

Transcript of the Testimony of  
**The Satanic Temple 30(b)(6)**

**Date:** March 10, 2020

**Case:** Donna Cave, et al. v. John Thurston

**Bushman Court Reporting**

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IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION  
DONNA CAVE, JUDITH LANSKY, PLAINTIFFS  
PAT PIAZZA, AND SUSAN RUSSELL

ANNE ORSI; AMERICAN HUMANIST ASSOCIATION; FREEDOM FROM RELIGION FOUNDATION, INC.; ARKANSAS SOCIETY OF FREETHINKERS; JOAN DIETZ; GALE STEWART; RABBI EUGENE LEVY; REV. VICTOR H. NIXON; TERESA GRIDER; AND WALTER RIDDICK CONSOLIDATED PLAINTIFFS

THE SATANIC TEMPLE; DOUG MISICKO, AKA "LUCIEN GREAVES"; AND ERIKA ROBBINS INTERVENORS

VS. CASE NO. 4:18-CV-00342

JOHN THURSTON, ARKANSAS SECRETARY OF STATE, IN HIS OFFICIAL CAPACITY DEFENDANT

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VIDEOTAPED ORAL DEPOSITION  
OF THE  
30(b)(6) REPRESENTATIVE OF THE SATANIC TEMPLE  
DOUGLAS ALEXANDER MISICKO

---

March 10, 2020  
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Page 10	Page 12
<p>1</p> <p>2</p> <p>3</p> <p>4 CAPTION</p> <p>5 ANSWERS AND ORAL DEPOSITION OF 30(b)(6)</p> <p>6 REPRESENTATIVE OF THE SATANIC TEMPLE, DOUGLAS ALEXANDER</p> <p>7 MISICKO, a witness produced at the request of the</p> <p>8 Defendant, taken in the above-styled and numbered cause</p> <p>9 on the 10th of March, 2020 before Shyloa Myers, CCR, RPR,</p> <p>10 and Notary Public, at 9:14 a.m. at the offices of the</p> <p>11 Arkansas Attorney General, Civil Department, 323 Center</p> <p>12 Street, Little Rock, Arkansas 72201.</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18 STIPULATIONS</p> <p>19</p> <p>20 NO STIPULATIONS ON THE RECORD</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 Cave Plaintiffs.</p> <p>2 MR. BAKER: Darryl Baker for the Orsi</p> <p>3 Plaintiffs.</p> <p>4 MS. KEZHAYA: Sonia Kezhaya for the</p> <p>5 Intervenors.</p> <p>6 MR. KEZHAYA: Matt Kezhaya for the</p> <p>7 Intervenors.</p> <p>8 MR. CANTRELL: All right. And behind you?</p> <p>9 MR. KEZHAYA: Behind me is Erika Robbins.</p> <p>10 MR. CANTRELL: Okay. And that's everyone</p> <p>11 in the room, right? Okay. All right.</p> <p>12 DOUGLAS ALEXANDER MISICKO,</p> <p>13 Called as a witness, having been first duly</p> <p>14 sworn to tell the truth, the whole truth, and nothing but</p> <p>15 the truth, was examined and testified as follows:</p> <p>16 EXAMINATION</p> <p>17 BY MR. CANTRELL:</p> <p>18 Q. So we're on the record. As I said, my name's</p> <p>19 Michael Cantrell. I represent the Attorney General --</p> <p>20 excuse me. I represent the Defendant, John Thurston, in</p> <p>21 this case. I work for the Attorney General's Office.</p> <p>22 And can you state your name and date of birth for</p> <p>23 the record?</p> <p>24 A. Douglas Alexander Misicko. August 12, 1975.</p> <p>25 Q. Okay. And you've used the aliases Lucien Greaves</p>

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1 and Doug Mesner, correct?  
 2 **A. Correct.**  
 3 Q. Okay. What is your position with The Satanic  
 4 Temple?  
 5 **A. Cofounder and spokesperson.**  
 6 Q. Okay. And you're the representative designated by  
 7 The Satanic Temple with knowledge of the topics listed in  
 8 the Notice of Deposition, correct?  
 9 **A. Correct.**  
 10 **(Exhibit 1 marked for identification.)**  
 11 Q. Okay. Here you go. I'm handing you Exhibit 1, which  
 12 is The Satanic Temple 30(b)(6) Notice of Deposition.  
 13 Do you recognize that?  
 14 **A. Yes.**  
 15 Q. Okay. Okay. Have you ever been deposed before?  
 16 **A. Yes.**  
 17 Q. How many times?  
 18 **A. Twice, I believe.**  
 19 Q. Okay. In what lawsuits were those depositions  
 20 taken?  
 21 **A. I forget what the title -- The Satanic Temple V.**  
 22 **Scottsdale.**  
 23 Q. Okay. This is the Arizona litigation?  
 24 **A. Yeah, correct.**  
 25 Q. Okay. Okay.

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1 **A. And -- and that was two depositions.**  
 2 Q. Okay. Did you testify under oath and under penalty  
 3 of perjury when -- when you gave those depositions?  
 4 **A. Correct.**  
 5 Q. And did you testify truthfully in those  
 6 depositions?  
 7 **A. Yes.**  
 8 Q. Is there anything about your statements in those  
 9 depositions that you want to change?  
 10 **A. Not that I readily recall.**  
 11 Q. Okay. Okay. And you've -- you've looked at that?  
 12 That is a copy of the -- the Notice of Deposition in this  
 13 case.  
 14 **A. Correct.**  
 15 Q. Okay. And the last page is a list of the topics,  
 16 correct?  
 17 **A. Correct.**  
 18 **(Exhibit 2 marked for identification.)**  
 19 Q. Okay. Okay. And you can set that aside for now.  
 20 Okay. I'm handing you a copy of Exhibit 2.  
 21 **A. Stack these here?**  
 22 Q. Yeah, yeah.  
 23 **A. Okay.**  
 24 Q. Do you recognize Exhibit 2 as the Second Amended  
 25 Complaint in this lawsuit filed by The Satanic Temple

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1 Intervenors?  
 2 **A. Yes.**  
 3 Q. Okay. I'd like to ask you about some of the things  
 4 in the complaint. If you would take a look at Page 2 of  
 5 10.  
 6 **A. Okay.**  
 7 Q. The first full paragraph, the last sentence, it  
 8 says -- and read along silently as -- as I read. "Unlike  
 9 the Ten Commandments Monument, the Baphomet monument was  
 10 not spec- -- was not specially exempted from the Zoning  
 11 and Arts and Grounds Commission requirements."  
 12 Did I read that correctly?  
 13 **A. Correct.**  
 14 Q. Okay. And my question for you is this: Tell me what  
 15 requirements the Ten Commandments monument was exempted  
 16 from that the Baphomet monument had to meet?  
 17 **A. Huh. I don't -- I don't really understand the**  
 18 **question.**  
 19 Q. Okay. So specifically what zoning requirement did  
 20 the Ten Commandments monument not have to meet?  
 21 **A. I'm not aware.**  
 22 Q. Okay. Are you aware of any Arts and Grounds  
 23 Commission requirement that the Ten Commandments did not  
 24 have to meet?  
 25 **A. No, not that I recall.**

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1 Q. Okay. And you were present for some of the meetings  
 2 where the Ten Commandments monument proceeded through the  
 3 Arts and Grounds Commission process, weren't you?  
 4 **A. Correct.**  
 5 **I don't think I was at all of them, though.**  
 6 Q. Okay. So you're not aware of any requirement that  
 7 the Baphomet monument had to meet that the Ten  
 8 Commandments monument did not have to meet?  
 9 **A. As we sit here now, I'm not -- I'm -- I'm not clear**  
 10 **on the meaning of the -- of that sentence.**  
 11 Q. Okay. So -- and -- and let me ask it again. Not  
 12 specifically focusing on that sentence, but say we had --  
 13 say we had two lists, like, a list of every requirement  
 14 that the Ten Commandments monument had to meet and a list  
 15 of every requirement that the Baphomet monument had to  
 16 meet.  
 17 What would be on the one list that wouldn't be on  
 18 the other list?  
 19 **A. That I -- I can't recall. I would have to -- I**  
 20 **would have to see such a list to be able to make that**  
 21 **kind of comparison.**  
 22 Q. Okay. Did you draft any bill for proposal to the  
 23 Legislature to place the Baphomet monument on the  
 24 Arkansas State capitol grounds?  
 25 **A. I did not.**

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1 Q. Did anything prevent you from drafting a bill to  
 2 that effect?  
 3 **A. A lack of sponsorship within the Legislature.**  
 4 Q. So you didn't propose any bill to any sponsor, any  
 5 potential sponsor?  
 6 **A. It was my understanding that it wasn't for us to**  
 7 **propose the bill, but we needed to find a sponsor within**  
 8 **the Legislature to propose such a bill on our behalf.**  
 9 Q. And you -- you didn't offer a bill? You didn't  
 10 offer proposed legislation or anything like that?  
 11 **A. No. I sought sponsorship.**  
 12 Q. Okay. You -- you sought sponsorship from a member  
 13 of the General Assembly?  
 14 **A. I believe from all members of the General Assembly.**  
 15 Q. Okay. Okay. Now, I want to ask you about your  
 16 understanding of Arkansas Act 274 of 2017, which is  
 17 usually referred to in your complaint by the  
 18 Bill No. 2017 HB1273.  
 19 So if you can take a look at Page 6 of 10,  
 20 Paragraph 27. And read along with me as I read aloud.  
 21 "Before 2017 HB1273, the Arts and Grounds Commission  
 22 holds a public comment period and decides whether to  
 23 approve. If the Arts and Grounds Commission approves, an  
 24 act of the General Assembly then must enact to the  
 25 construction of the monument."

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1 Did I read that correctly?  
 2 **A. Correct.**  
 3 Q. Okay. So you agree that an act of the Legislature  
 4 was necessary to place a monument on the grounds even  
 5 before Act 274 of 2017 was enacted, correct?  
 6 **A. I believe those rules were changed in the middle of**  
 7 **our process of seeking to erect the Baphomet monument,**  
 8 **though. I remember at some point Senator Rapert proposed**  
 9 **some emergency bill to change the process by which**  
 10 **monuments were erected, and this is what prevented us**  
 11 **from having our public comments period.**  
 12 **I believe our next step was to have the public**  
 13 **comments period after we had already had a meeting with**  
 14 **the Arts and Grounds Commission about the construction of**  
 15 **our monument, but then we were denied public comments**  
 16 **period because of the change in process proposed by**  
 17 **Senator Rapert.**  
 18 Q. Okay. So is it your understanding -- well, let me  
 19 back up.  
 20 Your understanding is that approval by the  
 21 Legislature was not required before Act 274 of 2017 was  
 22 enacted?  
 23 **A. Not required at the same point in time of the**  
 24 **process of seeking to have a monument erected, as it**  
 25 **became retroactively in the process of us seeking to**

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1 **erect a monument.**  
 2 Q. Okay. So -- so you still would have had to have  
 3 get -- gotten legislative approval even before Act 27 --  
 4 Act 274 of 2017 was enacted, correct?  
 5 **A. That I don't -- I don't think so. I could be wrong.**  
 6 **I would have to look at the material again. But my**  
 7 **understanding of it was is that we were going through the**  
 8 **proper protocols on the proper timeline and going through**  
 9 **the procedure in the order that was prescribed at that**  
 10 **time.**  
 11 **And then that order of timeline was changed in the**  
 12 **middle of our seeking the -- the monument being erected.**  
 13 Q. Okay. So I take it the answer to your question --  
 14 the answer -- your answer to my question is you don't  
 15 know?  
 16 **A. Correct.**  
 17 **I know at some point you needed legislative**  
 18 **sponsorship for a bill to be presented on the floor for**  
 19 **the construction and -- and placement of a monument. But**  
 20 **at which point the procedural structure of that changed**  
 21 **and -- and the exact nature of that change is not -- I**  
 22 **don't readily recollect.**  
 23 Q. And I'll ask just one more time, just for clarity's  
 24 sake.  
 25 Your understanding is that before Act 274 of 2017

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1 was enacted, before that it was still required to have an  
 2 act of the Legislature to approve the placement of a  
 3 monument on the capitol grounds; correct?  
 4 **A. At some point in which you would be seeking to**  
 5 **erect a monument. At some point you -- you -- in**  
 6 **either -- in either of the -- of the procedural**  
 7 **structures, at some point you were going to need**  
 8 **legislative support.**  
 9 Q. Okay. So both -- so both so before and after  
 10 legislative approval was required? Before and after?  
 11 **A. Correct, that's my understanding.**  
 12 Q. Okay. Thank you.  
 13 Okay. Take a look at Page 7 of 10, Paragraph 31.  
 14 And I believe you've already mentioned this, but  
 15 The Satanic Temple e-mailed every member of the General  
 16 Assembly on February 27, 2017; correct?  
 17 **A. Correct.**  
 18 Q. Okay. And look at Paragraph 34.  
 19 You were unable to find anyone in the General  
 20 Assembly to sponsor legislation to place the Baphomet  
 21 monument, correct?  
 22 **A. Correct.**  
 23 Q. So the end of the road for placing the Baphomet  
 24 monument was not in the Capitol Arts and Grounds  
 25 Commission, right? It was in your inability to find a

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1 sponsor in the General Assembly?  
 2 **A. I view it less as our inability to find a sponsor.**  
 3 **I find it a failure of the -- of the legislative assembly**  
 4 **to sponsor.**  
 5 **I don't feel it's their place to engage in**  
 6 **viewpoint discrimination and have a process by which the**  
 7 **Government still thereby decides what is appropriate**  
 8 **religious expression and what is not.**  
 9 **I think by going through the process in which we**  
 10 **did, we demonstrated that that was explicitly a**  
 11 **discriminatory process.**  
 12 Q. Okay. So -- so the answer is yes, the end of the  
 13 road was with the General Assembly, not with the Arts and  
 14 Grounds Commission; correct?  
 15 **A. The Arts and Grounds Commission, from my**  
 16 **understanding of how we went through the -- the**  
 17 **discussions we had with them, they remained neutral**  
 18 **insofar as they were validating the -- the structural**  
 19 **protocols of our monument and whether they fit within**  
 20 **their design parameters: whether it was structurally**  
 21 **sound, whether it was something that could be maintained**  
 22 **annually year after year, whether it had that kind of --**  
 23 **that kind of integrity to be a -- a monument on the**  
 24 **public grounds without deference to opinions regarding**  
 25 **appropriate religious expression or anything like that.**

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1 **And my understanding was is that we passed that.**  
 2 **We -- we -- we did meet those standards, and it was**  
 3 **the -- the failure of the General Assembly to -- to**  
 4 **engage in a viewpoint-neutral deliberation on this that**  
 5 **prevented us from having our monument placed on the**  
 6 **capitol grounds.**  
 7 Q. Okay. So the -- the obstacle you faced was getting  
 8 a sponsor in the General Assembly?  
 9 **A. Correct.**  
 10 Q. Okay. Okay. So you tried to find a sponsor during  
 11 the 2017 legislative session, correct?  
 12 **A. I -- I believe that's correct.**  
 13 Q. Okay. Up in Paragraph 31 it says, I believe, you  
 14 e-mailed every member of the General Assembly on  
 15 February 27, 2017.  
 16 Do you see that?  
 17 **A. I'm sorry.**  
 18 Q. Paragraph 31?  
 19 **A. Correct. That's -- that is what it says,**  
 20 **February 27, 2017.**  
 21 Q. 2017.  
 22 Okay. Did you try to find a sponsor during the 2019  
 23 legislative session? Two years later?  
 24 **A. No.**  
 25 **I -- I believe we were already well in litigation**

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1 **at that point.**  
 2 Q. Okay. Nothing prevented you from trying to find  
 3 a -- someone to sponsor the monument during the 2019  
 4 session, did it?  
 5 **A. My understanding is it would be inappropriate to**  
 6 **seek sponsorship for -- for the monument while we're**  
 7 **ledg- -- while we're litigating against the prior refusal**  
 8 **to do so.**  
 9 Q. Did anything prevent you from trying to find a -- a  
 10 sponsor during that session?  
 11 **A. Yeah, my understanding that that would impede**  
 12 **the -- the current litigation. I could be right or I**  
 13 **could be wrong about that being the situation, but I did**  
 14 **not consult with legal counsel about that.**  
 15 Q. Okay. And you can set that exhibit aside.  
 16 **A. (Witness complies.)**  
 17 Q. You're familiar with the -- the Wayback Machine  
 18 online, correct?  
 19 **A. Correct.**  
 20 Q. Okay. And so you're aware that the Wayback Machine  
 21 is a Web site that archives Web pages that -- as they  
 22 existed on certain dates in the past?  
 23 **A. Yes.**  
 24 Q. And you'd have no reason to doubt or dispute the  
 25 reliability of that process, right?

Page 24

1 **A. Correct.**  
 2 **(Exhibit 3 marked for identification.)**  
 3 Q. Okay. I'm handing you Exhibit 3.  
 4 Do you recognize this as an archive of The Satanic  
 5 Temple news Web page from April 21, 2014?  
 6 **A. That is what it says it is, yes.**  
 7 Q. Okay. And all the news items there posted under the  
 8 name "Lucien" were written and posted by you, right?  
 9 **A. That -- that I can't be certain of. I don't know**  
 10 **that I actually did the Web work on that.**  
 11 Q. Okay. But --  
 12 **A. But it's certain -- it's our Web site.**  
 13 Q. Okay. So the name "Lucien," would that have been --  
 14 would that have been applied to news posts that you  
 15 posted?  
 16 **A. Not necessarily.**  
 17 **It's a -- it's a WordPress plugin, so there's a**  
 18 **general login. And the general login is probably under**  
 19 **the name Lucien, but I -- I didn't do a whole lot of the**  
 20 **Web work.**  
 21 Q. Okay. And, if you'll look, these news items began  
 22 in February 2013, correct? It should be the last one.  
 23 **A. Sorry. What page?**  
 24 Q. February -- let's see, February 2013 on the last  
 25 page.

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1 **A. Okay. Yes, I see it.**  
 2 Q. Okay. And they go through March 2014 -- well, I  
 3 guess they go through -- through July -- well, hold on.  
 4 Give me one moment.  
 5 Okay. Yeah, the very first page has a date,  
 6 March 6, 2014; correct? Do you see that?  
 7 **A. Oh, correct. Yeah.**  
 8 Q. Okay.  
 9 **A. I see that.**  
 10 **(Exhibit 4 marked for identification.)**  
 11 Q. Okay. And you can set that aside.  
 12 All right. I'm handing you Exhibit 4.  
 13 Do you recognize this as an archive of The Satanic  
 14 Temple Beliefs Web page from January 20, 2013?  
 15 **A. Correct.**  
 16 Q. Okay. Who drafted the text on this page?  
 17 **A. That I do not know. That predates my involvement.**  
 18 Q. Who would know that information?  
 19 **A. I -- I honestly don't know who would know that**  
 20 **information. I mean, it predates me by -- by quite a**  
 21 **ways.**  
 22 Q. Okay. Who was involved with the Web work before you  
 23 became involved?  
 24 **A. Malcolm Jarry was working with unknown parties to**  
 25 **me, whether by contract or whether friends or whatever.**

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1 **They put up a generic placeholder Web site.**  
 2 Q. Okay. And you say it's a -- a "generic placeholder  
 3 Web site."  
 4 Does the word "generic" or "placeholder" appear  
 5 anywhere on that page?  
 6 **A. No.**  
 7 **It usually doesn't on generic placeholder Web**  
 8 **sites.**  
 9 Q. Okay. But you wouldn't know if it -- if it was a  
 10 generic placeholder, right, since it predates your  
 11 involvement? Is that something you would have been told  
 12 at a later time?  
 13 **A. Oh, it was definitely a generic placeholder Web**  
 14 **site that predates my involvement with The Satanic**  
 15 **Temple.**  
 16 Q. And on what basis do you -- do you say it's a  
 17 generic placeholder?  
 18 **A. Because it was owned by Malcolm Jarry, who was**  
 19 **also -- who's also the cofounder with me of The Satanic**  
 20 **Temple.**  
 21 Q. And Mr. Jarry has told you that it was a generic  
 22 placeholder?  
 23 **A. Yes.**  
 24 Q. Okay. And read along with me as I read out loud  
 25 that first sentence: "The Satanic Temple believes that

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1 God is supernatural and thus outside the sphere of the  
 2 physical."  
 3 Did I read that correctly?  
 4 **A. Correct.**  
 5 Q. Okay. And then the third sentence: "Because God  
 6 cannot intervene in the material world, He created Satan  
 7 to preside over the universe as his proxy."  
 8 Did I read that correctly?  
 9 **A. Correct.**  
 10 Q. Okay. And then the fifth sentence: "Although Satan  
 11 is subordinate to God, he is mankind's only conduit to  
 12 the dominion beyond the physical. In addition only Satan  
 13 can hear our prayers and only Satan can respond. While  
 14 God is beyond human comprehension, Satan desires to be  
 15 known and knowable."  
 16 Did I read those sentences correctly?  
 17 **A. Correct.**  
 18 Q. Okay. So, according to this page, in January 2013  
 19 The Satanic Temple embraced a supernaturalistic theology;  
 20 right?  
 21 **A. Well, I would contest the idea that The Satanic**  
 22 **Temple actually existed outside of the kind of idea and**  
 23 **the placeholder Web site with text written by parties**  
 24 **unknown to me that may not have reflected the beliefs of**  
 25 **anybody in particular.**

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1 Q. Okay. But if someone went searching for information  
 2 about The Satanic Temple, the public face that they would  
 3 find presented to the world at this time articulated the  
 4 supernaturalistic theology, correct?  
 5 **A. Perhaps.**  
 6 **It would take more I think investigation, asking**  
 7 **whoever wrote this text to explain what they mean by such**  
 8 **things. I guess one could believe that God is**  
 9 **supernatural while renouncing supernaturalism, but this**  
 10 **is -- this text is rather obscure to me.**  
 11 Q. Okay. When did you -- when do you claim to have  
 12 become involved with The Satanic Temple?  
 13 **A. At some point in 2013.**  
 14 Q. Some point. Can you be more specific?  
 15 **A. No.**  
 16 **I just began consulting with The Satanic Temple**  
 17 **immediately prior to the Rick Scott rally.**  
 18 Q. Okay. And the Rick Scott rally was in January 2013?  
 19 **A. I would have to take your word for that.**  
 20 Q. Okay. Well, we'll -- we'll come back to that.  
 21 Okay. So is it your understanding that no one  
 22 associated with The Satanic Temple really believed in any  
 23 supernaturalistic theology, even in 2013?  
 24 **A. There wasn't a The Satanic Temple as such in 2013.**  
 25 **As documented in the book Speak of the Devil by**



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1 **Oxford University Press by Professor Joseph Laycock and**  
 2 **documented in the film Hail Satan? distributed by**  
 3 **Magnolia Films, The Satanic Temple started out as this**  
 4 **kind of film project idea before it was -- before I came**  
 5 **in and codified it as an actual religious organization.**  
 6 Q. So -- and I'm not sure that I understand your  
 7 answer to my specific question. Let me ask it again.  
 8 Nobody associated with The Satanic Temple at that  
 9 time believed in any supernaturalistic theology, correct?  
 10 A. **I -- I can't be sure of that. I'm -- I'm not sure.**  
 11 **I -- I never -- I mean, Malcolm and I, we do not believe**  
 12 **in -- in supernatural things.**  
 13 Q. Okay.  
 14 A. **Anybody else who he may have been working with when**  
 15 **it came to the idea of doing this film project, I -- I**  
 16 **don't know where they stand on their -- their beliefs.**  
 17 Q. Okay. What is your understanding of why a  
 18 supernaturalistic theology was articulated here as  
 19 opposed to anything else?  
 20 A. **My understanding is that somebody put together a**  
 21 **generic placeholder Web site and put superfluous,**  
 22 **irrelevant text in order to -- as a placeholder for --**  
 23 **for various pages.**  
 24 **And this could have been lightly altered**  
 25 **cut-and-paste text from somewhere else. I really don't**

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1 **know what the -- what the motivation was.**  
 2 Q. Okay. Let -- let me ask this: So whenever you first  
 3 became involved, it -- you did believe that it was  
 4 necessary to -- to hold to a supernaturalistic theology  
 5 in order to be taken seriously; is that right?  
 6 A. **No, I never believed that.**  
 7 Q. Okay. Did anyone associated with The Satanic Temple  
 8 believe that it was necessary to articulate a  
 9 supernaturalistic theology at that time?  
 10 A. **Not that anybody told me.**  
 11 **I came in and pretty much immediately started**  
 12 **directing the course of The Satanic Temple and -- and**  
 13 **really cohered the messaging behind it. And none of this**  
 14 **prior material was meaningful to me.**  
 15 Q. Okay. So Malcolm Jarry would be the one to talk to  
 16 to find out more about you -- the time before your  
 17 involvement, correct?  
 18 A. **To a certain degree. I don't think he might -- he**  
 19 **would probably not be -- it probably wouldn't be very**  
 20 **enlightening to speak to him regarding Web material,**  
 21 **because he's rather -- he -- he's -- he's not very Web**  
 22 **work savvy, I know that.**  
 23 Q. Okay. But he would know who would have been at that  
 24 time, correct?  
 25 A. **He would probably have a better idea of who might**

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1 **have --**  
 2 Q. Uh-huh.  
 3 A. **-- put material on the Web sites.**  
 4 **(Exhibit 5 marked for identification.)**  
 5 Q. Okay. Okay, you can set that aside.  
 6 All right. I am handing you what's been marked as  
 7 Exhibit 5.  
 8 And do you recognize this as an archive of The  
 9 Satanic Temple Tenets Web page from March 22, 2013?  
 10 A. **I recognize it because we went through this**  
 11 **placeholder Web site ad nauseam in the Scottsdale case.**  
 12 **And, you know, we can parse through every line of**  
 13 **it. But the judge didn't find it compelling there and**  
 14 **issued a ruling finding us legitimized as a religious**  
 15 **organization, as has the IRS.**  
 16 **So, yes, I've been through this again and again;**  
 17 **but the -- you know, the bottom-line answer is I still**  
 18 **don't -- I still don't have an attachment to this**  
 19 **material. I didn't author it. And it predates the formal**  
 20 **establishment of The Satanic Temple.**  
 21 Q. Okay. Let me -- let me ask you about some of the  
 22 things.  
 23 Who drafted the text on this page?  
 24 A. **Well, there again, I do not know who drafted the**  
 25 **text on this page.**

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1 Q. Okay. Do you know where the nine fundamental tenets  
 2 came from?  
 3 A. **I do not.**  
 4 Q. Do you know who came up with the nine fundamental  
 5 tenets?  
 6 A. **I do not.**  
 7 Q. Do you have any idea what made these nine  
 8 fundamental tenets fundamental?  
 9 A. **No.**  
 10 **Again, this -- this material predates me. I've**  
 11 **never been interested in it. It's not been informative to**  
 12 **the actual codification and establishment of The Satanic**  
 13 **Temple.**  
 14 Q. But according to this Web page -- and, again, this  
 15 would have been something that would have been publicly  
 16 accessible at the time.  
 17 So anyone who went searching for information about  
 18 The Satanic Temple would have found this information,  
 19 correct?  
 20 A. **Sure, yes.**  
 21 Q. Okay. And so, according to this Web page, each  
 22 tenet is said to represent one of nine angels that was  
 23 sent from heaven to oversee Earth, correct?  
 24 A. **Correct, that's what it says.**  
 25 Q. Okay. But, again, in -- in March 2013 and -- and I

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1 take it by this time you were involved in The Satanic  
 2 Temple, March 2013 being after -- well, take -- take my  
 3 word for it for now the Rick Scott rally was in January  
 4 2013.  
 5 **A. Sure.**  
 6 Q. Okay. So March 2013 you would have been involved,  
 7 correct, with The Satanic Temple?  
 8 **A. Sure.**  
 9 **Again, in the -- in the -- in the interest of time,**  
 10 **you might just go through the transcripts of the**  
 11 **Scottsdale case. We went over all of this, and I -- and I**  
 12 **was clear then --**  
 13 Q. I --  
 14 **A. -- I -- you know, I came in and I paid little**  
 15 **attention to Web work; so I'm not sure how long this**  
 16 **stuff was there.**  
 17 **But I have no attachment to this material. I didn't**  
 18 **write it. There's not much I can say about it except that**  
 19 **it's not been -- it's not been worthwhile material to me**  
 20 **to inform the future direction of The Satanic Temple in**  
 21 **any way.**  
 22 Q. Okay. So and just so I -- I'm clear, in March 2013  
 23 no one associated with The Satanic Temple really believed  
 24 in any supernaturalistic theology, as far as you're  
 25 aware; correct?

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1 **A. Well, by March of 2013 there still wasn't really**  
 2 **many people associated with The Satanic Temple. There was**  
 3 **Malcolm and I. And -- and I can't -- can't really give**  
 4 **you a good idea of who else was -- was part of it.**  
 5 **But, like, Malcolm and I did not hold any**  
 6 **supernatural beliefs.**  
 7 **(Exhibit 6 marked for identification.)**  
 8 Q. Okay. All right. You can set that aside.  
 9 I'm showing you Exhibit 6.  
 10 And do you recognize this as an archive of The  
 11 Satanic Temple Web page from December 12, 2013?  
 12 **A. Correct.**  
 13 Q. Okay. Who wrote the section, "A History of The  
 14 Satanic Temple?"  
 15 **A. I -- I do not -- I do not know. I don't know who**  
 16 **wrote that.**  
 17 Q. Okay. Would Malcolm Jarry know?  
 18 **A. He might.**  
 19 Q. Okay. Who wrote the section, "Mission Statement"?  
 20 **A. I -- I do not know.**  
 21 Q. Okay. How about the "Beliefs" section?  
 22 **A. I do not -- what -- well, let me check the date on**  
 23 **this again. Hold on.**  
 24 **Now, due to the wording, I would say that this had**  
 25 **to have been written at least in consultation with**

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1 **Malcolm or I, but I still couldn't tell you who actually**  
 2 **plugged the text into the Web site.**  
 3 Q. Okay. And by that do you mean that you or Malcolm  
 4 would have drafted the text?  
 5 **A. Not necessarily, but it -- I mean, it says we're**  
 6 **seeking to separate religion from superstition, which was**  
 7 **something I was adamant we needed to do as soon as I -- I**  
 8 **came in and started having anything to do with it.**  
 9 **So I would think at least in conversational**  
 10 **consultation, whoever plugged in the text would have --**  
 11 **would have made those, some of those changes in deference**  
 12 **to what they had gained from contact with either one of**  
 13 **us.**  
 14 Q. Okay. And, as of December 12, 2013, the trappings  
 15 of supernaturalism was still present on The Satanic  
 16 Temple Web page; correct?  
 17 **A. Well, you -- I'm -- I'm going back and looking at**  
 18 **this just right now and seeing this evolution on the Web**  
 19 **site. But it says explicitly in the Beliefs that The**  
 20 **Satanic Temple seeks to separate religion from**  
 21 **superstition.**  
 22 **And to us supernatural beliefs fall within the**  
 23 **category of superstition regardless of . . .**  
 24 Q. Okay. And so take a look at the bottom of the page.  
 25 And I believe we're looking -- this is under the Beliefs

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1 section. Look at the bottom there, with the italicized  
 2 text. "God is supernatural and thus outside of the sphere  
 3 of the physical."  
 4 **A. Correct.**  
 5 Q. That's the same language that appeared previously  
 6 on The Satanic Temple Web page, correct?  
 7 **A. Yeah. I haven't gone back and looked at these**  
 8 **things date by date; so I have -- I'm not necessarily**  
 9 **aware of the evolution of the Web site.**  
 10 **But I see here it looks like you're seeing**  
 11 **conflicting messages. And you're seeing, you know,**  
 12 **the separation of religion from superstition while also**  
 13 **seeing the statement "God is supernatural," which might**  
 14 **also indicate that there was some metaphorical use of**  
 15 **terminology regarding "God is supernatural."**  
 16 **But I'm really not sure --**  
 17 Q. Okay.  
 18 **A. -- what the overall thoughts were of -- of whoever**  
 19 **put the text in.**  
 20 **(Exhibit 7 marked for identification.)**  
 21 Q. Okay. And you can set that aside.  
 22 All right. Now I'm handing you what's been marked  
 23 as Exhibit 7.  
 24 Do you recognize that as an archive of The Satanic  
 25 Temple Web page from March 7, 2014?

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1 **A. Correct.**  
 2 Q. Okay. And, if you look at the Beliefs section, it  
 3 still has that italicized language; correct?  
 4 **A. Correct.**  
 5 Q. Okay. Do you know who wrote the paragraph that  
 6 comes after that italicized language?  
 7 **A. And by that you mean starting where?**  
 8 Q. "The Satanist harbors reasonable agnosticism."  
 9 **A. I do not know who put that together, but it does**  
 10 **look like it's in reference to opinions and words I've**  
 11 **spoken.**  
 12 Q. Okay. So you believe that you wrote this text?  
 13 **A. I don't believe that I wrote this text, but I --**  
 14 **I -- I'm certain I had influence on this text.**  
 15 Q. Okay. And take a look at the Tenets section.  
 16 Now, here there -- the Tenets section lists seven  
 17 tenets instead of nine, right?  
 18 **A. Correct.**  
 19 Q. Okay. What prompted this change in the fundamental  
 20 tenets?  
 21 **A. Well, it looks like these are the tenets as we know**  
 22 **them now; so I believe that's what would have prompted**  
 23 **the change. I think what we're seeing here is the Web**  
 24 **site being slowly updated.**  
 25 **Because in the beginning the Web site wasn't**

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1 **terribly important to us. It didn't generate much**  
 2 **traffic. Social media was certainly more where people**  
 3 **came to see what The Satanic Temple was and what it was**  
 4 **all about.**  
 5 **And, for my part, I never really paid attention to**  
 6 **the -- the URL Web site, the -- the discrete stand-alone**  
 7 **Web site of The Satanic Temple.**  
 8 Q. So -- so what happened that you went from nine  
 9 tenets to seven tenets? I mean, you lost a couple it  
 10 sounds like or you -- I mean, they are different tenets.  
 11 And so -- and they're both called "fundamental."  
 12 And there's a change here; so I'm trying to  
 13 understand what happened to go from nine, these nine to  
 14 these seven?  
 15 **A. Well, we went from a generic placeholder Web site**  
 16 **where text was just there to apparently hold a place to**  
 17 **actually deliberating and codifying our beliefs as we --**  
 18 **as we held them.**  
 19 **So, therefore, we -- we cohered the seven tenets.**  
 20 **(Exhibit 9 marked for identification.)**  
 21 Q. Okay. You can set that one aside.  
 22 Okay. And we're going to go to Exhibit 9. So we're  
 23 skipping over what's marked as 8. We're going to go to 9.  
 24 I'm handing it to you.  
 25 Do you recognize this as the Frequently Asked

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1 Questions Web page from TheSatanicTemple.com?  
 2 **A. Not immediately. I -- I don't understand what date**  
 3 **this is from or . . .**  
 4 Q. Okay.  
 5 **A. Is this -- is this current?**  
 6 Q. This was printed on 2/12/2020 in the upper  
 7 left-hand corner.  
 8 **A. Oh, okay.**  
 9 Q. And it may be that the formatting wasn't -- you  
 10 know, that the -- maybe the images and the formatting  
 11 wasn't preserved when it was printed.  
 12 **A. Oh, sure. Okay.**  
 13 **Yeah, no, I -- I see the URL. That is our -- our**  
 14 **Web site.**  
 15 Q. Okay.  
 16 **A. I see the date.**  
 17 Q. Okay. Good.  
 18 So -- so you recognize this as the Frequently Asked  
 19 Questions Web page from TheSatanicTemple.com?  
 20 **A. Correct, yeah.**  
 21 Q. Okay. Take a look at Page 4 at the bottom. And  
 22 there's text there under the "What Do You Believe?"  
 23 heading. And read this along as I read this out loud.  
 24 It says: "We believe in reason, empathy, the  
 25 pursuit of knowledge, and our Seven Tenets."

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1 Did I read that correctly?  
 2 **A. Correct.**  
 3 Q. Okay. Where did these seven tenets come from?  
 4 **A. Malcolm and I were discussing the codification of**  
 5 **beliefs that we believed in as The Satanic Temple. And I**  
 6 **believe it was months we deliberated back and forth**  
 7 **before we came up with what we felt were the optimal**  
 8 **tenets, and that was -- those were these seven tenets.**  
 9 Q. Okay. And so you don't -- you -- you didn't receive  
 10 these seven tenets in a revelation?  
 11 **A. No.**  
 12 Q. And neither did Malcolm Jarry? Nobody received  
 13 these as a revelation of some kind or through some kind  
 14 of --  
 15 **A. If you -- if by that you mean some kind of divine**  
 16 **voice or there was some kind of supernatural insight,**  
 17 **then -- then no.**  
 18 Q. Okay.  
 19 **A. We reasoned through these and -- and came up with**  
 20 **them in that way.**  
 21 Q. Okay. And so you reasoned through them.  
 22 So these are -- are based on purely rational  
 23 considerations?  
 24 **A. Well, that's kind of a -- kind of a loaded**  
 25 **question. I mean, some of these things speak to ultimate**

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1 **concerns that are really impervious to scientific insight**  
 2 **but that we think are as near as we can get to a**  
 3 **reasonable position without deference to supernatural**  
 4 **thought.**  
 5 **But when it comes to principles like justice and**  
 6 **things like that, that's more of a quality of a kind of**  
 7 **characteristic of a universal struggle in which we**  
 8 **contextualize our presence in -- and our existence and**  
 9 **our works and our goals.**  
 10 **And these things can't be -- can neither be**  
 11 **validated nor disconfirmed by science; but, nonetheless,**  
 12 **we feel like our opinions should be guided by the best**  
 13 **scientific evidence of the day.**  
 14 Q. Does The Satanic Temple still subscribe to the  
 15 seven fundamental tenets?  
 16 A. **Yes.**  
 17 Q. Okay. And are these the seven fundamental tenets  
 18 that -- are these the beliefs a person has agreed to in  
 19 order to become a member of The Satanic Temple?  
 20 A. **That is correct.**  
 21 Q. Okay. These tenets leave a lot of room for  
 22 interpretation by individual members, correct?  
 23 A. **Correct.**  
 24 Q. Does The Satanic Temple prescribe any other beliefs  
 25 other than these seven tenets?

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1 A. **Not -- not codified as tenets, no.**  
 2 Q. Okay. And explain -- I'd ask you to explain what  
 3 you mean by -- by that?  
 4 A. **Then I'd have to ask for a more -- could you be**  
 5 **more specific?**  
 6 Q. Yeah, let -- yeah, yeah.  
 7 So my question is: Does The Satanic Temple  
 8 prescribe any beliefs other than the seven fundamental  
 9 tenets, and your answer was none that are prescr- -- that  
 10 are --  
 11 A. **In order to -- to claim membership within The**  
 12 **Satanic Temple, it is required that you state a belief in**  
 13 **following the seven tenets; but there is -- there are no**  
 14 **other barriers to membership. There -- you don't have to**  
 15 **pledge belief in anything else.**  
 16 Q. Okay. So you said, you know, these are -- you've  
 17 agreed these are -- tenets are open to interpretation.  
 18 And you expect that members will disagree with one  
 19 another on a large number of important issues, right?  
 20 A. **Yes.**  
 21 **But I also agree that kind of deliberation, those**  
 22 **kinds of conversations they have about best aligning**  
 23 **themselves with the tenets are often very productive. And**  
 24 **that kind of -- and that kind of deliberation will often**  
 25 **bring people closer to a productive truth.**

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1 Q. Okay. And so things from politics to metaphysics,  
 2 Satanic Temple members will have different opinions on a  
 3 wide range of issues; correct?  
 4 A. **Correct, within certain restrictions.**  
 5 **I don't think the seven tenets leave so much room**  
 6 **that you're going to find views that are necessarily**  
 7 **polar opposite on all things. I think you do come to some**  
 8 **kind of, like, convergence point, but not one that's --**  
 9 **not one that's unbendable or unwilling to open itself to**  
 10 **discussion. And that's by design.**  
 11 Q. Okay. Well, let me ask you about some issues. And  
 12 I've got a -- a list here of things I want to run through  
 13 that -- that I think, you know, you may say that it's  
 14 fair to say that The Satanic Temple doesn't -- doesn't  
 15 give guidance about these things, so -- so let me run  
 16 through them.  
 17 So, first of all, dietary matters or food laws, The  
 18 Satanic Temple doesn't prescribe any beliefs or practices  
 19 with respect to those things; correct?  
 20 A. **The Satanic Temple as such does not dictate dietary**  
 21 **restrictions on people. But there's always an ongoing**  
 22 **dialogue amongst members about particularly whether**  
 23 **veganism is morally superior say to being a carnivore and**  
 24 **that type of thing.**  
 25 Q. How about taboos or norms for sexual activity?

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1 A. **Oh, there's definitely those. We have a kind of**  
 2 **internal culture which is very focused upon being safe,**  
 3 **sane, and consensual.**  
 4 **And we have standards within our chapters to ensure**  
 5 **that activities follow those types of guidelines. And**  
 6 **you'll find if there -- those kinds of standards, those**  
 7 **kind of norms are -- are broken that people would**  
 8 **certainly be expelled.**  
 9 Q. So there's -- but there's nothing about the seven  
 10 tenets that prescribes anything with respect to dietary  
 11 matters, food laws, sexual activity; correct?  
 12 A. **Not explicitly, no.**  
 13 Q. And not implicitly?  
 14 A. **Well, I mean, that's open to interpretation too.**  
 15 Q. Okay. How about why the world came into being?  
 16 There's nothing in the seven tenets that prescribes a  
 17 belief with respect to that issue, correct?  
 18 A. **I don't really understand the question of why the**  
 19 **world came to be. I'm sorry. Can you --**  
 20 Q. For what purpose, if there's a purpose to the world  
 21 coming into being?  
 22 A. **I --**  
 23 Q. So the seven tenets doesn't say anything that  
 24 addresses the purpose of the world or existence or human  
 25 life, the wonder of human life?

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1 **A. Well, we're -- we're not speaking to cosmology, but**  
 2 **the seven tenets more speak to our own place in the**  
 3 **universal order when we talk about things like principles**  
 4 **of justice and compassion.**  
 5 **But if you're asking about, like, the origins of**  
 6 **the universe, that is something I think, you know, we**  
 7 **would defer people to the scientific understanding of the**  
 8 **world.**  
 9 Q. And so as far as, you know, how to overcome  
 10 feelings of alienation or purposelessness, you know, if  
 11 someone's struggling with that, the seven tenets doesn't  
 12 provide any guidance there; correct?  
 13 **A. Oh, I would -- I would object to that.**  
 14 **I -- I travel all over the United States and**  
 15 **sometimes internationally; and people have really**  
 16 **attached their entire identity and purpose in life to**  
 17 **their association, affiliation with The Satanic Temple**  
 18 **and particularly with the seven tenets.**  
 19 Q. But there's nothing in those tenets that gives them  
 20 guidance as to how to overcome those feelings of  
 21 alienation or purposelessness?  
 22 **A. I -- well, I disagree. I think that many of them**  
 23 **would tell you that the seven tenets do everything to**  
 24 **give them that kind of guidance and give them that sense**  
 25 **of purpose.**

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1 Q. How about why people are born into disparate  
 2 circumstances of privilege or deprivation? There's  
 3 nothing in the seven tenets that addresses that issue,  
 4 right?  
 5 **A. Correct.**  
 6 Q. How about whether there's a principle of karma  
 7 operating in the world? Nothing addresses that?  
 8 **A. Correct.**  
 9 Q. How one should deal with personal suffering?  
 10 **A. Well, there again, I would say that there is a**  
 11 **significant population that deals with suffering with**  
 12 **deference to the seven tenets as a guide for how to**  
 13 **reduce the suffering of others and how to contextualize**  
 14 **their place in the universal order so that they have**  
 15 **gained that sense of purpose that thereby I would say**  
 16 **lessens their suffering if they're feeling a sense of**  
 17 **alienation.**  
 18 Q. So -- so say that there's -- say that you've got a  
 19 woman who's battling cancer.  
 20 The Satanic Temple doesn't address what comfort she  
 21 has to draw on, correct?  
 22 **A. I don't -- I'm a little confused by that. Like,**  
 23 **there's comfort to be had from cancer? I -- I'm sorry.**  
 24 **Can you -- can you rephrase.**  
 25 Q. What comfort a person might have who is battling

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1 cancer? And The Satanic Temple doesn't provide any  
 2 guidance there?  
 3 **A. I mean, that's a difficult one to answer. I -- I've**  
 4 **met terminally-ill members in The Satanic Temple who have**  
 5 **felt they found a purpose with The Satanic Temple, and**  
 6 **that seems to be enough for them.**  
 7 **We're not -- we're not telling them about -- we're**  
 8 **not giving them some notion of the afterlife or anything**  
 9 **like that, if that's what you mean by it.**  
 10 **But I don't think the -- the comfort provided for**  
 11 **them by their identity as Satanists and in deference to**  
 12 **The Satanic Temple is limited when it comes to people who**  
 13 **are suffering from terminal illness.**  
 14 Q. So the seven tenets say nothing about the fear of  
 15 the unknown?  
 16 **A. Of -- well, there's -- there's a lot it doesn't say**  
 17 **anything -- it doesn't speak directly to.**  
 18 Q. How about the existence of cosmic good and evil?  
 19 **A. No, no reference to cosmic good and evil.**  
 20 Q. Okay. So why bad things happen to good people, it  
 21 doesn't address that issue?  
 22 **A. Well, it doesn't suggest that there's one reason**  
 23 **that bad things happen to good people.**  
 24 Q. How about what makes a person worthy of dignity and  
 25 respect? The seven tenets don't address that question,

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1 right?  
 2 **A. I would say it's implicit in the idea of compassion**  
 3 **and empathy that people are deserving of -- of dignity**  
 4 **and respect.**  
 5 Q. But nothing about why that's the case?  
 6 **A. Unless you're going to say it's because they're**  
 7 **invulnerable, but sure.**  
 8 Q. Okay. So, as I understand it, The Satanic Temple  
 9 doesn't prescribe beliefs concerning things that have to  
 10 be accepted on faith; right?  
 11 **A. Well, I mean, that's open to interpretation and**  
 12 **argument also.**  
 13 **Like I said, when you're dealing with kind of**  
 14 **principles that are impervious to scientific**  
 15 **justification or falsification like justice or maybe even**  
 16 **compassion and empathy to a certain degree . . .**  
 17 Q. Well, but The Satanic Temple doesn't mandate  
 18 beliefs or doesn't prescribe beliefs with respect to  
 19 things that people must accept on faith; correct?  
 20 **A. Well, I mean, again I would go back to -- to**  
 21 **principles like justice. And you do have to -- to a**  
 22 **certain degree accept on faith that these are affirmative**  
 23 **values and that these are optimal ways in which to -- to**  
 24 **order your understanding of the world.**  
 25 **But we don't ask people to accept certainly claims**

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1 that we think would fall into the category of -- of  
 2 supernatural on -- on faith alone.  
 3 Q. So The Satanic Temple doesn't prescribe any belief  
 4 with respect to life after death? Reincarnation?  
 5 **A. Correct, none of that.**  
 6 Q. Those sorts of issues? You know, whether there's a  
 7 soul; correct?  
 8 **A. I personally have even written about the**  
 9 **nonexistence of the soul as the way I see it. But The**  
 10 **Satanic Temple itself has not made a commentary, you**  
 11 **know, official commentary, I don't think on -- on the**  
 12 **idea of the existence of the soul.**  
 13 Q. Okay. So as I understand it -- well, let me -- as  
 14 far as atheism is concerned, The Satanic Temple does not  
 15 require its members to be atheists; right?  
 16 **A. Correct. Well, no means to state their atheism.**  
 17 **They just need to state a belief in the seven tenets.**  
 18 **And we expect that our membership will defer to the**  
 19 **best scientific understanding of the world, but we also**  
 20 **acknowledge that there are limits to our scientific**  
 21 **understanding. And some people may have some sense that**  
 22 **they have an intuition about things or they might suspect**  
 23 **that certain things are the way they are because of some**  
 24 **scientifically-unproven thing that other people would**  
 25 **consider supernatural.**

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1 **But we would expect that if they do hold to those**  
 2 **beliefs, they would at least be malleable enough to**  
 3 **emerging scientific evidence that they could change those**  
 4 **beliefs.**  
 5 **So they may not necessarily prescribe entirely one**  
 6 **hundred percent to only things that are scientifically**  
 7 **proven in the material world; because that just might not**  
 8 **be possible, given some of the larger questions they**  
 9 **have.**  
 10 Q. So The Satanic Temple has members who are Jewish,  
 11 correct?  
 12 **A. Well, I believe The Satanic Temple has members who**  
 13 **are culturally Jewish. I mean, you'd have to specify.**  
 14 **There's -- there's layers of -- of Jewish.**  
 15 Q. The Satanic Temple has members that are Buddhist,  
 16 correct?  
 17 **A. I don't personally know members who are Buddhist,**  
 18 **and I don't know of -- I mean, we have members who are --**  
 19 **who are Satanists. I don't -- I don't know that -- how**  
 20 **many people hold more than one religious identity.**  
 21 Q. So The Satanic Temple has received e-mails from  
 22 Christians asking if they can be a member, hasn't it?  
 23 **A. I believe we have. And we have -- but, for the most**  
 24 **part, we'll get e-mails from Christians who want to be**  
 25 **allies. And I think that even if it's worded as such that**

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1 **they want to be members of The Satanic Temple, I think**  
 2 **that's what people are looking for. They're not looking**  
 3 **to take on various religious identities, but they also**  
 4 **respect the fight for pluralism they see us engaged in**  
 5 **and want to offer their support.**  
 6 Q. So the -- the response that you've made to those  
 7 people who have -- those Christians who have e-mailed  
 8 asking, your response has been that believing in  
 9 supernatural things doesn't disqualify a person who  
 10 subscribes to the seven tenets; correct?  
 11 **A. I -- I can't think of specific answers to that type**  
 12 **of e-mail.**  
 13 **But I would defer to my previous answer: that so**  
 14 **long as somebody's supernatural beliefs don't interfere**  
 15 **with their ability to accept the best available**  
 16 **scientific evidence and that they are open to changing**  
 17 **their minds based upon the best scientific -- best**  
 18 **available scientific evidence that we -- we don't have**  
 19 **any commentary for them beyond that.**  
 20 Q. Okay. Well, take a look at -- at Page 5 of the  
 21 exhibit in front of you, Page 5 at the top. And read  
 22 silently while I read aloud.  
 23 It says: "What are some of the rituals of TST? The  
 24 Satanic Temple does not have any required rituals, but  
 25 some members choose to participate in rituals that they

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1 find personally meaningful. There is no absolute right  
 2 way to perform any of them."  
 3 Did I read that correctly?  
 4 **A. Correct.**  
 5 Q. Okay. And then take a look at Page 6 at the top, or  
 6 toward the top anyway, "How can I" -- or -- and read  
 7 along with me here.  
 8 "How can I attend TST services? Services are hosted  
 9 regularly at TST headquarters in Salem, Massachusetts,  
 10 and will soon be posted online."  
 11 Did I read that correctly?  
 12 **A. Correct.**  
 13 Q. Okay. And what does "service" in this context  
 14 consist of?  
 15 **A. The services are held I believe Friday evenings in**  
 16 **Salem, where we have the officiant who is also the -- the**  
 17 **manager of our gallery speaks before a group of**  
 18 **participants or people who show up and just usually**  
 19 **speaks about issues and has a -- an open discussion with**  
 20 **them.**  
 21 **And they usually kind of confront these issues with**  
 22 **deference to the Sat- -- to the seven tenets and -- and**  
 23 **in that way just kind of communicate what they -- what**  
 24 **they think about it all.**  
 25 Q. Okay. So there's no kind of prayer or worship? You

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1 don't sing praise songs or anything of that nature or  
 2 hymns or . . . ?  
 3 **A. Well, there's -- there's nothing preventing them**  
 4 **from singing or -- or engaging in -- I mean, they --**  
 5 **they've done shared artistic projects before, that type**  
 6 **of thing.**  
 7 **But there's -- it -- it's similar to the rituals in**  
 8 **which we try to be true to our kind of antiauthoritarian**  
 9 **values by leaving things open enough that people can have**  
 10 **some kind of creative input and control over the -- the**  
 11 **environment that they're in and the activities they're**  
 12 **engaged in.**  
 13 Q. Okay. And you mentioned an officiant.  
 14 Who is the officiant?  
 15 **A. Alex.**  
 16 Q. Alex?  
 17 **A. Yeah.**  
 18 Q. What is Alex's -- is that a first name?  
 19 **A. Yeah.**  
 20 **I -- I don't know his name beyond that. I just --**  
 21 **I've just always called him Alex.**  
 22 Q. Does Alex have a last name?  
 23 **A. I'm sure he does, but . . .**  
 24 Q. Is Alex a pseudonym?  
 25 **A. That could be too. I'm not -- I'm not sure. I don't**

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1 **think so, but . . .**  
 2 Q. So this is the officiant of what you call the  
 3 services at the -- at the Salem Art Gallery, correct?  
 4 **A. Correct, yes.**  
 5 Q. Okay. And which is also The Satanic Temple  
 6 headquarters, correct?  
 7 **A. Correct.**  
 8 Q. And the officiant's name is Alex.  
 9 And you -- you do not know Alex's last name?  
 10 **A. I have no idea what Alex's last name is.**  
 11 Q. So your -- your testimony under penalty of perjury  
 12 is that you do not know Alex's last name, even though he  
 13 does services for The Satanic Temple at The Satanic  
 14 Temple headquarters?  
 15 **A. That's right. No amount of penalty can help me**  
 16 **recall his name.**  
 17 Q. Okay.  
 18 **A. I only know him as Alex.**  
 19 Q. Fair enough.  
 20 Do you charge people to attend these services?  
 21 **A. No.**  
 22 Q. Or for access to the building?  
 23 **A. On the -- on a regular day if they're coming to see**  
 24 **an art exhibit, there's an admission fee; but there's**  
 25 **no -- no fee for coming to the services.**

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1 Q. Are services held at regular intervals?  
 2 **A. Yes, Fridays.**  
 3 Q. So every Friday you have a lecture or an art  
 4 presentation or something of that nature?  
 5 **A. Every Friday we have the services.**  
 6 Q. Okay. When did you begin having these events on  
 7 Fridays? Let me -- let me clarify.  
 8 When did you begin having them regularly on  
 9 Fridays?  
 10 **A. I'm not -- I'm not certain.**  
 11 Q. Would it have been in the past year?  
 12 **A. I suspect it's over a year.**  
 13 Q. Okay. But maybe not?  
 14 **A. I'm pretty sure it's over a year.**  
 15 Q. Okay.  
 16 **A. I think we're more at about two years than -- than**  
 17 **one.**  
 18 Q. Okay. So this is 2020. Going back two years would  
 19 have been 2018.  
 20 Sometime during 2018 you began having regular  
 21 events on Friday evening?  
 22 **A. Well, regular services.**  
 23 **We always had events at -- at the headquarters, but**  
 24 **it was a -- I would say a year or two prior from today**  
 25 **that we decided to have weekly services.**

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1 MR. CANTRELL: Okay. Okay. Tell you what,  
 2 why don't we -- why don't we take a short  
 3 break. So we're off the record.  
 4 THE VIDEOGRAPHER: We are going off the  
 5 record at 10:21 a.m.  
 6 (Recess taken.)  
 7 THE VIDEOGRAPHER: We are back on the  
 8 record at 10:32 a.m.  
 9 Q. (Mr. Cantrell) Okay. So we are on Exhibit 9. I'll  
 10 ask you to take a look at Page 7 at the bottom. And the  
 11 heading there says, "Ordination. I would like to be  
 12 ordained." It says, "TST will be offering ordination to  
 13 interested members," and then it continues on.  
 14 And the last sentence there says: "We will post a  
 15 notice when this is available, but for now we are not  
 16 ordaining anyone."  
 17 Did I read that correctly?  
 18 **A. Correct.**  
 19 Q. Okay. So The Satanic Temple does not currently  
 20 ordain anyone, correct?  
 21 **A. Well, we currently do have some people who are**  
 22 **ordained; but we're not currently accepting applications**  
 23 **from anybody who's seeking to be ordained.**  
 24 Q. Okay. How many do you have that are ordained  
 25 currently?

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1 **A. I think currently we have three.**  
 2 Q. Okay. And when did these individuals become  
 3 ordained?  
 4 **A. I'm not certain.**  
 5 **I registered ordination years ago, as did Malcom.**  
 6 **And Alex should be ordained, and then I think we have one**  
 7 **other ordained person.**  
 8 Q. Okay. So that's four?  
 9 **A. Correct.**  
 10 Q. Okay. So Malcolm, Doug Misicko, Alex.  
 11 And you don't know Alex's last name?  
 12 **A. Correct, yeah.**  
 13 Q. And then who was the fourth one?  
 14 **A. Greg.**  
 15 Q. Greg. What's Greg's last name?  
 16 **A. That I don't know either. I would have -- I don't**  
 17 **keep track of people's --**  
 18 Q. For this group --  
 19 **A. -- legal names.**  
 20 Q. Okay. So again, under penalty of perjury, you --  
 21 you do not know Greg's last name?  
 22 **A. I know his pseudonym: Penemue.**  
 23 Q. How do you spell that?  
 24 **A. P-E-N-E-M-U-E.**  
 25 Q. P-E-N --

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1 **A. P-E-N-E-M-U-E.**  
 2 Q. Okay. And that's just a stand-alone name? Or is  
 3 that a pseudonymous last name?  
 4 **A. No. It's just a pseudonym, stand-alone last**  
 5 **name.**  
 6 Q. Okay. All right. And when did Greg become ordained?  
 7 **A. I can't -- I can't recall.**  
 8 Q. And you don't know when Alex became ordained?  
 9 **A. I -- I cannot recall that either.**  
 10 Q. So, I mean, are we talking months? Are we talking  
 11 years ago?  
 12 **A. I -- I would say probably over a year have those**  
 13 **two have been ordained.**  
 14 Q. Okay. And who ordained them?  
 15 **A. Malcolm and I.**  
 16 Q. Okay. And who ordained you and Malcolm?  
 17 **A. Self-ordained. That was a matter of filing the**  
 18 **appropriate paperwork.**  
 19 Q. Okay. And what paperwork did you file?  
 20 **A. I don't recall. It -- states have different --**  
 21 **different requirements.**  
 22 Q. Okay. This was with the State of Massachusetts?  
 23 **A. Correct, yeah.**  
 24 Q. Okay. And so The Satanic Temple wasn't ordaining  
 25 anyone in February 2017, for example, so three years ago?

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1 **A. I -- I know we had other people who were previously**  
 2 **ordained who aren't ordained anymore. I know there's at**  
 3 **least one other person who was previously ordained, and**  
 4 **there might have been more. I'm not -- I'm not totally**  
 5 **clear on whether we filed ordination for -- for other**  
 6 **people.**  
 7 Q. And so when you say "ordained," you -- what you  
 8 mean is there was paperwork filed with the State,  
 9 correct?  
 10 **A. Well, when -- when I'm speaking as to whether they**  
 11 **were legally ordained or not, that's what -- what is**  
 12 **required, yeah.**  
 13 Q. Okay. So, these people, what process did they go  
 14 through to earn their ordination? Or was there a process?  
 15 **A. Yeah.**  
 16 **I mean, they -- they needed to at least demonstrate**  
 17 **to me that they had a competent knowledge of what we**  
 18 **believe and how to speak to the beliefs and positions**  
 19 **of -- of The Satanic Temple.**  
 20 **And that's kind of a -- the broader process for**  
 21 **putting in order for people who want to -- who want to**  
 22 **apply for ordination through us, is that we believe they**  
 23 **are credible and competent to speak as ordained**  
 24 **representatives of The Satanic Temple and -- and provide**  
 25 **the services that ordination would confer upon them to be**

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1 **able to perform.**  
 2 Q. So this was an informal process, correct?  
 3 **A. It has been. It has been and -- and now we're**  
 4 **working on -- we're -- we're almost done putting together**  
 5 **the -- the formal process.**  
 6 **(Exhibit 10 marked for identification.)**  
 7 Q. Okay. All right. You can set that exhibit aside.  
 8 All right. And I'm handing you Exhibit 10.  
 9 And do you recognize this as the official holidays  
 10 of The Satanic Temple Web page from TheSatanicTemple.org?  
 11 **A. Yes.**  
 12 Q. Okay. So in January of this year, so just a couple  
 13 of months ago, The Satanic Temple for the first time  
 14 announced holidays; right?  
 15 **A. Correct.**  
 16 Q. Okay. And one of those holidays is Lupercalia? Am I  
 17 pronouncing that correctly?  
 18 **A. Correct.**  
 19 Q. Okay. And it's to be celebrated on February 15; is  
 20 that right? Follow with me?  
 21 **A. Sorry.**  
 22 Q. Top page.  
 23 **A. Yes, I see that.**  
 24 Q. Okay. And what are some of the ways that The  
 25 Satanic Temple suggests celebrating Lupercalia here, the



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<p>1 bullet points, I guess.</p> <p>2 "A feast that includes a milk-like substance, figs,</p> <p>3 lamb or vegan option and other foods."</p> <p>4 Next bullet point: "Rituals with mock sacrifice,</p> <p>5 orgies, BDSM, asexual awareness, bodily autonomy,</p> <p>6 wolves."</p> <p>7 Did I read that correctly?</p> <p>8 <b>A. Correct.</b></p> <p>9 Q. Okay. And so these are ways The Satanic Temple</p> <p>10 suggests celebrating this holiday?</p> <p>11 <b>A. Yeah, apparently so.</b></p> <p>12 Q. Okay. And -- and "BDSM" stands for?</p> <p>13 <b>A. I'm not certain, honestly. Something to do with</b></p> <p>14 <b>bondage.</b></p> <p>15 Q. Okay. Could it be -- and just guessing here -- but</p> <p>16 bondage, domination, sadomasochism?</p> <p>17 <b>A. I don't think you're guessing.</b></p> <p>18 Q. All right. Well, it's a question.</p> <p>19 <b>A. It -- it -- that sounds like a -- that sounds like</b></p> <p>20 <b>credible speculation to me.</b></p> <p>21 Q. It -- is it your belief that that's what it stands</p> <p>22 for?</p> <p>23 <b>A. I'm honestly not certain. It's not really my --</b></p> <p>24 <b>it's not my specialty.</b></p> <p>25 Q. Okay. And I understand that. I'm -- I'm not asking</p>	<p>1 <b>beginning.</b></p> <p>2 <b>So it was around that time that I was very</b></p> <p>3 <b>insistent that the whole concept needed to be legitimated</b></p> <p>4 <b>and -- and be aligned with what I truly believed.</b></p> <p>5 Q. And you've mentioned Malcolm Jarry.</p> <p>6 To your knowledge, Malcolm Jarry is an alias of</p> <p>7 Cevin Soling; correct?</p> <p>8 <b>A. Correct.</b></p> <p>9 Q. And Cevin Soling is spelled C-E-V-I-N, S-O-L-I-N-G?</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. Okay. And he was the one who originally came up</p> <p>12 with the idea of The Satanic Temple; is that right?</p> <p>13 <b>A. He was the one who originally started using the</b></p> <p>14 <b>name The Satanic Temple.</b></p> <p>15 <b>But, as I said, you know, like in relation to the</b></p> <p>16 <b>placeholder Web site, the concept of The Satanic Temple</b></p> <p>17 <b>as we know it today didn't emerge until after I became a</b></p> <p>18 <b>part of it, until it was formally codified and -- and</b></p> <p>19 <b>founded.</b></p> <p>20 Q. Okay. So are you aware that -- that Cevin conceived</p> <p>21 of the project of The Satanic Temple as a way to</p> <p>22 undermine George W. Bush's White House Office of Faith</p> <p>23 Based and Community Initiatives?</p> <p>24 <b>A. When -- my understanding is that when Malcolm was</b></p> <p>25 <b>first conceiving of the notion of creating a type of</b></p>
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<p>1 that, but I'm asking your understanding of what the term</p> <p>2 refers to.</p> <p>3 <b>A. I -- I think you're correct. I think --</b></p> <p>4 Q. Okay.</p> <p>5 <b>A. I think it probably -- it's probably that acronym.</b></p> <p>6 Q. Yeah, fair enough.</p> <p>7 Okay. And you can set -- you can set that aside.</p> <p>8 <b>A. Okay.</b></p> <p>9 Q. So I want to ask you about the origin of The</p> <p>10 Satanic Temple.</p> <p>11 When was The Satanic Temple founded?</p> <p>12 <b>A. 2013.</b></p> <p>13 Q. I'm sorry. You said 2013?</p> <p>14 <b>A. Correct.</b></p> <p>15 Q. Okay. And when in 2013?</p> <p>16 <b>A. Oh, I don't know.</b></p> <p>17 Q. Is it in -- in conjunction with the rally for Rick</p> <p>18 Scott?</p> <p>19 <b>A. It was following the Rick Scott rally.</b></p> <p>20 Q. Okay. Was it conjunction with what I've seen</p> <p>21 referred to as the "Pink Mass"?</p> <p>22 <b>A. It was more along -- it was more around that time,</b></p> <p>23 <b>because then it became clear to me that -- that I was</b></p> <p>24 <b>kind of a -- I had become kind of a central image for</b></p> <p>25 <b>this that I hadn't intended to be necessarily at the</b></p>	<p>1 <b>activist film that the idea was that this film would show</b></p> <p>2 <b>a -- would -- would show this -- would -- would portray</b></p> <p>3 <b>this idea of an alternative religion seeking this kind of</b></p> <p>4 <b>equal representation.</b></p> <p>5 <b>And so it made sense to consult with myself, a</b></p> <p>6 <b>Satanist, somebody who identifies with an alternative</b></p> <p>7 <b>minority religious group to credibly portray that;</b></p> <p>8 <b>so . . .</b></p> <p>9 Q. Okay. So I --</p> <p>10 <b>A. So, well, I'm trying to make the distinction is</b></p> <p>11 <b>that he had an idea for this, for this kind of film</b></p> <p>12 <b>project that would -- that would focus upon the -- what</b></p> <p>13 <b>he saw as the problems with the faith-based and --</b></p> <p>14 <b>faith-based initiatives or perhaps the hypocrisy of it.</b></p> <p>15 <b>But I'm making the distinction between that project</b></p> <p>16 <b>and what The Satanic Temple actually is, because I think</b></p> <p>17 <b>those are rather distinct and separate entities.</b></p> <p>18 Q. You think what are separate entities?</p> <p>19 <b>A. Malcolm's film project and the actual founding and</b></p> <p>20 <b>codification of --</b></p> <p>21 Q. Okay.</p> <p>22 <b>A. -- of what we know as The Satanic Temple today.</b></p> <p>23 Q. But they were both called The Satanic Temple,</p> <p>24 correct?</p> <p>25 <b>A. Correct.</b></p>

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1 Q. Okay. And have you used the word "poison pill"?  
 2 Poison pill in this context?  
 3 **A. I have heard him use that term, poison pill.**  
 4 Q. Okay. And what -- what does it mean that The  
 5 Satanic Temple would be a poison pill?  
 6 **A. I'm -- I mean, you would have to ask him. I'm**  
 7 **not -- not necessarily certain what he means.**  
 8 Q. Okay. All right. Now let's talk about the rally for  
 9 Rick Scott.  
 10 So you've said this was a film project, and it was  
 11 supposed to be a mockumentary about the nicest Satanic  
 12 cult in the world; right?  
 13 **A. I -- I don't know that those words have been used.**  
 14 Q. Is that generally your sense of what the film  
 15 project was about?  
 16 **A. No, I -- I don't -- I don't think there was -- I**  
 17 **mean, my understanding was that there wasn't much a**  
 18 **desire to portray a Satanic cult, whether happy or**  
 19 **otherwi- -- I could be wrong. I didn't pay much**  
 20 **attention.**  
 21 **But my original role in that was to consult**  
 22 **regarding what could be a credible portrayal of Satanism,**  
 23 **knowing about these types of things.**  
 24 **But as far as a film project was concerned, it**  
 25 **wasn't necessarily of value to put too specific a face on**

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1 **it, whether it be theistic, nontheistic, or otherwise.**  
 2 **The important part was that people could see what the**  
 3 **difficulties were faced by an alternative religious group**  
 4 **seeking equal representation.**  
 5 Q. So there was a rally staged at the Florida State  
 6 Capitol, right?  
 7 **A. Could you be more specific?**  
 8 Q. You -- you staged a rally at the Florida State  
 9 Capitol in conjunction with this film project?  
 10 **A. You -- you're talking about the Rick Scott rally?**  
 11 Q. Yes.  
 12 **A. Correct.**  
 13 Q. And so -- and that rally purported to support  
 14 Governor Scott for signing a bill that permitted  
 15 student-led prayer at school assemblies, right?  
 16 **A. Correct.**  
 17 MR. CANTRELL: Okay. All right. Let's take  
 18 a short break. So let's go off the record.  
 19 THE VIDEOGRAPHER: We're going off the  
 20 record at 10:48 a.m.  
 21 (Pause in proceedings.)  
 22 THE VIDEOGRAPHER: We're back on the  
 23 record at 10:49 a.m.  
 24 Q. (Mr. Cantrell) Okay. So we're back on the record.  
 25 Mr. Misicko, you're aware of a video of the rally

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1 at the Florida State Capitol; correct?  
 2 **A. I'm aware there are videos of the rally.**  
 3 Q. Okay. I want to play a part of one of these videos.  
 4 (Video begins playing at 10:50 a.m.)  
 5 "Welcome everybody. I am Lucien  
 6 Greaves, Overlord of The Satanic Temple. I  
 7 can't tell you how gratifying it is to  
 8 have you all here today. 10, 20 years ago,  
 9 it would have been unthinkable that a  
 10 congregation of Satanists would be  
 11 gathered publicly upon these capitol  
 12 steps. Public sensibilities would not have  
 13 allowed for it.  
 14 "For Satan the public perception is one  
 15 that does not exist. For the Satanist the  
 16 suspicious witch hunt -- witch-hunting  
 17 mythology are nothing more than a paranoid  
 18 conspiracy theory. We now have the opportunity  
 19 to open new minds to our teachings and to  
 20 dispel divisive myths.  
 21 "For that we honor Governor Rick Scott for  
 22 Senate Bill 98 which allows for student-led  
 23 prayer in school, offering hope that our  
 24 Satanic children may be bring Lucifer's  
 25 teachings to new minions.

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1 "As spokesperson for The Satanic Temple, I  
 2 have heard it argued that we have interpreted  
 3 the letter of the law, SB98, at the expense of  
 4 its intended spirit. Surely, I've been told,  
 5 Governor Rick Scott, an avowed Christian, could  
 6 not have intended such a bill to benefit  
 7 Satanists or non-Christian religionists.  
 8 "These reservations we feel are nothing  
 9 less than a grave insult to a great man.  
 10 Legislation --  
 11 (Video stops playing at 10:51 a.m.)  
 12 MR. CANTRELL: Okay. Let's pause there.  
 13 Okay. And you can swing back around.  
 14 Q. (Mr. Cantrell) So do you recognize that video as  
 15 video of the rally at the Florida State Capitol?  
 16 **A. I do.**  
 17 Q. Okay. And you identified yourself as Overlord of  
 18 The Satanic Temple, correct?  
 19 **A. Correct.**  
 20 Q. And you stated you were there to honor Scott for  
 21 signing a bill that permits student-led prayer in  
 22 schools, correct?  
 23 **A. Correct.**  
 24 Q. And -- but you weren't really glad that Scott  
 25 signed this bill, correct?

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1 **A. Well, we were glad that -- yeah, we were glad that**  
 2 **Rick Scott signed the bill.**  
 3 Q. You were -- why were you glad that he signed this  
 4 bill?  
 5 **A. Because we took it at face value that Rick Scott**  
 6 **was trying to preserve religious liberty and that there**  
 7 **wouldn't be any Government viewpoint discrimination**  
 8 **regarding what the nature of the prayers or invocations**  
 9 **would be delivered by student-led groups.**  
 10 **So, as we said at the time, we felt that this,**  
 11 **these kinds of measures would lead to a boom in religious**  
 12 **diversity where alternative religious voices would find a**  
 13 **better avenue to show people what their -- what their**  
 14 **beliefs were and -- and where they stood on certain**  
 15 **things and open kind of, like, free discussion related to**  
 16 **that.**  
 17 **And even though these kinds of measures are passed**  
 18 **usually by Christian politicians, nobody generally is**  
 19 **unaware of what the Christian voices are. So especially**  
 20 **early on with what we were doing, there was much more**  
 21 **interest in what we had to say and what we were doing.**  
 22 **So those kinds of religious liberty messages or --**  
 23 **or measures, that kind of legislation really -- really**  
 24 **generated a -- a whole kind of religious identity that**  
 25 **brought people to us, so . . .**

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1 Q. So let me ask you this: You referred to Rick Scott  
 2 as a great man, correct?  
 3 **A. Correct.**  
 4 Q. Okay. And you -- you didn't really believe Rick  
 5 Scott was a great man, right?  
 6 **A. I suspect that he is not, based on many other**  
 7 **things I -- I know about him now. But the idea at the**  
 8 **time was that we were taking everything that was being**  
 9 **said at its face value.**  
 10 Q. You had posted items to social media that were  
 11 critical of Governor Scott's decision, hadn't you?  
 12 **A. I -- not that I recall.**  
 13 **(Exhibit 10-B marked for identification.)**  
 14 Q. Okay. And I am showing you what I will go ahead and  
 15 mark as an exhibit. Let's see. I will mark this as --  
 16 which exhibit are we on? 10.  
 17 Okay. I'll mark this as an Exhibit 10-B.  
 18 MR. KEZHAYA: You indicated that this is  
 19 10-B. What is 10-A?  
 20 MR. CANTRELL: 10 -- it's just 10.  
 21 MR. KEZHAYA: Oh, okay.  
 22 MR. CANTRELL: Yeah.  
 23 MR. KEZHAYA: Do we have -- oh, yeah, we  
 24 do have a 10. 10 was Lupercalia.  
 25 MR. CANTRELL: Right, yeah. So this will

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1 be 10-B.  
 2 MR. KEZHAYA: Okay.  
 3 Q. (Mr. Cantrell) And I'll direct your attention to  
 4 the second page. This -- this is titled: "Did You Hear  
 5 the One About the Pro-Scott Satanic Cult?" It is from a  
 6 Florida Miami Herald news blog posted by Michael Van  
 7 Sickler on Wednesday, January 16, 2013.  
 8 And I'll direct your attention to the second page,  
 9 which indicates that --  
 10 MR. KEZHAYA: Before we go reading off of  
 11 the exhibit, I'd like to see it.  
 12 MR. CANTRELL: Okay. Here you go. Second  
 13 page at the top.  
 14 MR. KEZHAYA: This appears to be  
 15 indicating that Mr. Misicko posted something on  
 16 his personal Facebook page.  
 17 He's going to be back here tomorrow  
 18 wearing his personal hat. We object to this as  
 19 hearsay on the front end, and it's not a TST  
 20 statement on the second.  
 21 MR. CANTRELL: Well, let me go ahead  
 22 and -- and ask you about it.  
 23 Q. (Mr. Cantrell) So you've had a chance to read it.  
 24 Did you speak to someone at the Miami Herald?  
 25 **A. I spoke to Michael Van Sickler. I don't remember**

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1 **which -- which outlet he was working for.**  
 2 Q. Okay. And so does this refresh your memory as to  
 3 whether or not you posted videos critical of Rick Scott  
 4 on your Facebook page?  
 5 **A. It does not.**  
 6 **But I don't find it outrageous that I would. It's**  
 7 **still kind of an open question when you take something at**  
 8 **face value, but you're also open to the criticisms and**  
 9 **willing to consider the possibility that what Scott was**  
 10 **doing was hypocritical.**  
 11 Q. Okay. Thank you. And you can set that aside.  
 12 All right. So let's talk about --  
 13 **A. Wait. I'm sorry. Should I folder this?**  
 14 Q. Yeah, go ahead.  
 15 **A. Okay.**  
 16 Q. Let's talk about what you called the "Pink Mass."  
 17 Did you participate in the Pink Mass?  
 18 **A. I did.**  
 19 **(Exhibit 11 marked for identification.)**  
 20 Q. All right. I'm handing you what's been marked as  
 21 Exhibit 11.  
 22 Do you recognize this as an archive of the Westboro  
 23 Baptist Web page from July 17, 2013?  
 24 **A. I do.**  
 25 MR. KEZHAYA: Object to hearsay.

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1 Q. What is -- what is Westboro Baptist Church?  
 2 **A. Westboro Baptist Church is this very outspoken**  
 3 **anti-LGBTQ church based out of Topeka, Kansas.**  
 4 **And they often stage protests at veteran's funerals**  
 5 **or sites of tragedies where people are oftentimes**  
 6 **recently mourning to spread their message of**  
 7 **anti-homosexuality, for the most part.**  
 8 Q. So The Satanic Temple registered  
 9 WestboroBaptist.com as a domain and created this Web  
 10 site, correct?  
 11 **A. Correct.**  
 12 Q. Did you create this Web site on The Satanic  
 13 Temple's behalf?  
 14 **A. I helped with this Web site.**  
 15 Q. Okay. Take a look at that first page, that last  
 16 sentence of the left column. And read silently while I  
 17 read.  
 18 "The Pink Mass is a Satanic ritual performed at the  
 19 grave site of a deceased person which changes the sexual  
 20 orientation of that person in the afterlife."  
 21 Did I read that correctly?  
 22 **A. Correct.**  
 23 Q. Okay. In July 2017 The Satanic Temple did not hold  
 24 that there was an afterlife, did it?  
 25 **A. Well, no.**

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1 **And, therefore, on the -- I believe on the press**  
 2 **release and in the subsequent interviews I did, I was**  
 3 **quite clear on the fact that we still weren't advocating**  
 4 **for any supernatural beliefs or even a belief in the**  
 5 **afterlife.**  
 6 **But what we were doing is directly engaging the**  
 7 **Westboro Baptist Church on their own terms. They had made**  
 8 **the argument before in the Supreme Court that their**  
 9 **beliefs were inviolable. And we were making the argument**  
 10 **also that our beliefs were inviolable; and we were free**  
 11 **to believe that they were obligated to believe, based**  
 12 **upon their beliefs, that we had changed the sexual**  
 13 **orientation of Catherine Idalette Johnston.**  
 14 THE COURT REPORTER: "The sexual  
 15 orientation" of?  
 16 THE WITNESS: Of Catherine Idalette  
 17 Johnston.  
 18 Q. So what did the Pink Mass involve?  
 19 **A. Two same-sex couples making out over the grave of**  
 20 **the mother of the founder of the Westboro Baptist Church.**  
 21 **And then I tastefully rested my scrotum upon her grave.**  
 22 Q. Okay. The two men who were photographed kissing,  
 23 they were actors; right?  
 24 **A. Well, they were definitely kissing.**  
 25 Q. Right.

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1 But they were hired actors, correct?  
 2 **A. I don't believe they were paid.**  
 3 Q. In any case, they were actors who were actually  
 4 kissing?  
 5 **A. I don't -- I wouldn't call them actors. They --**  
 6 **they knew what we were doing, and they wanted to do it.**  
 7 Q. And those two men were not actually gay, were they?  
 8 **A. I don't -- I don't know. I don't -- I -- I know at**  
 9 **least one of them explicitly identified as gay. The other**  
 10 **one seemed pretty gay along with him.**  
 11 Q. So you had tried to find actors to participate in  
 12 this, what you called the Pink Mass; correct?  
 13 **A. I did not.**  
 14 **I don't know necessarily what the process was when**  
 15 **the people I was working with were trying to find people.**  
 16 Q. And I say "you." I mean The Satanic Temple.  
 17 **A. Well, this was still kind of transitioning from**  
 18 **film project to -- this is about the point where my face**  
 19 **ended up in the news quite a bit where --**  
 20 Q. Let me --  
 21 **A. -- they really insisted on --**  
 22 Q. Let me stop you there now, if you don't mind.  
 23 **A. Okay.**  
 24 Q. So there were also two women who were photographed  
 25 kissing, correct?

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1 **A. Correct.**  
 2 Q. And they were not actually lesbian, correct?  
 3 **A. I actually really know nothing about either of**  
 4 **them.**  
 5 Q. But you know that they weren't lesbian?  
 6 **A. I don't know that. They --**  
 7 Q. And they were --  
 8 **A. -- could very well have been.**  
 9 Q. -- actors as well, right?  
 10 **A. I -- I don't know that either.**  
 11 **I -- I don't -- I don't believe any of these people**  
 12 **got paid, and I believe they -- they had their own --**  
 13 **their own -- their own positions on matters that led them**  
 14 **to want to do this with us.**  
 15 Q. How did you locate these individuals to  
 16 participate?  
 17 **A. I -- I did not. So I didn't --**  
 18 Q. How did The Satanic Temple locate these  
 19 individuals?  
 20 **A. I -- I do not know how these, these people were --**  
 21 **were brought into this.**  
 22 Q. Okay. And -- and you are the representative of The  
 23 Satanic Temple with knowledge of the items listed in the  
 24 Notice of Deposition, correct?  
 25 **A. Yeah.**

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1 **I do not consider this necessarily formal --**  
 2 **leading up to the Pink Mass, it was still rather**  
 3 **transitory, not -- not really within the time frame after**  
 4 **the formal codification of The Satanic Temple and my**  
 5 **assis- -- insistence that it align itself with -- with a**  
 6 **consistent set of beliefs.**  
 7 **So --**  
 8 Q. So The Satanic Temple --  
 9 **A. -- I mean, some of these matters kind of still**  
 10 **predate my -- my overall --**  
 11 Q. I -- I understand that.  
 12 **A. -- primary influence.**  
 13 Q. This is --  
 14 MR. KEZHAYA: I going to object here.  
 15 Don't interrupt the witness as he's answering  
 16 your question, please.  
 17 Q. Do you have anything else to add?  
 18 **A. No. Please continue.**  
 19 Q. Okay. So The Satanic Temple considers both the  
 20 rally for Rick Scott and the Pink Mass to be campaigns of  
 21 The Satanic Temple, correct?  
 22 **A. Correct.**  
 23 Q. Okay. All right. And take a look at the photographs  
 24 that follow that first page.  
 25 Do you recognize those as copies of photographs

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1 that were posted to the Westboro Baptist page?  
 2 **A. Yes.**  
 3 Q. The answer is yes?  
 4 **A. Yes.**  
 5 Q. Okay. Were you the one who posted photographs to  
 6 the Westboro Baptist Web site?  
 7 **A. I don't know who posted the pictures.**  
 8 **I was aware of the pictures. I may have even**  
 9 **curated the pictures that ultimately got posted.**  
 10 Q. Okay. And Mississippi authorities brought charges  
 11 of grave desecration against you, didn't they?  
 12 **A. I think there's a distinction there. I was never**  
 13 **formally charged. I believe they -- I don't know how**  
 14 **to -- what the proper wording on that would be, but I --**  
 15 **they -- they issued a -- a warrant for arrest.**  
 16 **(Exhibit 12 marked for identification.)**  
 17 Q. Okay. All right. You can set that aside.  
 18 I'm going to hand you what's been marked as  
 19 Exhibit 12.  
 20 If you can just take a look at that and tell me: Do  
 21 you recognize that as an archive of a page from Westboro  
 22 Baptist Web site titled, "Perform Your Own Pink Mass"  
 23 from July 20, 2013?  
 24 **A. Yes.**  
 25 **(Exhibit 13 marked for identification.)**

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1 Q. Okay. Okay. And you can set that aside as well.  
 2 All right. Now I'm handing you Exhibit 13.  
 3 Do you recognize that as the archive of the  
 4 Westboro Baptist press release Web page from July 20,  
 5 2013?  
 6 **A. Yes.**  
 7 Q. Okay. And there's two pages there, both the top and  
 8 the bottom of the page.  
 9 **A. Yes.**  
 10 Q. Okay. Okay. And you can set that aside.  
 11 Let's talk about the Black Mass at Harvard.  
 12 So The Satanic Temple sponsored a Black Mass close  
 13 to Harvard in May of 2014?  
 14 **A. That sounds correct.**  
 15 Q. Okay. And you've studied the Black Mass, right?  
 16 **A. Yes.**  
 17 Q. And a Black Mass involves a consecrated eucharistic  
 18 host taken from a Catholic church, correct?  
 19 **A. Well, not in our case.**  
 20 Q. But in -- in general a Black Mass is understood  
 21 to -- to involve a consecrated host; correct?  
 22 **A. That's -- that's the mythology.**  
 23 **And the idea of the Black Mass event, despite some**  
 24 **of the media generated by it, was that there would be a**  
 25 **reenactment of a Black Mass. And despite whatever reports**

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1 **you might see otherwise, I felt I was always clear that**  
 2 **we weren't engaging in what people would consider a**  
 3 **traditional Black Mass but a Black Mass reenactment,**  
 4 **something for the edification of the audience as a type**  
 5 **of a springboard to talk about the othering of people**  
 6 **through this kind of conspiracist folklore about Satanism**  
 7 **and Satan's servants on Earth.**  
 8 Q. And so what made the Black Mass at Harvard a  
 9 reenactment instead of an actual Black Mass? Was it that  
 10 you didn't use a consecrated host?  
 11 **A. Well, we didn't use a concentrated host.**  
 12 **But I wanted to use the word "reenactment" because**  
 13 **I thought that would -- wrongly, it turns out. I assumed**  
 14 **that would prevent the Catholic population from taking**  
 15 **such grave offense at it or seeing it as a legitimate**  
 16 **ritual that would cause some kind of a spiritual harm to**  
 17 **the community or something like that.**  
 18 **I thought if we framed it as a reenactment no**  
 19 **different than watching a film like Haxan or something**  
 20 **like that, maybe we wouldn't get that kind of outrage**  
 21 **that we ended up generating nonetheless.**  
 22 Q. So Roman Catholics believe that the consecrated  
 23 host is actually the body of Jesus Christ, right?  
 24 **A. Yeah.**  
 25 **And there again I was really clear with the media**

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1 that we were neither seeking nor intending to use a  
 2 consecrated host, but I do think there was some  
 3 misreports -- and I think even there was one that claimed  
 4 to quote me that said that we were using a consecrated  
 5 host.  
 6 But I did everything I could to -- to put out the  
 7 proper message and let people know that that absolutely  
 8 wasn't the case, nor did we believe in any supernatural  
 9 power behind a consecrated host; so it wouldn't mean much  
 10 to us to have one anyway.  
 11 Q. So in a -- in a Black Mass the -- the host is  
 12 desecrated in a -- generally in an obscene way, correct?  
 13 A. Sure, yeah.  
 14 Q. Would you use the phrase -- excuse me.  
 15 Would you use the phrase "unspeakable act of  
 16 blasphemy" to refer to the Black Mass?  
 17 A. Probably not.  
 18 I mean, as, like, a paraphrase of people's  
 19 understanding of what a Black Mass is supposed to be,  
 20 maybe I would.  
 21 (Exhibit 14 marked for identification.)  
 22 Q. Okay. I'm going to hand you Exhibit 14.  
 23 Are you aware that the president of Harvard issued  
 24 a statement about the Black Mass?  
 25 A. I am.

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1 Q. Do you recognize this as Harvard president Drew  
 2 Gilpin Faust's statement on the Black Mass?  
 3 A. Former president now, yes.  
 4 Q. Okay.  
 5 A. But contemporary to the Black Mass.  
 6 Q. Okay. So look at the second sentence on the second  
 7 page and read -- read as I read aloud.  
 8 It says: "The Black Mass had its historical origins  
 9 as a means of denigrating the Catholic Church. It mocks a  
 10 deeply sacred event in Catholicism, and is highly  
 11 offensive to many in the Church and beyond. The decision  
 12 by a student club to sponsor an enactment of this ritual  
 13 is abhorrent. It represents a fundamental affront to the  
 14 values of inclusion, belonging, and mutual respect that  
 15 must define our community."  
 16 Did I read that correctly?  
 17 A. Yes.  
 18 Q. Okay. So you've said that -- well, I mean, you  
 19 would say I guess that the purpose of The Satanic Temple  
 20 is to encourage benevolent -- benevolence and empathy --  
 21 A. Correct.  
 22 Q. -- correct?  
 23 Okay. So does a Black Mass further that purpose of  
 24 encouraging benevolence and empathy? Or is this -- this  
 25 seems to be in tension with that objective, I'll say.

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1 What's your response?  
 2 A. Oh, yeah. I think -- I -- I was clear on the  
 3 messaging of the Black Mass, despite what -- what Drew  
 4 Faust decided to make of it, in that that engagement in  
 5 blasphemy was meant to be something personal for the  
 6 people engaged in it.  
 7 It wasn't a message to the outside world. It wasn't  
 8 meant as a calculated affront to people who weren't there  
 9 and weren't going to engage in it. This was meant for  
 10 people, for the most part, who were -- who felt a sense  
 11 of oppression based upon the indoctrination they were  
 12 exposed to as children.  
 13 You have a lot of ex-Catholics, people abused by  
 14 Catholics, people who abused -- who feel abused by the  
 15 superstitions they were made to subscribe to. And for  
 16 them doing this kind of thing can be very liberating for  
 17 the very reason that it was considered so taboo within a  
 18 superstitious community that they were exposed to.  
 19 And because it has that kind of affirmative value  
 20 for them and helps them feel that they're able to move  
 21 forward from that, in that way it's a very kind of  
 22 cathartic event; and it's something that -- that can be  
 23 really helpful I think to them.  
 24 And I was naive to think that the Catholic  
 25 community could grasp that, but we did try to invite

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1 representatives of the -- of the Catholic community. And  
 2 we did engage with con- -- in conversation with those who  
 3 were open to it afterwards to discuss this point of view.  
 4 And in fact from that event I began to have contact  
 5 with Catholic religion scholars, a scholar, Joseph  
 6 Laycock, who recently wrote what I think is a favorable  
 7 book about us published by the Oxford University Press.  
 8 And we have had no shortage of people who identify  
 9 as Catholic now -- many still protest us and in every  
 10 event we do, but there's still a lot of Catholic people  
 11 who have come around to understanding our point of view  
 12 on this.  
 13 And even if they think we're ultimately wrong on  
 14 questions of spirituality, supernaturalism, and things  
 15 like that, even the -- one of the Catholic professors at  
 16 the Divinity School at Harvard --  
 17 Q. Let me stop you there.  
 18 MR. KEZHAYA: I'm going to object to  
 19 interrupting the witness as he answers your  
 20 question.  
 21 MR. CANTRELL: Matt, he's -- it's  
 22 nonresponsive at this point, so I'm going to  
 23 object.  
 24 (Exhibit 15 marked for identification.)  
 25 Q. (Mr. Cantrell) Okay. You can set that aside.

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1 I'm going to hand you what's been marked as  
 2 Exhibit 15.  
 3 Okay. Taking a look at Exhibit 15, do you recognize  
 4 that as a May 30, 2014, Satanic Temple press release  
 5 titled, "The Satanic Temple Issues Challenge to Michigan  
 6 Governor in Defense of Gay Rights"?  
 7 **A. Yes.**  
 8 **(Exhibit 16 marked for identification.)**  
 9 Q. Okay. All right. And I'm -- you can set that aside.  
 10 I'm handing you Exhibit 16.  
 11 Do you recognize Exhibit 16 as a February 24, 2015,  
 12 archive of a Satanic Temple post entitled, "Greece Town  
 13 Hall"?  
 14 **A. So I -- there's -- okay. The second page is -- is**  
 15 **blank.**  
 16 **Okay. I have a June -- June 13, 2014, capture of a**  
 17 **TheSatanicTemple.com archive. And there is the title,**  
 18 **"Greece Town Hall," but I have three lines after that**  
 19 **and -- and that's it.**  
 20 Q. Yes.  
 21 **A. Is that correct?**  
 22 Q. Yes.  
 23 **A. Okay.**  
 24 Q. Yes.  
 25 Okay. It should be -- it should be February 24,

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1 2015.  
 2 **A. I have June 13, 2014.**  
 3 Q. Okay.  
 4 **A. Let me take -- I'm looking at the date following**  
 5 **the title --**  
 6 Q. Oh, I see. Yes.  
 7 Okay. The archive at the top is February 24, 2015;  
 8 correct?  
 9 **A. Oh, I understand. Yes.**  
 10 Q. Okay.  
 11 THE COURT REPORTER: Can we pause for a  
 12 minute?  
 13 MR. CANTRELL: Sure.  
 14 THE COURT REPORTER: Let's go off the  
 15 record for a moment.  
 16 THE VIDEOGRAPHER: We're going off the  
 17 record at 11:19 a.m.  
 18 (Recess taken.)  
 19 THE VIDEOGRAPHER: We are back on the  
 20 record at 11:33 a.m.  
 21 Q. (Mr. Cantrell) Okay. You've got in front of you  
 22 Exhibit 16.  
 23 And you requested to deliver a prayer at a meeting  
 24 of the Town of Greece Board, correct?  
 25 **A. Yeah, I believe that's true, immediately following**

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1 **the Supreme Court decision upholding their right to hold**  
 2 **invocations.**  
 3 Q. Okay. And -- and that Supreme Court decision you're  
 4 referring to is Town of Greece V. Galloway?  
 5 **A. Correct.**  
 6 **(Exhibit 17 marked for identification.)**  
 7 Q. Okay. Okay. And you can set that aside.  
 8 All right. I'm handing you Exhibit 17.  
 9 Do you recognize this as February 24, 2015, archive  
 10 of a Satanic Temple post titled, "Satanists Leverage  
 11 Hobby Lobby Ruling in Support of Pro-Choice Initiative"?  
 12 **A. Yeah, again, I don't -- I don't know if it makes a**  
 13 **difference, but the -- the actual date I see of the text**  
 14 **itself is July 19; but the -- the screen grab, I guess**  
 15 **the screen grabs what Wayback Machine knows of**  
 16 **February 24, 2015.**  
 17 Q. Right.  
 18 So it's your understanding that this was actually  
 19 posted on July 19, 2014, correct?  
 20 **A. That's -- yeah, that's what it appears from what**  
 21 **I'm seeing here.**  
 22 Q. Okay. But the Archive.org archive took place on  
 23 February 24, 2015; is that your understanding of how this  
 24 would work?  
 25 **A. Yeah.**

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1 **And, again, I'm not sure it's a distinction worth**  
 2 **making; but that's --**  
 3 Q. Okay, yeah.  
 4 **A. -- what I'm seeing here.**  
 5 Q. Yeah, and I -- that's fair.  
 6 So this was -- this was an attempt to leverage the  
 7 U.S. Supreme Court's ruling in the Hobby Lobby case for  
 8 abortion rights purposes, right?  
 9 **A. I -- I don't know if we considered it an attempt to**  
 10 **leverage, but it -- it was -- seemed to give us a -- it**  
 11 **seemed to give our arguments a -- a better standing or at**  
 12 **least to make our litigation in our minds more economical**  
 13 **when it came to fighting back against abortion**  
 14 **restrictions, at least in the sense that we didn't feel**  
 15 **we would be made to pay the prohibitive costs of -- of**  
 16 **scientific expert witnesses, being that in Hobby Lobby**  
 17 **they ruled that the beliefs of the religious Hobby Lobby**  
 18 **organization trumped the actual validity of their claims**  
 19 **that certain contraceptive pills were abortifacients when**  
 20 **in fact they were not.**  
 21 **That wasn't to say we didn't feel we had a**  
 22 **scientific standing on our position but that we just felt**  
 23 **that we would be no longer made to justify it, given the**  
 24 **Hobby Lobby ruling.**  
 25 Q. Okay.

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1 **A. We would not have to justify the science behind it.**  
 2 Q. Okay. And it -- this does use the word "leverage,"  
 3 correct? "Satanists Leverage"? And I'm just pickling up  
 4 off what you said a minute ago.  
 5 **A. Correct, yeah.**  
 6 Q. Okay. Okay. And separately I think unrelated to  
 7 this you had at one point had an intention to file a  
 8 lawsuit against the fetal remains law in Texas.  
 9 Do you recall that?  
 10 **A. Well, we had an intention to offer an exemption**  
 11 **against the fetal remains requirement in Texas where --**  
 12 **and I might not be interpreting the bill exactly true to**  
 13 **the letter of the law of its form, but my understanding**  
 14 **of the proposed fetal legislation bill --**  
 15 Q. And I'm -- if I could stop you. I'm not asking you  
 16 to go into the law.  
 17 I just -- you were looking to file a lawsuit -- you  
 18 were looking for plaintiffs to file a lawsuit in Texas  
 19 against the fetal remains law; is that correct?  
 20 **A. Well, filing a lawsuit would have been the outcome**  
 21 **of an exemption we offered not being respected.**  
 22 Q. Okay. So you were looking for a plaintiff, a  
 23 potential plaintiff in Texas?  
 24 **A. Well, we were looking to exempt people from that**  
 25 **bill should it go into effect.**

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1 Q. Okay.  
 2 **A. And if that exemption wasn't -- wasn't accepted,**  
 3 **then we would be prepared to file a lawsuit.**  
 4 Q. I see. Okay.  
 5 Okay. You can set that one aside.  
 6 **A. This my last folder.**  
 7 Q. Let's talk about what you've called the "After  
 8 School Satan Club."  
 9 The Satanic Temple wanted to introduce After School  
 10 Satan Clubs in schools where there is already a Good News  
 11 Club, right?  
 12 **A. Correct.**  
 13 Q. Okay. And -- and, tell me, what is a Good News  
 14 Club?  
 15 **A. Good News Clubs are these evangelical after-school**  
 16 **clubs put together by the Child Evangelism Network, I**  
 17 **believe they call themselves.**  
 18 **And the materials covered by the Good News Club, we**  
 19 **object to them on the grounds that they engage in a real**  
 20 **authoritarian conditioning. And their presence in the**  
 21 **school is especially targeting younger children. I think**  
 22 **they -- they look -- they explicitly look for a market**  
 23 **between, like, four and 13 years old or something like**  
 24 **that.**  
 25 **It really gives children the impression that a**

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1 particular religious viewpoint is being given the  
 2 authority of the school itself; that the -- that these  
 3 Evangelical beliefs being put on them in this  
 4 after-school club are endorsed by the school or the  
 5 school district.  
 6 **And many of those teachings include the idea that**  
 7 **you will go to hell; that you must follow Christian**  
 8 **doctrine and things that we feel are very appropriate**  
 9 **[sic] in school.**  
 10 **And even though parents need to give their children**  
 11 **permission go to Good News Clubs, what we have noticed is**  
 12 **that in many school districts you would see certain**  
 13 **things like the Good News Clubs offering cookies and**  
 14 **other incentives to little children, things we thought**  
 15 **were very kind of coercive to get the children into the**  
 16 **group.**  
 17 **And also our understanding was that certain parents**  
 18 **were using the -- the Good News Club as a type of**  
 19 **daycare. Because we also saw in some districts that**  
 20 **school would shut down early on say a Wednesday an hour**  
 21 **earlier, and that gap in time would be filled by a Good**  
 22 **News Club.**  
 23 **So we felt some parents were probably putting their**  
 24 **children into the Good News Club for lack of any other**  
 25 **option, and we wanted to be that option.**

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1 Q. Okay. You're aware that there was a U.S. Supreme  
 2 Court decision involving the Good News Club?  
 3 **A. Correct.**  
 4 **Similar to Greece V. Galloway, it affirmed the**  
 5 **right of religious-based groups to have these**  
 6 **after-school clubs. And the idea was that to not allow**  
 7 **them in the same way that they allowed secular groups to**  
 8 **have after-school clubs would be a -- I don't know if --**  
 9 **religious discrimination.**  
 10 Q. Okay.  
 11 **A. So, anyways, my point is it wasn't specifically**  
 12 **that the Good News Clubs were allowed to have their**  
 13 **after-school clubs; but that any group could and that the**  
 14 **school district couldn't engage in at any viewpoint**  
 15 **discrimination that would prevent them from doing it,**  
 16 **whether they were religious or secular or whatever else.**  
 17 Q. So how many schools did you offer to host an After  
 18 School Satan Club in?  
 19 **A. That I don't immediately recall. I -- I remember**  
 20 **there was -- at -- at the beginning we sent out a series**  
 21 **of letters to different school districts where --**  
 22 Q. How many letters did you send?  
 23 **A. That I don't know. I don't remember.**  
 24 Q. Okay. Would it have been, you know, five? 10? 15?  
 25 MR. KEZHAYA: Object to form.



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1 **A. I -- I think but I can't be certain that it was**  
 2 **nine.**  
 3 Q. Okay.  
 4 **A. But that's the number I -- that's the number of**  
 5 **letters I think we put out --**  
 6 Q. Okay.  
 7 **A. -- in the initial rollout of the After School Satan**  
 8 **Club.**  
 9 Q. Okay. And how many After School Satan Clubs  
 10 actually met?  
 11 **A. That I don't remember either, but I think it was**  
 12 **three.**  
 13 Q. Do you remember what cities those were in?  
 14 **A. I know there was one in Portland; and I think there**  
 15 **was one nearby in Seattle, but I could be wrong. And**  
 16 **then -- and then I would just be guessing.**  
 17 Q. Okay. And these were run by volunteers?  
 18 **A. Well, these were run -- these were run by chapter**  
 19 **leadership and membership who -- who were part of local**  
 20 **chapters in that community.**  
 21 **We discussed whether we would open it up to**  
 22 **volunteers, but we -- we didn't feel we had enough**  
 23 **capacity for vetting of outside volunteers, so we wanted**  
 24 **to work with people we had already vetted as --**  
 25 Q. And by --

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1 **A. -- chapter leadership.**  
 2 Q. -- volunteers I really just mean they weren't paid  
 3 for their work, correct?  
 4 **A. Oh, right. Sorry.**  
 5 Q. Is that right?  
 6 **A. That's correct.**  
 7 Q. Okay. Okay. And so did you produce a video  
 8 promoting After School Satan Club?  
 9 **A. I -- I personally edited together a video. But if**  
 10 **you have a specific video in mind, I'm not --**  
 11 Q. Okay.  
 12 **A. I can't say for sure that we're thinking about the**  
 13 **same video.**  
 14 Q. Sure.  
 15 Well, I've got it and we are going to -- we're  
 16 going to take a look at it.  
 17 **A. Yeah, okay.**  
 18 Q. So --  
 19 **A. Shall I roll aside?**  
 20 Q. Yeah, roll aside. And let's . . .  
 21 (Video plays from 11:44 a.m. to  
 22 11:47 a.m.)  
 23 Q. (Mr. Cantrell) Okay. Do you recognize that video?  
 24 **A. I do.**  
 25 Q. All right. Tell me about that video.

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1 **A. That is indeed the After School Satan Club video**  
 2 **that I edited together.**  
 3 Q. Okay. And what was the purpose of this video?  
 4 **A. To let people know about the -- the Web site, the**  
 5 **After School Satan Club; that there was an After School**  
 6 **Satan Club made. And that was it.**  
 7 Q. Okay. Why -- tell me about why you chose the  
 8 various elements that you put into it.  
 9 **A. I was looking at what I believe was all**  
 10 **public-domain material that I felt would look good in the**  
 11 **video. And that was it.**  
 12 Q. Okay. What about some of the tropes you  
 13 incorporated, tropes that -- would you say that some of  
 14 these tropes are associated in the popular mind with  
 15 Satan worship?  
 16 **A. What? What tropes in particular?**  
 17 Q. So there's back masking, right?  
 18 **A. Oh, yeah. Yes.**  
 19 Q. Tell us what back masking is?  
 20 **A. Oh, that's just -- there were voices played**  
 21 **backwards within the sound.**  
 22 Q. Okay. And what -- when you play those forwards,  
 23 what do they say?  
 24 **A. It's actually a prosocial kind of moralizing**  
 25 **message.**

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1 **But that just more speaks to my esthetic than**  
 2 **anything else; that the -- what was being said was not as**  
 3 **relevant as the fact that there was a voice just --**  
 4 Q. No. I'm asking you what -- what was actually said?  
 5 **A. Oh, that I -- that I don't remember. It was some**  
 6 **recording from, like, the 1950s.**  
 7 Q. Do you remember the general tenor of it?  
 8 **A. Yeah. It was talking about a -- it was talking**  
 9 **about a -- I think a general adherence to moral values.**  
 10 Q. Okay. And there were some -- well, I don't know  
 11 what to call it other than horror movie sound effects.  
 12 **A. No.**  
 13 **This -- that -- those I -- I did the audio too, and**  
 14 **that was taken -- I manipulated recordings of Chinese**  
 15 **monks.**  
 16 Q. Were those played backwards as well?  
 17 **A. I think some of it was played backwards, but not**  
 18 **all of it. I know there was some time stretching and**  
 19 **other various manipulation to make it sound a lot**  
 20 **different than its original form.**  
 21 Q. Okay.  
 22 **A. In any case.**  
 23 Q. And what about the video played in reverse?  
 24 **A. That -- correct, there's -- it's reversed video**  
 25 **too.**

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1 Q. Yeah.  
 2 And what was the purpose of that?  
 3 **A. There's kind of a broader philosophy within**  
 4 **Satan -- Satanism about -- that kind of makes reference**  
 5 **to balance and backwards and forwards and being able to**  
 6 **invert certain assumptions and, you know, thereby look at**  
 7 **things from a different angle and come to perhaps**  
 8 **different conclusions.**  
 9 **And I think all those kinds of elements spoke to**  
 10 **that, similar to the symbolism of Baphomet, which I guess**  
 11 **is a different topic.**  
 12 Q. Okay.  
 13 **A. I'm not sure how deep you want me to go into that**  
 14 **kind of thing.**  
 15 Q. Well, so let me ask you about spiders.  
 16 How does that fit into a club devoted to  
 17 rationalism and free inquiry?  
 18 **A. Well, I mean, the -- the natural -- the natural**  
 19 **world, the natural sciences, that kind of observation --**  
 20 **I don't think kids are necessarily turned off by bugs and**  
 21 **spiders, but they're more curious than anything.**  
 22 Q. And so there were alternating images of children  
 23 and spiders.  
 24 You took that to -- to be a -- to -- to kind of  
 25 stoke an interest in the natural world? Is that what

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1 you're saying?  
 2 **A. I mean, it's hard to kind of reflect on my frame of**  
 3 **mind while putting this together. But I think --**  
 4 Q. Well, you're in a better position than anybody  
 5 else, so --  
 6 **A. Yeah, sure.**  
 7 Q. So I'm happy to hear what you have to say.  
 8 **A. Yeah.**  
 9 **But, you know, there's a lot of outdoor imagery.**  
 10 **And there was also I believe either a locust or a mantis**  
 11 **sitting on a girl's hand while she was observing it. So,**  
 12 **yeah, I think that does -- that does speak at least at**  
 13 **some level to interest in the natural world.**  
 14 Q. So just -- let me -- let me ask you this. Just, you  
 15 know, shoot straight with me.  
 16 This -- this was intended to disturb people more  
 17 than anything else, right?  
 18 **A. Well, it was known that some people would be**  
 19 **disturbed by it. But, similar to the Baphomet monument, I**  
 20 **don't find it disturbing; and I don't think -- I don't**  
 21 **think a lot of children would find it disturbing, unless**  
 22 **they're kind of indoctrinated with a certain kind of**  
 23 **cultural baggage that would make them think of this**  
 24 **material as disturbing.**  
 25 Q. How do you think school administrators would be

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1 affected by watching that video? Do you think they would  
 2 be more inclined to want the After School Satan Club to  
 3 come to their school?  
 4 **A. Well, it's not -- it's not my understanding that**  
 5 **it's their place to look at that kind of promotional**  
 6 **material and thereby decide whether they, by their**  
 7 **largess, will allow it into their school or not when**  
 8 **their school district allows for after-school clubs of --**  
 9 **of a religious nature of another type.**  
 10 Q. And that's not the question, though.  
 11 The question is: What effect do you think this  
 12 would have on school administrators?  
 13 **A. It depends on the school administrator, honestly.**  
 14 Q. Do you think in general this was an effective way  
 15 to make school administrators more inclined to include  
 16 the After School Satan Club in their school?  
 17 **A. Well, again, that wasn't a consideration. It wasn't**  
 18 **my understanding that they -- they had a real say in it**  
 19 **one way or the other.**  
 20 Q. But, again, that's not -- that's not the question.  
 21 **A. But -- but I'm saying it wasn't a consideration of**  
 22 **mine.**  
 23 Q. So what were your considerations then?  
 24 **A. Just letting people know that the After School**  
 25 **Satan Clubs existed. I wanted people to be curious about**

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1 **it and look it up. And I felt that the -- that video did**  
 2 **a lot to at least make people question what the After**  
 3 **School Satan Club is so that they could look at it.**  
 4 **And also my position was that if they were as we**  
 5 **might colloquially say "freaked out" by it, maybe they**  
 6 **would consider the bigger question of -- of what kind of**  
 7 **standards and restrictions there are for after-school**  
 8 **clubs, and maybe people should be compelled to examine**  
 9 **that more thoroughly.**  
 10 Q. Okay. Well, let me -- you can set that -- oh,  
 11 you've already set it aside. Okay.  
 12 **A. I -- I don't believe I had anything set aside.**  
 13 Q. Yeah, no. I -- I realized that after I said that.  
 14 (Exhibit 23 marked for identification.)  
 15 Q. Okay. I'm handing you 23, Exhibit 23.  
 16 Do you recognize this as an archive of a Satanic  
 17 Temple mission Web page from July 30, 2014?  
 18 **A. All right. Again, I'm not sure how important this**  
 19 **is; but I'm not seeing July 30.**  
 20 Q. Okay. Okay.  
 21 **A. I'm seeing it captured from May 17.**  
 22 Q. Oh, so you're seeing May 17?  
 23 **A. Oh, I see. July 30, 2014, through April 3, 2019. I**  
 24 **don't know the meaning of that.**  
 25 Q. Okay. Where are you looking?

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1 **A. If you look at the top left, it says July 30 --**  
 2 Q. Okay.  
 3 **A. -- 2014, through April 3, two -- 2019.**  
 4 Q. Yeah, right.  
 5 **A. I'm not sure what that means.**  
 6 Q. Okay.  
 7 **A. But it looks like the capture itself is from this**  
 8 **URL, May 17, 2017.**  
 9 Q. Right. Okay.  
 10 So this one is an archive. It's archived on  
 11 March 17, 2017, correct?  
 12 **A. May 17.**  
 13 Q. May 17 -- I'm sorry. May 17, 2017; that's right.  
 14 Okay.  
 15 And the language there under "Our Mission" over on  
 16 the right, it says: "The Satanic Temple (TST) facilitates  
 17 the communication and mobilization of particu- --  
 18 politically-aware Satanists, secularists, and advocates  
 19 for individual liberty."  
 20 Did I read that correctly?  
 21 **A. Correct.**  
 22 Q. Okay. Okay. And you can set that aside.  
 23 **A. Yeah.**  
 24 Q. We'll need to get some -- I'm sorry. Thank you  
 25 for --

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1 **A. No, that's fine.**  
 2 Q. There's some more envelopes down there that he's  
 3 grabbing. Sorry to make you do that.  
 4 **A. No, no. That's fine.**  
 5 **(Exhibit 24 marked for identification.)**  
 6 Q. Okay. Now I'm handing you Exhibit 24.  
 7 And do you recognize that exhibit as -- as a  
 8 July 30, 2014 --  
 9 **A. Sure.**  
 10 Q. -- archive of The Satanic Temple mission web page?  
 11 **A. Correct.**  
 12 Q. Okay. Over -- under "Our Mission" on the right,  
 13 it's the language there; right? "satanic Temple (TST)  
 14 facilitates communication, mobilization of  
 15 politically-aware Satanists, secularists, and advocates  
 16 for individual liberty"; is that right?  
 17 **A. Correct.**  
 18 Q. Okay. Okay.  
 19 **A. Should I file this?**  
 20 Q. Yeah, you can set it aside.  
 21 MR. CANTRELL: And let's go off the record  
 22 for just a second.  
 23 THE VIDEOGRAPHER: We're going off the  
 24 record at 11:58 a.m.  
 25 (Luncheon recess.)

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1 THE VIDEOGRAPHER: We're back on the  
 2 record at 12:49 p.m.  
 3 (Exhibit 26 marked for identification.)  
 4 Q. (Mr. Cantrell) All right. Mr. Misicko, I'm going  
 5 to -- let's talk about the Baphomet with Children statue.  
 6 So I'm going to hand you Exhibit 26.  
 7 **A. Okay.**  
 8 Q. And take a look at that.  
 9 Do you recognize this as a printout of a Ticketleap  
 10 page titled, "The Satanic Temple Presents the Unveiling."  
 11 **A. Yes, that's what I'm seeing.**  
 12 Q. Okay. And take a look at that last page too.  
 13 That's -- it's -- it should be the same page but just  
 14 a -- a screen capture at the top of that page.  
 15 **A. Okay.**  
 16 Q. Okay. Now, the first paragraph says -- yeah, so  
 17 read along. "The Satanic Temple invites you to join us  
 18 for a night of chaos, noise, and debauchery at The  
 19 Unveiling, a hedonistic celebration introducing the  
 20 controversial Baphomet monument accompanied by  
 21 provocative performances and installations."  
 22 Did I read that correctly?  
 23 **A. Correct.**  
 24 Q. Okay. And, if you look on Page 2 of 3 there, about  
 25 in the middle, it says: "VIP ticket holders will have an

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1 exclusive opportunity to be photographed seated on the  
 2 Baphomet monument."  
 3 Did I read that correctly?  
 4 **A. Oh, yes. Now I see it. Sorry.**  
 5 Q. Okay. Do you want me to read that again?  
 6 **A. I'm sorry. If you could.**  
 7 Q. Yeah, sure.  
 8 Okay. It says: "VIP ticket holders will have an  
 9 exclusive opportunity to be photographed seated on the  
 10 Baphomet monument."  
 11 **A. Correct.**  
 12 Q. Okay. Did you sell VIP tickets to this event?  
 13 **A. I mean, personally I did not. But through the**  
 14 **intermediary of this site, it's my understanding that**  
 15 **those tickets were sold.**  
 16 Q. Okay. So The Satanic Temple -- this was a Satanic  
 17 Temple event, and VIP tickets were sold to individuals  
 18 who desired to be photographed seated on the Baphomet  
 19 monument?  
 20 **A. Correct.**  
 21 **(Exhibit 27 marked for identification.)**  
 22 Q. Okay. Okay. And you can set that aside.  
 23 I'm handing you what's been marked as Exhibit 27.  
 24 Do you recognize Exhibit 27 to be a Release of  
 25 Liability, Film Notice, and Transfer of Soul Agreement?

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1 A. Yes.  
 2 Q. Okay. Tell me what this is?  
 3 A. This was a security measure in our minds. The --  
 4 what we were getting was what we felt were a lot of  
 5 religious zealots threatening to either bomb the event,  
 6 otherwise disrupt it, cause harm to the participants, or  
 7 kill some of the people responsible for the event.  
 8 So we were having difficulty on the notion of  
 9 announcing where the event would be. So we decided to  
 10 use, like, a two-tier security measure which entailed  
 11 sending an e-mail notice the night of the event or the  
 12 morning of the event to the ticket holders who provide  
 13 their e-mail addresses and giving them a location to go  
 14 to, which was the first security checkpoint.  
 15 And at that first security checkpoint, they weren't  
 16 only given directions to where the actual event was but  
 17 that that was the first security check to make sure  
 18 people weren't strapped with bombs or carrying weapons or  
 19 whatever else.  
 20 But we thought that getting the people to sign away  
 21 their soul would prevent people of a superstitious  
 22 mindset from going through with actually learning where  
 23 the event was and going to it if they bought the tickets.  
 24 We were hoping that this would prevent some of the  
 25 worst of them who would really come and try to do us harm

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1 and do some kind of religious terrorism would also take  
 2 seriously the idea that we had given Satan ownership of  
 3 their souls and that they would thereby reconsider doing  
 4 that not and -- and not go through with the damage  
 5 intended to do to us.  
 6 Q. Okay. So was that the first security checkpoint you  
 7 said that they were asked to sign this agreement?  
 8 A. Right.  
 9 They weren't aware that it was just a security  
 10 checkpoint and not the actual venue itself.  
 11 Q. Okay.  
 12 A. And that was part of the security measures we were  
 13 taking.  
 14 Q. Okay. At that first checkpoint, did you have any  
 15 actors performing?  
 16 A. Not that I'm aware of, no.  
 17 Q. Okay. Did you have anyone posted there doing  
 18 anything to entertain the people in line?  
 19 A. No, not that I'm aware of. But, there again, I  
 20 never -- I never personally went to the first security  
 21 checkpoint.  
 22 Q. Okay.  
 23 A. So I don't know -- my understanding of that  
 24 security checkpoint -- and maybe there's something on  
 25 record that would prove me wrong -- was just that there

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1 was a line that cycled through into a building. And in  
 2 that building there was a table, and there were some of  
 3 our security people.  
 4 And they checked people and also acquired their  
 5 signature on these release forms.  
 6 Q. Okay. Who would know that information about the  
 7 first security checkpoint?  
 8 A. Some of the -- I guess the security team in Detroit  
 9 would.  
 10 Q. Okay.  
 11 A. People who were there at the time.  
 12 Q. And who is the security team?  
 13 A. The security team is headed by somebody we call  
 14 Hallow. He uses the last name Axis. Clearly that's also a  
 15 pseudonym.  
 16 Q. Okay. And what is his real name?  
 17 A. His first name is Owen, but that's as much as I  
 18 know.  
 19 Q. Okay. Is he a -- is he associated with The Satanic  
 20 Temple?  
 21 A. He is.  
 22 Q. Okay. What is his affiliation?  
 23 A. I believe he's still in the process of trying to  
 24 re-establish the Detroit chapter as a chapter head  
 25 himself. But he also often acts independently as my

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1 personal security.  
 2 Q. Okay. And so you would not have heard of any -- of  
 3 the -- any group of people posing naked at the first  
 4 security checkpoint?  
 5 A. No, I -- that -- that actually does not . . .  
 6 Q. Okay. Okay.  
 7 A. It wouldn't seem like a good spot for it, but . . .  
 8 Q. All right. Okay. So let me ask you -- you can --  
 9 you can set that out of the way.  
 10 A. Sure.  
 11 (Exhibit 29 marked for identification.)  
 12 Q. All right. I'm going to hand you another exhibit.  
 13 Okay. This is Exhibit 29.  
 14 And take a look at these photographs and tell me if  
 15 you recognize them.  
 16 A. Yes.  
 17 Q. Okay. Tell me what each of these photographs are?  
 18 A. The first page is a picture of the Baphomet  
 19 monument.  
 20 The next page is a picture of an inverted cross  
 21 being displayed prior to the unveiling event in the  
 22 warehouse in which the unveiling event took place.  
 23 And on the third page is the final stage setup for  
 24 the live performance band preceding the -- the Baphomet  
 25 unveiling event.

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1 Q. And take a look at that second photograph.  
 2 Who is the -- or who are the two people depicted  
 3 there?  
 4 **A. Oh, I have no idea. A couple, couple Detroit guys.**  
 5 Q. Have you ever seen them before?  
 6 **A. Probably. I -- I can't tell who they are, though.**  
 7 Q. Okay. Looking at the third page of the -- of the  
 8 stage, there's a banner there.  
 9 Tell me what's -- what's the significance of that  
 10 banner?  
 11 **A. That banner belonged to one of the bands that was**  
 12 **playing, playing the event. It was part of apparently**  
 13 **their stage setup or design.**  
 14 Q. Okay.  
 15 **A. The band was called Sadist.**  
 16 Q. Okay. And that text says, "This is my body. This is  
 17 my blood"?  
 18 **A. Correct.**  
 19 Q. Okay. Are you aware of any of the symbolism  
 20 associated with that banner?  
 21 **A. I am not.**  
 22 Q. Do you know if any other band has ever used that  
 23 symbol?  
 24 **A. Incidentally, I think another band did and -- but**  
 25 **I -- I don't know. It might just be some -- some punk**

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1 **culture symbol that's used by multiple bands.**  
 2 Q. Okay. And the stage was specifically set up for  
 3 this event, correct?  
 4 **A. Correct.**  
 5 Q. And the inverted cross was specifically set up for  
 6 this event?  
 7 **A. Correct.**  
 8 Q. Okay. All right. So this event was a rave; is that  
 9 right? Or would you describe it as a rave?  
 10 **A. No.**  
 11 Q. How would you describe it?  
 12 **A. As the unveiling ceremony of the Baphomet monument.**  
 13 Q. So, I tell you what, let's go just kind of step by  
 14 step through what happened at -- at the unveiling event.  
 15 **A. Starting at what point? When?**  
 16 Q. When people began to arrive.  
 17 **A. Ticket holders?**  
 18 Q. Ticket holders, yes. When they're let in the door.  
 19 **A. Yeah.**  
 20 **So ticket holders arrive -- and I'm recollecting**  
 21 **something from years ago, so I apologize if I miss**  
 22 **anything.**  
 23 **But I believe we had the bands play first, and I**  
 24 **think Sadist played first. I don't know if there were**  
 25 **actually any announcements or events preceding Sadist**

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1 **playing. I don't think there were.**  
 2 **And then, if I remember correctly, a band called**  
 3 **Wolf Eyes played.**  
 4 **And then I believe I gave a -- or I believe Malcolm**  
 5 **first gave a -- a short speech and then I did. Or Malcolm**  
 6 **may have given his after Sadist, and I gave mine after**  
 7 **Wolf Eyes.**  
 8 **And then the Baphomet monument was revealed. It had**  
 9 **been covered on the -- the opposite side of the warehouse**  
 10 **on a -- on an opposite end of the stage from where the**  
 11 **music was being played, and then it was revealed.**  
 12 **And I think thereafter there were no -- I don't**  
 13 **think there were any more formal stage events other than**  
 14 **people coming up to the Baphomet monument and having**  
 15 **their picture taken with it and all that type of thing.**  
 16 **And it was done more of an interspersed mingling**  
 17 **with people while music played and that type of thing.**  
 18 Q. Okay. And you mentioned the band Sadist.  
 19 What type of music do they play?  
 20 **A. I guess you would describe it more as, like, thrash**  
 21 **punk.**  
 22 Q. Thrash?  
 23 **A. Yeah.**  
 24 Q. T-H-R-A-S-H?  
 25 **A. Yeah.**

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1 Q. Okay. And what about Wolf Eyes? What are -- what's  
 2 their music like?  
 3 **A. It's -- to be honest, it's not really music. It's**  
 4 **more like a barely-controlled noise. They use a lot of**  
 5 **feedback and pedals and stuff like that. It's -- there's**  
 6 **a scene for that kind of thing.**  
 7 Q. Huh. Okay.  
 8 And, William Morrison, are you familiar with him?  
 9 **A. Uh-huh.**  
 10 Q. Was he present?  
 11 **A. He was.**  
 12 Q. What was his role?  
 13 **A. He was -- I believe he was one of the DJs.**  
 14 Q. Okay. And you mentioned Malcolm.  
 15 By that you mean Cevin Soling?  
 16 **A. Well, I -- I mean Malcolm.**  
 17 Q. Okay.  
 18 **A. But I recognize that's his pseudonym for --**  
 19 Q. Okay. It is for -- for Cevin Soling?  
 20 **A. Yeah, correct.**  
 21 Q. Okay. Okay. And I'll stick with Malcolm, since  
 22 that's what you're -- what you're --  
 23 **A. Okay. Thank you.**  
 24 Q. -- wanting to use.  
 25 So you said he gave a short speech.

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1 What was his speech? What did it consist of?

2 **A. I don't -- I don't really know. And I'm trying to**

3 **think if -- if I ever really -- really did know.**

4 **It was -- it was a very chaotic event in which we**

5 **were deeply concerned about the -- the threats we were**

6 **receiving and trying to keep this kind of chaotic**

7 **environment contained and safe and everything.**

8 **So I'm not -- I don't -- I don't remember when he**

9 **came in and what words he spoke.**

10 Q. Do you recall anything specific that he said?

11 **A. No, I really don't.**

12 Q. Do you recall him saying "Fuck you to conservative

13 Christians"?

14 **A. No, I don't -- there -- from my understanding,**

15 **there weren't any conservative Christians there.**

16 **I think after the fact the event was written about**

17 **by some conservative Christian outlets, and there is the**

18 **possibility that one of them claimed to have infiltrated;**

19 **but I don't think anybody was aware of that.**

20 Q. Okay. Would -- would -- would an attitude of

21 derision toward conservative Christians have been

22 something that Malcolm felt and expressed at this event?

23 **A. That's not generally the message he puts forward.**

24 **And generally the -- the criticism is neither**

25 **against conservatives nor Christians but what we see as**

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1 **theocrats who look to achieve exclusive privilege within**

2 **the United States over any other religious voice.**

3 Q. Okay. So if he expressed something like that, it

4 would have been directed toward these theocrats you're

5 referring to?

6 **A. Correct.**

7 Q. Okay. And then you're -- you gave a speech. Tell me

8 about your speech.

9 **A. My speech was directed, I believe, at the meaning**

10 **and significance of the Baphomet monument. But, there**

11 **again, I could not as I sit here right now give you any**

12 **verbatim quotes from that, that speech.**

13 **I believe it ran -- I probably would have kept it**

14 **under three minutes long, but just something to emphasize**

15 **to people what the significance of this, this moment is.**

16 Q. Okay. Do you recall using any Christian scripture

17 during that speech?

18 **A. I recall using a Bible, but I don't think I read**

19 **from it. I think I just tore pages out of it and threw**

20 **them at people.**

21 Q. Okay. There's a passage -- and let me tell you if

22 this rings a bell.

23 "The lamp of the body is the eye"? Does that ring a

24 bell?

25 **A. Yeah. Please go on.**

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1 Q. "The lamp of the body is the eye. If therefore your

2 eye is good, your whole body will be full of light. But

3 if your eye is bad, your whole body will be full of

4 darkness. If therefore the light that is in you is

5 darkness, how great is that darkness!"

6 That rings a bell?

7 **A. Yeah, yeah.**

8 Q. Okay. Do you recall using that?

9 **A. Yeah, yeah.**

10 Q. Okay. And what was your purpose of using that?

11 **A. I don't -- I don't know. Can I see the full -- the**

12 **full text?**

13 Q. Well, I don't have the full text with me. This is

14 from Matthew 6:22 through 23.

15 Does that sound familiar?

16 **A. Yeah.**

17 Q. Okay. And so you don't remember -- or you do

18 remember using that passage, correct?

19 **A. Yes.**

20 Q. Okay. And what was the purpose of your using that

21 passage?

22 **A. To be honest, it would probably be more of an issue**

23 **of me staying in a hotel while writing the speech; and**

24 **that was the most readily available text to reference**

25 **from.**

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1 Q. Okay. What's the significance of the eye?

2 **A. In that passage?**

3 Q. To you and your understanding of -- of the Baphomet

4 statue?

5 **A. I don't see -- I can't think of any particular --**

6 **particular relevance to the eye as related to the**

7 **Baphomet monument.**

8 Q. Okay. All right. We may come back to that a little

9 later.

10 **A. Okay.**

11 Q. But thank you.

12 Okay. I'm going to show you some more photographs.

13 **A. Should I set this to the side somewhere else? Or**

14 **should I just file it?**

15 Q. Yeah, just stick it in there; that will work.

16 **A. On that stack?**

17 Q. Yeah, yeah.

18 (Exhibit 31 marked for identification.)

19 Q. Okay. I'm showing you Exhibit 31.

20 And take a look at these and tell me if you

21 recognize these.

22 **A. These appear to be pictures from the unveiling**

23 **event.**

24 Q. Okay. Are you familiar with moshing?

25 **A. Yes.**

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1 Q. Okay. That second picture, would you describe that  
 2 as moshing going on there?  
 3 **A. I would.**  
 4 Q. Okay. And then look at the third picture.  
 5 Tell me what this is?  
 6 **A. This is the Baphomet monument at the unveiling**  
 7 **event before it was unveiled. It was covered with this**  
 8 **tarp or sheet that was torn off at the end of the**  
 9 **delivery of my speech.**  
 10 Q. Okay. And there's two gentlemen on stage.  
 11 Do you recognize either of them?  
 12 **A. The guy blurred to the right went by the name of**  
 13 **Sebastian. The guy to the left, I'm not sure who that is.**  
 14 **That's a Detroit guy.**  
 15 Q. Okay. Okay. And then take a look at -- well, so the  
 16 individual in the foreground on the third picture, who's  
 17 that?  
 18 **A. Well, you mean the one holding the candle?**  
 19 Q. No.  
 20 In the foreground, the one with the sunglasses?  
 21 **A. That was another Detroit guy by the name of**  
 22 **Michael. And there -- there again, I don't know --**  
 23 Q. Okay.  
 24 **A. -- Michael who.**  
 25 Q. Okay. Okay. So the -- The Satanic Temple's response

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1 to our Second Request for Production provided a link to a  
 2 video clip that was originally posted on YouTube. And the  
 3 response stated that the video was responsive to our  
 4 request for video of the unveiling event.  
 5 So I'd like to go ahead and take a look at that  
 6 video now, so if you could slide off to the side again  
 7 while --  
 8 **A. And -- and I can file this?**  
 9 Q. Yeah, you can stick that in an envelope.  
 10 MR. CANTRELL: All right. Okay. Yeah,  
 11 let's just go ahead and do it.  
 12 (Video plays from 1:14:04 p.m. to  
 13 1:14:48.)  
 14 Q. (Mr. Cantrell) Okay. So here we've got two men on  
 15 either side of the monument that's covered up with a  
 16 sheet to begin with, right?  
 17 **A. (Witness nods head.)**  
 18 Q. And then, you know, the crowd is screaming.  
 19 And the men who are dressed in black leather and  
 20 chains, you know, they tear the sheet off the statue; is  
 21 that right?  
 22 **A. Correct.**  
 23 Q. Okay. And then they, you know, pretty much  
 24 immediately step toward each other and begin heavily  
 25 kissing and making out.

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1 Is that a fair characterization?  
 2 **A. Yes.**  
 3 Q. Okay. And they grope each other sexually for quite  
 4 a long time it seems. I mean, several seconds, maybe 10  
 5 seconds or something like that; is that right?  
 6 **A. Well, they -- they were embracing for about that**  
 7 **amount of time.**  
 8 Q. Yeah, okay.  
 9 And -- and then after that one of the men bows down  
 10 in front of the statue with a raised hand gesture and  
 11 then -- is that right?  
 12 **A. Yeah.**  
 13 Q. Based on what we just saw?  
 14 **A. Yeah.**  
 15 Q. Okay. Okay. So what's the significance of all that?  
 16 **A. Well, they were unveiling the monument.**  
 17 Q. Okay. And so what's the purpose of the -- of the  
 18 men dressed as they are and the kissing and -- oh, and I  
 19 left out the spitting into the audience.  
 20 Can you explain the significance of -- of these  
 21 things to us?  
 22 **A. Well, no. I mean, you'd have to ask them. That**  
 23 **wasn't -- that wasn't scripted by -- by us. I guess they**  
 24 **got caught up in the moment and did what they felt was**  
 25 **appropriate.**

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1 Q. Okay. So The Satanic Temple did not direct that the  
 2 men unveil the monument?  
 3 **A. No, no. They were -- their function was to unveil**  
 4 **the monument. All their behavior thereafter I think was**  
 5 **just of their own volition.**  
 6 Q. Okay. And so The Satanic Temple did not direct the  
 7 men to kiss, to spit into the audience, or to make any  
 8 gestures?  
 9 **A. No, to my awareness there was nothing scripted**  
 10 **that -- that prescribed them to do those things.**  
 11 Q. Okay. And if there was nothing -- maybe there  
 12 wasn't anything scripted, but were they directed? Were  
 13 they given some kind of direction of what to -- how to  
 14 react or how -- what to do after unveiling the monument?  
 15 **A. To my understanding, they didn't consult anybody**  
 16 **else about doing those things, not me in any case. And I**  
 17 **don't think that anybody instructed them to do those**  
 18 **things.**  
 19 **I think they decided on their own to do those**  
 20 **things after they unveiled the monument.**  
 21 Q. Okay. Did you consider those acts inappropriate in  
 22 any way?  
 23 **A. No.**  
 24 Q. Okay. So it was -- it was appropriate to the  
 25 occasion?

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1 **A. It was appropriate to them, and it was not**  
 2 **objectionable to us.**  
 3 **(Exhibit 32 marked for identification.)**  
 4 Q. Okay. All right. And I -- I've got another exhibit  
 5 I want to hand to you. This is Exhibit 32. These are  
 6 still shots of -- of the video.  
 7 Just flip through those for me and confirm that  
 8 those are in fact from the video we just watched.  
 9 **A. Yes.**  
 10 Q. Okay. Okay. And, even though you didn't record the  
 11 video we just watched, you were able to recognize it as  
 12 video of the unveiling event; right?  
 13 **A. Correct.**  
 14 MR. CANTRELL: Okay. Okay. I've got  
 15 another video to put up.  
 16 (Video plays briefly.)  
 17 MR. CANTRELL: Okay.  
 18 (Witness and counsel confer off the  
 19 record).  
 20 MR. CANTRELL: Actually, could we get  
 21 the -- Gary, could you flip lights off, at  
 22 least the one on the far right over there. Yep.  
 23 Okay. Is the video -- we're still good on  
 24 the video? Okay. All right.  
 25 Q. (Mr. Cantrell) This is another video I want to play,

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1 and so let's take a look. This is one is a -- is a little  
 2 bit longer.  
 3 (Video plays from 1:19:46 p.m. to  
 4 1:20:29 p.m.)  
 5 Q. (Mr. Cantrell) Okay. I'll stop it briefly at 41  
 6 seconds.  
 7 Do you recognize what we've just seen as video of  
 8 the same actions that were in the previous video, just  
 9 from a different angle?  
 10 **A. Correct.**  
 11 MR. CANTRELL: Okay. And let's continue to  
 12 watch.  
 13 (Video plays from 1:20:48 p.m. to  
 14 1:20:57 p.m.)  
 15 MR. CANTRELL: And I will-- for the sake  
 16 of time, I will advance the video by a few  
 17 second increments at a time.  
 18 It looks like -- as I'm advancing it, I'll  
 19 say we can watch the bottom left corner.  
 20 Q. (Mr. Cantrell) This appears to be lights that are  
 21 being set up. You can confirm that for me here in a  
 22 minute.  
 23 (Video plays from 1:21:20 p.m. to  
 24 1:21:45 p.m.)  
 25 Q. (Mr. Cantrell) Okay. I'm still advancing through

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1 the video. All right. Now I'm pausing it at 3 minutes and  
 2 38 seconds.  
 3 It appears that -- are those lights that have been  
 4 moved up to illuminate the monument?  
 5 **A. Yes.**  
 6 MR. CANTRELL: Okay. All right. Now we'll  
 7 continue with the video.  
 8 (Video plays from 1:22:05 p.m. to  
 9 1:23:05 p.m.)  
 10 Q. (Mr. Cantrell) Okay. So I'm pausing it at 4:34.  
 11 And can you tell me what we just watched since I  
 12 last stopped the video?  
 13 **A. It looks to be a couple of ladies getting their**  
 14 **picture taken on the Baphomet monument.**  
 15 Q. Okay. So it appears that there's a couple of -- a  
 16 couple of women who climbed up onto the lap of the  
 17 Baphomet with Children statue and began kissing; is that  
 18 correct?  
 19 **A. Correct.**  
 20 MR. CANTRELL: Okay. Okay. Let's continue.  
 21 (Video plays from 1:23:34 p.m. to  
 22 1:23:58 p.m.)  
 23 Q. (Mr. Cantrell) Okay. And I'm pausing it at 4:55.  
 24 Can you tell me what's taking place at this moment?  
 25 **A. A couple more people on the -- on the monument.**

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1 Q. Okay. So it looks like three or four are up there;  
 2 is that right?  
 3 **A. Well, two people on the monument. It looks like**  
 4 **there are a couple people in front of the lights.**  
 5 Q. Okay. And so there's a -- it looks like a man  
 6 sitting on the monument with a hood and then I believe a  
 7 woman who is sitting straddling him facing him on top of  
 8 the monument?  
 9 **A. Yes.**  
 10 Q. Okay. And she's scantily clothed.  
 11 Would that be an accurate description?  
 12 **A. Yes.**  
 13 Q. She's showing some of her -- her bottom to the  
 14 audience for sure, right?  
 15 **A. Well, I can't say that that's intentional; but**  
 16 **that's the outcome.**  
 17 Q. That -- that's what's actually taking place. Okay.  
 18 MR. CANTRELL: All right. Continuing.  
 19 (Video plays from 1:25:10 p.m. to  
 20 1:25:32 p.m.)  
 21 Q. (Mr. Cantrell) And pausing at 5:21.  
 22 Again we have more kissing, more embracing of two  
 23 men and two women on top of the monument; correct?  
 24 **A. Yeah. They seem to be in the throes of a religious**  
 25 **experience.**



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1 MR. CANTRELL: All right. We'll continue.  
 2 (Video plays from 1:25:55 p.m. to  
 3 1:26:24 p.m.)  
 4 Q. (Mr. Cantrell) Okay. So quite a bit of kissing,  
 5 quite a bit of groping going on you'd say still at 5:44?  
 6 **A. Correct.**  
 7 **The -- they're hogging all the monument time.**  
 8 Q. Yeah, right. Yes, it appears that way.  
 9 MR. CANTRELL: Okay. Continuing the video.  
 10 (Video plays from 1:26:54 p.m. to  
 11 1:28:03 p.m.)  
 12 Q. (Mr. Cantrell) Okay. So now we're at seven minutes,  
 13 and they are still on top of the monument.  
 14 It looks like they are just getting off or are just  
 15 about to get off, correct?  
 16 **A. Yeah.**  
 17 **It looks to be around six people now. I'm having**  
 18 **trouble seeing the borders between the stage area and**  
 19 **the -- the rest of the formal crowd, but the same guy is**  
 20 **sitting on it.**  
 21 Q. Okay. And so was this, any of this inappropriate?  
 22 **A. Oh, no.**  
 23 Q. Okay. So you consider all of this to be entirely  
 24 appropriate to the occasion?  
 25 **A. Correct.**

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1 Q. Okay. And you recognize this to be video of the  
 2 unveiling event?  
 3 **A. Correct.**  
 4 MR. CANTRELL: Okay. All right. I am going  
 5 to advance it.  
 6 Q. And it looks like -- I guess it looks like at --  
 7 well, at 8:20 the individuals are still on the monument;  
 8 correct?  
 9 **A. Correct.**  
 10 Q. Okay. And then it looks like they climb off.  
 11 And starting at 8:32 --  
 12 (Video plays from 1:29:32 p.m. to  
 13 1:29:39 p.m.)  
 14 Q. (Mr. Cantrell) All right. And pausing the video at  
 15 8:44.  
 16 Do you recognize these two individuals who've  
 17 climbed up onto the monument?  
 18 **A. No.**  
 19 **The one -- the guy who's primarily sitting on the**  
 20 **lap of Baphomet, that's the fellow I referred to before,**  
 21 **Michael. I know he was with Detroit. The person he's**  
 22 **with, however, I'm not aware of who that person is or**  
 23 **where they might be from.**  
 24 Q. Okay. Okay. Now I'm just going to advance by  
 25 increments to the end here.

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1 Okay. And it ends at 9:20 -- 25, I guess.  
 2 MR. CANTRELL: Okay. Let's go ahead and  
 3 grab the lights, Gary. Thanks.  
 4 (Exhibit 33 marked for identification.)  
 5 Q. (Mr. Cantrell) All right. I'm handing you  
 6 Exhibit 33.  
 7 **A. Right.**  
 8 Q. It's more photographs.  
 9 Tell me if you recognize these photographs and  
 10 what's depicted?  
 11 **A. These appear to be photographs of the same occasion**  
 12 **we watched on the video you just played.**  
 13 Q. Okay. And take a look at the last page there, the  
 14 one of the -- kind of the close up.  
 15 Do you recognize any of these individuals?  
 16 **A. I do not.**  
 17 Q. Okay. Do you know Matthew Sukkar?  
 18 **A. Matthew Sukkar?**  
 19 Q. S-U-K-K-A-R?  
 20 **A. I -- that name is not familiar to me.**  
 21 **(Exhibit 34 marked for identification.)**  
 22 Q. Okay. All right. You can put those to the side, and  
 23 I'll hand you Exhibit 34.  
 24 Do you recognize this as a July 29, 2015, archive  
 25 of The Satanic Temple Detroit named "Jex Blackmore AMA"

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1 on July 28, 2015, at 10 p.m. EDT?  
 2 **A. Yes.**  
 3 Q. Okay. Who is Jex Blackmore?  
 4 **A. She was the head of The Satanic Temple in Detroit,**  
 5 **and also she was head of our reproductive rights campaign**  
 6 **until she was no longer part of The Satanic Temple. I**  
 7 **think in -- her departure was in 2017 or 2018.**  
 8 Q. Okay. Does she have any aliases?  
 9 **A. Not that I know of.**  
 10 Q. Okay. Do you know her real name?  
 11 **A. First name I know. It was Andrea.**  
 12 Q. Okay. Do you know her last name?  
 13 **A. I do not.**  
 14 Q. Was Jex Blackmore a Satanic Temple national  
 15 spokesperson in July 2015 when the Baphomet was unveiled?  
 16 **A. No, I don't think we approved her for that title. I**  
 17 **think that was a title she kind of designated herself.**  
 18 **That was a -- an item of contention we had with her.**  
 19 Q. Okay. So at the time of the unveiling, what was her  
 20 role in The Satanic Temple?  
 21 **A. At the time of the unveiling, she was head of the**  
 22 **Detroit chapter.**  
 23 **I think she might have also been conducting**  
 24 **interviews with other people who wanted to run chapters,**  
 25 **to be chapter heads. I think she was doing that at that**

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1 time.

2 **I don't think we had our reproductive rights**

3 **campaign in effect at all at that time. I could be wrong.**

4 Q. Okay. So she had an official position with The

5 Satanic Temple other than being merely a member, correct?

6 **A. Correct.**

7 Q. Okay. And what was her -- what was her title?

8 **A. I'm -- we were never really quite clear on that.**

9 **She started fashioning herself as a national**

10 **spokesperson, but I don't -- I don't know that we ever**

11 **agreed upon a formal label for what we were doing then.**

12 **It was still a small group of people kind of**

13 **working on things on a national level, and we were a bit**

14 **less concerned about titles and that type of thing than**

15 **we were about actual responsibilities and what we were**

16 **doing.**

17 Q. Okay. So she did handle responsibility for the

18 national Satanic Temple organization, correct?

19 **A. To the extent that she was at some point and maybe**

20 **at this point interviewing people to vet them for whether**

21 **we felt they should be qualified to start regional**

22 **chapters of their own.**

23 Q. Okay. Were you aware that -- well, let me back up.

24 What is an AMA?

25 **A. It stands for Ask Me Anything.**

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1 Q. And what is that?

2 **A. It's something to do with the Web site Reddit where**

3 **I think any random fool can pose a question to somebody**

4 **within a finite amount of time, and the person who's**

5 **agreed to do the AMA at that time either answers them or**

6 **they do not.**

7 **I've never done one before. And I don't use Reddit,**

8 **but my understanding is that there's a -- maybe a certain**

9 **voting process as to what questions are relevant. I'm not**

10 **really sure.**

11 Q. Okay. Was Jex Blackmore authorized to do the AMA on

12 July 28, 2015?

13 **A. I don't believe that I knew she was going to do an**

14 **AMA at the time she did an AMA, but we didn't have -- I**

15 **also think we didn't have the kind of formal procedures**

16 **we have in place now to approve or disapprove media**

17 **appearances and that type of thing.**

18 Q. Okay. So the -- The Satanic Temple has sought to

19 place the Baphomet Monument with Children statue on --

20 only on public grounds where there was already a Ten

21 Commandments monument; is that right?

22 **A. Correct.**

23 Q. Okay. And why is that?

24 **A. Because we feel that the Baphomet monument works**

25 **best when it's put to complement and contrast another**

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1 **viewpoint of religious significance, because it asserts**

2 **pluralism and religious liberty and First Amendment**

3 **values as we understand them.**

4 **We feel that it sends a very strong message in**

5 **defense of those values of pluralism and religious**

6 **liberty when you have monuments that people might**

7 **perceive of as being from diametrically opposed**

8 **viewpoints but coexisting on the same grounds.**

9 Q. Okay. And you offered the Baphomet statue to

10 Oklahoma, correct?

11 **A. Correct.**

12 Q. And there was a Ten Commandments monument there?

13 **A. Correct.**

14 Q. Okay. And then you withdrew your offer at some

15 point, right?

16 **A. We withdrew our request to place the Baphomet**

17 **monument on the capitol grounds after the Ten**

18 **Commandments monument was removed from the Oklahoma**

19 **capitol grounds due to an order from the Oklahoma Supreme**

20 **Court, which found it to be in violation of their State**

21 **Constitution's version of an establishment clause.**

22 Q. Okay. So -- so was it the -- I guess was it the

23 decision of state lawmakers to put the Oklahoma Ten

24 Commandments monument up?

25 **A. Well, I think it precedes that. I think what we see**

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1 **in both Arkansas and Oklahoma is the same legislation**

2 **originating from out of state by a network of theocratic**

3 **organizations like the Congressional Prayer Caucus, Wall**

4 **Builders, Liberty Council, and others of that nature who**

5 **want to assert exclusive Christian privilege on public**

6 **grounds.**

7 **And if you look at the bill that was passed in**

8 **Oklahoma, it's almost the same verbatim as the one in**

9 **Arkansas. So I think Senator Rapert's working from a**

10 **template of model legislation, and it's a coordinated**

11 **effort to install theocracy in the United States and --**

12 **in -- in various battles and instances where they try to**

13 **gain exclusive privileges for their monuments.**

14 **They seek to put "In God we Trust" on -- in public**

15 **schools and public buildings. They seek to limit the**

16 **rights of the LGBTQ community, and they --**

17 Q. Let me -- let me stop you there.

18 If I understand what you're saying, it's that --

19 and let me -- let me redirect my question a little bit.

20 You -- your efforts are designed to get state

21 lawmakers to not go along with these other outside

22 organizations, correct? Not to enact legislation that

23 these outside organizations are wanting them to enact; is

24 that right?

25 **A. We've never asked anybody to -- we've never**

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1 **proposed legislation.**  
 2 Q. Uh-huh.  
 3 **A. And, you know, if the -- if this -- if these**  
 4 **religious liberty bills or religious freedom for -- for**  
 5 **placing monuments on the public grounds -- I know they --**  
 6 **they go back and forth an say it's religious or it's a**  
 7 **part of the history and heritage; that -- that these are**  
 8 **open to everybody and that they -- they will respect**  
 9 **pluralism.**  
 10 **And I think if they actually did, that would be**  
 11 **okay and that would be -- that would be unobjectionable.**  
 12 **If the Ten Commandments monument were to be on the**  
 13 **Arkansas capitol grounds alongside the Baphomet monument,**  
 14 **clearly we'd have no objection then to the Ten**  
 15 **Commandments monument.**  
 16 **It's only rendered offensive when it's given**  
 17 **exclusive privilege over other viewpoints.**  
 18 Q. Okay. And so -- so again my -- the -- the question  
 19 I'm asking is: Your efforts -- you want state lawmakers  
 20 not to enact legislation that would, for example, put a  
 21 Ten Commandments monument on the capitol grounds by  
 22 itself? Or not by itself but put -- put it on the grounds  
 23 without, for example, a Baphomet monument; correct?  
 24 MR. KEZHAYA: Object to form.  
 25 Go ahead and answer.

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1 **A. If -- if it respects pluralism, it's -- it's okay.**  
 2 **I'm not sure if that's what you're looking to hone in on.**  
 3 Q. Okay. Yeah, we'll -- we'll go ahead and move on --  
 4 **A. Okay.**  
 5 Q. -- from that.  
 6 (Exhibit 35 marked for identification.)  
 7 Q. All right. And you can set that aside.  
 8 All right. I'm handing you Exhibit 35.  
 9 Do you recognize this as the Baphomet page from  
 10 SalemArtGallery.com?  
 11 **A. Yes.**  
 12 Q. Okay. And SalemArtGallery.com is controlled by The  
 13 Satanic Temple, right?  
 14 **A. Yes.**  
 15 Q. So look halfway down through the first paragraph  
 16 there.  
 17 And starting with, "The most popular  
 18 representation," do you see that?  
 19 **A. Yes.**  
 20 Q. Okay. and Read along with me.  
 21 "The most popular representation of Baphomet as a  
 22 Sabbatic goat did not appear until 1856 when Eliphas Levi  
 23 published Dogmas and Rituals of High Magic. The Satanic  
 24 Temple has continued the tradition of adapting the image  
 25 of the mythical figure.

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1 "The most notable difference is Baphomet now has a  
 2 male chest. This was done for practical reasons such that  
 3 the statue could not be rejected by state governments on  
 4 the grounds that it could be considered obscene."  
 5 Did I read that correctly?  
 6 **A. Correct.**  
 7 Q. Okay. Can -- those last two sentences there, can  
 8 you explain that to me, explain in more detail?  
 9 **A. Well, we are loathe to do anything that might be**  
 10 **considered obscene by the state governments.**  
 11 Q. Okay. So if -- is it correct that you modified the  
 12 statue so that it couldn't be rejected on the grounds  
 13 that it was obscene? Is that what you're saying?  
 14 **A. Well, yeah. We -- we -- we modeled it so that it**  
 15 **would not be considered obscene, because we did not want**  
 16 **that to obscure the other elements of symbolism and the**  
 17 **meaning behind it.**  
 18 Q. Okay. Well, let's talk about the design a little  
 19 bit of the Baphomet statue.  
 20 Now, what is a caduceus?  
 21 **A. The caduceus -- and it's difficult to see in the --**  
 22 **this sized image, but in the larger image it's more**  
 23 **apparent. But on the lap where you can see the staff with**  
 24 **the snakes intertwined around them.**  
 25 **And the caduceus is a old symbol of reconciliation**

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1 **and negotiation.**  
 2 Q. Okay. And it rises up from the groin area?  
 3 **A. Correct.**  
 4 Q. And the caduceus represents a genital organ, right?  
 5 **A. Well, the caduceus represents the caduceus.**  
 6 Q. So do you deny that the caduceus represents a  
 7 genital organ?  
 8 **A. Well, I -- it's not meant to be representative of**  
 9 **genitals on our monument. It's meant to be representative**  
 10 **of the caduceus with it's symbol -- with -- as a symbol**  
 11 **of negotiation and reconciliation.**  
 12 **You can also see this symbol on any pediatrics**  
 13 **hospital, and I don't think they mean it to be a picture**  
 14 **of a penis.**  
 15 Q. On hospital symbols it's not rising up from the  
 16 groin area of a statue, correct?  
 17 **A. Well, it's also not emerging from where you would**  
 18 **think the genitalia would be on the Baphomet monument**  
 19 **either. It's a -- it's a pretty far stretch of the**  
 20 **imagination to envision that I think as the genitalia of**  
 21 **the Baphomet.**  
 22 Q. So you're familiar with Levi -- Eliphas Levi's  
 23 description of the Baphomet, correct?  
 24 **A. Correct.**  
 25 Q. And you're aware that Levi describes the caduceus

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1 as taking the place of the genital organ?  
 2 **A. Well, I'll take your word for it. It's been a long**  
 3 **time since I read it.**  
 4 **But to me the caduceus is the caduceus. And whether**  
 5 **it's considered a phallic symbol or not, it's certainly**  
 6 **not an image of genitalia.**  
 7 **(Exhibit 36 marked for identification.)**  
 8 Q. Okay. You can set that aside.  
 9 I'm handing you Exhibit 36. And just a few  
 10 questions about this.  
 11 First, do you recognize this as an Independent  
 12 Contractor Agreement between the United Federation of  
 13 Churches, LLC, and Mark Porter?  
 14 **A. Yes.**  
 15 Q. Okay. And it's got Exhibits A, B, and C attached to  
 16 it?  
 17 **A. Yes.**  
 18 Q. Okay. And this was entered into as of March 19,  
 19 2014, according to the first line; correct?  
 20 **A. Correct.**  
 21 Q. Okay. What is the United Federation of Churches,  
 22 LLC?  
 23 **A. The United Federation of Churches was the first**  
 24 **kind of incorporated entity we put into place to run**  
 25 **operations of The Satanic Temple.**

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1 Q. Okay. Where did the United Federation of Churches  
 2 name come from?  
 3 **A. I'm not sure if our idea was that we were hoping to**  
 4 **work with more religious-based organizations at the time**  
 5 **or that we felt that it was better to use a name that**  
 6 **didn't immediately make people question -- you know,**  
 7 **bring -- bring up old prejudices in people.**  
 8 **But I just do know that we started the United**  
 9 **Federation of Churches as a formal entity for our**  
 10 **operations.**  
 11 Q. And who came up with the name United Federation of  
 12 Churches?  
 13 **A. Malcolm.**  
 14 Q. Okay. And that was originally a riff off of Star  
 15 Trek's United Federation of Planets, right?  
 16 **A. I doubt that. Neither of us are particularly Star**  
 17 **Trek fans.**  
 18 Q. Okay. So with the Baphomet monument, you worked  
 19 with Mark Porter as the artist; correct? Or as the -- as  
 20 the one who created, actually created the monument; is  
 21 that right?  
 22 **A. To be clear, Mark Porter was the sculptor and I**  
 23 **guess artist. And I worked with him to make sure that the**  
 24 **imagery fit what I felt was an appropriate design for it,**  
 25 **for the monument.**

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1 Q. Okay. And so Mark Porter was paid for his work?  
 2 **A. Correct.**  
 3 Q. Was he fully paid for his work?  
 4 **A. Yes, yeah.**  
 5 Q. Okay. Who paid Mark Porter for his work on the  
 6 Baphomet statue?  
 7 **A. We did.**  
 8 Q. And by "we" who do you -- who -- who's "we"?  
 9 **A. The -- The Satanic Temple. Whether that funding**  
 10 **went through the entity of the United Federation of**  
 11 **Churches or not, I don't know.**  
 12 **I know there was crowd funding to raise expenses**  
 13 **incurred on -- on creating this monument, and I -- you**  
 14 **know, I'm not an accounting guy; so I don't know -- I**  
 15 **mean, those funds may have been directly disbursed from**  
 16 **the Indiegogo site to Mark Porter. Or it might have gone**  
 17 **through a -- intermediary accounts. I don't -- I don't**  
 18 **know.**  
 19 Q. Okay. So who or what entity actually owns the  
 20 Baphomet with Children statue?  
 21 **A. My understanding is that it's The Satanic Temple. I**  
 22 **don't -- it's -- the Baphomet Monument. I mean, at that**  
 23 **time, I guess it would have been United Federation of**  
 24 **Churches.**  
 25 **But I think the -- the copyright belongs to the**

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1 **entity now known as The Satanic Temple.**  
 2 Q. Okay. So the copyright belongs to The -- The  
 3 Satanic Temple, LLC? Or --  
 4 **A. Yeah, correct.**  
 5 Q. Okay.  
 6 **A. That's my understanding.**  
 7 Q. Okay. But -- but this contract here was between  
 8 United Federation of Churches and Mark Porter, right?  
 9 **A. Correct.**  
 10 Q. Okay. So and it -- it's hard to -- it's hard to  
 11 understand with these different organizations, you know,  
 12 what's going on.  
 13 I'll -- can you enlighten us about, you know, what  
 14 entity, what legal entity has the legal and equitable  
 15 ownership of the Baphomet monument?  
 16 MR. KEZHAYA: Object to speculation. He's  
 17 not a lawyer.  
 18 But go ahead and answer.  
 19 **A. Well, I mean, his answer is kind of mine. Like, I**  
 20 **just -- you know, this is something we put through**  
 21 **lawyers' opinions and that type of thing.**  
 22 **I just know that we own the Baphomet monument. What**  
 23 **incorporated entity is on paper currently as having been**  
 24 **signed off on that, like, I just don't know. And I never**  
 25 **knew that that could possibly be an issue.**

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1 Q. So has the United Federation of Churches ever  
 2 transferred any of its interests to any other legal  
 3 entity, to your knowledge?  
 4 **A. I -- you'd have to ask him, really. He's -- he's**  
 5 **worked on -- on that type of thing. I mean, we've tried**  
 6 **to keep everything in order and keep it parsed down.**  
 7 **So I haven't been necessarily -- I haven't**  
 8 **necessarily kept up on -- on exactly all the paperwork;**  
 9 **just that I have reasonable confidence that we do have**  
 10 **ownership of -- of our monument.**  
 11 MR. CANTRELL: Okay. All right. Well, tell  
 12 you what, let's take a break; and we'll come  
 13 back.  
 14 THE VIDEOGRAPHER: We're going off the  
 15 record at 1:54 p.m.  
 16 (Recess taken.)  
 17 THE VIDEOGRAPHER: We are back on the  
 18 record at 2:08 p.m.  
 19 Q. (Mr. Cantrell) All right. I want to ask you about a  
 20 couple of things that we've -- we've talked about  
 21 already.  
 22 And, first of all, why was The Satanic Temple  
 23 founded?  
 24 **A. I can't say that it was one specific reason. I**  
 25 **think, you know, Malcolm had his vision for a film**

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1 **project. I had different ideas of what The Satanic Temple**  
 2 **could and should be. But it was founded more in line with**  
 3 **my vision after around the -- the period of the Pink**  
 4 **Mass.**  
 5 Q. Okay. And for what purpose did you feel like an  
 6 organization was needed?  
 7 **A. Because we were acting as an organization. We had a**  
 8 **lot of people coming to us and wanting to identify with**  
 9 **this, people taking us on as their religious identity.**  
 10 **And while originally we kind of thought maybe The**  
 11 **Satanic Temple could be decentralized, we found that**  
 12 **people didn't really want to identify with some kind of**  
 13 **fluid, decentralized organization but really wanted to --**  
 14 **to look to kind of a central organization for what The**  
 15 **Satanic Temple is and what it does.**  
 16 Q. So what is the purpose of The Satanic Temple then?  
 17 **A. It's a -- it's a religious organization.**  
 18 Q. That's the purpose?  
 19 **A. Yeah.**  
 20 Q. The purpose is to be a religious organization?  
 21 **A. Yes.**  
 22 Q. Why do you say that?  
 23 **A. Because that's -- that's what it is. I -- can you**  
 24 **be more specific?**  
 25 Q. Well, I'm just wondering, I mean, if someone asks

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1 you -- if someone doesn't know what The Satanic Temple  
 2 has done or has been and someone asks you, "Well,  
 3 what's -- what do you -- what is the purpose of this  
 4 organization?" what are you going to tell them?  
 5 **A. I'd tell them it's a -- it's a international**  
 6 **nontheistic religious organization.**  
 7 Q. And what are the goals or the aims of the  
 8 organization?  
 9 **A. Well, it has many. And those could possibly change**  
 10 **over time, given whatever the cultural environment is.**  
 11 **But we're growing a large, nontheistic religious**  
 12 **community that subscribes to a certain set of values and**  
 13 **identifies with our community.**  
 14 **And, as a national organization, we kind of provide**  
 15 **guidance for larger national initiatives. And we oversee**  
 16 **the -- the local chapters and just kind of make sure that**  
 17 **whatever they do that's public facing doesn't go**  
 18 **radically off message from what we feel is appropriate to**  
 19 **be conveyed as a part of The Satanic Temple.**  
 20 Q. And all of this is abstract.  
 21 I'm -- I'm wondering if you can give us more  
 22 concrete -- more concrete statement of -- of why The  
 23 Satanic Temple exists?  
 24 **A. Well, there isn't a specific kind of end point goal**  
 25 **at which we would say The Satanic Temple never serves any**

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1 **type of function any more. I feel there will always be**  
 2 **people who will identify with The Satanic Temple and its**  
 3 **values and identify as Satanists within the type of**  
 4 **community we've started building.**  
 5 **And -- and I think that's independent of exogenous**  
 6 **factors related to, you know, some of the more -- more**  
 7 **public-facing, politically-charged campaigns that we do.**  
 8 **There's just a lot of -- a lot of religious**  
 9 **community within The Satanic Temple. There's just that --**  
 10 **that networking of -- of chapters and individuals. And, I**  
 11 **mean, it's -- it's my hope that that will always be there**  
 12 **for people.**  
 13 Q. Okay. And let me ask you about -- again, about the  
 14 unveiling. You know, we saw in the video with the  
 15 activities on the Baphomet statue, the kissing and the  
 16 groping and -- and, you know, making out and what looked  
 17 like orgiastic -- I mean, I don't know if there was  
 18 actually any sex act occurring.  
 19 But it gave that appearance at times I think;  
 20 wouldn't you say?  
 21 **A. I don't know -- I don't know what sex acts were**  
 22 **engaged in there either. I've heard rumors myself.**  
 23 Q. You've heard rumors that there were sex acts that  
 24 took place at the Baphomet unveiling?  
 25 **A. I have.**

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1 Q. What rumors have you heard?  
 2 **A. I've heard that sex acts took place at the Baphomet**  
 3 **unveiling event.**  
 4 Q. On the stage?  
 5 **A. No, I don't think so.**  
 6 Q. Are you aware of other activities like public  
 7 urination from the second floor?  
 8 **A. I hadn't heard that one.**  
 9 Q. Okay. That's a new one to you?  
 10 **A. Yeah.**  
 11 Q. Okay. Who is it that you -- what is the rumor that  
 12 you heard concerning the sex acts?  
 13 **A. Oh, I just heard that there were people who had sex**  
 14 **at the Baphomet unveiling event.**  
 15 Q. Okay. Do you consider that to be appropriate  
 16 behavior for the occasion?  
 17 **A. You'd have to ask people who were or were not**  
 18 **involved in the sex acts.**  
 19 Q. Okay. But you didn't have any objection to it?  
 20 **A. I didn't -- I didn't actually see this happen. I**  
 21 **only heard rumor.**  
 22 Q. Okay. But you didn't have any objection to it?  
 23 Finding out after the fact, you don't feel that it  
 24 sullied the event in any way?  
 25 **A. No.**

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1 Q. Okay. And the activities taking place on the  
 2 monument that we've watched in the video, why is that or  
 3 these sex acts that we've heard about, why would those  
 4 things be appropriate to this occasion?  
 5 **A. Well, for me it would be more of a question of**  
 6 **why -- why wouldn't it be? I just -- I just don't happen**  
 7 **to object to it. That seems like if the people engaged in**  
 8 **it were -- were doing whatever they were doing**  
 9 **consensually and having fun, it wasn't harming anybody**  
 10 **else.**  
 11 **I just wouldn't -- wouldn't object to it.**  
 12 Q. Okay. But you consider it an appropriate way to --  
 13 to celebrate the unveiling of the monument?  
 14 **A. If it was appropriate to them and it made things a**  
 15 **better event for them, if that's what -- what they were**  
 16 **moved to do, that -- that's fine by me.**  
 17 Q. Okay. Would you have any -- let me back up.  
 18 Would you expect the monument to excite that sort  
 19 of reaction if it were placed on public grounds?  
 20 **A. I wouldn't expect anybody would do that publicly on**  
 21 **the public capitol grounds. I think there was a**  
 22 **reasonable expectation that there was a certain latitude**  
 23 **given at a privately-held event of The Satanic Temple for**  
 24 **what people could engage or not engage in.**  
 25 **But I think we've already seen from events we've**

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1 **had out in the public that our membership and our**  
 2 **adherents know quite well how to handle themselves with**  
 3 **dignity and decorum outside in the public at large.**  
 4 Q. Okay. So is -- is it any -- in any way -- I mean,  
 5 it's not -- these activities that we're discussing were  
 6 not in any way inconsistent with the purposes of the  
 7 Satanic Temple and unveiling the statue, correct?  
 8 **A. I'm sorry. Specify.**  
 9 Q. Yeah.  
 10 The -- the activities, the -- the kissing; the  
 11 groping; the orgiastic-looking, you know, activity, that  
 12 was not in any way inconsistent with the purposes or  
 13 the -- the goals of The Satanic Temple as far as its  
 14 unveiling is concerned?  
 15 **A. Well, those specific activities weren't prescribed**  
 16 **as goals during the event.**  
 17 Q. Right. But it --  
 18 **A. And a --**  
 19 Q. But it didn't take away from the event?  
 20 **A. Right.**  
 21 **And, I mean, the caveat on those kinds of behaviors**  
 22 **of course is that everybody is aware and consenting**  
 23 **and -- and -- and willingly engaged I guess in -- in an**  
 24 **environment of noncoercion to be doing what they're**  
 25 **doing.**

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1 Q. Okay. Let's talk about the "Executive Ministry," as  
 2 you call it.  
 3 What is the Executive Ministry?  
 4 **A. The Executive Ministry is how we designate Malcolm**  
 5 **and myself as being the ultimate owners of The Satanic**  
 6 **Temple.**  
 7 Q. Has anyone else ever been a part of the Executive  
 8 Ministry?  
 9 **A. I believe that was another item of contention with**  
 10 **Jex. I believe she considered herself Executive Ministry**  
 11 **at the point where she was interviewing people to be**  
 12 **chapter heads or part of the reproductive rights**  
 13 **campaign.**  
 14 **And I don't think I necessarily always objected to**  
 15 **that designation; because, as the organization was**  
 16 **nascent and we were putting those kinds of rules**  
 17 **together, this kind of terminology meant whatever it**  
 18 **meant functionally at the time.**  
 19 Q. Okay. So it was a relatively fluid situation where  
 20 Jex took on responsibility that were of a sort that would  
 21 have risen to the level of almost management?  
 22 **A. By the nature of the evolution on a nascent**  
 23 **organization, there was fluidity on what certain**  
 24 **designations meant as -- as it evolved.**  
 25 **Now these are more -- far more rigidly defined, the**

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1 **roles of people in the organization.**  
 2 Q. Okay. When was the Executive Ministry formalized?  
 3 **A. Formalized how?**  
 4 Q. When -- when did you come up with the -- the phrase  
 5 "Executive Ministry"?  
 6 **A. That I honestly don't know.**  
 7 **Some of this very much just did evolve out of**  
 8 **necessity and just out of a -- a lack of any other**  
 9 **terminology that described what we were doing.**  
 10 **So I don't feel like there was necessarily a**  
 11 **discrete moment in time where we were, like, we're going**  
 12 **to refer to ourselves as Executive Ministry. It seemed**  
 13 **kind of like an emergent characteristic.**  
 14 Q. Okay. What are the functions of the Executive  
 15 Ministry?  
 16 **A. Well, we have executive control over the**  
 17 **organization at large. On -- on paper we're the -- we're**  
 18 **the owners, so we have ultimate veto power over -- over**  
 19 **decisions made by chapters or even the -- the National**  
 20 **Council.**  
 21 **But, as a matter of principle, we don't generally**  
 22 **exercise that veto power; because -- and philosophically**  
 23 **we're more democratic than -- than the legal paper would**  
 24 **designate us.**  
 25 Q. Okay. So you control finances of The Satanic Temple

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1 Executive Ministry?  
 2 **A. Correct.**  
 3 Q. Okay. What is the National Council?  
 4 **A. The National Council was a group of people we -- we**  
 5 **put into place to manage the local chapters. The National**  
 6 **Council meets about weekly via -- via Web cam meetings,**  
 7 **because they're dispersed internationally.**  
 8 **And they for the most part discuss proposals from**  
 9 **chapters when chapters want to do public facing or even**  
 10 **internal events so that the Council can deliberate**  
 11 **regarding questions of whether it's appropriate for these**  
 12 **things to be done in the context of Satanic Temple as an**  
 13 **organization; whether there's unthought of legal**  
 14 **liabilities, safety issues, or messaging problems.**  
 15 **So for the most part their function is to look at**  
 16 **what the chapters are doing and what they want to do,**  
 17 **provide them guidance for -- if they have questions on**  
 18 **how to better organize and better -- better create events**  
 19 **and -- and operate them and to give them either the green**  
 20 **light on those kinds of events or activities they want to**  
 21 **do or tell them that they need to rethink their**  
 22 **proposals.**  
 23 Q. Okay. Are members of the National Council, are  
 24 they -- are those paid positions?  
 25 **A. They are not.**

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1 Q. Okay. So they -- the members of the National  
 2 Council work on a volunteer basis?  
 3 **A. Correct.**  
 4 Q. Okay. How many people are on the National Council?  
 5 **A. Right now I think there's -- I think there's seven.**  
 6 **We -- we had originally put a cap at nine, only for**  
 7 **the reason that we were using Google Hangouts, which I**  
 8 **think had a cap of about 10 people on any one given call.**  
 9 **So, including me, we could only allow for nine National**  
 10 **Council members.**  
 11 Q. So have you had as many as nine members?  
 12 **A. Yeah, we've had as many as nine.**  
 13 **And we've considered increasing the number now that**  
 14 **we're using Zoom, which allows for more people. We**  
 15 **haven't done that yet, and I don't think we're at a full**  
 16 **nine right now.**  
 17 Q. Okay. What's the relationship between The Satanic  
 18 Temple and local chapters?  
 19 **A. Well, there -- the local chapters are -- well, I'm**  
 20 **not -- not trying to be difficult; but this sounds**  
 21 **redundant. They're just local chapters of The Satanic**  
 22 **Temple.**  
 23 Q. So are local chapters, are they autonomous? Are  
 24 they directed by the national organization to --  
 25 **A. Right.**

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1 Q. -- you know . . .  
 2 **A. Well, the -- the idea is that we like to give them**  
 3 **their maximum autonomy, in line with our**  
 4 **antiauthoritarian kind of position that we take.**  
 5 **But, as I've said in some interviews and in Q and**  
 6 **A's that I've done, we view it kind of as the American**  
 7 **experiment in microcosm where the national offices of The**  
 8 **Satanic Temple are something like the Federal Government,**  
 9 **and we're always kind of balancing the state rights.**  
 10 **So as the -- the local chapter rights to kind of**  
 11 **allow for their maximum autonomy while making sure also**  
 12 **that none of the chapters goes too far astray from what**  
 13 **we think our fundamental values are; that other chapters**  
 14 **feel poorly represented or otherwise have reason to**  
 15 **object; that -- that this isn't something they wanted to**  
 16 **be -- to be a part of.**  
 17 **So that's why we keep a close watch on messaging,**  
 18 **liability, and make sure that these kinds of events that**  
 19 **they hold are -- are in line with what -- what we agree**  
 20 **with and what we do.**  
 21 **But I always try to put forward this notion that**  
 22 **the -- the burden of proof is on us to tell the chapters**  
 23 **why they can't do something rather than the burden of**  
 24 **proof on them to say that they -- they should**  
 25 **necessarily.**

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1       **And then that way we're hoping we -- we always have**  
 2       **that balance of maximum autonomy versus making sure that**  
 3       **their behavior doesn't imperil the rest of the**  
 4       **organization and its membership.**  
 5       Q. Okay. Is there a -- a standard agreement that  
 6       governs the relationship between the national  
 7       organization and local chapters?  
 8       **A. Yes.**  
 9       **There are chapter agreements that are signed**  
 10       **when -- when chapters come into formal recognition.**  
 11       Q. Okay. What are the terms of those agreements?  
 12       **A. My understanding is that it's rather boilerplate**  
 13       **legal -- I mean, this is kind of material that we ran**  
 14       **past the lawyers and had them kind of draw up what --**  
 15       **were what we thought the best contracts for what we were**  
 16       **trying to achieve.**  
 17       **And what we were trying to achieve of course is**  
 18       **that we have that kind of oversight over these chapters**  
 19       **where we can, you know, have a -- a adjudication over --**  
 20       **over those kinds of public-facing activities, messaging,**  
 21       **and that kind of thing.**  
 22       **And I know there's also copyright agreements or --**  
 23       **or licensing agreements based upon copyright when it**  
 24       **comes to use of the logo and proprietary text and other**  
 25       **property, intellectual property of The Satanic Temple.**

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1       Q. What do you call these agreements? Are they  
 2       Affiliation Agreements or?  
 3       **A. They -- they are Affiliation Agreements.**  
 4       Q. Okay.  
 5       **A. There's also a -- separate agreements for chapter**  
 6       **heads, media liaison, which include standards of conduct**  
 7       **and -- and things of that nature.**  
 8       Q. And do these agreements include a nondisparagement  
 9       clause?  
 10       **A. No, they -- they -- I don't believe the language is**  
 11       **nondisparagement clause. The -- I -- I believe it's a**  
 12       **Nondisclosure Agreement.**  
 13       Q. Okay. So is there a -- a provision in any of these  
 14       agreements that -- that chapter heads or chapters will  
 15       not disparage The Satanic Temple or Executive Ministry or  
 16       National Council?  
 17       **A. I don't know that there is any more.**  
 18       **I remember that there was a nondisparagement clause**  
 19       **at one point, and that was controversial with people. And**  
 20       **then there was a revision, and I don't know if the**  
 21       **revision took out entirely the nondisparagement segment**  
 22       **or reworded it so that it seemed more reasonable to**  
 23       **people who were -- who were signing it.**  
 24       Q. Okay. Are -- are local chapters required to funnel  
 25       profit from local events to the national organization?

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1       **A. Well, it -- it depends. If they're doing a -- if**  
 2       **they're doing a fundraiser for one of the campaigns, we**  
 3       **require that all that money actually goes to the campaign**  
 4       **that they're fundraising for. Otherwise, it's -- it's**  
 5       **fraud.**  
 6       **Sometimes chapters will do events that we approve**  
 7       **of. I mean, if we approve of them, that raise funds for**  
 8       **local charities. Or some of them -- some of the events**  
 9       **they do I don't think we owe them money at all. You know,**  
 10       **collecting items for the homeless or -- or menstrual**  
 11       **hygiene products for --**  
 12       Q. And let -- let me stop you there.  
 13       So are you aware of any percentage that is standard  
 14       in these contracts that local chapters have to send to  
 15       the national organization?  
 16       **A. If they -- if they make money from merchandise**  
 17       **sales like a -- you know, chapter-specific merchandise**  
 18       **sales and stuff like that, there is a percentage. I don't**  
 19       **know where that -- that lands right now. I -- Matt would**  
 20       **probably have a better idea.**  
 21       Q. Is -- is it 90 percent roughly? Or lower than that?  
 22       **A. No.**  
 23       **I think it's -- I think it's around 20. I don't**  
 24       **know. Okay. Sorry.**  
 25       Q. Okay. All right. Do local chapters pay dues or fees

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1       to the national organization?  
 2       **A. They do not.**  
 3       Q. Okay. The Satanic Temple controls the registration  
 4       of chapter Web sites; is that right?  
 5       **A. My understanding is that we have -- we have**  
 6       **registered all the domains that are in use by individual**  
 7       **chapters. However, the chapters manage their own content**  
 8       **on those pages.**  
 9       Q. The national organization, does it have editorial  
 10       control over chapter Web sites?  
 11       **A. I mean, the national organization, if we saw**  
 12       **material on the Web sites we objected to, we'd certainly**  
 13       **reserve the authority to -- to tell them to change it.**  
 14       **But insofar as logging into the Web site and**  
 15       **posting materials goes, that's -- that's up to the**  
 16       **chapters themselves. They -- they have that login**  
 17       **information. They -- they go into the back end, and they**  
 18       **put those -- they put that content there.**  
 19       Q. Okay. So you don't require local chapters to  
 20       provide you with access information to their Web site to  
 21       be able to edit it?  
 22       **A. We already have the login credentials for the Web**  
 23       **sites. We also give them login credentials for the Web**  
 24       **sites.**  
 25       Q. Okay.



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1 **A. So, for the most part, the content there is just**  
 2 **put there by them. If we grow aware of some kind of**  
 3 **problem or some kind of contentious leadership change or**  
 4 **whatever, I guess we could change their passwords and**  
 5 **make sure that the URL is secure in the name of the**  
 6 **organization.**  
 7 Q. Okay. So -- so that's all to say that the national  
 8 organization exercises a kind of veto editorially over  
 9 its local chapter Web sites?  
 10 **A. That's correct.**  
 11 **That's not to say we've -- we've necessarily acted**  
 12 **as editors for content that's been put on the Web site.**  
 13 **That is to say up to this point, chapters haven't**  
 14 **actually submitted content to us before posting it on the**  
 15 **Web sites for approval; but it might be a good idea to --**  
 16 Q. Okay.  
 17 **A. -- to do that going forward.**  
 18 **(Exhibit 37 marked for identification.)**  
 19 Q. Okay. I'm going to hand you Exhibit 37.  
 20 Do you recognize this as the Certificate of  
 21 Organization for the United Federation of Churches, LLC,  
 22 with file stamp February 4, 2014?  
 23 **A. Yes.**  
 24 Q. Okay. And, on the first page, Doug Misicko is  
 25 listed as both the sole registered agent and the sole

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1 manager; correct?  
 2 **A. Yes.**  
 3 Q. Okay. And, if you look on the second page, that's  
 4 your signature down at the bottom?  
 5 **A. Yes.**  
 6 Q. Okay. And then on the third page down at the  
 7 bottom, it has an e-mail address: Doug@process.org.  
 8 Is that your e-mail address?  
 9 **A. Correct.**  
 10 Q. Okay. Now, the United Federation of Churches, LLC,  
 11 has bylaws; right?  
 12 **A. Correct.**  
 13 Q. Okay. And does -- does the United Federation of  
 14 Churches have any managers or officers or directors other  
 15 than you and Malcolm Jarry?  
 16 **A. No. I -- no.**  
 17 Q. Does the United Federation of Churches have any  
 18 legal or financial oversight by anyone else?  
 19 **A. Now, I'm sorry. Could you . . .**  
 20 Q. Does -- does the United Federation of Churches have  
 21 any legal or financial oversight by anyone else?  
 22 **A. What do you mean by "oversight"? I mean, we -- we**  
 23 **work with accountants and that kind of thing.**  
 24 **Are you talking somebody we ask permission from**  
 25 **to --**

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1 Q. Yeah.  
 2 I'm asking: Is there anyone to whom -- yeah, who --  
 3 who supervises your legal or financial activities?  
 4 **A. No.**  
 5 **I mean, we -- if there's question, we would consult**  
 6 **parties on how to reach the goals we want to achieve.**  
 7 Q. Uh-huh.  
 8 **A. Right.**  
 9 **I don't think that's what you're asking, though.**  
 10 Q. No.  
 11 **A. But we don't answer to some kind of higher**  
 12 **authority who makes executive decisions on, like, where**  
 13 **things are allocated or anything like that.**  
 14 Q. Right.  
 15 **A. That's like -- we're the highest rung of the**  
 16 **ladder.**  
 17 Q. Okay. And so -- I'm sorry.  
 18 **A. Malcolm and I.**  
 19 Q. So there's no board? You're not accountable to a  
 20 board of oversight or a board of directors or anything of  
 21 that nature?  
 22 **A. Correct.**  
 23 Q. Okay. Has the United Federation of Churches ever  
 24 made public disclosures of its income or expenditures?  
 25 **A. I -- I was under the impression, maybe wrongly,**

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1 **that all of these things are -- are public record, but --**  
 2 **but I might not -- I might not be correct in that.**  
 3 Q. Okay. Do you have any specific recollection of  
 4 public disclosures of United Federation of Churches'  
 5 income or expenditures?  
 6 **A. No.**  
 7 **I was under- -- under the understanding that there**  
 8 **were Government-owned sites that -- that post these**  
 9 **things or respond to these requests for public inquiry. I**  
 10 **could be wrong again.**  
 11 **But that's not -- it's not really my -- my**  
 12 **specialty.**  
 13 **(Exhibit 38 marked for identification.)**  
 14 Q. Okay. All right. I'm handing Exhibit 38.  
 15 Do you recognize this as the Reason Alliance,  
 16 Limited, Articles of Organization filed September 26,  
 17 2014?  
 18 And you can see that up at the -- up at the very  
 19 top. And I believe it's also on the last page as well,  
 20 September 26, 2014.  
 21 **A. Yes.**  
 22 Q. Okay. Let's take a look at the first page there,  
 23 that big paragraph.  
 24 It starts out: "The corporation is organized  
 25 exclusively for charitable, religious, educational, and

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1 scientific purposes to promote the tenets as herein  
 2 described, including for such purposes: The making of  
 3 distributions to organizations that qualify as exempt  
 4 organizations under Section 501(c)(3) of the Internal  
 5 Revenue Code," and then it continues on.  
 6 Did I read that correctly?  
 7 **A. Yes.**  
 8 Q. Okay. So which organization was contemplated here  
 9 as the recipient of distributions from Reason Alliance,  
 10 Limited?  
 11 **A. I don't know technically in legalistic terms if it**  
 12 **would be that that would be disbursed to United**  
 13 **Federation of Churches for use by The Satanic Temple, but**  
 14 **the notion was that -- and this was something conceived**  
 15 **of by the lawyer we worked with as being how this just**  
 16 **works.**  
 17 **If you're both running a nonprofit and an LLC --**  
 18 **because we were raising donations for our campaigns on a**  
 19 **nonprofit basis. And -- and donors could get their tax**  
 20 **writedoff, the 501(c)(3), that kind of thing. And that**  
 21 **needed to be kept separate from the other level of**  
 22 **incorporation.**  
 23 **And this is -- this is the method by which the**  
 24 **lawyer -- let's see. Yeah, this was -- this was James**  
 25 **MacNaughton devised as being the -- the way that this is**

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1 **done.**  
 2 Q. Okay. So was this a fund-raising -- was this an  
 3 organization created for fund-raising purposes then?  
 4 **A. Yeah, I believe that would be an accurate way of**  
 5 **putting that.**  
 6 Q. Okay.  
 7 **A. But this was, like, the 501(c)(3) entity attached**  
 8 **to the fund-raising efforts of The Satanic Temple.**  
 9 Q. Okay. And if you take a look at the third page  
 10 there, it's got -- it lists Doug Misicko as president,  
 11 treasurer, secretary, and director; is that right?  
 12 **A. Correct.**  
 13 Q. Has Reason Alliance ever had any other officers,  
 14 directors or trustees or secretaries or -- I'm going to  
 15 leave one out -- treasurers?  
 16 **A. I -- I don't -- I don't think that's ever changed**  
 17 **throughout the paperwork.**  
 18 **But, I -- I mean, I should point out that this is**  
 19 **kind of filled in for the purposes of satisfying the --**  
 20 **the paperwork put forward by -- by MacNaughton. My**  
 21 **understanding was that that's -- that's just what you do.**  
 22 **So --**  
 23 Q. Okay.  
 24 **A. -- now I'm not sure the status of Reason Alliance**  
 25 **or if it's something that's useful to us, because I still**

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1 **don't understand the full ramifications of the -- to be**  
 2 **quite honest, I don't understand the full ramifications**  
 3 **of the conference of church status by the IRS and our**  
 4 **tax exemption as a church --**  
 5 Q. Okay.  
 6 **A. -- now.**  
 7 **So that -- that might require -- I mean, it's The**  
 8 **Satanic Temple now that's -- that's recognized as a -- as**  
 9 **a 501(c)(3) church religious exempt organization, so I**  
 10 **think that could -- that kind of work can be -- can be**  
 11 **done through there now directly.**  
 12 Q. Okay. And I'll -- I'll come back to that in a  
 13 minute.  
 14 **A. Okay.**  
 15 Q. Does Reason Alliance have any legal or financial  
 16 oversight by anyone else?  
 17 **A. It does not, no.**  
 18 Q. Okay. And has it ever made public disclosures of  
 19 its income or exposures?  
 20 **A. Well, there again, I -- I was under the**  
 21 **impression -- maybe I'm wrong -- but I thought there was**  
 22 **a open and public listing of -- of income and**  
 23 **expenditures available publicly for all 501(c)(3)s.**  
 24 Q. Okay.  
 25 **A. I mean, correct me if I'm wrong; but, like, I -- I**

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1 **just -- I was under the interp- -- I was under the**  
 2 **understanding that that's -- that's the way it is with**  
 3 **this kind of organization.**  
 4 **(Exhibit 39 marked for identification.)**  
 5 Q. Okay. All right. You can put that aside.  
 6 And I'll hand you Exhibit 39.  
 7 **A. Okay.**  
 8 Q. All right. Do you recognize this as a 1023-EZ  
 9 application by Reason Alliance for tax exempt status?  
 10 And this was filed August 31, 2017. You can Look on the  
 11 last page, August 31, 2017.  
 12 **A. Yes.**  
 13 Q. Okay. And, on the third page there, this was signed  
 14 under penalty of perjury by Doug Misicko; correct?  
 15 MR. KEZHAYA: I'm going to object into all  
 16 this Reason Alliance. Mr. Misicko is sitting  
 17 here today with his TST hat on. All of these  
 18 questions I think can be probably be asked of  
 19 him with his personal hat tomorrow.  
 20 MR. CANTRELL: Okay. Well, Mr. Misicko has  
 21 testified that -- that Reason Alliance was a --  
 22 a fundraising organization for The Satanic  
 23 Temple. And, therefore, I think it qualifies as  
 24 a part of The Satanic Temple by his description  
 25 today.

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1 So -- so we'll -- we'll continue.  
 2 MR. KEZHAYA: But, see, there's nothing in  
 3 here, this Attachment A, about Reason Alliance  
 4 1023-EZ tax exempt status. I really don't think  
 5 this is properly within the bounds of the  
 6 30(b)(6) Notice.  
 7 MR. CANTRELL: It is. It relates to the  
 8 organizational relationship between Reason  
 9 Alliance and The Satanic Temple and the United  
 10 Federation of Churches, so --  
 11 MR. KEZHAYA: But, see, this is TST  
 12 speaking right now; and so there's limited  
 13 things that TST is capable of speaking to. He  
 14 wasn't properly put on notice of the, for  
 15 example, 1023-EZ application.  
 16 MR. CANTRELL: I think he was put on  
 17 notice -- I think you all were put on notice  
 18 by the Notice of Deposition with the  
 19 organizational relationships.  
 20 And this was specifically mentioned.  
 21 Reason Alliance, Limited, was specifically  
 22 mentioned in the Notice of Deposition, as well  
 23 as the other corporate organizations.  
 24 MR. KEZHAYA: That's organizational  
 25 relationships, though. You're talking about tax

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1 exempt status of a organization that is not  
 2 sitting here today. It's actually not even a  
 3 party to the lawsuit.  
 4 MR. CANTRELL: No, I'm not inquiring into  
 5 the -- the tax exempt status per se of Reason  
 6 Alliance. That's not my interest here, so --  
 7 MR. KEZHAYA: What's the purpose of the  
 8 1023-EZ?  
 9 MR. CANTRELL: Again, it's the  
 10 relationship between Reason Alliance and the  
 11 other corporate organizations. So --  
 12 MR. KEZHAYA: A 1023-EZ is the application  
 13 that you file with the IRS to become tax  
 14 exempt, right?  
 15 MR. CANTRELL: This bears on the  
 16 organizational relationships, Matt, okay.  
 17 You'll see from the questions I ask, it bears  
 18 on that issue.  
 19 Q. (Mr. Cantrell) So, Mr. Misicko, you signed this  
 20 under penalty of perjury; correct?  
 21 A. **Well, typed. It looks it's a E-signature.**  
 22 Q. Okay. So you authenticated it, correct?  
 23 A. **That's -- apparently so, yeah.**  
 24 Q. Okay. And you're identified as both president and  
 25 director there on the third page?

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1 A. **Yes.**  
 2 Q. Okay. Take a look at, let's see, the second page  
 3 under Part III -- excuse me. The second page, Part --  
 4 yeah, Part III, Number 6.  
 5 It says, "Do you or will you donate funds or pay  
 6 expenses for individuals?"  
 7 And the little box or circle is indicated -- is  
 8 marked for "yes."  
 9 Do you see that?  
 10 A. **Yes.**  
 11 Q. Okay. What individuals have you -- has Reason  
 12 Alliance donated funds for or paid expenses for?  
 13 A. **I don't know that they have. My guess, because, I**  
 14 **mean, again, I -- I believe all this paperwork must have**  
 15 **gone through MacNaughton and I signed off on it.**  
 16 **But my guess is that it would leave open the**  
 17 **possibility that if somebody incurs expenses for projects**  
 18 **they're doing with us, then they're going to get paid**  
 19 **individually; that would be -- that would the proper box**  
 20 **to -- to check.**  
 21 Q. Okay. Take a look at No. 8 there under Part III.  
 22 It says, "Do you or will you engage in financial  
 23 transactions (for example loans, payments, rents,  
 24 et cetera) with any of your officers, directors, or  
 25 trustees or any entities they own or control?"

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1 And the little circle is marked for "yes."  
 2 Do you see that?  
 3 A. **Yes.**  
 4 Q. Okay. So with whom has Reason Alliance engaged in  
 5 the financial transactions indicated here?  
 6 A. **Well, I mean, I believe that to be overly broad. I**  
 7 **mean, by necessity we do financial transactions on a**  
 8 **regular basis.**  
 9 Q. So let me ask a more specific question then.  
 10 Who does Reason Alliance engage in financial  
 11 transactions with with respect to The Satanic Temple,  
 12 LLC, or United -- or, excuse me, The Satanic Temple,  
 13 Inc., or the United Federation of Churches or Doug  
 14 Misicko or Malcom Jarry?  
 15 MR. KEZHAYA: Object to form.  
 16 Go ahead and answer.  
 17 Q. Or does -- does Reason Alliance engage in financial  
 18 transactions with any of those people or entities that I  
 19 just mentioned?  
 20 A. **I'm sorry. You'll have to name those entities**  
 21 **again.**  
 22 Q. Sure.  
 23 United Federation of Churches, LLC.  
 24 The Satanic Temple, Inc.  
 25 Doug Misicko.

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1 And Malcolm Jarry.

2 **A. Do -- does Reason Alliance engage in financial**

3 **transactions with those?**

4 Q. Yes.

5 **A. I'm not sure how to properly word this from an**

6 **accounting viewpoint. But, for example, costs incurred**

7 **like having to pay Mr. Kezhaya here, I mean, he's an**

8 **individual who would incur expenses. And -- and if the --**

9 **the lawyers were working on behalf of a specific campaign**

10 **fund-raised for through Reason Alliance, they could get**

11 **disbursement from those -- those funds.**

12 Q. Okay. Does -- do you or Malcolm Jarry receive

13 disbursements from Reason Alliance?

14 **A. I don't -- I don't know. I don't know how -- I am**

15 **not experienced on accounting to know what's on the level**

16 **from, like, a disbursement point of view of finances.**

17 **All I know is that we run this through accountants**

18 **and lawyers to get it on the level, and I am really**

19 **disengaged personally from how that aspect of operations**

20 **works.**

21 Q. Okay. Are you aware that you receive any -- any

22 proceeds from the organization, Reason Alliance? Any

23 money? Any funds?

24 **A. You're asking how I generate income?**

25 Q. I -- I'm asking whether Reason Alliance pays you

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1 any compensation or income or any reimbursement or --

2 MR. KEZHAYA: Again, this is a question

3 for Doug Misicko with his personal hat on for

4 tomorrow.

5 MR. CANTRELL: Okay. I'll -- I'll ask him

6 tomorrow.

7 (Exhibit 40 marked for identification.)

8 Q. (Mr. Cantrell) All right. All right. Here we go.

9 All right. I'm showing you Exhibit 40. And you can put

10 that other one aside.

11 All right. Do you recognize Exhibit 40 as the

12 Articles of Organization for The Satanic Temple filed

13 November 14, 2017?

14 **A. Correct.**

15 Q. Okay. And this Article II says, begins, "This

16 organization" -- this -- excuse me, "This corporation is

17 organized as a tax exempt organization"; is that right?

18 Do you see that?

19 **A. Correct, yes.**

20 Q. Okay. Does this organization have bylaws?

21 **A. The satanic Temple?**

22 Q. Yes, the organization referred to in the document

23 we're looking at right now?

24 **A. Yes.**

25 Q. Okay. Are those bylaws distinct from the bylaws of

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1 the United Federation of Churches?

2 **A. I don't know currently -- I haven't followed the**

3 **revision history of all of this or how it's been merged,**

4 **especially since the recognition status by the IRS; so I**

5 **don't know.**

6 Q. Okay. Do you know if they're different from the

7 bylaws of Reason Alliance?

8 **A. I do not.**

9 Q. Okay. Do you know what other governance documents

10 this organization has?

11 **A. Do you mean both internal and in -- within State**

12 **and Federal filings?**

13 Q. Yes, both.

14 **A. There -- okay. There's a lot of internal**

15 **documentation, including the chapter agreements and other**

16 **agreements we have with people who work with us.**

17 Q. Okay. So there's chapter agreements.

18 What other -- what other agreements are there?

19 **A. I think we have a distinct -- a -- a unique**

20 **contract for media liaisons. And it may or may not be**

21 **discrete paperwork for members of National Council. Or at**

22 **this point it may just be that National Council is**

23 **subjected to background checks and their prior paperwork**

24 **used usually when they -- when they are engaged in**

25 **chapter work or . . .**

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1 THE COURT REPORTER: I'm sorry, sir. Would

2 you keep your voice up.

3 THE WITNESS: Oh, I'm sorry.

4 THE COURT REPORTER: Engaged in chapter

5 relationships?

6 THE WITNESS: Yeah, I -- sorry.

7 **A. Those -- those kinds of internal agreements. I**

8 **think that -- I think that covers it. There may be more**

9 **if I think about it more.**

10 Q. (Mr. Cantrell) Okay. Are there standards of

11 conduct?

12 **A. There are.**

13 Q. Are those signed by all members? Or just by a

14 subset?

15 **A. Just by leadership.**

16 **On the national level, that's all we keep track of.**

17 **Individual chapters, a lot of them have chapter member**

18 **agreements that they oversee that also reiterate codes of**

19 **conduct and other such things.**

20 Q. Okay. Any others you can think of? Any other

21 governance documents or agreements for this organization?

22 **A. Not that I can think of as I sit here right now.**

23 Q. Okay. Take a look at Article -- Article VII.

24 The street address is listed as 64 Bridge Street,

25 Salem, Massachusetts 01970; correct?

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1 **A. Correct.**  
 2 Q. All right. And Douglas Misicko is listed as the  
 3 president, treasurer, clerk, and director; correct?  
 4 **A. Correct.**  
 5 Q. Okay. So what prompted you to create this  
 6 organization in November 2017?  
 7 **A. I don't -- I don't really know.**  
 8 **This again is in kind of consultation with a**  
 9 **lawyer -- I think it would still be James MacNaughton at**  
 10 **this point and -- and might still be him if I were -- we**  
 11 **were to consult on this again today.**  
 12 **But, you know, just in general making sure that our**  
 13 **corporate entity was the same name as our public-facing**  
 14 **organization, The Satanic Temple. It seemed like it was**  
 15 **in our best interest to maintain.**  
 16 Q. Okay. Does this organization have any managers,  
 17 officers, or directors other than Cevin Soling and Doug  
 18 Misicko?  
 19 **A. No.**  
 20 Q. Does it have any legal or financial oversight by  
 21 anyone else?  
 22 **A. It does not.**  
 23 Q. Has it ever made public disclosures of its income  
 24 or expenditures?  
 25 **A. Again, my understanding is that annually one must**

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1 **and -- and that -- and filings are -- are public; but,**  
 2 **again, I could be wrong.**  
 3 Q. Okay. All right. You can set that aside.  
 4 And so for years The Satanic Temple did not seek  
 5 tax exempt status, right?  
 6 **A. Correct.**  
 7 Q. Okay. And why was that?  
 8 **A. It was because we felt it was a -- it was the**  
 9 **principled stand that churches should pay their taxes and**  
 10 **contribute back to society.**  
 11 Q. Okay. And why did The Satanic Temple apply for tax  
 12 exempt status?  
 13 **A. It seemed like we were disadvantaging ourselves,**  
 14 **especially at the point during the Trump Administration**  
 15 **where Trump announced that he was going to gut the**  
 16 **Johnson Amendment or render it otherwise unenforceable.**  
 17 **We realized that when it came to financing our**  
 18 **projects, when it came to paying our lawyers and things**  
 19 **like that, we were often up against theocratic**  
 20 **organizations that were much better networked and much**  
 21 **better financed than us to -- to massive orders of**  
 22 **magnitude.**  
 23 **And a lot of people seemed confused about donating**  
 24 **to Reason Alliance for Satanic Temple campaigns, and it**  
 25 **was far better to have The Satanic Temple itself**

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1 **recognized as a legitimate religious organization.**  
 2 **Because, furthermore, we never thought that people**  
 3 **would bother necessarily to question whether we were a**  
 4 **legitimate religious organization or not. Maybe we**  
 5 **naively thought that we were self-evidently so; but that**  
 6 **having conference of the IRS status, that -- that**  
 7 **indication that we did meet that criteria would dispense**  
 8 **of those questions in the future.**  
 9 Q. Okay. The Satanic Temple uses Omnisend, right?  
 10 **A. Currently to send newsletters, yeah, the -- the**  
 11 **third-party --**  
 12 Q. Okay.  
 13 **A. -- site is Omnisend.**  
 14 **(Exhibit 41-B marked for identification.)**  
 15 Q. Okay. Give me one second, okay. I'm going to go  
 16 slightly out of order with my exhibits here. All right.  
 17 This one is marked 41-B.  
 18 Do you recognize this as "The Satanic Temple in  
 19 2019," kind of a year in review?  
 20 **A. Yeah.**  
 21 Q. Okay. And -- and down in the bottom corner, it has  
 22 a 1 of 19; but there's only Page 1 and 2.  
 23 Do you see that?  
 24 **A. I do.**  
 25 Q. So this is part of a larger document, but it's just

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1 the first couple of pages.  
 2 Are you aware -- well, let me ask: Did you send  
 3 this "Satanic Temple in 2019," did you send this through  
 4 Omnisend?  
 5 **A. That I don't -- I don't know. We used to use**  
 6 **Mailchimp, and then we started using Omnisend.**  
 7 Q. Okay.  
 8 **A. It could have been either one of those.**  
 9 Q. If you look down at the bottom, do you see a URL?  
 10 **A. Oh, yes.**  
 11 Q. Okay. Do you recognize that as an Omnisend URL?  
 12 **A. Yeah. It says -- it says "Omnisend."**  
 13 Q. Okay. And, if you look at Page 2, it has this --  
 14 this text. It says, "Most monumentally, the IRS granted  
 15 The Satanic Temple 501(c)(3) tax exempt status as a  
 16 church in April."  
 17 And then look at the last sentence. It says, "In  
 18 addition to affirming TST's status, this will support our  
 19 legal standing as we move forward in our various efforts  
 20 to defend our rights across the country."  
 21 Did I read that correctly?  
 22 **A. Correct.**  
 23 Q. Okay. And so The Satanic Temple was -- is it right  
 24 that The Satanic Temple was motivated to get tax exempt  
 25 status to try to argue that as a ground for being a

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1 religious organization?

2 **A. Well, we felt like it didn't just give us grounds**

3 **to argue that we were a religious organization. It**

4 **validated us as -- as such in the -- in the eyes of the**

5 **U.S. Government.**

6 Q. Okay. Are you aware that the IRS doesn't question

7 an organization's representation that it is a religious

8 organization?

9 **A. Well, no. The IRS has specific criteria you need to**

10 **meet before you're recognized as a church with tax exempt**

11 **status.**

12 Q. As far as being a church as opposed to any other

13 type of tax exempt organization, are you aware that the

14 IRS doesn't question an organization's representation

15 that it is a church?

16 **A. Maybe I'm misunderstanding the question, but I --**

17 **it's my feeling that they questioned us thoroughly. And**

18 **we needed to send them a massive amount of documentation**

19 **to show that we are in fact a -- a church and a religious**

20 **organization.**

21 **And they didn't take what we said at face value.**

22 Q. So did you apply more than once for tax exempt

23 status?

24 **A. I don't believe we applied more than once. I**

25 **believe they came back with more than one response**

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1 **requesting further information, specifically because they**

2 **weren't taking the claims at face value. But I believe**

3 **that was all part of the same initial request for tax**

4 **exempt recognition that they ended up recognizing us as a**

5 **church.**

6 Q. Okay. And which corporate organization was it that

7 was granted tax exempt status?

8 **A. Well, my understanding is that it's the -- The**

9 **Satanic Temple.**

10 Q. Okay. Did -- did that organization pay taxes for

11 the years 2017 or 2018?

12 **A. It did not pay taxes before it was a registered**

13 **corporate entity as a registered corporate entity, but**

14 **every other entity we had that managed and operated The**

15 **Satanic Temple as things like Reason Alliance and United**

16 **Federation of Churches were to us collectively a part of**

17 **the operation of the larger body we considered The**

18 **Satanic Temple.**

19 **All of those paid their appropriate taxes.**

20 **(Exhibit 41 marked for identification.)**

21 Q. All right. You can set that aside. I'm going to

22 hand you Exhibit 41.

23 Do you recognize this as Articles of Amendment for

24 The Satanic Temple filed May 24, 2019?

25 **A. Yes.**

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1 Q. Okay. And this amendment adds "Inc.," I-N-C period

2 to the organization's name; right?

3 **A. Correct.**

4 Q. Okay. Why was that done?

5 **A. Honestly, I don't know. I don't know what's -- what**

6 **the benefit is of that.**

7 Q. So you don't know why you would have waited until

8 after receiving federal tax exempt status to add "Inc.?"

9 to the organization's name?

10 **A. No.**

11 **I -- I believe that would have been on the**

12 **advisement of whoever we were working with on making sure**

13 **that all this paperwork was optimal for -- for our**

14 **organization.**

15 MR. CANTRELL: Okay. All right. Well, tell

16 you what, let's take a break; and we'll --

17 we'll come back.

18 THE WITNESS: Okay. So this? Or should

19 I --

20 MR. CANTRELL: Yeah, you can set that

21 aside.

22 THE WITNESS: Okay.

23 THE VIDEOGRAPHER: We are going off the

24 record at 3:08 p.m.

25 (Recess taken.)

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1 THE VIDEOGRAPHER: We are back on the

2 record at 3:25 p.m.

3 (Exhibit 42 marked for identification.)

4 Q. (Mr. Cantrell) Okay. Mr. Misicko, I'm handing you

5 Exhibit 42.

6 **A. 42.**

7 Q. And do you recognize this as the Articles of

8 Organization for Cinephobia, LLC, filed August 26, 2018?

9 **A. Yes.**

10 Q. Okay. And on the first page there, look at that

11 Section 2a. The address is listed as 64 Bridge Street,

12 Salem, Massachusetts 01970; is that right?

13 **A. Correct.**

14 Q. Okay. And that's the same as The Satanic Temple,

15 Inc., right?

16 **A. Correct.**

17 Q. Okay. And the managers are listed as -- under

18 Paragraph 6 as Doug Misicko and Cevin Soling, right?

19 **A. Correct.**

20 Q. Okay. So what is Cinephobia?

21 **A. Cinephobia is the production company we put**

22 **together to have a discrete, separate entity through**

23 **which we could work the -- towards the -- to manage the**

24 **finances and -- and other organizational goals of our**

25 **online video streaming platform, which is at the URL --**

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1 **gosh, I forget it. The Satanic Temple TV or -- or**  
 2 **TheSatanicTemple.TV.**  
 3 Q. Okay. And Cinephobia doesn't have any managers,  
 4 officers, or directors other than Cevin Soling and Doug  
 5 Misicko; correct?  
 6 **A. That is correct.**  
 7 Q. Okay. And Cinephobia doesn't have any legal or  
 8 financial oversight by anyone else, right?  
 9 **A. Correct.**  
 10 Q. And has Cinephobia ever made public disclosures of  
 11 its income or expenditures?  
 12 **A. I don't know that Cinephobia is old enough to have**  
 13 **filed anything yet, but they would at this -- at this**  
 14 **current tax term.**  
 15 Q. Okay. And so, to your knowledge, Cinephobia has  
 16 never made public disclosures of income or expenditures  
 17 to date?  
 18 **A. Correct.**  
 19 **Let me -- to my knowledge, they're not old enough**  
 20 **to have -- to have actually filed any IRS -- need to have**  
 21 **had any IRS filings.**  
 22 **I know this is August 26, 2018, but The Satanic**  
 23 **Temple TV didn't go online until this past October; and**  
 24 **only then did Cinephobia start having any finances**  
 25 **generated, any -- any income generated through -- through**

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1 **its activities.**  
 2 Q. Okay. Is Cinephobia a nonprofit organization?  
 3 **A. No. Cinephobia is an LLC.**  
 4 Q. Okay. Okay. And you can set that aside.  
 5 So help me understand. There's -- as I see it,  
 6 there's these four corporate entities. There's United  
 7 Federation of Churches; there's Reason Alliance, which is  
 8 a nonprofit; there's The Satanic Temple, Inc., which is a  
 9 nonprofit; and then there's Cinephobia.  
 10 And help me understand how these relate to each  
 11 other financially and organizationally?  
 12 **A. Well, my understanding is that United Federation of**  
 13 **Churches and Reason Alliance can be phased out now with**  
 14 **the existence of The Satanic Temple, Inc. I could be**  
 15 **wrong about that. I don't know if they serve a functional**  
 16 **purpose any longer.**  
 17 **But Cinephobia is a separate entity in that**  
 18 **Cinephobia works with content creators and -- "content**  
 19 **creators," I mean filmmakers. And these filmmakers don't**  
 20 **necessarily have to be people who identify with The**  
 21 **Satanic Temple, but they create content that we think**  
 22 **would be of interest to members of The Satanic Temple and**  
 23 **subscribers to TSTTV.**  
 24 **We have content creator agreements with those**  
 25 **content creators overseen by Cinephobia, LLC, where they**

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1 **receive a certain amount of the moneta- -- monetization**  
 2 **generated through the viewership of their content and**  
 3 **subscriptions. And that's a percentage based upon how**  
 4 **many views are gained on their material and that kind of**  
 5 **thing.**  
 6 **So Cinephobia is essentially a separate account to**  
 7 **keep that separate so that we are using Cinephobia funds**  
 8 **to pay the content creators. And that -- that account**  
 9 **holds the revenue generated through the streaming**  
 10 **platform.**  
 11 Q. Okay. Do any of these four organizations control  
 12 any of the others?  
 13 **A. Well, we view it as all part of the larger -- The**  
 14 **Satanic Temple Organization.**  
 15 **And, you know, primary to me is just the mission**  
 16 **and purpose of The Satanic Temple at large. And in my own**  
 17 **mind things like The Satanic Temple TV and the Cinephobia**  
 18 **entity made to -- to help keep that better organized are**  
 19 **just really -- really are legalistic requirements to make**  
 20 **sure that we operate these things appropriately and --**  
 21 **and functionally to the best of our ability.**  
 22 Q. Do any of these organizations engage in financial  
 23 transactions with the others?  
 24 **A. Well, we -- we already covered how Reason Alliance**  
 25 **would -- was used to disburse funds to campaigns of The**

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1 **Satanic Temple.**  
 2 **As for Cinephobia, that accounting is kept**  
 3 **separate; so that account accrues on its own and -- and**  
 4 **the funds towards content creators are -- are derived**  
 5 **strictly from Cinephobia.**  
 6 Q. Okay. So which -- which organization is the  
 7 Intervenor, The Satanic Temple, in this litigation?  
 8 **A. It's The Satanic Temple.**  
 9 Q. Okay. The Satanic Temple, Inc.?  
 10 **MR. KEZHAYA: Object to speculation. He's**  
 11 **not a lawyer.**  
 12 Q. Well, you can answer if -- if you -- if you do  
 13 know.  
 14 **MR. KEZHAYA: Oh, yeah. Yeah, you can go**  
 15 **ahead and answer whenever I'm objecting. Unless**  
 16 **I say "don't answer," go ahead and answer.**  
 17 **A. To me the Intervenor is The Satanic Temple as a**  
 18 **religious organization. This kind of paperwork is meant**  
 19 **to justify different facets sometimes of The Satanic**  
 20 **Temple.**  
 21 **But to me it's all this larger religious body,**  
 22 **this -- this organization of -- of The Satanic Temple.**  
 23 **So to me it's not a question of who -- who's -- I'm just**  
 24 **trying to tell you how -- how that question doesn't**  
 25 **necessarily make sense to me from how I contextualize**

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<p>1 <b>what this organization is.</b></p> <p>2 Q. So, if I understand what you're saying, there is --</p> <p>3 there is The Satanic Temple, which is kind of an</p> <p>4 umbrella. And then under that umbrella you have: The</p> <p>5 Satanic Temple, Inc.; you have United Federation of</p> <p>6 Churches; you have Reason Alliance; and then you have</p> <p>7 Cinephobia?</p> <p>8 <b>A. I don't even see those things as under any type of</b></p> <p>9 <b>umbrella. These are -- and, you know, things like Reason</b></p> <p>10 <b>Alliance and the United Federation of Churches are</b></p> <p>11 <b>completely different to me than something like</b></p> <p>12 <b>Cinephobia; because Cinephobia is representative of</b></p> <p>13 <b>another project within The Satanic Temple.</b></p> <p>14 <b>United Federation of Churches, Reason Alliance</b></p> <p>15 <b>where more things, entities that emerged from</b></p> <p>16 <b>consultation with either accountants or lawyers meant to</b></p> <p>17 <b>help us better manage The Satanic Temple.</b></p> <p>18 <b>But to me The Satanic Temple has always been this</b></p> <p>19 <b>kind of one thing.</b></p> <p>20 Q. So and I'm -- I'm trying to understand how you</p> <p>21 understand this to work.</p> <p>22 So you claim that The Satanic Temple is tax exempt?</p> <p>23 <b>A. No. It demonstrably is.</b></p> <p>24 Q. Okay. But when you talk about The Satanic Temple,</p> <p>25 that includes organizations that are for profit and not</p>	<p>1 Q. Okay. Let me ask you more specifically about some</p> <p>2 related things.</p> <p>3 So I'm handing you Exhibit 44.</p> <p>4 Do you recognize this as a Web page titled,</p> <p>5 "Contribute to The Satanic Temple," from</p> <p>6 TheSatanicTemple.com? And this was printed on</p> <p>7 February 11, 2020.</p> <p>8 Do you recognize that?</p> <p>9 <b>A. Yes.</b></p> <p>10 Q. Okay. And so it says -- there's a little asterisk</p> <p>11 there toward the bottom on the right.</p> <p>12 It says: "Contributions/donations support the</p> <p>13 efforts and campaigns of The Satanic Temple but are not</p> <p>14 tax deductible."</p> <p>15 Did I read that correctly?</p> <p>16 <b>A. Yes.</b></p> <p>17 Q. Okay. So -- so is it true that contributions to The</p> <p>18 Satanic Temple are not tax deductible?</p> <p>19 <b>A. They -- they should be tax deductible now.</b></p> <p>20 <b>I don't know where we are in the process of</b></p> <p>21 <b>updating so that these things work in alignment with our</b></p> <p>22 <b>current IRS status. I don't know -- I -- I can't really</b></p> <p>23 <b>offer more illumination on this particular item on the</b></p> <p>24 <b>site.</b></p> <p>25 <b>But I do know this has been an ongoing process to</b></p>
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<p>1 tax exempt; right? You see the struggle I'm having?</p> <p>2 <b>A. I -- I don't -- I don't see that as being -- I</b></p> <p>3 <b>mean, I see plenty of religious organizations that</b></p> <p>4 <b>operate in the same -- same manner, so it's not something</b></p> <p>5 <b>to me that makes me think that this is something untoward</b></p> <p>6 <b>or something questionable.</b></p> <p>7 Q. Well, I'm not even suggesting at -- I mean, at this</p> <p>8 point that it's questionable. I'm just trying to</p> <p>9 understand, you know, all of the individual statements</p> <p>10 that I'm seeing, one being The Satanic Temple is tax</p> <p>11 exempt, another one being that all of these corporate</p> <p>12 entities are related and we can refer to all -- all of</p> <p>13 them in some way as "The Satanic Temple."</p> <p>14 And those include for-profit businesses. That's</p> <p>15 what I'm -- that's the disconnect I'm -- I'm feeling and</p> <p>16 not understanding.</p> <p>17 Can you shed any light on that?</p> <p>18 <b>A. Well, I'm not really sure what the question is,</b></p> <p>19 <b>because there is a tax exempt religious organization of</b></p> <p>20 <b>The Satanic Temple; but it can also engage in for-profit</b></p> <p>21 <b>commerce, a online Web store or whatever else.</b></p> <p>22 <b>And, you know, my understanding of it is that this</b></p> <p>23 <b>is how you do those things, how you do those various</b></p> <p>24 <b>things.</b></p> <p>25 <b>(Exhibit 44 marked for identification.)</b></p>	<p>1 <b>figure out how to -- how to operate things and structure</b></p> <p>2 <b>them differently now since the IRS standing was conferred</b></p> <p>3 <b>upon us.</b></p> <p>4 Q. Okay. Let me -- well, and it has been -- it has</p> <p>5 been a year, over a year since tax exempt status was</p> <p>6 conferred on The Satanic Temple, Inc.; correct?</p> <p>7 <b>A. Yeah, I believe that's correct.</b></p> <p>8 <b>(Exhibit 45 marked for identification.)</b></p> <p>9 Q. Okay. All right. I'm handing you -- you can set</p> <p>10 that aside. I'm handing you Exhibit 45.</p> <p>11 Do you recognize this as a page titled, "Why</p> <p>12 Donate?" from TheSatanicTemple.org from February 11 --</p> <p>13 printed February 11, 2020?</p> <p>14 <b>A. Yes.</b></p> <p>15 Q. Okay. And so the text here at the -- the bottom</p> <p>16 line of text there above the little "donate" button says,</p> <p>17 "As a religion recognized by the U.S. Government,</p> <p>18 donations to The Satanic Temple are tax deductible."</p> <p>19 Did I read that correctly?</p> <p>20 <b>A. Correct.</b></p> <p>21 Q. Okay. So, again, the -- when I go to</p> <p>22 TheSatanicTemple.com, I see a statement these contri- --</p> <p>23 you know, donations are not tax deductible. When I go to</p> <p>24 TheSatanicTemple.org, I see that they are tax deductible.</p> <p>25 So is there some division of labor going on between</p>



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1 dot com and dot org? Do these represent different bank  
 2 accounts? Or, you know, when I'm contributing to one is  
 3 it going to one place and another one going to another  
 4 place?  
 5 **A. My understanding is that the dot org was -- you**  
 6 **know, it was better able to be used due to the structure**  
 7 **of the dot org site. However -- however, it was -- I**  
 8 **don't know the proper Web-building terminology, but**  
 9 **however this was generated on the FTP, yeah, I guess it's**  
 10 **not a WordPress site but works with a third-party**  
 11 **intermediary that specializes in being able to -- being**  
 12 **able to collect donations and do that kind of easy --**  
 13 **easy accounting and disbursement for you at a site called**  
 14 **"Flipcause."**  
 15 **So I think probably what we're seeing is a conflict**  
 16 **between dot com and dot org, because the dot com wasn't**  
 17 **updated to reflect the -- the division of the donation**  
 18 **through Flipcause on the -- on the dot org site. It's**  
 19 **kind of just a clunky growing pain of -- of changing**  
 20 **status and not having caught that on the dot com Web site**  
 21 **while setting up the dot org.**  
 22 Q. So is it your understanding, then, that any  
 23 donation made, whether it's on the dot com or on the dot  
 24 org Web sites, that any donation is tax exempt?  
 25 MR. KEZHAYA: Object to speculation.

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1 Q. You can answer.  
 2 **A. It was my understanding that the -- that originally**  
 3 **before that -- that tax exempt status, these kind of**  
 4 **donations would be -- that would be run through another**  
 5 **third-party intermediary on the dot com through a third**  
 6 **party called "Shopify" and that those were not tax**  
 7 **exempt.**  
 8 **But my understanding now is that they should all be**  
 9 **tax exempt and through the dot org site.**  
 10 Q. Say that again. They should all be tax exempt?  
 11 **A. And -- and should be -- and should be routed**  
 12 **through the -- the dot org site.**  
 13 Q. Okay. But what if somebody today goes and makes a  
 14 contribution -- say I go and make a contribution to  
 15 Satanic Temple.com? Is that going to be tax deductible  
 16 for me?  
 17 **A. I -- I don't -- I don't know. That's a fair**  
 18 **question. That's something I would have to -- I would**  
 19 **have to check into.**  
 20 Q. Okay. All right. You can set that aside.  
 21 All right. Are you aware that many former Satanic  
 22 Temple members have claimed, you know, financial  
 23 improprieties or -- well, let me just stop there.  
 24 Are you aware that many former Satanic Temple  
 25 members have claimed financial improprieties on the part

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1 of the national organization?  
 2 MR. KEZHAYA: Object to hearsay.  
 3 **A. And, no, I'm not --**  
 4 Q. You're not aware --  
 5 **A. -- aware that --**  
 6 Q. -- of those claims?  
 7 **A. -- many have -- no, I -- I'm aware of a couple**  
 8 **claims, but I -- I don't think there's been many people**  
 9 **who have made that claim.**  
 10 Q. Okay. And what -- who are the people who've made  
 11 those claims?  
 12 **A. I don't readily recall. I think somebody from**  
 13 **formerly in the New York chapter was -- and I -- if I**  
 14 **remember correctly, the claims weren't specific. They**  
 15 **were speculative questions of, Where is the financing**  
 16 **going? Which is questions they could have always asked**  
 17 **us.**  
 18 Q. What do you mean by questions that could have been  
 19 asked of you?  
 20 **A. While they were engaged in chapter activities, if**  
 21 **they had issues or questions related to financing, they**  
 22 **could have asked us; but they did not. They instead left**  
 23 **and claimed that these questions were open and**  
 24 **unanswered.**  
 25 Q. Okay. So if -- if -- if a member of a chapter had

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1 asked about the finances of The Satanic Temple, you would  
 2 have answered the questions?  
 3 **A. Well, I mean, presumably. But I'd need a specific**  
 4 **question.**  
 5 Q. Okay. Are you aware that former Satanic Temple  
 6 members have claimed that The Satanic Temple doesn't  
 7 actually promote the goals that it claims to promote?  
 8 MR. KEZHAYA: Object to hearsay.  
 9 **A. I mean, that's a very -- very general claim. I**  
 10 **don't know . . .**  
 11 Q. How about the goals of diversity and concern for  
 12 women, racial minorities, and other marginalized groups?  
 13 MR. KEZHAYA: I'm going to issue a  
 14 standing objection to anything former -- any  
 15 accusations raised by a former Satanic Temple  
 16 member without them being identified minimally.  
 17 MR. CANTRELL: And I'll just say for the  
 18 record to the hearsay objection I'm not -- I'm  
 19 not asking these questions or offering them for  
 20 any truth of the matter. I'm offering them  
 21 merely for the fact that they are claims that  
 22 have been made.  
 23 Okay. So I'll -- I'll ask it again.  
 24 Q. (Mr. Cantrell) Are you aware of -- people have  
 25 claimed lack of diversity and lack of concern for women,

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1 racial minorities, and other marginalized groups?  
 2 **A. I know there's been statements of generalized**  
 3 **concern lacking any specific incidents or complaint that**  
 4 **I'm aware of where people have said various things to**  
 5 **disparage The Satanic Temple.**  
 6 **And you can find no shortage of them, if that's**  
 7 **what you're looking for online.**  
 8 **(Exhibit 46 marked for identification.)**  
 9 Q. Okay. I'm handing you Exhibit 46.  
 10 And we've talked about Jex Blackmore. Do you  
 11 recognize this as an article she wrote titled, "The  
 12 Struggle for Justice is Ongoing"?  
 13 **A. Yes.**  
 14 MR. KEZHAYA: I object to this article as  
 15 hearsay.  
 16 Q. Okay. Have you -- tell you what, take a look at  
 17 Page 4. And up at the top and read -- read it with me as  
 18 I read it.  
 19 The top line says: "Over the years, members and  
 20 chapter heads have requested and proposed the  
 21 implementation of a gender, sexual, and racial diversity  
 22 policy to ensure equity within TST leadership and  
 23 alignment to the mission. The demand was not simply  
 24 ignored but completely dismissed."  
 25 Did I read that correctly?

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1 **A. You did.**  
 2 Q. Okay. So is it true that before February 2018,  
 3 members and chapter heads requested that The Satanic  
 4 Temple implement a diversity policy?  
 5 **A. It is not true.**  
 6 **And in fact after Jex posted this letter, I**  
 7 **publicly, very publicly absolved her of any NDA**  
 8 **requirements she had that would prevent her from showing**  
 9 **any documented evidence of these claims and that she**  
 10 **could do so without fear of any legal reprisal to**  
 11 **substantiate these claims she was making.**  
 12 **And in fact she ignored that entirely. She did not**  
 13 **because those -- those concerns were never raised at a**  
 14 **time -- and in fact this entire letter she wrote has been**  
 15 **publicly proven a lie, as this was said to be her reasons**  
 16 **for leaving The Satanic Temple.**  
 17 **But even now we can see that since the making of**  
 18 **the film Hail Satan? she was actually thrown out of The**  
 19 **Satanic Temple for inflammatory rhetoric she made in**  
 20 **public at a public-facing event where she called for the**  
 21 **assassination of the President.**  
 22 **And this was her way of trying to position herself**  
 23 **as a maligned hero, when in fact none of what she was**  
 24 **saying here held any truth.**  
 25 Q. So there was no diversity policy implemented before

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1 February 2018; is that right?  
 2 **A. There was -- there was no specific policy regarding**  
 3 **diversity beyond the general requirement we've always had**  
 4 **amongst our chapter and our membership that they be all**  
 5 **inclusive regarding gender, sexual, and race -- racial**  
 6 **diversity.**  
 7 Q. Okay. Take a look at -- again there on Page 4, the  
 8 bottom paragraph. Read with me.  
 9 So it says: "Members of the public donate money to  
 10 support TST's campaigns in regard to women's rights and  
 11 religious liberty lawsuits and events. However, despite  
 12 many requests from Temple chapters, the organization  
 13 refuses to share how these donated funds are spent.  
 14 "Currently there is no way of knowing if the money  
 15 donated actually supports their legal actions. In fact,  
 16 as far as I know, members do not know how they fund the  
 17 products in their store, the Salem -- the gallery in  
 18 Salem, or the many lawsuits they've taken on.  
 19 "Countless lawsuits have been announced or  
 20 'planned.' Many have not been followed through; and,  
 21 oftentimes, the legal actions are strategically sloppy.  
 22 "Dozens of dedicated, supportive chapters across  
 23 the country regularly commit their time and resources to  
 24 raising money for the Temple, yet members have no voice  
 25 in how the money is spent. They do not decide how it's

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1 allocated, and they do not know where it goes.  
 2 "Unlike other chartable groups, there is no public  
 3 organizing board or regular financial disclosures, and  
 4 there's zero oversight."  
 5 Okay. Did I read that correctly?  
 6 **A. You did.**  
 7 Q. So you've testified that members donate money to  
 8 The Satanic Temple's campaign?  
 9 **A. Correct.**  
 10 Q. Okay. And members have requested that The Satanic  
 11 Temple explain how donated funds are spent, right?  
 12 MR. KEZHAYA: Objection. This is clearly  
 13 being used for the truth of the matter  
 14 asserted.  
 15 MR. CANTRELL: I'm asking him the  
 16 question.  
 17 MR. KEZHAYA: Because --  
 18 MR. CANTRELL: No. I'm asking him the  
 19 question.  
 20 MR. KEZHAYA: I understand you're asking  
 21 him a question, but the question is rooted in  
 22 hearsay; and I'm noting an objection for the  
 23 record. This is not a time for colloquy, so I'm  
 24 noting it in a nonconfrontational manner.  
 25 MR. CANTRELL: And I'm responding in a

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1 nonconfrontational manner that I'm asking the  
 2 witness to respond to the question.  
 3 MR. KEZHAYA: Go ahead and answer.  
 4 **A. Okay. I am not aware of any instance in which**  
 5 **members have approached us demanding financial disclosure**  
 6 **to see how things were spent and us refusing that**  
 7 **request.**  
 8 **And, again, it goes back to my answer that she was**  
 9 **absolved from her NDA to -- was given permission to**  
 10 **publicly post any documented evidence of what she was**  
 11 **saying.**  
 12 **And the fact of the matter was she was far removed**  
 13 **from any of the processes and -- and activities of The**  
 14 **Satanic Temple by the time we had kicked her out. She all**  
 15 **of a sudden reemerged after a couple years of inactivity,**  
 16 **did her public-facing event where she was calling for the**  
 17 **assassination of the President; we kicked her out.**  
 18 **That is all publicly available and known, and she**  
 19 **made up this story after the fact.**  
 20 **And I think it's also something that can be seen**  
 21 **and apparent even now that we clearly do follow through**  
 22 **on our legal campaigns.**  
 23 **And our -- our donations are usually pretty sparse.**  
 24 **And the people who do donate to us usually do in a very**  
 25 **low amount. I would say that the -- the -- the value**

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1 **of -- the average value is -- is remarkably low, and it**  
 2 **usually doesn't make up the cost of -- of legal suits**  
 3 **like the Missouri reproductive rights, the Scottsdale**  
 4 **case, or others that have run us pretty deeply in the**  
 5 **red.**  
 6 Q. So members don't decide how their donations are  
 7 allocated, do they?  
 8 **A. Well, they do if they -- if they decide to donate**  
 9 **to a specific campaign.**  
 10 Q. Okay. So if -- if I donate to a particular  
 11 campaign, I can be sure that my money will be spent for  
 12 that particular campaign only?  
 13 **A. Right, correct.**  
 14 Q. Okay. And members don't have oversight over how  
 15 money they donate is spent, right? I mean, they --  
 16 they're not behind you making sure that you're spending  
 17 it on those particular campaigns?  
 18 **A. Nobody's asked us for invoices, but they can see**  
 19 **that we follow through on what they've financed.**  
 20 **For instance, we crowd funded for the Baphomet**  
 21 **monument. We were underfunded for that. We made up the**  
 22 **loss, and we still came through with what we were doing.**  
 23 **And people count on us for that.**  
 24 **(Exhibit 47 marked for identification.)**  
 25 Q. Okay. You can set that aside.

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1 I'm handing you Exhibit 47.  
 2 Do you recognize this as Emma Story's post, "Why  
 3 I'm Leaving The Satanic Temple," posted August 7, 2018?  
 4 MR. KEZHAYA: Renew the objection to  
 5 hearsay.  
 6 **A. Yes, I do.**  
 7 Q. Okay. Take a look at Page 4, that first full  
 8 paragraph. And there is a -- let's just take a look at  
 9 that.  
 10 So the first full paragraph: "The other major point  
 11 that keeps getting brought up in discussions of  
 12 Randazza" -- Randazza is I take it an attorney that was  
 13 retained?  
 14 **A. Correct.**  
 15 MR. KEZHAYA: Object to form.  
 16 Q. And he represented The Satanic Temple in the  
 17 lawsuit against Twitter; is that correct?  
 18 **A. I don't know if you would elevate it to the status**  
 19 **of lawsuit that was filed through the Massachusetts**  
 20 **Commission against Discrimination.**  
 21 Q. Okay. But there was an action in the  
 22 Massachusetts -- what did you call it?  
 23 **A. The Massachusetts Commission Against**  
 24 **Discrimination.**  
 25 Q. Okay. And -- and he represented you with respect to

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1 that proceeding, correct?  
 2 **A. Correct.**  
 3 Q. Okay. Okay. So going back: "The other major point  
 4 that keeps getting brought up in discussion of Randazza  
 5 is the fact that he has offered to represent TST pro  
 6 bono, meaning no valuable resources would be diverted  
 7 from other campaigns.  
 8 "I agree that this is a rare opportunity, one that  
 9 I wish TST were given more often. But since this is in  
 10 fact the case, I have to wonder why so much of TST's  
 11 messaging to members and the general public about the  
 12 Twitter lawsuit has focused on a need to raise funds.  
 13 "I've gone back and re-read a lot of this material  
 14 over the past few weeks and have come to the conclusion  
 15 that this misdirection is deliberate, and I object to it  
 16 in the strongest possible terms."  
 17 Did I read that correctly?  
 18 **A. Correct.**  
 19 Q. Okay. So The Satanic Temple used the Twitter  
 20 lawsuit to raise funds, correct?  
 21 **A. That was a limited time.**  
 22 **I objected to that too, because that was a -- that**  
 23 **was a mistake. Somebody else was running the Flipcause**  
 24 **page. She was under the impression that we were -- we**  
 25 **were paying full attorney fees.**

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1 **And I -- I don't know how many days this thing was**  
 2 **up regarding The Satanic Temple V. Twitter; but it was**  
 3 **definitely revised to reflect the pro bono support of the**  
 4 **attorney, Marc Randazza.**  
 5 Q. Okay. Are you aware that a significant amount of  
 6 money was raised through that donations page on  
 7 Flipcause?  
 8 **A. Oh, I don't think -- I don't think a significant**  
 9 **amount of money was raised through that.**  
 10 MR. CANTRELL: Give me one moment.  
 11 Q. (Mr. Cantrell) Do you have any idea how much money  
 12 might have been raised through that, through that page?  
 13 **A. I do not.**  
 14 **When I noticed that it said we were fund-raising**  
 15 **for that, I asked for it to be revised; so I don't**  
 16 **imagine it was up very long.**  
 17 Q. Okay. Would it surprise you if I told you that  
 18 \$5,000 was raised?  
 19 **A. I couldn't -- I couldn't tell you what -- I don't**  
 20 **know what a number was on that.**  
 21 Q. Okay. So it's -- it's not true that if you donate  
 22 to a particular campaign, then your money is sure to be  
 23 used only on that campaign; correct?  
 24 **A. No, if you donate to a particular campaign and that**  
 25 **campaign is incurring expenses, you -- then your money**

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1 **will go to that campaign.**  
 2 Q. So where did the --  
 3 **A. I think in the wording on some of the Flipcause**  
 4 **stuff, it said we're building a legal war chest. But when**  
 5 **we -- when we have the discrete campaigns like those do**  
 6 **go to the campaigns.**  
 7 Q. So where did the money that was raised for the  
 8 Twitter lawsuit wind up?  
 9 **A. Well, again, I don't know that money even was**  
 10 **raised for the Twitter lawsuit.**  
 11 Q. Okay. So you don't know where any money that was  
 12 raised for that campaign went?  
 13 **A. I would assume it went -- went towards whatever**  
 14 **filing fees we may have incurred through the Twitter**  
 15 **lawsuit.**  
 16 **But I don't -- I don't know that we actually**  
 17 **generated any, any donations. It wouldn't surprise me if**  
 18 **the amount was zero, because that's a -- that's the**  
 19 **average day.**  
 20 Q. Okay. Well, let me -- and I've only got one copy of  
 21 this.  
 22 So take a look at this. Tell me if you recognize  
 23 that.  
 24 **A. Okay. That seems to be the -- the --**  
 25 MR. KEZHAYA: Let me see that.

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1 **A. -- the last page.**  
 2 THE COURT REPORTER: I'm sorry. I didn't  
 3 hear you, sir.  
 4 MR. KEZHAYA: Sorry. Let me see that.  
 5 Do you have an affidavit of business  
 6 records from this organization?  
 7 MR. CANTRELL: That is what I have.  
 8 MR. KEZHAYA: Okay. I object to this as  
 9 hearsay.  
 10 Q. (Mr. Cantrell) Do you recognize that as a capture  
 11 of the Flipcause page for the Twitter lawsuit?  
 12 **A. I do.**  
 13 **But I will note that there was more to the page,**  
 14 **and I would suspect that there must have been language**  
 15 **involved that said "building a legal war chest"; because**  
 16 **that was my understanding of what was going to be on**  
 17 **Flipcause in general.**  
 18 Q. Okay. Let me have that back. I appreciate that.  
 19 So did this refresh your memory at all with respect  
 20 to whether or not funds was raised -- were raised for the  
 21 Twitter lawsuit or the Twitter proceeding?  
 22 **A. Well, I can see there that it says it does; that we**  
 23 **did.**  
 24 **It's always been my insistence that things funded**  
 25 **for are exactly what's funded for with that money, and**

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1 **that was part of why I said that that needed to be**  
 2 **changed.**  
 3 **But, if I do understand correctly, the page**  
 4 **contained language saying that excess funds and that type**  
 5 **of thing would go to a general legal war chest. And we do**  
 6 **have the general donations, which go towards --**  
 7 **disbursing towards wherever funds need to be.**  
 8 Q. Okay. All right. And you can set that aside.  
 9 The Satanic Temple didn't consult chapter heads  
 10 before filing the Twitter lawsuit or the Twitter  
 11 proceedings, did it?  
 12 **A. No, I don't believe there was consultation with --**  
 13 **with the chapter heads.**  
 14 **(Exhibit 48 marked for identification.)**  
 15 Q. Okay. Okay. I'm handing you Exhibit 48.  
 16 Do you recognize this as a post of a -- a "Autumn"  
 17 called, "Yet Another Quitting The Satanic Temple Post,"  
 18 posted August 13, 2018?  
 19 **A. I think this is the first I'm seeing of this. I**  
 20 **don't -- I don't -- I'm not aware of this article, and**  
 21 **I'm not aware of this person.**  
 22 Q. Okay. So you're not aware of -- of an individual  
 23 from The Satanic Temple New York City, The Satanic Temple  
 24 Colorado, and The Satanic Temple national organization  
 25 claiming -- making claims about the -- the Twitter

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1 lawsuit?  
 2 MR. KEZHAYA: Again I'm renewing my  
 3 objection to hearsay.  
 4 **A. I don't -- I don't understand.**  
 5 **Are you saying this -- this person, this person**  
 6 **here held all these positions?**  
 7 Q. Well, take a look. Take a look there at the bottom  
 8 of Page 2.  
 9 And the last line, the last line says, "I hereby  
 10 quit The Satanic Temple of New -- of NYC, The Satanic  
 11 Temple of Colorado, and The Satanic Temple National  
 12 Organization."  
 13 Do you see that text?  
 14 **A. Yes.**  
 15 Q. Okay. So do you have any familiarity with this, who  
 16 this person is?  
 17 **A. I have -- I have no idea who this person is.**  
 18 **(Exhibit 49 marked for identification.)**  
 19 Q. Okay. All right. All right. You can set that aside.  
 20 All right. I'm handing you Exhibit 49.  
 21 Do you recognize this as a post by -- it's signed  
 22 Ordo Sororitatis Satanicae. "Mary Doe Speaks Her Story -  
 23 The Satanic Temple, a Case Experience"?  
 24 **A. Yes.**  
 25 Q. Okay. Are you familiar with the individual who uses

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1 the -- the name Ordo Sororitatis Satanicae?  
 2 **A. Yes, I believe so.**  
 3 Q. Okay. Are you aware of any other names by which  
 4 this individual goes?  
 5 **A. Nikki.**  
 6 THE COURT REPORTER: Say it again, please.  
 7 THE WITNESS: Nikki.  
 8 MR. BAKER: How pedestrian.  
 9 Q. (Mr. Cantrell) Do you -- do you know a last name?  
 10 **A. I do not. Sorry.**  
 11 Q. Okay. So Nikki, N-I-K-K-I? Or N-I --  
 12 **A. N-I-K-K-I, I believe.**  
 13 Q. Okay. Are you familiar with Mary Doe, who's a  
 14 plaintiff for The Satanic Temple's Missouri lawsuit?  
 15 **A. Yes.**  
 16 Q. Okay. And tell me about -- about her.  
 17 Was she -- she was not a person with much money,  
 18 much -- much income, correct?  
 19 **A. Well, you went through and did a Google search for**  
 20 **every negative thing somebody said about The Satanic**  
 21 **Temple; so I guess we could be here the full seven hours.**  
 22 **But I wrote a full rebuttal to this piece that was**  
 23 **written that I'm not certain was actually written by the**  
 24 **person who was called -- named Mary Doe in the case. I'm**  
 25 **not sure there was ever actually confirmation of that.**

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1 **I feel that these are probably the words of -- of**  
 2 **Nikki herself, either with or without the permission of**  
 3 **Mary Doe.**  
 4 Q. So I'm asking you to -- to speak based on your  
 5 personal knowledge -- or, well, I'm asking you to speak  
 6 based on your knowledge as representative of The Satanic  
 7 Temple.  
 8 **A. Okay. I'm sorry. Then repeat the question.**  
 9 Q. Yeah.  
 10 So tell me about Mary Doe. Tell me about her  
 11 situation.  
 12 **A. Mary Doe was the original plaintiff against the**  
 13 **informed consent provision in Missouri which we felt made**  
 14 **receiving an abortion more -- more difficult and**  
 15 **prohibitive and -- and financially prohibitive as well.**  
 16 **She was a member of The Satanic Temple. She was**  
 17 **pregnant, looking to terminate her pregnancy. We gave her**  
 18 **a -- an exemption form against the informed consent**  
 19 **standards mandated by law in Missouri. The clinic did not**  
 20 **respect that exemption, and then we -- we filed a lawsuit**  
 21 **against the State of Missouri with Mary Doe as the**  
 22 **plaintiff.**  
 23 Q. Did Mary Doe ask to pull out of the case at any  
 24 time?  
 25 **A. No.**

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1 **Only after I believe there -- there was a ruling**  
 2 **did she claim that she was pulling out. But in fact we**  
 3 **threatened to stop working with her --**  
 4 THE WITNESS: Is this privileged? I -- you  
 5 guys would know better. These -- this has to do  
 6 with conduct between --  
 7 MR. KEZHAYA: Let me interject very  
 8 quickly.  
 9 THE WITNESS: -- my legal counsel.  
 10 MR. KEZHAYA: Nothing -- don't say  
 11 anything that you or TST said to whoever  
 12 counsel of record was or vice-versa. That's all  
 13 privileged. If you say something about it, it's  
 14 waived.  
 15 THE WITNESS: Sure.  
 16 **A. No, she -- she did not ask to pull out of the case.**  
 17 Q. (Mr. Cantrell) And so at no time did she ask to  
 18 cease being a plaintiff in the Missouri litigation?  
 19 **A. No.**  
 20 **She often threatened to pull out as a plaintiff if**  
 21 **certain demands she was making were not met. And we**  
 22 **responded by telling her that she could go ahead and pull**  
 23 **out of the case or she could go forward; but if she was**  
 24 **going to go forward, she needed to stop trying to hold us**  
 25 **hostage by threatening to pull out.**

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<p>1       <b>And then -- and then after that she -- she remained</b>  2       <b>silent, went through with the case. And then much later</b>  3       <b>on we saw this written after the -- after the litigation</b>  4       <b>was already decided.</b>  5       Q. Okay. So take a look at Page 5, that last question  6       there.  7       It says, "What would you like us to know that we  8       haven't covered?"  9       And it says, "Mary: People should question TST  10       before they join. They aren't for gay rights, women's  11       rights, trans rights or anything. Do your research. They  12       are out to make a name and nothing else. They didn't care  13       about me. I was a cash cow to them."  14       Was Mary Doe a cash cow to The Satanic Temple?  15       MR. KEZHAYA: Object to hearsay.  16       But go ahead and answer.  17       <b>A. No.</b>  18       <b>We lost a magnificent amount of money litigating</b>  19       <b>in -- in Missouri. We did not receive pro bono support.</b>  20       <b>I -- I don't know how far over the hundred thousand</b>  21       <b>dollar mark our -- our litigation in Missouri has gone,</b>  22       <b>but we certainly did not make money from it.</b>  23       Q. So The Satanic Temple did raise funds based on the  24       Missouri litigation, right?  25       <b>A. And we did spend funds on the Missouri litigation</b></p>	<p>1       Procedure, whatever the conditions are that are  2       imposed by them. I mean, there weren't any  3       stipulations.  4       MR. BAKER: Do you really want us to make  5       an objection every time you've asked for  6       hearsay or relevance?  7       MR. CANTRELL: What are your -- what are  8       your objections?  9       MR. BAKER: I have none. But my point is  10       and since Matt's brought up the -- the hearsay  11       objection and I'm -- I've remained quiet, I've  12       just assumed that anything that goes before the  13       Court in these depositions we could raise  14       any -- any objection as to relevance, hearsay,  15       competence, that sort of thing; that the only  16       thing we need to raise at this deposition in  17       order to let the deposition proceed smoothly  18       are questions as to form.  19       That's normally how depositions are done  20       in faith -- state or federal court. But if  21       that's not how it's going to be done, I'm going  22       to start being a little more alert to improper  23       questions or questions that calls for  24       inadmissible evidence.  25       And we won't be here five or six or seven</p>
<p>Page 210</p> <p>1       <b>and continue to do so.</b>  2       <b>(Exhibit 50 marked for identification.)</b>  3       Q. Okay. Take a look at this. I'm handing you  4       Exhibit 50.  5       MR. KEZHAYA: Once again renewing my  6       objection. This appears to be hearsay.  7       MR. CANTRELL: Okay. And I'll have the  8       same -- same response as made earlier.  9       Q. (Mr. Cantrell) Any questions I'll ask you are based  10       on your -- your knowledge as a representative of The  11       Satanic Temple.  12       MR. BAKER: Let me -- just to make sure,  13       we reserve all objections except as to form.  14       Aren't we -- is that the rules that we're going  15       by?  16       MR. KEZHAYA: No. We're operating under  17       the civil -- just the straight Rules of Civil  18       Procedure, which is they're not waived; but I'm  19       also not precluded from raising them.  20       MR. BAKER: Okay. But, I mean, we can  21       raise relevance, hearsay, et cetera, at trial;  22       can we not?  23       MR. KEZHAYA: We also can, yeah.  24       MR. CANTRELL: Well, I -- I think we're  25       operating under the Federal Rules of Civil</p>	<p>Page 212</p> <p>1       or eight hours; we'll be here until God knows,  2       next month. But I don't think you want that.  3       MR. CANTRELL: Well -- well, Chip, I --  4       why don't we -- I mean, I don't know what  5       you -- what you are wanting me to say --  6       MR. BAKER: I want to be able to preserve  7       any -- any objections to relevance, hearsay, or  8       anything other --  9       MR. CANTRELL: But you don't -- but you  10       said you don't have any objections, right?  11       MR. BAKER: Well, I haven't. But -- but  12       because he's raised them, I -- it dawns on me  13       that maybe y'all weren't operating under  14       standard stipulations; that objections as to  15       everything but form are preserved until -- are  16       reserved until trial.  17       And -- and if -- if that's not the case,  18       then I'm going to be listening much more  19       attentively to questions that call for hearsay  20       or that ask for irrelevant information or that  21       sort of thing, and that's just going to unduly  22       clog the record.  23       I don't think you want that.  24       MR. CANTRELL: Well, let -- I mean, let's  25       just handle it as --</p>

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1 MR. BAKER: I've been taking depositions  
 2 for 41 years, and this is sort of how we always  
 3 do it; but I'm -- but I just want to be sure.  
 4 Are you instructing me that that's not the  
 5 rules that we're following?  
 6 MR. CANTRELL: I think -- I mean, the way  
 7 that we've done all these depositions has been  
 8 in accordance with the Federal Rules of Civil  
 9 Procedure, so --  
 10 MR. BAKER: The Federal Rules of Civil  
 11 Procedure do not address that particularly.  
 12 MR. KEZHAYA: That's a usual set of  
 13 stipulations. It's 30(c)(1). I'll quote it for  
 14 y'all's benefit: "The examination,  
 15 cross-examination of a deponent proceed as they  
 16 would at trial under the Federal Rules of  
 17 Evidence, except for Rules 103," which I  
 18 believe is preserving a claim of error; meaning  
 19 we don't waive things by not raising them.  
 20 However, at some point we're all going to  
 21 be filing summary judgment motions; and I'd  
 22 rather not include brief texts on why  
 23 everything that we're talking about here today  
 24 is patently irrelevant, for example.  
 25 MR. CANTRELL: Well, if --

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1 MR. BAKER: That's correct. I mean, if --  
 2 MR. CANTRELL: If you have a particular  
 3 objection then --  
 4 MR. BAKER: You don't --  
 5 MR. CANTRELL: -- let's raise it then, and  
 6 then --  
 7 MR. BAKER: You don't want me to do that,  
 8 but I will.  
 9 MR. CANTRELL: Okay.  
 10 MR. KEZHAYA: To -- to be absolutely  
 11 clear, my interpretation of 30(c)(1) is that we  
 12 don't waive them, but we are not stopped from  
 13 raising them. The normal set of stipulations is  
 14 basically I guess to speed things along here.  
 15 MR. BAKER: Yeah, and that's what I'd like  
 16 to do.  
 17 MR. KEZHAYA: Sure.  
 18 MR. BAKER: Because it's already taken  
 19 forever.  
 20 MR. KEZHAYA: Yes, it is.  
 21 MR. BAKER: And, hell, I will object to  
 22 this whole deposition as being irrelevant; but,  
 23 you know, that's -- if -- if you're going to be  
 24 asking questions that I deem irrelevant and --  
 25 and take the position that if I don't raise it

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1 now, it's waived, I'll be -- we'll be taking a  
 2 very long time for all these depositions.  
 3 MR. CANTRELL: Well, Chip, I haven't  
 4 mentioned this; but have you made an appearance  
 5 in this case?  
 6 MR. BAKER: I'm here on behalf of Gerry.  
 7 MR. CANTRELL: And so you're not even  
 8 counsel of record in this case.  
 9 MR. BAKER: I -- I -- my partner is.  
 10 MR. CANTRELL: So --  
 11 MR. BAKER: Now, if you want to raise that  
 12 with the judge and have him disqualify me, have  
 13 at it. But I think --  
 14 MR. CANTRELL: I'm not wanting to do that.  
 15 That's the thing; I'm not wanting to do that  
 16 right now, at least.  
 17 MR. BAKER: So --  
 18 MR. KEZHAYA: I'd like to interject and  
 19 propose that maybe we have this discussion off  
 20 the record.  
 21 MR. CANTRELL: Well, I think we're -- I  
 22 think we've -- we're pretty much done with the  
 23 discussion.  
 24 I mean, if there's a particular objection  
 25 that -- that you feel like you need to make,

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1 then you can make it at that time.  
 2 MR. BAKER: At which time?  
 3 MR. CANTRELL: But I understand you to be  
 4 saying now that there's no --  
 5 MR. BAKER: All right. Okay.  
 6 Q. (Mr. Cantrell) Okay. All right. Okay. So I've handed  
 7 you Exhibit 50.  
 8 And, again, this is posted by Ordo Sororitatis  
 9 Satanicae.  
 10 **A. Uh-huh.**  
 11 Q. And the title is -- let's see, A "Witness and  
 12 Measure Taken, to Pronounce: The Satanic Temple - My  
 13 Experience."  
 14 Do you recognize this?  
 15 **A. Yes, I see that.**  
 16 Q. Okay. Are you aware that the author of this post,  
 17 whom you've identified as Nikki, is a former St. Louis  
 18 chapter head?  
 19 **A. Yes.**  
 20 Q. Okay. And she's also a former member of the  
 21 National Council?  
 22 **A. Correct.**  
 23 Q. Okay. And take a look at Page 21. The heading that  
 24 says -- on "Temple Funding," the first line says: "I have  
 25 no knowledge of what The Satanic Temple does with funding

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1 received or income from merchandise."  
 2 Did I read that correctly?  
 3 **A. Yes.**  
 4 MR. BAKER: Objection. Hearsay.  
 5 Q. Okay. Is it true that -- to your knowledge that  
 6 Nikki, the author of this post, had no knowledge of  
 7 funding received or income from merchandise to The  
 8 Satanic Temple?  
 9 MR. BAKER: Objection. Competence.  
 10 **A. No.**  
 11 **And it's -- it's my understanding that she**  
 12 **should -- I mean, she could have -- she could have asked**  
 13 **any of those questions; she could have done the research;**  
 14 **she could have talked to us.**  
 15 **I -- what we had was a schism around in 2018 when**  
 16 **people began to unify their message. And you can Google**  
 17 **us and find a bunch of negative material and throw it all**  
 18 **together and say that people seem to be saying the same**  
 19 **type of thing. And they're doing that on purpose.**  
 20 **But I never read this article by Nikki, nor -- nor**  
 21 **do I think there's any -- any substance to it.**  
 22 Q. Do you know whether Nikki was a bookkeeper?  
 23 **A. She was not.**  
 24 Q. You know that she was not?  
 25 **A. She was not a bookkeeper for The Satanic Temple.**

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1 Q. Okay. But do you know whether she was a bookkeeper  
 2 herself?  
 3 **A. No.**  
 4 Q. Okay. Okay. That last sentence there in that  
 5 paragraph says, "I did request summary financial  
 6 information and suggested it be made public on their Web  
 7 site as a transparency commitment to donors, whether or  
 8 not it was required. My requests and suggestions were  
 9 ignored."  
 10 Did I read that correctly?  
 11 **A. You did.**  
 12 Q. Okay. Did Nikki request financial information?  
 13 **A. I do not recall Nikki ever asking, at least me, for**  
 14 **any financial information or suggesting that it should be**  
 15 **posted publicly.**  
 16 Q. Okay. All right. You can set that aside.  
 17 Okay. And so I've got a number of interviews and  
 18 things, and we'll hold off on -- on most of those for  
 19 tomorrow, but there are a few that -- that I need to -- I  
 20 think I need to talk about with you today.  
 21 (Exhibit 55 marked for identification.)  
 22 Q. Okay. I'm handing you Exhibit 55.  
 23 Okay. Do you recognize this as an article in the  
 24 New York Times titled, "A Mischievous Thorn in the Side  
 25 of Conservative Christianity"?

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1 **A. Yes.**  
 2 Q. Okay. And did you and Cevin Soling or Malcolm Jarry  
 3 provide statements and information that was published in  
 4 this article?  
 5 **A. Yes.**  
 6 Q. Okay. And whenever you all have spoken to the  
 7 media, do you speak truthfully?  
 8 **A. I -- I believe so.**  
 9 Q. Okay. So have you ever spoken untruthfully to the  
 10 media?  
 11 **A. I mean, you would have to ask me on specific --**  
 12 **you'd have to ask me on specifics. But, as I sit here**  
 13 **now, I believe I answer truthfully to the media.**  
 14 Q. Okay. So, as you sit here now today, you don't know  
 15 of any instance where you have spoken untruthfully to the  
 16 media?  
 17 **A. I cannot think of an instance as I sit here right**  
 18 **now.**  
 19 Q. Okay.  
 20 **A. Of which I spoke untruthfully to media.**  
 21 Q. Okay. And -- and so as far as this article is  
 22 concerned, you don't recall any statements that you made  
 23 that would have been untruthful?  
 24 **A. That's correct.**  
 25 **But I'm not reading it again right now, and I don't**

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1 **think I've read it since it was published in 2015.**  
 2 Q. Okay. And, as far as Malcolm Jarry's concerned, do  
 3 you know of any incidents where he's spoken untruthfully  
 4 to the media?  
 5 **A. I can't think of any while I'm sitting here today.**  
 6 Q. Okay. And, just generally, your practice is to  
 7 speak truthfully to the media, I take it?  
 8 MR. KEZHAYA: Objection. Asked and  
 9 answered.  
 10 **A. Correct.**  
 11 **(Exhibit 56 marked for identification.)**  
 12 Q. Okay. All right. You can set -- set that aside. And  
 13 I'm handing you Exhibit 56.  
 14 MR. KEZHAYA: Which is this New York Times  
 15 article?  
 16 MR. CANTRELL: That is marked --  
 17 THE WITNESS: 55.  
 18 MR. KEZHAYA: 55.  
 19 MR. CANTRELL: Yeah, Exhibit 55.  
 20 (Discussion off the record.)  
 21 Q. (Mr. Cantrell) Okay. Do you recognize Exhibit 56 as  
 22 an article, "Hundreds Gather for Unveiling of Satanic  
 23 Statue in Detroit"?  
 24 **A. Yes.**  
 25 Q. Are you aware that Jex Blackmore gave statements



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1 and information to Time that was published in this  
 2 article?  
 3 **A. I believe you as you say that now, but I'm not**  
 4 **readily familiar with the content of this article as I**  
 5 **look at it.**  
 6 Q. Well, can you -- can you look through it and -- for  
 7 instance, Page 5 and the bottom of Page 2.  
 8 **A. I'm sorry. Where am I looking?**  
 9 Q. Can you look at the bottom of Page 2?  
 10 **A. Page 2, yes.**  
 11 Q. Okay. And that appears to be statements by Jex  
 12 Blackmore?  
 13 **A. Correct.**  
 14 Q. Okay. And did you know that she spoke to the writer  
 15 of this article?  
 16 **A. I -- I don't know about her discussion with the**  
 17 **writer of this article.**  
 18 Q. Okay. Were you aware that she was speaking to the  
 19 media in July of 2015?  
 20 **A. I -- I cannot say for certain that I knew.**  
 21 Q. Okay. Would it have been appropriate for her to  
 22 speak to the media at that time?  
 23 **A. I -- I know I didn't object to her having spoken to**  
 24 **the media at that time.**  
 25 Q. Okay. All right. And, as far as you know, she

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1 speaks truthfully when she speaks to the media?  
 2 MR. KEZHAYA: Objection. Speculation.  
 3 **A. Well, we covered her former article which I -- I**  
 4 **believe is entirely untrue. So, I mean, I would have to**  
 5 **see specific claims being made by her in order to**  
 6 **determine their truth or falsity.**  
 7 Q. So at the time that she was associated with The  
 8 Satanic Temple, did you have any reason to doubt that she  
 9 spoke truthfully when she spoke to the media?  
 10 MR. BAKER: Objection.  
 11 **A. I don't recall outstanding instances where she**  
 12 **spoke to the media and I thought that she had said things**  
 13 **that were lies.**  
 14 Q. Okay.  
 15 **A. While she was working with us in The Satanic**  
 16 **Temple.**  
 17 **(Exhibit 58 marked for identification.)**  
 18 Q. Okay. All right. I'm handing you Exhibit 58.  
 19 MR. KEZHAYA: If we could go off the  
 20 record briefly.  
 21 MR. CANTRELL: Okay.  
 22 THE VIDEOGRAPHER: We're going off the  
 23 record at 4:27 p.m.  
 24 (Discussion off the record. Recess taken.)  
 25 THE VIDEOGRAPHER: We are back on the

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1 record at 4:44 p.m.  
 2 Q. (Mr. Cantrell) Okay. So I've handed you Exhibit 58.  
 3 And do you recognize this as an interview published  
 4 under the title, "The Satanic Temple of NYC is Fighting  
 5 for Your Liberty and Your Uterus"?  
 6 **A. That's what I'm seeing, yes.**  
 7 Q. Okay. Are you familiar with this, this interview at  
 8 all?  
 9 **A. No, not -- not looking at it right now. I don't**  
 10 **readily recall this.**  
 11 Q. Okay. Take a look at Page 7. Up at the top it's  
 12 Page 7 of 14. And a few lines down it says, "The two TST  
 13 members interviewed were Draco Ignis and Hofman A.  
 14 Turing."  
 15 Do you recognize those names?  
 16 **A. Yes.**  
 17 Q. Okay. Do you know those individuals?  
 18 **A. I -- I -- I've met them before. I have met them**  
 19 **previously. They are no longer with The Satanic Temple**  
 20 **now.**  
 21 Q. Okay. Were you aware of that they gave an interview  
 22 to this publication called I guess Broke-Ass Stuart?  
 23 **A. I can't say that I was aware or unaware at the time**  
 24 **that they had done an interview.**  
 25 Q. Okay. If they had done an interview, would you have

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1 had knowledge of that fact?  
 2 **A. I don't know that I had knowledge of this before**  
 3 **the interview was done or if I was only aware of it**  
 4 **afterwards. I don't think I ever read this interview in**  
 5 **full.**  
 6 Q. Okay. So would anyone have authorized these two  
 7 individuals to speak to the media?  
 8 **A. I don't know that they were authorized; I don't**  
 9 **know that they weren't.**  
 10 Q. Would any -- would it have been the practice at the  
 11 time for The Satanic Temple to authorize individuals to  
 12 speak to the media?  
 13 **A. I don't recall at what point we put in National**  
 14 **Council standards that demanded that people speaking on**  
 15 **anything that could be construed on behalf of The Satanic**  
 16 **Temple be vetted through the National Council first.**  
 17 **I don't know if this predated this or not.**  
 18 Q. Okay. Would -- was there any requirement prior to  
 19 that that individuals get some type of authorization  
 20 before speaking to the media?  
 21 **A. It wasn't until we had our fully-formed National**  
 22 **Council that put in -- put in place specific standards**  
 23 **for media representation.**  
 24 Q. Okay. But was there an informal process of getting  
 25 authorization to speak to the media?

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1 A. No.  
 2 I mean, somebody might tell us this; or they --  
 3 they might not.  
 4 Q. Okay. So you did not -- The Satanic Temple did not  
 5 exercise control over individuals who spoke to the media  
 6 about The Satanic Temple?  
 7 A. Not before a certain time. And I can't readily --  
 8 readily recall when the time is where going forward from  
 9 there there was a strict requirement that media  
 10 representatives were -- media representatives and media  
 11 representation be vetted through the National Council.  
 12 Q. Okay. Do you recall when the National Council was  
 13 formed?  
 14 A. I do not.  
 15 Q. Okay. All right. These two individuals who wrote  
 16 this article, are you aware that they would have had  
 17 knowledge of The Satanic Temple?  
 18 A. Yes.  
 19 They -- they were part of the New York chapter.  
 20 Q. Okay. Were they -- were they leaders of the New  
 21 York chapter?  
 22 A. I believe -- believe Hofman was considered a  
 23 chapter head. There may have been multiple chapter heads  
 24 at the same time that he was a chapter head.  
 25 Q. Okay. Are you aware if anyone reviewed this

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1 interview before it was published?  
 2 A. No.  
 3 Generally journalists do not present their written  
 4 transcripts for review before publishing pieces, and I  
 5 would probably remember if this one had been.  
 6 (Exhibit 61 marked for identification.)  
 7 Q. Okay. Okay. I'm handing you Exhibit 61.  
 8 Do you recognize this as a Web page from  
 9 TheSatanicTemple.com titled, "The Satanic Temple  
 10 Library"?  
 11 A. Yes.  
 12 Q. And tell me about this page.  
 13 A. This is a page of recommended reading for people  
 14 interested in Satanism and The Satanic Temple.  
 15 Q. Okay. And there's -- there's a couple of books  
 16 listed under the Primary Reading heading, right? Revolt  
 17 of the Angels and -- by Anatole France. I don't know if  
 18 I'm pronouncing that correctly. And Steven Pinker's The  
 19 Better Angels of Our Nature: Why Violence Has Declined;  
 20 is that correct?  
 21 A. Correct.  
 22 Q. Okay. So Revolt of the Angels is a -- a literary  
 23 work?  
 24 A. Correct.  
 25 Q. Okay. And The Better Angels of our Nature is social

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1 psychology?  
 2 A. Yeah. It's a pretty broad social, psychological,  
 3 historical --  
 4 Q. Okay.  
 5 A. -- overview of the decline of violence throughout  
 6 the centuries.  
 7 Q. Okay. And then just looking through here, just  
 8 looking at the -- the headings, I mean, there's Literary  
 9 Satanism on Page 2; right?  
 10 A. Yeah.  
 11 Q. And then on Page 5 at the bottom, History of  
 12 Satanism; right? Do you see that?  
 13 A. Yes.  
 14 Q. Okay. And then let's see. It looks like Page 10  
 15 there's Satanism Today.  
 16 A. Yes.  
 17 Q. Okay. And then Page 12 there's Assault of the  
 18 Theocrats.  
 19 A. Yes.  
 20 Q. And -- and you just -- The Nature of The Satanic  
 21 Temple, you don't have any holy writ or sacred texts  
 22 here, right?  
 23 A. Well, we consider Revolt of the Angels primary  
 24 cannon; so I guess that's as close as it comes.  
 25 (Exhibit 63 marked for identification.)

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1 Q. Okay. All right. And you can set that aside.  
 2 All right. Now I'm showing you Exhibit 63.  
 3 Can you tell me what this is?  
 4 A. I've got it.  
 5 Q. Can you tell me, what is Exhibit 63?  
 6 A. It looks like it's screen grabs from the online  
 7 shop from The Satanic Temple Web site.  
 8 Q. Okay. And so these are items that are for sale on  
 9 SatanicTemple.com; is that right?  
 10 A. Correct.  
 11 Q. Okay. And when a person makes -- makes a purchase  
 12 on TheSatanicTemple.com of one of these items, where does  
 13 that money go? Does it go to a particular -- one of the  
 14 particular legal entities? Or does it go into an account  
 15 controlled by you? Or by Malcolm Jarry? Or what happens  
 16 to that?  
 17 A. Well, that -- that goes into a general fund.  
 18 Q. Okay. A general fund for non-tax exempt  
 19 contributions?  
 20 A. A -- a general fund I guess generated by the -- by  
 21 the for-profit incorporation of The Satanic Temple.  
 22 Q. Okay. And so that would be -- that would be the  
 23 United Federation of Churches?  
 24 A. I assume. I assume so.  
 25 Q. All right.

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1 **A. I think that's still how it breaks down now.**  
 2 Q. Okay. Okay. So do tax exempt donations and -- and  
 3 non-tax exempt contributions, do they both go into the  
 4 same account?  
 5 **A. Well, what do you mean by non-tax exempt? I --**  
 6 Q. So --  
 7 **A. I mean, my understanding is that all the donations**  
 8 **now are tax exempt, despite the language found on the dot**  
 9 **com as opposed to the dot org.**  
 10 Q. Okay. Okay. So contri- -- purchases, money --  
 11 proceeds from purchases, do they go into the same account  
 12 that receives these tax exempt contributions?  
 13 **A. I don't know. I assume so.**  
 14 Q. Okay. Do you know a -- a dollar amount of how  
 15 much -- how many sales were made from  
 16 TheSatanicTemple.com of merchandise in 2019?  
 17 **A. I do not.**  
 18 Q. Do you know that amount for 2018?  
 19 **A. I do not.**  
 20 Q. Okay. Do you have any idea of -- of generally how  
 21 much money is generated through sales of merchandise  
 22 through the Web site?  
 23 **A. I do not.**  
 24 Q. Okay. How would we go about determining that  
 25 information?

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1 **A. I don't know. Ask the accountants.**  
 2 Q. Okay. And I wanted to go back to something that you  
 3 had mentioned earlier.  
 4 You had mentioned the Johnson Amendment?  
 5 **A. Yes.**  
 6 Q. And I -- it was -- I think it was in connection  
 7 with the tax exempt status that you -- if I understand  
 8 you correctly, the Johnson Amendment was an obstacle to  
 9 your activity?  
 10 **A. No, the Johnson Amendment wasn't an obstacle to our**  
 11 **activity.**  
 12 **It was apparently an obstacle to the activities of**  
 13 **theocratic organizations who, through Trump, looked to**  
 14 **dismantle it and then thereby creating an environment in**  
 15 **which there were really no restrictions upon tax exempt**  
 16 **religious organizations at all.**  
 17 Q. Okay. So your -- your -- your principled reason for  
 18 not getting tax exempt status was because then you would  
 19 be restricted by the Johnson Amendment?  
 20 **A. Well, there was multiple reasons for us wanting our**  
 21 **tax exempt status, from trying to dispel with arguments,**  
 22 **court cases that we weren't a legitimate religion, from**  
 23 **recognition of the fact that there were no restrictions**  
 24 **placed upon organizations in gaining that kind of tax**  
 25 **exempt status.**

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1 **And also Trump had been indicating that he wanted**  
 2 **to take tax exempt status away from certain organizations**  
 3 **such as -- certain religious organizations such as The**  
 4 **Church of Scientology without qualifying why. And while**  
 5 **I'm no fan of The Church of Scientology, I thought it**  
 6 **might be a horrible precedent for a President to start**  
 7 **picking and choosing religions and taking tax exempt**  
 8 **status away from some.**  
 9 **And it would certainly be a fight we could fight**  
 10 **against to -- or to still try to maintain Government**  
 11 **viewpoint neutrality if we had been conferred with that**  
 12 **tax exempt status and then it was taken away.**  
 13 **I don't think we would have any standing to**  
 14 **complain about it if we had never had the tax exempt**  
 15 **standing to begin with and then the protocols were**  
 16 **changed that would prevent us from becoming tax exempt.**  
 17 **So in multiple interests, it -- in reference to**  
 18 **multiple interests, we -- we applied for our tax exempt**  
 19 **status.**  
 20 Q. Okay. Let me ask you about -- again, going back to  
 21 the -- the seven tenets, you mentioned that there was  
 22 a -- you know, a deliberative process that you went  
 23 through to -- to come up with those seven tenets, you and  
 24 Malcom Jarry.  
 25 I believe that was your testimony, correct?

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1 **A. Correct.**  
 2 Q. So what were the specific considerations that you  
 3 took into account when you were coming up with those  
 4 seven tenets?  
 5 **A. Well, that these were general kind of moral tenets**  
 6 **that we felt could lead to the optimal ordered life**  
 7 **without being too restrictive in the way that it could**  
 8 **become blindly dogmatic but still open to revision based**  
 9 **upon evidence, and I think that that's reflected also in**  
 10 **those tenets.**  
 11 **And our feeling was that at some certain point,**  
 12 **given the increases in human knowledge and the advances**  
 13 **of science, that there will be eventually some kind of**  
 14 **convergence point upon what is the best kind of optimal**  
 15 **moral behavior to be engaged in in a peaceful, nonviolent**  
 16 **society.**  
 17 **And that's what we were trying to reflect.**  
 18 Q. So are those tenets subject to change?  
 19 **A. They're subject to change with deference to the**  
 20 **best available evidence. So barring any -- any massive**  
 21 **reordering of our empirically-informed knowledge of -- of**  
 22 **the world, they should remain static.**  
 23 Q. Okay. And let me ask you: How do you make your --  
 24 well, how does -- how many employees does The Satanic  
 25 Temple have?

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1 **A. Now, when you say "The Satanic Temple," are you**  
 2 **talking about these individual entities, including**  
 3 **Cinephobia, that are under the umbrella of the larger**  
 4 **religious organization?**  
 5 Q. Well, you tell me what you mean when you describe  
 6 various employees; and I'll be happy to follow up with  
 7 any clarification questions.  
 8 **A. I -- okay. Well, I -- what do you mean? Like,**  
 9 **Cinephobia, do you -- do you hold that as a discrete**  
 10 **entity? Because I've described that that's a streaming**  
 11 **platform that generates its own revenue.**  
 12 Q. Uh-huh.  
 13 **A. And then, you know, there's the -- there's the**  
 14 **shop, and we have somebody else run the shop.**  
 15 **And -- and other than that, I think -- unless I'm**  
 16 **missing anything, I think beyond that there's just**  
 17 **individual discrete items of contract work, individual**  
 18 **projects that are -- that are paid for one at a time.**  
 19 **And those payments are made to various people.**  
 20 **And of course there's, you know, things like legal**  
 21 **counsel as well.**  
 22 Q. Okay. So there's -- you have one individual who  
 23 runs the shop.  
 24 So this is a person who, if I understand what  
 25 you're saying, fills orders that are submitted through

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1 the Web site for merchandise?  
 2 **A. Correct.**  
 3 Q. Okay. And that's one, one individual?  
 4 **A. Yeah. I think that's one person right now. Malcolm**  
 5 **works with whoever works in the shop. I don't think**  
 6 **there's -- I don't think there's two people.**  
 7 Q. Okay. And Cinephobia has how many employees?  
 8 **A. Cinephobia has two employees whose income is**  
 9 **generated through the sales of content on the TSTTV site.**  
 10 Q. Okay. And then what about the United Federation of  
 11 Churches?  
 12 **A. Well, back to Cinephobia.**  
 13 Q. Okay.  
 14 **A. So I don't know if you would consider content**  
 15 **creators as employees as well, but they have contracts**  
 16 **with us where they monetize their -- the projects as**  
 17 **they're viewed, so they also get payments.**  
 18 Q. Okay.  
 19 **A. Similar to royalties payments.**  
 20 Q. Okay.  
 21 **A. Or maybe exactly royalties payments.**  
 22 Q. Okay. Does Cinephobia pay a salary to anyone?  
 23 **A. I don't think we settled on those kinds of**  
 24 **agreements with the two people we're working with at**  
 25 **Cinephobia. I think right now they're pulling in**

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1 percentages.  
 2 Q. Percentages of -- of revenue?  
 3 **A. Percentages of revenue on content they've --**  
 4 **they've acquired or content they've created.**  
 5 Q. Okay. And then with the shop, is there a salary  
 6 paid to that individual?  
 7 **A. Yeah, but I -- I mean, salary I'm not sure or if**  
 8 **that's a -- I'm not sure if that's broken down into**  
 9 **hourly.**  
 10 **But we also have our -- our manager of the -- of**  
 11 **the gallery as well, and that's salaried.**  
 12 **And there are two or three other part-time people**  
 13 **who work at the headquarters, but I believe they're --**  
 14 **they're paid hourly dependent on when they come in.**  
 15 Q. Okay. And how about United Federation of Churches?  
 16 Any employees of the United Federation of Churches?  
 17 **A. I -- I don't know how -- when I say these are**  
 18 **employees of The Satanic Temple, I -- I just mean they --**  
 19 **they could be paid from any one of those entities. I**  
 20 **don't know actually how -- how the payroll funding is**  
 21 **worked out.**  
 22 Q. Okay. Okay. So any other employees of The Satanic  
 23 Temple other than those we've talked about?  
 24 **A. Not that I can recall sitting here today, but I**  
 25 **might amend that statement upon conferring with the**

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1 **cofounder later on.**  
 2 Q. How about you and Cevin? Do you receive a salary or  
 3 compensation?  
 4 **A. No, we don't receive regular compensation.**  
 5 Q. You don't receive a regular salary? Or you don't  
 6 receive --  
 7 **A. Correct. I mean, we do not.**  
 8 Q. Okay. How do you make your life -- well, I'll  
 9 ask -- I'll ask that another time.  
 10 How -- how does The Satanic Temple -- how does the  
 11 Satanic Temple compensate the managers? So Cevin  
 12 Soling -- excuse me -- Malcolm Jarry, and yourself?  
 13 **A. There -- there is no regular set compensation,**  
 14 **salary, or anything like that.**  
 15 **I haven't taken income from The Satanic Temple in**  
 16 **probably, like, four months now.**  
 17 Q. So formerly you took an income?  
 18 **A. Some -- sometimes to pay rent and that kind of**  
 19 **thing. It wasn't like -- there -- never more than \$2,000**  
 20 **a month.**  
 21 Q. Does The Satanic Temple pay for its managers'  
 22 business expenses?  
 23 **A. Oh, well, yes. Like -- like, if you're talking**  
 24 **about, like, flying to Arkansas and -- and different**  
 25 **Satanic Temple related business, yeah. I use the -- The**

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1 **Satanic Temple card on all of that.**  
 2 Q. Okay. So what all of business expenses does Satanic  
 3 Temple pay for?  
 4 **A. Are you able to narrow this down at all?**  
 5 Q. Well, sure. Say, take housing.  
 6 **A. No. Well, I mean, if you consider having taken**  
 7 **payment that goes towards rent, then -- then yes. But**  
 8 **there is no set protocol within our standards that --**  
 9 **that -- in which The Satanic Temple automatically pays**  
 10 **monthly my rent.**  
 11 Q. Okay. So do you take dividends? Or anything of that  
 12 nature?  
 13 **A. No. I just stay afloat.**  
 14 Q. You stay afloat?  
 15 **A. Correct.**  
 16 Q. Okay. So I take -- how does this work? Do you  
 17 and -- and Malcolm get together and decide what -- what  
 18 is to be done? How things are to be paid? What income is  
 19 to be paid out? What compensation is to be made?  
 20 **A. I -- I never -- I never sat with him and agreed**  
 21 **upon a salary for the manager of -- of Salem or the**  
 22 **part-time employees, so that's -- that's been within his**  
 23 **purview. I'm not sure what -- what their actual -- what**  
 24 **their actual payments are.**  
 25 Q. So when you received an income, was the same income

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1 paid to both managers?  
 2 **A. No.**  
 3 Q. Okay. What was the difference in the payment based  
 4 on?  
 5 **A. I -- I -- I don't know that -- I mean, I know**  
 6 **Malcolm has his own streams of revenue. And The Satanic**  
 7 **Temple has generally not generated revenue, so I don't**  
 8 **know that he's taken payments or not.**  
 9 MR. CANTRELL: All right. Well, let's take  
 10 a short break; and then we'll come back.  
 11 MR. BAKER: How short?  
 12 MR. CANTRELL: How short?  
 13 MR. BAKER: Yeah.  
 14 MR. KEZHAYA: We've got another hour on  
 15 there.  
 16 MR. BAKER: Yeah, I'm ready to get home. I  
 17 don't want to take too . . .  
 18 MR. CANTRELL: Yeah. Yes, brief break.  
 19 THE VIDEOGRAPHER: We're going off the  
 20 record at 5:11 p.m.  
 21 (Recess taken.)  
 22 THE VIDEOGRAPHER: We are back on the  
 23 record at 5:19 p.m.  
 24 MR. CANTRELL: Okay. Just a few more  
 25 questions.

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1 MR. KEZHAYA: I'm going to object to  
 2 further questions on financial, legal financial  
 3 relationships that TST has had at any time with  
 4 importantly Doug Misicko or Cevin Soling.  
 5 Direct the parties' attention to Page 27 and  
 6 Page 28 of the order.  
 7 The catch -- catch phrase here is at the  
 8 end of Page 28, "Having reviewed the entire  
 9 record" on substantially this very discovery  
 10 request, "the Court denies" defendant's "motion  
 11 to compel" TST "to respond further to  
 12 Interrogatory No. 9 as written."  
 13 It's my interpretation that under Rule  
 14 30(c)(2), I'm entitled to instruct the witness  
 15 not answer to enforce limitation of the Court.  
 16 My understanding is that is a limitation of the  
 17 Court, so I'm instructing the witness not to  
 18 answer further.  
 19 MR. CANTRELL: Well, Matt, I'm -- I'm done  
 20 asking him those types of questions.  
 21 MR. KEZHAYA: Very good.  
 22 MR. CANTRELL: For today, so . . .  
 23 MR. KEZHAYA: I'll note for the sake of  
 24 convenience or for all the parties, I will be  
 25 raising the exact same objection tomorrow and

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1 instructing the witness not to answer then as  
 2 well.  
 3 MR. CANTRELL: Okay. Well, I appreciate  
 4 that. All right. And we'll take that up then.  
 5 Q. (Mr. Cantrell) So, Mr. Misicko, I was going to ask  
 6 you about whose idea -- whose idea was it to place the  
 7 Baphomet monument statue on the Arkansas State capitol  
 8 grounds?  
 9 **A. I can't isolate a specific moment in time where**  
 10 **Malcolm and I had been discussing this and then decided**  
 11 **to go forward with the plan to offer the Baphomet**  
 12 **monument in Oklahoma, but it was through discussions with**  
 13 **Malcolm and I.**  
 14 Q. Okay. And you mentioned Oklahoma.  
 15 Were there different discussions about placing it  
 16 in Arkansas?  
 17 **A. Well, yes. Just those specific to -- to Arkansas.**  
 18 **But, you know, the Baphomet originally was offered to**  
 19 **Oklahoma and constructed at a time in which we believed**  
 20 **that, you know, the -- the -- the monument might stand on**  
 21 **the Oklahoma capitol grounds.**  
 22 Q. Okay. And, as far as Arkansas is concerned, did The  
 23 Satanic Temple develop a plan to propose the Baphomet  
 24 monument on Arkansas State capitol grounds?  
 25 **A. I'm sorry. More specifically?**

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1 Q. Yeah, did -- did The Satanic Temple have a -- a  
 2 plan for -- for trying to get the monument placed on the  
 3 Arkansas State capitol grounds?  
 4 **A. Well, I mean, self-evidently we -- we did and do**  
 5 **have that plan. You might still want to narrow down,**  
 6 **like, time and place and that type of thing.**  
 7 Q. Okay. So let me ask this: What process did you  
 8 believe you would need to go through in order to do that,  
 9 looking prospectively before you actually began the  
 10 process?  
 11 **A. Well, first I initially heard that Senator Rapert**  
 12 **was sponsoring a model legislation on behalf of an**  
 13 **organization or organizations that he refuses to**  
 14 **disclose.**  
 15 **And -- and then I was interested in seeing if we**  
 16 **could propose a Baphomet monument on the same Arkansas**  
 17 **grounds. And then thereafter and probably incrementally I**  
 18 **learned what the appropriate procedure was considered to**  
 19 **be in Arkansas for placing the Baphomet monument on**  
 20 **the -- on the capitol grounds.**  
 21 Q. Okay. What procedure did you understand that to be?  
 22 **A. Well, I believe at the time the procedure was such**  
 23 **that we -- and I'm not -- I'm not certain, because it got**  
 24 **convoluted, especially when the -- the procedural grounds**  
 25 **changed from under us retroactively in midprocess.**

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1 **But I remember we went to the Arts and Grounds**  
 2 **Commission. I believe we wrote our letter first to the**  
 3 **Arts and Grounds Commission to convey our -- our -- our**  
 4 **desire to donate our -- our monument to the capitol**  
 5 **grounds.**  
 6 **And I know we went to an Arts and Grounds**  
 7 **Commission meeting where they looked at the design**  
 8 **protocols of our monument, asked about its symbolic**  
 9 **nature, and determined it to be within their parameters**  
 10 **of that limited public forum.**  
 11 **And before we were moving to the public statement**  
 12 **or public comments part of that process, I believe that**  
 13 **was when Rapert introduced an emergency bill to demand**  
 14 **that monuments must have legislative sponsorship prior to**  
 15 **that public comments meeting.**  
 16 **And then we sought such sponsorship by reaching out**  
 17 **to every member of the General Assembly and letting them**  
 18 **know that the process by which Government agents are**  
 19 **allowed to engage in viewpoint discrimination regarding**  
 20 **what's an appropriate monument of religious expression**  
 21 **otherwise or not, what's inappropriate private donation**  
 22 **is -- is inherently discriminatory and that ours was a**  
 23 **message of pluralism and advancement and -- and**  
 24 **reaffirming of First Amendment values.**  
 25 **And as such we thought they should sponsor --**

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1 **sponsor our monument to maintain that environment. And --**  
 2 **and nobody did.**  
 3 Q. So you -- is it your understanding that if you had  
 4 gotten an act supporting your monument that you would  
 5 have been able to proceed to the public comments period  
 6 before the Arkansas Grounds -- the Arkansas Arts and  
 7 Grounds Commission?  
 8 **A. My understanding is that there is an explicitly and**  
 9 **openly discriminatory process in place in which the**  
 10 **adjudication of what is proper expression on the public**  
 11 **grounds is -- is determined by Government**  
 12 **representatives.**  
 13 **And, in order to not be discriminatory, it was my**  
 14 **feeling that it was their obligation to sponsor private**  
 15 **donations from -- from any viewpoint without deference to**  
 16 **their own viewpoint.**  
 17 **And I feel we kind of established that by showing**  
 18 **that the procedure was not amenable to outside viewpoints**  
 19 **but was determined by the personal viewpoints of those**  
 20 **members of the General Assembly.**  
 21 Q. So let me -- let me ask you again just to be sure I  
 22 understand.  
 23 Had you gotten an act of the Legislature supporting  
 24 your monument, at that point you would have been able to  
 25 proceed to a public comments hearing before the Arkansas

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1 Arts and Grounds Commission?  
 2 **A. The -- that's my understanding. We -- we needed to**  
 3 **have a bill passed.**  
 4 Q. Okay.  
 5 **A. That called for -- for allowing the -- the Baphomet**  
 6 **monument to be erected, and -- and then we moved to the**  
 7 **public comments hearing.**  
 8 **And then I think -- I don't think there were any**  
 9 **other -- I don't think there were any other deliberations**  
 10 **or hearings required before actually dedicating the**  
 11 **monument on the capitol grounds.**  
 12 Q. Okay. All right. What did you and Malcolm Jarry  
 13 discuss when you were deciding whether to propose a --  
 14 the Baphomet monument statue for placement on the  
 15 Arkansas capitol grounds?  
 16 **A. Again, this would have been like, what? Three, four**  
 17 **years ago. I -- something like that. So I think you'd**  
 18 **have to be more specific on, like, what kind of**  
 19 **conversations. I mean, we've had --**  
 20 Q. Yeah.  
 21 I'm just interested in knowing what considerations  
 22 you took into account when deciding whether to -- or how  
 23 to place -- try to place the monument?  
 24 **A. Well, I -- I think -- I don't think there was --**  
 25 **there's anything else that I can think of that would be**

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1 relevant to the discussion beyond those broad  
 2 considerations that we've already discussed.  
 3 Q. Okay. Broad dis- -- "broad considerations" being?  
 4 **A. Broad consideration including the fact that there**  
 5 **was a Ten Commandments monument on the public grounds;**  
 6 **that it was a new monument put there as a private**  
 7 **donation.**  
 8 **And, you know, as private donors ourselves, we felt**  
 9 **we had appropriate standing to propose the donation of a**  
 10 **monument ourselves. I mean, similar to the fact that we**  
 11 **had a -- a rally at the capitol grounds as -- as**  
 12 **Satanists with the Baphomet monument.**  
 13 **And to my mind there's little difference between**  
 14 **Arkansas acknowledging that we had the right to rally on**  
 15 **the public grounds with Baphomet, so I don't understand**  
 16 **on what basis they say we don't have the right to offer**  
 17 **our private donation of a monument. It's equally a -- a**  
 18 **limited public forum.**  
 19 Q. So let me ask this then: Are you aware of any  
 20 Arkansas members of The Satanic Temple who were members  
 21 before you began your efforts to place the Baphomet  
 22 statue in Arkansas?  
 23 **A. It's -- it's my understanding -- I could be**  
 24 **wrong -- that Mason was one of those, and that there were**  
 25 **others as well that we had -- had membership in Arkansas**

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1 **and that there's -- I -- I know there's a large, fairly**  
 2 **large community of people who identify with The Satanic**  
 3 **Temple in Arkansas and I think particularly in Little**  
 4 **Rock.**  
 5 MR. CANTRELL: All right. All right. No  
 6 further questions. Pass the witness.  
 7 EXAMINATION  
 8 BY MR. KEZHAYA:  
 9 Q. All right. You were testifying earlier about a  
 10 Twitter -- TST V. Twitter legal proceeding of some sort.  
 11 Do you remember that testimony?  
 12 **A. I do.**  
 13 Q. And you were shown a portion of a document that was  
 14 a Web site.  
 15 Do you remember that Web site?  
 16 **A. The -- the Flipcause Web site, correct.**  
 17 Q. Okay. I want you to take a look at this printout. I  
 18 only have one copy. And show Mr. Cantrell when you're  
 19 done looking at it.  
 20 **A. That -- is there a specific --**  
 21 Q. Just overall I -- I want you to see the -- the  
 22 document before I ask you additional questions about it.  
 23 **A. Okay. Correct, I -- I see the document. And I**  
 24 **see --**  
 25 Q. Okay.

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1 **A. -- more text on this document than on the prior**  
 2 **exhibit.**  
 3 Q. Show Mr. Cantrell that document.  
 4 **A. (Witness complies.)**  
 5 MR. CANTRELL: Okay.  
 6 Q. (Mr. Kezhaya) Do you recognize that document?  
 7 **A. I see that this is the full text of the Flipcause**  
 8 **page talking about funds raised for -- for supporting The**  
 9 **Satanic Temple v. Twitter and against religious**  
 10 **discrimination.**  
 11 Q. Okay. I want you to turn to Page 2 of that  
 12 document, the last header. Could you please read that  
 13 into the record.  
 14 **A. "Support Needed."**  
 15 Q. What is the full text under "Support Needed"?  
 16 **A. Makes it -- "Make a tax-deductible donation to**  
 17 **support The Satanic Temple's legal battles in defense of**  
 18 **civil liberties."**  
 19 Q. Is there anything in that statement that limits it  
 20 to the Twitter legal proceeding?  
 21 **A. No, there is not.**  
 22 Q. Okay.  
 23 THE WITNESS: I don't know if you need to  
 24 sticker this.  
 25 MR. KEZHAYA: Do we have any Plaintiff's

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1 stickers?  
 2 THE COURT REPORTER: Do you want to start  
 3 at P-1 sir, or do we have other numbers?  
 4 MR. KEZHAYA: Let's -- let's just append  
 5 it to the last one. What was the last exhibit?  
 6 THE WITNESS: The last exhibit was --  
 7 MR. KEZHAYA: 63. Let's call it 64.  
 8 THE COURT REPORTER: The last exhibit was?  
 9 MR. KEZHAYA: The last was 63. I'd like to  
 10 call this one 64.  
 11 THE COURT REPORTER: No problem. Let me  
 12 put a sticker on it real quick if you don't  
 13 mind, sir.  
 14 THE WITNESS: And will I put this on the  
 15 same pile?  
 16 MR. KEZHAYA: Yes.  
 17 If you could affix it just somewhere that  
 18 doesn't obscure any text.  
 19 THE COURT REPORTER: At the top that's  
 20 fine too.  
 21 (Exhibit 64 marked for identification.)  
 22 Q. (Mr. Kezhaya) You were also asked a series of  
 23 questions about legal and financial relationships between  
 24 discrete entities that comprise TST.  
 25 Do you remember that testimony?

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1     **A. Yes.**  
2     Q. In all respects have you consulted with subject  
3     matter experts on how to run TST within the confines of  
4     the law?  
5     **A. I -- can you -- can you specify?**  
6     Q. The way you run TST --  
7     **A. Yes.**  
8     Q. -- do you -- do you run it consistent with the  
9     advice by accountants and attorneys?  
10    **A. Yes, that is correct.**  
11        **The legal entities created, the way funding is**  
12        **routed, these are run through accountants and lawyers.**  
13        **They're not my -- my specialty.**  
14        MR. KEZHAYA: Okay. No further questions.  
15        THE COURT REPORTER: Are we ready to close  
16        this record out? Or are there any other  
17        questions?  
18        MR. BAKER: None from the Orsi plaintiffs.  
19        (Discussion off the record.)  
20        THE COURT REPORTER: The gentleman has  
21        asked for a moment.  
22        MR. CANTRELL: Yeah, I've just asked  
23        for -- for one moment.  
24        Okay. I don't have anything further.  
25        THE VIDEOGRAPHER: The deposition is

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1                   concluded at 5:38 p.m.  
2                   (Deposition concluded at 5:38 p.m.)  
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CERTIFICATE  
STATE OF ARKANSAS    )  
                          )ss  
COUNTY OF SALINE    )


I, Shyloa Myers, CCR, RPR, and Notary Public, do hereby certify that the foregoing testimony of the witness, 30(b)(6) REPRESENTATIVE OF THE SATANIC TEMPLE, DOUGLAS ALEXANDER MISICKO, was reported verbatim through the use of the stenographic method and transcribed by me or under my direct supervision to the best of my ability, taken at the time and place on the caption hereto.

I FURTHER CERTIFY that in accordance with Rule 30(e) of the Rules of Civil Procedure, review of the transcript WAS NOT requested.

I FURTHER CERTIFY that I am not a relative or employee of any attorney or employed by the parties hereto, nor financially interested or otherwise in the outcome of this action, and that I have no contract with the parties, attorneys, or persons with an interest in the action that affects impartiality or that requires me to provide any service not made available to all parties to the action.

WITNESS MY HAND AND SEAL this 10th day of April, 2020.

  
\_\_\_\_\_  
Shyloa Myers, RPR, Notary Public  
Arkansas CCR Lic. No. 710





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