



FNN Acted With Actual  
Malice on Each Accused  
Broadcast

# Tomlinson to Baier

**From:** Tomlinson, Lucas (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS /CN=D32F7451B3E34FC4A37EC76E34C79DBE-TOMLINSON,>  
**To:** Baier, Bret (FoxNews)  
**Sent:** 12/1/2020 3:00:21 PM  
**Subject:** Re: [EXTERNAL] ??? The world is truly mad.

It's dangerously insane these conspiracy theories.

—break—

**From:** Baier, Bret [REDACTED]  
**Sent:** Tuesday, December 1, 2020 2:52 PM  
**To:** Tomlinson, Lucas  
**Subject:** Re: [EXTERNAL] ??? The world is truly mad.

It's really bad. And it's really bad people think this is all true. Scary crazy

*Bret Baier*  
Chief Political Anchor, Fox News Channel  
Executive Editor, "Special Report w/ Bret Baier"

On Dec 1, 2020, at 2:50 PM, Tomlinson, Lucas <Lucas.Tomlinson@foxnews.com>

This is 100% not true.

The Army has said so.

It's all complete bullshit. Gen. McInerney has lost his mind. It's sad and scary.

Lucas

**From:** Baier, Bret [REDACTED]  
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**From:** Tomlinson, Lucas (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS /CN=D32F7451B3E34FC4A37EC76E34C79DBE-TOMLINSON,>  
**To:** Baier, Bret (FoxNews)  
**Sent:** 12/1/2020 3:00:21 PM  
**Subject:** Re: [EXTERNAL] ??? The world is truly mad.

It's dangerously insane these conspiracy theories.

Ex.367  
FNN062\_04478598-99



# Testimony of Stephen Richer



Stephen Richer

Maricopa County  
Recorder



Ex. 139  
22:6-23:11

**“[T]he whole theory is absolutely ludicrous to anyone who bothers researching elections for more than five minutes or speaking with any elections professional.”**

# Testimony of Chris Stirewalt



Chris Stirewalt

Former Politics Editor



Ex. 146  
154:18-19

**“[N]o reasonable person would have thought that.”**

# Testimony of Chris Stirewalt



Chris Stirewalt

Former Politics Editor



Ex. 146  
123:3-18

Q. And then what do you say after that?

**A. *"They had made a point about laying down a predicate for what would turn out to be their effort to steal the election, and they were explicit. It wasn't a mystery what they were trying to do."***

Q. Do you stand by that statement?

**A. *Sure.***

Q. And is that what we talked about before, which was they were very explicit in terms of laying down this preconceived narrative that there would be fraud in the election?

**A. *Yes.***

# Testimony of David Clark



David Clark

Senior Vice President  
for Weekend News and  
Programming



Ex. 106  
142:11-143:1

Q. You were also generally aware that because of the 2020 election in specific, and the high level of mail-in ballots, the results at the polls on election night would not be fully reflective of the mail-in ballots, correct?

**A. Yes.**

Q. And that that would lead to a shift in the final vote tally, correct?

**A. Correct.**

Q. And that was widely understood within journalism, correct?

**A. Yes.**



MEMORANDUM

TO: Those Concerned  
FROM: Fox News Decision Team  
DATE: November 3, 2020  
RE: 5:00 PM ET Election Day

MEMORANDUM

TO: Those Concerned  
FROM: Fox News Decision Team  
DATE: November 3, 2020  
RE: 5:00 PM ET Election Day

This information is for Fox News Internal Use. Numbers WILL change as more data are collected.

Note that prior to poll closing in a state, Fox News will indicate who is ahead in the election survey in that state.

Prior to poll closing, one can use data from the survey to indicate who is ahead, but that still tells a story.

A summary for us

- Always permitted: Overall results
- Sometimes permitted: Sources of data
- Never permitted: Overall VOTE if winner/leader to be determined.

Summary

The FNVA indicates that Joe Biden has a path to 270 electoral votes. President Trump still has a path to 270 electoral votes.

Here's what we know: As Election Day dawned, roughly 10% of voters had cast their ballot either by mail or at early polling locations.

Joe Biden: he's garnering roughly 6 out of 10 votes from people going to the polls. Trump is expected to get roughly 4 out of 10 votes from people going to the polls.

To illustrate the disparity: Biden is winning Missouri. By contrast, the FNVA shows Trump as the possible exception of the deep blue state.

That difference makes this election - whether from all other election nights. To get the race, ballots (by mail or in-person) as well as the race.

Some states report the early vote first. The race "Shift Red" as the night proceeds. Don't draw conclusions from North Carolina, Georgia, and Florida.

By contrast, other key states will look "too Red" in the early hours -- and will "Shift Blue" as the night (and days) proceed. Don't draw conclusions if you see a huge Trump lead early in: **Michigan, Pennsylvania, and Wisconsin.**

Another possibility is that because some key states will not count many mail ballots until later this week, the presidential race call could come AFTER election night. This outcome would indicate a tight race, especially in the Rust Belt states, but it does NOT mean that there are problems with the integrity of the vote count.

EXHIBIT

2346

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**From:** Dana Perino <[REDACTED]> on behalf of Dana Perino <[REDACTED]>  
**To:** Kaminsky, Ross  
**Sent:** 11/12/2020 8:23:12 PM  
**Subject:** Re: [EXTERNAL] Re: what do u think is up with these attacks on Fox by Breitbart and other Trumpkins?

Ha! Yeah the dominion stuff is total bs. Oann had to delete

I have tomorrow off. Gonna not look at my phone!

On Nov 12, 2020, at 8:21 PM, Kaminsky, Ross <Ross.Kam@fox.com>

Great answer.

Unfortunately I think the Arizona call is a fairly big factor. G error to call it. That doesn't mean that Stewart isn't the best

Are you watching the spread of this baseless stuff about D I'm willing to bet money that 1) the allegations will never be election. I'm offering odds on the latter. So many bigmouth mouths are. I'd bet "Dana Perino money" on the latter.

OK, I, just like you, am going to go watch the Colts-Titans

Hi to Peter and Jasper...and hi to you from Reuben.

**Ross Kaminsky**  
Host, The Ross Kaminsky Show  
"Best News/Talk Show"  
by CO Broadcasters Assn  
Weekdays 6AM-10AM Mountain Time  
TalkRadio 630 KHQW (Denver)  
Web: <http://fox.com/rosskaminsky>  
Twitter: @RossKaminsky & @630KHQW  
Facebook: @RossKaminsky  
<image001.png>

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**From:** Dana Perino <[REDACTED]>  
**Sent:** Thursday, November 12, 2020 8:17 PM  
**To:** Kaminsky, Ross <[REDACTED]>  
**Subject:** [EXTERNAL] Re: what do u think is up with these attacks on Fox by Breitbart and other Trumpkins?

I find it inevitable, predictable, pitiful, slightly amusing, somewhat concerning. They don't like facts. But that had been building for a while. And they are angry about "news division". Trump never accepts blame. It always has to be someone else's fault.

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**From:** Dana Perino <[REDACTED]> on behalf of Dana Perino <[REDACTED]>  
**To:** Kaminsky, Ross  
**Sent:** 11/12/2020 8:23:12 PM  
**Subject:** Re: [EXTERNAL] Re: what do u think is up with these attacks on Fox by Breitbart and other Trumpkins?

Ha! Yeah the dominion stuff is total bs. Oann had to delete its tweet.

# Fox Admitted Audits Could Provide Evidence



Thomas Lowell

Executive VP and  
Managing Editor  
of News



Ex. 128  
371:22-372:10

Q. You would agree that a hand audit of paper ballots that confirmed the original tally would be some evidence that there was no massive fraud in the machines, correct?

**A. That might be considered some of -- some evidence in the conversation around ballot integrity in Arizona. I know there were other claims and counterclaims, but I can't remember specifically what they were.**



# Maricopa Statement



## Maricopa County

Board of Supervisors

301 West Jefferson Street • 10<sup>th</sup> Floor • Phoenix, AZ 85003 • www.maricopa.gov

November 17, 2020



## Maricopa County

Board of Supervisors

301 West Jefferson Street • 10<sup>th</sup> Floor • Phoenix, AZ 85003 • www.maricopa.gov

November 17, 2020

Dear Maricopa County voters,

Members of the Board of Supervisors continue to hear from government leaders and the public about the integrity of Maricopa County elections. We want to assure you that proper steps have been taken to ensure a full and accurate count of all votes.

Here are the facts:

- The evidence overwhelmingly shows the system used in Maricopa County is accurate and provided voters with a reliable election. On Election Day, fewer than 200 ballots had an over vote on the presidential race out of more than 167,000 ballots cast.
- The Dominion tabulation equipment was vetted by a bipartisan, "Equipment Certification Advisory Committee" before the contract was finalized. As required by law (A.R.S 16-442), the committee tested the functionality and accuracy of tabulation equipment before it was used in any Arizona elections.
- The Dominion tabulation equipment met mandatory requirements during logic and accuracy testing before the Presidential Preference Election, the Primary Election and the General Election. And after each of these 2020 elections, the hand count audit showed the machines generated an accurate count. [\(See Fact Page\)](#)
- Last week, the Elections Department conducted the mandatory hand count of Election Day ballots from two percent of vote centers and 1 percent of Early Ballots as required by Arizona law and it yielded a 100 percent match to the results produced by the tabulation equipment. All three political parties participated in the hand count audit. This is a statistically significant sample of thousands of votes, which would have caught irregularities.
- There are triggers in Arizona law to require another hand count or even a recount in the case of a close contest. None of those thresholds have been met during the 2020 General Election.

More than 2 million ballots were cast in Maricopa County and there is no evidence of fraud or misconduct or malfunction. Board members listened to and considered many theories about the election results. We asked, and continue to ask critical questions of County staff and none of these theories have proven true or raised the possibility the outcome of the election would be different.

The Board is required to canvass the election by November 23, 2020 (A.R.S 16-642). It is time to dial back the rhetoric, rumors, and false claims. I appreciate the efforts of our elections staff who worked tirelessly to run this election during a pandemic. No matter how you voted, this election was administered with integrity, transparency and in accordance with state laws.

Thank you,

Clint Hickman  
Chairman, Maricopa County Board of Supervisors



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Members of the Board of Supervisors continue to hear from government leaders and the public about the integrity of Maricopa County elections. We want to assure you that proper steps have been taken to ensure a full and accurate count of all votes.

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Ex.210  
MARICOPA\_00639



# Fox News Executives Had Responsibility Over Broadcasts and Actual Malice

- David Clark
- Meade Cooper
- Ron Mitchell
- Lauren Petterson
- Gary Schreier
- Suzanne Scott
- Jay Wallace
- Editorial Team

**PARTICIPANTS:** Meade Cooper - [REDACTED]; Meade Cooper - meade.cooper@foxnews.com; Ron Mitchell - [REDACTED]

PARTICIPANTS: Meade Cooper - [REDACTED]; Meade Cooper - [REDACTED]; Ron Mitchell - [REDACTED]

Sent 2020-11-06 02:09:21 PM EST FROM: [REDACTED]

Getting the lockdown on Sean.

Sent 2020-11-06 02:09:21 PM EST FROM: [REDACTED]

Have you spoken to Tommy?

Sent 2020-11-06 02:09:21 PM EST FROM: [REDACTED]

Now we both have spoken to Tommy and I feel really good about Tucker and Laura. I think Sean will see the wisdom of this track eventually, but even this morning he was still looking for examples of fraud.

Sent 2020-11-06 02:09:21 PM EST FROM: [REDACTED]

I also have news about the president's inner circle.

Sent 2020-11-06 02:09:21 PM EST FROM: Ron Mitchell - [REDACTED]

Now we both have spoken to Tommy and I feel really good about Tucker and Laura. I think Sean will see the wisdom of this track eventually, but even this morning he was still looking for examples of fraud.

EXHIBIT  
2341

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Ex.191  
FNN015 00132194

**PARTICIPANTS:** Gavin Hadden - [REDACTED] Tucker Carlson - [REDACTED] Tucker Carlson - [REDACTED]

PARTICIPANTS: Gavin Hadden - [REDACTED] Tucker Carlson - [REDACTED] Tucker Carlson - [REDACTED]

Sent 2020-11-08 04:29:22 PM UTC FROM: Tucker Carlson - [REDACTED]

Do the executives understand how much credibility and trust we've lost with our audience? We're playing with fire, for real.

Sent 2020-11-08 05:27:05 PM UTC FROM: Tucker Carlson - [REDACTED]

With Trump behind it, an alternative like newsmax could be devastating to us.

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Ex.298  
FNN035\_03891143



# Petterson, Schreier, Clark, Wallace Receive Notice of "Debunked" Claims

**From:** Schreier, Gary (FoxNews) <O=EXCHANGELABS\OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)\CN=RECIPIENTS\CN=905385D5C844431283C6744F76F5DD51-SCHREIER\_G>  
**To:** Briganti, Irena (FoxNews)  
**Sent:** 11/17/2020 3:38:31 PM  
**Subject:** RE: [EXTERNAL] AP inquiry - Giuliani and Powell appearances on Lou Dobbs

Thanks.

**From:** Briganti, Irena  
**Sent:** Tuesday, November 17, 2020 3:32 PM  
**To:** Petterson, Lauren <[REDACTED]>; Schreier, Gary <[REDACTED]>; Clark, David <[REDACTED]>  
**Cc:** Wallace, Jay <[REDACTED]>  
**Subject:** Fwd: [EXTERNAL] AP inquiry - Giuliani and Powell appearances on Lou Dobbs

FYI

Begin forwarded message:

**From:** "Swenson, Ali" <[REDACTED]>  
**Date:** November 17, 2020 at 2:59:01 PM EST  
**To:** "Briganti, Irena" <[REDACTED]>  
**Subject:** [EXTERNAL] AP inquiry - Giuliani and Powell appearances on Lou Dobbs

Hi Irena,

I'm with the Associated Press fact-checking team. Claims that Dominion Voting Systems and Smartmatic are linked through an ownership agreement have been debunked, but both Rudy Giuliani and Sidney Powell have appeared on the Lou Dobbs show and Maria Bartiromo's show in the last week amplifying these false claims.

We've issued a debunk of these claims here: <https://apnews.com/article/fact-checking-afs:Content:9740535009>

Would Fox News like to comment? Would either Lou Dobbs or Maria Bartiromo's shows like to comment?

Thank you.

Best,  
Ali Swenson  
(202) 518-2706

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EXHIBIT  
Ex. 641

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**From:** Briganti, Irena

**Sent:** Tuesday, November 17, 2020 3:32 PM

**To:** Petterson, Lauren <[REDACTED]>

Schreier, Gary <[REDACTED]>

Clark, David <[REDACTED]>

**Cc:** Wallace, Jay <[REDACTED]>

**Subject:** Fwd: [EXTERNAL] AP inquiry - Giuliani and Powell appearances on Lou Dobbs

FYI

Begin forwarded message:

**From:** "Swenson, Ali" <[REDACTED]>

**Date:** November 17, 2020 at 2:59:01 PM EST

**To:** "Briganti, Irena" <[REDACTED]>

**Subject:** [EXTERNAL] AP inquiry - Giuliani and Powell appearances on Lou Dobbs

Hi Irena,

I'm with the Associated Press fact-checking team. Claims that Dominion Voting Systems and Smartmatic are linked through an ownership agreement have been debunked, but both Rudy Giuliani and Sidney Powell have appeared on the Lou Dobbs show and Maria Bartiromo's show in the last week amplifying these false claims.

We've issued a debunk of these claims here: <https://apnews.com/article/fact-checking-afs:Content:9740535009>

Would Fox News like to comment? Would either Lou Dobbs or Maria Bartiromo's shows like to comment?

Thank you.

Ex.410

FNN011\_00104914

# Executive Control over *Sunday Morning Futures*



David Clark

Senior Vice President  
for Weekend News and  
Programming



Ex. 106  
188:6-18

Q. Sir, this is one text you sent to Mr. Gary Schreier, Ms. Lauren Petterson, and Mr. Jay Wallace, correct?

**A. Correct. Yes.**

Q. Why did you send it to them?

**A. Just to make them aware of what Mr. Giuliani had said and make them aware he was on Maria Bartiromo's show the next day.**

Q. Because any one of them could have said, hey, hold off, don't do it. Right?

**A. They could have, yes.**

# November 5: Bartiromo Saying "Crazy Wrong Shit"

Sent 2020-11-06 12:46:03 AM UTC FROM: Lauren Peterson - [REDACTED]

I think he definitely didn't think he would be the story

Sent 2020-11-06 12:51:21 AM UTC FROM: Gary Schreier - [REDACTED]

<https://www.mediaite.com/election-2020/shepard-smith-cuts-off-briefing-with-a-scathing-rebuke-what-trumps-saying-is-absolute-justice-and-were-not-going-to-allow-it-to-keep-going/>

- Library: SMS Attach 1 41 01 80A5E 1 80C06 1

264784E-A5B3-4620-5526-009908E82F2C.pptxhybridAttachment

Sent 2020-11-06 12:52:24 AM UTC FROM: Lauren Peterson - [REDACTED]

2 things. 1. We win the hour. 2. What do CNBC bosses think of that?

Sent 2020-11-06 12:55:07 AM UTC FROM: Gary Schreier - [REDACTED]

Huffman is a conservative. And generally hires high maintenance talent. So that should answer that, but most others probably fit Trump's hypocritical criteria.

Sent 2020-11-06 12:56:06 AM UTC FROM: Lauren Peterson - [REDACTED]

So are they regretting their hire?

Sent 2020-11-06 12:56:46 AM UTC FROM: Gary Schreier - [REDACTED]

I haven't heard other than shep himself is apparently beyond happy. And why shouldn't he be? It's a complete vanity show where he does whatever he wants. When that dies down I'll get better intel on how they feel the results are. Which frankly so far have been less than middling. Election night ratings for them were disastrous. And he did 3 hours last night. Not good.

Sent 2020-11-06 01:05:23 AM UTC FROM: Gary Schreier - [REDACTED]

Maria Bartiromo @MariaBartiromo This is the same group who abused power in 2016. I will be leaving soon and going to Parler. Please open an account on @parler right away. 7:58pm · 5 Nov 2020 · Twitter for iPhone

Sent 2020-11-06 01:21:30 AM UTC FROM: Lauren Peterson - [REDACTED]

How about get off social all together

Sent 2020-11-06 01:24:32 AM UTC FROM: Gary Schreier - [REDACTED]

I mean if you say crazy wrong shit on Parler is that better just because Parler won't flag you?

Sent 2020-11-06 01:24:38 AM UTC FROM: Gary Schreier - [REDACTED]

Self inflicted completely avoidable stuff is so frustrating.

Sent 2020-11-06 01:32:38 AM UTC FROM: Gary Schreier - [REDACTED]

AZ 56,833 with 80% in.

Sent 2020-11-06 03:03:46 AM UTC FROM: Gary Schreier - [REDACTED]

Sent 2020-11-06 01:15:23 AM UTC FROM: Gary Schreier - [REDACTED]

Maria Bartiromo @MariaBartiromo This is the same group who abused power in 2016. I will be leaving soon and going to Parler. Please open an account on @parler right away. 7:58pm · 5 Nov 2020 · Twitter for iPhone

Sent 2020-11-06 01:21:30 AM UTC FROM: Lauren Peterson - [REDACTED]

How about get off social all together

Sent 2020-11-06 01:24:32 AM UTC FROM: Gary Schreier - [REDACTED]

I mean if you say crazy wrong shit on Parler is that better just because Parler won't flag you?

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David Clark

Senior Vice President  
for Weekend News and  
Programming



Ex. 106  
25:19-27:6

Q. You do agree that you did discuss them [Powell and Giuliani] before they were on a show, correct?

**A. Yes.**



David Clark

Senior Vice President  
for Weekend News and  
Programming



Ex. 106  
23:8-24

Q. During this timeframe, you would consult with Ms. Scott and Mr. Wallace about the content of each of those shows Sunday Morning Futures with Maria Bartiromo and Justice with Judge Jeanine, correct?

**A. *Extremely rarely, but yes.***

Q. And indeed, if they had told you not to host a certain guest, you would then convey that instruction to the shows, correct?

**A. *Yes.***

Q. And indeed, if they had told you not to broadcast certain content during this timeframe, you would convey that instruction to the shows, correct?

**A. *Correct, yes.***

# Testimony of David Clark



David Clark

Senior Vice President  
for Weekend News and  
Programming



Ex. 106  
105:21-106:20

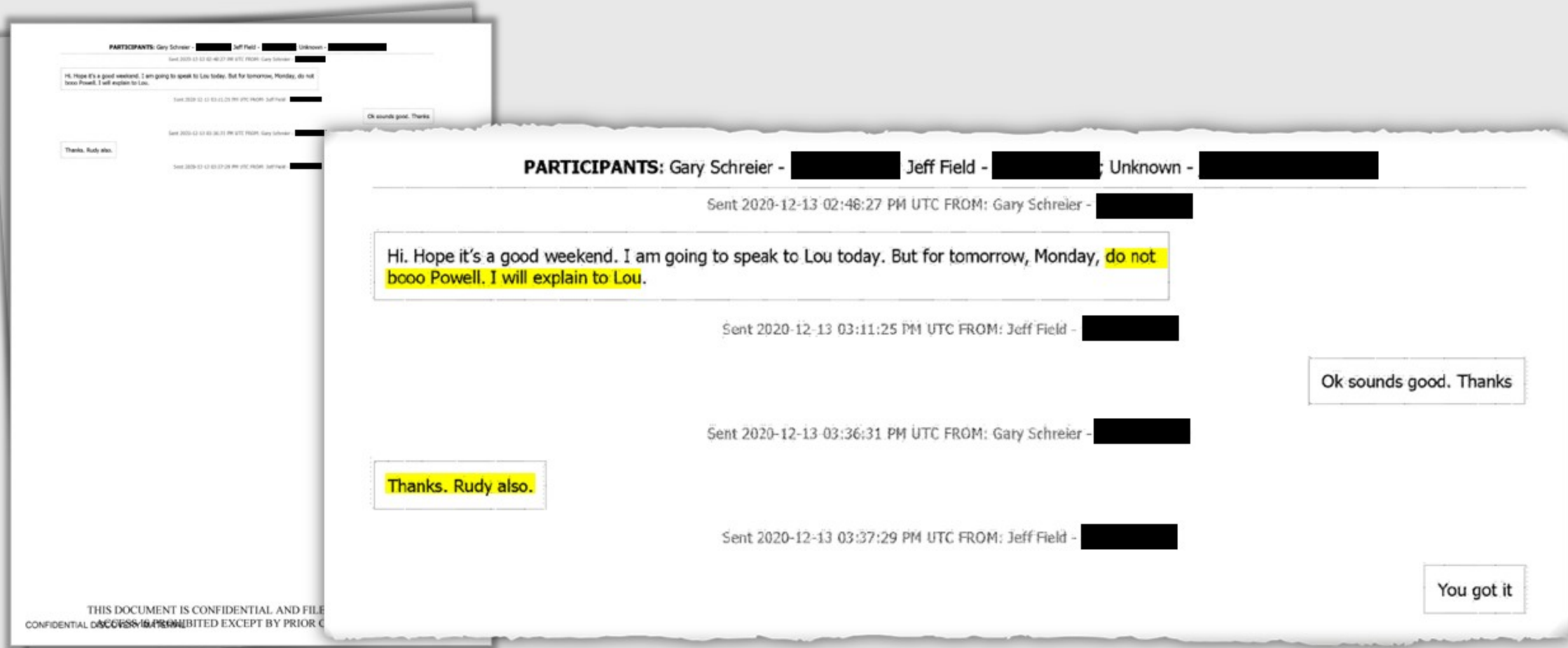
Q. Who else had the responsibility to provide Judge Jeanine Pirro with close editorial supervision and guidance during the period from the September 2020 to December 2020?

**A. It would involve predominantly Mr. Andrews, Jerry Andrews, who oversaw that show.**

\* \* \*

Q. It could also involve Suzanne Scott?

**A. It could.**



# Schreier to Dobbs Producer

**PARTICIPANTS:** Gary Schreier - [REDACTED] Jeff Field - [REDACTED] Unknown - [REDACTED]

Sent 2021-01-19 01:30:15 AM UTC FROM: Gary Schreier - [REDACTED]

But we need to be thinking this stuff through. We cannot go near dominion. Not the same area code.

PARTICIPANTS: Gary Schreier - [REDACTED] Jeff Field - [REDACTED] Unknown - [REDACTED]

Hi there. Is Margie Taylor Greene looked for lol tomorrow?

She has spoken about dominion voters. This needs to be cancelled Jeff.

Thanks. Please confirm. Obviously if you are angry he can call me. But tomorrow please.

But we need to be thinking this stuff through. We cannot go near dominion. Not the same area code.

I don't know if you will call you or not but as I expected he will... beyond that ball reflex needs to stop. And is asking whether the network is not running... considering Lindell's comments about Dominion. I was unaware that Greene was banned based on the Dominion comments. The story I read initially just said she was banned because false election claims-- didn't mention Dominion. Had I known I would've flagged. Sorry about that.

Had I don't know if the Twitter ban was on dominion comments specifically but she has spoken falsely on dominion. Do think we wouldn't look him as a guest.

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Ex.414  
FNN013\_00127006





Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
330:4-8

**A. "...And I would note that Suzanne is also on this e-mail and I think the expectation by Lachlan would be that she would be overseeing -- you know, ultimately responsible for what's on the air."**



Rupert Murdoch

Co-Chairman  
Fox Corporation



Ex. 600  
72:19-24,  
157:21-158:12

Q. And you're reporting that up to Suzanne Scott; right?

**A. Yes.**

Q. Why did you tell Ms. Scott this?

**A. Because she is responsible for the call, responsible for everything on Fox News.**

\* \* \*

Q. Sir, we left off yesterday speaking about your role at Fox News. And you did agree, sir, that you could have told Ms. Suzanne Scott to stop hosting a particular guest; correct?

**A. I don't normally do that, but certainly Ms. Scott, as the chief executive of Fox News, is responsible -- well, to the whole board, but to me as chairman.**



**From:** Scott, Suzanne </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=85BFE6824750416486BDA0F78D10943E-SUZANNE.SCO>  
**To:** Schreier, Gary (FoxNews); Lowell, Tom (FoxNews); Petterson, Lauren (FoxNews); Gahn, Gavin (FoxNews); Cooper, Meade; Berry, Porter (FoxNews); Mitchell, Ron (FoxNews)  
**Sent:** 11/11/2020 9:44:37 AM  
**Subject:** Re: When you've lost James Baker....

Sending this only to a smaller group.

It's a question of public trust.

Americans distrust for the media and big tech and certainly now polling connects directly to their distrust and questions around the integrity and transparency of the voting process.

This is why there is so much intense anger over our AZ call.

A trust has been broken and it's our jobs to help them through this to the other side with strong reporting, investigative pieces and certainly speaking to the audience with respect is critical.

People are smart and will make up their own minds.

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**From:** Wallace, Jay <jay.wallace@FOXNEWS.COM>  
**Sent:** Wednesday, November 11, 2020 5:30 AM  
**To:** Schreier, Gary (FoxNews); Lowell, Tom (FoxNews); Petterson, Lauren (FoxNews); Rosenberg, Kim (FoxNews); Cooper, Meade; Berry, Porter (FoxNews); Komissaroff, Alan (FoxNews); Rohrbeck, Douglas (FoxNews)  
**Cc:** Scott, Suzanne  
**Subject:** RE: When you've lost James Baker....

Baker is spot on.  
The one thing that I'd say for us, if we are going to go after polling, then we need to be disciplined cherry picked polls when it suits us. Not sure citing a poll saying 70 percent of Americans don't care that we should no longer listen to polls - there's hypocrisy there that I think we want to avoid. When the dust does settle on 2020, we'll have a bigger conversation on polling and how to move

**From:** Schreier, Gary  
**Sent:** Wednesday, November 11, 2020 7:25 AM  
**To:** Lowell, Tom [REDACTED]; Petterson, Lauren [REDACTED]; Gahn, Gavin [REDACTED]; Rosenberg, Kim [REDACTED]; Mitchell, Ron [REDACTED]; Berry, Porter [REDACTED]; Komissaroff, Alan [REDACTED]  
**Cc:** Scott, Suzanne (Fox) [REDACTED]; Wallace, Jay [REDACTED]  
**Subject:** RE: When you've lost James Baker....

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**From:** Scott, Suzanne </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=85BFE6824750416486BDA0F78D10943E-SUZANNE.SCO>  
**To:** Schreier, Gary (FoxNews); Lowell, Tom (FoxNews); Petterson, Lauren (FoxNews); Hadden, Gavin (FoxNews); Cooper, Meade; Berry, Porter (FoxNews); Mitchell, Ron (FoxNews); Wallace, Jay (FoxNews)  
**Sent:** 11/11/2020 9:44:37 AM  
**Subject:** Re: When you've lost James Baker....

Sending this only to a smaller group.

It's a question of public trust.

Americans distrust for the media and big tech and certainly now polling connects directly to their distrust and questions around the integrity and transparency of the voting process.

This is why there is so much intense anger over our AZ call.

A trust has been broken and it's our jobs to help them through this to the other side with strong reporting, investigative pieces and certainly speaking to the audience with respect is critical.

# Scott Knows About Lindell Appearance

**PARTICIPANTS:** Justin Wells - [REDACTED]; Tucker Carlson - [REDACTED]; Unknown - [REDACTED]

Sent 2021-01-26 03:04:28 PM UTC FROM: Unknown - [REDACTED]

I told Suzanne we were doing it and he was supportive. She voiced how great the open was last night.

PARTICIPANTS: Justin Wells [REDACTED] Tucker Carlson [REDACTED]

Sent 2021-01-26 03:04:28 PM UTC FROM: Tucker Carlson [REDACTED]

From Suzanne this morning: Powerful open last night. Report a beacon. Thank you

Sent 2021-01-26 03:04:28 PM UTC FROM: Unknown [REDACTED]

This is really good. I th

Sent 2021-01-26 03:04:28 PM UTC FROM: Unknown [REDACTED]

<https://twitter.com/tuling>

Library

Library

Sent 2021-01-26 03:04:28 PM UTC FROM: Unknown [REDACTED]

You've got to watch the video. The text is just beginning of what she said before making her points.

Sent 2021-01-26 03:04:28 PM UTC FROM: Unknown [REDACTED]

Ad sales head is supportive of Lindell. He says they can navigate it.

Sent 2021-01-26 03:04:28 PM UTC FROM: Unknown [REDACTED]

I told Suzanne we were doing it and he was supportive. She voiced how great the open was last night.

Sent 2021-01-26 03:04:28 PM UTC FROM: Tucker Carlson [REDACTED]

Wonderful. We are winning. I can feel it. The stronger we are, the more likely we are to survive.

Sent 2021-01-26 03:04:28 PM UTC FROM: Tucker Carlson [REDACTED]

Tara just told me that Scarborough didn't respond this morning. We beat him.

Sent 2021-01-26 03:04:28 PM UTC FROM: Tucker Carlson [REDACTED]

Do you remember Tara Zelnick? Used to work here. Went to CBS local in New York. Looking to come back as a reporter. Any idea who she ought to talk to for a job?

Sent 2021-01-26 03:04:28 PM UTC FROM: Unknown [REDACTED]

Oh yeah. And I have some old friends now over there.

Sent 2021-01-26 03:04:28 PM UTC FROM: Unknown [REDACTED]

I know they've been cutting some.

Sent 2021-01-26 03:04:28 PM UTC FROM: Unknown [REDACTED]

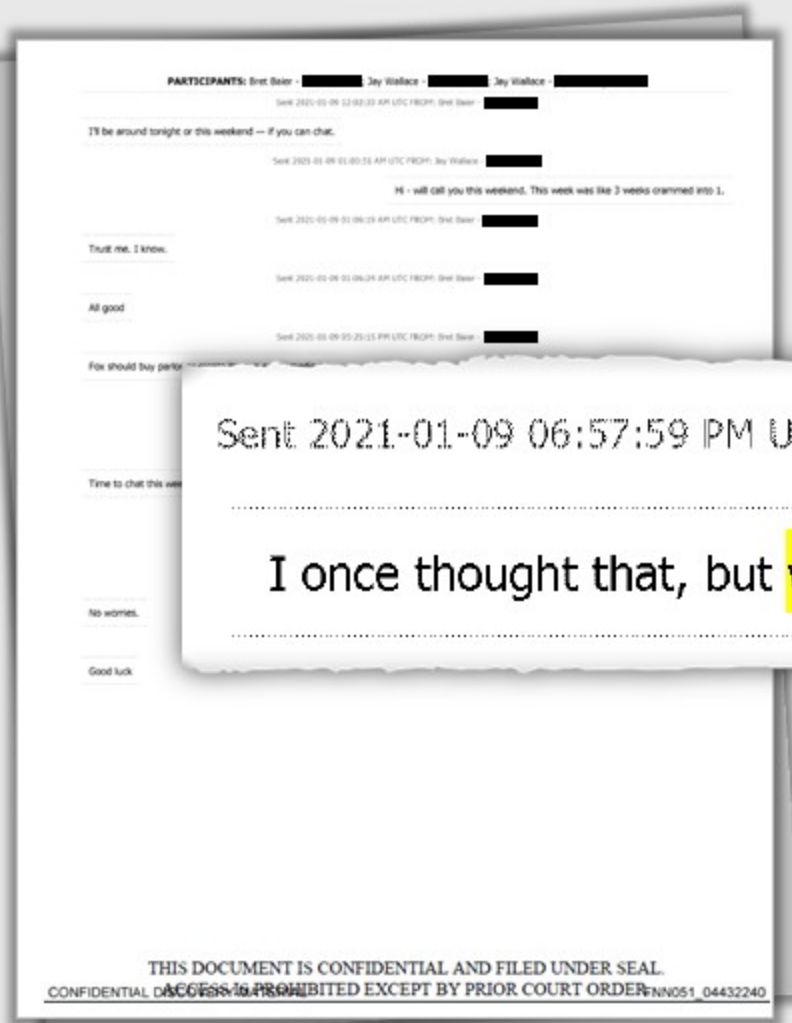
You're a fan?

Sent 2021-01-26 03:04:28 PM UTC FROM: Tucker Carlson [REDACTED]

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Ex.417  
FNN079\_04549096

# Wallace on Acquiring Parler



Sent 2021-01-09 06:57:59 PM UTC FROM: Jay Wallace - [REDACTED]

I once thought that, but we can barely contain Dobbs - imagine all the crazy we'd be responsible for.

Ex.540

**From:** Baier, Bret (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=ACF3070594404DB5A57E3F6283B406C4-BAIER, BRET>  
**To:** Wallace, Jay (FoxNews); Maccallum, Martha (FoxNews)  
**Sent:** 11/6/2020 8:05:43 PM  
**Subject:** Fwd: [EXTERNAL] Where is your coverage of Operation HAMMER and SCORECARD?

What is this? Oh man

*Bret Baier*  
Chief Political Anchor, Fox News Channel  
Executive Editor, "Special Report w/ Bret Baier"

Begin forwarded message:

**From:** Jenette Leblang <[REDACTED]>  
**Date:** November 6, 2020 at 6:03:15 PM EST  
**To:** Show -Special <[REDACTED]>, "Baier, Bret" <[REDACTED]>  
**Subject:** [EXTERNAL] Where is your coverage of Operation HAMMER and SCORECARD? 🌐

Sydney Powell just broke the story on Dobbs.

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**From:** Baier, Bret (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=ACF3070594404DB5A57E3F6283B406C4-BAIER, BRET>  
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Executive Editor, "Special Report w/ Bret Baier"

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**To:** Show -Special <[REDACTED]>, "Baier, Bret" <[REDACTED]>  
**Subject:** [EXTERNAL] Where is your coverage of Operation HAMMER and SCORECARD? 🌐

Sydney Powell just broke the story on Dobbs.

Ex.279

FNN018\_02264215



# November 16: After Fratto and Wallace Speak

**From:** jly wallace [REDACTED]  
**To:** Petterson, Lauren; Cooper, Meade ( Fox )  
**Sent:** 11/16/2020 6:42:49 PM  
**Subject:** Fwd: [EXTERNAL] Fwd: FOX BUSINESS (LOU DOBBS TONIGHT): The Battle For The White House

From Dominion - I spoke with him earlier to calm him, but it doesn't look like it worked. Think we need to keep an eye out here on this storyline - or at least make sure we include their response.  
Thank you.

Begin forwarded message:

**From:** Tony Fratto [REDACTED]  
**Date:** November 16, 2020 at 6:17:31 PM  
**To:** "Wallace, Jay" [REDACTED]  
**Subject:** [EXTERNAL] Fwd: FOX BUSINESS (LOU DOBBS TONIGHT): The Battle For The White House

More fucking out and lies. Honestly. H

----- Forwarded message -----  
**From:** Flag Alerts [REDACTED]  
**Date:** Mon, Nov 16, 2020 at 6:13 PM  
**Subject:** FOX BUSINESS (LOU DOBBS TONIGHT): The Battle For The White House  
**To:** [REDACTED]

**FOX BUSINESS (LOU DOBBS TONIGHT): The Battle For The White House**  
**By:** Audio/Video  
No Link

[Note: No Link Available At This Time]

**LOU DOBBS:** left-wing national media new revised complaint in pennsylvania that republican poll watchers had been set the post straight on twitter. he said, watchers and the way they were treated tomorrow in front of an obama-appointed anomalies and cheating in the presidential machines demand a national security in ballot-scanning machines whose software used in more than two dozen states. **dominion voting equipment** in the u.s. elections. the

course, quick to dismiss any concern about **dominion voting** machines being manipulated as a, quote-unquote, conspiracy theory. but just last year democrats were suffering from the same conspiracy theory. democrats elizabeth warren, ron widen, amy klobuchar admitted that **dominion voting systems** were prone to security issues. **dominion** has connections to u.k.-based smartmatic, a voting technology company established in 2000 that had ties to venezuela's hugo chavez. smartmatic wants the subject -- once the subject of a treasury

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**From:** Tony Fratto [REDACTED] >  
**Date:** November 16, 2020 at 6:17:31 PM EST  
**To:** "Wallace, Jay" [REDACTED]  
**Subject:** [EXTERNAL] Fwd: FOX BUSINESS (LOU DOBBS TONIGHT): The Battle For The White House

More fucking out and lies. Honestly. He is a disgrace.

Ex.236

FNN019\_03561073

# November 24

**From:** Tony Fratto [REDACTED]  
**To:** Wallace, Jay  
**Sent:** 11/24/2020 5:50:47 PM  
**Subject:** [EXTERNAL] Fwd: FOX BUSINESS (LOU DOBBS TONIGHT): Concerns Raised About Election Voting Systems

You guys know this is all bullshit. Everyone knows it. This is reckless.

----- Forwarded message -----  
**From:** Flag Alerts [REDACTED]  
**Date:** Tue, Nov 24, 2020 at 5:33 PM  
**Subject:** FOX BUSINESS (LOU DOBBS TONIGHT)  
**To:** [REDACTED]

**FOX BUSINESS (LOU DOBBS TONIGHT):**  
**By:** Audio/Video  
**No Link**

**LOU DOBBS:** breaking news and more evidence of manipulation of the election and voters. prominent swayed at least 16 million voters to joe Biden in happen. he says it did happen, saying google was liberals received the reminder to vote online got just one small example. failed vice presidential ryan has chosen his moment to be back with his today speaking virtually to the bank of america maybe even more important is that these legal cases really need to stop, in my opinion. the outcome in our system of government, our faith in our democracy giving a sixth grade civics address to the class. I threw away the midterm election in 2018 and election **dominion voting systems** trotting out a d.c. poll this year's election. in defending **dominion**, spo capitalists. he calls it an american company. but congress in january he owns 12% of the company equity firm run by foreman managers of the car **dominion** will not tell us who they are or who is defense attorney for general michael flynn, fort to have you -- sidney. great to have you with us focusing on that part of the, of the electoral fraud know who they are? [laughter]

**SIDNEY POWELL:** well, because they've used groups to hide their actual ownership. but there's no account that the software was created and used in venezuela to control the elections and make sure that hugo chavez was always reflected as the dictator of venezuela in what appeared to be. quote. free and fair elections, end quote. but they were manipulated by the software used in the **dominion** machines and used by other machines in the united states, frankly. and we are just continuing to be inundated by evidence of all the frauds here in every manner and means of fraud you could possibly think of.

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**From:** Tony Fratto [REDACTED]  
**To:** Wallace, Jay  
**Sent:** 11/24/2020 5:50:47 PM  
**Subject:** [EXTERNAL] Fwd: FOX BUSINESS (LOU DOBBS TONIGHT): Concerns Raised About Election Voting Systems

You guys know this is all bullshit. Everyone knows it. I honestly thought, whatever...at least Powell won't be on credible TV anymore. This is reckless.

Ex.238  
FNN008\_00023275

## **Daily 8:30am & 3:00pm Meetings**

- Porter Berry
- Meade Cooper
- Alan Komissaroff
- Tom Lowell
- Lauren Petterson
- Kim Rosenberg
- Bill Sammon
- Gary Schreier
- Suzanne Scott
- Jay Wallace
- Rupert Murdoch (on occasion)
- Lachlan Murdoch (on occasion)



## SUNDAY MORNING FUTURES BROADCAST ¶179(a)

<b>Date:</b>	November 8, 2020
<b>Host:</b>	Maria Bartiromo
<b>Falsity:</b>	Category 1: Dominion committed election fraud by rigging the 2020 Presidential Election
	Category 2: Dominion's software and algorithms manipulated vote counts in the 2020 Presidential Election

### Transcript:

Powell: There has been a massive and coordinated effort to steal this election from we the people of the United States of America, to delegitimize and destroy votes for Donald Trump, to manufacture votes for Joe Biden.

...

[B]ut they also used an algorithm to calculate the votes they would need to flip, and they used the computers to flip those votes from Biden to – I mean, from Trump to Biden...

# Sunday Morning Futures with Maria Bartiromo

From: Maria Bartiromo  
Sent: Saturday, November 7, 2020 6:03 PM EST  
To: Sidney Powell  
Subject: Re: Election Fraud Info

I just spoke to Eric & told him you gave very imp info

Sent from my iPhone

On Nov 7, 2020, at 6:00 PM, Sidney Powell <[REDACTED]> wrote:

Sidney Powell  
[www.SidneyPowell.com](http://www.SidneyPowell.com)  
Federal appellate attorney and author of LICENSED TO LIE & co-author of CONVICTION MACHINE

----- Forwarded message -----

From: **Marlene Bourne** <[REDACTED]>  
Date: Sat, Nov 7, 2020, 5:07 PM  
Subject: Election Fraud Info  
To: <sidneypowell@[REDACTED]>, <tfitton@[REDACTED]>  
<lou@[REDACTED]>

Dear Mrs. Powell, Mr. Fitton, and Mr. Dobbs:

I was told to email you the following pieces of information:  
You're probably already aware of voting irregularities in a number of states, which have one common thread: Dominion Voting Systems.  
Don't you find it curious that Nadeem Elshami, Nancy Pelosi's longtime Chief of Staff is a key executive there, and that Richard Blum, Senator Feinstein's husband, is not only a significant shareholder of that company, but in Avid Technologies as well?  
As a point of reference...back in 2009, Diebold sold their election machines division. An anti-trust suit was immediately filed that conveniently ensured that, in 2010, Dominion Voting Systems would acquire the assets "in order to restore competition". With the acquisition of another large California election machine company in the same timeframe, that gave Dominion an even bigger monopoly than Diebold ever had - yet no one has ever filed an anti-trust suit against them. Friends in high places indeed.  
But the monopoly isn't necessarily the issue - it's the software. A piece of code was inserted such that, once ballots were fed into the database for tabulation, up to 3% of votes for Mr. Trump would automatically switch to Mr. Biden; this was capped at 3% because it was

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From: **Marlene Bourne** <[REDACTED]>  
Date: Sat, Nov 7, 2020, 5:07 PM  
Subject: Election Fraud Info  
To: <sidneypowell@[REDACTED]>, <tfitton@[REDACTED]>  
<lou@[REDACTED]>

As for Mr. Dobbs...are you aware that Mr. Ailes, Mr. Murdoch, and the handful of other (non-US) owners of the major US media outlets secretly huddle most days to determine how best to portray Mr. Trump as badly as possible? The global hatred of the man has everything to do with the fact that, as a political outsider, Mr. Trump has disrupted a well-oiled global money laundering operation; one that revolves around the congress critters, lobbyists, and public relations firms. There are trillions at stake...never come between a thief and his



U.S. Politics Media Opinion Business Entertainment Sports Lifestyle Weather TV Fox Nation Listen More

Hot Topics TWITTER | IDAHO MURDERS

NEWS EVENTS · Published May 23, 2017 3:53pm EDT

**Roger Ailes, founder of Fox News,  
dead at 77**

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<[REDACTED]>

As an aside, I'll throw this out there just because it's so interesting...and related...SCOTUS Justice Scalia wasn't accidentally shot during a hunting trip on John Poindexter's Texas ranch. He was purposefully killed at the annual Bohemian Grove camp...a club for members of the Mega-Group, during a weeklong human hunting expedition. NEVER accept an invitation to be a guest at that camp. Ever.

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# Sunday Morning Futures with Maria Bartiromo

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Date: Sat, Nov 7, 2020, 5:07 PM  
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Date: Sat, Nov 7, 2020, 5:07 PM  
Subject: Election Fraud Info  
To: <sidneypowell@[REDACTED]>, <tfitton@[REDACTED]>  
<[REDACTED]>

That being said. Who am I? And how do I know all of this?

I spent most of my career (15+ years) as a successful technology analyst; an expert in the field of nanotechnology, which touches on *everything*. I was superbly accurate with my forecasts and ideas. I always thought I was just a really gifted that way, but it's turned out to be a bit more than that.

I've had the strangest dreams since I was a little girl. Most were just odd - others were clearly predictions. Over time, they became more...vivid...and more...interactive. About ten years ago, an event took place that seemed to amplify these abilities, by vastly more than an order of magnitude.

Although the most vivid "dreams" take place while dozing, they're not normal dreams; but I'm not sure the Native American term "visions" really fits, either. It's more like time-travel in a semi-conscious state; and all senses are involved. But that's not all - when I'm awake, I see what others don't see, and hear what others don't hear.



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Date: Sat, Nov 7, 2020, 5:07 PM

Subject: Election Fraud Info

To: <sidneypowell@[REDACTED]>, <tfitton@[REDACTED]>

There's a movie, Thunderheart, in which the Native American sheriff explains it best to an FBI agent who is just learning to tap into his Native American heritage...he tells him to "listen to the wind". That makes sense to me.

Stranger still, I was in a car accident in 1992; and something took place that I've never been able to explain. For all intents and purposes, I was internally decapitated, and yet, I live. I breathe, I shop, I laugh, I get old, I walk the earth.

The Wind tells me I'm a ghost, but I don't believe it. Although, it appears that I was shot in the back shortly after submitting a tip to the FBI two years ago...at the time, I thought I just tripped and fell during a walk and bruised my ribs...but I had a vision about a year later in which I stood in the same spot and felt my soul leave my body. It was like having a band-aid being ripped off your skin. And yet, I continue to walk the earth.

Despite that, the wind tells me that no one can harm me; it protects me and keeps me safe. Anyway, I've gotten a little off track, and I'll be the first to admit that while the last bit is pretty wackadoodle, it's relevant...and I can tell you this about everything else above: Time always...eventually...proves me correct.

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Ex. 154

# Sunday Morning Futures with Maria Bartiromo

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Sent: Saturday, November 7, 2020 6:03 PM EST  
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Date: Sat, Nov 7, 2020, 5:07 PM  
Subject: Election Fraud Info  
To: <sidneypowell@[REDACTED]> -tfimon [REDACTED]  
<[REDACTED]>

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Ex. 259

# Testimony of Abby Grossberg



Abby Grossberg

Senior Booking  
Producer for  
Sunday Morning  
Futures



Ex. 121  
148:8-17

Q. I'm not asking you to judge her. I'm asking you to judge the allegations that she is making. And if your testimony is that they are farfetched, that's fine. My question is, do you think that the allegations sound wackadoodle?

**A. *This isn't something that I would use right now as reportable for air, no, it's not***



# Testimony of David Clark



David Clark

Senior Vice President  
for Weekend News and  
Programming



Ex. 106  
209:21-210:2,  
213:3-11

Q. Do you believe in your professional opinion that this document is sufficient to make the severe allegation that Dominion Voting machines rigged the election and flipped votes?

**A. *No, I do not.***

\* \* \*

Q. As presented in this document, the theories are crazy, correct?

**A. *Yes.***

Q. And you would want to see a heck of a lot of real evidence to back up the allegations, if this was one of the pieces of evidence that Ms. Powell was relying on, correct?

**A. *Yes.***



# Schwartz to Bartiromo

PARTICIPANTS: Arthur Schwartz - [REDACTED]

Maria Bartiromo - [REDACTED]

Maria Bartiromo - [REDACTED]

Sent 2020-11-20 08:30:01 AM EST FROM: Arthur Schwartz - [REDACTED]

Sydney is full of shit. No one in the WH or the family has seen her "evidence." This is getting out of control.

PARTICIPANTS: Arthur Schwartz - [REDACTED] Maria Bartiromo - [REDACTED] Maria Bartiromo - [REDACTED]

Sent 2020-11-20 08:30:01 AM EST FROM: Arthur Schwartz - [REDACTED]

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Sent 2020-11-20 08:31:27 AM EST FROM: Maria Bartiromo - [REDACTED]

Sent 2020-11-20 08:33:01 AM EST FROM: Arthur Schwartz - [REDACTED]

100%.

Sent 2020-11-20 08:38:38 AM EST FROM: Arthur Schwartz - [REDACTED]

I wish that stuff was true. It isn't. There's nothing there.

Sent 2020-11-20 08:39:49 AM EST FROM: Maria Bartiromo - [REDACTED]

The president is being poorly served by people telling him it's true. We lost because we ran against a corrupt media and big tech. That's what we need to focus on.

Sent 2020-11-20 08:39:59 AM EST FROM: Arthur Schwartz - [REDACTED]

It isn't going to matter because they're not going to say any of those things in court because they're not true.

Sent 2020-11-20 08:40:22 AM EST FROM: Maria Bartiromo - [REDACTED]

So what about taking on media then & big tech

Sent 2020-11-20 08:42:34 AM EST FROM: Arthur Schwartz - [REDACTED]

The media is corrupt but that's not a crime. They put that fraud Betsy Ford on TV with her Kavanaugh lies but they completely ignored Bibbala because they didn't like the facts that he brought forward. If we ever want to win again, we have to focus on things like that instead of conspiracy theories. We're discouraging ourselves in ways that we can never come back from by pushing this nonsense. And that's what it is -- pure nonsense.

Sent 2020-11-20 08:46:25 AM EST FROM: Arthur Schwartz - [REDACTED]

And we have to attack the mail in voting because there's lots of fraud there -- ballot harvesting etc. But we can't reverse the election based on that alone. We need to point to that fraud and hammer all the examples & make it clear that the Dems may have won this time around but if that is what our elections are going to look like going forward, we'll become a banana republic where elections are decided by which side is best at fraud. That is the real, existential threat. But we're ignoring it & Dems are laughing their asses off because they think they got away with what actually happened. They love that we're going after democracy.

Sent 2020-11-20 08:50:27 AM EST FROM: Arthur Schwartz - [REDACTED]

And we have to go after big tech. Every R on the Hill and running for office has to know that section 230 is as much a thorn in our side as abortion and guns. Or we'll never win again.

Sent 2020-11-20 08:52:35 AM EST FROM: Maria Bartiromo - [REDACTED]

Honestly if Trump loses I do not think you will see a R in the WH for a very long time. They'll be in charge of the voting machines and in charge of elections. It's over. & if they cheat in Georgia on Jan 18th & win, we will be changed forever.

Sent 2020-11-20 08:53:38 AM EST FROM: Maria Bartiromo - [REDACTED]

CONFIDENTIAL DISCOVERY MATERIAL

FNN022\_03851340

Ex.435  
FNN022\_03851340

# "Our Audience Doesn't Want To Hear About a Peaceful Transition"

Sent 2020-11-29 07:17:26 PM EST FROM: Abby Grossberg - [REDACTED]

To be honest, our audience doesn't want to hear about a peaceful transition.

Sent 2020-11-29 07:17:30 PM EST FROM: Abby Grossberg - [REDACTED]

They still have hope.

Sent 2020-11-29 07:19:32 PM EST FROM: Maria Bartiromo - [REDACTED]

Yes agree

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## **Tucker Carlson's Show**

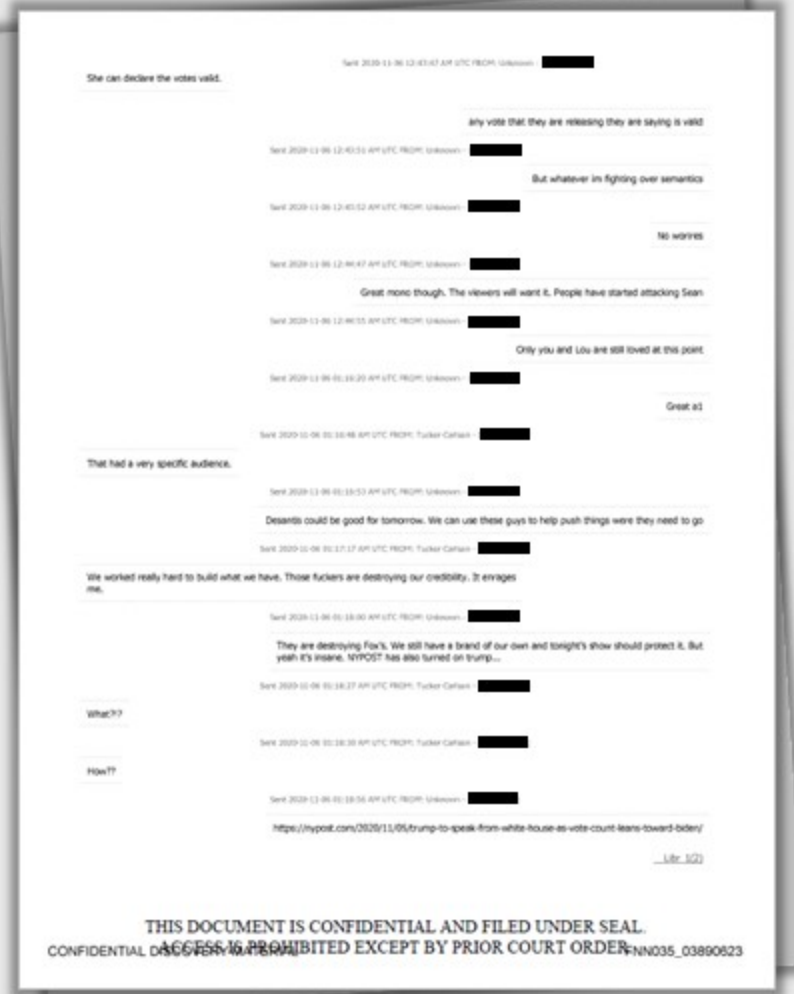
---

- Tucker Carlson
- Justin Wells
- Kelly McNally
- Thomas Fox
- Alexander McCaskill





**PARTICIPANTS:** Tucker Carlson - [REDACTED]; Tucker Carlson - [REDACTED]; Unknown - [REDACTED]



Sent 2020-11-06 01:17:17 AM UTC FROM: Tucker Carlson - [REDACTED]

We worked really hard to build what we have. Those fuckers are destroying our credibility. It enrages me.

Sent 2020-11-06 01:20:36 AM UTC FROM: Tucker Carlson - [REDACTED]

Had a confeeence call with Laura and sean a minute ago.

Sent 2020-11-06 01:27:22 AM UTC FROM: Tucker Carlson - [REDACTED]

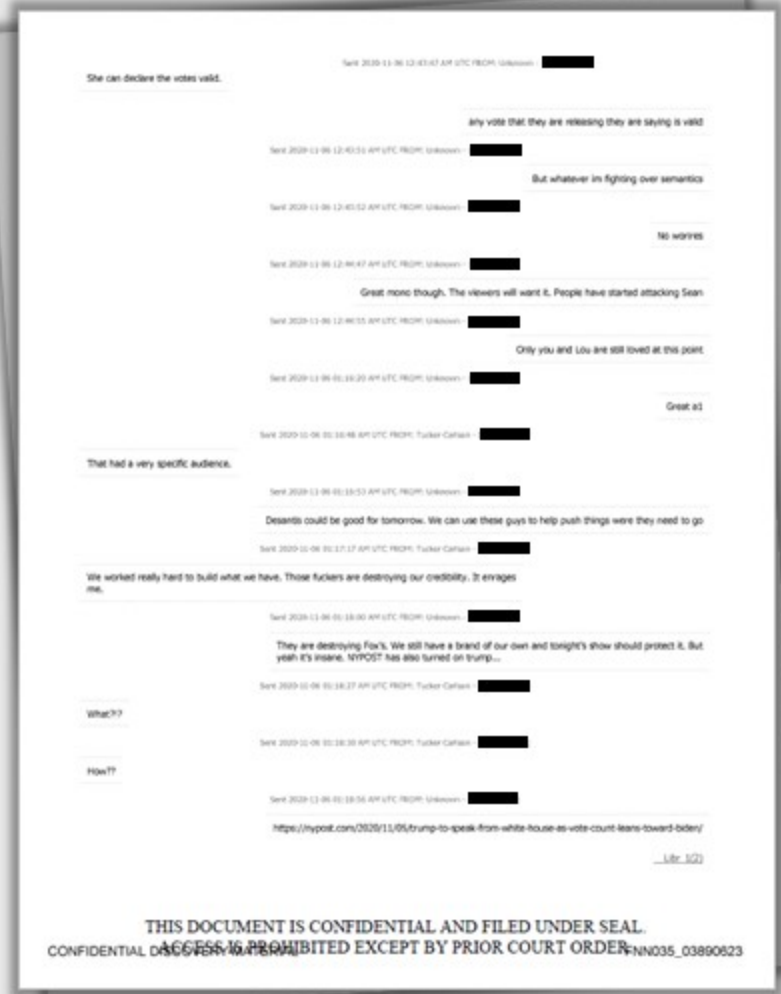
They're highly upset.

Sent 2020-11-06 04:00:22 AM UTC FROM: Tucker Carlson - [REDACTED]

True. At this point we're getting hurt no matter what.

Ex.199  
FNN035\_03890623-26

**PARTICIPANTS:** Tucker Carlson - [REDACTED]; Tucker Carlson - [REDACTED]; Unknown - [REDACTED]



Sent 2020-11-06 05:05:57 PM UTC FROM: Tucker Carlson - [REDACTED]

Of course they are. We're not going to follow them. The sun will rise tomorrow and we want to wake up intact. I always think that.

Sent 2020-11-06 10:53:32 PM UTC FROM: Tucker Carlson [REDACTED]

That's for sure. All of them fail. What he's good at is destroying things. He's the undisputed world champion of that. He could easily destroy us if we play it wrong. It's so obvious. These people are just too fucking stupid to be in this game.

# "The Claims About Dominion Have Been Debunked"

PARTICIPANTS

Redacted

Tucker Carlson -

Tucker Carlson -

PARTICIPANTS Redacted Tucker Carlson - Tucker Carlson -

Sent 2020-11-17 01:20:23 AM UTC FROM: Redacted

From WH ... the claims about dominion have been debunked. We just got the analysis ...

Today

Tell Tucker to be very careful w Dominion 8:20 PM

...

Sent 2020-11-17 01:23:12 AM UTC FROM: Tucker Carlson -

Thanks man.

Sent 2020-11-17 01:23:14 AM UTC FROM: Tucker Carlson -

For sure? I asked Sidney for evidence. She never responded.

Sent 2020-11-17 01:23:46 AM UTC FROM: Redacted

She's a psychopath. She's getting Trump all spun up and has zero evidence.

Sent 2020-11-17 01:24:01 AM UTC FROM: Redacted

Same with Rudy. NSC cyber did a through analysis. There's nothing to it.

Sent 2020-11-17 01:24:06 AM UTC FROM: Tucker Carlson -

Fucking bitch.

Sent 2020-11-17 01:27:04 AM UTC FROM: Redacted

And she hasn't stopped.

Sent 2020-11-17 01:25:49 AM UTC FROM: Tucker Carlson -

Cray person.

Sent 2020-11-17 02:01:05 AM UTC FROM: Redacted

<https://twitter.com/DaveTimony/status/1328544312399368>

...

...

...

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Sent 2020-11-17 01:21:15 AM UTC FROM: Redacted

From WH ... the claims about dominion have been debunked. We just got the analysis ...

Today

Tell Tucker to be very careful w Dominion 8:20 PM

# Justin Wells

PARTICIPANTS: Justin Wells - [REDACTED], Ron Mitchell - [REDACTED], Tucker Carlson - [REDACTED], Tucker Carlson - [REDACTED]

Sent 2020-11-19 05:57:22 PM UTC FROM: Justin Wells - [REDACTED]

This press conference has gotten bananas.

Sent 2020-11-19 05:57:22 PM UTC FROM: Justin Wells - [REDACTED]

Sidney Powell and Rudy are fucking liars.

By my court so far, I  
companies and small

Not making any of that up.

Sent 2020-11-19 06:11:14 PM UTC FROM: Justin Wells - [REDACTED]

Holy shit.

Sent 2020-11-19 06:11:14 PM UTC FROM: Justin Wells - [REDACTED]

It's all so desperate and deranged at the same time.

EXHIBIT  
2349

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Ex.386



# Wells to Pfeiffer

Sent 2021-01-07 03:39:52 AM UTC FROM: Unknown - [REDACTED]

We're threading a needle that has to be thread because of the dumb fucks at Fox on Election Day.

Sent 2021-01-07 03:40:12 AM UTC FROM: Unknown - [REDACTED]

We can't make people think we've turned against trump. Yet also call out the bullshit.

Sent 2021-01-07 03:40:16 AM UTC FROM: Unknown - [REDACTED]

You and I see through it.

Sent 2021-01-07 03:40:29 AM UTC FROM: Unknown - [REDACTED]

But we have to reassure some in the audience.



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CONFIDENTIAL AND NOT TO BE DISCLOSED EXCEPT BY PRIOR COURT ORDER IN 2019\_04550758

# Carlson Team Knew What He Would Discuss

From: Yaron, Eldad (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7A13C45B3F124687B84B9C8B37101ADD-YARON, ELDA>  
To: 329-Tuckertroop  
Sent: 1/26/2021 6:02:14 PM  
Subject: A2: MIKE LINDELL

TUCKER CARLSON TONIGHT  
MIKE LINDELL

DATE: JANUARY 26, 2020  
SEGMENT: A2  
PRODUCER: ELDAD X1-3339

A2  
TOPIC: BIG TECH AND WOKE CORPORATIONS CANCEL TRUMP SUP  
(THE 'MY PILLOW' GUY)  
GUEST: MIKE LINDELL  
TITLE: MY PILLOW C.E.O.  
LOCATION: HOUSTON, TX - PLEASE DON'T DISCLOSE

POV:

- o They are trying to destroy My Pillow
- o They are trying to destroy my platform
- o The reason this is happening is that 3 weeks ago new evidence came up on the voting machines on Twitter. I retweeted it, and they took down my twitter. But they kept my account on while THEY were controlling it. Which is insane. Last night they let me back in. I posted a supportive letter that was written on me after all the terrible things they say about me in the media. 5 minutes later they took me down permanently because they didn't want to see anything positive about me.
- o Meanwhile companies like: Shop HQ in Minnesota, Kohls, Bed Bath and others dropped my products. Some after many years of great success.
- o I have a 110 products. It's not just pillows. We are 2500 employees.
- o The way cancel culture works by outside groups who start to pressure help of bots and trolls to cancel someone. They've done it to FOX.
- o Many times the complaints aren't from real people.
- o These hit groups become scared. They are afraid of boycotts so the terrible.
- o But their customers are very upset about it and I'm told many are cancelling with those stores.
- o These hit groups like Sleeping Giants and others put massive pressure drop me. It's often not real customers.

TWITTER'S COMMENT (Thanks, Pfeiffer)

- o Attributable to a Twitter spokesperson: The account you referenced has been permanently suspended due to repeated violations of our Civic Integrity Policy.

REUTERS: Twitter permanently suspends My Pillow CEO for election

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**From:** Yaron, Eldad (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7A13C45B3F124687B84B9C8B37101ADD-YARON, ELDA>  
**To:** 329-Tuckertroop  
**Sent:** 1/26/2021 6:02:14 PM  
**Subject:** A2: MIKE LINDELL

## TUCKER CARLSON TONIGHT MIKE LINDELL

- o The reason this is happening is that 3 weeks ago new evidence came up on the voting machines on Twitter. I retweeted it, and they took down my twitter. But they kept my account on while THEY were controlling it. Which is insane. Last night they let me back in. I posted a supportive letter that was written on me after all the terrible things they say about me in the media. 5 minutes later they took me down permanently because they didn't want to see anything positive about me.
- o Attributable to a Twitter spokesperson: The account you referenced has been permanently suspended due to repeated violations of our Civic Integrity Policy.

Ex.510

## **Judge Jeanine Pirro's Show**

---

- Judge Jeanine Pirro
- Jerry Andrews
- Jen Voit

From: [REDACTED]  
To: Clark, David  
Sent: 11/13/2020 5:51:56 PM  
Subject: Re: [EXTERNAL] Setting The Record Straight: Facts & Rumors

Reckless maniac.

Sent from my iPhone

On Nov 13, 2020, at 5:34 PM, Clark, David

Got it

David Clark - SVP, Fox News

From: Andrews, Jerry [REDACTED]  
Sent: Friday, November 13, 2020 5:31:08 PM  
To: Clark, David [REDACTED]  
Subject: Fwd: [EXTERNAL] Setting The Record Straight: Facts & Rumors

FYI

Sent from my iPhone

Begin forwarded message:

From: Jeanine Piro [REDACTED]  
Date: November 13, 2020 at 5:23:00 PM EST  
To: "Andrews, Jerry" <jerry.andrews@FOXNEWS.COM>  
Subject: Re: [EXTERNAL] Setting The Record Straight: Facts & Rumors

I will do what hannity tucker and debbs have done.

Sent from my iPhone

On Nov 13, 2020, at 4:36 PM, Andrews, Jerry [REDACTED]

We will need to include part of this if we are making any allegations against t

Sent from my iPhone

Begin forwarded message:

From: "Turner, Hayley" [REDACTED]  
Date: November 13, 2020 at 3:50:35 PM EST  
To: 069 -Politics [REDACTED], 164 -NationalDesk [REDACTED]  
-FOX DC Assign [REDACTED], 041-WHUNIT [REDACTED]  
-Senior Producers [REDACTED], 504-TerrestrialRac [REDACTED]

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**From: Andrews, Jerry** <[REDACTED]>

**Sent: Friday, November 13, 2020 5:31:08 PM**

**To: Clark, David** <[REDACTED]>

**Subject: Fwd: [EXTERNAL] Setting The Record Straight: Facts & Rumors**

**FYI**

## **SETTING THE RECORD STRAIGHT: FACTS & RUMORS**

November 13, 2020

**Dominion Voting Systems categorically denies false assertions about vote switching and software issues with our voting systems.**

Ex.457



# Testimony of Meade Cooper



Meade Cooper

Vice President of  
Prime-Time  
Programming



Ex. 108  
225:8-12, 227:5-9,  
232:18-24

Q. Do you agree now with Mr. Andrews' analysis that this draft was rife with conspiracy theories?

**A. *It certainly had things in it that were not borne out factually.***

\* \* \*

Q. And so do you agree that the sentence discussing the allegations of a company called Dominion, which started in Venezuela with Cuban money, was not borne out factually?

**A. *That's my understanding.***

\* \* \*

Q. Let's focus on the second expression, the BS. You agree that, as in Mr. Andrews' words, the statements that we just went through were all BS?

**A. *I would say the ones that we specifically just talked about I would classify as BS.***

# Justice with Judge Jeanine

**From:** Clark, David  
**To:** Andrews, Jerry  
**Sent:** 11/20/2020 3:00:43 PM  
**Subject:** Re: open

Understood

David Clark - SVP, Fox News

**From:** Andrews, Jerry [REDACTED]  
**Sent:** Friday, November 20, 2020 2:58:55 PM  
**To:** Clark, David [REDACTED]  
**Subject:** FW: open

She's refusing to drastically change the open despite the fact check. She says just because the case was dismissed does not legally mean that the affidavit can't be true. I guess that is valid but seems pretty desperate to me.

**From:** Escherich, John [REDACTED]  
**Sent:** Friday, November 20, 2020 2:29 PM  
**To:** Schlageter, Mary [REDACTED]; Austin, Kerry-Ann [REDACTED]  
Ward, Kevin [REDACTED]; Stein Lesskis, Courtney [REDACTED]  
Andrews, Jerry [REDACTED]  
**Subject:** RE: open

Hi Jerry,

My colleague Kerry-Ann is looking at the first thing you bolded about Dominion, she will follow-up with that fact check.

I looked at the rest of the open (including the other bolded parts), and here are the parts I thought could use some additional context / fact-checking. Just let me know if you have any questions on this.

Best,

John

\*\*\*\*\*

**CALM:** "He described election night numbers going in the favor of Donald trump but by the next morning with absurd increases in Biden votes many reflected in ballots that came in on trucks at 4 in the morning specifically in Detroit where 100,000 ballots and everyone for Biden with no down ticket vote."

#### FACT CHECK / CONTEXT:

Giuliani appears to be citing an affidavit from a Michigan lawsuit which has already been dismissed. The affidavit was from Andrew Sitto, a Republican challenger.

Sitto claimed that he "heard from other challengers" that trucks with "tens of thousands" were brought in at 4:30 AM to the TCF Center in Detroit.

The judge found that Sitto's affidavit, "while stating a few general facts, is rife with speculation and guess-work about sinister motives." Here's the full description of Sitto's allegations, from the judge:

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ATTORNEYS' EYES ONLY. ACCESS IS DENIED EXCEPT BY PRIOR COURT ORDER. NN001\_00001299

**From:** Clark, David  
**To:** Andrews, Jerry  
**Sent:** 11/20/2020 3:00:43 PM  
**Subject:** Re: open

Understood

David Clark - SVP, Fox News

**From:** Andrews, Jerry [REDACTED]  
**Sent:** Friday, November 20, 2020 2:58:55 PM  
**To:** Clark, David [REDACTED]  
**Subject:** FW: open

She's refusing to drastically change the open despite the fact check. She says just because the case was dismissed does not legally mean that the affidavit can't be true. I guess that is valid but seems pretty desperate to me.

## **Lou Dobbs Show**

---

- Lou Dobbs
- Jeff Field
- Eric Schaffer
- Alex Hooper

# Nov 30: Testimony of Lou Dobbs



Lou Dobbs

Host  
Lou Dobbs Tonight



Ex. 111  
87:14-88:3

Q. ... you broadcast on your show on November 30th the claim that, quote, We need, frankly, to stop the election that's supposed to happen in January because all the machines are infected with the software code that allows Dominion to shave votes for one candidate and give them to another and other features that do the same thing. Close quote. Did you have -- had you seen any evidence from Ms. Powell or anyone else to support that claim?

**A. No.**

Q. Did you tell your audience that?

**A. No.**



# Dobbs Knew Statement Was False



Lou Dobbs

Host

Lou Dobbs Tonight



Ex. 111  
269:2-271:5

Q. **It was a false statement that Powell had revealed groundbreaking new evidence on your show** indicating that the 2020 presidential election came under a massive cyberattack **orchestrated with the help of Dominion, wasn't it?**

A. Yes, that's correct. It's an overstatement.

Q. You don't believe that's a false statement?

A. A false statement, it's an overstatement, I concur.

Q. You concur with what, that it's a false statement or --

**A. I said yes.**

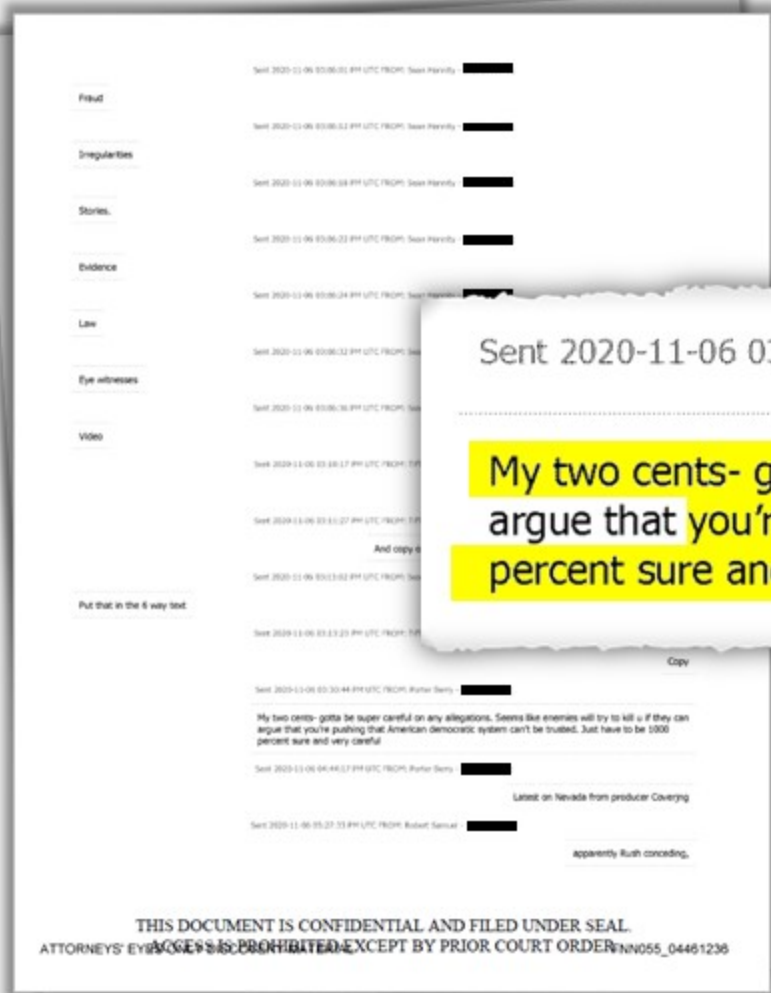
## **Sean Hannity's Show**

---

- Sean Hannity
- Tiffany Fazio
- Robert Samuel
- Porter Berry

# Nov 6: Porter Berry

**PARTICIPANTS:** Porter Berry - [REDACTED]; Robert Samuel - [REDACTED]; Sean Hannity - [REDACTED]; Tiffany Fazio - [REDACTED]; Tiffany Fazio - [REDACTED]



Sent 2020-11-06 03:30:44 PM UTC FROM: Porter Berry - [REDACTED]

My two cents- gotta be super careful on any allegations. Seems like enemies will try to kill u if they can argue that you're pushing that American democratic system can't be trusted. Just have to be 1000 percent sure and very careful

Ex.201

FNN055\_04461236

# Nov 12: Firth Tells Samuel Claims Are False

**From:** Firth, Thomas (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DDBA273504EE4F01B71664E746DEE04A-FIRTH, THOM>  
**To:** Samuel, Robert (FoxNews)  
**Sent:** 11/12/2020 5:07:08 PM  
**Subject:** RE: Dominion

I guess that depends which one....

The claim of political connections from Pelosi staffer (doesn't even work for dominion... worked that did work for them but so did former GOP staffers too), Feisntein husband on board or has

CGI claim -- Dominion made a one-time philanthropic commitment at a Clinton Global Initiative but the Clinton Foundation has no stake or involvement in their operations... so muted connection

As for the glitches... the two that occurred in Michigan were both human error nothing having systems... they were immediately remedied

Issues in three Georgia counties had other explanations. In the ONE where it was actually the at fault --- it merely delayed officials' reporting of the vote tallies, but did not affect the actual

In the two other instances, a separate company's software slowed poll workers' ability to check-in voters those "Poll Pads" were made by a company called Knowlnk, not Dominion

**From:** Samuel, Robert  
**Sent:** Thursday, November 12, 2020 4:58 PM  
**To:** Firth, Thomas  
**Subject:** Dominion

What would you say is the biggest red flag on the Dominion Voting Systems story?

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**From:** Firth, Thomas (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DDBA273504EE4F01B71664E746DEE04A-FIRTH, THOM>  
**To:** Samuel, Robert (FoxNews)  
**Sent:** 11/12/2020 5:07:08 PM  
**Subject:** RE: Dominion

I guess that depends which one....

The claim of political connections from Pelosi staffer (doesn't even work for dominion... worked for a lobbying firm that did work for them but so did former GOP staffers too), Feisntein husband on board or has stake -- not true

CGI claim -- Dominion made a one-time philanthropic commitment at a Clinton Global Initiative meeting in 2014, but the Clinton Foundation has no stake or involvement in their operations... so muted connection at best

As for the glitches... the two that occurred in Michigan were both human error nothing having to do with the systems... they were immediately remedied

Issues in three Georgia counties had other explanations. In the ONE where it was actually the Dominion software at fault --- it merely delayed officials' reporting of the vote tallies, but did not affect the actual vote count.

In the two other instances, a separate company's software slowed poll workers' ability to check-in voters those "Poll Pads" were made by a company called Knowlnk, not Dominion

Ex.489



# Testimony of Robert Samuel



Robert Samuel

Executive Producer of  
Hannity



Ex. 141  
107:2-4

**A. ...I thought the press conference  
was a little bit outrageous.**

# Testimony of Robert Samuel



Robert Samuel

Executive Producer of  
Hannity



Ex. 141  
107:25-108:1

**A. I certainly hadn't seen evidence that the allegations were true.**

# Cooper and Mitchell Also Knew About Hannity

**From:** Fazio, Tiffany (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D5D0784DDD7C41E4943A4058165A496-FAZIO, TIFF>  
**To:** Cooper, Meade; Mitchell, Ron (FoxNews)  
**Sent:** 11/30/2020 3:33:59 PM  
**Subject:** Sidney Powell

Sean wants to have her on tonight to discuss Flynn and possibly her claims of voter fraud.

Just wanted to flag.  
Tiff

**From:** Fazio, Tiffany (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADM (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D5D0784DDD7C41E4943. TIFF>  
**To:** Cooper, Meade; Mitchell, Ron (FoxNews)  
**Sent:** 11/30/2020 3:33:59 PM  
**Subject:** Sidney Powell

Sean wants to have her on tonight to discuss Flynn and possibly her claims of voter fraud.

Just wanted to flag.  
Tiff

EXHIBIT  
221

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**PARTICIPANTS:** Laura Ingraham - [REDACTED]; Sean Hannity - [REDACTED]; Tucker Carlson - [REDACTED]; Tucker Carlson - [REDACTED]

Sent 2020-11-09 02:25:11 AM UTC FROM: Laura Ingraham - [REDACTED]      Yes we are

At

Sent 2020-11-09 02:25:11 AM UTC FROM: Laura Ingraham - [REDACTED]

We are tainted too — not as much but their turn toward Biden was so pronounced and obvious that it bleeds across network

Sent 2020-11-09 02:26:27 AM UTC FROM: Sean Hannity - [REDACTED]

Sent 2020-11-09 02:25:11 AM UTC FROM: Laura Ingraham - [REDACTED]

**Biden's first move as elect? Mask mand Here's how he plans**

One of Joe Biden's first priorities will be implementing mask mandates nationwide by working with govt. Biden's refusal to refuse than he will go to mayoral executives and get local mask mandates in place.

This is a developing story. Check for updates. [DHS\\_4517.doc](#)

Sent 2020-11-09 02:25:11 AM UTC FROM: Laura Ingraham - [REDACTED]

Sent 2020-11-09 02:25:11 AM UTC FROM: Laura Ingraham - [REDACTED]

Sent 2020-11-09 02:25:11 AM UTC FROM: Laura Ingraham - [REDACTED]

So here I

Sent 2020-11-09 02:25:11 AM UTC FROM: Laura Ingraham - [REDACTED]

Including at Hanoi?

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Sent 2020-11-09 02:25:11 AM UTC FROM: Laura Ingraham - [REDACTED]

---

We are tainted too — not as much but their turn toward Biden was so pronounced and obvious that it bleeds across network

---

Sent 2020-11-09 02:26:27 AM UTC FROM: Sean Hannity - [REDACTED]

The network is being rejected

Ex.555  
FNN35\_03890498



**PARTICIPANTS:** Laura Ingraham - [REDACTED] Sean Hannity - [REDACTED] Tucker Carlson - [REDACTED]; Tucker Carlson - [REDACTED]

Sent 2020-11-13 03:59:24 AM UTC FROM: Sean Hannity - [REDACTED]

In one week and one debate they destroyed a brand that took 25 years to build and the damage is incalculable

Sent 2020-11-13 04:00:06 AM UTC FROM: Tucker Carlson - [REDACTED]

It's vandalism.



# Fox Corporation Executives Participated in the Broadcasts

- Rupert Murdoch
- Lachlan Murdoch
- Viet Dinh
- Raj Shah

# Murdochs Know What Is Happening



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
485:8-486:10

Q. And, sir, Rupert and Lachlan would also on occasion attend editorial meetings; is that right?

**A. That is correct.**

Q. And how often did Lachlan attend those meetings during this time frame?

**A. I'm not sure how many times he attends them. They attend on occasion.**

Q. And I think you've read in the deposition testimony that even if they don't attend the editorial meetings, there are usually phone calls that happen around that same time where Ms. Scott gives each of them an update on what occurred, right?

**A. As we've discussed over the course of the last day or so, there are frequent phone calls between Ms. Scott and Lachlan Murdoch and Rupert Murdoch where they would touch on various, you know, different topics.**

Q. And Mr. Murdoch, it's fair to say, was well-versed in what is occurring in the world, both Murdochs, right?

**A. I think that's a fair statement.**

# Rupert and Lachlan Have Editorial Discussions



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
267:9-268:1

Q. Sir, do you agree that Lachlan Murdoch has editorial discussions about the content of Fox News?

**A. I am aware that he and Suzanne sometimes discuss the content of Fox News.**

Q. And you would agree that Viet Dinh has editorial discussions about Fox News as well, correct?

**A. I am—that may occur. I'm not familiar with those conversations. I know Suzanne will have conversations with Lachlan and with Rupert just on updates on what we're doing on the air.**



# The Murdochs Have Detailed Editorial Calls With Scott



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
268:5-24

Q. ...What do they discuss in those update calls?

**A. The calls I was referring to are informal calls, so it -- I -- it's hard to -- there's no set agenda so it could be news of the day, Rupert and/or Lachlan, who are, you know, huge consumers of news, not only Fox News but newspaper coverage, sometimes they'll share stories that they're reading, they'll -- you know, they'll share their views of some of the talent that are on the air, you know. One of the things that I would say is that, you know, they certainly are great consumers of news and they often do, when able to, they'll watch Fox News when in the States.**



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
386:8-13,  
386:18-387:2,  
387:22-388:5

Q. ...Would you agree with me that it is completely appropriate for Mr. Rupert Murdoch to express an opinion about a particular host or guest or contributor on Fox News?

**A. Yes, that's appropriate.**

\* \* \*

Q. ...Would you agree with me that it is completely appropriate for Mr. Lachlan Murdoch to express an opinion on whether a particular host or guest or contributor should be on Fox News?

**A. Yes. Yes, I would say that's appropriate.**

\* \* \*

Q. You would agree with me that it is appropriate for Mr. Viet Dinh, as chief legal officer, to share an opinion regarding whether a particular guest should appear on Fox News from a legal matter, correct?

**A. That would be appropriate.**

# Fox Corp Admits Murdochs Can and Have Discussed Content



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
396:8-398:24

Q. And you would agree both Rupert and Lachlan have said no to particular guests before, right?

**A. I would assume that would be the case.**

Q. ...Rupert and Lachlan have been done so proactively even before they are to appear on a particular evening news show, correct?

**A. Again, I'm not aware of any specific times, I'm just assuming that that would have occurred.**

Q. Why are you assuming that would have occurred?

**A. Because they do communicate with Suzanne Scott and if they were aware of specific guests in advance that they had concern about, they would have shared their opinion.**

Q. And not just specific guests for a particular show, but specific guests that should not make an appearance generally on Fox News, right?

**A. That could be the case. It could also be that they saw somebody on one of the programs and as a result of that, they didn't want to see that person or guest in the future.**

Q. And that, again, would be completely appropriate for either Rupert or Lachlan to do, correct?

**A. That's correct.**

Q. And similarly, if they heard a host say something they didn't like, it would be completely appropriate for either of them to call Suzanne Scott and say please don't have the host say that anymore, correct?

**A. That would be appropriate, yes.**

Q. And you would also assume that that has happened with both Rupert and Lachlan, correct?

**A. I would assume that would have happened at some point in time.**



**From:** Briganti, Irena (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=33DC58A02FC5448C8D3BD383393E6D53-BRIGANTI, I>  
**To:** Scott, Suzanne; Wallace, Jay (FoxNews)  
**Sent:** 11/8/2020 11:41:19 AM  
**Subject:** Reliable Sources

FYI - Suzanne/Lachlan/Rupert mentioned:

<https://app.box.com/s/56a7dkc6vja3cuuty9dgz6mo1cvnk9vp>

**Guests:** Oliver Darcy; Evan Osnos/New Yorker

**Topic:**

Fox is enabling Trump's election denialism

- Right-wing media promoting voter fraud
- Pro-Trump outlets and some of FNC's biggest stars make claims that Biden will not be President, that there was voter fraud
  - Plays clip of Newt Gingrich on F&F
    - Darcy says there was pushback but it is dangerous to have this commentary
  - Trump tweeted what Gingrich said
- Darcy said FNC is enabling and encouraging Trump's impulses
  - Aiming to destabilize the American system by telling viewers the election was stolen by deep state Democrats
  - Hannity is dishonest to his core; he is not going to change overnight - but where are the adults in the room? Where is Suzanne Scott? Is she ok with hosts going on air to undermine the election?
  - If Suzanne Scott is not going to do it, maybe Lachlan/Rupert need to make sure the hosts aren't pushing this information
  - Fox News is finding new lows- it is beyond reprehensible
- FNC viewers are seeing voter fraud claims promoted

ATTORNEYS' EYES ONLY DISCOVERY MATERIAL

FNN018 02282804

Ex.607

**From:** Briganti, Irena (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=33DC58A02FC5448C8D3BD383393E6D53-BRIGANTI, I>  
**To:** Scott, Suzanne; Wallace, Jay (FoxNews)  
**Sent:** 11/8/2020 11:41:19 AM  
**Subject:** Reliable Sources

FYI - Suzanne/Lachlan/Rupert mentioned:

<https://app.box.com/s/56a7dkc6vja3cuuty9dgz6mo1cvnk9vp>

**Guests:** Oliver Darcy; Evan Osnos/New Yorker

**Topic:**

Fox is enabling Trump's election denialism

- Right-wing media promoting voter fraud
- Pro-Trump outlets and some of FNC's biggest stars make claims that Biden will not be President, that there was voter fraud
  - Plays clip of Newt Gingrich on F&F
    - Darcy says there was pushback but it is dangerous to have this commentary
  - Trump tweeted what Gingrich said
- Darcy said FNC is enabling and encouraging Trump's impulses
  - Aiming to destabilize the American system by telling viewers the election was stolen by deep state Democrats
  - Hannity is dishonest to his core; he is not going to change overnight - but where are the adults in the room? Where is Suzanne Scott? Is she ok with hosts going on air to undermine the election?
  - If Suzanne Scott is not going to do it, maybe Lachlan/Rupert need to make sure the hosts aren't pushing this information
  - Fox News is finding new lows- it is beyond reprehensible
- FNC viewers are seeing voter fraud claims promoted



**From:** Scott, Suzanne </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=85BFE6824750416486BDA0F78D10943E-SUZANNE.SCO>  
**To:** Briganti, Irena (FoxNews)  
**CC:** Wallace, Jay (FoxNews)  
**Sent:** 11/9/2020 12:10:39 PM  
**Subject:** Re: Wash Post/Elison story

Irena - just spoke to Lachlan.

Can you call Raj and walk him through everything we are doing... I'm told he made a comment that maybe we changing based on our coverage this weekend.

**From:** Briganti, Irena [REDACTED]  
**Sent:** Monday, November 9, 2020 12:08 PM  
**To:** Scott, Suzanne [REDACTED]  
**Cc:** Wallace, Jay (FoxNews) [REDACTED]  
**Subject:** Re: Wash Post/Elison story

Exactly and he and Raj both talked for the story which is called Sammon (not just the decision desk) and he obviously Meadows called him but she had it as late as Friday. Sammon backlash against him by our viewers. And I got Jay out of trying to pin on him yesterday.

On Nov 9, 2020, at 12:04 PM, Scott, Suzanne [REDACTED]

Sammon not understanding the impact to the brand played out by him is astonishing. Mishkon is a scientist whose job it also is to protect the brand. S

**From:** Briganti, Irena [REDACTED]  
**Sent:** Monday, November 9, 2020 11:30 AM  
**To:** Scott, Suzanne [REDACTED]; Wallace, Jay (FoxNews) [REDACTED]  
**Subject:** Wash Post/Elison story

Reading now

<https://www.washingtonpost.com/lifestyle/the-long-love-affair-it-ended-last-week/2020/11/09/14dd8d5e-2095-11eb-8103-000119080000/>

**The long love affair between Trump and Fox may be over. Here's why it ended last week.**

<In a scene from a happier time in the Fox-Trump relationship, anchors Bret Baier and Martha MacCallum greet the president at a Fox News town hall in Scranton, Pa., in March. jpg>

ATTORNEYS' EYES ONLY DISCOVERY MATERIAL

FNN018\_02293567

**From:** Scott, Suzanne </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=85BFE6824750416486BDA0F78D10943E-SUZANNE.SCO>  
**To:** Briganti, Irena (FoxNews)  
**CC:** Wallace, Jay (FoxNews)  
**Sent:** 11/9/2020 12:10:39 PM  
**Subject:** Re: Wash Post/Elison story

Irena - just spoke to Lachlan.

Can you call Raj and walk him through everything we are doing... I'm told he made a comment that maybe we changing based on our coverage this weekend.

# Testimony of Rupert Murdoch



Rupert Murdoch

Co-Chairman  
Fox Corporation



Ex. 600  
210:13-20

Q. And you would routinely suggest stories to Ms. Scott about what Fox News or Fox Business should cover; correct?

**A. Suggestions, yes.**

Q. And, sir, you would also suggest particular guests that should appear on Fox News; correct?

**A. Not all of them, but I might have suggested one or two.**

# "My boss Mr. Murdoch" helps with Trump Campaign Ads

On Aug 15, 2017, at 12:19 PM, Eric Trump <[REDACTED]> wrote:

Sean,

Wonder if you could help --- Lara just let me know that someone at Fox denied DJT's newest campaign ad which is very positive on all fronts. I'm sure it's a mistake but just wanted to see if you happened to know what was going on. This came verbally via the people who do the ad buys. Just let me know if there is anything I can do.

From: Sean Hannity <[REDACTED]>  
To: Eric Trump  
CC: Lara Trump; Murdoch, Rupert  
Sent: 8/15/2017 3:26:41 PM  
Subject: Re: Trump Ad

Eric and Lara,

This is above my pay grade. I have CC'd my boss Mr.

Also thank you both for coming on the show last week in advance on the baby!!!

Sean

Sent from my iPhone

On Aug 15, 2017, at 12:19 PM, Eric Trump <[REDACTED]> wrote:

Sean,

Wonder if you could help --- Lara just let me know that someone at Fox denied DJT's newest campaign ad which is very positive on all fronts. I'm sure it's a mistake but just wanted to see if you happened to know what was going on. This came verbally via the people who do the ad buys. Just let me know if there is anything I can do.

<https://youtu.be/vydm0vmPck>

Eric

<image001.jpg>

Eric F. Trump  
Executive Vice President  
700 Fifth Avenue / New York, NY 10022  
[REDACTED]

This communication is from The Trump Organization or an affiliate thereof and is not sent on behalf of any other individual or entity. This email may contain information that is confidential and/or proprietary. Such information may not be read, disclosed, used, copied, distributed or disseminated except (1) for use by the intended recipient or (2) as expressly authorized by the sender. If you have received this communication in error, please immediately delete it and promptly notify the sender. E-mail transmission cannot be guaranteed to be received, secure or error-free as emails could be intercepted, corrupted, lost, destroyed, arrive late, incomplete, contain viruses or otherwise. The Trump Organization and its affiliates do not guarantee that all emails will be read and do not accept liability for any errors or omissions in emails. Any views or opinions presented in any email are solely those of the author and do not necessarily represent those of The Trump Organization or any of its affiliates. Nothing in this communication is intended to operate as an electronic signature under applicable law.

ATTORNEYS' EYES ONLY DISCOVERY MATERIAL

FoxCorp00087101

**From:** Sean Hannity <[REDACTED]>  
**To:** Eric Trump  
**CC:** Lara Trump; Murdoch, Rupert  
**Sent:** 8/15/2017 3:26:41 PM  
**Subject:** Re: Trump Ad

Eric and Lara,

This is above my pay grade. I have CC'd my boss Mr. Murdoch.



# Testimony of Rupert Murdoch



Rupert Murdoch

Co-Chairman  
Fox Corporation



Ex. 600  
183:4-22

Q. And you have instructed Fox News to close Fox off completely from certain guests, have you not?

**A. Probably.**

Q. Who do you recall telling Fox News to close off completely?

**A. Who do I recall? I -- I think I may have done it to the Trump advisor, Bannon. I can't remember anyone else. I have said we shouldn't be covering every single Trump rally.**

Q. And --

**A. But I didn't say we were barring him. I forgot what I said.**

Q. Sir, you closed Fox off completely from Bannon because you thought it was dangerous stuff; right?

**A. I just see him as a fringe character.**



PARTICIPANTS: Justin Wells - [REDACTED]; Tucker Carlson - [REDACTED]; Tucker Carlson - [REDACTED]

Sent 2021-01-15 12:29:08 AM UTC FROM: Justin Wells - [REDACTED]

That Dorsey act is in your email.

Sent 2021-01-15 12:29:23 AM UTC FROM: Justin Wells - [REDACTED]

I forwarded from Tom Fox at 6:46p

Sent 2021-01-15 12:40:35 AM UTC FROM: Tucker Carlson - [REDACTED]

Got it. Thanks man. Good call. It's great. I ended with it.

Sent 2021-01-15 12:42:36 AM UTC FROM: Justin Wells - [REDACTED]

Reading it now.

Sent 2021-01-15 12:43:46 AM UTC FROM: Justin Wells - [REDACTED]

Sent 2021-01-15 01:23:24 PM UTC FROM: Justin Wells - [REDACTED]

There's no way they'll let us book Megyn Kelly. It'll start rumors she is taking the 7 which is not what they claim they want the rumors to be. That's the first person I named and suggested and SS said Rupert and Lachlan are a hard no there.

Sent 2021-01-15 01:26:36 PM UTC FROM: Tucker Carlson - [REDACTED]

Shit. She'll be perfect.

Sent 2021-01-15 01:30:08 PM UTC FROM: Justin Wells - [REDACTED]

Also -- it'd be ironic to bring her on to talk about divisiveness as it would cause extreme divisiveness within Fox. Ha.

CONFIDENTIAL DISCOVERY MATERIAL

FNN035\_03891328

**From:** Murdoch, Rupert </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6F0571C63E7B49769B4A58009B115570-CRC>  
**To:** Scott, Suzanne  
**Sent:** 11/28/2020 12:45:12 PM  
**Subject:** Idea

Should we have Mike Flynn as a contributor on intelligence?

Sent from my iPhone

---

**From:** Murdoch, Rupert </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6F0571C63E7B49769B4A58009B115570-CRC>  
**To:** Scott, Suzanne  
**Sent:** 11/28/2020 12:45:12 PM  
**Subject:** Idea

Should we have Mike Flynn as a contributor on intelligence?



FNN019\_03618125

ATTORNEYS' EYES ONLY DISCOVERY MATERIAL

From: Scott, Suzanne <FYDIBOHF23SPDLT@EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=85BFE6824750416486BDA0F78D10943E-SUZANNE.SCO>  
To: Murdoch, Rupert  
Sent: 10/27/20  
Subject: Re: Senate

Lindsay was on with Hannity last

I addressed the Dobbs outburst

Get Outlook for iOS

From: Murdoch, Rupert  
Sent: Tuesday, October 27, 2020 8:23:29 AM  
To: Scott, Suzanne  
Subject: Senate

You probably know about the Low  
Could Sean see something supports  
We can't lose the Senate if at all po

Journal opinion pages today great -

Pls keep me posted with any inside

Sent from my iPhone

---

**From:** Scott, Suzanne </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=85BFE6824750416486BDA0F78D10943E-SUZANNE.SCO>  
**To:** Murdoch, Rupert  
**Sent:** 10/27/2020 8:23:29 AM  
**Subject:** Re: Senate.

Lindsay was on with Hannity last night after the ACB event and he got a lot of time

I addressed the Dobbs outburst



CONFIDENTIAL DISCOVERY MATERIAL

FoxCorp00054088

From: [REDACTED]  
To: Col Allan  
Sent: 9/17/2020 1:07:48 PM  
Subject: Re: H

Just made sure Fox banging on about spread.  
Biden on CNN tonight with Anderson C  
and just might throw a tough one or  
I think Trump rallies tonight and Sa  
Big interview with Mark Levin in can

Sent from my iPhone

> On Sep 17, 2020, at 6:00 PM, Col A

> It's a question I regularly ask. H  
serious questions. It might just wor

> Sent from my iPhone

>> On Sep 17, 2020, at 12:48 PM, M

>> Reading today's Journal opinion p

>> Sent from my iPhone

>> This message and its attachments  
information. It is intended solely f  
indicated in this message (or respon  
may not copy or deliver this message  
permanently delete this message and  
e-mail. Any content of this message  
official business of Fox Corporation  
sent or endorsed by any of them. No  
attachments are without defect.

> --

> This message and its attachments m  
confidential information. It is in  
you are not the addressee indicate  
delivery of the message to the add  
message or its attachments to any  
this message and its attachments a  
e-mail. Any content of this messag  
relate to the official business of  
must be taken not to have been sen  
representation is made that this e  
defect.

CONFIDENTIAL DISCOVERY MATERIAL

**From:** [REDACTED]  
**To:** Col Allan  
**Sent:** 9/17/2020 1:07:48 PM  
**Subject:** Re: Hi

Just made sure Fox banging on about these issues. If the audience talks the theme will spread.

Biden on CNN tonight with Anderson Cooper. Expect all softball but Anderson has his pride and just might throw a tough one or two!

I think Trump rallies tonight and Saturday.

Big interview with Mark Levin in can for Sunday.

Sent from my iPhone

> On Sep 17, 2020, at 6:00 PM, Col Allan [REDACTED] wrote:

>

> It's a question I regularly ask. His only hope is to stay in his basement and not face serious questions. It might just work.



# Rupert Discussed How Fox Covers Elections



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
266:8-267:4

Q. And this is an e-mail from Rupert Murdoch to Jack Abernethy. Who is Jack Abernethy?

**A. Jack Abernethy is the CEO of the Fox television stations, which is the group of local Fox stations that the company owns.**

Q. Okay. And this document is Mr. Murdoch telling Mr. Abernethy that he wants to make sure that the local news people in Atlanta covering the Georgia runoff are clear thinkers, right?

**A. That's how I read this e-mail, yes.**

Q. Yeah. And because he wants to make sure that the viewpoint of the importance of the Georgia Senate runoff gets across to Fox viewers in Atlanta, right?

**A. That's correct.**

# Rupert Involved in Firing Sammon and Stirewalt



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
295:5-25

Q. This is -- the bottom e-mail is from Rupert Murdoch to Suzanne Scott and Lachlan Murdoch, correct?

**A. Correct.**

Q. And Rupert tells Suzanne, "May be best to let Bill go right away and make acting appointment." You see that?

**A. Yes, I do.**

Q. And you would agree with me that this references prior conversations that Ms. Scott and Mr. Rupert Murdoch would have had about the subject, correct?

**A. Yes, I would agree.**

Q. And Ms. Scott responds with what?

**A. "Sammon was told the inevitable today. We were going to do Stirewalt next. Was going to work with Irena on managing the message. We agree 'a big shake-up' message is good for us."**

**From:** Scott, Suzanne </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=85BFE6824750416486BDA0F78D10943E-SUZANNE.SCO>  
**To:** Murdoch, Rupert  
**CC:** Murdoch, Lachlan  
**Sent:** 11/20/2020 2:37:33 PM  
**Subject:** Re: Sammons

Sammon was told the inevitable today. We were going to do Stirewalt next...was going to work with Irena on managing the message. We agree "a big shake-up" message is good for us.

**From:** Murdoch, Rupert [REDACTED]  
**Sent:** Friday, November 20, 2020 2:33 PM  
**To:** Scott, Suzanne <[REDACTED]>  
**Cc:** Murdoch, Lachlan [REDACTED]  
**Subject:** Sammons

Maybe best to let Bill go right away and make acting appointment. Also the other guy. Next few weeks will be very sensitive and we can't have sneering at events. And be a big message with Trump people.

Sent from my iPhone

**From:** Scott, Suzanne </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=85BFE6824750416486BDA0F78D10943E-SUZANNE.SCO>  
**To:** Murdoch, Rupert  
**CC:** Murdoch, Lachlan  
**Sent:** 11/20/2020 2:37:33 PM  
**Subject:** Re: Sammons

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**From:** Murdoch, Rupert [REDACTED]  
**Sent:** Friday, November 20, 2020 2:33 PM  
**To:** Scott, Suzanne <[REDACTED]>  
**Cc:** Murdoch, Lachlan [REDACTED]  
**Subject:** Sammons

Maybe best to let Bill go right away and make acting appointment. Also the other guy. Next few weeks will be very sensitive and we can't have sneering at events. And be a big message with Trump people.

# Rupert Involved in Calling the Election

The FOX logo is displayed in a bold, blue, sans-serif font.

Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Q. Sir, it's FNN193552527. And you would agree, sir, this is just an example document here that Mr. Rupert Murdoch was talking routinely with Mr. Jay Wallace and Ms. Suzanne Scott about the election results coming in, correct?

**A. Yes.**

Ex. 759  
294:6-13



**From:** Murdoch, Rupert </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6F0571C63E7B49769B4A58009B115570-CRC>  
**To:** Scott, Suzanne  
**Sent:** 11/6/2020 3:09:06 PM  
**Subject:** Call

It would be great if we call it for Biden as soon as he gets over, say, 35,000 ahead in Pennsylvania.  
Whenever we do it it will all be over.  
Regardless of Arizona.  
What do you think?

Sent from my iPhone

---

**From:** Murdoch, Rupert </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6F0571C63E7B49769B4A58009B115570-CRC>  
**To:** Scott, Suzanne  
**Sent:** 11/6/2020 3:09:06 PM  
**Subject:** Call

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Whenever we do it it will all be over.  
Regardless of Arizona.  
What do you think?

**From:** Murdoch, Rupert </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6F0571C63E7B49769B4A58009B115570-CRC>  
**To:** Scott, Suzanne  
**CC:** Murdoch, Lachlan  
**Sent:** 11/6/2020 3:26:31 PM  
**Subject:** Call.

Second thoughts  
Maybe 50,000 in Pennsylvania and "subject to litigation"  
Gigot thinks it won't change Trump.  
But he's got to get some real evidence.

Sent from my iPhone

---

**From:** Murdoch, Rupert </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6F0571C63E7B49769B4A58009B115570-CRC>  
**To:** Scott, Suzanne  
**CC:** Murdoch, Lachlan  
**Sent:** 11/6/2020 3:26:31 PM  
**Subject:** Call.

Second thoughts  
Maybe 50,000 in Pennsylvania and "subject to litigation"  
Gigot thinks it won't change Trump.  
But he's got to get some real evidence. Fact that Rudy advising really bad!

# Rupert: "I could have. But I didn't."



Rupert Murdoch

Co-Chairman  
Fox Corporation



Ex. 600  
317:2-6

Q. And you could have said to Suzanne Scott or to the hosts, "Stop putting Rudy Giuliani on the air"?

***A. I could have. But I didn't.***

# "Yes, I could"



Rupert Murdoch

Co-Chairman  
Fox Corporation



Ex. 600  
72:19-24,  
157:21-158:12

Q. Sir, we left off yesterday speaking about your role at Fox News. And you did agree, sir, that you could have told Ms. Suzanne Scott to stop hosting a particular guest; correct?

**A. *I don't normally do that, but certainly Ms. Scott, as the chief executive of Fox News, is responsible -- well, to the whole board, but to me as chairman.***

Q. I understand that, sir. My question is -- we will get into whether you do or don't talk about guests in a little bit. My question is whether you could have done so, and I think your answer was "yes"; correct?

**A. *Yes, I could.***



# Testimony of Rupert Murdoch



Rupert Murdoch

Co-Chairman  
Fox Corporation



Ex. 600  
187:12-14

**“I admit I am a bit of a political junkie and a news junkie.”**

# Testimony of Rupert Murdoch



Rupert Murdoch

Co-Chairman  
Fox Corporation



Ex. 600  
79:22-80:9

**A. "We should have and could have gone first but at least being second saves us a Trump explosion!"**

Q. What did you mean by that?

**A. Hmm?**

Q. What did you mean it "saves us a Trump explosion!"?

**A. Well, Trump still had a huge following; and, you know, when he gets mad, he stirs people up. No. Just that.**

Q. And --

**A. I mean, you would rather not have Trump as an enemy. He was still president.**

On Jan 8, 2021, at 8:21 PM, PRESTON PADDEN <[REDACTED]> wrote:

For what it's worth, I do think Fox News needs a course correction. And I think fair-minded people can conclude that FNC bears some responsibility for the polarized divisions in our Country.

**From:** [REDACTED]  
**To:** PRESTON PADDEN  
**Sent:** 1/8/2021 3:43:39 PM  
**Subject:** Re: Hard Criticism Of Fox News In The Washington Post

Fox News very busy pivoting. After a few days ignore Trump and quickly become the loyal opposition. It will be easy once Biden starts rolling out policies. I'm told their first priorities will be 1. COVID 2. The economy, and 3. Racial inequality.

Ok but if 3. turns to be reparations things will heat up. And be challenging to us to handle properly.

We want to make Trump a non person.  
Fairly easy unless they charge him and he remains in the news.

**From:** [REDACTED]  
**To:** PRESTON PADDEN  
**Sent:** 1/8/2021 3:43:39 PM  
**Subject:** Re: Hard Criticism Of Fox News In The Washington Post

Preston,

You are such a flatterer! Honored just to be your humble  
Washington Post new logo - replace "darkness" with "daffodils"

Fox News very busy pivoting. After a few days ignore Trump and quickly become the loyal opposition. It will be easy once Biden starts rolling out policies. I'm told their first priorities will be 1. COVID 2. The economy, and 3. Racial inequality.

Ok but if 3. turns to be reparations things will heat up. And be challenging to us to handle properly.

We want to make Trump a non person.  
Fairly easy unless they charge him and he remains in the news.

I'll be interested how you react to vaccine.  
I feel unusually tired today. Nothing more.  
Told it means that it's working.  
Disease even more out of control here!  
So stay safe.

Sent from my iPhone

On Jan 8, 2021, at 8:21 PM, PRESTON PADDEN <ppadden@boulderthinking.com> wrote:

Sorry for delayed response. I just took a 23 mile bike ride.

I love you like a surrogate father/older brother/uncle. Work hard.

The criticism of WSJ is ridiculous. The paper is vastly better than CNN.

For what it's worth, I do think Fox News needs a course correction. And I think fair-minded people can conclude that FNC bears some responsibility for the polarized divisions in our Country.

CNN is repeatedly reporting on the WSJ "resignation" edit into Lou Dobbs last night and he was just unshinged - universal truth.

Just my opinion - offered with respect and affection.

Hope you stay safe and well.

Preston Padden  
Boulder Thinking, LLC

CONFIDENTIAL DISCOVERY MATERIAL

# Fox Corp Admits Bartiromo Would Have Followed Murdochs' Direction

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

US DOMINION, INC., DOMINION  
VOTING SYSTEMS, INC., and  
DOMINION VOTING SYSTEMS  
CORPORATION,

Plaintiff,

v.

FOX NEWS NETWORK, LLC,

Defendant.

US DOMINION, INC., DOMINION  
VOTING SYSTEMS, INC., and  
DOMINION VOTING SYSTEMS  
CORPORATION,

Plaintiff,

v.

FOX CORPORATION,

Defendant.

DEFENDANT FOX CORPOR  
IN SUPPORT OF ITS MOTION

YOU ARE IN POSSESSION OF  
THE SUPERIOR COURT  
THAT IS CONFIDENTIAL AND FILED UNDER SEAL.

C.A. No. N21C-03-257 EMD

CONSOLIDATED

CONFIDENTIAL

Bartiromo testified that if her “bosses Suzanne Scott, Rupert Murdoch, Lachlan Murdoch” had given her “a directive about having a person – about having or not having a particular guest on your show,” she would have listened. But she confirmed that “they never said anything like that.” Ex. E26, M. Bartiromo Dep.

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# Rupert and Lachlan Murdoch's Participation



Thomas Lowell

Executive VP and  
Managing Editor  
of News



Ex. 128  
355:9-20

Q. The people who have the ability to weigh in on content on the Fox show include Mr. Lachlan Murdoch, fair? Talking about ability now.

**A. *Yeah. As you've defined it here, ability, I guess, sure.***

Q. The people who have the ability to weigh in on content on the Fox show include Mr. Rupert Murdoch, fair?

**A. *Fair.***

Start Date December 6, 2020 10:59:44 AM EST

End Date December 6, 2020 10:59:44 AM EST

Chat Paul Ryan [REDACTED], Paul Ryan [REDACTED],  
Account Lachlan Murdoch [REDACTED], Lachlan Murdoch [REDACTED], Rupert Murdoch [REDACTED],  
t [REDACTED], Lachlan Murdoch [REDACTED], Rupert Murdoch [REDACTED]

Paul Ryan [REDACTED]

Morning guys! Happy to chat Trump if you want. I think we are entering a truly bizarre phase of this where he has actually convinced himself of this farce and will do more bizarre things to delegitimize the election. I see this as a key inflection point for Fox, where the right thing and the smart business thing to do line up nicely. A solid pushback (including editorial) of his baseless calls for overturning electors, etc. will undoubtedly accrue pushback and possibly a momentary ratings dip, but will clearly redound to our benefit in terms of credibility. Trump is going to wear thin and look crazier by the day. Let him cleave off the fringe for his DTC venture and we can keep the largest pool of people (the center and center right). Fox is stronger than he is now and later IMO. Just a few thoughts at this pivotal time. Best, Paul Ryan 10:59:44

ATTORNEYS' EYES ONLY DISCOVERY MATERIAL

FoxCorp00056669

Ex.638

Start Date December 6, 2020 10:59:44 AM EST

End Date December 6, 2020 10:59:44 AM EST

Chat Paul Ryan <[REDACTED]> (iMessage)>, Paul Ryan <[REDACTED]> (iMessage)>, Paul Ryan <[REDACTED]> (iMessage)>, Paul Ryan <[REDACTED]> (iMessage)>  
Account Lachlan Murdoch [REDACTED] (iMessage)>, Rupert Murdoch [REDACTED] (iMessage)>, Lachlan Murdoch [REDACTED] (iMessage)>, Lachlan Murdoch [REDACTED] (iMessage)>, Rupert Murdoch [REDACTED] (iMessage)>  
t [REDACTED] (iMessage)>, Lachlan Murdoch [REDACTED] (iMessage)>, Rupert Murdoch [REDACTED] (iMessage)>

Paul Ryan <[REDACTED]> (iMessage)>

Morning guys! Happy to chat Trump if you want. I think we are entering a truly bizarre phase of this where he has actually convinced himself of this farce and will do more bizarre things to delegitimize the election. I see this as a key inflection point for Fox, where the right thing and the smart business thing to do line up nicely. A solid pushback (including editorial) of his baseless calls for overturning electors, etc. will undoubtedly accrue pushback and possibly a momentary ratings dip, but will clearly redound to our benefit in terms of credibility. Trump is going to wear thin and look crazier by the day. Let him cleave off the fringe for his DTC venture and we can keep the largest pool of people (the center and center right). Fox is stronger than he is now and later IMO. Just a few thoughts at this pivotal time. Best, Paul Ryan 10:59:44

From: [REDACTED]  
To: Murdoch, Lachlan  
Sent: 12/7/2020 5:21:35 AM  
Subject: Re:

Call me later re Trump and Paul.  
Trump on Saturday sounded really crazy.  
100 minute speech!!  
I'll try to get comment out of McConnell before we talk.

Sent from my iPhone

> On Dec 7, 2020, at 3:40 AM, Murdoch, Lachlan [REDACTED] wrote:

>

> Dad, copied below is Paul Ryan's text:

>

> Morning guys! Happy to chat Trump if you want. I think we are entering a truly bizarre phase of this where he has actually convinced himself of this farce and will do more bizarre things to delegitimize the election.

>

> I see this as a key inflection point for Fox, where the right thing and the smart business thing to do line up nicely. A solid pushback (including editorial) of his baseless calls for overturning elections, etc. will undoubtedly accrue pushback and possibly a momentary ratings dip, but will clearly redound to our benefit in terms of credibility. Trump is going to wear thin and look crazier by the day.

>

> Let him cleave off the fringe for his DTC venture and we can keep the largest pool of people (the center and center right). Fox is stronger than he is now and later IMO.

>

> Just a few thoughts at this pivotal time.

>

> Best, Paul Ryan

>

> The

> L

>

> Sent from my iPhone

**From:**  
**To:**  
**Sent:**  
**Subject:**

[REDACTED]  
Murdoch, Lachlan  
12/7/2020 5:21:35 AM  
Re:

Call me later re Trump and Paul.  
Trump on Saturday sounded really crazy.



# Lachlan Gives Direction to Scott

Start Date November 14, 2020 12:12:22 PM EST  
End Date November 14, 2020 12:59:04 PM EST  
Chat Account Suzanne Scott [REDACTED] Lachlan Murdoch  
Scott [REDACTED] Lachlan Murdoch Suzanne Murdoch [REDACTED] Lachlan Murdoch [REDACTED] Suzanne Scott [REDACTED] Suzanne Scott [REDACTED] Lachlan Murdoch

(no sender information available)

News guys have to be careful how they cover this rally. So far some of the side comments are slightly anti, and they shouldn't be. The narrative should be this is a huge celebration of the president. Etc 12:12:22

Suzanne Scott [REDACTED]

Yes thanks 12:13:54

(no sender information available)

Leland is not good 12:14:31

Smug and obnoxious 12:15:12

Suzanne Scott [REDACTED]

Yup calling now 12:16:41

(no sender information available)

Need to get him off 12:17:34

Thx. He seems to have calmed down. That was crazy. 12:57:32

Suzanne Scott [REDACTED]

Yes we got them all in line! 12:57:54

I also said we should be over-promoting piro and Jesse and Greg since they were bumped last sat so they are fixing that 12:58:29

ATTORNEYS' EYES ONLY DISCOVERY MATERIAL

FoxCorp00056555

Ex.627

News guys have to be careful how they cover this rally. So far some of the side comments are slightly anti, and they shouldn't be. The narrative should be this is a huge celebration of the president. Etc 12:12:22

Suzanne Scott <[REDACTED]> (iMessage)

Yes thanks 12:13:54

(no sender information available)

Leland is not good 12:14:31

Smug and obnoxious 12:15:12

Suzanne Scott <[REDACTED]> (iMessage)

Yup calling now 12:16:41



Start Date November 29, 2020 8:55:17 PM EST

End Date November 29, 2020 8:55:17 PM EST

Chat Suzanne Scott <[REDACTED]>, Lachlan Murdoch <[REDACTED]>, Suzanne Scott <[REDACTED]>, Lachlan Murdoch <[REDACTED]>, Lachlan Murdoch <[REDACTED]>, Suzanne Scott <[REDACTED]>, Suzanne Scott <[REDACTED]>, Lachlan Murdoch <[REDACTED]>, Lachlan Murdoch <[REDACTED]>

(no sender information available)

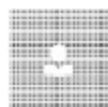
Just FYI to discuss tomorrow, the ticker at bottom of screen is all wrong. Way too wordy and long. And anti trump whenever possible. 20:55:17

Start Date November 29, 2020 8:55:17 PM EST

End Date November 29, 2020 8:55:17 PM EST

Chat Suzanne Scott <+[REDACTED] (IMessage)>, Lachlan Murdoch <[REDACTED] (IMessage)>, Lachlan Murdoch <[REDACTED] (Sms)>, Lachlan Murdoch <[REDACTED] (Mms)>, Suzanne Scott <[REDACTED] (Mms)>, Lachlan Murdoch <[REDACTED] (Sms)>

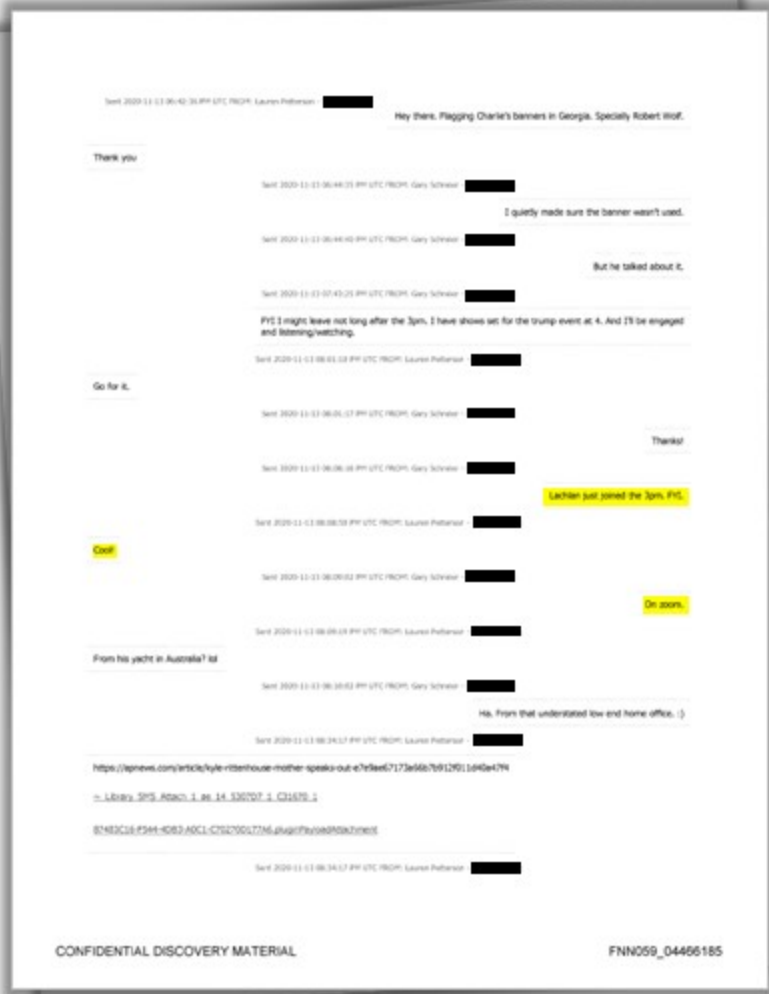
(no sender information available)



Just FYI to discuss tomorrow, the ticker at bottom of screen is all wrong. Way too wordy and long. And anti trump whenever possible.

20:55:17

# Lachlan Attends Nov 13 3 P.M. Editorial Meeting



# Lachlan Knew Sidney Powell Was Appearing



Lachlan Murdoch

Co-Chairman and CEO  
Fox Corporation



Ex. 130  
267:23-268:4

Q. You were aware that she [Sidney Powell] was also appearing on Fox News and the Fox Business channel, making those same allegations about Dominion; right?

***A. I don't remember the specific instances, but she was on Fox News and Fox Business.***

# Shah Discusses Appearances with Dinh/Lachlan



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
281:25-282:15

Q. And there's a discussion in this about whether Lachlan Murdoch should appear on Tucker's show to try to ease some of the anger, correct?

**A. That seems to be what's being discussed here.**

Q. Okay. And Mr. Shah concludes, "I'm going to take this up the food chain," right?

**A. Yes.**

Q. That's got to be a reference to one of two people, you would agree with me, right, either Viet Dinh or Lachlan Murdoch?

**A. I would assume it would be one of them, yes.**







Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
269:14-270:24

Q. And the Lachlan states to Mr. Dinh, "Let's keep editorial discussions between us," correct?

**A. That is correct.**

Q. And this would suggest to you, sir, that they were having editorial discussions between the two of them, right?

**A. This—this would lead me to believe that that is what Lachlan requests.**

# Dinh Admits Control Over Legal Matters



Viet Dinh

Chief Legal and  
Policy Officer  
Fox Corporation



Ex. 601  
256:3-9

***"If I had any legal authority in order to break operational and organizational structure and editorial independence of Fox News channel, it would be only on the basis of my role as a lawyer, and that would be privileged."***

# Testimony of Viet Dinh



Viet Dinh

Chief Legal and  
Policy Officer  
Fox Corporation



Ex. 601  
109:8-16

Q. Okay. But this looks to be an example of you being consulted before a particular guest goes on a show about that potential guest appearance, right?

**A. Yes, because of the legal concerns.**

Q. So it does happen?

**A. Yeah, sometimes.**





Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
494:6-22

Q. This is a November 20th letter from Dominion's attorneys to [General Counsel] Lily Claffee at Fox News. Do you see that, sir?

**A. I do.**

Q. Is the expectation that after having received this letter, Fox News would have alerted Fox Corporation?

**A. I believe the expectation is that this would have been shared with Fox Corporation legal.**

Q. As soon as it came in?

**A. Yeah, I can't speak to the timing but certainly in a timely manner.**

November 20, 2020

Mitchell J. Langberg  
Attorney at Law  
310.500.4631 tel  
310.500.4602 fax  
mlangberg@bhfs.com

VIA E-MAIL LILY.CLAFFEE@FOXNEWS.COM

Lily Fu Claffee, General Counsel  
Fox News Channel

RE: Dominion Voting Systems Inc. and US Dominion Inc.

Dear Ms. Claffee:

I write on behalf of Dominion Voting Systems Inc. and US Dominion Inc. (collectively "Dominion").

Since the hours following the November 3, 2020, presidential election, several Fox News ("Fox") hosts have broadcast false and defamatory allegations about Dominion that were offered by sources whose veracity was in serious doubt. Some of these defamatory allegations were so inherently improbable (at best), that only a reckless person would have made them or provided those people with a forum to air their defamatory attacks. Worse, most of these "facts" are definitively contradicted by reporting from Fox's own news department, as well as other credible news outlets and officials from federal, state, and local government.

Were it not enough to give airtime to biased sources who were on an obvious mission to destroy Dominion's reputation, hosts such as Lou Dobbs chose to adopt some of these defamatory facts and repeatedly regurgitate them as their own. That has only served to exacerbate the incredible harm to Dominion's reputation. Even more important, the vitriol that has found voice on Fox has resulted in threats to the safety of Dominion employees and their families.

Dominion is prepared to do what is necessary to protect its reputation and the safety of its employees. To that end, I write to express the company's sincere hope that Fox is committed to truth, will correct the most outlandish of the false allegations it has helped perpetuate, and will also ensure that future reporting about Dominion is both fair and accurate.

As you certainly know, when considering attacks on reputation, context is everything. Here, Dominion is under attack with accusations that it is part of an election fraud conspiracy. Yet the federal agency overseeing U.S. election security—the Department of Homeland Security's Cybersecurity and Infrastructure Security Agency—has declared that this election "was the most secure in American history" and that "[t]here is no evidence that any voting system deleted or lost votes, changed votes, or was in any way compromised." Nonetheless, Fox hosts and guests have repeatedly aired false allegations that Dominion was actively involved in fraud and corruption with respect to its voting systems. The allegations were all false.

For example, on November 12, 2020, Lou Dobbs gave Rudy Giuliani a platform to falsely attack Dominion. In an effort to discredit the company, Mr. Giuliani stated that Dominion was indirectly owned by a foreign-owned company called Smartmatic, that all of Dominion's software is Smartmatic software, and that votes

2049 Century Park East, Suite 2000  
Los Angeles, CA 90007  
www.310.500.4600

Brownstein Hyatt Farber Schreck, LLP

## Brownstein Hyatt Farber Schreck

November 20, 2020

VIA E-MAIL LILY.CLAFFEE@FOXNEWS.COM

Lily Fu Claffee, General Counsel  
Fox News Channel

RE: Dominion Voting Systems Inc. and US Dominion Inc.

Mitchell J. Langberg  
Attorney at Law  
310.500.4631 tel  
310.500.4602 fax  
mlangberg@bhfs.com

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# Giuliani and Powell Banned Due to Legal Concerns

**PARTICIPANTS:** Abby Grossberg - [REDACTED], Maria Bartiromo - [REDACTED]

David Clark just called me. "There are 3 guests fox is banning because of legal reasons and your hosts likes all of them: Rudy, Jenna Ellis, Sidney." Said it's bc of snartmatic suit. I don't think Rudy hasn't mentioned dominion, smartmatic or machines since Sidney split off on her own.

To call you

Sent 2020-12-14 10:47:26 PM UTC FROM: Maria Bartiromo - [REDACTED]

Wow Bar is OUT

Sent 2020-12-14 10:47:27 PM UTC FROM: Maria Bartiromo - [REDACTED]

Leaving before know

Sent 2020-12-14 10:48:04 PM UTC FROM: Abby Grossberg - [REDACTED]

Orig:

Sent 2020-12-14 10:48:11 PM UTC FROM: Abby Grossberg - [REDACTED]

The rumors are true. Johnson said he might hold before then

Sent 2020-12-14 10:48:58 PM UTC FROM: Abby Grossberg - [REDACTED]

Can acting accomplish and

It was rumored but then

What do you know about

Sent 2020-12-14 10:10:56 PM UTC FROM: Abby Grossberg - [REDACTED]

David Clark just called me. "There are 3 guests fox is banning because of legal reasons and your hosts likes all of them: Rudy, Jenna Ellis, Sidney." Said it's bc of snartmatic suit. I don't think Rudy hasn't mentioned dominion, smartmatic or machines since Sidney split off on her own.

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# Raj Shah's Job Is To Protect FNN's Talent and Brand



Raj Shah

Senior Vice President



Ex. 605  
299:4-300:8

Q. In fact, in your normal job, in your brand management job, you support all the Fox News primetime talent, correct?

**A. Yes.**

Q. And that includes Hannity, correct?

**A. Yes.**

Q. Laura Ingraham?

**A. Yes.**

Q. And Maria Bartiromo?

**A. Well, I would say I focus on primetime, but I support the entire network.**

Q. Including Ms. Bartiromo?

**A. Sure.**

Q. And Judge Jeanine Pirro?

**A. She is not my focus but she – presumably, yeah.**

Q. If something came up online with one of her shows, your unit would have no issue becoming involved, correct?

**A. Let's say defending her in some manner – in some would not be outside the scope of my role.**

Q. Same for Lou Dobbs?

**A. Yes.**



# Raj Shah Also Part of Carlson's Team



Raj Shah

Senior Vice President



Ex. 605  
298:10-299:1

Q. Mr. Shah, you were fairly deeply enmeshed in Mr. Carlson's team at Fox News, correct?

**A. Yes. And specifically, I was assigned to assist him with PR.**

Q. In lieu of Ms. Briganti at Fox News Network, correct?

**A. Yes.**

Q. And why was that decision made?

**A. Well, Mr. Carlson contacted me and asked me to take over and I told him it wasn't my job -- this was some years ago. And he asked Viet Dinh, my boss, and Mr. Dinh called me and said, Why don't you handle Mr. Carlson's PR in coordination with Ms. Briganti's team.**

# Shah Receives the Nightly Rundown of Carlson's Show



Raj Shah

Senior Vice President



Ex. 605  
309:20-310:7

Q. You would typically receive a preview of what Mr. Carlson was going to say on his show, on his program, correct?

**A. *There's a network rundown – or rather a show rundown e-mail that I would receive, yes.***

Q. And you receive that in advance of his show, correct?

**A. *Yes.***

Q. And from time to time you would weigh in on that rundown, correct?

**A. *I believe so, yeah.***

# Raj Shah: Offered His Views on At-Issue Programs

**From:** Briganti, Irena (FoxNews) <O=EXCHANGELABS\OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)\CN=RECIPIENTS\CN=33DC5A02FC5446C0D38D383938E0D53-BRIGANTI, I-@fox.com>  
**To:** Shah, Raj  
**Sent:** 11/10/2020 11:15:55 AM  
**Subject:** Re: House Call

Gotcha, thanks. No public mea culpa on AZ call and programming along those lines would cause a major news/opinion divide-chaos at Fox News narrative that we can't afford right now - totally get where you're coming from, but all of this is being managed carefully by those in charge.

On Nov 10, 2020, at 11:11 AM, Shah, Raj <[REDACTED]> wrote:

Yeah, I know. We're close, I'm going to take her temp and see what is possible. Less a vocal figure and more a behind the scenes defender who can point me to someone else. She's not of the view that there's a real path, but she like all are unhappy with Fox.

Want to ask, even though it seems impossible, but is the idea of some sort of public mea culpa for the AZ call completely and totally out of the realm? Or some programming that's focused on hearing our viewers grievances about how we've handled the election?

**From:** "Briganti, Irena" <[REDACTED]>  
**Date:** Tuesday, November 10, 2020 at 11:09 AM  
**To:** Raj Shah <[REDACTED]>  
**Subject:** Re: House Call

Yes, have that and thanks for update on the rest. Sanders is a contributor as you know - I don't see her helping us right now.

On Nov 10, 2020, at 11:11 AM, Shah, Raj <[REDACTED]> wrote:

Want to ask, even though it seems impossible, but is the idea of some sort of public mea culpa for the AZ call completely and totally out of the realm? Or some programming that's focused on hearing our viewers grievances about how we've handled the election?

ATTORNEYS' EYES ONLY DISCOVERY MATERIAL

FNN019\_03571949

# Raj Shah: Lengthy Memo re Programming Changes

**From:** Shah, Raj <O=EXCHANGE\BASS\O=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)\CN=RECIPIENTS\CN=33ATEC98FB14AC1B1B80D9A31D1CDE-RAJ.SHAH>  
**To:** Gruber, Alec; Schwartz, Elliot  
**Sent:** 11/12/2020 8:50:18 PM  
**Subject:** Thoughts?

DRAFT:

**TO:** Viet Dinh, Chief Legal & Policy Officer, Fox Corporation; Suzanne Scott, Chief Executive Officer, Fox News Media  
**FROM:** Raj Shah, Senior Vice President, Fox Corporation  
**CC:** Lachlan Murdoch, Chief Executive Officer, Fox Corporation  
**DATE:** November 13, 2020  
**SUBJECT:** Fox News Brand Crisis & Recommendations

OVERVIEW

**TO:** Viet Dinh, Chief Legal & Policy Officer, Fox Corporation; Suzanne Scott, Chief Executive Officer, Fox News Media

**FROM:** Raj Shah, Senior Vice President, Fox Corporation

**CC:** Lachlan Murdoch, Chief Executive Officer, Fox Corporation

**DATE:** November 13, 2020

**SUBJECT:** Fox News Brand Crisis & Recommendations

ATTORNEYS' EYES ONLY DISCOVERY MATERIAL

FoxCorp00225141



# Shah Shared His Ideas With Dinh



Raj Shah

Senior Vice President



Ex. 605  
308:11-15

Q. And you shared these ideas with Viet Dinh, correct?

***A. Not in this e-mail, but I did share a copy of this memo when it was completed with him, yes.***

# Raj Shah: Lengthy Memo re *Tucker Carlson Tonight*

## SOME PROGRAMMING SUGGESTIONS

*Framing The Left in Terms of a Rise of Socialism*

The right will be keen to frame a Biden presidency as a vessel for a radical left committed to enacting socialism. Framing any and all policy announcements as "socialism" and taken from an AOC-Bernie Sanders playbook will likely animate Tucker's core audience.

Beyond policy this can be an effective hook. Consider work analyzing the previous writings, arguments on social media or key figures in a Biden Administration.

**TO:** Viet Dinh, Chief Legal & Policy Officer, Fox Corporation  
**FROM:** Raj Shah, Senior Vice President, Fox Corporation  
**SUBJECT:** Tucker Carlson Tonight Data  
**DATE:** October 7, 2020

## SOME PROGRAMMING SUGGESTIONS

*Framing The Left in Terms of a Rise of Socialism*

The right will be keen to frame a Biden presidency as a vessel for a radical left committed to enacting socialism. Framing any and all policy announcements as "socialism" and taken from an AOC-Bernie Sanders playbook will likely animate Tucker's core audience.

ATTORNEYS' EYES ONLY DISCOVERY MATERIAL

# Raj Shah: Shared Thoughts with Individuals at FNN

**From:** Shah, Raj </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=33A7EC98BFB14AC1B1B80D99A31D1CDE-RAJ.SHAH>  
**To:** Dinh, Viet  
**Sent:** 10/21/2020 2:04:06 PM  
**Subject:** Both Memos  
**Attachments:** 10.9.20 Memo - TCT YouGov Data Cuts.docx; 10.20.20 Memo - Primetime YouGov Data Cuts.docx

See attached.

I ran Tucker's memo by Ron Mitchell, who was a fan overall. The two concerns he expressed were:

1. Concern that Tucker may not react well to seeing data showing that his viewers may disagree.
2. Concern that Tucker may take the info on affirmative action/diversity/inclusion as a green light from corporate to go harder at the issue when he's already devoting tons of programming time to it.

I think both are risks, but part of the deal if we're going to honestly share this type of viewer data with him and other hosts. Pls call if you want further edits or have additional concerns you want to talk over.

**From:** Shah, Raj </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=33A7EC98BFB14AC1B1B80D99A31D1CDE-RAJ.SHAH>  
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I think both are risks, but part of the deal if we're going to honestly share this type of viewer data with him and other hosts. Pls call if you want further edits or have additional concerns you want to talk over.

ATTORNEYS' EYES ONLY

# Shah Suggests “Limit[ing]’ the Charges of Misinformation”...In February 2021

**PARTICIPANTS:** Meade Cooper - [REDACTED]; Meade Cooper - [REDACTED]; Raj SHah - [REDACTED]

Sent 2021-02-17 10:21:58 PM UTC FROM: Raj SHah - [REDACTED]

I connected with Irena. Just in Sean and POTUS tonight. To the extent we can limit the charges of misinformation, etc. its helpful over the next week. There is a congressional hearing coming up next week.

Sent 2021-02-17 10:22:06 PM UTC FROM: Raj SHah - [REDACTED]

Just on\*\*

Sent 2021-02-17 10:24:40 PM UTC FROM: Meade Cooper - [REDACTED]

Got it. I spoke with Hannity EP and they are on high alert and don't want to go there

Sent 2021-02-17 10:33:48 PM UTC FROM: Raj SHah - [REDACTED]

Much appreciated.



# Shah Suggests Keeping Rudy Off the Air...In October 2020

From: Shah, Raj <OHEXCHANGELABS@UPEXCHANGE ADMINISTRATIVE GROUP (FTDIBCH#23SPOLT)@RECIPIENTS-CN-33A7EC98FB14AC1B1880D9A31D1CDE-RAJ.SHAH>  
To: Mitchell, Ron (FoxNews)  
Sent: 10/21/2020 1:42:23 PM  
Subject: Re: Memo  
Attachments: 10.20.20 Memo - Primetime YouGov Data Outs.docx

Second memo.

From: "Mitchell, Ron" [REDACTED]  
Date: Wednesday, October 21, 2020 at 1:10 PM  
To: Raj Shah [REDACTED]  
Subject: RE: Memo

Was just reading about this. This will change things.

From: Shah, Raj [REDACTED]  
Sent: Wednesday, October 21, 2020 1:09 PM  
To: Mitchell, Ron [REDACTED]  
Subject: Re: Memo

This just broke too, so might be advisable to keep him off shows for a getting traction...

**Rudy Giuliani faces questions after compromising scene in new Borat film**  
*Trump's personal attorney has indiscreet encounter with actor playing pandemic*  
The Guardian  
Catherine Shoard  
<https://amp.theguardian.com/film/2020/oct/21/rudy-giuliani-faces-questions-after-compromising-scene-in-new-borat-film>

From: "Mitchell, Ron" [REDACTED]  
Date: Wednesday, October 21, 2020 at 12:51 PM  
To: Raj Shah [REDACTED]  
Subject: RE: Memo

So interesting. I definitely have some thoughts on this. Will give you a call as soon as

From: Shah, Raj [REDACTED]  
Sent: Wednesday, October 21, 2020 12:07 PM  
To: Mitchell, Ron [REDACTED]  
Subject: Memo

This message and its attachments may contain legally privileged

ATTORNEYS' EYES ONLY DISCOVERY MATERIAL

From: Shah, Raj [REDACTED]  
Sent: Wednesday, October 21, 2020 1:09 PM  
To: Mitchell, Ron [REDACTED]  
Subject: Re: Memo

This just broke too, so might be advisable to keep him off shows for a few days, even tho the laptop story is getting traction....

**Rudy Giuliani faces questions after compromising scene in new Borat film**  
*Trump's personal attorney has indiscreet encounter with actor playing Borat's daughter in hotel room during pandemic*  
The Guardian  
Catherine Shoard  
<https://amp.theguardian.com/film/2020/oct/21/rudy-giuliani-faces-questions-after-compromising-scene-in-new-borat-film>



Raj Shah

Senior Vice President



Ex. 605  
287:1-10

Q. So there have been times when you, as a Fox Corp executive, have reached out to folks at Fox News and made suggestions about who they should or should not have on their airwaves, correct?

**A. *Well, that is correct. This is an example of that. Yes.***

# Fox Corp Admits Raj Shah's Editorial Involvement



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
353:16-354:5,  
354:16-355:4,  
355:8-22

Q. And as we've seen, when the reactions subsequent continue to develop, he [Raj Shah] is not just giving hindsight advice, he is giving proactive advice on how to handle particular developments like Sidney Powell, correct?

**A. Yes, he is sharing his suggestions.**

\* \* \*

Q. Okay. And this is an e-mail exchange between Mr. Viet Dinh and Mr. Raj Shah, correct?

**A. That is correct.**

Q. And the second e-mail is Mr. Raj Shah at 1:59 p.m. Do you see that?

**A. That is correct.**

Q. And Mr. Shah says what in that e-mail?

**A. "For awareness, I've offered the advice that our prime time hosts offering anything short of clear/strong condemnation of the violence will be scrutinized."**

\* \* \*

Q. Go on, please.

**A. "I've connected with Ron Mitchell and Meade Cooper on messaging and talked to Laura and Tucker's executive producers," EPs, "one-on-one."**

Q. Okay. And Mr. Dinh thanks Mr. Shah for doing so, correct?

**A. Correct.**

Q. And this is an example, as we just saw, of there being some initial blowback and then Mr. Shah participating in the story to get ahead of any future developments, correct?

**A. In this—in this instance, it is correct.**



# Fox Corporation Executives Had Actual Malice



# Testimony of Rupert Murdoch



Rupert Murdoch

Co-Chairman  
Fox Corporation



Ex. 600  
46:15-47:13

Q. Have you ever believed that President Trump won by not just hundreds of thousands of votes, but by millions of votes that were shifted by Dominion software that was expressly designed for that purpose?

**A. No. *I've never believed that.***

Q. Do you believe there was a massive election fraud in the 2020 presidential election caused by Dominion machines?

**A. No.**

Q. Have you ever believed that there was a massive election fraud in the 2020 presidential election caused by Dominion machines?

**A. No.**

# Testimony of Rupert Murdoch



Rupert Murdoch

Co-Chairman  
Fox Corporation



Ex. 600  
24:10-13

Q. Have you ever believed that Dominion committed election fraud by rigging the 2020 presidential election?

**A. No. *I have never seen any evidence.***

From: [REDACTED]  
To: Col Allan  
Sent: 11/6/2020 11:21:39 AM  
Subject: Re: Same stuff

That's great. Thanks

Sent from my iPhone

> On Nov 6, 2020, at 4:07 PM, Col Allan [REDACTED]  
>  
> We are preparing an editorial admiring trumps achievements in  
consider the nation and his own legacy as it becomes increasingly  
It time for acceptance and dignity.

> Sent from my iPhone

>> On Nov 6, 2020, at 10:17 AM, Col Allan [REDACTED]

>> He hates losing. But you are right time for some dignity.

>> Sent from my iPhone

>>> On Nov 6, 2020, at 7:28 AM, Murdoch, Rupert [REDACTED]

>>> Half of what Donald said was good. The other half bullshit

>>> Big media, big money and big tech all against him and his  
mighty achievement. But conspiracy with pollsters NO! Letter also  
many run by Dems, but so what?

>>> Giving big money not a conspiracy!

>>> Turns out mainly a waste.

>>> With several states now disappointingly favoring Biden hard

>>> Sent from my iPhone

>>> This message and its attachments may contain legally privileged  
information. It is intended solely for the named addressee(s). If  
indicated in this message (or responsible for delivery of the message)  
may not copy or deliver this message or its attachments to anyone  
permanently delete this message and its attachments and kindly  
email. Any content of this message and its attachments that does  
official business of Fox Corporation, or its subsidiaries must be  
sent or endorsed by any of them. No representation is made that  
attachments are without defect.

From: [REDACTED]  
To: Col Allan  
Sent: 11/6/2020 11:21:39 AM  
Subject: Re: Same stuff

That's great. Thanks

Sent from my iPhone

> On Nov 6, 2020, at 4:07 PM, Col Allan [REDACTED] wrote:

>

> We are preparing an editorial admiring trumps achievements in office but urging him to  
consider the nation and his own legacy as it becomes increasingly clear he has lost office.  
It time for acceptance and dignity.

From: Col Allan [REDACTED]  
To: Murdoch, Rupert  
Sent: 11/7/2020 12:24:46 PM  
Subject: Re: Good

Agree. He's unhinged. Has been for a while.  
Sent from my iPhone  
> On Nov 7, 2020, at 12:22 PM, Murdoch, Rupert wrote:  
> Ha! Just saw a bit of Rudy ranting.  
> A terrible influence on Donald.  
>  
> Sent from my iPhone  
>  
>> On Nov 7, 2020, at 5:18 PM, Col Allan wrote:  
>> New York City going crazy. Horns, though.  
>>  
>> Sent from my iPhone  
>>  
>>> On Nov 7, 2020, at 11:33 AM, Murdoch, Rupert wrote:  
>>> Yes. But calming today.  
>>>  
>>> CNN declares and FOX coming in minutes.  
>>> I hate our Decision Desk people! And  
>>> Just for the hell of it still praying  
>>> this out and labor lemonade hate  
>>>  
>>> Sent from my iPhone  
>>>  
>>>> On Nov 7, 2020, at 4:12 PM, Col Allan wrote:  
>>>> Why not. Weather great!! He will be  
>>>>  
>>>> Sent from my iPhone  
>>>>  
>>>>> On Nov 7, 2020, at 11:07 AM, Murdoch, Rupert wrote:  
>>>>>  
>>>>> Donald playing golf right now! (Dad)  
>>>>>  
>>>>> Sent from my iPhone  
>>>>>  
>>>>>> This message and its attachments may contain  
information. It is intended solely for the individual  
indicated in this message (or responsible party) and  
may not copy or deliver this message or its attachments  
permanently delete this message and its attachments.  
Any content of this message and its attachments is  
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>>>>>>  
>>>>>> This message and its attachments may contain  
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Any content of this message and its attachments is  
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or sent or endorsed by any of them. No representation  
is made that the information in this message and its  
attachments are without defect.

**From:** Col Allan <[REDACTED]>  
**To:** Murdoch, Rupert  
**Sent:** 11/7/2020 12:24:46 PM  
**Subject:** Re: Good

Agree. He's unhinged. Has been for a while. I think booze has got him.

Sent from my iPhone

> On Nov 7, 2020, at 12:22 PM, Murdoch, Rupert [REDACTED] wrote:  
>  
> Ha! Just saw a bit of Rudy ranting.  
> A terrible influence on Donald.

CONFIDENTIAL DISCOVERY MATERIAL



From: [REDACTED]  
To: Col Allan [REDACTED]  
Sent: 11/7/2020 12:32:01 PM  
Subject: Re: Good



Yes. In addition or within your big statement.

Sent from my iPhone

> On Nov 7, 2020, at 5:28 PM, Col Allan [REDACTED] wrote:  
>  
> Hunter Biden getting secret service detail. To protect him from whom? Crack dealers?  
> Uncle Jim? Daddy? God help us.

> Sent from my iPhone

>> On Nov 7, 2020, at 12:27 PM, Col Allan [REDACTED] wrote:

>>

>> About Rudy?

>> Sent from my iPhone

>>>> On Nov 7, 2020, at 12:26 PM, Murdoch, Rupert [REDACTED] wrote:

>>>> Should we say something Donald might see?

>>>> Sent from my iPhone

>>>>

>>>>

>>>>

>>>>

>>>>

>>>>

>>>>

>>>>

>>>>

>>>>

>>>>>>> On Nov 7, 2020, at 11:33 AM, Murdoch, Rupert [REDACTED] wrote:

>>>>>>> Yes. But calms today.

>>>>>>> CNN declares and FOX coming in minutes.

>>>>>>> I hate our Decision Desk people! And pollsters! Some of the same people I think.

>>>>>>> Just for the hell of it still praying for Az to prove them wrong! I did one for

>>>>>>> fill this out and label lemonade hate

>>>>>>> Sent from my iPhone

>>>>>>>

>>>>>>>>> On Nov 7, 2020, at 4:12 PM, Col Allan [REDACTED] wrote:

>>>>>>>>>

>>>>>>>>> Why not. Weather great!! He will be playing a lot more soon.

>>>>>>>>>

>>>>>>>>> Sent from my iPhone

>>>>>>>>>

>>>>>>>>>

>>>>>>>>>

>>>>>>>>>

>>>>>>>>>

CONFIDENTIAL DISCOVERY MATERIAL

FoxCorp00082508

# November 7 *New York Post* Editorial

## President Trump, your legacy is secure — stop the 'stolen election' rhetoric

[nypost.com/2020/11/07/president-trump-your-legacy-is-secure-stop-the-stolen-election-rhetoric/](https://nypost.com/2020/11/07/president-trump-your-legacy-is-secure-stop-the-stolen-election-rhetoric/)

By Post Editorial Board

November 7, 2020



The math is looking near-impossible. Trump could easily run on in 2024 — if he q

Trump shook up Washington and the establishment and both parties.

Nowhere did he have greater impact on elites. When Trump fulfilled a longst capital and move the US embassy the terrorism across the region.

Instead, Trump has created the conti the ground — including the Iranian r abandoning decades of failed policy

if he quits the conspiracy-addled talk of a “stolen” election.

But the president’s aides have shown no evidence that the election was “stolen.” Where Trump won several key states by razor-thin margins to take the White House in 2016, Biden seems to have done the same this year. It undermines faith in democracy, and faith in the nation, to push baseless conspiracies. Get Rudy Giuliani off TV. Ask for the recounts you are entitled to, wish Biden well, and look to the future.

11-5-20  
L. MURDOCH  
2864

# Lachlan Knew By November 7: *New York Post* Editorial



Lachlan Murdoch

Co-Chairman and CEO  
Fox Corporation



Ex. 130  
328:5-330:23

- Q. And in the first paragraph of this editorial from the *New York Post* they write that President Trump should take pride in what he's done for the nation and the world these last four years. It's a legacy he could easily run on in 2024 if he quits the conspiracy-addled talk of a stolen election." Do you see that?
- A. **Yes.**
- Q. And then I'm not going to go through all the accomplishments they list out, but if you look -- sorry -- go to the last page of this document, the *New York Post* writes: "The President's aides have shown no evidence that the election was stolen." Do you see that?
- A. **Yes.**
- Q. And a couple sentences later the *New York Post* writes: "It undermines faith in democracy and faith in the nation to push baseless conspiracies." Do you see that?
- A. **Yes.**
- Q. The Post then writes: "Get Rudy Giuliani off TV." Right?
- A. **Yes.**
- Q. And then it writes: "If Trump persists in wild talk to the contrary, it leads people into irrelevance and marginalize his own voice." You saw that part?
- A. **Yes.**
- Q. When you read this editorial on November 7, 2020, did you agree with it?
- A. **Yes, I did.**
- Q. In fact, you were shown this editorial before it was even published by Col Allan; right?
- A. **I believe I was, yes.**



# Fox Corp Binding Admission



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Q. You would agree with me that at this point, November 23rd, 2020, Mr. Shah is telling Mr. Lachlan Murdoch, Mr. Viet Dinh and Ms. Suzanne Scott that Sidney Powell had just given a wild interview on Newsmax, correct?

**A. Correct.**

Ex. 759  
321:15-22

Ex.759 Dorrego 30(b)(6) 321:15-22





Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
483:5-14

Q. Can you point to anything specifically that Fox Corporation did to alert anybody at Fox News that Sidney Powell was not representing the president?

**A. Certainly Raj Shah raised that in some of his exchanges with Fox Corporation executives, as well as Suzanne Scott.**

# Dinh Knew Claims Were False



Viet Dinh

Chief Legal and  
Policy Officer  
Fox Corporation



Ex. 601  
26:11-27:19

- Q. Have you ever believed that Dominion is owned by a company founded in Venezuela to rig elections for Hugo Chavez?
- A. *I do not think so. I do remember some, you know, at the time, there was some talk or allegations or reporting about Venezuela, but I do not -- I don't think I believed it at the time.***
- Q. At the time, you didn't even allow for the possibility that those particular allegations might be true, did you?
- A. *I don't think so because I actually think I may have looked this up in order to see the -- whether or not it was true because it, kind of, an extraordinary thing that you can look up. And so I do remember that at sometime during the Relevant Period, that is November until mid-December, I do remember looking it up and discovering that there was a CFIUS review of a transaction, which was blocked by the government. And then subsequently, now I know Dominion to have acquired the U.S. company that was -- whose transaction was blocked by the committee for investment in the United States. And so that research at the time, you know, I think, in my mind, dismissed that possibility. That explains the confusion and all of that stuff, and it seems to me something that I can look up and find out pretty easily.***

# Testimony of Viet Dinh



Viet Dinh

Chief Legal and  
Policy Officer  
Fox Corporation



Ex. 601  
12:12-23

Q. Have you ever believed that Dominion committed election fraud by rigging the 2020 Presidential Election?

**A. No, but there was a period of time when allegations were made that I was skeptical of, but I allowed the possibility that they may be true.**

Q. What was that period of time?

**A. Approximately immediately after the election until approximately mid-December, when the electors were designated by the state legislatures.**



# Testimony of Viet Dinh



Viet Dinh

Chief Legal and  
Policy Officer  
Fox Corporation



Ex. 601  
26:11-18

Q. Have you ever believed that Dominion is owned by a company founded in Venezuela to rig elections for Hugo Chavez?

**A. I do not think so. I do remember some, you know, at the time, there was some talk or allegations or reporting about Venezuela, but I do not -- I don't think I believed it at the time.**



# Testimony of Viet Dinh



Viet Dinh

Chief Legal and  
Policy Officer  
Fox Corporation



Ex. 601  
27:23-28:12

Q. Okay. Relatedly, you agree with me that Dominion is not owned by Smartmatic, right?

**A. I do agree with you.**

Q. And you have never believed that to be true either, have you?

**A. Again, it would have been part of that research that I did, so, no.**

Q. You agree with me that Dominion was not a front for Smartmatic, right?

**A. I do agree with you.**

Q. And you have never believed that it was a front for Smartmatic, have you?

**A. I do not.**

# Fox Corp Receives Notice of STRS



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759

496:16-20, 497:10-23

Q. At any point did anybody at Fox Corporation receive any of Dominion's multiple setting the record straight e-mails?

**A. I believe those were received by Fox Corporation legal team.**

\* \* \*

Q. And are you able to give me a time frame as when that notification and communication happened?

**A. No. I would assume it was in the time frame somewhere around November and December but I don't know specific dates.**

Q. The expectation would be from Fox Corporation that when the setting the record straight e-mails came in, they would timely notify Fox Corporation?

**A. That would be the expectation, yes.**

# Raj Shah: Communication with Producer for Carlson's Show

Start Date November 20, 2020 9:53:52 AM EST  
End Date November 20, 2020 9:01:03 PM EST  
Chat Account Pfeifer Alex [REDACTED]

Start Date November 20, 2020 9:53:52 AM EST

Pfeifer Alex [REDACTED]

The affidavit is the same one she mentioned at presser and not proof of anything 09:53:52

and ditto for "data analysis"

(no sender information available)

Gotcha. Might wanna address this, but this stuff is so fucking

Vote rigging to the tune of millions? C'mon

Pfeifer Alex [REDACTED]

Is it even worth addressing again tonight? It is so insane but viewers believe it so addressing again how her stupid veneer affidavit last proof might insult them

(no sender information available)

I'm not sure. I think it's gonna be messy until this stuff is laid out in court

Pfeifer Alex [REDACTED]

hopefully thats soon. Only issue is dec 14 feels a long ways

(no sender information available)

I don't think it's wise to revisit tonight beyond addressing the affidavit... her specific claim.... not new info, not proof, then being deferential...we hope she is able to provide the evidence in court and we'll bring it to viewers when they do

You drew your blood last night

Gotcha. Might wanna address this, but this stuff is so fucking insane.

09:54:30

0

Vote rigging to the tune of millions? C'mon

09:54:43

3

I don't think it's wise to revisit tonight beyond addressing the affidavit.... her specific claim.... not new info, not proof, then pivot to being deferential...we hope she is able to provide the evidence in court and we'll bring it to viewers when they do

10:02:42

2

CONFIDENTIAL DISCOVERY MATERIAL

FoxCorp00086756



# Raj Shah: Advice to Carlson's Production Team

**From:** Shah, Raj </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=33A7EC98BFB14AC1E1B8009A31D1CDE-RAJ.SHAH>  
**To:** Wells, Justin (FoxNews); Pfeiffer, Alex (FoxNews)  
**Sent:** 11/21/2020 11:15:47 PM  
**Subject:** Re: Newsmax TV - Sidney Powell interview 11/21/2020 9:15:40 PM

We def shouldn't engage. This is an op to discredit her, since it's totally insane. I'm moving this stuff around to get more questions raised. It's just MIND BLOWINGLY NUTS

**From:** "Wells, Justin" <[REDACTED]>  
**Date:** Saturday, November 21, 2020 at 11:14 PM  
**To:** "Pfeiffer, Alex (FoxNews)" <[REDACTED]>  
**Cc:** Raj Shah <[REDACTED]>  
**Subject:** Re: Newsmax TV - Sidney Powell interview 11/21/2020 9:15:40 PM

We should absolutely not engage. If we're now put in a position to engage with "Newsmax" then there is an obviously a significant failure at the media relations level at FNC. I'd be happy to help fix it but I suspect answering Justin Baragona won't help. We do that and I'm still not sure why.

On Nov 21, 2020, at 10:59 PM, Pfeiffer, Alex <[REDACTED]>

But not in 2016 general! They were playing the long game.

Send from [REDACTED]

We def shouldn't engage. This is an op to discredit her, since it's totally insane. I'm moving this stuff around to get more questions raised. It's just MIND BLOWINGLY NUTS

Sidney Powell was on Newsmax tonight, just wrapped up a bit ago. She called Tucker "abrasive" and "disrespectful" in text messages and claimed he had a "tantrum." The rest of the interview is totally nuts. She's claiming she's already submitted "irrefutable" and "hardcore" evidence (whatever that is). She's claiming thousands of people were involved in this conspiracy to steal the election.

She claims Brian Kemp was paid off to use Dominion voting machines, and the GA filings they're planning to file will be "biblical."

Check it out:

**Newsmax TV - Sidney Powell interview 11/21/2020 9:15:40 PM:**  
<https://news.tv.ces.com/transcript.asp?StationID=1914&DateTime=11/21/2020%209:15:40%20PM&fileid=me&pbs=acard%3d%3d%26bucker>

CONFIDENTIAL DISCOVERY MATERIAL

FNN011\_00096294

**From:** Shah, Raj </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=33A7EC98BFB14AC1E1B8009A31D1CDE-RAJ.SHAH>  
**To:** Wells, Justin (FoxNews); Pfeiffer, Alex (FoxNews)  
**Sent:** 11/21/2020 11:15:47 PM  
**Subject:** Re: Newsmax TV - Sidney Powell interview 11/21/2020 9:15:40 PM:





Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
317:21-318:15

Q. And then can you please tell the jury what Mr. Shah says in that last sentence of the e-mail?

**A. "It's just mind blowingly nuts."**

Q. That's a reference to Ms. Powell's claims, correct?

**A. You can infer it as that.**

Q. At this point what did Fox Corporation do to prevent Fox News from airing the mind-blowingly nuts claims?

**A. Again, I am not aware of anything specific that Fox News—or, I'm sorry, Fox Corporation would have done.**



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Q. And just as we're seeing here, there is a general awareness of the people paying attention to these interviews within Fox Corporation that Ms. Powell in this case was giving an insane interview, correct?

**A. Raj was certainly -- Raj Shah was certainly aware of that.**



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
302:24-303:7

Q. You would agree with me that Fox Corporation employee Raj Shah concluded, based upon his monitoring of Newsmax, that the claims that Sidney Powell were making were obviously and provably false, correct?

**A. As I've said several times, yes, that is correct.**

# Testimony of Raj Shah



Raj Shah

Senior Vice President



Ex. 605  
214:21-215:7

Q. Do you recall watching that press conference, Mr. Shah?

**A. Yes.**

Q. And what was your reaction to the claims that were being made?

**A. I found many of the claims to be not very credible.**

Q. Does that include the claims about Dominion?

**A. Yes, that would include those claims.**

Ex.605, Shah 214:21-215:7



## Chats

114 Alexander Griswold 16

RS Raj Shah [redacted]  
To: Alexander Griswold <Space AAAAYNSZX10>

Can we look out on this story?  
[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.dailyposter.com\\_p\\_tucker-2Dcarl-son-2Dand-2Dmedia-2Ddelitee-2Dcoazy&d=DwMGAQ&e=onx1hDQOpEOPemZGwQ&uUULn-nM9jyVWQSEm9mq17WgqYhH-erwU&e=grh9yXUcsZOPkXCSH-OrmjBmstmsqjyD&=cdqhg29bbq7aLhazyHUMpXZ9g\\_sUUTayDWC4&e=](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.dailyposter.com_p_tucker-2Dcarl-son-2Dand-2Dmedia-2Ddelitee-2Dcoazy&d=DwMGAQ&e=onx1hDQOpEOPemZGwQ&uUULn-nM9jyVWQSEm9mq17WgqYhH-erwU&e=grh9yXUcsZOPkXCSH-OrmjBmstmsqjyD&=cdqhg29bbq7aLhazyHUMpXZ9g_sUUTayDWC4&e=)

11/19/2020  
09:21:03  
AM  
(UTC-5)

AG [redacted]



Raj Shah [redacted]

To: Alexander Griswold <Space AAAAYNSZX10>

Altho they're owning that crazy fucking presser

11/19/2020  
07:35:53  
PM  
(UTC-5)

AG [redacted]

RS [redacted]

AG [redacted]

Message RT from Melissa Touch

11/19/2020  
10:05:09  
AM  
(UTC-5)

AG Alexander Griswold [redacted]  
To: Alexander Griswold <Space AAAAYNSZX10>

<https://twitter.com/RzdProgramming/status/1329429691586011136>

11/19/2020  
10:25:17  
AM  
(UTC-5)

<https://twitter.com/RzdProgramming/status/1329429691586011136>  
<https://twitter.com/RzdProgramming/status/1329429691586011136>

FoxCorp00222309



Raj Shah

Senior Vice President



Ex. 605  
310:19-23

Q. You were aware in advance that Mike Lindell was going to appear on Mr. Carlson's January 26, '21 broadcast of Tucker Carlson Tonight, correct?

**A. Yes.**

# Shah Knew About Lindell



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Q. ...Sir, this is confirmation from Justin Wells to Raj Shah the morning of January 26th that indeed Lindell was going to appear on Tucker that night, correct?

**A. Correct.**

Ex. 759  
419:22-420:5;  
Ex. 719

# Testimony of Raj Shah



Raj Shah

Senior Vice President



Ex. 605  
313:1-6

Q. Were you generally aware that during the 2020 presidential election he [Mr. Lindell] made a lot of claims about election fraud, including Dominion Voting Systems' role in the supposed election fraud?

**A. Yes.**





Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
408:7-15

Q. And this is in the same time frame and Fox Corporation was aware during the same time frame Mike Lindell was continuing to spread his election lies, correct?

**A. We were aware of that, yes.**



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
419:22-420:5

Q. Fox Corporation understood prior to Mike Lindell coming on the air on January 26th that Mike Lindell was a wild card and the interview could easily go off the rails, correct?

**A. That would be correct, unfortunately...**

# Lachlan Personally Involved With Lindell



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
409:25-410:14

Q. Okay. And there was a discussion, was there not, for Mr. Lachlan Murdoch to reach out personally to Mike Lindell, right?

**A. Yes, there was.**

Q. And what happened in that discussion?

**A. Lachlan Murdoch offered to reach out directly to Mike Lindell if we thought -- if the ad sales team thought that would be helpful. It's not uncommon for Lachlan to reach out to any of our large business partners if, you know, ultimately, he thought it would -- if the leaders thought it would be helpful to the company.**



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Q. Sir, you would agree that Fox News would face a serious threat to its ongoing business if something poses lasting damage to the Fox News brand, correct?

**A. If it—if it posed lasting damage, yes.**



# Shah Tells Lachlan That Fox Is Facing a Brand Crisis



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
213:12-214:1

Q. Okay. And, sir, this is a memo from Raj Shah to Lachlan Murdoch; is it not?

**A. Yes, it is.**

Q. Can you please read for the jury, what does take first sentence say?

**A. "Overview. Fox News is facing a brand crisis, with viewers upset and online activists in open revolt of Fox's handling of election night coverage last week and certain programming decisions since."**

Q. Thank you. That is what Mr. Shah told Mr. Lachlan Murdoch on November 13th, 2020; is it not?

**A. Yes.**

- “Fox News is facing a brand crisis, with viewers upset and online activists in open revolt of Fox’s handling of election night coverage last week and certain programming decisions since”
- “what has happened over the last week has fueled a precipitous decline in Fox’s favorability among our core audience”
- “This will not simply fade on its own for weeks or months and poses lasting damage to the Fox News brand unless effectively addressed soon.”



Paul Ryan

Fox Board Member



Ex. 620  
402:12-18

Q. I think you testified similar, you agree that the whole theory is ludicrous to anybody who follows elections, right?

**A. Yeah, I didn't believe the election was stolen from the beginning.**

# Fox Knew About Audience Discontent



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
227:5-22

Q. And you do agree that during this same time frame there was extremely high levels of conservative discontent towards Fox News, correct?

**A. I am—I am aware that the president at the time was speaking out publicly against Fox News.**

Q. And –

**A. And creating discontent with his base.**

Q. About Fox News, right??

**A. Yes, yes, I'm sorry.**



# Fox Knew About Audience Discontent



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Q. And you would agree that in this week following the election, there was strong conservative and viewer backlash to Fox, right?

**A. There—there was some pushback against Fox with a portion of its viewership, yes.**

Ex. 759  
228:5-12

# Fox Knew About Audience Discontent



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
232:18-233:9

Q. It would be especially damaging -- excuse me -- it would be especially damaging for a media entity like Fox to have the president campaign against you, right?

**A. Yes, it's certainly not helpful.**

Q. Put differently, right, the potential viewer loss for President Trump saying something negative about Fox News is a lot higher than if President Trump says something negative about say MSNBC?

**A. I think that would -- that's correct.**

# Even Small Changes Have Large Effects

The FOX logo is displayed in a bold, blue, sans-serif font.

Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Q. This is Mr. Kyle Goodwin of Fox News telling Mr. Raj Shah that if Newsmax takes 5% of our audience to 10% of our audience, it could drastically change the landscape, right?

**A. That's what he says in this e-mail, that's correct.**

Ex. 759  
276:23-277:4



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

**A. "We are not concerned with losing market share to CNN or MSNBC right now. Our concern is Newsmax and One America News Network."**


Q. Right, because at this point in November, November 10th, 2020, that was Fox Corporation's head of brand protection's concern, Newsmax and OAN, correct?

**A. That is correct...**





# Fact/Opinion, Neutral Report, and Newsworthiness



It is a “black-letter rule that one who republishes a libel is subject to liability just as if he had published it originally, even though he attributes the libelous statement to the original publisher, ***and even though he expressly disavows the truth of the statement.***”

*Cianci v. New Times Pub. Co.*, 639 F.2d 54, 60-61  
(2d Cir. 1980) (citation omitted).

# Rupert: "They Endorsed"



Rupert Murdoch

Co-Chairman  
Fox Corporation



Ex. 600  
361:8-362:21

Q. You are aware now that Fox did more than simply host these guests and give them a platform; correct?

**A. I think you've shown me some material in support of that.**

Q. In fact, you are now aware that Fox endorsed at times this false notion of a stolen election?

**A. Not Fox, no. Not Fox. But maybe Lou Dobbs, maybe Maria, as commentators.**

Q. We went through Fox hosts Maria Bartiromo, yes?

**A. Yes. C'mon.**

Q. Fox host Jeanine Pirro?

**A. I think so.**

Q. Fox Business host Lou Dobbs?

**A. Oh, a lot.**

Q. Fox host Sean Hannity?

**A. A bit.**

Q. All were in that document; correct?

**A. Yes, they were.**

Q. About Fox endorsing the narrative of a stolen election; correct?

**A. No. Some of our commentators were endorsing it.**

Q. About their endorsement of a stolen election?

**A. Yes. They endorsed.**

# "Instances of Talent Support for the 'Stolen Election' Narrative"

**From:** Chao, Carolina (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=75A235A2668A45DF99ECA35748587A1A-CHAO, CAROL>  
**To:** Briganti, Irena; Glancey, Tessica (FoxNews); Ketner, Jessica ( FoxNews )  
**CC:** Cronin, Caley (FoxNews)  
**Sent:** 1/21/2021 6:08:55 PM  
**Subject:** RE: "Stolen election" references

**From:** Chao, Carolina (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=75A235A2668A45DF99ECA35748587A1A-CHAO, CAROL>  
**To:** Briganti, Irena; Glancey, Tessica (FoxNews); Ketner, Jessica ( FoxNews )  
**CC:** Cronin, Caley (FoxNews)  
**Sent:** 1/21/2021 6:08:55 PM  
**Subject:** RE: "Stolen election" references

Hi Irena – thank you for your patience. Please see below for the instances we pulled together from transcripts of these shows going back to the election. Each example is categorized under the talent who made the remarks; I show on what day they occurred. We also created break outs for Mark Levin, Newt Gingrich and Gregg Jarrett across a few examples in our research. We tried to pare it down to focus specifically on talent examples, not guests, who made such comments. As such, you may notice some notable comments from guests like Sidney Powell. But are not included unless the host matched/repeated their remarks. If guest comments are needed as well, can work on pulling this together.

Please let us know if any edits or if there is anything else you need.

Thank you,  
Carolina

<https://docs.google.com/document/d/15OuwEJM5L1YNAvQZMORL1JwqVURtOH5hbEbp5RezoK8/edit?usp=sharing>

Instances of Talent Support for the "Stolen Election" Narrative & Belief that Congress would Change Electoral Votes on January 6th

**LOU DOBBS**  
**11/09/20 - Lou Dobbs Tonight**  
Lou Dobbs: "The radical Dems are also working with the corporate-owned left-wing national media doing its utmost to nullify the votes of 71 million Trump voters. And let's be very direct, many are trying to steal this election President Trump. There is no doubt about it."

**11/10/20 - Lou Dobbs Tonight**  
Lou Dobbs: "Good evening, everybody. It has been a week since the radical Dems tried to steal an elect President Trump, or so it appears. And finally there is a signal of life coming from the Department of Justice."

"And to come out with cute words at the end of it, I wish Republicans, particularly Republican leaders at the the governors, I wish they would just start calling it like it is, because this is an election that people know really, really want to steal."

**11/11/20 - Lou Dobbs Tonight**  
Rudy Giuliani: "No, no. I'm suggesting we do what we usually do when we're a decent American, put crimes they are a bunch of criminals. Not only in the way they carried out the election and the way they took money now, this is probably the most crooked election ever run anywhere. I mean, it's impossible, Lou, that in 10 different jurisdictions that all are cooked Democratic machines, they did exactly the same thing. I mean, they didn't do themselves. Somebody told them, put the Republicans in corals. Steal the votes. We have another situation is horrendous."

Lou Dobbs: "Rudy, I can't -- can with we save that for tomorrow night?"

Giuliani: "Sure. There will be more witnesses by tomorrow night."

ATTORNEYS' EYES ONLY DISCOVERY MATERIAL

Ex.649

Hi Irena – thank you for your patience. Please see below for the instances we pulled together from transcripts of each of those shows going back to the election. Each example is categorized under the talent who made the remarks and notes which show/on what day they occurred. We also created break outs for Mark Levin, Newt Gingrich and Gregg Jarrett as we came across a few examples in our research. We tried to pare it down to focus specifically on talent examples, not guests, who made such comments. As such, you may notice some notable comments from guests like Sidney Powell, Rudy Giuliani, etc. are not included unless the host matched/repeated their remarks. If guest comments are needed as well, can also work on pulling this together.

Please let us know if any edits or if there is anything else you need.

Thank you,  
Carolina

<https://docs.google.com/document/d/15OuwEJM5L1YNAvQZMORL1JwqVURtOH5hbEbp5RezoK8/edit?usp=sharing>

Instances of Talent Support for the "Stolen Election" Narrative & Belief that Congress would Change Electoral Votes on January 6th



# Shah Mad at Newsmax For Hosting Powell After Firing



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
337:10-25

Q. And on the second page, Mr. Shah is mad at Newsmax for continuing to host Sidney Powell even after she was fired, correct?

**A. I see it, yes.**

Q. What does that text say or chat say, sir?

**A. The one box from 10:56:10?**

Q. Yes, sir.

**A. "Those fuckers even after she got fired as," and then there's is an in case you missed it and a link to -- to a Newsmax tweet, it looks like.**

Exhibit  
EX - 3512

Start Date November 23, 2020 8:55:39 AM EST  
End Date November 23, 2020 8:59:50 PM EST  
Chat Account Schwartz Arthur <[REDACTED]>

Start Date November 23, 2020 8:55:39 AM EST  
End Date November 23, 2020 8:59:50 PM EST  
Chat Account Schwartz Arthur <[REDACTED]> (Sms)>

(no sender information available)  
Think Tani has a separate Ruddy hit in the works?  
<https://www.thedailybeast.com/trump-and-fox-news-are-at-war-and-democrats-cant-decide-what-to-do-about-it/?ref=wrap> 08:55:3  
9  
Schwartz Arthur <[REDACTED]>  
They're making calls so I hope they have something in the works... 08:56:2  
5  
(no sender information available)  
Gotcha  
Good work yesterday  
Schwartz Arthur <[REDACTED]>  
Thanks!  
<https://twitter.com/markskrikorian>  
(no sender information available)  
O ya we've gotten to him about promoting Fox at Newsmax expense 09:32:3  
8  
This is good 09:32:4  
4  
Got off the horn with Tucker 09:52:4  
6  
He loves you man! 09:52:5  
4



These fuckers even after she got fired as an  
ICYMI <https://twitter.com/newsmax/status/1330829713095471104>

10:56:1  
0

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# Petterson on Not Airing Trump on January 6



Lauren Petterson

President of Fox  
Business



Ex. 133  
402:18-403:21

- Q. You would agree with me that President Trump wanting to speak about the January 6th riots while people were still in a building is highly newsworthy, correct?
- A. ***I didn't think it would be responsible to have him go on the air. And what he intended to do was tell his side of the story while the Capitol is under siege, a woman is in critical condition and more people could get hurt. And he hadn't at that point come out and, you know, asked the violence to be quelled. So I thought it would be irresponsible to put him on the air. So that's how I get about that.***
- Q. Right, just because something is newsworthy doesn't mean you have to put it on the air if it's irresponsible to do so, correct?
- A. ***Well, I think it has to check a couple of boxes that I've been speaking about today. I mean, newsworthy has to be big. It has to be major. It has to impact a lot of people and be timely. I mean, I think if -- my personal opinion of Donald Trump went on the air, it could impact a lot of people in a negative way.***



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
344:9-18

Q. Do you agree that opinion programming still needs to be based in fact?

**A. Opinion programming by its nature is an opinion and subjective, but underlying any opinion should be the assumption of known facts and circumstances.**





Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
363:9-14

Q. Do you agree it's important to make clear to viewers whether a claim has or has not been verified?

**A. I believe that's important.**



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
370:18-25

Q. And you certainly would agree that it would be inappropriate to tell viewers something that you don't believe just to keep those viewers, right?

**A. I would think that's inappropriate, yes.**



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
370:5-16

Q. Do you agree, sir, that it's appropriate to tell your audiences one thing when you actually believe another?

**A. I think if an opinion or editorial host or talent is sharing something that is different than his actual or her actual views, that would be potentially harming to that person's overall brand and credibility.**



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
371:2-16

Q. And when you privately believe something is untrue but tell your viewers the opposite, that is lying, right?

**A. It's certainly being insincere.**





Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
365:2-15

Q. You would agree that it's especially critical to verify and correct false claims that you know are false when you're dealing with serious accusations that could undermine faith and democracy, correct?

**A. Yeah, I think it—it's important that if somebody is making allegations and there is no evidence supporting that, that it's disclosed that there had been no evidence produced to support that, those claims. I'm sorry.**

# Testimony of Rupert Murdoch



Rupert Murdoch

Co-Chairman  
Fox Corporation



Ex. 600  
341:5-11

Q. What should the consequences be when Fox News executives knowingly allow lies to be broadcast?

**A. They should be reprimanded – They should be reprimanded, maybe got rid of.**

# Testimony of Viet Dinh



Viet Dinh

Chief Legal and  
Policy Officer  
Fox Corporation



Ex. 601  
160:6-9

Q. Mr. Dinh, should Fox broadcast election fraud allegations that it knows to be false?

**A. No.**



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
205:13-:18

Q. And it's also true that Fox News is anchored by the most trusted brand in news with the most passionate, engaged and loyal audience, correct?

**A. Yes.**



# FNN Corporate Testimony



Thomas Lowell

Executive VP and  
Managing Editor  
of News



Ex. 128  
624:20-25

Q. Sir, do you believe that Fox News is one of the most influential news properties in history?

**A. *Generally speaking, I think you could make that argument.***

# Diet of False Information from "Credible" Sources



Paul Ryan

Fox Board Member



Ex. 620  
334:6-15

Q. You agree with that sentiment, do you not, sir?

**A. Yeah, I think you said a statistic, some high percentage of Americans thinking the election were stolen. That's because they got a diet of information telling them the election was stolen from what they believe were credible sources.**

## Trump Cries Voter Fraud. In Court, His Lawyers Don't.

WSJ [www.wsj.com/articles/trump-cries-election-fraud-in-court-his-lawyers-dont-11605271267](https://www.wsj.com/articles/trump-cries-election-fraud-in-court-his-lawyers-dont-11605271267)

November 13, 2020



Matt Morgan is general counsel for the Trump campaign, which has brought lawsuits contesting results of the presidential election. Photo: Samuel Corum/Getty Images  
Updated Nov. 13, 2020 3:21 pm ET

President Trump has claimed widespread fraud was at play in the presidential election. Several of his lawyers have told judges in courtrooms across the country that they don't believe that to be true.

The Trump campaign or Republican allies have brought lawsuits in several battleground states contesting election results that favored President-elect Joe Biden, seeking to stop the certification of results or have ballots thrown out. Under questioning from judges handling the cases, at least two of Mr. Trump's lawyers have backed away from suggestions that the election was stolen or fraudulent.

In other instances, attorneys representing Mr. Trump or other Republicans have said under oath they have no evidence of fraud. Lawyers also have struggled to get what they say is evidence of fraud admitted into lawsuits, with judges dismissing it as inadmissible or

# Trump Cries Voter Fraud. In Court, His Lawyers Don't.

WSJ [www.wsj.com/articles/trump-cries-election-fraud-in-court-his-lawyers-dont-11605271267](https://www.wsj.com/articles/trump-cries-election-fraud-in-court-his-lawyers-dont-11605271267)

November 13, 2020


1/4

# Punitive Damages Instruction

[P]laintiff asks that you award punitive damages. Punitive damages may be awarded to punish a defendant who has acted maliciously and to discourage others from doing the same. A statement is made maliciously if it is made with deliberate intent to injure or made out of hatred, ill will, or spite or made with willful, wanton or reckless disregard of another's rights.

If you find that, in making the statement about the plaintiff, defendant acted maliciously, as I have just defined that term for you, you may, but are not required to, award plaintiff punitive damages.





“In our State, the inquiry must be made  
by the Court.”

*Gross v. New York Times*, 82 N.Y.2d 146,  
153 (1993)



# *Dominion v. Fox*

MSJ Hearing

March 21, 2023

# Dominion Satisfies all Elements of a Defamation Claim

**1. Falsity**



**2. Defamatory *per se***



**3. Publication**



**4. Of and concerning**



**5. Actual Malice**



**6. No Affirmative Defenses**





Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
526:8-20

Q. Does Fox Corporation believe it was wrong to air the claim that Dominion rigged the 2020 presidential election if Fox News hosts or executives in the chain of command knew it was false?

***A. Again, if they knowingly covered the allegations and held them out as true after such point that we—that Fox News executives and talent and hosts knew that they were false, that would be wrong.***



Fox Corp Binding Admission:  
It's Wrong To Air Knowingly False Claims

The FOX logo is displayed in a bold, blue, sans-serif font. The letters are thick and closely spaced, with a registered trademark symbol (®) at the end of the word.

Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
524:6-525:2

- Q. And it would be wrong at the executive level to the extent that they know it's false and allow it to happen, correct?
- A. At the time that you have received proof or, actually, lack of proof supporting any claims, knowing certainly that they're false, you continue to air or aired these types of claims would be wrong.**
- Q. When they know, when the executives know that it's false, it would be wrong to allow these claims to continue to be aired, right?
- A. Right. If there's no evidence received, then—and we know that—and the executives knew there was no evidence going to be produced, that would be wrong.**



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Q. Fox Corporation also has the expectation for Fox News executives when it delegates to Fox News executives that if there is unverifiable or information that they don't know whether is true or not, the host point that out to the audience, correct?

**A. There would be an expectation that they would make it clear they're— they have not been provided support for the claims.**





Joe Dorrego-30(b)(6)

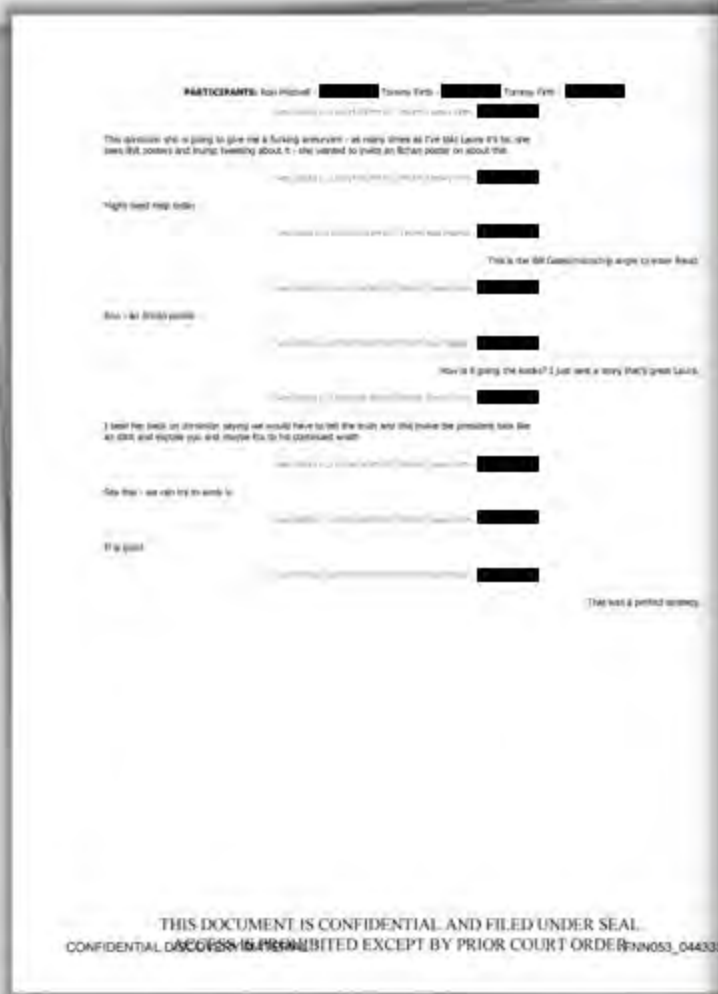
CFO and COO  
Fox News

Ex. 759  
364:4-14

Q. ...You would agree generally with the notion that if you are going to air an allegation that you know is false, it is important to instantly tell the audience that the allegation is false, correct?

**A. So if at the time you knew the allegation was false, I think that is something that we would have expected, yes.**

# "I Beat Her Back on Dominion Saying We Would Have to Tell The Truth"



**PARTICIPANTS:** Ron Mitchell - [REDACTED]; Tommy Firth - [REDACTED]; Tommy Firth - [REDACTED]

Sent 2020-11-12 02:14:35 PM UTC FROM: Tommy Firth - [REDACTED]

This dominion shit is going to give me a fucking aneurysm - as many times as I've told Laura it's bs, she sees shit posters and trump tweeting about it - she wanted to invite an 8chan poster on about this

Sent 2020-11-12 02:14:51 PM UTC FROM: Tommy Firth - [REDACTED]

Might need help today

Sent 2020-11-12 02:22:53 PM UTC FROM: Ron Mitchell - [REDACTED]

This is the Bill Gates/microchip angle to voter fraud.

Sent 2020-11-12 02:23:50 PM UTC FROM: Tommy Firth - [REDACTED]

Ron - an 8chan poster

Sent 2020-11-12 07:07:35 PM UTC FROM: Ron Mitchell - [REDACTED]

How is it going the kooks? I just sent a story that's great Laura.

Sent 2020-11-12 07:08:20 PM UTC FROM: Tommy Firth - [REDACTED]

I beat her back on dominion saying we would have to tell the truth and this make the president look like an idiot and expose you and maybe fox to his continued wrath



# "Rife With Conspiracy Theories and BS"

**From:** Andrews, Jerry </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=90388908B14441C9BAAB5657EBE9487D-ANDREWS, JE>  
**To:** Cooper, Meade ( Fox ); Clark, David  
**Sent:** 11/20/2020 12:36:16 PM  
**Subject:** FW: open

The brainroom is going through this now. Jeanine dictated it to Tim. It's rife w conspiracy theories and bs and is yet another example why this woman should never be on live television.

**From:** Liar, Tim  
**Sent:** Friday, November 20, 2020 11:45 AM  
**To:** Andrews, Jerry  
**Subject:** open

For four years we listen to unsupported allegations of a conspiracy by a foreign government to steal the election of 2016, that Russia stole the election of 2016 impeding their Russian president of the United States. For four years we were told trump was a Putin puppet, a Russian asset. And that we must do everything to get rid of him. Almost on a daily basis members in congress put on their conspiracy show as congressmen like Adam Schiff said evidence... evidence they had seen with their own eyes... evidence that requires because America and democracy were at stake.

Never ever... not once did we see a scintilla of evidence, never. We were supposed to impeach the president and the country through hell as the work of congress was halted and as we were getting closer and closer to the big Russian reveal that fuzzed much like testified there was nothing.

And then the ruseless look another show down to the sub-basement of the capitol where each other with fantasies of foreign interference in their medieval star chamber.

But now come the president's lawyers, pointing to an organized crime enterprise, especially in cities controlled and corrupted by democrats. Come the president's law company called dorvick which started in Venezuela with Cuban money and with the assistance of unwhistleblowers they allege are capable through a back door of flipping votes through software. Come the president's lawyers alleging that American votes in a presidential election are actually counted in foreign countries.

The media has no interest in any of this but I do and you should as well. 73 million Americans voted for Donald

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**From:** Andrews, Jerry </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=90388908B14441C9BAAB5657EBE9487D-ANDREWS, JE>  
**To:** Cooper, Meade ( Fox ); Clark, David  
**Sent:** 11/20/2020 12:36:16 PM  
**Subject:** FW: open

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Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
308:18-309:6

Q. Okay. Well, let me ask a general question then. People within Fox, either Fox News or Fox Corporation, were aware of what Sidney Powell was going to say when she appeared anywhere on air, right?

**A. Just the dynamic of live television, you can't be 100% certain of what a guest will say. But, you know, certainly, I think the shows that chose to book her would have had an idea what she was – at least the themes that she was coming on to discuss.**





Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Q. My question to you, sir, is: During this time frame of November and December 2020, putting aside Fox News, Newsmax, whatever, do you agree that people within Fox Corporation had a general awareness of what Sidney Powell or Rudy Giuliani would say?

**A. I think there was a general awareness that they were supporting President Trump's election rigging claims.**

Ex. 759  
312:19-313:6

# Fox Admits They Aired the Allegations Knowing What the Guests Would Say

## C. Fox News' Coverage of the 2020 Presidential Election.

Given the unquestionable newsworthiness of a sitting President's effort to challenge the result of a presidential election, several Fox News Channel and Fox Business Channel hosts, including Maria Bartiromo, Lou Dobbs, Jeanine Pirro, and Sean Hannity, interviewed Giuliani and Powell in the weeks following the election so that viewers could hear about the allegations straight from the source. Bartiromo

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

US DOMINION, INC., DOMINION VOTING SYSTEMS, INC., and DOMINION VOTING SYSTEMS CORPORATION, )  
)  
) C.A. No. N21C-03-257

Plaintiffs, )  
) CONSOLIDATED

v. )

FOX NEWS NETWORK, LLC, )  
) CONFIDENTIAL - FILED UNDER SEAL

Defendant. )

US DOMINION, INC., DOMINION VOTING SYSTEMS, INC., and DOMINION VOTING SYSTEMS CORPORATION, )  
)  
) C.A. No. N21C-11-082

Plaintiffs, )  
)

v. )

FOX CORPORATION, )  
)

Defendant. )

DEFENDANT FOX NEWS NETWORK, LLC'S BRIEF IN SUPPORT OF ITS RULE 56 MOTION FOR SUMMARY JUDGMENT

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# "Any Day with Rudy and Sidney is Guaranteed Gold"

From: Fawcett, John (Fawcett) <FEXCHANGELABS@EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)@COMcast.NET>  
To: Shaheen, Joe (Shaheen), McCarty, Anne (McCarty), Hooper, Alexander (Hooper); 179 - Lou Dobbs Tonight  
Sent: 11/30/2020 6:34:15 PM  
Subject: RE: Dobbs - Booking Notes

Is it possible to have a deep state operation?

From: Shaheen, Joe [REDACTED]  
Sent: Monday, November 30, 2020 6:31 PM  
To: McCarty, Anne [REDACTED]  
Subject: RE: Dobbs - Booking Notes

I happened to connect with Howard last week and can definitely get an inside track on

From: McCarty, Anne [REDACTED]  
Sent: Monday, November 30, 2020 11 PM  
To: Hooper, Alexander [REDACTED]  
Subject: RE: Dobbs - Booking Notes

FAB:  
We will keep it going!

From: Hooper, Alexander [REDACTED]  
Sent: Monday, November 30, 2020 6:30 PM  
To: McCarty, Anne [REDACTED]  
Subject: Re: Dobbs - Booking Notes

Nice. He seemed happy with the lineup & guaranteed gold!

Get Outlook for iOS

From: McCarty, Anne [REDACTED]  
Sent: Monday, November 30, 2020 6:35 PM  
To: 179 - Lou Dobbs Tonight  
Subject: FW: Dobbs - Booking Notes

[Am Jordan adds tomorrow]

Tuesday,  
Am Jordan ADDS for Tuesday  
Rudy Giuliani

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**From:** Hooper, Alexander [REDACTED]  
**Sent:** Monday, November 30, 2020 6:30 PM  
**To:** McCarty, Anne [REDACTED]; 179 - Lou Dobbs Tonight  
<[REDACTED]>  
**Subject:** Re: Dobbs - Booking Notes

Nice. He seemed happy with the lineup when I told him about it today! Any day with Rudy and Sidney is guaranteed gold.

# Carlson to Powell: "Cruel and Reckless"

**PARTICIPANTS:** Sidney Powell - [REDACTED] Tucker Carlson - [REDACTED]

PARTICIPANTS: Sidney Powell [REDACTED] Tucker Carlson [REDACTED]

They are the [REDACTED] and the [REDACTED] [REDACTED] [REDACTED]

You keep telling our viewers that millions of votes were changed by the software. I hope you will prove that very soon. You've convinced them that Trump will win. If you don't have conclusive evidence of fraud at that scale, it's a cruel and reckless thing to keep saying.

Sent 2020-11-17 01:43:51 PM UTC FROM: Tucker Carlson - [REDACTED]

You keep telling our viewers that millions of votes were changed by the software. I hope you will prove that very soon. You've convinced them that Trump will win. If you don't have conclusive evidence of fraud at that scale, it's a **cruel and reckless thing to keep saying.**

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Ex.177  
FNN035\_03890369

# "Shockingly Reckless"

**PARTICIPANTS:** Jenna Ellis -

PII

Tucker Carlson -

PII

Tucker Carlson -

PII

Sent 2020-11-21 06:39:41 AM UTC FROM: Tucker Carlson -

PII

Circumstantial won't work with this story. If there's no one inside the company willing to talk, or internal Dominion documents or copies of the software showing that they did it, this seems **shockingly reckless** to me. And as you know there isn't.

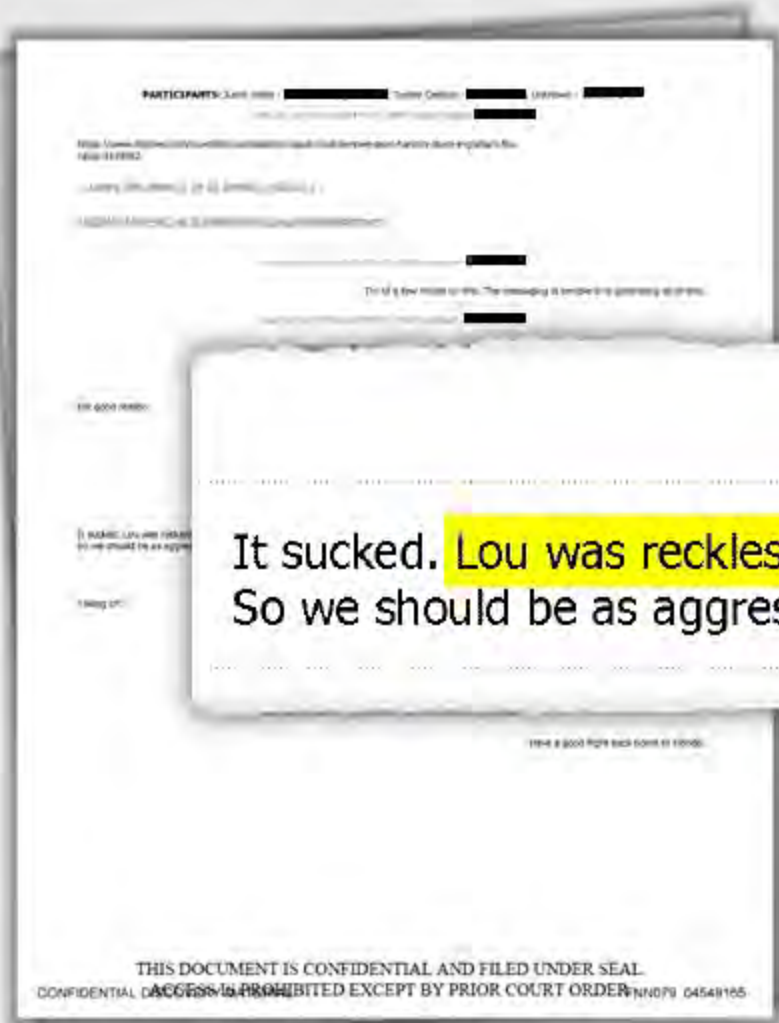
EXHIBIT  
Ex. 355

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Ex.166  
FNN022\_03851886



# Carlson: "Lou Was Reckless"



Sent 2021-02-07 05:03:32 PM UTC FROM: Tucker Carlson - [REDACTED]

It sucked. Lou was reckless. But I think this will give energy to CNN and other forces seeking to kill us. So we should be as aggressive and tough as we can be.

Ex.542



# Proving Actual Malice – This Is The Unique Case

Normally plaintiffs prove defendants' actual malice—whether they knew it was false or “in fact entertained serious doubts as to the truth of the statement”—“by inference, *as it would be rare for a defendant to admit such doubts.*”

*Solano v. Playgirl, Inc.*, 292 F.3d 1078, 1085  
(9th Cir. 2002) (citation omitted).



# “Setting the Record Straight” Emails Demonstrates Actual Malice

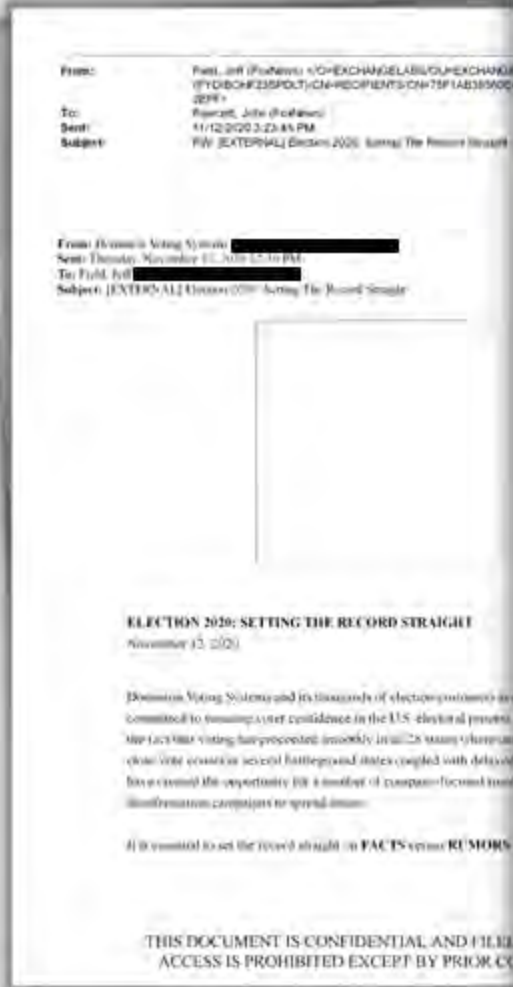
# November 12 "Setting the Record Straight"

**From:** Dominion Voting Systems <[REDACTED]>  
**Sent:** Thursday, November 12, 2020 12:36 PM  
**To:** Field, Jeff [REDACTED]  
**Subject:** [EXTERNAL] Election 2020; Setting The Record Straight

**ELECTION 2020: SETTING THE RECORD STRAIGHT**  
November 12, 2020

Dominion Voting Systems and its thousands of election customers across the nation are committed to ensuring voter confidence in the U.S. electoral process. This year, despite the fact that voting has proceeded smoothly in all 28 states where our systems are used, close vote counts in several battleground states coupled with delayed results reporting have created the opportunity for a number of company-focused rumor and disinformation campaigns to spread online.

It is essential to set the record straight on **FACTS** versus **RUMORS**:







Thomas Lowell

Executive VP and  
Managing Editor  
of News



Ex. 128  
412:23-413:24,  
Ex. 331

- Q. You would agree that many people received notice of the fact that Dominion was refuting allegations of voting fraud, correct?
- A. Many people received that [November 12] email.
- Q. And, in fact, as well that same day many people received the underlying statement from CISA's Elections Infrastructure Government Coordinating Council that there was no evidence that any voting system deleted or lost votes, changed votes or was in any way compromised, correct?
- A. As noted before, there was general awareness about the CISA statement.
- Q. It wasn't just general awareness, sir, right? It was the fact that they received the statement themselves, correct?
- A. Sure.



# November 13 "Setting the Record Straight"

From: Turner, Hayley  
To: 009 - Politics, 104 - National Desk, 114 - FOX DC Acq/pt, 041 - ISM/MT, 010 - Senior President,  
504 - Strategic Policy  
Sent: 11/13/2020 3:50:57 PM  
Subject: FW: [EXTERNAL] Setting The Record Straight: Facts & Rumors

From: Dominion Voting Systems <[REDACTED]>  
Sent: Friday, November 13, 2020 3:48 PM  
To: Turner, Hayley <[REDACTED]>  
Subject: [EXTERNAL] Setting The Record Straight: Facts & Rumors

**From:** Dominion Voting Systems <media@dominionvoting.com>  
**Sent:** Friday, November 13, 2020 3:48 PM  
**To:** Turner, Hayley [REDACTED]  
**Subject:** [EXTERNAL] Setting The Record Straight: Facts & Rumors

According to a Joint Statement by the federal government agency that oversees U.S. election security, the Department of Homeland Security's Cybersecurity, & Infrastructure Security Agency (CISA): "There is no evidence that any voting system deleted or lost votes, changed votes, or was in any way compromised." The government & private sector councils that support this mission called the 2020 election "the most secure in American history."

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# STRS "Tattooed on My Body"

**From:** Shawn, Eric (FoxNews) <OHEXCHANGE@OHEXCHANGE.ADMINSRVICE.GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D2251D1C0244E239C095F5808722606-SHAWN.ERIC>  
**To:** Clark, David (FoxNews)  
**Sent:** 11/14/2020 7:02:59 PM  
**Subject:** RE: Setting The Record Straight Update: Facts & Rumors

I have it tattooed on my body at this point. I woke up after too much vodka and there it was!

**From:** Clark, David [REDACTED]  
**Sent:** Saturday, November 14, 2020 7:02 PM  
**To:** Shawn, Eric [REDACTED]  
**Subject:** Re: Setting The Record Straight Update: Facts & Rumors

Oh I have it tattooed on my body at this point. I woke up after too much vodka and there it was!

**From:** Shawn, Eric [REDACTED]  
**Sent:** Saturday, November 14, 2020 7:02 PM  
**To:** Clark, David [REDACTED]  
**Subject:** Setting The Record Straight Update: Facts & Rumors

You may need to keep the body in mind. <

**From:** Dominion Voting System [REDACTED]  
**Sent:** Saturday, November 14, 2020 7:02 PM  
**To:** Shawn, Eric [REDACTED]  
**Subject:** [EXTERNAL] Setting The Record Straight Update: Facts & Rumors

**From:** Clark, David [REDACTED]  
**Sent:** Saturday, November 14, 2020 7:02 PM  
**To:** Shawn, Eric [REDACTED]  
**Subject:** Re: Setting The Record Straight Update: Facts & Rumors

Oh I have it tattooed on my body at this point. I woke up after too much vodka and there it was!

David Clark - SVP, Fox News

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Ex.234  
FNN007\_00019085



# Dominion sent 3,682 emails to Fox recipients

3,682





# “Brainroom” Fact Checks Demonstrates Actual Malice



Slug	Writer	Create Date	Audio Time	Modify Date
Background: Dominion Voting Systems & Criticism / Accusations - Fact Checks	balducci	11/13/20 13:35:06	11:17	11/13/20 13:37:41
CATEGORY				UNIT

Background: Dominion Voting Systems & Criticism / Accusations - Fact Checks

Contents

1) Background: Dominion Voting Systems

2) Criticism / Accusations - Fact Checks

1) Background: Dominion Voting Systems

Founded in 2001, Dominion Voting Systems is a leading supplier of election technology across the U.S., Canada and globally.

Based in Denver, CO

Serves more than 40% of U.S. votes

Customers in 28 states and Puerto Rico

Has 250+ employees supporting hundreds of elections annually

Provides initial project implementation through election set-up, ballot layout, multiple line machine set-up and system testing

Also provides testing, Election Day support, training, preventative assistance, project re-opening election consulting

Partnered with more than 1,300 jurisdictions including 9 of the largest counties in the U.S.

Continual certification efforts with 13 Election Assistance Commission certified vendors

U.S. Election Assistance Commission  
Registered Manufacturer  
DOMINION VOTING SYSTEMS CORP  
—> <https://www.eac.gov/voting-equipment/registered-manufacturers/dominion-voting-systems>

Every Dominion system is certified by federal and state election authorities for use, and is continuously improved to its products throughout their lifecycle

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Slug	Writer	Create Date	Audio Time	Modify Date	Modified By
Background: Dominion Voting Systems & Criticism / Accusations - Fact Checks	balducci	11/13/20 13:35:06	11:17	11/13/20 13:37:41	balducci
CATEGORY				UNIT	STORY
Len Balducci					

**FACT**

Claims about Dominion switching or deleting votes are 100% false. Dominion systems continue to reliably and accurately count ballots, and state and local election authorities, as well fact checkers, have publicly confirmed the integrity of the process.

**FACT**

Dominion has no company ownership relationships with any member of the Pelosi family, the Feinstein family, or the Clinton Global Initiative. Dominion works with all political parties; our customer base and our government outreach practices reflect this nonpartisan approach.

From: Balducci, Leonard [REDACTED]

Sent: Friday, November 13, 2020 3:26 PM

To: Ilievski, Megan [REDACTED]

Cc: Ward, Kevin <[REDACTED]>

Subject: BRAINROOM: Background: Dominion Voting Systems & Criticism / Accusations - Fact Checks

From: Balducci, Leonard  
Sent: Friday, November 13, 2020 3:26 PM  
To: Ilievski, Megan <[REDACTED]>  
Cc: Ward, Kevin <[REDACTED]>  
Subject: BRAINROOM: Background: Dominion Voting Systems & Criticism / Accusations - Fact Checks

Background: Dominion Voting Systems & Criticism / Accusations - Fact Checks

Contents

1) Background: Dominion Voting Systems & Criticism / Accusations - Fact Checks

2) Criticism / Accusations - Fact Checks

1) Background: Dominion Voting Systems & Criticism / Accusations - Fact Checks

Found in 2003, Dominion and globally

Based in Denver, CO

Serves more than 40% of U.S. states

Customers in 28 states and the District of Columbia

Has 250+ employees across the U.S.

Provides initial project implementation and system testing

Also provides testing, election administration consulting

Partnered with more than 100 election officials

Continues certification efforts

U.S. Election Assistance Commission Registered Manufacturer

DOMINION VOTING SYSTEMS

www.dominionvoting.com

Every Dominion system is certified by federal and state election authorities for use, and Dominion makes continuous improvements to its products throughout their lifecycle

**TRUMP: "REPORT: DOMINION DELETED 2.7 MILLION TRUMP VOTES NATIONWIDE. DATA ANALYSIS FINDS 221,000 PENNSYLVANIA VOTES SWITCHED FROM PRESIDENT TRUMP TO BIDEN. 941,000 TRUMP VOTES DELETED. STATES USING DOMINION VOTING SYSTEMS SWITCHED 435,000 VOTES FROM TRUMP TO BIDEN."**

**THE FACTS:** There's no evidence of widespread fraud in the 2020 election, or of major problems with Dominion's systems. Election officials from both political parties have stated publicly that the election went well, and international observers confirmed there were no serious irregularities.

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# Testimony of Alan Komissaroff



Alan Komissaroff

Senior Vice President,  
News and Politics



Ex. 126  
79:23-80:6

Q. Part of the editorial team's job is when somebody is coming on with unsubstantiated allegations that have no evidence is to do some research, use the Brain Room, find out the information on what's going to be alleged to determine whether it should be put on the air; is that fair?

***A. I agree, that's fair.***

# Bartiromo Relies on Brain Room



Maria Bartiromo

Host of  
Sunday Morning  
Futures with Maria  
Bartiromo



Ex. 98  
33:25-34:10

Q. Do you know Fox's policy for fact-checking claims made by hosts?

**A. Well, we have what's called the Brain Room where we check on facts.**

Q. And you regularly use the Brain Room; correct?

**A. Yes. The producers usually are in touch with the Brain Room, so I will talk with producers about what we are checking and they do it, more so than I'll do it myself.**



# Testimony of David Clark



David Clark

Senior Vice President  
for Weekend News and  
Programming



Ex. 106  
272:17-23

**Q.** If the brain room had concluded that the charges were, in fact, false, they never should have been aired, correct?

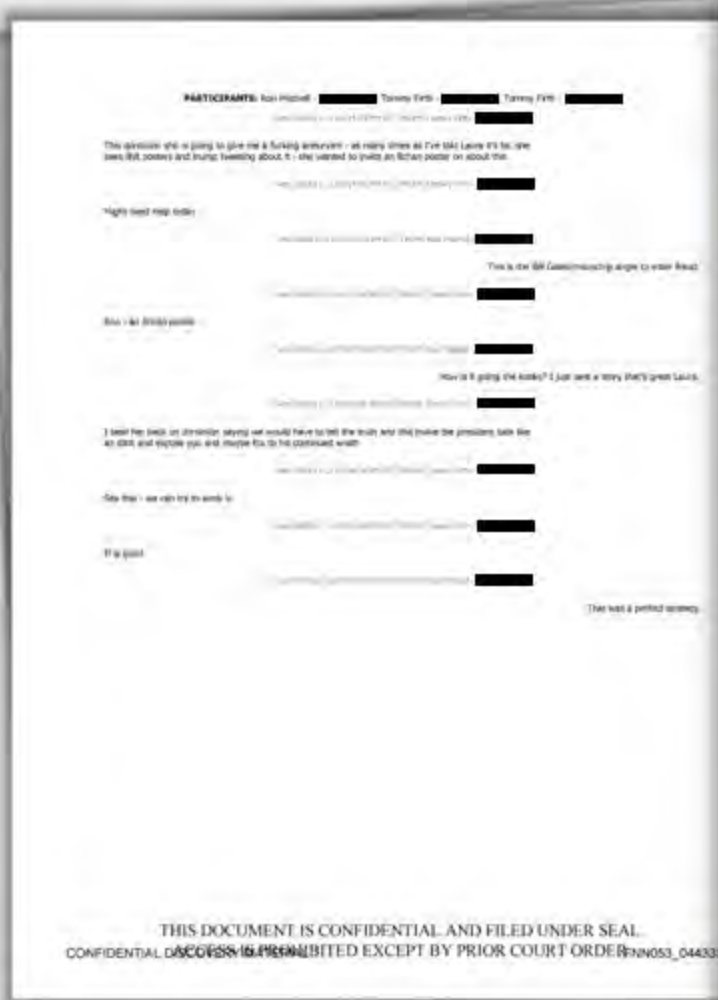
**A.** *Yes.*

EX. 106 at 272:17-23



Widespread Knowledge  
and Purposeful Avoidance  
Demonstrates  
Actual Malice

# "I Beat Her Back on Dominion Saying We Would Have to Tell The Truth"



**PARTICIPANTS:** Ron Mitchell - [REDACTED]; Tommy Firth - [REDACTED]; Tommy Firth - [REDACTED]

Sent 2020-11-12 02:14:35 PM UTC FROM: Tommy Firth - [REDACTED]

This dominion shit is going to give me a fucking aneurysm - as many times as I've told Laura it's bs, she sees shit posters and trump tweeting about it - she wanted to invite an 8chan poster on about this

Sent 2020-11-12 02:14:51 PM UTC FROM: Tommy Firth - [REDACTED]

Might need help today

Sent 2020-11-12 02:22:53 PM UTC FROM: Ron Mitchell - [REDACTED]

This is the Bill Gates/microchip angle to voter fraud.

Sent 2020-11-12 02:23:50 PM UTC FROM: Tommy Firth - [REDACTED]

Ron - an 8chan poster

Sent 2020-11-12 07:07:35 PM UTC FROM: Ron Mitchell - [REDACTED]

How is it going the kooks? I just sent a story that's great Laura.

Sent 2020-11-12 07:08:20 PM UTC FROM: Tommy Firth - [REDACTED]

I beat her back on dominion saying we would have to tell the truth and this make the president look like an idiot and expose you and maybe fox to his continued wrath

# "Does Anyone Do A Fucking Simple Google Search"?

See 2020-11-05 10:54:32 PM UTC FROM: Lauren Petterson - [REDACTED]

That's why. But I've been watching emails and he wasn't really angry that I was asking a question. It was... something, although he is copying the FBI. But he's the only document of this.

See 2020-11-05 10:54:32 PM UTC FROM: Lauren Petterson - [REDACTED]

Berry said nothing is. That's how much you. If you didn't think he was angry. I think you.

See 2020-11-05 10:54:32 PM UTC FROM: Lauren Petterson - [REDACTED]

But that they had a pretty bad reaction when they saw the level of that like information. They... [REDACTED] about the [REDACTED] and 120,000 who that showed up for [REDACTED] which is [REDACTED] from. And the [REDACTED] acknowledged it was false. The [REDACTED] is it was a [REDACTED] of [REDACTED] that [REDACTED] is [REDACTED] of the [REDACTED] that they showed in the [REDACTED] right.

See 2020-11-05 10:54:32 PM UTC FROM: Lauren Petterson - [REDACTED]

They are doing for the [REDACTED].

See 2020-11-05 10:54:32 PM UTC FROM: Lauren Petterson - [REDACTED]

See 2020-11-05 10:54:32 PM UTC FROM: Lauren Petterson - [REDACTED]

See 2020-11-05 10:54:32 PM UTC FROM: Lauren Petterson - [REDACTED]

See 2020-11-05 10:54:32 PM UTC FROM: Lauren Petterson - [REDACTED]

See 2020-11-05 10:54:32 PM UTC FROM: Lauren Petterson - [REDACTED]

Sent 2020-11-05 10:54:32 PM UTC FROM: Lauren Petterson - [REDACTED];

Jesus Christ. Does anyone do a fucking simple google search or read emails?

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# NY Appellate Division Affirms Smartmatic's Suit Against Fox

Smartmatic, USA Corp. v. Fox Corporation, — N.Y.S.2d — (2023)  
2023 WL 1974442, 2023 N.Y. Slip Op. 10832

2023 WL 1974442  
Supreme Court, Appellate Division,  
First Department, New York

SMARTMATIC USA CORP., et al.,  
Plaintiffs-Respondents-Appellants,  
-vs-  
FOX CORPORATION, et al.,  
Defendants-Appellants-Respondents,  
Jeanine Pirro, Defendant-Respondent,  
Indey Powell, Defendant.

17049  
Index No. 15113621  
Case No. 202300291  
Entered February 14, 2023

**Attorneys and Law Firms**

Minz & Gold LLP, New York (Simon G. Minz, of counsel),  
and Clement & Murphy, PLLC, Alexandria, VA (Paul  
Clement of the bar of the District of Columbia, admitted  
pro hac vice, of counsel), for Fox Corporation, Fox News  
Network LLC, Lou Dobbs and Maria Bartiromo, appellants-  
respondents, and Jeanine Pirro, respondent.

Russo Law LLC, New York (Adam S. Russo, of counsel), for  
Rudolph Giuliani, appellant-respondent.

Benesch, Friedlander, Coplan & Aronoff, LLP, New York  
(Edward C. Wipperfurth and Joel Erik County of the bar of  
the State of Illinois, admitted pro hac vice of counsel), for  
respondents-appellants.

Acosta, P.J., Wilfong, Hershkov, Shalunov, Higgin, JJ.

**Opinion**

\*1 On the Supreme Court, New York County (David B.  
Cohen, J.), entered an order about March 8, 2022, which, in the  
extent appealed from (1) granted defendant Jeanine Pirro's  
motion to dismiss all causes of action asserted against her,  
(2) granted, in part, defendant Rudolph Giuliani's motion to  
dismiss all causes of action asserted against him in the extent  
of dismissing the third, fifth and sixth causes of action as  
against him, and (3) denied the motions of defendants Fox  
Corporation, Fox News Network LLC, Lou Dobbs, and Maria


Bartiromo to dismiss all causes of action asserted against  
them, unanimously modified, on the law, to dismiss the causes  
of action asserted against defendant Fox Corporation without  
prejudice to repleading, and to remanue the causes of action  
that were dismissed as against defendants Giuliani and Pirro,  
and otherwise affirmed.

Supreme Court correctly declined to dismiss the defendant  
claims asserted against Fox News, Dobbs, Bartiromo, and  
Giuliani. Under New York's Anti-SLAPP statute (Civil  
Rights Law § 30-13a) (CAL SLAPP), to withstand dismissal  
under CPLR 3211(g)(1), the claims pleaded must have "a  
substantial basis in law," which requires "such relevant proof  
as a reasonable mind may accept as adequate to support a  
conclusion of ultimate fact" (*Goldby v. N.Y. Public, A Local  
Univest, PLLC*, 185 A.D.3d 792, 793-794, 128 N.Y.S.3d  
64 [2d Dept. 2015]). The meticulously detailed complaint  
satisfied the requirements of CPLR 3211(g)(1).

The causes of action for defamation were based on  
significant allegations that defendant Giuliani (and defendant  
Powell, against whom the action has been dismissed) made  
defamatory statements about plaintiffs' involvement in the  
2020 Presidential election while knowing that the statements  
were false, or at least with reckless disregard for the truth.  
Those causes of action also allege that defendants Fox News,  
Dobbs, and Bartiromo did not merely report the newsworthy  
fact that the President's campaign lawyers were recklessly  
making statements conveying false information. Rather, the  
complaint alleges in detailed fashion that in their coverage and  
commentary, Fox News, Dobbs, and Bartiromo effectively  
endorsed and participated in the statements with reckless  
disregard for, or serious doubts about, whether the assertions  
or implications that plaintiffs had participated in election  
fraud had any basis in truth or were supported by any reliable  
evidence.


\*2 In fact, according to the allegations in the complaint,  
Fox News, Dobbs, and Bartiromo stated that Smartmatic's  
election technology and software were widely used in the  
2020 election and on Dominion machines to switch votes,  
when they actually knew, or easily could have known, had  
they not purposefully avoided publicly available knowledge,  
that in 2020, the Smartmatic technology was used only in Los  
Angeles County and that the vote switching claims otherwise  
had no support (see *Harris-Hendel Communications, Inc.  
v. Communications 491 U.S. 657, 692, 109 S.Ct. 2070, 109  
L.Ed.2d 502 [1999]*, accord *Chambers, Inc. v. Time, Inc.*, 2011  
WL 3084365, \*12-14, 807 Fed. Supp. 1, 1, 835 Fed. Cl. 104

NYSDJ-04




Fox News, Dobbs, and Bartiromo stated that Smartmatic's election technology and software were widely used in the 2020 election and in Dominion machines to switch votes, when they actually knew, or easily could have known had they not purposefully avoided publicly available knowledge, that in 2020, the Smartmatic technology was used only in Los Angeles County and that the vote switching claims otherwise had no support

*Smartmatic USA Corp. v. Fox Corp.*, 2023 WL 1974442, at \*1  
(N.Y. App. Div. Feb. 14, 2023)



"[T]he fact that in this case the truth was both generally known and generally available is further circumstantial evidence of 'actual malice.'"

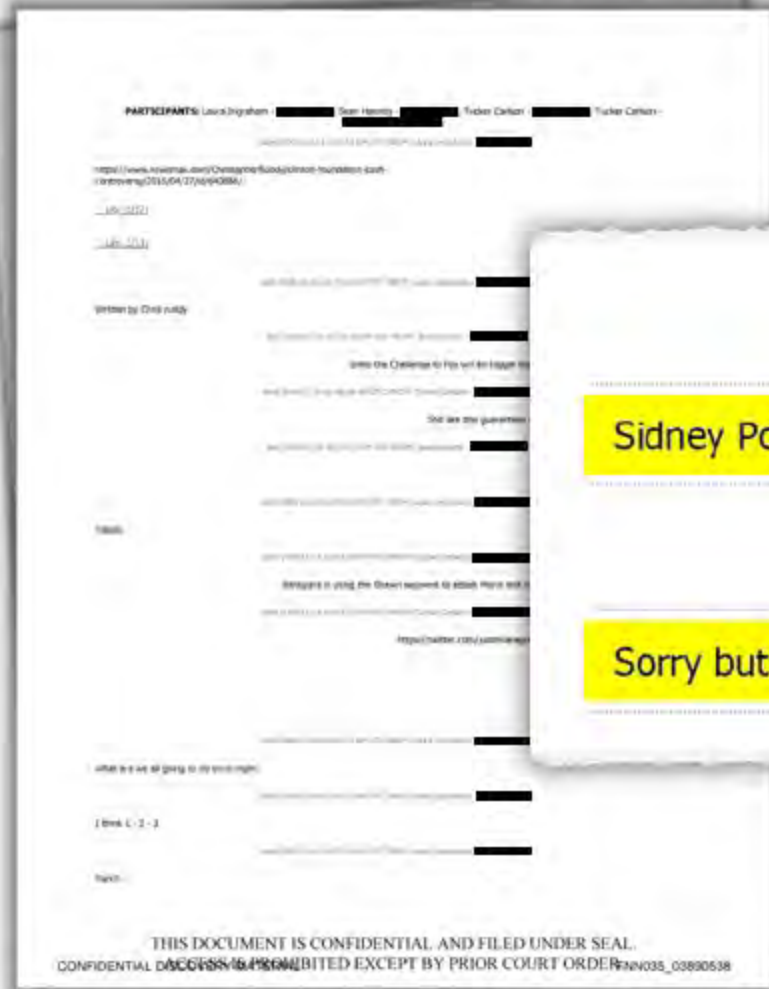




"[R]eliance on anonymous or *unreliable sources without further investigation may support an inference of actual malice.*", citing *St. Amant*, 390 U.S. at 732, 88 S.Ct. 1323.



# Ingraham to Carlson and Hannity



Sent 2020-11-16 01:55:16 AM UTC FROM: Laura Ingraham - [REDACTED];

Sidney Powell is a bit nuts

Sent 2020-11-16 01:55:22 AM UTC FROM: Laura Ingraham - [REDACTED];

Sorry but she is

# Baier to Wallace

**PARTICIPANTS:** Bret Baier - [REDACTED]; Jay Wallace - [REDACTED]

PARTICIPANTS: Bret Baier [REDACTED] Jay Wallace [REDACTED]

2 things: 1) This is getting uncomfortable with Arizona. It feels impossible not to put it back. Use more about prob. And get numbers.

[REDACTED]

2) We need to check up on the "support" of these people. [REDACTED]

08:00

That will be good to have generally.

I think so.

I want to

When I get that in back

08:00

This is how

when I'm

How is that ok? None of that is true as far as we can tell.

[REDACTED]

Sent 2020-11-05 04:39:46 PM UTC FROM: Bret Baier - [REDACTED]

How is that ok? None of that is true as far as we can tell.

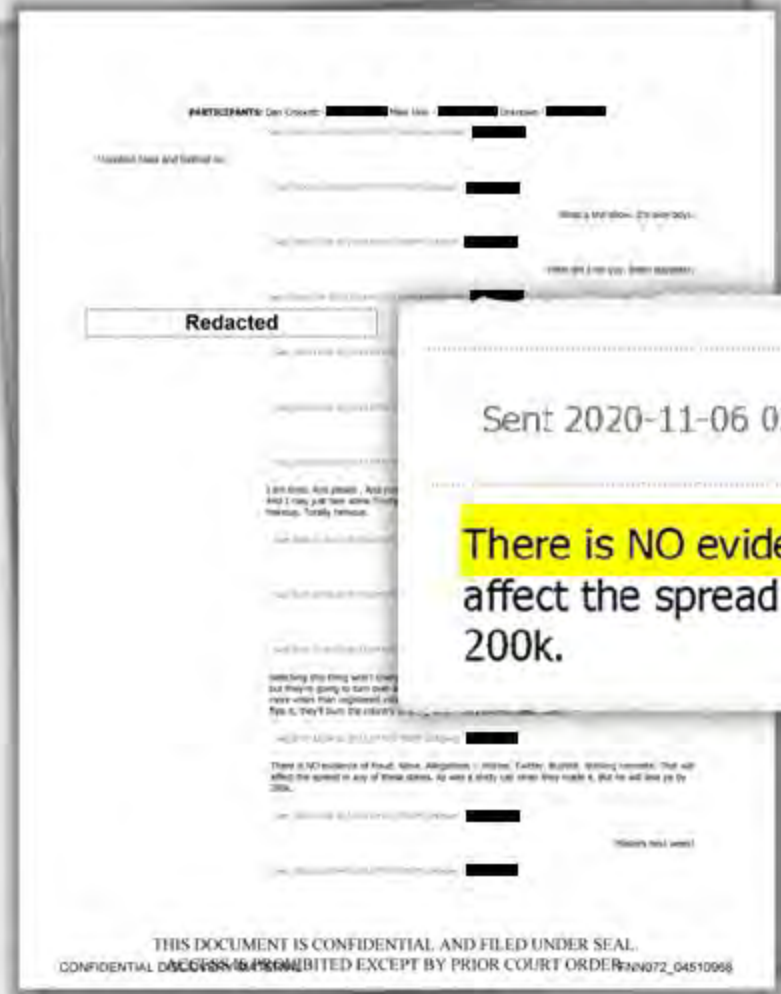
Sent 2020-11-05 05:05:04 PM UTC FROM: Jay Wallace - [REDACTED]

We need to fact check this crap. It would help us.

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Ex.158  
FNN051\_04432225-26

**PARTICIPANTS:** Dan Crockett - [REDACTED] Mike Muir - [REDACTED] Unknown - [REDACTED]



Sent 2020-11-06 02:39:51 AM UTC FROM: Unknown - [REDACTED]

There is NO evidence of fraud. None. Allegations -- stories. Twitter. Bullshit. Nothing concrete. That will affect the spread in any of these states. Az was a shitty call when they made it. But he will lose pa by 200k.

Ex.176  
FNN072\_04510968

# Murdoch's Own Outlets Reported on Lies Told About Dominion

From: Heinrich, Jacqui <[REDACTED]>  
To: 069 -Politics  
Sent: 11/18/2020 2:30:50 PM  
Subject: FW: [EXTERNAL] ICYMI: WSJ Editorial Board Debunks Dominion Rumors

Dominion voting touts WSJ editorial board "debunking"

(Jacqui Heinrich)  
National Correspondent, Fox News Channel  
(D) 212-337-3590  
(C) 917-862-7339

From: Dominion Voting Systems <[REDACTED]>  
Reply-To: Dominion Voting Systems <[REDACTED]>  
Date: Wednesday, November 18, 2020 at 2:29 PM  
To: "Heinrich, Jacqui" <[REDACTED]>  
Subject: [EXTERNAL] ICYMI: WSJ Editorial Board Debunks Dominion Rumors

Image removed by sender

Good afternoon,

I wanted to make sure you saw the WSJ Editorial Board's [piece](#) published yesterday emphasizing a complete lack of evidence to support recent claims against Dominion Voting Systems.

The Editorial Board concisely states: "Among claims need strong proof, not rumors and innuendo on Twitter." The piece goes on to examine and debunk claims, including

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**From:** Heinrich, Jacqui <[REDACTED]>  
**To:** 069 -Politics  
**Sent:** 11/18/2020 2:30:50 PM  
**Subject:** FW: [EXTERNAL] ICYMI: WSJ Editorial Board Debunks Dominion Rumors

Dominion voting touts WSJ editorial board "debunking"

**From:** Dominion Voting Systems <[REDACTED]>  
**Reply-To:** Dominion Voting Systems <[REDACTED]>  
**Date:** Wednesday, November 18, 2020 at 2:29 PM  
**To:** "Heinrich, Jacqui" <[REDACTED]>  
**Subject:** [EXTERNAL] ICYMI: WSJ Editorial Board Debunks Dominion Rumors

I wanted to make sure you saw the Wall Street Journal Editorial Board's [piece](#) published yesterday emphasizing a complete lack of evidence to support recent claims against Dominion Voting Systems.



# Responsibility is Shared, Up and Down the Chain of Command



Viet Dinh

Chief Legal and  
Policy Officer  
Fox Corporation



Ex. 601

287:12-19, 316:5-25

Q. If any of the people in that chain of command who had the power to exercise control over Lou Dobbs' show knew that what Sidney Powell was alleging was false, didn't they have an obligation to prevent her from coming on the show to tell those lies?

**A. Yes.**

\* \* \*

Q. But when the executives at Fox News know that hosts of shows are broadcasting allegations that the executives know or believe to be false, in that situation, the executives have an obligation to act, right?

**A. If they are within the chain of command and if they -- and if they come to that knowledge, yes.**

Q. And by "act," that means to put a stop to it, right? They have an obligation under those circumstances, the executives do, in the chain of command, to put a stop to those broadcasts, right, sir?

**A. Yes, to prevent and correct known falsehoods.**



David Clark

Senior Vice President  
for Weekend News and  
Programming



Ex. 106  
22:7-17

Q. And indeed, you often consulted with both Sunday Morning Futures with Maria Bartiromo and Justice with Judge Jeanine on who would appear on their shows during this timeframe, correct?

**A. Yes.**

Q. And you also consulted with both shows on the content of what would appear on both shows during this timeframe, correct?

**A. Yes, to some extent.**





David Clark

Senior Vice President  
for Weekend News and  
Programming



Ex. 106  
150:20-151:1;  
155:22-156:2

Q. By November 6, sir, you did know that there were false conspiracy theories circulating generally, correct?

**A. *I am going to say yes.***

\*\*\*

Q. To the best of your knowledge, on November 6, 2020, you did not believe that the election was being stolen, did you?

**A. *I did not.***

## Clark Cancels Pirro Show:

“I Don’t Trust Her To Be Responsible” and “Going Off on Her Conspiracy Tangent”

Sent 2020-11-06 01:23:44 PM EST FROM: David Clark - [REDACTED]

I have a 130 news call but need to talk JJP right after. Bottom line - I don't trust her to be responsible tomorrow. Her guests are all going to say the election is being stolen and if she pushes back at all it will just be a token.

Sent 2020-11-06 01:44:23 PM EST FROM: David Clark - [REDACTED]

Despite what she said to Jerry and me she's now going off on her conspiracy tangent on a show staff call.

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Ex.293  
FNN015\_00132186



# STRS "Tattooed on My Body"

**From:** Shawn, Eric (FBI/News) <[REDACTED]>  
**To:** Shawn, Eric (FBI/News)  
**Sent:** 11/14/2020 7:02:50 PM  
**Subject:** RE: Setting The Record Straight Update: Facts & Rumors

I better check on

**From:** Clark, David [REDACTED]  
**Sent:** Saturday, November 14, 2020 7:02 PM  
**To:** Shawn, Eric [REDACTED]  
**Subject:** Re: Setting The Record Straight Update: Facts & Rumors

Oh I have it tattooed on my body at this point. I woke

David Clark - SVP, Fox News

**From:** Shawn, Eric [REDACTED]  
**Sent:** Saturday, November 14, 2020 7:03 PM  
**To:** Clark, David [REDACTED]  
**Subject:** Setting The Record Straight Update: Facts & Rumors

You may need to keep the body tattooed - or

**From:** Detention Voting System [REDACTED]  
**Sent:** Saturday, November 14, 2020 7:03 PM  
**To:** Shawn, Eric [REDACTED]  
**Subject:** (EXTERNAL) Setting The Record Straight Update

**From:** Clark, David [REDACTED]  
**Sent:** Saturday, November 14, 2020 7:02 PM  
**To:** Shawn, Eric [REDACTED]  
**Subject:** Re: Setting The Record Straight Update: Facts & Rumors

Oh I have it tattooed on my body at this point. I woke up after too much vodka and there it was!

David Clark - SVP, Fox News

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Ex.234  
FNN007\_00019085

# Clark Relied on Pre-tape for Nov 8 Show

**PARTICIPANTS:** Abby Grossberg - [REDACTED] David Clark - [REDACTED] Unknown - [REDACTED]

Sent 2020-11-07 06:44:46 PM EST FROM: Abby Grossberg - [REDACTED]

Maria is calling you now

Sent 2020-11-07 06:47:42 PM EST FROM: David Clark - [REDACTED]

Yes. We're keeping him.

Sent 2020-11-07 06:51:33 PM EST FROM: Abby Grossberg - [REDACTED]

Got it. She's going to call him in the morning and ask him to please not criticize fox on the air. If he does anyway, she'll tell him it's inappropriate

Sent 2020-11-07 06:54:58 PM EST FROM: David Clark - [REDACTED]

Right. And she will push him on concrete evidence of fraud etc.

Sent 2020-11-07 06:55:53 PM EST FROM: Abby Grossberg - [REDACTED]

That's why we booked him. If they're dropping suits on Monday we need to see what evidence they're presenting along with them.

Sent 2020-11-07 06:56:29 PM EST FROM: Abby Grossberg - [REDACTED]

It's also a pretape, so if it goes completely off the rails, We can always try to cut or take Kevin early.

Sent 2020-11-07 06:59:37 PM EST FROM: David Clark - [REDACTED]

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Ex.378

# Clark Watches the Pre-Tapes

**From:** Clark, David (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3B33E62963BC4411A05BDA9E83BEA7A0-CLARK, DAVI>  
**To:** Wallace, Jay (FoxNews); Briganti, Irena (FoxNews); Cooper, Meade  
**Sent:** 11/15/2020 9:14:53 AM  
**Subject:** RUDY ON SMF  
**Importance:** High

We are pre-taping Rudy Giuliani and he just said, paraphrasing here, that "networks don't get to call the Presidential Race including Fox." Not exactly a new sentiment but just alerting you

DAVID C CLARK JR • FOX NEWS CHANNEL  
SENIOR VICE PRESIDENT & EXECUTIVE PRODUCER • WEEKEND NEWS & PROGRAMMING  
1211 AVENUE OF THE AMERICAS | 20TH FLOOR • NEW YORK, NY 10036  
eMail: [REDACTED]

**From:** Clark, David (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3B33E62963BC4411A05BDA9E83BEA7A0-CLARK, DAVI>  
**To:** Wallace, Jay (FoxNews); Briganti, Irena (FoxNews); Cooper, Meade  
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eMail: [REDACTED]

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Fox008\_00022148



# Clark Tells Bartiromo To Stop Booking Rudy and Sidney

David Clark just called me. "There are 3 guests fox is banning because of legal reasons and your hosts like all of them: Rudy, Jenna Ellis, Sidney." Said it's bc of smartmatic suit. I don't think Rudy hasn't mentioned dominion, smartmatic or machines since Sidney split off on her own.

Sent 2020-12-14 10:10:56 PM UTC FROM: Abby Grossberg - [REDACTED]

David Clark just called me. "There are 3 guests fox is banning because of legal reasons and your hosts likes all of them: Rudy, Jenna Ellis, Sidney." Said it's bc of smartmatic suit. I don't think Rudy hasn't mentioned dominion, smartmatic or machines since Sidney split off on her own.

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# Meade Cooper (Justice with Judge Jeanine, Hannity, Tucker Carlson Tonight)

**From:** Suzanne Scott ( [REDACTED] )  
**To:** Mitchell, Ron (FoxNews); Meade Cooper  
**Sent:** 3/24/20 1:49:04 PM  
**Subject:** RE: Ben Smith on Chris Hayes last night talking Fox piece

exactly. And I know you two are doing everything possible right now which is critical as they are looking for new material.

These writers have an agenda -- we know that -- we just can't help them with self-inflicted errors - some of which happens on other shows like the morning show.

**From:** Mitchell, Ron ( [REDACTED] )  
**Sent:** Tuesday, March 24, 2020 1:45 PM  
**To:** Meade Cooper ( [REDACTED] ); Suzanne Scott ( [REDACTED] )  
**Subject:** RE: Ben Smith on Chris Hayes last night talking Fox piece

That is exactly the narrative. And these liberals are certain people even in E211 that are helping the racist left. What I find odd is even Smith admits that Sane did not mean to imply that the virus was a threat. But I find the entire basis of his theory?  
(can't speak for the Irish Regan machine having never even seen the show)

**From:** Meade Cooper ( [REDACTED] )  
**Sent:** Tuesday, March 24, 2020 1:29 PM  
**To:** Scott, Suzanne ( Fox ); Mitchell, Ron ( [REDACTED] )  
**Subject:** RE: Ben Smith on Chris Hayes last night talking Fox piece

Ben Smith set out to write a hit piece-and found a willing megaphone in MSNBC

Clearly, I reject the notion that the hosts don't have bosses exercising judgment.

One cannot hope this narrative takes hold. I hope to see fighting back against this sort of

**From:** Suzanne Scott ( [REDACTED] )  
**Sent:** Tuesday, March 24, 2020 12:25 PM  
**To:** Meade Cooper ( [REDACTED] ); Ron Mitchell ( FoxNews ) ( [REDACTED] )  
**Subject:** RE: Ben Smith on Chris Hayes last night talking Fox piece

see highlighted excerpt below:

**All In w/ Chris Hayes - Ben Smith (ENC Piece)**  
[http://video.msnbc.com/play/3hanMEHIC2jnMCKv50LT?access\\_token=hsz2l0jco2m](http://video.msnbc.com/play/3hanMEHIC2jnMCKv50LT?access_token=hsz2l0jco2m)

... Hannity They're tearing the living hell of people and I see it again, let's Hudgen tramp with this new lies, and there are now more than 6,000 confirmed cases in the United States, we've been telling you, this is happening, suddenly, over now, 110 deaths in the U.S. And now those numbers as I've been saying will likely rise, seemingly and dramatically, in the next days and weeks.

... Chris Hayes Over the last seven several weeks, Fox News, has done this often: issue a story and denied by echoing the president's line, downplaying the coronavirus saying it was like a seasonal flu and Democrats are weaponizing and hyping and then turn it around and started saying, this is deadly serious. The president's got it

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**From:** Meade Cooper ( [REDACTED] )

**Sent:** Tuesday, March 24, 2020 1:39 PM

**To:** Scott, Suzanne ( Fox ); Mitchell, Ron ( [REDACTED] )

**Subject:** RE: Ben Smith on Chris Hayes last night talking Fox piece

Ben Smith set out to write a hit piece-and found a willing megaphone in MSNBC

Clearly, I reject the notion that the hosts don't have bosses exercising judgment.

# "Very Hard to Credibly Claim Foul Everywhere"

**From:** Scott, Suzanne </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=85BFE6824750416486BDA0F78D10943E-SUZANNE.SCO>  
**To:** Cooper, Meade  
**Sent:** 11/6/2020 7:50:39 AM  
**Subject:** Fwd: Polls.

MC-Confidential

Get Outlook for US

**From:** Murdoch, Rupert [REDACTED]  
**Sent:** Friday, November 6, 2020 6:36 AM  
**To:** Scott, Suzanne  
**Subject:** Polls.

Trump still talking legal actions but in calmer voice.  
Everything seems to be moving to Biden and if Trump becomes a sore loser  
we should watch Sean especially and others don't sound the same.  
Not there yet, but a danger.  
Turkey on now with Fox and Friends sounds pretty sensible. If Biden holds Az, Nevada, Georgia and Pa  
could cry foul everywhere.  
Love to hear likely House numbers.  
Pelosi majority halved?

Finally got Fox on here and nice to see plenty of breaks! Yesterday CNN had none. But so biased as to be unwatchable!

Sent from my iPhone

CONFIDENTIAL DISCOVERY MATERIAL

**From:** Scott, Suzanne </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=85BFE6824750416486BDA0F78D10943E-SUZANNE.SCO>  
**To:** Cooper, Meade  
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Pelosi majority halved?

Finally got Fox on here and nice to see plenty of breaks! Yesterday CNN had none. But so biased as to be unwatchable!

# Testimony of Meade Cooper



Meade Cooper

Vice President of  
Prime-Time  
Programming



Ex. 108  
194:1-6

**Q:** Do you believe as of November 6 that going on television to say that the election is being stolen would be a conspiracy theory?

**A: I agree that that would not be based in fact at that point.**







# Ron Mitchell (Hannity, Tucker Carlson Tonight)



Ron Mitchell

Senior VP of Prime  
Time Programming  
and Analytics



Ex. 129  
19:3-10

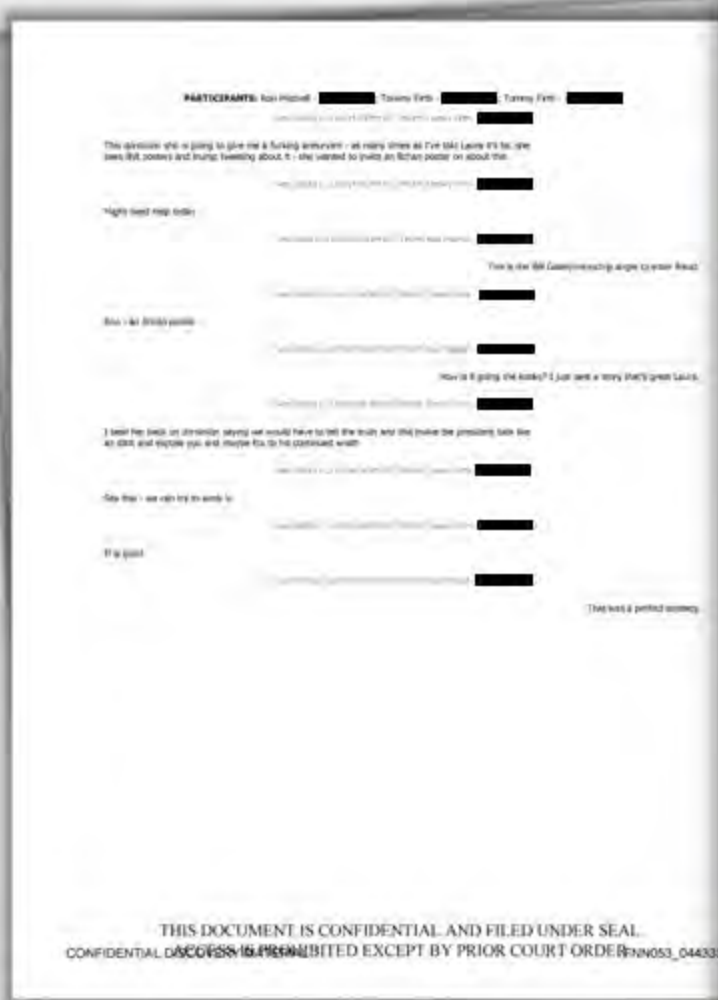
Q. And your current title is senior vice president of Fox News Channel prime time; is that right?

**A. Prime time programming and analytics, yes.**

Q. As part of that job, is it fair to say you have some level of editorial oversight over those prime time broadcasts?

**A. Yes.**

# "I Beat Her Back on Dominion Saying We Would Have to Tell The Truth"



**PARTICIPANTS:** Ron Mitchell - [REDACTED] Tommy Firth - [REDACTED] Tommy Firth - [REDACTED]

Sent 2020-11-12 02:14:35 PM UTC FROM: Tommy Firth [REDACTED]

This dominion shit is going to give me a fucking aneurysm - as many times as I've told Laura it's bs, she sees shit posters and trump tweeting about it - she wanted to invite an 8chan poster on about this

Sent 2020-11-12 02:14:51 PM UTC FROM: Tommy Firth [REDACTED]

Might need help today

Sent 2020-11-12 02:22:53 PM UTC FROM: Ron Mitchell [REDACTED]

This is the Bill Gates/microchip angle to voter fraud.

Sent 2020-11-12 02:23:50 PM UTC FROM: Tommy Firth [REDACTED]

Ron - an 8chan poster

Sent 2020-11-12 07:07:35 PM UTC FROM: Ron Mitchell [REDACTED]

How is it going the kooks? I just sent a story that's great Laura.

Sent 2020-11-12 07:08:20 PM UTC FROM: Tommy Firth [REDACTED]

I beat her back on dominion saying we would have to tell the truth and this make the president look like an idiot and expose you and maybe fox to his continued wrath

**From:** Mitchell, Ron (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A21565AB5D53492798C35D8AC246C658-MITCHELL, R>  
**To:** Albano, Megan (FoxNews)  
**Sent:** 11/19/2020 3:28:21 PM  
**Subject:** RE: \*\*Brand alert\*\* Backlash to post-Trump camp presser coverage

What Dana said would never have been picked up if for Fisher at the conference who put us in a terrible place.

**From:** Albano, Megan [REDACTED]  
**Sent:** Thursday, November 19, 2020 3:22 PM  
**To:** Mitchell, Ron [REDACTED]  
**Subject:** FW: \*\*Brand alert\*\* Backlash to post-Trump camp

This is what Dana said

[14:00:49] If it's left out there, it will be both unfair to it's false domain, the company, the software, the press conference that there's a tie to Venezuela a statement completely denying all of it. And I would agree to, because, as you said, they have these other 17,000 lines, are they going to take it to court and take

[14:07:29] Well, they could take it to court. They're in a world where the statements were made. I mean, these statements were made publicly and either just directly some someplace where they could bring this on the accusations. These accusations have been made themselves or on behalf of the president's campaign, I prove these allegations or withdraw. You can't have it just sort of leave it there and not do what it they're accurate, that the American people deserve to deal with the outcome of the election if they're false. Judge the credibility of Mike Giuliani and his pal, Dr. Scott and Hillary Clinton engaged in an effort with the agencies. Madam, to somehow make undermine this a coordinated plot of widespread voter fraud in big cities on one side or the other. And throughout all of this, it serve the economy by being late and unscripted and a this case. That's why they're just, I think, virtually in cream deal tonight that they were keeping these Reps

**From:** Mitchell, Ron [REDACTED]  
**Sent:** Thursday, November 19, 2020 3:14 PM  
**To:** Albano, Megan [REDACTED]  
**Subject:** FW: \*\*Brand alert\*\* Backlash to post-Trump camp

Please keep us posted!

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**From:** Mitchell, Ron (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A21565AB5D53492798C35D8AC246C658-MITCHELL, R>  
**To:** Albano, Megan (FoxNews)  
**Sent:** 11/19/2020 3:28:21 PM  
**Subject:** RE: \*\*Brand alert\*\* Backlash to post-Trump camp presser coverage

What Dana said would never have been picked up if for Fisher. And I'm not mad at either of them. I'm mad at those clowns at the conference who put us in a terrible place.



**From:** Mitchell, Ron (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A21565AB5D53492798C35D8AC246C658-MITCHELL, R>  
**To:** Firth, Thomas (FoxNews)  
**Sent:** 11/19/2020 3:30:11 PM  
**Subject:** RE: Prelim Ingraham Rundown - 11/19

Will you be mentioning the international crime conspiracy to steal the election featuring Soros, Maduro, Chavez, Antifa, Cuba and China?

**From:** Firth, Thomas <[REDACTED]>  
**Sent:** Thursday, November 19, 2020 2:43 PM  
**To:** Mitchell, Ron <[REDACTED]>  
**Subject:** RE: Prelim Ingraham Rundown - 11/19

Haha nope — basically want to wrangle the argument away from the crazy that was today — its easy to dismiss legitimate complaints when you can lump them in with the circus

**From:** Mitchell, Ron <[REDACTED]>  
**Sent:** Thursday, November 19, 2020 2:40 PM  
**To:** Firth, Thomas <[REDACTED]>  
**Subject:** RE: Prelim Ingraham Rundown - 11/19

Will you be mentioning the international crime conspiracy to steal the election featuring Soros, Maduro, Chavez, Antifa, Cuba and China?

**From:** Firth, Thomas <[REDACTED]>  
**Sent:** Thursday, November 19, 2020 2:40 PM  
**To:** Scott, Suzanne (Fox) <[REDACTED]>; [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>  
**Subject:** Prelim Ingraham Rundown - 11/19

EXHIBIT  
2348

[REDACTED]

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**From:** Mitchell, Ron (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A21565AB5D53492798C35D8AC246C658-MITCHELL, R>  
**To:** Firth, Thomas (FoxNews)  
**Sent:** 11/19/2020 3:30:11 PM  
**Subject:** RE: Prelim Ingraham Rundown - 11/19

Yes. But those clowns put us an awkward place where we're going to need to thread the needle.

**From:** Firth, Thomas <[REDACTED]>  
**Sent:** Thursday, November 19, 2020 2:43 PM  
**To:** Mitchell, Ron <[REDACTED]>  
**Subject:** RE: Prelim Ingraham Rundown - 11/19

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Lauren Petterson

President of Fox  
Business



Ex. 133  
243:20-25

Q. You do have the power to approve whether a guest appears on any show, correct? On Fox Business.

**A. I do.**

# Petterson and Schreier See an Opening

**PARTICIPANTS:** Gary Schreier - [REDACTED] Lauren Petterson - [REDACTED]

Sent 2020-11-08 12:12:55 AM UTC FROM: Lauren Petterson - [REDACTED]

I turned it off. I don't know how we work here. Honestly. We are going to look back at this week and know this was when we lost a significant part of our audience who won't come back. As soon as Facebook starts telling people to go to newsmax.

Sent 2020-11-08 01:09:19 AM UTC FROM: Gary Schreier - [REDACTED]

You know though between us. This is a problem for the channel yes. But if we keep doing what we do, fbn will get a bunch of the disenfranchised folks too.

Sent 2020-11-08 01:10:27 AM UTC FROM: Lauren Petterson - [REDACTED]

100 percent. I was talking about exactly that with my husband last night. It's actually an opening for us

Sent 2020-11-08 01:10:53 AM UTC FROM: Gary Schreier - [REDACTED]

Yes. We just can't play for it openly like newsmax and oan.



**From:** Dataminr Urgent <alert@dataminr.com>

**To:** Petterson, Lauren

**Sent:** 11/7/2020 10:13:22 PM

**Subject:** [EXTERNAL] Coordination on 4chan calls on users to spread claims that Dominion voting systems were used to commit voter fraud: Local Source via 4chan.

**From:** Dataminr Urgent <alert@dataminr.com>  
**To:** Petterson, Lauren  
**Sent:** 11/7/2020 10:13:22 PM  
**Subject:** [EXTERNAL] Coordination on 4chan calls on users to spread claims that Dominion voting systems were used to commit voter fraud: Local Source via 4chan.

United States

10:11pm November 07, 2020 EST CHATTER

**Coordination on 4chan calls on users to spread claims that Dominion voting systems were used to commit voter fraud: Local Source via 4chan.**

View on 4chan 

ESTIMATED EVENT LOCATION:

**United States**

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Ex.285  
FNN012\_00119269

# Schreier and Petterson on SMF



Ex.513



# Nov 8: Bartiromo Has "GOP Conspiracy Theorists In Her Ear"

PARTICIPANTS: Gary Schreier - [REDACTED] (Lynn Anderson) [REDACTED] (Lynn Anderson) [REDACTED] (Lynn Anderson)

When did you get this from?

That's the one I was worried about. Did you get that from her and that's not correct?

Sent 2020-11-08 03:33:46 PM UTC FROM: Gary Schreier - [REDACTED]

The problem is she has gop conspiracy theorists in her ear and they use her for their message sometimes. I wish she had that awareness.

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# "Tons of Crazy" in the Nov 8 Broadcast

**PARTICIPANTS:** Caley Cronin - [REDACTED]; Irena Briganti - [REDACTED]; Irena Briganti - [REDACTED]

Participants: Caley Cronin - [REDACTED]; Irena Briganti - [REDACTED]; Irena Briganti - [REDACTED]

Sent: 2020-11-08 03:57:57 PM UTC FROM: Caley Cronin - [REDACTED]

That sydney Powell interview was problematic - will monitor for traction

Sent: 2020-11-08 03:58:23 PM UTC FROM: Irena Briganti - [REDACTED]

Yes tons of crazy - I am screaming at stelter via text so I missed some of it

Sent: 2020-11-08 04:00:50 PM UTC FROM: Caley Cronin - [REDACTED]

I am sorry - you just missed more crazy

Sent: 2020-11-08 04:01:12 PM UTC FROM: Caley Cronin - [REDACTED]

Voter fraud - dominion machines and how the company is run by Dems

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Ex.165  
FNN014\_00127851





David Clark

Senior Vice President  
for Weekend News and  
Programming



Ex. 106

43:22-44:6, 46:4-18,

Q. How does the process work within Fox or how did it work during this timeframe from September 2020 through April of 2021, regarding the decision not to book a particular guest?

**A. I would say it was done – it could be done just by me. It would be done by me in consultation with people such as Jay Wallace. I am just trying to think of anybody else that may have affected Sunday Morning Futures. But it also could have just been my judgment call that this person was not a right fit or the right kind of guest for that show at that time.**

43:22-44:6, 46:4-18

# Clark: Wallace and Cooper are My Superiors



David Clark

Senior Vice President  
for Weekend News and  
Programming



Ex. 106  
133:6-22

- Q. Why did you let **Mr. Wallace and Ms. Cooper know that there was push back that Ms. Bartiromo was allowing Qanon conspiracy theories** to be aired on her show?
- A. Very simply, **they were my – two of my superiors.**



# Rebroadcasts: Clark, Petterson, Schreier, Scott, Wallace



David Clark

Senior Vice President  
for Weekend News and  
Programming



Ex. 106  
39:9-41:19

- Q. Who would have authority to edit out false claims from a broadcast of Sunday Morning Futures before it was rebroadcast on Fox Business Network at 6:00 p.m. or later on that evening?
- A. It was -- I believe, the original repeat is at 6:00 p.m. Eastern, I don't know if that's still the case, but I can only assume that it would be Lauren Petterson who was the president of Fox Business or under her direction.**
- Q. When you say under the direction of somebody else, who would that be?
- A. It could be me. I suppose it could be Lauren Petterson, although I don't know if that ever happened. But it would have to be senior programming executive of some type.**
- Q. Senior programming executives of some type would include yourself, correct?
- A. Yes.**
- Q. Senior programming executive of some type would include Jay Wallace, correct?
- A. Yes.**
- Q. Senior programming executive of some type would include Suzanne Scott, correct?
- A. Yes, in my opinion, yes.**



Gary Schreier

Senior Vice President  
of Programming  
Fox Business Network



Ex. 142  
132:1-5

Q. So, Fox Business's management had the ability to say we're not going to rebroadcast a show on Fox Business; right?

**A. *We have that right.***





Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
510:16-21

Q. And the expectation of Fox Corporation when it does that is that Fox News executives will not allow false claims to be rebroadcast, sir, correct?

**A. That is correct.**

# Testimony of Suzanne Scott



Suzanne Scott

CEO  
Fox News



Ex. 143  
365:10-19

Q: [Y]ou believe, since at least the time that Fox News called the election on November 7th, that Joe Biden was legitimately elected the President of the United States, correct?....

**A: Yes, I believe that.**



# Scott Relays Murdoch's Instructions

Sent 2020-11-09 08:40:36 PM UTC FROM: Jay Wallace [REDACTED]

As we try to repair a bit of the damage with the audience, I think we need to pause on the Petes and Coons - they annoy the audience and I think we just need some comfort food to get through the week.

Sent 2020-11-09 08:41:04 PM UTC FROM: Martha MacCallum [REDACTED]

Agreed

From: Scott, Suzanne </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=85BFE6824750416486BDA0F78D10943E-SUZANNE.SCO>  
To: Wallace, Jay (FoxNews)  
Sent: 11/8/2020 1:56:02 PM  
Subject: Fwd: Ratings

Long talk with KRM and Lachlan (told them first 72 hours will be the worst of it) they are expecting:  
-major overhaul of polling (WSJ doing same and will no work with NBC)  
-audiences don't want to see too much of the Mayor Pete's and Coons etc in the news hours. Need to be careful about bookings next 2 months-especially in news hours  
-breaking news reporting and investigative content need to get back to the good news stories for digital experiences  
-breaking news this past year  
-Full week of coverage of LR for quality check about last week

From: Scott, Suzanne </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=85BFE6824750416486BDA0F78D10943E-SUZANNE.SCO>  
To: Wallace, Jay (FoxNews)  
Sent: 11/8/2020 1:56:02 PM  
Subject: Fwd: Ratings

Long talk with KRM and Lachlan (told them first 72 hours will be the worst of it) they are expecting:

- major overhaul of polling (WSJ doing same and will no work with NBC)
- audiences don't want to see too much of the Mayor Pete's and Coons etc in the news hours. Need to be careful about bookings next 2 months-especially in news hours

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Ex.216

Ex.611

# November 9: Scott to Lachlan

Start Date November 9, 2020 1:09:46 PM EST

End Date November 9, 2020 11:56:50 PM EST

Chat Account t Suzanne Scott [REDACTED] (Message)>, Lachlan Murdoch  
Suzanne Scott [REDACTED] (Sms)>, Lachlan Murdoch [REDACTED] (Sms)>, Lachlan Murdoch [REDACTED] (Sms)>, Suzanne Scott [REDACTED] (Sms)>, Suzanne Scott [REDACTED] (Sms)>, Lachlan Murdoch [REDACTED] (Sms)>

Yes. Her hair and makeup person only one with contact but both were masked and she had extremely limited exposure to anyone else but we are doing all the protocols-everyone here masked and social distancing

(no sender information available)

<https://www.news.com.au/entertainment/celebrity-lifestyle/news-from-fans-after-katy-perry-tweeted-about-us-election/news-story/62f8e0e98228e20ca2145ca1503d>

I thought you'd be interested in this article

Marta was great with breakfast

Suzanne Scott [REDACTED] (Message)

She wanted to show she could talk on Dems

(no sender information available)

He didn't know what hit him

Check out the comments below Tucker's post tonight on Instagram

Suzanne Scott [REDACTED] (Message)

It's two days after Biden was declared President elect. Viewers going through the 5 stages of grief. It's a question of trust - the AZ was damaging but we will highlight our stars and plant flags letting the viewers know we hear them and respect them

(no sender information available)

Yes. But needs constant rebuilding without any mistakes. Cavuto was bad today I hear

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It's two days after Biden was declared President elect. Viewers going through the 5 stages of grief. It's a question of trust - the AZ was damaging but we will highlight our stars and plant flags letting the viewers know we hear them and respect them

21:40:12



# Nov 10 Wallace to Scott – “Alternative Universe” and “War Footing”

**PARTICIPANTS:** Suzanne Scott - [REDACTED] Unknown - [REDACTED]

Sent 2020-11-10 10:56:45 PM UTC FROM:  
Suzanne Scott - [REDACTED]

The Newsmax surge is a bit troubling - truly is an alternative universe when you watch, but it can't be ignored.

Yes

Sent 2020-11-10 10:59:43 PM UTC FROM: Suzanne Scott - [REDACTED]

My problem is made is asleep on this I have to push Jason since yesterday to get a pirro promo on our air

Sent 2020-11-10 11:07:56 PM UTC FROM: Unknown - [REDACTED]

Trying to get everyone to comprehend we are on war footing.

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Ex.223  
FNN071\_04502926

**From:** Scott, Suzanne </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=85BFE6824750416486BDA0F78D10943E-SUZANNE.SCO>  
**To:** Briganti, Irena (FoxNews); Wallace, Jay (FoxNews);  
**Sent:** 11/11/2020 9:50:20 AM  
**Subject:** Re: Fox News' betrayal - there's a question hanging in the air

Our talent must stop disrespecting the audience. What she did and then what Neil did was worse. Neil doesn't think the American audience is smart s ought to make a decision for themselves in watching a press conference? Terrible. If they don't get it they don't deserve the scale of our platform to diminish our viewers.

Get Outlook for AS

**From:** Wallace, Jay <[REDACTED]>  
**Sent:** Wednesday, November 11, 2020 9:45 AM  
**To:** Briganti, Irena (FoxNews); Scott, Suzanne  
**Subject:** RE: Fox News' betrayal - there's a question hanging in the air

I spoke with Warren this morning - they are dipping. Will get to Alan on Thursday.

**From:** Briganti, Irena  
**Sent:** Wednesday, November 11, 2020 9:30 AM  
**To:** Scott, Suzanne (Fox)  
**Cc:** Wallace, Jay  
**Subject:** Re: Fox News' betrayal - there's a question hanging in the air - American Thinker

Warren has been working on it with Brighton and still has not determined when they will do it. Sandra should have addressed it this point - I would suggest she do it. (I'm not the best, I just want to address something) etc - it should have been to look like we are reacting to Brighton if we do it today. Not sure she or Alan is by this.

On Nov-11-2020 at 9:15 AM, Scott, Suzanne <[REDACTED]> wrote:

Have we figured out who did this? Very damaging on many levels. This person

has Sandra addressed this? This impacts our relationship with the viewers who

S

Get Outlook for AS

**From:** Briganti, Irena <[REDACTED]>  
**Sent:** Wednesday, November 11, 2020 5:42 AM  
**To:** Kromstad, Alan (FoxNews)  
**Cc:** Scott, Suzanne; Wallace, Jay (FoxNews)  
**Subject:** Re: Fox News' betrayal - there's a question hanging in the air - American Thinker

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**From:** Scott, Suzanne </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=85BFE6824750416486BDA0F78D10943E-SUZANNE.SCO>  
**To:** Briganti, Irena (FoxNews); Wallace, Jay (FoxNews)  
**Sent:** 11/11/2020 9:50:20 AM  
**Subject:** Re: Fox News' betrayal - there's a question hanging in the air - American Thinker

Our talent must stop disrespecting the audience. What she did and then what Neil did was worse. Neil doesn't think the American audience is smart s ought to make a decision for themselves in watching a press conference? Terrible. If they don't get it they don't deserve the scale of our platform to diminish our viewers.



# Nov 16: Dominion Reaches Out to Scott and Wallace

From: Scott, Suzanne  
To: Tony Fratto, Wallace, Jay  
CC: Walsh, Arwaana ( Fox )  
Sent: 11/16/2020 9:45:39 AM  
Subject: Briefing re Dominion

Jay please let me know your thoughts. ☺

From: Tony Fratto [REDACTED]  
Sent: Monday, November 16, 2020 9:24 AM  
To: Scott Suzanne [REDACTED]; Wallace, Jay (FoxNews) [REDACTED]  
Subject: Briefing re Dominion

Hello, Suzanne and Jay -- Tony Fratto here from Hamilton Place Strategies

My client is Dominion Voting Systems which, as you know, has received a great deal of attention on FoxNews and from the President. An enormous amount of misinformation -- actually, completely and verifiable wrong information -- is finding its way on-air. I was wondering if you both would consider accepting an off-the-record briefing from Dominion to walk through the business and our concerns.

Let me know if you want to discuss further. Also, I hope you know I have many friends at FoxNews and it's not my usual way to go this route -- I prefer to always talk to on-air talent and producers, but I think this situation is crossing dangerous lines.

Thanks, T

Tony Fratto  
Hamilton Place Strategies  
Office: +1-202-822-1205  
Mobile: +1-202-550-5805  
Email: [REDACTED]  
Web: [www.hamiltonplacestrategies.com](http://www.hamiltonplacestrategies.com)  
Twitter: @tonyfratto

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From: Tony Fratto [REDACTED]  
Sent: Monday, November 16, 2020 9:24 AM  
To: Scott, Suzanne [REDACTED]; Wallace, Jay (FoxNews) [REDACTED]  
Subject: Briefing re Dominion

Hello, Suzanne and Jay -- Tony Fratto here from Hamilton Place Strategies.

My client is Dominion Voting Systems which, as you know, has received a great deal of attention on FoxNews and from the President. An enormous amount of misinformation -- actually, completely and verifiable wrong information -- is finding its way on-air. I was wondering if you both would consider accepting an off-the-record briefing from Dominion to walk through the business and our concerns.

Let me know if you want to discuss further. Also, I hope you know I have many friends at FoxNews and it's not my usual way to go this route -- I prefer to always talk to on-air talent and producers, but I think this situation is crossing dangerous lines.

Ex.235

FNN008\_00022197

# November 19: After the Press Conference

From: Scott, Suzanne  
To: Wallace, Jay  
CC: Briganti, Irene  
Sent: 11/19/2020 4:25:20 PM  
Subject: Re: Kristen Fisher today at the top of Dana's show

and Dana's comments on Dominion unhelpful also. someone needs to talk to Me

From: Wallace, Jay  
Sent: Thursday, November 19, 2020 4:21 PM  
To: Scott, Suzanne  
Cc: Briganti, Irene (FoxNews)  
Subject: Re: Kristen Fisher today at the top of Dana's show

I totally agree. She has been spoken to - doesn't definitely intend to go it

On Nov 19, 2020, at 4:19 PM, Scott, Suzanne

I'm getting major incoming on her editorializing at the top of Dana's show and her indifference to the audience.

We need to manage this.

I saw she just did a hit in Cavuto. I hope she didn't double down.

I can't keep defending these reporters who don't understand our viewers and how

The audience feels like we crapped on and we have damaged their trust and belief

We lost 25k subs from FOX NATION.

We can fix this but we cannot smirk at our viewers any longer.

S

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On Nov 19, 2020, at 4:19 PM, Scott, Suzanne

I'm getting major incoming on her editorializing at the top of Dana's show and her dismissive tone and indifference to the audience.

We need to manage this.

I saw she just did a hit in Cavuto. I hope she didn't double down.

I can't keep defending these reporters who don't understand our viewers and how to handle stories.

The audience feels like we crapped on and we have damaged their trust and belief in us.

We lost 25k subs from FOX NATION.

We can fix this but we cannot smirk at our viewers any longer.

Ex.250

FNN008\_00022461



# "This Has to Stop Now. The Audience is Furious."

**From:** Scott, Suzanne </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=85BFE6824750416486BDA0F78D10943E-SUZANNE.SCO>  
**To:** Cooper, Meade  
**Sent:** 12/2/2020 8:56:46 PM  
**Subject:** Re: Fox News' Eric Shawn Fact-Checks Trump 'Dump' Claims

This has to stop now.

I'm going to address this with you and Jay and Lowell tomorrow.

This is bad business and there clearly is a lack of understanding what is happening in these shows.

The audience is furious and we are just feeding them material.

Bad for business.

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**From:** Cooper, Meade [REDACTED]  
**Sent:** Wednesday, December 2, 2020 8:54 PM  
**To:** Scott, Suzanne  
**Subject:** Re: Fox News' Eric Shawn Fact-Checks Trump 'Dump' Claims

I saw Eric Shawn in their criticism episode and I felt alone in Martha really wanted him and they were going to work with him on the editorial. Why then would fact check a Hannity guest is beyond me.

Sent from my iPhone

On Dec 2, 2020, at 8:45 PM, Scott, Suzanne [REDACTED] wrote:

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**From:** Vblazon, Jay [REDACTED]  
**Sent:** Wednesday, December 2, 2020 8:44 PM  
**To:** Scott, Suzanne  
**Cc:** Lowell, Tom (FoxNews)  
**Subject:** Re: Fox News' Eric Shawn Fact-Checks Trump 'Dump' Claims

Pretty sure he wasn't assigned to it. Tom, was this a criticism request by Martha's team?

On Dec 2, 2020, at 8:40 PM, Scott, Suzanne [REDACTED] wrote:

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**From:** Scott, Suzanne </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=85BFE6824750416486BDA0F78D10943E-SUZANNE.SCO>  
**To:** Cooper, Meade  
**Sent:** 12/2/2020 8:56:46 PM  
**Subject:** Re: Fox News' Eric Shawn Fact-Checks Trump 'Dump' Claims

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This is bad business and there clearly is a lack of understanding what is happening in these shows.

The audience is furious and we are just feeding them material.

Bad for business.

Ex.254  
FNN019\_03561073

# Scott Suggests Lindell

**From:** Scoope, Meade <O=EXCHANGE\CLASS\EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)\CN=RECIPIENTS\CN=C2C376CBC2CE401CB049EE293DA4DC78-  
MEADE.COOPE>  
**To:** Lowell, Tom (FoxNews)  
**CC:** Scott, Suzanne; Peterson, Lillian (FoxNews); Wallace, Jay (FoxNews); Haddis, Gavin (FoxNews)  
**Sent:** 12/19/2020 10:31:44 AM  
**Subject:** Re: Bookings

I'll let you know if we have any luck in Primetime.

Sent from my iPhone

On Dec 10, 2020, at 9:25 AM, Lowell, Tom <[REDACTED]> wrote:

Bookers tell me Sec Pompeo was exposed to C19 and is in quarantine right now we could not get Lindell on Sunday morning/noon.

On Dec 10, 2020 8:22 AM, "Scott, Suzanne" <[REDACTED]> wrote:

Please let me know if we book Pompeo and/or Mike Lindell.

They would both get ratings.

S

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On Dec 19, 2020 8:22 AM, "Scott, Suzanne" <[REDACTED]> wrote:

Please let me know if we book Pompeo and/or Mike Lindell.

They would both get ratings.

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Ex.668



# Jay Wallace (all shows)



Jay Wallace

President and  
Executive Editor of Fox  
News Media



Ex. 147  
244:17-20, 171:9-13

Q. You were the executive editor with ultimate editorial control over the content of Fox News, right?

**A. Right.**

\* \* \*

Q. You had ultimate editorial oversight for the content broadcast on Fox News about the 2020 election, right?

**A. Yes, ma'am.**

# "The North Koreans Do A More Nuanced Show"

From: Wallace, Jay (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C0F64C6434814130BDE5D3ED49B1B7BC-WALLACE\_JA>  
To: Irena  
CC: Scott  
Sent: 9/8/2020 7:49:32 PM  
Subject: Re: Dobbs segment

Thank you  
I watched Lou closely for 2 weeks during the conventions -

FYI

<https://www.military.com/operations/military-conventions>

<https://www.military.com/operations/military-conventions>

From: Briganti, Irena  
Sent: Tuesday, September 8, 2020  
To: Bowman, Thomas <Tom.Bowman@foxnews.com>  
Cc: Petterson, Lauren <Lauren.Petterson@foxnews.com>  
Subject: Dobbs segment

Hi Tom - we had no idea if asking why Dobbs is going

<https://www.fox.com/news>

We can't be blindsided on

Thanks  
Irena

**From:** Wallace, Jay (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROU (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C0F64C6434814130BDE5D3ED49B1B7BC-WALLACE, JA>  
**To:** Briganti, Irena (FoxNews)  
**CC:** Scott, Suzanne  
**Sent:** 9/8/2020 7:49:32 PM  
**Subject:** Re: Dobbs segment

Thank you.

I watched Lou closely for 2 weeks during the conventions - the North Koreans do a more nuanced show.

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Ex.539



From: Briganti, Irena [REDACTED]  
To: Scott, Suzanne; Wallace, Jay (FoxNews)  
Sent: 12/1/2020 4:54:21 PM  
Subject: FW: Washington Post Inquiry

FYI – we spoke with Lauren and Meade and there's nothing to combat this, so we are not responding.

From: Barr, Jeremy [REDACTED]  
Sent: Tuesday, December 1, 2020 1:45 PM  
To: Ketner, Jessica [REDACTED]; Cronin, Caley [REDACTED]  
Subject: [EXTERNAL] Quick Question - Sidney Powell

Hi Jessica and Caley,

As you may have seen, the attorney Sidney Powell appeared on both last night.

Powell told Dobbs "The system was set up to shave and flip different massive and historical egregious fraud the world has ever seen."

Powell told Hannity "Voting machines 'run an algorithm that shaves Biden,' 'used machines to trash large batches of votes that should 'use the machine to inject and add massive quantities of votes for

I wanted to ask: does Fox News Media management have any concerns about the veracity of the claims that Powell has been making on network shows? Is Sidney Powell welcome to appear on any Fox News Media show? Has Fox News Media encouraged show hosts to fact-check claims about voter fraud? (I am aware, for example, of Eric Shawn's comments on Sunday afternoon about voter fraud.)

I am planning to write a story today about Powell's appearances on Fox News and Fox Business, and to note that the Trump campaign distanced Powell from their legal operation on Monday.

Thanks,

Jeremy  
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From: Barr, Jeremy <Jeremy.Barr@ [REDACTED]>

Sent: Tuesday, December 1, 2020 1:45 PM

To: Ketner, Jessica [REDACTED]; Cronin, Caley [REDACTED]

Subject: [EXTERNAL] Quick Question - Sidney Powell

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From: Briganti, Irena [REDACTED]  
To: Scott, Suzanne; Wallace, Jay (FoxNews)  
Sent: 12/1/2020 4:54:21 PM  
Subject: FW: Washington Post Inquiry

FYI – we spoke with Lauren and Meade and there's nothing to combat this, so we are not responding.



From: Scott, Suzanne </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=85BFE6824750416486BDA0F78D10943E-SUZANNE.SCO>  
To: Cooper, Meade  
Sent: 1/5/2021 11:58:46 AM  
Subject: Re: Result.

Thanks  
I told Rupert that privately they are all there - we need to be careful about using the shows and pissing off the viewers but they know how to navigate.

From: Cooper, Meade  
Sent: Tuesday, January 5, 2021 11:55 AM  
To: Scott, Suzanne  
Subject: RE: Result.

Got it  
I think they are all there or close to it and someone will help with it.

From: Scott, Suzanne  
Sent: Tuesday, January 05, 2021 11:52 AM  
To: Cooper, Meade  
Subject: Fw: Result

From: Murdoch, Rupert  
Sent: Tuesday, January 5, 2021 11:48 AM  
To: Scott, Suzanne  
Subject: Result

It's been suggested our prime time three should independently or together say something like "the election is over and Joe Biden won." We are all disappointed, but it happened. We love America and have to turn the page.

Not this week, but a reflection would go a long way to stop the Trump myth that he lost 2020 campaign.

Wisdomfully, Tucker was very good last night.

No need to respond but we can talk someone who we will have real figures from Georgia.

Sent from my iPhone.

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From: Murdoch, Rupert  
Sent: Tuesday, January 5, 2021 11:48 AM  
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Subject: Result.

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From: Scott, Suzanne </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=85BFE6824750416486BDA0F78D10943E-SUZANNE.SCO>  
To: Cooper, Meade  
Sent: 1/5/2021 11:58:46 AM  
Subject: Re: Result.

Thanks  
I told Rupert that privately they are all there - we need to be careful about using the shows and pissing off the viewers but they know how to navigate.



# Maria Bartiromo and Team Had Actual Malice

# Testimony of Maria Bartiromo



Maria Bartiromo

Host of  
Sunday Morning  
Futures with Maria  
Bartiromo



Ex. 98  
152:17-153:4

Q. And this is a common practice of yours, to jot down notes based on contemporaneous conversations that you are having with potential sources or individuals?

**A. *Yes. I will write notes while I'm on the phone with the person to jot down what they're telling me.***

Q. Right. And do you recall writing these notes?

**A. *Yes.***

Q. And were these notes based on a conversation you were having with Sidney Powell?

**A. *Yes.***



# Sunday Morning Futures with Maria Bartiromo

**From:** maria bartiromo [REDACTED]  
**To:** Maria Bartiromotv, Grossberg, Abby  
**Sent:** 11/7/2020 5:18:57 PM  
**Subject:** [EXTERNAL] Sydney Powell

We have to go to a full on war. They have used all systems to defraud.  
Hammer ore voting Bsnk.  
The ibside in the vote total.

Jared says he doesn't want to hear about any Conspiracy theory.  
Everyone us excluding me from meetings. We have to file federal suits in every state. The campaign is not doing shit.

They want to file 2 lawsuits in a couple of places. That's not going to solve the problem  
++

The country needs to survive. We have to keep this president.  
Noone thinks anyway that people voted for Biden

\*\*\*

Hammer -

A sophisticated computer system that allied site ration of votes.  
There is also a dominion system that I didn't know about that has reported glitches & has been used in key states. And it adds on thousands of votes.  
Evidence- yes we have  
Statistical of impossibilities. And pictures of a man sticking thumb drives in voting machines. I go machine.a.

The most imp points are 1)this was planned. It was sophisticated funded and orchestrated & uses all areas of fraud including digital We now know  
Nancy pelosi has an interest in it. \*\*\*  
It's directed also by Soros  
It's been used in 30 states.  
It's not possible that 138 k votes come in all for Biden. None for trump.  
That doesn't happen.  
All kinds of anomalies . Just like the steel dossier. They throw lots of stuff at it & create  
Something & flood media.

**From:** maria bartiromo [REDACTED]  
**To:** Maria Bartiromotv, Grossberg, Abby  
**Sent:** 11/7/2020 5:18:57 PM  
**Subject:** [EXTERNAL] Sydney Powell

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EXHIBIT 74

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# Sunday Morning Futures with Maria Bartiromo

From: maria bartiromo <[REDACTED]>  
To: Maria Bartiromotv; Grossberg, Abby  
Sent: 10/17/2020 5:18:57 PM  
Subject: [EXTERNAL] Sydney Powell

of have to go to a full on war. They have used all systems to defraud.  
Hammer ore voting Bsnk.  
The ibside in the vote total.

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Something & flood media.

Something & flood media.

EXHIBIT  
741

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From: maria bartiromo <[REDACTED]>  
To: Maria Bartiromotv; Grossberg, Abby  
Sent: 11/7/2020 5:18:57 PM  
Subject: [EXTERNAL] Sydney Powell

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That doesn't happen.  
All kinds of anomalies . Just like the steel dossier. They throw lots of stuff at it  
&create  
Something & flood media.



# Nov 7: McCarthy Tells Bartiromo No "Mass Cheat"

**From:** maria bartiromo [REDACTED]  
**To:** maria bartiromo; Abby Grossberg  
**Sent:** 11/7/2020 9:42:48 PM  
**Subject:** Kevin mccarthy notes

You believe Biden won won fair?  
There are a few issues but I don't believe there is a mass cheat.

**From:** maria bartiromo [REDACTED]  
**To:** Maria Bartiromotv; Grossberg, Abby (FoxNews)  
**Sent:** 11/7/2020 5:42:14 PM  
**Subject:** [EXTERNAL] Kevin McCarthy raw notes

I've not seen any proof so far of the ballot fraud



# The Email That Launched A Thousand Lies

From: Sidney Powell  
Sent: Sunday, November 1, 2020 10:04 AM  
To: Sidney Powell  
Subject: Election Fraud Info

I just spoke to Eric & told him you gave very imp info

Sent from my iPhone

On Nov 7, 2020, at 6:00 PM, Sidney Powell <[REDACTED]> wrote:

Sidney Powell  
[www.SidneyPowell.com](http://www.SidneyPowell.com)  
Federal appellate attorney and author of LICENSED TO LIE & co-author of CONVICTION MACHINE.

----- Forwarded message -----

From: Marlene Bourne <[REDACTED]>  
Date: Sat, Nov 7, 2020, 5:07 PM  
Subject: Election Fraud Info  
To: <sidneypowell>, <tfitton>  
<[REDACTED]>

Dear Mrs. Powell, Mr. Fitton, and Mr. Dobbs:

I was told to email you the following pieces of information:

You're probably already aware of voting irregularities in a number of states, which have one common thread: Dominion Voting Systems.

Don't you find it curious that Nadearn Eldham, Nancy Pelosi's longtime Chief of Staff is a key executive there, and that Richard Blum, Senator Feinstein's husband, is not only a significant shareholder of that company, but in Avsd Technologies as well?

As a point of reference...back in 2009, Diebold sold their election machines division. An anti-trust suit was immediately filed that conveniently ensured that, in 2010, Dominion Voting Systems would acquire the assets "in order to restore competition". With the acquisition of another large California election machine company in the same timeframe, that gave Dominion an even bigger monopoly than Diebold ever had - yet no one has ever filed an anti-trust suit against them. Friends in high places indeed.

But the monopoly isn't necessarily the issue - it's the software. A piece of code was inserted such that, once ballots were fed into the database for tabulation, up to 3% of votes for Mr. Trump would automatically switch to Mr. Biden; this was capped at 3% because it was

From: Marlene Bourne <[REDACTED]>

Date: Sat, Nov 7, 2020, 5:07 PM

Subject: Election Fraud Info

To: <sidneypowell>, <tfitton>

<[REDACTED]>

Dear Mrs. Powell, Mr. Fitton, and Mr. Dobbs:

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You're probably already aware of voting irregularities in a number of states, which have one common thread: Dominion Voting Systems.

But the monopoly isn't necessarily the issue - it's the software. A piece of code was inserted such that, once ballots were fed into the database for tabulation, up to 3% of votes for Mr. Trump would automatically switch to Mr. Biden; this was capped at 3% because it was supposedly determined that anything higher than that would raise suspicions, but that 3% would be enough to tip a tight race.

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DOMINION-FGX000292

# Bartiromo Agrees It's "Nonsense"



Maria Bartiromo

Host of  
Sunday Morning  
Futures with Maria  
Bartiromo



Ex. 98  
133:25-134:15,  
141:21-24

Q. Ms. Bartiromo, before you put Ms. Powell on your show, when you had this document in your possession and had sent it to your producer, did you confront Ms. Powell with this document and ask her anything about it?

**A. *No. I have no idea what it even means. It's -- as I said, it's not evidence. I don't know what it is.***

Q. It's nonsense; correct?

**A. *I don't know who this person is.***

Q. It's nonsense; correct?

**A. *Yes, it looks that way.***

Q. Ms. Bartiromo, would you agree that this email is inherently unreliable?

**A. *It appears so.***



# Testimony of Maria Bartiromo



Maria Bartiromo

Host of  
Sunday Morning  
Futures with Maria  
Bartiromo



Ex. 98  
141:18-24

Q. Ms. Bartiromo, would you agree that this email is kooky?

**A. It's kooky, absolutely.**

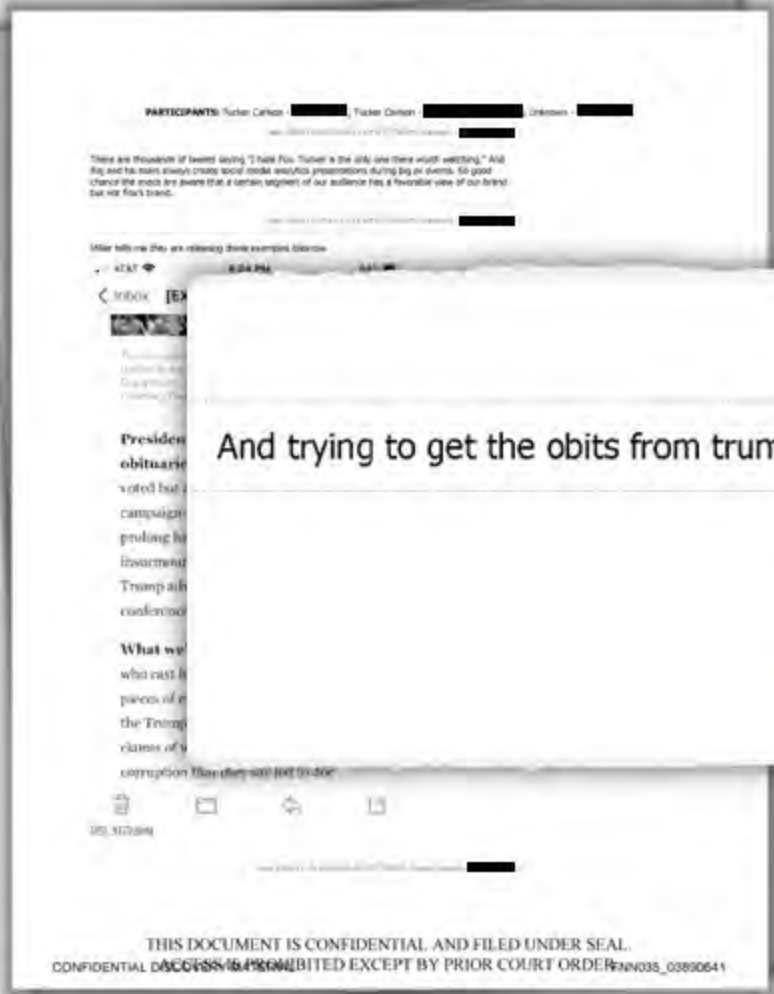




# Tucker Carlson and Team Had Actual Malice

# "This software shit is absurd"

**PARTICIPANTS:** Tucker Carlson - [REDACTED]; Tucker Carlson - [REDACTED]; Unknown - [REDACTED]



Sent 2020-11-09 06:58:44 PM UTC FROM: Unknown - [REDACTED]

And trying to get the obits from trump campaign now for dead people

Sent 2020-11-09 07:05:45 PM UTC FROM: Tucker Carlson - [REDACTED]

Yep. The software shit is absurd. This is a way to dismiss it. Half our viewers have seen the Maria clip.

# Carlson: "Sidney Powell is lying"

**PARTICIPANTS:** Tucker Carlson - [REDACTED]; Tucker Carlson - [REDACTED]; Unknown - [REDACTED]



Sent 2020-11-17 01:33:56 AM UTC FROM: Unknown - [REDACTED];

Great show so far. I know that b script was wordy but it came out great

Sent 2020-11-17 01:34:36 AM UTC FROM: Tucker Carlson - [REDACTED];

It was awesome. **Sidney Powell is lying.** Fucking bitch.

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# Fox's Argument: Carlson "Respected" Powell

PARTICIPANTS

Redacted

Tucker Carlson -

Tucker Carlson -

Sent 2020-11-17 01:23:49 AM UTC FROM:

Redacted

She's a psychopath. She's getting Trump all spun up and has zero evidence.

Sent 2020-11-17 01:24:11 AM UTC FROM:

Redacted

Same with Rudy. NSC cyber did a through analysis. There's nothing to it

Sent 2020-11-17 01:34:05 AM UTC FROM:

Tucker Carlson -

Fucking bitch.

Sent 2020-11-17 01:37:06 AM UTC FROM:

Redacted

And she hasn't stopped.

Sent 2020-11-17 01:55:49 AM UTC FROM:

Tucker Carlson -

Crazy person.

Sent 2020-11-22 11:02:15 PM UTC FROM:

Redacted

<https://www.washingtonexaminer.com/news/trump-legal-team-shuns-sidney-powell-as-insiders-and-national-security-officials-see-no-evidence-supporting-her-voting-machine-claims>

Sent 2020-11-22 11:04:57 PM UTC FROM:

Tucker Carlson -

That cunt. I hope she's punished.

Sent 2020-11-22 11:06:55 PM UTC FROM:

Redacted

I'm going to destroy her.

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**PARTICIPANTS:** Laura Ingraham - [REDACTED]; Tucker Carlson - [REDACTED]; Tucker Carlson - [REDACTED]

Sent 2020-11-18 01:33:20 PM UTC FROM: Tucker Carlson - [REDACTED]

Sidney Powell is lying by the way. I caught her.

Sent 2020-11-18 01:33:25 PM UTC FROM: Tucker Carlson - [REDACTED]

It's insane.

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**PARTICIPANTS:** Tucker Carlson - [REDACTED]; Tucker Carlson - [REDACTED]; Unknown - [REDACTED]

**PARTICIPANTS:** Tucker Carlson - [REDACTED]; Tucker Carlson - [REDACTED]; Unknown - [REDACTED]

Have and "other sources" of Trump's bid term:

"Only New York" and by "the" (with including "memory of Donald Trump's bid term")

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Sent 2020-11-21 12:18:19 AM UTC FROM: Tucker Carlson - [REDACTED]

Bingo. Happy to explain, but I never want to lower ourselves if we can help it. A redacted Venezuelan affidavit? **It's ludicrous.**

For what it's worth, our clients don't know who it's from. They asked someone to read it or whatever but we being ourselves we used to find this to be false. But I completely get it. Hope Trump work is out first for the weekend and all is settled.

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Ex.171  
FNN035\_03890767



# "Shame We Have to Pretend the Case Has Any Shot At All"

**PARTICIPANTS:** Tucker Carlson - [REDACTED]; Tucker Carlson - [REDACTED]; Unknown - [REDACTED]

Sent 2020-11-22 02:50:56 AM UTC FROM: Tucker Carlson - [REDACTED]

I just heard that Powell claims she's representing herself. This is nuts.

Sent 2020-11-22 02:54:23 AM UTC FROM: Unknown - [REDACTED]

This is all so absurd.

Sent 2020-11-22 02:55:48 AM UTC FROM: Unknown - [REDACTED]

Shame we have to pretend the case has any shot at all. She just attacked us again and said on newsmax that you had a "temper tantrum" over text. Maybe not best to continue engaging but we drew first blood so we are in it. Should you show the texts?

Sent 2020-11-22 02:56:44 AM UTC FROM: Unknown - [REDACTED]

Isnt this the emperor's new clothes idiom in real life?

Sent 2020-11-22 02:57:12 AM UTC FROM: Tucker Carlson - [REDACTED]

Nutcase.

# Carlson Knew What Lindell Would Say



Tucker Carlson

Host

Tucker Carlson Tonight



Ex. 105

197:19-198:4

Q. Did you tell your audience in that segment or any other that you had not seen – you personally had not seen the evidence that Mr. Lindell referenced on your show?

**A. As far as I know, Mike Lindell makes that same claim every single day of the year on his website and any interview that he does. I believe it is universally known by people who know anything about Mike Lindell that he believes this, and so it didn't strike me and does not strike me now as a topic that required more comment from me.**



# Dobbs Cannot Host Lindell on January 26

PARTICIPANTS: [REDACTED] [REDACTED] [REDACTED]

Sent 2021-01-26 04:42:17 PM UTC FROM: Jeff Field - [REDACTED]

We CANNOT have lindell per management

Sent 2021-01-26 04:42:33 PM UTC FROM: Jeff Field - [REDACTED]

He was kicked off Twitter for dominion and election stuff

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Ex.499



# Carlson Team Discusses Lindell Broadcast

**PARTICIPANTS:** Alexander McCaskill, [REDACTED], Zach Wilk, [REDACTED], Kelly McNally Erney, [REDACTED], Ron Mitchell, [REDACTED], Thomas Fox, [REDACTED], Unknown, [REDACTED]

Sent 2021-01-26 12:13:24 PM UTC FROM: Kelly McNally Erney - [REDACTED]

Good morning all! Mike Lindell was pitched last night, for stores having pulled his product, and Tucker approved it. I see the news this morning that his Twitter has been suspended. I just wanted to flag all of this, because is he someone we'd want to have on? Seems like something Tucker could mention in the morning note so wanted to get ahead of it.

Sent 2021-01-26 12:14:00 PM UTC FROM: Kelly McNally Erney - [REDACTED]

(Lindell seems to have really gone off the deep end)

He's definitely crazy but this'll be a big story today. They're trying to completely shut the guy down

Sent 2021-01-26 12:15:39 PM UTC FROM: Thomas Fox - [REDACTED]

He's definitely crazy but this'll be a big story today. They're trying to completely shut the guy down

Sent 2021-01-26 01:04:15 PM UTC FROM: Unknown - [REDACTED]

I'm going to have a conversation w Raj in the next few minutes. I'll take the temperature there but for the time being — we should put the brakes on it.

Sent 2021-01-26 02:44:36 PM UTC FROM: Alexander McCaskill - [REDACTED]

Copy. I know there's concern about Lindell being a conspiracy theorist now. But he has bailed us out loads of times when no one else would. I think there's a way we can concentrate on cancel culture rather than his wild claims.

Sent 2021-01-26 02:45:13 PM UTC FROM: Alexander McCaskill - [REDACTED]

And he's also been moving to newsmax lately. Might be a good business move to signal that we wouldn't desert him.

Sent 2021-01-26 02:45:49 PM UTC FROM: Kelly McNally Erney - [REDACTED]

Yeah. I do see the point that more exposure of him also means more people dropping him potentially. And if no one is buying him, he loses money to be able to advertise with us. And then we lose our biggest advertiser!

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Ex.507

# "WTF Is He Going to Say On Our Air"



Sent 2021-01-26 03:52:13 PM UTC FROM: Alex Pfeiffer - [redacted]

mike lindell is crazy and about to get sued by dominion

Sent 2021-01-26 03:52:21 PM UTC FROM: Alex Pfeiffer - [redacted]

wtf is he going to say on our air

Ex.508

# Rupert: "Wrong If He Didn't Contest It"



Rupert Murdoch

Co-Chairman  
Fox Corporation



Ex. 600  
345:4-8

Q. It was wrong for Tucker to host Mike Lindell to repeat those allegations against Dominion on January 26th, 2021; correct?

**A. Wrong if he didn't contest it.**



# "Do Not Think Tucker Pushed Back on the Fraud Claims"

**From:** Burnham, Emily (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=794A43A0D38D4C83A871A4CC7646A637-BURNHAM, EM>  
**To:** Glancey, Tessica (FoxNews); 100 -Media Relations  
**Sent:** 1/26/2021 8:20:55 PM  
**Subject:** RE: Mike Lindell

Hi didn't - just wrapped. Thank you

**From:** Glancey, Tessica  
**Sent:** Tuesday, January 26, 2021 8:20 PM  
**To:** 100 -Media Relations <[REDACTED]>  
**Subject:** RE: Mike Lindell

Also, do not think Tucker pushed back on the fraud claims but will re-watch.

**From:** Glancey, Tessica <[REDACTED]>  
**Sent:** Tuesday, January 26, 2021 8:20 PM  
**To:** 100 -Media Relations <[REDACTED]>  
**Subject:** Mike Lindell

Just said he has evidence of fraud and said that he dares Dominion to sue him so that they can all find it out sooner. Connor, can you please pull the full segment?

Exhibit  
3529

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**From:** Burnham, Emily (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=794A43A0D38D4C83A871A4CC7646A637-BURNHAM, EM>  
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# Jeanine Pirro and Team Had Actual Malice

# "Reckless Maniac"

**From:** jerry.andrews [REDACTED]  
**To:** Clark, David  
**Sent:** 11/13/2020 5:51:56 PM  
**Subject:** Re: [EXTERNAL] Setting The Record Straight: Facts & Rumors

Reckless maniac.

Sent from my iPhone

On Nov 13, 2020, at 5:54 PM, I

Got it

David Clark-SVP, Fox News

**From:** Andrews, Jerry [REDACTED]  
**Sent:** Friday, November 13, 2020  
**To:** Clark, David [REDACTED]  
**Subject:** Fwd: [EXTERNAL] Set

FYI

Sent from my iPhone

Began forwarded message:

**From:** Justice Piro [REDACTED]  
**Date:** November 13, 2020 at 1:20  
**To:** "Andrews, Jerry" [REDACTED]  
**Subject:** Re: [EXTERNAL] Se

I will do what history makes me  
do!

Sent from my iPhone

On Nov 13, 2020, at 4:36 PM, A

We will need to include part of

Sent from my iPhone

Began forwarded message:

**From:** "Turner, Hayley" [REDACTED]  
**Date:** November 13, 2020 at 1:50:15 PM EST  
**To:** 009 -Politics [REDACTED] 104 -NationalDesk [REDACTED] 104  
-JUN DC Assign [REDACTED] 041-WHUNIT [REDACTED] 050  
-Senior Producers [REDACTED] 504-TerritorialRadio

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**From:** jerry.andrews [REDACTED]  
**To:** Clark, David  
**Sent:** 11/13/2020 5:51:56 PM  
**Subject:** Re: [EXTERNAL] Setting The Record Straight: Facts & Rumors

Reckless maniac.

Ex.457



# Justice with Judge Jeanine

**From:** Scott, Suzanne </O=EXC/MAILS/CLASSROOMS/ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=58F66A247504144880A971D10413E-SUZANNE.SCO>  
**To:** Murdoch, Rupert  
**Sent:** 11/19/2020 5:09:38 PM  
**Subject:** Re: Giuliani

yes Sean and even Pirro agrees  
spoke to Hope will update you tomorrow

**From:** Murdoch, Rupert  
**Sent:** Thursday, November 19, 2020 5:08 PM  
**To:** Scott, Suzanne  
**Subject:** Giuliani

Yvette will discuss everything. Let  
Patrick bring up the items from the  
Talk tomorrow I hope  
Scott from an iPhone

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**From:** Murdoch, Rupert <[REDACTED]>  
**Sent:** Thursday, November 19, 2020 5:08 PM  
**To:** Scott, Suzanne [REDACTED]  
**Subject:** Giuliani.

**Terrible stuff damaging everybody. I fear.**  
Probably hurting us too. Seems chaotic.  
Talk tomorrow I hope.

**From:** Scott, Suzanne </O=EXC/MAILS/CLASSROOMS/ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=58F66A247504144880A971D10413E-SUZANNE.SCO>  
**To:** Murdoch, Rupert  
**Sent:** 11/19/2020 5:09:38 PM  
**Subject:** Re: Giuliani.

**yes Sean and even Pirro agrees.**  
spoke to Hope will update you tomorrow.

From: Andrews, Jerry (FBIHQ) <JEROME.ANDREWS@FBIHQ>  
To: Justin Piro  
CC: Lase, Tim (FBIHQ), Clark, David (FBIHQ)  
Sent: 11/14/2020 2:43:11 PM  
Subject: FW: OPEN

A lot of problems and not a lot of time to fix. FBI would accordingly expect

From: Austin, Kerry-Ann  
Sent: Saturday, November 14, 2020 2:41 PM  
To: Andrews, Jerry [REDACTED]  
Subject: Re: OPEN

Hi Jerry  
Just finished

**Claim:** On election night around midnight president trump was ahead in Pennsylvania, Michigan and Wisconsin and all of a sudden the counting stopped

**INCORRECT**

According to info emailed out on election night from our own reporters the count in at least 2 of the states stopped at midnight. Additionally, a transcript search shows that numbers from Michigan and Wisconsin on election night were all in favor of Biden. Additionally all three states count mail in ballots last. Mail in ballots overwhelmingly favored Vice President Biden. Ballot counters in Michigan also assert that Republican poll watchers challenging "every ballot" counted.

See email from Courtney Crawford & Aisha Haines from Nov 4 12:20 am and Nov 3 11:41 am for Factiva Transcript search CHN

NY Times: In Detroit, Republican poll watchers are accused of using lawsuits to challenge Biden's lead. [https://www.nytimes.com/2020/11/14/us/politics/detroit-republican-poll-watchers.html](#)

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From: Austin, Kerry-Ann  
Sent: Saturday, November 14, 2020 2:41 PM  
To: Andrews, Jerry [REDACTED]  
Subject: Re: OPEN

Hi Jerry  
Just finished

**Claim:** On election night around midnight president trump was ahead in Pennsylvania, Michigan and Wisconsin and all of a sudden the counting stopped.

**INCORRECT**





# Justice with Judge Jeanine

**From:** Andrews, Jerry (FoxNews) <O=I (FYDIBOHF23SPDLT)/CN=RECI ANDREWS, JE>  
**To:** Clark, David (FoxNews)  
**Sent:** 11/20/2020 12:09:25 PM  
**Subject:** FW: open

This is completely crazy.

**From:** Lisker, Tim  
**Sent:** Friday, November 20, 2020 11:29 AM  
**To:** Andrews, Jerry  
**Subject:** open

For four years we listen to unsupported allegations of a conspiracy by a foreign government to interfere with our presidential election... that Russia stole the election of 2016 implanting their Russian asset Donald Trump as president of the United States. For four years we were told Trump was a Putin puppet.

A Russian asset. And that we must do everything to get rid of him. Almost on a daily basis the democat members in congress put on their conspiracy show as congressman like Adam Schiff boomed pontificated about real evidence... evidence they had seen with their own eyes... evidence that required Donald Trump be gone because America and democracy were at stake.

Never ever... not once did we see a scintilla of evidence, never. We were supposed to take it all on faith. They put the president and the country through hell as the work of congress was halted and as the media everyday reminded us we were getting closer and closer to the big Russian reveal that fizzled much like rob Mueller did when he testified there was nothing.

And then the members took another show down to the sub-basement of the capitol where the members regaled each other with fantasies of foreign interference in their medieval star chamber.

But now come the president's lawyers pointing to an organized criminal enterprise... a conspiracy by democrats especially in union controlled and corrupted by democrats. Come the president's lawyers with allegations of a company called dominos which started in Venezuela with Cuban money and with the assistance of smartwits they smuggle are capsule through a back door of flipping votes through software. Come the president's lawyers alleging that American votes in a presidential election are actually counted in foreign countries.

The media has no interest in any of this but I do and you should as well. 73 million Americans voted for Donald Trump. We took seats in the house they said would be won in the democat blue wave that never came and so far

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**From:** Andrews, Jerry (FoxNews) </O=I (FYDIBOHF23SPDLT)/CN=RECI ANDREWS, JE>  
**To:** Clark, David (FoxNews)  
**Sent:** 11/20/2020 12:09:25 PM  
**Subject:** FW: open

This is completely crazy.

# Fact Check of False Claim Prior to Nov 21 Show

From: Austin, Kerry-Ann  
To: Escherich, John; Schlageter, Mary; Ward, Kevin; Stein Lesskis, Courtney; Andrews, Jerry  
Sent: 11/20/2020 2:32:10 PM  
Subject: Re: open

Hi Jerry  
Here is my part of the script check.

**Claim:** But now come the president's lawyers pointing to an organized criminal enterprise... a conspiracy by democrats especially in cities controlled and corrupted by democrats. Come the president's lawyers with allegations of a company called dominion which started in Venezuela with Cuban money and with the assistance of smartmatic they allege are capable through a back door of flipping votes through software. Come the president's lawyers alleging that American votes in a presidential election are actually counted in foreign countries.

INCORRECT/CANNOT CONFIRM

Dominion Voting Systems did not begin in Venezuela, it was founded in Toronto in 2002. A different voting machine firm, Smartmatic was founded by 3 Venezuelan engineers. Smartmatic has been accused of having close ties to the Venezuelan government. According to Dominion, Smartmatic is one of their "fiercest competitors". The only verifiable link between the two companies is that Smartmatic and Dominion both purchased Sequoia Voting Systems a private U.S. Company at different times. Smartmatic sold Sequoia in 2007 after Rep. Carolyn Maloney raised national security concerns. Dominion purchased certain assets from Sequoia in 2010 which according to Dominion led to Smartmatic suing them. Additionally, Smartmatic was only used in Los Angeles County in this election, according to a company spokesperson. I cannot confirm whether can be "flipped" through software.

Blair/Walsh: Trump Critics Voting Tech Firm With Damage of Disclosure Claims Nov 17, 2020  
<https://www.washingtonpost.com/news/technology/wp/2020/11/17/trump-critics-voting-tech-firm-with-damage-of-disclosure-claims/>

Re: Carolyn Maloney: Smartmatic: Announces Sale of Sequoia Voting Systems Nov 8, 2007  
<https://www.congress.gov/records/2007/11/08/smartmatic-announces-sale-of-sequoia-voting-systems>

Dominion Voting: Setting The Record Straight: Facts & Figures November 17, 2020  
<https://www.dominionvoting.com/>

From: "Escherich, John" <[REDACTED]>  
Date: Friday, November 20, 2020 at 2:29 PM  
To: "Schlageter, Mary" <[REDACTED]>; "Austin, Kerry-Ann" <[REDACTED]>; "Courtney, Stein Lesskis" <[REDACTED]>; "Ward, Kevin" <[REDACTED]>; "Andrews, Jerry" <[REDACTED]>  
Subject: RE: open

Hi Jerry,

My colleague Kerry-Ann is looking at the first thing you linked about Dominion, she will follow up with that fact check. I looked at the rest of the open (including the other links you sent), and here are the parts I thought could use some

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ATTORNEYS' EYES ONLY. NOT FOR PUBLIC RELEASE EXCEPT BY PRIOR COURT ORDER. R746001\_20001208

From: Austin, Kerry-Ann  
To: Escherich, John; Schlageter, Mary; Ward, Kevin; Stein Lesskis, Courtney; Andrews, Jerry  
Sent: 11/20/2020 2:32:10 PM  
Subject: Re: open

Hi Jerry  
Here is my part of the script check.

**Claim:** But now come the president's lawyers pointing to an organized criminal enterprise... a conspiracy by democrats especially in cities controlled and corrupted by democrats. Come the president's lawyers with allegations of a company called dominion which started in Venezuela with Cuban money and with the assistance of smartmatic they allege are capable through a back door of flipping votes through software. Come the president's lawyers alleging that American votes in a presidential election are actually counted in foreign countries.

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**From:** Escherich, John [REDACTED]  
**Sent:** Friday, November 20, 2020 2:29 PM  
**To:** Schlageter, Mary [REDACTED]; Austin, Kerry-Ann <[REDACTED]>M>;  
Ward, Kevin [REDACTED]; Stein Lesskis, Courtney <[REDACTED]>;  
Andrews, Jerry [REDACTED]>  
**Subject:** RE: open

Hi Jerry,

My colleague Kerry-Ann is looking at the first thing you bolded about Dominion, she will follow-up with that fact check.

I looked at the rest of the open (including the other bolded parts), and here are the parts I thought could use some additional context / fact-checking. Just let me know if you have any questions on this.

**CLAIM: "Why was there an overnight popping of vote tabulation that cannot be explained?"**

**FACT CHECK / CONTEXT**

As noted above, in general, these spikes can be easily accounted for in the timing of the release of large batches of results for big cities like Milwaukee and Detroit, which are always skewed heavily Democratic. They are not evidence of fraud.

Ex.160

From: Clark, David  
To: Andrews, Jerry  
Sent: 11/20/2020 3:00:43 PM  
Subject: RE: open

I addressed:  
David Clark -SVP, Fox News

From: Andrews, Jerry [REDACTED]  
Sent: Friday, November 20, 2020 2:58:55 PM  
To: Clark, David [REDACTED]  
Subject: FW: open

She is refusing to identify, change the open despite the fact they do not legally mean that the affidavit can't be used. I guess

From: Escherich, John [REDACTED]  
Sent: Friday, November 20, 2020 2:29 PM  
To: Schlageter, Mary [REDACTED]; Austin, Kerry-Ann <[REDACTED]>M>;  
Ward, Kevin [REDACTED]; Stein Lesskis, Courtney <[REDACTED]>;  
Andrews, Jerry [REDACTED]>  
Subject: RE: open

Hi Jerry,

My colleague Kerry-Ann is looking at the first thing you bolded about Dominion, she will follow-up with that fact check.

I looked at the rest of the open (including the other bolded parts), and here are the parts I thought could use some additional context / fact-checking. Just let me know if you have any questions on this.

Best,  
John

\*\*\*\*\*

CLAIM: "He described election night absurd increases in Biden votes in Detroit where 100,000 ballots and

FACT CHECK / CONTEXT

Clark appears to be citing an affidavit from Andrew Sisto, a Republican chair

Sisto claimed that he "heard from other the TCF Center in Detroit.

The judge found that Sisto's affidavit "lacked any credible evidence" and "was not credible."

THIS DOCUMENT  
ATTORNEYS EYES ONLY



# Andrews to Clark: "Jeanine Is Just As Nuts"

From: Andrews, Jerry (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A9B3A66C2E00415EA266CD28461702D3-ANDREWS, JE>  
To: Clark, David (FoxNews)  
Sent: 11/22/2020 3:23:09 AM  
Subject: Re: [EXTERNAL] Trump Attorney Powell says Georgia is first state she is "going to blow up" in relation to fraud accusations: Andrew Feinberg, Reporter via Twitter

Return to post as well

Get Outlook for iOS

From: Clark, David [REDACTED]  
Sent: Saturday, November 21, 2020 10:11:30 PM  
To: Andrews, Jerry [REDACTED]  
Subject: Fwd: [EXTERNAL] Trump Attorney Powell says Georgia is first state she is "going to blow up" in relation to fraud accusations: Andrew Feinberg, Reporter via Twitter

Crazy town - glad HP didn't have her or Rudy!

David Clark - SVP, Fox News

From: Dateline Urgent [REDACTED]  
Sent: Saturday, November 21, 2020 9:55:23 PM  
To: Clark, David [REDACTED]  
Subject: [EXTERNAL] Trump Attorney Powell says Georgia is first state she is "going to blow up" in relation to fraud accusations: Andrew Feinberg, Reporter via Twitter

**From:** Andrews, Jerry (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A9B3A66C2E00415EA266CD28461702D3-ANDREWS, JE>  
**To:** Clark, David (FoxNews)  
**Sent:** 11/22/2020 3:23:09 AM  
**Subject:** Re: [EXTERNAL] Trump Attorney Powell says Georgia is first state she is "going to blow up" in relation to fraud accusations: Andrew Feinberg, Reporter via Twitter.

Jeanine is just as nuts.

United States | 08:14pm November 21, 2020 PST | [REDACTED]

**Trump Attorney Powell says Georgia is first state she is "going to blow up" in relation to fraud accusations: Andrew Feinberg, Reporter via Twitter**

[REDACTED]

Powell: "Georgia is probably going to be the first state I'm going to blow up and, and Mr Kemp and the Secretary of State need to go with it."

Andrew Feinberg @AndrewFeinberg

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# Lou Dobbs and Team Had Actual Malice

# Dobbs Also Receives the "Wackadoodle" Email

From: Sidney Powell  
Sent: Sunday, November 1, 2020 12:04 PM EST  
To: Sidney Powell  
Subject: Election Fraud Info

I just spoke to Eric & told him you gave very imp info

Sent from my iPhone

On Nov 7, 2020, at 6:00 PM, Sidney Powell <sidney@federalappeals.com> wrote:

Sidney Powell  
[www.SidneyPowell.com](http://www.SidneyPowell.com)  
Federal appellate attorney and author of LICENSED TO LIE & co-author of CONVICTION MACHINE.

----- Forwarded message -----

From: Marlene Bourne  
Date: Sat, Nov 7, 2020, 5:07 PM  
Subject: Election Fraud Info  
To: <sidneypowell@>, <tfitton>  
<lou>

Dear Mrs. Powell, Mr. Fitton, and Mr. Dobbs:

I was told to email you the following pieces of information:

You're probably already aware of voting irregularities in a number of states, which have one common thread: Dominion Voting Systems.

Don't you find it curious that Nadearn Eldham, Nancy Pelosi's longtime Chief of Staff is a key executive there, and that Richard Blum, Senator Feinstein's husband, is not only a significant shareholder of that company, but in Avsd Technologies as well?

As a point of reference...back in 2009, Diebold sold their election machines division. An anti-trust suit was immediately filed that conveniently ensured that, in 2010, Dominion Voting Systems would acquire the assets "in order to restore competition". With the acquisition of another large California election machine company in the same timeframe, that gave Dominion an even bigger monopoly than Diebold ever had - yet no one has ever filed an anti-trust suit against them. Friends in high places indeed.

But the monopoly isn't necessarily the issue - it's the software. A piece of code was inserted such that, once ballots were fed into the database for tabulation, up to 3% of votes for Mr. Trump would automatically switch to Mr. Biden; this was capped at 3% because it was

From: Marlene Bourne <>

Date: Sat, Nov 7, 2020, 5:07 PM

Subject: Election Fraud Info

To: <sidneypowell@>, <tfitton>, <lou>

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I was told to email you the following pieces of information:

You're probably already aware of voting irregularities in a number of states, which have one common thread: Dominion Voting Systems.

But the monopoly isn't necessarily the issue - it's the software. A piece of code was inserted such that, once ballots were fed into the database for tabulation, up to 3% of votes for Mr. Trump would automatically switch to Mr. Biden; this was capped at 3% because it was supposedly determined that anything higher than that would raise suspicions, but that 3% would be enough to tip a tight race.

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DOMINION-FGX000292





Lou Dobbs

Host  
Lou Dobbs Tonight



Ex. 111  
69:13-16

Q. Now, you, Lou Dobbs, had not seen verifiable, tangible support for any of those claims that I just read, had you?

**A. Had I? No.**

# November 12: Hooper Aware of NYT Fact Check

From: Hooper, Alexander </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8CD521F2E4845A1BE3863C43B809DF0-HOOPER, ALE>  
To: Hooper, Alexander  
Sent: 11/12/2020 3:05:05 PM  
Subject: DOMIN

Alexander Hooper  
Tina Dobbs, Tonight | Fox Business  
1231 Ave of the Americas | New York, NY  
E: [REDACTED]  
W: [REDACTED]

From: Hooper, Alexander </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8CD521F2E4845A1BE3863C43B809DF0-HOOPER, ALE>  
To: Hooper, Alexander  
Sent: 11/12/2020 3:05:05 PM  
Subject: DOMIN

<https://www.nytimes.com/2020/11/11/technology/no-dominion-voting-machines-did-not-cause-widespread-voting-problems.html>

EXHIBIT  
Ex. 160

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Ex.322  
FNN001\_00000340



Alexander Hooper

Senior Producer



Ex. 124  
86:22-92:20

- Q. So in doing so you or someone on the Lou Dobbs team would have clicked on all the links in those Setting the Record Straight emails; fair to say?
- A. It's fair to say that we would have gone through these, yes.**



# November 16: Dobbs Team Sees AP Fact Check

**From:** Schaffer, Eric </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8CB0B78440324C0E8076A4DA6CA9F9E1-SCHAFFER, E>  
**To:** Field, Jeff; Hooper, Alexander  
**Sent:** 11/16/2020 12:26:54 PM  
**Subject:** AP ON WHO OWNS DOMINION

<https://apnews.com/article/election-2020-joe-biden-us-news-media-michigan-43bdaa186e3b8d9d897cae3bd0c6cdc0>

It's privately held and does not disclose its finances. But in an April letter responding to a request by the House Committee on Administration, Dominion CEO John Paulos said Dominion is 75.2% owned by the New York-based private equity firm Staple Street Capital and that he, a Canadian citizen, holds a 12% stake. No other investor owns more than a 5% stake, he said.

**From:** Schaffer, Eric </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8CB0B78440324C0E8076A4DA6CA9F9E1-SCHAFFER, E>  
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Ex.439  
FN001\_00001079

# Nov 16: Dobbs and Team Receive Notice from Ed Rollins

**From:** McCarton, Anne (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=960BA3190CF44D5C858AC7D1E923AB44-MCCARTON, A>  
**To:** Field, Jeff (FoxNews); Hooper, Alexander (FoxNews)  
**Sent:** 11/16/2020 9:53:45 AM  
**Subject:** Fwd: [EXTERNAL] Tonight

Anne McCarton  
Senior Blogger  
Fox Business  
"Lou Dobbs Tonight"  
1000 Live @ 5pm

Begin forwarded message:

**From:** ED ROLLINS [REDACTED]  
**Date:** November 16, 2020 at 9:51:01 AM EST  
**To:** "McCarton, Anne" [REDACTED]  
**Subject:** [EXTERNAL] Tonight

Anne,  
I don't know when and if I am going on Lou's show again.  
Let me state what I believe. Biden won the election. I have seen or heard of no evidence of fraud. The conspiracy theories put forth by Rudy and Sidney are all bullshit. She's never been near an election or a campaign in her life. Rudy has at least been elected. This is all propaganda and destructive to the political process that I have spent my life participating in. I supported Trump and will support the progress of his administration. I also support valid challenges to anything that is improper or illegal. To date I repeat I have not seen anything that fits that measure. These are my beliefs and I'm not going to alter them without real evidence. Just wanted to state my concerns. All my best out.

Sent from my iPad

EXHIBIT  
Ex. 551

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**From:** McCarton, Anne (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=960BA3190CF44D5C858AC7D1E923AB44-MCCARTON, A>  
**To:** Field, Jeff (FoxNews); Hooper, Alexander (FoxNews)  
**Sent:** 11/16/2020 9:53:45 AM  
**Subject:** Fwd: [EXTERNAL] Tonight

**From:** ED ROLLINS [REDACTED]  
**Date:** November 16, 2020 at 9:51:01 AM EST  
**To:** "McCarton, Anne" [REDACTED]  
**Subject:** [EXTERNAL] Tonight

Anne,  
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# Nov 16: Dobbs and Team Receive Notice from Ed Rollins

From: Mccarton, Anne (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=960BA3190CF44D5C858AC7D1E923AB44-MCCARTON,A>  
To: LOU DOBBS  
Sent: 11/16/2020 10:21:55 AM  
Subject: Fwd: [EXTERNAL] Tonight

If you are not a recipient, please stop here.

On Nov 16, 2020, at 9:51 AM, ED ROLLINS <[REDACTED]> wrote:

>>> Anne,  
>>> Let me state what I believe. Biden won the election. I have seen or heard of no evidence of fraud. The conspiracy theories put forth by Rudy and Sidney are all bullshitt. She's never been near an election or a campaign in her life. Rudy has at least been elected. This is all propoganda and destructive to the political process that I have spent my life participating in.  
>>> I supported Trump and still support the principals of his administration. I also support valid challenges to anything that is improper or illegal. To date I repeat I have not seen anything that fits that measure.  
>>> These are my beliefs and I'm not going to alter them without real evidence.  
>>> Just wanted to state my concerns. All my best /ed

This message and its attachments are confidential in nature and may be controlled by confidential information. It is intended solely for the named addressee. If you are not the addressee, you may not copy or disseminate this message or its attachments to anyone. Further, you should immediately notify the sender and the appropriate and timely notify the sender by email. No part of this message or its attachments that does not relate to the official business of the State of Florida shall be or be used to be used for any other purpose by anyone other than the intended recipient. If you are not the intended recipient, you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake. Do not respond to this e-mail. If you are not the named addressee, you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake. Do not respond to this e-mail.

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CONFIDENTIAL DOCUMENTS ARE NOT TO BE DISSEMINATED EXCEPT BY PRIOR COURT ORDER FNN018\_02359710

From: Mccarton, Anne (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=960BA3190CF44D5C858AC7D1E923AB44-MCCARTON,A>  
To: LOU DOBBS  
Sent: 11/16/2020 10:21:55 AM  
Subject: Fwd: [EXTERNAL] Tonight

Ed not right now obviously, sharing with you.

On Nov 16, 2020, at 9:51 AM, ED ROLLINS <[REDACTED]> wrote:

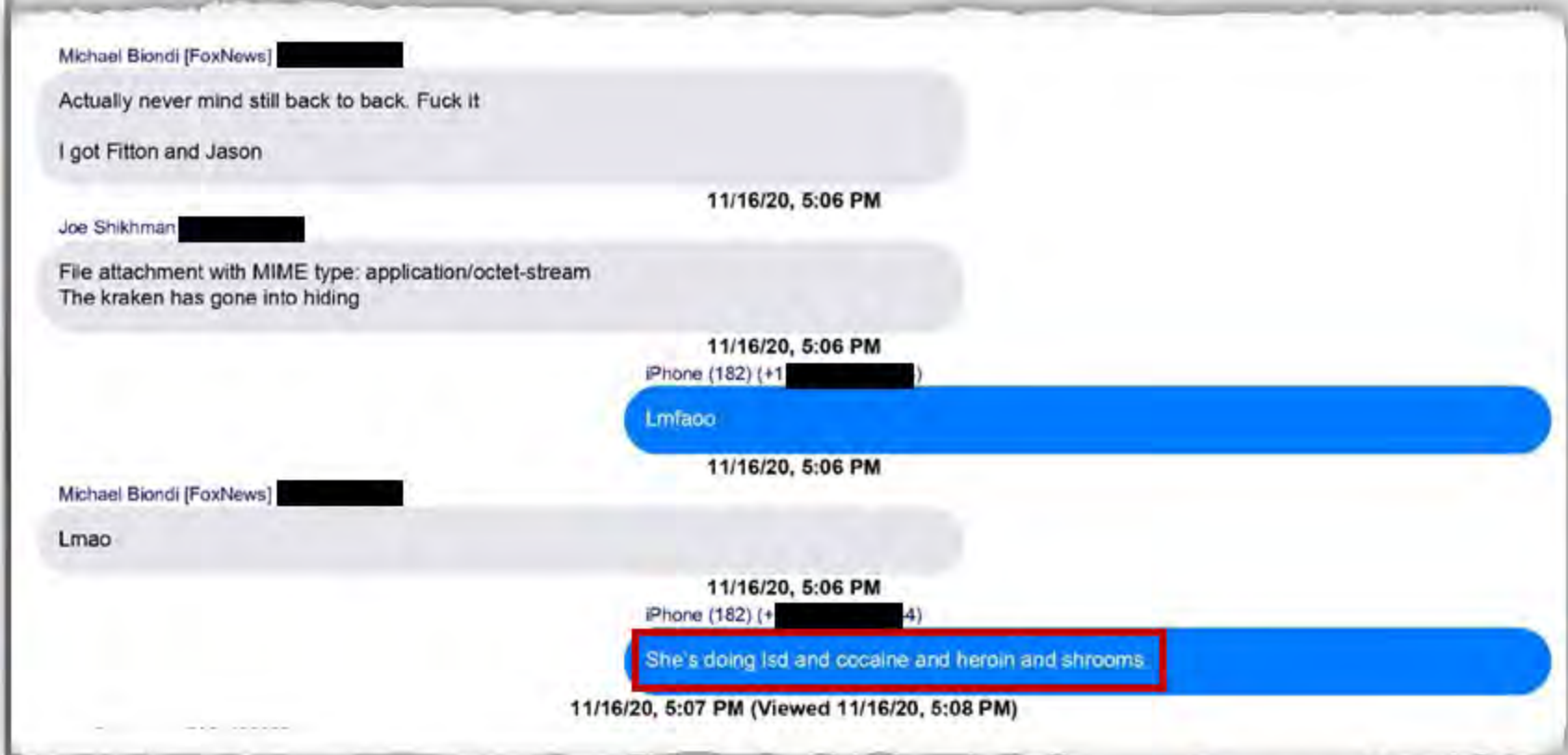
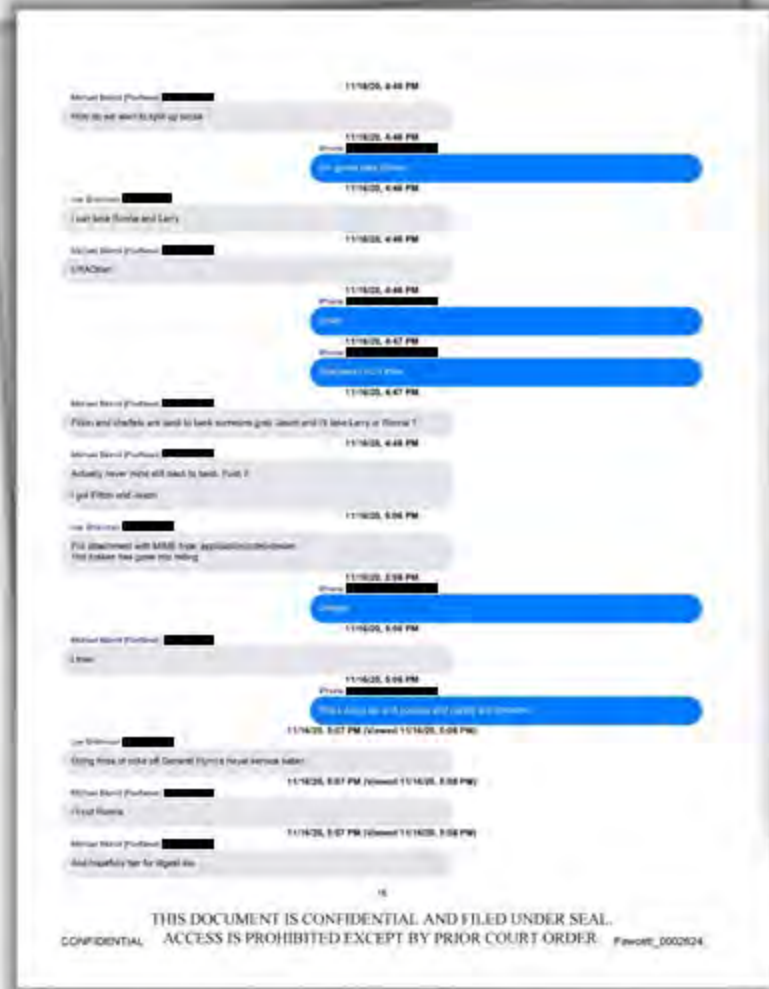
>>>  
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>>>  
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>>> Just wanted to state my concerns. All my best /ed

Ex.441

FNN018\_02359710



# Nov 16: Powell is "doing lsd and cocaine and shrooms"



Ex.442  
Fawcett\_0002624

# Nov 17: "To Keep This Alive We Really Need Rudy or Sidney"

**From:** Mccarton, Anne (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=960BA3190CF44D5C858AC7D1E923AB44-MCCARTON, A>  
**To:** Field, Jeff (FoxNews); Hooper, Alexander (FoxNews); Schaffer, Eric (FoxNews)  
**Sent:** 11/17/2020 5:13:08 PM  
**Subject:** RE: Dobbs

Agreed, we can decide in the am  
I mean to keep this alive we really need Rudy or Sidney

**From:** Field, Jeff [REDACTED]  
**Sent:** Tuesday, November 17, 2020 3:17 PM  
**To:** Mccarton, Anne [REDACTED]  
Schaffer, Eric [REDACTED]  
**Subject:** RE: Dobbs

Leah is the one that stands out to me in this one

**From:** Mccarton, Anne  
**Sent:** Tuesday, November 17, 2020 4:04 PM  
**To:** Field, Jeff [REDACTED]; Hooper, Alexander [REDACTED]; Schaffer, Eric [REDACTED]  
**Subject:** Dobbs

Tomorrow has some good names for the Commission

Law being AM RUDY and SIDNEY we need to have

Do the below names do anything for you - just for our staff working on the campaign

**From:** Mccarton, Anne (FoxNews) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=960BA3190CF44D5C858AC7D1E923AB44-MCCARTON, A>  
**To:** Field, Jeff (FoxNews); Hooper, Alexander (FoxNews); Schaffer, Eric (FoxNews)  
**Sent:** 11/17/2020 5:13:08 PM  
**Subject:** RE: Dobbs

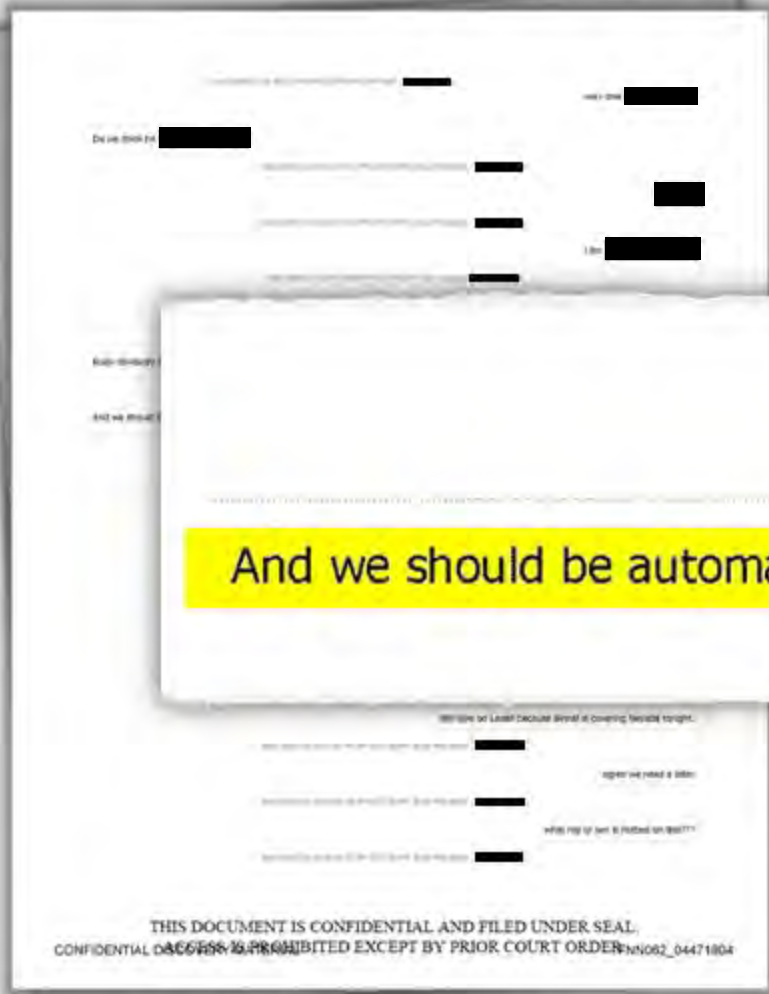
Agreed, we can decide in the am  
I mean to keep this alive we really need Rudy or Sidney

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Ex.258  
FNN019\_03561073

# Nov 18: "We should automatically be asking for Rudy and Sydney Every Day"

**PARTICIPANTS:** Alex Hooper - [REDACTED]; Alexander Hooper - [REDACTED]; Anne McCarton - [REDACTED]; Anne Woolsey - [REDACTED];  
Eric Schaffer - [REDACTED]; Jeff Field - [REDACTED]



Sent 2020-11-18 05:39:58 PM UTC FROM: Jeff Field - [REDACTED];

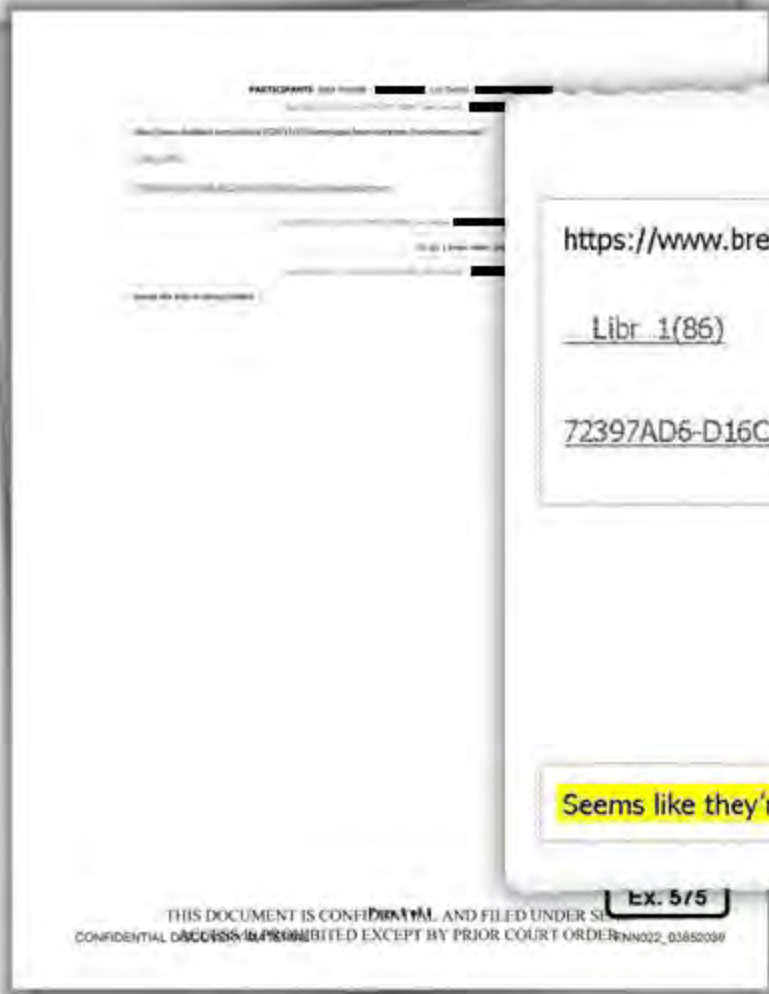
And we should be automatically asking for Rudy and Sydney every day

Ex.255  
FNN062\_04471804



# Nov 22: Dobbs and Producer : "Uh oh."; "Calling Bullshit"

**PARTICIPANTS:** John Fawcett - [REDACTED]; Lou Dobbs - [REDACTED]



Sent 2020-11-22 11:14:35 PM UTC FROM: John Fawcett - [REDACTED]

<https://www.breitbart.com/politics/2020/11/22/trump-legal-team-distances-from-sidney-powell/>

Libr\_1(86)

72397AD6-D16C-4E68-86C2-9381FA7DE4F8.pluginPayloadAttachment

Sent 2020-11-22 11:19:39 PM UTC FROM: Lou Dobbs - [REDACTED];

Uh oh. I knew when she didn't call back there was an issue. Oh boy.

Sent 2020-11-22 11:20:10 PM UTC FROM: John Fawcett - [REDACTED]

Seems like they're calling bullshit

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Ex. 5/5

Ex.444  
FNN022\_03852039

# Nov 23: "I honestly don't understand what she's thinking or doing"

**PARTICIPANTS:** John Fawcett - [REDACTED]; Lou Dobbs - [REDACTED]

PARTICIPANTS: John Fawcett - [REDACTED]

On Nov 23, 2020, at 12:52:25 AM UTC, Lou Dobbs - [REDACTED] wrote:

Sent 2020-11-23 12:52:25 AM UTC FROM: Lou Dobbs - [REDACTED]

I honestly don't know what she's thinking or doing. Or why!

Sent 2020-11-23 12:52:42 AM UTC FROM: John Fawcett - [REDACTED]

Could be losing her mind lol

Sent 2020-11-23 01:11:59 AM UTC FROM: John Fawcett - [REDACTED]

Still doesn't make sense

Sent 2020-11-23 01:28:58 AM UTC FROM: John Fawcett - [REDACTED]

I just don't think she is verifying anything she is saying

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Ex.445  
FNN022\_03852042

# Dec 9: Powell Lawsuits Dismissed



Lou Dobbs

Host  
Lou Dobbs Tonight



Ex. 111  
198:1-200:12; Ex. 449

Q. Did the fact that all of Ms. Powell's lawsuits were dismissed and that court after court had noted that she had failed to provide the court with factual support for her extraordinary claims affect her credibility or reliability in your eyes?

...

**A. Yes, I think.**



**From:** Shireen, Joe <OEXCHANGE@LABS/OEXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/O=RECIPIENTS/O=30090DERT0F04749B1E0C0B0341902B/SHKMAN >  
**To:** McCarton, Anne; Fawcett, John  
**CC:** Field, Jeff; Hooper, Alexander  
**Sent:** 12/10/2020 10:09:17 AM  
**Subject:** Re: Assignments, Grid, Stories

I have [REDACTED] will be adding to you and Anne.

Get Outlook for [REDACTED]

**From:** McCarton, Anne <[REDACTED]>  
**Sent:** Thursday, December 10, 2020 10:09:29 AM  
**To:** Fawcett, John <[REDACTED]>; Shireen, Joe <[REDACTED]>  
**Cc:** Field, Jeff <[REDACTED]>; Hooper, Alexander <[REDACTED]>  
**Subject:** Re: Assignments, Grid, Stories

and Sid's off today?"

Anne McCarton  
Senior Counsel  
Eris Business  
"Lou Dobbs Tonight"  
Eris Live at 5pm

On Dec 10, 2020, at 9:56 AM, McCarton, Anne <[REDACTED]> wrote:

Hi Jeff,

Do you have contacts [REDACTED]

Or do you know the transmission details yet?

**From:** Field, Jeff <[REDACTED]>  
**Sent:** Thursday, December 10, 2020 9:44 AM  
**To:** 179 - Lou Dobbs Tonight <[REDACTED]>  
**Subject:** Assignments, Grid, Stories

Not sure if Sidney comes through or not—her Kraken cases all dismissed.

Guests (Not in order):

[REDACTED]

<b>STORIES</b> -18 states now backing Texas petition to SCOTUS: Trump 2020 100	<b>BIZ</b> -FDA panel to vote on approving Pfizer/Biontech vaccine in US today
---	---

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**From:** Field, Jeff <[REDACTED]>

**Sent:** Thursday, December 10, 2020 9:44 AM

**To:** 179 - Lou Dobbs Tonight <[REDACTED]>

**Subject:** Assignments, Grid, Stories

Not sure if Sidney comes through or not—her Kraken cases all dismissed.

Ex.452

FNN001\_00003068

# "Cyber Pearl Harbor"

People need to get familiar with four names:

Two political leaders:

Jorge Rodríguez – he is the Communications Minister of Venezuela, and he's been the (public) main representative in Venezuela since the days of Chávez. He goes on TV down here daily to mock us. We have evidence that he has been the political leader of the election-stealing project, the "CEO" of it.

Khalil Majid Mazoub – He is a Venezuelan of Lebanese origin, who is the right hand and business front man of Jorge Rodríguez. He has been the effective "COO" of the election project, under Chávez and Maduro. Khalil is a liaison with Hezbollah.

Two technical experts:

Gustavo Reyes Zumeta – he is an American-born Venezuelan, who came up with the idea, and designed and created the programs. He also worked as the founder and consultant, in addition to other business ventures.

Antonio Mujica – CEO of Smartmatic. He is the face of the company now.

We now have contracts, program details, programming information and history.

We have a warning to the mainstream media: you have purposely sided with the forces that are trying to overthrow the US system. These four people and their collaborators executed an electoral 9-11 against the United States, with the cooperation and collusion of the media and the Democrat Party and China. It is a cyber Pearl Harbor.

We have identities, roles, and background of Dominion, Smartmatic people. This will turn into a massive RICO filing. It is Smartmatic, Dominion Voting Systems, Sequoia, IGO. If you come forward now to cooperate with law enforcement, you will be better off.

Cuba and Venezuela aligned with George Soros, the Chinese Communist Party, the Democrat party, and the American media against the will of the people of the US.

We have evidence linking all these companies together in legal documents, ownership structures, and sales of the companies. We already uncovered a Chinese investment of \$400,000,000 into Dominion, just 4 weeks before the election.

We now have corporate documents, the names of shareholders and amount of stock they own, their schedules and calendars, their messages to and from one another.

We have technical presentations that prove there is an embedded controller in every Dominion machine, that allows an election supervisor to move votes from one candidate to another. You've seen the video out of Georgia that's been on Twitter the last two days, with a woman demonstrating that capability.

**From:**

Sidney Powell [REDACTED] on behalf of Sidney Powell

**To:**

Lou Dobbs; Regan, Robert

**Sent:**

12/10/2020 4:34:09 PM

**Subject:**

HERE YOU GO

We have a warning to the mainstream media: you have purposely sided with the forces that are trying to overthrow the US system. These four people and their collaborators executed an electoral 9-11 against the United States, with the cooperation and collusion of the media and the Democrat Party and China. **It is a cyber Pearl Harbor.**

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Ex.450  
FBN013\_00125219

# Schreier Learns Too of Cyber Pearl Harbor

**PARTICIPANTS:** Gary Schreier - [REDACTED]; Jeff Field - [REDACTED]; Unknown - [REDACTED]

**PARTICIPANTS:** Gary Schreier - [REDACTED]; Jeff Field - [REDACTED]; Unknown - [REDACTED]

Lous wife just sent this to Eric and Alex. I think it's from Sidney and looks like she might be making these claims on the show. I don't have any evidence, I don't know what her evidence is. I told alex to make sure Lou pushes on the veracity of this. I find it odd that she claims to have this evidence but her cases are being thrown out. I just wanted to send to you so you weren't surprised if it happens

7/24/2013

Lous wife just sent this to Eric and Alex. I think it's from Sidney and looks like she might be making these claims on the show. I don't have any evidence, I don't know what her evidence is. I told alex to make sure Lou pushes on the veracity of this. I find it odd that she claims to have this evidence but her cases are being thrown out. I just wanted to send to you so you weren't surprised if it happens

EXHIBIT  
Ex. 170

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Ex.451  
FNN013\_00127002



# Testimony of Alexander Hooper



Alexander Hooper

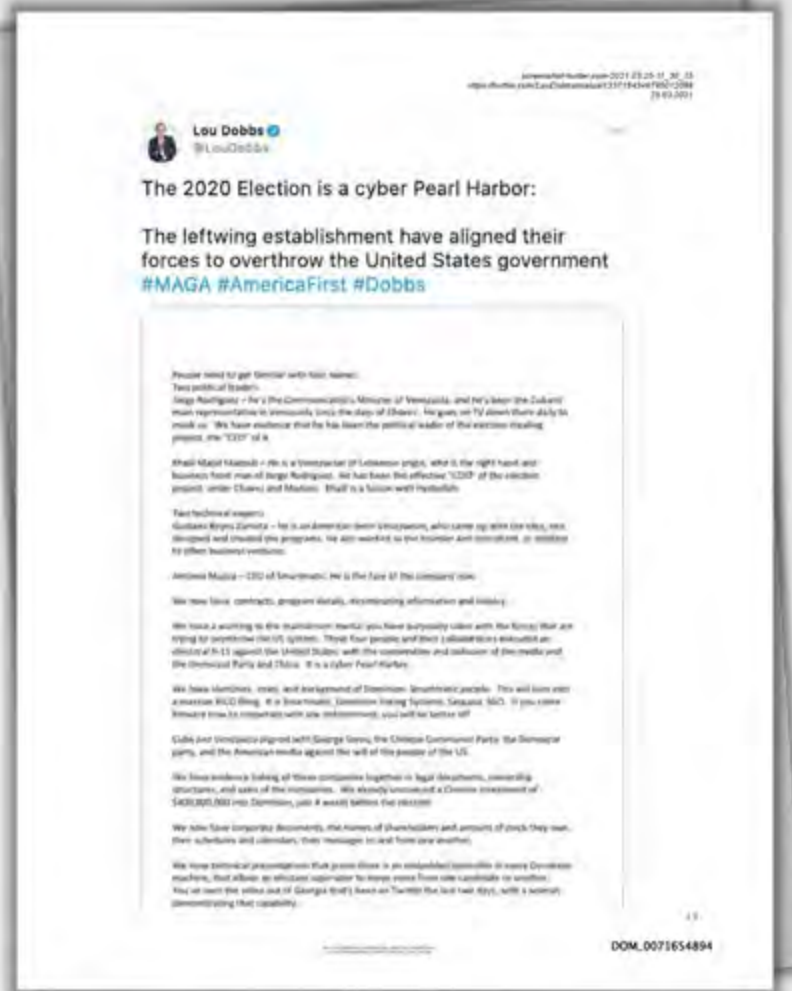
Senior Producer



Ex. 124  
118:21-22

**“I had reservations about putting it on air. I hadn't had time to look into the document, honestly.”**

# December 10 Tweet from Dobbs –Right Before Show



Ex. 16

# Testimony of Lou Dobbs



Lou Dobbs

Host  
Lou Dobbs Tonight



Ex. 111  
238:5-240:13

Q. The tweet states, **The 2020 election is a cyber Pearl Harbor.** The leftwing establishment have aligned their forces to overthrow the United States Government hashtag MAGA, hashtag America First, hashtag Dobbs; correct?

**A. Correct.**



# December 10 Tweet – Right After the Show



Ex. 18



# Testimony of Lou Dobbs



Lou Dobbs

Host  
Lou Dobbs Tonight



Ex. 111  
273:21-275:7

Q. In the moments after your 5:00 broadcast on December 10th, were you, Lou Dobbs, concerned that Sidney Powell had failed once again to meet the expectation of providing evidence to support her claims?

**A. I was disappointed, yes.**



# Sean Hannity and Team Had Actual Malice



# Hannity: "I did not believe it for one second"



Sean Hannity

Host  
The Hannity Show



Ex. 122  
322:19-21

Q. I was asking who else you considered in that group, sir, just names of the people that you considered to be F'ing lunatics at that point.

**A. *Just the people that were -- anybody that was involved in pushing that whole narrative that Sidney was pushing. I did not believe it for one second...***

# Testimony of Sean Hannity



Sean Hannity

Host  
The Hannity Show



Ex. 122  
398:2-9

Q. So, when she told you that because eyewitnesses to the vote rigging by Dominion were people who actually were threatened or in fear of something happening to them, and that's why they refused to give evidence, did you become even more skeptical of Sidney Powell because of that explanation?

**A. That was the nail in the coffin for me.**



# Hannity Knew It Was False Prior to Broadcast



Sean Hannity

Host  
The Hannity Show



Ex. 122  
417:3-6-13

Q. Sir, I think you testified when she said that to you on your radio show that afternoon, that was the nail in the coffin for you; right?

**A. For me it was, yes. I felt like there was never going to be forthcoming evidence.**

Q. And with that knowledge, you brought her on your show to make those same allegations onto your Fox News Primetime show; right?

**A. I thought it was beyond newsworthy because she had never said that [Powell would not produce evidence] publicly that I am aware of prior to that.**



# Hannity Knew What Powell Would Say



Sean Hannity

Host  
The Hannity Show



Ex. 122  
294:17-21, 295:11-15

Q. And you brought her on to talk both about the President's pardon of Michael Flynn and about her election fraud allegations; right?

**A. *I knew I would hit both topics. She was on my radio show earlier in that day as well, sir.***

\* \* \*

Q. So, the short answer is yes, you knew that when she came on your show that night, she was going to talk about her Dominion allegations?

**A. *The short answer is I knew I would ask her about that, yes, sir.***



# Fazio to Berry on Nov 12: "Laura Is Not Touching the Story bc It Started on 8chan"

PARTICIPANTS: Foster Berry [REDACTED] Tiffany Fazio [REDACTED] Tiffany Fazio [REDACTED]

See 2020-11-12 09:58:17 PM UTC FROM: Tiffany Fazio [REDACTED]

Are you ok to be on the call tonight?

See 2020-11-12 09:58:17 PM UTC FROM: Tiffany Fazio [REDACTED]

Laura is not touching dominion story bc it started on 8chan

See 2020-11-12 09:58:17 PM UTC FROM: Foster Berry [REDACTED]

Fig. A site said and not really said but you did

See 2020-11-12 09:58:17 PM UTC FROM: Foster Berry [REDACTED]

You should tell them that

See 2020-11-12 09:58:17 PM UTC FROM: Tiffany Fazio [REDACTED]

I figured I would do it on the phone. Neil found Ag. WD and others writing about dominion problems.

See 2020-11-12 09:58:17 PM UTC FROM: Foster Berry [REDACTED]

Used T. Fazio? I would do it on the phone. Neil found Ag. WD and others writing about dominion problems.

Sent 2020-11-12 09:58:17 PM UTC FROM: Tiffany Fazio [REDACTED]

Laura is not touching dominion story bc it started on 8chan

EXHIBIT  
205

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Ex.490



# Hannity: "We Need to Own the Dominion Story"

**PARTICIPANTS:** Porter Berry - [REDACTED] Robert Samuel - [REDACTED] Sean Hannity - [REDACTED] Tiffany Fazio - [REDACTED] Tiffany Fazio - [REDACTED]

Sent 2020-11-12 09:24:44 PM UTC FROM: Sean Hannity - [REDACTED]

The difference between Tuesday and Wednesday ratings is we had nothing new and less hard hitting imho. **We need to own the dominion story.** Project veritas stuff very interesting. Can we put on Richard Hopkins?

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Ex.226

FNN022\_03852183

## **Fox Corp Executives:**

- 1. Were in the chain of command**
- 2. Knew the broadcasts were airing**
- 3. Knew the claims about Dominion were false**
- 4. Allowed the false broadcasts to continue**



## CHAPTER VIII

### LIABILITY

**141. All Responsible.** All who take part in the procurement, composition and publication of a libel are responsible in law and equally so. As was said in an early case:

“I can see no objection against maintaining a joint action against several libellers . . . . But where several persons join in singing one and the same libellous song, it is an *entire offence* and one joint act done by them all.”

After pointing out the distinction between slander and libel, it continues:

“But with respect to libels, if one repeat and another write, and a third approve what is written, they are all makers of the libel, for all persons who concur, and show their assent or approbation to the doing of an unlawful act are guilty; and in this respect the murdering a man's reputation, by a scandalous libel, has been compared to murdering his person; where all who are assisting and encouraging in the act, are guilty of homicide, though the stroke be given by one only (5 Mod. 177).”<sup>1</sup> But the publication of a joint libel is but a single injury.<sup>1a</sup>



## Opinion of Justice Cardozo:

It was not his duty to edit or to approve or even to read the work of the reporters. He cannot be held as a joint tort-feasor. **If he had anything to do with the publication, the case would be different.** But he had nothing to do with it.

217 N.Y. 264, 111 N.E. 826

# Fox News Executive Staff at Time of Filing

## Fox News Executive Staff

- Rupert Murdoch  
Chairman, Fox Corporation
- Lachlan K. Murdoch  
Executive Chairman and Chief Executive Officer, Fox Corporation
- Suzanne Scott  
Chief Executive Officer, FOX News Media  
[View Bio](#)
- Joe Dorrego  
Executive Vice President, Chief Operating Officer and Chief Financial Officer, FOX News Media

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- Suzanne Scott  
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[View Bio](#)
- Joe Dorrego  
Executive Vice President, Chief Operating Officer and Chief Financial Officer, FOX News Media

EXHIBIT 3330

EXHIBIT 3330  
Page 14/14



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News



Ex. 759  
307:5-23

Q. [I]f a Fox Corporation executive is made aware of wrongful conduct happening and that executive can stop it, there is an obligation to stop it, correct?

**A. Right, if he is made aware of it.**

Q. Okay. And the same is true, sir, for Rupert Murdoch. If Rupert Murdoch is aware that there is wrongful conduct happening and Rupert Murdoch can stop it, there is an obligation to stop it, correct?

**A. If he's made aware of it, that's correct.**





Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
488:23-489:15

Q. You would agree with me that Mr. Rupert Murdoch has a broad understanding of what goes on at Fox News and the topics covered?

**A. I believe he has a broad understanding of the news that we're reporting. That Fox News is reporting, I'm sorry.**

Q. And same for Lachlan Murdoch, you would agree that Mr. Lachlan Murdoch has an understanding of what goes on in—at Fox News and the topics covered by Fox News?

**A. I believe Lachlan Murdoch also would have a broad understanding of the news stories that were covered.**



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
484:24-485:6

Q. And as we discussed yesterday, senior Fox Corporation executives certainly were aware that on Fox News there were these allegations being made, right?

**A. They were certainly aware that the allegations were being reported on Fox News.**





Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
270:16-272:6

Q. And both Rupert and Lachlan had an idea about the conspiracy theories that were being spread in the November and December time frame, correct?

**A. I think they were aware of President Trump's claims.**

Q. And they were also aware, sir, that those claims were being aired on Fox News?

**A. I don't know to what extent they were aware of the coverage on Fox News. I'm sure they were aware that we were covering the president's claims.**

Q. And Mr. Viet Dinh was also aware of the fact that Fox News was covering the conspiracy allegations, correct?

**A. I would assume he was.**

Q. And as a general part of Mr. Dinh's job in his communications hat, he would have seen the pushback that was happening about the election call, for example?

**A. I think as recipient of Raj's brand updates in those e-mails, he would be—as a recipient of that e-mail, he would have been aware.**



# Senior Fox Executives Made a Choice Not to Call The Claims False



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
332:7-334:2

Q. You would agree that, I think as we've discussed, the notion that these wild claims were out there and being made by people supporting the president was very much at the forefront of conversation, correct?

A. **Yes, it was certainly one of the more prominent news stories of the day during this time period.**

Q. And certainly Mr. Lachlan Murdoch could have said, even on broad level, to Ms. Scott: Let's stop giving a platform to those who are spreading these conspiracy theories, correct?

A. **Yeah, certainly, he could have—he could have provided that directive. Again, that would assume that he was aware that other shows were bringing Sidney Powell on.**

Q. And even at a general level, because I think you're aware from the testimony that it did rise to Mr. Rupert Murdoch, Mr. Lachlan Murdoch and Mr. Paul Ryan weighed in, that the question of how Fox should cover these allegations did rise to the level of senior executives such as Lachlan Murdoch and Rupert Murdoch and Suzanne Scott, correct?

A. **The coverage of the broader stories of the president's claims, yes, that is correct.**

Q. And how Fox should cover the claims of conspiracy rose to that level, correct?

A. **That—that's correct.**



# Senior Fox Executives Made a Choice Not to Call The Claims False



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
350:10-351:20,  
352:14-23

Q. And this is a text message from Paul Ryan to Rupert Murdoch and Lachlan Murdoch, correct?

**A. Correct.**

Q. And, sir, this is Mr. Ryan telling Mr. Lachlan and Mr. Rupert Murdoch that it is a key inflection point for Fox where the right thing and the smart business thing to do line up nicely, correct?

**A. That—that's what's—he states in his text, correct.**

Q. And he is advising Mr. Lachlan and Mr. Rupert Murdoch that there should be a solid pushback, including editorial, of the calls for overturning electors, et cetera, correct?

**A. Correct.**

Q. And you would agree with me that this is certainly an example of Mr. Rupert Murdoch and Mr. Lachlan Murdoch talking to a Fox board member about positioning Fox's coverage of baseless election claims, correct?

**A. Yes, correct.**

\* \* \*

Q. Okay. And it rises to this level because this is not a normal programming decision when President Trump is calling for a delegitimization of the election, correct?

**A. That's correct.**

\* \* \*

Q. ....I'm just asking that the reason why Mr. Ryan is sending this is because it goes to a strategic decision at the highest levels of the board about how Fox News should give a platform or whether Fox News should give a platform to baseless calls that the election was fraudulent, correct?

**A. Correct.**

# Rupert Knew Fox Was Airing These "Conspiracy Theories"



Rupert Murdoch

Co-Chairman  
Fox Corporation



Ex. 600  
139:14-22

Q. Because you are trying to straddle the line between spewing conspiracy theories on one hand, yet calling out the fact that they are actually false on the other?

**A. Yes. We were treating it as news that the president and his lawyers were saying this. We were commenting on it to say it was nonsense, or Tucker was.**



# November 9: Rupert Knew About Fox Broadcasting False Allegations

From: [REDACTED]  
To: Jack Keane  
Sent: 11/9/2020 7:38:51 AM  
Subject: Re: Election Fraud

Thanks Jack,

You may be right but Donald needs better lawyers than Rudy who is past his prime. Told they are finding it difficult to get someone to coordinate it all. Nobody in Washington wants to touch it!  
If anything to be done it's extremely late.

Rupert

sent from my iPhone

On Nov 9, 2020, at 12:24 PM, Jack Keane <[REDACTED]> wrote:

> Dear Rupert,

> Maria B's Sunday show provided excellent coverage of serious election fraud allegations. Given that 4 contested states almost simultaneously stopped counting votes around midnite followed later by Alaska appears to be a coordinated and possibly a pre-planned event if Trump was leading. Moreover the Trump lawyers are alleging that the Democrats developed a software computer program to switch and also add votes which would help explain the reason for the vote stoppage.  
> I have no idea if there is any evidence to support the more allegations concerning the mail-in ballots, give preference to Justice Gorsuch and Kavanaugh's majority as seriously and try to get the evidence to support it, challenging. The issue I assume is that no doubt voter fraud occurred in at least one or two states. Historically how can it be proved that it happened in such a way to constitute a states outcome and then do so in a matter of states to change the Biden presidential victory.  
> It certainly places added emphasis on the Georgia results  
> Election is January 20 January 20th see above thread.  
> Lindsey Graham wants as much of this stopped to reduce your told him we need bi-partisan congressional legislation to set vote counting standards. What Florida did to fix their system debate is a good place to start as a benchmark.

> Best to you and the family, Jack

> On Nov 9, 2020, at 12:24 PM, Jack Keane <[REDACTED]> wrote:

>

> Dear Rupert,

>

> Maria B's Sunday show provided excellent coverage of serious election fraud allegations. Given that 4 contested states almost simultaneously stopped counting votes around midnite followed later by Alaska appears to be a coordinated and possibly a pre-planned event if Trump was leading. Moreover the Trump lawyers are alleging that the Democrats

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Thanks Jack,

You may be right but Donald needs better lawyers than Rudy, who is past his prime. Told they are finding it difficult to get someone to coordinate it all. Nobody in Washington wants to touch it!  
If anything to be done it's extremely late.

Rupert

# "We need to make sure they know we aren't abandoning them"

On Nov 9, 2020, at 2:23 PM, Scott, Suzanne [REDACTED] wrote:

Pivot but keep the audience who loves and trusts us...we need to make sure they know we aren't abandoning them and still champions for them.

**From:** Murdoch, Rupert </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6F0571C63E7B49769B4A58009B115570-CRC>  
**To:** Scott, Suzanne  
**Sent:** 11/9/2020 9:27:56 AM  
**Subject:** Re: Vaccine.

Thanks. All very true.  
Lots of sane Fox viewers still believe in Trump Jack Keane for instance.



F11019\_03587825

ATTORNEYS' EYES ONLY DISCOVERY MATERIAL





Rupert Murdoch

Co-Chairman  
Fox Corporation



Ex. 600  
130:10-20

Q. And you were aware that Fox News was having these people appear on the television under Fox's banner to spread these charges?

**A. We report the news, and we have dozens of people a day on the channels that are talking about the news. And this was big news. The President of the United States was making wild claims, but that is news.**



# Rupert on November 16

**From:** Murdoch, Rupert </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6F0571C63E7B49769B4A58009B115570-CRC>  
**To:** Scott, Suzanne  
**Sent:** 11/16/2020 5:52:37 AM  
**Subject:** Items!

Hope all went well with the move.  
Exhausting, I suppose imagine.  
After you've settled in let's talk about things. See today's piece in Journal about Newsmax. These people should be watched, if skeptically.  
Trump will concede eventually and we should concentrate on Georgia, helping any way we can. We don't want to antagonize Trump further, but Giuliani taken with a large grain of salt. Everything at stake here.  
No hurry to call n

**From:** Murdoch, Rupert </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6F0571C63E7B49769B4A58009B115570-CRC>  
**To:** Scott, Suzanne  
**Sent:** 11/16/2020 5:52:37 AM  
**Subject:** Items!

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No hurry to call n

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Ex.239  
FNN011\_00104854



Rupert Murdoch

Co-Chairman  
Fox Corporation



Ex. 600  
129:22-130:9,  
316:4-8

**A. *I think I was aware that maybe Alan Dershowitz had appeared and probably Rudy Giuliani.***

Q. You were aware that Rudy Giuliani was appearing on Fox?

**A. *No. I just assumed he would be there.***

Q. Why did you assume that he would be there?

**A. *Because he liked to appear, and he – he was pushing something. We were just reporting that this is what Trump and his lawyers were saying. They were the ones saying it.***

\* \* \*

Q. Did you actually investigate whether Sidney Powell or Rudy Giuliani was appearing on Fox News?

**A. *No.***

Q. You knew that Fox --

**A. *I knew that – about Rudy.***



# Testimony of Rupert Murdoch



Rupert Murdoch

Co-Chairman  
Fox Corporation



Ex. 600  
16:17-19

Q. I see. What are your newspapers?

**A. The Wall Street Journal, The London Times, New York Post. Those are the only ones I follow.**



**From:** [REDACTED]  
**To:** rthomson  
**Sent:** 11/14/2020 4:04:47 PM  
**Subject:** Re: Pollster: It's Curious How Biden Underperformed Hillary Clinton In Every City...Except These Four

Ok. But where's the evidence?  
West Coast too?  
If this is all true there must be something somewhere to prove it.

Sent from my iPhone

On Nov 14, 2020 at 8:40 PM Robert Thomson [REDACTED] wrote:

<https://www.hill.com/the-biden-campaign-2020/11/14/100-0257997/>

212.410.3012 tel  
rthomson@foxcorp.com

120 Avenue of the Americas  
New York, NY 10036

This message and its attachments may contain legally  
named addresses. If you are not the addressee (and  
addressee), you may not copy or deliver this message  
the message and its attachments and kindly notify the  
addressee that does not relate to the official business  
been sent or endorsed by any of them. No response

**From:** [REDACTED]  
**To:** rthomson  
**Sent:** 11/14/2020 4:04:47 PM  
**Subject:** Re: Pollster: It's Curious How Biden Underperformed Hillary Clinton In Every City...Except These Four.

Ok. But where's the evidence?

EXHIBIT 3323

INVESTIGATIVE REPORT

## Rage Against the Voting Machine

By The Editorial Board

November 17, 2020

By The Editorial Board

Nov. 17, 2020 6:33 pm ET

3254

## Rage Against the Voting Machine

WSJ [wsj.com/articles/rage-against-the-voting-machine-11605656036](https://www.wsj.com/articles/rage-against-the-voting-machine-11605656036)

President Trump has so far been unwilling to concede to Joe Biden, and his latest argument is that the voting machines must have been rigged. **Where's the evidence?** Strong claims need strong proof, not rumors and innuendo on Twitter.

Voters cast ballots at the polling station in Atlanta, Ga., Nov. 3. Photo: Jessica McGowan/Getty Images

President Trump has so far been unwilling to concede to Joe Biden, and his latest argument is that the voting machines must have been rigged. **Where's the evidence?** Strong claims need strong proof, not rumors and innuendo on Twitter.

Chatter is swirling around Dominion Voting, a company that supplies equipment in some 28 states. What seems to have launched this theory was an early misreport of results in Antrim County, Mich. In 2016 Mr. Trump won 62% of its 13,600 ballots, so eyebrows rose this year when the initial tallies showed Mr. Biden up by 3,000.

10

# November 19: "Really Crazy Stuff"

From: Rupert Thomson [REDACTED]  
To: Murdoch, Rupert  
Sent: 11/19/2020 5:01:11 PM  
Subject: Re: Whitney Goldberg

Severity: critical and devastating

[REDACTED]  
[REDACTED]  
1211 Avenue of the Americas  
New York, NY 10020

On Nov 19, 2020, at 1:04 PM, Murdoch, Rupert [REDACTED] wrote:

Really crazy stuff. And damaging. Might even lead to double loss in Georgia.

That hidden. Still can't add a whole sentence!

Sent from my iPhone

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ACCESS IS PROHIBITED EXCEPT BY PRIOR COURT ORDER. FoxCorp00072484

On Nov 19, 2020, at 5:05 PM, Murdoch, Rupert [REDACTED] wrote:

Really crazy stuff. And damaging. Might even lead to double loss in Georgia.



# November 23: Fox News Identity Crisis Indulge Trump's Election Conspiracy or Reject It and Watch Its Audience Flee

From: [REDACTED]  
To: PRESTON PADDEN  
Sent: 11/23/2020 12:29:55 PM  
Subject: Re: Fox News Dilemma: Indulge Trump's Conspiracy or Lose Viewers

Mediate an old feisty enemy.  
Some truth, but I have been listening unsmiling to Tucker  
Lew. And very good, sometimes brilliant.  
The way he called out that crazy would be lawyer really

I think, generally, we are navigating it pretty well. And I  
have to hold our nerve and up our game!

In another month Trump will be becoming irrelevant and  
appointments - so far pretty dull.

They told Kissinger first thing they'd re-sign the flawed  
And they just looked blank! Saudis, Gulf Arabs and the

Newsmen not good people! Being advised by Don is a  
inappropriate behavior. Not one of our people will join  
Newsmen desperate for money. Scoured the world, so far

Sent from my iPhone

On Nov 23, 2020, at 4:32 PM, PRESTON PADDEN <[REDACTED]> wrote:

No worries. 5G will be slow to roll out

**Preston Padden**

Boulder Thinking, LLC  
202-329-4780

On Nov 23, 2020, at 9:48 AM, Maritech, Rupert <[REDACTED]> wrote:

Many thanks. I wish I understood all this 5G stuff! Certainly revolutionary

Sent from my iPhone

On Nov 23, 2020, at 4:32 PM, PRESTON PADDEN <[REDACTED]> wrote:

<https://www.mediaite.com/tv/fox-news-identity-crisis-indulge-trumps-election-conspiracy-or-reject-it-and-watch-its-audience-flee/>

CONFIDENTIAL DISCOVERY MATERIAL

FoxCorp000085A

On Nov 23, 2020, at 4:32 PM, PRESTON PADDEN <[REDACTED]> wrote:

<https://www.mediaite.com/tv/fox-news-identity-crisis-indulge-trumps-election-conspiracy-or-reject-it-and-watch-its-audience-flee/>

Fox News Identity Crisis: Indulge Trump's Election Conspiracy or Reject It ... and

by [Caleb Carr](#) 4:50 PM EDT, 11/10/16  
419 comments



Viewers of Fox News can be forgiven if they  
election. The reason for their confusion is  
Fox News has provided Joe Biden to have  
simultaneously, the network's top-rated op  
increasingly loony conspiracy theory that th  
widespread voter fraud. They have been

Simultaneously, the network's top-rated opinion hosts have continued to entertain the increasingly loony conspiracy theory that the election was stolen from Trump through widespread voter fraud. They have been careful in their words, but the near-constant

This dissonance was neatly illustrated last weekend when **Maria Bartiromo**, a Fox News anchor and ardent Trump booster, who had just given the platform of her Sunday morning show to Trump lawyers **Rudy Giuliani** and **Sidney Powell**. Both laid out wild and unproven conspiracy theories and claimed that Trump was the rightful winner of the election. Bartiromo seemed pleased to hear the news and never once challenged her guests on their claims, simply accepting their claim that they had evidence as evidence enough.

From: [REDACTED]  
To: PRESTON PADDEN  
Sent: 11/23/2020 12:29:55 PM  
Subject: Re: Fox News Dilemma: Indulge Trump's Conspiracies or Lose Viewers

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And they just looked blank! Saudis, Gulf Arabs and the

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inappropriate behavior. Not one of our people will join  
Newsmen desperate for money. Scoured the world, so far

Sent from my iPhone

On Nov 23, 2020, at 4:59 PM, PRESTON PADDEN <[REDACTED]>

No worries. 5G will be slow to roll out.

Preston Padden  
Boulder Thinking, LLC  
202-329-4780

On Nov 23, 2020, at 9:48 AM, Martinec, Rupert <[REDACTED]>

Many thanks. I wish I understood all this 5G stuff. Certainly revolutionary.

Sent from my iPhone

On Nov 23, 2020, at 4:02 PM, PRESTON PADDEN <[REDACTED]> wrote:

<https://www.mediate.com/Fox-News-Dilemma-Crisis-Indulge-Trump-Election-Contingency-or-Lose-Viewers-Watch-This-Video-10-10-20>

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FoxCase000085A

**From:** [REDACTED]  
**To:** PRESTON PADDEN  
**Sent:** 11/23/2020 12:29:55 PM  
**Subject:** Re: Fox News Dilemma: Indulge Trump's Conspiracies or Lose Viewers

Mediate an old lefty enemy.

Some truth, but I have been listening sometimes to Tucker Carlson, our #1  
hour. And very good, sometimes brilliant.

The way he called out that crazy would be lawyer really great. So much that Giuliani had to disown her.



# "Nobody Wants Trump As An Enemy"



Rupert Murdoch

Co-Chairman  
Fox Corporation



Ex. 600  
80:14-21

**A. Nobody wants Trump as an enemy.**

Q. Why not?

**A. Because he had a great following, big following.**

Q. And you didn't want to do anything to upset him?

**A. Seventy-five million people voted for him.**

# Testimony of Rupert Murdoch



Rupert Murdoch

Co-Chairman  
Fox Corporation



Ex. 600  
291:15-20

Q. How so did Trump's crazy attacks on Fox hurt ratings?

**A. Well, we all know that Trump has a big following. If he says, "Don't watch Fox News," maybe some don't.**

# How Newsmax Appealed to Trump Viewers



Rupert Murdoch

Co-Chairman  
Fox Corporation



Ex. 600  
262:25-263:4;  
263:11-24

Q. Do you agree that the nutty right-wing sites like Newsmax have been in cahoots with Trump during this November and December and January time frame?

**A. *Oh, yes. Yes.***

\* \* \*

Q. Well, what was the opportunity?

**A. *To establish a news channel.***

Q. How so?

**A. *By doing things which he thought would be popular with the Trump core.***

Q. Like what?

**A. *Like supporting Trump.***

Q. Like airing baseless charges of election fraud?

**A. *Yes.***



# "All Making it Harder For Us to Straddle the Issue"

From: [REDACTED]  
To: Scott, Suzanne  
Sent: 12/7/2020 8:29:13 AM  
Subject: Re: Could you call when convenient?

Good

Sent from my iPhone

On Dec 7, 2020, at 1:26 PM, Scott, Suzanne <[REDACTED]>

Wrote White House denying those inauguration day

From: Murdoch, Rupert <[REDACTED]>  
Sent: Monday, December 7, 2020 7:32 AM  
To: Scott, Suzanne <[REDACTED]>  
Subject: Could you call when convenient?

Axios report on Trump plan for inauguration (horrible) and Fox News reporting Barr thinking of early retirement plus his Saturday performance all making it harder for us to straddle the issue!  
We should talk this through. Very difficult  
and we should include Lachlan later.  
No hurry.

Sent from my iPhone

**From:** Murdoch, Rupert <[REDACTED]>  
**Sent:** Monday, December 7, 2020 7:32 AM  
**To:** Scott, Suzanne <[REDACTED]>  
**Subject:** Could you call when convenient?

Axios report on Trump plan for inauguration (horrible) and Fox News reporting Barr thinking of early retirement plus his Saturday performance all making it harder for us to straddle the issue!  
We should talk this through. Very difficult  
and we should include Lachlan later.  
No hurry.

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FoxCorp00041239

Ex.639

# Fox Board Member: Fox a "Megaphone" for Trump

From: Anne Dias  
Sent: Monday, January 11, 2021 11:01 PM EST  
To: Ruppert Murdoch; Lachlan Murdoch  
CC: Viet D. Dinh; Jacques Nasser  
BCC: pryan129 [REDACTED]  
Subject: FW: The limits on free speech in the internet era from the Financial Times

<https://fox.com/2XkE2t>

Dear Rupert,  
Dear Lachlan,

Freedom of speech is a pillar of free government. Yet, as I wrote to you earlier this week, I was relieved to read that the editorial board of the Wall Street Journal drew a clear line in the sand to sanction what is unacceptable speech and behavior by a President of the United States.

Today, the Financial Times is asking Fox to draw such a line in the sand too (text at the end of the email).

And what the Financial Times is asking is what conservatives everywhere in America are asking – as Donald Trump has willfully incited acts of violence and desecration, as he has trampled human decency and the public good, all the while claiming to be a defender of the First Amendment.

**From:** Anne Dias  
**Sent:** Monday, January 11, 2021 11:01 PM EST  
**To:** Ruppert Murdoch; Lachlan Murdoch  
**CC:** Viet D. Dinh; Jacques Nasser  
**BCC:** pryan129 [REDACTED]  
**Subject:** FW: The limits on free speech in the internet era from the Financial Times

It would have been unthinkable just a few days ago that Fox News would be called upon to explain what represents abuse of power and what is unacceptable in a democracy. Yet, considering how important Fox News has been as a megaphone for Donald Trump, directly or indirectly, I believe the time has come for Fox News, or for you Lachlan to take a stance. It is an existential moment for the nation, for the nation, and for Fox News as a brand.

As an executive,  
A true

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MATERIAL

PDR\_00000589



# Rupert: Fox "Is Pivoting As Fast As Possible" But "Not As Easy As Might Seem"

From: Murdoch, Rupert </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6F0571C63E7B49769B4A58009B115570-CRC>  
To: Murdoch, Lachlan  
Sent: 1/12/2021 4:36:40 AM  
Subject: Re: The limits on free speech in the internet era from the Financial Times

Yes. Just tell her we have been talking internally and we intensely along these lines, and Fox News, which called the election correctly, is pivoting as fast as possible. We have to lead our viewers which is van not as easy as might seem.

Sent from my iPhone

On Jan 12, 2021, at 4:37 AM, Murdoch, Lachlan <[REDACTED]>

...and best to get her out early. Anne after you and and I hope

Xc  
L

Sent from my iPhone

Begin forwarded message:

From: "Murdoch, Lachlan" <[REDACTED]>  
Date: January 11, 2021 at 9:08:59 PM PST  
To: "Murdoch, Rupert" <[REDACTED]>  
Subject: FW: The limits on free speech in the internet era

Dad, let's discuss the Friday today. I will be in the office to

Love you

L

Sent from my iPhone

Begin forwarded message:

From: Anne Dias <[REDACTED]>  
Date: January 11, 2021 at 8:04:22 PM PST  
To: "Murdoch, Rupert" <[REDACTED]>, "Murdoch, Lachlan" <[REDACTED]>  
Cc: "Dinh, Viet" <[REDACTED]>, "Susan" <[REDACTED]>  
Subject: FW: The limits on free speech in the internet era

From: Anne Dias <[REDACTED]>

Dear Rupert,  
Dear Lachlan,

Freedom of speech is a pillar of free government. Yet, as I write to you earlier this week, I was relieved to read that the editorial board of the Wall Street Journal drew a clear line in the sand to sanction what is unacceptable speech and behavior by a President of the United States.

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ForCorp00058210

**From:** Murdoch, Rupert </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6F0571C63E7B49769B4A58009B115570-CRC>  
**To:** Murdoch, Lachlan  
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Yes. Just tell her we have been talking internally and we intensely along these lines, and Fox News, which called the election correctly, is pivoting as fast as possible. We have to lead our viewers which is van not as easy as might seem



# "The Alternate Reality Machine"



**From:** The Dispatch <morningdispatch@substack.com>  
**Date:** January 12, 2021 at 7:34:30 AM EST  
**To:** ryan112604@yahoo.com  
**Subject:** The Morning Dispatch: The Alternate Reality Machine  
**Reply-To:** The Dispatch  
<reply+imi5q&alyu5&&19c91506dded580680fe87021300f85daaf6cba1a03cdc28706f4e290fadc7e2@mg1.substa

## The Morning Dispatch: The Alternate Reality Machine

A deadly riot's enablers.

The Dispatch Staff Jan 12

## The Alternate Reality Machine

In the roughly eight weeks between the election on November 3 and the Capitol riots on January 6, the populist-right media ecosystem created an alternative reality for those who'd come to rely on its outlets for news. If you get your information from

On Jan 12, 2021, at 10:12 AM, Murdoch, Rupert <[REDACTED]> wrote:

Thanks Paul,

Wake up call for Hannity, who has been privately disgusted by Trump for weeks, but was scared to lose viewers! I'll check out Levin and am really surprised by Brit Hume, about the steadiest of all our people.

On Jan 12, 2021, at 3:54 PM, Paul Ryan <[REDACTED]> wrote:

And the sooner we can put down the echoes of falsehoods from our side, the faster we can get onto principled loyal opposition. I truly hope our contributors, along with Tucker, Laura, and Sean get that and execute.

Just talked at length with Suzanne Scott.

Everything changed last Wednesday. She thinks everyone is now disgusted and previous supporters broken hearted.

Rupert.

From: [REDACTED]  
To: Paul Ryan  
CC: Murdoch, Lachlan  
Sent: 1/12/2021 11:13:43 AM  
Subject: Re: The Morning Dispatch: The Alternate Road

Thanks Paul

Just talked at length with Suzanne Scott. Everything changed last Wednesday. She thinks everyone is now broken hearted. Hoping to get some good voices on air - Bill Barr, Pompeo and others. Any suggestions?

Trump's troubles multiplying. His businesses now named. Who is going to throw a party at one of his golf clubs or hotels? Let alone a tournament. So he has more than just legal problems, bad though they are.

The brand is now poison! Who wants Ivanka's fashion lines, jewelry, etc. Could he still reign and get Pence to pardon, then just disappear? Would Mike Pence agree?

Rupert

Sent from my iPhone

On Jan 12, 2021, at 3:54 PM, Paul Ryan <[REDACTED]>

Hey Rupert. As is usual, I agree wholeheartedly with Giger's edit of the same. It really is in many ways a Biden test, and a measure of government.

And the sooner we can put down the echoes of falsehoods from our side, the faster we can get onto principled loyal opposition. I truly hope our contributors, along with Tucker, Laura, and Sean get that and execute.

I feel very good about the Packers, particularly if we face dome Southern teams at Lambeau Field. When they come to Green Bay in January, it is very unsettling for them. I was

Best, Paul

Go Packers!

Sent from my iPad

On Jan 12, 2021, at 10:12 AM, Murdoch, Rupert <[REDACTED]>

Thanks Paul.

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# September: Rupert Discusses Fox Hosts With Trump

**From:** Murdoch, Rupert <RUPERT@FOXLABS/FOXEXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=RUPERT@FOXLABS/113170-CRC>  
**To:** Scott, Suzanne  
**CC:** Murdoch, Lachlan  
**Sent:** 9/15/2020 11:21:20 AM  
**Subject:** Re: Potus Rallies

Spoke to him at hour time - (I wrote to you but didn't finish it and have lost it).  
Talked a little about a few things but he insisted on talking about our people!  
Loved twice over Lou Dobbs , loves Hannity, loves Maria B (known her for thirty years), but we have a bad  
person like you know him? Someone - "Hates Trump"  
I didn't tell her he made it right!  
That's all.

Sent from my iPhone

On Sep 15, 2020, at 2:15 PM, Scott, Suzanne <[REDACTED]> wrote:

POTUS has been averaging about 4 a week and we monitor all of them and had already taken most  
of 2 of them through the week. We were told there would be nothing new in Sunday night's rally and  
that is why we didn't take that one but we turned around clips. S

**From:**  
**To:**  
**CC:**  
**Sent:**  
**Subject:**

Murdoch, Rupert  
Scott, Suzanne  
Murdoch, Lachlan  
9/15/2020 11:21:20 AM  
Re: Potus Rallies

Talked a little about a few things but he insisted on talking about our people!  
Loved twice over Lou Dobbs , loves Hannity, loves Maria B (known her for thirty years), but we have a bad



# Rupert Knew Dobbs Was an "Extremist"



Rupert Murdoch

Co-Chairman  
Fox Corporation



Ex. 600  
177:6-14, 172:19-22

Q. When did you realize that Mr. Dobbs was an extremist?

**A. *I guess in 2020.***

Q. What caused you to think that, sir?

**A. *The call from Mr. Trump.***

Q. In September 2020? Okay. And, sir –

**A. *And that was the only call he made me that year, apart from February.***

\* \* \*

Q. Sir, you could have suggested at any point to fire Lou Dobbs; correct?

**A. *Yes.***

**From:** Murdoch, Rupert <[REDACTED]>  
(FYDIBOHF23SPDLT) <[REDACTED]>  
**To:** Scott, Suzanne  
**Sent:** 1/16/2021 1:09:52 PM  
**Subject:** Re: People

Great.

[REDACTED]

If you're getting value it's ok!

Sent from my iPhone

On Jan 16, 2021, at 9:49 PM, Scott, Suzanne <[REDACTED]>

[REDACTED]

You will take a few months to make final decision but feel good about this.

[REDACTED]

And do on PNC looking at land will make recommendations.

Get Outlook for iOS

**From:** Murdoch, Rupert <[REDACTED]>  
**Sent:** Saturday, January 16, 2021 12:17 PM  
**To:** Scott, Suzanne  
**Subject:** People

[REDACTED]

Good link with two line-up and week. Should be good but I fear Marko doesn't love them. Social is can be the last line up.

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FNN019\_03725120

**From:** Murdoch, Rupert <[REDACTED]>  
**Sent:** Saturday, January 16, 2021 12:17 PM  
**To:** Scott, Suzanne  
**Subject:** People

[REDACTED]

# Testimony of Rupert Murdoch



Rupert Murdoch

Co-Chairman  
Fox Corporation

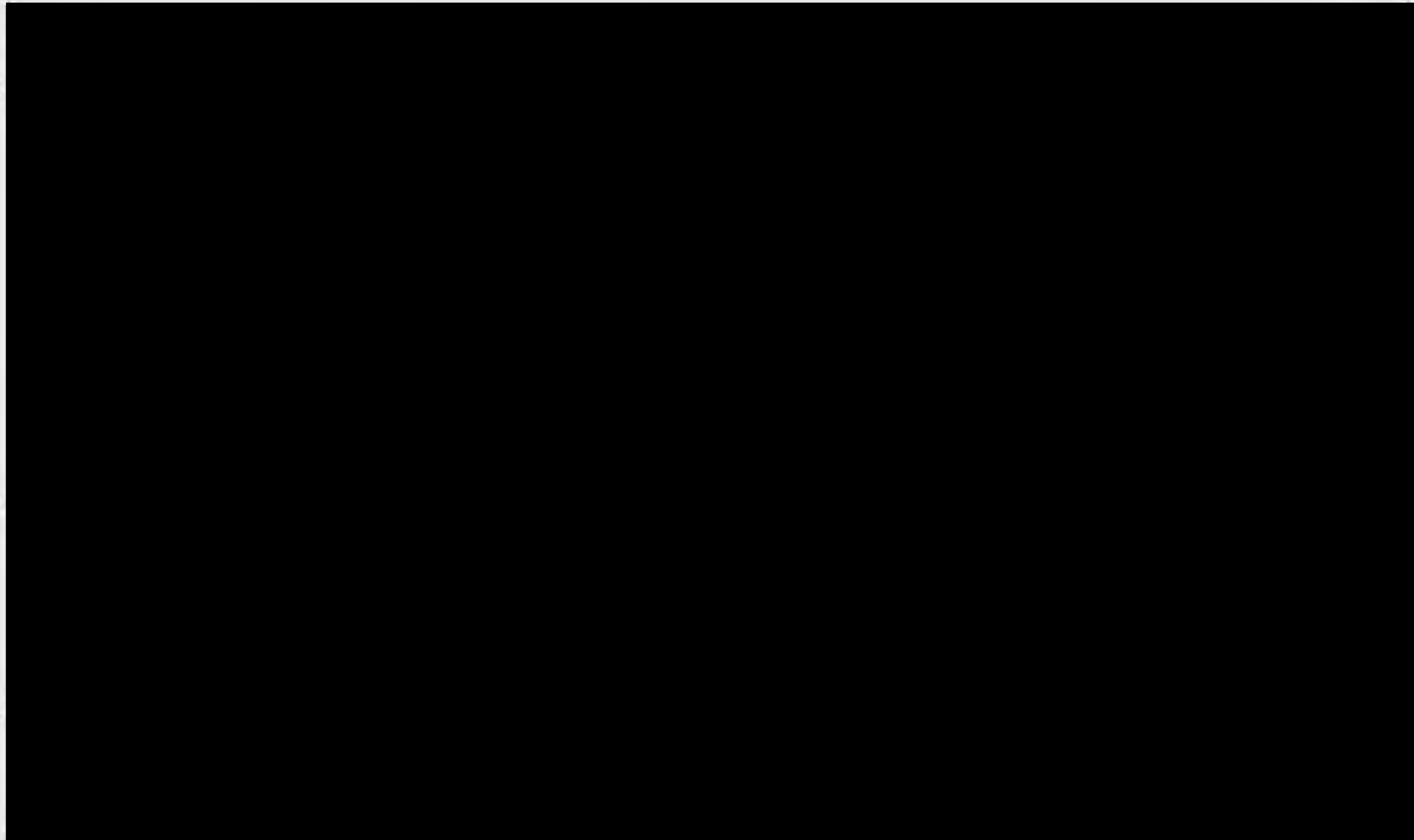


Ex. 600  
170:8-15

**A.**

**Q.**

**A.**





# Fox Corp Admits Rupert Gave Instructions



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
401:12-402:23

Q. ....You see, sir, this is an e-mail from Rupert Murdoch to Suzanne Scott with a CC to Lachlan Murdoch, correct?

**A. Correct.**

Q. And can you please read this e-mail to the jury starting in the second paragraph.

**A. Sure. "Trump insisting on the election being stolen and convincing 25% of Americans was a huge disservice to the country. Pretty much a crime. Inevitable it blew up on January 6th." Shall I continue?**

Q. Please.

**A. "Best we don't mention his name unless essential and certainly don't support him. We have to respect people of principle and if it comes to the Senate, don't take sides. I know he is being over demonized but he brought it on himself."**

Q. Sir, this is Rupert Murdoch giving instructions on how to cover Donald Trump; is it not?

**A. He certainly sharing his suggestion with Suzanne.**

Q. And does Fox Corporation believe that convincing 25% Americans that the election was stolen was a huge disservice to the country?

**A. Rupert Murdoch as chair of Fox Corporation certainly does, so I would say yes.**

# Rupert: "Best we don't mention" Trump's name

Exhibit  
EX - 3521

Murdoch, Rupert </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6F0571C63E7B49769B4A58009B115570-CRC>  
Scott, Suzanne  
Murdoch, Lachlan  
1/20/2021 4:36:58 PM  
Republicans.

The more I think about McConnell's remarks or complaint the more I agree.  
Trump insisting on the election being stolen and convincing 25% of Americans was a huge disservice to the country. Pretty much a crime. Inevitable it blew up Jan 6th  
Best we don't mention his name unless essential and certainly don't support him.  
We have to respect people of principle and if it comes to the Senate don't take sides.  
I know he is being over demonized, but he brought it on himself.

**From:** Murdoch, Rupert </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6F0571C63E7B49769B4A58009B115570-CRC>  
**To:** Scott, Suzanne  
**CC:** Murdoch, Lachlan  
**Sent:** 1/20/2021 4:36:58 PM  
**Subject:** Republicans.

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# Testimony of Rupert Murdoch



Rupert Murdoch

Co-Chairman  
Fox Corporation



Ex. 600  
260:21-25

Q. In fact, you talked to Ms. Scott and said, "No more Trump appearances on the network."?

**A. At some time, I certainly said that.**



**From:** Murdoch, Rupert </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6F0571C63E7B49769B4A58009B115570-CRC>  
**To:** Scott, Suzanne  
**Sent:** 1/26/2021 4:03:38 PM  
**Subject:** Re: McEnany

Saw McDowell in something yesterday and she looked and sounded good.  
7.00 is a good time for a female host.  
If Maria does well all week we should settle for her, I think.  
I know you plan to try Gowdy too. But he could be saved for a  
E two hours straight too much of Harris?  
She's very sound and engaged, but not a load of fun, like Dana.  
Sent from my iPhone

On Jan 26, 2021, at 8:47 PM, Scott, Suzanne <Suzanne.Scott@fox.com> wrote:

Dogan McDowell has been doing the morning show.

**From:** Murdoch, Rupert [REDACTED]  
**Sent:** Tuesday, January 26, 2021 3:20 PM  
**To:** Scott, Suzanne [REDACTED]  
**Subject:** Re: McEnany

Maria is a fantastic worker- and host!  
Gets great guests  
Who's filling in FBN early morning? Thanks! spot.

Britain today passed 100,000 Covid deaths. Per capita ahead.  
But 12% vaccinated already and going strong.  
US would need 2.5 in per day to parallel.

Now EU just banned vaccine exports- which will come out better.

Sent from my iPhone

On Jan 26, 2021, at 8:09 PM, Scott, Suzanne [REDACTED] wrote:

Pumpkin on with Maria tonight at the 7p

Get Outlook for iOS

**From:** Scott, Suzanne [REDACTED]

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**From:** Murdoch, Rupert </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6F0571C63E7B49769B4A58009B115570-CRC>  
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7.00 is a good time for a female host.

If Maria does well all week we should settle for her, I think.

**From:** Murdoch, Rupert [REDACTED]  
**Sent:** Tuesday, January 26, 2021 12:15 PM  
**To:** Scott, Suzanne [REDACTED]  
**Subject:** Re: McEnany

I think she'll be a good addition.

Just a couple of viewers, but both say Maria was great last night!

Agree?

# Ryan: "Fox News Should Not Be Spreading Conspiracy Theories"



Paul Ryan

Fox Board Member



Ex. 620  
317:10-25

Q. You were conveying them during this timeframe to Lachlan and Rupert that Fox News should not be spreading conspiracy theories, right?

**A. Yeah, you know my opinions. I've made my opinions pretty clear.**

Q. Please tell us again what your opinions are about this.

**A. Conservative movement should move beyond Donald Trump for the sake and health of it and the country. And I think that's in Fox News' interest as well.**

Q. And that's what you were telling Rupert and Lachlan at the time?

**A. Uh-huh, yes.**



# Testimony of Paul Ryan



Paul Ryan

Fox Board Member



Ex. 620  
410:23-411:9

Q. And you've made suggestions about how Fox should be pivoting at this key inflection point during November 2020 through January 2021, correct?

**A. Yes.**

Q. And your advice was consistent throughout this timeframe to move on from Donald Trump and stop spouting election lies, correct?

**A. Yes.**



The logo for FOX, consisting of the word "FOX" in a bold, blue, sans-serif font.

Joe Dorrego-30(b)(6)

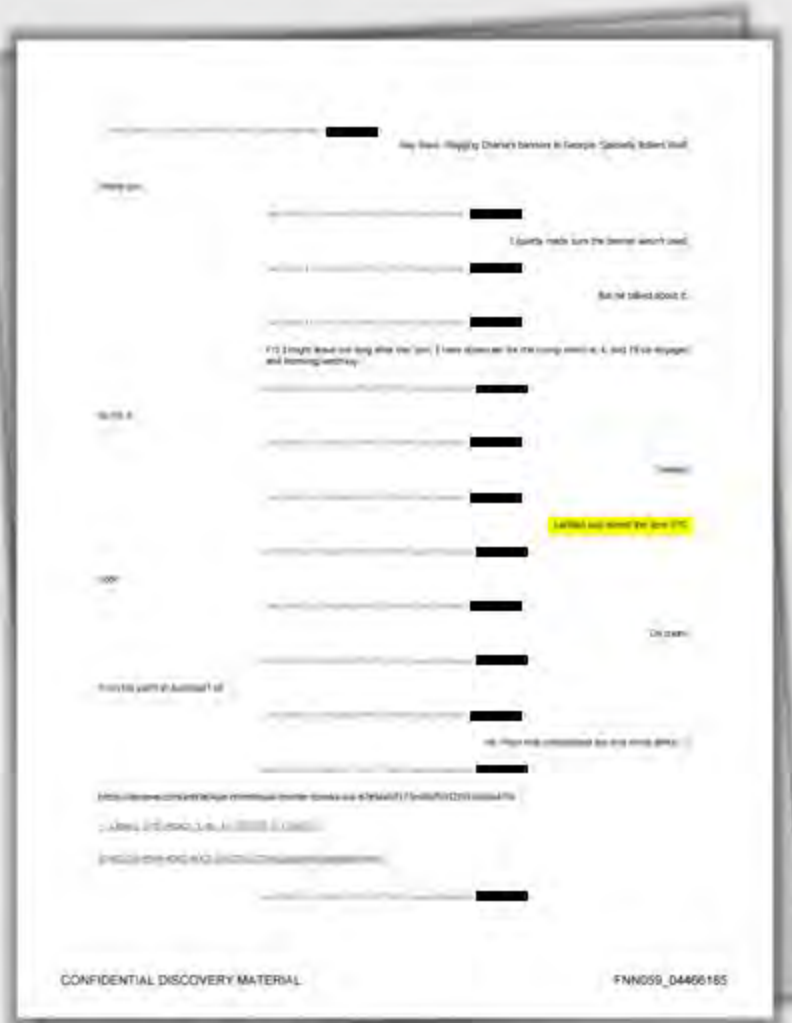
CFO and COO  
Fox News

Ex. 759  
325:18-21

Q. You would agree with me that Lachlan Murdoch can weigh in on a particular guest, right?

**A. Oh, he—certainly.**

# Lachlan Murdoch Attended Nov 13, 2020 3pm Editorial Call



Sent 2020-11-13 08:08:18 PM UTC FROM: Gary Schreier - [REDACTED]

Lachlan just joined the 3pm. FYI.

# Testimony of Lachlan Murdoch



Lachlan Murdoch

Co-Chairman and CEO  
Fox Corporation



Ex. 130  
115:17-116:2

Q. Yes. Back in the same time period, November 2020, you actually sometimes gave Suzanne Scott specific direction on both the tone and narrative of Fox's news coverage, didn't you, sir?

**A. I would make suggestions, yes.**

Q. And she would listen to you often, wouldn't she?

**A. I hoped she would listen, yes.**



# Lachlan a "News Junky"



Lachlan Murdoch

Co-Chairman and CEO  
Fox Corporation



Ex. 130  
17:6-16, 101:10-12

***A. Like I said, I'm a news junky,  
so reading newspapers and  
watching news.***

# Lachlan Murdoch Follows the News Closely



Lachlan Murdoch

Co-Chairman and CEO  
Fox Corporation



Ex. 130  
24:9-17, 25:6-12

Q. Back in that time period, where did you get your own news personally?

**A. *I read newspapers. I read -- I'm old-fashioned. I still read newspapers, paper form, whenever I can. I'll also read newspapers digitally as well. And then news, I'll watch Fox News and then when I can I'll watch our competitor CNN, MSNBC and others. Sometimes BBC and the like.***

\* \* \*

Q. And back in the relevant time period and today, what newspapers do you typically read and rely on for your news?

**A. *The Wall Street Journal first and foremost, New York Times, the New York Post. To a lesser degree but sometimes the Washington Post, the Australian.***

# Lachlan Murdoch's Participation



Lachlan Murdoch

Co-Chairman and CEO  
Fox Corporation



Ex. 130  
16:25-17:5

Q. The story also said that you consult daily with Suzanne Scott, the chief executive of Fox News Media, and you sit on a daily morning call with her. Was that accurate?

***A. That's accurate, when I can, yes.***



**From:** Scott, Suzanne </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=85BFE6824750416486BDA0F78D10943E-SUZANNE.SCO>  
**To:** Murdoch, Lachlan  
**Sent:** 11/9/2020 4:53:37 PM  
**Subject:** Fwd: Going forward

For discussion. S

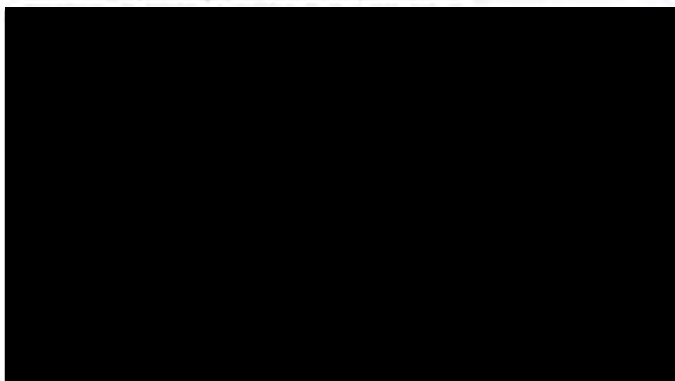
[Get Outlook for iOS](#)

---

**From:** Carlson, Tucker [REDACTED]  
**Sent:** Monday, November 9, 2020 4:37 PM  
**To:** Scott, Suzanne  
**Subject:** Going forward

Dear Suzanne,

Thanks for the conversation this morning. I've never seen a reaction like this, to any media company. Kills me to watch it. But as dangerous as this moment is for us, I think it could be an opportunity to reestablish trust with our viewers. It's also a chance to solidify our position in digital, which I think everyone agrees we need to do.



Thanks a lot

Tucker

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ATTORNEYS EYES ONLY. ACCESS IS PROHIBITED EXCEPT BY PRIOR COURT ORDER. FNN019\_03568015

**From:** Scott, Suzanne </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=85BFE6824750416486BDA0F78D10943E-SUZANNE.SCO>  
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[Get Outlook for iOS](#)

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# Lachlan Watches Fox "As Much As I Can"



Lachlan Murdoch

Co-Chairman and CEO  
Fox Corporation



Ex. 130  
22:2-12

Q. Do you ever watch Fox News, Mr. Murdoch?

**A. Yes, I do.**

Q. What shows do you like on Fox News?

**A. I like The Five. I don't get to watch all the time. But I like The Five. I like Fox News Sunday, which is on our broadcast stations and also on Fox News. Primetime when I can watch it. Opinion. I watch as much as I can.**

# Lachlan Watched Accused Broadcasts At the Time



Lachlan Murdoch

Co-Chairman and CEO  
Fox Corporation



Ex. 130  
391:9-15, 24:4-8

Q. Have you watched all the broadcasts that Dominion sued over?

**A. *No, I haven't.***

Q. You haven't?

**A. *No.***

Q. Have you watched any of them?

**A. *At the time I would have, yes.***

\* \* \*

Q. So back in the relevant time period, did you ever watch Fox News broadcasting?

**A. *I certainly would have in that broader time period, yes.***



# Lachlan "Deeply Involved" In Reporting the Election



Lachlan Murdoch

Co-Chairman and CEO  
Fox Corporation



Ex. 130  
97:11-98:6

Q. But we're specifically in the handful of days after Election Day 2020. Is it fair to say that you were deeply involved in monitoring how Fox News was handling reporting on the election results?

**A. *In the -- before the result -- the answer would be -- would I be involved? Yes. So yes.***

Q. Including specifically--?

**A. *This is after the election, you're saying?***

Q. After the election, yes. Including specifically how the network -- how Fox News would report when Joe Biden surpassed 270 electoral votes, which would make him the winner of the election; right?

**A. *That would have been -- I don't recall exactly, but that would have been important, yes.***

# Dinh, Lachlan, and Scott's Participation



Viet Dinh

Chief Legal and  
Policy Officer  
Fox Corporation



Ex. 601  
91:12-19

Q. Back in 2020 before the presidential election, Mr. Shah would send you weekly brand protection round-ups informing you of any threats to the Fox News brand, right?

A. ***Yes, he would send that weekly, usually on a Saturday, to me, Lachlan Murdoch, and Suzanne Scott.***



Ex. 612



# Lachlan, Dinh, and Scott Receive Updates on Shah's Pushback Regarding Powell's "Outlandish Voter Fraud Claims"

From: SHAH, RAJ <O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=33A7EC98BFB14AC1B1B80D99A31D1CDE-RAJ.SHAH>  
To: Murdoch, Lachlan; Dinh, Viet; Scott, Suzanne  
Sent: 11/23/2020 11:48:30 AM  
Subject: Tucker/Sidney Powell Update

Lachlan/Suzanne/Viet

After criticism from social media for Tucker's segment questioning Attorney Sidney Powell's outlandish voter fraud claims, our consultants and I coordinated an effort to generate Trump administration pushback against her claims.

That escalated on Saturday night when she gave a pretty wild interview on Newsmax.

[REDACTED]

#### ANALYTICS SUMMARY

Social media interactions were decidedly negative from Thursday night to Sunday afternoon, with 70% being conservative attacks and just 1% being defensive.

These metrics have moved to significantly less than the rate of positive social media interactions per hour from negative social media interactions per hour.

While mentions are trending in Tucker's direction and are willing to believe just about anything.

#### PLAN FORWARD

[REDACTED]

We'll keep you aware of any developments.

Thanks  
Raj

**From:** Shah, Raj </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=33A7EC98BFB14AC1B1B80D99A31D1CDE-RAJ.SHAH>  
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# Lachlan Could Have Stopped It

The logo for FOX, consisting of the word "FOX" in a bold, blue, sans-serif font.

Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
329:6-17

Q. I just want to make sure the record is clear on this point, that when Mr. Murdoch received an e-mail that Sidney Powell was making wild claims on another network, Newsmax, Mr. Lachlan Murdoch could have responded and said please make sure she's not making these same wild claims on Fox News, correct?

**A. He could have responded in that manner.**

# Testimony of Rupert Murdoch



Rupert Murdoch

Co-Chairman  
Fox Corporation



Ex. 600  
64:16-25

Q. It is fair to say you seriously doubted any claim of massive election fraud?

**A. Oh, yes.**

Q. And you seriously doubted it from the very beginning? ...

**A. Yes. I mean, we thought everything was on the up-and-up. I think that was shown when we announced Arizona.**



**From:** Murdoch, Rupert </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6F0571C63E7B49769B4A58009B115570-CRC>  
**To:** Colin Allan  
**Sent:** 11/5/2020 7:28:19 AM  
**Subject:** Same stuff

Half of what Donald said was good. The other half bullshit and damaging. Big media, big money and big tech all against him and his vote in spite of this a mighty achievement. But conspiracy with pollsters NO! Latter simply incompetent. Perhaps many run by Dems, but so what? Giving big money not a conspiracy! Turns out mainly a waste. With several states now disappointingly favoring Biden hard to claim foul everywhere.

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Giving big money not a conspiracy!  
Turns out mainly a waste.  
With several states now disappointingly favoring Biden hard to claim foul everywhere.



From: [Redacted]  
Sent: 12/18/2020 3:02:16 PM  
Subject: [Redacted]

Eddie Perez

We pulled all the clips – they're not as bad as letter said. Gave Powell & Giuliani platform with reach - all true they said crazy things [Redacted] – that they are saying it is news.

Invited them to come on and they said no, so this is the answer to their letter – both FNC and FBN and didn't specify shows

Jesse Watters did a great job covering it

Eddie Perez, is a voting technology expert at the OSET Institute in Palo Alto, a nonpartisan election technology research and development nonprofit, formerly of an election machine vendor (Hart InterCivic).

<https://www.asetfoundation.org/eddie-perez>

Lou Dobbs, Jeanine Pirro, Maria Bartiromo – all shows where the original inaccurate statements were made

Smartmatic – FL law – incorporated in FL – [Redacted]

Style choice

Safe harbor expires Sunday – December 20 – 10 days

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Ex.256  
FNN069\_4493113

# "Neutral Reportage" Not Valid, Requirements Not Met



Meade Cooper

Vice President of  
Prime-Time  
Programming



Ex. 108  
191:1-4, 284:8-14,  
284:22-25

Q. You agree that a token pushback is not really a fair reporting on either side; correct?

**A. *That's correct.***

\* \* \*

Q. You would agree that you can cover the allegations and say that they are conspiracy theories and not true; correct?

**A. *If that's the information that you have at the time, then yes.***

\* \* \*

Q. In other words, there are ways to cover the allegations without giving a platform to the people spewing lies; correct?

**A. *Yes.***



# "It Won't Be Shows Like Dobbs, Hannity, etc."

From: Bland, Joseph (FBI) / F:\EXCHANGE\LABS\EXCHANGE ADMINISTRATIVE GROUP (FY12DC)\FBI\POLY\COMMUNICATIONS\FBI\EXCHANGE\ADMINISTRATIVE\JOSEPHBLAN  
To: Schlageter, Mary (FBI); Reynolds, Emily (FBI); Davis, Andrew (FBI); Escherich, John (FBI)  
CC: Lowell, Tom (FBI)  
Sent: 12/11/2020 3:28:58 PM  
Subject: RE: Smartmatic Confidential Queue Question

Search: gwin

From: Schlageter, Mary [REDACTED]  
Sent: Friday, December 11, 2020 3:28 PM  
To: Reynolds, Emily [REDACTED]; Davis, Andrew [REDACTED]; Bland, Joseph [REDACTED]; Escherich, John [REDACTED]  
Cc: Lowell, Tom [REDACTED]  
Subject: Smartmatic Confidential Queue Question

Hi All,

I received this question just now from Tom Lowell, cc'd here:

FOX is looking at a potential legal dispute with Smartmatic. (Dominion voting-related.)

We need to look at all the times Rudy Giuliani, Sydney Powell, Alan Dershowitz and Ronna McDaniel came on FNC/FBN and addressed the questions that were raised about Dominion voting and Smartmatic machines.

The potential legal dispute is claiming that we *didn't* challenge the narrative being put out by Giuliani, Powell et al that the Dominion vote machines / Smartmatic were responsible for switching votes and/or producing inaccurate results. Sometimes, we didn't. **But we are looking for the times we DID challenge this narrative.** It won't be shows like Dobbs, Hannity, etc. We need to specifically look at straight-er news shows.

This will have happened November 4-7th.

- My request:
- 1. Pull all the times the aforementioned individuals came on FNC/FBN
  - 2. Pull transcripts of those segments
  - 3. Access search: "Dominion", "Smartmatic", "voting" and "polling"

#### PLAN OF ATTACK:

- Emily – If you can start compiling air dates tonight if time allows, that would be great.
- Andrew – Please have you and/or the weekend team finish compiling all the air dates for the people below by the end of the weekend and compile transcripts for those dates.
- Joe & John – Andrew will send you a compiled list of dates and transcripts. Please go through each of these transcripts and seeing which interviews we did challenge the narrative.

Answer: Once you and the weekend team are done, please email myself, Joe Bland and John Escherich the complete list of dates and transcripts, and Slack us once you've done emailed it, so we have an extra confirmation.

Joe & John: Please pick one of you to compile and send to Tom.

#### THANK YOU ALL!

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From: Schlageter, Mary [REDACTED]  
Sent: Friday, December 11, 2020 3:26 PM  
To: Reynolds, Emily <[REDACTED]>; Davis, Andrew <[REDACTED]>; Bland, Joseph <[REDACTED]>; Escherich, John <[REDACTED]>  
Cc: Lowell, Tom <[REDACTED]>  
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Ex.178  
FNN033\_03873281



# Testimony of Meade Cooper



Meade Cooper

Vice President of  
Prime-Time  
Programming



Ex. 108  
284:8-14

Q. You would agree that you can cover the allegations and say that they are conspiracy theories and not true; correct?

**A. If that's the information that you have at the time, then yes.**

# Testimony of Viet Dinh



Viet Dinh

Chief Legal and  
Policy Officer  
Fox Corporation



Ex. 601  
314:3-9

Q. But if you believe it and know it to be false, you have a moral and ethical obligation to hold the President accountable by pointing that out to your viewers, right?

**A. If you believe them to be false, yes.**



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
377:24-378:7

**“If a claim was being made and it was not supported by evidence, you would want that noted.”**





Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
127:20-24

Q. Does Fox Corporation believe that entities within its control should be broadcasting conspiracy theories?

**A. No.**



Joe Dorrego-30(b)(6)

CFO and COO  
Fox News

Ex. 759  
131:22-132:2

Q. Do entities within Fox Corporation's control have an obligation to tell the truth?

**A. Yes.**

# "Our Viewers Are Good People And They Believe It"

[Redacted]

**It's unbelievably offensive to me. Our viewers are good people and they believe it.**

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Sent 2020-11-18 01:59:56 PM UTC FROM: Tucker Carlson -

[Redacted]

**It's unbelievably offensive to me. Our viewers are good people and they believe it.**

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# The Fix Is In

PARTICIPANTS: Joe Colella - [REDACTED]

This from the media

Sent 2020-11-07 07:46:15 PM UTC FROM: Joe Colella - [REDACTED]

Hammer and scorecard. Dominion software. My call is at least 20 M fraudulent Biden votes. Minimum.

Sent 2020-11-07 07:47:16 PM UTC FROM: Maria Bartiromo - [REDACTED]

Ok Sydney will say it tomorrow

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# Fox's Proposed Jury Question Makes No Sense

## **Sidney Powell**


(Nov 14, 2020)

"I can hardly wait to put forth all the evidence we have collected on Dominion, starting with the fact it was created to produce altered voting results in Venezuela for Hugo Chavez."



## **Fox's Question to the Jury**

Did "the press report the 'true' fact that the President made those allegations?"



It is a “tautological proposition that evidence of managerial pressure to produce sensationalistic or high-impact stories **with little or no regard for their accuracy** would be probative of actual malice.”

*Tavoulareas v. Piro*, 817 F.2d 762, 796-97 (D.C. Cir. 1987) (emphasis in original).



# Defamation Damages

“In contrast to disparagement of goods, slander claims do not require specific itemization of damages.”

“The amount of general damages ‘must be supported by competent evidence concerning the injury, although there need be no evidence which assigns an actual dollar value to the injury.’”

Key requirement: “evidence of **widespread dissemination**” of the defamation

“we upheld a finding of damages for defamation **based on an estimate of lost profits rather than an itemized list**”

*Fashion Boutique of Short Hills, Inc. v. Fendi USA, Inc.*,  
314 F.3d 48 (2d Cir. 2002)

## Judge Easterbrook:

“[H]ow does [plaintiff] prove a counterfactual proposition about the behavior of persons who bought [its competitor’s] services? [Plaintiff] was able to prove that lies had been told, but the extent of their effect was bound to be problematic. That’s why general damages are available in the law of defamation.”

*Israel Travel Advisory Serv., Inc. v. Israel Identity Tours, Inc.*, 61 F.3d 1250, 1255 (7th Cir. 1995).

“[T]his principle does not somehow become irrelevant for a corporate plaintiff; reputational damages are no easier to quantify for a corporate plaintiff than for an individual plaintiff.”

*Metro. Opera Ass’n*, 2005 WL 1712241, at \*5.



# Fox's Proposed "Falsity" Question

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

US DOMINION, INC., DOMINION  
VOTING SYSTEMS, INC., and  
DOMINION VOTING SYSTEMS  
CORPORATION,

Plaintiff,

v.

FOX NEWS NETWORK, LLC,

Defendant.

C.A. No. N21C-0

CONSOLIDATE

CONFIDENTIAL  
FILED UNDER

US DOMINION, INC., DOMINION  
VOTING SYSTEMS, INC., and  
DOMINION VOTING SYSTEMS  
CORPORATION,

Plaintiff,

v.

FOX CORPORATION,

Defendant.

C.A. No. N21C-0


DEFENDANT FOX NEWS NETWORK, LLC'S ANSWER  
OPPOSITION TO PLAINTIFF'S MOTION FOR SUMMARY

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<sup>15</sup> The Court should also reject Dominion's passing request for "partial" summary judgment on whether the President's allegations were true. Dom.MSJ.7. The question is whether the press reported the "true" fact that the President made those allegations. Issuing a judgment on whether the allegations themselves were true thus would do nothing to advance the resolution of this litigation. *See Page*, 270 A.3d at 846-47 (explaining that it was not the court's "role to determine whether the information in the Steele Dossier is true or false"); *Green*, 286 F.3d at 284 (explaining that in "cases involving media defendants ... the defendant need not show the allegations are true, but must only demonstrate that the allegations were made and accurately reported").





“The owner, licensee or operator of a visual or sound radio broadcasting station or network of stations, and the agents or employees of any such owner, licensee or operator, **shall not be liable** for any damages for any defamatory statement published or uttered in or **as a part of a visual or sound radio broadcast, by any legally qualified candidate for public office** whose utterances, under rules and regulations of the federal communications commission may not be subject to censorship by such owner, licensee or operator of such visual or sound radio broadcasting station or network of stations, or their agents or employees.”

*N.Y. Civ. Rights L. § 75(1)*

## **Sidney Powell**

(Nov 14, 2020)

---

“I can hardly wait to put forth all the evidence we have collected on Dominion, starting with the fact it was created to produce altered voting results in Venezuela for Hugo Chavez.”

¶179(c)