

Exhibit 1

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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

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EFRAIN GALICIA, FLORENCIA TEJEDA PEREZ,
GONZALO CRUZ FRANCO, MIGUEL VILLALOBOS,
and NORBERTO GARCIA, as Administrator of
the Estate of JOHNNY HOSVALDO GARCIA
ROJAS,

Plaintiffs,

-against- Index No. 24973/2015E

DONALD J. TRUMP, DONALD J. TRUMP FOR
PRESIDENT, INC., THE TRUMP ORGANIZATION
LLC, KEITH SCHILLER, GARY UHER, EDWARD
JON DECK JR. and JOHN DOES 3-4,

Defendants.

-----X

VIDEOTAPED DEPOSITION OF
DONALD J. TRUMP
New York, New York
October 18, 2021

Reported By:
ERIC J. FINZ

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October 18, 2021

10:10 a.m.

Videotaped Deposition of DONALD J. TRUMP, taken by Plaintiffs, pursuant to Order, at the offices of The Trump Organization, Trump Tower, 725 Fifth Avenue, New York, New York, before ERIC J. FINZ, a Shorthand Reporter and Notary Public within and for the State of New York.

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1 DONALD J. TRUMP
2 have any reason to believe that the
3 statement that purports to be your
4 statement, which is the paragraph
5 beginning with "they were troublemakers,"
6 do you have any reason to believe that
7 that statement is an inaccurate recording
8 of the statement that you gave
9 Mr. Shearer in response to his question?

10 MR. ROSEN: Objection.

11 A. No, I think they were
12 troublemakers, yes. I do. I think they
13 were. And I think you see that in the
14 tape. If somebody wants to open their
15 eyes and take a look at the tape of the
16 attack that they made on security, or the
17 one gentleman was -- I don't know what
18 his position is. Maybe he was security.
19 But he was actually scared by your
20 client, it looked to me.

21 No, they were very -- you
22 know, I guess you could say violent.

23 Q. Mr. President, my question is
24 whether or not the paragraph beginning
25 with the sentence "they were

1 DONALD J. TRUMP

2 troublemakers" and ending with "we had to
3 change the plants," is an accurate
4 recording of the statement that you gave
5 to Mr. Shearer in response to his
6 question?

7 MR. ROSEN: Objection.

8 A. Let me -- you know, you're
9 asking that in a very interesting way.
10 Let me just say that I believe that the
11 statement I made to Mr. Shearer is an
12 accurate statement.

13 Q. Is the statement that you gave
14 Mr. Shearer accurately recorded in the
15 document that you're looking at?

16 MR. ROSEN: Objection.

17 MR. GOLDMAN: Objection.

18 A. I'd have to hear, you know,
19 the tape, I guess. How am I going to
20 know that. But I would say this: I
21 wouldn't be changing anything in that
22 statement. And that statement is
23 confirmed when you look at the tape of
24 your clients attacking somebody from
25 behind.

1 DONALD J. TRUMP

2 Q. Mr. President, does The Trump
3 Organization have a code of conduct for
4 its employees?

5 A. I don't know if we have
6 officially a code of conduct. Yes, you
7 have to behave. But I don't know that we
8 have an official code. You'd have to ask
9 the attorneys about that. There may be
10 something official. But you have to
11 behave. You have to obey the laws.

12 Q. You talked a little bit about
13 the footage you saw on the television
14 this morning of Mr. Schiller's conduct on
15 September 3, 2015. Do you consider
16 Mr. Schiller behaving in that video?

17 MR. ROSEN: Objection.

18 A. Absolutely. He did nothing
19 wrong. He went out -- I didn't know
20 about it. But he went out, he heard
21 there was a disturbance, and he went out.
22 And he took a 50 cent sign down that was
23 racist. He sees people dressed as Ku
24 Klux Klansmen or whatever. People were
25 probably complaining, I didn't ask him

1 DONALD J. TRUMP

2 about this, people were probably
3 complaining to him and security when it
4 happened.

5 And he went out, he took the
6 sign down. He then walked away. And he
7 was attacked from behind, and they tried
8 to get his gun. I don't even know if he
9 was carrying a gun. But if he was, they
10 were obviously trying to get it.

11 Q. What was the disturbance, as
12 far as you understand it, Mr. President,
13 that led Mr. Schiller to come out of the
14 building?

15 A. I don't know. He was in
16 charge of security. I knew knowing about
17 it that day.

18 Q. We'll come back to the events
19 of September 3, 2015 in a little bit.
20 But before we do that, Mr. President, I'd
21 like to ask you if you have any
22 recollection as to when you first met
23 Mr. Calamari.

24 A. Yeah, I believe the first time
25 would have been at a tennis match many

1 DONALD J. TRUMP

2 years ago, a long time ago. At a tennis
3 match where he was a security person
4 there.

5 Q. Was it the 1981 U.S. Open?

6 A. I don't know. But it could
7 have been, yeah.

8 Q. Who made the decision to hire
9 Mr. Calamari?

10 A. I did.

11 Q. And what was he hired to do at
12 first?

13 A. Security.

14 Q. Do you recall what his title
15 was when you first hired him?

16 A. No, I don't. I don't. But he
17 was a security person.

18 Q. While he was employed as a
19 security person, as you put it, did you
20 ever observe him responding to a threat?

21 A. Yes.

22 Q. Okay. Are you thinking of a
23 specific instance?

24 A. No. He was -- he's a strong
25 guy. He has a good sensibility. But no,

1 DONALD J. TRUMP

2 he was very good. He did a good job.

3 Q. Did you ever see him use
4 physical force in responding to a threat?

5 A. I would see him -- I saw him
6 in one or two fights, where people were
7 very aggressive and attacked him. I did
8 see that, yeah.

9 Q. Do you know approximately when
10 those fights occurred?

11 A. No. It was a long time ago.
12 I saw it at that tennis match, actually.
13 I mean, it was one of the reasons that,
14 you know, I thought he was good security,
15 is that they literally -- I believe it
16 was a match between Chris Evert and
17 Martina Navratilova, or something like
18 that. Are you impressed?

19 Q. I'm impressed. That's quite a
20 recollection.

21 A. And they had to stop the match
22 because people up in the top of the
23 stadium were screaming bad things. They
24 had to actually stop the match. They
25 probably had an alcohol problem at the

1 DONALD J. TRUMP

2 time.

3 And the other security guards
4 weren't doing anything about it. And the
5 match was called. The two women sat
6 down. And Matt went up and -- the whole
7 stadium was watching. And he spoke to
8 the people, but they were screaming and
9 they were really out of line. And I
10 guess they made the first move. But they
11 went after him. And he went after them.
12 And whatever had happened, he ended up on
13 top.

14 And the stadium was impressed
15 because it was a certain brave, you know,
16 there was a certain bravery there. And
17 the other security guards were not doing
18 anything. And during the course of that
19 time, maybe it was the following, but I
20 think it was then, we got his number and
21 we hired him as a security guard.

22 Q. And the fight that you just
23 described, did you witness that
24 firsthand?

25 A. Just like everybody else in

1 DONALD J. TRUMP

2 the stadium did, basically. It wasn't a
3 big fight. It was not a real big fight.
4 It was just, you know, he got them -- and
5 he got them to either calm down or I
6 think he took them out. I think he took
7 them out of the stadium.

8 Q. Well, that was before he was
9 employed by The Trump Organization.

10 A. That's correct.

11 Q. Did you ever see Mr. Calamari
12 use physical force in response to a
13 threat while he was working for The Trump
14 Organization?

15 A. I don't know. I mean, it's
16 possible that I did. I can't recollect
17 that. But I don't know.

18 Q. Do you have an approximate
19 idea of how soon after the U.S. Open
20 Mr. Calamari became an employee of The
21 Trump Organization?

22 A. I think fairly soon.

23 Q. Now, did Mr. Calamari's
24 responsibilities as an employee change
25 over time?

1 DONALD J. TRUMP

2 A. Yeah, he got -- he went up in
3 rank.

4 Q. Okay. Tell me about that. He
5 started as a security person, as you put
6 it. What was the first rank above
7 security person that Mr. Calamari
8 ascended to?

9 A. Right. Nothing overly
10 official. He started as security. Then
11 he became more or less a supervisor. And
12 then he became the head of security. And
13 then he got involved in the management of
14 buildings and things. And which is what
15 he does today. And he did -- he's done a
16 really good job.

17 Q. Who made the decision to
18 promote Mr. Calamari from security person
19 to the next level above security person?

20 A. Probably would have been me.

21 Q. And what about the promotions
22 beyond that?

23 A. It would have been me, yeah.

24 Q. And at some point Mr. Calamari
25 became the vice president of The Trump

1 DONALD J. TRUMP

2 Organization?

3 A. Yeah. Yes.

4 Q. And what was his title
5 officially?

6 A. I don't know the exact title.
7 But he became a vice president, yes.

8 Q. And was it vice president for
9 operations?

10 A. I believe so, yes.

11 Q. Okay. And who promoted him to
12 vice president of operations?

13 A. Me.

14 Q. Do you know approximately when
15 that was?

16 A. No. We could get you a date.
17 But I don't have it offhand, no.

18 Q. Was anybody else involved in
19 the decision to promote Mr. Calamari to
20 vice president of operations for The
21 Trump Organization?

22 A. No.

23 Q. Did you consult with anyone?

24 A. I think it just went that way.
25 If somebody would have had a problem, I

1 DONALD J. TRUMP

2 would have listened to that. Nobody had
3 a problem with it. I listen to people.
4 I listened to people that work for me, I
5 respect many of those people.

6 Q. From an organizational
7 structure perspective, Mr. President, is
8 there anybody between you and the vice
9 president of operations?

10 A. Well, I have my children in
11 the business, who are now grown and doing
12 a very good job. So they would be --
13 they would perhaps be involved in
14 something like that. But that would be
15 really a decision that I would generally
16 make.

17 Q. In 2015, were your children
18 able to give Mr. Calamari directions that
19 he would have to follow as part of his
20 employment?

21 A. Well, my children are involved
22 in the management of the company, et
23 cetera. So yeah, if they would have had
24 something I'm sure he would have listened
25 to them.

1 DONALD J. TRUMP

2 Q. I don't want to get into your
3 family, Mr. President, just to be clear.
4 My interest here has to do with the
5 employment structure of the organization.
6 So I would like to limit my questions to
7 that.

8 But do your children have
9 titles within The Trump Organization?

10 A. Yes.

11 Q. Okay. So can you tell me the
12 names of your children and their titles
13 as they were, to your recollection, in
14 2015?

15 A. Ivanka is a vice president.
16 Don is a vice president. And Eric is a
17 vice president.

18 Q. Do they have anything other
19 than the title vice president? Like for
20 instance Mr. Calamari is the vice
21 president of operations. Do your
22 children have specific vice president
23 titles?

24 A. I could get that for you.
25 But, you know, they are vice presidents.

1 DONALD J. TRUMP

2 Q. And in terms of the hierarchy
3 of the organization, are your children as
4 vice presidents subordinate to your
5 position as president?

6 A. Yes.

7 Q. But the vice president of
8 operations is subordinate to your
9 children's vice president offices. Is
10 that correct?

11 A. No, but similar. They all get
12 along. Very similar.

13 Q. Fair to say that they are on
14 the same level of management within the
15 organization?

16 A. More or less, yeah.

17 Q. Do any of your children have
18 the authority to set Mr. Calamari's terms
19 and conditions of employment in 2015?

20 A. Probably they work on it with
21 Matt, yeah. I could see that happening.

22 Q. Would they need your
23 authorization?

24 A. No, I don't think so.

25 Q. So your children could

1 DONALD J. TRUMP

2 unilaterally change Mr. Calamari's terms
3 and conditions of employment in 2015?

4 A. Yeah. If they thought he was
5 doing a good job, yeah, that would be
6 acceptable to me.

7 Q. Is it fair to say that
8 Mr. Calamari has earned more money with
9 each promotion?

10 A. Yeah, I would say so.

11 Q. And who made the decision to
12 increase Mr. Calamari's compensation with
13 his promotions?

14 A. I would imagine it was
15 primarily me.

16 Q. Do any other employees of The
17 Trump Organization have authority with
18 respect to Mr. Calamari's compensation?

19 A. It would be me.

20 Q. And was that the case in 2015?

21 A. Yeah.

22 Q. Has there ever been a time
23 from the time Mr. Calamari was hired
24 until September 3, 2015, when any other
25 employee of The Trump Organization had

1 DONALD J. TRUMP

2 authority over Mr. Calamari's

3 compensation?

4 A. It's a specific question, but

5 I would say that if the children would

6 have gotten together and recommended it,

7 that would have been fine too, you know.

8 No, but generally it would be me.

9 Q. Okay.

10 A. I'm the owner.

11 Q. Other than your children and

12 you, is there any other employee of The

13 Trump Organization who had authority with

14 respect to Mr. Calamari's compensation?

15 A. No, compensation generally was

16 handled by me.

17 Q. In 2015, who signed

18 Mr. Calamari's paychecks?

19 A. I assume it would be me or a

20 computer.

21 Q. When you say --

22 A. Meaning they go out by

23 computer.

24 Q. Like a direct deposit?

25 A. Maybe. But, you know, we have

1 DONALD J. TRUMP

2 a lot of employees. And it's different
3 than it would have been in the old days
4 where you would sign a check, like with
5 your firm, I'm sure. So, you know, they
6 are computer signed, essentially. But so
7 for the most part, you know, we have a
8 modern, or a pretty modern system, I
9 imagine. But essentially it would be me.

10 Q. In 2015, did Mr. Calamari have
11 authority to direct security personnel of
12 The Trump Organization?

13 A. Yes.

14 Q. Can you describe for me sort
15 of what you understand Mr. Calamari's
16 duties to have been in 2015?

17 A. Well, he was in charge of
18 security and in charge of management,
19 mostly buildings and properties that we
20 manage, that we own or manage for other
21 people. And that's what he did.

22 MR. ROSEN: Can we go off the
23 record for one moment?

24 MR. DICTOR: Sure.

25 THE VIDEOGRAPHER: Stand by,

1 DONALD J. TRUMP

2 counselors.

3 The time is approximately
4 11:03, we are going off the video
5 record.

6 (Discussion off the record.)

7 THE VIDEOGRAPHER: The time is
8 11:05 a.m., we're now back on the
9 video record.

10 Counselors, you may proceed.

11 MR. DICTOR: Thank you.

12 BY MR. DICTOR:

13 Q. Mr. President, in 2015, did
14 Mr. Calamari have authority to direct
15 security personnel of The Trump
16 Organization?

17 A. Yes.

18 Q. And how did he get that
19 authority?

20 A. He got it through the
21 corporation, which is headed by me.

22 Q. Did you ever discuss with
23 Mr. Calamari his authority to direct the
24 security personnel of The Trump
25 Organization?

1 DONALD J. TRUMP

2 A. It's possible over the years I
3 have. But no, not any time recently.

4 Q. When Mr. Calamari was
5 initially employed as a security
6 personnel, was he permitted to use
7 physical force as part of his job?

8 A. Well, I guess if somebody is
9 starting something, you have no choice.
10 But the answer is generally you would say
11 no. But if you're attacked, I imagine
12 you really don't have a choice.

13 Q. So other than self-defense,
14 was Mr. Calamari permitted to use
15 physical force in the course of his job
16 as a security personnel?

17 A. Well, self-defense -- yeah,
18 self-defense would be the reason.

19 Q. Are there any other
20 circumstances where someone in
21 Mr. Calamari's position as a security
22 personnel would be permitted, as an
23 employee of The Trump Organization, to
24 use physical force in the course of their
25 duties?

1 DONALD J. TRUMP

2 A. No, I wouldn't want someone to
3 use physical force, absolutely.

4 Q. Has Mr. Calamari ever had the
5 authority to change his own title within
6 the organization?

7 A. No, he wouldn't have to do
8 that. I would have done that if I felt
9 it was necessary.

10 Q. I'm not really asking whether
11 he would or wouldn't. I'm asking did he
12 have the authorities to change his own
13 title --

14 A. No.

15 Q. -- at any point?

16 A. No.

17 Q. What role did Mr. Calamari
18 have at any time for the organization
19 known as Donald J. Trump for President,
20 Inc.?

21 A. Well, I don't know from a
22 standpoint other than, you know, he would
23 make sure that we had good security as
24 far as this location or any location. I
25 want -- at a certain point when I was

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1 DONALD J. TRUMP

2 A. Right.

3 Q. Do you know approximately when
4 that was?

5 A. No, I don't.

6 Q. Was it around the same time
7 that Mr. Calamari was promoted to vice
8 president of operations?

9 A. It could have been.

10 Q. Who made the decision to make
11 Keith Schiller director of security?

12 A. Well, I would have had to
13 approve it. So I guess you'd say it was
14 me.

15 Q. So you had final say in the
16 matter?

17 A. Yes.

18 Q. Do you recall speaking to
19 anyone else about making Mr. Schiller the
20 director of security for The Trump
21 Organization?

22 A. No, no.

23 Q. How, if at all, did
24 Mr. Schiller's role change when he became
25 the director of security?

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1 DONALD J. TRUMP

2 aggressively. There was no need to be
3 aggressive.

4 Q. What about the defense of
5 other people, can Mr. Schiller as
6 director of security at the time use
7 physical force to defend other people?

8 A. That's a good point. I think
9 if somebody else is being hurt, if
10 somebody else is being attacked, I would
11 give them total permission to help that
12 person that's being attacked, absolutely.

13 Q. Did Mr. Schiller in fact have
14 such permission?

15 A. I think to me anybody would
16 have that kind of a permission. If
17 somebody's being attacked -- there is
18 nothing worse than -- and you have a
19 couple of very bad cases right now that
20 if you look at it, that were just in the
21 newspapers, where people were attacked
22 and everybody stood around and watched.
23 I think that's a horrible thing when that
24 happens.

25 So yeah, if somebody were

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1 DONALD J. TRUMP

2 safe?

3 MR. GOLDMAN: Objection.

4 A. You'd have to ask him.

5 Q. Did you ever observe, in 2015,
6 Mr. Schiller keeping you safe?

7 A. Yeah, he was with me. And
8 here I am. So I guess he did a good job.

9 Q. Who had the authority to set
10 Mr. Schiller's compensation when he was
11 director of security?

12 A. Me.

13 Q. Anyone else?

14 A. Not essentially, no.

15 Q. What do you mean "not
16 essentially"?

17 A. I guess the kids could have
18 gotten together, they could have spoken
19 with Matt perhaps. But, you know, but
20 basically it was me.

21 Q. Was there ever an instance
22 when Keith was working for you as a
23 security personnel at any level, that
24 Keith intervened to protect your physical
25 safety?

1 DONALD J. TRUMP

2 A. Well, I don't know of it. I
3 mean, it's possible. It's probable that
4 there was part of the -- the good news is
5 that I didn't have to -- I didn't -- I
6 don't remember seeing anything. But
7 there probably were times that I wouldn't
8 necessarily have seen it.

9 Q. In 2015, who are all of the
10 individuals in The Trump Organization who
11 had the authority to give directions to
12 Keith Schiller, as part of his job?

13 A. It would be mostly the
14 children, Matt, myself.

15 Q. In 2015, were there times when
16 you gave Mr. Schiller directions
17 personally?

18 A. Just do a good job at
19 security.

20 Q. But you recall giving him such
21 an instruction in 2015?

22 A. I don't know that it had to be
23 said. I'm not sure that I ever said it
24 that way. I think it's obvious, you're
25 in charge of security. You want to do it

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1 DONALD J. TRUMP

2 apologize for the question, when I say
3 Trump Tower, I'm referring to 725 Fifth
4 Avenue. You understand that?

5 A. Yes.

6 Q. Did there come a time when
7 Mr. Schiller had an office here?

8 A. I believe so.

9 Q. Where was his office located?

10 A. In the management area. It
11 would have been in the management area.
12 Maybe up by our offices a little bit.
13 But I would assume in the management area
14 of the building.

15 Q. When Mr. Schiller was director
16 of security, he had an office on the same
17 floor as your office. Correct?

18 A. There was an office there.
19 And I would say that for him and a couple
20 of other people they'd use that office,
21 yeah.

22 Q. And approximately how far was
23 that from your personal office?

24 A. 100 feet or so.

25 Q. And what floor of 725 Fifth

1 DONALD J. TRUMP

2 Avenue is that on?

3 A. 26th.

4 Q. Do you know who made the
5 decision to give Mr. Schiller an office
6 there?

7 A. Would have been me.

8 Q. As director of security, was
9 it one of Mr. Schiller's responsibilities
10 in 2015 to prevent crime in front of
11 Trump Tower?

12 A. Would have been one, yeah.

13 Q. And as director of security in
14 2015, was it one of Mr. Schiller's job
15 responsibilities to prevent
16 demonstrations in front of Trump Tower?

17 A. No, not demonstrations. If
18 they were legal demonstrations and if
19 they were -- we've had demonstrations in
20 front of Trump Tower. And we have
21 nothing to do with it if they're -- if
22 they're fair and good. In some cases I
23 guess people need permits, so we'll see
24 if, you know, people have permits. But a
25 lot of times you need permits now for

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1 DONALD J. TRUMP

2 behind.

3 Q. Did you ever become aware of
4 why Keith Schiller took the sign away?

5 MR. ROSEN: Objection.

6 A. No, I didn't.

7 Q. So as you sit here today, you
8 don't know why Mr. Schiller took the sign
9 away?

10 A. No, I didn't. No, I don't.

11 Q. Did there ever come a time
12 when Mr. Schiller expressed to you that
13 he believed the sign was racist?

14 A. No, I didn't discuss it with
15 him.

16 Q. Now, following your
17 announcement for your candidacy in 2015,
18 Mr. Schiller traveled to campaign events
19 with you. Is that correct?

20 A. Yeah. And others.

21 Q. And others what?

22 A. And others would travel too.

23 Q. Oh. I didn't know if you
24 meant other events or other people.

25 A. Other people.

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1 DONALD J. TRUMP

2 Q. Okay. Mr. President, looking
3 at the first unnumbered paragraph on the
4 first page of Plaintiffs' Exhibit 101, do
5 you see the third line from the bottom of
6 that paragraph that starts with
7 "Accordingly"?

8 A. Yes.

9 Q. Do you know what is meant by
10 "material condition of your employment
11 with the Trump corporation" there?

12 A. I guess it just means that
13 based on whatever this says, you know,
14 this would be another reason that we will
15 be hiring somebody. Again, very
16 standard.

17 Q. Directing your attention to
18 the third -- I'm sorry, the second page
19 of this document, numbered paragraph 7.
20 Do you see where it says, "No change or
21 waiver of the terms, covenants and
22 provisions of this agreement shall be
23 valid except if in writing and signed by
24 Donald J. Trump"?

25 A. Yeah.

1 DONALD J. TRUMP

2 Q. What does that mean to you?

3 A. Very much what it says.

4 Because, you know, anybody -- they would
5 make a deal with him at a lower level,
6 and I would have to approve it,
7 basically.

8 Q. So is it correct,
9 Mr. President, that only you have
10 authority to change or waive the terms of
11 an employee confidentiality agreement
12 with an employee of The Trump
13 Organization?

14 A. Well, effectively, yes, I
15 would have to approve it. Somebody else
16 would do it, but I would have to approve
17 it. Which I would imagine in all cases I
18 would.

19 Q. Do you have any recollection
20 of changing the terms and conditions of
21 any security guard's employment with
22 respect to their confidentiality
23 agreement in 2015?

24 A. No, I don't.

25 MR. DICTOR: I can take that

1 DONALD J. TRUMP

2 back from you now if you're through
3 with it.

4 THE WITNESS: Okay.

5 Q. Mr. President, do you know
6 whether or not all security personnel for
7 The Trump Organization are required to
8 sign confidentiality agreements as a
9 condition of their employment?

10 A. I don't know. But a lot of
11 people are required to. A lot of people
12 beyond security are required to.

13 Q. And you have firsthand
14 knowledge of that?

15 A. I just know they do.

16 MR. DICTOR: Rob, could you
17 please put Plaintiffs' Exhibit 106
18 on the screen.

19 (Plaintiffs' Exhibit 106 for
20 identification, employment
21 application, production numbers TMP
22 89 through TMP 90.)

23 MR. DICTOR: I'm showing the
24 witness a two-page document that's
25 been marked as Plaintiffs' Exhibit

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1 DONALD J. TRUMP

2 (A video was played.)

3 BY MR. DICTOR:

4 Q. Right there, do you see
5 yourself looking to your left?

6 A. Yeah.

7 Q. And Keith Schiller was
8 standing to your left?

9 A. Security was. I wasn't
10 looking at him. I was looking at
11 security. We had a lot of security
12 there.

13 Q. And then you said, "go ahead."
14 Correct?

15 A. Yeah, go ahead and remove him.
16 (A video was played.)

17 BY MR. DICTOR:

18 Q. Right there at the 1 minute
19 and 14 second mark you said "go ahead."

20 A. But right behind him you had
21 security. I mean, it was him and it was
22 other people.

23 Q. Now, at the 1 minute and 15
24 second mark, Mr. Trump, approximately how
25 far is Keith Schiller from you in that

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1 DONALD J. TRUMP

2 A. I don't know.

3 Q. -- of the press conference?

4 A. I don't know.

5 Q. Is the conduct of Keith
6 Schiller that you observed in that video,
7 is that appropriate conduct for a
8 security guard of The Trump Organization?

9 MR. ROSEN: Objection.

10 MR. GOLDMAN: Objection to the
11 form.

12 A. I think more than appropriate.
13 I think most security guards would have
14 wrestled him to the ground and would have
15 carried him out.

16 Q. Are the security guards of The
17 Trump Organization, if you know, are they
18 authorized to wrestle someone to the
19 ground in a situation like the situation
20 Jorge Ramos --

21 A. I think he has to use his best
22 judgment.

23 Q. Mr. President, if you could
24 let me finish the question.

25 Are the securities guards of

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1 DONALD J. TRUMP

2 The Trump Organization authorized to
3 wrestle someone to the ground in a
4 situation like the one that Jorge Ramos
5 presented?

6 A. Sure. I would have said they
7 would have been authorized. They have to
8 use their own best judgment. But if they
9 did in that case, I think that he was
10 treated very well. I think a lot of --
11 I'm not talking about our security, I
12 think a lot of security companies would
13 have wrestled him to the ground, or would
14 have taken him out in a different manner.
15 I think some of them would have started
16 swinging, frankly. No, I think it was
17 very well handled.

18 I also think he posed a
19 physical danger. Because he was
20 sitting -- he was right in front of me.
21 And he's screaming, and you couldn't get
22 him to stop. I tried to get him to stop.
23 I would have taken his question. And you
24 couldn't get him to stop. No, I think
25 that was handled very appropriately.

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2 Q. Mr. President, you spoke later
3 at a -- at an event in Cedar Rapids, it
4 was a rally on February 1, 2016. Do you
5 recall that?

6 A. Yeah.

7 MR. ROSEN: Note my objection
8 to this entire line of questioning,
9 it came after the incident in
10 question.

11 MR. DICTOR: Rob, would you
12 please display Exhibit 128, and
13 I'll take care of the time stamp.
14 We're going to be playing this from
15 the 50 second mark to the 1 minute
16 and 7 second mark.

17 (Plaintiffs' Exhibit 128 for
18 identification, video.)

19 THE VIDEO TECHNICIAN: It's
20 ready, counsel.

21 MR. DICTOR: I'll revise my
22 statement just because of the
23 technology here. We're going to
24 play from it the 49 second mark to
25 the 1 minute and 7 second mark.

1 DONALD J. TRUMP

2 MR. GOLDMAN: Just do me a
3 favor, just move your cursor away
4 so that I can see the time as it
5 goes.

6 MR. DICTOR: With the caveat
7 that that may mean we're a second
8 after I say we're going to stop.
9 Okay.

10 MR. GOLDMAN: That's fine. I
11 just want to mark things.

12 MR. DICTOR: Absolutely.

13 (A video was played.)

14 BY MR. DICTOR:

15 Q. Mr. President, do you recall
16 making that statement?

17 A. Yes.

18 Q. Okay. And you said that "if
19 you see someone getting ready to throw a
20 tomato, just knock the crap out of them,
21 would you." That was your statement?

22 A. Oh, yeah. It was very
23 dangerous.

24 Q. What was very dangerous?

25 A. We were threatened.

1 DONALD J. TRUMP

2 Q. With what?

3 A. They were going to throw
4 fruit. We were threatened, we had a
5 threat.

6 Q. How did you become aware that
7 there was a threat that people were going
8 to throw fruit?

9 A. We were told. I thought
10 Secret Service was involved in that,
11 actually. But we were told. And you get
12 hit with fruit, it's -- no, it's very
13 violent stuff. We were on alert for
14 that.

15 Q. A tomato is a fruit after all,
16 I guess.

17 A. And you know what --

18 Q. Judicial notice.

19 MR. GOLDMAN: It has seeds.

20 A. It's worse than tomato, it's
21 other things also. But tomato, when they
22 start doing that stuff, it's very
23 dangerous. There was an alert out that
24 day.

25 Q. Who were you speaking to when

1 DONALD J. TRUMP

2 you said --

3 A. The audience.

4 Q. So you were speaking to the
5 audience when you said if they saw
6 someone getting ready to throw a tomato,
7 just knock the crap out of them, would
8 you?

9 A. That was to the audience. It
10 was said sort of in jest. But maybe, you
11 know, a little truth to it. It's very
12 dangerous stuff. You can get killed with
13 those things.

14 Q. So were you trying to
15 incentivize people to engage in violence?

16 MR. GOLDMAN: Objection.

17 A. No, I wanted to have people be
18 ready because we were put on alert that
19 they were going to do fruit. And some
20 fruit is a lot worse than -- tomatoes are
21 bad, by the way. But it's very
22 dangerous. No, I wanted them to watch.
23 They were on alert. I remember that
24 specific event because everybody was on
25 alert. They were going to hit -- they

1 DONALD J. TRUMP

2 were going to hit hard.

3 Q. Do you have any knowledge as
4 to whether or not anybody was found to
5 have tomatoes in their possession on that
6 date?

7 A. I don't know. But it didn't
8 happen. It worked out that nothing
9 happened. It was -- the speech was good
10 and there was no event -- there was no --
11 nothing happened.

12 Q. Was it a false alarm?

13 MR. GOLDMAN: Objection.

14 A. No, it was something that
15 didn't happen for whatever reason. It's
16 very good. We heard it was going to
17 happen, but nothing happened.

18 Q. Why did you tell the people in
19 the audience that you would pay their
20 legal fees?

21 A. Because if they get in trouble
22 trying to protect us, including them, I
23 would have paid their legal fees.

24 Q. When you said --

25 A. I wanted them to be on the

1 DONALD J. TRUMP

2 alert. It was a serious threat. And I
3 would have paid their legal fees if they
4 stopped somebody. Today if you stop
5 somebody, not today, even then, but that
6 was a long time ago, that was years ago.
7 But I would have been willing to pay
8 their legal fees, yeah, if they stopped
9 somebody. It turned out that we didn't
10 need that.

11 Q. You said you were talking to
12 the audience. But is the same true of
13 your security? Do you expect your
14 security to knock the crap out of someone
15 if they see them about --

16 A. I was talking to the
17 audience --

18 Q. Mr. President, please let me
19 finish the question so we can get the
20 whole record very clear.

21 Is it your expectation that if
22 your security guards see someone about to
23 throw a tomato that they should knock the
24 crap out of them?

25 A. Well, a tomato, a pineapple, a

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1 DONALD J. TRUMP

2 lot of other things they throw. Yeah, if
3 the security saw that, I would say you
4 have to -- and it's not just me, it's
5 other people in the audience get badly
6 hurt. Yeah, I think that they have to be
7 aggressive in stopping that from
8 happening. Because if that happens, you
9 can be killed if that happens.

10 Q. And getting aggressive
11 includes the use of physical force?

12 A. To stop somebody from throwing
13 pineapples, tomatoes, bananas, stuff like
14 that, yeah, it's dangerous stuff.

15 Q. You went on to say in that
16 clip, Mr. President, there wouldn't be
17 much legal fees because, quote, the
18 courts agree with us, end quote. What
19 did you mean by that?

20 A. I think the courts agree with
21 the fact that we were -- that was in
22 Iowa, I believe, the courts would have,
23 in my opinion, agreed if you're going to
24 stop somebody from hitting you with a
25 hard object, of something, you know, of

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2 some kind, I think that the courts would
3 have agreed that that would be
4 appropriate.

5 You got to stop them. You got
6 to stop them from doing it. And that's
7 for the audience sake too. Those are the
8 most likely the people that will be hurt.

9 Q. So was it your understanding
10 at the time of the event, that is
11 portrayed in the exhibit we just watched,
12 that the courts permit people to knock
13 the crap out of individuals who are
14 getting ready to throw a tomato at a
15 political rally?

16 MR. ROSEN: Objection.

17 A. If they were getting ready to
18 throw a dangerous object, then you have
19 to do something to stop it. Yeah, I
20 mean, I would think that would be in a
21 very good, strong form self-defense, yes.

22 Q. Mr. President, have you ever
23 in fact paid the legal fees of any
24 individual who engaged in violence at one
25 of your campaign events?

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2 MR. ROSEN: Objection.

3 A. I don't know. We haven't had
4 much violence, actually. I don't know if
5 I have or not. But there has been very
6 little violence.

7 Q. Well, in 2015, do you have any
8 recollection as to whether or not you
9 paid any individual's attorneys' fees in
10 connection with violence?

11 A. I don't -- I don't know it
12 myself. I would have if they were doing
13 something for a good cause. But I don't
14 think we ever had to -- I don't think. I
15 could check.

16 Q. Does that include, when you
17 say that you would have, does that
18 include for your security personnel?

19 A. If my security personnel was
20 guarding me and my life and they got
21 themselves into a jam, I would have
22 stepped up -- I would have stepped
23 forward for them, yes. I would have
24 helped them with legal fees or something,
25 if that were the case.

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1 DONALD J. TRUMP

2 leaving Trump Tower at any point on

3 September 3, 2015?

4 A. I don't remember that. It's a
5 long time ago.

6 Q. When you come and go from
7 Trump Tower, do you use the entrance on
8 Fifth Avenue?

9 A. Not often. I usually use the
10 entrance on the side street.

11 Q. When did you first become
12 aware that there had been a protest on
13 the sidewalk in front of Trump Tower on
14 September 3, 2015?

15 A. The following day I heard, as
16 I told you on numerous occasions, the
17 following day I heard that people were
18 calling the building complaining strongly
19 and vehemently that there were Ku Klux
20 Klansmen on Fifth Avenue, we shouldn't
21 allow it.

22 Now, those were messages from
23 the previous day and the following day.

24 And I think the day after that. But
25 people were incensed that the Ku Klux

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2 EXAMINATION BY

3 MR. ROSEN:

4 Q. Mr. President, I'm going to
5 ask you a few questions now as well.

6 A. Okay.

7 Q. At any time on September 3,
8 2015, which is the date that Mr. Galicia
9 contends he was injured, did you
10 personally observe anyone protesting
11 outside of Trump Tower?

12 MR. DICTOR: Objection.

13 A. No.

14 Q. At any time on September 3,
15 2015, did you direct Keith Schiller to
16 take anyone's sign?

17 A. No, I didn't.

18 Q. At any time on September 3,
19 2015, did you direct anyone to take any
20 of the protesters' signs?

21 MR. DICTOR: Objection.

22 A. No.

23 Q. At any time on September 3,
24 2015, did you direct Keith Schiller to
25 use physical force against any of the

1 DONALD J. TRUMP

2 protesters outside Trump Tower?

3 MR. DICTOR: Objection.

4 A. No, I didn't.

5 Q. At any time on September 3,
6 2015, did you direct Keith Schiller to
7 use any force against any of the
8 protesters outside Trump Tower?

9 MR. DICTOR: Objection.

10 A. No, I didn't.

11 Q. At any time on September 3,
12 2015, did you direct Keith Schiller to do
13 anything?

14 MR. DICTOR: Objection.

15 A. No.

16 MR. ROSEN: What's the basis
17 for the objection?

18 MR. CHARNY: We don't have to
19 say.

20 MR. DICTOR: A number of them.

21 MR. ROSEN: We have the date
22 right, correct?

23 MR. DICTOR: Yes, you have the
24 date correct. I'll give that you.

25 Q. At any time on September 3,

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1 DONALD J. TRUMP

2 or should not do their job?

3 MR. DICTOR: Objection.

4 A. No.

5 Q. At any time on September 3,
6 2015, did you learn that Keith Schiller
7 had taken one of the protesters' signs?

8 MR. DICTOR: Objection.

9 A. No.

10 Q. At any time after September 3,
11 2015, did you learn that Keith Schiller
12 had taken one of the protesters' signs?

13 MR. DICTOR: Objection.

14 A. Well, sometime after the day
15 that this took place, through a lot of
16 bedlam that was caused by the Ku Klux
17 Klan outfits and all of the things that
18 were happening out there, I started to
19 hear about this. But a lot of public was
20 calling and complaining about it because
21 of the Ku Klux Klan in particular.

22 But so I started to piece
23 things together. And at some point I
24 heard that there was a sign that was
25 taken away, blocking an entrance to a

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2 MR. DICTOR: I have no further
3 questions on recross.

4 MR. ROSEN: I have one
5 follow-up.

6 CONTINUED EXAMINATION

7 BY MR. ROSEN:

8 Q. Mr. President, on September 3,
9 2015, did you speak with anyone about the
10 events that allegedly transpired in front
11 of Trump Tower?

12 MR. DICTOR: Objection.

13 A. No. No.

14 MR. ROSEN: No questions.

15 MR. GOLDMAN: We're good.

16 MR. DICTOR: Nothing further.

17 THE VIDEOGRAPHER: We're going
18 to conclude. Stand by as we go off
19 the record.

20 We are going off the record at
21 2:28 p.m., this concludes today's
22 video testimony given by Donald J.
23 Trump.

24 The originals will be retained
25 by Veritext New York. We're going