

In the Matter Of:

The Authors Guild vs

National Endowment for the Humanities

NATHAN CAVANAUGH

January 23, 2026



1	1 UNITED STATES DISTRICT COURT 2 for the 3 SOUTHERN DISTRICT OF NEW YORK 4 Civil Action No. 25-cv-3923 5 6 THE AUTHORS GUILD, et al., 7 8 Plaintiff, 9 10 vs. 11 12 NATIONAL ENDOWMENT FOR THE HUMANITIES, 13 et al., 14 15 Defendant. 16 17 T R A N S C R I P T of the deposition 18 of NATHAN CAVANAUGH taken stenographically before 19 Lisa Forlano, Registered Diplomate Reporter, 20 Certified Realtime Reporter, Certified Court 21 Reporter - NJ and Notary Public, held at the offices 22 of Schindler Cohen & Hochman LLP, 100 Wall Street, 23 Suite 1500, New York, New York 10005, on Friday, 24 January 23, 2026, commencing at 9:41 a.m. 25	3
2	1 A P P E A R A N C E S : 2 3 JACOBSON LAWYERS GROUP PLLC 4 BY: JOHN ROBINSON, ESQUIRE 5 KYLA SNOW, ESQUIRE 6 5100 Wisconsin Avenue, NW 7 Suite 301 8 Washington, DC 20016 9 (301) 823-1148 10 John@JacobsonLawyersGroup.com 11 Kyla@JacobsonLawyersGroup.com 12 ATTORNEYS FOR PLAINTIFF, ACLS 13 14 FAIRMARK PARTNERS, LLP 15 BY: YINKA ONAYEMI, ESQUIRE 16 400 7th Street, NW #304 17 Washington, DC 20004 18 (617) 642-5569 19 yinka@fairmarklaw.com 20 ATTORNEYS FOR THE PLAINTIFF, 21 THE AUTHORS GUILD 22 23 US ATTORNEYS' OFFICE 24 BY: RACHAEL DOUD, ESQUIRE 25 86 Chambers Street New York, NY 10007 (212) 637-2699 rachael.doud@usdoj.gov ATTORNEYS FOR THE DEFENDANT ALSO PRESENT VIA ZOOM: DANIEL JACOBSON, ESQUIRE - JACOBSON LAWYERS LYNN EISENBERG, ESQUIRE - JACOBSON LAWYERS SARAH MARTIN, ESQUIRE - JACOBSON LAWYERS ANNIE CLEAVER, ESQUIRE - FAIRMARK PARTNERS JAMIE CROOKS, ESQUIRE - FAIRMARK PARTNERS AMANDA VAUGHN, ESQUIRE - FAIRMARK PARTNERS	4
1	1 ALSO PRESENT: 2 DYLAN BORSOS, VIDEOGRAPHER 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	3
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17 DIRECTION NOT TO ANSWER 13

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1 VIDEO OPERATOR: We are now on

2 the record. This begins videotape number

3 one in the deposition of Nate Cavanaugh,

4 in the matter of The Authors Guild versus

5 National Endowment for the Humanities.

6 This deposition is being held at

7 100 Wall Street, Suite 1500, New York,

8 New York 10005.

9 Today's date is January 23,

10 2026, and the time is approximately

11 9:41 a.m. Eastern Time.

12 The videographer is Dylan

13 Borsos, representing Lexitas. And the

14 court reporter is Lisa Forlano, also

15 representing Lexitas.

16 Will counsel and all parties

17 present please state their appearances

18 and whom they represent.

19 MR. ROBINSON: John Robinson

20 from Jacobson Lawyers Group on behalf of

21 the American Council of Learned

22 Societies, Plaintiffs.

23 With me at counsel table is Kyla

24 Snow. And I'll let my colleague from the

25 Authors Guild introduce himself.

7

1 MR. ONAYEMI: Yinka Onayemi from

2 Fairmark Partners on behalf of The

3 Authors Guild, Plaintiffs.

4 MS. DOUD: Rachael Doud from the

5 US Attorney's Office for the Defendants.

6 MR. ROBINSON: Good morning,

7 Mr. Cavanaugh.

8 STENOGRAPHER: Wait a second.

9 NATHAN CAVANUAGH, having been

10 duly sworn, was examined and testified as

11 follows:

12 BY MR. ROBINSON:

13 Q Good morning, Mr. Cavanaugh.

14 Could you please state your full name for the

15 record?

16 A **Nathan Cavanaugh.**

17 Q And I will start the questioning

18 today. We'll go for a few hours. When I'm

19 done, my colleague from the Authors Guild

20 Plaintiffs will ask some questions at the end.

21 

8

1 

10 Q I was going to ask about this

11 later, but what is special.co?

12 A **It's a technology company that**

13 **I'm starting.**

14 Q Oh, okay. Do you have any other

15 e-mail address?

16 A **I do.**

17 Q Is the best one to reach you

18 that special.co?

19 A **Yes.**

20 Q Okay. Where are you currently

21 employed?

22 A **I'm the founder and CEO of**

23 **Special.**

24 Q Any other employment?

25 A **No.**

17

1 **A** **Yes.**
2 **Q** What did you do after that one
3 year?
4 **A** **I started my first company in**
5 **California.**
6 **Q** And what company was that?
7 **A** **It was called Brainbase.**
8 **Q** What was Brainbase?
9 **A** **An enterprise software company.**
10 **Q** How long were you working at
11 Brainbase?
12 **A** **About six years.**
13 **Q** Can you say a little bit more
14 about what the company did? You said
15 enterprise.
16 **A** **We helped Fortune 500 brands**
17 **manage their intellectual property on our**
18 **software. We had about 80 employees. It was**
19 **acquired by a large public company in Canada in**
20 **2022.**
21 **Q** And what did you do after that?
22 **A** **I took a break from working in**
23 **the tech industry for about six months and then**
24 **helped cofound another business in the**
25 **technology industry.**

18

1 **Q** What was that business?
2 **A** **It was called FlowFinance. It**
3 **was a technology-enabled accounting and finance**
4 **product for small businesses.**
5 **Q** How long were you there?
6 **A** **About three years.**
7 **Q** How large was that company, how
8 many employees?
9 **A** **About 40.**
10 **Q** And what did you do after that?
11 **A** **I moved from California to**
12 **Florida, took another small break in working,**
13 **and then joined the Department of Government**
14 **Efficiency in January of 2025.**
15 **Q** Okay. It's a good segue. So I
16 did want to ask you how you first got involved
17 with the Department of Government Efficiency,
18 which you might call DOGE today. That's okay.
19 How did you first get involved?
20 **A** **I was introduced to one of the**
21 **recruiters at DOGE through a mutual investor**
22 **connection. We had a few phone calls about my**
23 **background and my interest in joining DOGE, and**
24 **was subsequently offered a position informally**
25 **to join in D.C.**

19

1 **Q** Who was the recruiter?
2 **A** **Steve Davis.**
3 **Q** Who is Steve Davis?
4 **A** **He was a member of the DOGE**
5 **team.**
6 **Q** And what's his background?
7 **A** **He's the CEO of The Boring**
8 **Company.**
9 **Q** Okay.
10 **STENOGRAPHER:** Of the what
11 company?
12 **THE WITNESS: The Boring**
13 **Company.**
14 **BY MR. ROBINSON:**
15 **Q** And approximately when did
16 Mr. Davis contact you?
17 **A** **I was introduced to Steve**
18 **January 2nd of 2025, approximately.**
19 **Q** Who introduced you to him?
20 **A** **A gentleman named Baris Akis.**
21 **Q** Do you know how to spell that?
22 **A** **B-A-R-I-S A-K-I-S.**
23 **Q** What's his background?
24 **A** **He runs a venture capital fund**
25 **in Silicon Valley called Human Capital.**

20

1 **Q** And how did you know him?
2 **A** **I was introduced to him through**
3 **a mutual investor connection in Silicon Valley.**
4 **Q** Who was that?
5 **A** **Vinay Hiremath.**
6 **Q** Could you spell that, please?
7 **A** **V-I-N-A-Y H-I-R-E-M-A-T-H.**
8 **Q** And did I hear you correctly
9 that Mr. Davis was the recruiter, the DOGE
10 recruiter who contacted --
11 **A** **His -- he was not a recruiter**
12 **for the DOGE team. I was introduced to him**
13 **because he was a senior DOGE official and he**
14 **was the one that offered me a position on the**
15 **team.**
16 **Q** Okay. Was there a recruiter?
17 **A** **Baris would have been the --**
18 **informally the recruiter.**
19 **Q** Got it. So when Baris called
20 you, what did he -- what did he say?
21 **A** **We discussed my background, my**
22 **interest for wanting to join DOGE, standard**
23 **interview questions around my background in**
24 **technology, finance, et cetera. And then**
25 **subsequently introduced me to Steve, as a**

21

1 **second interview.**
 2 Q Had you expressed some interest
 3 before then to anyone about wanting to join the
 4 Administration or DOGE?
 5 **A Not the Administration**
 6 **specifically, but DOGE generally, yes.**
 7 Q Okay. How did -- when did you
 8 do that?
 9 **A I don't recall, frankly. I've**
 10 **always had an interest in government and**
 11 **politics, so this was a natural time to join,**
 12 **given the focus on technology and finance.**
 13 Q Okay. You said that you
 14 expressed, though, that you had some interest
 15 in joining DOGE --
 16 **A I expressed to the DOGE team**
 17 **that I had interest in joining.**
 18 Q But how did -- how did Baris
 19 know to contact you that you might be
 20 interested in this?
 21 **A Because Vinay and I had a**
 22 **relationship and we were talking about the DOGE**
 23 **opportunity and that it was being formed. He**
 24 **recommended that I speak to Baris about**
 25 **potentially joining.**

22

1 Q Got it. So did you and Vinay
 2 like meet after the election and talk about
 3 this or --
 4 **A We did meet after the election**
 5 **virtually and had one phone call about my**
 6 **background, spoke a little bit more about why**
 7 **I'd be a good fit for DOGE. And then he**
 8 **subsequently introduced me to Baris.**
 9 Q Do you remember what you told
 10 him in that conversation about why you were
 11 interested?
 12 **A No.**
 13 Q Why were you interested? Let me
 14 just ask you that.
 15 **A I was interested because I**
 16 **wanted to help reduce the federal deficit.**
 17 Q Any other reasons?
 18 **A No.**
 19 Q You said that Mr. Davis offered
 20 you the job?
 21 **A It was an informal offer. It**
 22 **was basically, if you're interested in joining**
 23 **we will assign you a first project on the DOGE**
 24 **team. And I said yes. And subsequently**
 25 **started working on a project for the DOGE team.**

23

1 Q Did he interview you? Did
 2 anyone interview you?
 3 **A Baris interviewed me twice.**
 4 **Steve and I had a conversation, which would**
 5 **have been the final interview in the process.**
 6 **And then I subsequently joined.**
 7 Q What was Baris' view -- role
 8 with DOGE, if you didn't already say?
 9 **A He had an informal role as a**
 10 **recruiter of folks from the technology**
 11 **industry, just given his background.**
 12 Q Do you know if he was employed
 13 by the Government?
 14 **A I don't believe so.**
 15 Q So aside from the individuals
 16 we've talked about so far, Mr. Davis, Baris,
 17 Vinay, is there anyone else you spoke with, in
 18 or out of the Government, before you joined the
 19 DOGE team, about joining the team?
 20 **A It would have been casual**
 21 **conversations with family, my dad, for example.**
 22 **Outside of that, no.**
 23 Q No.
 24 Did Mr. Davis or Baris tell you
 25 what you would be doing at DOGE?

24

1 **A No.**
 2 Q What did they tell you about
 3 what your responsibilities would be, generally?
 4 **A They did not tell me.**
 5 Q So you just knew -- what did you
 6 know about DOGE at this point?
 7 **A I knew that the effort of DOGE**
 8 **was to reduce the federal deficit from**
 9 **\$2 trillion annually to as close to zero as**
 10 **possible. And that was really all I was told.**
 11 Q Did you know anything before you
 12 started about the mechanics, about how the
 13 Administration wanted to accomplish that goal?
 14 **A No.**
 15 Q And you mentioned earlier that
 16 they assigned you -- they said that they would
 17 assign you to a project. Did they tell you
 18 what that project was going to be before you
 19 joined DOGE?
 20 **A No.**
 21 Q Did they mention anything
 22 specific about the National Endowment for the
 23 Humanities?
 24 **A No.**
 25 Q Anything specific about any of

25

1 the other agencies that you eventually worked
2 at?
3 **A No.**
4 Q Did you speak with Elon Musk
5 before you joined DOGE?
6 **A No.**
7 Q Did you speak with Amy Gleason?
8 **A No.**
9 Q And do you recall the date that
10 you first formally joined the DOGE team?
11 **A I started working on my first**
12 **DOGE-related project in early January. I moved**
13 **to Washington, D.C. around Inauguration Day,**
14 **January 20th, and formally started working in**
15 **person a few days after that.**
16 Q What was that first project?
17 **A We were building an**
18 **organizational chart of the Federal Government**
19 **to try and understand the relationship between**
20 **the different agencies and the associated**
21 **hierarchy.**
22 Q What was the goal of that
23 project?
24 **A Just to help the team get a**
25 **better understanding of how the Federal**

26

1 **Government is set up structurally.**
2 Q How long did that project take?
3 **A A few days.**
4 Q And did you create that
5 organizational chart?
6 **A I was a part of helping create**
7 **it. There were multiple folks on the team.**
8 Q And it was created eventually?
9 **A It was.**
10 Q Is that a public document, do
11 you know?
12 **A I believe it is -- it was public**
13 **on the DOGE website, on doge.gov.**
14 Q Okay. What was your title?
15 **A I didn't have a title.**
16 Q Were you technically an employee
17 of the General Services Administration?
18 **A I was a political appointee at**
19 **GSA as a Schedule C employee.**
20 Q Do you know why you were placed
21 in the General Services Administration as
22 opposed to somewhere else?
23 **A I don't.**
24 Q But you would agree you were
25 associated with the DOGE team more broadly?

27

1 **A Yes.**
2 Q Part of the DOGE effort?
3 **A Yes.**
4 Q There was also a US DOGE
5 Service. What was that?
6 **A There -- it was another**
7 **organization within the Federal Government that**
8 **I think was originally created under the Obama**
9 **administration. And it was subsequently**
10 **retooled, rebranded to onboard some of the DOGE**
11 **engineers to the DOGE team.**
12 Q So there was like a US Digital
13 Service and that became the US DOGE Service?
14 **A I believe so.**
15 Q Okay. Did you have an
16 understanding as to how that was different from
17 individuals at GSA elsewhere who might be
18 helping with the DOGE effort but weren't
19 employed by the US DOGE Service?
20 **A My understanding is that the**
21 **general philosophy was to put engineers under**
22 **the US DOGE Service and then non-engineers**
23 **under GSA, or whichever agency they would have**
24 **been the best fit for.**
25 Q What about lawyers, people

28

1 providing legal advice to you and others, do
2 you know where they were placed?
3 **A I don't.**
4 Q Okay. You mentioned earlier
5 that Justin Fox was part of the DOGE team and
6 that you worked with him. Who else from the US
7 DOGE Service do you recall working with while
8 you were in the Government?
9 **A Can you repeat the question?**
10 **Sorry.**
11 Q Who else from -- who from the US
12 DOGE Service do you recall working with while
13 you were at the Government?
14 **A There were -- there were several**
15 **employees, engineers. Frankly, it was hard to**
16 **tell which agency people were onboarded with,**
17 **so you wouldn't know in conversations whether**
18 **they were onboarded with GSA, for example, or**
19 **the US DOGE Service.**
20 Q Got it.
21 **A But pursuantly there were many.**
22 Q Let's just go through some names
23 of individuals.
24 So you said Justin Fox earlier
25 was one?

33

1 working?
 2 **A I was physically working at GSA.**
 3 Q Okay. On this list, who else
 4 was physically at GSA?
 5 **A Ethan Shaotran. Initially Kyle**
 6 **Schutt. Occasionally Luke Farritor and Akash**
 7 **Bobba. And I believe that's it.**
 8 Q Where was Justin Aimonetti
 9 physically located?
 10 **A The Eisenhower Building at EEOB.**
 11 Q Okay. This is a list of, it
 12 says detailees. Do you know what that means?
 13 **A I do know what a detailee is,**
 14 **yes.**
 15 Q What does it mean?
 16 **A It generally means you are**
 17 **assigned from your home base agency, in my case**
 18 **GSA, to another agency within the Federal**
 19 **Government.**
 20 Q So how would that apply to
 21 someone like Justin Aimonetti, if you know?
 22 **A I don't know how it would apply**
 23 **to Justin Aimonetti because he was a lawyer**
 24 **with the US DOGE Service. For non-lawyers, it**
 25 **would be you were assigned from, for example,**

34

1 **GSA to NEH.**
 2 Q Okay. And let's look at the
 3 Contractor tab. What does this appear to be?
 4 If we could scroll up maybe to
 5 see the first row.
 6 **A I don't know.**
 7 Q There are more names on this
 8 list. Just looking at them, did you work with
 9 any of them?
 10 **A No.**
 11 Q Scroll down a little bit.
 12 Did you work with anyone on this
 13 list?
 14 **A No.**
 15 Q Let's go to the Other tab.
 16 Do you know any of these
 17 individuals?
 18 **A Yes.**
 19 Q Which ones?
 20 **A Anthony Armstrong, Jehn**
 21 **Balajadia, James Burnham, Ed Coristine, Steve**
 22 **Davis, Marko Elez, Cole -- Gautier, Adam**
 23 **Ramada, Brad Smith and Christopher Stanley.**
 24 Q Do you know why these
 25 individuals are listed as "Other" as opposed to

35

1 detailees or contractors?
 2 **A No.**
 3 Q What work did you do with
 4 Anthony Armstrong?
 5 **A I didn't do any work with**
 6 **Anthony Armstrong.**
 7 Q But you knew of him?
 8 **A Yes.**
 9 Q You spoke with him?
 10 **A Yes.**
 11 Q What was his role?
 12 **A Initially he was a senior**
 13 **official at OPM, Office of Personnel**
 14 **Management, for DOGE.**
 15 Q And what about Jennifer
 16 Balajadia?
 17 **A She was an assistant to Elon**
 18 **Musk.**
 19 Q Did you work with her?
 20 **A No.**
 21 Q Who was the next individual on
 22 this list that you worked with?
 23 **A James Burnham.**
 24 Q And what did you work with him
 25 on?

36

1 **A I didn't work with James on any**
 2 **specific project, but he was a senior lawyer**
 3 **for the DOGE team.**
 4 Q Did you work with him in
 5 connection with the NEH?
 6 **A No.**
 7 Q What did you work with him in
 8 connection with?
 9 **A James served as an escalatory**
 10 **legal figure for the DOGE team. He would**
 11 **generally get involved in projects, to the**
 12 **extent that one of the other mid-level**
 13 **attorneys could not answer a question.**
 14 Q How often did that happen?
 15 **A Infrequently.**
 16 Q Would you go to him, then, or
 17 would someone -- one of the more junior lawyers
 18 escalate it to him?
 19 **A It would mostly be a more junior**
 20 **lawyer would escalate to James.**
 21 Q Okay. Who's the next individual
 22 on this list that you worked with?
 23 **A Steve Davis.**
 24 Q And what did you do with
 25 Mr. Davis?

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1 **for DOGE.**
 2 Q Were there any other teams that
 3 you were part of?
 4 **A No.**
 5 Q Did you report to anyone?
 6 **A Not in a formal capacity. In an**
 7 **informal capacity, it would have been Steve**
 8 **Davis.**
 9 Q Did the other agency leads
 10 report to Mr. Davis?
 11 **A I'm not sure.**
 12 Q And who reported to you?
 13 **A Justin Fox, Ethan Shaotran. And**
 14 **then eventually Marshall Wood and Jonathan**
 15 **Mendelson.**
 16 Q What was Amy Gleason's role in
 17 DOGE?
 18 **A I believe she was the head of**
 19 **the US DOGE Service.**
 20 Q And how did that relate with
 21 Mr. Davis' role?
 22 **A I'm not sure if Steve had a**
 23 **title, so I don't know.**
 24 Q You understood that as a
 25 practical matter Mr. Davis was the head, but

50

1 she was the legal head of the US DOGE Service?
 2 MS. DOUD: Objection.
 3 You can answer.
 4 **THE WITNESS: Amy Gleason was**
 5 **the head of the US DOGE Service. I don't**
 6 **know what Steve's title was formally.**
 7 BY MR. ROBINSON:
 8 Q Did she ever lead the weekly
 9 DOGE meetings?
 10 **A Not the ones where I was**
 11 **present, no.**
 12 Q Did you ever see her at the
 13 meetings?
 14 **A A few times.**
 15 Q Do you know what her role was?
 16 Aside from her title, what her actual
 17 responsibilities were.
 18 **A I don't.**
 19 Q Did you get the sense that she
 20 had significant responsibilities of DOGE?
 21 **A I'm not sure. I didn't**
 22 **interface with her very much.**
 23 Q What was your salary at GSA?
 24 **A I believe it was about \$120,000**
 25 **annually.**

51

1 Q And prior to working at DOGE for
 2 this administration, you had no prior
 3 Government experience, right?
 4 **A No.**
 5 Q But you said you were interested
 6 in Government since a young age?
 7 **A Yes.**
 8 Q Can you tell me a little bit
 9 more about that? What prompted that interest?
 10 **A I'm not sure what prompted the**
 11 **interest.**
 12 Q Did you go to any summer
 13 programs or take any classes that aligned with
 14 that interest in Government service?
 15 **A No.**
 16 Q But you just had an interest in
 17 Government generally?
 18 **A Just specific policy, topics**
 19 **that were topical in each election. And**
 20 **reading just casual information that's publicly**
 21 **available.**
 22 Q Which -- which topics?
 23 **A Foreign policy, economic policy,**
 24 **social issues are some of them.**
 25 STENOGRAPHER: What was that?

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1 **THE WITNESS: Social issues.**
 2 **Those are just some of the topics of**
 3 **which I was interested in.**
 4 BY MR. ROBINSON:
 5 Q Did you work on any, like,
 6 political campaigns before you worked in this
 7 administration?
 8 **A No.**
 9 Q Did you ever go on, like, a
 10 podcast and talk about your views on these
 11 issues before joining the Administration?
 12 **A No.**
 13 Q Part of any, like, social groups
 14 in -- where did you live, by the way, after
 15 college?
 16 **A Los Angeles.**
 17 Q Los Angeles. Okay.
 18 Were you part of any, like,
 19 social groups in Los Angeles where you
 20 discussed these issues --
 21 **A No.**
 22 Q -- with others?
 23 Did you grow up in Indiana?
 24 **A I grew up in Pittsburgh.**
 25 Q Let's do a few more and then

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1 **for DOGE.**
 2 Q Were there any other teams that
 3 you were part of?
 4 **A No.**
 5 Q Did you report to anyone?
 6 **A Not in a formal capacity. In an**
 7 **informal capacity, it would have been Steve**
 8 **Davis.**
 9 Q Did the other agency leads
 10 report to Mr. Davis?
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 25 STENOGRAPHER: What was that?

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1 **THE WITNESS: Social issues.**
 2 **Those are just some of the topics of**
 3 **which I was interested in.**
 4 BY MR. ROBINSON:
 5 Q Did you work on any, like,
 6 political campaigns before you worked in this
 7 administration?
 8 **A No.**
 9 Q Did you ever go on, like, a
 10 podcast and talk about your views on these
 11 issues before joining the Administration?
 12 **A No.**
 13 Q Part of any, like, social groups
 14 in -- where did you live, by the way, after
 15 college?
 16 **A Los Angeles.**
 17 Q Los Angeles. Okay.
 18 Were you part of any, like,
 19 social groups in Los Angeles where you
 20 discussed these issues --
 21 **A No.**
 22 Q -- with others?
 23 Did you grow up in Indiana?
 24 **A I grew up in Pittsburgh.**
 25 Q Let's do a few more and then

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1 Foundation.
2 What was the next agency that
3 you worked at?
4 **A The United States Institute of**
5 **Peace.**
6 Q Approximately when was that?
7 **A March of 2025.**
8 Q What did you do at the US
9 Institute of Peace?
10 **A We reduced the Institute of**
11 **Peace to its statutory minimum.**
12 Q What did that involve?
13 **A It involved terminating all of**
14 **the existing contracts, grants, and firing all**
15 **the employees.**
16 Q Okay. So you terminated all the
17 existing contracts, grants, and fired all the
18 employees at the Institute of Peace?
19 MS. DOUD: Objection.
20 You can answer.
21 **THE WITNESS: Effectively, yes.**
22 MR. ROBINSON: What's the
23 objection?
24 MS. DOUD: Form.
25 STENOGRAPHER: What's the

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1 objection?
2 MS. DOUD: Form.
3 MR. ROBINSON: I see. Form in
4 what sense?
5 MS. DOUD: Well, you know, I
6 mean, you know, partially just repeating
7 what he said but -- in -- in a slightly
8 different way.
9 MR. ROBINSON: Okay.
10 BY MR. ROBINSON:
11 Q What did you do after the --
12 which agency did you work at after the US
13 Institute of Peace?
14 **A I don't recall.**
15 Q So it sounds like essentially
16 you were tasked with going to each of these
17 agencies, terminating all grants, contracts,
18 employees that weren't statutorily necessary?
19 MS. DOUD: Objection.
20 **THE WITNESS: That was the case**
21 **for agencies that were listed in an**
22 **executive order where the White House**
23 **stated through EO that they would be**
24 **reduced to statutory minimum, yes.**
25

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1 BY MR. ROBINSON:
2 Q And which agencies do you recall
3 that applied to?
4 **A I don't recall. It's the ones I**
5 **gave you, plus there was a second executive**
6 **order in March, I believe, which had another**
7 **set of agencies.**
8 Q But you also worked at agencies
9 that weren't specifically referenced in an
10 executive order --
11 **A That's right.**
12 Q -- right?
13 And what was your task there?
14 **A That was not the same task. It**
15 **was to meet with the heads of the agencies to**
16 **evaluate personnel, contracts and grants, but**
17 **the mandate was not to reduce those agencies to**
18 **statutory minimum. It was just to conduct a**
19 **thorough review to make sure that all spending**
20 **was appropriate, given the broader mission of**
21 **DOGE.**
22 Q And how was that mandate
23 conveyed to you?
24 **A It wasn't explicitly conveyed to**
25 **me.**

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1 Q How did you understand that that
2 was your mandate?
3 **A Because when I was attasked by**
4 **Steve Davis to go meet with small agencies,**
5 **that was the implication.**
6 Q The implication, presumably that
7 was something he said?
8 MS. DOUD: Objection.
9 **THE WITNESS: No, he did not say**
10 **that explicitly.**
11 BY MR. ROBINSON:
12 Q So what did he say explicitly?
13 **A Explicitly he said there would**
14 **be an executive order stating that certain**
15 **useless agencies be reduced to statutory**
16 **minimum, starting with the ones in February.**
17 **And that's what I worked on.**
18 Q But then we were talking about
19 other agencies that weren't specifically
20 referenced in that executive order. If I
21 understood your testimony correctly, you said
22 that for those agencies your mandate was to
23 meet with the head of the agency and to clarify
24 and identify wasteful spending.
25 How did you understand that was

<p style="text-align: right;">77</p> <p>1 Q What did you do at the 2 Millennium Challenge Corporation? 3 A We similarly met with the 4 management leadership of MCC to understand 5 their compacts, they call them, which is 6 effectively a grant for foreign spend. So was 7 trying to understand the, again, total number 8 of employees, contracts, grants. 9 Q Did you terminate those 10 compacts? 11 A Some of them were terminated at 12 the agency's discretion, not by -- DOGE did not 13 have the authority to individually cancel 14 contracts. It was always at the discretion of 15 the head of the agency. 16 Q Earlier we were discussing some 17 agencies and I don't think you said that. Why 18 did you emphasize that just now? 19 A I'm sorry? 20 Q Why did you -- why did you 21 emphasize that just now? 22 A Emphasize what exactly? 23 Q That you had no discretion to 24 terminate contracts. 25 A Because you asked if I</p>	<p style="text-align: right;">79</p> <p>1 me personally. And the nature of these 2 meetings were effectively all the same in that 3 context. 4 Q And what did -- what was the 5 result of your work at DNI? 6 A There was no direct result 7 actually from our work. Because of the nature 8 of the intelligence community, there was a much 9 longer process to be fully onboarded, such as 10 security clearances. After we met with their 11 team two or three times, we realized that -- 12 and also because of my timing at DOGE, we ended 13 up not terminating anything at ODNI. Later we 14 then realized that, at their own discretion, 15 they terminated, I think like 25 percent of 16 ODNI's head count. But it wasn't a result of 17 DOGE's actions. 18 Q When you were working at these 19 agencies, were you working at multiple agencies 20 at the same time or would you take one agency 21 at a time? 22 A There were generally multiple 23 agencies ongoing at the same time for me 24 personally. 25 MR. ROBINSON: All right. I'd</p>
<p style="text-align: right;">78</p> <p>1 terminated compacts at MCC. 2 Q Okay. Is that something you 3 discussed with counsel during the last break? 4 A No. 5 Q Okay. It just occurred to you 6 just now? 7 A Yeah. Because you asked me -- 8 Q Okay. 9 A -- if I terminated the compacts. 10 And I didn't. 11 Q Okay. And what -- so contracts 12 were terminated at MCC? 13 A I don't know if contracts were 14 terminated, but compacts -- there's a 15 distinction -- I believe certain compacts were 16 terminated by the head of MCC. 17 Q Okay. What about at the DNI? 18 A I did not terminate any 19 personnel, grants or contracts at ODNI. It was 20 done by Tulsi Gabbard, the Director of ODNI. 21 Q Well, what was your -- what was 22 your work at DNI? 23 A We had two or three meetings 24 with ODNI's team. One of my teammates, 25 Marshall Wood, was the lead at that agency, not</p>	<p style="text-align: right;">80</p> <p>1 like to look at another document. We'll 2 mark this as Plaintiff's Exhibit 3. 3 (E-mail and attachment, US-9508, 4 was marked P-3 for identification.) 5 BY MR. ROBINSON: 6 Q This is a document Bates-stamped 7 US-9508. This is an April 8, 2025 e-mail from 8 your GSA e-mail address to your special.co 9 e-mail address. And it's attaching a 10 spreadsheet called Deletions 330 Scorecard. 11 Do you recognize this? 12 A Yes. 13 Q So you said earlier that 14 special.co is a company that you are founding, 15 and also founding now. So would you sometimes 16 forward documents from your GSA account to your 17 special.co account? 18 A In this case, yes. It wasn't a 19 regular occurrence. And this -- the reason 20 that this was forwarded was to provide the DOGE 21 leadership team, specifically Steve Davis, with 22 an update on the relevant savings at each 23 agency. 24 Q Okay. Why did you do that? 25 A To my knowledge, Steve didn't</p>

<p style="text-align: right;">85</p> <p>1 Exhibit 6. 2 (Attachment, US-9553, was marked 3 P-6 for identification.) 4 BY MR. ROBINSON: 5 Q Is this the same spreadsheet we 6 were looking at before or is it slightly 7 different? 8 A The template is the same. The 9 agencies listed seems to have changed, as well 10 as the associated savings. 11 Q Do you know why it's different? 12 A The list would dynamically 13 change depending on week to week what the 14 latest savings were for each agency. 15 Q So I think the prior spreadsheet 16 was called Deletion Scorecard and this is 17 called Master Reporting. Were those the 18 same -- just different words for the same 19 thing? 20 A Correct. 21 Q Okay. We can take this down. 22 Do you recall offhand when you 23 first got involved with the National Endowment 24 for the Humanities? 25 A I believe it was March of 2025.</p>	<p style="text-align: right;">87</p> <p>1 Q And was this a phone call or an 2 in-person meeting? 3 A This was an in-person meeting. 4 Q Was anyone else there? 5 A No. 6 Q Okay. What specifically do you 7 remember Mr. Davis saying besides the chair has 8 been replaced, I want you to go meet with 9 Mr. McDonald? 10 A He introduced me to Mike. I 11 believe he gave me his phone number, and I 12 called Mike, and that was it. 13 Q What did he tell you about 14 Mr. McDonald? 15 A That he was previously the 16 general counsel for the agency. And that he 17 was newly appointed in the role as acting 18 chairman. 19 Q Did he tell you anything else? 20 A I don't believe so. 21 Q Did he tell you that he might be 22 amenable to DOGE coming in and looking at the 23 agency? 24 MS. DOUD: Objection. 25 THE WITNESS: I don't recall.</p>
<p style="text-align: right;">86</p> <p>1 I don't recall the exact date. 2 Q Okay. And do you recall, like, 3 the first conversation you had about the 4 agency? 5 A About the agency or with the 6 agency? 7 Q About the agency. 8 A About the agency would have been 9 around the same time frame. 10 Q And what was that conversation? 11 A It was the short conversation 12 with Steve Davis that I referenced previously. 13 Q And it was your idea to go look 14 at spending at the National Endowment for the 15 Humanities? 16 A It was not. 17 Q Whose idea was it? 18 A It was Steve's idea, with the 19 context being that the prior head of the 20 National Endowment for the Humanities was 21 recently terminated and I was to go meet with 22 Mike McDonald, the new acting chair of NEH. 23 Q So he approached you about going 24 to speak with Mr. McDonald at NEH? 25 A That's right.</p>	<p style="text-align: right;">88</p> <p>1 BY MR. ROBINSON: 2 Q About how long did this 3 conversation last? 4 A A minute. 5 Q So you had a one-minute 6 conversation with Mr. Davis, when he told you 7 go look at NEH, talk to Mr. McDonald. 8 Do you recall anything else from 9 the conversation? 10 A Substantively, no. That was the 11 extent of the conversation. 12 Q Did you take notes during the 13 conversation? 14 A No. 15 Q And after you had that 16 conversation with Mr. Davis, did you go talk to 17 anyone else about this assignment? 18 A I believe initially, no. And 19 then when we first scheduled our meeting with 20 Mike McDonald, Justin Fox was with me as a 21 member of the small agencies team. So he and I 22 were in all of the meetings with Mike. 23 Q Did you talk to Mr. Fox about 24 the meeting with Mr. McDonald before you 25 actually met?</p>

89	<p>1 A I don't recall exactly what the 2 conversation was, but it would have been 3 something to the effect of we're going to go 4 meet with the new acting chairman of NEH and 5 evaluate what's going on at the agency. 6 Q Did you speak with -- aside from 7 that possible conversation with Mr. Fox, did 8 you speak with anyone about NEH before you met 9 with Mr. McDonald? 10 A No. 11 Q What did you know about the 12 National Endowment for the Humanities at this 13 point? 14 A Very little. 15 Q You had no prior experience with 16 the agency? 17 A Outside of research that I did 18 prior to the first meeting with Mike, no. 19 Q What was that research? 20 A Just browsing the NEH website, 21 understanding the key personnel, the size of 22 the agency, et cetera. 23 Q But that was after Mr. Davis had 24 that conversation with you? 25 A That's right.</p>	91
90	<p>1 Q Okay. You didn't do any work in 2 the humanities in college or anything? 3 A No. 4 Q Okay. Never applied for an NEH 5 grant, I'm sure? 6 A No. 7 Q Never applied for any Federal 8 grant, I take it? 9 A No. 10 Q Okay. So then you started 11 working at NEH. You said that Mr. Fox was 12 working there with you. Was anyone else 13 working at NEH with you and Mr. Fox? 14 A I don't believe so, no. 15 Q What about Ethan Shaotran? 16 A He may have been detailed to the 17 agency from GSA to NEH, but he wasn't 18 physically present in any of our meetings with 19 the NEH team. 20 Q Was he involved at all in the 21 termination of grants at NEH? 22 A I don't believe so, no. 23 Q As between you and Mr. Fox, did 24 you each have like a particular role in how you 25 were conducting your work at NEH?</p>	92
	<p>1 A No. There's no predefined role. 2 Q You were the lead, though, 3 right? 4 A In the first meeting with Mike 5 and his colleague, Adam, I believe is his name, 6 we had a first meeting where I primarily led 7 the conversation, introduced ourselves as 8 members of the DOGE team from GSA. I led the 9 majority of that first meeting. Thereafter, 10 Justin took the lead role at NEH, in terms of 11 working with Mike and Adam on reviewing their 12 contracts and grants and personnel. 13 Q So after that first meeting 14 Justin played more of a hands-on role -- 15 A That's right. 16 Q -- at NEH than you did? 17 A Yeah. 18 Q But Justin still reported to 19 you? 20 A In an informal capacity, yes. 21 Q So after you started working at 22 NEH, did you and Mr. Fox have, like, regular 23 meetings to talk about your work at the agency? 24 A We did not have regular 25 meetings, no.</p>	
	<p>1 Q Did you have irregular meetings? 2 A Not solely focused on NEH; so 3 no. 4 Q So say more about that. You 5 have meetings to talk about, what, a variety of 6 small agencies and NEH would be one of them? 7 A That's right. 8 Q How often did you have those 9 meetings? 10 A Well, we were in the office 11 together every day at GSA. So in the casual 12 course of working, you would talk about the 13 status of each agency and what you were working 14 on. And NEH was one of them. 15 Q Okay. But you didn't have 16 designated NEH -- 17 A No. 18 Q -- meetings? 19 Did you meet with Mr. Davis to 20 talk about your progress at NEH while you were 21 working there? 22 A No. 23 Q Did you ever update him on 24 the -- what you had done at NEH? 25 A We did. After the first meeting</p>	

133	<p>1 BY MR. ROBINSON:</p> <p>2 Q This is an e-mail chain between</p> <p>3 you, Justin Fox and Ethan Shaotran titled "NEH</p> <p>4 Review," correct?</p> <p>5 A Correct.</p> <p>6 Q Dated March 17th at 10:47 a.m.</p> <p>7 At the bottom of the page, there's an earlier</p> <p>8 e-mail, just a few rows down, March -- Sunday,</p> <p>9 March 16, 2025 at 7:28 p.m. from Justin Fox</p> <p>10 where Justin Fox says, "Nate - See attached PDF</p> <p>11 and Excels to share with Mike/Adam tonight for</p> <p>12 them to review." Correct?</p> <p>13 A "For them to review tomorrow."</p> <p>14 Q "For them to review tomorrow</p> <p>15 a.m."</p> <p>16 And then you respond on</p> <p>17 March 17th at the top saying, "Nice job - this</p> <p>18 looks great. We just need to follow up with</p> <p>19 them today to make sure they are aligned on</p> <p>20 executing the plan quickly."</p> <p>21 That's what it says, right?</p> <p>22 A Right.</p> <p>23 Q So what's "the plan" referring</p> <p>24 to here?</p> <p>25 A The plan is canceling the grants</p>	135
134	<p>1 that were flagged in the review files that</p> <p>2 we've -- that Justin is referencing in his</p> <p>3 previous e-mail.</p> <p>4 Q Okay. And these were the grants</p> <p>5 that you had identified before you reviewed the</p> <p>6 list from NEH?</p> <p>7 A These were the list -- no,</p> <p>8 this -- can you repeat the question? Sorry.</p> <p>9 Q These were grants that you had</p> <p>10 identified before reviewing the list of grants</p> <p>11 that NEH had supplied, that NEH staff had</p> <p>12 identified as potentially being related to</p> <p>13 diversity, equity, inclusion?</p> <p>14 A The final list that we ended up</p> <p>15 recommending to Mike and Adam were a</p> <p>16 combination of both our original list and their</p> <p>17 employee reviewed list. And we created a</p> <p>18 synthesis of both of those to make a</p> <p>19 recommendation to Mike.</p> <p>20 Q Okay. And this is what you were</p> <p>21 conveying in -- or this is what Mr. Fox was</p> <p>22 sending you in this March 16th e-mail?</p> <p>23 A Yes.</p> <p>24 Q Okay. Why was there a need to</p> <p>25 execute the plan quickly?</p>	136
	<p>1 A The general pacing of DOGE was</p> <p>2 to try and make decisions and act quickly to</p> <p>3 avoid Government employees dragging their feet</p> <p>4 on cancellations.</p> <p>5 Q Aside from that general goal,</p> <p>6 did you receive any specific instruction to --</p> <p>7 A No.</p> <p>8 Q -- execute this plan quickly?</p> <p>9 A No.</p> <p>10 Q No.</p> <p>11 MR. ROBINSON: I'm marking</p> <p>12 Plaintiff's Exhibit 15.</p> <p>13 (E-mail dated 3/17/25, US-839,</p> <p>14 was marked P-15 for identification.)</p> <p>15 MR. ROBINSON: I'm handing it to</p> <p>16 the witness.</p> <p>17 BY MR. ROBINSON:</p> <p>18 Q This is a document Bates-stamped</p> <p>19 US-839. This is an e-mail from Justin Fox to</p> <p>20 Mr. McDonald, Mr. Wolfson; and you're copied.</p> <p>21 And it says, "Michael, Adam, I hope you both</p> <p>22 had a good weekend. See attached for our</p> <p>23 review of NEH grants, census and contracts."</p> <p>24 And then he has the same bullets</p> <p>25 from the prior e-mail. And under "Grants" it</p>	
	<p>1 says, "We reviewed all active grants for DEI</p> <p>2 involvement and marked them accordingly."</p> <p>3 Did I read that correctly?</p> <p>4 A Yes.</p> <p>5 Q And I know we talked about it</p> <p>6 somewhat already, but what is DEI referring to</p> <p>7 here?</p> <p>8 A It stands for diversity, equity</p> <p>9 and inclusion.</p> <p>10 Q And what is your opinion of</p> <p>11 diversity, equity and inclusion?</p> <p>12 A My personal opinion?</p> <p>13 Q Well, let's start with what does</p> <p>14 it mean to you?</p> <p>15 A It means diversity, equity and</p> <p>16 inclusion.</p> <p>17 Q Well, those -- that's the label,</p> <p>18 but what does -- what do those words mean to</p> <p>19 you?</p> <p>20 A It means -- it means making</p> <p>21 decisions on a basis of something other than</p> <p>22 merit.</p> <p>23 Q Okay. How does diversity differ</p> <p>24 from equity in that term, if you know?</p> <p>25 A I don't know. I don't</p>	

153	<p>1 Q Here McDonald says, "On 2 March 17th to 18th, I worked with NEH Assistant 3 Chairman for Programs, Adam Wolfson, to conduct 4 a further individualized review of the 5 spreadsheets of open grants created by program 6 staff." 7 So is that something that you 8 and Fox told McDonald and Wolfson to do on 9 March 17th and 18th? 10 A I don't recall explicitly 11 telling them to -- to review those. They were 12 reviewing the grants that we had recommended 13 for termination. 14 Q And what did you tell him when 15 you asked him to take a look at those grants? 16 A I think this was Justin telling 17 him, because he was running point on NEH for 18 our team. But it was something to the effect 19 of review our recommendations and let us know 20 which you agree with. 21 Q And I know we talked about some, 22 but can you just say again what the goal was or 23 the guiding principle or the criteria that you 24 were asking them to apply? 25 A There were two guiding</p>	155	<p>1 Garden of Heroes museum that the White House 2 was interested in building with NEH funds. 3 So those were the cornerstones 4 of what we knew to keep. Otherwise, everything 5 was up to be evaluated for potential 6 termination. 7 Q Okay. 8 A We didn't recommend that, but 9 that was the lens by which we were evaluating 10 things through. 11 Q Okay. Because those ideas, 12 America250, Garden of Heroes, those were things 13 aligned with the Administration, in your view? 14 A Yes. 15 Q Okay. Anything else would fall 16 into the category of wasteful? 17 A Not -- not explicitly, but 18 potentially and subject to be reviewed. 19 Q Okay. What would be a reason 20 why something would be saved if it didn't align 21 with those two viewpoints? 22 A Can we pull up the list of 23 grants that were kept versus cut and we can go 24 through each one? 25 Q I don't know if that's a great</p>
154	<p>1 principles. 2 One was through the lens of the 3 executive orders that were signed with respect 4 to DEI, preference, et cetera, on the pages we 5 have not referenced. 6 The other was a list that we 7 came up with, which, at our discretion, fell in 8 the category of wasteful spending in the 9 context of the broader deficit. And ones we 10 felt did not align with the America250 11 initiative and the Garden of Heroes initiative. 12 And here is the master list, review it, and let 13 us know if there are any that you'd like to 14 keep. 15 Q Did you provide any further 16 gloss or instruction on what was meant by 17 "wasteful spending"? 18 A No. 19 Q What would you have expected 20 them to do to determine whether something was 21 wasteful? 22 A The two priorities that we know 23 were to be kept were anything around grants 24 related to the founding of the country, related 25 to this America250 initiative in 2026 and this</p>	156	<p>1 use of time, but we can. But does any one come 2 to mind right now, sitting here? 3 A No. There were 1,200 grants, 4 roughly. 5 Q Do you remember, roughly, how 6 many were saved? 7 A I don't. 8 Q Okay. 9 A A large percentage of 10 outstanding grants were cut. 11 Q Okay. We might come back to 12 that later, but I'll just -- we'll leave it 13 there for now. 14 Okay. Back to the Thakur 15 declaration, which I think you have in front of 16 you, paragraph 14. He says, "On March 19, 17 2025, NEH CIO Bobley sent NEH Assistant Chair 18 for Planning and Operations, Pranita," 19 P-R-A-N-I-T-A, "Raghavan," R-A-G-H-A-V-A-N, "a 20 final spreadsheet containing only those 21 projects that I and Mr. Wolfson deemed to 22 conflict with President Trump's executive 23 orders." 24 And then in the following 25 paragraph it says, "On March 20, 2025, Miss</p>

161	<p>1 DEI category for potential termination.</p> <p>2 Q And he says, "Let us know on</p> <p>3 these. I'll circle back on the total proposed</p> <p>4 cut based on the list Brett gave me."</p> <p>5 That's Brett Bobley there, I</p> <p>6 take it?</p> <p>7 A Yes.</p> <p>8 Q He says, "For your benefit, I've</p> <p>9 also attached the attached RIF plan." And then</p> <p>10 he says, "Could you put us in touch with</p> <p>11 someone who could help us gain admin access to</p> <p>12 Microsoft?"</p> <p>13 Why did you and Fox want access</p> <p>14 to Microsoft?</p> <p>15 A Part of our operating procedure</p> <p>16 with DOGE was to get system administrator</p> <p>17 access, we called it "sys admin," which allowed</p> <p>18 us to operate as if we were an administrator</p> <p>19 within the agency for provisioning e-mail</p> <p>20 accounts, access to critical systems, et</p> <p>21 cetera.</p> <p>22 Q Was this operating procedure set</p> <p>23 forth in any document?</p> <p>24 A No.</p> <p>25 Q How did you know it was</p>	163	<p>1 So it sounds like McDonald did</p> <p>2 misunderstand the purpose of logging in, right?</p> <p>3 A I don't think he misunder- -- I</p> <p>4 guess. I don't know.</p> <p>5 Q Well, you had -- you said that</p> <p>6 the reason you were asking for control -- could</p> <p>7 you say it again, why you were asking for</p> <p>8 control of the Microsoft account.</p> <p>9 A Yeah. It was mostly in the</p> <p>10 context of conducting RIF plans. We needed to</p> <p>11 see which employees were actually logging into</p> <p>12 their accounts for usage, which employees were</p> <p>13 engaged, which weren't. It was also important</p> <p>14 if we needed to make changes to anything within</p> <p>15 the agency with respect to user accounts that</p> <p>16 we could do so without having to rely on a CIO</p> <p>17 figure like Brett.</p> <p>18 Q Okay. Was it also for purposes</p> <p>19 of terminating grants and contracts,</p> <p>20 potentially?</p> <p>21 A No.</p> <p>22 Q So it was unrelated to that?</p> <p>23 A Yes.</p> <p>24 Q Okay. It was more focused on</p> <p>25 RIFs?</p>
162	<p>1 operating procedure?</p> <p>2 A It was discussed openly during</p> <p>3 all-hands meetings.</p> <p>4 Q By whom?</p> <p>5 A Multiple members of the DOGE</p> <p>6 team.</p> <p>7 Q Was it discussed by Mr. Davis as</p> <p>8 something you should do?</p> <p>9 A Yes.</p> <p>10 Q And you did it at other</p> <p>11 agencies?</p> <p>12 A Yes. To the maximum extent that</p> <p>13 we could.</p> <p>14 Q Which other agencies do you</p> <p>15 recall?</p> <p>16 A The vast maj- -- I mean, the</p> <p>17 vast majority of agencies in which we were</p> <p>18 onboarded.</p> <p>19 Q Okay. So then in the next</p> <p>20 e-mail McDonald says, "My understanding from</p> <p>21 our Friday meeting was that the idea was to</p> <p>22 check on whether employees were logging in to</p> <p>23 their e-mail accounts on a regular basis. But</p> <p>24 if I misunderstood what you needed, please let</p> <p>25 me know."</p>	164	<p>1 A Yes.</p> <p>2 Q Okay.</p> <p>3 A In NEH's case, they had a</p> <p>4 completely separate system for provisioning</p> <p>5 grants.</p> <p>6 Q What was that system called?</p> <p>7 A I don't remember.</p> <p>8 Q Okay.</p> <p>9 A Brett Bobley was the</p> <p>10 administrator of it.</p> <p>11 Q Yeah. Okay. Then if you look</p> <p>12 on the first page, on March 31st at 11:35, Fox</p> <p>13 sends an e-mail to McDonald saying, "Mike,</p> <p>14 could you pass along your cell #? Sorry, don't</p> <p>15 have it saved and need to catch up with you on</p> <p>16 something time sensitive."</p> <p>17 Do you see that?</p> <p>18 A I do, yes.</p> <p>19 Q Do you know what he's referring</p> <p>20 to there?</p> <p>21 A I don't.</p> <p>22 Q No idea?</p> <p>23 A No, no idea. I assume it was</p> <p>24 related to the status of the cancellations that</p> <p>25 were being discussed.</p>

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1 Q A couple hours later,
 2 12:29 p.m., Fox says, "Mike, please call me as
 3 soon as you can."
 4 Do you know what that's
 5 referring to?
 6 **A The same topic.**
 7 Q But you said -- you said you
 8 don't know, but you assume it -- the status --
 9 **A I assume that that's the case,**
 10 **is he was trying to get a status update for**
 11 **Mike and Adam on their review of our proposed**
 12 **cuts across people, contracts and grants.**
 13 Q But why would he have needed a
 14 status update on a time-sensitive basis on
 15 March 31st?
 16 **A Because our general operating**
 17 **procedure at DOGE was to try and get this work**
 18 **done quickly. And this had now been dragging**
 19 **out for two or three weeks with NEH. And so we**
 20 **were trying to push Michael on to move faster**
 21 **with agreeing on a plan.**
 22 Q Is that something that you and
 23 Fox discussed?
 24 **A It wasn't explicitly discussed,**
 25 **but the -- it was implicitly discussed that we**

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1 **wanted to try and get the agency heads to act**
 2 **quickly on their proposed plans.**
 3 Q Did you -- but at NEH
 4 specifically with McDonald, did you discuss
 5 with Fox, okay, we need to, like, apply
 6 pressure now because it's been two to three
 7 weeks?
 8 **A That was, like, not explicitly**
 9 **discussed, but that was the implication of --**
 10 **the culture of DOGE was to try and get these**
 11 **folks to move fast.**
 12 Q Yeah.
 13 **A So we were comfortable applying**
 14 **pressure to the extent that we needed to.**
 15 Q Understood.
 16 But I'm just trying to
 17 understand why, on March 31st, all of a sudden
 18 Fox is saying I need to talk about something
 19 time sensitive. It seems to suggest there's
 20 something specific.
 21 **A There wasn't something specific.**
 22 **It was just --**
 23 MS. DOUD: Objection. Sorry.
 24 **THE WITNESS: Please.**
 25 MS. DOUD: Go ahead.

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1 **THE WITNESS: There wasn't**
 2 **something specific other than us applying**
 3 **pressure to get Mike to act on this plan.**
 4 BY MR. ROBINSON:
 5 Q Is that something you and Fox
 6 discussed before he sent the e-mail?
 7 **A I don't believe Justin discussed**
 8 **it.**
 9 Q So your best understanding is
 10 that Fox just all of a sudden, at 11:35 on
 11 March 31st, thought, I'm going to call Mike --
 12 I'm going to e-mail Mike and say I need to talk
 13 to you about something time sensitive, but it
 14 was just to apply pressure to make him move
 15 more quickly?
 16 **A Yes.**
 17 MS. DOUD: Objection.
 18 BY MR. ROBINSON:
 19 Q And what's that understanding
 20 based on?
 21 **A The broad operating procedures**
 22 **of DOGE, of which I've done the same thing in**
 23 **other agencies.**
 24 Q Could you provide an example?
 25 **A Not off the top of my head, no.**

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1 Q And then an hour later, at
 2 12:29, when he says, "Please call me as soon as
 3 you can," you don't know why he sent that an
 4 hour later?
 5 MS. DOUD: Objection.
 6 **THE WITNESS: No, I don't.**
 7 BY MR. ROBINSON:
 8 Q You think it was just the same,
 9 that he was just trying to get McDonald to move
 10 quickly? I mean, this is just -- less than an
 11 hour later.
 12 **A Right.**
 13 MS. DOUD: Objection.
 14 **THE WITNESS: But our initial**
 15 **meeting with Mike was on Wednesday,**
 16 **March 12th. So 19 days later, in the**
 17 **context of DOGE, would have been almost**
 18 **three weeks of trying to align on a list**
 19 **of grants to terminate that effectively**
 20 **had not changed materially over the**
 21 **course of the beginning to the end. And**
 22 **so we were trying to push Mike to move**
 23 **faster on the plan because it had been**
 24 **almost three weeks.**
 25

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1 BY MR. ROBINSON:
2 Q So nothing happened, though,
3 from March 30th to March 31st from 11:35 to
4 12:29 p.m., nothing happened besides the
5 passage of time is what you're saying to lead
6 to this e-mail?
7 MS. DOUD: Objection.
8 **THE WITNESS: Yes.**
9 BY MR. ROBINSON:
10 Q All right. So then Fox e-mails
11 again at 12:52 p.m., this is less than half an
12 hour from the prior e-mail. I'll just read it.
13 "Mike, call me when you get the chance. We
14 need a game plan for effectuating RIFs, final
15 grant terminations and contract cancellations
16 by tomorrow a.m. We will carry these plans out
17 before the end of the week. We're getting
18 pressure from the top on this and would prefer
19 that you remain on our side but let us know if
20 you're no longer interested."
21 So who from the top was
22 pressuring you on this?
23 **A Nobody explicitly. Again,**
24 **Mike's perception of where DOGE sat within the**
25 **Federal Government was we had a direct line of**

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1 **communication with the White House and so we**
2 **were there to help enforce the executive orders**
3 **that were signed. So as a pressure tactic we**
4 **would tell Mike that we were getting pressure**
5 **from basically the White House to effectuate**
6 **these contract and grant terminations that are**
7 **aligned with the EO. So it was a time pressure**
8 **tactic. There was no person explicitly putting**
9 **pressure on Justin to send this e-mail.**
10 Q What about implicitly?
11 **A No.**
12 Q So it was just untrue?
13 **A It -- I don't know if it -- I**
14 **don't think it's untrue.**
15 Q Was someone applying pressure
16 from the top to terminate grants quickly?
17 **A No. The top pressure in the**
18 **backdrop of our work at NEH was there were EOs**
19 **signed relating to the terminating grants**
20 **related to DEI initially. So we could use that**
21 **as a backstop to apply pressure to Mike to move**
22 **quickly on a contract and grant cutting plan.**
23 Q Was anyone at the White House
24 involved in grant terminations at NEH?
25 **A No.**

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1 Q You never communicated with
2 anyone from the White House about that?
3 **A About grant terminations?**
4 Q Yeah.
5 **A No.**
6 Q And when I say "the White
7 House," I mean the White House and all its
8 components, Executive Office of the President,
9 OMB.
10 **A I believe we -- Justin**
11 **Aimonetti, who was a DOGE lawyer, who I believe**
12 **was onboarded by EOP, the Executive Office of**
13 **the President, he would have been involved in**
14 **the course of our work, just basically making**
15 **sure that it was -- that the work we were doing**
16 **was approved.**
17 Q Did you discuss this specific
18 e-mail with Mr. Fox where he says "We're
19 getting pressure from the top"?
20 **A No, I did not.**
21 Q Didn't message with him about it
22 on Signal that he was going to do it?
23 **A No. We would have been working**
24 **in the office together at GSA and verbally**
25 **saying we need to get Mike to move quickly on**

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1 **this plan.**
2 Q Okay. And your strategy for
3 doing that was just, like, making up this sense
4 of pressure, e-mailing every hour or so until
5 he responded?
6 MS. DOUD: Objection.
7 **THE WITNESS: Well, as you can**
8 **see from the e-mails, this has -- has not**
9 **happened previously in the three weeks**
10 **we'd been working with NEH. So it wasn't**
11 **used frequently. But when it had been**
12 **going on for three weeks and we had not**
13 **heard an update from Mike, we were**
14 **applying more pressure to get him to act**
15 **on the plan.**
16 BY MR. ROBINSON:
17 Q Yeah. Did -- you say, you know,
18 "Let us know" -- or Fox says, excuse me, Fox
19 says, "Let us know if you're no longer
20 interested."
21 Did you have some sense that
22 McDonald, you know, wasn't interested in -- in
23 the terminations anymore?
24 **A I don't believe so, but the**
25 **nature of their communications with us had**

<p style="text-align: right;">177</p> <p>1 THE WITNESS: Sure.</p> <p>2 STENOGRAPHER: Common? You'll</p> <p>3 notice there are?</p> <p>4 THE WITNESS: The e-mail says,</p> <p>5 "It is common to have small differences</p> <p>6 between eGMS and those records found in</p> <p>7 USAspending."</p> <p>8 So he was cross-referencing the</p> <p>9 list to ensure just thoroughness in our</p> <p>10 work before we had a final list of grants</p> <p>11 for termination.</p> <p>12 BY MR. ROBINSON:</p> <p>13 Q And to generate that final list</p> <p>14 of grants for termination, did you use this</p> <p>15 list that Beth had sent you, or some other</p> <p>16 list?</p> <p>17 A You'll have to ask Justin, but</p> <p>18 my sense is that we had a master Excel file</p> <p>19 which concluded -- which included both the data</p> <p>20 from USAspending and the data from eGMS. There</p> <p>21 was likely -- you'll have to ask Justin -- a</p> <p>22 very small discrepancy in what was in those two</p> <p>23 systems. And to the extent that we were</p> <p>24 missing one, we evaluated those through the</p> <p>25 same criteria and then put it into a master</p>	<p style="text-align: right;">179</p> <p>1 and sent you that first spreadsheet, which we</p> <p>2 feel very confident about. It's also the list</p> <p>3 that we sent to OMB. The attached list</p> <p>4 concerns, as you know, applications that staff</p> <p>5 rated N/A. That is involving products that</p> <p>6 seemed to have no applicability to promoting</p> <p>7 DEI. We feel much less confident about it.</p> <p>8 This is because many of the DEI rationale</p> <p>9 comments relating to products on the attached</p> <p>10 spreadsheet say things such as, does not relate</p> <p>11 directly to DEI topics. Or more emphatically,</p> <p>12 there is no direct connection to DEI. We think</p> <p>13 these products are harmless when it comes to</p> <p>14 promoting DEI."</p> <p>15 "The initial time, because we</p> <p>16 know you want to move quickly," I assume he</p> <p>17 meant, "we didn't give these applications the</p> <p>18 individualized consideration that we did to</p> <p>19 those on the first spreadsheet. Accordingly,</p> <p>20 we only explicitly initialed a few important</p> <p>21 products, such as the papers of George</p> <p>22 Washington whose cancellation would not reflect</p> <p>23 well on any of us. And the same could be said</p> <p>24 for many other listed projects. It would take</p> <p>25 too long at this point to review the N/A list</p>
<p style="text-align: right;">178</p> <p>1 file for them to sign off on the termination.</p> <p>2 Q So Mr. Fox generated the final</p> <p>3 list?</p> <p>4 A Yes.</p> <p>5 MR. ROBINSON: I'm going to mark</p> <p>6 a document as P-21.</p> <p>7 (E-mail chain, NEH_AR_21 -</p> <p>8 NEH_AR_23, was marked P-21 for</p> <p>9 identification.)</p> <p>10 BY MR. ROBINSON:</p> <p>11 Q This is labeled as AR_21. This</p> <p>12 is an e-mail chain that starts off April 1st,</p> <p>13 8:06 p.m. from McDonald to Fox, Wolfson.</p> <p>14 You're copied. I direct your attention to the</p> <p>15 first in time e-mail in the chain sent from</p> <p>16 McDonald to Fox at 10:07 a.m. I'm going to</p> <p>17 read a good portion of this, just as a</p> <p>18 background for questions. So if you'll indulge</p> <p>19 me.</p> <p>20 I'll start with the second</p> <p>21 paragraph. "As you know, after our staff</p> <p>22 reviewed all the awards made over the past four</p> <p>23 years and rated them high, medium or low in</p> <p>24 terms of promoting DEI. Adam and I carefully</p> <p>25 reviewed the staff's work over two full days</p>	<p style="text-align: right;">180</p> <p>1 appropriately. Therefore, our recommendation</p> <p>2 is that wherever the DEI rationale on the</p> <p>3 spreadsheet makes clear that there is no DEI</p> <p>4 component to the project, there is no</p> <p>5 justification for canceling the product's</p> <p>6 funding and you should allow it to continue."</p> <p>7 Who decided to reject that</p> <p>8 recommendation from Mr. McDonald?</p> <p>9 MS. DOUD: Objection.</p> <p>10 THE WITNESS: Who decided to</p> <p>11 reject what recommendation?</p> <p>12 BY MR. ROBINSON:</p> <p>13 Q The recommendation to save</p> <p>14 projects listed as NEA -- N/A for which he says</p> <p>15 there is no justification for canceling the</p> <p>16 product's funding?</p> <p>17 A I -- I don't understand the</p> <p>18 question.</p> <p>19 Q So Mr. McDonald here is saying</p> <p>20 in this e-mail that there are projects that NEH</p> <p>21 staff have flagged as N/A, meaning not</p> <p>22 applicable for DEI. And he says, "Our</p> <p>23 recommendation is that wherever the DEI</p> <p>24 rationale on the spreadsheet makes clear that</p> <p>25 there is no DEI component, there is no</p>

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1 Q What were you spending most of
 2 your time on?
 3 A **Other small agencies in the
 4 government.**
 5 Q Can you provide some examples?
 6 A **The Institute of Museum and
 7 Library Services, AmeriCorps, the Office of the
 8 Director of National Intelligence; three.**
 9 Q Was there a sense in which
 10 NEH -- your work on NEH was paired in
 11 connection with work at NEA or the Institute of
 12 Museum and Library Services, were you, like,
 13 working on those at the same time and applying
 14 the same method at those three agencies or --
 15 or no?
 16 MS. DOUD: Objection.
 17 **THE WITNESS: The short answer
 18 is no. Another person on our team,
 19 Marshall Wood, was the lead for NEA. We
 20 worked on that agency completely
 21 separately from NEH. We didn't have a
 22 relationship with the head of NEA at the
 23 time.**
 24 **IMLS I believe was listed in an
 25 executive order. And Keith Sonderling**

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1 **was appointed acting chairman of IMLS,
 2 and so we had a close relationship with
 3 Keith. And so the circumstances at that
 4 agency were different as well.**
 5 STENOGRAPHER: You said the
 6 circumstances of that were?
 7 **THE WITNESS: Different from
 8 that of NEH. Each agency had its own
 9 unique situation and circumstance.**
 10 BY MR. ROBINSON:
 11 Q Was there a proposal at one
 12 point to merge NEH and NEA?
 13 A **Not to my knowledge.**
 14 Q Just to go back to something
 15 briefly, that list we were looking at before of
 16 grants that were to be kept and we went through
 17 some examples. Just to make sure I understand
 18 your testimony, if a grant related to DEI, it
 19 couldn't be on the keep list, right?
 20 A **That's correct.**
 21 Q After NEH, what did you do in
 22 Government?
 23 A **After NEH, I continued my work
 24 as the leader of the small agencies team and
 25 proceeded to work on the three agencies I**

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1 **mentioned, but there were also others. I don't
 2 have the full list in front of me, but there
 3 were about a dozen.**
 4 Q Aside from your work with the
 5 small -- sorry -- from the small agencies team,
 6 did you do anything else for DOGE?
 7 A **At the -- at the end of my time
 8 at DOGE I worked at the Department of Homeland
 9 Security on the immigration team with ICE for
 10 about a month. And that was it.**
 11 Q What did you do with ICE?
 12 A **We were designing a voluntary
 13 departure program to encourage illegal
 14 immigrants to self-deport from the country.**
 15 Q Anything else besides that time
 16 at ICE?
 17 A **No.**
 18 Q You left around August 2025; is
 19 that right?
 20 A **Yes.**
 21 Q Why did you leave?
 22 A **I was not enjoying the work on
 23 immigration and I was ready to go start my next
 24 company.**
 25 Q Why were you not enjoying it?

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1 A **I was not drawn to the
 2 immigration program personally. Wasn't -- I
 3 didn't agree with all of it.**
 4 Q What didn't you agree with?
 5 A **I had found the small agencies
 6 work more fulfilling, because I originally
 7 joined DOGE to help reduce the Federal deficit,
 8 and immigration was not directly related to
 9 that, so I wasn't interested in it.**
 10 Q Did you feel like the ICE work
 11 was too aggressively getting people deported or
 12 not aggressively enough?
 13 MS. DOUD: Objection.
 14 **THE WITNESS: I didn't think it
 15 was aggressive enough, but I -- at the
 16 same time, I didn't enjoy working on that
 17 project.**
 18 BY MR. ROBINSON:
 19 Q So why did you go there in the
 20 first place?
 21 A **The small agencies work
 22 ultimately was winding down in around July
 23 because there was growing tension between Elon
 24 and the White House, and the desire to cut
 25 spending from the White House started to**

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1 BY MR. ONAYEMI:
2 Q Okay. So DEI, it sounds like to
3 you, has something to do with hiring; is
4 that --
5 **A That's one component under which**
6 **DEI can be applied.**
7 Q And I'm asking you for the
8 others. So what are the others?
9 **A In the context of the NEH**
10 **grants?**
11 Q Sure.
12 **A Can you pull up some of the NEH**
13 **grants? There were 1500 of them.**
14 Q Right.
15 **A Presumably, you can pull up one**
16 **or two that were canceled.**
17 Q I don't think we need to pull it
18 up to get your understanding of DEI.
19 So you played a role in
20 determining what grants would be canceled based
21 on DEI, right?
22 **A Yes.**
23 Q Okay. And sitting here today,
24 you can't give a definition of DEI without
25 looking at the grants?

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1 MS. DOUD: Objection.
2 **THE WITNESS: Many of the grants**
3 **that we canceled explicitly said DEI in**
4 **the description.**
5 BY MR. ONAYEMI:
6 Q Okay. So is that the only basis
7 through which you canceled grants, if they said
8 DEI in the description?
9 **A No, that's not the only basis.**
10 Q Okay. So what other bases did
11 you use?
12 **A As we discussed before, it was**
13 **also -- could have been wasteful spending. It**
14 **wasn't just on the basis of DEI.**
15 Q So wasteful spending or if DEI
16 was explicitly noted in the grant description?
17 **A Those were two of the driving**
18 **primary criteria, yes.**
19 Q I think we looked at some grants
20 earlier that didn't explicitly say DEI in the
21 description.
22 **A Okay. Maybe those fell in the**
23 **wasteful spending bucket, then.**
24 Q So I want to go back to
25 something you said earlier in testifying. You

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1 noted that during the process of terminating
2 grants "it is well understood that you were
3 required to read the actual grant description
4 before requesting that it be terminated."
5 Do you remember testifying to
6 that?
7 **A Yeah. We would read the full**
8 **description on the list of grants that were**
9 **exported from the grant management system or in**
10 **the USAspending data export.**
11 Q Okay. And you said this was
12 well understood. What did you base that on?
13 **A It was well understood by myself**
14 **and my team, the small agencies team. And it**
15 **was well understood among the DOGE team and**
16 **culture, that you couldn't just randomly**
17 **recommend to an agency head to terminate a**
18 **grant or contract unless you thoroughly**
19 **understood what it said and had a basis for**
20 **doing so, either based on an executive order or**
21 **through the lens of wasteful spending.**
22 Q Okay. When you talk about this
23 culture, like, what exactly did you perceive
24 that gave you that idea?
25 **A What did I perceive that gave me**

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1 **the idea that what?**
2 Q That that was part of the
3 culture.
4 **A Because it was spoken about**
5 **explicitly that you need to be precise in your**
6 **cutting efforts. It wasn't -- it wasn't a**
7 **random exercise.**
8 Q Who told you that?
9 **A Steve Davis made that very clear**
10 **to the DOGE team, that that was the principle**
11 **by which you should operate.**
12 Q And he said explicitly you
13 should read every grant before canceling?
14 MS. DOUD: Objection.
15 **THE WITNESS: Yes. Yes.**
16 MS. DOUD: He didn't say grant.
17 He didn't say you should read the grant.
18 **THE WITNESS: Grant description,**
19 **contract, et cetera, yes.**
20 BY MR. ONAYEMI:
21 Q Okay. And do you understand
22 that each grant application at any age comes
23 with an entire file beyond just the grant
24 description?
25 **A I do, yes.**

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1 **description of the actual grant.**
 2 BY MR. ONAYEMI:
 3 Q Okay. You just -- I'm sorry.
 4 I'm saying books because you said books.
 5 What books would you have read
 6 that would have informed your opinion on what
 7 grants to cancel based on DEI or not DEI?
 8 **A There -- there were no books.**
 9 Q Okay. So there are no books.
 10 Anything else that would have informed you on
 11 how to do this?
 12 **A No.**
 13 Q Okay. Just kind of your whims,
 14 I guess, is that what you're saying?
 15 MS. DOUD: Objection.
 16 **THE WITNESS: They're not my**
 17 **whims. They're -- it's my judgment of**
 18 **how to interpret a grant that includes**
 19 **DEI characteristics or are wasteful**
 20 **spend.**
 21 BY MR. ONAYEMI:
 22 Q Right. And there was no one
 23 that you were consulting to make that call?
 24 **A No.**
 25 Q Okay. Did you ever talk to

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1 Justin about edge cases --
 2 STENOGRAPHER: About what cases?
 3 MR. ONAYEMI: Edge cases. Cases
 4 on the edge.
 5 **THE WITNESS: Yeah. If there**
 6 **was an edge -- again, the lens by which**
 7 **we were making decisions was -- I know**
 8 **you're very focused on DEI. There was**
 9 **not -- the only lens was not DEI. It was**
 10 **also wasteful spending.**
 11 **The priorities for NEH's grants**
 12 **were related to the founding of the**
 13 **country or America250 initiative this**
 14 **year, or the Garden of Heroes. If the**
 15 **grants didn't fall in those three buckets**
 16 **and met a DEI criteria or, in our view,**
 17 **were wasteful spending, we would flag**
 18 **those grants for review for Mike and Adam**
 19 **to agree with. If there was an edge**
 20 **case, we lean on the side of cutting it**
 21 **because DOGE's mission was to reduce**
 22 **Federal spending. We erred on the side**
 23 **of the cut versus keep, generally.**
 24 BY MR. ONAYEMI:
 25 Q Okay. Did you go through any

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1 type of HR onboarding when you joined GSA?
 2 **A Yes.**
 3 Q Can you walk me through what
 4 that was?
 5 **A I don't remember the specific**
 6 **courses we took. It was like a multi-hour**
 7 **video series where you went through traditional**
 8 **corporate HR policies.**
 9 Q Okay. Was it one day of
 10 onboarding, two days, a week?
 11 **A It was about -- it was a day or**
 12 **two of onboarding, including going through**
 13 **training, get our PIV card, et cetera.**
 14 Q Okay. Did you go through that
 15 onboarding with anyone else or by yourself?
 16 **A Someone from GSA HR, but there**
 17 **were no other teammates with me at -- during**
 18 **that time.**
 19 Q Okay. Did you fill out any
 20 paperwork as part of that process?
 21 **A Did I fill out any paperwork**
 22 **after completing the HR training?**
 23 Q Or as part of the HR training.
 24 **A I didn't fill out any paperwork**
 25 **regarding the HR training, no.**

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1 Q Did you have a background check
 2 run on you?
 3 **A I did.**
 4 Q Okay. Did you go through any
 5 training on how to maintain Government records?
 6 **A I believe so, yes. Yes. I**
 7 **don't recall exactly what was in there, but**
 8 **yes.**
 9 Q Okay. Did it touch at all on
 10 using auto-delete services?
 11 **A I honestly don't recall.**
 12 Q Did the onboarding -- did you
 13 receive, as part of the onboarding process, a
 14 Government laptop and phone?
 15 **A Yes.**
 16 Q Okay. And did you -- have you
 17 since returned those after leaving the
 18 Government?
 19 **A Yes.**
 20 Q Okay. So earlier we talked
 21 about some of your communications with
 22 Mr. Davis, including the context of you
 23 e-mailing yourself, I think you were saying,
 24 and then using that e-mail on Signal to send to
 25 Mr. Davis.