MR. QUINN: Was the conversation with John specifically about whether or not he was doing work with Invocq?

MR. SU: No, no. That that was just
generally speaking. You're part time. Make sure you're not doing anybody else's work in the office on our time.

MR. QUINN: Okay. So what was the connection between that conversation and Invocq becoming a contractor with the office?

MR. SU: Well, because Invocq was a company that he recommended and we know that he's -- we know that he's very good with technology. And it's a company that he recommended, we don't -- to me, I don't want him to be doing any work for other companies while he's on our time. I want him to focus 100 percent when he is in the office on the office.

MR. QUINN: I don't mean to belabor the point, but what I'm confused about is, was there some reason that when John brought Invocq to your attention as a company and it was approved as a contractor, was there some reason that that event triggered the need to have a conversation with John about not doing other work while he was on House time?
MR. SU: No, not in general. Look, the thing is, John is very capable with a lot of stuff. He was doing -- his primary job is to help maintain the website and help the Congressman take pictures and take some videos whenever he has time. And because the -- some of the pictures -- some of the pictures for the base, sort of the baseline for some of the print products.

So that was -- if you want to see a connection, that's probably what was going on in my mind is that hey, when you do your time here, but I don't want you spending time on stuff that we are paying them to do.

MR. QUINN: Okay. But you believed that he was doing work for Invocq then?

MR. SU: No, I do not believe that I did not say that. I just wanted to make sure that he understood that he shouldn't do that.

MR. QUINN: Okay. And what was his response to that conversation?

MR. SU: He said yeah, yeah. I'm not
his nanny. I don't stand behind every -- I don't micromanage every staff in the office. I've got enough things going on trying to serve the Congressman.

MR. QUINN: Did at that time it come up that he was working with in some way Invocq?

MR. SU: No, I have no proof of that and I have no knowledge of that.

MR. QUINN: Okay. So you've never had a conversation with John about either his role with Invocq or his ownership of Invocq?

MR. SU: Right. The ownership part was that when he recommended the company. I said, who is this company. What's this company? He said oh, it's Catherine's company. It's a lady named Catherine. Okay. Look, like I said, House Rules do not require me to find out who owns it. If he happens to mention it, that's fine. I heard that. I'm reporting to you now.

And my next response, like with any staffers that want to engage in any vendors with any services, it's a go find out from Melissa
whether that company is approved to do business
with House offices. And that's it.

MR. QUINN: Okay. Indhira, did you
have any follow-up questions on just that point?

MS. BENITEZ: I do not.

MR. QUINN: Okay. And just one more
thing --

MR. SU: Like I said --

MR. QUINN: You said that that was a
conversation that you and Representative Hagedorn
had with John Sample?

MR. SU: Yeah. Yeah, Hagedorn was
standing nearby.

MR. QUINN: Okay.

MR. SU: Yeah.

MR. QUINN: And are you aware of when
Representative Hagedorn came to learn that John
Sample did in fact become part of Abernathy -- or
part of Invocq?

MR. SU: I think you would have to ask
him. I have no idea.

MR. QUINN: Okay.
MR. SU: But yes, without seeing -- you know, the incorporation documents that has registration of who owns what share, nobody knows in fact that he owns the company or is part of the company. Right?

MR. QUINN: Right.

MR. SU: And the reason I had that conversation, like I said, as a prior manager of another organization I've seen employees selling Amway and doing Mary Kay while working for me. So that is just a standard reaction. I say hey, make sure you're not doing anything for anybody else while you are here. That's it.

MR. QUINN: Okay. And then I just want to go quickly to touch back on how John was hired by Representative Hagedorn's office. First thing, you had worked with John previously, right?

MR. SU: Yeah.

MR. QUINN: Okay. And where did you work with him?

MR. SU: I worked with them in the
state government and he was doing digital work, digital media work.

MR. QUINN: Okay. And where in the state government was that?

MR. SU: It was in Virginia.

MR. QUINN: Okay. And what office in Virginia?

If you just hold on one second. You can continue to answer the question. I'm going to go off screen for one second.

MR. SU: Yeah. He was -- at the end, the organization had a name change. So it's the Department of Minority Business Enterprises, DMBE. But before that it was the department of business systems.

MR. QUINN: And so you let that office to become Representative Hagedorn's Chief of Staff?

MR. SU: Oh, absolutely not. I'm not that desperate. That was a long time ago.

MR. QUINN: Oh, okay. So that was not directly before you were employed with
Representative Hagedorn?

MR. SU: Sample and I, we knew each other, work together briefly during those years. That was what? 2010. A long time ago. A decade ago.

MR. QUINN: Okay. So it was about 2010 that you and John work together?

MR. SU: Right.

MR. QUINN: And then you didn't work with him again until you were both employed by Representative Hagedorn?

MR. SU: Right. Right. Yeah. And I believe -- you know, I believe he was in contact with Hagedorn. Like I said, he was in contact with Hagedorn after -- you know, he was looking for somebody to do websites. It's a new office you need a website. You need somebody to manage that. You need digital media it's a part of the communications team, because he won by less than 1 percent. He wanted to look good. So I told Jim, hey, here's this guy. That's kind of his background. Talk to him and see if you like him.
MR. QUINN: Do you --

MR. SU: Because (inaudible) --

MR. QUINN: So you recommended -- you

recommended John Sample to Representative

Hagedorn?

MR. SU: I made an introduction only.

I did not recommend because he was very

particular about who he hires.

MR. QUINN: Okay. Can you describe to

me -- so from 2010 when you worked with John

Sample and then to 2019 when again you were both

employed by Representative Hagedorn, between

those two time periods, 2010 and 2019, can you

describe your relationship with John Sample?

MR. SU: Very little contacts.

MR. QUINN: Okay.

MR. SU: Very little contact, you know.

So I would say very rarely did we cross paths.

MR. QUINN: Okay. Did you speak on the

phone?

MR. SU: Very, very rarely. Very

rarely. The reason I -- and he stayed on in
Virginia state government long after I left. So I don't know when he left the Department of Minority Business Enterprise, but he stayed on after I left. So there's no reason for me to stay -- he is just an employee there.

And then later on I think it was like during Hagedorn's campaign he called me and said hey -- he called me and we had a conversation. He was like hey, his stuff looks terrible. That media stuff looks terrible. Who's doing it. So I said, well, beats me. Hagedorn is very particular and he hires his own people.

He doesn't talk to me. I haven't talked to him in years. So this was before he got elected. And just before he got elected. So I said look, if he gets elected, I will make an introduction and that's how he got connected.

MR. QUINN: Okay. So that was sometime in 2018 before the election?

MR. SU: Yeah. Yeah, it was very late in 2018.

MR. QUINN: Late --
MR. SU: I don't know --

MR. QUINN: Before the November election though?

MR. SU: Say again.

MR. QUINN: It would have been before the November election though? Is that correct?

MR. SU: It might have been close. I don't know. And in fact, at the time I told him he's probably not going to win. You know, last time he lost by percent. So he's probably not going to win. So I said hypothetically and wishful thinking, if he wins, I can make an introduction.

But like I said, I had no interest in working for him. I did not ask them for a job. So at the time it wasn't as though that I -- that was not -- under the assumption that I would be working for Hagedorn. I want to make that clear.

MR. QUINN: Okay. Why do you think John Sample called you to talk about Representative Hagedorn's May election graphics?

MR. SU: Well, because John is a
Trumper and Hagedorn is a Trumper. So in the Trump orbit, he's obviously appeared on his radar.

MR. QUINN: But I guess my question is, why did -- were you in contact with John before that about Hagedorn's campaign?

MR. SU: Oh, no. He knew Hagedorn and I worked together like 20 years ago.

MR. QUINN: Before you talked in 2018 about Hagedorn's graphics, when was the previous time or the time before that you had spoken to John?

MR. SU: Yeah, I don't remember. I don't remember. And I also believe Hagedorn might have met John once when John was in Richmond when he was visiting. I don't know. I really don't remember when they -- whether they had met before, but they might have met before too.

MR. QUINN: Yeah, I'm not asking about when John and Representative Hagedorn might have spoken. I'm just interested in understanding how
frequently you and John spoke before you were both hired by Representative Hagedorn.

MR. SU: Rarely. Rarely. Maybe once or twice a year.

MR. QUINN: Okay.

MR. SU: Yeah, and not every year. Let me make sure of that. Because Virginia government, that was 21 years ago. Yeah, so that was 21 years ago. So it's not once or twice a year. He's not that kind of a friend. He goes off in his own world. He was doing his own thing.

And it wasn't until he was watching the Trump election that he sees all these Trumpers, Hagedorn was one of them. He's like, yeah, that's the guy you used to work with, right? His media stuff looks terrible.

MR. QUINN: Okay, good. I think I understand that.

MR. SU: Yeah.

MR. QUINN: Then just circling back quickly to a little bit of the process involved
with Melissa Carr. Am I correct that there was no overarching contract with either Abernathy West or Invocq? That they just invoiced you for whatever services they provided?

MR. SU: There is no contract. There is no contract or any of the vendors for the Hagedorn office. And we did check with Melissa that only an invoice was required. So there's no contract with any of them.

MR. QUINN: Okay.

MR. SU: They are all single purchases. And they become repeat vendors if we like their product.

MR. QUINN: Okay. And then for -- I'm going to ask some of these questions for both Abernathy West and Invocq. First for Abernathy West, when you were communicating with Abernathy West about the design of specific mailers or specific projects, who was your point of contact?

MR. SU: I was pretty hands-off other than interfacing with the guy that comes in the office. You know, he shows -- I've really forgot
his name. He shows up periodically. And other people in the office would have seen him because he shows up like all of our vendors when they need --

MR. QUINN: Do you know who -- so for whoever it was in Representative Hagedorn office that was, for example, sending drafts of mailers, or drafts of graphics, or projects that you are working on, do you know who their point of contact at Abernathy West was?

MR. SU: No, that's their internal business. I do not know the business process, the production process for any of our vendors including Abernathy West.

MR. QUINN: No, that's not what I'm asking. I'm just asking -- I'm asking if somebody at Representative Hagedorn office needed to speak with somebody Abernathy West about a draft or about a piece of mail, who do they speak to.

MR. SU: I believe it was through -- I believe it was through email or through phone
calls at whatever number they had. It was not me
to go check my contact information. I only deal
with the guy that shows up when he brings -- you
know, when he brings the design. And what
happened is we would sketch out a design on a
piece of paper and any staffers in the office can
validate that.

MR. QUINN: And --

MR. SU: Sketch it out on a -- yeah, I

sketch it out like a storyboard.

MR. QUINN: That's understood. That's
understood.

MR. SU: Yeah.

MR. QUINN: But I just want to clarify,
you were not on communications from
Representative Hagedorn's office to Abernathy
West whether that was an email or a phone call?
You were never on those communications?

MR. SU: Right. Right. Yeah. I would
not -- like I say, I cannot say that I cannot say
that I have never exchanged an email with
Abernathy West. There would have been one or
two. But the one or two was involving invoice.

Somebody had sent me an invoice early on. I said yeah, those go to Melissa. I don't have paycheck -- I'm not the paycheck issuing authority.

MR. QUINN: Okay. And then the same question for Invocq. Do you know who the point of contact at Invocq was?

MR. SU: No. No. But I assume John had a way of contacting them because with every piece of mail -- every mail piece it starts off as conversation with a member, with Congressman Hagedorn. And I would sketch out some of the storyboard on paper. I said, you know, it's going to be something like that. And like yeah, okay. You know, he might -- if you have seen, the press reporting about his hands-on on the messaging. He would give it to John and then he take care of it.

MR. QUINN: Okay. So John was the primary point of contact between Representative Hagedorn office and Invocq?
MR. SU: Right. That's my assumption.

MR. QUINN: Okay. So let's just take an example. A draft of a piece of mail, you all would discuss it and draft it, do the -- you know, on the back of a napkin as you described, or a piece of paper. Then who would -- who from your office would send that to Invocq?

MR. SU: I believe John would have.

MR. QUINN: Okay, John -- and who for Abernathy? Then for Abernathy West, same process? Same situation? You've got a draft and (inaudible)?

MR. SU: Yeah.

MR. QUINN: Who from Representative Hagedorn office would send that to Abernathy West?

MR. SU: Well usually, I would have that piece of draft and the guy would come and pick it up.

MR. QUINN: A physical copy?

MR. SU: Yeah. The guy comes to the office. He will stop by once a week. We are not
sending stuff out every week. With these things
with all the edits, these things take turnaround
time probably two weeks.

MR. QUINN: Okay.

MR. SU: So just like vendors that do
business with us, that will come by, they will do
drop ins. Say, hey, how's everything going. Do
you have anything that we can do for you?
Because like I said, it's not a contract. It's a
one off. So once you do the first one, we don't
know when the next legislative issue or debate
pops up. And when it pops up, well then we
quickly do a storyboard and take it and go with
it.

MR. QUINN: So I know there are a lot
of -- obviously there are a lot of mailers with
Abernathy West and you would draft them
physically in the office and then hand them off
person-to-person to this representative from
Abernathy West. But you can't remember who that
was?

MR. SU: No, it was a young guy that
comes. I can't remember his name.

MR. QUINN: Okay. How many times do you think you met this representative?

MR. SU: I don't remember because the number of -- the number of copies versus the number of (inaudible) different things, right. So if you're talking about the number of copies, obviously Hagedorn and sent out several hundred thousand copies. And so as far as number of product, how many products --

MR. QUINN: Again, I'm talking about specific numbers of products. Okay. Would you say you met this representative more than 10 times or less than 10 times?

MR. SU: Well, it depends on how many products. If all together we did -- if all together we had seven products with Abernathy West and the guy, I would have given him seven pieces.

MR. QUINN: Okay. And what -- so (inaudible). Do you know what that number is? Was it seven products with Abernathy West?
MR. SU: I don't know. I don't have access to any work material anymore. So I don't remember how many exactly was produced by each.

MR. QUINN: Just based on your recollection, the closest that you can get. Is it like a number -- a single digit number? Or are we talking double digits?

MR. SU: I really don't -- I would say possibly five or six.

MR. QUINN: Okay.

MR. SU: Five or six they did. I mean, it could be more. It could be up to seven. I don't remember. Like I said, I've already moved on. I don't remember how many. There were just so many things going on in the office. My job was to make sure hey, you know, I work with Hagedorn. Make sure that I get him drafts to review after he and I start -- it starts off with the storyboard and captures the key message.

The press report at Cambria, he wanted to highlight his work before the International Trade Commission for Cambria. Cambria owner is a
friend of his, a donor. So he wrote down, hey, 
these are things that we should do a piece on it 
this. So I would sketch it out and say, okay, 
what do you want to say. And we worked on the 
message a little bit. And then there it goes. 

It goes to the vendor and the office is 
calling and I say hey, send it to the vendor. I 
always left that open. Send it to the vendor. 
And the vendor comes back with a mockup. In the 
mockup will put the proper language mocked up 
with an original design art and with an original 
picture of let's say Hagedorn at the Federal 
Trade Commission or Hagedorn at a farm talking to 
a friend of his who is a donor and he wants to 
use that picture to feature his work on an ag 
issue. Then Hagedorn looks at that like, and no. 
He marks it up and throws it back and then the 
cycle restarts.

MR. QUINN: Right.

MR. SU: And at some point we get to a 
product that looks like, yeah, this might be 
close to final. We would send that to franking.
You know, send that to franking, get the staff assistant or somebody to run it to franking, just to make sure that this piece of original art and the language that the boss has approved or edited up to this point is still with the scope because there is no point in continuing if you are off. If the bipartisan commission won't approve it.

MR. QUINN: Right. Another quick question; you said when you would draft these and you would arrive at a final draft, you would say send it to the vendor. Who were you telling to send it to the vendor?

MR. SU: Well, for the Invocq one, it would be John. And for Abernathy West, because John didn't deal directly with Abernathy West, it's always their -- I called the guy the runner because he runs in and he picks it up and it's like hey, how's things going. And then he leaves and then brings back a draft. It's on a USB. And that's it.

MR. QUINN: And you -- who would call the runner and tell him to come to the office to
pick up a draft?

MR. SU: We don't have to call him. He shows on a regular timing. He would stop by every other week because like I said, we're not running -- we are not -- Abernathy West -- neither Abernathy West or Invocq were exclusively working on all products. So we got one -- it's kind of alternating, right. So if we got -- Abernathy was doing one while Invocq is busy, then obviously we're not going send the next one to Invocq.

MR. QUINN: Yeah. Okay. Do you know if Abernathy West or Invocq provided similar services to any other members of Congress?

MR. SU: No, I'm not aware of interactions by our vendors with any other offices. It's not my job.

MR. QUINN: Yeah, I understand it's not your job, but I just didn't know if through conversations with the runner or through conversations with anybody, if you -- you know, sometimes you just know who else they are doing
business with. But you don't know?

MR. SU: No. Like I said, all vendor companies have runners and all runners go to offices whether they are doing businesses with the office or not. They are staying in touch and showing you a face. Hey, you know, do anything for you? You know, just keeping a face present sometimes goes a long way. So when the office needs the next service or purchase they might think of you.

MR. QUINN: Okay. All right. We are --

MR. SU: (inaudible) so often you get annoyed by these runners. They are coming -- congressional meetings with the office usually are 10 minutes, 15 minutes. These runners show up. I mean, he would be lucky if I give him three minutes.

MR. QUINN: Right. Okay. I just have a couple of questions for you also about -- I think you mentioned earlier that you knew that Representative Hagedorn had hired outside counsel
or had hired another -- an attorney to look into some of these issues. You've heard of that process or that internal review?

MR. SU: Yeah, he posted the report.

MR. QUINN: And do you know who the attorney was that did that review?

MR. SU: I think it was Elliot something. I don't remember exactly.

MR. QUINN: Yeah, it was -- yeah, I can let you know. His name is Elliot Burke. Have you ever spoken to Elliot Burke?

MR. SU: Yeah.

MR. QUINN: Okay. And when did you speak to Elliot? Or to Mr. Burke?

MR. SU: Well, it was on the same day that I quit. Either June 18th or 19th. I can't remember. And then I don't remember if I spoke with him once or twice. But he was on a call when Hagedorn was like, hey, you know, maybe we can have you just take a break. But don't -- you know, just take a break and then when we get through this -- he was like, you have to take a
break for 10 days. Something like that.

MR. QUINN: And so Elliot Burke was on that phone call?

MR. SU: Uh-huh.

MR. QUINN: And was anybody else on that phone call?

MR. SU: I don't know. I just heard --

MR. QUINN: Okay.

MR. SU: I just heard --

MR. QUINN: So Representative Hagedorn, his attorney, Elliot Burke, and you had the conversation about you taking a break. And during that conversation you told him that you were just going to resign?

MR. SU: Right. But again, this thing -- this all started with the LegiStorm reports that came out in, what, May 2nd. So this is not -- this was not the first time that Hagedorn was trying to figure out what to do. This was when I decided to quit. I said no, no, no. I don't want to take a leave of absence. Let me just get out of your way. I think that's
almost exactly what I said, let me just get out of the way.

MR. QUINN: Okay. Were you ever contacted by Elliot Burke after that conversation?

MR. SU: Yeah, I think he called one more time because I had a -- he might have left a message. And I, at the time, I had already retained counsel just so I know what my rights are. And I sent him the name of, I believe the number of the -- the number for the attorney and then they got in touch.

MR. QUINN: Okay. And who was your attorney?

MR. SU: Mr. Kilgore.

MR. QUINN: Kilgore, and what's his first name?

MR. SU: Terry.

MR. QUINN: Terry Kilgore, okay. Is he currently representing you?

MR. SU: Yes.

MR. QUINN: He has, okay. Was Mr. --
has Mr. Kilgore, to your knowledge, represented your brother?

MR. SU: I don't think so, but it's attorney-client privilege. I'm not going to get into that. I don't think he represents my brother. I can tell you that based on my gut check. That's all.

MR. QUINN: Okay.

MR. SU: Because they don't know each other.

MR. QUINN: So did -- so after you had that initial conversation with Mr. Burke and then you had a second conversation where you gave him Mr. Kilgore's contact information. Did you have any other -- did you have any further conversations with Mr. Burke?

MR. SU: Nope, Mr. Kilgore told me he spoke with him and that's it.

MR. QUINN: Okay. And did you, either yourself or through Mr. Kilgore, participate in the review that Mr. Burke conducted?

MR. SU: No. Mr. Kilgore knew the
extent of -- Mr. Kilgore, as my counsel, knew the extent of the facts as I have shared with him. So whatever conversation they had, I do not have insights to, but they had a conversation. But we fully expected that they came out with a narrative to blame me.

MR. QUINN: Have you seen the report that Mr. Burke came out with at the end of his review?

MR. SU: No, I haven't. There's a PO (ph.)

MR. QUINN: Okay.

MR. SU: I've only read what was reported on the report by the media.

MR. QUINN: Okay.

If we can -- Crystal, if you can pull up tab 2 and we will mark that as exhibit D.

(Exhibit D was marked for identification.)

MR. QUINN: Yeah. Peter, I'm just going to -- I'm going to show you Mr. Burke's report. It's a short five page report. And
there is one section that I want to draw your
attention to and just get your reaction on.
Maybe you can tell me if you think the report is
accurate on this point. Hold on one second while
it gets pulled up.

So Peter, if you -- can you see this
document now?

MR. SU: Yeah, I don't know what
section you are referring to though.

MR. QUINN: I'm going to -- I will tell
you in one second. So this is the report that
Mr. Burke came out with on September 5, 2020
after he conducted his review.

And Crystal, if you can, scroll to page
3. And yeah, if you can, zoom in on that section
about -- the subsection entitled Abernathy West.
You can zoom in a little bit more. There you
go.

Peter, if you want to take a minute
just to read those two paragraphs. This is what
Mr. Burke wrote about his contacts with you and
your counsel. If you can, just read that let me
know when you're finished.

MR. SU: Yeah, go ahead.

MR. QUINN: What was that?

MR. SU: Oh, just go ahead; what's your question.

MR. QUINN: Okay. Yeah, I just -- so as you see in paragraph two, he says -- Mr. Burke writes, over the next few weeks, both Mr. Su and Mr. -- and both Szu-Nien Su through counsel promised cooperation on multiple occasions. That cooperation never materialized. Mr. Su's counsel authorized direct contact with Mr. Su, but Mr. Su did not respond.

Do remember being contacted by Mr. Burke?

MR. SU: No, I don't, because I ceased using all emails. That was a private email that was used in this OCE with Mr. Hagedorn. And those will be -- refers specifically to emails that we used for political stuff, which in my role, I was exempted and able to use those emails (inaudible) purpose.
MR. QUINN: Okay. So are you saying that if Mr. Burke tried to contact you through email, you didn't see that email?

MR. SU: Right.

MR. QUINN: Okay. And did he ever try to contact you by phone?

MR. SU: No.

MR. QUINN: Okay. Did you ever talk to Mr. Kilgore about contact that Mr. Burke was trying to make with you or with Mr. Kilgore?

MR. SU: No, the only contact he had was with my attorney. And he did tell me that he spoke with him, but he didn't give me the details of it. That was my recollection.

MR. QUINN: Okay. Did Mr. Burke ever ask to interview you?

MR. SU: I don't remember.

MR. QUINN: Okay. Do you remember ever speaking to your attorney, Mr. Kilgore, about interviewing with Mr. Burke?

MR. SU: Nope.

MR. QUINN: Okay. So when Mr. Burke
says that Mr. Su and your brother through counsel promised cooperation on multiple occasions,
you're not -- you don't know what Mr. Burke is talking about there?

MR. SU: No. If my lawyer had said something to him, that was between the two gentlemen. I gave my counsel a full statement as far as what I remember just as we were going through today. And he said he would communicate that with Hagedorn's attorney, Elliott.

MR. QUINN: Just to clarify, you told Mr. Kilgore about our interview today and he said that he would speak to Mr. Burke about that?

MR. SU: No, no, no. I'm saying in reference to Elliott's report, I gave Mr. Kilgore my recollection of the work involving the print pieces, the mail pieces. And if Mr. Elliott has any questions, you can feel free to speak on my behalf about these facts, but because I don't have any additional first-hand information, all the computer, everything is left at the office, this is all I remember.
MR. QUINN: So any conversations that -- or any information that Mr. Burke obtained would've been through your counsel, Mr. Kilgore?

MR. SU: Right.

MR. QUINN: Did you ever have Mr. Kilgore stop communicating with Mr. Burke? Did you ever ask them to break off communications?

MR. SU: No.

MR. QUINN: Okay. And do you ever remember Mr. Kilgore talking to about why or when Mr. Burke stopped contacting him?

MR. SU: No.

MR. QUINN: And when -- as far as you know, when was the last time Mr. Burke tried to get in touch with your attorney?

MR. SU: I don't remember. This was stuff that happened a year ago. So I've already moved on.

MR. QUINN: Okay. Was it -- or do you know if it was before or after this report came out? This report came out September 5th, 2020.
MR. SU: No, there was no contact last year. I know that for a fact. Every -- all the contacts were near the date of my resignation.

MR. QUINN: Okay. So then maybe let's look and just, again that second paragraph. He says, counsel for your brother and Abernathy West consistently stated that their clients would cooperate with internal review, but never responded to multiple requests for information and Congressman Hagedorn has authority to compel said information at this time. This recalcitrance served to frustrate the internal review and delay Congressman Hagedorn's self-report to the Ethics Committee by several weeks.

But it's your understanding that all of the contact between Mr. Burke and your counsel happened in 2019?

MR. SU: Correct.

MR. QUINN: And have you -- do you have any information about or knowledge of Mr. Burke's contact with either your brother or anybody at Abernathy West, or their counsel?
MR. SU: No, I'm not involved in the business of any vendors.

MR. QUINN: Okay. Did you ever have a conversation with your brother about this? Like call him and say, hey, we're both getting calls from the same attorney? What's going on?

MR. SU: No, there is no coordination between him and I. In fact, I don't even know who his counsel is.

MR. SU: Okay. But I will tell you the Hagedorn phone call that came on August 7th, he pretty much contradicted his own report and revealed that that's his plan and that his Press Secretary statement that I was terminated the day after, as soon as he found out about this from all the press fact check, you know that that's not true.

MR. QUINN: Okay, right.

And Crystal, you can take that document down. Thank you.

Yeah, let's -- in one second we will talk quickly about that recording and then
hopefully that's kind of the last topic I have. But quickly just on the report. Were all the contacts that you had with Mr. Burke also before that August 7th conversation that was recorded?

MR. SU: I only had one, probably two contacts with Mr. Elliott and that's it. I never heard from any (inaudible) again.

MR. QUINN: Would they all be before that August 7th recorded conversation?

MR. SU: Yeah. Yeah. Like I said, they all occurred around the time that I resigned, unless (inaudible) I can't remember.

MR. QUINN: Okay. Let's talk about that audio recording, that recorded conversation. How did -- what you just first -- tell me generally how that came about?

MR. SU: It was a surprise. Like I said, I was not terminated from the office. Let's just get that fact. I think by now you understand I was not terminated.

MR. QUINN: I understand that, yeah.

MR. SU: If somebody were terminated
under the circumstances they described in the
report, that person would not answer Hagedorn's
call, right?

MR. QUINN: Right.

MR. SU: So he called. I recognized
the number and I was thinking, okay, well, what
do you want. You just, you know, through all
your interviews, you just threw me under the bus
and put mud all over me. What is there to talk
about? So I was actually pretty annoyed when he
called when I saw his number show up. So I was
going to let him have it. That was the context.

He called up, but he was pretty -- he
was pretty apologetic. He was like, hey, how are
you doing. Sorry about all this that's going on.
And so I just listened. Then he starts to go on
about things that -- he's like, yeah, this
stuff -- we should be able to get through this.
If your brother was doing to work -- and this was
reported in the newspaper, right. If your
brother was doing the work and he and I did not
have personal relationships and all that stuff
going on, I don't believe there was a problem there.

And he said that his attorney had also analyzed the House Rules and that would -- you know, and that would also support that statement. So I say yeah, yeah. But you've made it very difficult for me with all the nonsense that's out there.

MR. QUINN: Right. And so the August 7th conversation was the first conversation you had with Representative Hagedorn after that June 18th or 19th conversation where you resigned; is that correct?

MR. SU: Correct. Correct.

MR. QUINN: Had he made any attempts to call you before August 7th?

MR. SU: Not that I remember.

MR. QUINN: Okay. And how did you record that conversation?

MR. SU: Well, I had an app on my phone. So I was pretty annoyed. So I always had an app on my phone to do this kind of stuff.
Unrelated, I used to work in the wire room of the federal agency as a contractor. So I know how these things work. So for my own protection, in the line of work that I've engaged in, the app was used to record congressional hearings so I don't have to take notes. So it's the same app that I used.

MR. QUINN: Okay. And what's the name of that app?

MR. SU: I don't remember. I think this is called voice recorder or something. But I sent him --

MR. QUINN: Okay. And you said you deleted the app; is that correct?

MR. SU: Yeah.

MR. QUINN: How did you delete the app?

MR. SU: I just hit delete.

MR. QUINN: No, not how. Why did you delete the app?

MR. SU: Oh, because it was taking up a lot of space.

MR. QUINN: Okay. Does the app itself
store the recordings?

    MR. SU:  Yeah, I think so. It was
taking up a lot of space and I was cleaning up my
phone and it said, hey, here is an app that's
taking up a lot of space. I deleted it along
with other apps.

    MR. QUINN:  Okay. And then at some
point you sent that recording. Or there are some
reporters that listened to that recording or got
a hold of that recording, right?

    MR. SU:  Yeah, I didn't send them any
recording. I played it for them because
immediately I knew that what he said on that
phone call contradicted his report and he kind of
acknowledged that it was his project that he
wanted to send mail pieces to every DM household
out there.

    MR. QUINN:  Okay.

    MR. SU:  And there were no House Rules
that would have precluded me or him from using
Abernathy West as long as there's -- as long as
he didn't have any professional relationship and
I didn't benefit from it.

MR. QUINN: Okay.

MR. SU: So that was all very telling. And I thought for my own protection and for my own reputation, I've got to find a way to clear this out. So I played this for the oldest newspaper in Minnesota, which is very established and very objective, the Star Tribune.

MR. QUINN: Okay. And did you reach out to those reporters?

MR. SU: Yeah, the reporter, he talked to me before to see if I wanted to comment on it and I said look, I've already moved on from this. But if something else comes up, I will call you back. So this was the time I thought, okay, I have something here.

MR. QUINN: Okay. And how did you let them hear that recording?

MR. SU: Oh, I just played it. I called from another phone and I played it just like this.

MR. QUINN: Okay. And when did that
happen?

MR. SU: I don't know. Whenever the story was published. It would've been a few days before that.

MR. QUINN: Okay.

MR. SU: Or it would've been -- yeah, I don't remember. It was very close to -- very close to when he made the phone call. So it might've been the next day or whenever it was. I don't remember. It's almost a --

MR. QUINN: Around August 2020?

MR. SU: It's almost -- yeah, it's almost a year ago, you know.

MR. QUINN: Okay.

MR. SU: And the fact that he called me six weeks after, obviously if I was fired, I wouldn't take his call. But I was thinking, what do you want to talk about now. You know, this is like -- yeah, he just trashed my reputation all over and also in conjunction with your fixer. So what do you want?

MR. QUINN: Right. And did you share
that recording with anybody else other than the reporter?

MR. SU: No. And that's why -- you know, the recording was very accurate. And he didn't deny that those were things he said. He didn't believe there was any problems. He said that it was his -- his intention to send mailers to every household down there. And he was -- his narrative was basically saying that we did everything by the book, and they are coming after me even though there is no problems about it.

But I understand it's a tough election and that's how I kind of interpreted the conversation. And because every word is a fact was appropriately reported by the Star Tribune.

MR. QUINN: Okay. Had -- just --

MR. SU: That all -- and that conversation clearly contradicted -- it clearly contradicted, I believe the -- yeah, it clearly contradicted the spin that was in his internal report.

MR. QUINN: Okay. Just to go back to
the deletion quickly. When did you delete that
app and the recording?

MR. SU: I don't know. It was probably
a month after something like that. I have -- my
phone doesn't have a lot of memory. So if you
clog it up with stuff like that -- I would rather
have pictures of my kids than his stupid voice.

MR. QUINN: Okay.

MR. SU: But the story has already been
written about. What's the point of holding on to
that?

MR. QUINN: Okay. Did you have any
other conversations with anybody in
Representative Hagedorn office or anybody
connected with Abernathy West or Invocq that you
recorded?

MR. SU: No.

MR. QUINN: No?

MR. SU: I had already --

MR. QUINN: Okay.

MR. SU: You know, in his recording --

thistells you his state of mind. It's a
statement of fact. And he said that it was presented, that means the allegations by other press reporting, as if y'all shouldn't have done the work, that your brother shouldn't have been hired because that was unethical, which is not. So he said those things in the recording. Clearly he knew about it and it's not unethical. He just didn't know how to handle the crisis communication. So in the end he dumped it all on me.

MR. QUINN: Right. I have a couple questions about -- and we are nearing the end here. So I appreciate you letting us have this time. But can I ask you just about preparation for this interview? Did you do anything to prepare for our conversation? Look over any documents or speak to anybody to refresh your recollection?

MR. SU: No.

MR. QUINN: Okay. You --

MR. SU: The only thing that I pulled up was the news articles that I was referring to.
But the article, I had printed them back when it was published. So I already had that.

MR. QUINN: Okay. And then -- but you did say you spoke to your attorney about this interview?

MR. SU: Yeah, of course.

MR. QUINN: Okay. And what did you talk with him about?

MR. SU: I just told him that you guys were making an inquiry. I'm not the target and it's my understanding that House Rules, I did not break -- my understanding that House Rules, as long as the employee at the time did not have ownership in the company that it did business with, I didn't break any House Rules. So if you want to (inaudible) that's fine.

MR. QUINN: Understood. And then did you -- did you tell anybody else about this interview other than your attorney?

MR. SU: No.

MR. QUINN: Let me -- if you can, just give me two or three minutes. I'm just going to
check over my notes real quick and make sure that we've covered everything. And then I'll just come back and ask one or two closing questions and then I can be out of your hair. So if you just -- you can just stay on the line. I'm just going to mute my video and --

And actually Kevin, if we want to go off the record for a second, we can do that.

Just hang around for a minute Peter, okay?

THE COURT REPORTER: Off the record, 1:30 p.m.

(A recess was taken.)

MR. QUINN: Okay, Kevin, we can go back on the record.

THE COURT REPORTER: Back on the record, 1:32 p.m.

MR. QUINN: Okay, so Peter, just a couple of follow-up questions. Hopefully it won't take more than 5 or 10 minutes more of your time. I think Indhira had the first couple of questions for you.
MS. BENITEZ: Yes Peter, so in reference to Melissa Carr, you mentioned that she -- most of the vendors went through her and she checked whether or not they were properly registered. Could you just shed some light on that? What does that mean exactly? Properly registered in what way?

MR. SU: I don't have any light to shed other than Melissa told me for a vendor to provide services, they needed to be properly registered with the House to be a vendor. So any time we're going to purchase service from anybody, tele-town hall, business cards, mail pieces, if it's the first time that we purchased from a vendor, I say hey, can you check. And we asked the vendor, are you properly registered. And the answer that came back, if it's yes, then we will proceed.

MS. BENITEZ: Okay. So to your knowledge, do you know whether or not Melissa Carr looks into the ownership of the companies?

MR. SU: I have no way of reading her
mind on this. And it's not -- in the House manual. That is not a requirement. So whether she did or not, I don't know.

MS. BENITEZ: Okay.

MR. QUINN: Okay. Crystal, if you could, pull up Exhibit C one more time. Well actually, hold on one second. I'm pulling that up.

So Peter, Exhibit C is that document that you sent me that shows that your brother was the 100 percent owner of Abernathy West. Do you recall that document?

MR. SU: I just, like I said, I recall -- perhaps might have seen an early invoice. That's about it.

MR. QUINN: No, no. Sorry. If you look at your screen, I'm talking about this document, the one that you sent me.

MR. SU: Yeah, what about it?

MR. QUINN: Yeah. So I guess I'm just a little bit confused with this document. Maybe you could help me understand it. Delaware, it
does not generally make public the owners of corporations that are registered through third-party agents like Zoom.

MR. SU: Right. For Zoom --

MR. QUINN: I'm just very confused about how you got this document from the Secretary of State of Delaware.

MR. SU: Because they have to file. They have to file the documentation, what's called an annual report. I mean, (inaudible) I've had an LLC myself before. So after leaving the office you do the same thing. You file the report. It doesn't matter what state you're in. You file the report. And if you inquire about it, they tell you yes through Zoom and this is what you pay. Then they send you a -- if they can send it to you. It's like getting a document from the Corporation Division.

MR. QUINN: Okay. So I think you are probably aware one of the benefits of filing or incorporating in Delaware is that the ownership of the corporation doesn't need to be disclosed.
And --

MR. SU:  Well, then How does Elliot Burke know that Abernathy West is owned by my brother --

MR. QUINN:  If he --

MR. SU:  It's not that -- you can find out. You can find out.

MR. QUINN:  Well, I guess what I'm -- I guess what I'm telling you is that I have requested these documents from the Secretary of State of Delaware. I've had conversations with them. And I know that this is not a publicly available document.

MR. SU:  They told --

MR. QUINN:  So fill the gap for me how you got this document.

MR. SU:  Right. I had the same conversation with them. I paid my money. They said normally it's not available, but this is a Zoom request. Sorry, not a Zoom. This is a -- what is that name of the registering company?

I'm drawing a blank.
MR. QUINN: Zoom Legal.
MR. SU: Oh, Legal Zoom, yeah.
MR. QUINN: Yeah.
MR. SU: So they (inaudible) there.

But like I said, get -- come look at my financial transactions. I have nothing to hide. Come take a look.

MR. QUINN: Well --

MR. SU: We don't need a go (inaudible). Come take a look. I welcome (inaudible) there's nothing that transacted between him and I.

MR. QUINN: No, no. I understand that and take that for what you said. I'm just confused about this document. Because I can tell you that I've made that request and being given all the documents that the Secretary of State is allowed to disclose to the public. So did you maybe go through your brother to get this document?

MR. SU: No, I didn't go to him directly. Okay? I went and asked the Delaware
corporation. They told me that Zoom Legal has it. Then the Zoom Legal, I asked them about it. I believe he had to release it. So he released it and that's probably how I got it.

MR. QUINN: So originally you told me you got it from the Secretary of State. Are you now saying that you got this from somebody at Zoom Legal?

MR. SU: The -- I was not specific to which document I got from the Secondary of State. I was referring to your request and I got that -- Secretary of State has this document too because they filed it.

MR. QUINN: Peter, we can ask the court reporter to go back and look at the record before, but I asked you specifically, did you receive this document from the Secretary of State. And you told me that you did. So if that -- if I didn't understand that or maybe that didn't come across clearly on the record, then --

MR. SU: Yeah, they --

MR. QUINN: I will ask the question
again. How did you get this document?

MR. SU: Yeah, maybe that didn't come across clearly. So I had a conversation with -- I had a conversation with Delaware Corporations Division. They give me the same runaround that you got. And they say hey, this is a Zoom Legal filing. I contacted Zoom Legal. He said that the company would have to release it in order for you to get it.

MR. QUINN: Okay. And did the company release that?

MR. SU: Yeah.

MR. QUINN: And how did that happen?

MR. SU: I contacted the company.

MR. QUINN: Who did you contact at the company?

MR. SU: I sent an email to Abernathy West email, which is the only one that we have used in contact with the company.

MR. QUINN: What's that email address?

MR. SU: I think it was sales...
MR. QUINN: And do you have the email still?

MR. SU: No, I don't.

MR. QUINN: You don't have it in like a sent mailbox?

MR. SU: No.

MR. QUINN: Okay. So then what happened? What was your request to the email address?

MR. SU: I said I want to get a -- I needed to get proof from a document that proves the -- that shows the ownership of the company, if it's 100 percent, if it involves any other stakeholders of the company.

MR. QUINN: Okay. And that did somebody -- and then how did you receive this document?

MR. SU: Then my brother called me.

MR. QUINN: Okay. And what did -- so your brother received the email that you sent?

MR. SU: Yeah, I don't -- yeah, I don't
know. It is his company. It doesn't surprise me that whether it goes through somebody or he has access to the email. He's like, yeah, it's not a problem.

MR. QUINN: Okay. So he got the email and then he gave you -- and then he called you on the phone? And then what happened?

MR. SU: Then I got the document.

MR. QUINN: How did you get the document?

MR. SU: From Zoom.

MR. QUINN: Somebody from Zoom sent you the document? Or did your brother send you the document?

MR. SU: Zoom gave him -- he has to release the document because this is a -- the document is meaningless unless it came from Zoom. So Zoom gave it to him and he dropped it off with me.

MR. QUINN: Okay. So your brother gave you the document?

MR. SU: Right.
MR. QUINN: Okay.

MR. SU: And like I said, you're welcome to check my financial records. There is no transaction between him and I.

MR. QUINN: Did -- when your brother gave you the document, did you have a conversation with him about why you are asking for this document?

MR. SU: Yeah. I said you guys are asking questions about it and I just wanted to clear my name. I have no ownership in the company. You and I (inaudible) any transactions.

MR. QUINN: Okay. Does your brother have access to the 13 pages prior to this document?

MR. SU: I don't know. I would assume. I would assume it would have to be the same request for him to release it and Zoom would give it to him.

MR. QUINN: Okay. Well, I guess I just want to level with you a little bit here. I'm confused about why when I first asked you about
this document, why you didn't give me the complete story on how you got the document. Can you tell me why you were -- why you didn't want to disclose that you got this document from your brother?

MR. SU: No, there was no rhyme or reason. It's a factual document.

MR. QUINN: Is there any other -- have I asked you any other questions where you have similarly either concealed or chosen not to disclose the full answer of the -- the full and correct answer to the question?

MR. SU: No. I think this -- there was not a full understanding and it just didn't come through as it was. So it is what it is. It is a factual document.

MR. QUINN: If --

MR. SU: And (inaudible).

MR. QUINN: I think maybe you understand why have I questions about this document now and why would like to see the first 13 pages of this document and a complete version
of it. I'm now making that request of you. Could you get the complete document from your brother?

MR. SU: I will talk to him about it and we will see if we can get him to talk to Zoom to get it released.

MR. QUINN: Okay. So that's one thing I would need to have the complete document for us to be able to rely on it. Obviously, given the source of the document, now I have some additional questions. I would like to get in contact with your brother as well. Can you give me his contact information?

MR. SU: Yeah, I sent it from sales. That's how I've always contacted with him.

MR. QUINN: Okay. If you can, just hold on for one minute. Crystal, you can take the document off the screen.

Peter, can I ask, have you ever recorded the -- any of our conversations that
we've had on the phone?

    MR. SU: No, I've taken very good notes and that's it.

    MR. QUINN: Okay.

    MR. SU: And it would -- yeah.

    MR. QUINN: I just want to remind you when you answered that question any other questions in this interview --

    MR. SU: Right.

    MR. QUINN: We spoke about earlier and the first thing we spoke about this interview is that False Statements Act, 1001.

    I understand that you didn't sign the acknowledgment, but the False Statements Act applies to our conversation whether or not you signed that acknowledgment. So I just want to ask you again one more time if you've recorded our conversations.

    MR. SU: No.

    MR. QUINN: Okay.

    MR. SU: And you will not see a press story about that. I know why you're asking.
MR. QUINN: Is there any other --

MR. SU: I --

MR. QUINN: With that 1001 statement in mind, with that 1001 False Statements Act in mind, is there any other question that I've asked you today that you have not answered truthfully?

MR. SU: No. I can say, I want to fully cooperate with you guys, clear my name. If I didn't have any ownership in there, there's no way that I had conducted anything inappropriately in this case. I even offered for you to look at my financial statements. There is zero transaction whatsoever between my brother and I.

MR. QUINN: And --

MR. SU: I do not have --

MR. QUINN: I would like to take you up on that offer to view your financial statements. How would you like to accomplish that?

MR. SU: I can -- let's see. I can print my statements out if that's what you wanted to see.

MR. QUINN: Who is -- who do you bank
with?

MR. SU: Bank of America.

MR. QUINN: Okay. I can make that request directly at Bank of America, and with your signoff they will send me those documents. Would you agree to do that?

MR. SU: Yeah, sure. Yeah, for the -- for this? I just want to clear my name. I have not benefited from -- there is zero financial transactions with my brother.

MR. QUINN: Okay. And then I want to just ask the question what time again, that you have -- you have deleted and do not have the recording with Representative Hagedorn and have no way of obtaining it now?

MR. SU: Right. It was an app that was holding (inaudible) on my phone. I deleted it.

MR. QUINN: Okay. Have you ever had any email correspondence with John Sample?

MR. SU: Not recently. Not since I -- I don't recall.

MR. QUINN: Have you had email
correspondence with him ever about Invocq or Abernethy West?

MR. SU: No, not to my knowledge.

MR. QUINN: Have you spoke to John Sample since the public allegations regarding Invocq and Abernethy West came out?

MR. SU: Nope. Since I left, I think one time he stopped by and that was about it.

MR. QUINN: Stopped by where?

MR. SU: He stopped by -- he stopped by the office. He told me he stopped by the office. And so I said, well, you know, we are going separate ways. I left already. Whatever you're doing, I don't want to know about. Whether you are still working for Hagedorn, if you're going to ask me questions on Hagedorn's behalf, I don't want to know about it.

MR. QUINN: Oh -- that conversation --

MR. SU: So I made a clean --

MR. QUINN: When did that conversation happen?

MR. SU: That was a few days after I
MR. QUINN: Okay. And did that happen over the phone?

MR. SU: Yeah. Yeah, this would've been the month after I left.

MR. QUINN: Okay. And what did you talk about during that conversation?

MR. SU: That was very -- it was very short. He called me. He said, hey, I'm going to be stopping by the office. I said, hey, you know, I've already left. I resigned. Do whatever you want. Because he was -- I believe, based on press reporting, that he was also -- had to take a leave of absence. So he called me and I said, hey, I quit. So there is no -- you don't work for me anymore. So, you know, that's it.

MR. QUINN: Okay. And why did John call you?

MR. SU: I don't know. I think he was just checking in.

MR. QUINN: Okay. And you haven't spoken --
MR. SU: Because there was --

MR. QUINN: And you haven't spoken to John since then?

MR. SU: Yeah, there was no correlation between him and me about this, any of this.

MR. QUINN: Yeah, I'm not asking specifically about coordination. I just want to know, have you spoken to John Sample since that conversation that occurred on the phone about a month after you left.

MR. SU: No.

MR. QUINN: Okay. And John will say the same thing when I talk to him?

MR. SU: Uh-huh.

MR. QUINN: Okay.

MR. SU: Yeah, this is all -- you're asking me about specific dates, whether I talked to him, ran into him. All I can say is based on my recollection.

MR. QUINN: Right. Right. Okay. If you'll hold on for one more second, I'm just going to mute and pause my video for one second
and then I'll be right back and we can conclude
the interview. Just hold on one second.

    All right Peter. So just a couple
follow-ups. I will follow up with you about that
request to Bank of America and have you sign a
release to allow them to release financial
information to us.

    And then also, just because I know you
told me that originally you hadn't had any
conversations with your brother about Abernethy
West after you left Representative Hagedorn's
office. Then we have now discussed the phone
call that occurred when you needed to get the
ownership documents that you sent me.

    So I need to ask you one more time,
have there been any other conversations between
you and your brother about Abernethy West in the
last --

    MR. SU: No.

    MR. QUINN: In the last two years?

    MR. SU: No, that's the -- sorry.

That's the only conversation. Because I was
trying to obtain the document, they told me that he had to ask -- what you call that? Legal Zoom to release it. Look, we still share parents. I see him. It's not like we don't talk. But we don't talk about these things. He has his own counsel. We've moved on and there was simply -- it was simply that hey, I needed that document to show that you are the hundred percent owner so I can clear my name. That's it.

MR. QUINN: Okay. I mean, I guess I just have to say it seems a little odd to me that when this news broke, that you wouldn't call your brother or your brother wouldn't call you and you wouldn't have a conversation about what was going on. That --

MR. SU: No, no, no. Well, when this news broke, Elliot -- Mr. Elliot also called him, I believe. Okay?

MR. QUINN: Okay.

MR. SU: So -- and then that's the only thing we talk about at a family gathering, I say look, you know, I'm going to get myself a lawyer
and he said he's going to get himself a lawyer.
And I said let's work all this through our lawyers because I don't want any perception that we are -- they are out alleging that we are working on this from the beginning. I just want to make sure that there is no perception. So he got his own lawyer and I got my own lawyer and that's it.

MR. QUINN: Okay. And do you know his lawyer was?

MR. SU: No, I really have no idea who his lawyer was.

MR. QUINN: You don't, all right.

MR. SU: And it's not my lawyer because they don't know --

MR. QUINN: Okay. Do you have contacts for your lawyer Mr. Kilgore? Can you give me his contact?

MR. SU: Yeah. Hold on one second. I have to look it up. It's T Kilgore.

MR. QUINN: T, K-I-L-G-O-R-E?

MR. SU: Yeah, at Kilgore Law Office.
MR. QUINN: Law office?

MR. SU: Right.

MR. QUINN: Singular?

MR. SU: Yeah, Kilgore Law Office.

MR. QUINN: Dot com?

MR. SU: Uh-huh.

MR. QUINN: Okay.

MR. SU: Kilgore?

MR. QUINN: Right.

MR. SU: Right.

MR. QUINN: Okay. Oh, you know what? I actually did have one or two other things to ask you. Sorry.

On the topic of the Minnesota office, you raised that on your last call with me and asked if we were looking into allegations about the office he rented in Minnesota. Do you recall that?

MR. SU: Yeah, I read that in the newspaper.

MR. QUINN: Okay. Have you ever been to Representative Hagedorn's offices in Minnesota?
MR. QUINN: You have, okay. Which office have you been to?

MR. SU: I've been to the district office and I've been to -- there is an office in the basement.

MR. QUINN: Okay. You've been to the basement office?

MR. SU: Uh-huh.

MR. QUINN: When did you go to the basement office?

MR. SU: I think it was at the beginning of the term when I went out there and met with the staff. And they showed me -- they showed me the offices that were accessible for storage and for a conference room.

So there was a conference room in the basement and then there was a separate office that would've been the campaign office that had computers stored there, campaign materials, and stuff of that nature.

MR. QUINN: And that was also in the
basement?

MR. SU: Yeah.

MR. QUINN: Was that connected to the conference room?

MR. SU: No, it was like two doors down.

MR. QUINN: And the room that had computers and campaign material in there, was a computer set up for use in that office?

MR. SU: I don't remember. I didn't use the computer.

MR. QUINN: Okay. Yeah. Do you know -- can you just describe to me that office? How was it used? What did it look like?

MR. SU: So at the time, there was nobody down there. That was part of the tour and they took me down there, the locals, the local folk.

MR. QUINN: And did they (inaudible) --

MR. SU: Yeah, I believe in the press reporting there was a picture because he had previously posted on social media, come to the
campaign office. And the picture resembled the office that I visited.

MR. QUINN: Yeah, I've seen that. I'm just interested what your experience was when you went there. So just your first-hand knowledge of the office. You said you've seen the office, correct?

MR. SU: Yeah. Yeah.

MR. QUINN: So can you describe to me --

MR. SU: I've seen (inaudible).

MR. QUINN: Describe to me what you saw?

MR. SU: It had an (inaudible) campaign materials stored there. They had some computers, some TV. It didn't look like it was actively being used because he had just won the election.

MR. QUINN: Right. Were there seats in the office? Like either chairs or couches that you could sit on?

MR. SU: Oh, yeah.

MR. QUINN: Okay. And were there --
MR. SU:  The --

MR. QUINN:  -- any desks? Like either a desk or cubicle that can be used by somebody?

MR. SU:  Yeah, there were desks, yeah.

MR. QUINN:  Okay. So it looked like --

MR. SU:  Yeah.

MR. QUINN:  -- desks that could have been used for staffers that were working on the campaign?

MR. SU:  Sure, yeah. And there were campaign mail there.

MR. QUINN:  Okay. And what was -- when, about approximately was that was it?

MR. SU:  Probably the first three months.

MR. QUINN:  Okay. So sometime between January and March of 2019?

MR. SU:  Uh-huh.

MR. QUINN:  Okay. And then at that time, I believe he also has offices above ground --

MR. SU:  Right.
MR. QUINN: That he had at that time.

MR. SU: Uh-huh.

MR. QUINN: Okay. And you also toured those?

MR. SU: Yeah.

MR. QUINN: Okay. And is that the district office that you were referring to?

MR. SU: Yes.

MR. QUINN: Okay. Did -- how did they -- how did the people that gave you the tour describe those two offices? Like did they have names for the office? Like upstairs was the district office? Or how did they refer to them?

MR. SU: Well yeah, clearly district office for official use and the other was used for the campaign.

MR. QUINN: Okay. And are you aware of any other campaign offices at that time that Representative Hagedorn had?

MR. SU: No. I had heard there was one. I had heard that they had shared a state party office, at one time, in Rochester, but by
the time I showed up there was no -- there was no such office for me to visit.

MR. QUINN: Okay. Do you remember who gave you that tour?

MR. SU: No, I don't remember. It was -- I really don't remember. It was a lot of people, a couple of people there. So I don't remember who it was.

MR. QUINN: Was it somebody employed by Representative Hagedorn's official office? Or was it a campaign person?

MR. SU: There were folks from both -- his entire district office were all campaign folks. So yeah, you can say they are all campaign people. Some of them -- yeah. Some had been onboarded. Some had not.

MR. QUINN: Okay, understood.

MR. SU: Yeah.

MR. QUINN: Anything else you can tell me about that basement office? Do you -- or just go ahead. Anything else you can tell me about that basement office?
MR. SU: No, it was good size. It was really good-sized. And later when I saw the press reporting, it looked like the picture of the campaign office where he had posted it on social media. And it still had campaign material in it. It had campaign mail. So I just assumed that that was the campaign office.

MR. QUINN: Okay. And did anybody tell you that it was the campaign office?

MR. SU: Yeah, they said this is where the campaign was. Because I was not part of his campaign. So I had no background.

MR. QUINN: Okay. They said this is where the campaign what?

MR. SU: This is where the campaign was.

MR. QUINN: Okay. So that was the campaign headquarters as far as you were aware?

MR. SU: I would just as I can only generalize by this is where the campaign was. That's how it was framed.

MR. QUINN: Okay.
MR. SU: So it's -- I interpreted it as the campaign office.

MR. QUINN: Okay.

Indhira, do you have any follow-up questions on that or anything else?

MS. BENITEZ: No, I have nothing further on my end.

MR. QUINN: Okay.

All right. Well then, like I said, I will follow up with you Peter, about the Bank of America issue. And of course, as you think about this interview, if anything comes up that you would like to let me know, either that maybe an answer was incomplete or inaccurate, please feel free to reach out to me.

MR. SU: Sure.

MR. QUINN: Okay. So I think with that, we will conclude.

Kevin, we can close the record.

(Off the record 2:03 p.m.)
CERTIFICATE OF COURT REPORTER - NOTARY PUBLIC

I, Kevin James Kiser, the officer before whom the foregoing deposition was taken, do hereby certify that said proceedings were electronically recorded by me; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this ______ of __________, 2021.

Notary Registration No.: 7637508
My Commission Expires: 9/30/2024

Kevin James Kiser, Notary Public
for the Commonwealth of Virginia
CERTIFICATE OF TRANSCRIBER

I, Molly Bugher, do hereby certify that the foregoing transcript is a true and correct record of the recorded proceedings; that said proceedings were transcribed to the best of my ability from the audio recording and supporting information; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome.

____________________________
Molly Bugher, CDLT-161

DATE: May 3, 2021
EXHIBIT 3
Franchise Tax Account Status
As of: 02/16/2021 13:48:35

This page is valid for most business transactions but is not sufficient for filings with the Secretary of State

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<tr>
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<tr>
<td><strong>Mailing Address</strong></td>
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<tr>
<td><strong>Right to Transact Business in Texas</strong></td>
</tr>
<tr>
<td><strong>State of Formation</strong></td>
</tr>
<tr>
<td><strong>Effective SOS Registration Date</strong></td>
</tr>
<tr>
<td><strong>Texas SOS File Number</strong></td>
</tr>
<tr>
<td><strong>Registered Agent Name</strong></td>
</tr>
<tr>
<td><strong>Registered Office Street Address</strong></td>
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</tbody>
</table>
EXHIBIT 4
File Number: 7571764  
Incorporation Date / Formation Date: 8/21/2019

Entity Name: ABERNATHY WEST LLC  
Entity Kind: Limited Liability Company

Residency: Domestic  
Status: Good Standing

Entity Type: General  
State: DELAWARE

Status Date: 8/21/2019

Registered Agent Information

Name: UNITED STATES CORPORATION AGENTS, INC.
Address: 221 N BROAD ST, SUITE 3A
City: MIDDLETOWN  
State: DE
Phone: 302-777-0538

Tax Information

Last Annual Report Filed: 0  
Tax Due: $0
Annual Tax Assessment: $300  
Total Authorized Shares:

Filing History (Last 5 Filings)

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<th>Description</th>
<th>No of Pages</th>
<th>Filing Date mm/dd/yyyy</th>
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<td>1</td>
<td>8/21/2019</td>
<td>10:00 AM</td>
<td>8/21/2019</td>
</tr>
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</table>
EXHIBIT 5
EXHIBIT A
MEMBERS

The Members of the Company and their respective addresses, Capital Contributions, and Ownership Interests are set forth below. The Members agree to keep this Exhibit A current and updated in accordance with the terms of this Agreement, including, but not limited to, Sections 2.1, 2.3, 2.4, 7.1, 7.2, and 10.1.

<table>
<thead>
<tr>
<th>Members</th>
<th>Capital Contribution</th>
<th>Percentage Interest</th>
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</thead>
<tbody>
<tr>
<td>Szu-Nien Su</td>
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<td>100%</td>
</tr>
</tbody>
</table>

Address:
700 Pennsylvania Ave. SE, Floor 2
Washington, District of Columbia 20003