

EXHIBIT “54”

1 IN THE UNITED STATES BANKRUPTCY COURT
2 FOR THE NORTHERN DISTRICT OF TEXAS
3 DALLAS DIVISION

3 IN RE: § CHAPTER 11
4 NATIONAL RIFLE ASSOCIATION § CASE NO. 21-30085-HDH11
5 OF AMERICA AND SEA GIRT, LLC, §
6 Debtors. §

7 *****

8 ORAL AND VIDEOTAPED DEPOSITION OF
9 CORPORATE REPRESENTATIVE OF
10 NEW YORK ATTORNEY GENERAL
11 BY AND THROUGH WILLIAM WANG
12 MARCH 23, 2021
13 (Reported Remotely)

14 *****

15 ORAL AND VIDEOTAPED DEPOSITION OF CORPORATE
16 REPRESENTATIVE of NEW YORK ATTORNEY GENERAL by and through
17 WILLIAM WANG, produced as a witness at the instance of the
18 DEBTORS AND DEBTORS-IN-POSSESSION and duly sworn, was
19 taken in the above-styled and -numbered cause on the 23rd
20 of March, 2021, from 8:15 a.m. CST to 5:44 p.m. CST,
21 before Melisa Duncan, CSR in and for the State of Texas,
22 reported by machine shorthand, in accordance with the
23 Federal Rules of Civil Procedure and agreement hereinafter
24 set forth.
25

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1 P R O C E E D I N G S

2 THE VIDEOGRAPHER: We're on the record. The

3 time is approximately 9:15 a.m., Eastern Time, 8:15 a.m.

4 Central Time. Today's date is Tuesday, March 23, 2021.

5 This is the video deposition of William Wang in the matter

6 of the National Rifle Association of America and Sea Girt,

7 LLC, Debtors, Case Number is 21-30085-HDH11 in the

8 United States Bankruptcy Court, Northern District of

9 Texas, Dallas Division.

10 My name is David Shereck, certified legal

11 videographer, with Lexitas. And we're located today --

12 actually this deposition is being conducted remotely and

13 all participants are remote as well.

14 And will counsels please voice identify

15 yourselves and state whom you represent.

16 MS. EISENBERG: My name is Svetlana

17 Eisenberg, I'm with Brewer Attorneys & Counselors. We are

18 proposed special counsel for the Debtors. Good morning.

19 MS. KOZLOWSKI: Good morning. Talitha Gray

20 Kozlowski, of the law firm of Garman Turner Gordon,

21 bankruptcy counsel -- co-counsel to the Debtors.

22 MS. STERN: Good morning. This is Emily

23 Stern, assistant attorney general for the office of the

24 Attorney General of the State of New York. And here for

25 the Attorney General's office.

1 MR. HENDRIX: Good morning. Nick Hendrix,
2 Norton Rose Fulbright, proposed counsel for the Official
3 Committee of Unsecured Creditors.

4 THE VIDEOGRAPHER: Is that everyone? I
5 think so. Okay. Thank you.

6 The court reporter today is Melisa Duncan,
7 also with Lexitas. And will you please swear in the
8 witness.

9 MS. STERN: Before we swear the witness, I
10 just would like to put on the record the Attorney
11 General's objections to the Brewer firm taking this
12 deposition. In light of our understanding of the Court's
13 order limiting the role of the Brewer firm during the
14 proceedings in discovery relating to pending motions to
15 dismiss and to appoint a trustee. The deposition today of
16 the Attorney General's office should not be, and we will
17 object to any effort to use it as discovery for the
18 pending Attorney General action in New York State Supreme
19 Court. Subject to those objections and with a full
20 reservation, we are proceeding today.

21 WILLIAM WANG,
22 having been first duly sworn, testified as follows:

23 EXAMINATION

24 BY MS. EISENBERG:

25 Q. Good morning.

1 A. Good morning.

2 Q. We are appearing remotely so I can't see the
3 room that you are in. Could you please let us know who
4 else is in the room with you.

5 A. Emily Stern, my counsel.

6 Q. Anyone else?

7 A. No.

8 Q. Mr. Wang, I understand that we must stop at
9 5:00; is that correct?

10 A. I believe so.

11 Q. Do you know why that is?

12 A. I'm sorry.

13 Q. Do you happen to know why that is?

14 A. No, but that was what I was told.

15 Q. Okay. Understood. Who told you that?

16 A. Attorneys from this office.

17 Q. Understood. As you know, I'm Svetlana
18 Eisenberg. I will be asking you questions today, along
19 with Debtor's counsel, Ms. Gray.

20 My first question is: Do you have in front
21 of you a Notice of Intention to Take Oral Deposition of
22 Corporate Representatives of the People of the State of
23 New York?

24 A. I do.

25 Q. Let's mark it as Debtor's 1.

1 (Debtor's Exhibit 1 was marked.)

2 Q. (BY MS. EISENBERG) Mr. Wang, what is your
3 position with the New York Attorney General's Office?

4 A. My position is I am an assistant attorney
5 general within the enforcement section of the charities
6 bureau.

7 Q. How long have you worked at the charities
8 bureau?

9 A. I have worked at the charities bureau for almost
10 six years.

11 Q. Has your position changed at any point during
12 those four years -- six years?

13 A. No.

14 Q. And to whom do you report?

15 A. My direct reports are co-section chief Emily
16 Stern of the enforcement section of the charities bureau
17 and Yael Fuchs, co-section chief of the enforcement
18 section of the charities bureau.

19 Q. And Ms. Stern is there with you today, correct?

20 A. Correct.

21 Q. What is Debtor's Exhibit 1?

22 A. My understanding is that it is a request to take
23 deposition testimony of the New York Attorney General's
24 Office of a Corporate 30(b)(6) Representative.

25 Q. Is it your understanding that the New York

1 Attorney's General's office designated you as that
2 corporate representative as to Topics 13 and 15?

3 MS. STERN: Objection.

4 A. No.

5 Q. (BY MS. EISENBERG) Strike that. Let me
6 rephrase.

7 I'd like to direct your attention to
8 Topic 17 on page 9 of Debtor's 1.

9 A. Yes.

10 Q. Are you the corporate representative for the
11 New York Attorney General's Office today as to Topic 17?

12 A. Yes.

13 Q. I'd like to direct your attention to page 8 of
14 Debtor's 1, paragraph 13.

15 Does paragraph 13 refer to your
16 communications with the following persons, including
17 without limitation, communications with counsel or agents
18 acting under the supervision on the behalf of such persons
19 regarding the New York Attorney General NRA investigation,
20 colon, Andrew Cuomo, Maria Vullo, Linda Lacewell,
21 Everytown, AMc, period? Is that what paragraph 13 states?

22 A. That is what paragraph 13 states.

23 Q. Are you the representative of the New York
24 Attorney General's Office today with regard to that topic?

25 A. Yes.

1 Q. Same question with regard to Topic 1 on page 6.

2 Let's take a look at it. Do you see the paragraph that
3 starts with the name and role of each designated 30(b)(6)
4 witness, and then it goes on for a couple of lines?

5 A. I see paragraph 1.

6 Q. Does it state the name and role of each
7 designated 30(b)(6) witness for response to each of the
8 numbered paragraphs herein?

9 A. That is part of the first sentence of
10 paragraph 1.

11 Q. Are you the corporate representative on behalf
12 of the New York Attorney's General's office today with
13 regard to the first paragraph of the notice?

14 A. I am.

15 Q. Focusing your attention on paragraph 13.
16 Focusing on Everytown. Communications with Everytown
17 between New York Attorney General's Office and Everytown
18 regarding the investigation. Who at the office of the
19 New York Attorney General's Office participated in the
20 selection of you to be the witness for this topic?

21 A. My understanding is that the entire team
22 conferred and decided that I would be the corporate
23 representative.

24 Q. Who are you referring to by "the entire team"?

25 MS. STERN: Objection.

1 I'm going to direct you to be mindful of
2 attorney-work product and attorney-client communications.
3 To the extent that --

4 A. The --

5 MS. STERN: Sorry. To the extent that you
6 can answer the question without invading either of those
7 areas, you can go ahead and answer.

8 A. The entire team --

9 MS. EISENBERG: Are you taking the position
10 that the identity of the individuals comprising the entire
11 team constitutes (audio distortion) that Mr. Wang cannot
12 disclose?

13 MS. STERN: I'm taking the position that he
14 cannot disclose any communications with the attorneys
15 within the office concerning the subject matter of your
16 question.

17 MS. EISENBERG: You're not taking the
18 position that the identity of the individuals to whom
19 Mr. Wang referred as the entire team is privileged, are
20 you?

21 MS. STERN: I'm taking the position that the
22 identity -- to the extent that the identity of individuals
23 on the team constitutes attorney-work product, yes, I am
24 directing him not to disclose that information. And as
25 the Court indicated in its reasoning -- ruling on the

1 motions concerning this deposition that we preserve all
2 objections with respect to attorney-client communications,
3 work product and any other privileges that apply.

4 MS. EISENBERG: Okay. I'm hearing you say
5 that it is possible that the identity of some of the
6 individuals is, in fact, protected. Is that your
7 position, Ms. Stern?

8 MS. STERN: That's correct.

9 MS. EISENBERG: Okay.

10 Q. (BY MS. EISENBERG) Mr. Wang, would you like to
11 have the question read back to you?

12 A. Sure.

13 (Requested portion was read.)

14 A. The team of attorneys is a fairly large roster
15 of attorneys.

16 Q. (BY MS. EISENBERG) Who are they?

17 A. The individuals who work on the NRA bankruptcy
18 and on the litigation is myself, Emily Stern, James
19 Sheehan, my bureau chief, Monica Connell, attorneys from
20 co-counsel Spencer Fane, Sharon Sash, Jonathan Conley and
21 Yael Fuchs.

22 Q. Is this a complete list?

23 A. Yes.

24 Q. Is anyone from Spencer Fane present on the call
25 today, as far as you know?

1 A. No.

2 Q. Nobody's present?

3 MS. STERN: Svetlana, we answered that

4 question at the beginning that there was nobody from --

5 other than me in this room, and you took a roster of who

6 is called in. We cannot see that information. So you

7 have access to the roster, we do not.

8 MS. EISENBERG: Okay.

9 Q. (BY MS. EISENBERG) Thank you for that list,

10 Mr. Wang.

11 Was there a discussion amongst some of the

12 individuals that you named for purposes of deciding who

13 will be the 30(b)(6) witness with regard to the topic of

14 communications between your Attorney General's Office and

15 Everytown?

16 MS. STERN: Objection.

17 I'm going to direct you not to answer that

18 question on the grounds of attorney-client privilege and

19 attorney-work product.

20 Q. (BY MS. EISENBERG) What documents did you

21 review to prepare to testify about the topic of your

22 office's communications with Everytown regarding the

23 investigation?

24 A. I reviewed electronic communications between

25 members of the New York Attorney General team working on

1 the NRA matter and individuals from Everytown.

2 Q. How many communications did you review?

3 MS. STERN: Objection.

4 Q. (BY MS. EISENBERG) You may answer.

5 A. There were a number of communications. In the
6 ballpark of 10.

7 MS. EISENBERG: I would like to request that
8 the Office produce those records to us. And I'm happy to
9 follow up by letter.

10 Q. (BY MS. EISENBERG) Do you have those
11 communications in front of you or in the room with you?

12 A. I do not.

13 Q. What was the approximate time frame for the
14 electronic communications that you reviewed?

15 MS. STERN: Objection at -- to the extent
16 that you can answer that without revealing any
17 attorney-client communications or work product you can
18 answer the question. Otherwise, I'll direct you not to
19 answer the question.

20 And with respect to your request for
21 production, we'll take it under advisement, although I do
22 not see the relevance to the pending matters in the
23 bankruptcy court. And I caution you again, Ms. Eisenberg,
24 that this is not a deposition to be used for discovery
25 purposes in the pending state enforcement action. As you

1 well know, there are no depositions proceeding in that
2 action at this time.

3 Q. (BY MS. EISENBERG) So, Mr. Wang, if I may
4 respond to Ms. Stern.

5 MS. EISENBERG: I think the law is what the
6 law is. Everyone has rights to use deposition transcripts
7 or not to use them in accordance with the rules applicable
8 in a particular proceeding. I am happy to stipulate for
9 the record that I will not use anything you do in this
10 deposition as a basis to say that you waive certain
11 rights. With that stipulation, if that makes it easier
12 for you so you don't have to make this objection every
13 time we can do that. How does that sound, Ms. Stern?

14 MS. STERN: I'll consider it, Ms. Eisenberg.
15 I just wanted to see where you're going. I see this is
16 sort of a narrow scope, both of these areas of inquiry
17 that the Judge allowed, and so I'll consider your
18 proposal.

19 MS. EISENBERG: Okay. Second, Ms. Stern,
20 you stated that Mr. Wang shouldn't answer the question to
21 the extent the answer would reveal privileged information.
22 My question was: What is the approximate time frame of
23 the electronic communications that you reviewed? Is it
24 your position that revealing the time frame of those
25 communications is potentially protected by a particular

1 privilege?

2 MS. STERN: No. I just want the witness to
3 be aware that -- he is a lawyer. This is the -- this is
4 the issue that we're going to be facing throughout this
5 day. He is a lawyer that is working on a matter that you
6 are asking him to testify about as a representative of the
7 Office for the reasons that were presented to the Court.
8 And we're going to have to navigate that issue over the
9 course of the day. And I did not direct him not to answer
10 the question. I directed him to be mindful of the
11 attorney-client privilege and work product considerations.
12 So if you can just read the question back to the witness
13 he can proceed with answering.

14 (Requested portion was read.)

15 A. The approximate time frame was early 2019.

16 Q. (BY MS. EISENBERG) What types of electronic
17 communications? Were they emails or something else?

18 A. They were emails.

19 Q. Who from Everytown appeared on those emails?

20 MS. STERN: Objection.

21 To the extent that you can recall the
22 details, please, go ahead.

23 A. I believe they were all internal emails.

24 Q. (BY MS. EISENBERG) What do you mean by
25 "internal"?

1 A. I mean they were communications between members
2 of the New York Attorney General's Office.

3 Q. Were they also communications involving email
4 messages to or from representatives of Everytown?

5 MS. STERN: Objection.

6 Can you just clarify your question
7 "involving"?

8 Q. (BY MS. EISENBERG) Were any of --

9 MS. EISENBERG: I will restate, Ms. Stern.

10 Q. (BY MS. EISENBERG) Were any of the electronic
11 communications that you just referenced emails to or from
12 representatives of Everytown?

13 A. They were internal communications.

14 MS. STERN: And I just again caution the
15 witness not to disclose the substance of any internal
16 attorney-client privilege communications or attorney-work
17 product.

18 Q. (BY MS. EISENBERG) Is the answer to my
19 question, no, they were not emails to or from Everytown?

20 A. Correct. They were not.

21 Q. Aside from the internal emails, did you review
22 any other documents to prepare for your examination on the
23 topic of communications between your office and Everytown?

24 A. No.

25 Q. Did you meet with anyone in order to prepare for

1 your testimony on this topic? By "this topic," I mean
2 your office's communications with Everytown regarding the
3 investigation?

4 MS. STERN: And again, I'll caution the
5 witness that the fact of -- of the meaning, you can
6 respond to what the substance of communications with
7 counsel. I direct you just to observe the attorney-client
8 privilege and attorney-work product privileges that ensue.

9 A. I did.

10 Q. (BY MS. EISENBERG) With whom did you meet?

11 A. I met with my co-section chief, Emily Stern. I
12 met with my bureau chief, James Sheehan, and I met with
13 Monica Connell.

14 Q. Anyone else?

15 A. That's it.

16 Q. When did you meet?

17 A. We met on Saturday, briefly on Sunday and
18 briefly on Monday.

19 Q. On Saturday, did you meet in person?

20 A. No, we did not.

21 Q. How did you meet on Saturday?

22 A. We met by WebEx.

23 Q. On Sunday did you meet by WebEx?

24 A. We did.

25 Q. What about on Monday?

1 A. WebEx as well.

2 Q. How long was your WebEx meeting on Saturday?

3 A. Approximately two hours.

4 Q. How long was your WebEx meeting on Sunday?

5 A. Approximately one hour.

6 Q. How long was your WebEx meeting on Monday?

7 A. Approximately one hour.

8 Q. Did the participants of the three meetings stay

9 the same?

10 A. No, they did not.

11 Q. How did they differ?

12 A. On Saturday I met with Ms. Stern, Ms. Connell,
13 and Mr. Sheehan. On Sunday I met with Ms. Stern and
14 Ms. Connell. On Monday I met with Ms. Stern and
15 Mr. Sheehan.

16 Q. Other than reviewing the electronic records and
17 conducting these three meetings, what if anything else did
18 you do to prepare for your testimony on the topic of
19 communications between your office and Everytown?

20 MS. STERN: Objection. Again, cautioning
21 you with respect to attorney-client privilege
22 communications and attorney-work product.

23 A. I had meetings with members of the NRA team here
24 at the Attorney General's Office, and I reviewed
25 electronic communications.

1 Q. (BY MS. EISENBERG) Which members of the NRA
2 team?

3 A. The same ones that I previously described.

4 Q. Other than the participants of the three
5 meetings?

6 MS. STERN: Objection. Can you clarify that
7 question?

8 Q. (BY MS. EISENBERG) Mr. Wang, other than
9 conducting the three WebEx meetings on Saturday, Sunday
10 and Monday and reviewing the approximately 10 electronic
11 communications from early 2019, what if anything did you
12 do to prepare for your 30(b)(6) testimony today on the
13 topic of communications between your office and Everytown?

14 MS. STERN: Objection --

15 Q. (BY MS. EISENBERG) You may answer.

16 MS. STERN: -- the scope of the 13 is
17 communications with our office and Everytown regarding the
18 New York AG's NRA investigation. I assume that you are
19 framing your question accordingly?

20 MS. EISENBERG: Yes. Let me ask it again.

21 Q. (BY MS. EISENBERG) Mr. Wang, aside from
22 reviewing the approximately ten communications that you
23 referenced earlier, and having the three WebEx meetings
24 that you referenced earlier, what if anything else did you
25 do to prepare for your testimony with regard to Topic 13,

1 specifically with regard to the section that refers to

2 Everytown?

3 A. I want to make clear that in addition to having

4 the three meetings to prepare for this testimony, a review

5 of electronic communications was done between members of

6 the New York Attorney General NRA team and email addresses

7 or contact information for the various parties listed in

8 Topic 13. I reviewed the relevant electronic

9 communications that were pulled from that email review

10 process. There happened to be only ten communications

11 between any members of the New York Attorney General team

12 working on the NRA matter and individuals representing

13 Everytown or discussing Everytown.

14 Q. When you refer to individuals working on the NRA

15 matter, are they anyone other than the individuals you

16 listed earlier?

17 MS. STERN: Objection.

18 Again reminding you of your attorney-client

19 privilege and work product restrictions on testimony.

20 Subject to that, you can answer the question.

21 A. My understanding is that a review was also done

22 at the executive level, but no communications were

23 returned from that search.

24 Q. (BY MS. EISENBERG) What is that understanding

25 based on?

1 A. Discussions that I had in meetings preparing for
2 this testimony.

3 Q. And by "discussions," are you referring to three
4 WebEx sessions that you previously referenced or something
5 else?

6 A. The three meetings in preparation for this
7 testimony.

8 Q. When you say "executive level," what does that
9 mean?

10 A. My understanding that it means the Attorney
11 General, herself Letitia James, and the first deputy
12 Jennifer Levy and the chief of the social justice
13 division, Megan Fox.

14 Q. Who told you that there were no emails with
15 Everytown involving these three individuals?

16 MS. STERN: Objection.

17 I direct you not to answer a question if
18 that causes you to reveal attorney-client communications.

19 MS. EISENBERG: Are you directing Mr. Wang
20 not to answer or only to the extent it would reveal?

21 MS. STERN: I don't see how that question
22 can be answered without revealing attorney-client
23 communications.

24 MS. EISENBERG: And I disagree, but we can
25 move on. I reserve my rights.

1 MS. STERN: Okay.

2 Q. (BY MS. EISENBERG) How was the review at the
3 executive level conducted?

4 MS. STERN: Objection.

5 A. My understanding is that electronic addresses
6 and search terms were run searching for relevant
7 communications.

8 Q. (BY MS. EISENBERG) Are you personally familiar
9 with the terms that were used to run that search?

10 MS. STERN: Again, I just caution you with
11 respect to revealing attorney-work product --

12 (Simultaneous speaking.)

13 MS. STERN: -- you can answer.

14 Q. (BY MS. EISENBERG) It's a yes or no?

15 A. I am not.

16 Q. I'm sorry, I couldn't hear you. What was the
17 answer?

18 A. I said I am not.

19 Q. You don't know the number of the terms that were
20 used to run the search, do you?

21 MS. STERN: Objection. He said he's not
22 familiar.

23 Q. (BY MS. EISENBERG) You may answer.

24 A. I am not.

25 Q. You don't know the time frame of the

1 communications search, do you?

2 MS. STERN: Objection.

3 Again, I'm going to direct the witness not

4 to answer any questions that will require him to reveal

5 attorney-work product or attorney-client communications.

6 Q. (BY MS. EISENBERG) Mr. Wang, would you like the

7 question read back to you?

8 A. I am not.

9 Q. Do you know who conducted the search at the

10 executive level?

11 MS. STERN: The same standing objection. Do

12 you want me to say it each time, Svetlana?

13 MS. EISENBERG: No. Thank you.

14 MS. STERN: Okay. I'm not -- I don't want

15 to disrupt your deposition. But as I said, obviously we

16 have to be mindful of the fact that Mr. Wang is an

17 attorney in the Attorney General's Office and an attorney

18 on the very matter that you are examining him on, so with

19 that . . .

20 MS. EISENBERG: Ms. Duncan, what is the

21 question that's pending?

22 (Requested portion was read.)

23 Q. (BY MS. EISENBERG) Mr. Wang, do you know?

24 A. Well, the question is not entirely clear to me

25 because a member of the technology group technically would

1 conduct the search. So how I am familiar is that I know
2 someone from the technology group would have conducted the
3 search.

4 Q. Are you making an assumption when you're saying
5 "would have," or do you know that they did?

6 A. I know that they did.

7 Q. Okay. How did they know what to search for?

8 MS. STERN: Objection. Again attorney-work
9 product. I direct you not to answer that question. I
10 don't know how you can answer it without revealing
11 attorney work product.

12 A. An attorney from the team would have told them
13 the parameters --

14 MS. EISENBERG: Thank you. Answer the
15 question or only to the extent, just to be sure. Emily,
16 did you direct him --

17 MS. STERN: Okay. I'll make it --
18 apparently. Only to the extent that you can do so without
19 revealing any attorney work product --

20 MS. EISENBERG: Thank you.

21 MS. STERN: -- you can explain your
22 understanding of the technology search.

23 A. My understanding of the technology search is
24 that a member of the technology team would have conducted
25 that search. Someone from the attorney team would have

1 given parameters to that search.

2 Q. (BY MS. EISENBERG) When you say "would have" is
3 it because you don't know that they actually did do so?

4 A. I believe that they did do so.

5 Q. Who is "they"?

6 MS. STERN: And again, I'm going to direct
7 you not to answer the question to the extent that it
8 reveals attorney work product. I think we've plowed this
9 ground if you want to ask every question you have,
10 Svetlana, we can go and proceed. But I think you're right
11 on -- you're stepping into the territory where you're
12 asking him to reveal internal attorney-client
13 communications and attorney work product.

14 MS. EISENBERG: Ms. Stern, I'm simply
15 wanting to make sure that the search was done exhaustively
16 and thoroughly. And I certainly do not seek to uncover
17 contents of any privileged communications.

18 MS. STERN: But you're asking him in your
19 probing what the details of the search were, what the
20 decision-making was with respect to how the search was
21 conducted. Can you explain to me how that's not a
22 attorney work product?

23 MS. EISENBERG: Okay. Let me ask
24 differently.

25 Q. (BY MS. EISENBERG) Mr. Wang, are you

1 comfortable that the search that was conducted at the
2 executive level was thorough?

3 A. Yes.

4 Q. What is that comfort based on?

5 MS. STERN: And again, I will direct you to
6 answer that question to the extent that you can without
7 revealing any attorney-client communications or any
8 attorney work product.

9 A. Your question is what is that comfort based on?

10 Q. (BY MS. EISENBERG) Yes. You said you're
11 comfortable that the search was thorough, right?

12 A. Yes.

13 Q. On what basis did you form that opinion?

14 A. Our office knows how to do its job and we do it
15 well. And I know that to the extent a search was asked to
16 be conducted, that search would have been done
17 exhaustively and completed properly.

18 Q. Other than what you said, is your opinion that
19 the search was thorough based on anything else?

20 MS. STERN: Again, subject to privileged
21 communications that you are directed not to testify about,
22 you can answer that question.

23 A. That opinion is also based on my own experience
24 at the office conducting hundreds of searches and always
25 conducting those searches in an exhaustive and appropriate

1 manner.

2 Q. (BY MS. EISENBERG) Fair to say your opinion is
3 based on your experience and your opinion of the quality
4 of the work that your office does?

5 A. My firsthand experience and knowledge.

6 Q. What firsthand experience do you have with
7 regard to the search that was done here to find any emails
8 at the executive level with Everytown?

9 MS. STERN: Objection.

10 A. I'm aware that that search was conducted.

11 Q. (BY MS. EISENBERG) Other than just being aware
12 that the search was conducted, isn't it true that you have
13 no firsthand knowledge as to how, when or by -- or based
14 on what parameters the search was conducted?

15 MS. STERN: Objection, asked and answered.

16 Q. (BY MS. EISENBERG) You may answer.

17 A. The search was conducted, and I'm aware of it.

18 Q. So the answer is, yes, other than being aware
19 that it was conducted, you have no firsthand knowledge as
20 to how, when or based on what parameters the search was
21 conducted, yes or no?

22 MS. STERN: Ms. Eisenberg, I object again,
23 asked and answered. And we've been plowing this ground
24 for quite some time now. You have your answer -- you have
25 your answer. You can move on.

1 MS. EISENBERG: Thank you.

2 Q. (BY MS. EISENBERG) Mr. Wang, what is the
3 answer?

4 A. I think I provided an answer to that question.

5 And I'll rest on my previously provided answers.

6 Q. Now, when you discussed the other search, not at
7 the executive level, whose emails were searched for
8 purposes of that other second search?

9 MS. STERN: Objection.

10 Again, direct you not to answer the question
11 to the extent that it reveals attorney work product,
12 attorney-client communications. And I also object for
13 lack of foundation.

14 A. I don't know what you mean when you say "the
15 other search."

16 Q. (BY MS. EISENBERG) Okay. Is it fair to say
17 that in preparation for your testimony today, emails were
18 searched to uncover any communications with Everytown?

19 MS. STERN: Objection.

20 A. With respect to the NRA investigation.

21 Q. (BY MS. EISENBERG) Okay. How did you make sure
22 that the search was just with respect to the NRA
23 investigation?

24 MS. STERN: Objection. We're going to go
25 down this road again, Ms. Eisenberg, with you asking

1 questions about the methodology of the investigation
2 that -- unless you can explain to me otherwise and provide
3 me with authority that it's appropriate for you to ask him
4 the details of that without invading attorney-client
5 communications and attorney work product, this witness is
6 not going to answer the questions. So --

7 MS. EISENBERG: Ms. Stern, I am entitled --
8 are you done? I'm sorry. Go ahead. Let me know when
9 you're done, so we're not speaking over each other.

10 MS. STERN: You can go ahead. I'm done.

11 MS. EISENBERG: Okay. Thank you.

12 Ms. Stern, of course, you know that I'm entitled to
13 understand how the witness prepared for his testimony,
14 whether he's well prepared and if he is or he is not. All
15 I'm trying to ascertain is whether he reviewed the correct
16 set of documents. Whether or not he reviewed a set of
17 documents depends on the thoroughness of the search. I am
18 not interested in any communications that reveal
19 privileged information. And I appreciate your
20 instructions not to do so. All I'm asking about is the
21 searches that were conducted. What I heard the witness
22 say is that there were two searches, one at the executive
23 level and the other one. And I'm now asking questions
24 about the other search.

25 Q. (BY MS. EISENBERG) So with that, Mr. Wang, is

1 it fair to say that there were multiple email searches
2 conducted to identify any communications between
3 representatives of your office and Everytown?

4 MS. STERN: Objection. Ms. Eisenberg, I
5 just want to make sure that you stay within the parameters
6 of the narrow category that the Court permitted you to
7 take this deposition of a representative of the Attorney
8 General's Office, which is strictly limited to the
9 New York AG NRA investigation as defined in the subpoena.
10 And subject to some -- objections even on the breadth of
11 that. But we are not -- I don't know if it's just, you
12 know, in the moment of the questioning, but your scope of
13 your questioning is exceeding that. And he will not
14 testify to communications that go beyond the scope of Item
15 No. 13 in the notice.

16 MS. EISENBERG: Ms. Stern, I appreciate your
17 statement. If I may point out that paragraph 1 designates
18 the corporate representative to testify about document
19 reviews undertaken to prepare for this examination.
20 Therefore, I'm entitled to understand what documents
21 Mr. Wang reviewed and how the universe of such documents
22 was determined. Of course, if you are going to instruct
23 the witness not to answer my questions that is your
24 prerogative, but I just wanted to make sure that you
25 understood my reasoning.

1 MS. STERN: Thank you.

2 MS. EISENBERG: Ms. Duncan, can you please
3 read the question that's pending.

4 (Requested portion was read.)

5 A. There was an email search conducted, searching
6 for emails between members of the New York Attorney
7 General's team working on the NRA matter and potentially
8 dealing with Everytown, communications with Everytown or
9 communications regarding Everytown with respect to our NRA
10 investigation.

11 Q. (BY MS. EISENBERG) What you just described, is
12 that the same or separate from the executive level search
13 that we discussed earlier?

14 A. The same search would have been conducted. The
15 attorneys whose emails would have been searched would be
16 different on the NRA investigation team level versus the
17 individuals at the executive level.

18 Q. And is that because the attorneys on the team
19 are not executive -- at the executive level of the office
20 of the Attorney General?

21 A. Correct.

22 Q. Do you have personal knowledge as to the details
23 of the nonexecutive level search?

24 MS. STERN: Objection.

25 A. Yes.

1 Q. (BY MS. EISENBERG) What is that knowledge based
2 on?

3 MS. STERN: Objection.

4 I direct you not to answer the question if
5 it requires you to reveal attorney-client communications
6 or attorney work product.

7 A. That knowledge is based on conversations between
8 me and attorneys within the NYAG NRA investigation team.

9 MS. STERN: And I direct you not to disclose
10 the substance of your communications.

11 Q. (BY MS. EISENBERG) Did you personally conduct
12 the search?

13 A. Again, my answer is the person who actually
14 physically conducts a search is often a representative of
15 the technology group within this office.

16 Q. Who conducted the search for purposes of your
17 preparation?

18 A. My understanding is that a person from the
19 technology group within this office would have been the
20 person who would have technically conducted the search.

21 Q. Do you know that person's name?

22 MS. STERN: Objection. What is the
23 relevance of knowing who the IT person's name is?

24 Q. (BY MS. EISENBERG) Mr. Wang, would you like the
25 question re-read back to you?

1 A. No.

2 Q. No, you don't know that person's name?

3 MS. STERN: Objection.

4 I'm going to direct him not to answer this

5 question without -- unless you can do so without revealing

6 any attorney-client communications.

7 Q. (BY MS. EISENBERG) Mr. Wang, the question is:

8 Do you know the name of the person who conducted the

9 search in the technical level? Can you answer that

10 question without revealing attorney-client communications?

11 A. No.

12 Q. You can't answer that question without revealing

13 attorney-client privilege communication?

14 A. I did not directly communicate with any member

15 of the technology group of the New York office of the

16 Attorney General.

17 Q. Is it your understanding that the member of the

18 technology group was provided with search criteria by

19 someone else within your office?

20 MS. STERN: Objection, asked and answered.

21 A. That is my understanding.

22 Q. (BY MS. EISENBERG) And was it one person who

23 provided the criteria or was it multiple people?

24 MS. STERN: Objection, asked and answered.

25 And again, I direct you not to answer

1 questions that entail you revealing attorney-client
2 communications or attorney work product.

3 Q. (BY MS. EISENBERG) Was it one person who
4 provided the criteria or was it multiple people, Mr. Wang?

5 A. I'm not aware of whether it was one person or
6 multiple people.

7 Q. You just know that someone provided the
8 criteria, correct?

9 A. Correct.

10 Q. What do you know about the criteria that they
11 provided?

12 MS. STERN: Objection. Are you asking him
13 again, Ms. Eisenberg, to reveal the attorney-client
14 communications? Because he's told you that he personally
15 did not conduct the searches. So once again, I ask you if
16 you can explain to me how you can probe into this area
17 without invading attorney-client communications, which I'm
18 sure you don't want to invade, or invading work product?
19 Please explain to me.

20 MS. EISENBERG: Absolutely, Ms. Stern. I
21 assure you that I do not want to know any attorney-client
22 privileged communications. And -- and the reason I'm
23 asking this question -- I'm entitled to ask this question
24 because of paragraph 1. Mr. Wang testified that he
25 reviewed documents to prepare for his testimony as the

1 corporate representative. He said there were about
2 10 communications and I am entitled to understand whether
3 the search was thorough. So let me --

4 MS. STERN: You had asked him questions for,
5 I think, about 45 minutes about the search process. Do
6 you have any intention of going on to actually the
7 substance of the -- 13 and 17?

8 MS. EISENBERG: Ms. Stern, if you have an
9 objection you can state it for the record. And I believe
10 you've already done that. I'm entitled to my answer.

11 Q. (BY MS. EISENBERG) Mr. Wang, do you remember
12 what the pending question is?

13 A. No. Please repeat the pending question.

14 MS. EISENBERG: Ms. Duncan.

15 (Requested portion was read.)

16 MS. STERN: Again, you're aware of my
17 instruction and my pending objection.

18 A. Any knowledge that I have with respect to the
19 parameters of that search would have been communicated to
20 me by counsel.

21 MS. EISENBERG: Ms. Stern, is it your
22 position that because that's how Mr. Wang would have
23 learned about it, he cannot answer my question?

24 MS. STERN: That is our position at this
25 time. Please move on.

1 MS. EISENBERG: When you say "at this time,"
2 are you willing to reconsider it, or is it your position,
3 period?

4 MS. STERN: I said "at this time."

5 MS. EISENBERG: Okay.

6 MS. STERN: I would ask you to move on.

7 Q. (BY MS. EISENBERG) You referenced the NRA
8 bankruptcy team and another team or something to that
9 effect. What different teams are there related to any NRA
10 matters within the office?

11 MS. STERN: Objection. This is not related
12 to Request No. 13 or Request No. 17, so . . .

13 MS. EISENBERG: Ms. Stern, it very much is.
14 Mr. Wang testified that the search was confined to those
15 deemed to be a member of the team. And, therefore, I'm
16 entitled to understand how it was determined who was or
17 was not included in the search.

18 Q. (BY MS. EISENBERG) So, Mr. Wang, is it your
19 understanding that the office searched everyone's emails
20 for communications with Everytown?

21 MS. STERN: Objection. Again --

22 A. Again, you're misstating the search that was
23 conducted. Because the search is limited to
24 communications regarding the NRA investigation.

25 Q. (BY MS. EISENBERG) Directing your attention to

1 Debtor's 1, the definition section, paragraph 9 defines

2 NRA investigation, correct?

3 MS. STERN: Can you give us a minute,

4 please.

5 MS. EISENBERG: Of course.

6 A. Correct. Paragraph 9 contains a definition for

7 NYAG-NRA investigation.

8 Q. (BY MS. EISENBERG) And when the search was

9 conducted to identify communications related to the

10 investigation, was it with this definition in mind?

11 MS. STERN: Objection. You can answer to

12 the extent that you know and to the extent that it does

13 not reveal attorney-client communications or attorney work

14 product.

15 A. It's the same answer really. Anything I know

16 about the parameters of the search would have been

17 communicated to me by counsel.

18 Q. (BY MS. EISENBERG) Okay. So the question is

19 whether the search that was conducted accounted for the

20 broad definition in paragraph 9 of New York Attorney

21 General NRA investigation. Are you --

22 MS. STERN: Object --

23 Q. (BY MS. EISENBERG) -- taking the position that

24 you cannot answer my question without revealing privileged

25 communications?

1 MS. STERN: Objection.

2 Q. (BY MS. EISENBERG) Yes or no, Mr. Wang?

3 A. It is my understanding that any search would

4 have followed the definitions provided in the 30(b)(6)

5 notice.

6 Q. When you say "would have followed" that sounds

7 hypothetical. Did the search follow that definition, yes

8 or no?

9 A. I did not conduct the search.

10 Q. Did you have a discussion with anyone in

11 preparation for your deposition about that search that

12 allows you to represent as a corporate representative that

13 the search accounted for the definition in paragraph 9?

14 A. I had discussions with counsel. Are you asking

15 me for the substance of my discussions with counsel?

16 Q. No. My question is whether based on your

17 preparation for the deposition you are able to represent

18 on behalf of your office that the search that was

19 conducted accounted for the definition set forth in

20 Section 9 on page 6 of Debtor's 1?

21 MS. STERN: And I direct you again to be

22 mindful of your attorney-client communication privilege

23 obligations and the attorney work product privilege. And

24 you can answer that, yes or no.

25 A. The search accounted for the definition section

1 in the 30(b)(6) notice.

2 Q. (BY MS. EISENBERG) I'm sorry, I couldn't hear
3 your question -- your answer.

4 A. The search -- the search accounted for the
5 definitions in the 30(b)(6) notice.

6 Q. Thank you.

7 MS. STERN: Svetlana, can I -- I'm sorry.

8 Ms. Eisenberg, can you just tell me who's in the room with
9 you? Because I think that you had indicated there was one
10 person in there --

11 MS. EISENBERG: Yes, of course.

12 MS. STERN: -- and it was a gentleman.

13 MS. EISENBERG: Ms. Burschlag. She is a
14 case manager of Brewer Attorneys & Counselors. And she's
15 the only person with me in the room. Does that answer
16 your question?

17 MS. STERN: Yes. Thank you.

18 MS. EISENBERG: My pleasure.

19 Q. (BY MS. EISENBERG) Okay. Is it your office's
20 position that if there were communications between your
21 office and Everytown that they didn't involve those who
22 you deem to be on the NRA team, that those communications
23 were not important to review in preparation for this
24 testimony?

25 MS. STERN: Objection.

1 A. Can you repeat the question?

2 Q. (BY MS. EISENBERG) Is it your office's

3 position --

4 MS. STERN: Can you repeat the question --

5 sorry.

6 Q. (BY MS. EISENBERG) Is it your office's position

7 that if there were communications between your office and

8 Everytown that did not involve those who you deem to be on

9 the NRA team, that those communications were not important

10 to review in preparation for your testimony here today?

11 A. I think your question is an improper question

12 because as I told you previously, my understanding is that

13 there were two searches conducted. And one of those

14 searches was at the executive level. And any executives

15 are not actually on the NRA investigation team. So your

16 question actually presupposes a factual foundation that is

17 incorrect.

18 Q. Setting aside the executive search. I'm

19 focusing on the second search that you identified. Is it

20 fair to say that that search focused only on certain email

21 accounts within your office, not everyone within your

22 office?

23 A. The individuals who were searched with respect

24 to the NRA investigation were the attorneys who are on the

25 NRA investigation team. That is limited to one of the

1 searches and excluding the executive search that was done.

2 Q. Why were nonattorneys not included?

3 MS. STERN: Objection.

4 I direct you not to answer that question to
5 the extent that it reveals attorney-client communications
6 and attorney work product. If you cannot -- if you can
7 answer it, subject to those objections, you may. If you
8 cannot, let's move on.

9 Q. (BY MS. EISENBERG) Why were nonattorneys'
10 accounts not searched?

11 MS. STERN: Excuse me? Objection, lack of
12 foundation.

13 Q. (BY MS. EISENBERG) Mr. Wang, you stated that
14 the only accounts that were searched were those of
15 New York Attorney General attorneys, correct?

16 A. With respect to this specific search that is
17 being addressed, my understanding is that the attorneys on
18 the team, their communications were searched.

19 Q. Okay. Now, how did you -- the office of the
20 New York Attorney General go about determining that your
21 search captured all communications related to the
22 investigation?

23 MS. STERN: Objection, lack of foundation.

24 And again, work product and attorney-client communications
25 objections.

1 A. Can you repeat the question?

2 Q. (BY MS. EISENBERG) Certainly. How did your
3 office go about determining that the search captured all
4 communications related to the investigation?

5 A. Again, your question is improper because it does
6 not define the parameters of what search you're referring
7 to. So I don't understand what -- you're asking how our
8 office determined that our search would have covered all
9 communications. I don't think those are the parameters of
10 the search.

11 Q. Would you agree that it's important to have
12 reviewed communications between your office and Everytown
13 related to the investigation --

14 A. If there were --

15 Q. -- for you to --

16 A. -- if there were any communications between our
17 office and Everytown, those communications regarding the
18 NRA investigation, those communications would have been
19 with members of the attorney team or at the executive
20 level, period.

21 Q. Okay. And my question is: How did you go about
22 determining that the search only identified communications
23 about the investigation?

24 MS. STERN: Objection, lack of foundation.

25 And the same attorney-client privilege, attorney work

1 product objections.

2 A. I did not go about determining -- making any of
3 those determinations. Those determinations were made by
4 counsel.

5 Q. (BY MS. EISENBERG) Who is counsel?

6 MS. STERN: Objection, asked and answered.
7 We've been through this already. Svetlana, we're now an
8 hour and 20 minutes into the deposition. Are we going to
9 spend the whole day on the process?

10 MS. EISENBERG: That's not a proper
11 objection that we are an hour and a half -- and 30 minutes
12 into the deposition. If you'd like to instruct your
13 witness not to answer, you may. If you have objection to
14 the form, you may interpose it. Making statements like
15 you just did is not appropriate.

16 Ms. Duncan, could you please read the
17 pending question.

18 (Requested portion was read.)

19 A. I considered counsel to be Emily Stern, Monica
20 Connell and Jim Sheehan, the lawyers who were advising me
21 with respect to my testimony today.

22 Q. (BY MS. EISENBERG) Okay. Other than reviewing
23 the ten communications -- ten or so communications and
24 meeting in the WebEx sessions that you described, what if
25 anything else did you do to prepare for your testimony

1 here today as to Topic 13, specifically with regard to
2 Everytown?

3 MS. STERN: Objection, asked and answered.

4 Q. (BY MS. EISENBERG) Was there anything else that
5 you did to prepare for your testimony about Topic 13,
6 specifically Everytown, other than what you've already
7 described?

8 MS. STERN: Objection, asked and answered.

9 Sorry, I withdraw that, other than previously described.

10 A. What I previously described is the process I
11 undertook in preparing to testify to Topic 13 with respect
12 to Everytown, one of the five specifically named
13 individuals or entities.

14 Q. (BY MS. EISENBERG) Okay. So what I want to
15 know is how it was determined that the search criteria
16 that were applied were sufficient to capture any and all
17 communications about the investigation as those terms are
18 defined. Are you comfortable that the search was
19 thorough?

20 A. As I said, counsel made that determination.

21 Q. So you personally don't have an opinion?

22 A. I have an incredibly high opinion of my counsel:
23 Emily Stern, Monica Connell and Jim Sheehan. Are you
24 asking me for my opinion about those three individuals?

25 Q. No. I'm asking you whether you believe that the

1 search was thorough?

2 A. Counsel advised me.

3 MS. STERN: I'm sorry. Objection, asked
4 and answered. I believe that we've gone through this
5 before. You can go ahead and answer the question.

6 A. As I said before, counsel advised me with
7 respect to the search.

8 Q. (BY MS. EISENBERG) Okay. I don't want to know
9 what specifically they told you, but I want to understand
10 what if anything specifically about the search that was
11 conducted gives you comfort that it was thorough?

12 MS. STERN: Objection, asked and answered.
13 We have already discussed this.

14 But if you have anything additional to say,
15 you can go ahead and testify.

16 A. Counsel advised me with respect to the
17 parameters of the search.

18 Q. (BY MS. EISENBERG) Okay. I understand that
19 that's how you learned it. What I'm asking you is on what
20 basis do you believe, if that's your belief, that the
21 search was thorough, other than their reputation?

22 MS. STERN: Objection, asked and answered.

23 A. Counsel advised me with respect to the
24 parameters of the search.

25 MS. STERN: Svetlana, can we take a break in

1 a couple minutes since we've been going almost an hour and
2 a half at this point?

3 MS. EISENBERG: We can take a break at any
4 time you'd like.

5 MS. STERN: Is this an appropriate time for
6 you?

7 MS. EISENBERG: Of course.

8 MS. STERN: Okay.

9 THE VIDEOGRAPHER: Going off the record at
10 10:25.

11 (Recess from 10:25 a.m. to 10:40 a.m.)

12 THE VIDEOGRAPHER: We're back on the record
13 at 10:40 a.m. Go ahead.

14 Q. (BY MS. EISENBERG) Mr. Wang, any of the ten
15 emails that you reviewed were they threads? Do you know
16 what I mean when I say "thread"?

17 A. I'm sorry, what word was that?

18 Q. Thread. Are you familiar with the concept of
19 email thread?

20 A. Yes. Threads.

21 Q. What is an email thread?

22 A. An email thread is when there are multiple
23 emails and the most recent email would be at the top and
24 the originating email would be at the bottom.

25 Q. As opposed to a document that's just one single

1 email, correct?

2 A. Correct.

3 Q. Were any of the approximately ten documents that
4 you referenced previously email threads?

5 MS. STERN: Objection.

6 A. I believe there were a couple of email threads
7 in there.

8 Q. (BY MS. EISENBERG) Okay. Now, any of the ten
9 or so documents that you reviewed, did they involve any
10 email messages to or from anyone at Everytown?

11 A. As I said before, I believe all of those
12 communications were internal.

13 Q. Okay. So is it your testimony that none of the
14 documents that you reviewed contained any communications
15 with Everytown?

16 MS. STERN: Objection.

17 A. My understanding is that they were all internal
18 emails.

19 Q. (BY MS. EISENBERG) Is it your office's position
20 that those emails are privileged?

21 MS. STERN: Objection. Are you asking the
22 witness for a position on -- on a legal issue?

23 MS. EISENBERG: Yes --

24 MS. STERN: I'm going to direct him not to
25 answer that question.

1 Q. (BY MS. EISENBERG) Okay. Do you know --

2 MS. STERN: You've already made your request
3 for the communications. We said that we were going to
4 take it under advisement and your requests should be
5 directed to counsel, not to the witness.

6 Q. (BY MS. EISENBERG) Okay. So, Mr. Wang, is it
7 fair to say that no portion of either -- I'm sorry, let
8 me -- strike that.

9 Is it fair to say that no portion of any
10 thread that you reviewed in preparation for your testimony
11 contain a communication involving Everytown?

12 MS. STERN: Objection. To the extent you
13 can remember the details of every communication, you can
14 answer that.

15 A. My review was all of internal communications,
16 none of them went out to Everytown.

17 Q. (BY MS. EISENBERG) Okay. Did any of them come
18 in from Everytown?

19 A. No.

20 Q. What information did you learn from your review
21 of those communications?

22 MS. STERN: Objection.

23 A. Those communications were generally
24 nonsubstantive and administerial.

25 Q. (BY MS. EISENBERG) My question is: What

1 information did you learn from your review of those
2 communications?

3 A. I learned that there was no substance contained
4 in any of those communications. And I also learned that
5 those communications were administerial in nature.

6 Q. Did they refer to Everytown?

7 A. Yes, Everytown was discussed.

8 Q. In what context?

9 A. In the context of -- in the context of a
10 complaint that Everytown had.

11 Q. What kind of complaint?

12 A. I believe it was related to the NRA.

13 Q. When you say "complaint," do you mean as a
14 pleading in the legal sense or something else?

15 A. Not in the legal sense.

16 Q. Okay. What complaint did Everytown have with
17 regard to the NRA?

18 MS. STERN: Objection. To the extent that
19 it calls for you to reveal any attorney-client
20 communications or attorney work product, subject to that
21 you can answer the question with respect to external
22 communications.

23 MS. EISENBERG: Ms. Stern, do you agree that
24 insofar as there were communications from Everytown, those
25 communications are not privileged?

1 MS. STERN: That's correct. That's what I
2 think I just said to the witness.

3 MS. EISENBERG: Okay. I just want to make
4 clear.

5 MS. STERN: Yeah.

6 A. As I said, the communications that I reviewed
7 were internal communications. They discussed Everytown
8 within those communications.

9 Q. (BY MS. EISENBERG) Did they also discuss a
10 complaint by Everytown?

11 A. As I said, the communications were fairly
12 nonsubstantive and administerial.

13 Q. That was not the question that I asked.

14 Ms. Duncan, please repeat the question.

15 (Requested portion was read.)

16 MS. STERN: Sorry. Can you go -- can you
17 read the question before because it's referring to did
18 they discuss? Can you just read the question before so
19 the witness is clear what you're referring to in that
20 question.

21 (Requested portion was read.)

22 MS. STERN: Objection. If you can
23 understand the question, if you can't . . .

24 A. As I said, the communications were generally
25 administrative in nature. They addressed Everytown, and

1 they were nonsubstantive.

2 Q. (BY MS. EISENBERG) You said that they
3 referenced Everytown in the context of a complaint. Do
4 you recall that testimony?

5 A. Yes.

6 Q. What did you mean by "complaint"?

7 A. My understanding is the sum and substance of the
8 complaint was not discussed in the communications.

9 Q. Setting aside those communications, do you
10 have -- withdrawn.

11 Setting aside what those communications
12 said, what is the complaint by Everytown?

13 A. My understanding is that Everytown raised
14 concerns with respect to public filings made by the NRA, I
15 believe in particular the 2017 990. And they also raised
16 the Wall Street Journal article, I believe, from late
17 2018.

18 Q. Who at Everytown raised concerns about public
19 filing of the NRA?

20 A. This was first communicated through counsel to
21 Everytown, Jason Lillien.

22 Q. Jason William?

23 A. Lillien, L-i-l-l-i-e-n.

24 Q. You said this was first conveyed by Mr. Lillien
25 or to Mr. Lillien?

1 A. By.

2 Q. How did Mr. Lillien convey this concern?

3 A. My understanding is that Mr. Lillien requested a

4 meeting with the Attorney General's Office.

5 Q. When did he do this?

6 A. I believe it was in January of 2019.

7 Q. How did he make the request?

8 MS. STERN: Objection.

9 A. I don't know.

10 MS. EISENBERG: It appears that the witness
11 is not prepared for his testimony. We reserve our rights,
12 but in the interest of moving on, I'll ask my next
13 question.

14 MS. STERN: Okay. We disagree with that
15 characterization of his preparation in his inability to
16 respond to the details of one question that you've asked
17 over the course of this morning, but we will move on.

18 Q. (BY MS. EISENBERG) Who at the office did he ask
19 for the meeting?

20 A. My understanding is he requested that meeting
21 with bureau chief James Sheehan.

22 Q. Was Mr. Lillien's request for a meeting granted?

23 A. Yes.

24 Q. How many meetings occurred in response to
25 Mr. Lillien's request?

1 MS. STERN: Objection.

2 You can answer.

3 A. One single meeting.

4 Q. (BY MS. EISENBERG) When did the one single
5 meeting occur?

6 A. February 14, 2019.

7 Q. Where was this meeting?

8 A. At the New York State Attorney General's Office,
9 28 Liberty.

10 Q. In New York City?

11 A. New York, New York 10005.

12 Q. How long was this meeting?

13 A. My understanding was it was approximately one
14 hour.

15 Q. Did you personally not attend the meeting?

16 A. I did not.

17 Q. And who from the New York Attorney General's
18 Office was at the meeting?

19 A. James Sheehan and Laura Wood.

20 Q. W-o-o-d?

21 A. Correct.

22 Q. What is Ms. Wood's title?

23 MS. STERN: Objection.

24 A. Ms. Wood is no longer with the New York State
25 Attorney General's Office.

1 Q. (BY MS. EISENBERG) When did she leave?

2 A. I don't know the exact date when she departed
3 the office.

4 Q. Do you know the approximate date of her
5 departure?

6 A. I believe it was in the spring of 2019, but I am
7 not certain of that date.

8 Q. What was her title at the time of the meeting?

9 A. She was an Assistant Attorney General within the
10 executive division of the office.

11 Q. Did she come to the meeting from Albany or is
12 her office in New York?

13 MS. STERN: Objection, lack of foundation.

14 A. My understanding is that she's located in New --
15 she was located in New York City.

16 Q. (BY MS. EISENBERG) Who from Everytown attended
17 the meeting?

18 A. Everytown was represented at the meeting by
19 counsel, Jason Lillien. And also attending the meeting
20 were Nicholas Suplina, Rachel Nash, Michael-Sean Spence
21 and Michael Kane, K-a-n-e.

22 Q. Are you reading from something?

23 A. No.

24 Q. The names that you referenced, is it individuals
25 working for Everytown?

1 A. That is my understanding, other than Mr. Lillien
2 who is counsel to Everytown.

3 Q. What happened at the meeting?

4 MS. STERN: Objection.

5 A. There was a discussion by Everytown that
6 involved the NRA.

7 Q. (BY MS. EISENBERG) Who from Everytown spoke at
8 the meeting?

9 MS. STERN: Objection.

10 A. I was not physically present at the meeting.

11 Q. (BY MS. EISENBERG) So you don't know, correct?

12 A. I was not physically present at the meeting, so
13 I can't tell you who spoke. If I was to tell you who
14 spoke, I would be presuming.

15 Q. And in the course of your preparation for your
16 testimony here today, that's not something that you came
17 to learn by speaking to your colleagues, is it?

18 A. I --

19 MS. STERN: Yes or no. You can answer that
20 yes or no.

21 A. No. I was not told who specifically spoke.

22 Q. (BY MS. EISENBERG) Okay. What did Mr. Sheehan
23 say about the meeting?

24 MS. STERN: Objection.

25 Q. (BY MS. EISENBERG) Did Mr. Sheehan say anything

1 at that meeting?

2 A. My understanding is that this meeting was mostly
3 the Attorney General's Office listening to a complaint
4 that Everytown raised, and we listened to it.

5 Q. Did Mr. Sheehan make any statements other than
6 to confirm that he was listening to what was being
7 presented?

8 A. He did.

9 Q. What did he say?

10 MS. STERN: Objection.

11 MS. EISENBERG: Basis?

12 MS. STERN: You're asking -- you're asking
13 the corporate representative to provide you with a
14 play-by-play of who said what in the meeting. Is it your
15 position that that is --

16 MS. EISENBERG: Ms. Stern, the witness is
17 perfectly capable of saying that he's not aware of
18 play-by-play. You are coaching the witness and I object
19 to the way you've been objecting. You can object to the
20 form and anything other than that is simply inappropriate.

21 MS. STERN: Answer the question --

22 Q. (BY MS. EISENBERG) What did Mr. Sheehan --

23 MS. STERN: -- if you're able.

24 Q. (BY MS. EISENBERG) -- say at the meeting?

25 A. I know that Mr. Sheehan was mostly listening.

1 And the one thing that I know Mr. Sheehan said was that
2 Everytown could not be involved in any investigation. And
3 the investigation would be completely independent.

4 Q. (BY MS. EISENBERG) How do you know that that's
5 what he said?

6 MS. STERN: Objection.

7 I direct you not to reveal any
8 attorney-client communications or any attorney work
9 product in answering that question. And if you cannot
10 answer that question without invading those privileges,
11 then direct you not to answer the question.

12 A. I know that from my preparation for today's
13 testimony.

14 Q. (BY MS. EISENBERG) Other than saying that the
15 investigation had to be independent in sum and substance,
16 what if anything else did Mr. Sheehan say at that meeting?

17 A. That is all that I'm aware of that he said.

18 Q. It's possible that he said other things, you're
19 just not aware of what they might have been, correct?

20 A. As I told you, I was not physically present at
21 this meeting.

22 Q. Right. But this is your 30(b)(6) deposition so
23 I'm entitled to understand and exhaust the scope of your
24 knowledge. So understanding that you were not in the
25 meeting, but understanding that you're prepared for your

1 deposition here today, what if anything else did
2 Mr. Sheehan say at that meeting other than that the
3 investigation had to be independent in sum and substance?

4 A. That is the only thing that I am aware that he
5 said.

6 Q. Okay. What about Ms. Wood, did Ms. Wood say
7 anything at the meeting?

8 A. I do not know.

9 Q. What was the format of Everytown's
10 presentation -- well, is it fair to say, based on what you
11 know, that Everytown made a presentation to Mr. Sheehan
12 and Ms. Wood in that meeting?

13 MS. STERN: Objection.

14 A. That is not my understanding.

15 Q. (BY MS. EISENBERG) How did it -- how did
16 Everytown communicate what they wanted to convey to
17 Mr. Sheehan and Ms. Wood at that meeting?

18 A. My understanding is they would have conveyed
19 that orally.

20 Q. Okay. So they made a number of verbal
21 assertions, correct?

22 MS. STERN: Objection, lack of foundation.

23 A. I believe they spoke.

24 Q. (BY MS. EISENBERG) Okay. Did they use a
25 PowerPoint presentation or any other visual aid when they

1 spoke?

2 A. Not that I'm aware of.

3 Q. In your preparation for your testimony here

4 today, did you confirm that there was not a PowerPoint

5 presentation used by Everytown during that meeting?

6 A. I confirmed that there were no documents shared

7 by Everytown.

8 Q. Were there any documents shared during that

9 meeting by the representatives of your office?

10 A. No.

11 Q. Did Mr. Sheehan take notes during that meeting?

12 A. Not that I'm aware of.

13 Q. It's possible that he did, it's just that you

14 don't know based on your preparation, correct?

15 A. I don't believe he did and Mr. --

16 Q. When you say you don't -- I'm sorry, I

17 interrupted you. Go ahead.

18 A. I don't believe he kept any notes.

19 Q. And that belief is based on your preparation for

20 your testimony?

21 A. Correct.

22 Q. Did anyone ever tell you that he did not take

23 notes at that meeting?

24 MS. STERN: Objection.

25 Again, I direct you not to reveal any

1 attorney-client communications and any attorney work
2 product. I think that you've answered the question. And
3 I'm -- if you can further answer it without invading those
4 privileges, you may, but I caution you.

5 A. My understanding is that no notes were taken.

6 Q. (BY MS. EISENBERG) Okay. What about Ms. Wood,
7 did she take any notes?

8 A. Not that I'm aware of.

9 Q. So it's your understanding that they came to the
10 meeting and took no notes?

11 MS. STERN: Objection.

12 A. Correct. As I told you, this meeting was mostly
13 the Attorney General's Office listening to a complaint
14 from an outside party.

15 Q. (BY MS. EISENBERG) What specifically was
16 Everytown's complaint, as you use that word?

17 MS. STERN: Objection.

18 MS. EISENBERG: Basis?

19 MS. STERN: Basis?

20 MS. EISENBERG: Please state the basis of
21 your objection.

22 MS. STERN: That the question is vague.

23 MS. EISENBERG: Okay.

24 Q. (BY MS. EISENBERG) Mr. Wang, you testified that
25 during the meeting Everytown referenced a complaint that

1 they had; is that fair?

2 A. Correct.

3 Q. What was Everytown's complaint?

4 A. My understanding is that Everytown's complaint

5 involved the 2017 IRS 990 of the National Rifle

6 Association of America. And media -- publicly available

7 media reporting, such as the Wall Street Journal article

8 from late 2018. My understanding is that they raised

9 these items and that was the extent of the meeting.

10 Mr. -- these items were already within the purview of

11 Mr. Sheehan.

12 Q. When you say that "these items were already

13 within the purview of Mr. Sheehan," let's deconstruct

14 that. By "items," are you referring to Form 990 and the

15 Wall Street Journal article or something else?

16 A. The raising of the Form 990 and the public media

17 reporting were nothing new to Mr. Sheehan.

18 Q. Okay. So he already was familiar with the fact

19 that the NRA had filed an IRS 990?

20 A. Yes. As you are aware, the charities bureau is

21 a regulator of New York not-for-profit corporations and

22 under an obligation to file those documents with our

23 office on an annual basis.

24 Q. Okay. When you said that those items were

25 already within the purview of Mr. Sheehan, what if

1 anything else did you mean other than this falls within
2 the purview of your office when not-for-profits filed?

3 MS. STERN: Objection.

4 A. I meant --

5 Q. (BY MS. EISENBERG) Let me rephrase. Mr. Wang,
6 you said those items were already within Mr. Sheehan's
7 purview, you used those words and you said that in sum and
8 substance. Do you recall that?

9 A. Correct.

10 Q. What did you mean by "purview" in that response?

11 A. I meant that the information that Everytown
12 raised and brought to the attention to our office was not
13 new information to Mr. Sheehan.

14 Q. Okay. Had your office already begun an
15 investigation into the NRA by the time of this meeting
16 with Everytown?

17 MS. STERN: Objection.

18 I would caution the witness not to reveal
19 any information that is subject to protections of the
20 attorney-client privilege and attorney work product. I
21 think you can answer that question yes or no.

22 Can you read the question back?

23 (Requested portion was read.)

24 A. So the answer to this question revolves around
25 definitions of the word "investigation". Our office --

1 the general rule of thumb in our office is that an
2 investigation begins when the Attorney General grants us
3 the authority to open an investigation. Leading up to the
4 formal opening of an investigation there is typically a
5 preinvestigative inquiry stage. At the point of time that
6 we're discussing, this February 14, 2019, meeting with
7 Everytown, a preinvestigative inquiry phase was already
8 under way.

9 Q. (BY MS. EISENBERG) When did --

10 A. A formal investigation had not yet been opened.

11 Q. I'm sorry. Thank you.

12 When did the preinvestigative inquiry stage
13 with regard to the NRA begin?

14 A. My understanding is late 2018.

15 Q. Was it in December?

16 A. My understanding is that it was between November
17 and December.

18 Q. What documentation is created when a
19 preinvestigative inquiry stage begins?

20 MS. STERN: Objection. One on the grounds
21 of attorney work product. And two, is that question in
22 the abstract or directed to this particular matter?

23 MS. EISENBERG: It's a general question.

24 Q. (BY MS. EISENBERG) Are there documents that are
25 generated within your office when a preinvestigative

1 inquiry stage begins?

2 MS. STERN: And again, I would say that you
3 need to consider the attorney work product and
4 attorney-client privilege. If you can answer the
5 question, yes or no, you can go ahead.

6 A. Documents are generated every day, if you send
7 an email you generate a document.

8 Q. (BY MS. EISENBERG) Let me ask it differently.
9 You testified that there's a difference between the
10 preinvestigative inquiry stage and what happens after the
11 Attorney General grants the authority to conduct an
12 investigation. Do you recall that testimony?

13 A. Yes.

14 Q. Is that an accurate description of how things
15 work in your office?

16 A. Yes. And in particular to this NRA
17 investigation, that's how it worked.

18 Q. When -- did there come a time when Attorney
19 General James granted the authority to begin an
20 investigation into the NRA?

21 A. Yes.

22 Q. When did that happen?

23 A. In order to formally open an investigation, the
24 Attorney General grants the authority to the charities
25 bureau to do so -- to open the investigation. That

1 happened on April 19, 2019.

2 Q. Is there a document that evidences the grant of
3 such authority?

4 MS. STERN: Objection.

5 A. Not that I'm aware of.

6 Q. (BY MS. EISENBERG) How did --

7 MS. STERN: Hold on.

8 Q. (BY MS. EISENBERG) -- withdrawn. When --

9 MS. STERN: I'm going to object to the
10 inquiry into the internal attorney work product of the
11 Attorney General's Office. I've allowed him to answer the
12 question as to when the investigation opened. And any
13 inquiry further into the substance of that process as
14 privileged. And I direct the witness not to answer those
15 questions.

16 MS. EISENBERG: Ms. Stern, I withdrew the
17 question.

18 MS. STERN: Okay.

19 Q. (BY MS. EISENBERG) For your office to begin a
20 preinvestigative inquiry stage, what does an assistant
21 attorney general have to do in terms of obtaining
22 approvals from either Attorney General James or anyone
23 else?

24 MS. STERN: Objection.

25 A. Are you speaking about something specific to one

1 of the topics from today, or are you speaking about our
2 general office practices?

3 Q. (BY MS. EISENBERG) General office practices.

4 A. Can you repeat the question?

5 Q. Yes. What if any approvals must an assistant
6 attorney general obtain before beginning a
7 preinvestigating inquiry stage?

8 MS. STERN: Objection.

9 I'm going to direct the witness not to
10 answer this question on the grounds of attorney work
11 product, attorney-client communications. Unless you can
12 explain to me why that's relevant to Topics 13 and 17, we
13 should just move on.

14 MS. EISENBERG: Well, the reason it's
15 relevant is because Mr. Wang just said that by the time
16 Everytown raised their, quote, complaint, those, quote,
17 items were already under Mr. Sheehan's purview. What I'm
18 trying to understand is whether there are documents that,
19 in fact, corroborate that statement.

20 MS. STERN: The documents -- internal
21 documents to the Attorney General's Office would not be
22 discoverable to -- in connection with this matter. So I
23 don't see how they're discoverable by way of his
24 testimony --

25 MS. EISENBERG: I'm not asking --

1 (Simultaneous speakers.)

2 MS. EISENBERG: I'm not asking for copies.

3 I'm just asking if there are documents that are commonly
4 created at the beginning of a preinvestigating inquiry
5 stage. And if such a document was, in fact, created with
6 regard to the inquiry stage of the NRA. I just want to
7 know if the document exists.

8 Q. (BY MS. EISENBERG) So my first question is:
9 What does your office typically do to commemorate the
10 beginning of a preinvestigative inquiry?

11 MS. STERN: And again, I'm going to object
12 because that is not a subject matter. I understand your
13 theory, but that is not a subject matter that the Court
14 has authorized the Debtor to inquire of in this
15 deposition. And so I would ask that you direct your
16 attention to the two subject matters and the preparatory
17 matter, which we spent quite some time discussing and not
18 the general processes and procedures of the Attorney
19 General's Office.

20 MS. EISENBERG: Are you instructing the
21 witness not to answer or may he answer the question?

22 MS. STERN: I'm instructing the witness not
23 to answer.

24 MS. EISENBERG: Okay. We reserve our
25 rights.

1 Q. (BY MS. EISENBERG) Did Mr. Sheehan tell
2 Everytown at the meeting that the Attorney General's
3 Office was already conducting an investigative inquiry
4 into the NRA or words to that effect?

5 MS. STERN: Objection.

6 A. That is not my understanding.

7 Q. (BY MS. EISENBERG) Is it your understanding
8 that Mr. Sheehan did not indicate to Everytown that the
9 preinvestigative inquiry stage had already begun?

10 A. As I said before, what I know is that
11 Mr. Sheehan told Everytown that any investigation would be
12 completely independent.

13 Q. So is it your testimony here today that when
14 Everytown walked out of the meeting they had no idea
15 whether or not the investigative inquiry had already
16 begun?

17 MS. STERN: Objection. I don't think that
18 this 30(b)(6) witness can testify as to what was in
19 that -- the mind of the Everytown representatives or their
20 counsel.

21 Q. (BY MS. EISENBERG) Is it your testimony here
22 today that during the meeting Mr. Sheehan did not say
23 anything to Everytown to indicate that an investigative
24 inquiry had already begun?

25 MS. STERN: Objection.

1 A. My understanding is that Mr. Sheehan informed
2 Everytown that any investigation would be completely
3 independent.

4 Q. (BY MS. EISENBERG) But it's your understanding
5 that he did not indicate that an investigative inquiry had
6 already begun, correct?

7 MS. STERN: I'm sorry, can you read that
8 question back, please.

9 Q. (BY MS. EISENBERG) But it's your understanding
10 that Mr. Sheehan did not indicate to Everytown during that
11 meeting that an investigative inquiry had already begun?

12 A. My understanding is that the only thing he told
13 Everytown was that any investigation would be a completely
14 independent investigation.

15 Q. So your understanding is that he did not say
16 anything to Everytown other than that the investigation
17 would be a completely independent investigation; is that
18 correct?

19 MS. STERN: Objection, lack of foundation.
20 And misstates the testimony.

21 A. That's not what I said. What I said is the one
22 thing I know that Mr. Sheehan did tell Everytown is that
23 he instructed them, he informed them, excuse me, that any
24 investigation would be a completely independent one.

25 Q. (BY MS. EISENBERG) So that's what you know,

1 correct?

2 MS. STERN: Are you asking him as Mr. Will
3 Wang? Are you asking him, you as the corporate
4 representative of the Attorney General, which is the
5 capacity in which he's testifying here today?

6 MS. EISENBERG: Well, those two relate
7 because all Mr. Wang can testify to as the corporate
8 representative is what he personally knows here today.

9 Q. (BY MS. EISENBERG) So my question is --

10 MS. STERN: No, I just want the record to be
11 clear that Mr. Wang is testifying on behalf of the
12 corporation. If you're asking him questions directed to
13 him individually, not in his role, speaking on behalf of
14 the corporation. I just want that to be clear in the
15 record.

16 Q. (BY MS. EISENBERG) Is it the corporation's or
17 the Office's testimony here today that during the meeting
18 with Everytown on February 14, 2019, Mr. Sheehan did not
19 communicate anything to Everytown other than the statement
20 about the independence of the investigation that you
21 referenced previously?

22 MS. STERN: Objection, asked and answered.
23 And it misstates the prior testimony.

24 A. My understanding is that Mr. Sheehan informed
25 Everytown that any investigation would be completely

1 independent.

2 Q. (BY MS. EISENBERG) And it's your understanding
3 as the corporate representative, correct?

4 A. That is the capacity on which I am testifying
5 today.

6 Q. Okay. And in that same capacity, is it your
7 understanding that other than informing Everytown of the
8 fact that the investigation would have to be independent,
9 Mr. Sheehan did not inform Everytown of any other
10 information?

11 MS. STERN: Objection.

12 A. My understanding is that Mr. Sheehan informed
13 Everytown that any investigation would be a completely
14 independent one.

15 Q. (BY MS. EISENBERG) Did he inform them of
16 anything else?

17 MS. STERN: Objection.

18 A. My previous testimony is what I am aware of.

19 Q. (BY MS. EISENBERG) What about Ms. Wood, what if
20 anything did she inform Everytown of during that meeting?

21 A. I am not aware of anything with respect to
22 Ms. Wood.

23 Q. What if any questions did Mr. -- withdrawn.

24 Did Mr. Sheehan ask representatives of
25 Everytown any questions during the February 14th meeting?

1 A. Not that I'm aware of.

2 Q. Possible?

3 A. Not that I'm aware of.

4 Q. But it's possible that he asked them questions,
5 correct?

6 A. Not that I'm aware of.

7 Q. You're not aware that it's possible?

8 MS. STERN: Objection.

9 Are you asking him personally whether he has
10 an opinion that it's possible that there were questions,
11 or are you asking -- as a corporate representative he's
12 saying that he's not aware of. And I don't think that he
13 can speculate as a corporate representative of the
14 possibility of any questions raised during the meeting.

15 Q. (BY MS. EISENBERG) As a corporate
16 representative is it your position here today that
17 Mr. Sheehan did not ask Everytown representatives any
18 questions during that meeting?

19 A. I am not aware of any questions that Mr. Sheehan
20 would have asked at that meeting.

21 Q. But it's possible that he did, correct?

22 MS. STERN: Again, asked and answered.
23 Objection, asked and answered.

24 MS. EISENBERG: I never got an answer.

25 A. I am not aware of any questions asked by

1 Mr. Sheehan at that meeting.

2 Q. (BY MS. EISENBERG) Are you aware that no
3 questions were asked by Mr. Sheehan at that meeting?

4 MS. STERN: Objection.

5 A. I am not aware of whether Mr. Sheehan asked any
6 questions at that meeting.

7 Q. (BY MS. EISENBERG) What about Ms. Wood, did she
8 ask any questions at that meeting?

9 A. I'm not aware about whether Ms. Wood asked any
10 questions at that meeting.

11 Q. What did representatives of Everytown say at the
12 meeting about the Form 990?

13 A. My understanding is that they raised the
14 Form 990 and they raised public media reporting,
15 specifically the late 2018 Wall Street Journal article
16 regarding the NRA at that meeting.

17 Q. What specifically did they say in sum and
18 substance about the Form 990?

19 MS. STERN: Objection.

20 A. My understanding is that they raised the
21 Form 990.

22 Q. (BY MS. EISENBERG) When you say they raised the
23 Form 990, is it your testimony today that they raised --
24 that there were problems with the Form 990?

25 A. They wanted to bring the Form 990 to our

1 office's attention.

2 Q. Did they specify why they wanted to bring it to
3 your office's attention?

4 A. I'm not aware of that. I'm not aware of any
5 specification by Everytown.

6 Q. Did Everytown convey the general sum and
7 substance of their concern about the 990?

8 MS. STERN: Objection, lack of foundation.

9 A. The only thing I'm aware of is that there were
10 related party transaction issues. And I believe Everytown
11 pointed to those in the Form 990.

12 Q. (BY MS. EISENBERG) Did Everytown bring copies
13 of the Form 990 to the meeting with them?

14 A. I'm not aware of whether or not they had copies
15 of the Form 990 within their briefcases at that meeting,
16 but it certainly wouldn't be necessary to provide the
17 charities bureau with a copy of a document that has to be
18 filed with the charities bureau in any case.

19 Q. Was a copy of a Form 990 used by any participant
20 of the meeting during the meeting?

21 A. Not that I'm aware of.

22 Q. What specific transactions did Everytown
23 mention?

24 A. I'm not aware --

25 MS. STERN: Objection. Go ahead.

1 A. I'm not aware of specific transactions that
2 Everytown mentioned.

3 Q. (BY MS. EISENBERG) Is it your testimony that
4 they referred to specific transactions?

5 MS. STERN: Objection. That's not his
6 testimony.

7 A. That is not my testimony. My testimony was that
8 they raised related party issues relating to the Form 990.

9 Q. (BY MS. EISENBERG) And when you say "related
10 party issues," what do you mean?

11 A. Are you asking me for my interpretation of the
12 term "related party transactions"?

13 Q. No. I'm asking you about what it is that they
14 told Mr. Sheehan at the meeting. You said that they
15 raised related party transaction issues in sum and
16 substance, and what I'm trying to understand is what
17 specifically they communicated to him. What was
18 problematic about the 990 in relation to that topic?

19 MS. STERN: Objection. I believe that
20 misstates the testimony or lack -- and lack of foundation.

21 A. My understanding is that they raised the 990 and
22 they raised issues relating to the related party
23 transactions disclosed in the 990.

24 Q. (BY MS. EISENBERG) With regard to the 990, is
25 it your understanding that Everytown raised any other

1 issues other than the related party transactions issue?

2 A. The related party transaction issue is the
3 one that I -- is what I am aware of.

4 Q. Did Everytown ask for a follow-up meeting at
5 this meeting on February 14th?

6 A. Not that I'm aware of.

7 Q. But it's possible that they did?

8 A. It's not -- I'm not aware of any request for a
9 follow-up meeting.

10 Q. Did Mr. Sheehan meet with any meeting
11 participants at any later point?

12 A. Other than the single meeting on February 14,
13 2019, no other meetings with Everytown -- agents of
14 Everytown, representatives of Everytown took place.

15 Q. So there was no meeting between Ms. Wood and any
16 of the Everytown participants after February 14th?

17 A. No further meetings took place with respect to
18 the NRA investigation between NYAG and Everytown.

19 Q. Did any of the Everytown participants ever email
20 Mr. Sheehan?

21 MS. STERN: Objection on the scope. I
22 assume you're limiting to that to the Topic 13; is that
23 correct?

24 MS. EISENBERG: Correct.

25 A. Not that I'm aware of.

1 Q. (BY MS. EISENBERG) What about anyone else in
2 your office?

3 A. Not that I'm aware of. And as I mentioned,
4 there is -- there was an email protocol review done. And
5 if there were any communications, they would have been
6 captured. So that is the basis of me saying I'm not aware
7 of any other communications.

8 Q. And when you say that "they would have been
9 captured," are you referring to your general opinion of
10 the quality of the work that your office does, because you
11 personally don't know what the review entailed, do you?

12 A. My knowledge of the search and the parameters by
13 which the search was conducted was given to me by counsel,
14 so that is the basis of my knowledge of the search, plus I
15 understand the ethical obligations under which the
16 attorneys within my office practice.

17 Q. And is that also a basis for your belief that
18 the search was thorough?

19 A. Is it not a belief. It is an understanding. I
20 understand that the search was thorough.

21 Q. Okay. Did your office generate any notes or
22 memos after the meeting to memorialize the information
23 that was shared by Everytown?

24 MS. STERN: Objection. I direct the witness
25 not to answer the question to the extent that it reveals

1 or concerns attorney work product, attorney-client

2 communications?

3 A. Not that I'm aware of.

4 Q. (BY MS. EISENBERG) The ten or so communications

5 that you reviewed in preparation for your testimony, did

6 they pertain to anything other than this February 14th

7 meeting that we just discussed?

8 A. Yes, they did.

9 Q. To what topic or topics did they pertain?

10 A. As I said before, administerial, nonsubstantive

11 topics, not related to the NRA investigation.

12 Q. What are the administerial nonsubstantive topics

13 not related to the NRA investigation that are referenced

14 in the communications that you reviewed?

15 A. I believe there was a farewell email from

16 Ms. Wood when she was leaving the office. Those are

17 fairly typical.

18 Q. Was that a thread?

19 A. Yes.

20 MS. STERN: Objection. Objection.

21 A. Yes, I believe in response to Ms. Wood's

22 farewell email, Mr. Sheehan wished Ms. Wood good luck and

23 congratulations.

24 Q. (BY MS. EISENBERG) How did that thread relate

25 to the investigation into the NRA?

1 MS. STERN: Objection, lack of foundation.

2 Q. (BY MS. EISENBERG) Did the farewell email
3 relate to the NRA investigation?

4 A. My understanding from reviewing the document was
5 that the only relation is Ms. Wood was looking for a
6 contact person in the event that -- in the event that she
7 could share that contact information with who should be
8 receiving communications that would normally go to
9 Ms. Wood.

10 Q. (BY MS. EISENBERG) Communication --

11 A. As I said administerial.

12 Q. Communications from whom?

13 A. Ms. Wood would work for the charities bureau,
14 would do work in collaboration with the charities bureau
15 from time to time, so really on -- on any matter. This
16 was an attorney leaving the office asking the bureau chief
17 of the charities bureau if someone contacts me and I'm not
18 no longer at the office, who should receive these
19 communications.

20 Q. How did that thread relate to the investigation
21 into the NRA?

22 MS. STERN: Objection, lack of foundation.

23 A. As -- as I said, it was a farewell email so it
24 was in the event that someone contacted -- wanted to
25 contact Ms. Wood with respect to something that she was

1 working on on behalf of the charities bureau, she wanted
2 to know who should be the point person to receive that
3 communication.

4 Q. (BY MS. EISENBERG) Did she reference Everytown
5 in her email?

6 A. Not that I'm aware of.

7 Q. Did she reference the NRA?

8 A. Not that I'm aware of.

9 Q. So what in that thread makes the thread related
10 to the investigation into the NRA other than that she
11 participated in this meeting?

12 MS. STERN: Objection, lack of foundation
13 and asked and answered.

14 A. It was an email that was part of the ten
15 documents. Communications were reviewed. I reviewed a
16 communication.

17 Q. (BY MS. EISENBERG) There some -- is there
18 something in the thread containing her farewell email that
19 made the thread related to the NRA investigation?

20 MS. STERN: Objection, asked and answered.

21 A. Not that I'm aware of.

22 Q. (BY MS. EISENBERG) Is it your testimony that
23 you reviewed a farewell email by a departing colleague,
24 even though it had no relationship to the investigation
25 into the NRA?

1 MS. STERN: Objection. You can answer that
2 yes or no.

3 A. No.

4 Q. (BY MS. EISENBERG) What in the --

5 MS. STERN: We have -- after the next
6 appropriate point, I'd -- I'd like to take a break if you
7 don't mind.

8 MS. EISENBERG: Of course.

9 Q. (BY MS. EISENBERG) Mr. Wang, what in the email
10 thread containing the farewell email caused that email to
11 be among the ten documents that you reviewed in
12 preparation for your testimony here today?

13 MS. STERN: Okay. Objection. I direct the
14 witness not to answer the question to the extent that it
15 entails any attorney work product, any attorney-client
16 communications. I believe the witness has testified
17 before as to his knowledge about the search that was
18 conducted and how it was conducted. And I believe this is
19 another question that goes to that same point.

20 Q. (BY MS. EISENBERG) What in the email thread
21 containing the farewell email caused that email to be
22 among the ten or so documents that you reviewed in
23 preparation for your testimony here today?

24 MS. STERN: Objection.

25 A. I think your question calls for me to analyze

1 the parameters of the email search that was conducted as
2 part of my preparation for today's testimony. And as I
3 told you, counsel advised me with respect to the search
4 parameters of that process.

5 Q. (BY MS. EISENBERG) Mr. Wang, my question has
6 nothing to do with the search parameters. My question is:
7 Why were you looking at that particular thread in
8 preparation for today's testimony? What in that thread
9 made it related to Topic 13?

10 MS. STERN: Okay. I'm going to object.

11 Ms. Eisenberg, I think that the question that you asked
12 was what caused the email to be among the emails that he
13 reviewed. If you'd like, we can have the court reporter
14 read back the question, but that is my understanding of
15 what the question was asking him.

16 Q. (BY MS. EISENBERG) Ms. Stern, your speaking
17 objections are completely inappropriate. The witness can
18 say he doesn't know. He can refuse to answer my question.
19 He can say whatever the witness wishes to say. But your
20 long-winded speaking objections are completely
21 inappropriate. You can either instruct him not to answer
22 or say "Objection, you may answer." Are you instructing
23 him not to answer the question?

24 MS. STERN: I would like the last question
25 read back.

1 (Requested portion was read.)

2 MS. STERN: To the extent that you can

3 answer that question without revealing any attorney-client

4 communications or attorney work product, you may answer

5 the question.

6 A. I think the only way that question could be

7 answered is by saying I don't know what caused this email

8 to be grouped within the other emails. The only thing I

9 can say is there were a number of emails between Ms. Wood

10 and Mr. Sheehan related to that meeting. So it might have

11 been that, but I cannot say for certain what caused that

12 email to be included in the group.

13 Q. (BY MS. EISENBERG) Who at your office would

14 know what was discussed at that meeting -- let me

15 rephrase. Who at -- who in your office knows what was

16 discussed at the February 14th meeting with Everytown?

17 A. As the corporate representative of the Attorney

18 General's Office, I would know. And Mr. Sheehan would

19 know.

20 Q. Okay. Anybody else?

21 MS. STERN: Objection.

22 A. Other than --

23 MS. STERN: Objection.

24 A. Other than counsel who assisted in the

25 preparation for 30(b)(6) testimony, no one else.

1 Q. (BY MS. EISENBERG) When was the first
2 communication between Everytown and your office regarding
3 the NRA investigation?

4 A. My understanding is that it was in mid January
5 of 2019.

6 Q. What type of communication was this?

7 A. An email.

8 Q. Who sent the email?

9 A. As I told you earlier, I reviewed about ten
10 email communications that were all internal. So the
11 internal communication would have been either from
12 Mr. Sheehan or Ms. Wood.

13 Q. The question was when was the first
14 communication between Everytown --

15 A. Your question was actually who sent the email.

16 Q. Okay. Well, let's back up.

17 A. You want to read back the question?

18 Q. Yes. The first question was when was the first
19 communication --

20 A. Why don't -- why doesn't the court reporter read
21 back what the last question was?

22 Q. Sir, I'm in charge of this deposition and if I
23 would like the court reporter to read back the question, I
24 will.

25 MS. STERN: Okay. Wait. Ms. Eisenberg, I

1 know you want clear testimony, and if there's a confusion
2 between yourself and the witness concerning what is the
3 question that the witness is being asked to answer, then I
4 would ask that we just have the court reporter read back
5 the question that you would like the witness to answer or
6 you can restate the question. It is your deposition, let
7 us know how you would like to proceed.

8 MS. EISENBERG: Thank you.

9 Q. (BY MS. EISENBERG) When was the first
10 communication between Everytown and your office regarding
11 the NRA investigation?

12 MS. STERN: Objection, asked and answered.

13 A. I answered that question already. I said mid
14 January 2019.

15 Q. (BY MS. EISENBERG) What type of communication
16 was that mid January 2019 communication? Was it an email,
17 a voicemail, a phone call or something else?

18 A. As my previous answer clearly stated, it was an
19 email.

20 Q. Who sent the email?

21 A. As I previously testified to, all of the
22 electronic communications that I reviewed were internal
23 communications. So the sender of the email would have
24 been either James Sheehan or Laura Wood.

25 Q. How can an internal communication be a

1 communication between your office and Everytown?

2 A. The communication -- the internal communications
3 between Mr. Sheehan and Ms. Wood were about setting up the
4 meeting with the Attorney General's Office and Everytown.
5 And at that meeting, communications between Everytown and
6 the Attorney General's Office would have occurred. So it
7 would have been proper to review those communications in
8 preparation for today's 30(b)(6) testimony.

9 MS. STERN: Ms. Eisenberg, I suggest that I
10 asked previously if we could take a little break. I
11 personally need a break. And -- to use the restroom and I
12 think this would be an appropriate time, if it's okay with
13 you.

14 MS. EISENBERG: Absolutely.

15 MS. STERN: Okay.

16 THE VIDEOGRAPHER: Going off the record,
17 11:43.

18 (Recess from 11:43 a.m. to 12:09 p.m.)

19 THE VIDEOGRAPHER: We're back on the record
20 at 12:09.

21 Q. (BY MS. EISENBERG) Okay. Mr. Wang, how did
22 Everytown reach out to your office to set up -- withdrawn.

23 How did Everytown reach out to your office to
24 ask for the February 14th meeting? Was it by email,
25 through a call or something else?

1 A. My understanding is that Mr. Lillien, counsel to
2 Everytown, called Mr. Sheehan.

3 Q. Had they spoken before that call ever?

4 A. In their lifetimes?

5 Q. Yes.

6 A. Yes, they've spoken before. Mr. Lillien used to
7 work in this office.

8 Q. Until when?

9 A. Before my time. I don't know when.

10 Q. And when did you --

11 A. It was a prior -- I'm sorry?

12 Q. And you started six years ago?

13 A. Yes. So he worked -- he was not here when I was
14 here, so it was earlier. He must have left the office
15 earlier than 2015.

16 Q. Did he and --

17 A. He was the former -- he was the former bureau
18 chief.

19 Q. What bureau did he supervise?

20 A. Charities bureau.

21 Q. Did Mr. Sheehan work at the office when
22 Everytown's general counsel worked at the office?

23 A. Oh, he wasn't --

24 MS. STERN: Objection. Objection, lack of
25 foundation.

1 A. I think you -- you misunderstood. Mr. Lillien
2 is not general counsel to Everytown. I believe he's
3 outside counsel. I don't know the name of the law firm
4 that he works for.

5 Q. (BY MS. EISENBERG) Let me rephrase. When
6 Mr. Lillien worked at the New York Attorney General's
7 Office, did Mr. Sheehan work at the New York Attorney
8 General's Office as well?

9 A. No, my understanding is they were not colleagues
10 at the Attorney General's Office.

11 Q. Is it your understanding that Mr. Sheehan joined
12 the office only after Mr. Lillien left?

13 A. I believe that's correct.

14 MS. STERN: I'll represent to you, Counsel,
15 that Mr. Lillien was bureau chief prior to Mr. Sheehan
16 being the bureau chief.

17 A. That's what I thought, but I wasn't 100 percent
18 sure.

19 (Simultaneous speaking.)

20 Q. (BY MS. EISENBERG) And was Mr. Sheehan
21 Mr. Lillien's immediate successor?

22 A. That is my understanding.

23 Q. Okay. We don't want you to speculate and --

24 MS. STERN: Yeah, I would caution you not to
25 speculate and I don't think that's --

1 A. I -- I don't have the employment records of the
2 Attorney General's Office in front of me, so I'm not 100
3 percent sure.

4 Q. (BY MS. EISENBERG) Understood.

5 MS. STERN: That's not something that --
6 it's not something that was called for in terms of
7 preparation for the 30(b)(6).

8 MS. EISENBERG: Of course. Of course. No.
9 100 percent.

10 Q. (BY MS. EISENBERG) Okay. So is it your
11 office's testimony today that the way Mr. Lillien reached
12 out to Mr. Sheehan was through a phone call?

13 A. That is my understanding.

14 Q. And when you say it's your understanding, that
15 is your understanding as the corporate representative?

16 A. Correct.

17 Q. Did Mr. Lillien leave a voicemail or did they
18 speak or something else?

19 A. My understanding is they had a conversation.

20 Q. How long was that telephone conversation?

21 MS. STERN: Objection.

22 A. I do not know.

23 Q. (BY MS. EISENBERG) Did anyone else other than
24 Mr. Lillien or Mr. Sheehan participate in that telephone
25 conversation?

1 A. I believe it was just the two of them.

2 Q. What did Mr. Lillien say?

3 A. My understanding is that Mr. Lillien requested a
4 meeting during this telephone conversation.

5 Q. Is it your understanding as the corporate
6 representative that Mr. Lillien identified the topic about
7 which he was requesting the meeting?

8 A. My understanding is that Mr. Lillien would have
9 indicated that he was serving as outside counsel to
10 Everytown. And on behalf of his client, he was requesting
11 a meeting with the Attorney General's Office.

12 Q. And when you say "would have," is it because you
13 don't know and you're speculating, or that's just a
14 different term of phrase and what you're saying is that
15 it's your understanding that he, in fact, said so?

16 A. That is my understanding. My understanding is
17 that he asked for a meeting, and he indicated the subject
18 matter of the meeting was his representation of Everytown.

19 Q. Did Mr. Lillien mention the NRA during that
20 phone call with Mr. Sheehan?

21 A. Not that I'm aware of. My understanding is he
22 indicated who he represented and that he wanted to have a
23 meeting.

24 Q. Did Mr. Lillien indicate in any way to
25 Mr. Sheehan that the topic of the meeting pertained to the

1 NRA?

2 A. Not that I'm aware of.

3 Q. And is it the office's position that Mr. Sheehan

4 did not know until the meeting that the meeting pertained

5 to the NRA?

6 A. No.

7 MS. STERN: Objection. Objection, lack of

8 foundation.

9 Q. (BY MS. EISENBERG) Is the answer no?

10 A. No.

11 Q. So Mr. Sheehan knew going into the meeting that

12 the meeting was about the NRA, correct?

13 A. That is my understanding.

14 Q. On what basis did he form that knowledge?

15 MS. STERN: Objection. Is your "he"

16 Mr. Sheehan in your question --

17 MS. EISENBERG: Yes.

18 MS. STERN: -- just to clarify?

19 Q. (BY MS. EISENBERG) On what basis did

20 Mr. Sheehan believe that the meeting was about the NRA?

21 MS. STERN: Objection.

22 A. My understanding is that Mr. Sheehan knew the

23 February 14th meeting with Everytown was to discuss the

24 NRA.

25 Q. (BY MS. EISENBERG) Who told him that?

1 A. My understanding is that he had a conversation
2 with Mr. Lillien on the phone.

3 Q. Is it the office's position that Mr. Lillien
4 mentioned the NRA in the telephone conversation with
5 Mr. Sheehan?

6 MS. STERN: Objection. I don't understand
7 your question "Is it the office's position." Are you
8 asking him for factual information?

9 MS. EISENBERG: I'm asking him for the
10 New York Attorney General's testimony on the particular
11 topic. And Mr. Wang keeps saying "my understanding." So
12 we need to make a clear record and everything should be
13 presumed to be coming from the office in his capacity as
14 the representative, but he keeps saying "my
15 understanding." And what's not clear to me is if he's
16 saying, I wasn't prepared on that topic, I actually don't
17 know, which is an answer I would appreciate it if that's
18 the case, or he continues to say "my understanding." But
19 we're not here to talk about his understanding in his
20 personal capacity, rather as a 30(b)(6) witness. Do you
21 understand what I'm getting at, Ms. Stern?

22 MS. STERN: Yes, I do. And --

23 MS. EISENBERG: Would you like to take a
24 break to make sure --

25 A. Actually, when I say "my understanding," I am

1 referring to my understanding as a 30(b)(6) corporate
2 representative of the New York State Attorney General's
3 Office.

4 Q. (BY MS. EISENBERG) I see. Thank you for that
5 clarification, sir. I very much --

6 A. You're welcome.

7 Q. Okay. So did Mr. Lillien mention the NRA on the
8 mid January call that he had with Mr. Sheehan, yes or no?

9 A. My understanding is that Mr. Lillien had a phone
10 call with Mr. Sheehan. He requested a meeting. He
11 indicated he represented Everytown. And Mr. Sheehan knew
12 that this meeting that was going to take place was going
13 to be about the NRA. The specifics of whether or not the
14 NRA was mentioned on that phone call, I don't have direct
15 knowledge of.

16 Q. And what about 30(b)(6) knowledge?

17 A. As I told you, I know that there was a phone
18 call between Mr. Lillien and Mr. Sheehan.

19 Q. That wasn't --

20 A. That phone call was to discuss a potential
21 meeting, a request by Mr. Lillien for a meeting.

22 Q. I will be asking some questions to which you
23 will not know the answer despite your efforts to prepare,
24 and that's okay. But I would ask you to, please, specify
25 when that is the case. So my question is --

1 A. I'm specifying to you what my knowledge is.

2 MS. STERN: So let me just -- you know, I
3 know that, Svetlana, you want to get the answers to your
4 questions, and I know that my office, through Mr. Wang as
5 the corporate representative wants to answer those
6 questions within the parameters of what is appropriate.
7 So let us try to proceed in that fashion. He will provide
8 as much detail as is reasonably obtainable as a corporate
9 representative, so let's just proceed.

10 MS. EISENBERG: Well, I very much appreciate
11 that. Thank you very much, Ms. Stern.

12 Q. (BY MS. EISENBERG) So to go back to this line
13 of questioning. I asked you whether Mr. Sheehan knew,
14 based on what Mr. Lillien said, that the meeting would be
15 about the NRA. Now, you said, "I don't know" -- "I don't
16 have personal knowledge about that." What I'm asking you,
17 do you also not have 30(b)(6) knowledge about that?

18 A. I do have 30(b)(6) knowledge about this
19 communication. What my 30(b)(6) knowledge about this
20 communication was is that there was a phone call between
21 Mr. Lillien and Mr. Sheehan where Mr. Lillien requested a
22 meeting. He indicated that he represented Everytown.
23 Whether or not the specific letters NRA came out of
24 Mr. Lillien's mouth during that specific phone call, I
25 don't have either personal or 30(b)(6) knowledge about

1 whether he had uttered those three letters in his phone
2 conversation. But I do know, as a corporate
3 representative, that Mr. Sheehan knew the topic of the
4 meeting that was scheduled for February 14th was a
5 discussion about the NRA. Is that clear?

6 Q. Very. Thank you very much. I really appreciate
7 it. Now --

8 A. You're welcome.

9 Q. -- was there any reference by Mr. Lillien in sum
10 and substance to wanting to discuss any non-for-profit
11 corporations other than the NRA in the meeting?

12 MS. STERN: Objection.

13 A. My --

14 MS. STERN: Excuse me. Objection. That
15 goes outside the scope of what the purview of the
16 permissible subject matter for this 30(b)(6) deposition.

17 MS. EISENBERG: I'm entitled to inquire
18 whether the meeting was set up as solely about the NRA
19 and/or other filings.

20 MS. STERN: Then ask the question. Go
21 ahead, ask the question that way. You're not entitled to
22 ask whether or not other topics concerning other charities
23 were under discussion between anyone in this office and
24 anyone outside. That is not within the purview of the
25 notice, and it's not within the purview of what the Court

1 is allowing the debtor to take discovery of.

2 Q. (BY MS. EISENBERG) Mr. Wang, when Mr. Sheehan
3 and Mr. Lillien spoke on the phone, did Mr. Lillien say
4 anything to indicate that he wanted to discuss anything
5 other than the NRA during the meeting that he requested?

6 MS. STERN: Objection. I don't think that
7 remedies the issue.

8 MS. EISENBERG: Are you instructing him not
9 to answer?

10 MS. STERN: If you're asking him whether or
11 not any other matters concerning other charities or any
12 other topics were discussed between Mr. Lillien and
13 Mr. Sheehan, then I am instructing him not to answer that
14 question. And I would ask you to tell me where that is
15 within the bounds of what you're entitled to discovery of.

16 MS. EISENBERG: Certainly. I'm entitled to
17 inquire about communications between your office and
18 Everytown, would you agree with that?

19 A. Regarding the NRA investigation.

20 Q. (BY MS. EISENBERG) Regarding the NRA?

21 A. Sorry.

22 Q. There was testimony about a meeting and a phone
23 call that meets that definition. I'm entitled to find out
24 more about the communications both the phone call and the
25 meeting, and specifically whether topics unrelated to the

1 NRA were discussed, yes or no. I'm not going to inquire
2 into what they were or to whom they related, but I'm
3 entitled to know if the NRA was the only topic. Do you
4 disagree with that?

5 MS. STERN: I do disagree with that because
6 you asked for a 30(b)(6) witness to be prepared to
7 address -- can I have the notice for a second, please?
8 The topic that the Court permitted, communications
9 regarding the investigations, regarding the NRA -- the
10 Attorney General's investigation concerning the NRA.
11 That's what the scope of the Topic 13 is. That is what
12 the scope of what the judge permitted and he cautioned
13 that there will be plenty. There may be areas that are
14 outside the bounds of what are discoverable. And so your
15 inquiry into what other communications may have been had
16 is outside of the bounds. And if we will agree to
17 disagree, but the witness is not going to testify about
18 any other subject matters.

19 MS. EISENBERG: Ms. Stern, my question --

20 MS. STERN: You can ask him questions about
21 the communications concerning the investigation. That's
22 what's in the notice. That's what the Court ordered and I
23 would ask that you proceed to that topic.

24 MS. EISENBERG: Ms. Duncan, can you please
25 read the pending question?

1 (Requested portion was read.)

2 Q. (BY MS. EISENBERG) Do you understand what the
3 pending question is, or no?

4 A. If that is your pending question, my answer is
5 my understanding is that a telephone conversation took
6 place between Mr. Lillien and Mr. Sheehan where
7 Mr. Lillien indicated he was requesting a meeting and who
8 his client was.

9 Q. You referenced a Wall Street Journal article
10 early in your testimony. Do you recall that?

11 A. In the context of describing the items that
12 Everytown was bringing to the attention of the New York
13 AG's office in that meeting, yes.

14 (Debtor's Exhibit 2 was marked.)

15 Q. (BY MS. EISENBERG) Do you have Debtor's
16 Exhibit 2 in front of you?

17 A. It is in front of me on this laptop.

18 Q. Please take a moment to review Debtor's 2. For
19 the record, Debtor's 2 is a four-page PDF of a Wall Street
20 Journal article by Mark Maremont dated November 30, 2018.
21 It is entitled NRA Awarded Contracts to Firms with Ties to
22 Top Officials.

23 MS. STERN: Ms. Eisenberg, do you want him
24 to just review it to determine whether he recognizes it?
25 Do you want him to review the content?

1 MS. EISENBERG: The former, please.

2 A. Okay. I recognize this document.

3 Q. (BY MS. EISENBERG) What is Debtor's 2?

4 A. It appears to be a publication or an article by

5 Mark Maremont, dated November 30, 2018. It looks like

6 it's published in the Wall Street Journal. It is entitled

7 NRA Awarded Contracts to Firms with Ties to Top Officials.

8 Q. Is Debtor's 2 the article that you referenced in

9 your previous testimony?

10 A. That is my understanding.

11 Q. As a corporate representative?

12 A. That is my understanding as a corporate

13 representative testifying today on behalf of the office of

14 the Attorney General of New York State.

15 Q. Did Mr. Lillien mention Debtor's 2 during his

16 phone call with Mr. Sheehan?

17 A. Not that I'm aware of.

18 Q. Who would be aware?

19 A. Whether or not this specific article was

20 referenced in the phone call between Mr. Lillien and

21 Mr. Sheehan, Mr. Lillien and Mr. Sheehan would know.

22 Q. Did Mr. Sheehan take any notes during that phone

23 call?

24 A. Not that I'm aware of.

25 Q. And if he did, who would be aware of that?

1 A. Mr. Sheehan would be aware of whether or not he
2 took notes during a phone call with Mr. Lillien.

3 Q. During the February 14th meeting, did
4 Mr. Lillien mention this Wall Street Journal article,
5 Debtor's 2?

6 MS. STERN: Objection, asked and answered.

7 A. My understanding is that when the meeting took
8 place, two items that were raised were the NRA's 990 and a
9 Wall Street -- this Wall Street Journal article. Both
10 items were not new information to Mr. Sheehan or the
11 office of the Attorney General.

12 Q. (BY MS. EISENBERG) When you say Mr. Lillien
13 raised this article, what do you mean by "raised"?

14 MS. STERN: Objection. I think that
15 misstates the prior testimony.

16 Q. (BY MS. EISENBERG) Sir, did you use the word
17 "raised" in your previous answer?

18 A. I don't recall, but what I -- what I -- if I did
19 say "raise," what I would have meant is he spoke about it.

20 Q. What specifically did Mr. Lillien say about this
21 Wall Street Journal article, Debtor's 2, at the February
22 14th meeting with representatives of your office?

23 A. What I'm aware of is he raised the existence of
24 the article and the concerns raised within the article.

25 Q. Which specific concerns raised in the article

1 did Mr. Lillien speak about during the February 14th
2 meeting?

3 MS. STERN: Objection.

4 A. I am not aware of what specific concern within
5 the article he referenced.

6 Q. (BY MS. EISENBERG) Who is aware of what
7 specific concerns raised in the article Mr. Lillien
8 referenced?

9 MS. STERN: Objection.

10 MS. EISENBERG: Are you instructing him not
11 to answer?

12 MS. STERN: No. I did not --

13 Q. (BY MS. EISENBERG) Okay. You may answer, sir.

14 A. Anyone who was physically in that meeting would
15 know what specific concerns within this article he may
16 have referenced.

17 MS. EISENBERG: We lost the image on our
18 screen. We apologize for the delay. We're taking a
19 minute to readjust it. Can we please go off the record?

20 THE VIDEOGRAPHER: Going off the record,
21 12:31.

22 (Recess from 12:31 p.m. to 12:32 p.m.)

23 THE VIDEOGRAPHER: Okay. Back on at 12:32.
24 Go ahead.

25 Q. (BY MS. EISENBERG) Okay. There's a reference

1 to Mr. Powell's wife working for a company called McKenna.

2 Do you see that?

3 MS. STERN: Are you referring to the

4 exhibit?

5 MS. EISENBERG: Yes, Debtor's 2.

6 MS. STERN: Okay. Can you direct us to

7 or . . .

8 MS. EISENBERG: Certainly. Directing your

9 attention to page 2 of the four-page exhibit. You have it

10 in front of you?

11 MS. STERN: Okay. A few weeks after his

12 wife's hiring, is that what we're looking at? Or where

13 are you? Can you just direct us to what paragraph?

14 Q. (BY MS. EISENBERG) Yes. I'm directing your

15 attention to the third full paragraph on page 2, the one

16 that starts with the words "In one previously unrecorded

17 arrangement." Do you see that?

18 A. I do.

19 Q. Okay. And this and the following paragraph

20 refer to a Mr. Powell's wife working for McKenna, correct?

21 MS. STERN: The document speaks for itself.

22 Are you asking him to read to you what is in the Wall

23 Street Journal article?

24 MS. EISENBERG: I'm asking him if what I

25 said is correct.

1 A. That is what the document says.

2 Q. (BY MS. EISENBERG) Thank you. Is the, quote, a
3 reported arrangement, a topic that Mr. Lillien discussed
4 at the February 14th meeting?

5 MS. STERN: Objection.

6 A. As I stated in my previous testimony, the topic
7 of the 990 and this article were both raised, whether or
8 not --

9 Q. (BY MS. EISENBERG) That's not my question.

10 A. -- specific paragraphs were referenced, that is
11 a specific level of knowledge that I do not know.

12 Q. Who does know?

13 MS. STERN: Objection, asked and answered.

14 (Simultaneous speaking.)

15 A. The individuals who were present at the meeting.

16 Q. (BY MS. EISENBERG) Thank you. Directing your
17 attention to the fourth paragraph from the bottom on page
18 2 of Debtor's 2, it starts with the words "In the November
19 tax filing." Do you see that?

20 MS. STERN: Okay. Yes, we do.

21 A. Yes.

22 Q. (BY MS. EISENBERG) And there's a reference to
23 Crow Shooting Supply and Mr. Brownell. Do you see that?

24 A. Yes.

25 Q. Was the topic discussed in this paragraph

1 discussed by Mr. Lillien during the February 14th meeting?

2 MS. STERN: Objection.

3 A. It is the same answer to your prior question.

4 Q. (BY MS. EISENBERG) Which is that you don't
5 know?

6 A. No, that was not my answer.

7 THE WITNESS: Court reporter, can you
8 read -- read back my prior answer, please, Ms. Duncan?

9 (Requested portion was read.)

10 A. I'll give the answer again. I know that at this
11 meeting, the 990 of the NRA was discussed, and this
12 specific Wall Street Journal article was discussed. I
13 know a number of related party transaction issues were
14 discussed. Whether or not specific paragraphs of a
15 four-page long Wall Street Journal article were
16 specifically referenced by either Mr. Lillien or
17 Mr. Sheehan is a level of minutia that I am not aware of.
18 I know they discussed both the 990 and the article in
19 general.

20 Q. (BY MS. EISENBERG) Who is aware of this
21 minutia?

22 MS. STERN: Objection, asked and answered.

23 A. The individuals who would have been physically
24 present at that meeting.

25 Q. (BY MS. EISENBERG) Are you referring to

1 individuals who were at that meeting?

2 A. Correct.

3 Q. Please take a moment to review the article and

4 let me know if there are any specific transactions

5 discussed in it that you know were discussed by

6 Mr. Lillien at the February 14th meeting.

7 MS. STERN: Okay. Let's take a second to

8 look at the article. Go ahead.

9 A. It looks like the article references the related

10 party transaction between the NRA and HWS Consulting. It

11 looks like the article references related party

12 transactions between the NRA and Lawton Affinity. It

13 looks like the article references the transactions with

14 Crow Shooting Supply. Looks like the article references

15 some issues with respect to McKenna and Mr. Powell's wife,

16 Colleen Gallagher.

17 Q. (BY MS. EISENBERG) Anything else?

18 A. Those are the issues that I see upon my review

19 of this document.

20 Q. Thank you. Any of the issues that you

21 enumerated with regard to any of them, which any of them

22 specifically were discussed by Mr. Lillien at the February

23 14th meeting?

24 A. As I previous --

25 MS. STERN: Objection, asked and answered.

1 A. As I previously testified, my knowledge as the
2 30(b)(6) witness today, is that this article was discussed
3 generally along with the NRA's 990 filing.

4 MS. EISENBERG: That is not the question
5 that I asked. Ms. Duncan, please repeat the question.

6 (Requested portion was read.)

7 A. My understanding is that the entire article was
8 discussed generally at the meeting.

9 Q. (BY MS. EISENBERG) But you don't know whether
10 either of these items were discussed specifically,
11 correct?

12 MS. STERN: Objection, asked and answered.
13 You, at this point, are badgering the witness. You have
14 his answer, now I ask that you move on. We have spent
15 hours on this topic. You have your answer from the
16 witness with respect to the discussion of this article.
17 Are you prepared to move on?

18 MS. EISENBERG: I insist on the answer to my
19 question. It still hasn't been answered. If you are
20 instructing him not to answer --

21 A. I answered your question numerous times.

22 (Simultaneous speaking.)

23 MS. EISENBERG: I'm so sorry. I try not to
24 interrupt. If you could try not to interrupt me, I'd
25 appreciate it.

1 Ms. Stern, you have two options. You can
2 object and let the witness answer, or you can direct him
3 not to answer. What is your choice? Which one are you
4 doing?

5 MS. STERN: Please read back the last
6 question.

7 (Requested portion was read.)

8 MS. STERN: You can answer the question.

9 A. I know that the article was discussed in general
10 at this meeting.

11 Q. (BY MS. EISENBERG) Sir, you're not answering my
12 question. Is it correct that you don't know which, if
13 any, of these specific items were discussed at the
14 meeting?

15 A. I've answered your question numerous times at
16 this point. I know that the article was discussed in
17 general at this meeting.

18 Q. Do you know which of the specific items that you
19 enumerated were specifically discussed at the meeting, yes
20 or no?

21 MS. STERN: Objection, asked and answered.
22 You may answer the question for the final time.

23 A. I know that the article was discussed in general
24 at this meeting.

25 Q. (BY MS. EISENBERG) That's not the question that

1 I asked. The question is: Do you know which, if any, of
2 these specific transactions were discussed at the meeting?
3 You either know or you don't.

4 A. I know that the article in general was discussed
5 at this meeting.

6 Q. Given that you apparently don't know whether or
7 not any of the specific transactions were discussed, who
8 knows which, if any, of the specific transactions were
9 discussed at the meeting?

10 MS. STERN: Objection, asked and answered.
11 And he can only answer it to the extent that it reflects
12 information known to the Attorney General's Office and not
13 to any of the other attendees at the meeting. I assume
14 that is -- that you're directing your question to the
15 knowledge of the Attorney General's Office; is that
16 correct?

17 Q. (BY MS. EISENBERG) Do you understand the
18 question, sir?

19 A. I know that the article was discussed in general
20 at this meeting.

21 Q. Who knows whether or not specific transactions
22 were discussed?

23 MS. STERN: Objection, asked and answered.

24 Q. (BY MS. EISENBERG) You may answer.

25 A. I cannot suppose what is in the knowledge of the

1 various individuals who were attending the meeting.

2 Q. So you don't know if Mr. Sheehan knows?

3 A. I am not inside Mr. Sheehan's brain.

4 Q. So the answer is no, correct?

5 A. The answer is I know the article was discussed

6 in general at the meeting.

7 Q. So you don't know whether or not he knows
8 whether specific transactions were discussed, correct?

9 A. I don't know what is inside Mr. Sheehan's brain.

10 MS. STERN: He's answered this question now
11 repeatedly.

12 MS. EISENBERG: Okay. Emily, when is a good
13 time to break for lunch? According to my clock, it's
14 12:43. Would you like to take a half-an-hour break? Now
15 would work for me if that works for you.

16 MS. STERN: Yeah. Let me just check with
17 the witness. Is that okay?

18 THE WITNESS: Yeah.

19 MS. STERN: Can we find out how much time
20 has elapsed?

21 THE VIDEOGRAPHER: Let's go off the record,
22 if that's all right.

23 MS. STERN: Yes.

24 THE VIDEOGRAPHER: Going off at 12:44.

25 (Recess from 12:44 p.m. to 1:17 p.m.)

1 THE VIDEOGRAPHER: We are back on the record
2 at 1:17.

3 Q. (BY MS. EISENBERG) Okay. Mr. Wang, thank you
4 for coming back on time. We really appreciate it.

5 Before the break we were discussing the Wall
6 Street Journal article that's marked as Debtor's 2. Do
7 you recall that?

8 A. Yes.

9 Q. Is there anything else -- having taken the
10 break, is there anything that came to mind with regard to
11 the article that relates to the questions that I was
12 asking you earlier? Do you wish to supplement your
13 testimony in any way?

14 A. I stand on the answer to the questions that were
15 asked repeatedly, and the answer is that my knowledge --
16 the -- the Attorney General's Office's knowledge of that
17 meeting and the communications that took place at that
18 meeting were that the -- were that Everytown and through
19 its counsel, Mr. Lillien, raised issues with respect to
20 the IRS 990 and this Wall Street Journal article. The
21 concerns raised in the article were discussed generally.
22 And that's the extent of the detail that the Attorney
23 General's Office has. And I've been prepared to testify
24 as to that information, and provide that information
25 today. And that is the extent of the information that is

1 known by this office.

2 Q. Okay. Anything else?

3 MS. STERN: In response to a question?

4 Q. (BY MS. EISENBERG) Is there any other way in
5 which you wish to supplement your previous testimony?

6 A. That's the extent of my answer and I think
7 that's consistent with what I said prior to this break.

8 Q. Okay. I just wanted to give you an opportunity
9 to provide a complete answer. Thank you. The --

10 MS. STERN. Sorry. Are we done with
11 Exhibit 2?

12 MS. EISENBERG: No, we're not.

13 MS. STERN: Okay.

14 Q. (BY MS. EISENBERG) Mr. Wang, you previously
15 testified to the effect that there were two specific
16 documents that were referenced by Mr. Lillien in the
17 meeting. Do you recall that testimony?

18 A. Yes. As I've stated numerous times, the IRS 990
19 and this Wall Street Journal article.

20 Q. Those are two documents that Mr. Lillien
21 referenced, correct?

22 A. Correct. That is my understanding.

23 Q. Okay. Now, what was the context in which he was
24 talking about the Wall Street Journal article? How did he
25 say it related to the Form 990?

1 MS. STERN: Objection, lack of foundation.

2 Q. (BY MS. EISENBERG) Okay. Let me reask the
3 question.

4 Did Mr. Lillien during that February 14th
5 meeting indicate in any way that the Wall Street Journal
6 article, Debtor's 2, was related to the concerns he was
7 raising about the 2017 Form 990, yes or no?

8 MS. STERN: Objection, lack of foundation.

9 A. My understanding is that both the IRS 990 and
10 the Wall Street Journal article were discussed at this
11 meeting.

12 Q. (BY MS. EISENBERG) And do you have an
13 understanding as to when they were discussed, Mr. Lillien
14 drew a connection between the two documents?

15 A. Both documents were discussed at this meeting.

16 Q. But you don't know whether or not he was
17 referring to the article for purposes of emphasizing his
18 concerns about the 990?

19 MS. STERN: Objection.

20 A. I'm aware that Mr. Lillien discussed both of
21 these documents at this meeting as -- as part of their
22 communications with the Attorney General's Office. And as
23 I said at the start of this particular session, that is
24 the extent of the detail known to the Attorney General's
25 Office at this time.

1 Q. (BY MS. EISENBERG) So Mr. Sheehan does not know
2 of any additional details other than what you just said?

3 MS. STERN: Objection.

4 A. As I said, the extent of detail that is known
5 with respect to the communications that took place at this
6 meeting has been testified to by me here today.

7 Q. (BY MS. EISENBERG) Okay. But you said that
8 this is the extent of this office's knowledge and I want
9 to understand what specifically you meant by that.

10 A. Correct.

11 Q. So let's look --

12 A. Because I have -- I have prepared for testimony
13 today to speak as a corporate representative of the
14 Attorney General's Office. And I'm in possession of the
15 knowledge with respect to this meeting. And what I've
16 relayed to you is the extent of the knowledge the Attorney
17 General's Office has with respect to the communications
18 that took place at this meeting.

19 Q. Got it. So in other words, there isn't
20 something that you know and you're holding back. You have
21 shared with us your full extent of knowledge about that
22 meeting, correct?

23 MS. STERN: You being your -- just -- just
24 to make it clear, you being the --

25 Q. (BY MS. EISENBERG) The representative.

1 MS. STERN: -- as the corporate
2 representative.

3 Q. (BY MS. EISENBERG) You being the corporate
4 representative.

5 A. As a corporate representative, the extent of the
6 detail known to the Attorney General's Office is as I have
7 testified to, that this meeting took place, that these two
8 documents were raised by -- by Everytown and that that's
9 what took place at this meeting.

10 Q. Okay. So in other words, as a corporate
11 representative, there isn't anything else that you know
12 about the meeting that we haven't already covered during
13 this deposition, correct?

14 A. I have testified to the extent of my knowledge
15 with respect to this meeting, and my knowledge represents
16 the extent of the knowledge of the Attorney General's
17 Office with respect to this meeting.

18 Q. What else do you know about that meeting?

19 MS. STERN: Objection.

20 A. I have testified to the extent of the detail
21 known by the Attorney General's Office with respect to
22 this meeting.

23 Q. (BY MS. EISENBERG) So there isn't anything else
24 that you know about the meeting that we haven't already
25 discussed?

1 A. I have discussed today the extent of the
2 Attorney General's Office knowledge with respect to the
3 communications that took place at that meeting.

4 Q. Is it fair to say that if you had an opportunity
5 to speak to Mr. Sheehan, it's possible that your knowledge
6 as to that meeting would expand?

7 MS. STERN: Objection. You're asking him to
8 speculate. He's testified about the knowledge of the
9 Attorney General's Office concerning that meeting, has
10 said, I think repeatedly, the scope of the knowledge is
11 known by the office about that meeting today.

12 MS. EISENBERG: Are you done?

13 MS. STERN: Yes.

14 Q. (BY MS. EISENBERG) What is your answer, sir?

15 A. I have testified extensively to the amount of
16 preparation that I underwent in preparation to testify as
17 the 30(b)(6) representative of the New York office of the
18 Attorney General. As part of that preparation, as I
19 testified to previously, I reviewed documents, I reviewed
20 communications, and I had meetings where I spoke with
21 counsel. In three separate meetings where I spoke with
22 counsel. And I'm obviously not going to go into the
23 specifics of my conversations with counsel because as you
24 well know, those conversations are privileged.

25 Q. So given that you are the corporate

1 representative and you've had three meetings to prepare
2 for this testimony, why is it that you don't know whether
3 specific transactions were discussed during the February
4 14th meeting?

5 MS. STERN: Objection. If -- sorry. I -- I
6 direct you not to answer that question to the extent that
7 it requires you to reveal any privileged communications or
8 any attorney work product.

9 A. Ms. Eisenberg, I -- I've really done the best
10 that I can to try to help you and try to answer the
11 questions that you've probably asked me 40 times on the
12 record at this point. And my answer still remains the
13 same, which is as part of my preparation to testify today
14 as a 30(b)(6) witness, my understanding of the
15 communications that took place at that meeting were that
16 the 990 of 2017 was discussed and that this Wall Street
17 Journal article was discussed. And that is the extent of
18 the knowledge of the Attorney General's Office with
19 respect to communications that took place on February 14,
20 2019.

21 Q. (BY MS. EISENBERG) Thank you, sir. And I don't
22 mean to upset you in any way. I'm just trying --

23 A. You're welcome. I'm not upset at all,
24 Ms. Eisenberg. Thank you.

25 Q. Okay. With regard to the 990, what specifically

1 did Mr. Lillien say the concern was? For example, did he
2 communicate that it wasn't complete, inaccurate and/or
3 something else?

4 MS. STERN: Objection, lack of foundation.

5 A. Ms. Eisenberg, the -- the same answers apply to
6 the form 99 -- questions relating to the Form 990 as you
7 previously just went through all the same questions with
8 respect to the Wall Street Journal article. As I've told
9 you a number of times, the office -- the extent of
10 office's knowledge with respect to the communications that
11 took place on February 14, 2019 is that these two
12 documents, namely the 2017 NRA IRS 990 and the Wall Street
13 Journal article November 30, 2018, were the general topics
14 of discussion at that meeting, and that is the extent of
15 the Attorney General's Office's knowledge with respect to
16 those communications.

17 Q. (BY MS. EISENBERG) So is it fair to say that
18 the New York Attorney General's Office's knowledge does
19 not include whether or not Mr. Lillien raised a particular
20 concern about the 990, whether it was alleged inaccuracy,
21 incompleteness and/or something else?

22 MS. STERN: You're asking that witness --
23 the Attorney General's knowledge today; is that correct?

24 MS. EISENBERG: I'm asking him to do his
25 best as the representative.

1 MS. STERN: Of course, he is doing his best,
2 as you can well tell.

3 MS. EISENBERG: All questions I ask are
4 directed towards the witness in his representative
5 capacity.

6 MS. STERN: Can we have the question read
7 back, please?

8 (Requested portion was read.)

9 Q. (BY MS. EISENBERG) Is it fair to say that?

10 A. Ms. Eisenberg, as I've told you on a number of
11 occasions, the concerns raised by counsel for Everytown at
12 this meeting included concerns about the IRS 990 from 2017
13 of the NRA and the contents of the November 30, 2018, Wall
14 Street Journal article. Those were the topics that they
15 raised that the Attorney General's Office was already well
16 aware of that had already reviewed. Those were the
17 contents of those communications. And what I have relayed
18 to you is the extent of the knowledge of the Attorney
19 General's Office with respect to this subject matter.

20 Q. You didn't answer my question.

21 A. On the contrary, Ms. Eisenberg, I -- I think I
22 did. I -- I think I've told you everything that the
23 Attorney General's Office knows with respect to the
24 communications about these two documents, the 990 and the
25 Wall Street Journal article.

1 Q. So the Attorney General's Office does not know
2 whether or not Mr. Lillien alleged that the Form 990 was
3 incomplete?

4 A. The Attorney General's Office -- Ms. Eisenberg,
5 unfortunately the only way I can answer that question is
6 to answer that question with the same answer that I have
7 been providing over and over and over again. The answer,
8 unfortunately, is not going to change, and that is what
9 I'm aware of, what the Attorney General's Office is aware
10 of is that these are the two documents that were discussed
11 at this meeting between Everytown and the Attorney
12 General's Office.

13 Q. Did he say that he believed that it was
14 incomplete?

15 MS. STERN: Objection.

16 Q. (BY MS. EISENBERG) It's a simple question.

17 MS. STERN: Misstates prior testimony.

18 Q. (BY MS. EISENBERG) What was Mr. Lillien's
19 concern about the 990?

20 MS. STERN: Objection, the -- okay.
21 Objection.

22 A. As I've indicated before, the 990 does discuss
23 related party transactions, and I am aware that related
24 party transactions was a topic that was discussed. The
25 990 specifically, the Wall Street Journal article, those

1 two documents were discussed in general and the problems
2 that they raised with respect to related party
3 transactions. They were raising concerns to the Attorney
4 General's Office that they thought the Attorney General's
5 Office should know about. We were well aware of those
6 concerns.

7 Q. (BY MS. EISENBERG) So was Mr. Lillien saying
8 they were related party transactions that should have been
9 but were not disclosed on the Form 990?

10 A. The Form --

11 MS. STERN: Objection. Hold on.

12 THE WITNESS: Okay.

13 MS. STERN: Objection, lack of foundation.

14 Answer the question if you can.

15 A. The Form 990 discloses related party
16 transactions. The Wall Street Journal article addresses
17 related party transactions. The extent of the Attorney
18 General's Office's knowledge with respect to the
19 communications that took place at this meeting are that
20 those two documents were discussed at this meeting.

21 Q. (BY MS. EISENBERG) Understanding that those
22 were the two documents that were discussed at the meeting,
23 did Mr. Lillien convey to Mr. Sheehan that he believed
24 that there was something wrong about the 990?

25 MS. STERN: Objection.

1 A. They were raising concerns about items that were
2 disclosed in the 990.

3 Q. (BY MS. EISENBERG) So Mr. Lillien was raising
4 concerns about specific transactions?

5 MS. STERN: Objection, lack of foundation.

6 Q. (BY MS. EISENBERG) You can answer.

7 A. Everything that was disclosed in the 990, the
8 990 was a topic of discussion at this meeting.

9 Q. (BY MS. EISENBERG) But what was he concerned
10 about? Was he concerned about everything that was
11 disclosed or something specific?

12 MS. STERN: Objection, lack of foundation.

13 A. As I said, the 990 from 2017 was a topic of
14 discussion at this meeting in 2019 between Everytown and
15 the Attorney General's Office.

16 Q. (BY MS. EISENBERG) So he had a problem with the
17 fact that the NRA was disclosing related party
18 transactions?

19 MS. STERN: Objection, lack of foundation.

20 Q. (BY MS. EISENBERG) Mr. Wang --

21 MS. STERN: Sorry. I just want to make --

22 A. You can ask --

23 MS. STERN: I just want to make clear, are
24 you asking him what occurred, asking him his role as
25 corporate representative of the Attorney General's Office

1 what communications were -- occurred during this meeting,
2 or are you asking him what was in the mind of Everytown's
3 counsel at this meeting?

4 MS. EISENBERG: I'm not asking about what
5 was in his mind except insofar as he shared that. What
6 I'm asking is what was said and communicated in the
7 meeting. Granted, nobody may recall or know the specific
8 words that were used, but I'm entitled to information
9 about what specific issues were raised, whether it's
10 incompleteness, inaccuracy or something else.

11 Now, what I'm asking Mr. Wang is twofold.
12 First, he either knows or doesn't, as a corporate
13 representative, the answer to my question. He either
14 knows it fully or in part. And what I'm asking him to do
15 is to say he doesn't know if he doesn't know it, or if he
16 knows the answer, to provide it. So let's try it again.

17 Q. (BY MS. EISENBERG) You testified about the
18 February 14th meeting between Mr. Sheehan and Mr. Lillien
19 and others, correct?

20 A. Correct.

21 Q. At that meeting, did Mr. Lillien say that the
22 Form 990 by the NRA was in any way incomplete in sum and
23 substance?

24 A. In sum and substance, as I've testified to
25 repeatedly ad nauseam, the Attorney General's knowledge of

1 the communications that took place at the February 14,
2 2019, meeting between Everytown and the Attorney General's
3 Office is that two documents were the subject of
4 discussion: The 2017 IRS 990 of the NRA and the
5 November 30, 2018, Wall Street Journal article by Mark
6 Maremont.

7 Q. Did Mr. Lillien say in sum and substance that
8 there was something wrong about the 990?

9 A. That is the same question that you just asked
10 me, and I'm going to give you the exact same answer, which
11 is to tell you that I'm telling you everything that the
12 Attorney General knows about that meeting that took place
13 and the communications that happened. The communications
14 were about those two documents that we've gone over ad
15 nauseam.

16 Q. Mr. Wang, you either know or you don't know
17 whether or not Mr. Lillien said in sum and substance that
18 the form was in some way incomplete. Do you know the
19 answer to that question?

20 MS. STERN: Counselor, you have asked him
21 the question over and over again in different forms. He
22 has answered the question as to the knowledge of the
23 Attorney General's Office concerning the substance of that
24 meeting. We've covered that ground.

25 (Simultaneous speakers.)

1 MS. STERN: And would like to move on -- we
2 would like to move on. We -- I -- we're not prepared to
3 sit here for several more hours and have you ask the same
4 question in a different form seeking the exact same
5 information that he's already provided. That's harassing.

6 MS. EISENBERG: Ms. Stern, I will move on as
7 soon as the witness answers my question, which is a simple
8 question.

9 Let's reread the question. Ms. Duncan, could
10 you please do so?

11 (Requested portion was read.)

12 A. I'm here today to testify as a 30(b)(6) witness
13 on behalf of the Attorney General's Office of New York.
14 What I know is that at this meeting on February 14, 2019,
15 communications were had between the Attorney General's
16 Office and Everytown. Those communications involved in
17 general these two documents, both the 2017 IRS Form 990 of
18 the NRA and the November 30, 2018 Wall Street Journal
19 article. That is extent of the Attorney General's
20 Office's knowledge with respect to the communications that
21 happened at this meeting.

22 MS. STERN: Other than to the extent that
23 you've already testified, correct?

24 A. That I've testified to repeatedly.

25 Q. (BY MS. EISENBERG) Given that that is your --

1 the extent of your knowledge, who knows more?

2 A. I have the extent of the knowledge of the
3 Attorney General's Office when it comes to this topic
4 because of my preparation to testify with respect to
5 Topic 13.

6 Q. (BY MS. EISENBERG) Well, surely Mr. Sheehan
7 would know whether or not Mr. Lillien said that the form
8 was incomplete, correct?

9 MS. STERN: Objection. Is that a question?

10 MS. EISENBERG: That is a question.

11 MS. STERN: Sorry. Can you read back the
12 question then, Ms. Duncan?

13 (Requested portion was read.)

14 MS. STERN: And I am going to direct the
15 witness not to disclose any attorney-client communications
16 or any attorney work product.

17 A. As I've answered your question repeatedly,
18 Ms. Eisenberg, I am the corporate designee the
19 representative to speak with respect to Topic 13. I have
20 the extent of the knowledge of the Attorney General's
21 Office with respect to this subject matter area. And I've
22 told you as part of my preparations, who I've spoke with
23 and the steps that I took in preparation.

24 Obviously, as part of my preparation, I spoke
25 with counsel and I've told you who with respect to those

1 counsels that I've spoken to, but I cannot tell you the
2 extent or the substance of those conversations. But what
3 I can tell you is that I have the extent of the Attorney
4 General's knowledge with respect to this topic. And what
5 I can tell you is that communications occurred that were
6 about these two documents generally.

7 MS. STERN: And I'm going to ask the witness
8 not to continue to answer that same question over and over
9 again. We've covered it on -- ad nauseam on the record.

10 MS. EISENBERG: Ms. Stern, I should just let
11 you know that I reserve all my rights. I think the
12 transcript will speak for itself, the witness has not been
13 answering my questions. And I intend to study the
14 transcript and seek remedies as appropriate. Just wanted
15 to let you know.

16 MS. STERN: Okay. And naturally we, of
17 course, reserve our rights -- we will agree to disagree so
18 that we can move on in this deposition today.

19 Q. (BY MS. EISENBERG) Have you met Mr. Lillien?

20 MS. STERN: Objection.

21 A. I have --

22 MS. STERN: Objection. What is the
23 relevance of the question to the Topic 13?

24 MS. EISENBERG: His --

25 MS. STERN: What is the relevance of that

1 question to Topic 17?

2 MS. EISENBERG: He was at the meeting.

3 (Simultaneous speaking.)

4 A. Are you asking me in my personal capacity?

5 MS. EISENBERG: Ms. Stern, I'm entitled to

6 explore the nature of Mr. Lillien's connection to your

7 office. Mr. Wang is an employee of the office. I'm

8 entitled to know if he's met him, talked to him,

9 communicated with him because that relates to the

10 communication, which is Topic 13.

11 MS. STERN: No -- I --

12 MS. EISENBERG: I would really appreciate it

13 if you could please stop interrupting, because otherwise,

14 we will have to take -- use time that you cause to go

15 wasted against the seven-hour limit.

16 MS. STERN: Okay, well, then I would suggest

17 that we have a conversation off the record so it's not

18 against the time clock because I do not believe that this

19 is inquiring as to the offices since you are talking to

20 Mr. Wang as representative of the Attorney General's

21 Office, and that Attorney General's Office's relationship

22 with Jason Lillien is within the scope of the topics

23 noticed for testimony today. And if you want to discuss

24 that off the record, I'll be happy to do that.

25 MS. EISENBERG: Are you instructing him not

1 to answer?

2 MS. STERN: Yes.

3 MS. EISENBERG: Okay.

4 MS. STERN: Absent your -- absent your

5 showing me how that relates to these topics.

6 MS. EISENBERG: Okay. The way it relates to

7 these topics is that No. 13 relates to communications

8 between the NRA and Everytown. We know that there was a

9 meeting on February 14th at which Mr. Lillien was present.

10 We also know that he is the former chief of the charities

11 bureau of the New York Attorney General's Office. He was

12 the primary spokesperson on behalf of Everytown at that

13 meeting. It was after the meeting that your office opened

14 an investigation into my client. I am entitled to know

15 what is the nature and the extent and the depth of the

16 relationship between Everytown's outside counsel and your

17 office. Do you need anything else, Ms. Stern?

18 MS. STERN: No -- hold on. The 30(b)(6)

19 witness -- sorry. The 30(b)(6) deposition notice

20 permitted the debtor in this bankruptcy proceeding, and

21 again, this is in connection with the bankruptcy

22 proceeding, to inquire into communications regarding the

23 New York Attorney General's Office's investigation of the

24 NRA and in connection with your current questions

25 involving Everytown. That is what you're entitled to ask

1 about, and you have asked about it.

2 Now you want to ask about collateral
3 questions about the relationships between particular
4 attorneys and the office of the Attorney General, and that
5 is not within the scope of the communications covered by
6 13, so we object. And he is not going to answer those
7 questions. And I ask that you move on.

8 MS. EISENBERG: I think that's completely
9 inappropriate. I reserve my rights and we'll take it up
10 on a break.

11 MS. STERN: Okay.

12 Q. (BY MS. EISENBERG) Mr. Wang, what was the next
13 communication between your office and Everytown after the
14 February 14, 2019, meeting?

15 A. As I testified to earlier, there were no further
16 communications between our office and Everytown regarding
17 the NRA investigation after that February 14, 2019,
18 meeting.

19 Q. No emails?

20 A. Emails are part of communications, right?

21 Q. So the answer is no, correct, no emails?

22 A. There were no further communications regarding
23 the NRA investigation between Everytown and the Attorney
24 General's Office after that one meeting February 14, 2019.

25 Q. No phone calls?

1 A. There were no further communications between
2 Everytown and the Attorney General's Office regarding the
3 NRA investigation after the meeting on February 14, 2019.

4 And I'll reiterate -- and I'll reiterate as a fact that
5 Mr. Sheehan informed Everytown that our investigation
6 would be completely independent.

7 Q. No in-person conversations?

8 A. There were no further communications with
9 respect to the NRA investigation between Everytown and the
10 Attorney General's Office after the February 14, 2019,
11 meeting. When I use the word "communications," I mean all
12 communications.

13 Q. Are you aware that Everytown is defined in the
14 notice to include its outside counsel?

15 A. I have read the 30(b)(6) notice, which includes
16 the definitions section.

17 Q. Is it your testimony and your office's testimony
18 that there were no communications after February 14th
19 between your office and Everytown's outside counsel about
20 the NRA investigation after the February 14th meeting?

21 A. As I've testified to about five or six times now
22 after the February 14th meeting, there were no further
23 communications between Everytown and the Attorney
24 General's Office concerning the Attorney General's
25 investigation of the NRA.

1 Q. And when you say no conversations concerning the
2 investigation of the NRA, how are you defining that?

3 MS. STERN: Objection. What is the "it" in
4 your sentence?

5 MS. EISENBERG: The investigation,
6 concerning -- the phrase "concerning the investigation."

7 Q. (BY MS. EISENBERG) Can you give me an example
8 of what, in your mind, does not concern the investigation
9 hypothetically?

10 MS. STERN: Objection.

11 Q. (BY MS. EISENBERG) Okay. If the conversation
12 pertained to someone who works at the NRA, would that be
13 concerning the investigation, yes or no?

14 MS. STERN: Are you asking him for
15 hypothetically?

16 MS. EISENBERG: I'm asking him to --

17 MS. STERN: Hypothetically the Attorney
18 General's Office?

19 MS. EISENBERG: No, it's not hypothetical.
20 He used the words "concerning the investigation" in his
21 answer. What I'm asking him to tell me very concretely,
22 not hypothetically, is whether or not that would include
23 conversations about NRA employees, yes or no?

24 A. There were no conversations or communications
25 between the NRA -- the New York Attorney General's Office

1 and Everytown with respect to the NRA after the
2 February 14, 2019, meeting.

3 MS. STERN: Objection -- I mean, sorry. Can
4 you just read that back. I just want to make sure that I
5 got that.

6 MS. EISENBERG: What are you objecting to?
7 Your client --

8 MS. STERN: I'm not objecting. I just
9 wanted to make sure -- I want -- I want to make sure that
10 the testimony is -- is -- that he's answering is clear.
11 Can you just read back the question and answer for me,
12 please?

13 MS. EISENBERG: Objection, coaching the
14 witness.

15 (Requested portion was read.)

16 MS. EISENBERG: Emily, has your question
17 been answered?

18 MS. STERN: Yes, it has. Thank you.

19 MS. EISENBERG: You're welcome. Sir, let's
20 place the September 2018 document in front of our witness,
21 please. And we'll mark that Debtor's 3.

22 MR. MOSHAK: September 8th through 9th,
23 2018?

24 MS. EISENBERG: Yes. Thank you.

25 (Debtor's Exhibit 3 was marked.)

1 Q. (BY MS. EISENBERG) Mr. Wang, do you have in
2 front of you Debtor's 3?

3 A. Not yet.

4 MS. STERN: Not yet. Hold on.

5 MS. EISENBERG: Let us know when you do.

6 Thank you.

7 MS. STERN: Oh, here it is. They don't seem
8 to have numbers on it, but is this the audit committee?

9 The report of the audit committee, is that what we're
10 looking at?

11 MS. EISENBERG: Yes. Yes.

12 THE WITNESS: Yes. The title should say NRA
13 003.

14 MS. EISENBERG: Of the PDF?

15 THE WITNESS: Yes, correct.

16 MS. STERN: 003, okay.

17 MS. EISENBERG: Do you have it, Emily?

18 MS. STERN: Yes, we do. And would you like
19 him to look through it or what would you like?

20 Q. (BY MS. EISENBERG) Mr. Wang, I'm showing you
21 what we've marked as Debtor's 3 for identification. For
22 the record, it's a multi-page document with pagination 243
23 through 249 at the bottom. Do you see what I'm referring
24 to, those pages 243, 244, et cetera?

25 A. I see the document.

1 Q. Okay. And do you see page No. 243 in the -- at
2 the bottom of the first page of Debtor's 3?

3 A. I see page 243.

4 Q. What is Debtor's 3?

5 MS. STERN: Are you asking him to tell you
6 what this NRA document is?

7 MS. EISENBERG: Yes. Surely your office has
8 gained an understanding in the course of its investigation
9 as to what this is, or maybe he doesn't know. He can tell
10 me he doesn't know. I'm asking him to give me the answer
11 to my question, which is what is Debtor's 3?

12 A. My understanding is that this document is the
13 audit committee meeting minutes dated September 8 to 9 of
14 2018.

15 Q. (BY MS. EISENBERG) What audit committee, sir?

16 A. The Audit Committee of National Rifle
17 Association of America.

18 Q. Audit Committee --

19 MS. STERN: I want to be clear, you're
20 asking him to -- to identify to you what he sees on this
21 page, right? Because he does not -- it's not an Attorney
22 General's Office business record. This is your client's
23 business record.

24 MS. EISENBERG: Yes. I'm asking him what he
25 recognizes it to be. Okay.

1 Q. (BY MS. EISENBERG) Well, thank you for that
2 answer. So when you refer to the audit committee, are you
3 referring to the audit committee of the NRA's board?

4 A. Yes.

5 Q. Okay. And directing your attention to page 247
6 of Debtor's 3, let me know when you have that page in
7 front of you.

8 MS. STERN: Hold on. I'm just -- I'm
9 confused. Where are those numbers, that 247?

10 THE WITNESS: That's this.

11 MS. STERN: Oh, that number, not the Bates
12 number. Okay. Gotcha.

13 MS. EISENBERG: Okay.

14 Q. (BY MS. EISENBERG) Halfway through the page, do
15 you see where it says Josh Powell file?

16 A. I see on page 247 where it says Roman numeral
17 IV, Josh Powell.

18 Q. Okay. And do you then see a discussion or a
19 reference to Ms. Colleen Gallagher?

20 A. I see Ms. Colleen Gallagher's name mentioned
21 specifically in the second whereas clause under paragraph
22 A, subject title McKenna.

23 Q. And fair to say that that second whereas clause
24 specifically discloses that she is the wife of, quote, NRA
25 officer Josh Powell?

1 MS. STERN: Objection. This -- I'm not sure
2 how this relates to either the topics -- substantive
3 topics in the notice. Can you explain that?

4 MS. EISENBERG: Emily, that's not a proper
5 objection. You can either object and let him answer or
6 object and instruct him not to answer. Which way would
7 you like --

8 MS. STERN: And I'm objecting to the scope
9 of this -- of these questions as beyond the scope of what
10 is permissible under the notice and as ordered by the
11 Court.

12 MS. EISENBERG: I understand that that's
13 your objection, but are you instructing him not to answer?

14 MS. STERN: I'm giving you the opportunity
15 to explain how it relates to either of those subject
16 matters.

17 MS. EISENBERG: I'm entitled --
18 (Simultaneous speaking.)

19 MS. STERN: Invitations with variety of
20 third parties and topics concerning that are set forth in
21 Item No. 7.

22 MS. EISENBERG: I would be happy to do so.
23 If you look at 13, it refers to communications with
24 Everytown. The witness testified that the Wall Street
25 Journal article, Debtor's 2, is (audio distortion) we

1 looked at the article and it refers to Ms. Gallagher. I'm
2 looking at an audit committee resolution that refers to
3 the same topic. It relates to the communications that are
4 enumerated in 13.

5 Now, you can either instruct the witness not
6 to answer given an ample and adequate explanation, then
7 I'll reserve all my right, or you can object and we can
8 move on and he can give the answer. But those are your
9 only two choices. What are you going to do?

10 MS. STERN: I'm going to allow you a little
11 more room here to tie this to communications with third
12 parties -- between third parties and the Attorney
13 General's Office to specific third parties that are
14 identified in 13. I'll give you a little more room on
15 that. I'm not seeing it, but go ahead.

16 MS. EISENBERG: I object to the speaking
17 objections.

18 Q. (BY MS. EISENBERG) Mr. Wang, is it fair to say
19 that the second whereas clause on page 247 discloses that
20 Ms. Gallagher is Josh Powell's wife?

21 MS. STERN: Are you asking -- I'm sorry.
22 You know what, are you asking him to read this document as
23 the corporate representative of the Attorney General's
24 Office?

25 MS. EISENBERG: I'm asking him to answer my

1 question. We can have the question reread if you'd like.

2 MS. STERN: Yes, let's reread the question.

3 (Requested portion was read.)

4 A. I see the second paragraph on page 247 that
5 begins with the whereas clause. And it says, "Colleen
6 Gallagher, the wife of NRA officer Josh Powell." That is
7 what the document says.

8 Q. (BY MS. EISENBERG) And is it fair to say that
9 this document also refers to the fact that the NRA had
10 purchased consulting and fundraising services from
11 McKenna?

12 MS. STERN: Objection. Where are you
13 pointing to in the document? Can you direct him?

14 MS. EISENBERG: Certainly.

15 Q. (BY MS. EISENBERG) The first whereas clause.

16 MS. STERN: Okay. And you're asking, once
17 again, to read the document that speaks for itself. Is
18 that what you're asking him to do?

19 MS. EISENBERG: We can reread the question
20 if you'd like.

21 The question is yes-or-no questions, and it
22 says is it fair to say that the document refers to X, Y or
23 Z. Ms. Stern, would you like us to have the question read
24 again?

25 MS. STERN: And again, I'm going to state my

1 objection on the scope of this -- these questions and how
2 they relate to communications between the Attorney
3 General's Office -- I'm assuming that this is tying back
4 to 13. If it's tying to 17, then I'm -- you'll explain
5 that to me, but communications between the Attorney
6 General's Office and various identified third parties
7 concerning the NRA, the Attorney General's investigation
8 of the NRA.

9 So I'll let him read the document to you,
10 which seems to be what you want him to do. And again,
11 with full reservation of -- of our rights with respect to
12 the objection on scope, allow him to answer the question.

13 A. The first whereas clause under the subheading A
14 McKenna on page 247 says, "Whereas, since July 2016, the
15 NRA has purchased consulting and fundraising services from
16 McKenna & Associates," open paren, quotation, "McKenna,"
17 close paren, "totaling approximately" -- "approx \$2.44
18 million," semicolon, and that is what the document states.

19 Q. (BY MS. EISENBERG) Turning your attention to
20 page 248 of Debtor's 3, does it also say, quote, "Resolved
21 that the NRA's transaction with McKenna are hereby
22 approved and ratified, and that the NRA may continue to
23 transact with McKenna"?

24 MS. STERN: And you're going to read the
25 rest --

1 Q. (BY MS. EISENBERG) Is that what the document
2 says?

3 A. I see where you're reading from on page 248.
4 The document and the middle of the page says, "Resolved
5 that the NRA's transactions with McKenna are hereby
6 approved and ratified, and that the NRA may continue to
7 transact with McKenna during the period from September
8 2018 to January 2019, subject to the following provisos,"
9 and then there's a four-point list. That is what is
10 stated by the document.

11 MS. STERN: Do you want him to read those
12 four points as well into the record?

13 Q. (BY MS. EISENBERG) Fair to say that the first
14 proviso is that Mr. Powell, quote, "Continued to be walled
15 off from any negotiation or determination regarding the
16 scope of pricing of McKenna's services." Did I read that
17 correctly?

18 A. It appears that you successfully read the first
19 subparagraph here on page 248.

20 Q. During the February 14th meeting, was there any
21 discussion by Mr. Sheehan, by Mr. Lillien or anyone else
22 about the fact that despite Ms. Gallagher's work for
23 McKenna, the audit committee of the NRA's board had been
24 fully apprised of that fact and ratified the continued
25 performance of those? Was that discussed?

1 MS. STERN: Objection, lack of foundation.

2 A. Ms. Eisenberg, I've repeatedly provided to you
3 the answer here. And the answer here is that the -- the
4 extent of the Attorney General's Office's knowledge with
5 respect to the communications that took place on February
6 14, 2019, between representatives of Everytown and the
7 New York Attorney General's Office is that they discussed
8 two documents, the NRA's 2017 990 and the November 30,
9 2018, Wall Street Journal article. That is the extent of
10 the knowledge of the Attorney General's Office with
11 respect to those communications.

12 Q. (BY MS. EISENBERG) So the Attorney General's
13 Office doesn't know whether or not the approval of the
14 audit committee of the contract with McKenna was discussed
15 as of February 14th meeting, yes or no?

16 MS. STERN: Objection, lack of foundation.
17 I believe asked and answered. And once again, I am
18 confident that you are not asking this attorney to
19 disclose any attorney work product or attorney-client
20 communications relating to the knowledge of the Attorney
21 General's Office with respect to its ongoing litigation
22 involving the NRA; is that correct?

23 MS. EISENBERG: Is the question whether I'm
24 trying to elicit privileged information about the
25 question, then of course I'm not. All I was asking is

1 whether or not at the February 14th meeting there was any
2 discussion of the ratification that we just discussed?
3 There either was or was not. Mr. Wang either knows the
4 answer to that question or he doesn't.

5 Q. (BY MS. EISENBERG) Mr. Wang, could you --

6 MS. STERN: And I'm going to object for a
7 lack of foundation once again, and the objections other --
8 was previously stated.

9 A. Ms. Eisenberg, as I've told you a number of
10 times now the extent of the Attorney General's Office's
11 knowledge with respect to communications that took place
12 on February 14, 2019 in a meeting between Everytown and
13 the New York Attorney General's Office is that there were
14 two documents discussed, the 2017 NRA IRS Form 990 and the
15 November 30, 2018, Wall Street Journal article by Mark
16 Maremont. That is the extent of the Attorney General's
17 Office's knowledge with respect to communications that
18 took place at that meeting.

19 Q. (BY MS. EISENBERG) Does the New York Attorney
20 General's Office know of any means by which it can expand
21 its knowledge on this topic?

22 MS. STERN: Objection. Objection. You're
23 implying that the -- that the witness did not fully
24 prepare himself, which he's already established.

25 MS. EISENBERG: Ms. Stern, you have been

1 making speaking objections lasting 45 seconds. It's
2 completely inappropriate. I haven't been objecting out of
3 a sense of collegiality. Again, you can instruct the
4 witness not to answer or you can object and let him
5 answer. I ask you to please stop with the speaking
6 objections.

7 Ms. Duncan, please read the question.

8 (Requested portion was read.)

9 MS. STERN: Sorry, just to clarify this, can
10 you clarify what this topic is in your question, please?

11 MS. EISENBERG: This topic is specific as to
12 what was discussed at the February 14th meeting, between
13 Everytown, the former charity's bureau chief and
14 Everytown's outside counsel at the time on the one hand,
15 and Mr. Sheehan, the current chief of the charities bureau
16 on the other.

17 A. The answer is the same answer. I'm in
18 possession of the Attorney General's knowledge with
19 respect to the communications that took place at that
20 meeting.

21 Q. (BY MS. EISENBERG) Where in the building did
22 the meeting occur?

23 MS. STERN: Objection. Answer the question,
24 if you can.

25 A. We have a number of conference rooms. I don't

1 know specifically what conference room the meeting took
2 place, but I'm confident I do know the meeting took place
3 within our office. I don't think you're asking for a
4 conference room number, like Conference Room A.

5 Q. (BY MS. EISENBERG) I'm asking you if you know
6 the specific room in which the meeting occurred, and it
7 sounds like you don't --

8 A. I don't know the specific room within our
9 65-floor building of which we occupy nine to ten floors,
10 which specific conference room that meeting took place.

11 Q. Was Ms. James asked to attend the meeting?

12 MS. STERN: Objection.

13 Q. (BY MS. EISENBERG) You can answer.

14 A. Not that I'm aware of.

15 Q. Who would be aware of whether or not she was
16 asked to attend the meeting?

17 A. I have the knowledge with respect to the meeting
18 that took place on February 14, 2019, the knowledge of the
19 Attorney General's Office. The extent of my knowledge is
20 that she was not asked to take place -- to take part in
21 that meeting.

22 MS. EISENBERG: Can we go off the record for
23 a minute?

24 THE VIDEOGRAPHER: Going off at 2:10.

25 (Recess from 2:10 p.m. to 2:16 p.m.)

1 THE VIDEOGRAPHER: We're back on at 2:16.

2 Go ahead.

3 MS. EISENBERG: Thank you.

4 Q. (BY MS. EISENBERG) Mr. Wang, you previously
5 very specifically said multiple times that after the
6 February 14th meeting, there weren't communications
7 between your office and Everytown about the NRA
8 investigation. Do you recall that testimony?

9 A. Yes.

10 Q. Okay. Were there communications between your
11 office and Everytown after the February 14th meeting that
12 were not about the NRA investigation?

13 MS. STERN: Objection, scope. I'm not going
14 to allow you to talk about other communications.

15 A. As I've discussed, there was a specific process
16 that I went through to prepare myself to testify today as
17 the 30(b)(6) witness. I can -- sitting here today, I can
18 tell you that as a result of my preparation, that after
19 the February 14, 2019, meeting, there were no further
20 communications between the Attorney General's Office and
21 Everytown concerning or with regard to the NRA
22 investigation. Were there other communications? I don't
23 know.

24 Q. (BY MS. EISENBERG) So in other words, there may
25 have been or there might not have been. You just don't

1 know, correct?

2 MS. STERN: Objection. It's beyond the
3 scope of the subject matter of the 30(b)(6) notice, and
4 I'm directing the witness not to discuss communications
5 that may or may not have been had with outside parties
6 concerning any other matter. That's it.

7 MS. EISENBERG: Are you instructing -- are
8 you instructing the witness not to answer?

9 MS. STERN: Correct.

10 MS. EISENBERG: Okay. Let me try this
11 again. The judge allowed the debtors to inquire into the
12 topic of communications between your office and Everytown.
13 The witness just testified that there was a meeting where
14 Everytown raised concerns about my client's Form 990 and
15 referenced this Wall Street Journal article. The Debtors
16 are entitled to find out about the course of communication
17 that followed after this meeting that your client just
18 described. Will you reconsider your instruction not to
19 answer?

20 MS. STERN: Ms. Eisenberg, your question
21 was, I believe, unless I misunderstood it and I -- if I
22 misunderstood it, please correct me, was that you wanted
23 to know if there were any communications between the
24 Attorney General's Office and Everytown following the
25 meeting that we've been discussing in February 2019 that

1 did not relate to the AG's investigation of the NRA as
2 that term is defined in the subpoena. That is my
3 understanding what your question is.

4 MS. EISENBERG: Yeah. Yes or no, and -- and
5 my -- and the witness said he was prepared to answer as to
6 conversations or communications about the investigation,
7 and he wasn't going to address the other topic at all.
8 And then I asked him, so is it -- you're not saying there
9 were or were not any communications. You're just saying
10 that you don't know. And that's when we engaged in this
11 colloquy.

12 MS. STERN: Okay. No. Let me be clear.
13 The Attorney General's Office objects to inquiry
14 concerning matters that are beyond the scope of Item 13 in
15 the 30(b)(6) notice directed to this office. And the
16 witness is not going to testify beyond the scope of
17 Item 13.

18 MS. EISENBERG: Are you instructing --

19 MS. STERN: And I believe that -- excuse me.
20 And I believe that your question directly goes beyond the
21 scope because you're asking about communications that are
22 not regarding the New York AG/NRA investigation as that
23 term is defined in the notice.

24 MS. EISENBERG: I just need you to let me
25 know whether you're instructing the witness not to answer

1 the pending question.

2 MS. STERN: Based on that -- my
3 understanding that that's what the scope of your question,
4 yes, those are our directions. If we misunderstood the
5 scope of your question, and it falls within Item 13, then
6 please explain.

7 MS. EISENBERG: Okay. I will ask Ms. Duncan
8 to please read the pending question and ask you,
9 Ms. Stern, to please let me know whether you're
10 instructing the witness not to answer.

11 (Requested portion was read.)

12 MS. STERN: Sorry. I think we need the
13 question before that because I -- that context is not
14 clear to me.

15 MS. EISENBERG: Okay. Why don't I rephrase.

16 Q. (BY MS. EISENBERG) Mr. Wang, after the meeting
17 on February 14, 2018, were there communications between
18 your office and Everytown?

19 MS. STERN: Just to clarify, I'm sorry, I
20 might have misheard you. Did you say 2018 because I think
21 you meant 2019?

22 MS. EISENBERG: Yes, I apologize. Let me
23 rephrase.

24 MS. STERN: Okay.

25 Q. (BY MS. EISENBERG) Mr. Wang, after the meeting

1 occurred on February 14, 2019, were there subsequent
2 communications between your office and Everytown?

3 MS. STERN: Objection to scope.

4 A. After the February 14, 2019, meeting, between
5 Everytown and the New York Attorney General's Office,
6 there were no further communications with respect to or
7 regarding the NYAG/-NRA (sic) investigation.

8 Q. (BY MS. EISENBERG) Setting aside communications
9 about the NYAG/NRA investigation, were there any other
10 communications between your office and Everytown after
11 February 14, 2019?

12 MS. STERN: Objection. I direct you not to
13 answer that question. And the objection is on scope for
14 the reasons that I've already articulated.

15 MS. EISENBERG: Thank you, I appreciate it.

16 Q. (BY MS. EISENBERG) With regard to Topic 13, it
17 also refers to Ackerman McQueen. Do you see that?

18 MS. STERN: Hold on a second. Let me
19 just --

20 A. No.

21 MS. STERN: Svetlana, can we close
22 Exhibit 3?

23 MS. EISENBERG: Sure.

24 MS. STERN: Okay. And then we can bring
25 this up.

1 A. Yes, I see AMc, and my understanding is that is
2 referring to Ackerman McQueen as defined in the
3 definitions section of this 30(b)(6) notice.

4 Q. (BY MS. EISENBERG) Okay. What did you do to
5 prepare for your testimony with regard to that topic?

6 A. With respect to this topic, my preparation was
7 that I spoke with counsel in the three meetings that I
8 referenced on Saturday, Sunday and Monday. And I reviewed
9 communications between our office and either Ackerman or
10 representatives of Ackerman.

11 Q. Have the communications that you reviewed been
12 produced to the debtors?

13 MS. STERN: Objection. If you know.

14 A. Not that I'm aware of, because those -- not that
15 I'm aware of.

16 Q. (BY MS. EISENBERG) How many communications did
17 you review to prepare for the topic of communications
18 between your office and Ackerman McQueen?

19 A. There were numerous.

20 Q. Ballpark? Are we talking 10, 100, 1,000?

21 A. I -- I would say there were more than 100
22 communications.

23 Q. Who were they between or among?

24 A. The communications were generally between
25 attorneys from the New York Attorney General's Office who

1 are on the NRA investigation. At that time it was an
2 investigation, the NRA investigation team and counsel for
3 Ackerman.

4 Q. What was the first communication between your
5 office and Ackerman?

6 A. With respect to the NRA investigation?

7 Q. Did your office have communications with
8 Ackerman about anything other than the NRA investigation?

9 A. I'm just asking you to clarify your question so
10 that it's clearly within the scope of the Topic 13.

11 Q. Have there been communications between your
12 office and Ackerman that are not related to your
13 investigation of the NRA?

14 MS. STERN: Objection, beyond the scope.

15 Q. (BY MS. EISENBERG) You may answer.

16 MS. STERN: No, you may not answer. I'm
17 sorry. Same objection.

18 MS. EISENBERG: You have to say instruct the
19 witness not to answer.

20 MS. STERN: Okay. I'm sorry. We -- we had
21 just done that. I'm directing you not to answer questions
22 concerning communications that do not relate to the NRA --
23 the Attorney General's Office investigation of the NRA. I
24 believe the question was what was the first communication
25 that you had, and under Topic 13 would concern the

1 investigation; is that what the scope of your question is,
2 Ms. Eisenberg?

3 MS. EISENBERG: You directed the witness not
4 to answer my previous question, so I'll just go ahead and
5 ask my next question. Is that okay?

6 MS. STERN: Okay. Sure.

7 Q. (BY MS. EISENBERG) With regard to your office
8 communications with Ackerman about your office's
9 investigation of the NRA, when was the first such
10 communication?

11 A. The New York Attorney General's Office served a
12 document preservation notice on Ackerman McQueen May 3,
13 2019.

14 Q. My question is: When was the first
15 communication between your office and Ackerman?

16 A. My answer is the first communication between our
17 office and Ackerman occurred on May 3, 2019, when our
18 office served a document preservation notice on Ackerman
19 McQueen.

20 Q. When was your office's last communication with
21 Ackerman?

22 MS. STERN: Objection, scope. You may
23 answer that as it relates to the NRA -- to the New York
24 Attorney General's Office investigation of the NRA.

25 A. We communicated with Ackerman in order to obtain

1 documents from a third party with relevant information to
2 our investigation of the NRA. In terms of the last
3 communication with Ackerman within the scope of Topic 13,
4 my understanding is that our investigation became a
5 litigation when our office served a complaint upon the
6 NRA. And I informed Ackerman McQueen that we served a
7 complaint upon the NRA. I believe that date was August 6,
8 2020. So relating to the NRA investigation, that would
9 have been the last communication we would have had with
10 Ackerman McQueen.

11 Q. (BY MS. EISENBERG) How did you tell Ackerman
12 McQueen about your office's complaints against the NRA?

13 A. Yes.

14 Q. How did you communicate --

15 A. I didn't -- I didn't hear you say how. Did you
16 say how or did you say did you tell them?

17 Q. I said how. How did your office communicate to
18 Ackerman the fact that you served the NRA with a
19 complaint?

20 A. We sent an email to their counsel.

21 Q. Who sent the email?

22 A. I did.

23 Q. Did you copy anyone?

24 A. No.

25 MS. EISENBERG: I call for the production of

1 that email.

2 MS. STERN: We take your request under
3 advisement.

4 Q. (BY MS. EISENBERG) How many times did your
5 office communicate with Ackerman between May 3, 2019, and
6 the email about the complaint that you just described?

7 MS. STERN: Objection, asked and answered.

8 A. There were numerous communications over this
9 period of time in attempting to obtain information
10 relevant to our investigation.

11 Q. (BY MS. EISENBERG) How many approximately?

12 MS. STERN: Objection, asked and answered.

13 A. I think I answered this question already, but
14 I -- I believe there were more than 100 communications.

15 MS. EISENBERG: I apologize. There's
16 something wrong with my computer. I just have to take a
17 quick break. We don't have to go off the record.

18 Q. (BY MS. EISENBERG) Mr. Wang, when you
19 referenced about 100 of communications, were you
20 referencing all different types of communications or just
21 emails or something else?

22 A. I was referring to electronic communications by
23 email.

24 Q. Did your office communicate with Ackerman by
25 ways other than email?

1 A. Yes.

2 Q. How?

3 A. By telephone.

4 Q. Anything else?

5 A. By WebEx.

6 Q. Anything else?

7 A. That's it.

8 Q. How many WebEx communications were there between
9 your office and Ackerman?

10 MS. STERN: Objection. As it concerns the
11 NRA investigation, you can answer the question.

12 A. Relating to the NRA investigation, I'm aware of
13 four communications by WebEx.

14 Q. (BY MS. EISENBERG) When did they occur?

15 A. My understanding is that they occurred in April
16 and May of 2020 in the midst of the Coronavirus pandemic.

17 Q. Okay. So all four occurred either in April or
18 May of 2020?

19 A. That is correct.

20 Q. Okay. How long was the first WebEx?

21 A. Approximately four or five hours.

22 Q. How long was the second?

23 A. All of them were approximately the same length
24 of time.

25 Q. Four or five hours?

1 A. Correct.

2 Q. Who was present during the first WebEx?

3 A. My understanding is that I was present for the
4 WebEx, Erica James, who's an attorney with our office was
5 present.

6 Q. Please spell her last name.

7 A. J-A-M-E-S.

8 Q. Anyone else?

9 A. And my understanding is that Emily Stern and
10 Jonathan Conley would have been present for portions, but
11 essentially in and out.

12 Q. What is Erica James's title?

13 A. She's an assistant Attorney General.

14 Q. At the time of the meeting, was she working
15 within the charities bureau?

16 A. She was.

17 Q. During either of these four sessions, did anyone
18 who does not work for the charities bureau attend from the
19 New York Attorney General's Office?

20 A. Yes.

21 Q. Who?

22 A. Counsel for Ackerman attended these WebEx
23 meetings.

24 Q. Setting Ackerman aside, representatives of
25 New York Attorney General, is it fair to say the only

1 people who attended these four WebExes were your
2 colleagues working within the charities bureau?

3 A. Can you restate that question? Can you repeat
4 it?

5 Q. Yes. Setting aside Ackerman, is it fair to say
6 that the only people who attended these four WebExes were
7 your colleagues who were working for the charities bureau?

8 A. Attorneys from the New York Attorney General's
9 Office who are involved with NRA/NYAG investigation would
10 have been the only attorneys participating from our
11 office.

12 Q. Okay. Who are the attorneys from your office
13 who are involved in the NRA/NYAG investigation who are not
14 members of the charities bureau?

15 MS. STERN: Objection. Objection. How does
16 that relate to Topics 13 or 17?

17 MS. EISENBERG: They attended the WebExes.

18 MS. STERN: Sorry. Then I don't think -- I
19 think that misstates the testimony.

20 A. I think you're misunderstanding the testimony.
21 I said members of the team attended the New York Attorney
22 General's -- attended these WebEx meetings. And the
23 members of the team -- the only attorneys who would have
24 attended were members of the team.

25 Q. (BY MS. EISENBERG) Okay. All right. So let's

1 start with the first WebEx. Do you remember the date of
2 that WebEx?

3 A. It was in mid April of 2020.

4 Q. Okay. When was that meeting organized?

5 A. Prior to mid April 2020.

6 Q. How much prior?

7 A. I believe one or two weeks prior.

8 Q. Who from Ackerman attended?

9 A. Counsel for Ackerman, Todd Harrison and -- and
10 Steve Ryan and William Winkler.

11 Q. You said William Winkler?

12 A. Correct.

13 Q. Other than Mr. Harrison, Mr. Ryan and
14 Mr. Winkler, did anyone else attend the first WebEx?

15 A. The members of the New York Attorney General
16 team that I already discussed.

17 Q. And other than the members of the New York
18 Attorney General team and those three gentlemen from
19 Ackerman, anyone else?

20 A. No.

21 Q. Was this an interview of Mr. Winkler?

22 MS. STERN: I'm going to object to the
23 extent that your -- your answers have to, you know, entail
24 revealing any attorney work product or attorney-client
25 communications. Subject to that objection, you can answer

1 the question.

2 A. The Attorney General's Office served subpoenas
3 for testimony upon Ackerman and Ackerman employees. As a
4 result of these subpoenas, the Attorney General's Office
5 agreed to conduct formal interviews with counsel present
6 of certain Ackerman employees.

7 Q. (BY MS. EISENBERG) Did anyone transcribe the
8 conversation that occurred during the first WebEx?

9 MS. STERN: Objection.

10 A. No.

11 Q. (BY MS. EISENBERG) Did your office consider
12 bringing in a court reporter and generating a transcript
13 of that WebEx?

14 MS. STERN: Objection. I'm going to direct
15 you not to reveal any attorney work product, attorney-
16 client communications. If you can answer this question
17 without revealing that, you may answer. If you cannot
18 answer it without revealing that, then I direct you not to
19 answer the question.

20 A. I cannot answer that question without revealing
21 attorney work product information.

22 Q. (BY MS. EISENBERG) What, if any, documents were
23 used during the first WebEx?

24 MS. STERN: Objection. As we go, I'm going
25 to -- I can restate the objection each time if you're

1 going to explore this area or -- I want the record to be
2 clear, but I also don't want to unnecessarily take up your
3 time. So how would you like me to --

4 MS. EISENBERG: What I would you like to do
5 is to either say, "Objection, you may answer" or "I
6 instruct you not to answer." I think that would be most
7 helpful if you can do that.

8 MS. STERN: Okay. Well, what I'm going to
9 try to do, Ms. Eisenberg, is allow the witness to testify
10 to the extent it doesn't reveal work product or attorney-
11 client privilege communications. And where there's a --
12 where there's a possibility of providing information, I'd
13 like to -- the office would like to make that -- provide
14 that information. So let's just see how it goes, again,
15 mindful of your interest in getting through the topics.

16 So again, you can answer the question to the
17 extent that it does not reveal work -- attorney work
18 product or attorney-client communications.

19 A. Can you repeat the question?

20 Q. (BY MS. EISENBERG) Yes. Sure. What, if any,
21 documents were used during the first WebEx?

22 A. So the Attorney General's Office served
23 subpoenas for documents on a third party Ackerman McQueen
24 in 2019. There was prolonged subpoena compliance
25 litigation following that subpoena, but eventually

1 Ackerman McQueen, after that subpoena compliance
2 litigation, is able to produce documents to the Attorney
3 General's Office responsive to our subpoena. So any
4 documents discussed during the course of that meeting
5 would be documents produced to us concerning the NRA and
6 financial transactions between Ackerman and the NRA.

7 Q. So the only documents you used during the first
8 WebEx were documents that had been produced to your office
9 by Ackerman?

10 A. The documents that were part -- that were
11 discussed at this meeting would be documents that were
12 produced to us by Ackerman McQueen responsive to our
13 subpoena concerning the NRA and financial transactions
14 between the NRA and Ackerman.

15 Q. What were the specific documents that you used
16 with Mr. Winkler?

17 MS. STERN: Okay, objection. I'm going to
18 direct you not to answer that question on the grounds that
19 it would reveal attorney work product.

20 Q. (BY MS. EISENBERG) What was the second WebEx --
21 I'm sorry. Withdrawn.

22 Who attended the second WebEx?

23 A. The attendees from the New York Attorney General
24 were the same. Counsel for Ackerman was the same and the
25 Ackerman employee was Melanie Montgomery.

1 Q. Was that communication transcribed?

2 A. No.

3 Q. Did representatives of your office take notes?

4 MS. STERN: Objection. I'm going to direct
5 you not to answer that question on attorney work product
6 grounds and attorney-client privilege.

7 MS. EISENBERG: Ms. Stern, that information
8 would go on a privilege log. The fact that notes exist is
9 not privileged. And whether that what they say is
10 privileged is a separate question, but you can't instruct
11 him not to answer whether or not your office took notes.
12 Do you stand by your objection?

13 MS. STERN: Ms. Eisenberg, I -- I disagree
14 with you that -- that that information will go on a
15 privilege log. You would not be serving a request for
16 documents of the counsel representing the other party.
17 And so I think we disagree on that. And I'm going to
18 stand by my objection.

19 MS. EISENBERG: So it is your position that
20 whether or not notes were taken is protected by the
21 attorney-client privilege?

22 MS. STERN: Yes.

23 MS. EISENBERG: And you're instructing the
24 witness not to answer on that basis, correct?

25 MS. STERN: That's correct.

1 Q. (BY MS. EISENBERG) Turning your attention to
2 the third of the four WebExes with Ackerman that you
3 identified, who attended the third WebEx?

4 A. The attendees from the New York Attorney General
5 team were the same. Counsel representing Ackerman was the
6 same. The Ackerman employee was Tony Makris.

7 Q. What documents were used during the meeting?

8 MS. STERN: And I just object to the -- to
9 the question to the extent it requires you to reveal
10 attorney work product and attorney-client communication.
11 Subject to that objection, you can answer the question.

12 A. As I previously stated, the New York Attorney
13 General's Office subpoenaed Ackerman McQueen for documents
14 related to the Attorney General's investigation of the
15 NRA. Ackerman McQueen produced documents responsive to
16 our subpoena that were concerning the NRA and financial
17 transactions with the NRA. And those were the documents
18 that were shared with Ackerman McQueen at that meeting.

19 Q. (BY MS. EISENBERG) About how many documents
20 were shared with Ackerman at that meeting?

21 MS. STERN: Objection. You can answer,
22 again, to the extent that's not revealing any attorney
23 work product or attorney-client communications.

24 A. A limited number.

25 Q. (BY MS. EISENBERG) What's a limited number?

1 A. Less than 25.

2 Q. Did you share those documents with Ackerman in
3 advance of the WebEx?

4 A. Yes.

5 Q. Who shared them with Ackerman?

6 A. I did.

7 Q. To whom did you transmit the documents?

8 A. Counsel for Ackerman, Mr. Harrison and Mr. Ryan.

9 Q. How did you transmit those documents?

10 A. Through a document cloud share service.

11 Q. Was the WebEx with Mr. Makris transcribed?

12 MS. STERN: Objection.

13 A. No.

14 Q. (BY MS. EISENBERG) Did representatives of your
15 office take notes during the WebEx?

16 MS. STERN: Objection. I direct you not to
17 answer that on the grounds of attorney work product,
18 attorney-client privilege.

19 Q. (BY MS. EISENBERG) Who attended the fourth
20 WebEx?

21 A. The same individuals from the New York Attorney
22 General's Office NRA investigation team, the same counsel
23 for Ackerman and the Ackerman employee was Nader Tavangar.

24 Q. Was the WebEx with Nader Tavangar transcribed?

25 A. No.

1 Q. Did representatives of the office take notes
2 during that WebEx?

3 MS. STERN: Objection. Direct you not to
4 answer the question on the grounds of attorney work
5 product and attorney client communication privileges.

6 Q. (BY MS. EISENBERG) What, if any, documents were
7 used during the WebEx with Mr. Tavangar?

8 A. As I previously described, the Attorney
9 General's Office served a subpoena for documents on
10 Ackerman -- upon Ackerman McQueen for documents related to
11 our investigation of the NRA. Ackerman McQueen produced
12 responsive documents in compliance with our subpoena
13 concerning their financial transactions with the NRA and
14 their relationship with the NRA. Those were the documents
15 that were shared with Ackerman at that meeting.

16 Q. So other than documents that Ackerman produced
17 to your office, you didn't use anything else with
18 Mr. Tavangar?

19 MS. STERN: Objection.

20 MS. EISENBERG: Let me rephrase the
21 question.

22 Q. (BY MS. EISENBERG) Is it fair to say that
23 during your WebEx with Mr. Tavangar, your office used
24 documents?

25 A. My understanding is that we also would have used

1 publicly available information, such as a publicly filed

2 NRA IRS 990.

3 Q. Okay. Other than documents produced to you by

4 Ackerman and the publicly filed IRS 990, what other

5 documents did your office use during the WebEx with

6 Mr. Tavangar?

7 MS. STERN: Objection. You can answer to

8 the extent that it doesn't reveal attorney work product or

9 attorney-client communications.

10 A. I believe those are the documents that we used.

11 Q. (BY MS. EISENBERG) Was the -- withdrawn.

12 What, if any, information was communicated

13 to Ackerman by your office during the first WebEx with

14 Mr. Winkler?

15 MS. STERN: Objection. I direct you not to

16 answer that question on the grounds of -- to the extent it

17 requires to reveal attorney work product or attorney-

18 client communications. Subject to that objection, you can

19 answer the question.

20 A. In our discussions with each Ackerman employee,

21 we discussed the relationship of Ackerman McQueen with the

22 NRA, financial transactions between Ackerman and the NRA

23 and the documents produced by Ackerman in response to our

24 subpoena.

25 Q. (BY MS. EISENBERG) Okay. Let's back up for a

1 second. I'm focusing specifically on the first WebEx, I
2 think you said was with Mr. Winkler, correct?

3 A. Correct.

4 Q. Okay. During that meeting, what, if any,
5 information was provided to Ackerman by your office?

6 MS. STERN: Objection, lack of foundation.

7 Q. (BY MS. EISENBERG) You may answer.

8 A. I'll try to explain this to you, Ms. Eisenberg,
9 but we were asking a third party for information related
10 to the NRA -- related to their relationship with the NRA.
11 We were not in a position where we were providing them
12 with information, but they were providing us with
13 information.

14 Q. (BY MS. EISENBERG) Okay. So is it fair to say
15 that your office provided no information to Ackerman
16 during the first WebEx, which was with Mr. Winkler?

17 MS. STERN: Objection.

18 A. As I stated before, these meetings were
19 conducted of Ackerman employees to discuss their
20 relationship with the NRA financial transactions between
21 Ackerman and the NRA and documents produced to us
22 responsive to our subpoena.

23 Q. (BY MS. EISENBERG) So, therefore, fair to
24 assume that your office did not provide any information to
25 Ackerman?

1 MS. STERN: Objection, asked and answered.

2 MS. EISENBERG: He did not answer my
3 question.

4 A. I did answer your question. I told you the
5 purpose -- the -- what took place at this meeting was the
6 Attorney General's Office spoke to an employees from
7 Ackerman for -- to discuss Ackerman's relationship with
8 the NRA, financial transactions between Ackerman and the
9 NRA and documents produced to our office in response to
10 our subpoena.

11 Q. (BY MS. EISENBERG) Is it your testimony that
12 outside of what you just said, nothing else occurred
13 during the meeting?

14 MS. STERN: Objection. That misstates the
15 testimony. And I also caution you not to reveal any
16 attorney work product or attorney-client communications.

17 A. Without revealing any attorney-client privileged
18 information or attorney work product information, what
19 occurred at the interview was the Attorney General's
20 Office inquired with Ackerman about Ackerman's
21 relationship with the NRA, financial transactions between
22 Ackerman and the NRA and documents produced by Ackerman in
23 response to our subpoena.

24 Q. (BY MS. EISENBERG) Fair to say that you asked
25 Mr. Winkler questions during that WebEx?

1 MS. STERN: You can answer that yes or no.

2 A. Yes.

3 Q. (BY MS. EISENBERG) Did Mr. Winkler ask you any
4 questions?

5 A. No.

6 Q. Did Mr. Ryan ask your office any questions?

7 MS. STERN: Objection.

8 A. No.

9 Q. (BY MS. EISENBERG) Did Mr. Harrison ask your
10 office any questions?

11 MS. STERN: Objection.

12 A. No.

13 Q. (BY MS. EISENBERG) During your WebEx with
14 Ms. Montgomery, what information did your office provide
15 to Ackerman?

16 MS. STERN: Objection.

17 A. It's the same answer that I have for your prior
18 question with respect to the meeting with Mr. Winkler.
19 With respect to our meeting with Ms. Montgomery, the
20 New York Attorney General's Office discussed Ackerman's
21 relationship with the NRA, financial transactions with the
22 NRA and documents received from Ackerman in response to
23 our subpoena to Ackerman.

24 Q. (BY MS. EISENBERG) And when you say you
25 discussed those topics with them, was that in the nature

1 of your office making affirmative statements, or were you
2 asking them questions or something else?

3 MS. STERN: Objection. I just caution you
4 that on -- not revealing any attorney work product or
5 attorney-client communications, and subject to that, you
6 can answer the question.

7 MS. EISENBERG: Well, let's just back up for
8 a second. Ms. Stern, is it your position that things that
9 were said in the WebEx with the third-party are
10 potentially privileged?

11 MS. STERN: Subject to the attorney work
12 product doctrine, yes.

13 MS. EISENBERG: So it's your position that
14 questions asked, discussions had with a third party,
15 specifically here Ackerman McQueen, are protected by the
16 work product doctrine?

17 MS. STERN: It's our position that the --
18 beyond what the witness has testified to, the
19 particular -- the particular questions, the particular
20 methods that were involved in the interviews that Mr. Wang
21 has testified to are protected by the attorney work
22 product doctrine. That is our position.

23 Q. (BY MS. EISENBERG) Okay. So let's make clear.
24 It's your position that the questions that you asked of
25 Ackerman McQueen are protected by the work product

1 doctrine?

2 MS. STERN: You're asking him what specific
3 questions were asked? Is that your question to the
4 witness?

5 Q. (BY MS. EISENBERG) During your meeting with
6 Ms. Montgomery, did your office communicate any
7 information to the representatives of Ackerman?

8 MS. STERN: Objection, asked and answered.

9 A. Ms. Eisenberg, I think I've answered your
10 question. But with respect to Ms. Montgomery's interview,
11 the subject matter of our interview was asking
12 Ms. Montgomery about the Ac- -- Ackerman's relationship
13 with the NRA, Ackerman's financial transactions with the
14 NRA and documents produced by Ackerman in response to our
15 subpoena.

16 Q. (BY MS. EISENBERG) So your office was asking
17 questions, correct?

18 A. Correct.

19 Q. Was your office also sharing information with
20 Ackerman?

21 MS. STERN: Objection.

22 A. As I stated, the subject matter of the
23 discussion was Ackerman's relationship with the NRA,
24 financial transactions with the NRA and documents that
25 Ackerman produced responsive to our subpoena.

1 Q. (BY MS. EISENBERG) So did you communicate
2 information to Ackerman during your meeting with
3 Ms. Montgomery?

4 MS. STERN: Objection.

5 A. We asked questions of Ms. Montgomery related to
6 the three topics --

7 Q. But you did not provide -- but you did not
8 provide her with any information, did you?

9 MS. STERN: Objection.

10 A. We asked Ms. Montgomery questions with respect
11 to the three subjects I've already identified for you
12 numerous times: Ackerman's relationship with the NRA,
13 Ackerman's financial transactions with the NRA and
14 documents Ackerman produced in response to our subpoena.

15 MS. EISENBERG: I'll note for the record
16 that your answer is not responsive.

17 Q. (BY MS. EISENBERG) Moving on, turning attention
18 to the phone calls, how many phone calls have there been
19 between your office and Ackerman as that term is defined
20 in the deposition notice?

21 MS. STERN: Objection.

22 A. I cannot give you a specific number of phone
23 calls.

24 Q. (BY MS. EISENBERG) Can you estimate?

25 MS. STERN: Objection.

1 A. Dozens.

2 MS. STERN: I just caution you not to
3 speculate. If you don't know how many there were, then so
4 state, but don't speculate.

5 A. I don't know how many phone calls took place.

6 Q. (BY MS. EISENBERG) Were some of those calls
7 initiated by your office?

8 A. Yes.

9 Q. And were some of those calls initiated by
10 Ackerman as that term is defined in the notice?

11 A. Yes.

12 Q. When was the first phone call between your
13 office and Ackerman?

14 A. The first telephonic communication would have
15 occurred shortly after the document preservation notice
16 was served on May 3rd of 2019.

17 Q. Who participated in that phone call?

18 A. My understanding is that at the time, Ackerman
19 was represented by Pamela Mann. And my understanding is
20 that Ms. Mann called Mr. Sheehan.

21 MS. STERN: Sorry, can we take a moment?
22 Sorry. Somebody's knocking on the door and I don't want
23 them to intrude. Hold on.

24 MS. EISENBERG: Of course. Take your time.
25 Let's go off the record.

1 THE VIDEOGRAPHER: Going off at 3:04.

2 (Recess from 3:04 p.m. to 3:12 p.m.)

3 THE VIDEOGRAPHER: Going back on the record,

4 3:12.

5 Q. (BY MS. EISENBERG) Mr. Wang, recall prior

6 testimony that shortly after May 3, 2019, Mr. Sheehan

7 received a call from Ms. Mann?

8 A. Was there a question?

9 Q. Yes. Do you recall testifying to that effect?

10 A. Yes.

11 Q. And Ms. Mann is a former charities bureau chief

12 of the New York Attorney General's Office, is she not?

13 A. Correct.

14 Q. And what did Ms. Mann and Mr. Sheehan say during

15 that call?

16 A. My understanding is that that call was made to

17 discuss the document preservation notice.

18 Q. Okay. And what type of discussion occurred at

19 the meeting -- or I'm sorry, during the call?

20 A. I think it was an initial call, and I think it

21 was a call to set up another discussion.

22 Q. Okay. So it's your understanding that they

23 discussed the document preservation notice and attempted

24 to set up another discussion?

25 A. Correct. Ms. Mann confirmed that she was

1 representing Ackerman, that the document preservation
2 notice was received and that they'd like to set up a
3 further meeting to discuss compliance with the document
4 preservation notice.

5 Q. How many other conversations has your office had
6 with Ms. Mann about this investigation?

7 A. My understanding is that a follow-up meeting to
8 that phone call did take place.

9 Q. Was it an in-person meeting?

10 A. My understanding was that it was telephonic.

11 Q. Was it a call or a meeting or a WebEx?

12 A. Well, it was 2019, so that was almost before the
13 time of WebEx, but I believe it was telephonic phone call.

14 Q. Okay. So you believe or it is your office's
15 testimony today that after the phone call that you just
16 described, there was another phone call on which Ms. Mann
17 was present; is that correct?

18 A. That is correct.

19 Q. How long was that phone call?

20 MS. STERN: Just to clarify, you're talking
21 about the subsequent phone call, is that what you're
22 talking about?

23 MS. EISENBERG: That's correct. Thank you,
24 Ms. Stern.

25 A. I don't know the specific length of time that

1 phone call occurred in.

2 Q. (BY MS. EISENBERG) Okay. Who knows -- I'm
3 sorry. Do you know the approximate length of time? Was
4 it a few minutes, half an hour, two hours or something
5 else?

6 A. I do not know.

7 Q. Okay. Who knows?

8 MS. STERN: Objection.

9 A. My understanding is that Emily Stern attended
10 that meeting with Pamela Mann and another representative
11 from the New York Attorney General's Office. His name is
12 John Oleske.

13 Q. (BY MS. EISENBERG) What did Ms. Mann say during
14 that phone call with Ms. Stern and Mr. Oleske?

15 A. My understanding is that the phone call was to
16 discuss the document preservation notice and also concerns
17 that Ackerman had with respect to compliance because of a
18 fear of any potential or violation of its services
19 agreement with the NRA.

20 Q. Can you explain that a little bit? What kind of
21 fear are you referring to?

22 A. My understanding is they were sued by the NRA on
23 more than one occasion. And my understanding is that they
24 conveyed a fear of additional litigation from the NRA on
25 the basis of the confidentiality provisions of their

1 services agreement with the NRA.

2 Q. What did your office representatives say to
3 Ackerman, if anything, during that call in response to
4 that concern?

5 MS. STERN: Objection. Go ahead.

6 A. My understanding is that our office was
7 respectful of their concerns. And at that point, it was a
8 document preservation notice, and that was the extent of
9 the conversation understanding what their concern was.

10 Q. (BY MS. EISENBERG) Okay. And when was this
11 phone call that involved Ms. Stern and Ms. Mann?

12 A. I believe it was May 16, 2019.

13 Q. Did Ms. Stern and Ms. Mann ever work together?

14 MS. STERN: Objection. You may answer.

15 A. I don't know.

16 Q. (BY MS. EISENBERG) During any of the
17 communications between your office and Ackerman, did your
18 office ever tell Ackerman that they were a subject of a
19 grand jury investigation?

20 MS. STERN: Objection.

21 A. Not that I'm --

22 MS. STERN: I'm sorry. Can you just read
23 back the question?

24 Q. (BY MS. EISENBERG) During any of the
25 communications between your office and Ackerman as that

1 term is defined in the deposition notice, did your office
2 ever tell Ackerman that Ackerman was a subject of a grand
3 jury investigation?

4 MS. STERN: Okay, objection. You can
5 answer.

6 A. Not that I'm aware of.

7 Q. (BY MS. EISENBERG) During any of the
8 communications between your office and Ackerman as the
9 term is defined in the deposition notice, did your office
10 ever tell Ackerman that Ackerman is not a subject of any
11 grand jury investigation?

12 MS. STERN: Objection.

13 A. Not that I'm aware of.

14 Q. (BY MS. EISENBERG) During any of the
15 communications between your office and Ackerman, did your
16 office at any point indicate to Ackerman that Ackerman was
17 a target of a grand jury investigation?

18 MS. STERN: Objection. You can answer.

19 A. I think that's the same question you just asked
20 previously. And the answer is the same, not that I'm
21 aware of.

22 Q. (BY MS. EISENBERG) The previous question
23 referred to the word "Subject." This question referred to
24 the word "target." Would you like to clarify your
25 previous answer or does it stand?

1 A. The answer is the same, not that I'm aware of.

2 MS. STERN: Okay. If you want the question
3 read back just to be clear, we can do that. Do you need
4 it read back?

5 THE WITNESS: Sure.

6 MS. STERN: Okay. Let's make sure for your
7 record, Ms. Eisenberg, can we read back the last question?

8 MS. EISENBERG: Yes. Why don't -- you know,
9 I think Mr. Wang might be right. I might have misspoken.
10 So let me just ask again.

11 MS. STERN: Okay. Okay.

12 Q. (BY MS. EISENBERG) During any of the
13 communications between your office and Ackerman, did your
14 office ever convey to Ackerman that Ackerman was a target
15 of a grand jury investigation?

16 MS. STERN: Objection.

17 A. Not that I'm aware of.

18 Q. (BY MS. EISENBERG) During any of the
19 communications between your office and Ackerman, did your
20 office ever convey to Ackerman that it was not a target of
21 a grand jury investigation?

22 A. Not that --

23 MS. STERN: Objection. Sorry.

24 A. Not that I'm aware of.

25 Q. (BY MS. EISENBERG) During any of these

1 communications, did Ackerman ever ask your office whether
2 Ackerman was a subject of a grand jury investigation?

3 MS. STERN: Objection.

4 A. Not that I'm aware of.

5 Q. (BY MS. EISENBERG) During your office's
6 communications with Ackerman, did Ackerman ever ask if
7 Ackerman was a target of a grand jury investigation?

8 MS. STERN: Objection.

9 A. Not that I'm aware of.

10 Q. (BY MS. EISENBERG) So is the answer no, it
11 didn't happen or is the answer you don't know if it
12 happened?

13 A. I have no knowledge of Ackerman having asked the
14 Attorney General's Office whether it is or it is not
15 either a subject or a target of a grand jury
16 investigation.

17 Q. Is that a topic with regard to which you
18 specifically prepared in preparation for today?

19 MS. STERN: Objection.

20 A. I --

21 MS. STERN: Objection. No. I'm going to
22 direct the witness not to reveal any attorney-client
23 communications. He's discussed the topics that he
24 prepared for were the topics of the communications
25 discussed in 13 and the other subject matter in 17.

1 A. I prepared to discuss Topics 13 and 17.

2 Q. (BY MS. EISENBERG) Okay. And Topic 13

3 concerns, among other things, communications between your

4 office and Ackerman, correct?

5 A. Regarding the NRA investigation.

6 Q. Now, is it your position that if Ackerman asked

7 your office if Ackerman was a target of a grand jury

8 investigation, that would not have related to your

9 office's investigation of the NRA?

10 A. No, that is not my position.

11 Q. So it would have been concerning the

12 investigation as that term is defined in the notice,

13 correct?

14 MS. STERN: Objection, lack of foundation.

15 But you can answer the question if you can.

16 A. I don't have any knowledge of the Attorney

17 General's Office being asked by Ackerman whether it is or

18 it is not either the target or the subject of a grand jury

19 investigation.

20 Q. (BY MS. EISENBERG) When you say you don't have

21 any knowledge, is it a topic as to which you specifically

22 prepared in preparation for today?

23 A. I prepared to discuss Topics 13 and 17 of the

24 30(b)(6) notice.

25 Q. Now, if Ackerman asked that question, that would

1 be a communication between Ackerman and your office,
2 correct?

3 A. If they asked such a question, it would be a
4 communication between Ackerman and our office, but it
5 would not necessarily be regarding the NRA investigation.

6 Q. Okay. Well, you just answered that if they had
7 asked that question, it would have been related to the
8 investigation. Do you stand by that answer?

9 A. I said it might not have been related to that --
10 to the NRA investigation.

11 Q. Okay. So is it your testimony that they never
12 asked -- Ackerman never asked if they were a target in
13 relation to your office's investigation of the NRA?

14 MS. STERN: Objection. I think that
15 misstates his prior testimony.

16 MS. EISENBERG: I'm not characterizing his
17 prior testimony. I'm asking what the answer is. Is it --

18 MS. STERN: So can you just -- I'm sorry.
19 Ms. Eisenberg, can you just state the question? I
20 want to make sure we're clear on the question.

21 Q. (BY MS. EISENBERG) Okay. Has Ackerman ever
22 asked your office whether Ackerman is a target of a grand
23 jury investigation in a conversation that you would deem
24 to be, quote, "concerning the investigation as that term
25 is defined in the notice"?

1 MS. STERN: Can you answer the question?

2 A. Yes.

3 MS. STERN: Okay. Sorry. I don't want
4 to -- okay. If you can -- if you understand the question,
5 you can answer it to extent that you --

6 A. The Attorney General's Office does not have any
7 knowledge of Ackerman asking that such a question to the
8 Attorney General's Office.

9 Q. (BY MS. EISENBERG) Now, setting aside the grand
10 jury topic that we just covered, your office from time to
11 time brings civil charges against individuals and
12 corporations; is that correct?

13 A. Our office does a lot of things. I'm not sure
14 how that's related to Topics 13 and 17.

15 Q. Well, my question is whether at any point anyone
16 at Ackerman asked your office whether your office was
17 considering civil charges against Ackerman or any of the
18 individuals who have worked for Ackerman? Do you
19 understand the question?

20 MS. STERN: Okay. Sorry. Can you read back
21 the question?

22 (Requested portion was read.)

23 MS. STERN: Okay.

24 A. I understand the question. And my answer is the
25 same as your previous question, which is the Attorney

1 General's Office does not have any knowledge of being
2 asked the question of that nature by Ackerman.

3 Q. (BY MS. EISENBERG) So as a representative of
4 the office, is your answer, no, Ackerman never asked that
5 question, or are you just saying that you sitting here
6 today have no knowledge?

7 MS. STERN: Objection. He just, I believe,
8 said as acting on behalf of the Attorney General's Office,
9 the knowledge of the Attorney General's Office. You can
10 answer the question again, but I believe it was asked and
11 answered?

12 A. It's the same answer. I'm sitting here today as
13 the corporate representative of the Attorney General's
14 Office. Sitting here today, the Attorney General's Office
15 does not have any knowledge of being asked that sort of
16 question by Ackerman McQueen.

17 MS. EISENBERG: Okay. For the record, we --
18 a computer --

19 THE WITNESS: Is it just me, or have you
20 appeared twice on the screen?

21 MS. STERN: We're seeing you twice,
22 Svetlana.

23 MS. EISENBERG: Okay. I'm sorry.

24 MS. STERN: Okay. I think that's cleared
25 up, but now our video is odd, but that's okay. I think we

1 can manage. We can still see you in the same boxes.

2 THE WITNESS: That's fine.

3 MS. STERN: We're sharing the same Hollywood

4 Square right now.

5 MS. EISENBERG: Are we still on the record?

6 THE VIDEOGRAPHER: Yes.

7 MS. STERN: Okay.

8 MS. EISENBERG: Okay. So I'll just say for

9 the record that what happened was our screen went down,

10 went completely blank, but thanks to my colleague,

11 Ms. Burschlag, we are back and we appreciate everyone's

12 patience.

13 MS. STERN: No problem. So did that happen

14 after the -- in the interlude between the Q and A? Just

15 want to make sure that you got what you needed.

16 THE WITNESS: I don't think there was a

17 pending question, unless they were asking one while they

18 weren't here.

19 MS. STERN: Yeah. That's what I'm trying to

20 find out. Can the court reporter read back the last

21 question so we can make sure we're all aware of what it

22 was.

23 MS. EISENBERG: I remember what it was.

24 Q. (BY MS. EISENBERG) So the question was you

25 testified that your office as represented by you, sitting

1 here today, is not aware of Ackerman ever asking your
2 office if they were a -- if they -- if Ackerman was going
3 to be civilly charged by your office. And my follow-up
4 question was: Is it your office's official answer that
5 the answer is no, they never asked -- Ackerman never asked
6 you that question, or are you simply saying that in the
7 course of your preparation for today, you never learned
8 that they did ask that question but you also don't know
9 for sure that they never asked it?

10 MS. STERN: Okay. And I believe that he
11 answered that question. That question is --

12 MS. EISENBERG: Emily, I didn't hear the
13 answer. I'm happy to try to find it in the transcript.

14 MS. STERN: Okay. So --

15 Q. (BY MS. EISENBERG) Or you can just answer
16 again, Mr. Wang.

17 A. I'm -- I'm happy to answer it again.

18 MS. STERN: Hold on. Hold on. I'm happy to
19 have him answer it again, but, Svetlana, do you want it to
20 be that articulation of the question or the prior one that
21 the court reporter had.

22 MS. EISENBERG: Okay.

23 MS. STERN: Sorry. I know this is -- I'm
24 trying to clear -- clear up the record here.

25 Q. (BY MS. EISENBERG) Okay. So the question was:

1 Is it your answer that Ackerman never asked the question,
2 or are you saying that sitting here today, you just have
3 no knowledge of them asking that? And then you said,
4 "It's the same answer. I'm sitting here today as the
5 corporate rep of the Attorney General's Office. Sitting
6 here today, the office doesn't have any knowledge of being
7 asked that sort of question."

8 So using your words, is it your testimony that
9 it never happened, or is it your testimony that the office
10 as represented by you has no knowledge of it happening?

11 MS. STERN: Objection.

12 A. My words exactly as I had said them. The office
13 of the Attorney General has no knowledge of being asked
14 that type of question by Ackerman McQueen. And when I say
15 "that type of question," what I'm referring to is the
16 question about whether they're being civilly charged or
17 whether they're target or subject of a grand jury
18 investigation. The Attorney General's Office has no
19 knowledge of being asked that type of question.

20 Q. (BY MS. EISENBERG) Now, if Ackerman asked that
21 question, your office would know about it, correct?

22 MS. STERN: I'll allow you to answer that
23 question. I think you can answer that question without
24 speculating but . . .

25 A. The Attorney General's Office has no knowledge

1 of having been asked that type of question.

2 Q. (BY MS. EISENBERG) If Ackerman asked the
3 Attorney General's Office a question, would the Attorney
4 General's Office know that the question was asked?

5 A. Yes.

6 Q. Okay. So when you say that your office has no
7 knowledge of that question being asked of your office, are
8 you effectively saying that Ackerman never asked that
9 question of your office?

10 A. I don't know why you're trying to get me to say
11 something different than what I'm actually saying. And I
12 don't know why what I'm saying is so complicated that you
13 can't understand it. But what I'm telling you is the
14 Attorney General's Office has no knowledge of being asked
15 that sort of question by Ackerman McQueen.

16 MS. STERN: Okay. I think we've covered
17 this subject quite a number of times. I request that we
18 can move on.

19 Q. (BY MS. EISENBERG) Were there never any
20 communications between your office and Ackerman as that
21 term is defined in the deposition notice and which there
22 were no Ackerman lawyers present?

23 A. No.

24 Q. Were there ever communications between your
25 office and Ackerman, again, as the term is defined in the

1 notice, where there were other participants, in other
2 words, representatives other than your office or Ackerman?

3 A. No.

4 Q. How many conversations or communications did
5 Ms. Mann participate in other than the two phone calls
6 that you previously described?

7 MS. STERN: Objection.

8 A. My understanding is that her involvement was
9 minimal, and it was just those two early communications.
10 And then there were no further communications with
11 Ms. Mann.

12 Q. (BY MS. EISENBERG) The communications that you
13 have had with Ackerman, what was their purpose other than
14 what you already described?

15 MS. STERN: Objection. Are you covering all
16 of the communications in that question?

17 Q. (BY MS. EISENBERG) Well, you already told us
18 that you met with Mr. Winkler, Ms. Montgomery,
19 Mr. Tavangar and Mr. Makris, correct?

20 MS. STERN: We -- we went through all that
21 testimony so . . .

22 MS. EISENBERG: So --

23 MS. STERN: I'm just trying to understand
24 the scope of your question so it's clear to the witness.

25 Q. (BY MS. EISENBERG) Right. So is it fair to say

1 that for some of the communications your office had with
2 Ackerman, the purpose of the communication was to
3 interview a fact witness?

4 MS. STERN: Objection, asked and answered.

5 But go ahead.

6 A. Our office was seeking information relevant to
7 our investigation of a New York not-for-profit
8 corporation. We believed that Ackerman McQueen was in
9 possession of information relevant to our investigation.
10 We served document subpoenas and some -- and sought
11 information from Ackerman because of their relationship
12 with the NRA, because of their financial transactions with
13 the NRA. That is the reason why we sought information
14 from that relevant third-party witness.

15 Q. (BY MS. EISENBERG) Okay? Well, is it fair to
16 say that some of your communications with Ackerman were
17 for the purpose of interviewing a fact witness, yes or no?

18 A. We were seeking to gather the facts, that is
19 accurate.

20 Q. Okay. And for that purpose, you interviewed
21 witnesses such as Mr. Makris, correct?

22 A. We spoke to witnesses such as Mr. Makris,
23 correct.

24 Q. But it wasn't for the purpose of gathering
25 facts?

1 MS. STERN: Objection, that misstates his
2 testimony.

3 Q. (BY MS. EISENBERG) To rephrase the question as
4 you answer it, I'm trying to understand what about the
5 question you disagreed with?

6 MS. STERN: Objection. I don't think he
7 disagreed with your question. So he answered the question
8 but, if you want to put the question to him again, be my
9 guest.

10 Q. (BY MS. EISENBERG) Okay. Is it fair to say
11 that some of your office's communications with Ackerman
12 were for the purpose of discussing its production of
13 documents to your office?

14 A. We would have communicated with Ackerman McQueen
15 regarding their compliance with our subpoena.

16 Q. When you say "would have," are you saying that
17 your office, in fact, did communicate with Ackerman
18 McQueen about --

19 A. We --

20 Q. -- Ackerman's compliance with your office's
21 subpoena?

22 A. Let rephrase my answer. We communicated with
23 Ackerman McQueen regarding their compliance with our
24 subpoena.

25 Q. Okay. Now, other than speaking to witnesses to

1 gather facts and communicating with Ackerman about its
2 compliance with your office's subpoena, for what other
3 purposes did you have communications with Ackerman?

4 MS. STERN: Objection.

5 A. We sought to gather information relevant to our
6 investigation of the NRA. We felt Ackerman McQueen
7 would -- was in possession of information relevant to our
8 investigation. Therefore, we served subpoenas on Ackerman
9 McQueen for information relevant to the investigation.

10 Q. (BY MS. EISENBERG) Did you obtain information
11 from Ackerman relative to your investigation into the NRA?

12 A. Ackerman McQueen produced documents responsive
13 to our subpoena.

14 Q. So fair to say that their -- the documents that
15 Ackerman produced was one of the ways in which you learned
16 facts from Ackerman?

17 A. The documents that Ackerman produced to us
18 responsive to the subpoena were relevant to our
19 investigation.

20 Q. Did communications with Ackerman entail
21 presentations by Ackerman's lawyers to your office?

22 MS. STERN: Objection.

23 A. No.

24 Q. (BY MS. EISENBERG) Did your office
25 communications with Ackerman entail recitations by your

1 office of the evidence as you understand it to Ackerman?

2 MS. STERN: Objection.

3 A. No.

4 Q. (BY MS. EISENBERG) Now, turning your attention
5 back to Topic 13, Mr. Cuomo, Governor Cuomo is listed. So
6 my question is who decided that you would be the corporate
7 representative for the topic of your office's
8 communications with Mr. Cuomo about the NRA investigation?

9 A. Your question is: Who decided that I would be
10 the corporate designee for the Attorney General's Office's
11 testimony?

12 Q. Yes, that's part of subject 1. You are
13 obligated to tell us the name and role of each person who
14 participated in the selection and preparation of you as
15 the 30(b)(6) witness as to that topic.

16 A. My understanding --

17 MS. STERN: I'm sorry. Objection, asked and
18 answered to the extent we covered this earlier this
19 morning but . . .

20 MS. EISENBERG: Ms. Stern, that's not an
21 appropriate objection. I never discussed Mr. Cuomo until
22 two questions ago.

23 MS. STERN: Okay. My -- I -- sorry. My
24 mistake. I know we covered some of the Topic 1 this
25 morning.

1 MS. EISENBERG: No worries.

2 A. My understanding is that it was a decision made
3 by counsel as part of the team working on the NRA matter.

4 Q. (BY MS. EISENBERG) Which specific individual or
5 individuals are you referring to when you say "counsel"?

6 A. This is similar to what you had asked previously
7 when discussing Everytown. Specifically, I was told by my
8 co-section chief, Emily Stern that I was the designee. My
9 understanding is that counsel, the team, as a whole made
10 that determination and it was relayed to me.

11 Q. What did you do to prepare for your testimony on
12 the topic of your office's communications with Mr. Cuomo
13 about your office's investigation of the NRA?

14 A. This is similar to my answer to your previous
15 questions about my preparation for today. And that -- as
16 I previously stated, my preparation entailed three
17 meetings that would have occurred on Saturday, Sunday and
18 Monday previous to today. In addition, I reviewed
19 documents, communications between our office and any of
20 the parties listed in Topic 13 to the extent those
21 communications existed.

22 Q. So is it fair then to say that with regard to
23 the topics listed in Section 13, your method of
24 preparation was the same with regard to each of them
25 except as to what documents you reviewed?

1 A. I don't think that's fair to say. What I would
2 say is fair to say is I took a systemic -- we took -- the
3 office took a systemic approach to preparing me as the
4 30(b)(6) witness to testify with respect to both these
5 topics and Topic No. 1. That preparation process involved
6 meetings, which we've already discussed, as well as
7 document review to the extent documents existed.

8 Q. Okay. So focusing on the topic of
9 communications with Mr. Cuomo, what documents did you
10 review to prepare to testify with regard to that topic?

11 MS. STERN: Objection.

12 A. With respect to Governor Cuomo in preparing to
13 testify with respect to that topic, we had meetings, the
14 same three meetings that I've previously discussed. And
15 there was a review of emails between our office and the
16 Governor's office that would be related to the NRA
17 investigation. Because no communications turned up as a
18 result of that search, I did not review any documents.

19 Q. How far did you search?

20 MS. STERN: Objection.

21 Q. (BY MS. EISENBERG) Did you search for any and
22 all communications since January 1, 2018?

23 MS. STERN: Objection.

24 A. My understanding is that any search parameter
25 would have been the relevant time period relating to the

1 NRA investigation.

2 Q. (BY MS. EISENBERG) So you must have searched
3 for communications going at least as far as back as
4 January 1, 2018, correct?

5 MS. STERN: Objection, lack of foundation.

6 And I caution the witness not to disclose any attorney-
7 client communications or attorney work product.

8 A. I stand by my previous answer that the relevant
9 time period for any search for communications was the
10 relevant time period for relating to the NRA
11 investigation.

12 Q. (BY MS. EISENBERG) Well, you previously
13 testified that there was an inquiry under way as early as
14 November or December of 2018. Do you recall that
15 testimony?

16 A. I do.

17 Q. And you couldn't recall if it was November or
18 December?

19 A. It -- my -- it may have been as early as
20 October.

21 Q. Could it have been as early as September?

22 A. I believe October was the earliest date it
23 should have -- it would have been.

24 Q. Okay. Well, in searching for communications
25 between your office and the Governor, did you search

1 communications going at least as far as back as October
2 2018?

3 MS. STERN: I'm going to caution you on
4 your -- the work product and attorney-client
5 communications, and subject to that, you can answer the
6 question.

7 A. As I previously stated, my understanding of the
8 search parameters is that the relevant time period was
9 determined by counsel, and that counsel determined that
10 relevant time period to be the relevant time period of the
11 NRA investigation.

12 Q. (BY MS. EISENBERG) But you don't know what that
13 time period is, do you?

14 A. As I said to you before, those determinations
15 were made by counsel.

16 Q. Okay. Well, Mr. Wang, the NRA's entitled to
17 know that the search that produced zero hits was
18 sufficiently comprehensive. What I'm hearing you say is
19 that you are not in a position to give us any information
20 that would give us that comfort.

21 MS. EISENBERG: So I note for the record
22 that the witness is not prepared to testify as to that
23 topic. And there's no evidence that an adequate search
24 was conducted. But with that, we can move on.

25 MS. STERN: No, you have to let me respond

1 to that. I think that misstates the testimony. The
2 witness has testified to the extent of the information
3 that is available that is not subject to privileges, and
4 has answered your questions fully within those bounds.
5 And we disagree that there's any -- any evidence that he
6 is not sufficiently prepared to answer the questions,
7 indeed he has answered the questions regarding the
8 preparation, the method by which he prepared. If you have
9 objections to the answers he's giving, you're not
10 satisfied with them, that's a separate matter.

11 MS. EISENBERG: Okay.

12 Q. (BY MS. EISENBERG) Do you know whether or not
13 time parameters were used in the performance of the search
14 to identify any communications between your office and
15 Governor Cuomo as that term is defined in the notice?

16 MS. STERN: And you can answer that yes or
17 no, and otherwise, I caution you on your obligations with
18 respect to work -- preserving work product privileges and
19 attorney-client communication privileges.

20 A. Yes, time parameters were used.

21 Q. (BY MS. EISENBERG) Sitting here right now, do
22 you know what those time parameters were?

23 A. The time parameters were determined by counsel.
24 My understanding --

25 Q. (BY MS. EISENBERG) Is --

1 A. I wasn't finished with my answer actually. My
2 understanding of the time parameter is that the time
3 parameter was the period of time relevant to the NRA
4 investigation.

5 Q. Does the relevant time have a particular
6 beginning date?

7 MS. STERN: Objection.

8 A. I'm sure it does.

9 MS. STERN: Asked and answered. Sorry.

10 Q. (BY MS. EISENBERG) Is it fair to say that you
11 don't know what time parameter was applied by whoever
12 applied the time parameter?

13 MS. STERN: Objection, asked and answered.
14 And again, direct the witness not to reveal attorney-
15 client privilege communications or attorney work product.

16 A. I -- I know the time parameter. The time
17 parameter was the relevant period of the NRA
18 investigation.

19 Q. (BY MS. EISENBERG) Okay. And how far does the
20 relevant period go? Please give me a specific date.

21 MS. STERN: Objection.

22 A. My understanding is that counsel made a
23 determination of what that specific date would be. And I
24 cannot give you a specific date because it would violate
25 the attorney work product doctrine.

1 MS. EISENBERG: Ms. Stern, it's the Debtor's
2 position that revealing the date that was applied is not
3 in any way, shape or form revealing of attorney-client
4 communications. I'm not asking about the specific
5 conversation in which this was discussed or what
6 specifically was said. This witness is required to know
7 what the time parameters were. He either knows it or not.
8 And if he does, I'm entitled to know what they were. So
9 let me ask it again.

10 Q. (BY MS. EISENBERG) Do you know --

11 MS. STERN: Wait, hold on. Hold on. Hold
12 on, Ms. Eisenberg. Are you asking us to allow the witness
13 to reveal what the time parameters were on searches for
14 relevant communications? Is that your request?

15 MS. EISENBERG: For communications between
16 your office and Governor Cuomo related to this
17 investigation.

18 MS. STERN: Relating to the Attorney
19 General's Office investigation of the NRA; is that right?
20 Is that your request?

21 Q. (BY MS. EISENBERG) The question is what did
22 your office do to identify any written communication
23 between your office and Governor Cuomo as the term is
24 defined in the notice to the extent they fall within
25 paragraph 13?

1 MS. STERN: Okay. Why don't you give us
2 five minutes?

3 MS. EISENBERG: Would you like to go off the
4 record?

5 MS. STERN: Yes.

6 MS. EISENBERG: Okay.

7 MS. STERN: We'll take a little break.

8 MS. EISENBERG: Thank you very much.

9 THE VIDEOGRAPHER: Going off the record,
10 3:55.

11 (Recess from 3:55 p.m. to 4:09 p.m.)

12 THE VIDEOGRAPHER: Back on the record, 4:09.

13 MS. STERN: Ms. Eisenberg.

14 MS. EISENBERG: Let me depose the witness.

15 MS. STERN: You want to -- you want to put a
16 question to this witness. Okay. We -- I -- I want to
17 sort of assist you here and we're willing to allow the
18 witness to provide a little more detail without any waiver
19 of any attorney work product, any attorney-client
20 privilege protections that apply.

21 MS. EISENBERG: Terrific.

22 MS. STERN: So with that -- with that if you
23 want to put the question -- I don't remember what the last
24 question is but of this -- I think you were probing the
25 time period.

1 Q. (BY MS. EISENBERG) Yes. Mr. Wang, did we just
2 take a break?

3 A. Yes.

4 Q. For what purpose did we take the break?

5 A. I believe I -- I believe Ms. Stern wanted to
6 confer and I conferred with counsel.

7 Q. Okay. Do you know what sort of parameters were
8 applied to identify any written communications between
9 your office and Governor Cuomo regarding your office
10 investigation of the NRA?

11 MS. STERN: Objection. You can answer the
12 question subject to the attorney, you know, client
13 privilege and attorney -- without revealing any attorney
14 work product without any waiver, go ahead.

15 A. My understanding is that the time search
16 parameter for communications was the relevant period of
17 the NRA investigation. And that relevant period was
18 determined to be September 1, 2018, through August 6,
19 2020 -- 2020.

20 Q. (BY MS. EISENBERG) How many times did Attorney
21 General James communicate with Governor Cuomo about your
22 office's investigation of the NRA?

23 MS. STERN: Objection. Go ahead, you can
24 answer that question.

25 A. Based on the search parameters and the fact that

1 zero documents turned up, my answer is zero.

2 Q. (BY MS. EISENBERG) My question is not limited
3 to written communications. Let me repeat the question.
4 How many times did Attorney General James, Letitia James
5 communicate with Governor Cuomo about your office's
6 investigation into the NRA?

7 A. The Attorney General's Office is not aware of
8 any communications between the Attorney General, Letitia
9 James and Governor Cuomo about or relating to concerning
10 the NRA investigation within the time period that has been
11 determined to be the relevant time period.

12 Q. Sir, you keep using the term "not aware" and my
13 question is, are you aware able to answer my question
14 about how many communications Ms. James and Governor Cuomo
15 had about the investigation without using that
16 terminology? Are you able to say it was zero, it was
17 five, it was ten or I don't know? Are you able to answer
18 my question without using the formulation the Attorney
19 General's Office is not aware? Can you do that?

20 MS. STERN: I'm going to -- I'm going to
21 direct the witness to answer the question to the best of
22 the Attorney General's knowledge and regardless of the
23 direction from counsel as to what words to use or not to
24 use.

25 A. In the relevant time period that was determined

1 to be September 1, 2018 to August 6, 2020, the Attorney
2 General's knowledge is that zero communications took place
3 between Attorney General Letitia James and Governor Cuomo
4 regarding the Attorney General's investigation of the NRA.

5 Q. (BY MS. EISENBERG) When you say the Attorney
6 General's knowledge, are you referring to Ms. James
7 herself or the office of the Attorney General?

8 MS. STERN: Objection. Mr. Wang has been
9 here all day for over five hours testifying as the
10 corporate representative of the Attorney General's Office.
11 That has been clear. I don't think there's any ambiguity
12 about that he's continuing to testify in that capacity.

13 A. My testimony --

14 Q. (BY MS. EISENBERG) Mr. Wang --

15 A. -- is as a corporate representative of the
16 Attorney General's Office of the State of New York.

17 Q. Okay. In preparation for your testimony here
18 today, what did you do to learn what, if any,
19 communications about the investigation Attorney General
20 James, the person, had with Governor Cuomo?

21 MS. STERN: Objection, asked and answered.
22 And again, I instruct you not to reveal any attorney work
23 product or attorney-client communications. I believe that
24 you have testified to the steps that you took, but you may
25 answer the question subject to those objections.

1 A. In response to your question, my answer is the
2 same as it has been previously when you've asked about
3 preparation for testimony today as a corporate 30(b)(6)
4 representative of the New York State Attorney General's
5 Office. And that preparation involved three meetings that
6 took place on Saturday, Sunday and Monday prior to this
7 meeting today, and a review of electronic communications
8 and documents.

9 Q. (BY MS. EISENBERG) So your preparation did not
10 include a conversation with Ms. James, did it?

11 MS. STERN: Objection.

12 A. I've told you what my preparation entailed, and
13 I can repeat that for you. But my preparation involved
14 meetings with counsel on Saturday, Sunday and Monday prior
15 to this meeting today, and a review of electronic
16 communications, parameters of which were determined by
17 counsel.

18 Q. (BY MS. EISENBERG) And how, if at all, were
19 those things helpful to making sure that you are aware of
20 any and all communications between Letitia James and
21 Andrew Cuomo regarding the investigation?

22 MS. STERN: Can you read that question back,
23 please?

24 (Requested portion was read.)

25 A. As I said in my previous answer, the review of

1 electronic communications involves both the attorneys on
2 the NYAG/NRA investigation team, anyone who was reasonably
3 likely to have communications with respect to the NRA
4 investigation. There was also a review of communications
5 at the executive level. In addition, I took part in three
6 meetings to discuss with counsel the topics in the
7 Debtor's corporate 30(b)(6) notice and that preparation
8 was helpful for my testimony today.

9 Q. (BY MS. EISENBERG) In preparing for your
10 testimony here today, you did not speak to Ms. James, did
11 you?

12 MS. STERN: Objection, asked and answered.

13 A. Ms. Eisenberg, I told you all of the steps that
14 I took in preparation for my testimony today.

15 Q. (BY MS. EISENBERG) You either spoke to
16 Ms. James or you did not. It's an easy question.

17 MS. STERN: Are you --

18 Q. (BY MS. EISENBERG) In preparation for your
19 testimony here today, did you speak to Ms. James, yes or
20 no?

21 MS. STERN: Are you asking him that question
22 in his individual capacity, or are you asking the
23 corporate representative of the Attorney General's Office?

24 MS. EISENBERG: It doesn't matter. I'm
25 trying to understand.

1 MS. STERN: No, it does matter.

2 THE WITNESS: It does matter.

3 Q. (BY MS. EISENBERG) What -- in preparing for
4 your testimony here today, did you speak to Ms. James?

5 MS. STERN: Who is the "you" in your
6 question? Please clarify.

7 MS. EISENBERG: Mr. Wang, the corporate
8 representative.

9 MS. STERN: Objection. I direct you not to
10 answer the question if it requires you to reveal any
11 attorney-client privileged communications.

12 A. Ms. Eisenberg, I've gone over the steps that I
13 took in preparation for my testimony as 30(b)(6) witness
14 today ad nauseam.

15 Q. (BY MS. EISENBERG) So you did speak to
16 Ms. James or you did not, yes or no?

17 MS. STERN: Objection, asked and answered.
18 If you cannot answer the question without revealing
19 privileged communications with your counsel, I direct you
20 not to answer the question.

21 A. I stand on my previous answer that I've given
22 numerous times.

23 Q. (BY MS. EISENBERG) You never answered the
24 question. Did you speak to Ms. James --

25 A. I disagree with you, Ms. Eisenberg. I think I

1 answered the question.

2 Q. And what was the answer?

3 MS. STERN: You -- let --

4 A. The answer was --

5 MS. STERN: The court reporter can read back

6 his answer. He's answered it several times.

7 MS. EISENBERG: Now, Ms. Stern, you said

8 that you're instructing him not to answer to the extent it

9 would reveal attorney-client privilege information.

10 Now --

11 MS. STERN: That's correct.

12 MS. EISENBERG: How would the fact of a

13 conversation between Mr. Wang and Ms. James reveal

14 attorney-client privileged information? Whether or not

15 they spoke is not privileged.

16 MS. STERN: Explain -- he -- sorry?

17 MS. EISENBERG: Whether or not they spoke

18 for him to prepare is not privileged.

19 MS. STERN: He explained to you, he's

20 testified since 9 o'clock this morning in the many, many

21 different ways that you've asked him about the question

22 about his preparation, he's described his preparation.

23 You know what the different components of that preparation

24 were and the discussions with counsel were part of that

25 preparation.

1 And so again, I'm going to stand by my
2 instructions to the client and I'm sure you don't want to
3 probe into any attorney-client privilege communications,
4 and so his answer is subject to those instructions.

5 Q. (BY MS. EISENBERG) Mr. Wang, do you understand
6 that the notice and the judge's order required you to
7 become informed as to the topic of Letitia James's
8 communications with Governor Cuomo about the
9 investigation?

10 A. Ms. Eisenberg, I know what the 30(b)(6) notice
11 says.

12 Q. How many people to whom you spoke to prepare for
13 this testimony did anything to learn what, if any,
14 communications Ms. James had with Governor Cuomo about the
15 investigation?

16 MS. STERN: Hold on. Can you read back that
17 question, please, Ms. Duncan?

18 (Requested portion was read.)

19 MS. STERN: Again, I'm going to instruct you
20 not to reveal any attorney-client privileged
21 communications in response to that question. If you can
22 answer it, subject to those instructions, you may do so.

23 A. I had meetings with counsel in preparation for
24 my testimony today. I think we've gone over the counsel
25 that I've met with. I met with Emily Stern, Monica

1 Connell and James Sheehan in preparation for my testimony
2 today. We discussed information in preparation for the
3 30(b)(6) Topics, 1, 13 and 17.

4 Q. (BY MS. EISENBERG) When you say "my counsel"
5 are they your personal lawyers?

6 MS. STERN: Are you asking him that as the
7 representative of the Attorney General's Office? You well
8 know that he's been represented here today by myself as
9 his counsel. He's appearing as a representative of the
10 office.

11 MS. EISENBERG: Ms. Stern, the witness used
12 the words "my counsel" in his answer and I asked him what
13 he meant. Please do not --

14 A. Whenever I use possessive pronouns like "my,"
15 I'm referring to me in my capacity as a 30(b)(6)
16 representative of the State of New York, the Attorney
17 General's Office of the State of New York. I'm not here
18 in my individual capacity today. I'm here in my capacity
19 as a corporate representative. And so when I say "my
20 counsel," what I'm referring to is counsel to the 30(b)(6)
21 representative of the Attorney General's Office of the
22 State of New York, but that's generally a mouthful, so I'm
23 just trying to save some time.

24 MS. EISENBERG: I see. Thank you.

25 Q. (BY MS. EISENBERG) Is it the Attorney General's

1 Office's testimony today that were there no communications
2 between Ms. James and Governor Cuomo about the
3 investigation between September 1, 2018 and August 6,
4 2020?

5 MS. STERN: Objection, asked and answered.
6 You may answer the question, again, subject to the
7 objections that we have stated on the record numerous
8 times with respect to attorney work product and attorney-
9 client communications.

10 A. My testimony is the same. I've gone over
11 numerous times ad nauseam what my preparation was. My
12 preparation involved three meetings with counsel, Emily
13 Stern, Monica Connell and James Sheehan in preparation for
14 Topics 1, 13 and 17 of the 30(b)(6) notice, in addition to
15 reviewing communications that were gathered pursuant to
16 the protocols that we've already discussed.

17 MS. EISENBERG: I need to confer with my
18 colleagues. I'd like to go off the record, please.

19 MS. STERN: Okay. We'll take a break.

20 THE VIDEOGRAPHER: Off the record at 4:26.

21 (Recess from 4:26 p.m. to 4:37 p.m.)

22 THE VIDEOGRAPHER: Back on the record 4:37.

23 Q. (BY MS. EISENBERG) Mr. Wang, I'll ask you a
24 couple of questions limited to the time frame that you
25 identified in your testimony previously, which was

1 September 1, 2018 through August 6, 2020. Is that okay?

2 A. Yes.

3 Q. Okay. So focusing on that time frame with
4 regard to that time frame, do you have any knowledge or
5 information upon which a reasonable person would conclude
6 that there were communications about the office's
7 investigation of the NRA between Letitia James and
8 Governor Cuomo, yes or no?

9 MS. STERN: Sorry. Can you just read back
10 the question? I'm sorry, Ms. Eisenberg. I just want to
11 make sure I heard it.

12 MS. EISENBERG: Absolutely.

13 Q. (BY MS. EISENBERG) Focusing on the time
14 frame --

15 MS. STERN: No, no. I'm sorry. I was just
16 going to have the court reporter read it back. If you
17 want to restate it, that's fine, but I was just going to
18 have the court reporter read it back. What's your
19 preference?

20 MS. EISENBERG: I'm fine either way.
21 Ms. Duncan.

22 MS. STERN: Okay. Let's have the court
23 reporter. I'm not trying to exhaust your vocal records.
24 I just wanted her to read it back.

25 (Requested portion was read.)

1 MS. STERN: Okay. Objection. You can
2 answer the question.

3 A. Sure. I think as I've testified to before, I
4 took the steps that I've previously been -- described in
5 my preparation to testify today as a 30(b)(6) witness, the
6 multiple meetings, the review of documents and
7 communications. And as I stated before, the Attorney
8 General's Office has no knowledge that any communications
9 took place between the Attorney General Letitia James and
10 Governor Andrew Cuomo.

11 Q. (BY MS. EISENBERG) Okay. Do you have -- now
12 setting aside the time limitation previously discussed, as
13 a general matter, do you have any knowledge or information
14 upon which a reasonable person would conclude that there
15 were communications between your office and Linda Lacewell
16 about your office's investigation of the NRA?

17 MS. STERN: Sorry. Putting aside the time
18 period, is that what you said at the beginning of your
19 question? Just wanted to make sure I understood.

20 MS. EISENBERG: Yes. I previously discussed
21 with Mr. Wang that I limited my prior question to that
22 time period. I got rid of that limitation, and I'm just
23 generally asking if he has knowledge or information upon
24 which a reasonable person would conclude that there have
25 been communications between your office and Linda Lacewell

1 about the office's investigation of the NRA.

2 A. So I'm going to give an answer that sounds very
3 similar to my previous answers because I think this is a
4 very similar question. But what I did to prepare for my
5 30(b)(6) -- 30(b)(6) testimony today is I had those three
6 meetings with counsel, I reviewed communications. And as
7 I've previously described, the time parameters of those
8 communication -- of that communication review was
9 determined to be September 1, 2018, through August 6,
10 2020. That is the universe of my knowledge with respect
11 to Topic 13. And with respect to Topic 13, the Attorney
12 General has no knowledge of any communications taking
13 place between the Attorney General's Office, members of
14 the NYAG/NRA investigation team and Linda Lacewell.

15 Q. (BY MS. EISENBERG) Is that statement based
16 solely on your search of the written evidence?

17 MS. STERN: Objection, that misstates his
18 testimony.

19 A. No, I'm not sure if what I said didn't come
20 across clearly. But it is based on all of my preparation
21 for my testimony today as a 30(b)(6) corporate
22 representative speaking on behalf of the office of the
23 Attorney General of New York State.

24 Q. (BY MS. EISENBERG) Is the people with whom you
25 met to prepare for the deposition, would they necessarily

1 know if Ms. Lacewell communicated with your office about
2 the investigation?

3 MS. STERN: Objection. I instruct the
4 witness not to reveal any attorney-client communications
5 or attorney work product. And to the extent you can
6 answer that question, subject to that instruction and
7 those objections, you may do so.

8 A. Are you asking me if the people that I spoke to
9 in preparation for today's meeting would know if our
10 office, the representatives of the NYAG/NRA investigation
11 team would have communicated with Linda Lacewell?

12 Q. (BY MS. EISENBERG) My question is not limited
13 to the investigation team. My question is about your
14 office in general. There's no restriction in the notice
15 to those who are on that team. The office is defined to
16 include everyone, including Ms. James.

17 My question is if there had been a conversation
18 between Ms. James and Ms. Lacewell about the
19 investigation, what did you do to make sure in preparing
20 for this testimony that you would have learned about it?

21 A. This is the same answer with respect to Governor
22 Cuomo. As I mentioned to you before, I took certain steps
23 in my preparation to speak as a 30(b)(6) corporate
24 representative today. Those included meetings with
25 counsel on Saturday, Sunday and Monday and also included

1 communications review, defined -- within the defined time
2 parameters as set forth. In that review, the Attorney
3 General -- I can say that the Attorney General has no
4 knowledge of any communications between the Attorney
5 General's Office, the individuals who are part of the
6 NYAG/NRA investigation team and Governor Cuomo or Linda
7 Lacewell.

8 Q. Do you have any knowledge or information upon
9 which a reasonable person would conclude that there were
10 communications about the investigation by your office of
11 the NRA between anyone at your office and Ms. Vullo?

12 A. It is the same answer with respect to Governor
13 Cuomo and superintendent Lacewell that applies to
14 superintendent -- former superintendent Vullo. In other
15 words, in the course of my preparation to testify today as
16 a 30(b)(6) witness on behalf of the office of the Attorney
17 General of the State of New York, I had meetings with
18 counsel on Saturday, Sunday and Monday prior to this
19 meeting, as well as a review of communications between
20 individuals reasonably likely to have communications with
21 Governor Cuomo, Linda Lacewell or Maria Vullo in relation
22 to the NYAG/NRA investigation. As far as the New York
23 Attorney General's knowledge is concerned, there were no
24 such communications.

25 Q. Did you or anyone to whom you spoke to prepare

1 check Ms. James's calendar to see if she spoke to Governor
2 Cuomo about the investigation?

3 MS. STERN: So I'm going to direct the
4 witness not to reveal any attorney-client communications
5 that are privileged communications. If you can answer
6 that question without revealing such communications you
7 may answer it. Otherwise, I instruct you not to answer
8 the question.

9 A. I'm going to stand on my previous answer with
10 respect to your questions about communications between
11 Attorney General Letitia James and Governor Cuomo. You've
12 asked the same question, you know, 25 different ways, and
13 my answer is the same each time. And it's a mouthful and
14 I don't want to go through that entire recitation again,
15 so I'll just rest on my prior answers.

16 Q. (BY MS. EISENBERG) Okay. I would like to ask
17 that you not refer to a prior answer in answering my
18 questions because, frankly, it's not clear in the record
19 what specific answer you're referring to. So let me ask
20 you the question again and ask you to please answer it
21 without referring to a prior answer if you can. If you
22 can't, just let us know.

23 Did anyone you spoke to or you -- let me
24 withdraw that question and start over again.

25 Mr. Wang, did you or anyone you spoke with

1 to prepare for your deposition today check Ms. James's
2 calendar to see if she has spoken to Governor Cuomo about
3 the investigation into the NRA?

4 MS. STERN: And again, I instruct the
5 witness not to reveal any attorney-client privileged
6 communications or attorney work product.

7 MS. EISENBERG: Are you instructing him not
8 to answer or only not to reveal such information in the
9 process of answering the question?

10 MS. STERN: I'm instructing the witness not
11 to reveal any such privileged information in the context
12 of his answer. If he can answer the question without
13 doing so, he will answer the question.

14 A. Without revealing any attorney-client privileged
15 information or any attorney work product privileged
16 information, the only way I can answer that question is to
17 tell you that I prepared for my testimony today by having
18 three meetings with counsel on Saturday, Sunday and Monday
19 to discuss the specific topics identified in the 30(b)(6)
20 notice served upon the New York Attorney General's Office.
21 In addition to those meetings and conversations with
22 counsel that took place at those meetings, which I
23 obviously cannot go into the nature -- the contents of
24 those conversations, I also reviewed communications and
25 documents within a relevant time period, the relevant time

1 period of which we disclosed to you, September 1, 2018
2 through August 6, 2020.

3 Communications of those individuals within the
4 New York Attorney General's Office that were reasonably
5 likely to have communications with either Governor Cuomo,
6 superintendent Linda Lacewell and former superintendent
7 Maria Vullo. And the Attorney General's Office knowledge
8 with respect to any of those communications is that there
9 were no such communications.

10 Q. (BY MS. EISENBERG) Okay. So my question was
11 about whether anyone checked Ms. James's calendar. You
12 didn't answer that question. And I need to know if you
13 didn't answer it because it would reveal privileged
14 information or because of something else?

15 MS. STERN: I will instruct the witness,
16 once again, for the third or fourth time that if you
17 cannot answer the question without revealing privileged
18 communications, then you may not answer the question.

19 A. The only way I can answer that question without
20 revealing privileged communications on either of the
21 privileged doctrines that we have discussed, is to answer
22 that question the way I did so . . .

23 MS. STERN: And you've stated it several
24 times in the record, and you will not restate it again.

25 Q. (BY MS. EISENBERG) Did anyone check Governor

1 Cuomo's calendar?

2 MS. STERN: Objection, lack of foundation.

3 The Attorney General's Office is responsible for preparing
4 a witness who's representing the Attorney General and not
5 the governor's office, just to be clear.

6 Q. (BY MS. EISENBERG) Would you like the question
7 repeated, sir?

8 A. Sure.

9 MS. EISENBERG: Ms. Duncan, can you please
10 read the question?

11 (Requested portion was read.)

12 MS. STERN: Same instructions to the witness
13 with respect to he cannot answer the question if it will
14 require you to reveal attorney-client communications or
15 attorney work product, and subject to those instructions
16 you may answer the question if you can.

17 A. Without revealing attorney-client privileged
18 information or information protected by the attorney
19 client work product doctrine, the only way I can answer
20 that question is to say that I prepared to testify today
21 as the 30(b)(6) witness representing the office of the
22 Attorney General of the State of New York by meeting with
23 counsel at three different occasions prior to this meeting
24 today, and conducting a review of documents and
25 communications of individuals within the New York Attorney

1 General's Office who are reasonably likely to have
2 communications regarding the NRA investigation of the
3 Attorney General's Office. And with respect to Governor
4 Cuomo, Superintendent Linda Lacewell and former
5 Superintendent Maria Vullo, the Attorney General's
6 Office's understanding is that there were no such
7 communications.

8 MS. EISENBERG: Ms. Gray, would you like to
9 go next?

10 MS. KOZLOWSKI: Thank you.

11 MS. STERN: Are we moving on to Topic 17?

12 MS. KOZLOWSKI: Yes, we are.

13 EXAMINATION

14 BY MS. KOZLOWSKI:

15 Q. Okay. Very good. All right. Mr. Wang, my
16 name's Talitha Gray Kozlowski. I don't think we've had
17 the pleasure of meeting. I am Debtor's co-counsel in
18 these bankruptcy cases.

19 With respect to question -- Topic 17, other
20 than the meetings you discussed on Saturday, Sunday and
21 Monday that were approximately four hours, did you speak
22 with anyone else or at any other time with respect to
23 Topic 17 preparation?

24 A. There were a few email communications with
25 respect to Topic 17 with members of the NYAG/NRA

1 investigation team that also addressed Topic 17. And so I
2 reviewed those email communications.

3 Q. Okay. And just for clarity of the record, will
4 you identify who those folks are again with respect to
5 Topic 17, please?

6 A. Sure. With respect to Topic 17, as I said
7 previously, I had meetings with counsel, Emily Stern,
8 Monica Connell and James Sheehan. A larger group of
9 attorneys were on emails and the specific email I'm
10 referring to was from my co-section chief Yael Fuchs. And
11 I reviewed that email as part of my preparation for -- to
12 speak as the corporate representative on Topic 17 today.

13 Q. Thank you. And were any other individuals
14 included on that email that you're referencing?

15 A. I believe the entire team was included on that
16 email, which would have been the attorneys that I've
17 already identified as being members of the team.

18 Q. Okay. Other than that email, are there any
19 other documents that you've reviewed specifically with
20 respect to Topic 17?

21 A. Yes. In particular there's -- there was an
22 attachment to that email that I was referencing from
23 Ms. Fuchs. It goes through the sort of criteria that our
24 office -- the various steps that our office would go
25 through in the event that a court would ask the Attorney

1 General's Office for recommendation with respect to
2 potential candidates for distribution of charitable
3 assets. And as part of my preparation to testify as a
4 30(b)(6) witness today, I would have reviewed that
5 checklist as well.

6 Q. And who prepared that checklist?

7 MS. STERN: Sorry. I'm just going to --
8 we're hearing some --

9 THE WITNESS: There's some background noise.
10 If you're not speaking, can you please mute your
11 microphone? Thank you.

12 MS. STERN: Sorry.

13 THE WITNESS: Go ahead.

14 MS. STERN: Can you read back the last
15 question? Sorry.

16 (Requested portion was read.)

17 MS. STERN: I just want you to be just
18 mindful of attorney work product, attorney-client
19 communications and answer the question subject to those
20 instructions and those objections.

21 A. Without revealing any attorney work product
22 protected information, my understanding is that document
23 is a -- essentially a charities bureau document.

24 Q. (BY MS. KOZLOWSKI) And do you know when it was
25 originally created?

1 MS. STERN: Counsel, I -- I -- in an effort
2 to try to get through to the end of this without any
3 waiver of any privileges with respect to the Attorney
4 General's internal work product, I'll let him answer that
5 if you're in agreement with that.

6 MS. KOZLOWSKI: Yes, I think that's fine.

7 MS. STERN: Okay.

8 A. My understanding is that it was created prior to
9 the NRA -- the NYAG/NRA investigation.

10 Q. (BY MS. KOZLOWSKI) And maybe I should have
11 asked a better question. Is it something that was created
12 in contemplation of the NRA investigation or is it
13 something that existed prior to and irrespective of that
14 investigation?

15 A. It is something that existed prior to and
16 irrespective of the NRA -- NYAG/NRA investigation.

17 Q. And is this a checklist that is kept internally
18 or is it -- has it been shared with courts or other third
19 parties?

20 MS. STERN: Objection. Again, just -- I'll
21 instruct you not to reveal internal attorney work product
22 or any attorney-client privileged communications. To the
23 extent that you can answer the question about the document
24 or its contents, maybe you can then answer Ms. Gray
25 Kozlowski's question.

1 A. My understanding is that it's internal.

2 Q. (BY MS. KOZLOWSKI) Okay. Is there anything
3 else you reviewed in preparation for questions on Topic 17
4 today?

5 A. I've reviewed portions of the not-for-profit
6 corporation law.

7 Q. And which portions did you review?

8 A. Article 11 and Article 10.

9 Q. Did you review anything else?

10 A. No.

11 Q. Okay. And have you -- was there anyone else you
12 spoke with in preparation for Topic 17 that we haven't
13 already discussed?

14 A. No, other than the three meetings that took
15 place and conversations with counsel.

16 Q. Okay. I'm going to -- well, let's see. I'm
17 going to do my best to put up an exhibit. Let's see if I
18 can get it to work here.

19 MS. KOZLOWSKI: What is our next exhibit
20 number?

21 MR. MOSHAK: 4.

22 MS. KOZLOWSKI: Thank you. See if this
23 works. I got an error. Okay. All right. Rather than
24 wasting time, what I was going to introduce is the
25 complaint. If it's acceptable to counsel and so that we

1 don't have delay trying to get the exhibit up, what I want
2 to ask about is paragraph 574. Do you happen to have the
3 complaint there?

4 MS. STERN: I will pull it up. I think I
5 can find it. Yeah. Hold on. Okay.

6 Q. (BY MS. KOZLOWSKI) Before we move on to the
7 complaint, just a couple more questions about the
8 checklist.

9 Do you know if it was prepared before 2018?

10 MS. STERN: Objection. Again, same attorney
11 work product, attorney-client privileged communications
12 objection. Subject to that.

13 A. I don't know the specific birthday or genesis of
14 the document so I don't want to speculate to when it was
15 created. I can say that it was in existence before the
16 NRA/NYAG investigation.

17 Q. Okay. Do you know if it was created before Eric
18 Schneiderman's resignation?

19 MS. STERN: Eric Schneiderman?

20 MS. KOZLOWSKI: I'm sorry.

21 (Simultaneous speaking.)

22 MS. KOZLOWSKI: Yes. Thank you. I
23 apologize.

24 MS. STERN: Before his resignation?

25 MS. KOZLOWSKI: Uh-huh.

1 MS. STERN: I think you need to give us the
2 date.

3 MS. KOZLOWSKI: Okay. Give me a moment to
4 locate that.

5 Q. (BY MS. KOZLOWSKI) Did you review the checklist
6 to refresh your recollection as to its contents?

7 A. I was aware of the checklist. The checklist is
8 something that I use in my -- the ordinary course of my
9 practice as an AAG within the charities bureau. I
10 reviewed the checklist to be more prepared for my
11 testimony today.

12 Q. And do you know why it was created?

13 MS. STERN: Objection. I think that we're
14 getting into attorney -- internal attorney work product in
15 the charities bureau. Let me just -- can I look at the --
16 hold on a second. Okay. You can answer it if you can,
17 subject to those instructions.

18 A. My understanding is that it is a document that
19 is intended to help guide this process.

20 Q. (BY MS. KOZLOWSKI) And when you say "this
21 process," what are you referring to?

22 A. Generally a dissolution of a not-for-profit
23 corporation in the state of New York.

24 Q. How often do you reference the checklist?

25 MS. STERN: Objection. I think that we're

1 going a little far afield of your Topic 17, but I'll give
2 you some room, but just caution you that I -- we're to
3 limit to Topic 17.

4 MS. KOZLOWSKI: Thank you. Understood.

5 A. I've been involved in dissolutions of
6 not-for-profit corporations outside of this NYAG/NRA
7 investigation. And in those instances, I would reference
8 the checklist.

9 Q. (BY MS. KOZLOWSKI) Okay. Mr. Schneiderman's
10 resignation was May of 2018. Do you know if the checklist
11 was created prior to that?

12 A. As I mentioned --

13 MS. STERN: Sorry. Just caution you not to
14 speculate. If you don't know the date, then . . .

15 A. What I was going to say is, as I mentioned
16 before, I'm not sure of the specific genesis date of that
17 document.

18 Q. (BY MS. KOZLOWSKI) Do you know when you first
19 referenced it?

20 MS. STERN: In -- objection, scope.

21 MS. KOZLOWSKI: Mr. Wang testified that he
22 had referenced it in various dissolutions outside of the
23 NRA. And so I'm trying to gather an understanding of when
24 it may be created and it seems like a good way to start at
25 least his understanding of when it came into existence

1 would be the first time he referenced it?

2 MS. STERN: Right. And again, I'm just
3 directing counsel to the scope of Topic 17, which is your
4 intention to, quote, "distribute the NRA's remaining and
5 future assets," close quote, as set forth in paragraph 574
6 of the NYAG state lawsuit, and then it goes on. So I'm
7 not seeing how this relates to that question.

8 MS. KOZLOWSKI: Well, my understanding is
9 that this document was expressly reviewed in order to
10 prepare for the testimony with respect to this topic, so I
11 think understanding when the document that was reviewed in
12 order to respond to questions is appropriately within the
13 scope.

14 MS. STERN: Go ahead. I'll -- is there a
15 pending question?

16 Q. (BY MS. KOZLOWSKI) The question was: When was
17 the first time that you reviewed the checklist?

18 A. In conjunction with another dissolution not
19 related to the New York Attorney General's Office's
20 investigation of the NRA.

21 MS. STERN: And I'm just going to direct
22 that the witness not to reveal discussions concerning any
23 other ongoing or former matters involving the charities
24 bureau that are not related to the NRA investigation.

25 MS. KOZLOWSKI: Understood.

1 Q. (BY MS. KOZLOWSKI) Can you provide a year and
2 maybe quarter?

3 MS. STERN: If you -- if you can without
4 speculating.

5 A. You know, I'm trying to be respectful. And I
6 think, you know, I -- I'm sitting here today and I have
7 prepared specifically for Topic 17. I don't want to guess
8 with respect to when that dissolution that I'm referring
9 to took place. So I can't give you a quarter and a year.
10 I can say that 2017, '18 is the range that I'm thinking.
11 But I, again, don't want to guess or speculate on a
12 specific date that I did not educate myself for today's
13 testimony on and that I don't know for 100 percent
14 certain.

15 Q. 20'7 [sic], 2018 is at least somewhat helpful.

16 Okay. Can you please read paragraph 574 of
17 the New York Attorney General's complaint just so we're
18 all on the same page.

19 MS. STERN: Yeah, so I -- what I have pulled
20 up, it's before the witness, is a copy of the complaint
21 that was filed on August 6, 2020. It's the file-stamped
22 copy, so I'm going to go to 574.

23 THE WITNESS: There it is.

24 MS. STERN: There we go. Hold on. Here we
25 go. Do you want -- let's look at it in context. If

1 you want to see the cause of action.

2 A. Do you want me to read the paragraph?

3 Q. (BY MS. KOZLOWSKI) I do since we weren't able
4 to pull the exhibit up for everybody to access.

5 A. Okay. 574, Accordingly this Court should
6 dissolve the NRA pursuant to N-PCL, Section 119(b)(1) and
7 distribute its remaining and future assets to be applied
8 to charitable uses consistent with the mission set forth
9 in the NRA's certificate of incorporation pursuant to
10 N-PCL, Section, Section 115(a) and 1008(a)(15), period.

11 MS. STERN: I just wanted to correct just
12 two errors by my colleague here. It's 1109(b)(1) is the
13 statute referred to in the first sentence and 1115(a) is
14 the statute referred to in the last sentence.

15 THE WITNESS: Did I read that wrong?

16 MS. STERN: I think you did.

17 THE WITNESS: Extra 1.

18 MS. STERN: I think you dropped off a 1.

19 Sorry.

20 But the document -- if you want to mark it
21 later when you get pulled it up, it will be clear on the
22 document.

23 MS. KOZLOWSKI: That's great. Thank you.

24 MS. STERN: Okay.

25 MS. KOZLOWSKI: We will mark it as Exhibit 4

1 just so we have a cleaner record. But thank you for
2 the -- for reading that.

3 MS. STERN: Okay.

4 (Debtor's Exhibit 4 was marked.)

5 Q. (BY MS. KOZLOWSKI) Am I correct in
6 understanding that the New York Attorney General is
7 seeking to dissolve and liquidate the NRA?

8 MS. STERN: Objection. The complaint speaks
9 for itself, but you can answer the question.

10 A. I think that that is one of the remedies that is
11 sought in the complaint. And I will refer to the
12 complaint for the language in the complaint itself.

13 Q. (BY MS. KOZLOWSKI) Okay. And it references
14 future assets. What future assets is the New York
15 Attorney General seeking to have distributed?

16 A. My understanding is that when discussing this
17 process, that ultimately it is the Court's determination
18 of whether or not dissolution is appropriate. And the
19 specific process with respect to the distribution of
20 assets is governed by statute, and that's Article 11 and
21 Article 10 of the not-for-profit corporation law.

22 Q. Okay --

23 A. And my assumption would be that remaining and
24 future assets just are a way to describe the assets of the
25 NRA.

1 Q. So you're referring -- you keep referring to a
2 "process," so what is the process for collecting and
3 preserving the NRA's assets in order to effectuate this
4 (audio distortion) and distribution?

5 MS. STERN: Sorry, Ms. Gray, you were
6 breaking up a little bit. So can you just re- -- can you
7 just restate the question unless the court reporter has
8 it? I just missed some of the words, sorry.

9 THE WITNESS: There was just a break in the
10 reception.

11 MS. KOZLOWSKI: That's fine.

12 Q. (BY MS. KOZLOWSKI) You've used the term
13 "process" several times. What is the process for
14 collecting and preserving the NRA's assets in order to
15 effectuate this requested liquidation and distribution?

16 MS. STERN: Okay. Objection that it calls
17 for legal conclusion, but you can answer the question.

18 A. My understanding is that this process is defined
19 by Articles 11 and Articles 10 of the NPCL. And I
20 reviewed those. And my understanding is that 1109
21 provides the Court with certain considerations in the
22 dissolution process.

23 And again, as I stated before, to the extent
24 a court finds that dissolution is appropriate, then this
25 process would come into play. And this process --

1 fundamentally one of the most important parts of the
2 process is that any proposed recipient of distributed
3 assets has purposes that are substantially similar to the
4 organization that is being dissolved. And there's a
5 process to it and it's all defined within the statute that
6 includes opportunity for creditors to be heard, notice to
7 creditors. And it includes a provision within 11 -- 1109
8 and refers to 11 -- 1115 that discusses the importance of
9 the public interest to be considered by the Court. And in
10 the case of a membership organization for the Court to
11 consider the interests of the members. And that's what I
12 understand the process to entail. And that's what I
13 understand to be coming out of the statute.

14 Q. Okay. So I've read the statutes too. And, I
15 guess, my question's a little bit more specific. Like,
16 what does the New York Attorney General anticipate will be
17 done with, for instance, the guns and other memorabilia
18 that's at the NRA museum if it's the liquidation and
19 dissolution that it's seeking is granted? Like what --

20 MS. STERN: Objection -- okay. Objection,
21 calls for speculation.

22 A. These -- these determinations are within the
23 purview of the Court. And it is not the Attorney
24 General's role to martial the assets, for lack of a better
25 phrase. To the extent a court determines that dissolution

1 is appropriate, then it will be up to the Court to
2 determine how those assets should be distributed.

3 Q. (BY MS. KOZLOWSKI) So sitting here today, the
4 New York Attorney General doesn't have an understanding of
5 what would happen with respect to the assets specifically;
6 is that correct?

7 A. That's not 100 percent correct. I think the
8 understanding that the New York Attorney General's Office
9 has is that a court would follow the statutory process.

10 Q. But sitting here today, we don't know anything
11 more than the Court would institute some sort of
12 mechanism, but we don't -- do we have any clarity as to
13 what that would actually look like today?

14 MS. STERN: Objection, it calls for
15 speculation. Are you asking him what's going to happen in
16 a case that's currently pending which -- where discovery
17 is just under way as to what would happen if there's a
18 liability determination and dissolution is ordered? Are
19 you asking in the general context?

20 Q. (BY MS. KOZLOWSKI) No. I'm asking what would
21 happen if dissolution was ordered, were the NY -- the
22 New York Attorney General to prevail, what would happen to
23 the assets? Do we know sitting here today? Is there any
24 clarity that we have today as to what would happen?

25 MS. STERN: Objection, calls for

1 speculation.

2 You can answer the question.

3 A. I think the only way to answer that question is
4 to say that what the Attorney General expects to happen is
5 that a court will follow the process that is defined in
6 the statute.

7 Q. (BY MS. KOZLOWSKI) Okay. And does the statute
8 expressly state what will happen with the assets?

9 MS. STERN: Objection. That calls for a
10 legal conclusion.

11 A. I think the statute generally defines the
12 process that should take place if a finding of liability
13 for dissolution is determined.

14 Q. (BY MS. KOZLOWSKI) Does the statute explain
15 what would happen with, for instance, NRA member prepaid
16 dues in the event that dissolution was granted?

17 MS. STERN: Objection. Again, I think
18 you're asking this witness to make legal conclusions, but
19 you can answer the question.

20 A. I don't think the legislators who drafted that
21 statute had envisioned that specific level of minutia that
22 you're referencing down to that specific level of detail.
23 I think the statute defines the process in a -- in a
24 broader manner than that.

25 Q. (BY MS. KOZLOWSKI) Okay. So help me understand

1 then, like what transpires. Because I think we can agree
2 the statute doesn't say, for instance, what would happen
3 with endowments. It doesn't say what would happen with
4 membership dues. It doesn't get down into those kind of
5 specifics. So what does the New York Attorney General's
6 Office believe will happen from a practical standpoint if
7 it obtains dissolution that its seeking?

8 MS. STERN: Objection, it calls for
9 speculation once again.

10 A. I just have to refer back to the statute because
11 I think the statute is the best guidance in order to be
12 able to try to predict what a court would do, not what our
13 office would do. So the statutory language is the best
14 place to go. And again, I point to the substantially
15 similar in purpose language of 1109.

16 Q. (BY MS. KOZLOWSKI) Does the New York Attorney
17 General have an opinion as to what would happen with
18 restricted -- the NRA's restricted accounts or endowments
19 that are restricted for a particular purpose if
20 dissolution was granted?

21 MS. STERN: Are you -- are you asking him to
22 provide opinion testimony here today?

23 MS. KOZLOWSKI: I'm asking -- I'm asking for
24 the New York Attorney General's position as to what it
25 believes would happen to endowments that are restricted

1 and other restricted assets owned by the New York
2 Attorney -- I'm sorry, owned by the NRA in the event of a
3 dissolution.

4 MS. STERN: Okay. And again, I think you're
5 asking for a legal conclusion, but you can answer the
6 question subject to that.

7 A. I think the only way to answer that -- that
8 question is to say that the Attorney General expects that
9 if a court finds dissolution to be appropriate, the Court
10 will follow the provisions of the statute.

11 Q. (BY MS. KOZLOWSKI) Would -- in the event that
12 dissolution were to be granted, would the New York
13 Attorney General propose a plan for the distribution of
14 the assets to the Court?

15 MS. STERN: That calls for speculation.
16 Objection. Sorry. Objection.

17 A. I'm not sure how to answer that question.
18 Again, this is assuming that a court would make this
19 determination. If a court were to ask the Attorney
20 General's Office to make recommendations, you know, I -- I
21 don't want to speculate on what our office may or may not
22 do with respect to that. So I think I just have to stand
23 on my answer that the expectation of the Attorney
24 General's Office has is that the statute would be followed
25 by the Court.

1 Q. (BY MS. KOZLOWSKI) In -- and I don't -- I'm not
2 looking for specifics, but in other dissolution
3 proceedings has the New York Attorney General provided to
4 the Court a plan of dissolution and distribution of the
5 assets?

6 MS. STERN: Is your question in -- ever
7 or -- have they ever done that; is that your question?

8 Q. (BY MS. KOZLOWSKI) How about in the last ten
9 years.

10 MS. STERN: Again, to the extent that you
11 can answer that question subject to your preparation today
12 and answer Item 17, you may do so.

13 A. Again, talking about other dissolutions is
14 something that's a little bit outside of the -- the sort
15 of -- for contours of Topic 17. To the extent I can give
16 you any of my knowledge, my understanding is there have
17 been occasions where the Attorney General's Office, if
18 asked by a court, would give recommendations with respect
19 to potential candidates for the Court to consider.

20 Q. (BY MS. KOZLOWSKI) Am I correct in
21 understanding then that the New York Attorney General
22 would only provide its recommendation as far as where the
23 asset should be distributed if requested by the Court; is
24 that -- is that correct?

25 MS. STERN: Objection. Again, calls for

1 speculation.

2 A. No, that's not correct. I think what I was
3 saying -- I was describing an instance. And in that
4 instance there was a request, but I -- I don't think that
5 we're in a position right now to speculate that if this
6 happened, then this happened what would the Attorney
7 General's Office do. Sitting here today, I don't think I
8 could predict that.

9 Q. (BY MS. KOZLOWSKI) Has the New York Attorney
10 General prepared an outline for -- or identified
11 candidates that it believes the asset should be
12 distributed to?

13 MS. STERN: Objection. I would instruct the
14 witness not to provide any information that would reveal
15 attorney work product or attorney-client communications.

16 And in light of the posture of this case, I
17 don't see how that you could answer that question without
18 revealing that information. So I'm going to instruct you
19 not to answer that question.

20 MS. KOZLOWSKI: To be clear, you're
21 instructing the witness not to answer whether the New York
22 Attorney General has identified entities in which it
23 believes or to whom it believes the NRA's assets should be
24 distributed?

25 MS. STERN: I think you're asking for what

1 their internal thought processes are on that, are you not?

2 MS. KOZLOWSKI: I'm asking if the New York
3 Attorney General's Office has identified any entities that
4 they believe or that they have identified as appropriate
5 recipients of the NRA's assets should they prevail in
6 their dissolution efforts.

7 MS. STERN: Okay. So I'm going to just
8 instruct the witness that if you can answer the question
9 subject to the instruction not to reveal any
10 attorney-client communications or attorney work product,
11 you may do so.

12 A. My answer is not that I'm aware of.

13 Q. (BY MS. KOZLOWSKI) And when you're referring to
14 yourself, are you referring to yourself as the New York
15 Attorney General's Office?

16 A. Correct. Sitting here as the corporate designee
17 as a representative of the New York Attorney General's
18 Office.

19 Q. Okay. Has the New York Attorney General's
20 Office identified any entities that it believes has a
21 mission consistent with that set forth in the NRA
22 certificate of incorporation?

23 MS. STERN: Again, I will caution you not to
24 reveal any attorney-client communications or any attorney
25 work product, and subject to that you may answer the

1 question.

2 A. It's the same answer. And sort of I think it's
3 important to recognize that the state enforcement action
4 is still at a relatively early stage. Discovery's just
5 under way. And so sitting here today as a corporate
6 representative, I'm not aware of any of those actions,
7 which you identified in your question, which I can't
8 repeat to you, but not that I'm aware of.

9 Q. (BY MS. KOZLOWSKI) Okay. Does the New York
10 Attorney General believe that a nonprofit that's
11 advocating for gun safety or regulation would be an
12 appropriate recipient of the NRA's assets were it to
13 prevail in dissolving the NRA?

14 MS. STERN: Sorry, can you read back that
15 question, court reporter, please.

16 (Requested portion was read.)

17 MS. STERN: Objection on the grounds of
18 privilege and work product. And also I believe it's
19 beyond the scope of question 17.

20 MS. KOZLOWSKI: Question 17 expressly
21 discusses and focused on the specific entities or uses to
22 which you would seek to allocate the NRA's assets.

23 Q. (BY MS. KOZLOWSKI) My question is directly on
24 point to that. Does the New York Attorney General believe
25 that a nonprofit that is advocating for gun safety and

1 regulation would be an appropriate recipient of the NRA's
2 assets?

3 MS. STERN: And you have asked the witness
4 several times about the Attorney General's role in that.
5 And he has explained that it's a judicial process. And
6 also explained that it would be speculative at this stage
7 to answer that. If you want him to explain that, he can
8 do so.

9 MS. KOZLOWSKI: No.

10 Q. (BY MS. KOZLOWSKI) I want him to answer whether
11 a nonprofit that's advocating for gun and safety
12 regulation -- excuse me gun safety and regulation would be
13 an entity to which the New York Attorney General believes
14 that the NRA's assets should be allocated?

15 A. I think the only way to answer that question is
16 to say it is the role of the Court to make that
17 determination in interpreting the statute, which defines
18 the process that has to be undertaken in the event the
19 Court finds a liability determination for dissolution.
20 And it would be up to the Court to make an interpretation
21 of what the language substantially similar purpose to the
22 entity that is being dissolved. So it's not the Attorney
23 General's role to make such a determination. It's the
24 Court's role.

25 Q. (BY MS. KOZLOWSKI) Were the Court to ask the

1 New York Attorney General for its input, would it identify
2 nonprofits that advocate for gun safety and regulation as
3 a potential recipient of the NRA's assets?

4 MS. STERN: Objection. Sorry. Objection.

5 Calls for speculation. And, at this stage, potentially
6 privileged communications. And I direct the witness not
7 to answer the question if it would require you to reveal
8 any privileged communications.

9 A. That's a slightly different question than what
10 you asked before. And the difference is now you're asking
11 it in a hypothetical manner. And having us presume a lot
12 of steps taking place in between. And I don't think we
13 can be in a position to make that sort of hypothetical
14 determination at this point in time.

15 Q. (BY MS. KOZLOWSKI) Are you aware -- are you,
16 being the New York Attorney General, aware of any
17 organizations that have a similar charitable mission as
18 the NRA?

19 MS. STERN: Objection. I think that is
20 beyond the scope of question 17. This witness was not
21 brought here to provide testimony on the scope of
22 charities that operate under -- with particular missions
23 or particular purposes.

24 MS. KOZLOWSKI: Counsel, if I may,
25 question 17 says "your," which is the New York Attorney

1 General, intention to distribute the NRA's remaining and
2 future assets as set forth in paragraph 574 of the NYAG
3 state lawsuit including, without limitation, specific
4 entities or uses to which you seek to allocate the NRA's
5 assets. That is precisely. If the answer is the New York
6 Attorney General has no idea what entities would fit that
7 mission or has no intention that they be distributed to
8 anybody, then that would be an appropriate answer. But
9 that is unequivocally what was requested here and what the
10 judge authorized us to ask questions about.

11 MS. STERN: I disagree that the questions
12 that you're asking are going to that topic. I think
13 they're going beyond that. I think you've already asked
14 the predicate questions and he's responded to them. Want
15 to ask the question -- if you want to have the reporter
16 read back the question again, be my guest.

17 Q. (BY MS. KOZLOWSKI) Does the New York Attorney
18 General believe that Everytown for Gun Safety would be an
19 appropriate recipient of the NRA's assets?

20 MS. STERN: Objection. Again, I believe
21 that question calls for privileged information, and is
22 also speculative at this time. Subject to that if you
23 want to answer the question again with respect to the
24 governing standards, be my guest.

25 A. Again, I think it would up to a court to

1 determine whether or not Everytown for Gun Safety's
2 mission is a purpose that is substantially similar to the
3 purpose of the NRA. It's not a determination that is
4 appropriate for the Attorney General's Office to make.

5 Q. (BY MS. KOZLOWSKI) Does the New York Attorney
6 General have an opinion as to whether Everytown for Gun
7 Safety would be an appropriate recipient?

8 MS. STERN: Objection. That calls for
9 privileged communication, I believe, and I direct you not
10 to answer that.

11 Q. (BY MS. KOZLOWSKI) Was the concept of
12 dissolution ever discussed with anyone from Everytown on
13 February 14, 2019?

14 A. The subject matter of the meeting on
15 February 14, 2019, was discussed at length in earlier
16 testimony. And the subject matters were the Form 990 from
17 2017 and the Wall Street Journal article -- I'm sorry, the
18 Form 990 from 2017 and the 2018 Wall Street Journal
19 article.

20 Q. (BY MS. KOZLOWSKI) So your testimony is
21 dissolution was not discussed; is that correct?

22 A. The two subject areas which were discussed at
23 that meeting were the Form 990 and the Wall Street Journal
24 article. That is the extent of the Attorney General's
25 knowledge with respect to the communications that took

1 place at that February 14, 2019, meeting.

2 Q. (BY MS. KOZLOWSKI) So I appreciate the candid
3 answer, but the only takeaway from that is that you don't
4 know whether dissolution was discussed.

5 Has the --

6 (Simultaneous speaking.)

7 A. Was there a question there?

8 MS. STERN: Ms. Kozlowski, you're not
9 testifying here today. The witness is testifying. If you
10 don't like the answer, maybe -- commentary on the answer
11 is not appropriate on the record or answering the question
12 yourself or opining on the answer. So you can put a
13 question to him or . . .

14 Q. (BY MS. KOZLOWSKI) Has the New York Attorney
15 General's discussed dissolution with Mr. Bloomberg,
16 Michael Bloomberg?

17 MS. STERN: Objection. Where is that called
18 for on the topics that are covered by article -- by Items
19 13 and 17?

20 MS. KOZLOWSKI: I'm just trying to
21 understand to whom the New York Attorney General believes
22 assets should be distributed when it is seeking
23 dissolution of the NRA.

24 MS. STERN: You've asked that question,
25 so -- several times in several different ways.

1 MS. KOZLOWSKI: I understand your objection.

2 I don't believe you've instructed the witness not to
3 answer. I would like an answer to the question, please.

4 A. The Attorney General's position is that it is
5 the Court's determination to follow the statute and make
6 an interpretation of the language of the statute,
7 substantially similar purpose to the dissolved entity.

8 Q. (BY MS. KOZLOWSKI) I understand that, but has
9 the New York Attorney General had any communications with
10 Mr. Bloomberg about the distribution of the NRA's assets
11 if dissolution is granted?

12 MS. STERN: Again, objection on scope. I'm
13 going to direct him not to answer that question because I
14 believe it goes beyond the scope of the notice.

15 Q. (BY MS. KOZLOWSKI) Has anyone at the New York
16 Attorney General's Office had any communications with
17 Mr. Bloomberg about being a recipient of the NRA's assets?

18 MS. STERN: Again, I object to the question
19 as beyond the scope, unless you can explain to me how it
20 is within the scope of Items 13 or 17.

21 MS. KOZLOWSKI: 17 again discusses what
22 happens to the NRA's assets if the New York Attorney
23 General is successful in dissolution. To the extent that
24 the New York Attorney General has had conversations with
25 Mr. Bloomberg, who has multiple New York nonprofits, about

1 being a recipient of the NRA's assets that is absolutely
2 within the scope of Question 17.

3 MS. STERN: Okay. So objection on lack of
4 foundation.

5 A. The Attorney General's position is that the
6 Court is the appropriate body to make the determination of
7 who is and who is not an appropriate recipient under the
8 statutory process defined in Articles 11 and 10 of the
9 NPCL and to interpret the language of the statute,
10 substantially similar purposes.

11 MS. KOZLOWSKI: That answer was not
12 responsive.

13 Q. (BY MS. KOZLOWSKI) My question specifically
14 was: Have there been any communications with
15 Mr. Bloomberg, who has multiple New York nonprofits, about
16 being a recipient of the NRA's assets? I understand what
17 the court process is, but have there been any
18 communications with Mr. Bloomberg about receiving the
19 NRA's assets if the New York Attorney General is
20 successful in its dissolution action?

21 MS. STERN: Okay. Objection, asked and
22 answered, and calls for speculation, and is beyond the
23 scope. And to the extent that it would require you to
24 reveal privileged information, I direct you not to reveal
25 such information. Subject to those objections, if you can

1 answer the question, you may do so.

2 A. I think based on those instructions, the only
3 way to answer this question is to say -- again, to point
4 to the phase under which the state enforcement action
5 currently is at, which is early in discovery. And to say,
6 the language of the statute is what governs. The language
7 of the statute puts this determination within the Court's
8 purview, not within the Attorney General's.

9 Q. (BY MS. KOZLOWSKI) So you're not going to
10 answer whether or not there have been any communications;
11 is that correct?

12 A. I'm answering the question to the best that I
13 can with respect to also observing the various
14 instructions with respect to attorney-client privilege and
15 attorney client work product.

16 Q. So I understand that. The communications
17 between New York Attorney General and Mr. Bloomberg, who
18 is not with the Attorney General, would not be privileged
19 communications.

20 MS. STERN: Are you advising the client? I
21 mean, sorry, advising the witness here on his obligations
22 under the privilege doctrines?

23 MS. KOZLOWSKI: I'm not advising the client.
24 I'm addressing the objection that is not meritorious. We
25 can move on. We can address this with the Judge as

1 necessary.

2 Q. (BY MS. KOZLOWSKI) Has New York Attorney
3 General's Office had any communications with any other
4 New York nonprofits about receiving the NRA's assets if it
5 is successful in obtaining dissolution?

6 MS. STERN: Okay. I'm going to object as
7 these questions are beyond the scope. If you had sought
8 to seek information about the Attorney General's
9 communications with particular not-for-profits, then they
10 would be itemized in 13. We answered the questions for, I
11 think, about six hours about the entities and individuals
12 in Item 13. And we've answered the questions as to the
13 Attorney General's intentions with respect to the
14 distribution. So unless you can show me how they fit into
15 those topics, then object to his further testifying as
16 beyond the scope.

17 Q. (BY MS. KOZLOWSKI) So communication --

18 MS. STERN: The Judge -- I'm sorry. The
19 Judge clearly circumscribed the scope of the Debtor's
20 deposition today of the representative of the Attorney
21 General's Office. We have been here for quite some time.
22 I would guess coming on 7 hours, so I would ask you just
23 to cover the topics that the Judge allowed. And then we
24 can call it a day.

25 MS. KOZLOWSKI: So I understand for the

1 record, the Judge permitted the question that says your
2 intention to distribute the NRA's assets and
3 communications with other nonprofits about receiving those
4 assets is unequivocally within Topic 17. Thus far the
5 witness has refused to answer a single question about what
6 other nonprofits have -- the New York Attorney General has
7 discussed receiving the NRA's assets.

8 MS. STERN: Your -- your questions assume
9 facts that are not in the record. He's answered the
10 questions with respect to the intentions of the process.
11 I'm sorry if you're not satisfied with those answers, but
12 your questions are assuming facts that will assume other
13 answers. You can't assume the answers. So we can go
14 around and around on this.

15 MS. KOZLOWSKI: My question was: Has there
16 been any communications? That's a yes or no question --
17 answer.

18 MS. STERN: Have there been communications?
19 Can we have the full question, please.

20 MS. KOZLOWSKI: Sure.

21 Q. (BY MS. KOZLOWSKI) Have there been any
22 communications with other nonprofits about receiving the
23 NRA's assets in the event that the New York Attorney
24 General is successful in obtaining dissolution?

25 MS. STERN: Subject to your obligations

1 under the attorney work product doctrine and preservation
2 of privileged communications -- attorney-client
3 communications. If you can answer the question, you may
4 do so.

5 A. It's an impossible question to answer because
6 the -- it's inappropriate to assume that this is the
7 Attorney General's role. It is not the Attorney General's
8 role. It is the Court's determination to make. It is the
9 Court's determination under the statute to determine
10 whether or not "substantially similar purpose" what that
11 interpretation is. So essentially it's not appropriate
12 for the Attorney General to opine at this time.

13 MS. STERN: If this is appropriate time, I'd
14 like to take a short break and also know what the -- what
15 the time count is, please.

16 MS. KOZLOWSKI: That's fine.

17 THE VIDEOGRAPHER: Going off at 5:46.

18 (Recess from 5:46 p.m. to 6:04 p.m.)

19 THE VIDEOGRAPHER: Back on the record, 6:04.

20 Q. (BY MS. KOZLOWSKI) All right. Mr. Wang, are
21 you testifying today that the New York Attorney General's
22 Office has not had any communications with other
23 nonprofits about receiving the NRA's assets if the
24 New York Attorney General is successful in dissolving the
25 NRA?

1 MS. STERN: Objection to the scope of the
2 question, but you -- and subject to the usual objections
3 on work product and privilege grounds, you can answer the
4 question.

5 A. I think the -- the best way to approach that
6 question is to say, you know, I think Topic 17, the way
7 the language of the topic is drafted sort of
8 misunderstands the process to some degree because it says
9 "your intention." And I can tell you that our intention
10 is only to ask the Court to follow the law. And to
11 interpret the statute appropriately.

12 Now, I know that your question is with
13 respect to what plans our office has or any communications
14 we've had with other nonprofits. And I can say that the
15 Attorney General's Office does not have any specific plan
16 at this point in the litigation with respect to the
17 distribution of the NRA's assets in the event a court
18 decides -- makes a determination that dissolution is
19 appropriate. Our only plan and our only intention is to
20 ask the Court to follow the letter of the law, to follow
21 the statute, to make an interpretation of 1109 that says
22 substantially similar purpose and evaluate the purposes,
23 the statutory -- the purposes in the mission statements of
24 various nonprofits and to see if that purpose matches up
25 with the NRA's purpose. And we're confident that a court

1 will interpret that language properly. Does that answer
2 your question?

3 Q. (BY MS. KOZLOWSKI) It does not because my
4 question was whether you've had communications with other
5 nonprofits about receiving NRA's assets. That is my
6 question.

7 A. I think the answer to that question is there is
8 currently no plan in place, other than to ask the Court to
9 follow the statute.

10 Q. (BY MS. KOZLOWSKI) Again, but my question was
11 whether you've had any communications with other
12 nonprofits about receiving the assets?

13 MS. STERN: Okay. I'm going to object on
14 grounds of -- lack of foundation. The -- I'm just going
15 to leave it at that. I don't want to elaborate and . . .

16 A. I just -- the only way I can answer your
17 question is to say there's currently no plan with respect
18 to the distribution of the assets in the event that a
19 court finds that the NRA should be dissolved. And the
20 only plan there is is to ask a court to follow the law.

21 MS. KOZLOWSKI: That answer remains
22 nonresponsive, but we've wasted a lot of time with that
23 nonresponsive answer. And we can address it with the
24 Court as necessary. I'll move on.

25 MS. STERN: And we disagree with your

1 characterization of the answer and the premises that are
2 built into your questions are lack of -- are without
3 foundation and are misplaced. The witness has tried to
4 answer the question as best as he can. And we are
5 prepared to move on as well.

6 MS. KOZLOWSKI: Thank you.

7 Q. (BY MS. KOZLOWSKI) In the event that the
8 New York Attorney General was successful in obtaining the
9 dissolution and liquidation of the NRA, will the NRA's
10 creditors be paid in that process?

11 MS. STERN: Objection, calls for
12 speculation. But you can answer the question as best you
13 can.

14 A. The question is essentially the same question --
15 the same answer to that question is there's a statutory
16 process. That statutory process -- there is a provision
17 for a notice to creditors. So the Court would follow the
18 statute. And to the extent the creditors can be paid out
19 of that -- out of whatever assets are remaining, it would
20 be up to the Court to determine how that distribution plan
21 would be implemented.

22 Q. (BY MS. KOZLOWSKI) So is it true that you don't
23 know whether or not the NRA's creditors would be paid in
24 full? Is that a true statement?

25 MS. STERN: Objection, it calls for legal

1 conclusion.

2 A. I can't speculate with respect to the total
3 number of the NRA's creditors, how many claims there are.
4 What the true financial condition of the NRA is at this
5 time. How much more money is spent between now and the
6 determination of dissolution down the road. I think there
7 are so many unknown variables between now and the point in
8 time that you're talking about in the future that it would
9 be impossible for me to predict sitting here today whether
10 or not every single NRA creditor will be paid or if there
11 would be sufficient assets within the estate to pay the
12 creditors. That's an impossible question to answer.

13 Q. (BY MS. KOZLOWSKI) Okay. So variation of that,
14 do you know whether if the New York Attorney General is
15 successful in obtaining dissolution and liquidation,
16 whether there would be sufficient assets to pay the NRA's
17 pension liabilities in full?

18 MS. STERN: Objection. Same thing. Calls
19 for speculation.

20 A. That is the same kind of question where again it
21 requires you to go down the line all the way until the
22 point where the Court has determined the NRA's dissolved.
23 We don't know how much in terms of assets the NRA is
24 currently expending. We don't know how much of that
25 pension exists. It's an impossible question to answer

1 because it requires me to speculate on the NRA's finances
2 several months or years down the road.

3 Q. (BY MS. KOZLOWSKI) And you indicated that there
4 would be notice to creditors, what does that notice
5 process look like?

6 MS. STERN: Objection. Calls for legal
7 conclusion.

8 You can answer the question.

9 A. Those provisions are governed by Article 11 and
10 Article 10 of the NPCL. My understanding is 1007
11 discusses the process for noticed creditors.

12 Q. (BY MS. KOZLOWSKI) And what do you understand
13 that process to be?

14 MS. STERN: Objection. Are you asking him
15 as -- as a legal expert on this? Are you asking him to
16 interpret the statute for you?

17 MS. KOZLOWSKI: I'm asking him what the
18 New York Attorney General understands the notice process
19 to be in the event that it's successful in obtaining
20 dissolution.

21 MS. STERN: Okay.

22 Q. (BY MS. KOZLOWSKI) I just want the New York
23 Attorney General's understanding of what that process is.

24 MS. STERN: Okay. And I object to the
25 extent it calls for a legal conclusion or where you're

1 asking him for a legal opinion.

2 A. The New York Attorney General's understanding of
3 what that process would be is that the Court would follow
4 the specific statutory language in Article 11 and
5 Article 10. 1007 describes the process where creditors
6 would obtain notice at least -- with at least six months
7 from the time of dissolution in order to present their
8 claims.

9 Q. (BY MS. KOZLOWSKI) Okay. And do you know
10 whether the 5 million members would be noticed under that
11 provision?

12 MS. STERN: Objection. Again, it calls for
13 a legal conclusion or asking you to interpret a statute.

14 Subject to that, you can answer the
15 question.

16 A. It -- I don't think the Attorney -- the Attorney
17 General's Office does not have any knowledge about whether
18 or not the -- the 5 million members would be given notice
19 with respect to this statutory process. It is not clear,
20 as far as I understand.

21 Q. (BY MS. KOZLOWSKI) Thank you. You indicated
22 that the potential creditors could submit claims. Is
23 there a claim dispute process as well?

24 MS. STERN: Objection. Again, calls for a
25 legal conclusion or for asking for an interpretation of a

1 statutory process.

2 A. Again, the process -- the part of the process I
3 don't think you understand is that the Attorney General
4 does not control any of this process. The statutory
5 process puts all of this on the Court. And if you read
6 the statute, you'll see that.

7 Q. (BY MS. KOZLOWSKI) What is your understanding
8 of -- let me step back.

9 So the Debtors have scheduled currently
10 significant litigation claims. For instance, they have
11 scheduled claims against Ackerman McQueen that exceed
12 \$100 million. Does the New York Attorney General have an
13 understanding of what will happen to that litigation
14 should it prevail in dissolving the NRA?

15 MS. STERN: I'm objecting to the scope of
16 this question. I believe it goes well beyond Item 17.
17 You're asking this witness who was asked to be prepared on
18 your speaking to the Attorney General's Office, your
19 intention to distribute the NRA's remaining and future
20 assets as set forth in provision in the complaint that we
21 read. And now you're asking the Attorney General's Office
22 for an opinion about particular liabilities. Am I
23 understanding your question correctly?

24 MS. KOZLOWSKI: No. And I apologize if I
25 misspoke.

1 Q. (BY MS. KOZLOWSKI) The litigation claim is
2 seeking over \$100 million in recovery so that's a
3 significant asset of the NRA. I'm asking, what is your
4 intention, what's your understanding of what would happen
5 with that potential litigation and those -- that potential
6 significant recovery in the event that the New York
7 Attorney General's successful in dissolving and
8 liquidating the NRA?

9 MS. STERN: I -- I believe that goes well
10 beyond the scope of Item 17. So I'm going to object. The
11 Item 17 concerns the distribution of the NRA's remaining
12 and future assets. The specific entities or uses to which
13 you seek to -- I think there's an error in your message,
14 which you seek to allocate the NRA's assets. So I -- I
15 don't see how that question falls within the parameters of
16 17. So I'm going to direct him not to answer it. It's
17 beyond the scope unless you can explain to me how it falls
18 within 17.

19 Q. (BY MS. KOZLOWSKI) We're talking about a
20 potentially \$100 million asset. I'm asking what the
21 NRA -- excuse me. What the New York Attorney General's
22 intention understanding is as to what happens with that
23 asset. What happens? How is it allocated in the event of
24 dissolution?

25 A. It isn't up to the Attorney General's Office to

1 make that determination. Again, to the extent a court
2 decides that dissolution is appropriate, the next steps
3 are defined by the statute. And it is the Court's
4 determination to make with respect to how that
5 distribution is made. It's not the Attorney General's
6 role to go asset by asset and decide how that claim gets
7 distributed. That's not within our purview.

8 Q. (BY MS. KOZLOWSKI) Has the New York Attorney
9 General had any discussions with Ackerman -- excuse me.
10 Let me start over.

11 Has New York Attorney General had any
12 discussions with Ackerman McQueen regarding what would
13 happen with its asserted claim against the NRA in the
14 event that the New York Attorney General is successful in
15 dissolving the NRA?

16 MS. STERN: Just to clarify, "its claim,"
17 are you talking about Ackerman's claims?

18 MS. KOZLOWSKI: Correct. Ackerman's claim
19 against the NRA.

20 MS. STERN: Okay.

21 A. Can you repeat the question?

22 Q. (BY MS. KOZLOWSKI) Fair enough. I think I
23 mangled it.

24 Has the New York Attorney General had any
25 discussions with Ackerman McQueen about its claim against

1 the NRA, as far as how it would be resolved were the
2 New York Attorney General to be successful in dissolution?
3 A. I think the answer to that question is really
4 the same because the -- the Attorney General's Office in
5 no way presumes that dissolution will be successful. So a
6 lot of your questions -- I think the underlying assumption
7 is that the New York Attorney General's claim for
8 dissolution will be successful. And I think that
9 determination is to be made by a court and the steps
10 following that determination, if made by a court, are left
11 by statute up to a court.

12 So at the end of the day, the determination
13 as to what would happen with Ackerman's claim, it's not
14 something that is within the purview of the Attorney
15 General's Office.

16 Q. (BY MS. KOZLOWSKI) In the last ten years has
17 the New York Attorney General obtained an order of
18 dissolution against a nonprofit where it was -- where the
19 dissolution was disputed?

20 MS. STERN: Objection. I believe that goes
21 beyond the scope of the questions. And, in fact, seems to
22 be exploring areas that the Judge said that were outside
23 of the scope of permissible discovery, including Item 16
24 in your notice.

25 MS. KOZLOWSKI: I'm assuming you're

1 instructing the witness not to answer; is that correct?

2 MS. STERN: That's correct.

3 Q. (BY MS. KOZLOWSKI) Okay. Mr. Wang, throughout

4 this deposition you've been looking at a note pad and

5 other documents in front of you. What are you looking at?

6 MS. STERN: Can I just correct the record

7 that the witness' name is Mr. Wang.

8 MS. KOZLOWSKI: I apologize.

9 MS. STERN: And I would like to make sure

10 that the court reporter has the correct spelling of his

11 name, W-a-n-g.

12 A. I'm actually looking at my --

13 MS. KOZLOWSKI: Please accept my apologies.

14 I -- my handwriting is sloppy and I misread it. I

15 sincerely apologize for that.

16 A. I'm actually looking at my phone to make sure

17 that my wife hasn't texted me about our children.

18 Q. Okay.

19 MS. STERN: And I will otherwise represent

20 that a -- he has the -- the subpoena -- the notice of

21 subpoena in front of him because -- if you remember at the

22 beginning of the examination we didn't have the access to

23 the -- the document share program.

24 MS. KOZLOWSKI: Can we go off the record for

25 just a moment, so I may review my notes --

1 MS. STERN: Absolutely.

2 MS. KOZLOWSKI: -- couple moment break here.

3 Thank you.

4 THE VIDEOGRAPHER: Going off at 6:20.

5 (Recess from 6:20 p.m. to 6:29 p.m.)

6 THE VIDEOGRAPHER: Back on the record, 6:29.

7 MS. STERN: Are we ready? Are we --

8 THE VIDEOGRAPHER: Yeah. We're on at 6:29.

9 MS. STERN: Okay. Ms. Gray, can you hear

10 us? It doesn't look like she can.

11 THE WITNESS: I think the videographer said

12 he was ready to go.

13 THE VIDEOGRAPHER: Yeah.

14 MS. KOZLOWSKI: Can you hear me now?

15 Goodness. Sorry about that.

16 MS. STERN: That's okay.

17 MS. KOZLOWSKI: Technology is winning today.

18 THE VIDEOGRAPHER: We're on. Go ahead.

19 MS. KOZLOWSKI: Thank you.

20 Q. (BY MS. KOZLOWSKI) Mr. Wang, throughout the

21 deposition you've been taking -- it appears that you've

22 been taking notes on the notepad. We would like to mark

23 that as Exhibit 5, please.

24 A. I've been jotting down the time that the

25 videographer has given. This really just has jotting down

1 of the various time that David has spoken, so that I could
2 do the math so that I know how much of the 7 hours
3 remains.

4 Q. Fair enough. And is that something that can be
5 shared with counsel for confirmation just so that we have
6 that on the record.

7 MS. STERN: Okay. I haven't -- I haven't
8 looked at the document that the -- the notes that are in
9 front of him that -- I can see from here with my old eyes
10 at the end of the day that there are notes of the time on
11 his pad.

12 MS. KOZLOWSKI: Thank you for that
13 confirmation. I pass the witness to the Committee. Thank
14 you so much.

15 MS. STERN: Thank you. So to my knowledge
16 there was no cross-notice by the Unsecured Creditors
17 Committee. You know, out of -- to just accommodate, we're
18 willing to -- subject to all of -- reservation of all
19 objections, objections to the use of the testimony, I will
20 allow you to ask a limited number of questions that you
21 said you represented to me. You have in the range of five
22 questions. To the extent that it goes beyond anything
23 that is limited to a fairly short inquiry, you can ask the
24 questions. But we do certainly reserve the right to shut
25 it down. This witness has been here for, I think,

1 something over eight hours. And I'm sure that he's very
2 tired. So -- and it was not our expectation that there
3 was going to be any further questioning. So subject to
4 that, you may proceed.

5 MR. HENDRIX: Understood. And appreciate
6 the accommodation.

7 EXAMINATION

8 BY MR. HENDRIX:

9 Q. And, Mr. Wang, I do appreciate that you've been
10 here for a long time, by my count, it's, you know, over
11 nine hours sitting in that chair. And I know how tiring
12 that can be, so I will be brief.

13 Understanding that the New York Attorney
14 General has not identified any charities to whom assets
15 would be distributed and further understanding that it is
16 the New York Attorney General's position that it will be
17 up to the Court to decide how this process ultimately
18 plays out, I have a few questions about what the New York
19 Attorney General has or has not done.

20 Has the New York Attorney General performed
21 any analysis regarding whether the NRA's creditors will be
22 paid in full if it is successful in its dissolution
23 action?

24 MS. STERN: Objection, calls for -- are you
25 asking that question in the context of the state

1 enforcement action?

2 MR. HENDRIX: Yes.

3 MS. STERN: Okay. And -- okay. So subject
4 to, you know, attorney-client privileged communications
5 and attorney work product, to the extent that you can
6 answer that question you may do so.

7 A. I think this is a very similar question to one
8 of the questions Ms. Gray asked. And I think what makes
9 the question difficult to answer is the unpredictability
10 of a number of variables, including the length of time the
11 state enforcement action might take, the legal -- legal
12 bills that may continue to accrue and just too many
13 unknown variables where it would be impossible to
14 speculate and predict whether or not if a court were to
15 make a determination of dissolution, whether or not every
16 single NRA creditor would be paid in full.

17 Sitting here today, testifying on behalf of
18 the Attorney General's Office, I simply can't make that
19 prediction because there are too many unknown variables at
20 this point with respect to the financial wherewithal of
21 the NRA.

22 Q. (BY MR. HENDRIX) The New York Attorney General
23 has not performed any analysis regarding whether they'll
24 be paid in full, it's just too soon for them to make that
25 determination?

1 MS. STERN: Objection, lack of foundation.

2 A. I think I'm going to rest on my previous answer,
3 which was -- I think it's an impossible question to answer
4 at this point in time because of the unknown variables
5 between now and this unknown date in the future where
6 there's a potential dissolution.

7 Q. (BY MR. HENDRIX) Right. My question, I guess,
8 is more, you know, retrospective. Has the New York
9 Attorney General, as of today, performed any analysis
10 regarding whether the creditors will be paid in full if
11 the NRA is dissolved?

12 MS. STERN: Objection, again on lack of
13 foundation, which presumes certain actions by the Attorney
14 General's Office, but go ahead. If you want -- if you
15 can, answer the question.

16 A. It's the same question. I think it's an
17 impossible analysis to make.

18 Q. (BY MR. HENDRIX) Okay. Has the New York
19 Attorney General performed any analysis regarding whether
20 the pension liabilities will be satisfied if the New York
21 Attorney General is successful and the NRA is ultimately
22 dissolved?

23 MS. STERN: Objection. Again, same grounds
24 as a lack of foundation and it calls for speculation.

25 A. This question also sounds a lot like a question

1 that Ms. Gray asked earlier in the course of this
2 deposition. And I think I'm going to give the same answer
3 that I gave to the first question, which is that is an
4 impossible analysis to make at this point in time.

5 MS. STERN: And again, I just want to go
6 back to -- it was my understanding that you had distinct
7 questions and we were going to accommodate the UCC to
8 allow you to ask those distinct questions. So to the
9 extent that these questions have already been covered, I
10 would ask you to consider that before we -- you know,
11 continue to ask these questions of the witness.

12 MR. HENDRIX: Right. And I've got two more
13 questions, and I think they have been distinct, but we'll
14 just keep going forward.

15 MS. STERN: Okay.

16 Q. (BY MR. HENDRIX) Sitting here today, has the
17 New York Attorney General performed any analysis regarding
18 the go-forward impact to the NRA's trade vendors if the
19 NRA is ultimately dissolved?

20 MS. STERN: Okay. Again, objection, lack of
21 foundation. It assumes certain facts that are not in the
22 record.

23 And if you can subject to that, go ahead and
24 answer the question.

25 A. It's the same answer. Given the different

1 unknown variables such an analysis would be impossible to
2 make at this point in time.

3 MR. HENDRIX: Okay. That was my last
4 question. And I appreciate the accommodation.

5 MS. STERN: Very good. So are we -- are we
6 concluded? Is that -- is that everyone that's still
7 standing at this point? We can't hear you.

8 MS. KOZLOWSKI: Sorry about that. Thank
9 you. One housekeeping issue. We obviously had a number
10 of objections and disputes on the record, can we agree
11 that we have addressed our respective positions on the
12 record so that a further meet and confer is not needed to
13 bring these before the Court?

14 MS. STERN: No, I can't agree with that.
15 It's been a long day. And I would have to take a look at
16 the transcript. So if there are issues that you intend to
17 bring before the Court, I would expect that you would give
18 the Attorney General's notice before you do so.

19 MR. CICILIANO: The Attorney General just
20 took the position on a meet and confer that -- telling us
21 that I'm going to file a motion for sanctions calling 30
22 minutes was sufficient notice. Is it going to be
23 different for this situation, or can we meet and confer a
24 little bit later tonight, so we can get something on file?

25 MS. STERN: I'm not sure who's speaking.

1 MR. CICILIANO: This is Dylan Ciciliano on
2 behalf of the Debtors. I just had a conversation with
3 Mr. Pronske.

4 MS. KOZLOWSKI: I'm sorry. Did you not hear
5 my inquiry? Am I muted again or were you just thinking it
6 over, in which case I'm totally fine?

7 MS. STERN: Sorry. Can you not hear me? I
8 don't think Ms. Kozlowski can hear us.

9 (Simultaneous speaking.)

10 MR. CICILIANO: I can hear you. I don't
11 know if she can.

12 MS. STERN: She doesn't look like she can
13 hear us, so . . .

14 MS. KOZLOWSKI: Emily, if you're talking I
15 can't hear you.

16 MS. STERN: I think everyone else can hear
17 me. I don't know about Svetlana because I can't tell if
18 she can hear because she's underneath her . . .

19 MS. EISENBERG: Yes, I can hear -- I can
20 hear both Ms. Gray and Mr. Ciciliano. And I think
21 Mr. Ciciliano can speak on behalf of the Debtors. And,
22 Ms. Stern, that might obviate the need to rectify the
23 technical issue.

24 (Simultaneous speaking.)

25 MS. STERN: Okay. I do not see

1 Mr. Ciciliano.

2 MR. CICILIANO: Yeah. My video's off. I
3 can turn my video on, if that helps. But -- so the issue
4 that we want to make sure is that we can get a meet and
5 confer on quickly -- oh, sorry, I haven't turned on my web
6 cam app. I'm going to turn that back off. We're trying
7 to meet and confer quickly. And as recognized by the
8 New York Attorney General's Office in a meet and confer
9 that was just sprung on us a few minutes ago, time is of
10 the essence, and so I'd like to know if you guys can meet
11 and confer tonight on this issue? If you're saying that
12 this wasn't --

13 (Simultaneous speaking.)

14 MR. KATHMAN: Hey, Dylan -- hey, Dylan, I'm
15 going to disagree with you because I don't think that was
16 necessarily a meet and confer under the -- under the
17 discovery agreement. So I think it's a different scope
18 there. I think that was just a conference, which is
19 different than a meet and confer under the discovery
20 agreement.

21 MR. CICILIANO: No, no. And Mr. Pronske
22 said there is no meet and confer under the discovery
23 agreement. He said that's not necessary, it's just a
24 certificate of conference. So good point, Jason. Can we
25 do a certificate of conferencing? We've adequately

1 addressed our concerns through your objections so we can
2 move forward in relief before trial?

3 MS. CONNELL: Guys, I'm sorry. This is
4 Monica, I'm just -- I stepped away and I'm jumping on
5 because it sounds like I might be helpful here. I don't
6 know. So where are we?

7 MS. STERN: Hold on a second. Do you
8 guys -- we're still on the record, I believe that our time
9 has long since expired. And so if you want to have a
10 conversation about this, I would ask that we close the
11 record on the deposition. The witness is still here.
12 He's been here for probably nine hours or more. And we
13 can have your conversations -- the conversations about any
14 discovery issues separate and apart. Can we -- we please
15 release the witness?

16 MR. CICILIANO: The witness can go.

17 THE VIDEOGRAPHER: Do my part, if I can,
18 close the video record? If I can.

19 MR. CICILIANO: Well, I mean, that's the
20 problem. I think -- go ahead, David.

21 MS. STERN: I don't -- I don't understand
22 why this needs to be on the record.

23 MR. CICILIANO: Because -- it needs to be on
24 the record because clearly what happens and things happen
25 in cases that we then have a disagreement of what

1 occurred. And there's no reason not to just hash it out
2 in two seconds. The question is: Are you guys going to
3 require us to do another certificate of conference? And
4 if so, can we do it tonight? That's the question.

5 MS. STERN: On what?

6 MR. CICILIANO: On the witness's -- on the
7 objections of certain -- the witness being unable to
8 answer certain questions and what I --

9 MS. CONNELL: We're not prepared to do that
10 on the record right now with the witness sitting there,
11 Dylan. That's not fair to him, to have him sitting there
12 and listening to this. And what -- how can we have a meet
13 and confer? What's your -- what are your assertions?
14 What are you going to say? I mean, for God's sakes if you
15 want to resolve a dispute, we have to be able to have a
16 real conversation. We're going to have it at 6:43?

17 MR. CICILIANO: Yes, that is the same exact
18 position the New York Attorney just took 20 minutes ago on
19 a phone call where they called me --

20 MS. STERN: Okay. This is just not
21 appropriate to be on the record at a deposition that
22 doesn't even involve what other issue you guys are talking
23 about.

24 MR. CICILIANO: He can be excused --

25 MS. STERN: Out of a courtesy -- out of a

1 courtesy to the witness and to the other lawyers that are
2 here, I would like to ask you to please allow us to -- and
3 to the reporters to close the record since the testimony
4 is finished. And any further discussions about issues
5 that you would like to raise concerning objections during
6 the course of this nine-hour deposition that have not been
7 yet identified to us, we can discuss counsel to counsel.

8 MR. CICILIANO: Yes, and I told you you can
9 excuse him. If you're saying you don't want to do it on
10 the record, fine. Close it. Call me. Next.

11 MS. STERN: Okay. Thank you very much.

12 MS. CONNELL: Thanks guys, bye.

13 MS. STERN: I think we can close the record.

14 THE VIDEOGRAPHER: Okay. All right. So
15 this concludes the video deposition of William Wang. Time
16 is 6:44. Going off the record.

17 (Deposition was concluded at 6:44 p.m.)

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1 STATE OF TEXAS)

2 I, Melisa Duncan, a Certified Shorthand Reporter

3 in and for the State of Texas, do hereby certify that,

4 pursuant to the agreement hereinbefore set forth, there

5 came before me on the 23rd day of March, 2021, at 8:15

6 CST, 9:15 EST, at the offices of New York Attorney

7 General, at 28 Liberty, being reported remotely, State of

8 Texas, the following named person, to wit: William Wang,

9 who was by me duly cautioned and sworn to testify the

10 truth, the whole truth and nothing but the truth of his

11 knowledge touching and concerning the matters in

12 controversy in this cause; and that he was thereupon

13 carefully examined upon his oath, and his examination

14 reduced to writing under my supervision; that the

15 deposition is a true record of the testimony given by the

16 witness; signature of the witness being waived pursuant to

17 the agreement of the parties; and the amount of time used

18 by each party at the deposition is as follows:

19 Svetlana M. Eisenberg - 5 hours; 44 minutes,

20 Talitha Gray Kozlowski - 1 hour; 11 minutes.

21 Nick Hendrix - 4 minutes.

22 I further certify that I am neither attorney or

23 counsel for, nor related to or employed by, any of the

24 parties to the action in which this deposition is taken,

25 and further that I am not a relative or employee of any

1 attorney or counsel employed by the parties hereto, or
2 financially interested in the action.

3 I further certify that before the completion of
4 the deposition, the Deponent _____, and/or the
5 Plaintiff/Defendant _____ did _____ did not X
6 request to review the transcript.

7 In witness whereof, I have hereunto set my hand
8 and affixed my seal this 25th day of March,
9 A.D., 2021.

10
11
12
13 _____
14 Melisa Duncan, Texas CSR 6135
15 Expiration Date: 4/30/22
16 Firm Registration No. 459
17 Lexitas - Dallas
18 325 N. St. Paul, Suite 1900
19 Dallas, Texas 75201
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