

1 Standard Time. We are on the
2 record.

3 MS. EAGAN: Mr. Sexton, we have been
4 talking off-the-record about
5 some materials that you have.
6 And I understand that, from
7 looking at the phone, it looks
8 like you have some text
9 messages from -- between you
10 and Mr. Davi on the phone that
11 you have before you, as well as
12 you have another phone that may
13 have some text messages with
14 him, as well as text messages
15 with -- with Mr. Boyle from
16 Breitbart, and you may have
17 some other ones that are
18 responsive to the subpoena.

19 Do we have an agreement
20 amongst the three of us that
21 Eddie will gather up those
22 text messages or other things
23 that are responsive to the

1 subpoena and will provide
2 those simultaneously to both
3 Ms. Isaak, as well as to me,
4 after this deposition as your
5 response to the subpoena?
6 And then, to the extent that
7 you have any communication
8 with our client, Leigh
9 Corfman, who you have
10 represented as counsel, you
11 will then just provide those
12 to us for us to look at and
13 to -- to talk with
14 Ms. Corfman about whether
15 there is any privileged
16 concerns. And then, if there
17 is anything that we withhold
18 because of privilege, if
19 something exists, we will
20 give you a privilege log and
21 then, otherwise, we will
22 produce those to you after a
23 review?

1 THE WITNESS: Yeah.

2 MS. EAGAN: Is that agreeable with
3 you, Melissa?

4 MS. ISAAK: It is, with one caveat.
5 He made the comment, right
6 before we went on the record,
7 that *The Washington Post* just
8 downloaded everything from your
9 other phone.

10 Q Is that correct?

11 A I don't know if it is from the other
12 phone. It may have been this phone. But
13 the reason that I said that was about,
14 what, a couple months ago, we changed our
15 whole computer system over at the office
16 and moved off the cloud onto whatever.
17 And when they did my phone and plugged it
18 up, they deleted half of my contacts and
19 about half of my stuff on here. I have
20 not tried to recover it. I think I can.
21 But I know that those things from Bert,
22 Gary -- I don't think I really had
23 anything from Leigh. But I know anything

1 from Bert or Gary that was on my phone
2 before, I have something that I can
3 recreate that for sure.

4 Q All right. Well, you -- you said when
5 they plugged it in, who -- *The Washington*
6 *Post* plugged it in and lost some of your
7 data?

8 A No, no, no, no. My computer -- or IT
9 person did a couple months ago.

10 Q Okay. But I am asking you, the comment
11 that you made before we went back on the
12 record that *The Washington Post*
13 downloaded everything off of your phone,
14 what phone was --

15 A He -- the --

16 Q What phone was that and when was that?

17 A I am sure it was -- I am pretty sure it
18 was this phone.

19 Q When was that?

20 A Before they published that article.

21 Q Published the article in --

22 A About --

23 Q -- March of 2018?

1 A Yeah.

2 Q All right. So, if you had any
3 communications on that phone with Leigh
4 Corfman, they would have downloaded that?

5 A No, yeah. No, that is what I am saying.
6 Everything -- there is nothing that is
7 deleted that we can't recover or I can't
8 recreate and verify that that is where it
9 came from and what happened to it.

10 Q Okay. So -- so, I am saying is, if there
11 were communications between you and Leigh
12 Corfman on that phone, *The Washington*
13 *Post* has it anyway, correct?

14 A Yeah, but I am pretty sure there weren't.

15 Q Okay.

16 A Yeah.

17 Q Okay.

18 MS. ISAAK: All right. Well, unless
19 you having anything else, I
20 guess we can recess for now and
21 get those documents from you.

22 THE WITNESS: Well, thank y'all.

23 MS. EAGAN: I don't think I have

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anything. Thank you.

THE VIDEOGRAPHER: Okay. The time
is 5:26 p.m., Central Standard
Time. And we are now off the
record.

(Video deposition concluded
at approximately 5:26 p.m.)

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