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

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
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. Kezsei’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.
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 Colombia.
Appearances

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

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### PETER SU INTERVIEW EXHIBITS

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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 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. SU: Yeah? So all that --

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
element. 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 fixe -- 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
get in touch with him.

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)
anti-Asian insulation.

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.
1. Obviously, what has -- with all LLCs they have a
2. registry of record so the registry of record --
3. let me ask you this. Do we have knowledge of
4. where the company that prints our business cards
5. is based? No. Right? Do we have knowledge of
6. where the vendors that provide the telephone --
7. the tele-town hall? No.
8. As OSE -- does House Rule have
9. regulations to ask each company to disclose where
10. they're based, their incorporation documents and
11. who owns the company. Does OSC have those rules,
12. or in House Rules? I don't think so.
13. MR. QUINN: I'm just asking you what
14. you're aware of. All we are here to talk
15. about --
16. MR. SU: I --
17. MR. QUINN: -- is -- and if you don't
18. know the answer to my question you can say that
19. you don't know. That's fine.
20. MR. SU: Okay.
21. MR. QUINN: But we're here just to talk
22. 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 to 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. SU: 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 mail box. 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