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6 **CONTINUATION OF THE EXAMINATION UNDER OATH OF**
7 **CONFIDENTIAL WITNESS**

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10 DATE: September 18, 2025
11 TIME: Commenced at 2:24 p.m.
12 Concluded at 4:55 p.m.
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16 Pages 1 through 61
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23 Stenographically Reported By:
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Teresa R. Cruise, CRR, RPR, FPR-C, FPR
Registered Professional Reporter
Florida Professional Reporter
Notary Public, State of Florida

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10 Also Present:

11 Caleb Bowen, Videographer

12 Also Remotely Present:

13 Jose Vega, Interpreter
14 Linda Good
15 Jason Ickes
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17 INDEX OF PROCEEDINGS

18 Examination Under Oath of CONFIDENTIAL WITNESS

	<u>Page</u>
20 Examination by Mr. Case	5
21 Certificate of Oath	59
22 Certificate of Oath	60
23 Certificate of Reporter	61

1 INDEX TO EXHIBITS
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
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21
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NO. DESCRIPTION

PAGE

(NO EXHIBITS MARKED)

The examination under oath of CONFIDENTIAL WITNESS
was taken on Thursday, September 18, 2025,
commencing at 2:24 p.m.

Said examination under oath was reported by
Teresa R. Cruise, CRR, RPR, FPR-C, FPR
Notary Public, State of Florida at Large.

— — — — — — — — — —

12 THE STENOGRAPHER: Mr. Vega, could you
13 please raise your right hand?

14 Do you solemnly swear to truly and
15 accurately interpret from English to
16 Spanish and Spanish to English the
17 questions propounded and the answers given,
18 and that you have such the ability to do
19 so?

20 THE INTERPRETER: I swear.

21 THEREUPON,

22 JOSE VEGA,
23 the interpreter, was sworn to truly and correctly
24 translate English into Spanish and Spanish into
25 English.

1

2

THE STENOGRAPHER: Mr. Vega, would you
please ask our deponent to raise his right
hand?

5

Do you swear or affirm the testimony
you're about to give will be the truth, the
whole truth, and nothing but the truth, so
help you God?

9

THE WITNESS: Yes, I do.

10

THE STENOGRAPHER: You can put your

11 hand down.

12

THE VIDEOGRAPHER: The time is
2:24 p.m.

14

We're back on the video record.

15

THEREUPON:

16

CONFIDENTIAL WITNESS,

17

having been first duly sworn, was examined and
18 testified as follows:

19

EXAMINATION

20

BY MR. CASE:

21

Q. Sir, I am here because my client, Tina
Peters, was prosecuted by the government in
Colorado for criticizing the voting system in
24 Colorado.

25

In your experience -- let me start the

1 question over.

2 I'm here because my client, Tina
3 Peters, was prosecuted by the state of Colorado for
4 criticizing the voting system. There is evidence
5 that Dominion Voting Systems demanded that Tina
6 Peters be prosecuted because she criticized the
7 voting system and made a forensic image of the
8 election management server.

9 In your experience, as part of the
10 Venezuelan government, were you aware of the
11 Venezuelan government prosecuting people who
12 criticized the Smartmatic voting system?

13 **A.** Yes, they have been prosecuted.
14 People have been prosecuted for criticizing the
15 voting system.

16 **Q.** Did Smartmatic participate in helping
17 the government prosecute those people who
18 criticized the Smartmatic voting system?

19 **A.** Yes. The electoral technology
20 companies have to turn over evidence as requested
21 by the government.

22 **Q.** And, in your experience, were the
23 judges who oversaw those prosecutions able to know
24 if the evidence provided by Smartmatic was true or
25 false?

1 **A.** No, they do not have that capacity.

2 They would have to be specialists in technology to
3 know, sir.

4 **Q.** So, the judges in Venezuelan had to
5 rely on the witnesses provided by Smartmatic in the
6 prosecution of people who criticized the voting
7 system?

8 **A.** Correct. Provide by them for the
9 government, correct.

10 **Q.** Now, when you worked for the
11 Venezuelan government between 2003 and 2016, did
12 you meet with any officials who were from Cuba?

13 **A.** Yes, on many occasions.

14 **Q.** And how is it that you met with Cuban
15 officials on many occasions in your role in
16 managing the Smartmatic voting system in Venezuela?

17 Where did you meet with Cubans?

18 **A.** Well, this is because the Cuban
19 officials or Cuban authorities are part of the
20 Venezuelan government. They have full oversight of
21 the activities carried out by the Venezuelan
22 government and provide advice or consulting to
23 them.

24 **Q.** Do you know if Cuba has a communist
25 government?

1 **A.** Yes, yes, it does.

2 **Q.** So are you saying that the Venezuelan
3 government is managed by representatives of the
4 Cuban communist government?

5 **A.** That is correct.

6 **Q.** And do you know if the engineers for
7 Smartmatic, who later became employees of Dominion,
8 were trained in Cuba to write election software for
9 Smartmatic?

10 **A.** No, I'm not aware of that.

11 What I am aware of is that Cuban
12 engineers traveled over to Venezuela to obtain
13 training as far as technology was concerned. Not
14 only electoral technology, but also for public
15 records, such as birth certificates.

16 They received training in biometric
17 technology, passports and to implement Cuban
18 systems within the government. When I refer to
19 Cuban systems, I'm referring to telecommunications
20 and intelligence systems.

21 And what they would explain to us was
22 that given the -- the blockade or embargo that they
23 are going through, they don't have access to those
24 tools that Venezuelans ended up giving them.

25 But as far as election are concerned,

1 or electoral speaking, all the technicians or
2 engineers that created the elections system have
3 all graduated from a Venezuelan university called
4 Simón Bolívar University.

5 **Q.** Now, when you were working for the
6 Venezuelan government between 2003 and 2016, was
7 part of your responsibility to manage the
8 manufacturing of the voting equipment?

9 **A.** Well, the manufacturing of the voting
10 equipment, these were manufactured in Taiwan and
11 China.

12 My responsibilities was to receive
13 those components, or those pieces of equipment,
14 configure them and send them out to production to
15 be used through the elections, meaning that any
16 part or piece that was given to me was exported
17 from either China or Taiwan.

18 **Q.** Did that include firmware in the
19 computers?

20 **A.** They would already come pre-configured
21 from Taiwan or China. It's already been
22 established, based on the part that you're
23 acquiring.

24 And if there's any modification made
25 to them, then the engineers of Smartmatic would be

1 the ones to do so; or, if it would be the case,
2 another company, like in the case of Dominion.

7 Q. What is firmware?

8 **A.** The firmware is a program that is
9 included inside a chip or a particular device for
10 the correct functioning of an entire device.

11 It's the first electrical impulse that
12 the computer receives so that then, after that, it
13 can only -- after that, it can start receiving the
14 instructions from the operating system.

15 **Q.** So firmware is a set of commands
16 embedded in the hardware?

17 **A.** That's correct.

18 **Q.** And those commands that were used in
19 Smartmatic computers were installed in either China
20 or Taiwan?

A. That is correct.

1 So the electronic devices have some
2 certain command sequences, and that is why we're
3 calling firmware. Part of that are memory
4 sequences that allow you to receive video or print
5 that, later on, allows you to receive other
6 information.

7 It is later, after this, that you
8 signal the electoral management system, the
9 electoral system, and that has a command sequence
10 where you can utilize a program or a piece of
11 software.

12 **Q.** Do the computers made in China and
13 Taiwan include circuits that can communicate with
14 the internet?

20 **Q.** Now, can the firmware keep those
21 modems enabled even if the software commands the
22 system to disable the modem?

23 In other words, can you have firmware
24 that allows the modem to remain on, even when the
25 software thinks that it's off?

1 **A.** Yes. Well, for that, you would need
2 an engineer that understands the Windows pipeline
3 system, which will allow you to block certain
4 parameters within the system. But through the
5 operating system, then I can enable that component.

6 In other words, yes, the answer to
7 your question is yes.

8 **Q.** When did Smartmatic acquire Sequoia?
9 What year?

10 **A.** 2005, its first year of existence.
11 Smartmatic did so during its first year of
12 corporate existence.

13 **Q.** And were you involved -- as an
14 official of the Venezuelan government, were you
15 involved in Smartmatic's acquisition of Sequoia?

16 **A.** No.

17 **Q.** What year did Dominion Voting Systems
18 acquire Sequoia from Smartmatic?

19 **A.** 2010.

20 **Q.** Are you aware of a Smartmatic official
21 bribing a government representative in the
22 Philippines during an election?

23 **A.** Well, there is an open case, it's
24 pending against Roger Pinate, for bribery during
25 the 2016 elections in the Philippines.

1 I mean, I'm just talking about
2 publically known cases of bribery. Because, in
3 Venezuela, Smartmatic worked hand-in-hand with the
4 Venezuelan government.

5 And Jorge Rodriguez would collect
6 bribes from Smartmatic.

7 Q. And Jorge Rodriguez was part of the
8 Venezuelan government?

9 A. He's the current President of Congress
10 in Venezuela. We call it the National Assembly.
11 And his sister is the Vice President for the
12 country.

13 And it is Jorge Rodriguez who hired
14 Smartmatic, or awarded the Smartmatic in 2003 in
15 order for them to develop the electoral system for
16 Venezuela.

17 Q. And how much money did Smartmatic
18 receive from the Venezuelan government in 2003 to
19 develop the software to rig elections in Venezuela?

20 A. \$250,000 American dollars. And they
21 held 28 percent interest in the company.

22 Q. So the Venezuelan government owns
23 28 percent of Smartmatic?

24 A. As far as publically available
25 information, yes.

1 And during 2003 and 2004, Smartmatic
2 had a sister company, it was called Bizta. So
3 Bizta created the system and Smartmatic was running
4 the elections, and the business partners for each
5 one of those companies are correspondingly the same
6 person.

10 Q. Who owned the source code used in
11 Smartmatic software?

12 | A. The Venezuelan government.

Q. And where is the source code kept?

14 **A.** In Venezuelan.

15 Q. What city?

16 **A.** In the central bank, that's where they
17 would keep the backups for the source codes, in
18 Caracas.

19 **Q.** How much money per year did the
20 Venezuelan government pay to Smartmatic after
21 Smartmatic developed the software to rig Venezuelan
22 elections?

23 **A.** Well, is it varied by year. During
24 the first year, Smartmatic received \$140 million.
25 That was in 2004.

Q. In U.S. dollars?

2 **A.** Everything's dollars, I'm only talking
3 dollars.

A. That's correct.

16 Q. And how do you know this?

17 **A.** So in 2004 -- in 2002 was when the
18 first elections machines were purchased in
19 Venezuelan. The contract for the first batch of
20 machines, contract for \$40 million, authorized by
21 Jorge Rodriguez.

22 And, then, Olivetti, after a scandal
23 became public, goes ahead and publishes the real
24 cost of those machines in Italy, which was
25 \$21 million. So add another \$19 million on top of

1 that, those were to pay bribes to the people within
2 the Venezuelan government.

3 And this was explained by Jorge
4 Rodriguez himself in a meeting where I was present,
5 because I worked there, we were part of the
6 technical team from the national electoral council
7 for the coordination of all the elections.

8 **Q.** I want to ask you a few questions
9 about log files.

10 Can you tell us what a log file is?

11 **A.** A log, on an IT level, and anywhere,
12 is a record of what each one of the machines is
13 doing. It's the absolute evidence that a machine
14 has performed a certain process, and that record
15 must be maintained in order for you to be able to
16 verify if any sort of equipment is functioning
17 properly.

18 This not only applies to a piece of
19 equipment but also to a system, a software, because
20 you have operating system logs that tell you about
21 the components within the machines, and they are
22 system logs, which inform me about the behavior of
23 a system.

24 In my computer, or electoral system,
25 uses systems I will have seven different logs.

1 Q. Did the Smartmatic computer voting
2 system, was the operating system Windows?

3 **A.** For the voting machines, yes, it was
4 Windows.

A. That's correct.

15 **Q.** Did you notice the settings on the
16 size of the Windows log files in the Windows
17 operating system?

18 **A.** I don't recall, but it is part of the
19 report that we created, and I can get that to you.

20 But I seem to remember that it was too
21 small, the size was too small for what it needed to
22 do. When I talk about small in size or very little
23 space, I'm talking -- I mean, that on a programming
24 level.

25 You assign a certain disc space or

1 memory space for the log to be stored in, and
2 that's going to give you an X number of lines so
3 that a log or a record can be kept. And depending
4 on what the setting is, once the log gets full, it
5 starts rewriting over it and deleting evidence.

6 That's why I believe their settings
7 were too small. And we talked about this with our
8 team and we thought that it wasn't going to have
9 enough space to be able to keep all the logs
10 throughout the election.

11 In the case of Venezuela, elections
12 are just one day but, in the United States,
13 elections last over 20 days. Therefore, the space
14 allocation for the logs have to be large enough to
15 be able to allow for the storage of all the
16 different days or activities during the days of the
17 election.

18 And that evidence, or logs, should be
19 kept as a backup in a database. Those are the
20 standard procedures that should be followed.

21 **Q.** Now, are you familiar with the manual
22 for the Dominion Voting System?

23 **A.** Yes. We read the voting system manual
24 and it has many chapters because there's a manual
25 for each module of the system.

1 **Q.** Now, I don't want to put words in your
2 mouth, but if I can remind you, does the Dominion
3 Voting System manual that you read with your own
4 eyes specify to set the log file size at 20
5 megabytes?

6 **A.** I believe so.

7 **Q.** And in the event that 20 megabyte file
8 fills up with information, then does the Dominion
9 manual allow you to designate what should happen
10 next when that file gets full?

11 **A.** No. It does not say so because the
12 Dominion -- Dominion's manual only tells you how to
13 set that setting. The manual has no instructions
14 on how to solve problems that could occur during a
15 given election.

16 And the only way for you to verify
17 that a log record has been poorly configured is for
18 someone to point out that the log files have been
19 being rewritten.

20 But I believe that, in the United
21 States, and I have read a whole deal regarding
22 this, that there is no manual for the monitoring
23 for the electoral systems within the United States.
24 Nor does the Dominion system issue any sort of
25 alert or notification if the system is full.

1 If there is any error, they would have
2 to create a support ticket and call support, and
3 then these people would come and be in charge of
4 resolving the issue by either send a technician
5 on-site or by remote support.

6 **Q.** Now, if the voting system isn't
7 connected to the internet, how could a Dominion
8 technician possibly communicate and get into the
9 system, other than through the internet?

10 THE INTERPRETER: Other than through
11 what?

12 MR. CASE: The internet.

25 They can use a virtual machine that is put

1 in the middle.

2 When I say that it's in the middle, it
3 means that over here on one hand, you have
4 the county's electoral system, then you can
5 configure a virtual machine in the county
6 that would allow for the elections to be
7 made. And you provide it with the
8 necessary credentials or authorization so
9 that the electoral system can then
10 communicate with this machine. And then
11 the company, in turn, connects to the
12 virtual machine.

13 So, legally speaking, they're not
14 connected directly to the electoral system,
15 but nevertheless, from this other system, I
16 can effect changes in the system to update
17 it. Either that or I can just do a direct
18 connection through a VPN and do all the
19 changes that I need.

20 You need to have one person in that
21 county to have the authorization of the
22 secretary of state. I mean, that's what I
23 am -- think is the case, based on what I
24 have read about this. But I don't really
25 know whether a secretary of state is the

1 maximum authority or not during an ongoing
2 election.

3 BY MR. CASE:

4 Q. Now, is what you just described called
5 the man-in-the-middle program?

6 A. That is correct.

7 Q. And is the man-in-the-middle system
8 used in Venezuela?

9 A. It was not used in Venezuela because
10 Smartmatic had full control of the election system.
11 It was not necessary. Nor was the government going
12 to sue Smartmatic. From the government, the
13 government was not going to sue Smartmatic since
14 they were working for them.

15 And just on a side note, like an
16 anecdote, the elections, the 2006 elections in the
17 United States, in Chicago, Illinois, the proof of
18 concept for that election was created in Venezuela
19 in 2005.

20 That is why a very similar piece of
21 equipment was used, it was the SAES 3300. It's an
22 identical machine, identical machine to the SAES
23 3377 that were used for the elections here in the
24 United States.

25 So at all times was what Venezuela

1 used as a proof of concept for the different
2 elections that Smartmatic carried out throughout
3 the entire world.

4 **Q.** So, are you saying that the
5 man-in-the-middle system was used in Chicago in the
6 2006 election?

7 **A.** No, it is used currently in these last
8 elections that you held here.

9 Dominion has an engineer, whose name
10 is Ronald Morales, and Ronald Morales is the person
11 that does maintenance on the electoral systems.
12 Ronald Morales is the person that puts that
13 man-in-the-middle in place.

14 Sorry, that's not the word. To be
15 able to set up the system, to be able to set up the
16 communication from the Dominion system, between the
17 new Dominion system and the old Smartmatic system.
18 But that same behavior --

19 THE STENOGRAPHER: I'm sorry, you cut
20 out, Mr. Vega.

21 THE WITNESS: They have used it
22 elsewhere as well.

23 BY MR. CASE:

24 **Q.** So was there a problem when the
25 computer equipment changed and became more modern

1 and Dominion was still running old Smartmatic,
2 based software on the new computer equipment coming
3 out the China and Taiwan?

4 **A.** That is correct. They use that
5 because they need the county to authorize certain
6 updates on the systems.

7 So, for example, in the case of Mesa,
8 let's see, I was five -- 11 -- okay. So the 2020
9 election was done with version 5.5. And then they
10 updated the system to version 5.11. When they did
11 that update, all the old data was deleted because
12 they are overridden. It is written on top of that.

13 So, at that point in time, you can no
14 longer carry out a formal audit because you no
15 longer have the original machine. All evidence,
16 all log, all of that was deleted.

17 **Q.** And what you've just referred to is
18 when the Colorado Secretary of State performed
19 what's called a trusted build in Mesa County on
20 May 25th and 26th of 2021, the Secretary of State
21 erased all of the records of the 2020 election that
22 was preserved on that Mesa County election
23 management server; is that correct?

24 THE INTERPRETER: A trusted build, is
25 that right, Counsel?

1 MR. CASE: Yes.

2 THE WITNESS: That's correct.

3 I didn't know the dates that you were
4 mentioning but, yes, that's -- that is
5 correct.

6 BY MR. CASE:

7 Q. So, you examined the image of the Mesa
8 County election management server that was taken
9 after the trusted build; is that correct?

10 A. No, we saw both images, the old one
11 and the new one.

12 Q. Correct.

13 In the new image, all of the data was
14 gone except new software. True?

15 A. And the structure changed, the
16 structure of the program changed as compared to the
17 version 5.5.

18 Q. Now, so far as you are aware, is it a
19 law that the system must preserve the records from
20 the previous election for a certain period of time?

21 A. I believe it's 18 months.

22 Q. Just so the record's clear, are you
23 aware of 52 U.S. Code Section 20701, which requires
24 every officer of election to preserve all election
25 records, including electronic records, for

1 22 months after each election?

2 **A.** That is correct. Correct, yes, we
3 knew that.

4 **Q.** And based on your examination of the
5 forensic images from Mesa County, it's your
6 testimony that the Colorado Secretary of State
7 erased all records of the 2020 election when they
8 installed new software in May of 2021; is that
9 true?

10 **A.** Well, whoever gave the authorization,
11 like whoever gave the authorization for the system
12 to be updated, would be the person responsible for
13 all the files being deleted.

14 If the person giving the green light
15 was the secretary of state, then it would be the
16 secretary of state. If it was the person in charge
17 of the elections, then it would be the person in
18 charge of the elections.

19 **Q.** Now, going back to the log file size.

20 **A.** Okay.

21 **Q.** What you've told us is that the
22 Dominion system was configured so that when the log
23 files got full, they just overwrote the information
24 that was already in the log file. True?

25 **A.** Of course. These are standard

1 settings, standard configurations.

2 Q. So, while the system was operating
3 during the 2020 election, it was actually writing
4 over the data from the election?

5 A. It rewrites the day-to-day of an
6 election. So let's say it gets -- it becomes full,
7 then the next day gets overridden on top of that.

8 Q. And so when you have an election that
9 lasts for several days, it becomes impossible to
10 audit the full election because the records are
11 being erased after they are written. True?

12 A. That is correct.

13 Q. And so that is a capability that is
14 built into the Dominion software -- correct? --
15 that is overwrites election records while the
16 election is going on?

17 A. That is correct. If the machine is
18 operational and it is operating, it will record on
19 top of a log that is already there.

20 Q. And that is part of the Dominion
21 software that allows it to erase records while the
22 election is going on. True?

23 A. That's correct.

24 Q. And is that same capability in the
25 Smartmatic software that was created in Venezuela

1 to rig elections?

2 **A.** That's not how it was configured over
3 in Venezuela. You had a dedicated server just for
4 the logs, meaning that all the different machines
5 or servers would send the information to one
6 location, send the logs to one location.

7 And there, you can do a review of all
8 the elections through all the logs stored there.
9 It's just that in Venezuela, no one would go and
10 want to check those logs.

11 THE INTERPRETER: Interpreter would
12 like to make a correction.

13 "In Venezuela, no one would check
14 those logs."

15 BY MR. CASE:

16 **Q.** Can you tell us about the multiple
17 transmission capabilities and methods in the
18 Venezuelan elections telecommunication system?

19 **A.** Can you repeat the question, please?

20 **Q.** Yes.

21 Can you tell us about the transmission
22 capabilities and methods of the telecommunication
23 system that was used in Venezuela during elections
24 when you worked for the Venezuelan government?

25 **A.** So Venezuela would transmit in three

1 different ways. It could be by home telephone
2 line, active telephone lines, by cellular
3 communication and by satellite communication.

4 All these divisions, depending on what
5 part of the country you were in, were then
6 connected to the voting machines through network
7 port, an RJ-45 jack, or an RJ-11 telephone jack.
8 And through these lines, which are secured lines,
9 all the electoral data was transferred.

10 And this data is transmitted through
11 the telephone lines of the carriers in that -- in
12 the country. So in this country, it would be the
13 equivalent of AT&T or Verizon, or over in
14 Venezuela, we call it can TV. And these networks
15 are then connected to the national center for
16 tallying, or totalling.

17 And all the electoral data is
18 transmitted using that method of communication.

19 **Q.** Now, you mentioned an election that
20 was rigged in a state, I believe you said Merida;
21 is that correct?

22 **A.** In Merida, M-E-R-I-D-A.

23 So it turns out the results of the
24 entire state of Merida were not transmitted
25 throughout the country. They used the tool, SAES

1 data utility tool, to transmit all the data from
2 all -- from the electoral machines, and transmit
3 them to the national center for tallying.

4 And this became public knowledge
5 because when the logs for those different
6 communication companies were checked, there wasn't
7 any sort of trace or data packets that were being
8 transmitted. So this triggered a red flag, and the
9 national tallying center was contacted, where they
10 said that the state of Merida had already sent all
11 the entire transmission of one hundred percent of
12 issues, which is impossible, because they didn't
13 use any of the regular channels of transmission
14 that are used during the elections, or that are
15 authorized to be used during elections.

16 It's as if you ordered a package, and
17 instead of it being delivered through your front
18 door, it comes in through the window. It's the
19 same thing, same exact thing, and this is how it
20 happened in Venezuela. And the person responsible
21 for doing that was Carlos Quintero. He was the
22 technology director for the National Electoral
23 Council.

24 During that specific election, his
25 sister ended up being elected as a mayor. So this

1 whole operation was done in order for his sister to
2 get a position within the government.

3 **Q.** I want to ask you about some names of
4 persons who were involved with Smartmatic and
5 Sequoia and Dominion, and then if you can tell us
6 what you know about each of those persons.

7 But please keep it to a brief summary
8 unless I ask a follow up.

9 **A.** Okay.

10 **Q.** Do you know Ronald Morales?

11 **A.** He's a Smartmatic tech who was in
12 Venezuela, Sequoia, and in Dominion as well.

13 **Q.** Does he currently work for Dominion?

14 **A.** He currently works for Dominion.

15 **Q.** Was Mr. Morales one of the developers
16 of the original Smartmatic election software?

17 **A.** That is correct.

18 **Q.** And was that the same Smartmatic
19 software that was used to rig elections in
20 Venezuela?

21 **A.** That is correct.

22 **Q.** Do you know David Moreno?

23 **A.** Oh, David Moreno. The same thing goes
24 for David Moreno. He was a specialist technician
25 who used to be in Venezuela, then later on went to

1 Mexico, then in 2004 ended up being transferred
2 over to Sequoia.

3 In 2005 when it -- and then when it
4 took over, he became part of Dominion.

5 Q. Is Mr. Moreno currently employed by
6 Dominion?

7 A. He's in charge -- he's in charge of
8 Dominion's warehouse in Texas, if I'm not mistaken.

9 In other words, he's the person
10 responsible for configuring the Dominion equipment
11 for their -- for the elections.

12 Q. And this is the same David Moreno that
13 was involved in creating the Smartmatic software
14 that was used to rig elections in Venezuela?

15 A. That is correct.

16 Q. Do you know Ron Rosania?

17 A. No.

18 Q. Do you know Heider Garcia?

19 THE INTERPRETER: Sorry, Counsel, how
20 do you spell that?

21 MR. CASE: H-E-I-D-E-R, Garcia.

22 A. Yes. Heider Garcia is the person
23 responsible for the deployment of the electoral
24 system in Venezuela, one of the engineers that
25 created it. One of the leaders and person

1 responsible for the implementation of the SAES
2 system, and its implementation of Dominion in the
3 Philippines.

4 He was the person in charge of
5 reconfiguring the 78,000 machines that failed in
6 the Philippines out of the error of Dominion Voting
7 Systems.

8 And I think that he's currently the
9 person assigned to be the elections manager in
10 Texas, the county of Dallas, Texas, he's in charge
11 of the elections.

12 **Q.** You mentioned 78,000 machines that
13 were used in the Philippines.

14 Were those scanners?

15 **A.** Yes. It's equipment -- this is
16 equipment similar to the equipment that you use for
17 your elections here in the United States. They're
18 either similar or identical.

19 **Q.** And those scanners were configured and
20 programmed by Dominion Voting Systems?

21 **A.** Dominion Voting Systems and
22 Smartmatic.

23 **Q.** And what was the error in those 78,000
24 scanners that were used in the Philippine election?

25 **A.** Oh, I did not mention what that error

1 was, it is worth noting.

7 Dominion never handed over the source
8 code which, by law, they should have delivered to
9 the electoral authorities in the Philippines. So
10 then, Smartmatic had to come and reconfigure a
11 piece of software that didn't belong to them.

12 I think we need to understand one
13 thing here. The electoral system used by
14 Smartmatic in the Philippines is the same one as in
15 Venezuela. So what Smartmatic did was that it
16 integrated the equipment provided by Dominion into
17 its system. And on top of that, Smartmatic was
18 the manufacturer for the 78,000 scanners that
19 Dominion ended up selling to the Philippines.

20 And so Heider Garcia went ahead and
21 reconfigured the equipment because the know how
22 about that was what was inherited from Sequoia,
23 knowing that Sequoia has SAES built into its
24 system, in its core.

That's how Smartmatic was able to come

1 and resolve the problem that had been caused by
2 Dominion without any issues whatsoever, because
3 they were configuring their own system, basically.

4 Q. And when you say that Sequoia had SAES
5 built into its system, did you mean that it had the
6 S-A-E-S data utility tool built into its system?

7 A. In the case of the Philippines, yes.

8 But you have to remember that SAES
9 data utility tool is a tool that is outside,
10 external to the electoral system. And the SAES
11 system, when we say SAES system, we're talking
12 about the entire electoral system. Okay?

13 Q. Now, turning back to Mr. Heider
14 Garcia, you mentioned that he was the head of
15 elections in Tarrant County, Texas?

16 Is that what you said?

17 A. In the -- in Dallas county, in Dallas,
18 in Texas.

19 Q. Thank you.

20 A. I think he's the current head of
21 elections, the current head of the county in
22 Dallas.

23 Q. Do you know a woman named Illiana De
24 Los Angeles?

25 A. No.

1 **Q.** Are you aware that Heider Garcia has
2 been named the new president of Hart Voting
3 Systems?

4 **A.** No, I did not know.

5 **Q.** Do you know a person named Alex Soto
6 Vasquez?

7 **A.** No.

8 **Q.** Do you know a person named Victor
9 Vasquez?

10 **A.** Victor was a director or one of the
11 directors of Smartmatic.

12 No, sorry, I apologize, he was a
13 manager of a warehouse in the Philippines -- I
14 mean, Taiwan, sorry. Wait, wait, wait, sorry.

15 Victor Vasquez is a manager, a manager
16 for Smartmatic, and he's currently been named as
17 part of the bribery case in the Philippines, or
18 2016 -- 2016 bribery case in the Philippines.

19 I just got mixed up with another guy
20 called Victor Lopez, because Victor Lopez was a
21 manager of a warehouse in Taiwan, and he was the
22 person in charge of the manufacturing of the
23 equipment, one of the people in charge of the
24 manufacturing of the 78,000 scanners built for
25 development, that's why I got mixed up, I

1 apologize.

2 Q. And who was Victor Lopez employed by
3 in Taiwan?

4 A. Employed by Smartmatic.

5 Q. Do you know a person named Ed Ryan
6 Macias?

7 A. No.

8 Q. Do you know a person named Eric
9 Coomer, C-O-O-M-E-R?

10 THE INTERPRETER: C-O?

11 MR. CASE: C-O-O-M-E-R, Eric Coomer.

12 THE WITNESS: All I know is that
13 Mr. Coomer used to be the president of
14 Sequoia and then was the president of
15 Smartmatic United States around 2005/2006.

16 BY MR. CASE:

17 Q. Do you know a person named Anselmo
18 Valdez?

19 A. No.

20 Q. Do you know a person named Hugo
21 Carvajal?

22 A. Hugo Carvajal is -- or was what you
23 call here the National Security Advisor, the
24 National Security Advisor for President Hugo
25 Chávez.

1 **Q.** Do you know if Hugo Carvajal was an
2 officer with Cuban intelligence?

3 **A.** I do not. He was the highest-ranking
4 intelligence officer in Venezuela.

5 Now, did he have contact with Cubans?
6 Of course. Because Hugo Chávez had a relationship
7 with Cuba, and he was involved in all the
8 investigations against the people, or about --
9 investigating the people that surrounded the
10 president.

11 And Carlos Quintero, the one that
12 committed the fraud in 2008, I mentioned this to
13 you just a few questions back, was the second in
14 command right under Hugo Carvajal. Hugo Carvajal
15 placed Carlos Quintero in the National Intelligence
16 Council so he could have control over the
17 elections.

18 **Q.** Can you spell Carlos Quintero? Can
19 you spell his last name, please?

20 **A.** Q-U-I-N-T-E-R-O.

21 **Q.** And your testimony is that Hugo
22 Carvajal placed Carlos Quintero in the National
23 Intelligence Council so Quintero would have control
24 over Venezuelan elections?

25 **A.** He placed him as the technology

1 director so that he could have control over the
2 elections.

3 **Q.** Did you have personal contact with
4 Carlos Quintero?

6 **Q.** Are you aware that Hugo Carvajal has
7 recently pleaded guilty to a drug charge in the
8 Southern District of New York Federal District
9 Court?

17 Q. Are you familiar with the Windows
18 operating system software updates?

20 **Q.** And when you were in Venezuela, did
21 you regularly supervise the regular implementation
22 of the monthly -- what's called the monthly
23 Microsoft patch?

24 **A.** That's correct. We had a team who was
25 in charge of maintaining the operating systems

1 update.

2 **Q.** What is the monthly Microsoft patch?

3 **A.** Well, these are different updates that
4 company considers are vulnerability and they are
5 forced to issue this patch to avoid from -- avoid
6 their system from being penetrated maliciously.

7 We need to know, we need to understand
8 that whenever Microsoft issues a patch or an update
9 is because, at that point in time, other people
10 have already been affected and their systems have
11 been breached. These updates don't occur just
12 because the company is preemptively issuing them as
13 part of their normal processes.

14 These updates happen because somebody
15 attacked the system and somebody went ahead and
16 reported the issue. That's when they create a
17 patch or an update and people do that.

18 **Q.** Now, as the person responsible for the
19 voting system machines in Venezuela, what was your
20 procedure for handling the Microsoft patch?

21 **A.** For the elections, all the machines
22 needed to go out having the latest updates. And
23 then, on top of that, the operating systems for the
24 Window-based machines would be blocked. You use an
25 image that does not allow anybody from modifying

1 it.

2 The difference with American software
3 is that your machines are not blocked, rather that
4 machines are left open, and each one of its element
5 or components can be accessed or used.

6 In Venezuela, we would disable and
7 turn off all the different processes or components
8 that are not going to be used that are not needed
9 for the elections.

10 In the United States, however, I can
11 go ahead and install a new component right on the
12 very day of the elections. That's why, in
13 Venezuela, if you want to commit a fraud, you had
14 to use the tool SAES data utility tool.

15 In the United States, all I need is to
16 have access to the machine and know the
17 vulnerabilities, either of Windows or the electoral
18 system. And from there, you can exert an attack
19 that is undetectable.

20 Q. In general, would you say that
21 Smartmatic software was designed with two
22 principals in mind:

23 Number one, it's easy to rig
24 elections; and number two, it's hard to audit?

25 A. That is correct.

1 **Q.** And is the same true for Dominion
2 software, it's easy to rig an election with it and
3 it's hard to audit?

4 **A.** That is correct.

5 **Q.** Do you know about GEMS Software?
6 That's G-E-M-S.

7 **A.** A little.

8 **Q.** What do you know about GEMS Software?

9 **A.** The little that I seem to remember is
10 that they were integrated with Diebold, the
11 company, and their suite of products.

12 Later on, that suite of programs were
13 acquired by Dominion Voting Systems in 2009 or
14 2010. That's the only thing that I can remember
15 right now about this GEMS Company.

16 **Q.** Now, you mentioned that elections in
17 Venezuela were rigged using Smartmatic software.

18 Do you know of other countries where
19 elections were rigged using Smartmatic software?

20 **A.** No, I am not aware.

21 **Q.** You mentioned somewhere in your
22 testimony about IP addresses. Can you tell us a
23 typical IP address for Taiwan?

24 **A.** Well, IPs go by ranges. Each country
25 has a range. If I'm not mistaken, as part of our

1 investigations, we would find some records of
2 communications using IP addresses, some IP
3 addresses from Taiwan.

4 And I think this was part of -- they
5 showed in the settings or configurations of the
6 firmware, and it was either the firmware or the
7 EPROM memory, that's E-P-R-O-M memory, which is a
8 temporary memory that is stored in each one of the
9 pieces of equipment.

10 That's what I recall right now, but I
11 can go over the details of the investigation and
12 maybe it will help me remember more clearly.

13 **Q.** Can you tell us what a ballot image
14 is, please?

15 **A.** The ballot image is the scanning of a
16 voting ballot through which you-all issue your
17 vote.

18 THE INTERPRETER: I would like to
19 correct a prior translation of a temporary
20 memory and would like to correct that to a
21 volatile memory.

22 THE WITNESS: This image is to be a
23 true and correct image of the paper ballot
24 that then later needs to be sent over to
25 the databases for it to be stored or backed

1 up there, and that transmission, the
2 transmission of that image or that backup,
3 may vary by county.

4 There are some counties that may
5 decide to only transmit the results and
6 other counties that may decide to transmit
7 both the results and the images.

8 Nevertheless, all the images are
9 stored in the flash cards that are in each
10 of the election devices.

11 MR. CASE: Thank you.

12 We need to take a 15-minute break and
13 then we'll finish up by 5 o'clock.

14 THE WITNESS: Okay.

15 THE VIDEOGRAPHER: The time is
16 4:08 p.m.

17 We're going off the video record.

18 (A recess was held.)

19 THE VIDEOGRAPHER: The time is
20 4:21 p.m.

21 We're back on the video record.

22 BY MR. CASE:

23 Q. Sir, do you understand that you're
24 still under oath?

25 A. That is correct.

Q. You talked about ballot images.

Can ballot images be changed inside

A. That is correct, yes, they can.

Q. And is that true with Dominion?
?

A. You would have to use Dominion's
to be able to do a change or modification
ballot images in order for it to be
able. We're talking about the digital

12 We can also talk about more
13 sophisticated methods of how that can be done, but
14 yes, it's possible.

15 **Q.** And is it possible to change ballot
16 images inside the computer using Smartmatic
17 software?

18 **A.** No. And you have to remember that
19 each system has its own structure. The structures
20 are all similar when we're talking about different
21 types of electoral software.

22 What you can do is that you use the
23 original software from the provider, you search for
24 it's vulnerabilities, and then you use it to be
25 able to change either images or data. And when I'm

1 talking -- when I say data, we're talking about
2 vote tallies.

3 What the use of the system will allow
4 me to do is to do all of that in a way that cannot
5 be detected because you're using the same software
6 to sign for content that is not the original
7 content. So then when you go ahead and you audit
8 that, you have no way of showing that those pieces
9 of data are incorrect.

10 There's no other way unless you go and
11 you file a case before the law, then you appear
12 before a judge and you get a judge to allow me to
13 actually go and inspect the system itself.

14 And this causes a big delay timewise.
15 And then, this can cause the time period where I am
16 mandated to keep information, data stored, this
17 time period can expire, and then you can delete
18 this data because the period machine dated by law
19 has expired.

20 And so then these companies are, of
21 course, going to claim intellectual property rights
22 in order to disallow any detailed inspection of
23 their source code because the only entity in charge
24 of the elections is either the county or the
25 secretary of state.

1 So this becomes a bureaucratic loop
2 that you cannot exit from.

8 A. Okay.

A. That is correct.

18 **Q.** Is it true that you personally set up
19 the war room with technology that was used to rig
20 Venezuelan elections using Smartmatic software?

22 The answer to the question as asked
23 would be no. The reason we set up the war rooms
24 was in order to monitor the election. The process
25 of manipulating the elections is as a result of the

1 responses that the war room receives.

2 And then they notify the technology
3 director of the National Electoral Council, which,
4 according to the stories that go around, that was
5 Leonardo Hernandez, Louis Campos, the cousin of
6 Delci, or Carlos Quintero, the second in command
7 under Carlos Carvajal. So that would be the
8 correct way, as explained.

9 So, from the situation room, we, or I
10 did not have the authority to give an order to rob
11 an election or manipulate an election. It was the
12 ministers or the presidents that would make the
13 decisions in those rooms and then notify of what
14 that decision had been.

15 And I would like to correct something
16 regarding the prior question, because I think I
17 misunderstood it.

18 The Venezuelan government gives the
19 contract to Smartmatic for it -- for to create the
20 Venezuelan electoral system, called SAES, and
21 financed it \$250,000 U.S. dollars. Then the
22 Venezuelan government paid it \$140 million for them
23 to carry out the elections. And, in return of that
24 \$250,000 loan, the Venezuelan stays or keeps the
25 software for the elections itself, keeps it.

1 As well as the 28 percent shareholder
2 interest of the company called Bizta, and both Visa
3 and Smartmatic have the same owners. These are
4 sister companies set up to be able to carry out an
5 election.

6 I just wanted to make that
7 clarification.

8 Q. Thank you.

9 Is it true that Smartmatic then
10 purchased Sequoia, an American company?

A. That's correct.

15 **Q.** And Eric Coomer was president of
16 Sequoia when it was purchased by Dominion. True?

17 THE INTERPRETER: Sorry, Counsel, can
18 I get that question again?

19 MR. CASE: Yes.

20 BY MR. CASE:

23 A. That is correct.

1 Sequoia?

A. That's correct.

6 **A.** That is correct. It acquired the
7 Venezuelan systems integration into the Sequoia
8 systems.

20 **A.** The same system bugs which would be
21 used to manipulate or change an election.

22 And I can name what those bugs were.
23 These were errors in the encryption systems, they
24 had the source code in legible text for any program
25 to be able to read it -- to be able to read the

1 passwords written in plain text, which allowed you
2 to breach the system easier.

3 **Q.** Is it true that Smartmatic created a
4 tool called S-A-E-S data utility, data UTIL?

5 **A.** That is correct. And it's recorded
6 that tool is named in the studies and configuration
7 manuals.

8 **Q.** And that tool was created to test the
9 element of the system within an election. Is that
10 true?

11 **A.** That is correct. That is -- that is
12 its main function.

13 **Q.** But that tool can be misused to
14 emulate a voting machine?

15 **A.** That is correct. To emulate voting
16 machines.

17 **Q.** And that tool, when it's misused, can
18 be used to rig elections that are run on Smartmatic
19 software?

20 **A.** That is correct.

21 **Q.** And is it true that S-A-E-S is the
22 brand name for Smartmatic software?

23 **A.** That is correct. Smartmatic software
24 products that belong to the Venezuelan government,
25 that are property of the Venezuelan government.

1 **Q.** Is it true that the S-A-E-S data
2 utility is like a key to a house: If one has the
3 key, one can enter the house undetected, and when
4 they leave, no one will know they were there?

5 **A.** That's correct.

6 **Q.** And is it true that the S-A-E-S data
7 utility was used to rig election in Venezuela by
8 injecting false ballots?

9 **A.** That is correct. False votes, false
10 votes, because Venezuela does not use ballots like
11 the United States does.

12 **Q.** Is it true that the Dominion Voting
13 System software architecture is essentially the
14 same as Smartmatic voting system architecture?

15 **A.** They have enough similarity that they
16 can operate in an integrated manner.

17 In other words, they can operate
18 gently. But let's remember that they cannot be
19 identical for intellectual property issues. So
20 what we do is that we integrate the functionality
21 of the parts that we need to use.

22 **Q.** Since Dominion Voting Systems and
23 Smartmatic software architecture are essentially
24 the same, could a data utility tool similar to
25 S-A-E-S data utility be misused to manipulate

1 elections in Dominion Voting System voting
2 computers?

3 **A.** That is correct. That is possible.

4 **Q.** Is it true that the Venezuelan voting
5 system created by Smartmatic used computer
6 components manufactured in China and assembled in
7 Taiwan?

8 **A.** That is correct.

9 **Q.** Is it true that the Dominion Voting
10 System used in the United States today uses
11 computer components manufactured in China and
12 assembled in Taiwan?

13 **A.** That is correct.

14 **Q.** Under U.S. law, is it legal or illegal
15 to use computer components made by our enemy, The
16 Peoples' Republic of China, within critical
17 infrastructures within the United States?

18 **A.** It's illegal.

19 **Q.** And is it true that Dominion Voting
20 Systems uses computers with components made by our
21 enemy, The Peoples' Republic of China?

22 **A.** Yes, it does.

23 **Q.** And because the Dominion Voting System
24 supply chain has not been secured to ensure that
25 there is no foreign access or compromise of the

1 voting system, is it true that Dominion voting
2 system computers cannot be legally certified for us
3 in U.S. elections?

4 **A.** You cannot trust a system that you can
5 not buy. So they shouldn't be trusting company,
6 whatever their name is, unless they go through on
7 an inspection.

8 And even more so, in critical
9 infrastructure as in the electoral
10 infrastructure -- elections infrastructure.

11 **Q.** The information that you've testified
12 to today, have you ever given that information
13 before to the Federal Bureau of Investigation in
14 the United States?

15 **A.** No.

16 **Q.** The information that you've testified
17 to today, have you given it to lawyers for the
18 United States Department of Justice?

19 **A.** Lawyers? No.

20 **Q.** Have you given this --

21 **A.** Would prosecutors be lawyers?

22 **Q.** Yes.

23 **A.** That's my question?

24 Yes, yes, definitely, we have provided
25 that information.

1 **Q.** Have you given this information to
2 investigator for the United States government?

3 **A.** Yes. Part of this information, part
4 of what I have told you today.

5 **Q.** When? What year was the first time
6 that you gave this information to any
7 representative of the United States government,
8 whether they were an investigator or a -- or a
9 lawyer or a prosecutor for the Department of
10 Justice?

11 **A.** I would like to not answer that
12 question, because I don't know if I'm breaking any
13 rules, because I may say that I have worked with
14 some prosecutors and I may not be allowed to
15 provide you that information here.

16 Because just as you are in the midst
17 of your investigation, these other people are also
18 doing their investigation, and I don't want, you
19 know, to create a problem with the investigations.

20 And why I'm answering this way is
21 mainly because I do not know what the law says, so
22 I prefer to err on the side of caution and not
23 answer that. I hope you understand.

24 **Q.** I understand.

25 Can you tell us the year that you

1 first gave information about the vulnerabilities
2 and insecurities in the U.S. voting system to any
3 representative of the United States government?

4 What year did you first give them that
5 information?

6 **A.** The year would be 2024.

7 **Q.** What month in 2024, please?

8 **A.** March. It was March or April when
9 individuals were notified.

10 **Q.** And so after you gave this information
11 to the United States government in March of 2024,
12 our government went ahead and used that same voting
13 system to run the 2024 elections; is that correct?

14 **A.** Yes. I suppose that they have to
15 validate the -- the investigation or the
16 information that we're presenting them.

17 And I believe that this delay in them
18 not taking action with the information that we have
19 provided them with, is because they have to first
20 corroborate each one -- each and every one of the
21 points that we have exposed or explained to them in
22 our different reports and videos.

23 So I cannot put into question the
24 timing of the actions of the government entities.

25 **Q.** Sir, have you understood all of my

1 questions this afternoon?

2 **A.** A hundred percent.

3 **Q.** Have you answered all questions
4 truthfully?

5 **A.** Truthfully, totally truthfully and
6 only with the truth.

7 **Q.** And were your answers based on your
8 personal knowledge?

9 **A.** Very much.

10 MR. CASE: Thank you very much for
11 coming and giving us this information
12 today.

13 THE WITNESS: Okay. Thank you very
14 much.

15 THE VIDEOGRAPHER: This concludes the
16 under oath examination of the confidential
17 witness.

18 The time is 4:55 p.m.

19 (The following discussion was held off
20 the video record:)

21 MR. CASE: Teresa, I'll need these by
22 tomorrow morning, please.

23 THE STENOGRAPHER: That's no problem,
24 but I can also have them to you by this
25 evening instead, if you'd like.

1 MR. CASE: That would be perfect.

2 (The examination under oath was

3 adjourned at 4:55 p.m.)

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1 CERTIFICATE OF OATH

2
3 THE STATE OF FLORIDA

4 COUNTY OF PASCO

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6
7 I, Teresa R. Cruise, Notary Public, State
8 of Florida, certify that JOSE VEGA remotely
9 appeared before me on the 18th of September, 2025,
10 and was duly sworn.

11

12 Signed this 18th day of September, 2025.

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20 TERESA R. CRUISE, CRR, RPR, FPR-C
21 Notary Public - State of Florida
22 Commission Number: HH351124
23 Expiration Date: 02/25/2027

24

25

1 CERTIFICATE OF OATH
2

3 THE STATE OF FLORIDA
4

5 COUNTY OF PASCO
6

7 I, Teresa R. Cruise, Notary Public, State
8 of Florida, certify that CONFIDENTIAL WITNESS
9 personally appeared before me on the 18th of
10 September, 2025, and was duly sworn.

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12 Signed this 18th day of September, 2025.
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20 TERESA R. CRUISE, CRR, RPR, FPR-C
21 Notary Public - State of Florida
22 Commission Number: HH351124
23 Expiration Date: 02/25/2027
24
25

1 C E R T I F I C A T E

2 THE STATE OF FLORIDA
3 COUNTY OF PASCO

4 I, Teresa R. Cruise, a Certified
5 Shorthand Reporter, do hereby certify:

6 That I was authorized to and did
7 stenographically report the foregoing examination
8 under oath of CONFIDENTIAL WITNESS, pages 1 through
61, that a review of the transcript was not
requested, and that the transcript is a true record
of my stenographic notes.

9 I further certify that I am not a
10 relative, employee, attorney, or counsel of any of
11 the parties, nor am I a relative or employee of any
12 of the parties' attorneys or counsel connected with
the action, nor am I financially interested in the
action.

13 The foregoing certification of this
14 transcript does not apply to any reproduction of
the same by any means unless under the direct
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15 reporter.

16 DATED this 18th day of September, 2025.
17

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19
20 TERESA R. CRUISE, CRR, RPR, FPR-C
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