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1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE DISTRICT OF COLUMBIA

3 - - - - -x

4 SENATOR MITCH MC CONNELL, :  
5 et al., :

6 Plaintiffs, : Civil No. 02-582

7 v. : (CKK, KLH, RJL)

8 FEDERAL ELECTION COMMISSION, :

9 et al., :

10 Defendants. :

11 - - - - -x

12 REPUBLICAN NATIONAL COMMITTEE, :

13 et al., :

14 Plaintiffs, : Civil No. 02-874

15 v. : (CKK, KLH, RJL)

16 FEDERAL ELECTION COMMISSION, :

17 et al., :

18 Defendants. :

19 - - - - -x

20 CONFIDENTIAL DEPOSITION OF TERRY A. NELSON

21

22 REPORTED BY: JULIE BAKER, RPR CRR

ORIGINAL

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1 Deposition of TERRY A. NELSON, called for  
2 examination pursuant to notice of deposition, on  
3 Thursday, September 19, 2002, in Washington, D.C. at  
4 the offices of Covington & Burling, at 10:14 a.m.  
5 before JULIE BAKER, a Notary Public within and for  
6 the District of Columbia, when were present on  
7 behalf of the respective parties:

8

9 BOBBY R. BURCHFIELD, ESQ.

10 Covington & Burling

11 1201 Pennsylvania Avenue NW

12 Washington, DC 20044-7566

13 202-662-5350

14 On behalf of RNC Plaintiffs

15

16 THOMAS J. JOSEFIK, ESQ.

17 Republican National Committee

18 310 First Street SE

19 Washington, DC 20003

20 202-863-8638

21 On behalf of RNC Plaintiffs

22

-- continued --

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1 APPEARANCES (Continued):

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Heller Ehrman White & McAuliffe LLP

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1660 K Street NW, Suite 300

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Washington, DC 20006-1228

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On behalf of Defendant Intervenors

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MICHAEL D. LEFFEL, ESQ.

11

KRISAN PATTERSON, ESQ.

12

STACY BECK, ESQ.

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Wilmer, Cutler & Pickering

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On behalf of Defendant Intervenors

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1 Q I assume you've been through some training  
2 programs for some political activities?

3 A I've been to a campaign manager school. I  
4 think that's the only --

5 Q When did you go to that?

6 A '93.

7 Q Were you managing a campaign at the time?

8 A Yes.

9 Q Which campaign?

10 A Jim Nussle for Congress.

11 Q Who was running the campaign managing  
12 school?

13 A It was an RNC school.

14 Q Where was it held?

15 A In Washington. It was Arlington, I think,  
16 Crystal City.

17 Q Do you remember roughly the time of year  
18 it was?

19 A I think it was late fall. It was winter  
20 sometime.

21 Q Tell me what your current job is.

22 A Deputy chief of staff and executive

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1 director of political operations.

2 Q At the RNC?

3 A Uh-huh, yes.

4 Q What were you doing before that?

5 A I was a private consultant.

6 Q With whom?

7 A Dawson McCarthy Nelson Media.

8 Q What is that company?

9 A It's a political consulting firm.

10 Q What kind of consulting?

11 A Media, media in general.

12 Q "Media" meaning --

13 A TV, radio.

14 Q Any direct mail?

15 A No.

16 Q No phone banks?

17 A No.

18 Q It's more targeted towards broadcast

19 media?

20 A Correct.

21 Q What did you do before that?

22 A I was political director at the NRCC.

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1 A Correct.

2 Q So you'll bring to people's attention the  
3 fact that Mr. Baesler wasn't always truthful?

4 A Yes.

5 Q You thought that might have an impact on  
6 how they voted?

7 A I thought it might have an impact on what  
8 they thought about Scotty Baesler.

9 Q Did you think it would have an impact on  
10 potential election?

11 A I thought it would.

12 Q Did you do any polls?

13 A We conducted polls all the time.

14 Q Did you do any polls on Mr. Baesler's  
15 propensity to tell the truth?

16 A And whether people agreed with that?

17 Q Yes.

18 A Not that I remember.

19 Q Did you ever do any polling that asked  
20 questions designed to get at whether these kinds of  
21 ads would make them more or less likely to vote for  
22 Mr. Baesler's opponent?

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1 Q Did you do polling on what impact it might  
2 have on voters if they knew about Mr. Van Horne's  
3 business taking out a government loan?

4 A Yes.

5 Q In your opinion at that time, did you  
6 think it would therefore be beneficial to the  
7 Republican candidate to let people know about  
8 Mr. Van Horne's business record?

9 A Yes.

10 Q Is the same thing true of the ads against  
11 Mr. Baesler? You thought that based on the polling  
12 results, that if you brought up his willingness to  
13 tell the truth, it would make people more likely to  
14 vote for Mr. Baesler's opponent?

15 A Or his unwillingness, yes.

16 Q And I take it the same is true about the  
17 Diane Byrum ads? Did you do polling in that  
18 campaign as well?

19 A Yes, we did.

20 Q And the pollings indicated that the issues  
21 you were raising would make voters more likely to  
22 vote for the Republican candidate?

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2                   FOR THE DISTRICT OF DISTRICT OF COLUMBIA

3                   - - - - -x

4 SENATOR MITCH MC CONNELL,                   :

5 et al.,   :

6                   Plaintiffs,                               : Civil Action Number

7                   vs.   : 02-0582

8 FEDERAL ELECTION COMMISSION,               : (CKK, KLH, RJL)

9 et al.,   :

10                  Defendants.                               :

11                  - - - - -x

12 REPUBLICAN NATIONAL COMMITTEE,               :

13 et al.,   :

14                  Plaintiffs,                               : Civil Action Number

15                  vs.   : 02-0874

16 FEDERAL ELECTION COMMISSION,               : (CKK, KLH, RJL)

17 et al.,   :

18                  Defendants.                               :

19                  - - - - -x

CONFIDENTIAL DEPOSITION OF E. BLAISE HAZELWOOD

Washington, D.C.

Saturday, September 21, 2002

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THIS DOCUMENT CONTAINS CONFIDENTIAL MATERIAL

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1 Deposition of ELIZABETH BLAISE HAZELWOOD, called  
2 for examination pursuant to notice of deposition, on  
3 Saturday, September 21, 2002, in Washington, D.C.,  
4 at the offices of Covington & Burling,  
5 1201 Pennsylvania Avenue NW, at 8:20 a.m., before  
6 SARA EDGINGTON, RPR, CRR, a Notary Public within and  
7 for the District of Columbia, when were present on  
8 behalf of the respective parties:

9

10 BOBBY R. BURCHFIELD, ESQ.  
11 Covington & Burling  
12 1201 Pennsylvania Avenue NW  
13 Washington, DC 20044  
14 202-662-5350  
15 On behalf of Plaintiff Republican National  
16 Committee

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--continued--

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1 APPEARANCES (CONTINUED):

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THOMAS J. JOSEFIAK, ESQ.

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Republican National Committee

5

310 First Street SE

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Washington, DC 20003

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202-863-8638

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On behalf of Plaintiff Republican National

9

Committee

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11

KRISAN PATTERSON, ESQ.

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ERIC J. MOGILNICKI, ESQ.

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JENNIFER MUELLER, ESQ.

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MICHAEL D. LEFFEL, ESQ.

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Wilmer, Cutler & Pickering

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2445 M Street NW

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Washington, DC 20037

18

202-663-6705

19

On behalf of Defendant-Intervenors

20

21

22

1 A 1995, I think.

2 Q Now, that campaign management college, is  
3 that something that you had further contact with or  
4 interaction with?

5 A Not that specific campaign management  
6 college.

7 Q Can you tell me your current employer and  
8 your job title?

9 A It's the Republican National Committee,  
10 and my title is political director.

11 Q Can you tell me a little bit about what  
12 you do as political director?

13 A I oversee the grassroots department. I  
14 oversee the field and the victory programs and  
15 surrogate programs, team leader programs.

16 Q Okay. Can you tell me a little bit about  
17 each of those different fields? Grassroots is more  
18 familiar, but if you could give me a description of  
19 what you mean by "grassroots," that would be  
20 helpful.

21 A Coalitions and outreach.

22 Q So when you say "coalitions," do you mean

1 BY MS. PATTERSON:

2 Q I guess I would like to know if you're  
3 aware, in your experience, of the RNC directing a  
4 state party to run a media advertisement or to buy a  
5 media advertisement.

6 A I generally don't deal with broadcast  
7 media. And so I don't have much experience in it.  
8 Maybe you can -- that's really where -- I just don't  
9 have much experience in it.

10 Q So you're not, in your experience, aware  
11 of that kind of activity?

12 A What do you mean by "directing"?

13 Q In your experience, does the RNC send  
14 state parties -- transfer funds to state parties  
15 asking them to buy media time?

16 A The RNC transfers money to state parties.

17 Q And are you aware of transfers being made  
18 to state parties in connection with requests that  
19 those state parties run media advertisements?

20 A I'm familiar with the parties sending --  
21 transferring money to state parties, uh-huh.

22 Q For that purpose?

1           A     Yes; for media broadcasts, uh-huh.

2           Q     In your experience, is that something that  
3 happens in a variety of states, or is it generally  
4 targeted?

5           A     I don't have enough experience to  
6 speculate on that really.

7           Q     As the political director, do you identify  
8 states that are more competitive for federal races?

9           MR. BURCHFIELD: Object to form.

10          THE WITNESS: Again, can you give me an  
11 example?

12          BY MS. PATTERSON:

13          Q     Well, for a presidential race -- sorry.  
14 Let me get my timeline right.

15                 For Congressional races, is a part of your  
16 job to identify those races where it's a close race?

17          A     That's really not a part of my job, to  
18 identify close races.

19          Q     Do you treat states -- districts where the  
20 races are close differently than you treat races  
21 where they're not close?

22          A     We look at a state and everything that's