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IN THE CIRCUIT COURT OF VERNON COUNTY, MISSOURI

VERNON COUNTY REPUBLICAN)
COMMITTEE, by and through,)
CYNDIA HAGGARD, Chairman,)
)
Relator,)
)
vs.) Case No. 24VE-CV00185
)
ADRIENNE LEE,)
VERNON COUNTY CLERK,)
)
Respondent.)

DEPOSITION OF CYNDIA HAGGARD, produced, sworn, and
examined on May 2, 2024, at 12:53 p.m. of that day, at
Vernon County Emergency Management Building, 802 East
Hickory Street, Nevada, Missouri, before Leah M.
Durnell, Certified Court Reporter, in a certain cause
now pending in the Circuit Court of Vernon County,
Missouri, wherein the parties are as above set forth;
taken on behalf of the Respondent.

FOR THE RECORD, LLC
405 N. Jefferson
Springfield, MO 65806 (417) 881-1186

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(Whereupon the exhibits were retained by Mr. Elliott)

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A P P E A R A N C E S

For the Respondent:

**MR. TRAVIS A. ELLIOTT
ELLIS ELLIS HAMMONS & JOHNSON, PC
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Springfield, Missouri 65804
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For the Relator (Via Zoom):

**MR. MARK T. MCCLOSKEY
MCCLOSKEY, PC
THE NIEMANN MANSION
4472 Lindell Blvd.
St. Louis, MO 63108
Tel: 314-721-4000
McCloskeyLaw@aol.com**

Also present:

ADRIENNE LEE

Reported by:

**LEAH M. DURNELL, CCR-MO No. 1394
FOR THE RECORD, LLC
405 N. Jefferson
Springfield, MO 65806
Tel: 417.881.1186 Fax: 417.881.4557**

1 CYNDIA HAGGARD,
2 of lawful age, produced, sworn, and examined on behalf
3 of the Relator, deposes and says:
4 EXAMINATION
5 BY MR. ELLIOTT:
6 Q. Good afternoon, Ms. Haggard. As you know, my
7 name's Travis Elliott and I'm representing Ms. Lee
8 in this lawsuit that's been filed against her by
9 the Vernon County Republican Central Committee. I
10 just have a few questions to start off with. Have
11 you ever had your deposition taken before?
12 A. Yes, I have.
13 Q. Okay. And in what context was that?
14 A. It was a cabinet refinishing company that we
15 owned.
16 Q. Okay. And were you the plaintiff or the defendant
17 in that case?
18 A. I was the defendant.
19 Q. Okay.
20 A. Or we were the defendant.
21 MR. MCCLOSKEY: Just before we go any
22 further. I'm having a really hard time hearing
23 the witness. Cyndia, if you can keep your voice
24 up --
25 THE WITNESS: Okay.

For The Record, LLC 4

1 MR. MCCLOSKEY: -- that would be better.
2 THE WITNESS: Yeah.
3 Q. (By Mr. Elliott) And I can -- I can --
4 A. So I said I was the defendant.
5 Q. Let me scoot a little bit close. And was that
6 over a disagreement about performance or work
7 product?
8 A. Work product.
9 Q. Okay. And what is your current address?
10 A. 429 West Lee Street here in Nevada.
11 Q. And how long have you lived there, ma'am?
12 A. Well, I grew up in the home. We moved back in
13 2016, I think.
14 Q. So that was your childhood home at 429?
15 A. It was.
16 Q. Okay.
17 A. We moved back because my mother was ill.
18 Q. And you said you moved back to that residence in
19 2016?
20 A. I want to say it was 2016. 2015 or '16, one of
21 the two.
22 Q. And where had you lived before that?
23 A. Most recently in Louisburg.
24 Q. Here in Missouri?
25 A. Yes. No. Kansas.

For The Record, LLC 5

1 Q. Louisburg, Kansas. Okay. And how long had you
2 lived there?
3 A. About 10 years.
4 Q. Okay. And what is your educational background,
5 ma'am?
6 A. High school, college.
7 Q. High school, college?
8 A. Mm-hmm. I owned a computer training company for a
9 number of years.
10 Q. Okay. Where did you go to high school?
11 A. Here.
12 Q. Nevada?
13 A. Yes.
14 Q. And where did you go to college?
15 A. Junior college in Overland Park. Johnson County.
16 Q. Which one did you go to?
17 A. Johnson County Community College.
18 Q. And did you get your associates there?
19 A. I did not.
20 Q. Okay. Any other degrees?
21 A. No.
22 Q. And I think you said that you had had a computer
23 company?
24 A. Mm-hmm.
25 Q. What kind of -- and you'll have to answer yes or

For The Record, LLC 6

1 no?
2 A. Yes. Sorry.
3 Q. Nope, you're fine. And you said a computer
4 company. What kind of computer company?
5 A. Computer training.
6 Q. Okay. On use of software? Hardware?
7 A. Software.
8 Q. All right. And so if you've had your deposition
9 taken before and, of course, you attended
10 Ms. Lee's earlier this week. You know that I'm
11 going to ask question and you're going to answer
12 them to the best of you ability truthfully and
13 correctly, is that fair to say?
14 A. Yes.
15 Q. Okay. And if you don't understand a question that
16 I ask, feel free to let me know and I'll try to
17 rephrase it, okay?
18 A. Okay.
19 Q. I'm not trying to trick you.
20 A. Okay.
21 Q. If you need to break at any time, please let me
22 know and I'll be happy to oblige.
23 A. Okay.
24 Q. Is there any reason today why you can't provide
25 truthful and accurate responses in your deposition

For The Record, LLC 7

1 testimony?
2 A. No.
3 Q. Are you under the influence of any alcohol or
4 controlled substances?
5 A. No.
6 Q. So high level, my understanding is that you are
7 the chair of the Vernon County Republican Central
8 Committee, is that fair to say?
9 A. Yes.
10 Q. And how long have you been on the Central
11 Committee?
12 A. On the Central Committee, since probably -- well,
13 2016.
14 Q. Okay. And you serve as the Ward 7 committeewoman,
15 is that right?
16 A. Yes.
17 Q. And has that been the case since 2016?
18 A. Yes.
19 Q. And were you elected to that position in 2016?
20 A. I don't remember.
21 Q. Okay. You don't remember if you were -- you filed
22 a declaration of candidacy to be a committee
23 person or you were --
24 A. I don't remember.
25 Q. -- appointed?

For The Record, LLC

8

1 A. Not without doing the math. And I'm not sure what
2 that would be. I -- it would be the number of
3 wards and then -- how many townships are there?
4 ADRIENNE LEE: There's 20.
5 THE WITNESS: Twenty. So 20 plus the
6 eight or nine wards.
7 Q. (By Mr. Elliott) Okay.
8 A. Times two.
9 Q. And it's okay if you don't know. I don't know is
10 an acceptable answer.
11 A. Yeah. I'm guessing.
12 Q. Okay. So you estimate it at how many?
13 A. There's nine wards. And there's 20 -- you said
14 20?
15 ADRIENNE LEE: Mm-hmm.
16 THE WITNESS: Twenty townships. So 29
17 times two. Fifty-eight.
18 Q. (By Mr. Elliott) Okay. And we'll get to that in
19 more detail --
20 A. And I'm guessing.
21 Q. -- later. I understand. So my understanding is
22 that your position is as the chairwoman of the
23 Central Committee. And so we're going to have a
24 separate deposition individually and as the
25 representative of the Central Committee. Do you

For The Record, LLC

10

1 A. I do not remember.
2 Q. Okay. How about since then, how about in 2018?
3 A. I filed.
4 Q. Okay. And how about in 2020?
5 A. I would have filed then, as well.
6 Q. And in 2022?
7 A. Filed.
8 Q. And here just recently, did you file again?
9 A. Filed.
10 Q. So you're not sure for 2016, but at least in the
11 past four cycles in even numbered years, you've
12 filed as a Vernon County Republican Central
13 Committeewoman --
14 A. Yeah.
15 Q. -- for Ward 7?
16 A. Yes.
17 Q. Okay. And how long have you been chair?
18 A. I think since 2019.
19 Q. And who was chair before you?
20 A. Barbara York. Y-O-R-K.
21 Q. Do you know how many people are on the Central
22 Committee, as we stand here today?
23 A. Not off the top of my head.
24 Q. Do you know what the total number of seats are on
25 the Central Committee in Vernon County?

For The Record, LLC

9

1 understand that today?
2 A. No.
3 Q. Okay. And so do you understand that there were
4 two notices of deposition issued in this case; one
5 for you individually and one for a corporate
6 representative of the Vernon County Republican
7 Central Committee?
8 A. I know you filed that motion or writ or whatever
9 it's called. I'm not aware of what happened to
10 it.
11 Q. Okay. Are you aware that there was an amended
12 notice of deposition that was issued today for
13 someone on behalf of the Vernon County Republican
14 Central Committee to be here at noon today?
15 A. I haven't seen anything on the court --
16 Q. Okay.
17 A. -- on the calendar today.
18 Q. Has Mr. McCloskey provided you a copy of any
19 notice of deposition?
20 A. I don't -- I'm sure he did.
21 Q. Okay.
22 A. And I know we were supposed to be here at noon and
23 you changed it to 1.
24 Q. Okay. And what makes you think I changed it to 1?
25 A. Because I was --

For The Record, LLC

11

1 MR. MCCLOSKEY: That was my mistake
2 because I did not have -- I pulled up Case.net and
3 the only -- I looked at the first depo notice that
4 came up and it said one, but I didn't ever
5 receive -- I didn't have a link anyway. I did not
6 get a link from your office until about a quarter
7 until 1. But it was my mistake that I misdirected
8 her until 1. I thought that's when it was.
9 THE WITNESS: Mark, can you see us?
10 MR. MCCLOSKEY: Yes.
11 Q. (By Mr. Elliott) Okay. So here's my understanding
12 of the Central Committee's position is -- and in
13 essence, the Central Committee set up a vetting
14 process in order to vet Republican candidates for
15 local, state, and national office, and enacted a
16 procedure by which they required candidates to
17 come before the Committee and sign a pledge, take
18 a secret test, and the Central Committee got to
19 decide whether they had been -- received the stamp
20 of approval. And then the Central Committee
21 would, if approved, receive the filing fee of
22 someone who wanted to file as a candidate before
23 the candidate went and filed a declaration of
24 candidacy with the county clerk. Is that high
25 level what we're talking about here?

For The Record, LLC

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1 MR. MCCLOSKEY: Let me pose an objection
2 at this point or at least a point of
3 clarification. Based on the Court's ruling this
4 week, I assume that you'll agree, that the
5 internal machinations of the Vernon County Central
6 Committee, Republican Central Committee has been
7 excluded as topics. I -- I will allow her to
8 testify about whether or not -- whether or not
9 they accepted fees. But as far as the
10 mechanism -- your question contained a whole lot
11 of factual recitations regarding how or why
12 certain fees were -- were -- were not accepted.
13 And I think that goes into areas that the Court
14 has excluded from this action.
15 Q. (By Mr. Elliott) Okay. You can answer, if you
16 know?
17 A. So the filing fees have always come to our
18 committee treasurer in the past, whoever that
19 treasurer happened to be, and we issued a paid
20 receipt for them that the candidate could then
21 take to the courthouse. That's been our policy
22 for as long as I've been on the Committee and
23 before that.
24 Q. Now, wouldn't you agree that in 2022 that wasn't
25 the policy? Because there were candidates in

For The Record, LLC

13

1 Vernon County who paid their fee and the
2 declaration of candidacy with the county clerk's
3 office?
4 A. The county --
5 MR. MCCLOSKEY: Once again I'm going to
6 object that your question indicates or implicates
7 it has paid. And once again, it's up to the Court
8 to dispute this action. So I think that your
9 question regarding -- was phrased as paid to the
10 county clerk presupposes an issue of law which has
11 not been determined in this action. So I think
12 that for that reason the question is
13 objectionable. I'll let her answer, but, I mean,
14 I'm going to make that -- that distinction every
15 time that you use the word "paid" in regard to the
16 clerk.
17 Q. (By Mr. Elliott) Okay.
18 A. And I would like it on record that it is my
19 opinion that anything given to the county clerk in
20 the terms of checks from people who want to be
21 candidates is submitted, not paid. It is not paid
22 until our treasurer accepts it and puts it in the
23 bank and it clears.
24 Q. So, ma'am --
25 A. So --

For The Record, LLC

14

1 Q. -- I'm going to move to strike as nonresponsive.
2 That wasn't my question. My question was:
3 Wouldn't you agree that in 2022 there were
4 Republican candidates who filed for office in
5 Vernon County that paid their filing fee to the
6 county clerk?
7 A. No. I would not agree with that --
8 MR. MCCLOSKEY: Once again, I'm going to
9 object --
10 Q. (By Mr. Elliott) Okay. Well --
11 MR. MCCLOSKEY: Let me have the
12 opportunity -- let me have the opportunity to
13 object, so. And once again, I'm objecting to the
14 characterization of "paid." You can ask what they
15 actually did, but the legal conclusion of paid is
16 a -- the core issue in this. And so that -- ask
17 the witness if they were paid to the county clerk
18 is asking for a -- calling for a legal conclusion
19 this witness cannot make.
20 Q. (By Mr. Elliott) Okay. There are examples from
21 2022 where the filing fee was paid to the county
22 clerk in Vernon County, correct?
23 A. No.
24 MR. MCCLOSKEY: Once again, I'm going to
25 object.

For The Record, LLC

15

1 Q. (By Mr. Elliott) Well, she already answered, Mark,
2 so.
3 A. And my answer is no.
4 Q. Okay. And so you're telling me here today under
5 oath that if I present to you examples in 2022 of
6 candidates in Vernon County that paid their filing
7 fee to the county clerk that -- that you don't
8 think that that happened?
9 MR. MCCLOSKEY: Give me an opportunity
10 before you answer to object, okay? When you say
11 paid to the county clerk, you're -- you're being
12 fast and loose with words. Were these checks made
13 out to the clerk --
14 MR. ELLIOTT: Mark, state your
15 objection.
16 MR. MCCLOSKEY: My objection is --
17 MR. ELLIOTT: What's your objection?
18 MR. MCCLOSKEY: My objection is that you
19 are asking for a legal conclusion --
20 MR. ELLIOTT: That's not an objection.
21 Okay --
22 MR. MCCLOSKEY: -- when you use the word
23 --
24 MR. ELLIOTT: -- moving on. You can
25 answer.

For The Record, LLC 16

1 MR. MCCLOSKEY: -- "paid."
2 THE WITNESS: I -- I didn't hear the
3 last part of that, Mark.
4 Q. (By Mr. Elliott) It's not an objection, so you can
5 answer. I mean, he's talking. He's not -- he's
6 not objecting.
7 MR. MCCLOSKEY: The objection is it
8 calls for a legal conclusion, this witness lacks
9 the qualifications to respond to it. And by the
10 way, see core issue before the Court --
11 MR. ELLIOTT: So --
12 MR. MCCLOSKEY: -- you can go ahead and
13 answer.
14 Q. (By Mr. Elliott) You can answer.
15 A. So my answer is no. There were no fees paid to
16 the county clerk in 2022. During the COVID years,
17 which would have been 2022 as far as the primary
18 is concerned, she -- the checks were submitted to
19 her which were then sent to our treasurer to
20 determine whether we were accepting or rejecting
21 those candidates.
22 Q. I'm curious, Ms. Haggard, where exactly in Chapter
23 115.357 does it say the word "accept" or "reject"?
24 Where does it say that?
25 A. In terms of what the county clerk does?

For The Record, LLC 17

1 Q. Anywhere in 115.357?
2 A. 115.357 pertains to the county clerk's duties.
3 Q. So where --
4 A. So --
5 (Exhibit 1 marked)
6 Q. (By Mr. Elliott) So where does it say -- and I'll
7 be happy, here -- I'll mark as Exhibit 1, here.
8 I'll hand you a copy.
9 A. Okay. Thank you.
10 Q. Show me exactly in Exhibit 1 where it talks about
11 accepting or rejecting filing fees?
12 A. It says, "Submit" and it says --
13 Q. Nope. That's not my question, ma'am. I'll move
14 to strike as non-responsive.
15 My question is: Where in Exhibit 1 does it
16 say anything about accepting or rejecting filing
17 fees?
18 A. It does not.
19 Q. It does not. I'm glad we can agree on that.
20 A. Do you want this back?
21 Q. Nope. You'll need it.
22 A. Okay.
23 Q. So my next question is: Is there anywhere in
24 115.357 that the word "perfect" or "perfecting,"
25 shows up?

For The Record, LLC 18

1 A. No.
2 Q. Let's talk about your computer training company
3 for a minute. So did companies hire you and your
4 company to train their employees on use of
5 software?
6 A. Yes.
7 Q. Okay. And did -- what kind of software were you
8 training them on?
9 A. Windows and Macintosh based.
10 Q. So when you did that I assume you did that for
11 compensation, is that fair to say?
12 A. Yes.
13 Q. You wanted to provide some value to somebody and
14 you expected value in return, right?
15 A. Yes.
16 Q. It's the American way?
17 A. Yes.
18 Q. Did you ever have a customer or a client pay you
19 by check?
20 A. We did.
21 Q. Yeah. Whenever they handed over the check, was it
22 paid?
23 A. Was not.
24 Q. Really? Have you ever gone to a grocery store and
25 bought groceries with a check?

For The Record, LLC 19

1 A. A long time ago, yes.

2 Q. Okay. They let you take the groceries out of the

3 grocery store that day?

4 A. They probably did.

5 Q. Did you take them home and eat the groceries?

6 A. Probably did at some point. And had the check not

7 cleared, I bet the grocery store would have come

8 after me.

9 Q. But wouldn't you agree that insufficient funds is

10 a condition subsequent to the transaction?

11 A. No.

12 Q. You wouldn't?

13 A. No.

14 Q. You have a mortgage on your home?

15 A. No, I do not.

16 Q. Do you have a car payment?

17 A. I do not.

18 Q. Okay. Do you pay anything by check?

19 A. I do not.

20 Q. You don't pay your electric or your utility bill

21 by check?

22 A. I do not. Well, I guess it's filed online. An

23 electronic check.

24 Q. Yeah. You have made a lot of trips around the

25 state over the past couple of years, is that fair

For The Record, LLC **20**

1 to say?

2 A. Yes.

3 Q. You've talked to a lot of people about politics?

4 A. Yes.

5 Q. Republican politics?

6 A. Yes.

7 Q. And Central Committee issues?

8 A. Yes.

9 Q. And vetting?

10 A. Yes.

11 Q. You've talked to people about whether the county

12 clerk can accept fees or not, right?

13 A. Yes.

14 Q. You've talked about whether a county clerk should

15 or shouldn't accept fees, right?

16 A. Yes.

17 Q. And you have a very strong opinion about that,

18 don't you?

19 A. Yes.

20 Q. So let's talk about -- you've got Exhibit 1 there

21 still in front of you. And you've -- you've said

22 a lot of things on social media and on the radio

23 and in the newspaper. I've got a couple of

24 questions. So you've said a number of times about

25 some U.S. Supreme Court that decides all of these

For The Record, LLC **21**

1 issues. Which Supreme Court case is that that

2 you're talking about, Ms. Haggard?

3 A. What issue are you talking about?

4 MR. MCCLOSKEY: Once again, I'm going to

5 object on the basis it calls for expert testimony.

6 This witness has not been noticed as an expert.

7 She lacks the qualifications to opine on the legal

8 significance of -- of Supreme Court opinions. She

9 can -- she can testify to her opinion regarding

10 them, but, you know, just stating that as an

11 objection.

12 Q. (By Mr. Elliott) You can answer.

13 A. My question was what opinions are you talking

14 about?

15 (Exhibit 2 marked)

16 Q. (By Mr. Elliott) Well, that's a fair question. So

17 there are a number of examples and we'll talk

18 about each of those separately. I'm going to hand

19 you what has been marked as Defendant's Exhibit 2.

20 A. Thank you.

21 Q. And the Vernon County Republican Central Committee

22 has a Facebook page, is that right?

23 A. Yes.

24 Q. And you're the administrator of that Facebook

25 page, correct?

For The Record, LLC **22**

1 A. Yes.

2 Q. And so if you look there, Exhibit 2 is one, two,

3 three, four, five, six pages. And I think you'll

4 agree with me that if you look through there,

5 there are at least three different posts, do you

6 agree with me?

7 A. I don't know.

8 Q. Okay.

9 A. I don't know whether these are all part of the

10 same thread or whether these are different posts.

11 I have no idea.

12 Q. Okay. Well, let's -- let's start with page 2.

13 A. Okay.

14 Q. So this appears to be a post on your personal

15 account, would you agree? That's your name there,

16 Cyndia Haggard?

17 A. Looks like it.

18 Q. Okay. And so if you look there, it starts with,

19 "As many people already know," and what I'd like

20 for you to do is to go to the third sentence

21 there. It talks about, "This right has been

22 argued in the highest court of the land and

23 Justice Scalia affirmed the right." Do you see

24 that there?

25 A. I do. I can mark on this, right?

For The Record, LLC **23**

1 Q. Sure. What case are you talking about?
2 MR. MCCLOSKEY: Once again, I'm going to
3 object to this entire line of questioning. I
4 think the Court has made it clear that the reasons
5 for vetting, the process of vetting, the concept
6 of vetting, all these things are outside the scope
7 of this litigation. If you're going to go through
8 all of this with her, I think we need to talk to
9 the judge before we go any further.

10 Q. (By Mr. Elliott) You can answer the question.
11 MR. MCCLOSKEY: No, she can't. I'm
12 gonna -- I -- you would have to agree that at the
13 hearing in this case on Tuesday the Court has
14 excluded from this case all the issues regarding
15 vetting, the purpose of vetting, the background of
16 vetting, the process of vetting, anything like
17 that. And her opinion on a Supreme Court case
18 regarding, which I suspect you're going to ask her
19 about, the right of a party to choose its own
20 membership, goes to the issues of vetting, which
21 this Court has specifically excluded from inquiry
22 in this matter --

23 MR. ELLIOTT: Mark, I didn't say
24 anything about vetting at all, so I don't know why
25 you're talking about it.

For The Record, LLC

24

1 that -- that the Vernon County Republican Central
2 Committee and Ms. Haggard want to hide behind
3 their own statements out in the open?
4 MR. MCCLOSKEY: No. I just want this
5 deposition not to last seven hours on -- on things
6 which the Court has excluded from this litigation.
7 MR. ELLIOTT: Okay.
8 MR. MCCLOSKEY: We don't -- we don't
9 hide from anything we've said, we just believe it
10 as outside the scope of this discovery. And if
11 you don't -- if you don't recognize, if you would
12 not recognize on the record that the Court has
13 ruled on all the things regarding the philosophy
14 of vetting, the process of vetting, the reasons
15 for vetting have all been expressly excluded from
16 discovery in this matter then we need to go talk
17 to the judge.
18 MR. ELLIOTT: Yeah. Well, here's the
19 thing, Mr. McCloskey, if you wanted a protective
20 order about Ms. Haggard's deposition I suppose you
21 could have asked the Court for one but you failed
22 to do so. And so I think I have the right --

23 MR. MCCLOSKEY: We -- we filed --
24 MR. ELLIOTT: -- to take your client's
25 deposition just like you took my client's

For The Record, LLC

26

1 MR. MCCLOSKEY: Well, because there's no
2 relevance to this Supreme Court case --
3 MR. ELLIOTT: It's her -- it's her
4 statement.
5 MR. MCCLOSKEY: -- before they --
6 MR. ELLIOTT: It's her public statement
7 that I get to ask her about --
8 MR. MCCLOSKEY: Well, only if they're --
9 MR. ELLIOTT: -- and I'm going to.
10 MR. MCCLOSKEY: -- reasonably related to
11 the issues in this case --
12 MR. ELLIOTT: That's not even the
13 standard. It's reasonably calculated to lead to
14 the discoverable -- of admissible evidence.
15 MR. MCCLOSKEY: Well, except we have a
16 court ruling on what is and is not discoverable in
17 this case.
18 MR. ELLIOTT: There's no court ruling on
19 Ms. Haggard's deposition.
20 MR. MCCLOSKEY: Okay. Then we need to
21 talk to the judge before we go any further.
22 MR. ELLIOTT: Okay. So you want to stop
23 the deposition and stop me from asking Ms. Haggard
24 about statements that she's made publicly? I just
25 want to make it -- I just want to make it clear

For The Record, LLC

25

1 deposition.
2 MR. MCCLOSKEY: We -- except that before
3 we took -- I took your client's deposition we
4 didn't have the Court's clarification on this. We
5 filed a motion to quash the 57.03(b)(4)
6 deposition --
7 MR. ELLIOTT: I'm not taking that
8 deposition right now, so it's -- it's irrelevant,
9 Mark.
10 MR. MCCLOSKEY: We had, the Court ruled
11 on the different areas, different documents, and
12 the duces tecum, and, yes, if you're going to --
13 if you're going to spend today's deposition
14 inquiring about vetting issues, then we need to
15 talk to the judge.
16 MR. ELLIOTT: You've -- you've already
17 taken more time. She could have just told me what
18 the case was.

19 Q. (By Mr. Elliott) You gonna answer the question,
20 Ms. Haggard?
21 A. Not when my attorney says not to --
22 Q. Okay --
23 A. -- no.
24 Q. -- you're instructing her not to answer?
25 MR. MCCLOSKEY: I'll -- I'll let her

For The Record, LLC

27

1 answer what Supreme Court case she was referring
2 to.

3 THE WITNESS: It's the 2000 blanket
4 primary overturn -- overturning of the blanket
5 primary in California.

6 Q. (By Mr. Elliott) Okay. Thank you. Glad we got
7 there.

8 Would you agree, Ms. Haggard, that Missouri
9 has an open primary election statutory scheme?

10 A. Yes.

11 Q. Okay. So in this same statement, further down --
12 A. Are we on page 2, sir?

13 Q. Yes, ma'am. So you have included what appears to
14 be a copy of the Preliminary Order In Mandamus in
15 this case, you see that down there?

16 A. I do.

17 Q. And so in your block of texts there, you say,
18 "Today we received the document below from the
19 Court. It indicates that the county clerk
20 violated our rights." Okay. So --

21 A. I don't see that.

22 Q. You don't -- you don't see where you said that?
23 A. Uh-uh.

24 Q. So it's about halfway into the paragraph --
25 paragraph that you wrote?

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1 A. Got it.

2 Q. You see it?

3 A. Yep.

4 Q. Tell me --

5 A. Yes.

6 Q. -- where in the Preliminary Order In Mandamus,
7 that you put in down here, where does it say that
8 the county clerk violated your rights? Where does
9 it say that? And I'll make it easy for you --

10 A. I --

11 Q. -- it doesn't say that, does it, ma'am?

12 A. -- I'm reading.

13 Q. Sure.

14 A. "Accepting people not putting people on Republican
15 Party ballot without first getting our okay. This
16 has been our position from the start. We are
17 gratified the Court agrees."

18 Q. I'll move to strike as nonresponsive. I'm -- my
19 question is: The Preliminary Order In Mandamus
20 doesn't say anything about the county clerk
21 violating your rights, does it?

22 A. It says the county clerk is not to put candidates
23 on the ballot until we have accepted them.

24 Q. And so you would agree with me that the
25 Preliminary Order In Mandamus says nothing about

For The Record, LLC 29

1 the county clerk violating your rights --

2 A. It does not use those --

3 Q. -- wouldn't you?

4 MR. MCCLOSKEY: I'm going to object --

5 THE WITNESS: -- specific words.

6 MR. MCCLOSKEY: -- it mischaracterizes
7 her testimony. She just said that it did
8 indicate. Once again, her interpretation of the
9 Court's order is not relevant to anything before
10 this court.

11 Q. (By Mr. Elliott) Okay. Let's go to page 3. This
12 is a post by you, would you agree?

13 A. It appears to be, yes.

14 Q. And you're responding to Crystal McCrery Bearce
15 and Terri Hayne Hughey, is that right?

16 A. Looks like it, yes.

17 Q. Okay. And so in the second sentence it says, "The
18 county clerk overstepped her authority by ignoring
19 the party when we advised we had rejected certain
20 candidates wanting to run on our ballot." Do you
21 see where it says that?

22 A. Yes.

23 Q. I'm curious, Ms. Haggard, do you think that if a
24 county clerk refuses filing fees by a candidate
25 that subjects them to litigation?

For The Record, LLC 30

1 MR. MCCLOSKEY: I object to calling for
2 a legal conclusion and asking for a legal opinion
3 outside the scope of this deposition, outside the
4 scope of the qualifications of this witness. But
5 subject to that, you can answer if you want.

6 THE WITNESS: Yeah. I don't know.

7 Q. (By Mr. Elliott) Do you care?

8 A. I'm not sure what your question's getting at, so I
9 don't know if I care.

10 Q. Well, I'm asking you if you care that what you and
11 your Committee are asking of this county clerk and
12 other people in the state, if you care that you're
13 inviting litigation? Do you care?

14 A. It's too broad an answer -- a question for me to
15 answer appropriately. It would depend on what we
16 were talking about.

17 Q. Well, we're talking about telling county clerks
18 not to accept filing fees. That's what we're
19 talking about, right?

20 A. We've not said she can't accept the filing fees.
21 The -- the statute gives her the option of
22 taking -- of submitting, the candidate
23 submitting -- the statute gives the candidate the
24 option of submitting the filing fee to the
25 election authority.

For The Record, LLC 31

1 Q. You agree that that's what 357 says, in fact,
2 right?
3 A. That's what the first few lines of subsection 2
4 say.
5 Q. Yeah.
6 A. It does not say that it's paid at that point, it
7 does not say that she can accept it on behalf of
8 the political party.
9 ADRIENNE LEE: Shut that because --
10 THE WITNESS: Here. I can get it,
11 Adrienne.
12 ADRIENNE LEE: That's all right.
13 THE WITNESS: Seemed like an easy task.
14 ADRIENNE LEE: Yeah, it did.
15 Q. (By Mr. Elliott) Now, my understanding is that one
16 of your positions in this case is that because you
17 had notified the county clerk in advance that
18 certain candidates hadn't been vetted and certain
19 candidates that had, that that made a difference
20 about whether she should accept their declaration
21 of candidacy, is that a fair statement?
22 A. Say that again?
23 Q. Is it your position that it matters to the
24 Committee and to you about whether a candidate had
25 been approved by the Central Committee before they

For The Record, LLC **32**

1 filed the declaration of candidacy?
2 A. Yes.
3 Q. And so is it your position -- I'll wait.
4 Is it true that any candidate who hadn't been
5 vetted and attempted to pay their filing fee to
6 the county clerk would immediately be rejected by
7 the Central Committee?
8 MR. MCCLOSKEY: Once again, object to
9 the use of the term paid to the county clerk.
10 Subject to that, you can answer.
11 THE WITNESS: So your question was if --
12 say your question again?
13 MR. ELLIOTT: Will you read the question
14 back, Madam Clerk?
15 (Whereupon the question was read back)
16 THE WITNESS: Correct --
17 MR. MCCLOSKEY: Same objection.
18 THE WITNESS: Pardon?
19 MR. ELLIOTT: He objected.
20 MR. MCCLOSKEY: Same objection. You can
21 go ahead and answer it.
22 THE WITNESS: Okay. We expected all
23 candidates to follow the rules of the Republican
24 Party if they wished to file with the Republican
25 Party.

For The Record, LLC **33**

1 Q. (By Mr. Elliott) Who is the Republican Party?
2 A. The Republican Party technically is the elected
3 hierarchy.
4 Q. And who does that consist of?
5 A. At what level?
6 Q. You tell me.
7 A. I don't --
8 MR. MCCLOSKEY: Well, now you -- it's
9 your job to ask the questions. Don't -- don't --
10 don't speculate. If he -- ask -- if you have a
11 question ask it.
12 Q. (By Mr. Elliott) Who is the Republican Party in
13 Missouri?
14 A. The elected hierarchy.
15 Q. And who is the elected hierarchy?
16 A. It depends on who you're talking about.
17 Q. I'm asking you the question. Who is the
18 Republican Party in the State of Missouri?
19 A. It goes all the way from the county committees to
20 the state committee.
21 Q. And you would agree there's a number of committees
22 between there, right?
23 A. Correct.
24 Q. You have a --
25 A. You're the Dallas County chair. You know that.

For The Record, LLC **34**

1 Q. You have a legislative district committee,
2 correct?
3 A. Correct.
4 Q. You have a senatorial district committee, correct?
5 A. Correct.
6 Q. You have a judicial district committee, correct?
7 A. Correct.
8 Q. You have a congressional district committee --
9 A. Yes.
10 Q. -- right?
11 A. Yes.
12 Q. How many members of the Central Committee in
13 Vernon County have actually been elected or filed
14 declarations of candidacy?
15 A. I don't know. In with what I've provided you, you
16 have a spreadsheet full of that information, but I
17 don't know off the top of my head. And if you're
18 going to mark something as an exhibit, we have
19 asked for that spreadsheet to not be shared.
20 (Exhibit 3 marked)
21 Q. (By Mr. Elliott) I'm going to hand you what's been
22 marked as Exhibit 3. I'll represent to you that
23 this is the packet of documents that your
24 attorney, Mr. McCloskey, provided to us yesterday.
25 And so what I'm going to ask you to do is turn to

For The Record, LLC **35**

1 page 4.
2 A. Okay. Okay.
3 Q. So is page 4 the spreadsheet that you're referring
4 to, Ms. Haggard?
5 A. It is.
6 Q. Okay. And so --
7 MR. MCCLOSKEY: Travis, before we go any
8 further. Since I did not see this document until
9 late yesterday afternoon shortly before I sent it
10 to you, I would request that since I've not had
11 time to file any kind of protective order on it
12 that we would keep this document confidential
13 until such time -- I don't know if you'll agree to
14 keep it confidential. But if you can agree to
15 keep it confidential at least until such time as I
16 can seek some court guidance on it in the way of a
17 protective order.
18 Q. (By Mr. Elliott) I don't know. I'll have to think
19 about that, Mr. McCloskey. I think it's kind of
20 --
21 A. You have the same information in the responses
22 without the contact information, which is personal
23 --
24 Q. Yeah.
25 A. -- given the level of vitriol --

For The Record, LLC **36**

1 Q. I'll be --
2 A. -- and hatred --
3 Q. Just wait a second. I'll be happy to consider the
4 contact information. We can talk about it later,
5 but I'm not gonna agree that it's confidential
6 right now, so.
7 MR. MCCLOSKEY: I don't -- I don't want
8 you to agree that it's confidential. The only
9 thing I'd like for you to agree to is you will not
10 further disseminate until we get a ruling on that
11 issue.
12 MR. ELLIOTT: Yeah. I'm not going to
13 agree with that right now. I'll be happy to take
14 that into consideration. We can talk about it
15 after after the deposition.
16 MR. MCCLOSKEY: That's fine.
17 Q. (By Mr. Elliott) Okay. So there's a number of
18 things going on in this spreadsheet. And it looks
19 to me like it is listing all of the current
20 members that are both elected or appointed of the
21 Vernon County Central Committee, is that a fair
22 statement?
23 A. Yes.
24 Q. Okay. Now, there's a few folks on this
25 spreadsheet that, in the column where it purports

For The Record, LLC **37**

1 to say whether they were voted, appointed, or
2 filed that are not filled in. Do you see that
3 over there?
4 A. I do.
5 Q. Okay. Did you create this spreadsheet?
6 A. I did.
7 Q. Do you maintain it?
8 A. I do. Apparently, not accurately all the time.
9 Q. Okay. So for example, you're the first one on the
10 list right there. Is that fair to say?
11 A. Yes.
12 Q. Okay. And so it doesn't say over there in the
13 column of the spreadsheet about whether you were
14 voted, appointed, or filed, is that right?
15 A. It says down below. That was just a recap of who
16 our officers are.
17 Q. Okay. So if we go down to your name below the
18 dark line, down there, it says, "filed," is that
19 fair to say?
20 A. It does.
21 Q. Is this a list for the current Central Committee?
22 A. Yes.
23 Q. As of what date?
24 A. I believe it's current as of today.
25 Q. Was it --

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1 A. I think.
2 Q. Was it current as of the August 28th of 2022?
3 A. What is that date?
4 Q. That's August 28th of 2022.
5 A. I have no idea.
6 Q. Okay. Was it current as of August 2nd of 2022?
7 A. I have no idea.
8 Q. Okay. Do you think that it's changed between then
9 and now?
10 A. I don't know. I don't -- it should be accurate as
11 of now. I don't think it's changed, but I don't
12 know.
13 Q. Okay. Well, you would agree that the last cycle
14 for filing as county Central Committee would have
15 been in 2022, would it not?
16 A. Mm-hmm. Yes.
17 Q. Okay. Okay. So let's look at Gerald, is it
18 Wadel?
19 A. Wadel.
20 Q. Wadel. So he also doesn't have an indicator up
21 there at the top. If we go down below the dark
22 line, it looks like he was appointed, is that fair
23 to say?
24 A. Yes.
25 Q. Okay. So the Central Committee appointed

For The Record, LLC **39**

1 Mr. Wadel?
2 A. Yes.
3 Q. We don't know when, but they did?
4 A. Correct.
5 Q. Okay. And then Dennis Turner is next on the list.
6 And I don't see Mr. Turner's name below the line.
7 And I would suspicion or hazard a guess that that
8 may be because Mr. Turner is not actually a member
9 of the Central Committee, is that true?
10 A. He is a member of the Central Committee. He's the
11 secretary.
12 Q. Okay. So are you suggesting to me that Mr. Turner
13 either filed a declaration of candidacy for
14 Central Committee member or he was appointed by
15 the Central Committee?
16 A. He was appointed by the Central Committee. He was
17 voted in.
18 Q. Okay. And so why is his name not below the line?
19 A. Human error.
20 Q. Okay.
21 A. That's why I told you I -- I wasn't sure whether
22 this was accurate or not.
23 Q. And so you're not representing to me that
24 Mr. Turner is a non-member of the Committee as
25 secretary?

For The Record, LLC 40

1 A. Can you state that in the positive?
2 Q. Sure. I can rephrase my question.
3 Would you agree that a Central Committee can
4 appointment a secretary who is not a member of the
5 Central Committee?
6 A. Yes.
7 Q. And would you also agree that a Central Committee
8 can appoint a treasurer who is also not a member
9 of the Central Committee?
10 A. Yes.
11 Q. Does Mr. Turner fit into that category with
12 respect to his position as secretary?
13 A. Yes.
14 Q. So he is not actually a member of the Central
15 Committee, he is the secretary to the Central
16 Committee?
17 A. He is a member of the Central Committee by virtue
18 of the fact that he was voted in as secretary and
19 at that point he became a member of the Central
20 Committee.
21 Q. Would you agree he does not have a vote on the
22 Central Committee?
23 A. No. I would not agree.
24 Q. Okay. Let's talk about Ms. Mosher. She appears
25 to fit in a similar category in that her name is

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1 associated with that of treasurer. It does not
2 have an indicator about whether she was voted on,
3 filed, or appointed. Would you agree with that?
4 A. Yes.
5 Q. And I do not see her name below the black line.
6 Am I in error?
7 A. No. That's correct.
8 Q. Okay. And so is she in a -- does she serve in a
9 similar capacity as Mr. Turner in the sense that
10 she's not formally a member of the Central
11 Committee except by virtue of her being treasurer?
12 A. She was voted in as part of the Central Committee
13 in her capacity as treasurer.
14 Q. Okay. And is it your position that she as a
15 treasurer, but non-member, has the right to vote
16 on the Central Committee?
17 A. Yes.
18 Q. Now, in her column it doesn't say anything about
19 whether she was voted in or not, would you agree?
20 A. Yes.
21 Q. Is that another example of bad recordkeeping?
22 A. Apparently.
23 Q. Okay. So if we go below the black line, you have
24 some row numbers in the far left-hand column. Do
25 you see that?

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1 A. Yes.
2 Q. They do not go in order, would you agree?
3 A. Yes.
4 Q. And they range from the number 1 to 56 and a
5 couple of folks don't have a number next to their
6 name?
7 A. Yes.
8 Q. Do you know how many people are on this list?
9 A. Well, it looks like there's 56 plus our two at the
10 bottom. Only those -- well, I take that back.
11 There are 56 slots, which would be an answer to
12 your earlier question. And the ones that are
13 empty don't have people in them.
14 Q. Okay. So it's your position that the Vernon
15 County Central Committee has 56 committee seats?
16 A. Available.
17 Q. Available. And so is it fair to say that based
18 upon this list that the current composition of
19 Central Committee has 28, plus your vice chair,
20 secretary, and treasurer, apparently?
21 A. If that's what it adds up to.
22 Q. Okay. Can you tell me below the black line how
23 many people are on there?
24 A. I can if you want to wait while I add them up?
25 Q. Sure. That'd be great.

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1 A. There are 29 people on a Central Committee, plus
2 our treasurer and secretary, for a total of 31.
3 Q. Okay. And so to your point, you and Mr. Wadel are
4 on the list below the line, but Ms. -- Mr. Turner
5 and Ms. Mosher are not?
6 A. Correct.
7 Q. So you wouldn't double count?
8 A. Correct.
9 Q. Okay. And so of those 29, how many were
10 appointed, based upon your list?
11 A. Do you want me to sit here and add that up again?
12 Q. Yeah. I'd like for you to count.
13 A. Looks like 19, if my math is right. If my
14 counting is accurate.
15 Q. So you think there's 19 folks who have the
16 words -- or the indicator of "APPT" next to their
17 name?
18 A. Or that I know were appointed because they didn't
19 file.
20 Q. Okay. So my count where it actually says
21 appointed is that there's 13. And so you said
22 there were 19 appointed. So who are the
23 additional people on this list that don't have an
24 indicator who you believe were appointed?
25 A. Jamie Collins, Crystal Bearce, Dennis Turner, and

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1 April Mosher, and Adam Gunther and Tony Collins.
2 Q. So you -- it's your position that anybody on this
3 list that doesn't have a filed indicator in that
4 column were appointed members?
5 A. Correct.
6 Q. Okay. Would you agree that there's more appointed
7 members than there are elected or filed members of
8 the Committee as we stand here today?
9 A. Looks like it, yes.
10 Q. So if my math's right, you have 27 vacancies on
11 the Central Committee as we stand here today? Is
12 that right?
13 A. I have no idea.
14 Q. Okay. Well, you said there's 56 available. You
15 said there's 29 currently. So 56 minus 29 is 27,
16 do you agree?
17 A. If that's accurate, yes.
18 Q. Well, is it? You tell me? That's my question.
19 A. I don't know. If 56 is what we have totally, no,
20 that's not accurate.
21 Q. Okay.
22 A. Because we have two additional people at the
23 bottom that don't have numbers beside them, so
24 that's 58. So it's not accurate.
25 Q. Okay. So you think there's 58 total available

For The Record, LLC **45**

1 seats?
2 A. No. There's 56 total available seats. We have
3 auxillary members.
4 Q. Who are the auxillary members?
5 A. The two at the bottom.
6 Q. Do they get to vote?
7 A. No.
8 Q. Who gets to vote, then?
9 A. The members of the Committee.
10 Q. Plus the secretary and treasurer?
11 A. They are committed -- members of our Committee.
12 Q. Do they get to vote?
13 A. Yes.
14 Q. So let's go back. We were looking in Exhibit 2
15 and we were on page No. 3. And this is just a
16 point of reference here. You were talking about
17 --
18 A. I'm sorry. What page?
19 Q. It's page 3.
20 A. Three. I'm sorry.
21 Q. No, you're fine. So next to last paragraph, in
22 here it appears that you're talking about this
23 lawsuit, would you agree?
24 A. What's the paragraph start with?
25 Q. "If we should lose"?

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1 A. Okay.
2 Q. Do you see that there?
3 A. Mm-hmm.
4 Q. Would you agree you're talking about this lawsuit?
5 A. It would appear so, yes.
6 Q. Okay. And the rest of that sentence says, "We
7 will immediately appeal," is that fair to say?
8 A. Yes.
9 Q. And so standing here today, if the Vernon County
10 Central Committee were not to prevail in this
11 lawsuit, is it your intention to appeal the
12 decision?
13 A. Yes.
14 Q. Okay. How much has the Central Committee spent on
15 legal fees for this lawsuit?
16 A. I don't know.
17 Q. Has it spent any?
18 A. Is that not -- Mark, is that not privileged
19 information?
20 MR. MCCLOSKEY: You know, if you have
21 paid attorney's fees you can testify to that.
22 THE WITNESS: I have not paid any
23 attorney's fees yet.
24 Q. (By Mr. Elliott) Have you received a bill?
25 A. Not yet.

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1 Q. Are you going to?

2 A. I don't know.

3 Q. What's going to decide that?

4 A. Whether or not my attorney bills me, I would

5 assume.

6 Q. Okay. Is it fair to say that you have placed a

7 lot of pressure on the elected officials at the

8 County about this lawsuit?

9 MR. MCCLOSKEY: I'm going to object to

10 the characterization of pressure. You can ask

11 what she's in fact done, but I object to the

12 characterization.

13 Q. (By Mr. Elliott) You can answer.

14 A. I don't feel that I have, no.

15 Q. Okay. Have you gone on the radio and encouraged

16 people from all over the state to call them and

17 tell them to stop fighting this lawsuit?

18 A. To stop fighting this lawsuit? I don't know that

19 I would characterize it that way. I have been on

20 the radio discussing this lawsuit and discussing

21 the amount of taxpayer money that's being spent on

22 it.

23 Q. Would you agree the Central Committee filed the

24 lawsuit and not the county clerk?

25 A. Yes.

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1 Q. Okay. So the Central Committee is the one who

2 decided to go down this path, right?

3 A. The Central Committee is one who decided to defend

4 our rights, yes.

5 Q. You're not defending anything, though, right,

6 you're prosecuting the lawsuit?

7 A. We are defending --

8 MR. MCCLOSKEY: That's how you defend

9 rights.

10 THE WITNESS: Exactly. What he said.

11 We are defending our rights by prosecuting this

12 lawsuit.

13 Q. (By Mr. Elliott) And whose rights do you think

14 you're defending?

15 A. Whose rights --

16 Q. Yeah.

17 A. -- are we defending?

18 Q. Whose right do you think you're defending?

19 A. Anyone who feels like the First Amendment matters.

20 Q. Okay. Do you think those candidates have rights?

21 A. I think we all have rights.

22 Q. Thank God. Would you agree that a number of the

23 candidates that the Central Committee's seeking to

24 either have their name removed from the ballot or

25 not have their name placed on the ballot are

For The Record, LLC 49

1 currently sitting, Republican-elected officials in

2 Vernon County?

3 A. Yes.

4 Q. Why? Why are you trying to do that?

5 A. Why am I trying to do what?

6 Q. Why are you trying to keep those folks' names off

7 the ballot?

8 A. I'm not trying to keep their names off the ballot.

9 Q. Okay.

10 A. They're free to file as anything other than, at

11 this point, Republicans.

12 Q. Okay.

13 A. They can still file as Independents. So we are

14 not seeking to keep anybody off the ballot, nor

15 are we attempting to keep anyone from being able

16 to vote for whoever they want to.

17 Q. Ms. Haggard, wouldn't you agree that that's just a

18 cute characterization about what we're really

19 talking about here? Do you know the last time

20 that an Independent was elected in Vernon County

21 for a local, state, or federal office?

22 A. I have no idea.

23 Q. Have you ever looked?

24 MR. MCCLOSKEY: Once again, I'm gonna

25 object that this entire line of inquiry. It has

For The Record, LLC 50

1 nothing to do with any issue before the Court.

2 Once again if you want to get into the --

3 MR. ELLIOTT: She brought it --

4 MR. MCCLOSKEY: -- if you're --

5 MR. ELLIOTT: She brought it up, Mark.

6 She opened the door. She --

7 MR. MCCLOSKEY: The -- your whole line

8 of inquiry about all of this is outside of

9 anything relevant to the issues before the Court.

10 The Court has very narrowly identified what it

11 believes this action is about --

12 MR. ELLIOTT: What's your objection?

13 MR. MCCLOSKEY: -- that's why it will

14 not allow --

15 MR. ELLIOTT: What's your objection?

16 MR. MCCLOSKEY: My objection is that

17 your question is not reasonably calculated to lead

18 to the discovery of admissible evidence in this

19 action.

20 MR. ELLIOTT: Okay.

21 MR. MCCLOSKEY: As the judge said on

22 Tuesday, there's another action that could be

23 filed if you choose to do so, but not in this

24 action.

25 Q. (By Mr. Elliott) You can answer the question.

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1 A. Mark, do I answer or not?
2 MR. MCCLOSKEY: Um, I would -- I would
3 instruct you not to answer that one.
4 Q. (By Mr. Elliott) I'm curious, Ms. Haggard, were
5 you vetted whenever you signed up for the Central
6 Committee?
7 MR. MCCLOSKEY: I'm going to object to
8 that and instruct her not to answer it. These
9 whole questions about the vetting process is not
10 part of this action.
11 Q. (By Mr. Elliott) Did the Central Committee reject
12 your filing fee whenever you filed as a Central
13 Committee candidate?
14 A. Did they reject my filing fee?
15 Q. Yeah.
16 A. Central Committees don't pay a filing fee.
17 Q. Oh, that's right.
18 A. That's right.
19 Q. Wouldn't you agree that under state law that
20 members of the Central Committee who want to be
21 candidates don't have to pay a filing fee in the
22 State of Missouri?
23 A. That's not true.
24 Q. Oh, really? In Vernon County, Central Committee
25 members who want to sign up to be a Committee

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1 member have to pay a filing fee?
2 A. That's not what you just asked me.
3 Q. Okay. Well, your point and my question are two
4 different things. So in Vernon County, would you
5 agree that somebody who wants to be a candidate
6 for a Central Committee member doesn't have to pay
7 a filing fee?
8 A. Correct.
9 Q. Do you find it perverse that the Central Committee
10 is seeking to prevent people from being Republican
11 candidates on the ballot whenever anybody that
12 wants to can file as a member of the Republican or
13 Democrat Central Committee in Vernon County?
14 A. No.
15 MR. MCCLOSKEY: I'm gonna -- I'm gonna
16 instruct her not to answer that.
17 THE WITNESS: Sorry.
18 MR. ELLIOTT: On what -- on what basis,
19 Mark?
20 MR. MCCLOSKEY: That has nothing to do
21 with this lawsuit. It's not reasonably calculated
22 to lead to the discovery of admissible evidence.
23 It has nothing to do with any issue before this
24 court.
25 Q. (By Mr. Elliott) Okay. You can answer.

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1 MR. MCCLOSKEY: It's what has been
2 exclusively excluded from this inquiry by the
3 Court.
4 THE WITNESS: He just instructed me not
5 to answer.
6 MR. ELLIOTT: Oh, did you instruct her
7 not to answer?
8 MR. MCCLOSKEY: I did.
9 Q. (By Mr. Elliott) Okay. Do you think the truth is
10 important, Ms. Haggard?
11 MR. MCCLOSKEY: Oh, I'm gonna object to
12 that. That's -- that's non-sensical.
13 MR. ELLIOTT: What's your objection?
14 It's nonsense?
15 MR. MCCLOSKEY: My objection is that
16 asking this witness -- if you're going to spend
17 our time here this afternoon saying, Do you
18 believe truth is important? Do you think rights
19 are important? Do you think God's important? All
20 this stuff, just so we --
21 MR. ELLIOTT: What's your objection?
22 What's your objection?
23 MR. MCCLOSKEY: You can go ahead and
24 answer that one. Of course we all think truth's
25 important.

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1 Q. (By Mr. Elliott) What's your answer?
2 A. State the question again?
3 Q. Do you think truth's important?
4 A. Yes.
5 Q. Do you think facts are important?
6 A. Yes. Leah, how long have you been doing this?
7 Q. Ma'am --
8 A. Oh, I'm sorry.
9 Q. -- would you like to take a break?
10 A. No, I'm fine. I thought while you were looking I
11 just thought I'd chat with her. Didn't realize
12 that was wrong.
13 Q. If you want to take a break, I'm happy to do that?
14 A. No, I'm fine.
15 Q. So let's talk about the paid, submitted,
16 perfected, accepted, rejected issue. So based
17 upon your understanding, is it true that all eight
18 of the candidates that are the subject of this
19 lawsuit submitted their filing fee to the county
20 clerk?
21 A. I believe so.
22 Q. You have no reason to believe that that's not the
23 case?
24 A. I have no reason to believe it's not the case.
25 Q. Okay. And do you have any reason to disagree with

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1 the assertion that the county clerk promptly
2 forwarded those filing fees to the Central
3 Committee?
4 A. I'm not the treasurer. I don't know when she
5 received them.
6 Q. And that wasn't exactly my question, so I'll ask
7 it a little bit different.
8 Do you have any reason to believe that the
9 county clerk did not promptly forward these eight
10 candidates' filing fees to the treasurer of the
11 Central Committee?
12 A. No.
13 Q. Did you ever go to any of these candidates and
14 tell them that if they didn't want to -- anybody
15 to know that they had been vetted, but if they'd
16 go ahead and do that, that the Central Committee
17 would accept their filing fee and not tell
18 anybody?
19 MR. MCCLOSKEY: Once again, that's --
20 all these issues of vetting are excluded from the
21 case-in-chief and I would instruct her not to
22 answer.
23 MR. ELLIOTT: We'll see about that on
24 Tuesday, Mr. McCloskey.
25 MR. MCCLOSKEY: We will. We will

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1 these candidates were vetted and we don't know it
2 and their filing fees were rejected anyway?
3 A. If we don't know it --
4 MR. MCCLOSKEY: I object. And I
5 instruct her --
6 THE WITNESS: -- I would have no way of
7 knowing.
8 MR. MCCLOSKEY: -- not to answer.
9 THE WITNESS: Pardon, Mark?
10 MR. MCCLOSKEY: I'm -- I'm instructing
11 you not to answer that.
12 THE WITNESS: Okay.
13 Q. (By Mr. Elliott) So I just want to make sure I
14 understand. You're not going to answer the
15 question about the possibility of any of these
16 eight candidates being vetted but the Central
17 Committee rejecting their filing fee anyway;
18 you're not going to answer that question?
19 A. I am not going to answer the question because my
20 attorney has instructed me not to answer the
21 question --
22 Q. Okay.
23 A. -- so.
24 Q. Do you think the fact that there are more
25 appointed members of the Central Committee than

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1 MR. ELLIOTT: Yeah. We will. You can
2 answer.
3 MR. MCCLOSKEY: We saw about it last
4 Tuesday, I believe.
5 THE WITNESS: You instructed me not to
6 answer that, didn't you?
7 MR. MCCLOSKEY: I -- I did Cyndia.
8 Yeah.
9 Q. (By Mr. Elliott) Okay. So that's another question
10 that your lawyer is instructing you not to answer
11 and you're taking his advice not to do so?
12 A. Absolutely.
13 Q. Okay. And so is it possible that any of these
14 eight candidates were secretly vetted, but their
15 filing fees were rejected? Because we can't talk
16 about that. So I'm just curious, is it possible?
17 MR. MCCLOSKEY: Anything's possible.
18 Object to the form --
19 MR. ELLIOTT: You don't get to answer
20 the question. You can answer it.
21 THE WITNESS: Well, again, we're --
22 MR. MCCLOSKEY: Anything's possible.
23 THE WITNESS: We're talking about
24 vetting, which is off the table.
25 Q. (By Mr. Elliott) So is it possible that some of

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1 there are ones who actually filed their
2 declaration of candidacy has any bearing on the
3 validity or credibility of the Central Committee
4 in Vernon County?
5 A. No.
6 Q. Who gets to pick who gets appointed?
7 A. The majority of the Central Committee, as
8 prescribed by statute.
9 Q. And I suppose you won't want to tell me whether
10 you vetted any of those appointed Central
11 Committee members, is that fair to say?
12 A. I think that's fair to say.
13 MR. MCCLOSKEY: I object to that and
14 instruct her not to answer.
15 MR. ELLIOTT: She doesn't want to
16 answer, Mark.
17 Q. (By Mr. Elliott) So let's go to page -- 1, 2, 3,
18 4 -- 5 of Exhibit 2.
19 A. Of Exhibit 2? I'm sorry. The last page?
20 Q. No. It would be the next to last, Ms. Haggard.
21 A. Okay.
22 Q. You see that there? So that -- would you agree
23 that's a Facebook post by you?
24 A. What's it start out with?
25 Q. "I have been asked"?

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1 A. It appears to be, yes.
2 Q. And just in summary, would you agree that you're
3 explaining the litigation that we're here for
4 today?
5 A. It looks like it.
6 Q. Okay. And so it looks like you're talking about
7 the rights of government and the right of a
8 political party. Would you agree that governments
9 have powers and duties, they don't have rights,
10 but the people have rights. Would you agree with
11 that general assertion?
12 A. Say that again?
13 Q. Would you agree that government doesn't have
14 rights, but the people have rights?
15 A. People have rights, absolutely.
16 Q. Would you agree that the government doesn't have
17 rights?
18 A. I've never actually thought about it one way or
19 the other. The government has rules and laws that
20 they impose.
21 Q. Would you agree that governments have powers and
22 duties?
23 A. Yes.
24 Q. Okay.
25 A. I do have to say that out loud, don't I, as

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1 checks and she --
2 A. Submit them. Submit -- the checks they have
3 submitted to her.
4 Q. Okay. So --
5 A. I want to be clear. She's not -- they're not paid
6 at that point.
7 Q. No. But I think your words were, and if you need
8 to correct your testimony, you're welcome to do
9 so. But you originally said that she had a duty
10 to accept the checks from the candidates?
11 A. She has a duty to, when they hand her the check,
12 to take it out of their hand.
13 Q. Okay. So you --
14 A. The statute says the candidate may submit their
15 filing fee to the election authority.
16 Q. So you're saying --
17 A. And she -- the county clerks --
18 Q. I'm sorry.
19 A. -- are saying they have no choice in that. So if
20 that's accurate, I'm not an attorney or a court of
21 law, if that's accurate, then she has a duty, when
22 they submit it, to promptly forward it on to us.
23 Q. Okay. And so I appreciate that --
24 A. Or whatever political party.
25 Q. -- clarification. So but then I think what you

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1 opposed to nodding. Yes.
2 Q. And so in this case, we're talking about whether
3 Ms. Lee, as the duly-elected Vernon County clerk,
4 had a ministerial duty in this case. Would you
5 agree?
6 A. Yes.
7 Q. We've talked a lot about that over the past week,
8 haven't we not?
9 A. We have.
10 Q. Okay. What exactly is the ministerial duty that
11 you're asserting in this lawsuit that Ms. Lee has?
12 A. She has the duty to accept, because they have
13 submitted them, the checks if candidates give them
14 to her directly. She has the duty to then forward
15 those to us. And ultimately, based on what the
16 party does or does not do with those checks, she
17 has the duty to either put them on the ballot or
18 not put them on the ballot. The Republican ballot
19 in the case of our Republican Party.
20 Q. And so I think I -- I think I got you on the first
21 two. So the first thing you said is that if
22 you're following subsection 2 -- and those are my
23 words, not yours. You didn't say that right then.
24 A. Mm-hmm.
25 Q. But you say that she has a duty to accept the

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1 said at the end is, depending upon what the party
2 does with the check, then that determines whether
3 she has a duty to put the name on the ballot or
4 not, is that --
5 A. On the Republican Party ballot --
6 Q. Okay.
7 A. -- or that political party's ballot.
8 Q. Okay. Help me out here. Exhibit 1, that's
9 115.357. Where does it say that in Exhibit 1?
10 That last part. I get the first two parts. Where
11 does it say that last part?
12 A. Well, subsection 1, says that the -- let me find
13 it here. "Before filing his or her declaration of
14 candidacy, pay to the treasurer" -- well, let me
15 back up a little further. "Except as" -- I'll
16 just read the whole thing. "Except as" --
17 Q. Well, and, ma'am I don't need you --
18 A. No. Because --
19 Q. I don't need you to read it --
20 A. You may not need me to read it --
21 Q. -- I need you --
22 A. -- but that is my response. "Except as provided
23 in subsection 3 and 4 of this section, each
24 candidate for federal, state, or county office
25 shall, before filing his or her declaration of

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1 candidacy, pay to the treasurer of the county --
2 of the state or county committee of the political
3 party, upon whose ticket he or she seeks
4 nomination, a certain sum of money as follows."
5 So right there it indicates that the party
6 has to receive that money -- "shall," command
7 word -- before the election authority files their
8 declaration of candidacy. So that's where I get
9 it. And the very last section says that they
10 shall not be on the ballot until that fee is paid.
11 And I think we pretty well established in
12 Adrienne's deposition that it is not paid when it
13 is submitted to the Court.
14 Q. I'll move to strike as nonresponsive.
15 A. I just answered your question.
16 Q. You -- you didn't. And I move to strike as --
17 A. I may not have --
18 Q. -- nonresponsive.
19 A. -- given you the answer you want.
20 Q. Well, you certainly didn't answer the question,
21 because my question is -- and I'll ask it again
22 for the avoidance of doubt -- where does it say in
23 115.357 that a county clerk's ministerial duty
24 depends upon what the party does or doesn't do
25 with the check? Where does it say that?

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1 Q. Yeah. We're not -- we're not talking about adding
2 additional facts to fight the hypothetical.
3 A. No. You -- but it's a hypothetical.
4 Q. It is a hypothetical.
5 A. So there's lots of things that could surround
6 that.
7 Q. Yeah. And I'm just talking about the simple
8 premise of if someone owes you a debt and you
9 submit to them a check, a money order, or cash,
10 without any other external forces, that you'd
11 agree that that is paid?
12 A. No. I would agree you've attempted to pay me. I
13 would say it was not paid until I had cold, hard
14 cash in my hands. You know my husband bought a
15 motorcycle, I mentioned to you. He bought a
16 motorcycle last week. We wrote a check for it.
17 The finance guy didn't say, "Thanks for the check.
18 Here's your title. Have fun with the bike." He
19 said, "Come back in three days. The funds will
20 have cleared by then and you can take the bike
21 with you."
22 Q. Okay. Would you agree if your husband would have
23 handed over cash that it would have been paid?
24 A. Gee, that would have been nice.
25 Q. Wouldn't you agree?

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1 A. Because it says, before -- before she can take the
2 candidacy, she must pay -- the candidate must pay
3 that money to the committee treasurer. It is not
4 paid to the committee treasurer if the treasurer
5 doesn't take it.
6 Q. So you think if I owe you some money, Ms. Haggard,
7 and give you a check or money order and you don't
8 take it, that that means that I didn't pay it? Is
9 that really your position?
10 A. Yes.
11 Q. So you think that you can just reject -- if I owe
12 you money, if I owe a debt to you, and I give you
13 a check with good funds or a money order or cash
14 and you refuse it, that you can, in good faith and
15 fair dealing, claim that that wasn't paid?
16 A. I'm not an attorney. I have no idea --
17 Q. Okay.
18 A. -- in good faith and fair dealing, but -- and this
19 is a hypothetical, so I don't know the situation
20 of the circumstances surrounding your attempt to
21 pay me. So with a broad question like that, my
22 answer is the same.
23 Q. You'd agree --
24 A. And, you know, money order's are being forged
25 these days so.

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1 A. If he'd handed him cash?
2 Q. Yeah.
3 A. If that --
4 Q. Wouldn't you agree?
5 A. If that's the premise around the transaction,
6 sure.
7 Q. Right.
8 A. If he'd had the -- if that finance guy had the
9 ministerial duty to accept it on behalf of the
10 company and consider it paid at that point, then
11 sure.
12 Q. I'm not -- you want too run down the rabbit trail
13 and I just want to --
14 A. No. I'm not wanting to --
15 Q. -- stay on the --
16 A. -- run down the rabbit trail --
17 Q. I want to stay --
18 A. -- I know where you're headed with this and I'm
19 not going to let you put words in my mouth.
20 Q. Well, you've already admitted that if your husband
21 was buying the motorcycle and he traded the
22 motorcycle for the cash, that it was paid. And so
23 -- does the Central Committee keep a list of
24 votes?
25 A. For?

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1 Q. For anything. Any decisions that it makes?
2 A. Yes.
3 Q. You've had some people in the public ask about the
4 decision to file this lawsuit, have you not?
5 A. About the what?
6 Q. About the decision to file the lawsuit?
7 A. We've had people in the public ask about the
8 decision to file the lawsuit?
9 Q. Yeah.
10 A. Probably.
11 MR. MCCLOSKEY: Could you repeat that
12 question for me? I did not hear it.
13 MR. ELLIOTT: Yeah. I'm sorry, Mark. I
14 asked Ms. Haggard if the Committee has had people
15 in the public ask about the decision to file the
16 lawsuit.
17 MR. MCCLOSKEY: Okay.
18 Q. (By Mr. Elliott) Did the Committee take a vote to
19 authorize filing of the lawsuit?
20 A. Yes.
21 Q. Okay. And what was the vote?
22 A. Unanimous.
23 Q. How many members were present?
24 A. I don't know off the top of my head. A quorum.
25 Q. And what is a quorum for you all?

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1 A. I think our current bylaws call for a minimum of
2 eight people, but we typically have more than
3 that. And we would have had had at this one, but
4 I don't remember the number.
5 Q. So you can have a quorum with 8 out of 58 members?
6 A. We don't have 58 members.
7 Q. You have 58 available members, right?
8 A. Correct.
9 Q. So when -- when was the vote taken to authorize
10 the filing of the lawsuit?
11 A. I have no idea off the top of my head.
12 Q. Okay. So does your secretary keep the record of
13 those meeting minutes and votes?
14 A. He produces a record, yes.
15 Q. Have you talked to Ms. Lee about this lawsuit?
16 A. Verbally?
17 Q. Yes.
18 A. I don't think so. I don't recall having any
19 verbal conversations with her.
20 Q. Okay. Have you communicated with her in some
21 other way?
22 A. We have e-mails. You've seen those. We have
23 letters.
24 Q. Okay. And I'm talking specifically between now
25 and March 19th, when this lawsuit was filed. Have

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1 you spoken, emailed, texted, communicated by
2 social media, directly with Ms. Lee?
3 A. I've sent her letters and I've sent her emails.
4 Q. Okay.
5 A. I don't think I've had any other -- I don't recall
6 any other.
7 Q. What were the nature of the letters and emails you
8 sent between March 19th and now to Ms. Lee?
9 A. March 19th? No. I don't -- I don't know
10 specifically. March 19th, March 26th. To the
11 best of my recollection, I would guess any of the
12 letters that I've sent her have had -- have
13 been -- have pertained to probably the rejection
14 of candidates or --
15 Q. Okay.
16 A. -- and I don't know that that's before or after
17 the 19th --
18 Q. Okay.
19 A. -- so I don't -- I'm not sure.
20 Q. But those candidate rejection letters is what
21 you're thinking of?
22 A. We do have candidate rejections letters and they
23 would have gone all the way through some date
24 after the 25th, because a few people -- or the
25 26th. A few people filed right at the end.

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1 Q. Okay.
2 A. So there would have been rejection letters for
3 that.
4 Q. Okay. Any other communications with Ms. Lee?
5 A. Not that I can recall.
6 Q. Okay. How about communications with any of the
7 eight candidates that are the subject of this
8 lawsuit? Have you had any communications with
9 them?
10 A. They would have -- is there a timeframe?
11 Q. Yeah. That's what I was gonna ask --
12 A. March 19th?
13 Q. Since March 19th. Yes, ma'am.
14 A. They would have gotten copies of the same
15 rejection letters. Not from me, but from our --
16 our treasurer.
17 Q. Okay. Any --
18 A. And I don't recall any others. I --
19 Q. Okay.
20 A. -- my best guess is, no, there's not any others.
21 Q. Did you talk to any of the candidates since the
22 lawsuit was filed?
23 A. When did we file the lawsuit?
24 Q. March 19th?
25 A. Is that the date? Okay.

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1 Q. I'll represent to you that that's the case.
2 ADRIENNE LEE: It's my son's birthday.
3 THE WITNESS: I'll believe you. Not
4 that I can recall.
5 Q. (By Mr. Elliott) Okay. You don't recall any of
6 the eight of them calling you or you calling them?
7 A. No.
8 Q. How about other elected officials in Vernon
9 County? And I'm specifically talking about
10 county-elected officials. Have you talked to any
11 other county-elected officials about this lawsuit
12 since March 19th?
13 A. Spoken to Joe Wilson, maybe.
14 Q. Okay.
15 A. And I don't know. I don't know that we've talked
16 about the lawsuit, specifically.
17 Q. What did you talk to Mr. Wilson about?
18 A. That's as specific as I can get with you.
19 Q. Okay.
20 A. I don't know. I'm just guessing that probably --
21 Q. Okay.
22 A. -- best guest.
23 Q. Did you go in and meet with the Commission since
24 the lawsuit's been filed?
25 A. No. I've -- yes, I've met with them. But not

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1 about the lawsuit.
2 Q. Okay. What did you meet with them about?
3 A. I didn't actually meet with them. I was -- I went
4 along with somebody else that wanted to talk to
5 them about something. The hospital, I think.
6 Q. Who were you with?
7 A. I wasn't with anyone. I ran into somebody in the
8 hall.
9 Q. And who was that?
10 A. Marvin -- what's his last name -- Kenokey. No
11 idea how to spell it.
12 Q. Okay. You talking about the Nevada Regional
13 Medical Center?
14 A. Mm-hmm.
15 Q. Is that a yes?
16 A. Yes. I'm sorry.
17 Q. No, you're fine. Okay. Ms. Haggard, let talk
18 about some of these offices in particular. So
19 with respect to the office of sheriff, that's up
20 for election this year?
21 A. Mm-hmm.
22 Q. My understanding is that there are three
23 candidates total, would you agree?
24 A. I'll take your word for it. I'm --
25 Q. Mike Buehler, Travis Cole, Jimmy Dye?

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1 A. Travis Cole, Jimmy Dye. Who's John Shorten? Is
2 he Northern?
3 Q. You don't have to answer that question. I'm
4 sorry. That's just not how this works?
5 A. All right. Okay. Well, I'll take your word for
6 it. I don't have the file list in front of me,
7 so.
8 Q. Okay. Mike Buehler and Jimmy Dye are two of the
9 eight candidates that this lawsuit is seeking to
10 make sure that their name isn't on the ballot,
11 right?
12 A. Correct.
13 Q. Okay. And so would you agree that if your lawsuit
14 prevails, there's only one candidate on the
15 Republican ballot for sheriff for this year, would
16 you agree with that?
17 A. If those -- if that number is correct, then yes.
18 Q. Okay. And let's talk about treasurer. So my
19 understanding is there's one candidate for
20 treasurer on the Republican ticket and that is
21 Brent Banes, who is one of the eight candidates
22 that's the subject of this lawsuit, would you
23 agree with that?
24 A. I believe that's correct.
25 Q. Okay. And so would you agree that if the Central

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1 Committee has its way that there will be -- and
2 the Court keeps their names off the ballot, that
3 there will be no candidates for treasurer for the
4 Republican Party in Vernon County for this
5 election cycle?
6 A. That's correct.
7 Q. Okay. Let's talk assessor. So my understanding
8 is that there are two candidates on the Republican
9 ticket relating to the office of assessor?
10 A. I think that's right.
11 Q. So that would be Lena Kleeman and Ruth Kimmell,
12 would you agree?
13 A. Yes.
14 Q. And so, Ms. Kleeman is one of the eight candidates
15 that's the subject of this lawsuit, would you
16 agree?
17 A. Correct.
18 Q. And so similarly there, if the Central Committee
19 is able to prevail and keep Ms. Kleeman's name off
20 the ballot, there will be only one candidate for
21 the Republican ticket in August? Would you agree?
22 A. In office?
23 Q. Yeah. For -- for the Republican ticket?
24 A. For the office? Correct.
25 Q. Okay. So let's talk about northern commissioner?

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1 A. Uh-huh.
2 Q. With respect to northern commissioner, my
3 understanding is that there are four candidates --
4 A. I think that's right.
5 Q. -- on the Republican ballot?
6 A. I think that's correct.
7 Q. And those four candidates are Doug Vantellman,
8 Randy Allan, Jason Claspill, and Cindy Thompson,
9 would you agree?
10 A. Correct.
11 Q. And my understanding is that out of those four,
12 the only one whose name is being sought to be
13 removed from the ballot is Ms. Thompson, is that
14 correct?
15 A. She's the only one that has not been vetted. The
16 rest of them --
17 Q. And so --
18 A. -- are on the ballot
19 Q. -- if the Central Committee prevails in what it's
20 asking the Court to do, there would be three
21 candidates on the Republican ballot for northern
22 district commissioner?
23 A. Correct.
24 MR. ELLIOTT: Okay. With respect to
25 southern district commissioner -- I'm gonna stop

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1 because we just lost Mr. McCloskey.
2 (Break in proceedings)
3 Q. (By Mr. Elliott) So I think, Ms. Haggard, where we
4 left off before Mr. McCloskey disconnected is we
5 had gone through the northern district
6 commissioners and identified that one of those
7 four is the subject of this lawsuit and if the
8 Central Committee is able to do so, there will be
9 three remaining Republicans on the northern
10 district commissioner ballot in August, correct?
11 A. Correct.
12 Q. Okay. So let's talk about southern district
13 commission for a moment. There -- there are three
14 candidates; Richard Schuster, John Shorten, and
15 Frank Radspinner, would you agree?
16 A. Correct.
17 Q. And my understanding is that two of those
18 individuals, Mr. Shorten and Mr. Radspinner, are
19 candidates which are the subject of this lawsuit,
20 do you agree?
21 A. Correct.
22 Q. And so if the Central Committee has its way, and
23 the Court follows that direction, there will be
24 one southern district commissioner candidate on
25 the primary August Republican ballot, would you

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1 agree?
2 A. Correct.
3 Q. Is your husband Jerry Haggard?
4 A. You said is my husband Jerry Haggard?
5 Q. Yes. He lives with you at 429 West Lee?
6 A. Yes.
7 Q. How long have you all been married?
8 A. Fifty years.
9 Q. Congratulations.
10 A. Thank you.
11 Q. That's quite an accomplishment.
12 A. Thank you.
13 MR. ELLIOTT: Bless you.
14 MR. MCCLOSKEY: Thank you.
15 Q. (By Mr. Elliott) Is Michael Morris still on the
16 Committee?
17 A. Mike Morris?
18 Q. Yes.
19 A. Yes.
20 Q. Okay. And Darrell Hickman is on the Committee --
21 A. Yes.
22 Q. -- right? Frieda Hickman is on the Committee?
23 A. Mm-hmm.
24 Q. Is that a yes?
25 A. Yes. Yes.

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1 Q. Clay Lyons?
2 A. Yes.
3 Q. Betty Jane Claflin?
4 A. Janie. Yes.
5 Q. Theodore Koller --
6 A. Yes.
7 Q. -- or Ted Koller?
8 A. Mm-hmm. Yes.
9 Q. Melanie Lena?
10 A. No.
11 Q. She's no longer on the Committee?
12 A. No.
13 Q. She filed as a committee person back in 2022, is
14 that right? Do you recall that?
15 A. I don't remember.
16 Q. Okay. But she's no longer on the Committee now?
17 A. Correct.
18 Q. And I don't think she is on your list, so that is
19 consistent.
20 Scott Buerge?
21 A. Yes.
22 Q. He is still on the Committee?
23 A. Yes.
24 Q. And Charlotte --
25 A. I thought that's the question you asked me, was he

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1 still on the Committee?
2 Q. Yes.
3 A. Yes.
4 Q. And Charlotte Buerge?
5 A. Yes.
6 Q. Okay. Now, my understanding is back in 2022 --
7 COURT REPORTER: Oh, sorry. I think
8 he's disconnected, looks like, again.
9 MR. ELLIOTT: Are you disconnected,
10 Mark?
11 MR. MCCLOSKEY: I can hear you, but I
12 can't see her anymore. We got power back. Okay.
13 ADRIENNE LEE: We -- there's a tornado
14 warning south of us, so it might be affecting our
15 --
16 MR. MCCLOSKEY: If you all disappear in
17 a big, swirling mass I'll understand why.
18 MR. ELLIOTT: That's right. I can never
19 remember the difference between the tornado
20 warning and tornado watch so I just stay where I
21 am and hope for the best.
22 Q. (By Mr. Elliott) So my understanding is back in
23 2022 there were a couple of the what I would call
24 contested committee seats. Do you remember that?
25 A. Was 2022 the -- I don't know if that was the --

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1 Q. So Ruth Kimmell and Pauline Quest, do you remember
2 those two candidates?
3 A. I don't remember them both being on there, but
4 okay.
5 Q. Well, no. They were candidates.
6 A. Right.
7 Q. Do you remember which one ended up on the
8 Committee?
9 A. Who did you say? Ruth Kimmell and Pauline.
10 Pauline is on our Committee, so.
11 Q. Okay. Is Ms. Kimmell not on your Committee?
12 A. Ruth Kimmell, no.
13 Q. Okay. Mr. Kimmell is on your Committee, though,
14 correct?
15 A. Mike Kimmell is on it, yes.
16 Q. Is that his spouse?
17 A. Yes.
18 Q. And then Mike Kimmell and Rob Selzer?
19 A. Ah, yes.
20 Q. Okay. Do you remember what happened there?
21 A. Mike Kimmell won. He's on our committee.
22 Q. Was there a tight vote in that race?
23 A. Not that I know of.
24 Q. Okay. So Ms. Haggard, one of the other documents
25 that you all produced to us in the document

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1 production was a press release. And this is in
2 Exhibit 3 before you, it's actually on page 5.
3 A. It's the press release?
4 Q. Yes, ma'am. You see that there?
5 A. I do.
6 Q. When was that press release issued?
7 A. Recently, but I'm not sure.
8 Q. Since the lawsuit was filed, right?
9 A. Yes.
10 Q. And since April 10th, would you agree?
11 A. I don't know, but. I put out a lot of documents.
12 I don't know.
13 Q. Would you agree that you probably couldn't have
14 picked the May 7th date at the bottom until it was
15 at least April 10th because we didn't have that
16 date?
17 A. Is that when it was set? So it would be at least
18 then.
19 Q. Okay. So here's my question about this press
20 release. Where -- where did it go out to?
21 A. It went out to a mailing list. It went out to
22 media. And that's -- I don't know if I put it on
23 Facebook or not --
24 Q. Okay.
25 A. -- quite frankly, so.

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1 Q. What kind of mailing list? Are you talking about
2 an email list?
3 A. Mm-hmm.
4 Q. Is that a yes?
5 A. Yes. Sorry.
6 Q. Who's on that mailing list? I mean,
7 category-wise. Is it your Central Committee, is
8 it statewide elected office holders, is it -- who
9 makes up the list?
10 A. It's -- it's a lot of categories. It's the
11 Central Committee, it's anybody who signed up on a
12 variety of different topics who's asked to be a
13 part of our mailing list. There could be
14 state-elected people on it, I have no idea.
15 Q. Okay. And so the heading there is "Vernon County
16 GOP vows it will not tolerate County Government
17 ordering it to place rejected candidates on the
18 Party's primary ballot." Do you agree I read that
19 right?
20 A. I agree you read that right.
21 Q. Is that what you feel like has happened leading up
22 to the filing of this lawsuit? Do you feel like
23 the government is ordering you to place candidates
24 on the ballot?
25 A. I feel like that's what's happened with the

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1 lawsuit, yes.
2 Q. Would you agree that that's a little bit of
3 hyperbole?
4 A. No. I would not.
5 Q. Okay. And so do you think from an election
6 authority's standpoint, that it should pick and
7 choose sides?
8 A. I do not.
9 Q. Do you think that the election authorities should
10 follow the law?
11 A. I do.
12 Q. Okay. And so further down in this press release
13 you say a number of things, which you've said
14 before and some of which you all don't want to
15 talk about. You don't want to talk about vetting
16 and whatever. You understand that a preliminary
17 order in mandamus is preliminary, right?
18 A. Only if it's not complied with.
19 Q. Well, but it's preliminary in the sense that
20 there's more to come, would you agree?
21 A. Only if it's not complied with.
22 Q. Okay. And so then there's some reference to the
23 County's insurance company. How do you know that
24 the County's insurance company has declined
25 coverage?

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1 A. I was told.
2 Q. And who were you told by?
3 A. The presiding commissioner.
4 Q. Okay. So Joe Wilson told you that the insurance
5 company denied coverage?
6 A. Yes.
7 Q. And when was that conversation?
8 A. I have no idea.
9 Q. You don't know when you talked to Mr. Wilson?
10 A. I don't know when I talked to him about that, no.
11 Q. Okay. Did you ask him whether the County's
12 insurance company was denying coverage?
13 A. Probably.
14 Q. And why did you do that?
15 A. Because our Camden County Committee informed me
16 that their insurance company wouldn't cover a
17 similar situation were they to go to court.
18 Q. Who did you talk to there? Did you talk to Ike
19 Skelton?
20 A. No.
21 Q. Who'd you talk to?
22 A. Probably -- I don't know, but probably the chair.
23 Q. Who's the chair in Camden?
24 A. John Beckett. And I'm not absolutely sure that's
25 who I spoke to, but it might have been.

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1 Q. Okay. And so did Mr. Wilson say to you that the
2 cost to litigate this case could reach six
3 figures?
4 A. No.
5 Q. Well, it says there --
6 A. Well, yes.
7 Q. It says, "The presiding commissioner indicated
8 costs could reach six figures" --
9 A. Yes.
10 Q. -- did Joe Wilson say that to you?
11 A. Yes.
12 Q. When did he say that to you?
13 A. At whatever conversation I had with him.
14 Q. Okay. So it would have been after April 10th, I
15 think we've established?
16 A. That's what you established, yeah.
17 Q. I mean, do you have any reason to disagree?
18 A. I don't have any reason to assume that that's
19 incorrect, but I am taking your word for it. I
20 don't know when the -- when the court date was
21 set. That would be something you would be more
22 acutely aware of than me.
23 Q. Okay. Do you think it's important for the Court
24 to decide this case on the merits?
25 A. I do.

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1 Q. Do you think it's important for the Court to hear
2 the facts of this case in order to make a
3 well-reasoned decision consistent with the law?
4 A. Sure.
5 Q. So --
6 A. And I will stipulate that, you know, I also think
7 that with the court order we already have we have
8 that information.
9 Q. Yeah. You think the preliminary order is good
10 enough, right?
11 A. I do.
12 Q. That's your position. The last paragraph, I have
13 just a couple of questions. So, "The VCRC issuing
14 a statement of outrage." What does that mean?
15 A. Just what it says.
16 Q. Well, help me understand?
17 A. Well, if you look at the title, that is how we
18 feel. You know, it -- I'm not trying to say that
19 Adrienne, specifically, is trying to accomplish
20 what that title says. But that's the bottom line.
21 Government is attempting to tell us who we can and
22 cannot have on the ballot. They're attempting to
23 tell us that we have to put somebody on the ballot
24 that we have rejected. And so we are outraged by
25 that assumption that government could tell --

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1 Colorado settled that, I thought. But we are
2 outraged by the idea that any government entity
3 could order a political party to put somebody on
4 the ballot that they don't want. For whatever
5 reason.
6 Q. So -- and I don't want -- despite what
7 Mr. McCloskey may think, I don't want to engage in
8 a frolic and detour about this. But is this about
9 more than Vernon County and the local
10 county-elected officials, from your perspective?
11 A. Well, it certainly has the potential to have
12 further reaching effects.
13 Q. I mean, are you outraged because of Colorado, is
14 what I'm asking you? Is that part of your
15 outrage?
16 A. Is the Colorado --
17 Q. Yeah. Are you -- is the Vernon County Central
18 Committee outraged because the Colorado Supreme
19 Court tried to the keep Donald Trump off the
20 presidential ballot in Colorado?
21 A. No. That has nothing to do with the --
22 Q. Okay. That's what I'm trying to figure out.
23 Whenever you say, --
24 A. Sorry.
25 Q. -- it's a statement of outrage and government's

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1 know, for people to find some sort of path
2 forward. It sounds to me like, I mean, the only
3 path forward is the Committee says we don't want
4 these people on the ballot and we don't think they
5 should be and so that -- we're going to do
6 anything that we can to make sure that that's the
7 case as far as it can go, is that where you're at?
8 A. This is nothing about any individual personally.
9 The people who are candidates or want to be
10 candidates under the Republican Party ballot
11 waived their right to that when they refused to
12 follow our -- our rules.
13 Q. What if they think your rules don't apply?
14 A. Then file with another party or file as an
15 Independent.
16 Q. What if they think you're wrong?
17 A. They have every right to think we're wrong.
18 Q. What if you are wrong?
19 A. My husband will tell you I'm never wrong.
20 Q. He's a smart man.
21 A. As a matter of fact, here. Read the T-shirt.
22 Q. I'm not very good --
23 MR. MCCLOSKEY: I can't read it. What's
24 it say?
25 THE WITNESS: It says, "Let's assume I'm

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1 trying to keep candidates on the ballot that we
2 don't want on, I'm trying to figure out what's the
3 scope of that outrage is. Because you said it
4 wasn't specifically about Adrienne, right?
5 A. No. It's not specifically about Adrienne. It's
6 about the duties of the county clerk in over --
7 and overstepping those duties. And the end result
8 is, government is attempting to put people on our
9 ballot that we have said no to. And why we said
10 no to them is irrelevant.
11 Q. Don't you think it is, though?
12 A. I do not. I think it's none of anybody's business
13 other than the political party.
14 Q. Do you think that that -- no. Strike that.
15 So what do you think happens if a court says
16 that whenever the candidates submits their filing
17 fee to the county clerk that it's paid? You're
18 gonna appeal, is that my understanding? If that's
19 --
20 A. If we lose --
21 Q. -- what happens?
22 A. If we lose this case, we will appeal.
23 Q. Okay. You know, I think this case is pretty
24 interesting. Because lots of times in lawsuits
25 there's an opportunity for resolution, for, you

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1 right. It will save time."
2 MR. ELLIOTT: That's true. That is what
3 it says.
4 Q. (By Mr. Elliott) All right, Ms. Lee. I'm sorry.
5 Ms. Haggard --
6 A. I did put a shirt on over it, though.
7 Q. Let's turn to page 6 of the documents, which is
8 the next page, ma'am?
9 A. Of this same?
10 Q. Yes.
11 A. Okay.
12 Q. So there are a number of letters here that have
13 been provided. So these weren't necessarily
14 provided in order of chronology. So what I'm
15 going to do is I'm going to ask you to go to the
16 next page first.
17 A. Okay.
18 Q. And so this is a February 6th letter that you sent
19 to Ms. Lee, do you agree?
20 A. Yes, sir.
21 Q. And did you send that on behalf of the Vernon
22 County Republican Central Committee?
23 A. Yes.
24 Q. And what was the general purpose of that letter?
25 A. I believe, "At this time the following individuals

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1 have been advised" -- so this was letting her know
 2 that the candidates listed here have not gone
 3 through our process, followed our procedures, and
 4 therefore we were not accepting their candidacy --
 5 Q. Okay.
 6 A. -- at -- at the point of this letter.
 7 Q. Now, in that second paragraph you're kind of
 8 laying out your understanding and the Committee's
 9 understanding of what the clerk's intentions were,
 10 is that fair to say?
 11 A. You're talking about the paragraph that starts
 12 with, "We have asked you to send"?
 13 Q. Yes. Is that fair to say?
 14 A. That we were laying out the -- say that again?
 15 Q. That you were laying out the Committee's position
 16 based upon its understanding of what the county
 17 clerk's position was about filing fees?
 18 A. It looks like it, yes.
 19 Q. Okay. And I think that we've kind of covered this
 20 ground today. But is it your position as we stand
 21 here today that Adrienne Lee could have accepted
 22 the filing fee from the candidate and forwarded it
 23 on, but then -- but shouldn't have accepted the
 24 declaration of candidacy at the same time? Is
 25 that -- is that your position as we stand here

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1 Q. (By Mr. Elliott) So how would that --
 2 A. -- and in the past this is not the way it worked
 3 in our county, so. So, yes, that's the only way I
 4 see that this whole things flows together. If you
 5 take the permissive word "may" and you turn it
 6 into a command. And you say that that's the
 7 equivalent of "shall." And you take "submit" and
 8 you turn it into being the equivalent word of
 9 "Pay," then this doesn't make sense. Because you
 10 haven't paid the committee treasurer.
 11 Q. Unless you read it all together and say that I
 12 either submitting to the committee treasurer or --
 13 A. But it doesn't say --
 14 Q. -- or --
 15 A. Go ahead.
 16 Q. -- let me finish.
 17 A. Sorry.
 18 Q. Wouldn't you agree that a reasonable alternative
 19 interpretation would be, you can pay it to the
 20 treasurer of the Central Committee or you can
 21 submit it to the county clerk and she or he
 22 promptly forwards it and either of those could be
 23 payment? Aren't those two viable alternative
 24 positions?
 25 MR. MCCLOSKEY: I'm going to object.

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1 today?
 2 A. Mark, am I okay to answer this?
 3 MR. MCCLOSKEY: Well, your legal opinion
 4 of what the statute means is not relevant, the
 5 Court will decide that, but you go ahead and tell
 6 him your opinion on it.
 7 THE WITNESS: Okay. So my opinion is
 8 this whole statute has to flow together. And the
 9 very first subsection and the very last subsection
 10 both say, "shall pay." So you shall pay the
 11 committee treasurer before you can be -- before
 12 you can file your candidacy. That's a command
 13 word. Before you file your candidacy. And the
 14 last subsection says you cannot be on the ballot
 15 until that fee has been paid and it also uses,
 16 "Shall." Shall not be on the ballot until the fee
 17 is paid.
 18 So the only way subsection 2 makes
 19 sense, if in fact the election authority is going
 20 to let them submit their checks to her, him or
 21 her, is if they don't take the candidacy
 22 immediately. Because otherwise, you're violating
 23 the first subsection. You haven't paid the
 24 committee treasurer before you filed your
 25 candidacy.

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1 You're just asking in an argumentative way for the
 2 opinion of this witness on what a statute may or
 3 may not mean. And all viable alternatives, that's
 4 what this lawsuit's about. So you can answer if,
 5 it you want to, but.
 6 MR. ELLIOTT: Well, she has to answer
 7 it.
 8 MR. MCCLOSKEY: Well, yeah, but I --
 9 yeah.
 10 THE WITNESS: So state your question
 11 again, please?
 12 Q. (By Mr. Elliott) Sure. So the position that you
 13 and Central Committee are taking is that you can
 14 only pay it to the treasurer of the Central
 15 Committee, right?
 16 A. It's only paid when it goes to the treasurer of
 17 the Central Committee --
 18 Q. Right.
 19 A. -- and we accept it.
 20 Q. Yeah. And my point is, don't you agree that there
 21 is a reasonable alternative position to say that
 22 it could be paid to the county treasurer or it is
 23 paid when it is paid to the county clerk,
 24 submitted by the candidate, and forwarded
 25 promptly?

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1 A. No.

2 Q. Those -- those are two viable alternative

3 interpretations?

4 A. No. I don't agree.

5 Q. Okay. Have you looked at the Curtis decision?

6 A. That is -- what is the Curtis decision?

7 Q. So no?

8 A. I find a lot of -- I don't know. I find a lot of

9 these lawsuits seem to have multiple names. So

10 I'm not sure --

11 Q. Okay. And that's fair --

12 A. -- what the Curtis decision is.

13 Q. -- and look, I know, I mean, you're not lawyer,

14 right?

15 A. Not even on TV.

16 Q. Okay.

17 A. Haven't slept in a Holiday Inn Express recently

18 either.

19 Q. I understand. And so I'm not trying to test your

20 legal acumen. That's --

21 A. Thank you.

22 Q. -- that's not my goal. But you seem -- you seem

23 to have very strong opinions about these very

24 discrete issues and so I think it's -- that's why

25 I'm asking you the question. Okay.

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1 So my question is: If you're right, if your

2 interpretation is right, how does that work at

3 4:55 on the last day of candidate filing if the

4 candidate comes in and says, "Here's my filing

5 fee," and the clerk goes, "Well, I'll promptly

6 forward that, but you're going to have to hold on

7 to that declaration of candidacy until I hear back

8 from the Central Committee. And I don't know when

9 that may be, but filing closes in five minutes."

10 How does that work? Too bad, so sad?

11 A. The individual can still file with any other party

12 or as an Independent if they can't file with the

13 Republican Party. We put notices out indicating

14 that we had a process and procedure. Ultimately,

15 it's the responsibility of the candidate to know,

16 with whatever political party they're filing, what

17 the procedures are.

18 Q. I mean, but you all --

19 A. If I want to file, it's my responsibility to know

20 what's involved.

21 Q. But you'd never done that before, right? This has

22 never happened before, right?

23 A. This is a -- this is a new procedure, that's

24 correct.

25 Q. Yeah. This has never happened before. If someone

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1 is charged with knowledge of law you don't think

2 that it's reasonable for a potential candidate to

3 then go, well, gosh, what do I have to do? And

4 they look at the statute and they go, oh, I can

5 pay it to the treasurer of the County Committee,

6 who I have no idea who that is, or I can pay it

7 with my declaration of candidacy to the county

8 clerk and I'm good?

9 A. You know, which is why, what we actually wanted to

10 happen, was that the county clerk let people know

11 you need to go to the Committee, you need to

12 contact them. That's what's always been done in

13 Vernon County in the past.

14 Q. But -- and I understand, that's your position.

15 Their alternative -- there are real facts out

16 there, there are real examples, two years ago --

17 I'll represent to you, right here and right now.

18 There are real world examples, in Vernon County,

19 where that was not the case. So - but that's

20 okay. That's not why we're here today.

21 So here's my question. Let's say somebody

22 lives under a rock. A very large rock in a remote

23 part of Vernon County. And they're not on social

24 media, they don't have a radio, they don't watch

25 TV, they don't talk to anybody or read the

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1 newspaper. And they wake up on the last day of

2 filing at 4:45 and they go, you know, I think I'm

3 going to run for office. But they know what the

4 law is. They got their law book under the rock.

5 Do you think that that changes your view of the

6 world of this situation?

7 A. It does not.

8 Q. Okay. So you say, we don't care --

9 A. It's unfortunate.

10 Q. You say, we don't care, because we have rules,

11 they didn't follow the rules that we have, and

12 therefore they can't be on the Republican ballot,

13 that's it?

14 A. Correct.

15 Q. Okay. Now, I know there's been some suggestions

16 about the county clerk taking sides. And one of

17 the things that I want to ask you is with the

18 Central Committee telling the county clerk to take

19 certain of these positions that the county clerk

20 may or may not have agreed with, do you think that

21 the Central Committee was asking the county clerk

22 to take sides?

23 A. No.

24 Q. Okay. "You must therefore advise any candidate

25 wishing to file with the Republican Party that the

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1 treasurer must first accept their candidacy."
 2 Don't you think that's -- isn't that a political
 3 party telling the dually-elected election
 4 authority what to do?
 5 A. It's the political party telling the duly-elected
 6 election authority that, according to subsection 1
 7 of the statute, they have to pay the treasurer of
 8 the Committee before they can file their
 9 candidacy.
 10 Q. It's the -- it's the Central Committee's
 11 interpretation of the law, right?
 12 A. If that's what you want to call it.
 13 Q. Okay. Okay. So let's go back a page in Exhibit
 14 3. And now we're looking --
 15 A. Is that the March 5th one?
 16 Q. -- at a March 5th letter. And that was pinned by
 17 you on behalf of the Central Committee, is that
 18 fair to say?
 19 A. Correct.
 20 Q. Okay. And that is directed to Ms. Lee, is that
 21 fair to say?
 22 A. Yes.
 23 Q. Okay. And what was the general purpose of this
 24 letter?
 25 A. It appears we're notifying her of the individuals

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1 that -- from whom she has accepted the filing
 2 fees, they submitted them to her, and that we --
 3 they have not followed our procedures and process
 4 and so, at this time, we were notifying her that
 5 she needed to remove them from the ballot.
 6 Q. Okay.
 7 A. I think -- do we use that word in there? "You
 8 allowed them to file for candidacy when you
 9 administratively accepted their filing fee."
 10 Q. So --
 11 A. "They remain rejected by the party, therefore not
 12 authorized by our Central Committee to file."
 13 Q. Okay. So at this point in time there were four
 14 candidates at issue, right?
 15 A. Mm-hmm.
 16 Q. Is that a yes?
 17 A. Yes, sir.
 18 Q. Okay. And so this was still before filing
 19 deadline, correct?
 20 A. Correct.
 21 Q. Okay. And so you identified those four candidates
 22 in the first paragraph. In the second paragraph,
 23 you reference back to your February 5th letter --
 24 A. Correct.
 25 Q. -- that we just talked about, right?

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1 A. Correct.
 2 Q. And apparently, you included a copy of that letter
 3 with this letter at the time, is that your
 4 position?
 5 A. I believe so. I think it -- I think it says a
 6 copy the correspondence, yes, is included.
 7 Q. Okay. Now, it talks about, in the third
 8 paragraph, "You were aware that were the rejection
 9 to be lifted, the candidates would then pay the
 10 committee treasurer directly," and you reference
 11 the prior policy, and that the county clerk's
 12 office has previously complied. And then you
 13 reference the paid receipt process, showing the
 14 receipt as proof of filing fee prior to filing the
 15 declaration of candidacy. And basically you're
 16 saying that none of these four people had a paid
 17 receipt and that Ms. Lee allowed them to file
 18 anyway, right?
 19 A. Correct.
 20 Q. Okay. And so in paragraph four, then, it appears
 21 that you're, for lack of a better term, doubling
 22 down and just reiterating the fact that they are
 23 rejected, they remain rejected, and therefore, we
 24 don't think that their names should be on the
 25 ballot?

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1 A. And we asked that she -- she comply with our
 2 request as soon as possible so that they would
 3 have time to file with another party or as an
 4 Independent.
 5 Q. Yeah. Would you agree if you have eight
 6 candidates wanting to file as on the Republican
 7 ticket for various offices and the Central
 8 Committee saying they haven't gone through our
 9 processes, they haven't complied with our rules,
 10 we don't want them on the ballot, that you're
 11 caught in the middle? Would you agree with that?
 12 MR. MCCLOSKEY: I don't understand the
 13 concept you're talking about. I don't understand
 14 it, so.
 15 THE WITNESS: Me either.
 16 Q. (By Mr. Elliott) You don't understand the concept?
 17 A. I'm not sure what you're asking.
 18 Q. Okay. So we agreed earlier on, and I think you
 19 admitted, that there are certain duties under law
 20 that public officials have to follow, right?
 21 A. Correct.
 22 Q. And so there are competing duties, or at least the
 23 position of the Central Committee is there are
 24 competing duties of the county clerk with respect
 25 to candidates and Central Committees, do you

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1 agree?

2 A. Competing duties?

3 Q. Yeah?

4 A. I don't see that they have to be competing, no.

5 Q. Okay. So tell me this, would you agree that

6 115.357 says -- it talks about candidates and it

7 talks about the election authority and it talks

8 about the appropriate party committee, right?

9 A. Correct.

10 Q. You've got three main players in that statutory

11 provision, right?

12 A. Correct.

13 Q. And so would you agree that the Central

14 Committee's desire to keep certain people off the

15 ballot as Republicans who have expressed an intent

16 to want to be on the ballot, by its very nature,

17 creates conflict?

18 A. Well, I suppose it does for the individual, yeah.

19 Q. Well, and it does for the election authority, too,

20 right?

21 A. Not necessarily.

22 Q. Okay. How do you figure?

23 A. The election authority shouldn't be involved in

24 what the political party is -- is involved in.

25 Q. Well, but --

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1 A. The election authority should be simply concerned

2 with who's going to take the filing fee, are they

3 submitting it to me and I have to forward it or

4 are they paying the political party directly. And

5 at the point that that has been paid, I should

6 take the candidacy.

7 Q. Yeah. The elected official should be concerned

8 with following the law, right?

9 A. Which is what -- yeah. Which is what I think I

10 just described.

11 Q. Okay. Okay. So then let's advance two pages in

12 Exhibit 3. This is a letter from the treasurer of

13 the Central Committee to Ms. Lee, is that fair to

14 say?

15 A. Who's your candidate that you're looking at?

16 Q. This is John Shorten.

17 A. Okay. I think I got them out of order of how you

18 have them.

19 Q. Yeah. I didn't staple them, unfortunately. So do

20 you see that letter?

21 A. I do.

22 Q. So tell me what -- and Ms. Mosher is the treasurer

23 of the Central Committee, we've already

24 established that, right?

25 A. Correct.

For The Record, LLC **105**

1 Q. And this was sent on behalf of the Central

2 Committee. What was the purpose of this letter?

3 A. This letter was to return the check that is on, I

4 don't know if it's the next page, but to return

5 the check that had been forwarded to April, to

6 Ms. Mosher.

7 Q. Okay. Do you know what the last day of candidate

8 filing for the August primary was?

9 A. The August primary?

10 Q. Mm-hmm.

11 A. I don't -- oh, for the one coming up? Yes.

12 February 27th to March 26th.

13 Q. March 26th. We're on the same page. So the date

14 of this letter's March 25th, right?

15 A. Correct.

16 Q. So flip over two pages.

17 A. Okay.

18 Q. And so these --

19 A. Who?

20 Q. And so we're looking at -- we're comparing John

21 Shorten's -- the letter regarding John Shorten --

22 A. Okay.

23 Q. -- and we're looking at the check. And so it was

24 dated 3/22 of '24, is that right?

25 A. It looks like it, yes.

For The Record, LLC **106**

1 Q. And so if your date -- if Ms. Mosher's date on her

2 letter is right, Monday, March 25th, his check was

3 dated March 22nd. That's what, three days

4 difference?

5 A. Mm-hmm. Correct. Yes.

6 Q. Yeah. And so do you know when the Central

7 Committee got Mr. Shorten's filing fee check?

8 A. I don't have any idea.

9 Q. Okay. Ms. Mosher takes care of all that?

10 A. She does.

11 Q. Okay.

12 A. Adrienne, the county clerk, sent filing fees

13 directly to our committee treasurer.

14 Q. Do you all dispute that Ms. Lee sent all of the

15 candidate's filing fees that she received to the

16 Central Committee's treasurer?

17 A. As far as I know, she did. I think we have all of

18 them.

19 Q. Yeah. Okay. And so again, in this letter from

20 March 25th regarding Mr. Shorten, and I think that

21 the next letter behind that that you all produced

22 was Jimmy Dye, that's a similar situation, right?

23 A. Correct.

24 Q. Same -- same dates of the letters, different

25 candidates. Then on that next page, there's a

For The Record, LLC **107**

1 check from Cynthia Dye, I assume on behalf of her
2 husband, is that right?
3 A. I would say assume so, too.
4 Q. Okay.
5 A. It says, "Filing fee."
6 Q. And so if he wrote the check on the 22nd, which
7 would be Friday, you all rejected it the next
8 Monday and sent it back?
9 A. It appears so.
10 Q. Okay. And so as part of this letter, I guess you,
11 or Ms. Mosher, attached a letter about vetting and
12 included a copy of that letter, is that right?
13 A. I don't know.
14 Q. Okay. And then it references some information in
15 that letter and says that they're returning the
16 filing fee. Did you all meet with any candidates
17 on the last day about their filing fee, on
18 March 26th?
19 A. No.
20 Q. Okay. Well, and the reason I ask is this letter
21 said, "Should the candidate wish to file as a
22 Republican, she or he must first contact our
23 Committee and arrange to be vetted." So, I mean,
24 that was Monday, March 25th, so filing closes the
25 next day. So I didn't know if anybody reached out

For The Record, LLC 108

1 to you and tried to have that conversation?
2 A. No one reached out to me, no. To my knowledge, no
3 one reached out to anyone on our committee.
4 Q. All right. So let's go past those checks and go
5 to the next set. There's again, two letters, two
6 checks in a row, do you see that?
7 A. What two names are we talking -- are we -- Cindy
8 and Frank?
9 Q. Cynthia Thompson and John --
10 A. John Frank?
11 Q. -- Frank Radspinner.
12 A. Okay.
13 Q. So do you have those?
14 A. I do.
15 Q. I mean, is your testimony the same on those as it
16 was about Mr. Shorten and Mr. Dye?
17 A. With regard to?
18 Q. All the questions that I just asked. I don't want
19 to repeat myself about them.
20 A. Yes, yes.
21 Q. If I ask you same questions about those letters
22 would your answers be the same?
23 A. Our process is the same.
24 Q. Okay. So the one question that I want to ask
25 that's different here is, I want you to look at

For The Record, LLC 109

1 the date of Ms. Thompson's check?
2 A. I think they both filed on the last -- the last
3 day.
4 Q. And I want you then to look at Mr. Radspinner's
5 check?
6 A. Mm-hmm.
7 Q. And then I want you to turn back and look at the
8 two letters that Ms. Mosher sent?
9 A. And she apparently forgot to change the date.
10 Q. So is it the Central Committee's position that
11 it's a typo and it wasn't a rejection before the
12 check was written?
13 A. She would have had no way of knowing that they
14 were even filing. So, yeah, it's got to be a
15 typo.
16 Q. Okay. Do you know when she got the check?
17 A. I don't.
18 Q. Now, none of these letters are signed, would you
19 agree?
20 A. Well, at least what I'm looking at isn't.
21 Q. Well, these are the documents that you all
22 produced to me, so that's why I'm asking?
23 A. Well, these may -- I don't know if what went to
24 the county clerk was signed. You know, April
25 copies me on stuff, but that doesn't mean she

For The Record, LLC 110

1 didn't print something out, sign it, scan it in
2 and send it. I don't know. She's shaking her
3 head no, so I'm guessing she didn't get a signed
4 letter.
5 Q. Okay. So in Exhibit 3, the next page you all
6 produced this, this appears to be maybe some
7 version of 115.357, is that right?
8 A. Yes.
9 Q. Where did that come from?
10 A. From copy 115.357.
11 Q. I know. But where'd you get it? Did you get it
12 out of a book? Online?
13 A. No. I typically -- if I produced this, and I
14 probably did, I go to the .gov website, drag my
15 mouse over, copy and paste.
16 Q. Okay. And then there are also some pages here, it
17 looks like there's four pages of maybe a
18 PowerPoint presentation?
19 A. That is correct.
20 Q. What is this PowerPoint presentation?
21 A. This is part of a larger presentation that was
22 part of the conferences that we did last year.
23 That I did last year.
24 Q. So you all didn't produce all of the PowerPoint,
25 is that right?

For The Record, LLC 111

1 A. You mean print out for you?
 2 Q. Well, whenever you all -- whenever your lawyer
 3 prepared these and provided them to me, I only got
 4 four pages. Is that --
 5 A. That's all -- that's all that pertained to what
 6 we're talking about.
 7 Q. That's what I'm saying. You didn't provide the
 8 full PowerPoint, right?
 9 A. No, I did not.
 10 Q. What other things are in the PowerPoint?
 11 A. Well, there's a lot of other things. There's
 12 party structure, there's -- this was training for
 13 Central Committees, so there was information on
 14 anything and everything under the sun.
 15 Q. Okay. And who put this conference on that you --
 16 A. Me.
 17 Q. Okay. You, individually? REPACCMO? Vernon
 18 County Central Committee?
 19 A. I think at the point that we were doing these we
 20 had REPACCMO, at least in name. You know, we did
 21 them over two to three month's time. So I don't
 22 recall specifically, quite frankly, whether
 23 REPACCMO was there at the beginning or -- I think
 24 it was, but I'm not -- I'm not absolutely sure.
 25 Q. Okay.

For The Record, LLC 112

1 A. We formed it last year, so.
 2 Q. Okay. The next page appears to be a Word document
 3 listing some random things and we'll just go
 4 through them fairly quickly here. I think this is
 5 about statements that you've made about the
 6 lawsuit and candidate filing fees and vetting. So
 7 you reference Nick Reed Radio, that's on, what,
 8 KSGF talk radio?
 9 A. You would probably know better than me. You live
 10 in Springfield. It's talk radio, yes. I'm not
 11 sure --
 12 Q. You had --
 13 A. -- what it's on.
 14 Q. -- what, a 21 to 24-minute segment with Nick Reed
 15 talking about the lawsuit and candidate vetting
 16 and --
 17 A. Right.
 18 Q. -- candidate filing fees?
 19 A. Right
 20 Q. And Lindell-TV. That's Mike Lindell's?
 21 A. FrankSpeech.
 22 Q. -- media source?
 23 A. Mm-hmm.
 24 Q. And so you have a recording on there where you're
 25 talking about vetting and candidate filing fees?

For The Record, LLC 113

1 A. I don't know if it's a recording. You know, you
 2 asked for a production of documents involving
 3 anything we've basically ever done. And so these
 4 are the things that I could recall. And there was
 5 an interview done on FrankSpeech, so.
 6 Q. Okay.
 7 A. I don't know that they save it as a podcast or
 8 whatever they call it. I don't know what they do
 9 there.
 10 Q. Okay. And then you have a list of, I think, the
 11 conference locations that you were talking about
 12 as far as the training that you just eluded to in
 13 Blue Springs, Nixa. Where at in St. Francois
 14 County?
 15 A. I don't remember. That's why --
 16 Q. Were you in Farmington?
 17 A. -- I put St. Francois. I don't remember the name
 18 of the specific town that we went to. And the
 19 same thing with Adair. I'm not sure what the name
 20 of the town was in Adair County.
 21 Q. Kirksville? Not sure?
 22 A. It might have been. Yeah. It could have been
 23 Kirksville. It might have been.
 24 Q. And then Columbia, Missouri?
 25 A. Uh-huh.

For The Record, LLC 114

1 Q. Is that a yes?
 2 A. Yes.
 3 Q. Okay. And then I think we've already talked about
 4 this social media post in a difference exhibit
 5 here. This is a recent post from April 9th --
 6 A. Looks like it.
 7 Q. -- about the preliminary order in mandamus, would
 8 you agree?
 9 A. Yes, sir.
 10 Q. Okay. Next page. This is a social media post by
 11 you from April 23rd. So that was within the past
 12 week or so, would you agree?
 13 A. Yes. Yes.
 14 Q. Okay. So you say here, "Your county tax money's
 15 being used to ask the court to say it's okay for
 16 government to control who's on our ballots." And I
 17 think we've already talked about that. But I want
 18 you to understand and then I'm going to ask a
 19 question. Election authority's not trying to
 20 control who's on the ballot. The election
 21 authority's responsibility is to follow the law.
 22 Okay. So --
 23 MR. MCCLOSKEY: Is that a question?
 24 MR. ELLIOTT: I'm getting ready to ask
 25 my question. As I said, I was going to make a

For The Record, LLC 115

1 statement and then ask a question.

2 MR. MCCLOSKEY: Okay. Sorry. I

3 apologize. Keep going. I apologize. Keep going

4 MR. ELLIOTT: Nope, you're good.

5 Q. (By Mr. Elliott) So then you say, you will only be

6 able to vote for government-approved candidates if

7 they win this case. So my question is this:

8 Number one, that's not entirely true, right,

9 because you already said yourself that they could

10 file as an Independent so. They would still be

11 able to file -- they would still be able to vote

12 for those if they ran as an Independent, right?

13 A. If they run as an Independent. We're talking

14 about Republican, the Republican ballot.

15 Q. Okay. Now, here's my real question.

16 A. Okay.

17 Q. You're not really asserting that just because the

18 clerk has put people's name on the ballot who paid

19 the filing fee and submitted their declaration of

20 candidacy that there's some sort of government

21 stamp of approval on a particular candidate for

22 office, are you?

23 A. If you add the rest of what has happened and the

24 party rejected them, then yes.

25 Q. So you think there's a big stamp of approval on

For The Record, LLC 116

1 all these -- these eight candidates?

2 A. I'm saying to you, you asked the question.

3 Q. I did.

4 A. If government gets to control who's on our ballot,

5 that's what it amounts to. We have rejected the

6 candidate and they're attempting to still force us

7 to take those candidates.

8 Q. Okay. So then you --

9 A. I don't know what else you want to call it.

10 Q. Okay. Well, then you say, "That's Third World

11 stuff right there"?

12 A. Yep. Yes.

13 Q. Do you think it's Third World stuff us fighting

14 this out in a court of law or do think that's a

15 constitutional republic at work?

16 A. I think this is a fight that's unnecessary, but

17 one that we're having to have because we have

18 rights and government is trying to step on those

19 rights.

20 Q. Okay. Let me --

21 A. You skipping this one?

22 Q. Yeah.

23 A. Okay.

24 Q. Let me ask you about a hypothetical situation.

25 A. Okay.

For The Record, LLC 117

1 Q. Let's say not in Vernon County. We've got a

2 hypothetical Republican Central Committee and a

3 hypothetical county clerk, okay? Out in our

4 imaginations, but subjects to the laws of the

5 State of Missouri. What happens whenever a

6 candidate comes and pays their filing fee and

7 submits their declaration of candidacy, the county

8 clerk promptly forwards it to the Central

9 Committee, the Central Committee says, no, we're

10 rejecting it and sends the same letters and

11 everything that you all did here to the county

12 clerk, okay? And the county clerk goes, okay, I

13 guess I'm not going to put their name on the

14 ballot. And then the Central Committee has -- has

15 a come to Jesus. And they kick their chairman

16 out. And the new chairman goes, nope, we're gonna

17 take the filing fee. And they take it and they

18 go, yep, we're going to take the filing fee. And

19 then they decide that they're not real happy with

20 that chairman either and they to try to intercept

21 --

22 A. I'm trying to follow along on your hypothetical.

23 Q. -- the chairman at the bank and say, Bank, do not

24 take the filing fee. What is a county -- and I

25 don't care. You can make up whatever wild story

For The Record, LLC 118

1 you want to, Ms. Haggard. What is a county clerk

2 who is supposed to have a ministerial duty to do

3 certain things supposed to do whenever they're

4 saying yes, no, yes, no, snip, snap, snip, snap?

5 What is your practical answer to that question?

6 MR. MCCLOSKEY: I'm going to object to

7 the improper hypothetical. It's so convoluted and

8 complex that I don't believe it's subject to

9 answer. But if you understand the question, I'll

10 merely object that that's an incomplete

11 hypothetical.

12 THE WITNESS: Yeah. I don't have an

13 answer for that. I -- I have no answer for it.

14 Q. (By Mr. Elliott) Okay.

15 A. It's not something I've encountered. I don't

16 know.

17 Q. Do you know if anything like that's happened out

18 here in the State of Missouri in the wild this

19 year?

20 A. I don't know.

21 Q. It's fun.

22 A. Are we done with those?

23 (Exhibit 4 marked)

24 Q. (By Mr. Elliott) We should be done with Exhibit 3.

25 I think I'm on No. 4, does that sound right?

For The Record, LLC 119

1 Ms. Haggard, I'm going to hand you what's
2 been marked as Exhibit 4. If you would, take a
3 look at that and tell me if you recognize it?
4 A. It's a list, obviously, of some of our committee
5 people.
6 Q. Is this from the REPACCMO website? If you know?
7 A. It -- it looks like it could be.
8 Q. And do you maintain the REPACCMO website?
9 A. Sadly, yes.
10 Q. Okay. And does the Vernon County Central
11 Committee have --
12 A. Oh, okay. Go ahead.
13 Q. Does the Vernon County Central Committee have
14 their own website or do they kind of piggyback off
15 of REPACCMO's website for information like this?
16 A. We have a page on the website.
17 Q. Okay. So my understanding is at some point you
18 took down the names of the Central Committee
19 members, is that right?
20 A. Yes.
21 Q. And they're not up there now, are they?
22 A. No. Correct. They are not up there now.
23 Q. And so why were the names to the Central Committee
24 members taken down?
25 A. And this doesn't even look -- let me look at it

For The Record, LLC 120

1 here. They were taken down because of the vitriol
2 and hatefulness that was being expressed on social
3 media and in some cases, to individuals, that I
4 was hearing back thirdhand. And I'm not sure this
5 is a current -- I'm not sure this is what I took
6 down, because I believe what I took down actually
7 had email addresses. So this is probably an older
8 version.
9 Q. Okay.
10 A. But I took it down as a protection for the
11 Committee. They don't deserve to be treated
12 viciously, so.
13 Q. Okay. Do you think people have a right to know
14 who the Central Committee members are?
15 A. I actually do.
16 Q. Do you think that they should have a right to be
17 able to contact them?
18 A. At least the people on their own township or their
19 own ward, it would be nice, but, you know --
20 Q. I mean --
21 A. -- until this year, most people have not even know
22 what the county committee is.
23 Q. Yeah. County committees are elected, too, right?
24 A. Yes. Correct.
25 Q. I mean, they are different, but in a way, not

For The Record, LLC 121

1 different than anybody else who puts their name on
2 the ballot, are they?
3 A. Different but the same.
4 Q. Do you think there's been any venom and harassment
5 thrown at Ms. Lee's way throughout the course of
6 this?
7 A. I wouldn't be surprised.
8 Q. You think that's --
9 A. But I don't know --
10 Q. You think that's --
11 A. -- I don't have any idea.
12 Q. Yeah. I mean, if you don't know. Are you aware
13 of any situations like that?
14 A. No, I'm not.
15 Q. Okay.
16 A. Towards Adrienne? No, I'm not.
17 Q. If that's happened, do you think that's fair to
18 her?
19 A. No. I don't think it's fair to her.
20 Q. Do you think she's been trying to do a good job?
21 A. I'm going to assume she's trying to do a good job.
22 MR. ELLIOTT: Mark, is it fair to say
23 that you're going to object to any questions that
24 I ask about the bylaws of Central Committee?
25 MR. MCCLOSKEY: Yes.

For The Record, LLC 122

1 MR. ELLIOTT: Are you still going to let
2 me ask the questions? I just have a couple.
3 MR. MCCLOSKEY: Yes. I'm going to
4 object and have her not respond to anything that
5 has to do the internal workings of the Committee.
6 I think the Court said that's for next lawsuit
7 down the road.
8 MR. ELLIOTT: So you're not going to let
9 me ask them and she's not gonna answer them?
10 MR. MCCLOSKEY: It would be an exercise
11 in futility for you to ask a great vast of
12 questions, but if it leads to making your record,
13 go ahead.
14 MR. ELLIOTT: Well, you know, you do
15 what you got to do, right?
16 MR. MCCLOSKEY: Yep. I'm the only
17 person in the room not getting paid.
18 MR. ELLIOTT: I don't know. She was
19 unclear.
20 (Exhibit 5 marked)
21 Q. (By Mr. Elliott) Ms. Haggard, I've handed you
22 what's been marked as Deposition Exhibit 5. Are
23 these the bylaws of the Vernon County Republican
24 Central Committee?
25 A. Yes.

For The Record, LLC 123

1 MR. MCCLOSKEY: I'm going to object
2 to --
3 MR. ELLIOTT: You missed that one. You
4 missed that one. Sorry.
5 MR. MCCLOSKEY: Oh, I jumped in as fast
6 as I could.
7 THE WITNESS: I'll slow down.
8 MR. MCCLOSKEY: I'm objecting to any
9 questions regarding the bylaws or the internal
10 functioning of the Vernon County Republican
11 Central Committee and would instruct the witness
12 not to answer.
13 MR. ELLIOTT: Okay.
14 MR. MCCLOSKEY: And wait for me to
15 object next time, Cyndia.
16 THE WITNESS: Yes, I will.
17 Q. (By Mr. Elliott) Were these revised on
18 January 24th, 2024?
19 MR. MCCLOSKEY: Same objection.
20 Q. (By Mr. Elliott) You're not going to answer?
21 A. I'm not going to answer.
22 Q. At the direction of your attorney?
23 A. At the direction of my attorney.
24 Q. Okay. Who are the members of the executive
25 committee right now?

For The Record, LLC

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1 A. The four people at the top of the spreadsheet you
2 looked at.
3 Q. So that's you, Mr. Wadel, Ms. Mosher, and
4 Mr. Turner?
5 A. Correct.
6 Q. Who are the members of the vetting committee?
7 MR. MCCLOSKEY: Once again, I'm going to
8 object to that.
9 Q. (By Mr. Elliott) You can answer.
10 A. I don't know their names off the top of my head.
11 You have it in the information that I provided for
12 you. I listed them out.
13 Q. Who the vetting committee members are?
14 A. I did. Because the judge hadn't thrown that
15 particular question out.
16 Q. Can you point that out to me?
17 A. It's in the -- I think in the interrogatories.
18 Q. Oh, okay. I'm sorry.
19 A. I think.
20 Q. I'm going to try and shorten that part of this up
21 whenever I get there. I know you all probably
22 don't believe me, but.
23 A. If it's not the interrogatories, it's your
24 production of documents, one of the two.
25 Production of documents --

For The Record, LLC

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1 MR. MCCLOSKEY: Just to speed the
2 process. You had listed them in the request for
3 production, since that's not an appropriate
4 response for a request for production. I just
5 said, "Produced," because the only thing we'd
6 produced was your spreadsheet.
7 MR. ELLIOTT: Yeah. I mean,
8 unfortunately the spreadsheet doesn't answer the
9 question, right?
10 MR. MCCLOSKEY: On the other hand, it
11 was asked in their request for production. So if
12 we did not have such a document, I didn't have
13 anything to produce.
14 Q. (By Mr. Elliott) Does a document exist identifying
15 who the members of the vetting committee are?
16 A. It would be in our minutes which are privileged.
17 Q. Well, that's going to be an issue. Because if
18 that wasn't produced, that particular request was
19 not objected to and was not subject to the order
20 that everybody --
21 A. You -- you have the list of names.
22 Q. Who's on the vetting committee?
23 A. Yes.
24 Q. So who are those people? Just tell me?
25 A. Well, that's what I told you. I don't know them

For The Record, LLC

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1 off the top of my head. You have them here, so
2 right here they are.
3 Q. What are you looking at?
4 A. I'm on the page 5.
5 Q. Of?
6 A. Of the production of documents.
7 Q. Okay. Let me -- let me look at page 5. I think
8 that's what Mr. McCloskey is --
9 A. Question No. 7. Yeah. She did not, for whatever
10 weird reason, she did not mark that one -- she did
11 not throw that one out in her order, so I went
12 ahead and gave you that information.
13 Q. Okay. Can I see what you're looking at there?
14 MR. MCCLOSKEY: She may have a --
15 Cyndia, before you give that to him, I think
16 that's the copy you sent me. That's
17 attorney/client privilege. I've made changes to
18 that you probably have not seen.
19 THE WITNESS: Okay. Sorry.
20 MR. MCCLOSKEY: Let me say this for the
21 record. Your request specifically identified
22 documents which are not privileged. In our
23 responses, you'll see that I say that the closed
24 sessions meetings we're claiming a privilege to,
25 just like you did with Ms. Lee the other day. And

For The Record, LLC

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1 so I will --

2 MR. ELLIOTT: Well, but there's a

3 difference there, Mark. I mean, if there's an

4 attorney-client privilege, okay. But closed

5 session meeting minutes, that -- there's no ruling

6 by the Court that you all could withhold that.

7 MR. MCCLOSKEY: And to the extent that

8 she can identify them -- she has the list on the

9 paper in front of her, she had no such list

10 before. You can glean it from other sources. I'm

11 happy to have her read off that proposed response

12 to your request for production the names that she

13 provided to me without giving you the document.

14 Q. (By Mr. Elliott) Okay. Can you do that? Can you

15 just tell me who they are? I mean, I'm not trying

16 to make this more difficult --

17 MR. MCCLOSKEY: The only thing I was

18 concerned about is her giving you that piece of

19 paper.

20 Q. (By Mr. Elliott) Yeah. I mean, I don't want

21 attorney-client privilege, but -- I'm not going to

22 fight over that.

23 A. Well, now I've got the wrong one.

24 Q. Page 5.

25 A. Yeah, I know. But that's not the right document.

For The Record, LLC 128

1 See, this would be easier if you hadn't sent me so

2 many documents.

3 Q. I have more.

4 A. Here it is. Okay. So page 5. So myself, Mike

5 Kimmell, Jerry Haggard, Scott Buerge, Crystal

6 Bearce, Frieda Hickman, Andy Brannan --

7 Q. Hold on a second. I'm trying to write here. So

8 Crystal Bearce?

9 A. Yes. I'm sorry.

10 Q. And then who was the next one? No, you're okay.

11 A. Crystal Bearce, Frieda Hickman.

12 Q. Okay.

13 A. Andy Brannan, Jamie Collins, Dennis Turner, and

14 Robin Coleman.

15 Q. And have those been the members that were on that

16 committee since the thing of which we may not

17 speak was initiated?

18 A. Yes.

19 Q. It's okay. You can smile, Mark. It won't hurt

20 you.

21 Ms. Haggard, do you think the Central

22 Committee has the authority to amend its bylaws 60

23 days after the date of reorganization on the third

24 Tuesday of every August in an even numbered year?

25 A. The statute says we do.

For The Record, LLC 129

1 Q. So your answer is?

2 A. Yes.

3 Q. Is Exhibit 5 a current copy of your all's bylaws?

4 A. Do I answer that, Mark?

5 Q. Well, he didn't object --

6 MR. MCCLOSKEY: I'll let you say yea or

7 nay to that.

8 THE WITNESS: Pardon?

9 MR. MCCLOSKEY: I'll let you say yea or

10 nay to that one.

11 THE WITNESS: No, it is not.

12 Q. (By Mr. Elliott) Okay. And what is the date of

13 your most current version of your bylaws?

14 A. I'm not sure. I'm not sure.

15 Q. Okay. Ms. Haggard, do you think that central

16 committees are subject to the Sunshine Law?

17 A. Absolutely not.

18 Q. Are you aware of a 1997 John Danforth, Attorney

19 General opinion that the St. Louis County

20 Republican Central Committee was subject to the

21 Sunshine Law?

22 A. In his opinion, yes.

23 Q. And you disagree with his opinion?

24 A. According to the AG's office, the statute referred

25 to in that, number one, it was an opinion only,

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1 it's not law, and number two, the statutes that

2 were referred to in that have either significantly

3 changed or are no longer there, according to the

4 AG's office in the last two or three weeks.

5 Q. So you've talked to them at the AG's office?

6 A. I talk to them periodically, yes.

7 Q. Who did you talk to at the AG's office?

8 A. Jay and his last name is either Taylor or Turner,

9 I'm not sure which. Taylor, I think.

10 Q. Somebody send you a Sunshine Law request?

11 A. They did.

12 Q. Did you know what to do with it?

13 A. I did.

14 Q. But you called the AG's office?

15 A. Just to confirm.

16 Q. Am I ready for No. 6?

17 A. Pardon? Oh, I'm sorry.

18 (Exhibit 6 marked)

19 Q. (By Mr. Elliott) All right. Ms. Haggard, I'm

20 going to hand you what has been marked as

21 Deposition Exhibit 6. Can you tell me what that

22 document is?

23 A. Thank you, sir. It looks like an old copy of our

24 vetting manual.

25 Q. Okay. Has it been updated?

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1 A. Mark, am I talking about this?
 2 MR. ELLIOTT: You're trying to get into
 3 the vetting issue and I'm going to instruct her
 4 not to go down that rabbit hole.
 5 Q. (By Mr. Elliott) So you're going to answer?
 6 A. No.
 7 Q. At the direction of your attorney?
 8 A. At the direction of my attorney.
 9 Q. You're not even going to tell me when it was last
 10 updated?
 11 A. No, I'm not. Do you want that back?
 12 Q. You can just stack them up. Any questions I asked
 13 you about the vetting manual, are you going to
 14 have the same answer?
 15 A. I am absolutely going to have the same answer.
 16 MR. ELLIOTT: Are you going to have the
 17 same objection?
 18 MR. MCCLOSKEY: Absolutely. Can I smile
 19 now?
 20 MR. ELLIOTT: Pardon?
 21 MR. MCCLOSKEY: Can I smile now?
 22 MR. ELLIOTT: I mean, I just wanted to
 23 give you a little encouragement. I didn't want to
 24 tell you what to do.
 25 Q. (By Mr. Elliott) Are you going to start selling
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1 the vetting manual? I'm sorry is there --
 2 MR. MCCLOSKEY: I'm sorry. What was the
 3 question?
 4 MR. ELLIOTT: I asked her if the
 5 REPACCMO was going to start selling the vetting
 6 manual.
 7 MR. MCCLOSKEY: I'm going to object to
 8 that. Instruct her not to answer.
 9 MR. ELLIOTT: On what ground?
 10 MR. MCCLOSKEY: On the ground that
 11 you're getting into the vetting issue. And by the
 12 way, whether or not I have no idea what the answer
 13 to that question is, but I cannot see how it could
 14 possibly lead to the discovery of admissible
 15 evidence.
 16 MR. ELLIOTT: I think that's fair.
 17 MR. MCCLOSKEY: You agreed with me?
 18 MR. ELLIOTT: I didn't say that. I said
 19 it was fair. Okay. Folks, here's what I'm going
 20 to suggest and we can go off the record for a
 21 minute.
 22 (Break in proceedings)
 23 Q. (By Mr. Elliott) Ms. Haggard, we've traveled some
 24 paths today and so there's just a couple of things
 25 that I want to close with and make sure I
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1 understand.
 2 A. Okay.
 3 Q. Okay. Once we get past a candidate submitting
 4 their filing fee to the clerk, the clerk promptly
 5 forwarding it to the Central Committee, what is
 6 the thing that you claim creates a ministerial
 7 duty on the county clerk to take their name off
 8 the ballot? Is it the notification of rejection
 9 of the filing fee? Is that what your position is?
 10 MR. MCCLOSKEY: I'll object to the
 11 question in that it assumes facts not in evidence.
 12 One is that they put the name on the ballot and
 13 then ask the name to be removed from the ballot.
 14 I think the position has been that there's -- that
 15 the name is not yet on the ballot and cannot be on
 16 the ballot if the fee hasn't been paid, so I think
 17 you're putting the cart before the horse. That's
 18 the technical objection.
 19 Q. (By Mr. Elliott) I don't think that was a real
 20 objection, but okay. You can answer?
 21 A. And that's it. At the point that it's come to the
 22 treasurer and we've -- the check that has come to
 23 the treasurer and we've rejected it, our position
 24 is that the candidacy should never have been taken
 25 to begin with until the election authority knew
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1 the position of the political party they're
 2 attempting to file with. So my understanding from
 3 Adrienne's communications is that once she
 4 accepted the candidacy, she needed a court order
 5 to remove them from the ballot. Our position is
 6 we could have avoided all that if there had been a
 7 gap between the check being submitted to the
 8 election authority and the candidacy being filed.
 9 Had there been a gap there, we would have had an
 10 opportunity to say yes or no and no candidacy
 11 would have ever been filed if we said no. So if
 12 at that point you need a court order to get them
 13 off the ballot, that's what the preliminary order
 14 in mandamus is and that's the initial reason that
 15 we filed suit was because she said she needed an
 16 order.
 17 Q. Okay. So I'm gonna ask my question differently
 18 based upon that response.
 19 The ministerial duty is once the Committee
 20 has informed the county clerk of the rejection of
 21 the filing fee, the ministerial duty is to not put
 22 the candidate's name on the ballot?
 23 A. Or -- I'm not sure what you're asking me.
 24 Q. Well, we've got to figure out --
 25 A. We don't want the candidate's name on the ballot.
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1 There's the bottom line. If we have rejected the
 2 filing fee, we don't want the candidate's name on
 3 the ballot however that has to happen. Our
 4 position is in the past, we've always had the
 5 control of the actual filing fee. It didn't go
 6 through the county clerk's office, other than in
 7 the COVID year of 2022. So if we were following
 8 that process, there would never have been a
 9 problem. We wouldn't be here today. Because we
 10 could have said, we're rejecting your filing fee,
 11 you haven't followed our rules. And it would
 12 never have even got to -- to Adrienne.
 13 Q. But didn't you -- and I'm not going to go there.
 14 But didn't you say that this is the first time
 15 that y'all, as the Central Committee, have ever
 16 done this, as far as vetting and --
 17 A. We have a new set of procedures in place.
 18 Q. Right. Okay.
 19 A. But the process is the same regardless.
 20 MR. ELLIOTT: Okay. Okay. Ma'am,
 21 that's all the questions I have for you on your
 22 individual deposition.
 23 (Deposition concluded at 3:47 p.m.)
 24
 25

For The Record, LLC 136

1 CERTIFICATE OF REPORTER
 2 STATE OF MISSOURI)
) Ss
 3 COUNTY OF GREENE)
 4
 5 I, Leah M. Durnell, a Certified Court Reporter, do
 6 hereby certify that the witness whose testimony appears
 7 in the foregoing deposition was duly sworn by me; that
 8 the testimony of said witness was taken by me to the
 9 best of my ability and thereafter reduced to
 10 typewriting under my direction; that I am neither
 11 counsel for, related to, nor employed by any of the
 12 parties to the action in which this deposition was
 13 taken, and further, that I am not a relative or
 14 employee of any attorney or counsel employed by the
 15 parties thereto, nor financially or otherwise
 16 interested in the outcome of the action.
 17
 18
 19 _____
 20 Leah M. Durnell, CCR-MO No. 1394
 21
 22
 23
 24
 25

For The Record, LLC 137

1 WITNESS ERRATA SHEET
 2 WITNESS NAME: CYNDIA HAGGARD
 VERNON COUNTY REPUBLICAN COMMITTEE, BY AND THROUGH
 3 CYNDIA HAGGARD, CHAIRMAN V. ADRIENNE LEE, VERNON COUNTY
 CLERK
 4 DATE TAKEN: May 2, 2024
 5
 6 Page # _____ Line # _____
 7 Should read: _____
 8 Reason for change: _____
 9
 10 Page # _____ Line # _____
 11 Should read: _____
 12 Reason for change: _____
 13
 14 Page # _____ Line # _____
 15 Should read: _____
 16 Reason for change: _____
 17
 18 Page # _____ Line # _____
 19 Should read: _____
 20 Reason for change: _____
 21
 22 Page # _____ Line # _____
 23 Should read: _____
 24 Reason for change: _____
 25

For The Record, LLC 138

1 STATE OF _____)
)
 2 COUNTY OF _____)
 3
 4 I, CYNDIA HAGGARD, do hereby certify:
 5 That I have read the foregoing deposition;
 6 That I have made such changes in form and/or
 7 substance to the within deposition as might be
 8 necessary to render the same true and correct;
 9 That having made such changes thereon, I
 10 hereby subscribe my name to the deposition. I
 11 declare, under penalty of perjury, that the
 12 foregoing is true and correct.
 13
 14 _____
 15
 16 CYNDIA HAGGARD
 17
 18 Executed this _____ day of _____, 20____,
 19 At _____ County, _____.
 20
 21 Notary Public
 22 My Commission Expires:
 23
 24
 25

For The Record, LLC 139

1 IN THE CIRCUIT COURT OF VERNON COUNTY, MISSOURI

2

3 VERNON COUNTY REPUBLICAN)

COMMITTEE, by and through,)

4 CYN DIA HAGGARD, Chairman,)

5

Relator,)

6

vs.)Case No. 24VE-CV00185

7

ADRI ENNE LEE,)

VERNON COUNTY CLERK,)

8

Respondent)

9

10

CERTIFICATE OF OFFICER AND
STATEMENT OF DEPOSITION CHARGES

11

12

In accordance with
(Rule 57.03 (g)(2)(a) & Sec. 492.590, RSMo 1985)

13

14

DEPOSITION

Taken on behalf of the Respondent

May 2, 2024

15

16

Name and address of the person or firm having custody
of the original transcript is:

17

18

MR. TRAVIS A. ELLIOTT
ELLIS ELLIS HAMMONS & JOHNSON, PC
2808 South Ingram Mill, A104
Springfield, Missouri 65804
Tel: 417-866-5091 Fax: 417-866-1064
telliott@eejfirm.com

19

20

21

22

23

24

25

At the time of delivery of the transcript, the
deposition charges had not been paid. Payment status
will be updated at the request of the Court pursuant to
Section 492.590(2) RSMo.

Leah M. Durnell, CCR

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