

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)

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LAURA SENNETT

Plaintiff

vs.

UNITED STATES, ET AL.

Defendants

----- x

COPY

: No. 1:10CV-1055

:

:

March 9, 2011

Alexandria, Virginia

DEPOSITION OF:

VINCENT ANTIGNANO

was called for examination by counsel for the
Plaintiff, pursuant to notice, taken at United States
Attorney's Office, 2100 Jamieson Avenue, Alexandria,
Virginia, commencing at 10:07 a.m., before Misty
Klapper, a Notary Public in and for the Commonwealth
of Virginia, when were present on behalf of the
respective parties:

Misty Klapper & Associates
703-780-9559

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6 AND

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C O N T E N T S

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4		Ms. Wetzler	134

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P R O C E E D I N G S

Whereupon:

VINCENT ANTIGNANO,

was called for examination, and, after
being duly sworn, was examined and testified as
follows:

EXAMINATION BY COUNSEL FOR THE PLAINTIFF

BY MR. LIGHT:

Q. Good morning.

A. Good morning.

Q. Please state and spell your name for the
record?

A. My name is Vincent Antignano,
A-N-T-I-G-N-A-N-O.

Q. My name is Jeffrey Light. I'm going to
be taking your deposition this morning.

A. Okay.

Q. Mr. Antignano -- or can I call you
Detective?

A. That's fine.

Q. Detective, what's your date of birth?

A. October 14, 1963.

Misty Klapper & Associates
703-780-9559

1 Q. What is your educational background?

2 A. Almost two years of college.

3 Q. Where did you attend college?

4 A. NOVA.

5 Q. And what did you study there?

6 A. Some criminal law.

7 Q. Are you married?

8 A. Yes.

9 Q. What is your spouse's profession?

10 A. She's a paralegal.

11 Q. Does she work in law enforcement?

12 A. No.

13 Q. Where are you currently employed?

14 A. I'm employed with the Prince William
15 County Police Department.

16 Q. How many years have you been employed
17 with the Prince William County Police Department?

18 A. Fifteen-and-a-half years.

19 Q. Are you currently on any details?

20 A. I'm on -- assigned to the FBI's joint
21 terrorism task force.

22 Q. When were you assigned to that?

1 A. February 2003.

2 Q. And you're currently still assigned to
3 that?

4 A. Yes.

5 Q. Where were you employed before Prince
6 William County?

7 A. I was -- I worked -- I was in the United
8 States Military.

9 Q. For how long?

10 A. Five-plus years; five-and-a-half, maybe.

11 Q. What training did you receive in order to
12 become a member of the joint terrorism task force?

13 A. Well, as a police officer, I graduated
14 from the Prince William County Justice Academy. I've
15 been a detective. I've worked white collar crime.
16 I've worked gangs with the County. I've attended a
17 couple of courses that the FBI has given into
18 terrorism.

19 Q. Approximately how many courses did you
20 attend?

21 A. Two, three maybe.

22 Q. Do you recall the subject matter of those

1 courses?

2 A. It varied. It was domestic terrorism,
3 international terrorism, stuff like -- groups like
4 that, I guess.

5 Q. What year was that?

6 A. Two thousand, maybe, two. I'm not 100
7 percent sure. But I've also attended other courses
8 that the FBI has given since I've been at the JTTF.

9 Q. Are you on any other task forces besides
10 the joint terrorism task force?

11 A. No, this is the only one.

12 MS. WETZLER: Make sure he finishes his
13 question before you answer.

14 THE WITNESS: Okay.

15 BY MR. LIGHT:

16 Q. Have you received any training in
17 counter-terrorism?

18 A. Some training.

19 Q. Could you describe that, please?

20 A. The courses I mentioned that they've
21 given, some of the courses intermingle together in
22 respect to, you know, they talk about domestic

1 terrorism and counterintelligence.

2 Q. Have you received any training on
3 observing political protests?

4 A. I mean, it's all part of the training. I
5 mean, I don't -- if you -- it's part of the training.
6 I mean, for working, you know, doing domestic
7 terrorism, we're told, you know, what to look for in
8 respect to that. I mean, if that's what you're
9 asking.

10 Q. Have you received any training on the
11 Privacy Protection Act?

12 A. No, sir.

13 Q. Have you ever heard of the Privacy
14 Protection Act?

15 A. Not until this came up.

16 Q. When did you first hear of the Privacy
17 Protection Act?

18 A. When I received the lawsuit.

19 Q. Have you ever written any articles that
20 have been published?

21 A. No.

22 Q. Have you ever been involved in any other

1 litigation, either as a plaintiff or a defendant?

2 A. No.

3 Q. What is your current pay grade?

4 A. I'm a detective.

5 Q. What does a detective do?

6 A. It -- for my department it varies. Like
7 I said, we work white collar crime. We work violent
8 crimes, crimes against children. I mean, wherever the
9 department wants to place us, we work for criminal --
10 for CID or the criminal investigation division.

11 Q. What are the responsibilities of a
12 detective?

13 A. Again, to investigate white collar
14 crimes, murders, rapes, bank robberies. It just
15 depends what -- it depends what unit or squad I work
16 in.

17 Q. Do you have any disciplinary record?

18 A. No.

19 Q. Have you ever been arrested?

20 A. No.

21 Q. What was your last performance
22 evaluation?

1 A. Good.

2 Q. Have you ever had any performance
3 evaluations that were other than good?

4 A. No.

5 Q. Is your performance evaluation based, at
6 least in part, on how many arrests you've made?

7 A. No.

8 MS. WETZLER: Objection.

9 THE WITNESS: Sorry.

10 MS. WETZLER: Let me just jump in. Just
11 objection -- I'll withdraw the objection. That's
12 fine.

13 MR. LIGHT: Okay.

14 MS. WETZLER: You can answer the
15 question.

16 THE WITNESS: No.

17 BY MR. LIGHT:

18 Q. Is your performance evaluation based, at
19 least in part, on how many warrants you've executed?

20 MS. WETZLER: Objection, speculation.

21 You can answer the question.

22 THE WITNESS: No.

1 BY MR. LIGHT:

2 Q. Have you ever conducted surveillance at a
3 political protest?

4 A. I've conducted surveillance at -- at
5 protests, yes.

6 Q. At protests. Approximately how many?

7 A. A dozen-plus.

8 Q. Do you consider yourself to be an expert
9 in counter-terrorism?

10 A. No, I do not.

11 Q. Do you consider yourself to be an expert
12 in counter-intelligence?

13 A. No, I do not.

14 Q. Who is your immediate supervisor?

15 A. For Prince William County Police
16 Department it's Sergeant Tara Van Horne.

17 Q. For the joint terrorism task force who is
18 your immediate supervisor?

19 A. Aubrey Farrar.

20 Q. Would you spell that, please?

21 A. F-A-R-R-A-R.

22 Q. Approximately how many arrests have you

1 made?

2 A. Numerous in the last 16 years. I was a
3 patrol officer when I first started so, I mean, that's
4 predominantly what we did. I mean, a lot. I don't
5 know how many exactly.

6 Q. Could you give an estimate?

7 MS. WETZLER: Objection, calls for
8 speculation.

9 You can answer, if you can, if you can
10 estimate.

11 THE WITNESS: I mean, twenty-plus, if not
12 more. I mean, I've been doing this job for 16 years.

13 BY MR. LIGHT:

14 Q. Approximately how many search warrants
15 have you executed.

16 A. A dozen or so.

17 Q. Approximately how many suspects have you
18 questioned?

19 A. I talk to people all the time. Numerous.

20 Q. Have you ever testified in a criminal
21 case?

22 A. Yes.

1 Q. Approximately how many?

2 A. I don't know. Twenty, thirty times.

3 Q. Have you ever testified as an expert
4 witness for either a plaintiff or a defendant?

5 A. No.

6 Q. Have you taught any courses at the FBI?

7 A. No.

8 Q. Have you taught any courses at Prince
9 William County?

10 A. No.

11 Q. Could you describe what a joint terrorism
12 task force is?

13 MS. WETZLER: Objection. I just want to
14 caution you that the witness is advised that he can't
15 speak to any information that's classified in nature.

16 MR. LIGHT: Okay.

17 MS. WETZLER: He can answer the question
18 other than providing any classified information or
19 information that would affect a -- impede or hinder an
20 ongoing investigation.

21 MR. LIGHT: Okay.

22 THE WITNESS: What was the question

1 again?

2 BY MR. LIGHT:

3 Q. What is a joint terrorism task force?

4 MS. WETZLER: Interposing that objection.

5 THE WITNESS: A joint terrorism task
6 force investigates, you know, international terrorism,
7 domestic terrorism, people involved in violent crimes.

8 BY MR. LIGHT:

9 Q. You said it involves people involved in
10 violent crimes. That is not necessarily people
11 involved in terrorism.

12 MS. WETZLER: Objection, vague.

13 THE WITNESS: I mean, how do I answer
14 that? I mean, we -- we investigate individuals, like
15 I said, involved in violent or criminal activity.

16 BY MR. LIGHT:

17 Q. Have you investigated individuals
18 involved in violent crimes that are not associated
19 with terrorism as part of your duties as a joint
20 terrorism task force officer?

21 A. I don't understand the question.

22 Q. Have you investigated any crimes, any

1 violent crimes, that are not terrorism related as part
2 of your duties as a joint terrorism task force
3 officer?

4 A. I want -- I still don't understand the
5 question. I mean, I investigate people involved in
6 criminal activity, if that's what you're asking.

7 Q. How did you become involved with the
8 joint terrorism task force?

9 A. The County Police Department wanted to
10 place someone on the task force.

11 Q. You volunteered?

12 A. We had to apply for the position.

13 Q. What are your responsibilities as a joint
14 terrorism task force officer?

15 A. At this moment?

16 Q. Yes.

17 A. I'm assigned to the guardian threat unit.

18 Q. As of September 2008 what were your
19 responsibilities as a joint terrorism task force
20 officer?

21 A. I was assigned to the -- the domestic
22 terrorism unit.

1 Q. Why was the joint -- was the joint
2 terrorism task force involved in investigating the
3 incident that occurred at the Four Seasons Hotel in
4 connection with a protest at the World Bank and IMF?

5 A. We became involved in the investigation,
6 yes.

7 Q. Why?

8 MS. WETZLER: Objection, calls for
9 speculation.

10 You can answer, if you can.

11 THE WITNESS: The question again?

12 BY MR. LIGHT:

13 Q. If you know, why did the joint terrorism
14 task force become involved in investigating the
15 incident at the Four Seasons Hotel?

16 A. Because we believed there was
17 involvement -- individuals involved with the
18 liberation front.

19 Q. If you know, does the joint terrorism
20 task force enforce both state and federal laws?

21 A. The task force enforces federal laws.

22 Q. But not state laws?

1 A. No, sir.

2 Q. If you know, what relationship does the
3 joint terrorism task force have with Prince William
4 County Police Department?

5 MS. WETZLER: Objection, vague.

6 If you understand the question, you can
7 answer it.

8 THE WITNESS: We have a working
9 relationship.

10 BY MR. LIGHT:

11 Q. Aside from Prince William County and the
12 joint terrorism task force, do you work with any other
13 federal or state agencies?

14 A. No.

15 Q. Have you heard of something called a
16 fusion center?

17 A. Yes.

18 Q. Do you have access to fusion center data
19 bases?

20 A. I do not have access to the data bases.

21 Q. What data bases do you have access to
22 through the joint terrorism task force?

1 MS. WETZLER: Objection. Again, he can't
2 answer the question to the extent it implicates
3 classified information.

4 BY MR. LIGHT:

5 Q. What unclassified -- of data bases that
6 are known to the public, which do you have access to
7 through the joint terrorism task force?

8 MS. WETZLER: Objection, only to the
9 extent that if you mean by known to the public
10 unclassified, that's fine.

11 MR. LIGHT: Unclassified, right.

12 MS. WETZLER: That's fine.

13 THE WITNESS: LexisNexis, if I can say it
14 right; Accurint. Those are the only -- there's
15 Virginia Employment Commission that I also use or is
16 used.

17 BY MR. LIGHT:

18 Q. Do you have access to the FBI central
19 records system?

20 MS. WETZLER: You're fine to answer.

21 THE WITNESS: Yes.

22 BY MR. LIGHT:

1 Q. Why did you decide to become a joint
2 terrorism task force agent?

3 A. It was an opportunity to give something
4 back. I lost friends on September 11th, so I thought
5 it was an opportunity to do something.

6 Q. Do you work out of the FBI Washington
7 field office?

8 A. Yes.

9 Q. Have you been involved in infiltrating
10 any political groups?

11 A. No.

12 Q. To the best of your knowledge, does the
13 joint terrorism task force infiltrate political
14 groups?

15 MS. WETZLER: Objection, to the extent
16 that answering the question implicates the law
17 enforcement privilege.

18 BY MR. LIGHT:

19 Q. I'll move on to the next question.

20 What are the names of the other joint
21 terrorism task force officers that you work with?

22 A. There's 100 of them. You want me to name

1 them all?

2 Q. Who do you work most closely with?

3 A. Today? I mean --

4 Q. Let's start as of September 2008.

5 A. I've worked closely with Angela Sercher.
6 Who else. Robert Poole, Chris Ginsburg, John Gardner.
7 Rick Rueggeri is on our squad. Tom O'Connor, Gary
8 Vienna. I mean, these are all the people on my squad
9 that I worked with at the time.

10 Q. Thank you.

11 A. I mean --

12 Q. If you know, what's the difference
13 between an FBI agent and a joint terrorism task force
14 agent?

15 MS. WETZLER: Objection, vague.

16 THE WITNESS: They're --

17 MS. WETZLER: If you understand, you can
18 answer.

19 THE WITNESS: I understand the question.

20 There's no difference. We're sworn
21 in as United States Marshals. So we have the same
22 responsibilities as the FBI agents themselves.

1 BY MR. LIGHT:

2 Q. You mentioned that you've conducted
3 surveillance at protests before.

4 Do you specialize in a certain type of
5 protest?

6 A. We -- if we have information to believe
7 that it's involving or it's liberation front or animal
8 liberation front or people involved in -- anarchists,
9 we follow up on those protests.

10 Q. Have you heard of somebody named Laura
11 Sennett?

12 A. Yes.

13 Q. When was the first time that you saw
14 Laura Sennett?

15 A. The first time I saw her?

16 Q. Yes.

17 A. The incident that happened at the Four
18 Seasons. I mean, on the video, if that's what the
19 question is.

20 Q. Had you ever seen her, Laura Sennett, in
21 person at a protest?

22 A. No.

1 Q. Are you familiar with the term black
2 bloc?

3 A. That sounds familiar.

4 Q. That sounds familiar. Could you say what
5 it is, if you remember?

6 A. I -- I don't specifically recall what it
7 is, but I've heard the terminology used before.

8 Q. Okay. Have you surveilled a protest at
9 which there were anarchists?

10 A. Yes.

11 Q. Anarchists attend protests then?

12 A. I'm sorry?

13 Q. Anarchists attend some protests?

14 A. Yes.

15 Q. Is it illegal for an anarchist to attend
16 a protest?

17 A. No.

18 Q. When you're conducting surveillance at a
19 protest, what do you look for?

20 MS. WETZLER: Objection to the extent
21 that the answer would impede any ongoing
22 investigations pursuant to the law enforcement

1 privilege. He can answer generally, as long as he's
2 not disclosing any techniques or methods that would
3 impede further investigations.

4 MR. LIGHT: Understood.

5 THE WITNESS: The question again, I'm
6 sorry?

7 BY MR. LIGHT:

8 Q. When you are conducting surveillance at a
9 protest, what are you looking for generally?

10 A. Criminal activity.

11 Q. In your opinion, is property destruction
12 violence?

13 MS. WETZLER: Objection, calls for a
14 legal conclusion. You're asking for an expert
15 opinion.

16 BY MR. LIGHT:

17 Q. In your opinion, is property destruction
18 terrorism?

19 MS. WETZLER: Object, same objection.

20 BY MR. LIGHT:

21 Q. In your opinion, what does the term
22 terrorism mean?

1 MS. WETZLER: Same objection.

2 MR. LIGHT: Can he answer?

3 MS. WETZLER: I'm not instructing him not
4 to answer. I'm just objecting.

5 THE WITNESS: The question again?

6 BY MR. LIGHT:

7 Q. In your opinion, what is meant by the
8 term terrorism?

9 MS. WETZLER: And subject to the
10 objection.

11 MR. LIGHT: Subject to the objection.

12 THE WITNESS: I mean, terrorism is
13 someone who -- who is planning or has committed a
14 violent act or some type of violent act.

15 BY MR. LIGHT:

16 Q. Is an assault terrorism?

17 MS. WETZLER: Same objection, standing
18 objection, as to your asking him legal questions.

19 You can answer the question.

20 THE WITNESS: Okay. I'm sorry, the
21 question again?

22 BY MR. LIGHT:

1 Q. Is an assault terrorism?

2 A. I believe it's someone's perspective. If
3 you get assaulted and you believe you've been
4 terrorized, then maybe that is terrorism. If someone
5 has assaulted you, you know, someone perceived that to
6 be terrorism on their personal -- on themselves, yes.

7 Q. What is your role in fighting terrorism?

8 A. I mean, my role is to prevent people from
9 committing a violent act against people in this
10 country.

11 Q. Do Americans have a First Amendment right
12 to protest?

13 MS. WETZLER: Objection to the extent
14 you're calling for a legal conclusion.

15 But you can answer the question.

16 THE WITNESS: Yes.

17 BY MR. LIGHT:

18 Q. Do Americans have a right to dress how
19 they want at a protest?

20 MS. WETZLER: Same objection.

21 THE WITNESS: Yes.

22 BY MR. LIGHT:

1 Q. For example, would an American have a
2 right to wear a beret at a protest?

3 MS. WETZLER: Same objection.

4 THE WITNESS: Yes.

5 BY MR. LIGHT:

6 Q. Would an American have a right to wear
7 combat boots at a protest?

8 MS. WETZLER: Same objection.

9 THE WITNESS: Yes.

10 BY MR. LIGHT:

11 Q. Is there anything about wearing a beret
12 at a protest that would make one suspicious?

13 A. No.

14 Q. Is there anything about wearing combat
15 boots at a protest that would make one suspicious?

16 A. No.

17 Q. Is there anything about wearing all black
18 at a protest that would make one suspicious?

19 A. No.

20 Q. Is there anything about wearing a
21 covering over the face that would make one suspicious
22 at a protest?

1 A. Yes.

2 Q. Why would you consider that suspicious?

3 A. Because when people decide to cover their
4 face at a protest, it's a possibility they could be
5 involved or potentially could commit a violent act.
6 And for law enforcement not to identify them, the only
7 way you can do that is conceal your identity.

8 Q. To the extent that you know, is it a
9 crime to wear a mask in the District of Columbia?

10 MS. WETZLER: Again, object on the
11 grounds that you're asking for a legal conclusion.

12 THE WITNESS: Okay?

13 MS. WETZLER: If you know.

14 THE WITNESS: I believe so.

15 BY MR. LIGHT:

16 Q. You believe it is a crime?

17 A. Yes.

18 Q. Is it a crime to be at a protest where
19 others are committing crimes?

20 MS. WETZLER: Objection, asking for a
21 legal conclusion.

22 THE WITNESS: I can answer?

1 MS. WETZLER: Yes.

2 THE WITNESS: The question again, I'm
3 sorry?

4 BY MR. LIGHT:

5 Q. Is it a crime to be at a protest where
6 others are committing crimes?

7 A. No.

8 Q. Have you ever attended a protest as a
9 protester?

10 A. No.

11 Q. Have you ever worked in plain clothes
12 during observing a protest?

13 A. Yes.

14 Q. Have you ever worked -- have you ever
15 worked in an undercover capacity while observing a
16 protest?

17 A. No.

18 Q. Are you trained at recognizing faces?

19 A. I mean, I don't understand the question
20 by trained recognizing faces.

21 Q. Have you had any training in how to
22 recognize people's faces?

1 A. No.

2 Q. Has anything in your experience made you
3 an expert at recognizing people's faces?

4 A. I mean, just my years in law enforcement,
5 you know. I look at a picture, look at someone else's
6 picture, I can -- I mean, I can try to make some kind
7 of comparison.

8 Q. So your experience does help you make
9 that comparison?

10 A. I believe so. I think a lot of it is
11 just common sense and knowledge, that's all.

12 Q. Is there any particular paperwork that
13 you're required to fill out after surveilling a
14 protest?

15 A. We -- we do a surveillance log. That's
16 what we do.

17 Q. While surveilling a protest, do you ever
18 have contact with the protesters?

19 A. Sometimes.

20 Q. Do you ever purposefully have contact
21 with the protesters?

22 A. Me personally, no.

1 Q. Have you ever brought a camera, either a
2 video camera or a still camera, to surveil a protest?

3 A. Yes.

4 Q. Is it typical that you use a camera at a
5 protest?

6 A. Sometimes.

7 Q. In your experience, is it typical for
8 protesters to conceal their faces?

9 A. I've been at protests where people have
10 concealed their identity.

11 Q. What we'd like to do now is play for you
12 the surveillance video from the Four Seasons Hotel.
13 I'm going to ask you a couple of questions about it.

14 A. Okay.

15 MS. WETZLER: That's fine, as long as you
16 mark it as an exhibit so that the disk becomes part of
17 the record.

18 MS. MOSHMAN: We have -- we have the disk
19 that you gave us. I was able to copy it onto my
20 laptop, but unable to copy it onto another CD. So --
21 but if -- I don't know, was there a protection on it
22 that prevented it from being copied? I tried two

1 different computers.

2 MS. WETZLER: I don't know if it was
3 write protected. I don't know.

4 MS. MOSHMAN: We have our -- we have a
5 copy from you that we can give up to the --

6 MS. WETZLER: Okay.

7 (Thereupon, a discussion was had off the
8 record.)

9 MS. MOSHMAN: This doesn't have a CD
10 drive in it. I copied it last night with an external
11 CD.

12 MS. WETZLER: We'll bring in a computer,
13 then, that has a drive that we can play the actual
14 disk.

15 MS. MOSHMAN: Okay. Thanks.

16 MS. WETZLER: Why don't we take a recess
17 and we'll arrange that.

18 MS. MOSHMAN: All right.

19 (Thereupon, a brief recess was taken.)

20 (Thereupon, Antignano Deposition Exhibit
21 Number 1 was marked for identification.)

22 MS. WETZLER: Can you make clear on the

1 record which one you're showing him?

2 MR. LIGHT: The file name is 4-12-08 1FT
3 door.

4 THE WITNESS: I can scoot around here.
5 (Thereupon, the video was played for
6 the witness.)

7 MR. LIGHT: Okay. We can stop it now.

8 MS. WETZLER: Were you able to see
9 clearly?

10 THE WITNESS: Yeah, it was good.

11 BY MR. LIGHT:

12 Q. Okay. Detective, you just watched a
13 video.

14 Do you recognize anybody that's in the
15 video?

16 A. Yes.

17 Q. Who do you recognize?

18 A. Laura Sennett.

19 Q. Anybody else?

20 A. Luke Kuhn.

21 Q. Anybody else?

22 A. Jeffery Lebow.

1 Q. Do you know the spelling of Lebow?

2 A. It's L-E-B-O-W, I believe.

3 Q. When was the first time that you watched
4 this video?

5 A. Four or five days after the event.

6 Q. How did you become into possession of the
7 video?

8 A. It was provided to me by the Four Seasons
9 Hotel.

10 Q. Did you ask for it?

11 A. Yes.

12 Q. How did you know to ask for it?

13 A. Because I was aware of the event that had
14 occurred and I went there and talked to the manager.

15 Q. How did you first become aware of the
16 event that occurred?

17 A. Information was provided to us by the
18 Metropolitan Police Department.

19 Q. Do you recall a specific police officer
20 that gave you the information?

21 A. I don't recall how we got the
22 information. I was just aware of it by the

1 Metropolitan Police Department.

2 Q. Prior to this event occurring, did you
3 know that there was going to be a protest at the Four
4 Seasons Hotel?

5 A. I was not aware of a protest.

6 Q. If you know, was anybody else at the
7 joint terrorism task force aware that there was going
8 to be a protest?

9 MS. WETZLER: Objection, calls for
10 speculation.

11 If you know, you can answer.

12 THE WITNESS: I do not know if anybody
13 else was aware of this.

14 BY MR. LIGHT:

15 Q. At some point did you visit the scene of
16 the Four Seasons Hotel?

17 A. Yes.

18 Q. When was that?

19 A. Four or five days after the incident
20 occurred.

21 Q. Was that before or after you viewed the
22 video of it?

1 A. It was the same time. I went there.

2 Q. If you know, what damage occurred to the
3 property at the Four Seasons Hotel?

4 A. They smashed out a large plate glass
5 window. It was spray painted. Paint-filled balloons
6 were thrown. Paint was splattered on the wall. A
7 statue was -- a valuable statue was damaged to -- to
8 the property.

9 Q. If you know, approximately what was the
10 dollar amount of damage that was done?

11 A. Close to 75 to \$100,000.

12 Q. And how do you know that?

13 A. That's what -- the estimate the security
14 director/manager indicated to me or they estimated at
15 the time.

16 Q. When you received information from MPD
17 that this event had occurred, how was it described to
18 you?

19 A. Pretty much how the video unfolded.

20 Q. Could you put that in words?

21 A. A group of individuals -- I mean --
22 showed up at the hotel protesting or talking about the

1 IMF. And -- and this is what -- the event unfolded,
2 the damage to the hotel.

3 Q. Have you listened to any radio run for
4 the event?

5 MS. WETZLER: Objection, lack of
6 foundation.

7 THE WITNESS: No.

8 BY MR. LIGHT:

9 Q. If you know, did anybody from the hotel
10 call 911?

11 A. That I'm not aware of. I'm not sure who
12 did.

13 Q. When you went to the hotel four to five
14 days after the event, who did you speak with there?

15 A. I spoke with the security director.

16 Q. Do you recall a name?

17 A. I think his last name is Parry, but I --
18 I think it's Parry.

19 Q. Did you take any notes of your
20 conversation with Parry?

21 A. I don't believe so.

22 Q. Did you take any notes of the damage that

1 you observed?

2 A. I don't --

3 MS. WETZLER: Objection, lack of
4 foundation.

5 BY MR. LIGHT:

6 Q. Did you observe any damage at the hotel?

7 A. Some of the damage was already cleaned
8 up. The board was up on the window, I believe. And
9 there may -- there was some paint damage left, from
10 what I can recall.

11 Q. Did you take any notes on your
12 observations of the hotel?

13 A. I don't recall taking any notes of the
14 damage or my observations.

15 Q. Do you know whether or not there have
16 been protests at the Four Seasons Hotel in previous
17 years?

18 A. That I'm not aware of.

19 Q. Do you consider the event that happened
20 at the Four Seasons Hotel to be terrorism?

21 MS. WETZLER: Objection, calls for a
22 legal conclusion.

1 THE WITNESS: I mean, do I believe groups
2 who have intent of terrorism, is that what you're
3 asking me?

4 BY MR. LIGHT:

5 Q. No, that's not what I'm asking.

6 What I'm asking is based on your
7 knowledge of what happened at the Four Seasons Hotel,
8 was that event terrorism?

9 MS. WETZLER: Objection, calls for a
10 legal conclusion, asking for an expert opinion.

11 THE WITNESS: I'm -- the -- what I can
12 tell you is I believe it was involving groups involved
13 in the earth liberation front.

14 BY MR. LIGHT:

15 Q. Is that why the joint terrorism task
16 force got involved?

17 A. Yes.

18 Q. Of the individuals that you identified as
19 seeing in the video, do you know any of them to be
20 part of the earth liberation front?

21 A. Luke Kuhn and Jeffery Lebow.

22 Q. Do you know -- of the individuals that

1 you identified, do you know if any of them are members
2 of the animal liberation front?

3 A. Yes.

4 Q. And which people would those be?

5 A. Both.

6 Q. Do you know whether Luke Kuhn was
7 arrested for his actions at the Four Seasons Hotel?

8 A. To the best of my knowledge, I don't
9 believe he was arrested for the event.

10 Q. You didn't arrest him?

11 A. I did not arrest him.

12 Q. Do you know where Luke lives?

13 A. In Maryland.

14 Q. Yes, you do know where he lives?

15 A. Yes, in Maryland.

16 Q. Do you know his address?

17 A. No, sir, I do not.

18 Q. You don't know his address.

19 If you needed to arrest Luke, would you
20 be able to find his address?

21 MS. WETZLER: Objection, calls for
22 speculation.

1 THE WITNESS: Yes.

2 BY MR. LIGHT:

3 Q. Do you know where Jeffery Lebow lives?

4 A. Yes.

5 Q. Do you know his address?

6 A. I don't know his address.

7 Q. If you needed to arrest Jeffery Lebow,
8 would you be able to find his address?

9 MS. WETZLER: Objection, speculation.

10 THE WITNESS: Yes.

11 BY MR. LIGHT:

12 Q. Do you know whether Jeffery Lebow was
13 arrested in connection with the events at the Four
14 Seasons Hotel?

15 A. To the best of my knowledge, he was not.
16 I don't believe he was arrested, to the best of my
17 knowledge.

18 Q. You didn't arrest him?

19 A. I did not arrest him.

20 Q. How high a priority was assigned to
21 solving this case?

22 MS. WETZLER: Objection, vague.

1 THE WITNESS: We're assigned cases. Our
2 job is to investigate them. There was no priority to
3 anybody else's cases.

4 BY MR. LIGHT:

5 Q. No case takes priority over any other
6 case?

7 A. I would say a priority of a case if, you
8 know, there was a homicide involved, possibly that
9 would take, obviously, priority over another case,
10 yes.

11 But we're all assigned to individual
12 cases and we're required to work them.

13 Q. Of the cases that you were assigned, how
14 high a priority was solving this case?

15 MS. WETZLER: Objection, calls for
16 speculation and lack of personal knowledge.

17 BY MR. LIGHT:

18 Q. If you know.

19 A. No different than any of the other cases
20 I have.

21 Q. How much time occurred between the time
22 that you first learned about the incident at the Four

1 Seasons Hotel and the time that you went to the Four
2 Seasons Hotel?

3 A. Four or five days after the event.

4 Q. After you learned about what happened at
5 the Four Seasons Hotel, how long did you wait before
6 you went there?

7 A. Oh, I see. When I learned -- I'm not 100
8 percent sure. It could have been the next day after I
9 learned about it.

10 Q. It could have been the same day?

11 A. I don't recall if it was the same day or
12 not.

13 Q. How much time elapsed between when you
14 first found out about what happened at the Four
15 Seasons Hotel and when you obtained a search -- and
16 the time that you obtained a search warrant for Laura
17 Sennett's house?

18 A. It happened in April. I got a search
19 warrant in September.

20 Q. Why did you wait so long?

21 A. Because of some operational reasons with
22 the Bureau.

1 Q. What were those reasons?

2 A. Again, other cases we were working, other
3 events we were working.

4 Q. Were you worried that during that time
5 the trail might go cold?

6 MS. WETZLER: Objection,
7 characterization.

8 THE WITNESS: Any case you work, the
9 case -- I mean, the trail can go cold if you wait a
10 day or a week or a month, it's possible.

11 BY MR. LIGHT:

12 Q. You stated that you observed Laura
13 Sennett in the video.

14 A. Yes.

15 Q. What do you see her doing in the video?

16 A. Either photographing or videotaping.

17 Q. Do you see her doing anything else?

18 A. That's what -- her photographing or
19 videotaping. That's the only thing she's doing.

20 Q. Is there anything illegal about
21 photographing or videotaping a protest?

22 MS. WETZLER: Objection, calls for a

1 legal conclusion, expert opinion.

2 THE WITNESS: I mean, I call that a
3 violent act. I don't call that a protest, if that's
4 what you're asking me.

5 BY MR. LIGHT:

6 Q. Is there anything illegal about
7 photographing or videotaping a violent act?

8 MS. WETZLER: Same objection.

9 THE WITNESS: It's not illegal unless
10 you're the suspect of -- unless you're involved or a
11 suspect in the act that's being committed.

12 BY MR. LIGHT:

13 Q. When you watched the video, did you
14 observe Laura Sennett wearing any identity concealing
15 clothing?

16 A. No.

17 Q. When you watched the video, did you
18 observe Laura Sennett committing any crimes?

19 MS. WETZLER: Objection, calls for a
20 legal conclusion, expert opinion.

21 THE WITNESS: Everyone on that video is a
22 suspect, so that's the way I look at it.

1 BY MR. LIGHT:

2 Q. Why is everybody on the video a suspect?

3 A. There are 15 or 20 individuals in that
4 video. There's no doubt by looking at that you have a
5 conspiracy. People conspired to go there to commit
6 the act.

7 Q. You filled out an affidavit in support of
8 a search warrant on Laura Sennett's house?

9 A. Yes.

10 Q. And in that affidavit did you state what
11 crimes were being committed by the individuals at the
12 Four Seasons Hotel?

13 MS. WETZLER: Objection to the
14 characterization, crimes being committed.

15 BY MR. LIGHT:

16 Q. Did you state what crimes were being
17 committed?

18 MS. WETZLER: My objection is based on
19 what the purpose is of a search warrant, as opposed to
20 crimes committed versus crimes investigated and what
21 evidence would be found.

22 MR. LIGHT: Okay. I understand the

1 objection.

2 My question is whether or not in the
3 search warrant affidavit it said what crimes were
4 being committed.

5 MS. WETZLER: I'd ask that you allow him
6 to look at his search warrant affidavit if you're
7 asking him a question based on it.

8 BY MR. LIGHT:

9 Q. Okay. Directing your attention to the
10 last paragraph --

11 MS. WETZLER: Can you show him the whole
12 document, please?

13 MR. LIGHT: Sure.

14 MS. WETZLER: Do you have an extra copy
15 for me?

16 MR. LIGHT: This is also the search
17 warrant. You can look at that also.

18 THE WITNESS: It says the burning or
19 destroying dwelling or a house.

20 BY MR. LIGHT:

21 Q. Does it mention the crime of conspiracy?

22 A. It does not.

1 Q. Okay. Thank you.

2 MS. WETZLER: Can you mark the exhibit,
3 please.

4 MR. LIGHT: Antignano 2.

5 (Thereupon, Antignano Deposition Exhibit
6 Number 2 was marked for identification.)

7 BY MR. LIGHT:

8 Q. You stated that you saw Luke Kuhn in the
9 video?

10 A. Yes.

11 Q. You also stated that, in your opinion,
12 everybody in the video is a suspect of the crime of
13 conspiracy?

14 A. Yes.

15 Q. But you also stated that Luke Kuhn was
16 not arrested in connection with this, to the best of
17 your knowledge?

18 A. Yes.

19 Q. Do you know why he was not arrested?

20 MS. WETZLER: Objection, speculation.

21 THE WITNESS: I don't know why he was not
22 arrested.

1 BY MR. LIGHT:

2 Q. Do you know why Jeffery Lebow was not
3 arrested?

4 MS. WETZLER: Objection, calls for
5 speculation.

6 THE WITNESS: I do not know why he was
7 not arrested.

8 BY MR. LIGHT:

9 Q. After identifying Luke Kuhn in the video,
10 did you investigate his involvement in the Four
11 Seasons Hotel?

12 A. The initial investigation was done by the
13 Metropolitan Police Department.

14 Q. At any time did you investigate Luke Kuhn
15 in connection with the events that occurred at the
16 Four Seasons Hotel?

17 A. Once the case was turned over to me,
18 again, anyone who was identified was -- was a suspect
19 in the investigation.

20 Q. When was the case turned over to you?

21 A. A week later. I mean, after I went to
22 talk to the people at the Four Seasons Hotel, I -- the

1 case was assigned to me.

2 Q. Did you interview Luke Kuhn in connection
3 with the events that occurred at the Four Seasons
4 Hotel?

5 A. No.

6 Q. Did you interview Jeffery Lebow?

7 A. No.

8 Q. Why not?

9 A. They were not interviewed at the time.
10 Lebow was identified two weeks later, possibly. They
11 were just never -- I did not interview them.

12 Q. Why did you not interview them?

13 A. Operational reasons. I was not able to
14 get them to try to talk to them.

15 Q. What were those operational reasons?

16 A. Other cases we were working.

17 Q. Essentially you didn't have time?

18 A. Correct.

19 Q. And you also didn't -- that was with
20 regard to Jeffery Lebow?

21 A. Yes.

22 Q. You also didn't have time to investigate

1 or interview Luke Kuhn?

2 A. Correct.

3 Q. Did you have time to investigate the
4 identities of anybody that you did not recognize in
5 the video?

6 A. We attempted to identify the other
7 individuals on -- on the video.

8 Q. And what steps did you take to try to
9 identify them?

10 A. By using confidential informants to have
11 them look at the video.

12 Q. How many confidential informants?

13 MS. WETZLER: You can answer how many.
14 You just can't testify to their identities.

15 THE WITNESS: Four, five maybe.

16 BY MR. LIGHT:

17 Q. And these confidential informants include
18 the persons identified as reliable source number one
19 and two in your affidavit?

20 A. Yes.

21 Q. But you were unable to learn the identity
22 of anybody else in the video?

1 A. Yes.

2 Q. To the best of your knowledge, has the
3 ELF claimed responsibility for what happened at the
4 Four Seasons Hotel?

5 A. To the best of my knowledge, I don't
6 believe so.

7 Q. To the best of your knowledge, has the
8 ALF claimed responsibility for what happened at the
9 hotel?

10 A. To the best of my knowledge, I don't
11 believe so.

12 Q. To the best of your knowledge, has any
13 other group claimed responsibility for what happened
14 at the hotel?

15 A. To the best of my knowledge, I don't know
16 of any groups that claimed responsibility.

17 Q. Was there anything about the damage that
18 occurred to the hotel that made you believe it was ELF
19 related?

20 A. Yes.

21 Q. What was that?

22 A. They spray painted IMF with a circle and

1 put a cross through it.

2 Q. And is -- an IMF with a cross through it,
3 is that typical of what the ELF does?

4 A. I mean, I'm not sure if it's typical.
5 They're protesting against IMF. And I believe the
6 symbol is used -- I mean, it's a symbol used, you
7 know, to say down with IMF or -- I mean, I don't know
8 if -- it's probably not uncommon to use any kind of
9 symbols if you're protesting against a particular
10 group.

11 Q. Do you know what the IMF is?

12 A. International Monetary Fund.

13 Q. And do you know whether they do any work
14 related to the environment?

15 A. Yes.

16 Q. Yes, you do know?

17 A. Well, I mean, I'm not familiar if they do
18 any work with the environment. I apologize.

19 Q. Okay. Are you familiar with The World
20 Bank?

21 A. A little bit.

22 Q. Do you know if they do any work related

1 to the environment?

2 A. That I'm not familiar. That -- I don't
3 know of any work with the environment.

4 Q. Do you know whether Laura Sennett is
5 involved with the ELF?

6 A. Do -- I believe -- I believe -- in my
7 opinion, I believe she's like minded like ELF, if
8 that's what -- yes.

9 Q. Do you believe she's a member of the ELF?

10 A. I believe she's like minded like ELF.
11 The ELF is -- what I know about it is not -- there's
12 no leader, hierarchy. It's just a group of
13 individuals that, you know, go out and perform their
14 own acts, either direct action or violent direct
15 action.

16 So it's a group that you ascribe (sic) to
17 their beliefs or ideology.

18 Q. What do you mean when you say she's like
19 minded?

20 A. Just like the group is. Some type of
21 direct action, a violent direct action, with the
22 group. If they don't believe what the IMF is involved

1 with or what the IMF would be doing, they protest
2 against them.

3 Q. Do you know whether Laura Sennett is
4 involved with the animal liberation front?

5 A. Again, these groups are all intertwined.
6 The ELF, ALF, they're all one and the same. I'm
7 incorrect, they're all intertwined. So she associates
8 herself with the ELF. She associates herself with the
9 animal liberation fund.

10 Q. Do you know whether Laura Sennett
11 identifies herself as being a member of the ALF or
12 ELF?

13 A. One more time?

14 Q. Do you know whether Laura Sennett
15 identifies herself as being a member of the ELF or
16 ALF?

17 A. Again, I believe, like I said, she is
18 like minded like the group themselves. It's --

19 Q. Do you know if Miss Sennett associates
20 with members of the ELF and ALF?

21 A. Yes.

22 Q. And which members are those?

1 A. Luke Kuhn, Jeffery Lebow and 20 other
2 people in that video.

3 Q. Your belief is that everybody in the
4 video is associated with the ELF or ALF?

5 A. Yes.

6 Q. Do you know the name Adam Ortberg?

7 A. Yes.

8 Q. How do you know Adam Ortberg?

9 MS. WETZLER: Objection. I'm objecting
10 to the extent that your question would require him to
11 confirm or deny any law enforcement investigation. If
12 he can testify to knowledge of Ortberg without
13 revealing any ongoing investigations, he can do that.
14 But I can't -- he can't confirm or deny what the
15 status is of Adam Ortberg.

16 BY MR. LIGHT:

17 Q. Okay. With that objection in mind, how
18 do you know Adam Ortberg?

19 A. I have arrested him before.

20 Q. Is Adam -- do you know whether Adam
21 Ortberg is a member of the ELF or ALF?

22 A. Yes.

1 Q. Which one?

2 A. Both.

3 Q. Both. Did you ask Miss Sennett whether
4 she knew somebody named Adam?

5 A. I don't recall asking her that question.

6 Q. Did you ask Miss Sennett to identify
7 individuals in the video?

8 A. Yes.

9 Q. Did she identify anybody in the video?

10 A. Luke Kuhn.

11 Q. Anybody else?

12 A. She identified Jeffery Lebow.

13 Q. Anybody else?

14 A. That's it.

15 Q. Is it possible that you asked
16 Miss Sennett whether Adam was in the video?

17 MS. WETZLER: Objection, calls for
18 speculation.

19 THE WITNESS: I don't recall asking her
20 that question.

21 BY MR. LIGHT:

22 Q. You don't recall, but it's possible you

1 asked her that?

2 A. I don't recall asking her that question.

3 Q. Do you recall Miss Sennett stating that
4 Mr. Ortberg is -- does not protest World Bank IMF?

5 MS. WETZLER: Objection, lack of
6 foundation.

7 THE WITNESS: I don't recall her saying
8 that to me.

9 BY MR. LIGHT:

10 Q. Is it illegal to be an anarchist?

11 MS. WETZLER: Objection, calls for a
12 legal conclusion, expert opinion.

13 THE WITNESS: It's not illegal to be a
14 anarchist unless you're involved in violent activity
15 or criminal activity.

16 BY MR. LIGHT:

17 Q. Do you recall ever saying that
18 Mr. Ortberg should be arrested for being an anarchist?

19 MS. WETZLER: Objection, lack of
20 foundation.

21 THE WITNESS: I don't recall ever saying
22 that.

1 BY MR. LIGHT:

2 Q. I'd like to show you again what's been
3 marked as Antignano Exhibit 2.

4 What is that document again? Could you
5 identify the document?

6 A. It's the affidavit for a search warrant.

7 Q. Okay. Do you mention the earth
8 liberation front or the animal liberation front in
9 that document?

10 A. I don't believe so.

11 Q. Why not?

12 A. Because I was establishing probable cause
13 for damage to property.

14 Q. And whether or not -- and, therefore, it
15 would have been irrelevant whether somebody was a
16 member of the ELF?

17 MS. WETZLER: Objection, calls for a
18 legal conclusion.

19 THE WITNESS: All I --

20 MS. WETZLER: You can answer.

21 THE WITNESS: All I was establishing was
22 probable cause for damage to property. That was it.

1 It was basic probable cause for damage. That was it.

2 BY MR. LIGHT:

3 Q. In the affidavit you were also trying to
4 prove the identity of the person who you were
5 investigating?

6 MS. WETZLER: Objection, lack of
7 foundation. Is there a question?

8 BY MR. LIGHT:

9 Q. Is part of the purpose of the affidavit
10 also to prove the identity of the individual, Laura
11 Sennett?

12 A. I mean, my affidavit identifies who she
13 is.

14 Q. Do you think it would have been relevant
15 to mention that she's like minded with ELF members?

16 A. No.

17 MS. WETZLER: Objection, calls for a
18 legal conclusion, expert opinion.

19 THE WITNESS: No.

20 BY MR. LIGHT:

21 Q. In talking to any of the confidential
22 informants, did any of them mention that Laura Sennett

1 is associated with the ELF?

2 A. To the best of my knowledge, no.

3 Q. So the entirety of your evidence that
4 she's a like minded individual with the ELF comes from
5 what?

6 A. Again, it comes from the individuals who
7 she associates with. I believe she's, again, like the
8 group she associates with, Luke Kuhn, Jeffery Lebow
9 and the other individuals on -- on there.

10 Q. What associations has Laura Sennett had
11 with Luke Kuhn?

12 A. To the best of my knowledge, she's known
13 him for years.

14 Q. What associations has Laura Sennett had
15 with Jeffery Lebow?

16 A. She's also known him for years.

17 Q. Does knowing somebody who is a member of
18 the ELF make you a like minded individual?

19 A. Are you asking my opinion?

20 Q. Yes.

21 A. Yes.

22 Q. Do you know anybody that's a member of

1 the ELF?

2 A. No.

3 Q. Do you know Luke Kuhn?

4 A. No.

5 Q. Do you know Jeffery Lebow?

6 A. No.

7 Q. You've never met them?

8 A. I have not met them.

9 Q. Have you met Laura Sennett?

10 A. Yes.

11 Q. Is she a member of the ELF?

12 A. Again, she's like minded like the group.

13 Again, it's not a group. It's more of an ideology
14 with ELF, you know.

15 Q. Do you know Adam Ortberg?

16 A. Yes.

17 Q. He's a member of the ELF?

18 A. I believe he's a member of the ELF and
19 the animal liberation front.

20 Q. If you know, what investigation was done
21 into Luke Kuhn's involvement in the Four Seasons Hotel
22 incident?

1 A. There was a search warrant conducted on
2 his residence.

3 Q. Who applied for the search warrant?

4 A. The Metropolitan Police Department.

5 Q. Were you involved in obtaining the search
6 warrant?

7 A. No, sir.

8 Q. Did you instruct the Metropolitan Police
9 Department to obtain the search warrant?

10 A. No.

11 Q. To the best of your knowledge, did
12 anybody at the joint terrorism task force instruct the
13 MPD to obtain a search warrant?

14 A. No, sir.

15 Q. Do you know why a search warrant was
16 obtained for Luke Kuhn's house?

17 MS. WETZLER: Objection, calls for
18 speculation, lack of personal knowledge.

19 THE WITNESS: They were looking for
20 evidence involving the crime at the Four Seasons
21 Hotel.

22 BY MR. LIGHT:

1 Q. How do you know that?

2 A. After speaking with the Metropolitan
3 Police Department.

4 Q. Who at the Metropolitan Police Department
5 did you speak with?

6 A. Detective Smith.

7 Q. Do you have a first name?

8 A. I apologize, I do not know his first
9 name.

10 Q. Do you have a badge number?

11 A. No, sir.

12 Q. First initial?

13 A. I think it's Dave, but I'm not 100
14 percent sure.

15 Q. Can you describe what he looks like?

16 A. White male, late 30s, black hair.

17 Q. Do you know whether Detective Smith had
18 an opportunity to interview Luke Kuhn?

19 A. To the best of my knowledge, I do not
20 know if he interviewed Luke Kuhn.

21 Q. You didn't have time to interview Luke
22 Kuhn, correct?

1 A. That's correct.

2 Q. If you know, what was -- what items were
3 being looked for in the search warrant on Luke's
4 house?

5 MS. WETZLER: Objection, lack of personal
6 knowledge, calls for speculation.

7 THE WITNESS: The items that were used in
8 committing the act at the Four Seasons, paint-filled
9 balloons, spray cans, smoke generating devices, any
10 potential digital media.

11 BY MR. LIGHT:

12 Q. Do you know whether any of those items
13 were found at his house?

14 A. To the best of my knowledge, no.

15 Q. Do you know whether the search on Luke's
16 house occurred before or after the search on Laura
17 Sennett's house?

18 A. The search occurred before the search on
19 her house.

20 Q. Did the MPD obtain a search warrant for
21 Laura Sennett's house?

22 A. No.

1 Q. You did?

2 A. I'm sorry.

3 Q. You did?

4 A. Yeah, I did.

5 Q. Why did you do it instead of the MPD?

6 A. The case was turned over to us to
7 investigate.

8 Q. And do you remember when that was?

9 A. Not too long after they did the search on
10 Luke's house.

11 Q. Do you know why?

12 A. The FB --

13 MS. WETZLER: Objection, vague.

14 BY MR. LIGHT:

15 Q. Do you know why the case was turned over
16 to you?

17 A. The FBI has more resources.

18 Q. So you had more resources, but you didn't
19 have time to interview any of the suspects that you
20 saw on the video?

21 MS. WETZLER: Objection, argumentative.

22 THE WITNESS: That's correct.

1 BY MR. LIGHT:

2 Q. Prior to executing the search warrant on
3 Laura Sennett's house, did you discuss with other
4 members of the joint terrorism task force what was
5 about to take place?

6 A. I'm sorry, say that again.

7 Q. Prior to executing the search warrant on
8 Laura Sennett's house, did you discuss the execution
9 of the search warrant with other members of the joint
10 terrorism task force?

11 A. Yes.

12 Q. Who did you discuss it with?

13 A. Obviously my supervisor and other members
14 on the squad.

15 Q. What were their names?

16 A. Rick Rueggeri, Ron Farnsworth, Thomas
17 Whitehead. I mean, anyone who worked the case. Those
18 are the names that I can best recall who were aware of
19 what was transpiring.

20 Q. Do you know whether there was any sort of
21 briefing that was conducted prior to the execution of
22 the search warrant?

1 A. Yes.

2 Q. Do you know who conducted the briefing?

3 A. I did.

4 Q. What issues were discussed during the
5 briefing?

6 A. The search warrant was -- we discussed,
7 basically, the search warrant, how this case came
8 about to us and what -- the items we were looking for
9 in the search warrant.

10 Q. And how did the case come to you?

11 A. It was -- the FBI took over the case from
12 the Metropolitan Police Department.

13 Q. Was it assigned to you or did you
14 volunteer for this case?

15 A. I don't recall if it was assigned or I
16 volunteered for it or I was -- I'm not sure if Dennis
17 assigned it to me or I volunteered for it.

18 Q. What's Dennis's last name?

19 A. Owens.

20 Q. Is that your supervisor?

21 A. He was a supervisor at the time.

22 Q. Okay. During the briefing did you

1 discuss the Privacy Protection Act?

2 A. No.

3 Q. During the briefing did you discuss Laura
4 Sennett's profession?

5 A. I -- no, I didn't have her profession. I
6 knew she was -- to the best of my knowledge, I knew
7 she was -- didn't have employment. She was not
8 working.

9 Q. Have you ever executed or assisted in
10 executing a search warrant against a journalist
11 before?

12 A. No.

13 MS. WETZLER: Objection, lack of
14 foundation.

15 You can answer the question.

16 THE WITNESS: No.

17 BY MR. LIGHT:

18 Q. Have you ever been involved in
19 investigating a journalist?

20 A. No.

21 Q. Did you ever hear Laura Sennett mention
22 that she was a journalist?

1 A. No.

2 Q. Did you ever hear Laura Sennett mention
3 that she was a photographer?

4 MS. WETZLER: Objection.

5 Can you specify what time frame
6 you're talking about, including the prior
7 question?

8 BY MR. LIGHT:

9 Q. At any time have you heard Laura Sennett
10 tell you that she was a photo journalist?

11 A. Her tell me, when I interviewed her.

12 Q. When you interviewed her?

13 A. Yes.

14 Q. Prior to that interview, she hadn't told
15 you that?

16 A. I've never met her before. The first
17 time was during -- during the search.

18 Q. Did you investigate Laura Sennett using
19 open sources before the interview?

20 A. Yes.

21 Q. Did you investigate Laura Sennett using
22 open sources before obtaining a search warrant?

1 A. Yes.

2 Q. What open sources did you use to
3 investigate her?

4 A. LexisNexis, Google, YouTube.

5 Q. Anything else?

6 A. Virginia Employment Commission.

7 Q. Did you learn anything about Laura
8 Sennett's profession through using these open source
9 software?

10 A. I did not learn what her profession is.
11 I did not know what her profession is.

12 Q. Did you come across any photographs that
13 were attributed to either Laura Sennett or Isis during
14 your investigation prior to obtaining the search
15 warrant?

16 A. To the best of my knowledge, I did not
17 come across any photographs belonging to Laura
18 Sennett.

19 Q. Laura Sennett or Isis?

20 A. Or Isis.

21 Q. Prior to obtaining the search warrant,
22 had you visited a web blog or blog belonging to Laura

1 Sennett or Isis?

2 A. To the best of my knowledge, I did not
3 visit any of the websites.

4 Q. You did do a Google search on the name
5 Laura Sennett?

6 A. To the best of my knowledge, I did not do
7 a Google search on her name.

8 Q. Did you do a Google search on the name
9 Isis?

10 A. I did a Google search on Isis.

11 Q. Did your Google search on Isis produce
12 any photographs attributed to Isis?

13 A. It did not produce -- the only thing on
14 Isis was the Greek God. That's all I know.

15 Q. Did you search the name Laura Sennett
16 using LexisNexis?

17 A. Yes.

18 Q. But you didn't search Laura Sennett using
19 Google?

20 A. Let me clarify. I had -- I had the phone
21 number. And the phone number was attributed back to
22 her. And that's how I was able to Google --

1 LexisNexis with her name.

2 Q. At what point did you obtain her phone
3 number?

4 A. One of the sources provided us the phone
5 number.

6 Q. And you subsequently obtained her name?

7 A. Using LexisNexis and the open sources.

8 Q. But once you obtained the name Laura
9 Sennett, you didn't go back to Google to search her
10 name?

11 A. To the best of my knowledge, I did not go
12 back to search for her name.

13 Q. Did you search YouTube using Laura
14 Sennett?

15 A. No, I did not search -- to the best of my
16 knowledge, I did not search her name on YouTube.

17 Q. Did you search the Virginia Employment
18 Commission using Laura Sennett?

19 A. Virginia Employment Commission requires a
20 Social Security Number, not a name.

21 Q. Did you have Laura Sennett's Social
22 Security Number?

1 A. Yes.

2 Q. Did you search based on her Social
3 Security Number?

4 A. The Virginia Employment Commission, yes.

5 Q. And what were the results of that search?

6 A. No employment since 2004.

7 Q. Did it say where she was employed in
8 2004?

9 A. Their records went back only to 2004. To
10 the best of my knowledge, they had no record for her.

11 Q. At any point, either before or after the
12 search warrant was executed, have you visited a blog
13 for Laura Sennett or Isis?

14 A. To the best of my knowledge, I have not
15 visit any sites belonging to Laura Sennett or Isis.

16 Q. Could you hand me the exhibit, please.

17 A. (Witness did as requested.)

18 Q. Thank you. Oh, I'm sorry, you can keep
19 this. We have another copy.

20 I'd like to draw your attention to the
21 last paragraph on the first page of the affidavit.

22 A. Um-hmm (affirmative).

1 Q. It says, with the help of open source
2 websites, et cetera, a white female matching the same
3 physical descriptions was observed on videotape
4 demonstrating in front of FBI headquarters.

5 A. Yes.

6 Q. Do you recall whether -- what open source
7 website you found that demonstration on?

8 A. YouTube.

9 Q. That was on YouTube. And what was Laura
10 Sennett observed doing in the YouTube video?

11 A. She was a group -- with individuals in
12 front of the FBI headquarters.

13 Q. And what was she doing?

14 A. She was there with Jeffery Lebow and Luke
15 Kuhn. And they were protesting something against the
16 FBI. I don't recall exactly what they were
17 protesting.

18 Q. Did the video -- do you remember what
19 search terms you used to find the video?

20 A. I believe I may have put in protest in
21 D.C. or protest in Washington, D.C.

22 Q. That would have returned probably a lot

1 of results.

2 A. Yes.

3 Q. Did you go through all of those?

4 A. I went to the ones that caught my
5 attention.

6 Q. What was it about this video that caught
7 your attention?

8 A. I don't specifically recall, but when I
9 played it, I heard Luke Kuhn's voice, so I stuck with
10 it.

11 Q. So in trying to find a video of Laura
12 Sennett, you were tipped off because Luke Kuhn was
13 narrating the video?

14 A. He was not narrating the video. He -- I
15 heard his voice. There was other people talking.

16 Q. Do you recall what the title of the video
17 was?

18 A. I do not recall.

19 Q. Do you recall anything else that was
20 descriptive of the video?

21 A. Like I said, people in front of the FBI
22 headquarters, maybe a dozen, give or take, I guess, in

1 front of the FBI headquarters.

2 Q. Was Laura Sennett carrying a camera in
3 the video?

4 A. Yes.

5 Q. Did she appear to be taking photographs
6 or video in the video?

7 A. She had a camera. I couldn't tell if she
8 was taking photos or not.

9 Q. You also mention in your affidavit that
10 Miss Sennett was observed demonstrating in front of
11 the Church of Scientology.

12 Did you also come across that on YouTube?

13 A. Yes.

14 Q. What search terms did you use to come
15 across that video?

16 A. I don't recall the specific one. Again,
17 protest in D.C. or protest in Washington, D.C. or
18 something to that effect.

19 Q. And what stood out about that video that
20 made you click on it?

21 A. She's in it. I mean --

22 Q. How were you able to tell she was in it

1 from looking at the search results?

2 A. It was 22 seconds long or something to
3 that effect. And I believe when you see the screen --
4 I'm not sure if she's in it or not, but I may have
5 clicked on it and I -- I don't know, her face appeared
6 within seconds in the video.

7 Q. Was Laura Sennett carrying a camera in
8 that video?

9 A. I believe so.

10 Q. Could you tell whether Laura Sennett was
11 using the camera in the video?

12 A. She had it around her neck.

13 Q. In your experience, do protesters usually
14 bring cameras with them to protests?

15 A. Yes.

16 Q. Do you know why they do that?

17 A. To document the event that's occurring.

18 Q. Have you seen protesters post photos or
19 videos on line of their protests?

20 A. Yes.

21 MR. LIGHT: I assume another ten minutes
22 or so and then break for lunch; is that all right?

1 MS. WETZLER: Is that all right?

2 THE WITNESS: I want to get this over
3 with.

4 MR. LIGHT: Do you want to keep going?

5 MS. WETZLER: Do you want to go through?
6 You don't want any -- we would have a better -- be
7 able to answer that if we knew how much longer you
8 estimate it to go. Do you have a substantial amount
9 that you were planning to do after lunch?

10 MR. LIGHT: Yes.

11 MS. WETZLER: I think we should take a
12 lunch break then. We'll do ten more minutes, then.

13 Is that what you want to do?

14 MR. LIGHT: Yes.

15 BY MR. LIGHT:

16 Q. Were you specifically looking for
17 pictures of Laura Sennett when you were searching
18 YouTube?

19 A. Once I identified her, I looked at the
20 video and I was looking for her, yes. Correction, her
21 and anybody else in that particular video I could put
22 my finger to.

1 Q. But you never searched YouTube using the
2 term Isis?

3 A. No, sir.

4 Q. Why not?

5 A. Again, all I did was I went into YouTube
6 looking for protest in D.C.

7 Q. And that generated quite a few results?

8 A. Yes.

9 Q. Wouldn't you have wanted to narrow it
10 down by using a term like Isis?

11 MS. WETZLER: Objection, lack of
12 foundation.

13 THE WITNESS: Protest in D.C. comes -- is
14 a lot easier to find information on, my opinion, than
15 using the word Isis.

16 BY MR. LIGHT:

17 Q. So it returned maybe a couple thousand
18 results --

19 MS. WETZLER: Objection.

20 MR. LIGHT: -- protest in D.C.?

21 MS. WETZLER: Objection, calls for
22 speculation, lack of foundation.

1 THE WITNESS: I don't know how many
2 results showed up, but I did pretty good to find those
3 two, though.

4 BY MR. LIGHT:

5 Q. Before you talked to the -- okay. A
6 reliable source number two gave you the name Isis; is
7 that correct?

8 A. I believe so.

9 Q. Okay.

10 MS. WETZLER: He's reading.

11 MR. LIGHT: Sorry, I'm reading from page
12 two.

13 BY MR. LIGHT:

14 Q. And that reliable source was able to give
15 you a cell phone number?

16 A. Yes.

17 Q. Okay. Did you try searching on Google
18 for Washington, D.C. protest?

19 A. I do not recall going to Google. I
20 recall going to mostly YouTube because it's -- for
21 protest in D.C.

22 Q. Why were you going to YouTube?

1 A. Looking, again, for video to match up
2 some of the people in the video at the Four Seasons
3 Hotel.

4 Q. Does YouTube identify by name the people
5 in the videos?

6 A. I don't recall if it identified people by
7 name.

8 Q. Was Laura Sennett identified by name in
9 the video that you saw, of either of the two videos,
10 that is the FBI or the Church of Scientology one?

11 A. To the best of my knowledge, it does not
12 have her name.

13 Q. Do you usually use YouTube to identify
14 the names of individuals that you see at protests?

15 A. Again, I use open source availability.
16 If YouTube is available and I can search, I will
17 search.

18 Q. Did you use any other open source
19 websites besides Google and YouTube?

20 A. LexisNexis is the only one I used or
21 Accurint, a combination of both.

22 MS. WETZLER: What was the last one?

1 THE WITNESS: LexisNexis or Accurint, a
2 combination of both. The company, I think, merged and
3 they're together. Sorry.

4 BY MR. LIGHT:

5 Q. What did you learn from searching Google
6 for -- what, if anything, did you learn from searching
7 Google for the name Isis?

8 A. Again, I -- Isis is -- the only thing I
9 recall seeing was the Goddess, the Greek God.

10 Q. You didn't learn anything about Laura
11 Sennett searching Google for Isis?

12 A. To the best of my knowledge, I didn't
13 learn anything about Laura Sennett.

14 Q. Did you try typing in Isis protest?

15 A. To the best of my knowledge, I did not
16 type that in there.

17 Q. If Google wasn't -- was only giving you
18 irrelevant results, wouldn't you have tried a
19 different search term?

20 MS. WETZLER: Objection, lack of
21 foundation, calls for speculation.

22 THE WITNESS: All I had was Isis, the

1 best I recall. That's all I used was Isis.

2 BY MR. LIGHT:

3 Q. But you had Isis and protest, but you
4 didn't try that?

5 A. I -- again, I used YouTube for the D.C.
6 protest.

7 Q. Right. I'm asking you about Google. You
8 didn't use Google for Isis protest?

9 A. No. From what I can recall, I only used
10 Isis and not Isis protest, just Isis.

11 Q. And it wasn't giving you good results?

12 A. It gave me 10,000 results, but the only
13 ones I could see was -- was Isis, the Greek God.

14 Q. But you didn't make any attempt to narrow
15 the search terms?

16 A. No, because I had the phone number, which
17 was more important to me than the nickname. The Isis
18 to me is a nickname. It could be Bubba. It can be
19 anything else. It can be anyone's nickname.

20 Q. Once you learned that Isis was Laura
21 Sennett, you still didn't use Google on Laura Sennett,
22 correct?

1 A. To the best of my knowledge, I did not
2 use Laura Sennett to Google her name, correct.

3 Q. Don't you try to find out everything you
4 can about a suspect to a crime before executing a
5 search warrant on their house?

6 A. I -- I find out if they're involved in
7 potential criminal activity, which I run a criminal
8 history on. I ran Accurint, LexisNexis to see if
9 they're employed. I ran Virginia Employment
10 Commission to see if they're employed.

11 I run other names in local law
12 enforcement data bases to see if they're involved in
13 any type of criminal activity. But I don't recall
14 just Googling her name just to see any more
15 information on her.

16 Q. But you did search YouTube just to try to
17 find more information on her?

18 A. I was trying to find more information on
19 everyone in that video.

20 Q. Okay. Did you Google the name of Jeff
21 Lebow?

22 A. No. Well, I don't recall Googling Jeff

1 Lebow's name.

2 Q. Did you YouTube Jeff Lebow?

3 A. I don't recall YouTube-ing his name.

4 Q. Did you Google Luke Kuhn?

5 A. I didn't -- I don't recall doing Luke
6 Kuhn's name.

7 Q. Did you search YouTube with Luke Kuhn?

8 A. I did not search Luke Kuhn's name on
9 YouTube.

10 Q. Did you try searching anybody else's name
11 on YouTube in connection with the Four Seasons Hotel?

12 A. To the best of my knowledge, I didn't
13 Google -- I didn't YouTube anyone's name in YouTube.

14 MR. LIGHT: I think this would probably
15 be a good stopping point for lunch.

16 MS. WETZLER: Okay. That's fine.

17 (Thereupon, at 11:55, a lunch recess was
18 taken.)

19

20

21

22

1 AFTERNOON SESSION 1:00

2 BY MR. LIGHT:

3 Q. Prior to the execution of the search
4 warrant on Laura Sennett's house, did you conduct any
5 physical surveillance of the house?

6 A. Yes.

7 Q. Did you conduct any physical surveillance
8 of Laura Sennett?

9 A. Yes.

10 Q. What's involved in conducting physical
11 surveillance?

12 A. Myself, a group of individuals, we stood
13 outside -- well, we were outside the residence
14 attempting to identify who -- the comings and goings
15 of the residents and to place Laura Sennett at the
16 house, if she actually lived there or not.

17 Q. Were you able to place Laura Sennett at
18 the house?

19 A. Yes.

20 Q. And she lived there?

21 A. Yes.

22 Q. How long did the physical surveillance

1 take?

2 A. A few hours.

3 Q. How long after the physical surveillance
4 did the -- was the raid -- excuse me -- was the search
5 warrant executed?

6 A. Three months later, maybe.

7 Q. Did you check again to make sure that
8 Laura Sennett still resided there?

9 A. I believe so.

10 Q. And what steps did you take to make sure
11 she still resided there?

12 A. I believe the vehicles parked at the
13 residence was one of the reasons. I believe one --
14 how we established she still lived there.

15 Q. Did you participate in the execution of
16 the search warrant?

17 A. Yes.

18 Q. Where on Laura Sennett's property did you
19 go to execute the search warrant?

20 A. At her residence.

21 Q. Where in the residence?

22 A. I mean, we knocked on the front door.

1 She answered. And we went inside the residence.

2 Q. Okay. Which rooms did you go into?

3 A. I believe I went in the majority of the
4 rooms in the house.

5 Q. Who else was present during the execution
6 of the search warrant?

7 A. There was maybe 15 of us-plus at the
8 residence.

9 Q. What was your role in executing the
10 search warrant?

11 A. My role was to identify who I was, tell
12 her why I was there and conduct any interviews, if
13 necessary.

14 Q. Did you tell Miss Sennett who you are?

15 A. Yes.

16 Q. Did she say anything in response?

17 A. I don't recall specifically what she
18 said.

19 Q. Do you recall if she said anything?

20 A. I identified myself. She let us in. And
21 I explained to her why we were there.

22 Q. Do you remember what words you used to

1 explain why you were there?

2 A. I told her I was working with the FBI,
3 joint terrorism task force; we were investigating an
4 event that occurred at the Four Seasons; and this is
5 what the search warrant is referenced -- is for.

6 Q. Did you show her a copy of the search
7 warrant?

8 A. I believe so.

9 Q. What, if anything else, did you say to
10 Laura Sennett about why you were there?

11 A. I told her the reasons why we were here
12 and what we were investigating.

13 Q. What were the reasons you were
14 investigating?

15 A. A crime that was committed at the Four
16 Seasons Hotel.

17 Q. What crime was that?

18 A. Destruction of property and manufacturing
19 of an explosive device.

20 Q. Did you say to Miss Sennett that the
21 crime involved manufacturing of an explosive device?

22 A. I believe I told her what the crimes were

1 for.

2 Q. What were you looking for on Laura
3 Sennett's property?

4 A. I was looking for any smoke generating
5 devices, spray cans, paint-filled balloons, anything
6 to deal with potential digital media that could have
7 been used the day of the crime.

8 Q. Why were you looking for digital media?

9 A. Because she was either videotaping or
10 photographing the events that occurred.

11 Q. How do you know that?

12 A. Based on the videos, it was obvious to me
13 she was videotaping or photographing.

14 Q. Did you make any attempt to determine
15 whether Laura Sennett had published the material that
16 she took a photo or video of?

17 A. To the best of my knowledge, I don't
18 recall making any attempts to see if her stuff was
19 published.

20 Q. Did you make any attempt to have a
21 Subpoena issued to Laura Sennett?

22 A. I made no attempts for a Subpoena.

1 Q. Why not?

2 A. Because I was investigating a criminal
3 act and I got a search warrant.

4 Q. Why did you choose to get a search
5 warrant instead of a Subpoena?

6 MS. WETZLER: Objection, calls for
7 speculation.

8 THE WITNESS: I mean, I didn't -- there
9 was no reason for a Subpoena. Again, it involved
10 criminal activity. I got a search warrant for the
11 crime being committed.

12 BY MR. LIGHT:

13 Q. If you were investigating a journalist,
14 would you get a Subpoena rather than a search warrant?

15 MS. WETZLER: Objection, calls for
16 speculation.

17 You can answer.

18 THE WITNESS: Then you would -- you want
19 me to believe I knew about the Privacy Protection Act.
20 I did not know about that, so I would not have gotten
21 a Subpoena.

22 BY MR. LIGHT:

1 Q. In retrospect, do you think it would have
2 been a better idea to get a Subpoena?

3 MS. WETZLER: Objection, calls for
4 speculation.

5 You can answer, if you can answer the
6 question.

7 THE WITNESS: I had no reason to believe
8 that she was a photo journalist. And I had no
9 information about the Privacy Protection Act. I
10 got -- again, a search warrant is the route I -- I
11 took.

12 BY MR. LIGHT:

13 Q. But now that you have knowledge about the
14 Privacy Protection Act, do you think it would have
15 been a safer route to get a Subpoena?

16 MS. WETZLER: Objection, calls for
17 speculation.

18 THE WITNESS: Again, I would not have
19 known that would have been a safer route or not. I
20 would have done what I had done, to get a search
21 warrant.

22 BY MR. LIGHT:

1 Q. In your search warrant affidavit --
2 unfortunately, I don't have a clean copy of this.
3 This is the search warrant attachment A that I'm going
4 to reference. I can show it to you.

5 In this document you list items that
6 you're searching for as instructional material used in
7 the operation of these specific computer hardware and
8 software programs used with these computers.

9 Why were you looking for instructional
10 material?

11 MS. WETZLER: I'm going to object. If
12 you have a clean copy and it's something that can be
13 marked and included as an exhibit --

14 MS. MOSHMAN: We can use that. The
15 notation on the bottom isn't anything -- it's just --
16 right? I mean --

17 MR. LIGHT: Well, unfortunately, I don't
18 have a clean copy of this. I know we could probably
19 just make one by photocopying the top portion of it.

20 MS. WETZLER: Okay. I'd prefer that we
21 do that than show him something that has other --

22 MR. LIGHT: Okay. Do you have a photo

1 copier that you can do that?

2 MS. WETZLER: We can do that. Can we go
3 off the record?

4 MR. LIGHT: Yes.

5 (Thereupon, a brief recess was taken.)

6 (Thereupon, Antignano Deposition Exhibit
7 Number 3 was marked for identification.)

8 BY MR. LIGHT:

9 Q. Drawing your attention to search warrant
10 attachment A, you requested in the search warrant any
11 and all computer hardware and software that is used
12 with the operation of these computers, to view or
13 create data; and any and all instructional material
14 used in the operation of these specific computer
15 hardware and software programs used with these
16 computers.

17 Why were you requesting instructional
18 material?

19 A. Each -- each -- to -- each -- each
20 computer operates individually. So some software,
21 some computers, operate differently. And these would
22 assist the CART individuals from the FBI -- if they

1 seize or take the computers, this may help them in
2 easily going through the computer, if necessary.

3 Q. Why did you request cell phones?

4 A. Because, again, I'm not sure in respect
5 to how the -- the video -- if she's using video or the
6 camera in the event, she can take those particular
7 photos and download to her camera and then destroy the
8 rest of the evidence without me realizing it.

9 Q. Did you have any reason to believe that
10 Laura Sennett had destroyed any of the evidence?

11 A. I have no idea what she might have done
12 with it.

13 Q. Why did you request a personal digital
14 assistant?

15 A. Anything that was electronic, any device
16 we were looking for that can hold any type of digital
17 media. So if any on this thing refers to digital
18 media, that's what we're looking for.

19 Q. Why were you requesting a beret, black
20 combat military style boots, a backpack or
21 identifiable clothing?

22 A. Well, these are the clothing that was

1 observed on the video. And if she said that was not
2 her on the video, I would use that as evidence as
3 items that were recovered from her.

4 Q. Did Laura Sennett ever claim that it was
5 not her on the video?

6 A. She -- after we -- we interviewed her.
7 She told us that was her on the video. But in the off
8 chance if she didn't tell us that, we would use that
9 as saying these are the items recovered; based on the
10 items we recovered, that was her on the video.

11 Q. Why were you looking for gunpowder?

12 A. Smoke generating devices were used in the
13 event at the Four Seasons. Again, she could assist in
14 the manufacturing of those smoke generating devices.
15 So that's the reason why the black powder was -- flash
16 powder -- was placed in there.

17 Q. What, if any, evidence did you have that
18 Laura Sennett had assisted in the manufacturing of an
19 explosive device?

20 A. I -- at the time I had no evidence to --
21 to believe that she did. However, it's possible that
22 she could have assisted them in making these devices.

1 So that's why that was placed in the search warrant.

2 Q. So it's because it was possible you
3 placed it in the search warrant?

4 A. It's --

5 MS. WETZLER: Objection to the
6 characterization.

7 Go ahead.

8 THE WITNESS: It's possible she could
9 have been, you know, involved in the whole entire
10 thing. Again, she could have assisted or possibly
11 helped in manufacturing these smoke generating
12 devices, absolutely.

13 BY MR. LIGHT:

14 Q. Did you have probable cause to believe
15 that she assisted in the manufacturing of --

16 MS. WETZLER: Objection.

17 MR. LIGHT: -- the explosive device?

18 MS. WETZLER: I'm sorry to interrupt you.
19 Objection, calls for speculation,
20 calls for a legal conclusion and calls for expert
21 testimony.

22 THE WITNESS: I was trying to establish

1 if, again, she was involved in assisting in
2 manufacturing these devices. And that was why it was
3 placed in the search warrant. If I found these -- if
4 I located these devices inside the residence and it
5 was not there, then I'd have to go back and get an
6 additional search warrant to do this.

7 BY MR. LIGHT:

8 Q. Do you understand the difference between
9 a possibility and probable cause?

10 MS. WETZLER: Objection.

11 THE WITNESS: Yeah. Again, I -- the
12 search warrant was to establish probable cause that
13 the crime was committed. I believe that these devices
14 or items could have been used at the -- at the -- at
15 the Four Seasons Hotel.

16 BY MR. LIGHT:

17 Q. Why does attachment A include hobby cord
18 as one of the items you were looking for?

19 A. These -- hobby cord that could have put
20 the devices together. I'm not -- to put the devices
21 together.

22 Q. How is hobby cord used to put devices

1 together?

2 A. I am not an expert in explosive devices.
3 This is the information that was directed to me to
4 place in if we were looking for any type of smoke
5 generating devices.

6 Q. Did you consult with somebody who is an
7 expert in explosive devices before preparing this
8 affidavit?

9 A. I spoke to someone in reference to how
10 these devices could be made.

11 Q. And what was that person's name?

12 A. I don't recall the person who I spoke to.
13 It was one of the EOD guys.

14 Q. What was the substance of that
15 conversation?

16 A. How would these devices be made, what can
17 they use and what -- what kind of material could be
18 used.

19 Q. Did that expert review the video of the
20 Four Seasons Hotel?

21 A. I don't believe so.

22 Q. Did you speak to Laura Sennett during the

1 execution of the search warrant?

2 A. Yes.

3 Q. What did you say to her?

4 A. Again, I identified who I was. I told
5 her why we were there. And I told her what we were
6 looking for.

7 Q. Was there anything else you said?

8 A. Not that I can recall.

9 Q. What can you recall that she said to you?

10 A. Again, we -- it was just in general
11 terms, this is why we're here, are you willing to
12 cooperate. She says I'll cooperate with you.

13 Q. Did you see any of the other agents
14 speaking to Laura Sennett during the execution of the
15 search warrant?

16 A. I'm sure other agents were talking to
17 her.

18 Q. Did you see any?

19 A. I believe, yes, maybe other agents were
20 talking to her.

21 Q. If you can recall, what were the other
22 agents saying to her?

1 A. That I don't recall.

2 Q. Were particular agents designated to
3 speak to Miss Sennett?

4 A. I said I was the lead investigator to
5 interview her. No one -- no one was prevented not to
6 talk to her, if that's what you're asking me.

7 Q. At any point did you ask Laura Sennett
8 whether she would voluntarily turn over the
9 photographs that she had?

10 A. I indicated to her that -- what we
11 looking for and we did not want to take any of the
12 property that belonged to someone else. So I asked
13 her what -- I told her what we were looking for and
14 she indicated where it could be.

15 Q. What of her property did she refer to?

16 A. The computer that was in her room and the
17 hard drive and other digital media inside her bedroom,
18 I believe.

19 Q. Were any other items taken from her
20 house?

21 A. Her son's computer.

22 Q. Why was her son's computer taken?

1 A. His computer had four or five hard
2 drives, large hard drives. It's a possibility that
3 the photos that we were looking for, the video that we
4 were looking for, could have been within her son's
5 computer.

6 Q. I'm sorry, maybe you can clarify for me.
7 I thought you were asking her what her property was so
8 that you didn't take somebody else's property.

9 MS. WETZLER: Objection to the
10 characterization.

11 THE WITNESS: Let me clarify. We were
12 looking for -- do you mind? Sorry.

13 MS. WETZLER: Answer the question that he
14 asked you. So -- can you read back the question,
15 please?

16 (The record was read as requested.)

17 MS. WETZLER: Then I objected.

18 THE WITNESS: The issue was whether she's
19 telling us the truth or not. So what we decided to do
20 was take her -- obviously, her property. But I don't
21 know if she's actually telling me the truth that the
22 items are on her computer, so we took her son's

1 computer because of the large storage of hard drive
2 that guided me there.

3 Her daughter's computer was left
4 behind and the other gentleman's computer was left
5 behind -- was left behind because we decided not
6 to take those, even though they could have
7 possibly been in those also.

8 BY MR. LIGHT:

9 Q. Why did you decide not to take those?

10 A. We -- we just decided not to take -- just
11 because the -- her computer we believed it could be on
12 and her son's. We just decided to leave hers
13 behind -- theirs behind.

14 Q. If you know, who seized the property from
15 her house?

16 A. The computers were taken by the FBI's
17 CART team. And I believe the seizing agent for the
18 FBI was Charles Bartenfeld.

19 Q. Do you know where the evidence was taken
20 to immediately after it was seized?

21 A. Back to the Washington field office, the
22 FBI.

1 Q. What, if any, tests were performed on the
2 computers that were seized?

3 MS. WETZLER: Objection, lack of personal
4 knowledge, lack of foundation.

5 THE WITNESS: I know forensic tests were
6 done on it, but that's all I can tell you.

7 BY MR. LIGHT:

8 Q. What do forensic tests involve?

9 A. Removal of the hard drive and extract
10 anything that's on there.

11 Q. Have you personally seen what was on the
12 hard drive?

13 A. I went over to the CART people and had an
14 opportunity to look at the computer.

15 Q. I'm sorry, you did or you did not?

16 A. I did.

17 Q. You did. And what, if anything, did you
18 see?

19 A. Photographs, porn.

20 Q. Did you see any photographs relating to
21 the Four Seasons?

22 A. I did not see any photographs relating to

1 the Four Seasons.

2 Q. Do you know how long the items were
3 retained at the FBI field office?

4 A. I -- I do not know how long they were
5 retained. I gave up the case a month later. I was
6 not the case agent after that.

7 MS. WETZLER: Did you say you do know or
8 you do not know?

9 THE WITNESS: I do not know. I was not
10 the case agent after a month or two, or a month later.

11 BY MR. LIGHT:

12 Q. Who was the case agent after that?

13 A. Angela Sercer.

14 Q. While you were still the case agent, were
15 tests still being performed on the computers?

16 A. CART still had the computers, running
17 their forensics on it.

18 Q. So over a month later CART was still
19 running their forensics?

20 A. As far as I know.

21 Q. Did you ever have an opportunity to
22 interview Miss Sennett?

1 A. Yes.

2 Q. Where did the interview take place?

3 A. At the Arlington County Police
4 Department.

5 Q. Who participated in the interview?

6 A. Myself, Agent Kimberly Johnson and then
7 Detective Jason Bryk.

8 Q. Were all three of you there during the
9 entire time?

10 A. I believe initially it was me and Johnson
11 and then it was me and Bryk.

12 Q. Was there ever a time that you, Johnson
13 and Bryk were all in the room?

14 A. May have been.

15 Q. If you know, why was Detective Bryk
16 involved?

17 MS. WETZLER: Objection, calls for
18 speculation.

19 THE WITNESS: He's with the Arlington
20 County Police Department and it was their police
21 station. They allowed us to use the room. He was
22 there for assistance, if we needed to use the

1 facilities.

2 BY MR. LIGHT:

3 Q. Do you know if Detective Bryk is part of
4 the joint terrorism task force?

5 A. At the time he was not.

6 Q. Was Detective Bryk involved in the
7 investigation?

8 A. He was not involved in the investigation.

9 Q. How long did the interview last?

10 A. Two, two-and-a-half hours, maybe, maybe a
11 little bit longer.

12 Q. How did you arrive at the station?

13 A. We drove in Detective Bryk's vehicle.

14 Q. While you were in Detective Bryk's
15 vehicle did you speak to him about the case?

16 A. I don't recall speaking to him about the
17 case.

18 Q. What was your role during the interview?

19 A. The lead investigator.

20 Q. What does a lead investigator do?

21 A. This case was assigned to me, so my
22 responsibility was to interview Miss Sennett.

1 Q. What happens during an interview?

2 MS. WETZLER: Objection, vague.

3 THE WITNESS: Solicit responses, I guess.

4 BY MR. LIGHT:

5 Q. So you were the lead questioner?

6 A. Yes.

7 Q. How would you describe Miss Sennett's
8 demeanor during the interview?

9 A. Calm.

10 Q. Was she cooperative?

11 A. For the most part.

12 Q. Was there any part that she was not
13 cooperative for?

14 A. Yeah, when I asked her if she knew anyone
15 on the video and she said only Luke Kuhn initially.

16 Q. But you didn't believe her?

17 A. No, absolutely not.

18 Q. Why did you not believe her?

19 A. You don't associate with these people for
20 years and then all of a sudden not know who these 20
21 individuals may be.

22 Q. How do you know that Miss Sennett was

1 associating with these individuals for years?

2 A. Well, again, my background on her was
3 when I found those two YouTube videos, they're two
4 years old, two years old with a large group of
5 individuals in front of the FBI and then protesting or
6 in front of the Scientology. She knows these
7 individuals. She's associated with them for, I'm
8 sure, a couple of years, if not longer. So she had to
9 know the individuals who were in the group.

10 Q. When you say those individuals, are you
11 referring to the people that were -- that you were not
12 able to identify in the video or were you referring to
13 Luke and Jeff?

14 A. No, all of the people in the video.

15 Q. All of the people. So it's your belief
16 that she knew all of the people in the video?

17 A. If not every single one of them.
18 Absolutely.

19 Q. And it's your belief that the same people
20 that were in that video were also in the Scientology
21 video?

22 A. I believe that some of the people that

1 were in the FBI video, in front of the FBI video, were
2 possibly the same people at the Four Seasons Hotel.

3 Q. And what is your belief based on?

4 A. Some people match some of the physical
5 description in the Four Seasons Hotel as they match
6 the same physical description in the FBI's video.

7 Q. Okay. Could you give me the physical
8 descriptions of those people that matched?

9 A. There was a white male, shoulder length
10 hair, looking in his early 20s, matching the same
11 physical description as the person in that video.

12 Q. Anybody else?

13 A. Another white male with brown hair,
14 five-ten, five-eleven.

15 Q. Matching that description that could be
16 me.

17 MS. WETZLER: Objection, move to strike.
18 It's argumentative.

19 MR. LIGHT: Fine.

20 BY MR. LIGHT:

21 Q. So you've described two white males.

22 Anybody else?

1 A. And Luke Kuhn and Jeffery Lebow.

2 Q. So that's four. Anybody else?

3 A. Not that I can recall.

4 Q. But based on the match between these four
5 individuals, you concluded that Laura Sennett knew all
6 15 to 20 individuals?

7 MS. WETZLER: Objection to the
8 characterization of prior testimony.

9 THE WITNESS: I believe she knew everyone
10 in that video.

11 BY MR. LIGHT:

12 Q. And that was based on?

13 A. Just, again, someone who associates
14 themself with these groups, these individuals who
15 congregate together, who hang out together, work
16 together, live together, whatever you want to call it.
17 They all know each other. And I'm sure she knew a lot
18 more of the individuals in the video. There's no
19 doubt in my mind.

20 Q. How are you sure about that?

21 A. Again, she associates with these
22 individuals. She runs around with the same

1 individuals. She communicates with them for years.
2 You cannot tell me she doesn't know more than two
3 people in that video.

4 Q. What's your evidence that she's been
5 communicating with them for years?

6 A. Again --

7 MS. WETZLER: Objection to the --
8 objection to the characterization of evidence.

9 You can answer the question.

10 THE WITNESS: Again, the videos on
11 YouTube, they're a year or two years old. Same
12 individuals she's associated with are the same
13 individuals at the Four Seasons Hotel. She knew
14 almost everyone, if not everyone, in that video.

15 BY MR. LIGHT:

16 Q. Was there anything besides the YouTube
17 videos that you relied on as evidence in making that
18 statement that she associated with these individuals?

19 A. All I need to do is look at those videos
20 and there's no doubt in my mind she knows every single
21 one of them.

22 Q. Is it a crime to lie to a police officer?

1 MS. WETZLER: Objection, legal
2 conclusion, expert testimony.

3 THE WITNESS: Yes.

4 BY MR. LIGHT:

5 Q. If somebody had information about the
6 commission of a crime and they withheld that, would
7 that constitute obstruction of justice?

8 MS. WETZLER: Objection, calls for
9 speculation, calls for a legal conclusion, calls for
10 expert testimony.

11 THE WITNESS: In that case I would defer
12 to the U.S. Attorney to see if the person actually
13 lied to us and if we could go forward with that.

14 BY MR. LIGHT:

15 Q. Do you believe that Miss Sennett lied to
16 you?

17 A. Absolutely.

18 Q. What did she lie about?

19 A. Knowing the people on the video.

20 Q. Did you refer to the U.S. Attorney for
21 prosecution of Miss Sennett's case?

22 A. I gave up the case a month-and-a-half

1 later, so I don't know what came -- what transpired
2 after that.

3 Q. Did you ever communicate with any U.S.
4 Attorney that you thought Miss Sennett should be
5 prosecuted?

6 A. Again, I gave up the case a
7 month-and-a-half after I did the search warrant.

8 Q. Prior to giving up the case?

9 A. Everyone on the video was a suspect, so
10 if -- if there was a potential to be prosecuted, the
11 answer would be okay, it would be yes.

12 Q. Why wasn't Miss Sennett prosecuted?

13 MS. WETZLER: Objection. I'm going to
14 instruct the witness not to answer insofar as it
15 requires revealing any deliberations, invoking the
16 deliberative process privilege, also, attorney/client
17 communications, attorney work product.

18 BY MR. LIGHT:

19 Q. Do you believe Miss Sennett should have
20 been prosecuted?

21 MS. WETZLER: Objection, calls for
22 speculation, relevance.

1 But go ahead.

2 THE WITNESS: That's not for me to say.

3 BY MR. LIGHT:

4 Q. So you have no opinion?

5 A. No, I investigated and I rely on U.S.
6 Attorneys to make that decision.

7 Q. So if the U.S. Attorney decided not to
8 prosecute Miss Sennett, that would satisfy you?

9 MS. WETZLER: Same objections.

10 THE WITNESS: Again, I would refer to the
11 U.S. Attorney to make that decision.

12 BY MR. LIGHT:

13 Q. How would you compare Miss Sennett's
14 reaction during the interview to a typical person that
15 you interview as a suspect?

16 A. Everybody acts differently. I mean, I
17 don't know. Everyone you talk to has different
18 personalities when you interview them.

19 Q. During the interview did you ask
20 Miss Sennett about her connection to the ALF?

21 A. I don't believe I recall -- I don't
22 recall asking her about the ALF.

1 Q. Do you recall asking her about the ELF?

2 A. I don't recall asking her about the ELF.

3 Q. Is there some reason that you would not
4 have asked her about the ELF?

5 MS. WETZLER: Objection, calls for
6 speculation.

7 THE WITNESS: Again, I don't -- I don't
8 recall asking her those -- her about the ELF.

9 BY MR. LIGHT:

10 Q. When you say you don't recall, do you
11 mean that you don't know whether or not you did or you
12 did not ask her?

13 A. Like I said, I don't recall asking her
14 about the ELF.

15 Q. Did you ask Miss Sennett -- do you recall
16 asking Miss Sennett anything about animal rights
17 activists?

18 A. I don't -- I don't recall asking her
19 about animal rights. Again, I was -- we -- we -- most
20 of our discussion was about the video and if she knew
21 anyone within the video.

22 Q. For how much of the two-and-a-half hours

1 were you discussing the video?

2 A. Quite a bit.

3 Q. More than half?

4 A. Probably.

5 Q. How many times did you play the video for
6 her?

7 A. A couple of times.

8 Q. Aside from talking about the video, what
9 else did you discuss?

10 A. Like I said, the majority of stuff we
11 talked about was the video. Let me -- I want to
12 clarify. Can I clarify something? The part about
13 animal rights and -- or the earth liberation fund, I
14 mean, that was -- correction -- that was approached.

15 What I'm saying is, yeah, all that was
16 intertwined. We talked about why the group was there,
17 why they were protesting. So that's one thing I want
18 to clarify.

19 So she knew why she was being interviewed
20 in respect what the group was doing and what they were
21 protesting.)

22 Q. What did she say they were protesting?

1 A. They were protesting the people at the
2 hotel. She knew what group was meeting at the hotel.

3 Q. Did the group have a name?

4 A. The IMF.

5 Q. There was a group named IMF?

6 A. Well, the delegates from the IMF were
7 staying at the hotel.

8 Q. The activists that were protesting at the
9 hotel, did that group have a name?

10 A. I associate them with the ELF or --
11 because of IMF being there, I associated them with
12 ELF.

13 Q. Is that what Miss Sennett told you?

14 A. I don't recall if she said that or not.

15 Q. Did Miss Sennett say anything about the
16 ELF?

17 A. I don't recall if she said something
18 about the ELF.

19 Q. Why did Miss Sennett say that people were
20 protesting there?

21 A. I believe protesting the delegates from
22 the IMF that were being -- that were -- were there.

1 Q. Did she say why they were protesting the
2 delegates?

3 A. I don't specifically recall why she said
4 they were protesting the delegates.

5 Q. What else was discussed with
6 Miss Sennett?

7 A. I don't know. We talked about a bunch of
8 things. Our primary discussion was the video, who she
9 knew. We talked about Luke Kuhn and how she knew him.
10 And she talked about Lebow and how she knew him.

11 Q. How did she say she knew Luke?

12 A. If I recall, she said she's known him for
13 some time. Luke shows up at all the events. Pick a
14 protest, you'll find Luke.

15 Q. I'm sorry, that's what she said?

16 MS. WETZLER: Objection --

17 THE WITNESS: Yeah.

18 MS. WETZLER: -- to the characterization
19 of the prior testimony. Reformulate the question.

20 BY MR. LIGHT:

21 Q. I just wanted to be clear. You were just
22 reciting what she had told you.

1 MS. WETZLER: Objection to the
2 characterization.

3 Re-ask the question.

4 MR. LIGHT: Okay.

5 BY MR. LIGHT:

6 Q. Did Miss Sennett say how she knew Luke?

7 MS. WETZLER: Asked and answered.

8 THE WITNESS: She said she's known him
9 for years, known him for a long time.

10 BY MR. LIGHT:

11 Q. Did she say how she's known Jeff Lebow?

12 A. I think she characterized him the same
13 way, she's known him for years.

14 Q. Was it Miss Sennett that said go to a
15 protest and Luke will be there or is that your
16 characterization?

17 A. I think it's more -- I believe it's more
18 her characterization.

19 Q. Okay. Did Miss Sennett say how many
20 years she's known Luke?

21 A. I don't recall if she said in years.
22 Several years, maybe.

1 Q. Do you recall how many years she said
2 she's known Jeff?

3 A. I think several years.

4 Q. Do you know an individual by the name of
5 Mark Train?

6 A. That name does not sound familiar to me.

7 Q. Are you familiar with a website called
8 IndyMedia?

9 A. Yes.

10 Q. Have you visited that site?

11 A. Yes.

12 Q. Could you describe what that site is?

13 A. It's a group used by individual activists
14 to support animal rights or the liberation front.
15 It's a social network.

16 Q. Do you know whether anything about the
17 Four Seasons Hotel was posted on IndyMedia?

18 A. To the best of my knowledge, I don't
19 recall anything posted on that site.

20 Q. Did you visit the IndyMedia site to
21 attempt to learn whether anything about the Four
22 Seasons Hotel had been posted?

1 A. I didn't. To the best of my knowledge, I
2 did not recall -- I did not visit that site.

3 Q. Do you know of anybody else who visited
4 that site in connection with investigating the Four
5 Seasons Hotel?

6 A. I'm not aware of anyone that may have
7 visited that site.

8 Q. Do you regularly monitor the website?

9 A. I no longer do that, so I don't monitor.
10 I -- I do not monitor that site.

11 Q. At some point had you monitored that
12 website?

13 A. I did not monitor that site. I'm aware
14 of it, but didn't monitor it.

15 Q. Do you know what Adam Ortberg looks like?

16 A. Yes.

17 Q. Did you see him in the video of the Four
18 Seasons Hotel?

19 A. I did not see him in the video. To the
20 best of my knowledge, I did not see him in the video.

21 Q. You did see Laura Sennett in the video,
22 correct?

1 A. Correct.

2 Q. And how did you recognize Laura Sennett
3 in the video?

4 A. Through the -- you know -- the clothing
5 she was wearing, the jacket, the boots, the beret.

6 Q. Were you able to see any of her facial
7 features in the video?

8 A. I guess a side view.

9 Q. When you were searching YouTube, were you
10 doing that by yourself?

11 A. The searches I had done by myself.

12 Q. So you didn't have a reliable source with
13 you while you were monitoring -- while you were
14 searching videos?

15 A. That's correct.

16 Q. Did you at any point show any of the
17 YouTube videos to your reliable sources?

18 A. No.

19 Q. So you were able to identify Laura
20 Sennett in the video yourself?

21 A. No. Once I established a name, I
22 obtained a Virginia Department of Motor vehicles

1 photograph and used that to assist to identify her.

2 Q. Do you know how old the photograph was?

3 A. I don't recall how old it was.

4 Q. Do you believe that Laura Sennett is an
5 anarchist?

6 MS. WETZLER: Objection,
7 characterization, calls for speculation.

8 THE WITNESS: I do believe she's like
9 minded like anarchists. I believe she associates
10 herself with them, yes.

11 BY MR. LIGHT:

12 Q. And what evidence are you basing that
13 opinion on?

14 MS. WETZLER: Objection,
15 characterization.

16 THE WITNESS: Again, all the people she
17 associates with. Everyone in that video, particularly
18 individuals like Luke Kuhn and Jeffery Lebow, who have
19 been known to show up at violent protests, such as
20 this one, I believe she's like minded just like the
21 group. She's absolutely no different than they are.

22 BY MR. LIGHT:

1 Q. Do you know how many protests
2 Miss Sennett has been at with these like minded
3 individuals?

4 A. I'm sure quite a bit.

5 Q. But you've never seen her personally at
6 these protests?

7 MS. WETZLER: Asked and answered.

8 THE WITNESS: I personally have not seen
9 her; but based on the videos and the videos I
10 recovered and the interview with her, I believe so.

11 BY MR. LIGHT:

12 Q. When you say based on the videos, you
13 mean the two videos?

14 A. Yes.

15 Q. When you surveil a protest, how do you
16 typically find out about the protest occurring?

17 MS. WETZLER: Objection. I instruct the
18 witness that if it goes to the sources or methods that
19 are used in following investigations, he shouldn't
20 answer that aspect of the question pursuant to the law
21 enforcement privilege.

22 THE WITNESS: Sometimes it can be an

1 E-mail. Sometimes it could be -- well, E-mail or word
2 we get from other individuals.

3 BY MR. LIGHT:

4 Q. Are you on the mailing list for any
5 political groups?

6 A. Myself personally, no.

7 Q. As of September 2008, were you on the
8 mailing list of any political groups?

9 A. No, I'm not on any mailing groups.

10 Q. The individual that's described as
11 reliable source number one in your affidavit for
12 search, how did you meet that individual?

13 MS. WETZLER: Objection. Pursuant to the
14 confidential informant privilege he is instructed not
15 to provide anything that would tend to reveal the
16 identity of the confidential source.

17 BY MR. LIGHT:

18 Q. You've received -- you said you've
19 received training in countering domestic terrorism; is
20 that correct?

21 A. I've attended some training, some
22 seminars.

1 Q. What are you taught to look for?

2 A. Behavior when it comes to groups; how
3 they're acting; how they're -- what they're wearing;
4 are they trying to disguise their identity, that kind
5 of training.

6 Q. How do you determine whether somebody is
7 an anarchist?

8 A. By the potential violent behavior, by
9 their -- by their potential violent behavior.

10 Q. Can somebody be an anarchist but not
11 involved in illegal activity?

12 MS. WETZLER: Objection, calls for
13 speculation, legal conclusion, expert testimony.

14 THE WITNESS: You're asking me what do I
15 think?

16 BY MR. LIGHT:

17 Q. Yes.

18 MS. WETZLER: Same objection.

19 THE WITNESS: It would be extremely
20 difficult -- I think it would be difficult to be an
21 anarchist and not be involved in some type of violent
22 activity.

1 BY MR. LIGHT:

2 Q. You've said that Miss Sennett associates
3 with like minded individuals. What do you mean by
4 associate?

5 A. People who have the same beliefs. People
6 who despise their government. People who are against
7 the -- the treatment of animals when it comes to --
8 for laboratories. Those individuals who have that
9 kind of mindset.

10 I believe she's like that, who want to
11 commit some type of violent act, I believe she's
12 part -- they have the same mindset as they are (sic).

13 Q. What do you mean when you say she
14 associates with them?

15 A. She communicates with them. She hangs --
16 works -- not works with them -- communicates with
17 them, hangs around with them. That's what I mean by
18 associated with them. She knows them. She knows
19 their lifestyle. She has, maybe, a similar lifestyle
20 with respect to who they are.

21 Q. What about her lifestyle is similar to
22 these like minded individuals?

1 A. Well, I'm not -- I mean, her -- her -- my
2 belief is her behavior as they are. The events that
3 occurred at the Four Seasons, I believe that's the
4 same behavior that, I believe, she has; maybe not to
5 that specific level, but similar to theirs.

6 Q. What -- what specifically about her
7 lifestyle makes her similar to these like minded
8 individuals?

9 A. Well, one -- I'm not -- one thing is if
10 she's -- if someone is a vegan, I'm not saying she is,
11 but she could also be a vegan like they are, you know,
12 who are against animal protests or animal research or
13 who won't eat meat and stuff like that.

14 Q. So is it suspicious that somebody is a
15 vegan?

16 A. No.

17 Q. Do you know what jurisdiction Luke Kuhn's
18 house is in?

19 MS. WETZLER: Objection, calls for a
20 legal conclusion.

21 THE WITNESS: I think it's Montgomery
22 County.

1 BY MR. LIGHT:

2 Q. Do you know why the MPD was involved in
3 conducting the search on the house then?

4 MS. WETZLER: Objection, calls for
5 speculation.

6 THE WITNESS: Because the initial
7 incident happened in Washington, D.C.

8 BY MR. LIGHT:

9 Q. Why did -- excuse me -- why did you
10 believe that the individuals in the video were members
11 or associated with the ELF?

12 A. Again, I can identify Luke Kuhn, Jeffery
13 Lebow and, if I recall, when I interviewed the night
14 manager at the Four Seasons Hotel, he indicated they
15 were chanting IMF.

16 Q. Are all protests of the IMF linked to
17 ELF?

18 MS. WETZLER: Objection, lack of personal
19 knowledge.

20 THE WITNESS: Some of the protests, if
21 not all of them, were linked to ELF.

22 BY MR. LIGHT:

1 Q. You said earlier that you had searched on
2 YouTube for -- I don't remember exactly how you said
3 it, but terms like Washington, D.C. and protest.

4 Do you recall about how many videos you
5 looked at?

6 A. Several.

7 Q. More than ten?

8 A. Possibly.

9 Q. More than 100?

10 A. I don't know exactly how many.

11 Q. Do you recall if it was more or less than
12 100?

13 A. It could have been more or less than 100.

14 Q. More or less than 1,000?

15 A. I don't believe I looked at 1,000 videos.

16 Q. So somewhere between 10 and 1,000?

17 A. Again, I don't know how many videos I
18 might have looked at. Several videos.

19 Q. If you know, does the joint terrorism
20 task force have jurisdiction to arrest Luke Kuhn?

21 MS. WETZLER: Objection, calls for a
22 legal conclusion, calls for expert testimony.

1 Go ahead.

2 THE WITNESS: If federal charges were
3 placed on him, yes.

4 BY MR. LIGHT:

5 Q. Would the JTTF have jurisdiction to
6 arrest Jeff Lebow?

7 MS. WETZLER: Same standing objection to
8 the last one.

9 THE WITNESS: If charges were placed on
10 him, yes.

11 BY MR. LIGHT:

12 Q. In the videos you were looking at on
13 YouTube, did you ever come across any where you saw
14 Luke or Jeff Lebow but you did not see Miss Sennett?

15 A. I don't recall.

16 Q. Did you ever search for the name Laura
17 Sennett in the FBI central records system?

18 A. Yes.

19 Q. And what did you find?

20 MS. WETZLER: Instructing the witness
21 only to testify to any information that was found
22 that's not classified in nature.

1 THE WITNESS: Then I can't, because I
2 don't recall whether it was classified or not.

3 MS. WETZLER: Okay.

4 BY MR. LIGHT:

5 Q. Do you know whether the investigation is
6 still pending?

7 MS. WETZLER: Objection. Can you clarify
8 what investigation?

9 MR. LIGHT: The investigation into what
10 happened at the Four Seasons Hotel.

11 THE WITNESS: To the best of my
12 knowledge, I believe the case was closed.

13 BY MR. LIGHT:

14 Q. Was it closed while you were still the
15 agent?

16 A. No.

17 Q. Do you know whether any grand juries were
18 convened in connection with the investigation?

19 MS. WETZLER: Objection. The witness is
20 instructed that he's not at liberty to testify to
21 anything that would reveal the scope and thrust of a
22 grand jury investigation pursuant to Federal Rules of

1 Criminal Procedure 6-E.

2 MR. LIGHT: Okay. I think that's all our
3 questions.

4 MS. WETZLER: I'd like to take about a 15
5 or 20 minute recess.

6 MR. LIGHT: Okay. Sure.

7 MS. WETZLER: Is that all right with you?

8 MR. LIGHT: Sure.

9 (Thereupon, a brief recess was taken.)

10 EXAMINATION BY COUNSEL FOR THE DEFENDANTS

11 BY MS. WETZLER:

12 Q. Detective Antignano, I'm going to ask you
13 a few questions.

14 A. Okay.

15 Q. Do you recall during the direct
16 examination you were asked about the crimes that you
17 listed in the affidavit for the search warrant?

18 A. Yes.

19 Q. I'm showing you what's been marked as
20 Antignano Exhibit 2.

21 A. Okay.

22 Q. If you could please turn to page three.

1 Do you see in the final paragraph of the
2 affidavit any crimes that are listed there?

3 A. Manufacture, possession, use of fire
4 bombs or explosive material.

5 Q. Are there others listed?

6 A. Amended and injuries, et cetera, and
7 property, monuments, in violation of 18.2-137 of the
8 1950 Code of Virginia and destruction -- above that
9 destruction dwelling of a house (sic), et cetera.

10 Q. Okay. And you testified earlier you did
11 not leave -- you did not include conspiracy there; is
12 that right?

13 A. Correct.

14 Q. Why did you not include conspiracy in the
15 list of crimes that you listed here?

16 A. Because these are just the underlying
17 charges that we looked at into this case, the
18 destruction of property and potential manufacturing of
19 explosive devices. Conspiracy, we -- is an additional
20 charge we could have requested if -- once we can prove
21 there was a conspiracy, we had information to believe.

22 Q. What -- what state were you executing

1 this warrant in?

2 A. Virginia.

3 Q. And is it typical that you would list the
4 crimes of the state in which you're executing a search
5 warrant in a search warrant affidavit?

6 A. I believe so.

7 Q. Have you done that before?

8 A. This was the first time.

9 Q. During the time that you were
10 investigating anarchist groups, the ELF, the ALF,
11 others like that, did you consider the clothing that
12 individuals were wearing as being significant to those
13 investigations?

14 A. Yes, ma'am.

15 Q. And why is that?

16 A. The clothing is -- is used typically to
17 intimidate individuals. If you show up at a protest
18 wearing black clothing, black jackets, black boots or
19 black hat or a hood, it's used to intimidate the group
20 you're trying to intimidate. I mean, the group that
21 you're protesting against.

22 It's used for intimidation.

1 Q. Do you recall being asked during the
2 direct portion of this deposition whether you spoke
3 with anyone at the Four Seasons Hotel in connection
4 with your investigation?

5 A. Yes.

6 Q. Who did you speak to at the hotel?

7 A. The night manager and then the security
8 director.

9 Q. Turning your attention back to Exhibit 2,
10 which is the affidavit for the search warrant --

11 A. Um-hmm (affirmative).

12 Q. -- I'd like to direct your attention to
13 the third paragraph, the second to last sentence of
14 that paragraph, which says the Four Seasons Hotel
15 management staff estimated the damage at over
16 \$200,000.

17 Is that a correct statement, to the best
18 of your knowledge, of the amount of damage that
19 occurred at the hotel?

20 A. To the best of my knowledge, that's a
21 correct statement.

22 Q. Okay. If you stated something different

1 today on the record, which statement do you believe is
2 accurate?

3 A. I believe this one is more accurate, just
4 because of the fact when I remember talking to the
5 night -- correction -- the security director, one of
6 the statues that was damaged was a priceless -- not --
7 I say priceless, but a rare work of art that they had
8 at the hotel. And it cost several thousands of
9 dollars to have it restored.

10 Q. I'm going to ask the Court Reporter to
11 read back two questions.

12 MS. WETZLER: Were you able to mark the
13 questions that I had asked? We can go back. The
14 first question is -- if you can turn back to those
15 questions, please, and read back the question that
16 started something along the lines of does knowing
17 somebody. Can you read that back, please?

18 (The record was read as requested.)

19 MS. WETZLER: Thank you. That's the
20 question I wanted to focus on.

21 BY MS. WETZLER:

22 Q. When you were asked that question, what

1 did you understand the word knowing to mean? When you
2 were asked does knowing somebody who was a like
3 minded -- excuse me, does knowing somebody who is a
4 member of the ELF make you a like minded individual,
5 what did you understand the word knowing to mean?

6 A. Knowing that -- knowing that person
7 personally, you know, personal contact with that
8 individual, you know, knowing for a long period of
9 time. That's what I meant by knowing them.

10 MS. WETZLER: And can you go on to the
11 next question that came right after that, please.

12 (The record was read as requested.)

13 BY MS. WETZLER:

14 Q. What did you understand the word no to
15 mean there?

16 A. I interpreted the question -- interpreted
17 the question as do I personally know someone in my
18 personal life. That's the way I interpreted the
19 question.

20 Q. In other words, personal life versus your
21 professional life?

22 A. Yeah, my personal life, like my family,

1 my cousins, uncles, whoever.

2 Q. How many times did you conduct physical
3 surveillance on Laura Sennett's house prior to
4 executing a search warrant?

5 A. Two, maybe three, times.

6 Q. Okay. Were there any other investigative
7 techniques that you used, other than the ones that
8 we've discussed here today, that you recall?

9 A. Yes, we followed her from her residence
10 when she left, followed her into D.C. We also did a
11 trash cover at her residence.

12 Q. You referenced using an Accurant data
13 base that merged with LexisNexis.

14 A. Right.

15 Q. Do you recall seeing an occupation listed
16 for Laura Sennett on that data base?

17 A. Either domestic housewife or domestic
18 engineer.

19 Q. You remember it was something like that?

20 A. Some words to that effect.

21 Q. And did you look at that prior to
22 executing the search warrant?

1 A. I saw that prior to executing the search
2 warrant.

3 MS. WETZLER: I don't have anything
4 further at this time.

5 MR. LIGHT: Nothing further.

6 MS. WETZLER: We'll read and sign.

7 (Thereupon, signature having not been
8 waived, at 2:40 p.m. the deposition
9 concluded.)

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Misty Klapper & Associates
703-780-9559

CERTIFICATE OF DEPONENT

I, Vincent Antignano, do hereby certify
that I have read the foregoing pages, 4 through 141
inclusive, which contain a correct transcript of the
answers given by me to the questions propounded to me
herein, except for changes, if any, duly noted on the
enclosed errata sheet.

WITNESS

Sworn and subscribed to before me this
____ day of _____, 2011.

My commission expires:

Notary Public:

Misty Klapper & Associates
703-780-9559

1 CASE: Sennett v. US
 2 DEPOSITION OF: Vincent Antignano
 3 TAKEN: March 9, 2011


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 Witness

Misty Klapper & Associates
 703-780-9559

CERTIFICATE OF NOTARY

I, MISTY KLAPPER, the officer before whom the foregoing deposition was taken, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken by me in shorthand and thereafter reduced to typewriting by me; that said deposition is a true record of the testimony given by said witness; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and, further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.


Misty Klapper
Notary Public in and for
the Commonwealth of Virginia

Misty Klapper & Associates
703-780-9559