

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

COPY

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LAURA SENNETT, :
Plaintiff, :
vs. : Case No. 1:10CV-1055
UNITED STATES, et al., :
Defendants. :

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Alexandria, Virginia
Friday, March 11, 2011

Deposition of ANGELA SERCER, a witness, called
for examination by counsel for Plaintiff in the above-
entitled matter, pursuant to notice, was taken at the
offices of the United States Attorney's Office, 2100
Jamieson Avenue, Alexandria, Virginia, commencing at 1:10
p.m., before Wanda L. Granger, CVR, a court reporter and
notary public in and for the Commonwealth of Virginia.

Misty Klapper & Associates
703-780-9559

1 APPEARANCES:

2 On behalf of the Plaintiff:

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16 On behalf of the Defendants:

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1 CONTINUANCES CONTINUED:

2 Also on behalf of the Defendants:

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8 * * * * *

9

10 C O N T E N T S

11 WITNESS: PAGE

12 Angela Sercher

13 By Mr. Light 4/89

14 By Ms. Edelstein 88

15

16

17 E X H I B I T S

18 (None)

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21

22

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P R O C E E D I N G S

Whereupon,

ANGELA SERCER

was called for examination by counsel for Plaintiff, and
having been duly sworn, was examined and testified as
follows:

EXAMINATION ON BEHALF OF PLAINTIFF

BY MR. LIGHT:

Q. Good afternoon. Could you please state and
spell your name for the record.

A. Angela M. Sercer, S, as in Sam, e-r-c-e-r.

Q. What is your date of birth?

A. August 2nd, 1969.

Q. Are you married?

A. No.

Q. What is your educational background?

A. I have a bachelor's degree in criminal justice
and a master's degree in criminal justice.

Q. Are you currently employed?

A. Yes.

Q. Where?

A. Federal Bureau of Investigation.

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1 Q. How many years have you been working at the
2 Federal Bureau of Investigation?

3 A. Nine years yesterday.

4 Q. Prior to working at the Federal Bureau of
5 Investigation, where did you work?

6 A. Bureau of Alcohol, Tobacco and Firearms.

7 Q. For how many years did you work there?

8 A. Two-and-a-half years.

9 Q. What was your position at the Bureau of Alcohol,
10 Tobacco and Firearms?

11 A. Special agent.

12 Q. Have you received any training in the area of
13 counterterrorism?

14 A. Yes.

15 Q. Could you please describe your training in the
16 area of counterterrorism.

17 MS. EDELSTEIN: Objection. The witness is
18 instructed not to answer the question to the extent that
19 it would reveal any FBI techniques or classified
20 information.

21 MR. LIGHT: With that objection in mind, you can
22 answer.

1 THE WITNESS: Okay. I have received several
2 domestic terrorism trainings throughout the years. It
3 would be difficult to -- I can't recall, specifically, the
4 trainings that I've had.

5 I've had domestic terrorism trainings and
6 counterterrorism trainings, including international
7 terrorism.

8 BY MR. LIGHT:

9 Q. Have you had any training in monitoring
10 political protests?

11 MS. EDELSTEIN: The same objection.

12 THE WITNESS: Yes.

13 BY MR. LIGHT:

14 Q. Could you describe that training.

15 A. We receive instruction as far as when it's
16 appropriate to -- whether it's appropriate to monitor a
17 protest.

18 Q. And according to your training, when is it
19 appropriate to monitor a protest?

20 MS. EDELSTEIN: The same objection, and
21 objection on the grounds that -- the witness is instructed
22 not to answer to the extent that it would force her to

1 reveal law enforcement information that would tend to
2 hinder a current FBI investigation.

3 You can answer the question subject to those
4 objections.

5 THE WITNESS: I'm sure I'll figure that out as
6 we go along.

7 We don't monitor protests. We at times monitor
8 the activities of subjects that we're investigating. And
9 if it should happen to coincide with a protest that's
10 occurring, then we might be present for a protest. But we
11 don't monitor protests.

12 BY MR. LIGHT:

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

15 A. Yes.

16 Q. Have you received any training in the Privacy
17 Protection Act?

18 A. I believe so.

19 Q. What training have you received in the Privacy
20 Protection Act?

21 A. I can't recall, specifically, what the training
22 was.

1 Q. What is your understanding of what the Privacy
2 Protection Act is?

3 MS. EDELSTEIN: Objection to the extent that
4 she's not a person with any legal expertise and cannot
5 speak to the law.

6 THE WITNESS: I believe it is certain entities
7 that are more protected than others as far as
8 investigations are concerned.

9 BY MR. LIGHT:

10 Q. Do you know which entities are more protected?

11 A. Attorneys -- I'm going to name the ones that I'm
12 aware of: attorneys, clerical -- I'm sorry, religious
13 figures, public figures, media figures.

14 And at that point -- that's all I can recall at
15 this point.

16 Q. Have you had any training in how to apply for a
17 search warrant affidavit -- or how to apply for a search
18 warrant?

19 A. Yes.

20 Q. Have you received training in how to fill out an
21 affidavit in support of a search warrant?

22 A. Yes.

1 Q. Have you received training in conducting
2 background investigations on individuals before obtaining
3 a warrant?

4 A. Yes.

5 Q. According to your training, what steps should be
6 taken in order to investigate an individual before
7 obtaining a search warrant?

8 MS. EDELSTEIN: Objection: vague.

9 THE WITNESS: What steps should be taken --

10 MR. LIGHT: To investigate --

11 THE WITNESS: Could you repeat the question.

12 MR. LIGHT: Sure.

13 BY MR. LIGHT:

14 Q. According to your training, what steps should be
15 taken to investigate an individual before obtaining a
16 search warrant?

17 MS. EDELSTEIN: Same objection.

18 THE WITNESS: Well, it is difficult to answer
19 because it's vague.

20 BY MR. LIGHT:

21 Q. In your training, what is the role of open
22 sources in obtaining information about an individual?

1 MS. EDELSTEIN: Objection: vague.

2 THE WITNESS: I mean, we utilize open source
3 information to supplement the investigation at times.

4 BY MR. LIGHT:

5 Q. Could you give an example of an open source.

6 A. There are several different entities. If you're
7 talking open source, as far as Google-type information,
8 that's considered an open source. Is that an example
9 you're looking for?

10 Q. Yes. Google is considered an open source?

11 A. Yes.

12 Q. Have you received training in using Google to
13 investigate individuals?

14 A. I don't recall any specific training.

15 Q. Okay.

16 A. It's possible, but I don't recall.

17 Q. According to your training, what are the key
18 things that go into an affidavit supporting a search
19 warrant?

20 MS. EDELSTEIN: Objection: vague.

21 THE WITNESS: It depends on the crime. We have
22 to show probable cause. That's basically the key.

1 BY MR. LIGHT:

2 Q. Have you ever been a party to litigation?

3 A. Meaning this type of situation?

4 Q. Have you ever sued or been sued?

5 A. No.

6 Q. I might have already asked this, but what's your
7 current position?

8 A. Supervisory special agent.

9 Q. Okay, thank you.

10 And what pay grade is that at?

11 A. GS-14.

12 Q. Do you receive performance evaluations?

13 A. Yes.

14 Q. How was your most recent performance evaluation?

15 A. It was a level E/excellent.

16 Q. Have you ever had a performance evaluation that
17 was other than excellent?

18 A. No -- pardon me. I've had outstanding, as well.

19 Q. During your time at the Federal Bureau of
20 Investigation, have you had any disciplinary record?

21 A. No.

22 Q. Have you --

1 A. Pardon me. I don't mean to interrupt, but I
2 just remembered something as far as a litigation was
3 concerned --

4 Q. Okay.

5 A. -- that I wanted to add that I forgot to say
6 before.

7 Q. Please.

8 A. I was recently approached about a medical
9 litigation which I am just becoming a part of in order to
10 sue a pharmaceutical company for a medication that may
11 have caused illness.

12 Q. You would be the plaintiff in that case?

13 A. Correct.

14 Q. Okay. What was the medication?

15 A. It just went right out of my head -- Accutane.

16 Q. Have you ever been arrested?

17 A. No.

18 Q. Have you ever monitored a political protest?

19 A. For purposes of following a subject, if that's
20 what you're talking about.

21 Q. Yes.

22 A. For purposes of an investigation of a particular

1 subject, yes.

2 Q. Approximately, how many times have you attended
3 a protest in following a particular subject?

4 A. I don't recall.

5 Q. Could you estimate?

6 A. It would be difficult to estimate. I wouldn't
7 want to give erroneous information.

8 Q. More or less than ten?

9 A. Gosh, probably ten.

10 Q. Okay, thank you.

11 A. Maybe, possibly more. I don't recall. I'm not
12 trying to be evasive.

13 Q. Do you consider yourself an expert in
14 counterterrorism?

15 A. No.

16 Q. What's the name of your immediate supervisor?

17 A. Currently, Unit Chief Scott Stanley.

18 Q. As part of your current job, do you make
19 arrests?

20 A. No.

21 Q. In any previous position you've been in at the
22 FBI, have you made arrests?

1 A. Yes.

2 Q. What position was that?

3 A. Special agent.

4 Q. Approximately, how many arrests did you make
5 when you were a special agent?

6 A. Do you mean specifically where I arrested
7 someone or where I was a part of an arrest?

8 Q. To clarify, where you were either the arresting
9 officer or you were assisting the arresting officer.

10 A. Ten to fifteen. And, again, that is -- I don't
11 recall, specifically. I would have to look back on my
12 records.

13 Q. In your current position, do you execute search
14 warrants?

15 A. No.

16 Q. In any position you've had with the FBI, have
17 you executed a search warrant or assisted with executing a
18 search warrant?

19 A. Yes.

20 Q. What position was that?

21 A. Special agent.

22 Q. While you were a special agent, approximately

1 how many search warrants were you involved in executing or
2 assisting with the execution?

3 A. Again, I'm uncomfortable giving a number because
4 I just don't recall. I mean, it's difficult. I would be
5 shooting in the dark, basically.

6 Q. More or less than ten?

7 A. More than ten.

8 Q. More than ten.

9 In your current position, do you interrogate
10 suspects?

11 A. No.

12 Q. Do you interrogate witnesses?

13 A. No.

14 Q. As a special agent, were you involved in
15 interrogating witnesses or suspects?

16 A. Interviewing.

17 Q. Interviewing?

18 A. Uh-huh.

19 Q. You were involved with interviewing witnesses?

20 A. Yes.

21 Q. And suspects?

22 A. Yes.

1 Q. Just to be clear, you made a distinction between
2 interviewing and interrogating. What's the difference?

3 A. Interrogation at times seems to be seen as a
4 more aggressive approach; interviewing is what we refer to
5 as the interactions that we have with witnesses and
6 suspects.

7 Q. And just to be clear, have you ever interrogated
8 a witness or a suspect?

9 A. In an overseas capacity as an agent involved in
10 the war on terror in Baghdad.

11 Q. Have you ever interrogated a domestic in a
12 domestic case?

13 A. No.

14 Q. Have you ever testified in court?

15 A. Yes.

16 Q. Have you ever testified in court in a criminal
17 case?

18 A. Yes.

19 Q. Approximately, how many criminal cases have you
20 testified in?

21 A. Again, I can't recall, specifically. I would
22 say between five and ten, but, again, that is an estimate.

1 Q. Have you ever been retained as an expert for
2 either a plaintiff or a defendant?

3 A. No.

4 Q. Have you ever taught any courses at the FBI?

5 A. Yes.

6 Q. What courses have you taught?

7 A. Evidence Response Team.

8 Q. Approximately, when was that?

9 A. Periodically since 2005.

10 Q. And could you briefly summarize what information
11 you conveyed during that training.

12 MS. EDELSTEIN: Objection to the extent that it
13 would force the witness to answer to classified
14 information or information that would hinder an
15 investigation or FBI techniques.

16 THE WITNESS: Different evidence response
17 techniques, collecting evidence, specific ways to, and
18 procedures for collecting evidence and completing that
19 type of investigation.

20 BY MR. LIGHT:

21 Q. Are you an expert in collecting evidence?

22 A. No.

1 Q. Have you taught any courses outside of the FBI?

2 A. Yes.

3 Q. What courses have you taught?

4 A. Do you mean outside of the FBI as far as outside
5 of being an agent or to entities outside the FBI?

6 Q. Oh, I'm sorry. To clarify, what I'm asking is
7 to entities outside of the FBI.

8 A. Yes.

9 Q. What courses have you taught?

10 A. Evidence Response Team courses to foreign
11 nationals and domestic terrorism courses to local law
12 enforcement entities.

13 Q. What local law enforcement entities have you
14 taught?

15 A. The -- it's all-encompassing. It's not just one
16 particular law enforcement group, but -- and I've only
17 done that on two occasions that I recall -- where there
18 were detectives, police officers from different
19 departments.

20 Q. Are you familiar with the Joint Terrorism Task
21 Force?

22 A. Yes. But let me add one more thing, please --

1 Q. Sure.

2 A. -- because I want to make sure that -- the other
3 entity was at a college and that was security-related
4 personnel and that was more of an overview of domestic
5 terrorism groups.

6 It wasn't any kind of instruction, but --

7 Q. I'm sorry. I didn't mean to cut you off. Was
8 there anything else?

9 A. No. That's okay. I just wanted to make sure I
10 added everything that was applicable.

11 Q. Sure. If at anytime you think of something, you
12 can feel free to stop me and fill it in.

13 A. Thank you.

14 Q. Are you familiar with the Joint Terrorism Task
15 Force?

16 A. Yes.

17 Q. What is the Joint Terrorism Task Force?

18 A. It's a task force that is compiled of FBI, local
19 and federal law enforcement personnel.

20 Q. Do you work with the Joint Terrorism Task Force?

21 A. No.

22 Q. Do you encounter the Joint Terrorism Task Force

1 at all in your professional career?

2 A. Yes.

3 Q. In what capacity?

4 A. I had previously worked for the Joint Terrorism
5 Task Force.

6 Q. What years did you work for the Joint Terrorism
7 Task Force?

8 A. 2003 through 2010 -- through March of 2010 with
9 a periodic two-year stint -- three-year stint in -- where
10 I was not part of that. I was in counterterrorism and I
11 was also in a violent crime squad.

12 Q. Which three years were those?

13 A. 2007 -- a two-year period, 2007 to 2009. And,
14 again, that's generally the time frame. I can't recall
15 the specifics.

16 Q. Sure. Could you describe your responsibilities
17 as a supervisory special agent.

18 A. Yes. I -- you mean specific to the work that
19 I'm doing or specific to what -- the responsibilities of a
20 supervisory special agent?

21 Q. Specific to the responsibilities of the
22 supervisory special agent.

1 A. Well, it's -- I'm trying to think how to word
2 it.

3 Typically, a supervisory special agent is
4 somebody that overseas a group of special agents, but the
5 work that I do is peculiar in that I don't oversee
6 anybody. I'm just responsible for assisting field offices
7 with investigations.

8 Q. Which field offices do you assist with?

9 A. All field offices.

10 Q. All field offices?

11 A. All field offices that have a need for my
12 assistance.

13 Q. Have you assisted with the Washington Field
14 Office?

15 A. Yes.

16 Q. You referenced recently that you were working
17 with the Joint Terrorism Task Force. Were you a sworn
18 agent or were you a deputized agent?

19 A. A sworn FBI special agent.

20 Q. You were a sworn FBI special agent.

21 So, that is, you were not on detail from a
22 state; you were working directly for the FBI?

1 A. Correct.

2 Q. Okay. If you know, does the Joint Terrorism
3 Task Force conduct surveillance of political protests?

4 MS. EDELSTEIN: Objection to the extent that it
5 would force the witness to reveal classified information
6 or hinder an ongoing FBI investigation.

7 THE WITNESS: No.

8 BY MR. LIGHT:

9 Q. If you know, does the Joint Terrorism Task Force
10 enforce federal or state laws?

11 A. Both; federal, for the most part, because there
12 are entities that are state and local entities that are
13 technically assigned to the Joint Terrorism Task Force,
14 but they have the capability of following up on charges
15 through their groups or their departments.

16 Q. At anytime during your career at the FBI have
17 you been involved with monitoring political protests?

18 A. Again, monitoring political protests, no.

19 Q. Have you been involved with monitoring political
20 groups?

21 A. No.

22 Q. Have you been involved with infiltrating

1 political groups?

2 MS. EDELSTEIN: Objection to the extent that it
3 would require the witness to reveal classified information
4 or hinder an ongoing investigation.

5 THE WITNESS: What do you mean? Could you
6 specify what you mean by infiltrating a political group?

7 BY MR. LIGHT:

8 Q. What does that term mean to you?

9 A. It could mean a lot of different things, which
10 is why I'm asking.

11 Q. Okay. What I mean by infiltrate is an
12 undercover officer to pretend that they're a part of a
13 group.

14 MS. EDELSTEIN: The same objection.

15 THE WITNESS: Those do occur, but I have to
16 continue to caveat that with saying that only if there's a
17 subject -- a legitimate subject that is being
18 investigated.

19 You don't just go -- you don't do an undercover
20 in order to infiltrate a group if you don't have somebody
21 in particular that you're looking at that is actually a
22 legitimate investigation that is ongoing.

1 BY MR. LIGHT:

2 Q. Have you been involved with infiltrating any
3 political groups?

4 MS. EDELSTEIN: Same objection.

5 THE WITNESS: Do you mean as an undercover agent
6 or --

7 MR. LIGHT: Yes.

8 THE WITNESS: No. And, again, you said
9 political groups. But I'm inclined to answer no on all of
10 these questions because we don't infiltrate political
11 groups.

12 BY MR. LIGHT:

13 Q. Do you infiltrate terrorist groups?

14 MS. EDELSTEIN: The same objection.

15 THE WITNESS: We don't infiltrate groups. I
16 feel like -- and I'm not trying to be oppositional, but I
17 feel like the tone is -- "infiltrating a group," I just
18 have to make you understand that any instance where we are
19 making that attempt, it is because there is a subject
20 involved.

21 MR. LIGHT: I understand.

22 THE WITNESS: Okay. I just want to make sure

1 that you understand that we don't just infiltrate a group
2 if there isn't somebody that we have a legitimate
3 investigation on. But I have not been an undercover in
4 that capacity with the Bureau.

5 And if I could add something there. You have
6 different types of undercover, and one of them would
7 include cameos.

8 So there may have been a time where I have
9 performed a cameo appearance, but it would not be actually
10 infiltrating the group. I just wanted to make sure that
11 --

12 BY MR. LIGHT:

13 Q. What do you mean by a cameo appearance?

14 A. Like I might be in the -- you know, in an area.
15 If an investigation is going on, I might be purporting to
16 be somebody other than myself, but I'm not actually
17 engaging with the people in the group.

18 I'm just possibly there for security reasons or
19 to make sure nothing happens that could jeopardize the
20 other agents, or anything like that.

21 Q. Have you ever heard the term "ELF"?

22 A. Yes.

1 Q. What is that?

2 A. Earth Liberation Front.

3 Q. How have you heard the term "Earth Liberty
4 Front" used?

5 A. It's considered an environmental extremist
6 organization.

7 Q. Do you consider it an environmental extremist
8 organization?

9 A. I'm not an expert in that area, but the experts
10 have indicated that it is, and it's a self-proclaimed
11 environmental extremist organization.

12 Q. Have you ever heard the term "ALF"?

13 A. Yes.

14 Q. What is your understanding of what ALF is?

15 A. Animal Liberation Front.

16 Q. And how have you heard that term used?

17 A. It is an animal extremist -- animal rights
18 extremist organization.

19 Q. Have you heard the term "anarchist"?

20 A. Yes.

21 Q. How have you heard the term "anarchist" used?

22 A. Anti-government extremists. That is if you're

1 talking about domestic terrorism-related.

2 Q. Right. Yeah, to be clear, that is what I'm
3 talking about.

4 But let me follow up on that. Is there a sense
5 that "anarchist" is used that's not domestic terrorism-
6 related?

7 A. There are anti-government people that aren't
8 necessarily extremists. But in the domestic terrorist
9 realm, anarchist is referred to as an anti-government
10 extremist.

11 Q. If you know, is it illegal to be a member of the
12 ELF?

13 MS. EDELSTEIN: Objection: calls for a legal
14 conclusion and expert testimony.

15 THE WITNESS: No.

16 BY MR. LIGHT:

17 Q. Is it illegal to be a member of the ALF?

18 MS. EDELSTEIN: Objection: calls for a legal
19 conclusion and expert testimony.

20 THE WITNESS: No, not to my knowledge.

21 BY MR. LIGHT:

22 Q. Is it illegal to be an anarchist?

1 MS. EDELSTEIN: Same objection.

2 THE WITNESS: No.

3 BY MR. LIGHT:

4 Q. Have you ever made a cameo or otherwise been in
5 attendance at a protest in which there were ELF members?

6 MS. EDELSTEIN: Objection: calls for
7 speculation.

8 THE WITNESS: I have been to protests. I cannot
9 say specifically whether or not there were ELF members who
10 were present.

11 BY MR. LIGHT:

12 Q. Have you ever been to a protest where you
13 believed that there were ELF members present?

14 MS. EDELSTEIN: Objection: speculation.

15 THE WITNESS: Are you speaking in an FBI
16 capacity?

17 MR. LIGHT: Yes.

18 MS. EDELSTEIN: Same objection.

19 THE WITNESS: Are you just talking about ELF?

20 MR. LIGHT: Yes. I'm going to ask you about the
21 other ones in a moment.

22 THE WITNESS: Okay. I believe -- it's a

1 possibility. I can't recall, specifically, if there was a
2 specific ELF.

3 BY MR. LIGHT:

4 Q. In your capacity with the FBI, have you ever
5 made a cameo or otherwise attended a protest at which you
6 believed that there were ALF members present?

7 MS. EDELSTEIN: Objection: speculation.

8 THE WITNESS: It's possible. Again, when you
9 narrow it down to that specifically, it's hard to say that
10 that specific -- that I would have knowledge of whether
11 each person is a specific member of that group.

12 BY MR. LIGHT:

13 Q. In connection with your work at the FBI, have
14 you ever made a cameo or otherwise attended a protest at
15 which there were individuals you believed were anarchists?

16 MS. EDELSTEIN: The same objection.

17 THE WITNESS: Yes.

18 BY MR. LIGHT:

19 Q. Approximately, how many protests have you
20 attended in connection with your profession at the FBI at
21 which there were individuals you believed were anarchists?

22 A. I don't know.

1 MS. EDELSTEIN: Speculation.

2 THE WITNESS: Sorry.

3 MS. EDELSTEIN: That's okay.

4 BY MR. LIGHT:

5 Q. Are you an expert in the ELF?

6 A. No.

7 Q. Are you an expert in the ALF?

8 A. No.

9 Q. Are you an expert in anarchists?

10 A. No.

11 Q. Have you heard the term "black bloc"?

12 A. Yes.

13 Q. What is a black bloc?

14 A. A black bloc is known as a type of tactic used
15 by extremists to form a blockade so that the police can't
16 get through if they are doing a protest, or other people
17 can't get through.

18 Q. How are you familiar with this term?

19 A. Just through training and experience.

20 Q. Have you ever seen a black bloc?

21 A. Yes.

22 Q. Is there a particular way that individuals in a

1 black bloc dress?

2 A. It varies, but specifically -- or most of the
3 time, they wear black and their faces are covered.

4 Q. Most of the time the members in a black bloc
5 have their faces covered?

6 A. Many times. Again, it's --

7 Q. Many times.

8 A. -- not every time. There isn't one specific
9 dress uniform that I'm aware of. I just know generally.

10 Q. And what do members of a black bloc often cover
11 their faces with?

12 A. It varies.

13 Q. Could you give an example.

14 A. Some people use bandanas, some use tee shirts,
15 scarves. It could be lots of different things.

16 Q. Do you know why they would cover their faces?

17 MS. EDELSTEIN: Objection: speculation.

18 THE WITNESS: It's believed that they do so
19 because they don't want their identity to be known.

20 BY MR. LIGHT:

21 Q. And why do you believe that?

22 A. Because of my experience and --

1 Q. Is that something you learned in the --

2 Q. I'm sorry. I didn't mean to cut you off.

3 A. That's okay.

4 Q. Was that something you learned in a particular
5 training?

6 A. Possibly. But I have had some experience in the
7 past with this type of activity.

8 Q. What experience in the past have you had with
9 this type of activity?

10 A. Well, prior to the FBI, I had some activity
11 related to that.

12 Q. Could you elaborate.

13 MS. EDELSTEIN: Objection to the extent that it
14 requires the witness to reveal classified information or
15 an ongoing law enforcement privilege or techniques.

16 THE WITNESS: When I was a special agent with
17 the ATF, I participated in an undercover infiltration and
18 I participated in black blocs.

19 BY MR. LIGHT:

20 Q. Was that in the D.C. area?

21 A. No.

22 Q. What area was that in?

1 A. Pacific Northwest.

2 Q. When you participated in black blocs, was that
3 animal rights-related?

4 MS. EDELSTEIN: Objection to characterization.

5 THE WITNESS: It was related to anarchism.

6 BY MR. LIGHT:

7 Q. What groups did you infiltrate?

8 MS. EDELSTEIN: Objection to the extent that it
9 -- the witness is instructed not to answer to the extent
10 that it would require her to reveal classified information
11 regarding law enforcement techniques.

12 MR. LIGHT: If there's any information that's
13 currently unclassified, you can answer as to that.

14 THE WITNESS: I believe it's an ongoing
15 investigation for them, although it's been years ago. But
16 I don't know the specific groups.

17 We weren't infiltrating a specific group. We
18 were interacting with a specific subject. So the group's
19 -- it wasn't one particular group.

20 BY MR. LIGHT:

21 Q. Did you use a codename or an alias when you were
22 infiltrating groups?

1 MS. EDELSTEIN: The same objection.

2 THE WITNESS: I did.

3 BY MR. LIGHT:

4 Q. What was that name?

5 MS. EDELSTEIN: Objection. The witness is
6 directed not to answer to the extent that it would require
7 her to reveal classified information for ongoing law
8 enforcement techniques.

9 BY MR. LIGHT:

10 Q. When you were involved in black blocs, were you
11 attending public protests?

12 MS. EDELSTEIN: Objection to characterization.

13 THE WITNESS: Yes.

14 BY MR. LIGHT:

15 Q. What protests were those?

16 MS. EDELSTEIN: Objection to the extent of law
17 enforcement privilege.

18 MR. LIGHT: They obviously were -- she just said
19 they were public. You may answer.

20 THE WITNESS: Anti-war, anti-government.

21 BY MR. LIGHT:

22 Q. Were any of them involving protesting the World

1 Bank or International Monetary Fund?

2 A. No.

3 Q. Have you ever attended -- in your capacity
4 either with the FBI or the ATF ever attended a protest of
5 the World Bank or International Monetary Fund?

6 A. Pardon me. Would you mind repeating that.

7 Q. In connection with your profession, either
8 during your years at the FBI or the ATF, did you ever
9 attend a political protest against the World Bank or
10 International Monetary Fund?

11 A. Yes.

12 Q. What year or what years?

13 A. I don't recall, specifically, what years.

14 Q. Do you recall whether it was before or after
15 2008?

16 A. Before, possibly -- I don't recall. I mean,
17 it's been periodic since I was with the Bureau and I don't
18 -- I just simply don't recall, specifically.

19 Q. At the protests that you attended relating to
20 the World Bank or IMF, to your knowledge, were any members
21 of the Earth Liberation Front present?

22 MS. EDELSTEIN: Objection: speculation.

1 THE WITNESS: No.

2 BY MR. LIGHT:

3 Q. Do you know if there's any connection between
4 the Earth Liberation Front and protestors of the World
5 Bank and International Monetary Fund?

6 MS. EDELSTEIN: Objection: speculation.

7 THE WITNESS: I'd have to be speculating.

8 Pardon the interruption, is there any chance I
9 could use the ladies' room?

10 MR. LIGHT: Sure. Do you want to take a short
11 break?

12 THE WITNESS: If you don't mind.

13 MR. LIGHT: That would be fine.

14 THE WITNESS: And I could get some more water.
15 Is that all right with everyone?

16 MR. LIGHT: That would be fine.

17 [Whereupon, a brief recess was taken.]

18 BY MR. LIGHT:

19 Q. Are you aware of an event that occurred on April
20 12th, 2008, at the Four Seasons Hotel in Washington, D.C.?

21 A. Yes.

22 Q. How are you aware of that event?

1 A. Because there was an incident that occurred at
2 the Four Seasons and our squad investigated it
3 subsequently.

4 Q. When you say, "our squad," which squad are you
5 referring to?

6 A. Joint Terrorism Task Force.

7 Q. What is your understanding of what happened at
8 the Four Seasons Hotel on April 12th, 2008?

9 A. It was in the early morning hours or late night
10 hours, whichever way you like to look at it, and several
11 people came to the Four Seasons and caused major vandalism
12 and destruction within and then subsequently fled.

13 Q. If you know, how did the Joint Terrorism Task
14 Force become involved with the investigation?

15 A. I was not the one contacted, so I don't recall,
16 specifically.

17 Q. Was the event at the Four Seasons Hotel an act
18 of terrorism?

19 MS. EDELSTEIN: Objection: calls for a legal
20 conclusion and expert testimony.

21 THE WITNESS: It was considered -- investigated
22 as an act of domestic terrorism.

1 BY MR. LIGHT:

2 Q. Do you know why it was investigated as an act of
3 terrorism?

4 MS. EDELSTEIN: Objection: speculation.

5 THE WITNESS: Because it was -- some of the
6 subjects that were present during the vandalism were known
7 domestic extremism subjects, and it happened during the
8 IMF/World Bank conferences.

9 BY MR. LIGHT:

10 Q. Which individuals were known extremists?

11 MS. EDELSTEIN: Objection to the
12 characterization.

13 THE WITNESS: To my recollection, Jeff Labow,
14 Luke Kuhn. Those are the ones I recall, offhand.

15 BY MR. LIGHT:

16 Q. Do you know whether Jeff Labow is a known member
17 of the ELF?

18 MS. EDELSTEIN: Objection: speculation.

19 THE WITNESS: I don't recall whether he was a
20 specific member of the ELF.

21 BY MR. LIGHT:

22 Q. Do you know whether Luke Kuhn is a suspected

1 member of the ELF?

2 A. I don't recall whether he is specifically part
3 of ELF.

4 Q. Do you recall whether any of the known
5 extremists were members of the ELF?

6 A. Again, I don't recall whether they were members
7 of the particular ELF.

8 Q. What, if any, extremists groups was Jeff Labow
9 part of?

10 MS. EDELSTEIN: Objection: speculation.

11 THE WITNESS: Jeff Labow was -- and, again, I
12 don't recall the specific groups, but he was more an
13 anarchist.

14 BY MR. LIGHT:

15 Q. What, if any, extremist groups is Luke Kuhn
16 suspected to be part of?

17 MS. EDELSTEIN: Objection. The witness should
18 not answer the question to the extent that it would reveal
19 anything about whether there is an ongoing law enforcement
20 investigation open.

21 You can answer the question subject to that.

22 THE WITNESS: Oh, okay. But that is a current

1 --

2 MS. EDELSTEIN: Then --

3 THE WITNESS: I mean, I don't know.

4 MS. EDELSTEIN: She can't answer the question.

5 MR. LIGHT: Okay, go ahead.

6 MS. EDELSTEIN: She can't.

7 MR. LIGHT: Oh, she can't. I'm sorry. I
8 misheard you.

9 MS. EDELSTEIN: Sorry.

10 BY MR. LIGHT:

11 Q. Did you interview any witnesses from the Four
12 Seasons Hotel?

13 MS. EDELSTEIN: Objection: vague.

14 THE WITNESS: I don't recall, specifically.

15 BY MR. LIGHT:

16 Q. Were you working on the -- let's just refer to
17 it as the Four Seasons case. Were you working on this
18 case from the start?

19 A. I was part of the investigation, but I was not
20 an integral part. In these types of investigations,
21 several people will assist, as necessary, and I was one of
22 those people.

1 Q. At some point did you become an integral part?

2 A. Yes.

3 Q. When was that?

4 A. Subsequent to the search. Are you talking about
5 the Four Seasons or are you talking about the Laura
6 Sennett investigation?

7 Q. I'm still talking about the Four Seasons.

8 A. I'm trying to think of what year it was or what
9 date it was, but it was after the search at Laura
10 Sennett's place I became the case agent.

11 Q. What is the responsibility of a case agent?

12 A. Oversees the investigation.

13 Q. Do you know when the Joint Terrorism Task Force
14 began the investigation into the Four Seasons Hotel
15 incident?

16 A. I don't recall, specifically.

17 Q. Do you recall who the initial case agent was
18 assigned to the case?

19 A. Vincent Antignano, I believe.

20 Q. Who was the case agent --

21 A. May I take that back?

22 Q. Sure.

1 A. Did you say initial?

2 Q. Yes.

3 A. Okay. I don't recall, specifically, who the
4 initial case agent was. I know that I received it -- I
5 know that Vinny was at one point.

6 But I can't say specifically that I have
7 knowledge that he was the very first case agent.

8 Q. Who was the case agent during the search on
9 Laura Sennett's house?

10 A. Vincent Antignano.

11 Q. You took over as case agent subsequent to that?

12 A. I did.

13 Q. Do you recall, approximately, how long after the
14 search you took over?

15 A. I believe it was November or December of the --
16 of that same year.

17 Q. Of 2008?

18 A. Correct.

19 Q. If you know, was the Joint Terrorism Task Force
20 involved in investigating the Four Seasons Hotel initially
21 or was it referred by another agency?

22 A. I don't know for sure. I believe it was

1 referred by another agency, but I don't recall.

2 Q. What agency would that have been?

3 A. I don't know.

4 Q. During the time that you were a case agent, were
5 you cooperating with other jurisdictions, other agencies
6 during the investigation?

7 A. When I became the case agent, it was mostly the
8 review of the evidence at that point. DCMPD had been
9 involved, I know, and so I did have communications with
10 them.

11 Q. Do you know at what point DCMPD became involved?

12 A. I believe initially when the incident occurred,
13 they became involved. But I can't give you specifics. I
14 don't know because I wasn't the initial point of contact
15 for that. I just know that I helped subsequently.

16 Q. Aside from DCMPD, were there any other agencies
17 involved?

18 A. I don't recall, specifically.

19 Q. You mentioned earlier the name Luke Kuhn. Do
20 you know if any investigation was done into Luke Kuhn in
21 connection with the Four Season?

22 MS. EDELSTEIN: Objection to the extent that --

1 the witness should not answer as to the extent whether it
2 would hinder an ongoing investigation. You can answer
3 with respect to the Four Seasons investigation.

4 THE WITNESS: Yes.

5 BY MR. LIGHT:

6 Q. Do you know whether there was a search executed
7 on Luke Kuhn's house in connection with the Four Seasons?

8 A. Yes.

9 Q. Do you know when that search was executed?

10 A. I don't recall.

11 Q. Do you know what agency executed the search?

12 A. I don't recall, specifically, but Maryland. One
13 of the police departments in that area, I believe. I
14 don't recall, specifically. We weren't involved in that
15 search.

16 Q. If you weren't involved in that, how did you
17 come to learn about it?

18 A. Because I was the case agent and -- at one point
19 and was aware that there was -- there had been a search of
20 his residence which was not conducted by us.

21 I don't know if it was Montgomery County. I
22 can't recall the specific police department.

1 Q. Was any information obtained from that search
2 shared with the Joint Terrorism Task Force?

3 A. Yes, I believe it was.

4 Q. What information was shared?

5 A. The results of the search.

6 Q. What were the results of the search?

7 A. Items that were found there, the circumstances
8 of the specific search.

9 Q. Do you know if any evidence of crime was found?

10 A. I don't --

11 MS. EDELSTEIN: Objection: personal knowledge.

12 THE WITNESS: I don't recall, specifically, what
13 evidence was found.

14 MR. LIGHT: Okay.

15 BY MR. LIGHT:

16 Q. Just to be clear, I'm not asking you what was
17 found, but whether any evidence of a crime was found.

18 MS. EDELSTEIN: Objection: personal knowledge.

19 THE WITNESS: I don't recall specific evidence
20 of a crime. Do you mean like -- I guess I don't
21 understand what you mean, evidence of a crime.

22 BY MR. LIGHT:

1 Q. Well, what I'm trying to get at is if any
2 evidence of a crime that occurred at the Four Seasons
3 Hotel was found in Luke's house.

4 MS. EDELSTEIN: The same objection.

5 THE WITNESS: I don't recall there being any
6 evidence that specifically related to the Four Seasons. I
7 know there was some evidence that was considered of
8 interest, but not particularly tied to the Four Seasons.

9 BY MR. LIGHT:

10 Q. Do you know whether Luke Kuhn was arrested in
11 connection with the events at the Four Seasons?

12 A. It's been so long ago. I don't recall whether
13 he was arrested or whether it was just a search that was
14 conducted.

15 Q. Do you recall if Jeff Labow was arrested in
16 connection with the events at the Four Seasons?

17 A. I don't recall Jeff Labow being arrested. If
18 you're -- I mean, are you talking in relation to an FBI
19 investigation?

20 Q. Yes.

21 A. As far as the FBI is concerned --

22 MS. EDELSTEIN: The witness is directed only to

1 answer in regards to the Four Seasons investigation. If
2 there's -- the witness should not reveal information that
3 has to do with whether there's an ongoing investigation.

4 THE WITNESS: Right. FBI, in reference to the
5 Four Seasons, did not arrest those two individuals.
6 Police departments otherwise may have arrested them, but
7 we did not.

8 BY MR. LIGHT:

9 Q. Does the Joint Terrorism Task Force have
10 jurisdiction to arrest individuals if crimes had been
11 committed at the Four Seasons Hotel?

12 A. It --

13 MS. EDELSTEIN: Objection: calls for a legal
14 conclusion. You may answer.

15 THE WITNESS: It would depend on the
16 circumstances. There are circumstances in which it would
17 be appropriate.

18 BY MR. LIGHT:

19 Q. If you know, why wasn't Jeff Labow arrested by
20 the FBI in connection with the Four Seasons Hotel?

21 MS. EDELSTEIN: Objection: speculation.
22 Deliberative process, as well.

1 THE WITNESS: Huh?

2 MS. EDELSTEIN: Another objection.

3 THE WITNESS: Okay, sorry.

4 I don't -- the decisions are not made by the
5 FBI. They are consultations with the U.S. Attorney's
6 Office which can't be revealed.

7 BY MR. LIGHT:

8 Q. To your knowledge, did Jeff Labow commit any
9 crimes at the Four Seasons Hotel?

10 MS. EDELSTEIN: Objection: calls for a legal
11 conclusion and expert testimony.

12 THE WITNESS: He was present, but I don't know
13 specifically if he was involved in the actual damage.

14 BY MR. LIGHT:

15 Q. Could somebody commit a crime without being
16 involved with the actual damage?

17 MS. EDELSTEIN: Objection: calls for a legal
18 conclusion, speculation and expert testimony.

19 THE WITNESS: Conspiracy-related cases, if that
20 would be the case.

21 BY MR. LIGHT:

22 Q. To your knowledge, did Luke Kuhn commit any

1 crimes at the Four Seasons Hotel?

2 MS. EDELSTEIN: Objection: legal conclusion,
3 expert testimony, speculation.

4 THE WITNESS: I do not recall him being
5 specifically involved in the damage.

6 BY MR. LIGHT:

7 Q. Have you seen any video of the events of the
8 Four Seasons Hotel?

9 A. Yes.

10 Q. What video was that?

11 A. There were surveillance cameras in the area.

12 Q. What did the video depict, to the best of your
13 memory?

14 A. Several individuals approaching the Four Seasons
15 in the late night/early morning hours, some entering the
16 establishment, some remaining outside.

17 The video showed some of the damage happening
18 and some of the individuals that were present.

19 Q. When you first saw the video, did you recognize
20 any of the individuals?

21 A. Yes.

22 Q. Which individuals?

1 A. Labow and Kuhn.

2 Q. How did you recognize them?

3 A. Because they -- we've had interactions with them
4 before and we were able to recognize them.

5 Q. When you say, "we," who are you referring to?

6 A. Those of us that conduct these types of
7 investigations --

8 Q. Okay.

9 A. -- the Joint Terrorism Task Force.

10 Q. Just to be clear, I'm asking if you,
11 specifically, recognized anybody in the video.

12 A. Specifically, I recognized Luke Kuhn and Jeff
13 Labow.

14 Q. Through your investigation, did you come to
15 learn the identities of any of the other individuals at
16 the Four Seasons Hotel?

17 A. Yes.

18 Q. Who was that?

19 A. Laura Sennett.

20 Q. Anybody else?

21 A. Not that I recall.

22 Q. If you recall, what was Laura Sennett doing in

1 the video?

2 A. Taking photographs.

3 Q. Was Laura Sennett observed committing any crimes
4 in the video?

5 MS. EDELSTEIN: Objection: calls for a legal
6 conclusion, expert testimony.

7 THE WITNESS: No.

8 BY MR. LIGHT:

9 Q. In the video after Laura Sennett was seen taking
10 photographs, was she seen doing anything else?

11 A. I'm not sure what you're -- leaving with the
12 rest of the group. Is that what you're asking?

13 Q. Yes, uh-huh.

14 To the best of your knowledge, is Laura Sennett
15 a member of any extremist groups?

16 MS. EDELSTEIN: Objection: speculation.

17 THE WITNESS: I don't know of a specific group
18 she's involved in.

19 BY MR. LIGHT:

20 Q. Do you recall, approximately, how long after the
21 event at the Four Seasons the Joint Terrorism Task Force
22 began its investigation?

1 A. I don't recall.

2 Q. Was it within a month?

3 A. I don't recall. Again, I wasn't the case agent,
4 initially. I had other investigations that I was
5 responsible for, so I would help out when necessary. So I
6 can't speculate to exactly what time it started.

7 Q. What were your responsibilities on the case
8 before you took it over?

9 A. Like I said before, assisting whenever necessary
10 or whenever asked to do so.

11 Q. What kind of assistance did you provide?

12 A. Viewing the videotape to see if I recognized
13 anybody, periodic surveillance.

14 Q. Were you asked at any point to search YouTube?

15 A. I don't recall whether I was or not.

16 Q. Were you asked at any point to search Google?

17 A. I don't recall.

18 Q. Do you recall being asked to search any other
19 open source?

20 A. I'm sorry. I don't recall.

21 Q. After you took over the case, did you do any
22 searches on open sources for the name Laura Sennett?

1 A. It's possible, but I don't recall.

2 Q. Do you know if Laura Sennett has any aliases?

3 A. Isis. I believe Isis is one of her aliases.

4 Q. In connection with the investigation, did you
5 search any open source for the term "Isis"?

6 A. I don't recall, specifically. It's possible.

7 Q. Do you know if anybody else who had been working
8 on the investigation had done an open source search for
9 either Laura Sennett or Isis?

10 MS. EDELSTEIN: Objection: speculation.

11 THE WITNESS: I believe so.

12 BY MR. LIGHT:

13 Q. Who do you believe did that?

14 A. I don't recall, specifically, who did it, but I
15 believe it was done when attempts were being made to
16 identify her. I recall seeing such documents, but I don't
17 remember who, the name.

18 Q. If you know, was an open source search done on
19 the term "Isis"?

20 MS. EDELSTEIN: Objection: speculation.

21 THE WITNESS: I don't recall.

22 BY MR. LIGHT:

1 Q. If you know, was an open source search done on
2 the name Laura Sennett?

3 MS. EDELSTEIN: The same objection.

4 THE WITNESS: I don't recall. I apologize. I
5 have a vague recollection, but I can't say specifically.

6 BY MR. LIGHT:

7 Q. Have you viewed any videos in which Laura
8 Sennett is depicted other than the Four Seasons Hotel
9 video?

10 A. No, not to my recollection.

11 Q. Do you know if there were any other -- if there
12 were any YouTube videos that were made part of the
13 investigation file?

14 A. I don't recall.

15 Q. Do you have access to the Central Records System
16 of the FBI?

17 A. Yes.

18 Q. Did you ever do a search on the name Laura
19 Sennett in the Central Records System?

20 A. I don't recall a specific occasion, but I
21 probably did. I don't know.

22 Q. What, if any, results do you remember?

1 A. I don't recall. I'm sorry.

2 Q. Do you know if anybody else on the Joint
3 Terrorism Task Force searched the Central Records System
4 for Laura Sennett?

5 MS. EDELSTEIN: Objection: speculation.

6 THE WITNESS: I mean, I can't speak for what
7 they did. I don't know. I don't recall, specifically,
8 and I wouldn't want to make an assumption.

9 BY MR. LIGHT:

10 Q. Have you ever seen a printout or in any other
11 form the CRS entry on Laura Sennett?

12 A. I don't recall. I just don't remember
13 specifically seeing one. It doesn't mean I didn't. I
14 probably did, but I don't remember.

15 Q. If you know, what is Laura Sennett's profession?

16 A. I don't know, specifically.

17 Q. Do you recall her profession being discussed at
18 any point?

19 A. I do recall it being discussed on a couple of
20 different occasions.

21 Q. And could you detail those occasions for me.

22 A. Upon review of the evidence, it was discussed

1 whether or not she was a prostitute.

2 And when the -- when we were informed that there
3 was a possible lawsuit, it was discussed that she was a
4 journalist -- whether she was a journalist.

5 That was the basis of it, so that's when that
6 discussion took place.

7 Q. And that discussion you just described, who was
8 that with? Who did you discuss that with?

9 A. With the attorneys that approached us with the
10 fact that a case was possibly being looked into, that
11 litigation was possibly being looked into.

12 Q. At that time, do you know whether the lawsuit
13 had already been filed or was just being looked into?

14 A. I don't recall. I think it was just being
15 considered or somehow the U.S. Attorney's Office in the
16 Washington Field Office had been -- one of those entities
17 had been advised that something was pending and we were
18 let know that something was pending.

19 But I don't know whether it was filed or not. I
20 don't recall it being filed.

21 Q. When you said upon review of the evidence it was
22 considered that she might have been a prostitute, when was

1 the review of the evidence?

2 A. It was ongoing for a long period of time.

3 Q. At what point in time was it discussed that she
4 might be a prostitute?

5 A. During the evidence review, which was over a
6 long period of time. I can't recall. There were volumes
7 of information in there. And when that was discovered, we
8 did discuss it.

9 Q. What was the evidence that suggested she might
10 have been a prostitute?

11 A. Dialogue between her and Luke Kuhn, email-
12 related, from her email and his email indicating that they
13 were planning to possibly work together as a prostitution
14 team.

15 Q. Was Luke Kuhn being investigated for
16 prostitution?

17 MS. EDELSTEIN: Objection. The witness should
18 not answer the question as it relates to whether it could
19 reveal whether there is an ongoing investigation.

20 THE WITNESS: Also, because you had asked me
21 that question -- I just forgot to mention this -- she also
22 appeared to have dialogue with somebody that was a

1 potential client of hers.

2 And she referenced to Luke Kuhn that she had one
3 ongoing client, that she was previously more active in
4 that capacity as a prostitute, but that she only maintains
5 one client, that if they got together as a team, they
6 could -- they would be able to bring in a lot more
7 clients.

8 BY MR. LIGHT:

9 Q. Does the Joint Terrorism Task Force have
10 jurisdiction to arrest on prostitution charges?

11 MS. EDELSTEIN: Objection: legal conclusion.

12 THE WITNESS: It's not something that we were --
13 we addressed with the prosecutor, so I won't answer that.

14 BY MR. LIGHT:

15 Q. Do you know if Laura Sennett was investigated
16 for obstructing justice?

17 MS. EDELSTEIN: Objection. The witness should
18 not answer any privileged communications between herself
19 and the U.S. Attorney's Office.

20 BY MR. LIGHT:

21 Q. Did you review any evidence that Laura Sennett
22 obstructed justice?

1 MS. EDELSTEIN: Objection: calls for a legal
2 conclusion and expert testimony.

3 THE WITNESS: I don't recall.

4 BY MR. LIGHT:

5 Q. Did you review a summary of the interview -- of
6 Laura Sennett's interview after the search?

7 A. Pardon me. Could you repeat that?

8 Q. Okay. Well, actually, let me break this down
9 into a couple of questions.

10 Are you aware of whether or not Laura Sennett
11 was interviewed following the search?

12 A. Yes.

13 Q. Have you reviewed any documents related to that
14 interview?

15 MS. EDELSTEIN: Objection: assumes facts not in
16 evidence.

17 THE WITNESS: Yes.

18 BY MR. LIGHT:

19 Q. What documents did you review?

20 A. The FD-302, an FBI document which we use to
21 record the interview.

22 Q. Could you briefly summarize the contents of the

1 FD-302.

2 MS. EDELSTEIN: Objection. The witness should
3 only answer that question as to the point where it does
4 not reveal classified information or an ongoing law
5 enforcement investigation.

6 THE WITNESS: Well, then I don't know if I can
7 answer because --

8 MS. EDELSTEIN: If it relates only to the Four
9 Seasons investigation, you can answer. And if it's not
10 classified information, you can talk about the other
11 contents of the report.

12 (Whereupon, Ms. Wetzler conferred with Ms.
13 Edelstein.)

14 MS. EDELSTEIN: There's nothing in the report
15 that's classified, so I'll withdraw that objection.

16 THE WITNESS: She was asked about -- and, again,
17 I'm only going by my recollection from having read it a
18 long time ago -- the circumstances of the Four Seasons,
19 her participation in that event, her knowledge of the
20 other people present and the whereabouts of the
21 photographs that she took.

22 Those are the key points that I recall.

1 BY MR. LIGHT:

2 Q. Do you recall whether there was anything in the
3 FD-302 about Ms. Sennett being asked about an individual
4 named Adam?

5 A. I don't recall, specifically.

6 Q. Does the name Adam Ortberg -- is that name
7 familiar to you?

8 A. Yes.

9 Q. How is that name familiar to you?

10 A. Well, I don't know if it's appropriate.

11 MS. EDELSTEIN: You can answer the question
12 based on whether it does not tend to reveal whether
13 there's an ongoing investigation about him.

14 And if there's nothing you know about him that
15 wouldn't reveal that, you can answer the question.

16 THE WITNESS: Yeah, I don't know, specifically.
17 Am I allowed to ask you a question? (Directed to Ms.
18 Edelstein.)

19 MS. WETZLER: If it relates to privilege, yes.

20 THE WITNESS: Okay.

21 MS. EDELSTEIN: If you're not sure whether
22 something is privileged, if there's something you're

1 debating whether you can say, we can take a quick aside to
2 discuss it.

3 MR. LIGHT: That would be fine.

4 THE WITNESS: Yean, if you don't mind. I'd feel
5 more comfortable with that.

6 MR. LIGHT: Sure.

7 MS. EDELSTEIN: Thank you.

8 [Whereupon, Ms. Wetzler, Ms. Edelstein, Mr.
9 Pavlak and the witness departed the conference room to
10 confer.]

11 MS. EDELSTEIN: Are we back on the record?

12 MR. LIGHT: Yes.

13 MS. EDELSTEIN: The witness is instructed not to
14 answer that question about how she's familiar with Adam
15 Ortberg.

16 BY MR. LIGHT:

17 Q. Was the name Adam Ortberg mentioned in the
18 interview summary?

19 A. I don't recall.

20 Q. Do you know the name Mark Train?

21 A. I don't recall that name.

22 Q. Is the Four Seasons investigation still open?

1 A. I can't speak to what its current status is
2 because I'm not at the Washington Field Office anymore. I
3 don't -- I'm not responsible for that case.

4 Q. While you were responsible for the case, was it
5 closed at any point?

6 A. To my recollection, it was placed in a pending,
7 inactive capacity.

8 Q. If you know, why was it placed in a pending,
9 inactive capacity?

10 A. Because the -- many of the members that were
11 involved, many of the people/subjects that were involved
12 in the destruction had not yet been identified.

13 And there's a possibility that through other
14 investigations or tips, that they can be identified, in
15 which case the case would become pending and active.

16 Q. Who took over the case after you were no longer
17 working at the field office?

18 A. I'm not aware of who it was assigned to.

19 Q. When did you do leave the Washington Field
20 Office?

21 A. March 2010.

22 Q. And why did you leave?

1 A. I received an SSA position with the Critical
2 Incident Response Group.

3 Q. Do you know why the case was reassigned from
4 Vincent to you?

5 A. Vincent went to -- he moved off of that squad
6 and went on to a different JTTF squad, so his cases had to
7 be reassigned. But I don't recall whether I was the first
8 person it was assigned to after him.

9 Q. While you were the case agent, was Ms. Sennett's
10 items that were seized in the search, were they still in
11 the possession of the FBI?

12 A. Yes.

13 Q. If you know, when were her possessions returned
14 to her?

15 A. The beginning of 2010 at some point prior to my
16 departure.

17 Q. Do you know why the items were in the possession
18 of the FBI for so long?

19 MS. EDELSTEIN: Objection: assuming facts not in
20 evidence, characterization.

21 THE WITNESS: For review.

22 BY MR. LIGHT:

1 Q. How long did the review take?

2 A. It took a long period of time.

3 Q. Do you know what was involved in the review?

4 A. There were numerous hard drives, disks, cameras
5 that had to be reviewed. The contents had to be reviewed.

6 Q. Were you involved in reviewing them?

7 A. Yes.

8 Q. At anytime, have you reviewed the Central
9 Records System entry on Jeff Labow?

10 MS. EDELSTEIN: Objection. The witness can --
11 well, objection withdrawn.

12 THE WITNESS: In reference to the Four Seasons?

13 MR. LIGHT: In reference to anything.

14 MS. EDELSTEIN: The witness should only answer
15 the question as to with respect to the Four Seasons.

16 MR. LIGHT: Okay. I'll limit it to the Four
17 Seasons then.

18 THE WITNESS: I don't recall.

19 BY MR. LIGHT:

20 Q. Do you know whether there is an entry for Jeff
21 Labow in the Central Records System?

22 MS. EDELSTEIN: Objection. The witness can't

1 answer the question as it would tend to reveal whether
2 there is an ongoing investigation.

3 MR. LIGHT: We can FOIA the information. It's
4 public.

5 MS. WETZLER: You can do whatever you want, but
6 we're asserting the law enforcement privilege.

7 MR. LIGHT: Okay, fair enough.

8 BY MR. LIGHT:

9 Q. Did you ever see any receipts related to the
10 damage or the cleanup of the damage of the Four Seasons
11 Hotel?

12 A. Yes.

13 Q. Approximately, how much damage was done?

14 A. I don't recall.

15 Q. At any point, did you speak with the security
16 director at the Four Seasons Hotel?

17 A. I don't recall whether I did or not.

18 Q. At any point, did you listen to a radio run
19 relating to the event at the Four Seasons Hotel?

20 A. Pardon me.

21 Q. A radio run.

22 MS. EDELSTEIN: Objection: assuming facts not in

1 evidence.

2 THE WITNESS: I'm not clear on what you're
3 referring to.

4 BY MR. LIGHT:

5 Q. To clarify, whether there was any police
6 communication over their radio system that you listened to
7 in responding to the Four Seasons Hotel.

8 MS. EDELSTEIN: The same objection.

9 THE WITNESS: I don't recall listening to that.
10 I wasn't there for the act. So if you're talking about
11 listening on the radio, I wasn't --

12 MR. LIGHT: Well, sometimes they're recorded.

13 BY MR. LIGHT:

14 Q. So you haven't listened to any recordings of
15 that?

16 A. (Shaking head.)

17 Q. Okay. Do you know whether any attempt was ever
18 made to subpoena evidence from Ms. Sennett in connection
19 with the Four Seasons Hotel?

20 MS. EDELSTEIN: Objection: personal knowledge.

21 THE WITNESS: I don't recall. I don't have
22 knowledge of that.

1 BY MR. LIGHT:

2 Q. Was anything found in Laura Sennett's house that
3 related to the events of the Four Seasons Hotel?

4 A. To my recollection, the clothing that she was
5 wearing on the surveillance video at the time of the
6 vandalism was located.

7 Q. Was there anything else?

8 A. Not to my knowledge.

9 Q. Have you ever viewed a blog called, "Isis
10 Imagery"?

11 A. Possibly. I don't recall, specifically, though.

12 Q. Have you ever viewed a website called,
13 "IsisImagery.com"?

14 A. I don't recall observing that website.

15 Q. Was there anything suspicious about how Laura
16 Sennett was dressed in the video?

17 A. Could you be more specific, please? I'm not
18 sure what you mean.

19 Q. Did anything stand out to you about how she was
20 dressed?

21 A. Yes.

22 Q. What was that?

1 A. Well, that was part of the reason we were able
2 to identify her. She had a beanie on and she had boots
3 that were like combat-style boots.

4 Q. And is there anything suspicious about wearing
5 combat boots?

6 A. No.

7 MS. EDELSTEIN: Objection. Go ahead.

8 THE WITNESS: I'm saying that her clothing was
9 one way that we were able to distinguish who she was from
10 the video.

11 BY MR. LIGHT:

12 Q. Was there anything about how she was dressed in
13 the video that would indicate that she might be likely to
14 commit a crime?

15 MS. EDELSTEIN: Objection.

16 THE WITNESS: I don't recall -- I don't know
17 what you mean by something that would make her likely to
18 commit a crime.

19 I don't know that I would be able to determine
20 what is clothing that makes someone likely to commit a
21 crime.

22 BY MR. LIGHT:

1 Q. Was Laura Sennett wearing a mask in the video?

2 A. I don't recall her wearing a mask.

3 Q. Well, does wearing a mask mean it's likely that
4 one is about to commit a crime?

5 MS. EDELSTEIN: Objection: speculation.

6 THE WITNESS: It does not always mean it's
7 likely. Not everybody there was wearing a mask and they
8 -- some of them participated in crimes.

9 BY MR. LIGHT:

10 Q. To your knowledge, was any member of the Earth
11 Liberation Front involved in protesting the Four Seasons
12 Hotel?

13 MS. EDELSTEIN: Objection: asked and answered.

14 THE WITNESS: Again, I can't speak to the
15 specific group that was being represented in every protest
16 there. I don't know.

17 BY MR. LIGHT:

18 Q. I'm referring specifically to the protest at the
19 Four Seasons Hotel. You were there. Do you have any
20 evidence that a member of ELF was present?

21 MS. EDELSTEIN: Objection: assumes facts not in
22 evidence.

1 THE WITNESS: Specifically ELF, I'm not clear
2 on. And I'm saying specifically because there are several
3 different groups.

4 And it is well-known historically that people
5 from different groups will participate in different
6 protests, different activities. So they may be affiliated
7 with ELF, but participating in a different activity.

8 So they wear -- a lot of subjects wear a lot of
9 different hats. They may be part of all of the different
10 groups.

11 So to specify that ELF was one, I'm not
12 comfortable stating that specific group.

13 BY MR. LIGHT:

14 Q. Have you come across any specific evidence that
15 ELF was responsible for organizing the protest at the Four
16 Seasons Hotel?

17 A. I don't recall coming across that particular
18 evidence, no.

19 Q. Do you have any idea why Detective Antignano
20 thought ELF was responsible?

21 MS. EDELSTEIN: Objection: assuming facts not in
22 evidence; also, speculation.

1 THE WITNESS: I can't speak for Vinny's -- what
2 -- Vinny's reasoning for thinking it was ELF. It's
3 possible he has knowledge that one particular member was
4 an ELF member.

5 And, at times, people might use them in broad
6 terms, but that's something that I don't do. Other agents
7 might speak in broader terms when they're talking about
8 any of the different groups like that.

9 BY MR. LIGHT:

10 Q. What do you mean speaking in broader terms?

11 A. It's kind of like saying you're using a Xerox
12 machine and it's not a Xerox machine, or get a Kleenex.
13 It's kind of a -- it's widely used to -- sometimes it's
14 used to refer to the fact that there is an environmental
15 element to it, so they say it's ELF. But, again, I
16 shouldn't have said any of that because I can't tell you
17 why Vinny said that.

18 But that just gives you an idea as to why, when
19 I'm answering your questions, I'm not going to feel
20 comfortable just narrowing it down that specifically to
21 all protests that happened at the Four Seasons.

22 Q. Would you say that somebody is a member of ELF

1 simply because they are like-minded with other members of
2 ELF?

3 MS. EDELSTEIN: Objection: speculation.

4 THE WITNESS: When I say they're a member --
5 could you repeat that just so I'm clear.

6 BY MR. LIGHT:

7 Q. Would you say somebody is a member of ELF simply
8 because they are like-minded with other members of ELF?

9 MS. EDELSTEIN: Objection: calls for
10 speculation.

11 THE WITNESS: I would say they're a member of --
12 as far as I'm concerned, they're a member of ELF if they
13 have made it known that they are a member of ELF or have
14 joined an ELF type of group.

15 BY MR. LIGHT:

16 Q. What are some ELF types of groups?

17 A. ELF. That's what I'm saying. It's a particular
18 entity.

19 And some people might -- it's technically not
20 even a group that goes out and works together. They might
21 do something on behalf of ELF, but people might join the
22 ELF cause/Earth Liberation Front cause.

1 So when I say groups, I just mean if they're --
2 I don't mean ELF. That is a particular entity in and of
3 itself.

4 Q. Do you know whether ELF has a presence in the
5 Washington, D.C. area?

6 MS. EDELSTEIN: Speculation.

7 THE WITNESS: Again, ELF is not -- to my
8 knowledge, and I'm not an expert, but in my experience, it
9 is not a group. It is not a group that has cells in
10 different areas in the United States. It is more of a
11 movement.

12 And while people might engage in activities on
13 behalf of ELF, it is not a particular group that is ELF
14 that will show up. You know, it might be posted on the
15 ELF site, but it's not the same as a lot of other
16 environmental extremism groups.

17 BY MR. LIGHT:

18 Q. Do you know if ELF specializes in protesting the
19 World Bank or International Monetary Fund?

20 MS. EDELSTEIN: Objection: speculation.

21 THE WITNESS: Several different groups do. I
22 don't know whether they do or not.

1 BY MR. LIGHT:

2 Q. Do you know what group -- if you know, what
3 group organized the Four Seasons Hotel protest?

4 A. I don't know.

5 Q. Do you know whether there was a group or whether
6 it was just individuals?

7 A. I don't recall a specific group taking
8 responsibility for the activities.

9 I can say that the subjects that I'm aware of
10 that were part of it have crossed the thresholds of the
11 other groups in support of them in the past.

12 So to say it's one particular group, based on
13 the people that were there, I wouldn't be able to do that
14 because they've been part of other-type extremism
15 activities.

16 Q. Do you know what groups Luke Kuhn is a member
17 of?

18 MS. EDELSTEIN: Objection: speculation. The
19 witness is also directed not to answer if it would have to
20 do with an ongoing law enforcement investigation.

21 THE WITNESS: Sorry. I can't reveal that.

22 BY MR. LIGHT:

1 Q. Do you know what political groups Jeff Labow is
2 a member of?

3 MS. EDELSTEIN: The same objection.

4 THE WITNESS: Sorry.

5 BY MR. LIGHT:

6 Q. Do you know what political groups Adam Ortberg
7 is a member of?

8 MS. EDELSTEIN: The same objection.

9 THE WITNESS: (No response.)

10 BY MR. LIGHT:

11 Q. Do you know whether or not Laura Sennett knows
12 Luke Kuhn?

13 MS. EDELSTEIN: Speculation.

14 THE WITNESS: Based on their email activities
15 about the prostitution, I seems that they know one
16 another.

17 BY MR. LIGHT:

18 Q. Do you know about how long Laura Sennett has
19 known Luke Kuhn?

20 MS. EDELSTEIN: Speculation.

21 THE WITNESS: I don't know, specifically.

22 BY MR. LIGHT:

1 Q. Do you know if Laura Sennett knows Jeff Labow?

2 A. Based on email activity with Jeff Labow and the
3 evidence reviewed, yes.

4 Q. Do you know about how long Laura Sennett has
5 known Jeff Labow?

6 A. I do not know.

7 Q. Do you know in what capacity Laura Sennett knows
8 Jeff Labow?

9 A. To my recollection, in a personal capacity.

10 Q. Have you ever heard of a website called,
11 "Indymedia"?

12 A. Yes.

13 Q. Could you describe what Indymedia is.

14 A. It is an outlet for talking about issues related
15 to left-wing groups, issues, things like that.

16 Q. Have you ever seen any photographs taken by
17 Isis, or Laura Sennett, on Indymedia?

18 A. I don't recall.

19 Q. Have you ever seen any photographs taken by
20 Laura Sennett, or Isis, anywhere else on the Web?

21 A. I don't recall.

22 Q. Have you ever seen any photographs taken by

1 Laura Sennett, or Isis, anywhere at all?

2 A. Yes.

3 Q. Where?

4 A. On her evidence that I reviewed.

5 Q. Okay. Do you know whether any physical
6 surveillance was conducted on Laura Sennett?

7 A. Yes.

8 Q. Approximately, when was physical surveillance
9 conducted on Laura Sennett?

10 A. I don't recall. I know there was some done
11 before the search was conducted.

12 Q. Do you recall, approximately, how many times
13 physical surveillance was conducted?

14 A. No.

15 Q. Are you familiar with the term "trash cover"?

16 A. Yes.

17 Q. Do you know whether a trash cover was done at
18 Laura Sennett's residence?

19 A. Yes.

20 Q. What, if anything, was done in the trash cover?

21 A. Documents. I don't recall all the specific
22 items.

1 Q. Do you recall whether there was any evidence of
2 a crime that was found in her trash?

3 MS. EDELSTEIN: Objection: calls for a legal
4 conclusion and expert testimony.

5 THE WITNESS: I don't recall that.

6 BY MR. LIGHT:

7 Q. Did you take part in any of the physical
8 surveillance?

9 A. Yes.

10 Q. What was your role in the physical surveillance?

11 A. Surveillance.

12 Q. Just to be clear, so you were physically present
13 --

14 A. Yes.

15 Q. -- at Laura Sennett's residence prior to the
16 search?

17 A. Correct.

18 Q. And you observed her -- did you follow her?

19 MS. EDELSTEIN: Objection: assuming facts not in
20 evidence.

21 THE WITNESS: Yes.

22 BY MR. LIGHT:

1 Q. Did you ever follow her into the District of
2 Columbia?

3 A. Yes.

4 Q. And what was the purpose of following her?

5 A. Partly because we were trying to discern what
6 her employment was.

7 Q. Were you able to discern what her employment
8 was?

9 A. On the occasions that I was participating, I did
10 not -- was not able to discern. We were not able to
11 discern what her employment was.

12 Q. Why were you interested in what her employment
13 was?

14 MS. EDELSTEIN: Objection: speculation.

15 THE WITNESS: Partly for operational reasons.

16 BY MR. LIGHT:

17 Q. I'm not exactly sure what that means. Could you
18 explain.

19 MS. EDELSTEIN: The witness shouldn't reveal any
20 classified information or law enforcement techniques, but
21 you can talk.

22 THE WITNESS: Okay. I'm not sure if that --

1 MS. EDELSTEIN: You can -- unless there's
2 anything sensitive about that, you can answer the
3 question.

4 THE WITNESS: Okay. Prior to a possible search-
5 arrest scenario, for safety purposes, we do surveillance
6 in order to get the layout of the home, of the individual
7 to make sure there are no places of concern should an
8 arrest take place.

9 We also like to see who's in the home, in case
10 there are children, other people present that -- is that
11 --

12 MS. EDELSTEIN: Sorry. I accidentally hit the
13 table.

14 THE WITNESS: Oh, okay. Also, if there is an
15 employer, we like to know where the person is employed,
16 when they might leave for their employment, because at
17 times it's easier and less traumatic to be able to take
18 someone into custody when they're not at the home.

19 BY MR. LIGHT:

20 Q. Is it sometimes traumatic to take somebody into
21 custody?

22 A. Pardon me.

1 Q. Sometimes it's traumatic for somebody to be
2 taken into custody?

3 MS. EDELSTEIN: Objection: speculation.

4 THE WITNESS: I'm just meaning if there are
5 children present at the time, something like that, or
6 someone that's elderly, ill, sometimes there are ways to
7 do that so it's not traumatic for those people.

8 BY MR. LIGHT:

9 Q. Aside from the physical surveillance, what else
10 was done to learn Laura Sennett's occupation?

11 MS. EDELSTEIN: Objection: speculation, personal
12 knowledge.

13 THE WITNESS: In this particular case, I can't
14 speak to exactly what was done in order to find out what
15 her occupation was.

16 BY MR. LIGHT:

17 Q. What's typically done to find out what a
18 person's occupation is?

19 A. There are different avenues for that: public
20 source information, checking things like ChoicePoint or
21 Accurate, which might give you somebody's employment
22 information and background.

1 Q. Would Google ever be used to find out somebody's
2 employment?

3 MS. EDELSTEIN: Objection: speculation.

4 THE WITNESS: It could be.

5 BY MR. LIGHT:

6 Q. Did you ever observe Ms. Sennett with a camera?

7 A. In the video, she had a camera.

8 Q. When you were physically surveying her, did you
9 ever observe her with a camera?

10 A. I don't recall seeing her with a camera.

11 Q. Do you know what happened with the items seized
12 from Laura Sennett's house immediately after they were
13 seized? Where did they go?

14 A. I was not present, so I can't answer to exactly
15 what happened because I was not there.

16 Q. What typically happens?

17 A. They are processed into the Evidence Control
18 Center.

19 Q. Does anything special happen to computer
20 evidence?

21 A. Computer evidence is at times taken in the
22 custody of the computer forensic examiners, but sometimes

1 it goes through the Evidence Control Center, as well.

2 So in this particular case, I'm not sure how
3 they handled that.

4 Q. Were you present during the execution of the
5 search warrant on Laura Sennett's home?

6 A. No.

7 Q. You mentioned that at some point you had
8 followed Laura Sennett into the District of Columbia.
9 What did you observe her doing on that occasion?

10 A. She was handing off a cell phone to someone that
11 we believe to be her son and then she left.

12 Q. Do you know that individual's name?

13 A. I don't recall.

14 Q. Do you know whether Laura Sennett's son had any
15 property seized?

16 A. I believe some of the items -- computer-related
17 items were his.

18 Q. Do you know why his property would have been
19 seized?

20 MS. EDELSTEIN: Objection: speculation.

21 THE WITNESS: Because people are known to use
22 different computers within the home. So in order to look

1 for evidence, we are able to take the other computers that
2 we think there might be some information held on.

3 BY MR. LIGHT:

4 Q. Do you know why some computers were not taken
5 from her house?

6 MS. EDELSTEIN: Objection: speculation.

7 THE WITNESS: I wasn't there for the search, so
8 I can't speculate as to why they made that decision at the
9 time.

10 BY MR. LIGHT:

11 Q. Do you know why her cell phone was taken?

12 MS. EDELSTEIN: Objection: speculation.

13 THE WITNESS: At times, you're able to find
14 texts/phone calls that are possibly related to the
15 incident in question.

16 BY MR. LIGHT:

17 Q. Do you know whether any texts or cell phone
18 calls related to the incident in question were found?

19 A. Not to my knowledge.

20 Q. Do you know whether any emails were found on
21 Laura Sennett's computer discussing a meeting at Dupont
22 Circle prior to the Four Seasons Hotel protest?

1 A. I don't recall. I don't recall.

2 Q. Do you know if there was any other evidence that
3 Ms. Sennett had a meeting in Dupont Circle prior to the
4 Four Seasons Hotel event?

5 A. I don't recall.

6 Q. Do you know why the search warrant included a
7 request to look for gunpowder in the house?

8 MS. EDELSTEIN: Objection: speculation.

9 THE WITNESS: I wasn't there for the search
10 warrant. I wasn't in that discussion as to why. I could
11 speculate, but it would be speculating and I don't know.

12 BY MR. LIGHT:

13 Q. Earlier in the deposition you differentiated
14 between an investigation in the Four Seasons Hotel and an
15 investigation of Laura Sennett. Were there two separate
16 investigations?

17 A. Yes.

18 Q. Can you elaborate?

19 MS. EDELSTEIN: Objection: vague.

20 THE WITNESS: The investigation of the Four
21 Seasons encompasses several subjects that the attempt is
22 being made to identify them.

1 Whenever one is identified, it's placed in a
2 separate investigation, so that those documents, whether
3 it's grand jury-related or whatever that might not apply
4 to this particular investigation, are separated. It
5 becomes its own investigation.

6 It's the way it works with any other people that
7 are identified.

8 BY MR. LIGHT:

9 Q. Are there different file numbers
10 involved/assigned?

11 A. Yes.

12 Q. Do you know the file number for the Four Seasons
13 Hotel investigation?

14 A. I'm sorry, no. I just don't recall.

15 Q. Okay. Without mentioning any names, did you
16 speak to any confidential informants in investigating this
17 case?

18 A. I did not.

19 MR. LIGHT: Okay. I think that's all the
20 questions.

21 MS. EDELSTEIN: If we could just have a few
22 minutes, Jeff.

1 MR. LIGHT: Sure.

2 MS. EDELSTEIN: Thanks.

3 [Whereupon, a brief recess was taken.]

4 EXAMINATION ON BEHALF OF DEFENDANTS

5 BY MS. EDELSTEIN:

6 Q. Ms. Sercer, who was responsible for determining
7 whether any crimes were committed at the Four Seasons
8 Hotel?

9 A. Somebody of a prosecutorial nature.

10 Q. That would be?

11 A. The prosecutor, if it was a police department-
12 related thing, or the U.S. Attorney's Office, if it was a
13 domestic terrorism-related case.

14 Q. Have you ever heard the term "photo journalist"
15 associated with Laura Sennett?

16 A. Yes.

17 Q. And when was the first time you heard that term
18 associated with her?

19 A. When we got a nuance that there was going to be
20 a -- that there was a probable lawsuit, or something.

21 Q. Was that before or after the search?

22 A. After.

1 Q. Do you know if there was an Accurate report
2 printed in this case or viewed?

3 A. Yes.

4 Q. Have you ever seen it?

5 A. I don't recall whether I've seen it specifically
6 or not.

7 Q. What is your knowledge of the report in that
8 case?

9 A. I know I had a discussion with Detective
10 Antignano about it. He was the original case agent and he
11 had indicated that he was unable to discern the employment
12 of Laura Sennett based on that report.

13 Q. When was the last time you read the FD-302 form
14 that summarizes the interview conducted of Ms. Sennett?

15 A. I don't know the specific date. I recall
16 reading it when I took over the case as the case agent,
17 which would have been November or December 2008.

18 MS. EDELSTEIN: Nothing further.

19 MR. LIGHT: Nothing further -- oh, I'm sorry.

20 FURTHER EXAMINATION ON BEHALF OF PLAINTIFF

21 BY MR. LIGHT:

22 Q. Just to clarify, I think you just said that you

1 believe Antignano was the original case agent; is that
2 correct?

3 MS. EDELSTEIN: Objection: characterization.

4 THE WITNESS: Again, I don't know whether he was
5 the original case agent. I know that he was the case
6 agent through the majority of the case, as far as the
7 search was concerned.

8 MR. LIGHT: Okay. No more questions.

9 THE COURT REPORTER: Do you want her to review
10 or --

11 MS. EDELSTEIN: She'll read and sign.

12 THE COURT REPORTER: Read and sign, okay.

13 And did you all want to order?

14 MS. MOSHMAN: Yes, please.

15 MS. WETZLER: We have to -- we'll order, but we
16 have to get the funds first.

17 THE COURT REPORTER: And did you want a copy?

18 MR. PAVLAK: No.

19 THE COURT REPORTER: No, okay.

20 (Whereupon, with signature of the deponent
21 having not been waived, the taking of the deposition was
22 concluded at approximately 3:34 p.m.)

CERTIFICATE OF DEPONENT

I, Angela Sercer, do hereby certify that I have read the foregoing pages 1 through 91, 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

CASE: Laura Sennett v. United States, et al.

DEPOSITION OF: Angela Sercer

TAKEN: Friday, March 11, 2011

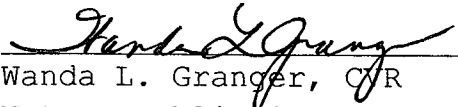
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WITNESS

Misty Klapper & Associates
703-780-9559

CERTIFICATE OF NOTARY

I, WANDA L. GRANGER, 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 via voice writing 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.


Wanda L. Granger, C/R
Notary Public in and for
the Commonwealth of Virginia
Notary Registration No. 122358

My Commission Expires: February 28, 2015