



1 Deposition of RYAN M. ERWIN on behalf of  
2 Plaintiffs, at 355 South Grand Avenue, Suite 3500, Los  
3 Angeles, California, commencing at 9:05 a.m., on  
4 Tuesday, September 10, 2002, before Cathy A. Reece, RPR,  
5 CSR No. 5546.  
6

7 APPEARANCES:

8 FOR THE PLAINTIFFS:

9 MUNGER, TOLLES & OLSON, LLP  
10 By: BRADLEY S. PHILLIPS, ESQ.  
11 RANDALL G. SOMMER, ESQ.  
12 355 South Grand Avenue, Suite 3500  
13 Los Angeles, California 90071  
14 (213) 683-9100  
15

16 FOR THE CALIFORNIA REPUBLICAN PARTY:

17 BELL, McANDREWS, HILTACHK & DAVIDIAN, LLP  
18 By: CHARLES H. BELL, JR., ESQ.  
19 455 Capitol Mall, Suite 801  
20 Sacramento, California 95814  
21 (916) 442-7757  
22  
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2 WITNESS: RYAN M. ERWIN  
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4 EXAMINATION  
5 BY MR. PHILLIPS  
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PAGE  
7, 109

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1 APPEARANCE (Continued)

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3 FOR THE NATIONAL REPUBLICAN PARTY:  
4 PATTON BOGGS LLP  
5 BY: BENJAMIN L. GINSBERG, ESQ.  
6 ERIC A. KUWANA, ESQ.  
7 2550 WEST M STREET, NW  
8 Washington, D.C. 20037-1350  
9 (202) 357-6000  
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11 FOR THE REPUBLICAN NATIONAL COMMITTEE:

12 CHARLES R. SPIES, Deputy Counsel  
13 310 First Street, S.E.  
14 Washington, D.C. 20003  
15 (202) 863-8638  
16

17 ALSO PRESENT: ANNE VOIGTS  
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1 A. I was , Indiana, Iowa and Ohio.  
2 Q. I was going to ask which other states you were  
3 in today.  
4 Working for Republican candidates?  
5 A. Yes.  
6 Q. Were you involved in any way in the  
7 presidential campaign?  
8 A. I worked for Steve Forbes in 1996.  
9 Q. In the – do you have any reason to believe  
10 this is not a fundraising solicitation paid for and sent  
11 out by the California Republican Party sometime during  
12 the 1996 election cycle?  
13 A. I believe it is.  
14 Q. Do you see the fourth paragraph of the letter  
15 where it says:  
16 "Bill Clinton and the  
17 Democrats have already begun the  
18 President's 'media blitz' in  
19 California, running television  
20 commercials 16 months before the  
21 general election"?  
22 Do you see that?  
23 A. I do see that.  
24 Q. Is that – would you infer from that at least  
25 this letter was probably sent around 16 months before

1 Patrick" at the California Republican Party?  
2 A. Not anymore.  
3 Q. Was she at the California Republican Party?  
4 A. Yes.  
5 Q. When?  
6 A. I know she was there in the 2000 election  
7 cycle. I don't know beginning and end dates.  
8 Q. Is there somebody by the name of "Brenda" at  
9 the party?  
10 A. I'm sorry?  
11 Q. "Brenda."  
12 A. There is not currently.  
13 Q. Do you know whether there was during the 2000  
14 cycle?  
15 A. Not that I know of.  
16 Q. Mark as Exhibit 17 a one – actually, it is a  
17 single page, but two-sided, bearing Bates No. 246 on the  
18 front and 247 on the back.  
19 (Exhibit 17 was marked for I.D.)  
20 BY MR. PHILLIPS:  
21 Q. Have you ever seen this letter, which appears  
22 to be a fundraising letter, before?  
23 A. I have not seen this letter.  
24 Q. Where were you in the 1996 election cycle?  
25 Where were you?

1 November of 2000?  
2 A. I guess it was sometime close to that.  
3 Q. And does that statement indicate to you that  
4 at least at that point the California Republican Party  
5 believed that the television commercials being run by  
6 the Democrats in California at that time were designed  
7 to and were likely to affect the November, 1996  
8 presidential election?  
9 A. It infers they are running ads.  
10 Q. Would you infer from it the party believed  
11 those ads were intended to affect the election?  
12 A. I don't know.  
13 Q. How about the third-to-the-last paragraph of  
14 the letter on the back of Exhibit 17 where it says –  
15 the Chairman of the California Republican Party is  
16 writing the letter – apparently signing the letter.  
17 "I know it seems as if the  
18 1996 elections are a long way off,  
19 but make no mistake about it, Bill  
20 Clinton and the Democrats have  
21 already begun."  
22 Does that indicate to you that the California  
23 Republican Party, or at least its chairman, believed the  
24 Democrats had already started campaigning with their  
25 television ads?

1 A. I don't think it necessarily television  
2 ads, but it indicates that they are beginning.  
3 Q. Do you – do you disagree with the – would  
4 you agree that the television ads run by the Democrats  
5 in California in 1995 were intended to affect the  
6 presidential election in November of 1996?  
7 A. I didn't see them.  
8 Q. Well, whether you saw them or not, would you  
9 agree they were intended to affect the election in 1996?  
10 A. I wouldn't, without seeing them, have any  
11 idea.  
12 Q. Did you see ads run by the Democrats in states  
13 other than California in 1995?  
14 A. I don't know. I don't recall. I was in four  
15 states that year.  
16 Q. Do you have an understanding of the  
17 expression, "exposure event"?  
18 A. Sorry?  
19 Q. Do you have an understanding of the  
20 expression, "exposure event"?  
21 A. No. I am not familiar with that.  
22 Q. Let me mark as Exhibit 18 a document, the  
23 first page of which does not have a Bates number, but  
24 says, "Listing of 1995-2001 Federal Maximum Donors and  
25 \$10,000 Plus Non-Federal Donors."

134

1 be?  
2 A. Yes.  
3 Q. And to your understanding does this include  
4 both transfers of hard dollars and soft dollars?  
5 A. I am looking for a designation on that.  
6 I don't know the answer to that off the top of  
7 my head.  
8 Q. There appears to be a column No. 1 after the  
9 amount, which has either "ST" or "FE" in it.  
10 I, having not spoken to anybody about this  
11 before you, inferred from that that that indicated  
12 whether the money was, quote, "state" or "federal." I  
13 could be wrong about that.  
14 A. That would be my assumption.  
15 Q. Counsel, can you help at all on that front?  
16 MR. BELL: I believe that is correct. Those  
17 designations are for federal and non-federal on some of  
18 the pages.  
19 THE WITNESS: They are not on all –  
20 MR. BELL: – Member Records.  
21 BY MR. PHILLIPS:  
22 Q. In those instances – just by way of example,  
23 on Page Bates No. 1257 at the bottom, which I believe is  
24 the fourth page of the exhibit, on August 15th of this  
25 year it indicates a transfer from the RNC to – it

136

1 (Exhibit 18 was marked for I.D.)  
2 BY MR. PHILLIPS:  
3 Q. Have you seen Exhibit 18 before?  
4 A. Is this a decent time for a restroom break?  
5 Q. The question is if you have seen it before.  
6 A. I am not certain if I have seen it before.  
7 Q. It is a fine time for a restroom break.  
8 A. Thanks.  
9 (Recess taken.)  
10 BY MR. PHILLIPS:  
11 Q. Did you look at Exhibit 18 at all more over  
12 the break or do you know whether you have seen it  
13 before?  
14 A. I believe I have seen it, although I can't  
15 attest to knowing it by heart.  
16 Q. Do you know who prepared Exhibit 18?  
17 A. I do not know. I believe my controller did.  
18 Q. Exhibit 18, at least on its face and based on  
19 the cover page, appears to be a listing of contributions  
20 or transfers of money from the various Republican  
21 national committees, the Republican National Committee,  
22 the National Republican Congressional Committee, and the  
23 National Republican Senatorial Committee, to the  
24 California Republican Party.  
25 Is that what you understand this purports to

135

1 doesn't specifically – I am not exactly sure to whom.  
2 I gather, based upon the cover sheet, it is to the  
3 California Republican Party – in the amount of  
4 \$7,292.34.  
5 Do you see that?  
6 A. Uh-huh.  
7 Q. Do you have any knowledge as to why the RNC  
8 transferred that specific amount to the California party  
9 on that date?  
10 A. I believe it was a request for assistance and  
11 funding on the voter registration program.  
12 Q. Do you know why the request was for an amount  
13 as specific as \$7,292.34?  
14 A. The request would have been for – that would  
15 have been a – what appears to be the state portion of a  
16 request for a total amount.  
17 Q. So you believe the \$7,292.34 to be a  
18 percentage of some larger amount?  
19 Is that how that number was arrived at?  
20 A. That is what I believe, based on this  
21 information.  
22 Q. And the federal portion of that would be  
23 reflected on page Bates numbered 1262 on August 15,  
24 2002, in the amount of \$1,089.66?  
25 A. I am getting to that page.

137

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1 That looks accurate.  
2 Q. So the -- so that the total amount transferred  
3 on that date would have been \$3,382 -- \$8,382?  
4 A. I am sure, if that math works.  
5 Q. If I did it right. I don't guarantee I did.  
6 Do you have any knowledge why the request was  
7 made from the California Republican Party, assuming the  
8 request was made -- why the national committee  
9 transferred the specific amount of \$8,382 to the  
10 California Republican Party?  
11 A. That may have been a request for a specific  
12 voter registration program and, therefore, the funds  
13 were being transferred to pay for that specific  
14 expenditure, if that were the request.  
15 Q. And if you look, for example, at July 14, 2000  
16 on the third page of the exhibit --  
17 A. I'm sorry?  
18 Q. July 14, 2000 --  
19 A. Uh-huh.  
20 Q. -- on Page 1256 --  
21 A. Uh-huh.  
22 Q. -- there is a transfer of non-federal funds of  
23 \$587,514.39.  
24 Do you see that?  
25 A. Yes.

138

1 or refresh your memory at all with respect to  
2 whether the national committees transfer money to the  
3 state parties with the intent that the funds being  
4 transferred be used to pay for specific expenditures?  
5 A. I'm sorry. Can you repeat that?  
6 Q. Yes.  
7 Does this document, reviewing this document,  
8 assist you in any way in -- with respect to whether the  
9 national committees of the Republic Party ever transfer  
10 money to state parties with the understanding that funds  
11 transferred would be used to pay for specific  
12 expenditures requested by the national party?  
13 A. It does not.  
14 Q. Do you know how much of the money transferred  
15 to the California party in 2000 was used to pay for  
16 media ads developed and requested by the national party?  
17 A. I don't know.  
18 Q. Okay. In each instance where there is a split  
19 between the non-federal and federal money being  
20 transferred to the state party, is it your understanding  
21 that if the expenditure in question were paid -- had  
22 been paid directly by the national committee as opposed  
23 to the state party that the national committee would  
24 have been required to use a substantially larger  
25 percentage of federal funds than the state party was

140

1 Q. And on Page 1261 you see on the same date --  
2 I'm sorry -- on 1261 on the same date a transfer of  
3 federal funds of \$443,212.61.  
4 Do you see that?  
5 A. I see that.  
6 Q. Would you infer from those two entries, again,  
7 that the request -- that the payment by the national  
8 committee to the state party was divided between the  
9 non-federal and federal portion of a particular  
10 expenditure?  
11 A. I don't know.  
12 Q. Would you infer from the fact the total amount  
13 transferred was specific to the dollar --  
14 A. I don't know --  
15 Q. -- would you infer from that fact that this  
16 money was to be used for a specific expenditure?  
17 A. I would not infer that, but it could be  
18 inferred.  
19 Q. Is it -- when the national party transfers  
20 money to the state party just for general purposes does  
21 it typically transfer amounts that are down to the -- to  
22 several dollars at the end of a several-thousand-dollar  
23 amount instead of, perhaps, several zeroes?  
24 A. I don't know what is "typical."  
25 Q. Does reviewing this document indicate to you

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