

Jean Schmidt rough draft (2)

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IN THE OHIO ELECTIONS COMMISSION
CASE NOS. 2009E-003 AND 2009E-012

JEAN SCHMIDT

COMPLAINANT

VS.

DAVID KRIKORIAN

RESPONDENT

DEPOSITION FOR THE RESPONDENT

DEPONENT: JEAN SCHMIDT

DATE: AUGUST 24, 2009

REPORTER: ANNEMARIE GRANT

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EXHIBITS

- A TODAY'S ZAMAN
- B COMPLAINT RECEIVED BY THE OEC ON 7/21/09
- C COMPLAINT RECEIVED BY THE OEC ON 4/29/09
- D SUMMARY OF UN DEFINITION OF GENOCIDE
- E ARTICLE BY MR. FEIN FOR THE TAC

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F COMPOSITE EXHIBIT PRODUCED IN RESPONSE TO SUBPOENA
G DOCUMENT DESCRIBING THREE TURKISH FUNDRAISERS
H PHOTOS FROM TURKISH AMERICAN FUNDRAISER
I CONTRIBUTION RECORDS RELATING TO TURKISH DONORS
J COPY OF HOUSE RESOLUTION 106 BEFORE THE 110TH CONGRESS
K COPY OF HOUSE RESOLUTION 252 BEFORE THE 111TH CONGRESS
L ARTICLE BY SOUTHERN POVERTY LAW CENTER
M E-MAIL TO BARRY BENNETT DATED MARCH 10, 2008
N CALENDAR ENTRY FOR 11/17/08 FROM JENNIFER PIELSTICKER
O CALENDAR ENTRY FOR 3/22/07 FROM JENNIFER PIELSTICKER

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THE VIDEOGRAPHER: We are now on the video record. My name is Stephen Troncone, and I'm the video technician today. We will record today's testimony under the firm Kentuckiana Reporters. Today is the 24th day of August, 2009. The time on the video monitor is approximately 10:55 a.m. We are at the Sheridan Hotel to take the deposition of Jean Schmidt in the matter of Jean Schmidt versus David Krikorian pending before the Ohio Elections Commission, case number 2009E-003 and 2009E-012.

THE VIDEOGRAPHER: Will counsel please identify themselves for the record?

MR. FINNEY: My name is Christopher Finney, F-I-N-N-E-Y, attorney for Respondent, David Krikorian.

MR. BOLINGER: Joshua Bolinger, B-O-L-I-N-G-E-R, attorney for David Krikorian.

MR. HARTMAN: Curt -- Curt Hartman, counsel for Mr. Krikorian.

MR. BREY: Donald Brey, B-R-E-Y, counsel for

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Congresswoman Jean Schmidt.

MR. FEIN: Bruce Fein, F-E-I-N, counsel for
Congresswoman Jean Schmidt.

THE VIDEOGRAPHER: Ms. Schmidt, will you please
raise your right hand and be sworn by the court reporter?

THE WITNESS: (Complies.)

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COURT REPORTER: Do you solemnly swear or affirm
that the testimony that you're about to give will be the
truth, the whole truth, and nothing but the truth?

THE WITNESS: I do.

COURT REPORTER: Thank you.

THE VIDEOGRAPHER: You may proceed.

MR. FINNEY: Thank you.

DIRECT EXAMINATION

BY MR. FINNEY:

Q. Mrs. Schmidt, you've had your deposition -- I'm
sorry.

Please state your full name and address for the
record.

A. My full name is Jeannette Schmidt, and I live at
771 Wolf Corner Road, Loveland, Ohio.

Q. Have you had your deposition taken before?

A. Yes.

Q. In what circumstances?

A. A variety.

Q. Okay. Please tell us each one of those
circumstances.

A. I can only tell you the ones that come to my mind at
this point. Actually, I can't because we're on record, and

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I'm not quite sure what those depositions were or when they did occur, but I'm sure you can remind me.

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Q. Okay. So sitting here today, you don't ever remember your deposition being taken in any specific case?

A. I do remember depositions being taken, yes.

Q. Okay. Tell me what those cases were that you do remember?

A. I can't definitively tell you which cases I was deposed in and which cases I wasn't deposed in.

Q. Tell me what you can tell me about what you remember about having your deposition taken previously?

A. Since we're under oath, I don't want to make a mistake. So therefore, until I can see whatever you have in front of you, I'm not prepared to answer that question.

Q. Well, just to get past this procedural question, I don't have anything in front of me and I have no idea other than the Elections Commission case that I was a part of. Previously, any other case in which you were deposed, I'm just asking to you to tell us what you know about that issue.

A. I don't remember the case, sir. I'm --

Q. Okay. So you have no recollection of any of the cases in which your deposition was previously taken?

A. I remember I was deposed but you were not there. You were on a telephone.

Q. Okay. So that was in the prior Ohio Elections Commission case dealing with your false statements; is that correct?

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A. Again, sir, you're going to have to tell me what you're getting at because I'm under oath, and I have to tell the truth.

MR. FINNEY: Don, I'm going to ask you to instruct your client to answer the question, or we'll have to get Phil on to make her answer the question. Either she does or she doesn't remember. If she doesn't, fine. If she does, she needs to tell me what she remembers.

MR. BREY: You want me to talk with her off the record?

MR. FINNEY: I think it might be appropriate to adjourn and take her out of the room. Yeah, that's fine.

THE VIDEOGRAPHER: Please stand by.

(OFF THE RECORD)

THE VIDEOGRAPHER: We're now back on the video record.

BY MR. FINNEY:

Q. Mrs. Schmidt, when we adjourned before, I asked you to tell me any other time when you've had your deposition taken, and you've conferred with your attorney and you're now -- do you have any different response than what you gave me previously?

A. I wanted to make sure that I was giving the correct response. I have been deposed a number of times in my life. As a township trustee, I have been deposed on zoning cases. I

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don't remember the particulars.

The first time I met Mr. Brey was on an Ohio elections case. I don't remember the particulars of the case, but I was deposed. I have been deposed on telephone by you,
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and in other cases before the Ohio Elections Commission.

Q. So this is at least the third case you've been involved with with the Ohio Elections Commission?

A. Yes.

Q. Okay. And what was the -- I know about the false statement case in '05, I think it was. What was the -- or '06 -- what was the other one?

A. The other one was an individual that decided to contest the fact that I did run a marathon in October of 2003 --

Q. Oh. The name on --

A. -- and I actually did a 3:19:09.

Q. Okay. All right. So the -- the way that this works is that the court reporter is really in charge here today. And that means that we have to not talk over each other. You have to let me finish my questions; you need to let -- I need to let you finish your answers.

Uh-huhs and uh-uhs and nods of the head and shakes of the heads don't transcribe, not just very well, they don't transcribe at all. So if we would just try to proceed in an orderly fashion.

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Also, it's not my intention to trip you up or to create problems; it's to get information out to the Elections Commission hearing. So if you don't understand a question that I have, if it's a compound question that's confusing you, just ask me to rephrase it and I'll try to do that. Okay?

A. Uh-huh.

Q. Great.

A. Of course.

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Q. Now, my first question today is: Can you tell me what your understanding is of the events in the Ottoman Empire in 1915 that have variously been referred to as "the Armenian Genocide," "the Great Calamity," "the Armenian Holocaust," or "the Armenian Massacres"?

A. Could you repeat that question? It was a little long.

Q. Yeah. I'm trying to get your understanding of what those events were. What do you understand historically occurred in 1915, 1916?

A. Well, there was World War I.

Q. No. No. I'm talking about, specifically, in the Ottoman Empire the events known as "the Armenian Genocide," "the Great Calamity," "the Armenian Holocaust," or "the Armenian Massacres," the thing that was the subject of this complaint?

A. I was trying to get to that. It was during World War

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I, and during World War I a lot of things occurred. Other than that, I don't have a recollection because I wasn't there, I wasn't born, and nor am I a historian.

Q. Okay. So that's the full sum and substance of your understanding of what happened in 1915 related to the Armenian Genocide, the Great Calamity -- whatever they call it; is that right?

A. My full understanding?

Q. Correct.

A. I -- in a nutshell, yes.

Q. Well, I don't want a nutshell. I want to know in an expanded version, what do you understand occurred with respect

to those historical events?

A. You know, am not a student of history; I wasn't there; I'm still trying to figure it all out.

Q. Okay. So -- so your full understanding of the events of that time known as "the Great Calamity" or "the Armenian Holocaust," "the Armenian Massacres" is just that something happened during world war I, and you know nothing more about it than that.

A. About what happened actually at that period? Exactly.

Q. Correct. I want to know what your understanding is.

A. That's the understanding.

Q. And you know of no other facts, no other

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interpretations, other than that?

MR. FEIN: Are you asking -- can you clarify, Mr. Finney? You know, do you know of any other, you mean personal facts? Are you asking whether she's read books? That's a highly ambiguous statement.

MR. FINNEY: Well, we're going to get to that. I mean, I wanted to know what the basis of her knowledge was. But normally, when people have an understanding of an historical event, they can tell you generally what they believed happened at that time.

MR. FEIN: Based upon?

MR. FINNEY: Hitler rose to power, he started -- he invaded Poland, he started world war II, etc. I mean, and then kind of get -- and then the allies invaded Normandy and then the war. You know, that kind of thing.

Do you have any understanding of what happened
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relating to this event? Did people die? If so, how did they die? Was the government involved, and so on. What is your understanding with what occurred with respect to the Armenian genocide in 1915 and 1916.

MR. BREY: I would just object. I assume that you asked a series of questions, and that there's just the last one you wanted a response to.

MR. FINNEY: It was really -- I'm on the first question which is -- I just want to understand her full

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understanding of what occurred that is the subject of this complaint which is known as "the Armenian Genocide." What is her understanding -- I'm not asking her what happened. I'm asking her what her understanding of what happened was.

MR. FEIN: I object.

MR. BREY: First of all, it's not the subject of this complaint.

MR. FEIN: Yeah.

MR. BREY: And, Chris, asking for her full understanding is really not an appropriate request.

MR. HARTMAN: To be fair. Let me clarify: We've got one -- usually in a deposition, we've got one counsel is defending and not two counsels.

MR. BREY: Then why are you speaking?

MR. HARTMAN: Because I'm trying to clarify for the record who is defending this deposition.

MR. FINNEY: I'm sorry. So where do we stand? Are you telling her not to answer?

(TELEPHONIC INTERRUPTION)

MR. FINNEY: That's the Geragos call.

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MR. KRIKORIAN: Hello?

MR. GERAGOS: Hi. It's Mark.

MR. KRIKORIAN: Hello Mark. This is Mark Geragos; he is one of my attorneys in this case.

MR. FINNEY: Mark, you can just listen in. If you

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have any comment, you may want to call in on another phone to Josh who can relay your comments to me, okay?

MR. GERAGOS: Got it.

MR. FINNEY: Josh, do you want him your number so he's got that.

MR. BOLINGER: Yeah.

MR. GERAGOS: Why don't you just E-mail it to me?

MR. BOLINGER: Yeah, I'll e-mail you when we get off the phone.

MR. FINNEY: Okay. Thank you.

BY MR. FINNEY:

Q. Mrs. Schmidt, when we broke, the last question was: Tell me your understanding of the events in the Ottoman Empire in 1915 that's been referred to as "the Armenian Genocide." Your attorney has raised an objection to that question.

MR. FINNEY: Don, are you asking her not to respond or are you telling her to respond?

MR. BREY: Go -- I haven't instructed her anything. I raised an objection as to the question.

MR. FINNEY: Okay, fine.

Q. So my question again is: Have you given me your full understanding of what happened in the Armenian Genocide in 1915?

A. Yeah.

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Q. You have no knowledge of any other facts. You have

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no knowledge of any other opinions or points of view other than what you've already stated; is that correct?

A. Repeat it with the term "knowledge."

Q. Well, again, I'm not asking you to tell me what happened; none of us were there. I'm asking you your understanding of what happened.

Your answer was: An event happened that constituted world war I --

A. No. I didn't say it constituted world war I; I said it was during world war I.

Q. It happened during world war I, a lot of things happened during world war I, and you know nothing about it other than that. That was your -- essentially your statement.

And I'm just asking you: Is that your full understanding, or is that your truncated understanding? I'd like to know your full understanding of what happened with respect to those events.

A. Well, I'm not a student of history, and I'm still trying to figure it all out.

Q. Okay. Have you told me everything then that you know about the Armenian Genocide?

A. That I know? I wasn't there, so, yes.

Q. Okay. Have you told me your full understanding of what happened with respect to the Armenian Genocide?

A. I don't have a full understanding.

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Q. All right. Do you -- do you have an understanding of anything other than what you've related to me with respect to that event?

A. I'm not a student of history; I'm still trying to figure it all out.

MR. FINNEY: Don, I'd just like you to ask her to answer the question which is: Do you -- have you told me everything that you know and understand or not? I didn't ask her to tell me she's not a student of history. I just -- it's a "yes" or "no" question.

MR. BREY: Well, I -- think the question is ambiguous on a number of levels. One, you're using the term "Armenian Genocide" which is -- is not a -- a term that, you know, is -- is -- is really one everyone embraces.

MR. FINNEY: Right. That's why I used four terms.

MR. BREY: Second, you're asking about knowledge, then you're asking about opinions, then you're asking about other things that are irrelevant to the case.

I think the witness is trying to respond as best she can, but the question is ambiguous.

MR. FINNEY: Okay. Well, let me try it again.

BY MR. FINNEY:

Q. My original question was to tell me your understanding of the events in the Ottoman empire in 1915 that is variously been referred to the "Armenian Genocide," the

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"Great Calamity," and the "Armenian Holocaust" and the "Armenian Massacres." Generally, we're talking about the events that are really the subject of this complaint, okay?

MR. BREY: I -- I -- I further object. They're not

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the subject of this complaint.

MR. FINNEY: Let me -- let me finish -- let me finish what I'm saying and you can then state your objection, okay?

MR. FINNEY:

Q. So you then gave me a response. And all I'm asking you: Is that your full response to that question? You have no -- you have no understanding of any other facts relating to that other than what you've told me so far; is that correct?

A. I am not a student of history. I'm not a scholar of history. I didn't know that this event even occurred until Mr. Krikorian brought it to my attention. I'm still trying to sort it all out.

So I can't give you an answer today as to what my opinions are or what the fact are because I haven't gathered all the fact, and I haven't rendered an opinion.

Q. Okay. And I didn't ask you for facts or opinions. I just asked you for any further information on your understanding of those events. And you either have them or you don't. It's a "yes" or "no" question. Do you have any further understanding of those events? And if so, please

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relate those to me.

A. Sir, I really don't get what you're trying to get with "understanding of the events." I wasn't there.

Q. Okay. For example, do you have any understanding of how many persons were killed or who died as a result of those events?

A. Do I have an understanding?

Q. Yes.

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A. I'm not sure. I don't know what that word means.

Q. Okay. Do you know how these people were killed? Do you have any understanding of how these people were killed?

A. No.

Q. Okay. What is your understanding of what occurred that -- I'm sorry.

Do you know -- for example, do you know if the government was responsible for the deaths that occurred, or if it was just a result of some civil strife?

A. From what has been gathered, there has been no trial to determine whether the government was involved.

Q. Let me ask you about the Jewish Holocaust. Have you heard about the events that constitute the Jewish Holocaust?

MR. BREY: I -- I -- I would object as to relevancy. You can answer the question.

A. Yes.

Q. Okay. Now, you weren't there for those events, were

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you?

A. No.

Q. Okay. So how is it that you have an understanding of what happened at the Jewish Holocaust?

A. Well first off, there was a trial to which the people that perpetrated the crime were convicted.

Second, I've had the opportunity to witness the death camps.

Third, I've had the opportunity to get to know Holocaust survivors, including Gerda Klein, who was a world-renown author of her experiences.

Fourth, I had the opportunity to meet with one of

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the JAG officers that was part of the Nuremberg Trial, and
so --

And fifth, that was studied pretty much in school
from the time I was in the fourth grade.

So the Holocaust -- oh, and I've been to the
Holocaust museums, both in the United States, in Germany, and
in Israel.

Q. Okay.

A. So I've had an opportunity to witness the aftermath,
see pictures, and have a clearer understanding because,
perhaps, 45 of my years of life -- and I'm just guessing at
the age -- I don't know when I first had this part of history,
but sometime in late grade school or early high school, I

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learned about the Holocaust.

Q. Okay. And -- so then the question becomes: Have you
seen, read, or heard anything about these events that we're
talking about today which are the "Armenian Genocide," the
"Great Calamity," the "Armenian Holocaust"?

A. I've read things about it, yes.

Q. Okay. And -- but based upon the stuff you've seen,
read, and heard about the Holocaust, you've developed some
understanding of it.

Based upon what you've seen, read, and heard about
the Armenian Genocide, you have no understanding of it?

MR. BREY: Objection.

A. I have a limited understanding because I don't have
the same experience with history that I do with the Holocaust.

Q. Okay. I'm going to give you something that's been
marked as Exhibit A. That is an article from a newspaper

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called The Daily -- I'm sorry, "Today's Zaman." Do you know
what that is? what is "Today's Zaman"?

A. (Perusing document.)

Q. Do you know what Today's Zaman is Mrs. Schmidt?

A. May I please have time to read this, sir.

Q. Oh, I'm sorry. Yes. Sure.

(EXHIBIT A MARKED FOR IDENTIFICATION)

A. (Perusing document.)

Q. Okay. Mrs. Schmidt, what is Today's Zaman?

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A. I believe it's a periodical in Turkey.

Q. Okay. It's a -- it's a newspaper in Turkey. That
would be your understanding?

A. Periodical, newspaper, something that is read by
Turkey's citizens.

Q. Okay. And on June the 4th of this year you -- you
were published in Today's Zaman in Turkey; is that correct?

A. Yes.

Q. You wrote an editorial?

A. Yes.

Q. And that was to coincide with President Obama's visit
to that country; is that correct?

A. Well, it coincided with his visit, yes.

Q. That wasn't the purpose of it to coincide?

A. No. It wasn't the purpose but it did coincide.

Q. Did you write this editorial?

A. Yes.

Q. You did? These are your words?

A. Yes.

Q. Did anyone else help you to write it?

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A. I had it edited by my chief of staff.

Q. And did any outside persons, such as Mr. Fein or anyone else, help to write this?

A. No.

Q. You had it edited, but the original draft came off of

your word processor or pen; is that right?

A. Well, I don't use a word processor.

Q. Okay. So the original draft was a handwritten version from you?

A. Actually, it was an oral version to my chief of staff.

Q. You dictated this to him?

A. The ideas of it, yes.

Q. Okay. And in this you talk about the Armenian Genocide Resolution, right?

A. Where are you putting this in here so I know what you're referring to.

Q. Well, we could start with the bold headline that says: "US Congress should not debate the Armenian genocide resolution."

A. Okay.

Q. Were those your words or was that something the daily Zaman added?

A. That I'm not sure of.

Q. Okay. Now, in the -- in the very last paragraph of that it says, "what happened in 1915 must never be forgotten." Do you see that?

A. Yes.

Q. What -- what are you referring to that happened in

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1915 that must never be forgotten?

A. Well, there obviously was an incident that happened in 1915.

Q. And what was that incident?

A. Well, there was something that went on in Turkey that involved Turks and Armenians.

Q. Okay. And what is it that you remember about or that you know or have an understanding of about those events?

A. Well, I don't remember them because I wasn't there.

Q. Right.

A. And I'm still trying to have a complete understanding of those events.

Q. I understand that. But you told all the people of Turkey that we shouldn't forget these events. I'm asking you: what is it that we're supposed to remember?

A. Well we shouldn't forget the past.

Q. And what is it about the events of 1915 that we're supposed to remember.

A. When I become a scholar of this, I'll let you know.

Q. Okay. But when you wrote this on June the 4th of 2009, you had no understanding at all of what happened in Turkey in 1915; is that right?

A. I said I had limited understanding.

Q. Okay. And I've asked you four times this morning to tell us what that limited understanding is, and you've told me nothing.

A. Well, basically, that events happened.

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Q. Events happened. And what were those events?

A. People got killed on both sides. How many people? I don't know.

Q. And that's your total sum and substance of your understanding of that event?

A. That's about the basic understanding, yes.

Q. Do you have knowledge of an historical figure by the name of Atatürk from Turkey?

A. Yes.

Q. Who was Atatürk?

A. Atatürk fought in world war I. He also became the first modern day leader of Turkey.

Q. Is that the total sum and substance of Atatürk?

A. I know that he secularized Turkey, put it in a -- he allowed it to become a modern country.

Q. Okay. And do you have anything else to share with us about Atatürk? Do you have any -- any other understanding about Atatürk's involvement in Turkish history or world history?

A. He fought bravely according to the Turks in world war I, and he became their leader and he modernized Turkey. He secularized Turkey. He refused to let religion become part of its constitution or its government. He created a secular Turkey.

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Q. Okay. Now, with respect to the events we're going to -- I'm going to refer to them today as the "Armenian Genocide." Again, these are the things that are talked about in the complaint so we -- so we have an understanding.

what authors or what -- I'm sorry.

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what books or third-party sources have you considered -- have you read -- have you -- have you read any books about the Armenian Genocide?

A. Yes.

Q. You have. What book have you read?

A. I can't remember at this point. I read a ton of books each year.

Q. So you say -- you -- you'd never even heard of the Armenian Genocide until Mr. Krikorian first told you about it.

A. Right.

Q. And when was that?

A. When he came to my office.

Q. And when was that? Just give me a month -- a year.

A. I couldn't tell you.

Q. Was it within the last 24 months?

A. Twenty-four months. No.

Q. Well, let's just say it's -- it's been since you've been in Congress.

A. Right.

Q. Okay. And how many books about the Armenian Genocide

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have you read since you've been in Congress?

A. Specific books or books that have ancillary opinions or --

Q. Either one -- either way -- either that are specifically --

A. I couldn't tell you.

Q. Okay. More than one?

A. Probably.

Q. Okay. Can you --

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A. Absolutely more than one but I don't know how many.

Q. Can you name a single book title or a single author that you've read that gave you information about the Armenian Genocide?

A. I can only -- only one.

Q. Okay. And who was that?

A. You know, I think the name was Guenter Lewy's book --

Q. Okay.

A. -- but I could be wrong with the way I'm pronouncing it.

Q. Okay. And you read Guenter Lewy's book?

A. Yes.

Q. And you believe that to be authoritative on the question of the Armenian Genocide?

A. Authoritative? I believe it is a book that talks about the situation that occurred in 1915. I don't believe

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that it is the be-all/end-all book.

Q. Okay. And you've read the entire book, and yet, today, you can't tell me anything other than that some people died and it was during world war I?

A. Yes. Because I can't remember everything in that book; I read a ton of books.

Q. I didn't ask you to remember everything in the book. I asked you: Do you remember anything else in the book other than those two things?

A. That was the, you know, the gist that came out of that book was that there are questions about what happened and how you can characterize what happened.

Q. Okay. And have you read any articles or periodicals

or newspaper articles about the Armenian Genocide?

A. I'm sure I have.

Q. Okay. Can you -- do you recall any authors or any specific articles?

A. No.

Q. When did you read these articles?

A. Couldn't tell you.

Q. Okay. Have you read anything to prepare for the deposition today?

A. No.

Q. Why don't you tell us what is "genocide"? Do you have an understanding of what "genocide" is?

A. I do have an understanding of what genocide is.

Q. Okay. Why don't you tell us?

A. It is my understanding from the United Nation's definition that it has to be government sponsored and it has to deal with some -- I'm probably excluding some because I don't have it -- their clear definition written down -- either ethnic cleansing or religious cleansing and it has to be government sponsored and I think that there are a couple of more things in there.

Q. Okay. So your understanding of "genocide" is that it's related to an ethnic group or a religion and has to be government sponsored. And what else?

A. That's all I know that I can remember at this point.

Q. Okay. When you say "cleansing," do you mean, like, just having them leave the area or are you talk about murdering people?

A. Well, that's what I believe their term is. So I --

you know, I'm not an attorney; I'm not going to make assumptions on what that means.

Q. I'm not asking about your assumptions; I'm asking for your understanding. Your understanding might be right, it might be wrong, it might be complete or incomplete. That's fine.

I'm just trying to get your understanding of what the term "genocide" is. Does it involve the death of people

or just asking them to forcibly leave a particular area?

A. I don't know.

Q. Okay. Thank you. Now, there are some authors who have suggested that continuing the denial of an event constitute that part of the genocide itself -- that the -- that the genocide continues after the fact with a cover-up and denial of those events. Have you heard any of those interpretations?

A. Could -- could you repeat that because you were fumbling with the papers, and I couldn't really understand what you were saying.

Q. Okay. Well, just listen. In other words, you don't have to watch my hands, okay?

My question was: There are some authors who have suggested that part of the act of genocide includes the denial of the genocide that occurs after the fact. That -- that the process of genocide is -- is not just what happens to the people who are subject to it, but also that -- that afterwards that there's a coordinated attempt to deny the fact that that occurred.

Are you familiar with any of those interpretations

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of the -- the -- the process of genocide?

A. That's interesting, and I think it's a little convoluted, but that's an interesting interpretation.

Q. Okay. You are not -- are you or are you not aware

that some people have advanced that theory?

A. I'm still trying to figure out what the theory is.

Q. The theory is that the denial is part of the process of genocide or part of the act of genocide.

Are you aware that some people assert that or not?

A. No.

(EXHIBIT B MARKED FOR IDENTIFICATION)

Q. Okay. And then in your complaint -- actually I looked at four different paragraphs. You tell us that you do not deny that the Armenian Genocide occurred. That that's -- I'll just read you a couple things from your complaint in Paragraph 8, you say --

A. Where -- where -- what document? Can I read the whole document?

MR. FINNEY: Well, it's just your complaint before the Ohio Elections Commission.

A. I know, but -- but I don't have a copy of it in front of me.

MR. FINNEY: Okay. Well, that's fine. That's fine. This is going to be an exhibit. What is that? Is that with the exhibit?

MR. BOLINGER: This is actually -- I think that may be the second complaint, Chris.

MR. FINNEY: Oh, I'm sorry. You're right.

MR. BOLINGER: I think this would be --

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MR. FINNEY: Okay. That's all right. we'll let her hold onto that. That's fine. (Handing.) Do you have enough copies for Mr. Brey and Mr. Fein of that?

A. Okay. Paragraph 8 --

MR. FINNEY: No. No.

A. -- here it says, "The above --

MR. FINNEY: Mrs. Schmidt, Mrs. Schmidt --

THE WITNESS: -- sentence falsely accuses me, Jean Schmidt, of taking --

MR. FINNEY: Don, can you stop her, please?

MR. BREY: He hasn't asked you a question. You can respond to the question when he asks it.

THE WITNESS: Oh, well, he said Paragraph 8. Okay.

MR. FINNEY: well, I'll -- I'll ask the question; you answer. I'm actually going to ask you to refer to Exhibit C.

(EXHIBIT C MARKED FOR IDENTIFICATION)

Q. In Paragraph 8 you start off and you say, "I have never denied an Armenian Genocide." Do you see that there?

A. Yes.

Q. And in Paragraph 12, after an introductory phrase, "I have not 'denied the Armenian Genocide.'" Do you see that there?

A. Yes.

Q. My question is: what is your position on whether or

□

not an Armenian Genocide occurred?

A. Part of the definition is that it has to be government sponsored. And from what I have gleaned, and I am not a student of history, there has not been any definitive position that it was government sponsored. There has never been a tribunal that has stated it one way or the other.

Q. Okay.

A. I am still trying to gather information regarding this aspect of history.

Q. And what are you doing to gather that information?

A. When time permits, reading this -- reading, talking, surfing the Internet, whatever it takes to get that information. But it's very limited because time is precious and I have to learn other things too.

Q. And you've read Guenter Lewy's book to help you to understand that?

A. Quite sometime ago, yes.

Q. About how many pages was Guenter Lewy's book? Is it more than a hundred?

A. Oh, yeah.

Q. It's a long book.

A. Oh, I don't think it's a long book; I think it's a medium size book.

(EXHIBIT D MARKED FOR IDENTIFICATION)

Q. Okay. Well, let's look at Exhibit D just so -- I'm

□

just trying to understand your position. This is the definition of "genocide" that's been adopted by the United Nations. Have you ever seen this before?

A. Actually -- (Perusing document.) I -- I think -- I -- I'm not sure where you got this document.

Jean Schmidt rough draft (2)

Q. Okay. So -- do you -- do you acknowledge the United Nations definition of "genocide" when you were referring to --

A. Is that the United Nations document?

Q. It is, yes.

MR. BREY: I would object. In fact, this is not. This is a summary of the United States [sic] treaty language. It is not the treaty language itself.

MR. FINNEY: I got you. Okay.

BY MR. FINNEY:

Q. Well, let me ask you this. Is it your position at this point, that you refuse to recognize or acknowledge that the genocide occurred in Turkey with respect to the Armenians in 1915 and 1916? Is that a safe assessment on your position on that?

A. Could you repeat that?

Q. Okay. Is it true that you refuse to recognize or acknowledge, as you sit here today, and as this has been debated in Congress, that a genocide occurred in 1915 and 1916 in what is modern day Turkey?

A. I think that's a very misleading question, sir. As

I've stated before, I have incomplete knowledge and that has been my position all along.

Q. Now, one of your -- well, actually, I think this is written by one of your attorneys. I could be wrong about that. I'll show you what I'm going to mark as Exhibit D [sic].

Have you ever seen this document before?

MR. BREY: I think this is E, isn't it?

MR. FINNEY: E -- I'm sorry. Exhibit E. Let me

Jean Schmidt rough draft (2)
remark that. May I?

(EXHIBIT E MARKED FOR IDENTIFICATION)

BY MR. FINNEY:

Q. Have you ever seen this document before?

A. No.

Q. This is published by the Turkish Coalition of America. I believe it's authored by your attorney, Mr. Fein. And why don't you just read to us the fourth paragraph of that document?

A. "Congresswoman Schmidt has on numerous occasions voiced her opposition to such resolutions and then maintains that the historical question is not appropriate for Congress to legislate. The congresswoman, based on her independent research, does not believe the tragic events of world war I in which both Armenians and Turks were killed in harrowing numbers constitute genocide. An accusation that has never

□

been proven in a court of law. Her conclusions accord with renown Middle East scholar Bernard Lewis of Princeton University and other respected historians."

Q. Okay. And in there -- again, I believe this is written by Mr. Fein, it says that the congresswoman does not believe that the tragic events of world war I, meaning the Armenian Genocide, constitute genocide.

Do you see that? I paraphrased.

A. Yes.

(CERTIFIED QUESTION)

Q. And is that an accurate reflection of what your position is on the genocide?

A. Well, I think that's Mr. Fein's interpretation.

Jean Schmidt rough draft (2)
(CERTIFIED QUESTION)

Q. Okay. And I didn't ask you that. I asked you if that's an accurate interpretation of your position, that you don't not believe that the tragic events --

A. My position is --

Q. Let me finish my question. See, we have to do that for the court reporter.

A. Okay.

Q. Is it your position that the tragic events of world war I do not constitute genocide dealing with Armenian --

A. I don't think that's what he said.

□

Q. Yeah. Let's read it. I'll paraphrase it here. Does not believe --

A. Well, no. Don't paraphrase it. Let's go with what he actually said.

Q. Well, let's -- okay. We'll start with the word "does." So Mrs. Schmidt . . . "does not believe the tragic events of world war I in which both Armenians and Turks were killed in harrowing numbers constitute genocide"?

A. That's what Mr. Fein says.

Q. Thank you. You've already told me that and that's not my question. My question is: Does that comport with your understanding of the events of 1915 in Turkey?

A. I've told you that I don't have enough knowledge to determine one way or the other whether it was a genocide.

(CERTIFIED QUESTION)

Q. Okay. And so, again, I'm going to ask you -- Mr. Fein has given us a description of what your position is and

I'm asking you: Is that description accurate or inaccurate?

A. And I'm telling you that I've always stated I don't have enough knowledge to say whether it was or it wasn't a genocide. I've also said that there has been no tribunal that has put it as a genocide or not as a genocide.

Q. Okay. And I'm asking you again, Mr. Fein has said that you do not believe the tragic events of world war I in which Armenian and Turks were killed in harrowing numbers

constitutes genocide. I am asking you: Is that an accurate reflection --

MR. BREY: I'm going to object --

MR. FINNEY: Let me finish the question and then you can object.

BY MR. FINNEY:

Q. Does that statement reflect accurately your position on the genocide or not?

MR. BREY: I would object. The question has been asked and answered, I believe, appropriately. If you -- if you have a different answer, you can tell him. If -- if it's the same answer, you can tell him that.

A. It's the same answer. I don't know how -- I have to give you what I believe.

MR. FINNEY: I think we'd like to get Phil on the line to see if we can force an answer to that question.

MR. BREY: You're welcome to do it. You're spending your own time. She has answered the question. If -- if her statement position is consistent with that, then it's consistent. If it's inconsistent with that, then it's inconsistent. But you can't impeach her that way. He wasn't

Jean Schmidt rough draft (2)
even her lawyer at that time.

MR. FINNEY: I like to get Phil on the line. Do you have the number?

THE VIDEOGRAPHER: Off the record?

MR. BREY: Yeah. Off the record.

MR. FINNEY: No, stay on the record. Please stay on the record.

MR. BREY: His number: First push 9, then push 1-610, then 466-3205.

OPERATOR: Ohio Elections.

MR. FINNEY: We're looking for Phil Richter. This is Chris Finney and Don Brey.

MR. BREY: How are you doing?

OPERATOR: Oh, very good. Let's see if I can get through to him.

(SOTTO VOCE DISCUSSION)

OPERATOR: I apologize for the hold. I tried calling him twice and I've gotten no response. I can -- what-all would you want me to do? You want me to have him give you --

MR. FINNEY: We'll just rack up a list of these questions, and when we get him, we'll ask him all of them.

OPERATOR: Okay. Well, that would definitely work. I went ahead and left a message for him to check back in.

MR. FINNEY: Why don't we give you a number where he can call. Josh, give him your number.

OPERATOR: Absolutely. Let me get a pen. Okay?

MR. BOLINGER: It is --

MR. FINNEY: Hold on. He's getting a pen. Hold on.

OPERATOR: All set.

COURT REPORTER: Certified?

MR. FINNEY: We'll come back to it.

MR. BOLINGER: Okay. The number to dial that will get you the hotel manager is (859) 371-6166. And then when you speak with the person there, they can patch you in to this conference room -- this phone. All right?

OPERATOR: I'm just going to -- I will go ahead and give him the message when he checks back in and ask him if he to give you a call.

MR. BOLINGER: I appreciate it. Thank you.

OPERATOR: Oh, you're very welcome. Bye.

MR. FINNEY: There was a question, I don't think it was the last one but one of them where I asked her if Mr. Fein -- if his statement on Exhibit E was an accurate or inaccurate recitation of her position of the Armenian Genocide. And she gave a longer answer than I had asked for. And that's the question that I would like to have certified for the record.

MR. BREY: Actually, I think he asked that three times, so you might as well mark them all. I get the feeling that you didn't like her answer.

BY MR. FINNEY:

Q. Are you aware of any statement that Pope John Paul II has made about the Armenian Genocide?

□

MR. BREY: Objection, relevancy.

Q. You can answer.

Jean Schmidt rough draft (2)

MR. BREY: You can answer if you want to.

A. Only in the context of what Mr. Krikorian reported.

Q. So you read his brochure in which he quoted what Pope John Paul had to say about it?

A. Yes.

Q. Okay. Have you done any independent -- made any independent effort to verify that?

A. No.

Q. Okay. Are you aware of the fact that Pope John Paul has said that this was a -- the -- there was the Armenian Genocide.

MR. BREY: Objection, relevance.

A. Only what was in the brochure.

Q. Okay. Are you aware that Ronald Reagan has referred to the events in Armenia of 1915 as a genocide?

A. Only what was in his brochure.

Q. Okay. And you've made no attempt to verify that those were accurate?

A. No.

Q. Okay. And it's your position that an event -- an event cannot be deemed to be a genocide unless there has been a court finding that, in fact, it has -- it was a genocide; is that right?

□

A. Well, I think you have to have a tribunal to determine whether a genocide occurred or not. That's a very serious crime.

Q. Sure. And -- and -- and -- and from your own perspective unless there's been a final finding by a tribunal of that, it's not genocide; is that correct?

Jean Schmidt rough draft (2)

A. The definition of "genocide" has in it that it's government sponsored.

Q. So the fact that the -- the -- the fact that you have not gotten to in the case of the -- events in Turkey relating to the Armenians in 1915 is that fact that you're not convinced it was government sponsored. It's not that there hasn't been a final finding by a tribunal that it was a genocide; is that right?

A. Well, I think you have to have a tribunal to really determine something of that nature.

Q. Okay. In -- attached to your complaint --

MR. FINNEY: Is the one that was attached to the complaint, Josh, and then the other one is the one that they produced in discovery?

MR. BOLINGER: This is discovery.

MR. FINNEY: Where is the one that was attached to the complaint? Or is that attached to the complaint, so we'll just ask her to look at the complaint?

MR. BOLINGER: Right.

□

MR. FINNEY: Go ahead and look back at Exhibit C, please.

A. (Perusing document.)

BY MR. FINNEY:

Q. Attached to Exhibit C as an exhibit is an Excel spreadsheet, Exhibit 4. Can you look at that please?

A. (Perusing document.) Whoever put those together -- Sorry, the numbers on this one are not in order.

Q. Okay. Can you tell us what Exhibit 4 is? It's interesting, in the complaint it really doesn't reference it,

Jean Schmidt rough draft (2)

I don't think; so we couldn't tell from the complaint what Exhibit 4 is. Can you tell me what that is?

A. It looks like a contributions sheet.

Q. It sure does. What -- what are these contributions?
what -- what -- how would you describe what this is?

A. Well, not knowing where they came from, but --

Q. Let's --

A. -- I would imagine these are contributions to me.

Q. Okay. Let's try it like this: Look at the fourth page of that document if you would -- the overall document, Exhibit C?

A. Okay.

Q. No.

A. It says Exhibit 3.

Q. No. I'm sorry. Mrs. Schmidt, the overall document

□

is called Exhibit C.

A. Okay. You said the fourth page.

Q. Right.

A. Okay. I -- I --

Q. It's the complaint itself.

A. One, two -- according to letters three, and the rest of his letter is four so --

MR. FINNEY: Somehow she doesn't have a full copy of it. Let me give you my copy.

A. Okay. I mean --

Q. Why don't we try that? I'm sorry.

A. One, two, three -- okay, four.

Q. Okay, and on that fourth page is -- this is an affidavit, a sworn statement under oath from you, right?

Jean Schmidt rough draft (2)

A. Mm-hmm.

Q. And you submitted this as evidence to the Ohio Elections Commission?

A. Yes.

Q. Okay. And you attached to your document that you tendered to the Elections Commission is this list which is Exhibit 4, which you can now turn to.

A. Okay. Now that I have a complete document, I have a better understanding of where you got those numbers but the document you gave me before was an incomplete document.

Q. Okay. Good. Now, tell me what exhibit 4 is then?

A. Well, exhibit 4 would be -- I have to go back and find it on this document.

MR. BREY: Tell him what you know. Your last response said I imagine. He doesn't want you to speculate.

A. Okay. Well, these would be contributions to my campaign.

Q. These are contributions to your campaign. Is this the total of all contributions of your campaign in a particular period of time of is this --

A. Oh, no.

Q. -- is this a subset?

A. Yes.

Q. It's a subset.

A. Well, it's -- it's -- it's part of it, yes.

Q. Okay. That's good. Now, what subset is this? Somebody did a search or somebody produced some records that you attached to your affidavit. What information is that supposed to impart to the Ohio Elections Commission that you

attached that to your affidavit?

A. I believe it's supposed to show who gave me money.

Q. Is that everybody who gave you money?

A. No.

Q. Okay. Then it's some of the people who gave you money?

A. Yes.

Q. And it excludes other people who did give you money?

A. Yes.

Q. And my question is -- I know this is hard, but I'm trying to understand how it is that you selected these names of people who did give you money and excluded the names of other people who did not give you money?

MR. BREY: I would object. The question assumes facts not in evidence. You're assuming Jean Schmidt selected these names, and there's been no testimony that she selected them or even those who did or why.

Q. Well, you said that this is a subset of the whole of your database for fundraising; is that correct?

A. Yes.

Q. And what subset does this represent?

A. Since I didn't compile it, I can't tell you.

Q. But you attached it to your sworn affidavit swearing it was something, I presume it was accurate information. And I'm asking you what -- what it represents? What information is the Ohio Elections Commission supposed to divine from that document?

MR. BREY: Objection. You assume that she -- you stated in your question that she referenced it in her

affidavit. That assumes facts not in evidence. And you've also assumed that she -- in your question, that she personally chose to include this. Neither of those statements has -- is

a matter of record.

BY MR. FINNEY:

Q. Okay. Well. Let's try it like this. Why don't you look at Exhibit C? Just look at the whole thing --

A. Okay.

Q. -- because I might have misassembled it; it's possible.

A. Okay.

Q. Take your time. Look at the Exhibit C. My question is: Was Exhibit 4, in fact, attached to Exhibit C when you signed it?

A. Yes.

Q. It was. Okay. So you signed that affidavit -- I'm sorry -- Exhibit 4 -- you attached exhibit 4 to that affidavit, right?

A. Yes.

Q. And by -- and then you, or someone on your behalf, had that filed with the Ohio Elections Commission?

A. Yes.

Q. Okay. And why did you include that two page listing of names and contributions and addresses in your filing with the Ohio Elections Commission?

A. Well, I think that would be part of what my attorney put together.

Q. I see. And did you read the affidavit and the

exhibits before you signed them?

A. Yes.

Q. Okay. So you had an understanding of the information that you were trying to impart to the Ohio Elections Commission at the time you had -- you signed it, right?

A. Yes.

(CERTIFIED QUESTION)

Q. Okay. And what was that information that you were trying to impart to the Ohio Elections Commission by attaching Exhibit 4?

A. One of the opportunities all Americans have is to have legal counsel. Since I'm not an attorney, I do take the advice of legal counsel in preparing documents.

Q. And I don't want to violate your attorney/client privilege, okay? I don't want you to tell me what your attorney told me -- told you.

(CERTIFIED QUESTION)

I want you to tell me what you intended by attaching this as Exhibit 4 to your affidavit with the Ohio Elections Commissions?

A. Again, sir, that would be attorney/client privilege and --

Q. No. It's actually not.

A. Well, sir --

Q. But your attorney would have to raise that as an

□

objection.

MR. BREY: What -- what --

Jean Schmidt rough draft (2)
(CERTIFIED QUESTION)

Q. -- my question is: This was attached to your affidavit. What -- what are we -- what does this list constitute or what are you trying to tell the Elections Commission with this information?

MR. BREY: Well, first of all, I would object. You made a false statement of law. The privilege belongs to -- to the -- to the client, not to the lawyer. And either the lawyer or the client can raise attorney/client privileged.

I didn't object because I didn't know if perhaps she had an intent that was unrelated to conversations we had with counsel. If she had an intent that is unrelated to communication with counsel, she can tell you. If she doesn't, she can tell you.

BY MR. FINNEY:

Q. So you're refusing to answer the question; is that my -- based upon attorney/client privilege; is that my understanding?

A. Yes.

MR. FINNEY: Thank you. Will you certify that question? And will you have that on our list when you talk to Mr. Richter? Thank you.

MR. HARTMAN: Can we make sure the exhibit is marked

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Rough Draft

correctly since you exchanged exhibits earlier?

MR. BREY: Yeah. We can give this -- make it real easy.

MR. HARTMAN: I just don't want the one that the defendant now has to be part of the record as opposed to the one that Ms. Schmidt has.

Jean Schmidt rough draft (2)
MR. BREY: We're okay.

BY MR. FINNEY:

Q. Okay. Now, you -- you -- who -- who -- tell me about your fund raising operation. Who runs your campaign? Whose your campaign manager, or whose in charge of running your political campaigns, let's say in the 2007/2008 election cycle?

A. Who ran the campaign in 2007/2008?

Q. Uh-huh. Or for benefit of the court reporter, "yes."

I know it's a hard question --

A. Well, I had a number of people working me.

Q. You did? Okay. Well, just tell me all of them then.

A. Well, my husband at the time was the treasurer.

Q. I didn't ask about the treasurer; I asked you who ran the campaign and who was your manager?

A. Okay.

MR. BREY: Well, actually, the last question was she had other people working with her, and I thought you asked who they were.

□

Rough Draft

BY MR. FINNEY:

Q. Okay go ahead.

A. My chief of staff which, by law, is allowed to work on the campaign.

Q. That would be Barry Bennett?

A. That would be Barry Bennett. And then I had interns.

Q. Interns. Do they have names?

A. Yeah. But I don't remember them.

Q. Okay. Who else?

A. Some of which have come onboard my campaign that I do

Jean Schmidt rough draft (2)
remember, some of which have gone back to college.

Q. I'm sorry. I'm not asking about your congressional office functions; I'm asking about your campaign functions.

A. No.

Q. You're saying --

A. No.

Q. Let me finish the question -- interns in your congressional office helped run your campaign?

A. No.

Q. Okay. I want to know who helped run your campaign.

A. There are two different types of interns. You can have interns that work on a campaign. You can have interns that work in a congressional office. You can have interns that work on a campaign that end up working in your congressional office.

□

Rough Draft

Q. I'm asking you everybody who -- I really want to know who ran your campaign. You were telling people who had management functions --

A. Well, Barry Bennett would have been the one that would have been in charge of my campaign in 2007 and 2008.

Q. Okay. Thank you. And then did you have someone who helped out with fundraising?

A. Yes.

Q. Okay. And who was that person?

A. I wish I could remember.

Q. Was it a man or a woman?

A. A woman.

Q. And you have no idea who that is?

A. I can't remember her name.

Jean Schmidt rough draft (2)

Q. How long did she work on your company?

A. About six months.

Q. Was she young or old?

A. 30's -- 30ish.

Q. Tall or short?

A. About five-five.

Q. Fat or skinny?

A. Skinny.

Q. Blond, brunette, or redhead?

A. Brunette.

Q. Thank you. Now, who was Phil Greenberg?

□

Rough Draft

A. Phil Greenberg is my current campaign fundraiser.

Q. Okay. And did he have any role in your campaign in the years 2007 and 2008?

A. I'm trying to think when Phil came onboard. It's when I got -- when -- when the other person went a different direction. I don't remember when Phil came onboard, to be honest with you.

MR. BREY: Can we take a two-minute break? Both my pens are running out.

MR. FINNEY: Sure.

(OFF THE RECORD)

BY MR. FINNEY:

Q. Mrs Schmidt, when we broke, I was asking you about who Phil Greenberg is?

A. Right. And I -- when you asked the first question regarding campaigns I had to go back, having six campaigns in three years, there is a lot of activity. I believe Phil Greenberg came onboard in 2007 after the other individual

Jean Schmidt rough draft (2)
left to pursue other interests.

Q. And what was Phil Greenberg's job with your campaign?

A. To raise money.

Q. Okay. And to whom did he report in that activity?

A. Well, in -- to my husband, the treasurer.

(EXHIBIT F MARKED FOR IDENTIFICATION)

Q. He reports to the treasurer. Okay.

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Rough Draft

And -- at some -- well, let me go ahead and show you. Exhibit F, I think, is a document that you-all produced in response to the subpoena -- I'm sorry, to the notice of deposition that we provided and I think some third-party subpoenas too, both to the congressional office and the campaign office?

If you want to take a minute to look through that, you can, but I think this is --

MR. FINNEY: Is the whole production of everything that they gave us?

MR. BOLINGER: That should be it, with the exception of what came today from Don.

BY MR. FINNEY:

Q. So other -- other than what we received today, this is everything that -- at least we believe was to be everything you produced in the response to the notices of deposition and subpoenas that we provided.

MR. BREY: Has this been marked as an exhibit?

MR. FINNEY: It is. It's Exhibit -- what does that say on the front, Mrs. Schmidt, "F"?

THE WITNESS: "F."

A. Yes.

BY MR. FINNEY:

Q. Now first of all, can you just confirm that that's everything that you produced in response to these requests for

production and subpoenas?

MR. BREY: Objection. Other than what we produced this morning.

Q. Other than what you produced this morning?

A. Yes.

Q. Okay. Now, at some point in time in 2007 or 2008, you developed contacts within the Turkish -- or Turkish-American communities that raised some funds for you; is that right?

A. Yes.

Q. Okay. And why don't you tell us how that transpired? When was your first contact, either with you or your campaign or with your congressional office of representatives advancing interests relating to Turkey?

A. Relating to Turkey? Well, there have been occasions where people have come in regarding the Turkish-American interest in the war on terror. And I became aware of that soon after I got elected to Congress. Some of that was with folks that came into the office; some of that is sensitive information that members of Congress are given regarding activities on the war on terror.

Q. You mean briefings from the Defense Department or the State Department?

A. That could be included, yes.

Q. Okay. Well, I'm not asking about any of that. I'm

asking about lobbyists or citizens that have -- or even foreign individuals who have approached you about Turkey's interests of -- of matters before the United States Congress?

A. I -- I don't remember when those first occurred.

Q. Okay. But at some point in time, someone contacted you about offering to raise money because you were supportive of interests that Turkish-Americans were interested in; is that right?

A. Nobody ever came to me, no.

Q. And how about your campaign?

A. You'd have to ask Mr. Greenberg.

Q. Okay. Do you have any Turkish friends?

A. Turkish friends?

Q. Who had a fundraiser for you?

A. I've had Turkish fundraisers, yes.

Q. You had -- why don't -- let's talk about those.

What -- what were your Turkish fundraisers?

A. Well, there was one at the Cafe Istanbul.

Q. Okay. And -- and how was that event developed? Did somebody contact you or your campaign about that? Or did you contact them? How did that emerge?

A. Well, you would have to ask Mr. Greenberg. It emerged on my calendar and I went.

Q. So until Mr. Greenberg called you and said this event was going to occur -- until he put it on your calendar, you

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Rough Draft

didn't know anything about it?

A. Correct.

Q. Okay. why don't you just tell me generally how your

Jean Schmidt rough draft (2)

campaign works then in terms of strategy, in terms of execution. Did you, at some point, learn that this event -- well, not this event, but just in general, do you strategize and say, Let's go after this donor or these sets of donors? Or does your campaign just handle everything?

A. They handle pretty much everything.

Q. So you weren't involved at all in the fundraising components of campaign?

A. Well, you're always involved. I mean, I don't know what you mean by that question.

Q. Well, let's just say before the solicitations are made. Before the solicitation are made, you have no involvement in that -- in developing the lists of who we're going to call or have fundraisers with? You're not involved in any of that?

A. The list comes from Phil; he generates the list. And then --

Q. Of -- of prospective donors?

A. Yes.

Q. Okay. Go ahead.

A. And then depending upon what he wants me to do with them, I either make a call asking for a donation -- or not a

□

Rough Draft

donation -- a contribution, or to attend a fundraiser.

Q. Okay. And that's the limit of your involvement with strategy and direction for the campaign, in terms of fundraising?

A. Yes.

Q. Okay. And that was true in all of 2007 and 2008?

A. Since Phil's been onboard, yes.

Jean Schmidt rough draft (2)

Q. And he joined when?

A. I -- I don't know the exact date.

Q. Who is Mr. Greenberg? Who does he work for? Does he work for the congressional office? Does he work for the campaign? Does he work for --

A. He only works for the campaign.

Q. He works for the campaign, and he's paid for by the campaign?

A. Yes.

Q. Directly or through some company?

A. Through a company.

Q. What's his company name?

A. I'm not sure; I don't handle the checks.

Q. Okay. So does he work out of the campaign office or does he work out of an office in D.C. where he just does --

A. No. He works out of the campaign office or his office in Columbus.

Q. He has an office in Columbus?

□

Rough Draft

A. Yes.

Q. And why would you pay him as his company instead of him individually.

A. You'd have to ask Mr. Greenberg why that was set up that way.

Q. Okay. And did you mention to Mr. Greenberg that you would be able to raise money there Turkish interests or was that something that he decided was a fundraising opportunity?

A. It was something he decided was with a fundraising opportunity.

Q. And how did he develop that notion?

Jean Schmidt rough draft (2)

A. You're going to of to ask Mr. Greenberg.

Q. Okay. And the Turkish event at Cafe Istanbul you're talking about was in February of 2008; is that right?

A. I don't remember the date.

Q. Okay. Go ahead and turn to what is about the sixth page of Exhibit F that I've given you.

A. (Perusing document.)

MR. BREY: I hate to interrupt but did we ever get a copy of the Use Agreement back because we need it.

MR. FINNEY: Well, I signed it and handed it to you. I told you I wanted a copy back from you.

MR. BREY: I think you did. I'm sorry. If I've got it, I'll find it.

MR. FINNEY: I signed it promptly and handed it to

□

you. I'd like it if you'd lose it, but --

MR. BREY: I understand.

A. Okay. Turkish lunch.

BY MR. FINNEY:

Q. Yeah. This is sent to -- I guess, from Phil Greenberg, even though it doesn't have a "From" line. It's signed, sort of, by him at the bottom. Do you see that?

A. Uh-huh.

Q. And it looks like the disclaimer at the bottom is a "Schmidt for Congress" disclaimer. So that -- what happens is he sends it and it looks like it's -- even though he's with another company, it looks like it's from Schmidt for Congress, and then he sends an E-mail; is that right?

A. You'd have to ask him why he sent it that way.

Q. Well, I wasn't asking why he sent it that way, I'm

Jean Schmidt rough draft (2)

just asking if this particular E-mail was, in fact, sent that way because it has no "From" line on it. I'm just trying to understand that.

A. Well, this is an E-mail that was sent.

Q. From Phil Greenberg as if it were from Schmidt for Congress as opposed to being from his company?

A. That's what the document says, yes.

Q. And then it's -- and then it's sent to schmidtforcongress@fuse.net. Do you see that?

A. Yes.

□

Q. Who is the -- who -- who gets the E-mails when they're sent to schmidtforcongress@fuse.net?

A. I have no idea.

Q. Do you ever open them up and look at them when they're sent to schmidtforcongress@fuse.net?

A. No.

Q. And you have no idea in your operation who'd -- who would do that?

A. No. It depends on the time of the year.

Q. So different people might open that up. That's not, like, targeted to Barry Bennett or to your husband or anything else specifically?

A. I don't know.

Q. Okay. And in this E-mail Mr. Greenberg says "info about our Turkish friends and who is associated with the people having the fundraiser for us. Please feel -- feel free to pass on to J.S."

Do you know what "J.S." is?

A. Where are you getting that Turkish fundraiser --

Turkish-American fundraiser for Congresswoman Schmidt will be at the Turkish restaurant, date --

Q. We're on the wrong E-mail.

A. Oh, okay.

Q. This is an E-mail dated --

A. Well, you said page 8.

Q. I didn't say page 8; I said page 6, actually?

A. Oh, page 6. I'm on the wrong page. One, two, three, four, five. Okay. Wrong page, sorry. I thought you said page 8?

Q. Okay. Have you seen this E-mail previously?

A. No.

Q. Who is "J.S."?

A. I would assume it's me.

Q. Okay. And then this seemed to imply that there was something attached, "info about our Turkish friends and who was associated with the people having the fundraiser for us," but on the production there was nothing attached. Do you know if there was something attached to this E-mail?

MR. FINNEY: Don, do you know.

MR. BREY: I don't know.

MR. FINNEY: Okay. Well, I would like you to follow-up and get me that you if you wouldn't mind.

MR. BREY: Well, I -- I've -- I've been told that that's all we have.

MR. FINNEY: Well --

MR. BREY: The attachments aren't kept. You -- you can -- you can interview Barry Bennett about that when you depose him.

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MR. FINNEY: Is that the recipient of the E-mail?

MR. BREY: No. That's -- I'm sorry. Are you asking

her or are you asking me?

MR. FINNEY: I'm asking you.

MR. BREY: No. I think Barry Bennett was the one who -- who -- who pulled the documents.

BY MR. FINNEY:

Q. And then when he refers to "info about our Turkish friends sent to Schmidt for Congress," who are -- who are your "Turkish friends"?

A. I don't know.

Q. Okay. And then on February the 14th -- this is addressed to the same address, schmidtfor --

A. What page is that?

Q. This is the next page.

A. Okay.

Q. I'm sorry. See where it says "Turkish contributions online"?

A. Uh-huh.

Q. And this one is also addressed to schmidtforcongress@fuse.net and copied to lincolnmccurdy@USA.net. Do you see that up at the top -- the header?

A. Oh, yeah.

Q. Okay. And this one says: "Hi Peter, please note that" -- and Peter, that would be your husband; is that right?

A. Yes.

Q. Okay. "Please note that you may be receiving some web contributions from Turkish-sounding individuals in connection with our Turkish-counsel event to be held this Monday. Please let Lincoln know these individuals who have contributed to this site for tracking purposes."

So Phil Greenberg, in this case, was referring to Peter -- that looks like Peter, at least in some cases, opens up these E-mails; is that right?

A. I would assume so.

Q. Okay. And do you know what -- what he's referring to when he says "Turkish-sounding individuals"?

A. No.

Q. What is a "Turkish-sounding individual"?

A. Don't know.

Q. Okay. And then he refers to the "Turkish-counsel event." what is the "Turkish-counsel"?

A. I don't know.

Q. Okay. But this sound like some formal group; it wasn't just a -- an ad hoc group of individuals that got together, but a formal thing called the Turkish counsel.

Could you tell us what that is?

A. I don't know what it is.

Q. Okay. Do you know if it's affiliated with the Turkish government?

A. No. It's not affiliated with the Turkish government.

Q. Now, you didn't know anything about it until I asked you that question, and you were absolutely certain that it wasn't affiliated with the Turkish government. How did you

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know that so instantly?

MR. BREY: I believe you mischaracterized her testimony, but you can answer.

A. I don't know who the Turkish Council is, but it's not the Turkish government.

Q. Well, how do you know that if you don't know who it is?

A. Because the Turkish government is not the Turkish Council.

Q. Okay. But do you know if the Turkish counsel is affiliated with, sponsored by, or involved with the Turkish government?

A. Well, it says "Turkish-Council event," so I don't know what that means.

Q. You don't know. So for all you know, it may be associated with the Turkish government.

A. I don't know what the term "Turkish-counsel event" is. Is that a real term, or is that a term that somebody shortened to talk about something else that you and I may not have any knowledge of.

Q. Right. And siting here today, you don't know one way or the other if that's associated in any way with the Turkish

□

government.

A. I don't know what the Turkish-Council event is.

MR. FINNEY: Is that Mark again?

MR. KRIKORIAN: Is that Mark?

MR. RICHTER: No. It's Phil Richter.

MR. KRIKORIAN: Oh.

MR. RICHTER: At least you guys went a while before

Jean Schmidt rough draft (2)
you called me.

MR. FINNEY: Oh, I don't think it has been that long we've been waiting for you. Phil, we have two questions at this point that Mrs. Schmidt is refusing to answer.

MR. BREY: Actually, that's not true. She's answered them; he doesn't like her answers. He wants her to answer them differently.

MR. FINNEY: Well, actually, one she refused to answer; she claimed attorney/client privilege. We'll deal with that one first, I guess.

The first one is attached to her complaint, her affidavit -- Sworn Statement of Mrs. Schmidt, is Exhibit -- is Exhibit 4 is a spreadsheet.

Mr. PHIL: Okay.

MR. FINNEY: Of -- of she says it's of some subset of her contributor list. When I ask her other questions about that -- what, in fact, subset is that, and why did she attach it, and what information is she trying to impart to the

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commission with that, she refused to answer citing attorney/client privilege.

MR. BREY: No. Actually, that's not true. What she refuses to answer is only the last question about what was your intent of -- of including this since it's not referenced in your affidavit. It is attached to her complaint.

She answered the question saying it was attached. She answered the question saying it was attached to her affidavit when she signed it. When he was saying why was this attached to your affidavit, what was your intent? She -- she indicated that she follows advice of counsel and that it is

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attorney/client privilege.

And I told her if you have an intent -- intent apart from communication she had apart from counsel, she can tell him that but if -- if it's only basis on communications with counsel, she doesn't have to tell him that. And that's the basis of the attorney/client privilege.

MR. FINNEY: Why don't you go ahead and read the questions back. Hold on. I'm going to get the court reporter --

MR. RICHTER: The attorney/client privilege, though, is hers to -- to either grant or give up. And if she's attaching that to a public document, there must a basis for doing so that she has an understanding of-- awareness of. And I mean, why would you attach something like that that she

knows is going to be scrutinized in a public environment and not be willing to discuss the basis for including it?

MR. BREYER: Well, that's a good question. But the fact of the matter is that that's also true, why would you file a complaint and not -- and -- and -- still be able to claim the attorney/client privilege as your establishing why did you file this complaint, you know, what is the purpose of it?

You didn't ask what the document means, and her answer was as far as I know, this is what it looks like, but she doesn't know what it is. You know, in terms of intent, what was your intent in filing this in front of the --

You know, I never referred to it in any of the commission arguments I've had. It was there; it's not attached to any affidavit; it's not referred to in her

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affidavit. It is an exhibit that is attached and frankly, the reality is it was attached and that I screwed up in terms of not taking it out because nobody referenced it.

You know, the -- the -- but in -- in terms of -- of the intent, she had, you know, I don't know what -- that she had an intent other than this -- this is how the pack was presented to her.

Mr. Richter: Chris?

MR. FINNEY: Phil, again, the attorney/client privilege deals with her communications with her attorney.

I've not asked her anything -- in fact, I told her, I don't want to know your communications with your attorney. I want to know why you attached this document, and what information you intended to impart to the commission by attaching it.

If she doesn't know, then she simply needs to say "I don't know." Rather than doing that, she said I declare the attorney/client privilege.

MR. RICHTER: Yeah. I mean, unless you tell me something else, Don, I mean, if she's going to include that and it was a quote -- you know, even if it was a screw-up on your part and there's no intent, I don't know how attorney/client privilege has anything to do with that, just say, Hey my attorney screwed up. Sorry for your walk there, Don.

MR. BREY: Well, what I told her she could say what her intent was. She can't say what my intent was or what her lawyer's intent was.

MR. FINNEY: I didn't ask for your intent. I asked her to tell me why she gave that information to the commission

Jean Schmidt rough draft (2)
and what she intended to impart to them by doing that. If the answer is, I don't know, that's a perfectly acceptable answer.

MR. BREY: Do you know?

THE WITNESS: I don't know.

MR. RICHTER: Great.

MR. BREY: Well, I think we got her answer so she --

□

she can say, "I don't know" to that and we'll move on, right? You can go the record.

MR. FINNEY: We've been on the record. But that's -- we'll ask -- we'll ask it later.

And then my other question deals with her denial of the Genocide, and she tells me her position on that about 12 times like she had memorized it.

And then I read to her from a TCA, that's "Turkish Coalition of America" position paper dated November the 4th, 2008. And in that -- apparently we've established that this was written by Mr. Fein, her attorney. And Mr. Fein says and I quote, "Congresswoman Schmidt" and then dot dot dot, "does not believe the tragic events of world war I in which both Armenians and Turks were killed in harrowing numbers constitute genocide."

So we read her that statement, and the question that I asked her is, Does that or does that not accurately reflect your position on the Armenian Genocide? And she refused to answer. Instead what she did was she kept reciting back to me this idea that, well, gee, I don't know enough about it and so on. And I simply asked her to answer to question whether or not this accurately reflects her position. It's a "yes" or "no" question I would like her to answer.

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MR. BREYER: Well, she answered the question.

Actually, he probably ought to read back the transcript so you

can have a sense of what was going on. The question was asked several times, and I let it go for a while.

MR. FINNEY: We'll let the court reporter read it to you, Phil.

COURT REPORTER: Give me just a minute, please.

MR. FINNEY: Well hold on, the court reporter. It's just that if I am understanding, it was -- what you were reading, Chris, was, I presume was Fein's representation of her position --

MR. FINNEY: Correct.

MR. RICHTER: -- is that correct?

MR. FINNEY: That is correct. I can read you the whole paragraph if you'd like.

MR. BREYER: It was Fein's representation of her position in -- in a November 2008 paper. This is obviously before he was counsel for her. And, you know, he asked about it and she said: well, those are Bruce Fein's statements.

And he's saying: well, is -- is -- is this an accurate representation of your -- your position.

And she stated what her position was. Now, the problem with the "yes" or "no" answer to this question, Phil, is one that we've identified in our motion to voluntarily withdraw some of the claims.

And by the way, what he's talking about is utterly irrelevant to any of the claims that are still pending but I

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let it go on because he's wasting his own time.

But what Bruce Fein wrote was that she does not believe the tragic events of world war I constitute genocide. And "does not believe" can either mean denies, or it can mean does not have sufficient information to say if it was true or false. And therefore, a "yes" or "no" answer to that question, "Is this accurate or inaccurate," would be a misleading and a dishonest answer.

what she said repeatedly because he kept asking the same question and was upset that she kept giving the same answer, apparently, is that her position was: that she doesn't have enough information to make a judgment that it was or that it was not. That's consistent with, in one interpretation. I suppose you could also interpret it to be inconsistent with it.

But we've laid those -- that statement and others were referenced in our motion to withdraw for exactly that reason.

MR. FINNEY: Phil.

MR. RICHTER: Chris.

MR. FINNEY: He's trying to raise two different issues. One is relevant which I can get to, but just as an evidentiary matter, I simply asked her was it an accurate reflection of her position or not I didn't write it. Mr. Fein, her attorney, did. I know --

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MR BREY: Mr. Fein wrote it before he was her attorney.

MR. FINNEY: He was --

MR. BREY: Not Mr. Fein, her attorney.

Jean Schmidt rough draft (2)

MR. FINNEY: Well, okay. Mr. Fein wrote it before he was attorney, but her attorney, Mr. Fein, is the author of this document.

Now, I just asked: Does that or does that not reflect your position. It's a very simple question and she refuses to answer. Now, as a matter of relevance, if you want me to get into that, I can. Do you want me to do that, Phil?

Mr. RICHTER: Not right at the moment only because isn't it -- isn't the only thing that she could effectively answer that it is a -- is that Bruce Fein's representation of her position -- isn't that a "yes" or "no" question she can answer?

MR. BREY: That's not what the question was.

MR. FINNEY: But it wasn't written as her attorney at that time, but that's fine. I can -- I can -- is it a -- is it a -- but the question is: Does it reflect her position or not? That's an entirely appropriate question, and one that she needs to answer. It can be extremely probative for the commission.

MR. BREY: We didn't object to the question, and she answered the question. He didn't like the way she answered

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it. He wants her to say "yes" or "no."

It's a question like, Did you stop beating your wife? Because it is inconsistent under one interpretation and it is consistent under the another interpretation. So to demand that she answer "yes" or "no" to "is this consistent with your statement" or "does this reflect your statement" depends upon the interpretation of it.

She responded by saying: This is my position. I'm
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not Bruce Fein. Those are his words, not mine. And that, I believe, is a proper and responsive response to the question that he's asked at least three times.

And he didn't like her answer so he thought he'd have you force her say "yes" or "no" to his question does not admit of a "yes" or "no" answer. It all depends on how you interpret Bruce Fein's statement which wasn't her's.

MR. HARTMAN: Phil, this is Curt Hartman. I don't think that's quite accurate. Her response was she doesn't have enough information to be -- this is the repetitive statement she keeps making.

Mr. Fein makes a statement as to what her position is. She should be able to say "yes" or "no" that does accurately reflect my position. If the answer is none of that, fine. If the answer is yes, that's fine. All she says is, I don't have inform information to know, is that a "yes" or a "no"?

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MR. BREY: Mr. Fein's statement is that: Congresswoman Schmidt, based upon her research, does not believe that it was -- that it constituted genocide. "Does not believe" could either mean has no opinion one way or the other, or it could mean believe that it is not.

So for her to say that it's consistent with her statement if it means does not believe one way or the other, it is inconsistent with her statement if it means does not believe that it is not. And her answer which stated what her position was, is the only truthful way you can respond to -- to a question like that which is a equivocal question -- an equivocal question.

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MR. HARTMAN: Now are you indicating --

MR. FINNEY: Hold on, Curt. Just let -- Phil, I want to keep moving so rule and we'll go on here.

Mr. RICHTER: I'm inclined to think that all she can -- all she can assert to is whether Mr. Fein's statement fairly represents her position. I don't think -- I'm inclined to believe, too, that a simple "yes" or "no" answer is -- certainly if someone wanted to give it, they could but I don't know that it would be fairly represent full and true answer to the question.

MR. FINNEY: That's fine. Phil -- Phil, we're on the record. Why don't I just ask her while you're on the line, we'll get the answer, and then we'll let you go?

MR. BREY: I think you've got an answer.

MR. FINNEY: Can you just hang on, Phil?

MR. RICHTER: Sure.

BY MR. FINNEY:

Q. Mrs. Schmidt, we've referred previously to this document -- I'm not sure of the exhibit number, Exhibit --

A. E.

Q. -- E from the Turkish Coalition of America where -- to paraphrase: The Congresswoman does not believe the tragic events of world war I in which Armenians and Turks were killed in harrowing numbers constitutes genocide. And my question is: Does that fairly represent your position?

A. Those are Mr. Fein's words not mine. As I have continually said and will continually say: I don't know enough about this issue to determine whether it was genocide or not. I wasn't there, I don't have enough knowledge of it

Jean Schmidt rough draft (2)

at this point, and that's where I am.

MR. FINNEY: Phil?

Mr. RICHTER: To me, that sounded like a satisfactory response. It may not be that clear, but it's satisfactory.

MR. FINNEY: Thank you. We'll call you if we need you.

MR. BREY: Thank you, Phil.

MR. RICHTER: Okay. Thank you.

MR. HARTMAN: I think the videographer needs to change the tape.

(OFF THE RECORD.)

THE VIDEOGRAPHER: Please stand by.

BY MR. FINNEY:

Q. Mrs. Schmidt, I was asking you will when we broke about the February 2008 fundraiser at Cafe Istanbul.

A. Yes.

Q. We were going through some E-mails relating to that. Let me just ask you: Do you know who organized that event outside of your campaign?

A. No.

Q. Do you know of -- of an individual who solicited contributions for that event or participated in helping you raise money for that event?

A. Phil Greenberg.

Q. Right. Your own campaign staff but anybody else -- somebody who is not on your campaign staff?

A. No.

Q. Do you know a fellow by the name of Ahmet Gultekin --

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and I'm going to spell it since I'm not sure of the pronunciation: A-H-M-E-T, sometimes that's pronounced "Ahmet." Gultekin, G-U-L-T-E-K-I-N. Do you know Ahmet?

A. I don't know the name. I might know the individual, but I'm sorry, I don't remember the name.

Q. Okay.

MR. FINNEY: Do you have that photo from the event. While I'm questioning, you can dig through it. I don't think I have it.

BY MR. FINNEY:

Q. I'm going to mark something as Exhibit G. Have you seen this document previously?

(EXHIBIT G MARKED FOR IDENTIFICATION)

A. (Perusing document.)

Q. With respect to what I've given you as Exhibit G, do you know why the Turkish community raised money for you in your 2008 election cycle?

A. I'm sorry. I was reading the document.

Q. Do you know why members of the Turkish community in America raised money for you for the 2007/2008 election cycle?

A. Well, I hope it's because they believe that I'm a great American.

Q. Okay. And other than that hope, do you have any information that would indicate to you why, in fact, they are raising money for you?

A. A lot of people are interested in my campaign.

Q. I appreciate that. My question, again, is: Do you have any knowledge of the reasons why people in the Turkish-American community would want to donate to your

campaign?

A. You know, I don't ask people why they want to contribute to my campaign.

(EXHIBIT H MARKED FOR IDENTIFICATION)

Q. Okay. Let's go ahead and show you what's been marked as Exhibit H. The photo on the bottom of this, do you know what that is?

A. (Perusing document.) It's some guy. Let's see -- oh, that's Robert Wexler.

Q. No. On the bottom photo --

A. Oh, the bottom.

Q. Try this again. The bottom photo of the two --

A. Okay. The Turkish American fundraiser for Congresswoman Jean Schmidt at the Cafe Istanbul.

Q. Okay. And whose picture is third on the right of that photo?

A. Me.

Q. Yeah. And do you know anybody else who is at that table?

A. Lincoln McCurdy.

Q. And which is that individual?

A. He's second from the left.

Q. Okay. Anybody else that you could name?

A. No.

Q. Is Ahmet Gultekin in that photo?

A. I don't know.

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Q. Okay. And did -- did you go to that event?

A. Well, sure. I was sitting there.

Q. And -- and were you there for just a few minutes? Or were you there for dinner or for a couple of hours or how long --

A. About an hour.

Q. About an hour. And what was the purpose of the event?

A. To raise money for my campaign.

Q. Okay. And the people there then all donated to your campaign?

A. You'd have to ask my fundraiser. I don't take checks directly.

Q. Okay. And did any of these people talk to you at the dinner about issues of concern to them?

A. I don't remember the conversation.

Q. Well, you said previously that you -- you -- you never ask people why they give to you. Do you remember saying that?

A. Right.

Q. Okay. But sometimes people tell you why they're giving to you, right?

A. I'm sure they do.

Q. And did of any these people that evening tell you why they were giving to you?

□

A. I don't remember.

Q. Did any topic -- any issue that was pending before congress or any international topic come up at that dinner?

A. I don't remember.

Q. Did they ask for any favors from United States Congress?

A. If anybody asked for a favor, I would remember that.

Q. Okay.

A. Because that's -- would be wrong.

Q. That would be wrong to ask you to do a favor for them?

A. In conjunction -- in -- in -- in -- with money attached, yes.

Q. So --

A. I would have to leave the room if somebody was giving me a fundraiser and somebody wanted a favor, I would leave the room.

Q. So if anybody ever discussed a congressional issue with you at a fundraiser with you, you would leave the room?

A. Well, that's not a favor; that's an issue.

Q. Oh, I'm sorry. So when I say "favor," I mean a vote on a particular bill or something like that what. What did you mean by the word "favor"?

A. Well, usually a favor has some quid pro quo attached to it.

□

Q. Right. We'll get to the quid pro quo later. But what did you mean by a "favor"? What act would somebody ask you to commit if they're asking for a favor that they wouldn't ask you to commit to vote on a particular -- a certain way on the a particular issue?

A. What was that question?

Q. Well, when I asked you -- let's -- let's try this again.

Jean Schmidt rough draft (2)

If someone at that -- one of your fundraising events -- and you have more than this is you have more than this as a fundraising event, right?

A. Right.

Q. Okay. Somebody goes to one of your fundraising events and wants to talk about a pending matter before United States Congress from your perspective, that's an entirely acceptable interchange; is that correct?

A. Depending upon where the topic goes, yes.

Q. Okay. And then you differentiated that kind of conversation by saying "favor" when I said that somebody would do -- ask you to do them to do a favor in Congress.

A. Well, favor is different.

Q. And tell me what you meant by the word "favor" that would be different than that other conversation that we just discussed?

A. It's such a wide open -- usually, to me, a "favor" is

□

if you do this, I'll do that. That's a favor. That's when a conversation ends whether it's in my office or whether it's at a function to raise money. I do not do favors for people just to raise money or for any other reason. That is not in my purview.

I do what's right for the people of our district, but I do not do favors for an individual that would have a congressional context attached to it.

Q. And so with respect to this fundraiser, specifically, there's really two sides of this. One is that they would ask you to do something, and you're saying to your recollection they -- did they ask you to take a particular position on --

Jean Schmidt rough draft (2)
on any bill or resolution in Congress?

A. No. I would have left.

Q. Did they discuss -- I'm sorry. So if at a fundraiser someone asked you take a position on a bill or a resolution, you would leave the fundraiser?

A. At a fundraiser? If they asked me to -- a bill of their -- that they had a special interest in, yes, I would leave.

Q. Okay. Okay. So that's your policy: If anybody asked you at a fundraiser to take a position on a bill or resolution before Congress, you would not engage in that congress and you would leave that event; is that right?

A. If it has a particular interest to them that would

benefit them in a manner that was above the way it would benefit ordinary citizens then, yes.

Q. Oh, wow. And so, how many fundraisers have you had? Have you had a dozens of fundraisers since you've been in Congress?

A. Yes.

Q. Okay. And at all of those fundraisers, no one at those events has ever asked you to vote a particular way on a bill or a resolution that had a particular interest to them?

A. If it's at a fundraiser, I have to tell them it's inappropriate conversation and I end the conversation. Now, if they persist in it, one of us is going to leave.

Q. Okay. And has that ever happened at one of your fundraisers?

A. People have started to bring up topics at events that have been inappropriate, and I have told them that it's

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inappropriate to talk about it and the conversation ends.

Q. Okay. And have you ever then left the event because that persisted?

A. No. People have been very good about ending the conversation.

Q. Okay. So one of the things I said -- one of the reasons people might have an event would be to ask you to do certain things, and the other might be because they're appreciative of things you have done.

□

Do you know if this particular event was in appreciation or recognition of positions that you've taken in the United States Congress?

A. No.

Q. And I've given you as Exhibit G, this E-mail from Ahmet Gultekin relating to the February 18th event. Do you see that?

A. Yeah. The one that's got Dan Burton in it.

Q. Uh-huh.

A. Yes.

Q. And if you look at the bottom paragraph of that first page, can you read that to us?

A. Well, this E-mail which is the first time that I have seen it says: "Congresswoman Schmidt is one of the few members of congress which actually read Guenter Lewy's book about the Genocide, and is one of" -- that thing is missing -- "few members of Congress who actually doesn't believe that it was genocide. And an Armenian -- an Armenian American is running against her in the election because she opposes the resolution. We have a member of Congress from Ohio who is

Jean Schmidt rough draft (2)
willing to stand up to the Armenian lobby, and it is important for the Turkish community to support her."

Q. Okay. And then the next line is . . .

A. "Make a donation online to www.jeanschmidt.com flash [http.;www.dot.jeanschmidt.com](http://www.dot.jeanschmidt.com).

Q. Okay. So were you aware of the fact that people were soliciting donations to your campaign citing your -- your -- your denial of the Genocide or where it says "doesn't believe it was genocide" and citing the fact that you had an Armenian American opponent?

A. Was I aware, no.

Q. You were not aware of that?

A. Absolutely not.

Q. So did you have any idea why Turkish Americans or Turkish interests would want to raise money for your reelection campaign?

A. Well, I think there are other interests with Turkey besides this issue.

Q. Okay. Well my -- and my question is: Do you -- do you know why or do you have some understanding of why Turkish Americans or Turkish interests would raise money for your campaign?

A. I don't ask why people help me.

Q. I didn't ask if you asked; I asked if you had any understanding of why they did give?

MR. BREY: Actually, you asked whether she knew.

MR. FINNEY: Actually, I modified it by saying any understanding.

BY MR. FINNEY:

Q. But let me ask you again: Do you have any

understanding of why Turkish Americans give money to your campaigns?

A. I think it's because they know how important Turkey is to America.

Q. Okay. And no Turkish American has ever told you that they're either giving to you or raising money for you because of your position on the -- on the Genocide?

A. No -- yes, absolutely. They -- I -- the question is: Did they ever give me money and say I'm giving you money because of my position on the Armenian Genocide? They have never said that.

Q. Did your campaign ever solicit contributions because of the statements of Mr. Krikorian and his attacks upon you as it relates to the Armenian Genocide?

A. I need to understand where you're going with that.

Q. Well, I'm just you a factual question. Has your campaign -- the Jean Schmidt for Congress campaign ever solicited donations on the basis that your opponent is an Armenian American or the -- the statements that he has made about your position on the Armenian Genocide?

A. That's not -- that's not an inaccurate statement.

Q. Has your campaign ever solicited donations using that information with donors to encourage them to give?

MR. BREY: I -- I apologize. I'm -- I'm not sure I understand the question.

Q. Okay. well, there are two facts I'm talking about,

Jean Schmidt rough draft (2)

okay? One is the attacks Mr. Krikorian has made upon Mrs. Schmidt relating to the Armenian Genocide, and two is the fact that --

MR. BREY: Okay.

Q. -- Mr. Krikorian is an Armenian American.

Now I'm asking, based upon those two fact, has your campaign ever solicited donations using those two facts with donors saying you should give to me because of X or because of Y?

A. I -- I believe that we point out that he accused me of taking bribes and that would be a false and -- a false statement.

MR. FEIN: Can you put a time frame on that?

MR. FINNEY: Well, let's do that. Let's go ahead into that packet that's in front of you and in there, there's a first one is a E-mail dated September the 17th of 2008.

MR. BREY: Are you referring to Exhibit F?

THE WITNESS: What page is that? (Perusing document.)

MR. FINNEY: I don't know what page it is. September the 17, 2008. The second line of the E-mail it says: Date: September 17, 2008. I think they are in date order so it shouldn't be too hard to find.

MR. BREY: September what?

□

MR. FEIN: 17th.

MR. KRIKORIAN: 17th.

THE WITNESS: 9/17.

BY MR. FINNEY:

Q. And in this, Phil Greenberg says to Lincoln McCurdy,
Page 74

"Can we send a letter out or raise some additional funds. This is starting to become a more recognized issue in this race. And I believe they are referring to Mr. Krikorian's statements as it relates to the Armenian genocide and your position on that."

A. And the fact that he stated that I took bribes.

Q. In that article, is the one that they're referring as the one where he said you took bribes?

A. Well, Mr. Krikorian's handbill stated --

Q. I'm not interested -- the handbill came in November of '08, as I recall; is that right?

A. Yes.

Q. Okay. This -- this E-mail is in September of '08.

A. Well, you have to ask Phil why it -- what that was about.

Q. Okay. And again, I'm going to ask you: Do you or your campaign use issues to motivate people to donate to your campaign?

MR. FEIN: Can we just stop for a second? We're still trying to find the proper exhibit here.

□

MR. FINNEY: Sure.

MR. FEIN: I apologize.

MR. BREY: We are in Exhibit F. Am I looking at the right --

THE WITNESS: Here -- here -- here --

MR. BOLINGER: Look around. I think it might be page 14.

MR. BREY: Okay. Got it. Sorry.

BY MR. FINNEY:

Jean Schmidt rough draft (2)

Q. Are you aware of the fact that you're either the top, or one of the top, recipients of Turkish American donations in the United States Congress?

A. I'm not aware of that.

Q. Are you aware of the fact that the Turkish PACs have given you more money than any other -- as much or more than than any other candidate for the United States Congress?

A. I'm not aware of that.

Q. How many countries have you visited since you've been in the United States Congress?

A. Oh, wow. Oh, my gosh. Taiwan, Bahrain, Pakistan, Kuwait, Iraq, Iran -- I mean, not Iran -- Iraq, Afghanistan -- not Iran -- not Iran. I'm trying to go through the Middle East. Israel, Cosovo, oh, shoot, where is Sarajevo? we stayed there.

MR. FEIN: It's in Serbia.

□

A. In Serbia. Thank you. It was not coming to me. Barcelona, Spain oh, shoot, it was -- it was snowing starts with a "B," Bulgaria, oh, Ireland, Germany, England, Canada, Turkey. I mentioned Germany. Columbia, Panama -- oh, man, this is not going to be a complete list I didn't know it. I'm going to leave some out -- Mexico. Oh shoot. Wait a minute.

Q. It's not a memory test. You're okay.

A. Oh, shoot. The one where -- Nicaragua. Oh, Africa, I forgot about the African trips: Nigeria, Ethiopia, and I'm probably leaving things out.

MR. FINNEY: why don't we go ahead and take that 20 minute break or so that I was talking about, Counsel, and have our lunch and try to come back and wrap this up.

Jean Schmidt rough draft (2)

MR. BREY: That fine.

THE VIDEOGRAPHER: Please stand by.

(OFF THE RECORD.)

THE VIDEOGRAPHER: We are now back on the video record.

BY MR. FINNEY:

Q. Everybody ready? I want to do a few follow-up questions from this morning -- I'm just trying to understand. You said that your campaign chief of staff, Barry Bennett runs your campaigns and that there's some exemption in federal law that allows him to do that?

A. Yes. They're allowed to take an active part -- only

the chief of staff.

Q. Okay. And my understanding of what you're saying is that he -- he does that from the campaign office; he runs the campaign from the campaign office; is that right -- I'm sorry, from the congressional offices; is that correct?

A. No. He runs it from the N. R. C. C.

Q. So whenever he takes a phone call or opens up an E-mail, he goes to the N. R. C. C. in order to do that?

A. Yes. He has to do it off-site.

Q. Okay. And does he then make up the time that he takes away from the congressional office in order to do that, or is that just part of his duties?

A. Well, he works about 60 hours a week as it.

Q. Okay. Now, in terms of the bringing of this complaint, at what point did you become aware of these statements by Mr. Krikorian that gave raise to this complaint?

A. The Sunday before the elections.

Jean Schmidt rough draft (2)

Q. And how did you find out about those?

A. They were placed on cars on church property.

Q. Let me ask: How did you, Jean Schmidt, find out about them?

A. A friend of mine gave it to me.

Q. And who was that?

A. Joe Braun.

Q. Okay. And Joe's previously served on your campaign

because I've met Joe.

A. Yes.

Q. And so at some point, you came up with -- someone came up with the idea of filing this complaint with the Ohio Elections Commission?

A. Yes.

Q. Whose idea was that?

A. It was basically mine.

Q. So at some point you said to someone, I'd like to file a complaint about this?

A. When I looked at what the handbill said, they were lies. It was saying that I took a bribe. And it was absolutely false. It was a boldface lie. Things were not in proper context and I knew that Mr. Krikorian had done this to affect the outcome of the election.

Q. And when you say things weren't in the proper context, what are you talking about?

A. He misquoted a statement of mine.

Q. Okay. Well, why don't we pull that out? There's -- a copy of the complaint has been given to you already. Tell me which specific phrase you're talking about was pulled out

of context?

A. (Perusing document.) The second paragraph of the after the darkened bold "has taken \$30,000 in blood money to deny the genocide of Christian Armenians my Muslim Turks.

□

MR. BREY: For clarification, I believe we are talking about Schmidt Exhibit C and Exhibit 1 to Exhibit C.

Q. Okay. And you're saying that that bold text is somehow taken out of context?

A. No. I'm saying the one below it: At this time she does not have enough information to characterize these deaths as genocide especially when those responsible are long dead. Jean Schmidt's office March 29th, 2007.

what Mr. Krikorian failed to do was to put little dots in there because those were two separate sentences that he just put together as if it was a single sentence.

Q. Okay. That's the only thing you're referring to when you say taken out of context?

A. That statement was taken out of context, yes, from this. But there is also a problem with what's in the bold.

Q. Oh, I understand we can get to that later. So you decided at is the some pointed that you want to bring a complaint to the Ohio Elections Commission?

A. I want to say if it was feasible, yes.

Q. Okay. And who did you talk to about that other than I don't want to talk to you about communications with anyone with whom you'd formed an attorney/client relationship.

A. My chief of staff.

Q. You'd talked to Barry Bennett about then going to the Ohio Elections Commission about this?

□

A. Yes.

Q. And at that time, had Barry talked to anybody else about that or that was the first communication with him about that?

A. That was my first communication with him about that.

Q. And he -- did he say he had thought about that previously or he had talked to anyone about that previously?

A. I don't remember his reaction. It was right, right at -- well, it was right over the phone so I can't tell you what the reaction was because I called him right before the election.

Q. Okay. And so how is it that then the complaint was bought? What happened after your conversation with Mr. Bennett?

A. Well I got elected, took down yard signs. And then we pursued the feasibility of seeing where we could go with this.

Q. And who did you communicate with after that?

A. Barry Bennett did all the communication after that.

Q. You never had any conversation with anyone about this other than with Barry Bennett, other than with your retained counsel?

A. About going to the Elections Commission on this?

Q. Correct.

A. Initially, no; after we filed it, yes.

□

Q. Okay. And we'll talk about that in a minute. But

prior to that, you never were approached or talked to by Lincoln McCurdy?

A. Outside of preparation to take it to the Elections Commission when it was surfacing an idea, no.

Q. Okay. And then let's talk about the preparation to take it to the Elections Commission. How did you find Mr. Fein as your attorney? How was that -- how did that happen?

A. You would have to ask Mr. Bennett.

Q. You did not have anything to do with retaining Mr. Fein, except through Mr. Bennett?

A. Through Mr. Bennett.

Q. You didn't have any conversation with anyone about that?

A. No.

Q. And with respect to obtaining Mr. Brey, the same answer? You didn't have anything to do with it; Mr. Bennett took care of it.

A. Exactly.

Q. And do you know when that occurred, when they were retained to bring this action?

A. I don't have the exact date, no.

Q. Now this particular complaint was brought on April the 29th of 2009?

□

A. Right.

Q. Do you know why it took so long after the election to file it?

A. Well, in part, we were pretty busy in Congress on other issues that I had to focus a lot of my attention on.

Jean Schmidt rough draft (2)

Q. So at that time, Mr. Bennett had to spend his time on congressional activities instead this on this complaint is that, right?

A. In part yes.

Q. Is that the only reason?

A. You would have to ask him.

Q. Okay. Because you had nothing to do with that preparation except by and through Mr. Bennett?

A. Correct.

Q. You didn't talk to any third party about it other than your own attorneys?

A. Other than my own attorneys? When we were preparing it, we talked to the attorneys.

Q. And do you know in what month you retained Mr. Brey and Mr. Bennett -- or Mr. Fein?

A. No.

Q. Was it shortly before filing the complaint or was it closer to the election?

A. I don't know.

(CERTIFIED QUESTION)

□

Q. And how is Mr. Brey and Mr. Bennett -- Mr. Fein being paid for these legal services?

MR. BREY: Objection. I instruct the witness not to answer.

MR. FINNEY: Okay. Certify that question and we'll take this up with Mr. Richter.

MR. BREY: I will tell you an identical question was objected to in another deposition.

MR. FINNEY: I heard that it was. What's the basis

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to for the objection?

MR. BREY: Well, it's already been ruled upon among other things. It's irrelevant to this case. It's not one of the relevant matters.

Q. Have you retained Mr. Brey and Mr. Fein personally or is it the campaign that has retained them?

A. The campaign has retained them.

Q. They work for the campaign?

A. Yes.

(CERTIFIED QUESTION)

Q. Okay. And that has your husband then signed an engagement letter with them?

MR. BREY: I would object to that. That that goes to the attorney/client communication. You're not entitled to information.

MR. FINNEY: So you're telling her not to answer?

□

MR. BREY: I'm going to telling her not to answer.

BY MR. FINNEY:

Q. Do you know -- there's been other charges incurred other than legal fees --

(SOTTO VOCE DISCUSSION)

MR. FINNEY: I'm sorry. We want to certify that last question as well.

Q. Others than just legal fees, there's been travel expenses for Damir Karzan (phonetic) and others in this. Do you know who's paying those expenses?

A. No.

Q. Is your campaign paying those?

A. I don't know.

Q. Who would know?

A. The treasurer.

Q. Peter Schmidt?

A. He's no longer the treasurer.

Q. Who's the treasurer now?

A. Phil Greenberg (phonetic.)

Q. Now in terms of the drafting of the complaint, did you draft the complaint?

A. No. My attorneys drafted the complaint.

Q. I see. You say since I'd asked you a question previously and that said who had you talked to about bringing the complaint and you said until the drafting, I hadn't talked

□

to anybody but Berry Bennett and I said I'd get to that later. Do you remember that interchange?

A. Yes.

Q. And my question is: who else have you talked to about the bringing of the complaint since that time, since the beginning of the drafting and so on?

A. I have no idea.

Q. You have no idea who you talked to about the complaint?

A. I couldn't -- I could hardly give you an accurate list of the countries that I've visited because I've noted that I've missed two in the four years that I've been in Congress, so I can't give you a list of the people I talked to.

Q. Well why don't you tell me people you remember having talked to about the complaint?

A. I really can't -- other than my chief of staff or my

attorneys?

Q. Correct. Other than those two, is there anybody else you've talked to about the complaint?

A. I can't definitively tell you who I did or I didn't talk to about the complaint.

Q. Do you remember something called the Turkish Caucus in Congress; is that right?

A. Yes.

Q. When did you join the Turkish Caucus?

A. Either late last year or early this year.

Q. And why did you join the Turkish Caucus?

A. Oh, I join many caucuses.

Q. Super. I appreciate that information. That didn't answer my question. My question is: why did you join the Turkish Caucus?

A. Well, understanding the importance of Turkey and our role in the war on Terror. I think it's important to have a good relationship with Turkey at this point because they're extraordinarily valuable asset for us with the war on Terror.

Q. Is there any other reason?

A. Well that would be my reason sir.

Q. Did anybody outside of your own staff ask you or encourage you to join the Turkish Caucus?

A. I've been encouraged to join many caucuses. I only join them when I feel that I have a particular interest to be involved.

Q. Thank you. Again, that question wasn't responsive so I'll ask the question again.

A. I don't know.

Jean Schmidt rough draft (2)

Q. Did anybody outside of your own staff ask you or encourage you to join the Turkish Caucus?

A. I don't know.

Q. You don't remember anybody doing that?

A. I don't -- I'm asked all the time by many people to join many caucuses. I don't remember exact dates or exact people, so I honestly have to tell you I don't remember.

Q. That's a good answer. That's fine.

Now at some point, you actually did a trip to Turkey I think earlier this year maybe; is that right?

A. Yes.

Q. Tell me what about the trip to Turkey. Who organized that?

A. It was -- I'm not sure of the exact group but we filed it with the Ethics Committee in Congress to make sure that I could legally and ethically go on the trip.

Q. Okay. So some group outside of the United States Congress, not the Turkish Caucus itself, organized the trip to Turkey?

A. Yes. That's not unusual.

Q. That's fine. It's in accordance with the Congressional Rules.

A. Yes.

Q. And who did you talk to about going on that trip? Who invited you? Who did you make arrangements with?

A. Well, Barry Bennett brought it to my attention and he made the arrangements. Well, actually, my assistant, Jennifer Pielsticker, made the arrangements.

Q. Did you ever speak with anyone outside of your staff

about going on that trip prior to going?

A. Yes.

Q. With whom did you speak?

A. I don't remember every meeting or every conversation.

A. I didn't ask you to remember every one. Just tell me the ones that you do remember.

A. Okay.

Q. And that will be a general rule. When I ask you a question, there might be a hundred facts that you know and that exist and you only remember four of them. I'm just looking for the ones that you remember, okay?

A. Okay. We had a meeting in my office with members with other people that went on the trip.

Q. Members of Congress or --

A. Their staff, their high-level staff.

Q. So other congressional staff members talking about the trip?

A. Yes. We had a meeting in the office.

Q. Did you talk to anyone outside of the staff of the United States Congress about that?

A. I don't know.

Q. Did you talk to Mr. Fein about that before you went to Turkey?

A. I don't remember.

Q. Did you talk to Mr. Saltzman about it?

A. I don't know who Mr. Saltzman is.

Q. He's one of your attorneys in this case.

Jean Schmidt rough draft (2)

A. Okay.

Q. Have you ever been spoken with Mr. Saltzman?

A. I don't know.

Q. Let me ask you this: Have you ever had any conversations with Mr. Fein before he became your attorney in this case?

A. I don't remember.

Q. Do you remember meeting him before he became your attorney in this case?

A. Looking at him today, does he look familiar to you? Somebody that you knew before he became your attorney?

A. Yes.

Q. And in what context did you meet with him or speak with him previously?

A. I meet with so many people for so many different reasons.

Q. Well let's try this: Saying "I don't remember" is a perfectly good answer, instead of a longer answer. So is that what you're saying, you don't remember?

A. You know, I remembered his face but I didn't remember his name.

Q. Okay. Do you know the name of someone by the name of Fettullah Gulan?

□

A. No.

Q. You don't?

A. No.

Q. You don't remember Fettullah Gulan being on your trip to Turkey and squiring you all around the country of Turkey?

A. I guess he did. I'm really bad with names. I don't

Jean Schmidt rough draft (2)

know who that individual is, but if you show me a picture I might remember the picture.

Q. And you don't know that Fettulah Gulan and his family has given you thousands and thousands of dollars to your congressional campaign?

A. No.

Q. How about the name Yalcin Ayasli?

A. Nope.

Q. You don't remember that name at all as being somebody that went along with you on the Turkish trip or has made contributions to your campaign?

A. No.

Q. With respect to the trip to Turkey, who then paid for your travel? Who paid for your accommodations, etcetera?

MR. BREY: I'll object. I'll let her answer the question, but I'll object because this entire line of question is about a trip that took place in 2009 has nothing to do with the allegations in the complaint.

MR. FINNEY: Thank you.

□

MR. BREY: You can answer if you'd like.

A. Well, it occurred in the latter part of May of this year, and I don't remember the organization that put this trip on. Again, it went through the Ethics Committee in Congress. They said it was an appropriate trip and I went.

Q. To your knowledge, was it paid for by the Turkish government?

A. No, it would not have been -- I don't know. I really don't know, Chris. I don't handle those details. When we are given the opportunity to go on trips outside of the

Jean Schmidt rough draft (2)

congressional CODEL all of that information has to go to Ethics Committee. I don't prepare the documents. Generally my chief of staff prepares the documents and then either generally Mrs. Pielsticker -- Ms. Pielsticker would then deliver the documents and do subsequent communication. I don't have any communication for any travel plans for any trip that I take other than: This is when you're going. Here's your itinerary. Here's what you need to have packed. And maybe a week if I'm lucky before the trip I'm told what the parameters of the trip are going to be and what the weather is going to be.

Q. Okay. So you have no idea how your lodging was paid, how your food was paid, how your domestic travel --

A. No.

Q. -- was paid or how you got there?

A. No.

Q. Okay. Now let's talk about there's another document that you produced in conjunction with a document request in this case. And what we have done is we had to paste it together in order to make it make sense to us.

MR. FINNEY: Don, may want to look at that first.

Is that all one thing here?

MR. BOLINGER: It should be.

MR. FINNEY: There's not two pages?

MR. BREY: I thought there was two pages.

MR. BOLINGER: That might be folded.

MR. FINNEY: Yeah, it's folded under. But I'm saying this is everything? Actually, it's not folded under. Is that the whole production that you had? Look at -- pull yours

out.

MR. BOLINGER: That's got to be --

MR. FINNEY: Here's yours. Yeah. This is everything. (Perusing document.)

MR. BOLINGER: See look. (Indicating document.)

MR. FINNEY: Yeah, well why don't you go to the front desk and see if you can get some tape and we'll make a complete exhibit.

(EXHIBIT I MARKED FOR IDENTIFICATION)

BY MR. FINNEY:

Q. Let me go ahead and show this to you. This will be

□

marked as exhibit --

MR. FINNEY: What are we on? Do you know?

COURT REPORTER: H.

MR. BREY: I think we have H already marked.

COURT REPORTER: Do we?

MR. BREY: It's this picture.

COURT REPORTER: Okay. Thank you.

MR. FINNEY: Do you have stickers?

COURT REPORTER: I have these. Are these okay?

MR. FINNEY: Uh-huh. Just give me an "I." I've got them, but they're buried here somewhere.

COURT REPORTER: Okay.

BY MR. FINNEY:

Q. And I'll give you what's been marked as Exhibit I. It's a very long scroll, like going back to ancient Israel here, roll that up.

A. (Perusing document.)

Q. We asked your attorney -- we asked you actually to

Jean Schmidt rough draft (2)

produce -- you, your campaign and your congressional staff to produce your contribution records as they related to Turkish donors and this is essentially what your staff -- what your attorneys produced to us. Do you recognize this as such?

A. Since I didn't prepare the document, I can't say whether I do or I don't.

Q. Okay.

□

MR. FINNEY: Don, I guess can you just help me with this? I mean, we've had both Exhibit 4 to the complaint and this and I get a blank stare from your client. Is --

THE WITNESS: There's nothing on here, you know. This is a plain piece of paper. It could have been brought out of thin air. I don't know where it came from.

MR. FINNEY: Well I didn't produce it, so I'll let your attorney --

THE WITNESS: Okay. Well, I don't know where it was produced or who produced it. You just handed it to me.

MR. BREY: This looks like it's taped together with the documents that are attached to Exhibit F, if that's your question, which was a response to her --

MR. FINNEY: Since she can't tell me what exhibit four is and she can't tell me what this is, for the record, why don't you tell us what we're looking at?

MR. BREY: You're looking at a document that was produced as response to a query of her campaign committee. And I can't remember exactly what it was stated, but it was either at paragraph 4, 5, 6 and 7 I think are the paragraphs of the subpoena that requested certain documents relevant to fund raisers that referenced Turkish Americans in some

fashion.

MR. FINNEY: Okay. And these are --

MR. BREY: And this is -- these are the documents

that as of through 2008, they don't have any documents prior to 2007 or they may have been a contribution. You know, we've referenced the FEC stuff on that. So this is not including the 2009 information.

MR. FINNEY: And this is responsive then to that inquiry; is that correct?

MR. BREY: That's my understanding.

MR. FINNEY: These obviously then do not include any contributions from political action committees, these are just individuals; is that correct, Mrs. -- either one of you can answer, really.

THE WITNESS: Well, well I don't see a political action committee on here. It would say "PAC."

MR. FINNEY: And Don, I had asked you last week if this represented the 2007 contributions.

MR. BREY: Yes. And I've talked with the campaign manager, Barry Bennett who said this includes 2008 and prior in terms of the documents they have, other than, of course, the documents that are on file with the FEC. And you can verify that with him when you depose him next week, but he was the guy who pulled these documents together, not just me.

BY MR. FINNEY:

Q. And Mrs. Schmidt, do you know how much you received in contributions in the 2007/2008 election cycle from Turkish Americans or people supporting the Turkish entity?

A. The exact amount?

Q. Correct.

A. No.

Q. Do you know how much you received from the Turkish Coalition of America PAC?

MR. FEIN: Chris, is this election cycle 2007/08?

MR. FINNEY: Uh-huh.

A. Not at this time. I mean, I'm sure I knew it then but I don't know it now; the exact amount, no I don't.

Q. Okay. Are you familiar with the fact that your attorneys Mr. Fein and Mr. Saltzman are principals of the Turkish Coalition -- I'm sorry the Turkish American Legal Defence Fund?

A. Yes.

Q. And what is the Turkish American Legal Defense Fund?

A. It's a US organization that has PAC.

Q. The Legal Defense Fund does?

A. I don't know. I don't know. I guess it doesn't. I don't know. I don't know what it is.

Q. And do you know what the Assembly Of Turkish-American Associations is?

A. That, I don't know.

Q.

MR. FINNEY: What's the other PACs name?

MR. HARTMAN: The Turkish American Heritage PAC, do

□

you know anything about that.

A. No.

Q. And are you familiar with how much money they've given to your campaign in the 2007/2008 election cycle?

A. No.

Q. Have you ever met with Lincoln McCurdy?

A. Yes.

Q. How many times have you met with Lincoln McCurdy and what do you know about him?

A. I don't know how many times I've met with him; more than once, more than twice, more than five times.

Q. And when you met with him what did you talk about?

A. A variety of things.

Q. Did you ever talk to him about the issue of the Turkish -- I'm sorry of the Armenian Genocide?

A. We've talked about the resolution that was -- never was actually voted on in Congress, but we talked about that resolution.

Q. We're going to get to that a little bit later. What did he tell you about the resolution?

A. That basically Turkey and America are extraordinarily important partners in the war on Terror and that if we were to insult Turkey, that it may have been a draconian effect. I believe that it was Mr. -- I don't know -- there were other people that gave me other, and it could have been my chief of

□

staff so I'm not going to answer the rest of it. I just know that that is the tenet of what he would have said to me.

Q. You're not going to answer the question because of why?

A. There are other reasons why. I don't know whether it was Lincoln McCurdy or my chief of staff or someone else that

Jean Schmidt rough draft (2)
brought to my attention the history of this Genocide Resolution in Congress and how past administrations have talked to various speakers of the House and reminded them, whether it be President Clinton or President Bush or President Bush the -- II -- that in having Congress make an official act on this could jeopardize our relationship with Turkey.

Now that was said to me, but I don't remember who said it.

Q. So you said "jeopardize relationship," and then you used the word "draconian." Can you tell me what you mean by that? So if the United States recognized the Turkish genocide, what fate would befall us?

A. Well I think you have to look at where we are with Turkey today and the war on Terror. And you have to look at the geographic --

Q. Go ahead. I'm sorry.

A. -- the geographic position of Turkey. And you have to say to yourself, How does it play out with the war on Terror and how important is it for us to have success for

safety of the men and women in the battlefield.

Q. So I asked you a question which is that you told me that Lincoln McCurdy told you the word draconian and term -- I forget the other term -- but bad consequences would come to us if we --

A. No. We have a relationship with Turkey. The American government has a relationship with the Turkish government. Do we want to jeopardize that relationship by putting a resolution to the floor of Congress that may, in fact, do that? That's what he was saying.

Jean Schmidt rough draft (2)

Q. And what are these draconian consequences that Mr. McCurdy told you about if that did in fact --

A. He didn't explain it, but other people did.

Q. Who explained it to you?

A. My chief of staff would have been one and others that...

And some it is sensitive documents that I can't talk about because they're, you know, in the -- some of it has to do with sensitive documents that I have read about the war on Terror which I have signed an affidavit that says I will not disclose or discuss. And I don't want to get into a debate at this time and then cross over a line that I shouldn't be crossing over.

Q. Well, I'm not going to be asking about anything that you've promised some government agency to keep secret, okay?

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Let's be clear about that.

A. It's not a government agency, it's Congress. When you have sensitive documents and you are allowed to read these documents, you're not allowed to take any notes on that those documents. You walk away -- you're not allowed to have a pen, take notes or anything, and they have to be sworn in confidence and secrecy because of the sensitivity of the documents. So I hesitate when I get into discussions in this realm because I don't know what I've learned in the confines of that special room and what I've gleaned in a newspaper.

Q. Let's -- talk to me about that for a minute. As a member of Congress, there are times when you're called into some special room where you review and read documents without taking notes and that you promise confidentiality of those

Jean Schmidt rough draft (2)
documents; is that correct?

A. Yes.

Q. And how many times has that occurred since you've been in the United States Congress?

A. More than once.

Q. More than ten times?

A. Including the meetings, yes.

Q. And I'm not asking -- is that because of a particular committee that you sit on or a subcommittee?

A. No. If I was on a particular committee, it would be more times than you could possibly remember. As members of

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Congress, there are times when we are given the opportunity to read sensitive documents or go to meetings that have a sensitivity involved with them.

Q. Okay. And when you do that you're signed a document swearing that you will keep that information confidential?

A. Yes.

MR. FINNEY: Don, she's claiming some sort of privilege that I'm not aware of. I guess I would like to see these documents that she signed that create this privilege.

THE WITNESS: I'm not sure they would give them to you.

MR. FEIN: You mean a nondisclosure agreement?

MR. FINNEY: Correct.

THE WITNESS: I'm not sure that Congress would give that --

MR. FEIN: I'm sure that we will be able to get copies of from the House. This is customary when --

THE WITNESS: And in some cases, you don't -- you

know, it depends on whether you go into the special room or the other room, or whether a meeting but you're told it's classified and you're not allowed to talk about it.

MR. FINNEY: well, for purposes of this conversation, I'm not sure I'm waving that for purposes of my questions for now. So in other words, I'm going to state my general statement. I've asked the question, she's refused to

answer. I insist that she does, she's refused to answer.

THE WITNESS: well, what am I refusing to answer?

MR. BREY: what's she refusing to answer?

MR. FINNEY: well, I've asked her questions about what and she's telling me she won't answer the question because --

MR. BREY: No, she's not told you that. She's answered the question and she's said that she's trying to be careful when she answers the questions so she doesn't fall foul of something else.

Now, that discursion may have been nonresponsive in terms of that, but I think she did respond to the question.

BY MR. FINNEY:

Q. Okay. well, I can ask her the question again, which is: what are the draconian consequences that are supposedly going to befall the United States? Those are your words, not mine. If --

A. Perhaps I shouldn't have used the word "draconian" because I was only trying to remember a conversation and that's where you fall into trouble when you're trying to remember a conversation. I don't remember exactly what the man said. what he brought to my attention was that Turkey and

Jean Schmidt rough draft (2)
America have a good relationship and that --

Q. That he essentially threatened consequences to that relationship --

A. No, he did not.

Q. You need to let me finish my questions.

MR. BREY: Well, you need to let her finish her answer too. And you interrupted her answer, then she interrupted your question that interrupted her answer.

MR. FINNEY: Okay.

Q. Go ahead Mrs. Schmidt.

A. Turkey and America have a good relationship. It has evolved over the last 20 years; it's had its ups and its downs. But in signing this -- in having Congress debate and pass this resolution the way it was written, the way it was prepared would have been an insult to the government of Turkey and that could jeopardize America's relationship with Turkey.

Q. Why?

A. You'd have to ask the Turkish government, you know --

Q. Well you just made the statement. I'm asking you your reasoning for having made that statement.

MR. BREY: Are you asking about the conversation she had with Lincoln McCurdy?

THE WITNESS: Why --

MR. FINNEY: No. I'm now asking her "why?" She made the statement that if we did this, it would result in a deterioration with Turkey and I said, "why?"

A. One of the things that members of Congress have to be keenly aware is that the world doesn't act the way we do,

and that some countries are very sensitive to certain things. And that is why you have a secretary of state because their role is to learn those nuances, those sensitivities, what hand you would bring to shake, whether you'd bear an arm, whether you look somebody directly in the eye, all of those things are particular to different countries throughout the world. I am not an expert on all of them; I'm not an expert on any of them, but I do understand that each nation that we deal with has its particular sensitivity or a particular nuance.

Now when I'm told by someone that passing the Armenian Genocide Resolution would make a country uncomfortable in dealing with this, I take that at face value in the same way that if I go to Afghanistan and I give an individual an Afghanistan military person an award and I look him directly in the eye, he thinks that is insulting to him. Because, you know, when you make that mistake once and you're told that was the wrong thing to do, you learn that when you hand somebody from Afghanistan an award, you look down in order to do it.

I'm not an expert in this, but when somebody tells me that if you do something there's going to be a reaction, I take that that's the way people's emotions, governments' emotions are, and you go forward.

Q. And that's what Mr. McCurdy told you, that if the United States Congress adopted the resolution regarding the

Armenian Genocide that there would be an adverse reaction from Turkey?

A. Well, it could jeopardize our relationship with

Turkey.

(EXHIBIT J MARKED FOR IDENTIFICATION)

(EXHIBIT K MARKED FOR IDENTIFICATION)

Q. I'm going to go ahead and show you what's been marked as Exhibits J and K. I've given you copies. Are these the two resolutions? One is from the 110th Congress and one is from the 111th Congress.

A. Yes.

Q. One is --

A. Yes. I believe they are, but let me read them.

MR. BREY: I'm sorry which are they?

THE WITNESS: This 110th and then this would be the 111th, the Armenian Genocide Resolution.

MR. BREY: Oh, I see, okay.

BY MR. FINNEY:

Q. And are these the resolutions that you're talking about?

A. Yes.

Q. Why don't you tell me: Have you formulated a position on these two resolutions? Neither of these has been voted on in the Congress.

A. Right.

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Q. But if they had been voted on that --

MR. HARTMAN: In the subcommittee.

Mr. Brey: Objection. This goes far beyond any issue dealing with this case.

MR. FINNEY: Thank you.

A. They were voted on in a committee that I don't have jurisdiction of.

Jean Schmidt rough draft (2)

Q. Great. And my question is: Have you formulated a position as to how you would vote on these if they had come to the floor of Congress?

A. It's really irrelevant. The one is is gone and you don't know what happened on a House floor until it happens. And this one, the March 17th, 2009, when it came forward, I don't think it's gotten out of committee yet.

Q. I appreciate your interpretation, but my question is: If House Resolution 106 had come to the floor of Congress in the 110th Congress, had you decided how you would vote on that if it did?

A. No.

Q. You never did?

A. No.

Q. And how about the one that is pending right now before the 111th Congress.

A. I haven't decided yet.

Q. You haven't decided yet?

A. No.

Q. But I thought you just told us that you were opposed to this because of the adverse effect it would have on Turkish relations.

A. You didn't ask what my percentage of decision was, but have I decided, is this the absolute yes or no? No.

Q. Okay. Well, why don't you tell us --

A. I have room to change my mind on this.

Q. Why don't you tell us what your attitude toward these resolutions is, what your position is?

A. You know --

Jean Schmidt rough draft (2)

MR. FEIN: That's a speech and debate clause. That's privileged material.

THE WITNESS: Exactly.

MR. FINNEY: Are you instructing her not to answer?

MR. FEIN: Yes.

MR. FINNEY: Okay.

MR. HARTMAN: On speech and debate grounds?

MR. FEIN: Yes.

MR. BREY: And if you think, it's on relevancy grounds.

BY MR. FINNEY:

Q. Have you communicated with anyone outside of the Congress of your position on House Resolution 106 from the 110th Congress or House Resolution 252 from the 111th

Congress?

MR. BREY: Objection as to Exhibit K, House Resolution 252. That's not relevant to the current issues of this case.

A. I don't know.

Q. You don't know if you've ever spoken with anyone about your position on House Resolution 106 from the 110th Congress or House Resolution 252 from the 111th Congress?

A. The resolution never came to the floor for a vote.

Q. I didn't ask you that. I asked if you've spoken to anyone about it.

A. But -- but words do matter here.

Q. You're right, they do. I asked a pretty precise question.

MR. BREY: Chris --

Jean Schmidt rough draft (2)

A. The fact that it didn't come to the floor didn't mean that it had an opportunity to have any amendments attached to it or any verbiage changed. And so once the 110th session left all you have is this document but this document never came to the floor for an opportunity to be changed for any consideration so it's really irrelevant because we didn't vote on it.

Q. Okay. I appreciate your viewpoint that it's irrelevant, but I'm asking you a question which is: Have you ever had conversations with anyone about your position on

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House Resolution 106 before the 110th Congress?

MR. FEIN: Chris, that's -- that's still -- it's speech or debate. If you're asking her to talk of whether she had or remembers conversations with other members in Congress that's clear within the scope of Speech Or Debate Clause. It's different if you're talking of whether she talked to the press, that's a different area.

MR. FINNEY: Okay.

BY MR. FINNEY:

Q. Well have you talked to anybody outside of the United States Congress about your position on House Resolution 106 before the 110th Congress?

A. Yes.

Q. Who did you speak with?

A. I can't tell you.

Q. Did speak with Mr. McCurdy about it?

A. I'm sure I don't know I don't know.

Q. Did you tell anybody what your position was on that position?

Jean Schmidt rough draft (2)

A. I know I've spoken in front of groups.

Q. Okay when you speak in front of groups did you tell them what your position was on it?

A. I don't know. I don't know exactly what was said on the position of the resolution or the issue at hand so I can't directly answer it.

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Q. I'm not asking you what was said by some third party I'm asking you Jean Schmidt member of Congress if you'd ever spoken with anybody about House Resolution 105 [sic] from the 110th Congress and if so, what did you say?

MR. BREY: Same objection. Unless you mean, by "anyone."

Q.

Q. 106, I'm sorry.

MR. BREY: Anyone other than members of Congress or anyone --

MR. FINNEY: Anyone other than members of Congress or your since retaining counsel.

A. I'm sure I have. I don't remember the conversation, so I can't answer it beyond that.

Q. Okay. And you say you've spoken to groups about this issue?

A. I've spoken in front of groups. The issue may have come up, but I don't remember what I said.

Q. Okay. And would one of those -- so what groups would you have spoken to about it?

A. I don't know.

Q. What would one of these groups have been the fundraiser that you had in February of 2008 at the Cafe

Istanbul?

A. I don't know.

Q. You don't know if you spoke about House Resolution 106 at the 110th Congress at that event or not?

A. No.

Q. And then with respect to House Resolution 252 before the 111th Congress have you had any conversations about that?

MR. BREY: Objection as to relevancy. Also I assume by conversation, again you mean other than by people in Congress?

MR. FINNEY: I am, yes.

MR. BREY: You can answer the question as to people other than members of Congress and your counsel.

A. Perhaps. I don't remember.

Q. Now you told us before about how friendly the Turkish government is to the United States. Do you remember that conversation?

A. We have a good working relationship, yes.

Q. And did the Turkish government's decision not to allow its ally, the United States of America, to invade Iraq from the north in 2003 cost American troops casualties?

A. What?

Q. Well you acknowledge the Turkish government made a decision before we invaded Iraq to prevent us from using Turkish airspace or territory to effectuate that invasion; is that correct?

MR. BREY: Objection as to relevancy. The ads at

issue talk about present tense of what happened in November 2008 and what happened in 2003 has no relevancy today.

MR. KRIKORIAN: Sure it does.

MR. FINNEY: Are you instructing her not to answer?

MR. BREY: No, I'm not.

MR. FINNEY: Thank you.

BY MR. FINNEY:

Q. You acknowledge that the Turkish government refused us access to its airspace and land space to help us conduct the invasion in 2003, correct?

MR. BREY: Objection. Separate the question between airspace and land space because I think you're asking two different questions.

(SOTTO VOCE DISCUSSION)

Q. Okay. Let's talk about invasion from the north via the land.

Do you acknowledge that the Turkish government refused us access to its land for purposes of conducting the invasion of Iraq in 2003?

Q. They did, but then they changed their mind.

Q. When did they change their mind?

A. I'd have to go back and look at the timeline. They changed their mind, but at that point and I wasn't a member of Congress I'm just going through a time line in my mind of events, the generals probably had a different way to go after

whatever targets they were going after.

Q. And do you acknowledge that their refusal to allow us access to their land for purposes of conducting the invasion

Jean Schmidt rough draft (2)
cost American lives?

A. No. How can you say that?

Q. Well, I'm asking you the question. You're the one that gets to answer.

A. Well you -- that's like saying -- I don't know how you answer the question. I'm really sorry, but because you have to change your position to make an invasion, you're assuming that the change in the position then cost lives. I don't know that.

Q. Okay. Are you aware that the new government of Turkey -- well, you talked earlier about Ataturk and how he made Turkey a secular country and made that part of the constitution, do you remember that?

A. Yes.

Q. And are you aware that the current government of Turkey, in fact, is implementing a religious form of government and they're moving away from the reforms that Ataturk put in place?

A. I think that's an over-characterization of what's going on.

Q. Okay. Well, why don't you tell me your understanding?

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MR. BREY: Objection.

THE WITNESS: This is irrelevant.

MR. BREY: One, it's irrelevant. Two, you haven't really laid a foundation.

BY MR. FINNEY:

Q. You can go ahead and answer.

A. I think you're overstating it.

Jean Schmidt rough draft (2)

Q. Okay. Why don't you go ahead and tell me how I'm overstating it?

A. Well, I think there's a fear among people that this government may be moving into a more religious position, but from what I gathered in being there in May, that is still a fear. And maybe things have changed since May, but I think you've overstated the situation.

Q. Does Turkey have an Islamic government today?

A. I believe it still has a secular government today.

Q. And were you aware that the Turkish prime minister has been reprimanded by the Turkish Supreme Court regarding the bringing of Islamic law to the Turkish government?

A. No.

Q. Are you aware of any Turkish government involvement in Al-Qaeda?

A. No.

Q. How about any Turkish involvement in Al-Qaeda?

A. No.

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Q. Do you think that Islamic governments are a threat to the United States?

A. Depends upon the government.

Q. So as a general rule, no, it's not a threat. It depends upon, subjectively, the government; is that right?

A. Well, it depends upon who -- yeah, it depends upon the government.

Q. What about radical Islam?

A. Radical Islam? In what context, radical Islam?

Q. Is radical Islam a threat to the United States?

A. It depends upon the context that you're using the

term "radical."

Q. Would the war in Iraq have progressed differently if they had allowed an invasion, a land invasion to go through Turkey?

A. I don't know. I'm not a general.

Q. Has any military -- any briefing that's not privileged you've received or any other information you've received would that lead you to could that conclusion?

A. No. That would have -- what was the question? I forgot the question.

Q. Could the war in Iraq have progressed differently if we had been allowed to use land through which to invade --

A. Well differently, yeah, but in what context differently?

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Q. Well, to start --

A. If I pull out of my driveway backwards or forwards, that's going to have a different behavior, but the outcome might still be the same.

(SOTTO VOCE DISCUSSION)

Q. Okay. There are a number of influential former members of Congress who are paid lobbyists for the government of Turkey. Are you aware of that?

A. Yes.

Q. And are you aware that a Dennis Hastert is a paid lobbyist for the government of Turkey?

A. I am now.

Q. Well, I wasn't asking you as a result of my question. I'm not sure that you should rely on my questions as a source of your information.

Jean Schmidt rough draft (2)
MR. BREY: I would agree with that.

THE WITNESS: I didn't know. I guess so.

MR. FINNEY: Well, I could get quite far quite far with that line of questioning evidently.

BY MR. FINNEY:

Q. Other than -- are you -- prior to my question, prior to today, are you aware that Dennis Hastert is a lobbyist, a paid lobbyist for the government of Turkey?

A. No.

Q. How about Dick Gephart?

A. No.

Q. Have you ever had any conversation with any of them about US relations with Turkey?

A. With who?

A. Dennis Hastert or Dick Gephart.

A. Dennis Hastert, no. Dick Gephart, I don't -- I don't even -- I didn't know he was a paid lobbyist for Turkey. I don't remember any conversation with Dick Gephart.

(EXHIBIT L MARKED FOR IDENTIFICATION)

Q. Attached to Mr. Krikorian's answer to this complaint was an article by the Southern Poverty Law Center about the monies that Turkey is pumping into the United States to influence the debate about Turkey and the genocide. Have you ever -- I'm going to go ahead and mark this as Exhibit L.

Have you ever had an opportunity to see that particular part --

MR. FEIN: Chris, could you give us copies.

MR. FINNEY: Sure, I'm sorry.

MR. FEIN: There, thanks.

Jean Schmidt rough draft (2)

MR. FINNEY: I imagine your familiar with that
though, Bruce.

MR. FEIN: Yes, I am. I wanted to make sure I --

A. No, I haven't. And do you want me to take the time
to read all this?

Q. No. I just want to know if you had ever read it or

were familiar with the contents of it.

A. No.

Q. Okay. And so you have not read Mr. Krikorian's
answer to the compliant in this matter?

A. No.

Q. Okay. Let's just talk about for a minute about the
Turkish Coalition of America PAC. You receive campaign
contributions from that organization, correct?

A. Yes.

Q. To your knowledge, is there any connection between
the Turkish Corporation -- Turkish Coalition of America PAC
and the Turkish government?

A. To my knowledge, there is no relation.

Q. And what do you base that knowledge upon?

A. Well, the fact that there has been no allegation that
has surfaced that would suggest that it is. There's been no
FBI investigation for anyone that has received any money from
this organization and...

Q. Can you say definitively that there is no connection
between the Turkish Coalition of America PAC and the Turkish
government?

A. Based on the knowledge that I have, and based on the
knowledge that I have, yes.

Jean Schmidt rough draft (2)

Q. Okay. And what is that knowledge?

A. The fact that there has been no investigation,

there's been no allegations, there's been nothing that is reported that would suggest that it has any relationship with the government of Turkey.

Q. And how do you know there's been no allegations and no investigation?

A. Well because when you put something on a report if there has been an allegation, it is duly noted and then you have to explain yourself or turn the money back or do something.

Q. So you've actually made inquiry of Lincoln McCurdy about that issue or some other person?

A. Have I mad an inquiry of Lincoln McCurdy, no.

Q. Okay. So what do you -- has anybody on your behalf asked Lincoln McCurdy that question?

A. I don't know.

Q. So your knowledge about the connection between the Turkish Coalition of America PAC and the Turkish government is just based upon an absence of information. You don't know for sure that there is no connection, you just don't know that there is?

A. I know that there are no red flags.

Q. Thank you. And how about the Turkish Heritage PAC that we talked about previously?

A. Same thing.

Q. The exact same set of answers for them?

Jean Schmidt rough draft (2)

A. Yes.

Q. You don't know one way or the other if there's any connection between them and the Turkish government?

A. There's a no red flag.

Q. Okay?

MR. BREY: Can we take a very short break?

MR. FINNEY: Sure absolutely.

THE VIDEOGRAPHER: Please stand by.

(OFF THE RECORD)

THE VIDEOGRAPHER: We are now back on the video record.

BY MR. FINNEY:

Q. One thing I kind of didn't get to and want to, we talked about the Turkish event in Newport, Kentucky in February of 2008. I also want to ask you about one in May of 2008 in New York City.

A. Yes.

Q. And did you attend one there?

A. Yes.

Q. And can you tell me again how that came about, who talked to you about it, who planned it and arranged it and so on?

A. It was on my schedule.

Q. So to your knowledge your staff handled it and you had very little involvement in setting it up?

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A. Yes.

Q. And outside of your congressional staff -- or your campaign, there's no one you've talked to about setting up that event?

Jean Schmidt rough draft (2)

A. I don't remember talking to anyone. It was on my schedule. It was, Do you want to do this? Here's the time, here's the dates. And I had to give up my Indy tickets and I said okay.

Q. You missed the Indianapolis 500?

A. I did.

Q. In order to attend that?

A. Yes.

Q. And can you tell me who was in attendance at that event, anybody you remember?

A. My chief of staff.

Q. Was Mr. McCurdy there?

A. Yes.

Q. Anybody else you know?

A. His wife.

Q. Was this Yalcin Ayasli there?

A. I don't know.

Q. Were there any donors at all that you remember having been there?

A. No.

Q. Do you recall any of the conversations that you had

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Rough Draft

at that event?

A. Personal conversations, no.

Q. I don't know what you mean by "personal," any conversations of any type: personal, congressional, campaign?

A. I don't -- no, I don't recall the conversations.

Q. Was either of the resolutions that we talked about relating to the Armenian Genocide discussed at that event?

A. I don't know.

Jean Schmidt rough draft (2)

Q. It may have been.

A. Could have been; may not have been.

Q. And did you give a speech at that event?

A. Yes.

Q. What did you talk about?

A. I don't remember.

Q. How does it happen when you give a speech? Do you write your own speeches or does Mr. Bennett write it, or how did the text of that speech come up?

A. Depends.

Q. Well, let's talk about that specific speech. Do you remember?

A. No.

Q. Do you know if those are typed out? Do you read from prepared work that Mr. Bennett or someone else on your staff prepares when you give a speech in an event like that?

A. Sometimes I do. Sometimes I don't.

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Rough Draft

Q. And would the copy of that be available in your files or word processor?

A. Mine?

Q. Your personal, your campaign or the congressional office?

A. I don't know whether it was prepared. I don't know whether I talked off the cuff. I don't remember.

MR. FINNEY: We would like to get a copy of those speeches and we'll send you a follow-up letter.

MR. BREY: Weren't those covered in the original subpoenas? I think they were.

MR. FINNEY: I would hope so, but I haven't received

Jean Schmidt rough draft (2)

them in they were.

MR. BREY: My understanding is if they exist and were covered in the original subpoenas they've been provided to you except insofar as they're already in the record as something here on the FEC website.

Q. Have you heard of a company called Hittite Microwave?

A. What?

Q. Have you heard previously of a company called Hittite Microwave?

A. I don't remember.

Q. It's something that would be kind of hard to forget, wouldn't it?

A. Not really.

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Rough Draft

Q. Okay. So you may have heard of it and forgotten about it, or you may never have heard of it, you don't know?

A. I don't know.

Q. Okay. In your complaint, you take issue with Mr. Krikorian's use of the word sponsorship that the two PACs that gave you money were sponsored by the Turkish government, do you remember that?

A. Yes.

Q. When -- what did you -- what did you give meaning to the word sponsor? When you say that, what do you mean?

A. First off, you have to go back to where is the -- when he says, "Representative Jean Schmidt has taken \$30,000 in blood money to deny the genocide of Christian Armenians by Muslim Turks," what he is saying is that I took a bribe.

Now, there has to be a quid pro quo. What's the quid pro quo? And then he says, "the Turkish government."

Jean Schmidt rough draft (2)

Q. Well, I think the quid pro quo would be your denial of the Turkish Genocide and your opposition to House Resolution 106 in the 110th Congress. That's what he's talking about, right?

A. He's saying I took a bribe.

Q. What's your definition of the word "bribe"?

A. In this context, he's saying that I did a quid pro quo and when you say that a member of Congress has done something for a quid pro quo, that is a bribe.

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Rough Draft

Q. So you're saying you did not -- are you admitting or denying that you, in fact, traded your vote in the United States Congress for a pledge for your vote --

A. I never voted.

Q. I understand that. -- or a pledge for your vote --

A. I never pledged.

Q. -- in exchange for a campaign contribution?

A. I never pledged or committed or voted on this resolution currently or the one in the 110th Congress.

Q. And you in fact have testified that you don't recall ever having any conversations with anyone outside of the Congress, outside of your congressional staff about House Resolution 106 from the 110th Congress; is that correct?

A. I don't remember those conversations, no.

Q. Oh, now don't you don't remember them. Before you told me they didn't occur.

A. I believe what -- it depends on. You were --

MR. BREY: Objection. I think you're mischaracterizing the testimony.

A. I don't what you -- you're mischaracterizing what

we're talking about.

Q. So you may have had conversations with people wherein you traded your vote in exchange for those campaign contributions?

A. You're good trying to trick somebody up, but it's not

Rough Draft

going to work, sir.

Q. I'm just trying to understand your testimony, then. Tell me what your testimony is on that?

A. I don't even know where you're going.

Q. What is it that you don't remember?

MR. BREY: Objection. That's an improper question. You asked one question, then you manipulate the question to say oh, then you said this. Why don't you ask a direct question. I think it's getting into an exchange that's not getting anywhere.

(TELEPHONIC INTERRUPTION)

(SOTTO VOCE DISCUSSION)

BY MR. FINNEY:

Q. Well actually this line of questions started over the use of the word, "sponsorship." In paragraph 14 of the complaint, you take issue with the words "Turkish government sponsored."

A. Paragraph?

Q. This is of the original complaint, paragraph 14 exhibit C.

MR. BREY: Okay.

A. (Perusing document.)

Q. Go ahead. I'm sorry.

A. Okay.

Jean Schmidt rough draft (2)

MR. BREY: Is there a question pending?

Rough Draft

MR. FINNEY: Yes.

Q. My question has been: what is it that you mean when you refer to the word sponsor, you say that's a false statement, but tell me what your understanding of the word "sponsor" is?

A. Well let's read paragraph 4 so everyone has a clear understanding of what it says.

Paragraph 14: "Paragraph 4 of the November 2nd, 2008, letter further repeats the false assertion that Jean Schmidt 'insanely deny'" -- and then "es" is in brackets to show that we made it the verb to work with the sentence, "'... the Christian Armenian Genocide at the hands of the Muslim Ottoman Empire.' It also largely repeats the doubly false statements in Krikorian's website for the reasons set forth in paragraphs 8 and 9 of this complaint: 'Jean Schmidt has taken \$30,000 in blood money from Turkish sponsored political action committees to deny the slaughter of 1.5 million Armenian men, women, and children by the Ottoman Turkish Government during world war I.' In addition the statement makes the false assertions that I received campaign contributions from 'Turkish government sponsored' political action committee. No political action committee that donated to my campaign was 'Turkish government sponsored.' True copies of the affidavits of Lincoln McCurdy," M-C-C-U-R-D-Y, "and Demir," D-E-M-I-R, "Karsan," K-A-R-S-A-N, "treasurer and

Jean Schmidt rough draft (2)
president of the Turkish Coalition USA PAC and the Turkish
American Heritage PAC, respectfully, are attached as
Exhibit 3."

Q. And by reading that paragraph, you think that's
somehow responsive to my question?

A. Yes.

Q. Okay. well, let me try it again. what is your
understanding of the word "sponsor" as used in Mr. Krikorian's
statement and in your paragraph?

A. That I took money from the Turkish government is what
he's saying to say.

Q. So your understanding of the word "sponsor" is direct
flow or passthrough of money from the Turkish government
through the PACs to you?

A. Yes.

Q. And that's false. That would be wrong. That's
illegal?

Q. Okay. what about if donors to the PAC had gotten
money from the Turkish government?

A. I don't know how to answer that. That would be -- I
don't know how to answer that.

Q. And do you know if donors to those PACs had gotten
money from the Turkish government?

A. I don't know that they did or they didn't.

Q. when did you -- strike that.

□

Have you received any gifts of any type from Turkey
or any of the Turkish lobbyist?

A. Gifts from a lobbyist?

Q. when you were in Turkey or otherwise, have you ever

Jean Schmidt rough draft (2)
received a gift from the government of Turkey?

A. I'm allowed under certain conditions to receive gifts from foreign governments.

Q. You know, it's amazing. I ask these questions that seem pretty simple and you gave me an answer that's utterly unresponsive. Let me try it again: Have you ever, either on your trip to Turkey or otherwise, received a gift from the government of Turkey?

MR. BREY: Objection. The question's irrelevant to the extent it talks about events after November 2008.

MR. FINNEY: Thank you.

BY MR. FINNEY:

Q. Please answer the question.

A. I don't know.

Q. You don't know if you've received gifts from the government of Turkey?

A. I can't absolutely answer yes or no.

Q. And have you ever received gifts from Turkish lobbyists?

A. Gifts from lobbyists?

Q. Yes.

A. I don't -- I only received gifts that I'm ethically allowed to receive, so I don't know whether --

Q. Why --

A. Because I asked --

Q. -- why do you keep doing this?

A. Because Chris --

Q. I'm asking you a very simple question?

A. Chris, wait, it's not a simple question. There are --

Jean Schmidt rough draft (2)

MR. FEIN: Define "lobbyist" so that there's a universe of people. You mean people who are registered under the Foreign Agents Registration Act or are otherwise registered as lobbyists? It's a colloquial term.

BY MR. FINNEY:

Q. People who are registered as lobbyists, have you received any gifts from them, lobbyists for the government of Turkey?

A. I don't believe so. I don't know.

(SOTTO VOCE DISCUSSION)

MR. FINNEY: This is something you all produced for us today. I guess we need to get copies of it.

MR. BOLINGER: Actually that is what they produced today.

MR. FINNEY: That's what I said.

MR. BOLINGER: Oh, I thought you said not produced.

MR. FINNEY: Yeah, produced today. So I don't know,

□

do we have a way of getting copies at the front desk?

MR. HARTMAN: You may be able to, yes.

MR. FINNEY: Why don't you do that while I continue then.

BY MR. FINNEY:

Q. Have you ever visit Mr. Krikorian's campaign website?

A. Have I ever logged onto it personally?

Q. Uh-huh.

A. No.

Q. Have you ever seen a printout of any of it?

A. Yes.

Q. What parts of it have you seen printouts of?

Jean Schmidt rough draft (2)

A. I can't specifically tell you.

Q. So under what circumstance would you have seen these printouts of Mr. Krikorian's --

A. Somebody would have handed it to me and said, Did you see what Mr. Krikorian wrote?

Q. So it's just relating to the exhibits to this complaint is the things that you've seen?

A. No. There have been others.

Q. So is it my understanding you don't use a computer, is that why?

A. I don't use a computer.

Q. Are you aware that it is a crime in Turkey to discuss the Armenian Genocide?

□

MR. BREY: Objection. I think there's no foundation.

MR. FINNEY: Are you telling her not to answer?

MR. BREY: No. I'm saying that you should ask it directly rather than insinuate facts are in evidence which aren't.

Q. Are you aware of the laws in Turkey as it relates to the discussion of the Armenian Genocide?

A. No.

Q. Would it bother you to know given your support of Turkey that the Turkish government doesn't have respect for the First Amendment rights as we do in the United States of America?

MR. BREY: I would object. It's utterly irrelevant what she would feel or what would bother her what the Turkish government does. It also, once again, assumes fact not in

Jean Schmidt rough draft (2)
evidence and frankly not pertinent to any of this case.

MR. FINNEY: Are you are instructing her not to answer?

MR. BREY: I'm not instructing her not to answer.

If you want to tell him what bothers you or not or respond as best you can, go ahead.

A. Every country is different.

BY MR. FINNEY"

Q. So it would not affect your support of Turkey to know

□

that?

MR. BREY: Objection. Again, you are telling her that something is true and asking her to believe it's true and there's no foundation it is true. And then asking her to guess what she would feel if that, in fact, were true. It's an obscure question that -- if she's able to answer, go ahead.

A. I don't know what their First Amendment rights are.

(EXHIBIT M MARKED FOR IDENTIFICATION)

MR. BREY: Thank you. Which exhibit is this?

MR. FINNEY: M.

Q. There's a --

A. So now when we know when I joined the Turkish caucus.

MR. BREY: He hasn't asked you a question. He can ask you a question.

THE WITNESS: Okay.

Q. Yeah. Well, let me ask that question. Do you now know looking at Exhibit M when you joined the Turkish caucus?

A. Apparently it was in March.

Q. March of?

Jean Schmidt rough draft (2)

A. 2008.

Q. It looks like early March of 2008; is that right?

A. Well, March the 10th it says I'm going to. That doesn't mean I officially joined, but sometime in March I would assume that I did.

□

Q. So you went to a fundraiser at Cafe Istanbul that raised more than \$10,000 on February the 18th and within two to three weeks of that event, you then joined the Turkish Caucus and apparently related that to Lincoln McCurdy; is that right?

A. Did I relate it to Lincoln McCurdy? No. Mr. Bennett did.

Q. I see. But it was related to Mr. McCurdy all in that same two or three week timeframe; is that right?

A. Appears so, yes.

Q. And your testimony has been that there's no connection between those massive contributions that were received on February the 18th and your actions prior to March the 10th on that issue; is that right?

MR. BREY: I would object. There's been no testimony or evidence that the contributions she received were massive.

MR. FINNEY: Thank you. You can answer.

A. You are making assumptions as to why the Turkish caucus exists or for whatever reasons a member would want to become a part of the Turkish Caucus. There are other issues with Turkey besides this genocide question.

Q. I didn't say anything about the genocide. All I said was on February the 18th of 2008, you went to a fundraiser at

Jean Schmidt rough draft (2)
Cafe Istanbul where you raised more than \$10,000 from Turkish

Americans who were desirous of supporting your candidacy and less than three weeks later, you joined the Turkish Caucus of the United States Congress. First of all, those dates are indisputable, right? Both of those things happened?

A. Yes.

Q. The second question then is: Are you telling me that there was no correlation between those events, that you received \$10,000 on February the 18th and within three weeks, you joined the Turkish Caucus. There was no what you call "quid pro quo." There was no cause --

A. No.

Q. Let me finish the question. There was no cause and effect relationship between those two events?

A. No.

Q. Was this about the same time that you formulated your position against House Resolution 106 of 110th Congress opposing recognizing the Armenian Genocide?

A. I think I've been very clear that it is a question for debate to use the term "genocide." And I've been very clear that I don't --

Q. Go ahead. I'm sorry.

A. I've been very clear that I don't have enough -- I just wanted to make sure you were listening.

Q. I'm listening.

Q. That I don't have enough knowledge to determine

whether it's a genocide or not?

Jean Schmidt rough draft (2)

Q. Okay. When did you first meet or talk to Lincoln McCurdy?

A. I don't remember.

Q. Do you find it strange that Lincoln McCurdy would take such an interest in a second term Congressman from Ohio who doesn't have any particular influence on the issues that he has before Congress other than as a congressman, just one of 435 members of Congress?

A. No.

Q. And if I told you that you're the No. 1 recipient of contributions from Turkish Americans and Turkish PACs in the United States for any member of the United States Congress, can you give me any explanation for why that would be?

A. No.

Q. Again, can you tell me when your attorney/client relationship was created with Mr. Bruce Fein?

A. I can't give you an exact date, no.

Q. Are you aware that Mr. Fein and Mr. Saltzman do legal work for a variety of Turkish and Turkish-American organizations?

A. No.

Q. Are you aware that Mr. Fein or Mr. Saltzman have been registered agents of the Turkish government?

MR. BREY: Objection. Lack of foundation.

□

MR. FINNEY: I'm just asking if she's aware of it.

A. No.

Q. I think I asked you this I just want to make sure I understand it: The two affidavits that I submitted on the complaint in this matter, do you know who drafted those?

(Coughing.) Excuse me, I'm sorry.

A. No.

Q. You only saw drafts through your chief of staff, Mr. Bennett?

A. Yes.

Q. So any interaction he had with your lawyers or any outside persons would have been through him and not directly with you?

A. Yes.

Q. I just want to ask you about a few of your donors to see what you know about them, if anything.

You received a three maximum contribution from people with the last name, Ayasli, A-Y-A-S-L-I, Orhan, Yalcin and Bahar. Do you know any of those individuals?

A. No.

Q. Of the list, two lists that you produced of presumably Turkish-American contributions, only one or two of these people resides in your district. There are some 30 or 40 people who do not. Why would those people have a particular interest in your campaign?

□

A. You'd have to ask them.

Q. There's somebody named Kaya Boztepe, K-A-Y-A, last name, B-O-Z-T-E-P-E, gave you \$1800. Do you know that person or why he would write an \$1800 check to your campaign?

A. I didn't know it was a guy until you told me, so...

Q. Actually I don't know that. It may very well -- Kaya is a woman's name, so it may very well be a woman. I don't know. Kaya is a woman's name typically in America I should say. Who knows what it is in --

Jean Schmidt rough draft (2)

A. I don't know. I don't know the individual.

(SOTTO VOCE DISCUSSION)

Q. And we're already asked you, you don't know who Ahmet Gulteken is and you've never met him to your knowledge?

A. I don't remember meeting a man by that name. I may have met that man, but I don't remember the name.

Q. It may be a woman for all I know. Is there a woman by the name of Ahmet?

A. Well, that's true. It could be. I don't know.

MR. FINNEY: Why don't we go ahead and make copies of that.

MR. BREY: Incidentally, on Exhibit I, I just noticed you seem to have omitted the name Halilullah Ture. I don't know whether that makes a big difference, but you probably should be aware that there is --

MR. FINNEY: You all omitted or I did?

□

MR. BREY: You did. The documents we gave you had that.

MR. FINNEY: It was on what you produced and it was not on what I've given you back?

MR. BREY: It's not a big deal to us. I just wanted to bring it to your attention.

MR. FINNEY: Can you show me, Don, where I'm missing that name? I'm missing something here.

MR. BREY: Yeah. If you take a look at the short list, the next page.

MR. FINNEY: Oh, on the next page?

MR. BREY: The top, top line. It looks like they pulled those four over, but they omitted the top.

Jean Schmidt rough draft (2)

MR. FINNEY: Oh, this street?

MR. BREY: Yeah, I think this is the county, this is the name (indicating document.)

MR. FINNEY: I just have that one other document that I want to ask her about. And I don't know if you have any rehabilitative testimony you want, but I'd just like to confer with my counsel for a few minutes and then wrap up.

MR. BREY: Okay. Want us to step out?

MR. FINNEY: Yes, that's fine. We'll go off the record.

THE VIDEOGRAPHER: Please stand by.

(OFF THE RECORD)

□

THE VIDEOGRAPHER: We are now back on the record.

MR. FINNEY: I'm going to see a specialist about this this week, by the way. I still can't get rid of it.

MR. FEIN: Are you still from...

MR. FINNEY: It's not anything bad but...

MR. FEIN: Drugs don't work?

MR. FINNEY: They haven't yet.

MR. HARTMAN: We're good down here.

MR. FINNEY: There you go, okay.

BY MR. FINNEY:

Q. I asked you previously about this fellow who's a fairly significant donor to your campaign by the name of Yalcin Ayasli -- and I apologize if I don't know how to pronounce his name -- and you said you have no idea who he is; is that right?

A. I don't regular the name.

Q. And I'll represent to you that it's my understanding

that he was your escort throughout your trip to Turkey. You spent days and days with him. You have no recollection of Yalcin Ayasli?

A. Was he the tall guy?

Q. I don't know if he's tall or not. And I don't know if he's blond, brunette, or redhead or anything else.

A. You know, I have a bad habit of not being able to remember names.

Q. Well, hopefully it's Exhibit N, which kind of looks like a w on there. We'll...

MR. FINNEY: What is that?

COURT REPORTER: It's an N.

MR. FINNEY: That's an N.

MR. BREY: N, as in "Nancy."

COURT REPORTER: Chicken scratch.

(EXHIBIT N MARKED FOR IDENTIFICATION)

BY MR. FINNEY:

Q. It might jog your entry, but this looks to me to be a and calendar entry made on the internal computer by Jennifer Pielsticker, who you've identified as your scheduler, for November the 17th of 2008, which would be shortly after the 2008 election. And at this event, it says that your host for the evening are Drs. Yalcin and Serpil Ayasli. Does that jog your memory at all as to who Dr. Ayasli is?

A. No.

Q. Do you remember spending the evening of November 17th of 2008, with Dr. Ayasli?

A. Not with a name, no. I have to be honest with you. I don't remember the people's names.

Jean Schmidt rough draft (2)

Q. Okay. What about this event. It was a Turkish Coalition of America reception that you went to immediately after the 2008 election, which is a dinner for Ambassador James Jeffrey. Do you have any recollection of that?

MR. BREY: I'll object as to continued objection as to relevance because of the data, but you can answer.

A. The only thing I remember is going to the Willard Intercontinental Hotel, walking in for five minutes and leaving.

Q. And why did you go?

A. Well, there are a number of receptions that we are invited to go, and you pick and chose the ones that you go to. Why I chose this one I can't remember at the time, but it is not a habit of mine to stay more than five or ten minutes at any given reception.

Q. And did you at that event talk to anyone about the Armenian Genocide Resolution, either visit?

A. I don't remember, no. I don't remember, sorry.

(SOTTO VOCE DISCUSSION)

Q. Okay.

A. Did you say March 17th on this? This last event says it was November 17th, right after the election.

Q. Okay. I have to stand corrected because I was looking at March 17, 2008. Where is that on the Exhibit N?

A. Well, it's not; it's Monday but I'm getting tired so I looked at it as March, sorry, and I thought that's what you said. But I looked at it as March 17.

If it's 11/17/08, there was a dinner that I attended. I didn't stay for the whole dinner I stayed for

part of it.

Q. Well, I ask all the same questions: Do you recall being with Dr. Yalcin Ayasli that evening?

A. No. And I probably was sitting right next to him and I really don't remember.

Q. Okay. And did you recall if at that event, you discussed the Armenian Genocide Resolution with anybody in attendance?

A. I don't remember, no.

Q. Did you discuss at that event your defeat of that Armenian-American candidate, Mr. David Krikorian?

A. I don't know.

(EXHIBIT O MARKED FOR IDENTIFICATION)

Q. Okay. I'm going to show you what's been marked as Exhibit O. And we were originally confused by the dates, so I don't want you to be. This was from March of '07. This is something produced by your office. Again, this is Ms. Pielsticker. Again, it appears to be a calendar entry. It says you're meeting with the Armenian National Committee, and this is a meeting at which Mr. Krikorian attended. Do you remember this meeting?

A. Yes.

Q. Okay. And what do you recall about this meeting?

A. Well, it was in my old office building, my old office. I moved offices since then. And I remember that my

friend, actually, in Cincinnati actually called me and said

Jean Schmidt rough draft (2)
that Mr. Krikorian was her friend and that he wanted to meet with me in Washington and we did.

Q. And who was that that called you?

A. Michelle Schneider.

Q. Michelle Schneider said that she wanted you to meet with Mr. Krikorian?

A. That it was her friend, her neighbor and that I should meet with him. He wanted to meet with me.

Q. And and the topics of that conversation were House Resolution 106?

A. Yes.

Q. Do you remember that?

A. I remember Mr. Krikorian wanting me to sign onto House Bill 106.

Q. But you told me previously that you had no recollection of ever discussing House Resolution 106 with anyone. Now you're telling me you remember that conversation?

A. Well this is in confines of my office and you were -- the context of your questions before were at fundraisers and event.

Q. Oh, well okay. Tell me, have you ever discussed House Resolution 106 with anyone in your office or anyone else at any time?

MR. BREY: Again, objection as to if the anyone else

□

includes other --

MR. FEIN: Members of Congress.

MR. BREY: Members of the Congress or counsel.

A. I remember Mr. Krikorian's meeting very well because he became extraordinarily angry at me. It's a meeting you

don't forget.

Q. Okay. Well, I didn't ask you why your answer changed. I asked you if you remembered having conversations with anyone else ever anywhere other than members of Congress and your counsel about House Resolution 106.

MR. BREY: Objection to the statement that her answer changed. I don't know whether it did or not. The transcript will show it. But you can answer his question.

A. I don't remember other conversations. I remember this one only because of how irate he became in my office.

Q. Okay. So other than this particular conversation now you don't remember any conversations about House Resolution 106 at all with anyone, ever?

A. Again, I don't remember any other conversation with any particular person. This I remember because of his attitude in my office.

Q. That's fine. Let's just go on -- well, let me just cover that issue, the attitude with the office. So what happened then, why don't you tell me specifically when you say he got agitated. Why don't you tell me exactly what happened

□

at that meeting in your office?

A. Mr. Krikorian wanted me to sign onto this resolution and I told him that I needed to have more information, to which he kept arguing his point of view. And then he began to scream so loudly. Now my chief of staff was not in the office at the time, but came in and said, "Is there a problem?" That's how loud Mr. Krikorian was.

Q. Okay. Well, go ahead. Tell me more.

A. And I politely told Mr. Krikorian -- he apologized

Jean Schmidt rough draft (2)
forgetting so upset. He asked to discuss it further, and I told him that I would investigate it further and formulate my own opinion.

Q. Okay. And is it customary after you have such meetings in your office with constituent groups that you have photos taken?

A. All the time.

Q. And did you then that have a photo taken with this group?

A. I would imagine I did.

Q. And if Mr. Krikorian was hostile and angry with you about that meeting, wouldn't it be odd that you would be seen five minutes later smiling together at a photo in your office?

A. No.

Q. So you acknowledge that that, in fact, happened?

A. That we had a picture? I would -- I don't know

□

whether we did or we didn't, but if I was betting I would bet we did because 99.99 percent of the time when meetings with constituents occur in my office, we always take a photo.

Q. And then later that evening, you went to a reception with the Armenian National Committee as well, did you not?

A. I guess I did.

Q. And so you obviously weren't terribly upset about this conversation you had with Mr. Krikorian because you then smiled and took a photo with him and socialized with him that evening, right?

A. I still was upset with his demeanor, but put that aside and you move forward.

Q. Now at this meeting, if you look at this calendar

Jean Schmidt rough draft (2)
entry, who drafted this document that we're looking at, do you know?

A. I don't know who drafted it. It appears to be Jennifer Pielsticker, but I don't know who drafted it.

Q. Okay. But this appears to be a calendar entry prepared by Ms. Pielsticker and the text in there would be something that she would have written; is that correct?

A. Right.

Q. And in there she says that the topic of the meeting is Armenian-American community issues, resolution -- House Resolution 106, the genocide in Darfur, foreign aid, and blockade against Armenia. Do you see that?

□

A. Yes.

Q. And what is the genocide in Darfur?

A. Well, I don't want to get -- I have to think of Darfur. It's in the Sudan. And at the time of this, I don't have my calendar for that period in front of me, but I believe the UN aid was being stopped and the folks were -- in Darfur -- were in need of aid and were starving and literally dying.

Q. And I think I've even heard you speak of Darfur. You've spoken a lot about the events in Darfur, right?

A. Correct. It's just on this particular date, I don't know what the time frame was of what we discussed with Darfur.

Q. Okay. But you have acknowledged that what was going on in Darfur was, in fact, a genocide right?

A. I haven't said it's a genocide. I've said it's an atrocity.

Q. You've never referred to it as a genocide?

Jean Schmidt rough draft (2)

A. I don't believe I have.

Q. Okay. And do you believe what was going on at that time in Darfur was a genocide?

A. I can't say whether it was a genocide. I can tell you it was an atrocity.

Q. Have you ever voted on a resolution in Congress about the genocide in Darfur?

A. The genocide in Darfur, I don't remember.

□

MR. FINNEY: I'm just going to confer real quick with my counsel. I think we're ready to wrap up.

MR. BREY: Want us to take off?

MR. FINNEY: If you don't mind.

THE VIDEOGRAPHER: Please stand by.

(OFF THE RECORD)

THE VIDEOGRAPHER: We are back on the video record.

MR. FINNEY: I don't have any more questions.

MR. BREY: We have nothing further. We advise you to read your deposition of this transcript.

(DEPOSITION CONCLUDED AT 3:34 P.M.)

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