

DEPOSITION OF SUZANNE DeFRANCIS  
CONDUCTED ON WEDNESDAY, SEPTEMBER 25, 2002

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COPY

IN THE UNITED STATES DISTRICT COURT  
THREE JUDGE COURT, WASHINGTON, D.C.

MCCONNELL, et al.,  
Plaintiffs,  
v. CONSOLIDATED CASES  
FEDERAL ELECTION COMMITTEE, 02-0582  
Defendants.

Deposition of PORTER NOVELLI  
BY SUZANNE DeFRANCIS  
INDIVIDUALLY AND AS 30(b)(6) WITNESS  
Wednesday, September 25, 2002  
Washington, D. C.  
10:15 a.m.

Job No.: 12-5894

Pages 1 - 63

Reported by: Diane K. D'Argenio, RMR



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1           Deposition of PORTER NOVELLI BY SUZANNE  
2 DeFRANCIS, INDIVIDUALLY AND AS 30(b)(6) WITNESS,  
3 held at the offices of:

4  
5                   HELLER, EHRMAN, WHITE & MCAULIFFE  
6                   1666 K Street, Northwest, Suite 300  
7                   Washington, D. C. 20006  
8                   (202) 912-2000

9  
10                           Pursuant to agreement, before  
11 Diane K. D'Argenio, Registered Merit Reporter  
12 and Notary Public in and for the District of  
13 Columbia.

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A P P E A R A N C E S

ON BEHALF OF THE INTERVENORS:

MICHELLE M. UMBERGER, ESQUIRE

HELLER, EHRMAN, WHITE & MCAULIFFE, LLP

One East Main Street, Suite 201

Madison, Wisconsin 53703

(608) 663-7460

ON BEHALF OF PORTER NOVELLI:

ERIC T. GORDON, ESQUIRE

DAVIS & GILBERT, LLP

1740 Broadway

New York, New York 10019

(212) 468-4879

ALSO PRESENT: Laurence D. Paredes

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C O N T E N T S

EXAMINATION OF SUZANNE DeFRANCIS	PAGE
By Ms. Umberger	5

E X H I B I T S

(Attached to the Transcript)

PORTER NOVELLI DEPOSITION EXHIBIT	PAGE
1 Ad script dated 7/25/00 & 8/3/00	27
2 Ad script dated 7/25/00 & 8/3/00	40
3 Ad script dated 8/2/00	48
4 HBC Conference Committee Communications Plan	52



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1	Did you do anything today or	10:16:50
2	previously to prepare for this deposition?	10:16:53
3	A I met with my lawyer today, this	10:16:55
4	morning.	10:16:57
5	Q Did you meet with him at any time	10:16:57
6	before that?	10:16:59
7	A No.	10:17:00
8	Q What is your position at Porter	10:17:02
9	Novelli?	10:17:03
10	A I'm senior vice-president, director	10:17:04
11	of public affairs.	10:17:06
12	Q When did you start with Porter	10:17:08
13	Novelli?	10:17:09
14	A I started with Porter Novelli in	10:17:10
15	March of 1997.	10:17:11
16	Q What were you doing before that?	10:17:18
17	A I was the deputy director of	10:17:19
18	communications at the Republican National	10:17:22
19	Committee.	10:17:25
20	Q And as senior vice-president of	10:17:31
21	public affairs what were your duties at Porter	10:17:34
22	Novelli?	10:17:36
23	A I direct our public affairs practice	10:17:38
24	and I represent clients in our practice.	10:17:40
25	Q Could you briefly describe the work	10:17:45

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1	that's done at Porter Novelli?	10:17:47
2	A We are a public relations firm that	10:17:50
3	engages in communications for our clients.	10:17:54
4	Everything from media relations to advertising,	10:18:01
5	to research.	10:18:06
6	Q What type of clients do you serve?	10:18:08
7	A Well, there's a lot of them.	10:18:11
8	Typically they're clients who have a message	10:18:17
9	they want to get out regarding either a product	10:18:22
10	or an issue or their industry.	10:18:25
11	Q Are these generally businesses or	10:18:32
12	individuals or both?	10:18:34
13	MR. GORDON: Objection.	10:18:37
14	A It varies.	10:18:39
15	Q Has Porter Novelli served as a	10:18:42
16	consultant for the Chamber of Commerce?	10:18:45
17	A To my knowledge, when I've been there	10:18:48
18	Porter Novelli has never directly represented	10:18:51
19	the Chamber of Commerce except as they were part	10:18:53
20	of coalitions that we did represent.	10:18:56
21	Q And what coalitions were they?	10:18:59
22	A The ones that I'm familiar with are	10:19:00
23	the Health Benefits Coalition, and the Coalition	10:19:02
24	for Affordable Reliable Energy.	10:19:09
25	Q Are there any other coalitions that	10:19:15

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1	Q	When you worked for the RNC were you	10:25:24
2		privy to information relating to their	10:25:26
3		strategies, campaign strategies?	10:25:28
4	A	Whose strategies?	10:25:31
5	Q	The RNC's.	10:25:32
6	A	Yes.	10:25:34
7	Q	Did the information that you gained	10:25:40
8		at the RNC influence any decisions that you made	10:25:41
9		for the Health Benefits Coalition?	10:25:44
10	A	No.	10:25:57
11	Q	Since the time you started in March,	10:26:12
12		1997 at Porter Novelli, did you work on any	10:26:13
13		campaigns for federal office holders or	10:26:16
14		candidates?	10:26:19
15	A	No.	10:26:20
16	Q	Do you know if Mr. Irons worked on	10:26:24
17		any campaigns for any federal office holders or	10:26:27
18		candidates?	10:26:31
19	A	I don't know.	10:26:32
20	Q	And Ms. Geraghty?	10:26:32
21	A	I don't know.	10:26:34
22	Q	And you said that Porter Novelli has	10:26:41
23		never done any work for the RNC, NRSC or NRCC?	10:26:44
24	A	Not to my knowledge.	10:26:51
25	Q	Has Porter Novelli worked on any	10:26:56



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1	Congress?	10:40:42
2	A    I was never in those meetings, so I'm	10:40:48
3	not aware of any specific meetings that took	10:40:52
4	place.	10:40:56
5	Q    Was any information that was received	10:41:31
6	from the Republican National Committee ever used	10:41:33
7	to form the Health Benefits Coalition ads?	10:41:38
8	A    I cannot recall any specific	10:41:53
9	information that we received from the Republican	10:41:55
10	National Committee that we used for the ads.	10:41:59
11	Q    Prior to running the issue ads for	10:42:08
12	the Health Benefits Coalition did you do any	10:42:10
13	research, polling?	10:42:12
14	A    Yes.	10:42:16
15	Q    What did you do?	10:42:17
16	A    We did a poll of voters, I believe in	10:42:20
17	January of 1998, that asked questions about	10:42:27
18	health care concerns, health care costs.	10:42:36
19	Questions that help us determine the message.	10:42:40
20	Q    Where did you conduct these polls?	10:42:49
21	A    I believe there was only one poll,	10:42:52
22	and it was a poll of likely voters, I guess	10:42:54
23	nationwide, a thousand likely voters.	10:43:01
24	Q    Why did you choose likely voters?	10:43:06
25	A    I can't recall that we made a	10:43:48

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1	A	Not to my knowledge.	11:09:36
2	Q	Did anyone outside of the Health	11:09:37
3		Benefits Coalition and Porter Novelli make any	11:09:41
4		suggestions as to the content of the ad depicted	11:09:44
5		in Exhibit 1?	11:09:47
6	A	Not to my knowledge.	11:09:57
7	Q	Did anyone outside of the Health	11:09:58
8		Benefits Coalition provide any guidance or	11:10:02
9		suggestion as to where the ad depicted in	11:10:04
10		Exhibit 1 would be run?	11:10:10
11	A	Not to my knowledge.	11:10:21
12	Q	Did anyone at the Health Benefits	11:10:21
13		Coalition or Porter Novelli have any	11:10:24
14		conversations with Senator Ashcroft's campaign	11:10:26
15		in relation to the ad depicted in Exhibit 1?	11:10:28
16	A	Not to my knowledge.	11:10:31
17	Q	Was the ad depicted in Exhibit 1 run	11:10:42
18		in other districts for other candidates?	11:10:44
19	A	Yes.	11:11:04
20	Q	What other candidates?	11:11:06
21	A	Well, I believe Senator Abraham.	11:11:09
22	Q	Was this ad run for any other	11:11:29
23		candidates other than Senator Ashcroft and	11:11:31
24		Senator Abraham?	11:11:34
25	A	I can't recall.	11:11:35

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1	health care costs and result in more uninsureds.	11:30:11
2	And that Senator Ashcroft had voted for reforms	11:30:16
3	that protect patients and keep costs down.	11:30:23
4	Q Would you say that the ad in	11:30:29
5	Exhibit 2 is favorable to Senator Ashcroft?	11:30:30
6	A Yes.	11:30:34
7	Q Has Porter Novelli ever done any work	11:30:41
8	for the campaign of Senator Ashcroft?	11:30:43
9	A Not to my knowledge.	11:30:47
10	Q Was anyone in Senator Ashcroft's	11:31:02
11	campaign shown the ad depicted in Exhibit 2?	11:31:02
12	MR. GORDON: Objection to form.	11:31:06
13	A I'm not specifically aware of anyone	11:31:13
14	in the Ashcroft campaign that was shown this ad.	11:31:15
15	Q Do you know if anyone at the Health	11:31:22
16	Benefits Coalition or Porter Novelli ever sent	11:31:25
17	this ad to anyone at the RNC?	11:31:26
18	A I don't remember that specific	11:31:47
19	instance happening.	11:31:48
20	Q After you joined Porter Novelli did	11:31:51
21	you keep in contact with people at the RNC?	11:31:53
22	A I'm sure I made a few phone calls to	11:32:17
23	people over there from time to time, but it was	11:32:19
24	sporadic.	11:32:22
25	Q Did you ever discuss the work that	11:32:27

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1	Q	Were you aware of other media	12:18:24
2		consultants sharing work that they had done with	12:18:26
3		the Health Benefits Coalition with the	12:18:28
4		Congressional allies, the NRCC, and NRSC?	12:18:31
5	A	I'm not aware of that.	12:18:38
6	Q	Are you aware of the Health Benefits	12:18:41
7		Coalition or any member of the Health Benefits	12:18:43
8		Coalition sharing data with Congressional	12:18:46
9		allies, the NRCC, or the NRSC?	12:18:49
10	A	I'm not aware of it. But I should	12:18:55
11		reinforce that this data was made public at	12:18:57
12		press conferences, and in blast faxes and press	12:18:59
13		kits.	12:19:04
14	Q	All of the data discussed, let me	12:19:12
15		rephrase that. Was all of the research and	12:19:14
16		polling data done by the Health Benefits	12:19:16
17		Coalition shared with the public?	12:19:20
18	A	I don't know if all of it was, but	12:19:34
19		certainly most of it was.	12:19:35
20	Q	Were the blast faxes typically short	12:19:48
21		documents? Long documents?	12:19:51
22	A	Typically one page.	12:19:54
23	Q	The research and polling data that	12:20:07
24		you would have done for the Health Benefits	12:20:08
25		Coalition would be considerably more than one	12:20:14