

Antony Davis

JUL 06 2023

CLERK OF THE COURT

Proceedings before the
Committee on General Investigating
House of Representatives
Austin, Texas

PUBLIC HEARING

PRESENTATION OF THE EVIDENCE

IN THE MATTER OF

WARREN KENNETH PAXTON

(Proposed Settlement with Office of the Attorney General
Whistleblowers and Conduct Related Thereto)

MAY 24, 2023

The committee met pursuant to notice at 8:00 a.m. in E2.010, Capitol Extension, Hon. Andrew S. Murr, Chairman, presiding. The proceedings were reported by Lorrie A. Schnoor, CSR, RDR, CRR, with the firm of Kennedy Reporting Service, 100 E. Whitestone Boulevard, Suite 148, Cedar Park, Texas 78613.

Present: Representatives Murr, A. Johnson of Harris, Geren, Longoria, and Spiller.

KENNEDY REPORTING SERVICE, INC.
512.474.2233 order@kennedyreporting.com

EXHIBIT A

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1 Ethics Commission records, Texas State Security Board
2 records, and campaign donations. We have reviewed
3 complaints of criminal activity, depositions, and
4 opinion letters. We have reviewed grand jury subpoenas.

5 We have also reviewed in detail what we
6 have come to refer to as the OAG report. This document
7 is about 370 pages in length. It was posted on the OAG
8 website in the fall of 2020 almost immediately after
9 these events. It's a formalized response from General
10 Paxton and his office regarding the whistleblower
11 allegations of wrongdoing. That report references a
12 commitment for ongoing investigation and
13 supplementation. To date, there have been no amendments
14 and no supplements to that response.

15 This team also conducted three -- excuse
16 me. This team also conducted 15 interviews of people
17 directly involved and many additional conversations to
18 provide context and to provide background.

19 We've interviewed the whistleblowers:
20 David Maxwell, Ryan Vassar, Mark Penley, and Blake
21 Brickman. We've interviewed Josh Godbey, who worked in
22 the open records division, five senior or high-access
23 employees with OAG in 2020.

24 As a caveat I would make the request that
25 you not inquire as to the first and last names of these

1 individuals at this time. They did not put themselves
2 into a public forum. They did not participate in a
3 whistleblower lawsuit. And to have their information in
4 the public opens them up to pressure, political
5 ridicule, harassment. It also has a chilling effect on
6 witnesses going forward.

7 To that end, I will tell you that without
8 exception -- that's not true. I will tell you out of
9 the 15 employees, only one did not express grave
10 concerns as to hostility or aggression in regards to
11 their conversations with us and fears of retaliation.

12 CHAIRMAN MURR: Would you just clarify
13 that again? You said of nearly every single person that
14 your team interviewed as part of this process, that
15 nearly every single person expressed fear and concern
16 about retaliation from Ken Paxton?

17 MS. EPLEY: Independently, based on their
18 own knowledge of the facts and circumstances leading up
19 to their presence in our office or on the phone, that is
20 absolutely accurate.

21 CHAIRMAN MURR: Thank you.

22 MS. EPLEY: We also interviewed Margaret
23 Moore. She was the elected district attorney in the
24 Travis County District Attorney's Office in 2020; Don
25 Clemmer, chief -- excuse me -- chief of special

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C E R T I F I C A T E

STATE OF TEXAS)
COUNTY OF WILLIAMSON)

I, Lorrie A. Schnoor, Certified Shorthand Reporter in and for the State of Texas, Registered Diplomate Reporter and Certified Realtime Reporter, do hereby certify that the above-mentioned matter occurred as hereinbefore set out.

I FURTHER CERTIFY THAT the proceedings of such were reported by me or under my supervision, later reduced to typewritten form under my supervision and control, and that the foregoing pages are a full, true, and correct transcription of the original notes.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 25th day of May, 2023.



LORRIE A. SCHNOOR, RDR, CRR
Certified Shorthand Reporter
CSR No. 4642 - Expires 1/31/24

Firm Registration No. 276
Kennedy Reporting Service, Inc.
100 E. Whitestone Boulevard
Suite 148
Cedar Park, Texas 78613
512.474.2233