

Exhibit 1

From: Jerry Cox <jerry@familycouncil.org>

Sent: Thursday, April 08, 2021 11:34 AM CDT

To: Lundstrum, Robin <robin.lundstrum@arkansashouse.org>; Robin Lundstrum <robin@lundstrum.us>

CC: Charisse Dean <charisse@familycouncil.org>; Erin Hogan <erin@familycouncil.org>

Subject: Expert Briefing on HB 1570 Gender Reassignment

Dear Colleagues,

Thank you for your overwhelming support for HB 1570, the gender reassignment bill. The way you stood beside me makes me so glad to serve with you. Like me, I know you have received lots of emails and calls about this bill. Several members have asked me questions about the bill that the experts can answer much better. I am inviting you to a brief Zoom meeting tomorrow at 10 a.m. with three psychiatrists who can answer your questions and better prepare you for answering questions your constituents may ask you. Here are our guests and below is a link to the meeting. I look forward to seeing you on Zoom on Friday at 10 a.m.

Thank you,

Robin

Dr. Roger Hiatt, M.D.

Child and Adolescent Psychiatrist

Dr. Hiatt practiced psychiatry in Little Rock for many years. He now practices in the Memphis area.

Dr. Charles Lewis, M.D.

Psychiatrist

Dr. Lewis practiced psychiatry in Little Rock at the Rice-Lewis clinic. He is now with Delta Counseling Associates.

Dr. Melanie Conway, MD

Psychiatrist

Diplomate, American Board of Psychiatry and Neurology

Dr. Conway practices psychiatry in Little Rock.

Topic: Zoom Meeting

Time: Apr 9, 2021 10:00 AM Central Time (US and Canada)

Join Zoom Meeting

Meeting ID: [REDACTED]

Passcode: [REDACTED]

One tap mobile

Dial by your location

Meeting ID: [REDACTED]

Passcode: [REDACTED]

Find your local number: <https://us02web.zoom.us/j/kBaHhhRi9>

Exhibit 2

1 THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF ARKANSAS
3 CENTRAL DIVISION

4 _____
5 DYLAN BRANDT, by and through his mother,
6 JOANNA BRANDT, et al.,

7 Plaintiffs,

8 vs.

CASE NO.

4:21-CV-00450-JM

9 _____
10 LESLIE RUTLEDGE, in her official
11 capacity as the Arkansas
12 Attorney General, et al.,

13 Defendants.
14 _____

15 ORAL/VIDEO CONFERENCE/VIDEOTAPED
16 DEPOSITION OF CLIFTON FRANCIS "BILLY" BURLEIGH, JR.
17 TAKEN ON BEHALF OF THE PLAINTIFFS
18 LITTLE ROCK, ARKANSAS
19 ON APRIL 28, 2022
20 9:07 a.m.

21
22
23
24
25 REPORTED BY: TRENA K. BLOYE, CSR

1 lesbians.

2 Q And how did that make you feel presenting as
3 lesbian?

4 A Very awkward.

5 Q Why? Tell me about that.

6 A I grew up knowing that God was there. And then
7 he made man and woman in marriage. I loved God, but I
8 didn't know God at that time. I was trying to live.
9 And that was -- I'm having trouble with the words to
10 describe it and I'll do the best I can.

11 That was against -- that was against God's
12 principle. I knew God, I loved God, I knew of him, and
13 there was a disconnect there and that caused me trouble.

14 Q You said there that you believed it was against
15 God's principle, I think was your word --

16 A Yes, sir.

17 Q -- to be presenting as a lesbian; is that
18 right?

19 A That is accurate.

20 Q Okay. Do you believe that anybody that
21 identifies as gay or lesbian or bisexual is acting
22 against God's principle?

23 MS. LAND: Object to form.

24 A I desire to answer the question and provide
25 clarity to my response. We have the battle for our

1 thoughts and our mind. And so being gay, being a
2 lesbian is -- and if I remember your question correctly,
3 not against God's principles. We're all in this battle
4 for our mind. Acting on it as another thing, taking it
5 to the level of acting and engaging and the performance
6 of what you would consider gay or lesbian acts, that
7 would be against God's principles as I understand it in
8 his word.

9 Q I see.

10 A And mind you, that is not -- it's not
11 necessarily against my principles. Who am I to make
12 such principles. But I look to God and what he has
13 said.

14 Q Do you believe it is harmful for people to be
15 in same-sex relationships?

16 MS. LAND: Objection to form, vague.

17 A Yes, I actually believe it is harmful for a
18 person's well being, their physical wellbeing, but also
19 their internal well being.

20 Q (By Mr. Rodgerson) What about physical
21 wellbeing do you think is harmful?

22 A I have learned by reading Dr. Anderson's book
23 and listening to others that sometimes when we get deep
24 into sin, when we get deep into our problems, when we
25 have given a lot of ground to the devil, sometimes these

1 problems can manifest themselves physically. So
2 sometimes physical ailments may not be due to a physical
3 cause, but could possibly result from a spiritual cause.

4 To add contrast to this statement, here in the
5 west when we have problems we'll go to a physical
6 doctor. And animistic cultures, such as Native
7 Americans or those in African tribes, if they have a
8 physical problem they may go to a spiritual doctor for
9 healing. It's a difference of thinking. And I do
10 believe that that lifestyle can lead to physical
11 problems.

12 (Plaintiffs' Exhibit 4 was marked for
13 identification and made a part of the
14 record.)

15 Q Okay. I'm going to hand you a document,
16 Mr. Burleigh, that I will mark as Exhibit 4.

17 A Okay.

18 Q This is another text message chain. I believe
19 we looked at one earlier were.

20 A Let's see. Now, I'm seeing the name of Jerry
21 Cox, so this is another text message group. And a
22 number of these participants in this group were also
23 participants in the effort to move the bill past being a
24 bill and into law. I recognize this.

25 Q Thank you very much. That's really helpful.

1 Do you see at the bottom there is numbers on
2 the pages?

3 A Yes, sir.

4 Q Could you turn to the page that ends with 6176,
5 Mr. Burleigh?

6 A 6176?

7 Q That's correct.

8 A Okay. Standby. Okay.

9 Q Okay. This is a text message from July 27th.
10 Do you see that at the top?

11 A Yes, sir.

12 Q And then there is a text message from you,
13 there is your name, Billy Burleigh.

14 A Yes, sir.

15 Q And the text says, and read with me if you
16 will, "I share the following as food for thought and
17 consideration. At the root I believe the following is
18 the what we are battling. LGBTQ is offering to satisfy
19 some of these needs." Did I read that accurately?

20 A Yes, you did, sir.

21 Q Mr. Burleigh, what do you mean by that
22 statement that "LGBTQ is offering to satisfy some of
23 these needs"?

24 A May I read the rest because I --

25 Q Sure.

1 A -- don't remember the context of this.

2 Q Yes.

3 A So, Looking to satisfy some of these needs, the
4 following is humanities' basic needs, in bold print. My
5 God shall supply all your needs according to his riches
6 in glory in Christ Jesus. Adam and Eve were created
7 spiritually alive. The attributes they -- and I don't
8 have the rest of the text message string.

9 Q That's all right. I just --

10 A But I think I knew where this is going.

11 Q Apologies for that, but this is what we have
12 been produced to us.

13 A Okay.

14 Q I saw that cutting off your text message.

15 A Okay, so --

16 Q Does that trigger a recollection, Mr. Burleigh,
17 of what you might have been saying in that text message?

18 A Yes, sir, it does.

19 Q Okay. And what do you mean by that?

20 A So in detransitioning and in the hunt of trying
21 to reflect and solve my initial problems, I also learned
22 that every one of us has three -- three basic needs that
23 need to be satisfied. And as a child, as a young adult,
24 as an adult, as an old man or woman, and that is
25 acceptance, significance, and security.

1 And so where we seek to find our acceptance,
2 significance, and security can either help our growth
3 or, as we -- as the conversation just now, it can dive
4 us more down a road that may not be helpful to our
5 physical or spiritual wellbeing. What I see with the
6 LGBTQ community is that they are looking to satisfactory
7 some, if not all, of these three basic needs,
8 acceptance, significance, security.

9 And I believe that's what I mean without having
10 the rest of the context.

11 Q Um-hum. Thank you. That's helpful.

12 Do you see that as problematic in any way?

13 A I see it as very problematic both for physical
14 wellbeing, and most definitely for eternal well being.
15 Should I continue?

16 Q When you say eternal well being, what are you
17 referring to?

18 A The Bible makes it -- many different religious
19 groups give different thoughts on if there is life after
20 this life and what -- and if there is life after this
21 life, what will that life be. According to the Bible
22 there is heaven and there is hell and there Jesus has
23 had made very clear statements in the Bible how for us
24 to get to heaven and how for us -- well, the alternative
25 is not get to heaven, or hell.

1 I care about people and I personally do not
2 want to see anybody, not one person go to hell. From
3 reading the Bible the -- that place is not a good place,
4 and so I believe that this lifestyle is not healthy,
5 both for physical and eternal wellbeing.

6 Q And by "this lifestyle" you do mean --

7 A LGBTQ.

8 Q -- LGBTQ?

9 A Yes, sir.

10 Q Do you believe that if somebody acts on LGBTQ
11 feelings they will go to hell?

12 A No, sir, not necessarily.

13 Q Okay.

14 A Because who am I to say that they will or they
15 will not. Because even though in courts of law the
16 judgment is on physical things that we can see, on acts
17 that may have been -- I'm at a loss for words.

18 Sometimes acts are not observed, but there may
19 be other evidence to -- to show the acts, such as
20 circumstantial evidence. The way that God -- God knows
21 each person intimately, he knows our thoughts and he
22 knows our heart. That connection is actually from the
23 heart and that is in a personal relationship between
24 that person and God.

25 I actually do not know who is going to heaven

1 or who is going to hell. But the Bible does talk about
2 the fruits of our beliefs. And often our actions come
3 out of what we believe, they are observable.

4 And so I only make assumptions that they are
5 going down the wrong path. Did I answer the question?

6 Q Yes. I think I understand.

7 A Okay.

8 Q Just so I heard that right, you do think that
9 you're making assumptions that people that engage with
10 homosexual acts, for example, are going down the wrong
11 path. Is that what you said?

12 MS. LAND: Object to form.

13 A I do not know the person's beliefs. But often
14 a person's actions comes out of a person's beliefs. So
15 by observing a person's actions you can make assumptions
16 about their beliefs.

17 So by -- through observation my -- through
18 observation my assumptions are that these people are not
19 following God's word and that they do not have that
20 personal relationship with God and that, as a result,
21 their eternal wellbeing is in jeopardy.

22 Q (By Mr. Rodgerson) I see. Thank you for that
23 clarification. That's very helpful.

24 Mr. Burleigh, does the term "LGBTQ agenda" mean
25 anything to you?

Exhibit 3

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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION

DYLAN BRANDT, et al.,)
)
)
Plaintiffs,)
) Case No.:
VS.) 4:21-cv-00450-JM
)
)
LESLIE RUTLEDGE, et al.,)
)
)
Defendants.)

AUDIOVISUAL DEPOSITION

OF

ROGER HIATT, JR., M.D.

April 26, 2022

1 The audiovisual deposition of ROGER
2 HIATT, JR., M.D. is taken on this, the 26th day
3 of April 2022, on behalf of the Plaintiffs,
4 pursuant to notice and consent of counsel,
5 beginning at approximately 10:00 a.m. in the
6 offices of Alpha Reporting Corporation, a
7 Veritext Company, 236 Adams Avenue, Memphis,
8 Tennessee.

9 This deposition is taken pursuant to the
10 terms and provisions of the Federal Rules of
11 Civil Procedure.

12 All forms and formalities are waived.
13 Objections are reserved, except as to form of the
14 question, to be disposed of at or before the
15 hearing.

16 The signature of the witness was not
17 discussed.

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1 Q. And did you produce all those e-mail
2 communications?

3 A. Yes.

4 Q. And did you have text message
5 communications with him?

6 A. Yes.

7 Q. And did you produce all those
8 communications?

9 A. Yes.

10 Q. Did Mr. Wagner provide you with any
11 other documents related to the SAFE Act, HB 1570,
12 that you have not produced in this case?

13 A. No.

14 Q. Have you had any other communications or
15 documents with anybody in the Solicitor General's
16 Office?

17 A. No.

18 Q. Did you produce all communications and
19 documents with the Arkansas Attorney -- the
20 Arkansas Governor?

21 A. Yes.

22 Q. And what did you produce responsive --
23 regarding your communications with the Governor?

24 A. I provided a letter and a references
25 addendum for the letter.

1 Q. What is the reference addendum in that
2 letter -- or I'm sorry, in that e-mail?

3 A. So there's a list of scholarly documents
4 that support the assertions made in the letter.

5 Q. And if I can, I'm going to hand you what
6 I've marked as Exhibit 2. And this is what has
7 been Bates stamped Brandt Plaintiffs 1815 through
8 1822.

9 (WHEREUPON, THE DOCUMENT WAS MARKED AS
10 EXHIBIT NO. 2 TO THE TESTIMONY OF THE WITNESS AND
11 IS HERETO ATTACHED.)

12 BY ATTORNEY WALAS:

13 Q. Are these all the text message
14 communications you had with Vincent Wagner
15 regarding the SAFE Act?

16 A. Yes.

17 Q. Did you have any communications or
18 documents regarding the SAFE Act that you
19 received from any of the Arkansas House of
20 Representatives Members?

21 A. Could you please repeat that?

22 Q. Do you have any communications or
23 documents that were between you and an Arkansas
24 House of Representative Member?

25

1 A. Relevant to the document disclosure?

2 Q. Yes. We're talking about Topic 1 still.

3 A. Okay. Yes.

4 Q. And what communications -- well, first,
5 who did you communicate with, that you had
6 documents with?

7 A. Senator Clark and a liaison with
8 Representative Lundstrum.

9 Q. Who is Representative Lundstrum's
10 liaison?

11 A. Jerry Cox.

12 Q. Who's Jerry Cox?

13 A. Jerry Cox is the president of Family
14 Council in Arkansas.

15 Q. What is Family Council?

16 A. It's a citizen-based organization and --
17 and advocacy group.

18 Q. What does Family Council advocate for?

19 A. A variety of issues.

20 Q. Can you identify any of the issues that
21 they advocate for?

22 A. They were in support of act -- the SAFE
23 Act.

24 Q. Did you say they were in support of the
25 SAFE Act?

1 A. Yes.

2 Q. So you spoke with Robin Lundstrum's
3 liaison Jerry Cox about the SAFE Act?

4 ATTORNEY LAND: Object to form.

5 You can answer it.

6 THE WITNESS: Yes.

7 BY ATTORNEY WALAS:

8 Q. And did you produce all those
9 communications?

10 A. Yes.

11 Q. And you said earlier you had
12 communications with Senator Clark.

13 Did you produce all those
14 communications?

15 A. Yes.

16 Q. I'm going to hand you what's been marked
17 as Exhibit 3, Brandt Plaintiffs 1572.

18 (WHEREUPON, THE DOCUMENT WAS MARKED AS
19 EXHIBIT NO. 3 TO THE TESTIMONY OF THE WITNESS AND
20 IS HERETO ATTACHED.)

21 BY ATTORNEY WALAS:

22 Q. And are those all your communications
23 with Senator Clark about the SAFE Act?

24 A. Yes.

25 Q. Did you have any e-mails or any other

1 documents that you received from Senator Clark
2 regarding the SAFE Act?

3 A. No.

4 Q. Did you have any communications or
5 documents with the Arkansas Medical Board?

6 A. No.

7 Q. I'm going to hand you a packet, Brandt
8 1699 to 1723, and if you'll take a look at these.

9 Are these -- and you can undo those.
10 They're stapled together within that. It's just
11 so I kept them together.

12 Are these all the e-mail communications
13 that you had that were responsive to Topic Number
14 1?

15 A. Yes.

16 Q. Okay. I'll go ahead and take that back
17 from you for now. We will go through those in a
18 little bit, rather than mark that as a whole
19 exhibit.

20 So have we gone through all of the
21 communications and documents that you have that
22 were responsive to Topic Number 1 regarding the
23 SAFE Act?

24 A. So I provided a document set, and then I
25 provided a second document set that included

1 communication with the Attorney General's Office.
2 There's a couple things, now that you mention it,
3 I didn't see from that second document set.

4 Q. Were any of the documents that you
5 haven't seen yet a e-mail or text message
6 communication that you produced between you and
7 any of the individuals listed in Topic 1?

8 A. Yes.

9 Q. What communications have you not seen
10 yet that you produced?

11 A. Drafts.

12 Q. Did you receive draft communication --
13 did you receive drafts via e-mail communication?

14 A. Yes.

15 Q. Did you produce the e-mails that were
16 associated with those drafts?

17 A. I believe so. I -- I provided the
18 drafts.

19 Q. I'm going to hand you what I've marked
20 as Exhibit 4.

21 (WHEREUPON, THE DOCUMENT WAS MARKED AS
22 EXHIBIT NO. 4 TO THE TESTIMONY OF THE WITNESS AND
23 IS HERETO ATTACHED.)

24 BY ATTORNEY WALAS:

25 Q. And this is Brandt Plaintiff 1698.

1 AND IS HERETO ATTACHED.)

2 BY ATTORNEY WALAS:

3 Q. And this is -- is this another of the
4 draft declarations you produced in response to
5 the subpoena?

6 A. It appears to be my final product.

7 Q. Okay. So Exhibit 18 appears to be the
8 final product? I'm going to make a note of that.
9 I'll hand you Brandt 1787 to 1794 and mark that
10 as Exhibit 19.

11 (WHEREUPON, THE DOCUMENT WAS MARKED AS
12 EXHIBIT NO. 19 TO THE TESTIMONY OF THE WITNESS
13 AND IS HERETO ATTACHED.)

14 BY ATTORNEY WALAS:

15 Q. Now, is that another draft for your
16 declaration in this case?

17 ATTORNEY LAND: You already gave this.
18 You gave me two copies.

19 ATTORNEY WALAS: I gave you two.

20 ATTORNEY LAND: Yeah.

21 ATTORNEY WALAS: Sorry.

22 THE WITNESS: Yes. Yes.

23 BY ATTORNEY WALAS:

24 Q. All right. Have we gone through all the
25 draft declarations that you produced in this

1 case?

2 A. I believe so, yes.

3 Q. So Exhibit 14 through 19 are all of your
4 drafts for your declaration in this case,
5 correct?

6 A. I think 18's the finished product.

7 Q. You had not signed 18 yet --

8 A. Oh.

9 Q. -- though, correct?

10 A. Correct.

11 Q. Okay.

12 A. Yes.

13 Q. With the caveat that 18 is your final
14 product, you produced six drafts of your report?

15 A. Okay.

16 Q. Okay. And you agree with that?

17 A. Yes.

18 Q. Have we exhausted everything that you
19 produced in this case?

20 A. Yes.

21 Q. To confirm, you have no other documents
22 or anything else that would be responsive to any
23 of the topics identified in Schedule A that
24 you're aware of?

25 A. Yes.

1 Q. Okay. You produced some text messages
2 with former Solicitor General Vincent Wagner,
3 correct? Earlier, we discussed those things.

4 And you recall those text communications
5 with Vincent Wagner?

6 A. Yes.

7 Q. And when we were talking about the
8 communications with members of the Arkansas
9 General Assembly, did you say that you had other
10 communications with them?

11 ATTORNEY LAND: Object to form.

12 You can answer.

13 THE WITNESS: I believe the question you
14 asked me was more specific than that.

15 BY ATTORNEY WALAS:

16 Q. So have you had any text messages with
17 Robin Lundstrum?

18 A. Could you repeat that question?

19 Q. Sure. Have you had any text messages
20 with Robin Lundstrum?

21 A. Yes.

22 Q. Have you had any text messages with
23 Robin Lundstrum about the SAFE Act?

24 A. My text message base -- bank goes back
25 12 months, and I've provided everything I was

1 able to provide.

2 Q. I'm going to hand you what I'll mark as
3 Exhibit 20, and these are documents that have
4 been produced by the legislators in relation to
5 this case. If you'll go ahead and take a look at
6 that.

7 (WHEREUPON, THE DOCUMENT WAS MARKED AS
8 EXHIBIT NO 20 TO THE TESTIMONY OF THE WITNESS AND
9 IS HERETO ATTACHED.)

10 BY ATTORNEY WALAS:

11 Q. Have you had a chance to take a look at
12 Exhibit 20?

13 A. Yes.

14 Q. Does that look familiar?

15 A. It does.

16 Q. And can you identify what Exhibit 20 is?

17 A. Text messages.

18 Q. Who are they text messages between?

19 A. From me to, I gather -- yeah,
20 Representative Lundstrum.

21 Q. And if you'll go to -- there's a July
22 22nd text message about -- I don't know. It's
23 two?

24 A. Uh-huh.

25 Q. All right. And do you see that text

1 message from July 22nd?

2 A. I do.

3 Q. Okay. And what's that -- what's that a
4 picture of there?

5 A. So that's a picture of me on a -- on an
6 AV screen.

7 Q. And what were you -- what were you doing
8 on the AV screen there, that they sent you this
9 picture?

10 A. I addressed the issue of gender
11 dysphoria, not specific to the SAFE Act and did
12 not believe that to be something required by the
13 Schedule A.

14 Q. So when you were on the AV screen in the
15 picture, you had been speaking at some sort of
16 event?

17 A. Yes.

18 Q. And what was that event?

19 A. It was a grass roots organization.

20 Q. Do you recall --

21 A. I don't recall --

22 Q. -- the name of it?

23 A. -- specifically which organization, who
24 asked me to speak about the issue globally, but
25 not specific to the SAFE Act.

1 Q. Who else is in that picture with you?

2 A. Representative Lundstrum and Jerry Cox.

3 Q. Okay. Now in these text messages
4 between you and Robin Lundstrum, do you discuss
5 your views on the SAFE Act with her?

6 A. Yes.

7 Q. And let's -- look at the May 29th text
8 message. And is that a text message from you to
9 her?

10 A. Yes.

11 Q. And in that message, did you give her
12 your opinions on HB 1570?

13 A. I did.

14 Q. And is there a reason you didn't produce
15 these text messages in response to the subpoena?

16 A. I did not understand the -- the document
17 requested to include this information. Had I
18 understood that it included this, I certainly
19 would have provided it.

20 Q. Let's go over that understanding.

21 You -- you understand that
22 Robin Lundstrum is a member of the Arkansas House
23 of Representatives?

24 A. Yes.

25 Q. And you produced text messages between

1 you and Senator Clark?

2 A. Yes.

3 Q. And the text message on May 29th
4 specifically references HB 1570?

5 A. It does.

6 Q. And so, would that be responsive as a
7 communication concerning HB 1570 between you and
8 any Arkansas House of Representatives member?

9 A. Retrospectively, yes.

10 Q. Okay. And is there a reason you send
11 Robin Lundstrum so many articles about
12 transgender people?

13 ATTORNEY LAND: Object to form.

14 ATTORNEY WALAS: I'll rephrase it.

15 BY ATTORNEY WALAS:

16 Q. Is there a reason that you send articles
17 to Robin Lundstrum?

18 A. As I mentioned before, this is an issue
19 of great concern and -- I choose to follow the
20 advice that not to speak is to speak. And so, I
21 choose to speak.

22 Q. Are you friends with Robin Lundstrum?

23 A. No. We're acquaintances.

24 Q. So are you sending these in a
25 professional way?

1 ATTORNEY LAND: Object to the form.

2 ATTORNEY WALAS: That was a horrible
3 question.

4 BY ATTORNEY WALAS:

5 Q. What is -- do you have a reason to send
6 these to her if she's not your friend?

7 A. Depends on what the definition of the
8 word "friend" is. So now that -- now that --
9 I'll retract that and say, yes, we are friends.

10 Q. Okay. So this is kind of a friendly
11 conversation, not a "here's the reason
12 professionally you should do something"?

13 A. Correct.

14 Q. Do you also have conversations with
15 other people about the SAFE Act and your
16 concerns?

17 A. Yes.

18 Q. And do you do that over text message?

19 A. Sometimes.

20 Q. Okay. Are you on any group chats? Let
21 me rephrase that because that could be a lot of
22 things.

23 Are you in any group text message
24 conversations?

25 A. Yes.

1 Q. Okay. Who are you in group message
2 conversations with about the SAFE Act?

3 A. I -- again, I see it as two separate
4 issues. There's the issue of the SAFE Act, and
5 there's the issue of gender dysphoria. So I -- I
6 stand by everything I've said to anyone, did not
7 intend to withhold anything. Perhaps, I didn't
8 interpret this correctly. But, yes, there have
9 been some text message groups discussing the
10 issue generally.

11 Q. Did you consult with your attorney --
12 and I'm not asking what he told you. But did you
13 consult with your attorney about your response to
14 this subpoena request?

15 A. So from the time the Attorney General's
16 Office reached out to me until, I'm going to say,
17 within the past month, I was under the impression
18 that there was attorney/client privilege.

19 As you'll see, some of the documents are
20 stamped, not by me, but by the office as attorney
21 work product, privileged and confidential, such
22 as Exhibit 19. I'm a physician. I'm not an
23 attorney. I don't live in this environment. I
24 took no money to participate and take no money to
25 be here today. I was under the impression that

1 they would help me make sure I submitted the
2 correct documents.

3 When I late in the game became aware, in
4 fact, I wasn't represented by Attorney General's
5 Office, that's when I retained an attorney. We
6 worked together about a week. So I've made
7 mistakes, and I'm sorry.

8 Q. Well, and you're saying that you did
9 your best to respond. And I'm just asking if you
10 consulted with anybody in --

11 A. Yes.

12 Q. -- trying to respond? Okay.

13 And looking back at Exhibit 20, your
14 text messages, why do you believe Robin Lundstrum
15 is the handmaid of the Lord?

16 ATTORNEY GREENBERG: I'm going to
17 object, generally, when you start asking about
18 religious beliefs.

19 THE WITNESS: So I -- I make no
20 apologies for being a person of faith, but that
21 doesn't invalidate my scientific and medical
22 opinions.

23 BY ATTORNEY WALAS:

24 Q. Why do you believe Robin Lundstrum is
25 the handmaid of the Lord?

1 ATTORNEY GREENBERG: I'm going to object
2 again. You know, if you -- if you want him to
3 talk about something that's material to this
4 action, that's fine. If you want him to talk
5 about his religious belief, that's improper.

6 BY ATTORNEY WALAS:

7 Q. Did you make the statement on Exhibit 20
8 that says, I firmly believe you are a handmaid of
9 the Lord?

10 A. Yes, I did.

11 Q. What did you mean when you called
12 Robin Lundstrum a handmaid of the Lord?

13 ATTORNEY LAND: Object to form and
14 relevance.

15 THE WITNESS: As I mentioned earlier, I
16 got involved in this issue out of concern for the
17 kids that I treat in the community and generally.
18 I'm concerned that what's being done is harmful
19 to the kids in the long run and, as a person of
20 faith, felt obliged to -- to speak up for kids.

21 BY ATTORNEY WALAS:

22 Q. So you believe that about her because
23 she sponsored and helped pass the SAFE Act?

24 A. Yes.

25 Q. Okay. I'm going to hand you what I'll

1 mark as Exhibit 21.

2 (WHEREUPON, THE DOCUMENT WAS MARKED AS
3 EXHIBIT NO. 21 TO THE TESTIMONY OF THE WITNESS
4 AND IS HERETO ATTACHED.)
5 BY ATTORNEY WALAS:

6 Q. And do you -- can you identify what
7 Exhibit 21 is?

8 A. It looks like a group text.

9 Q. And are you a member of that group text
10 message?

11 A. Yes.

12 Q. Who are the other members of that group?

13 A. I don't know. They have initials, but I
14 don't know.

15 Q. Is it common for you to be in group text
16 messages where you don't know who all the other
17 people are on that message group?

18 ATTORNEY LAND: Object to form.

19 You can answer.

20 THE WITNESS: So I'll have a group text
21 and then I'll -- and then sometimes it will go on
22 some. It looks like JC is probably Jerry Cox,
23 but I -- I don't know offhand who the others are.

24 BY ATTORNEY WALAS:

25 Q. Do you share your views about medical

1 care for people diagnosed with gender dysphoria
2 with people that you don't know?

3 ATTORNEY GREENBERG: I'm sorry. Could
4 you repeat that question, please?

5 ATTORNEY WALAS: I'll rephrase it, Dan.

6 BY ATTORNEY WALAS:

7 Q. Do you share your views about
8 transgender people or gender-affirming medical
9 care in group texts if you don't know who the
10 recipients are?

11 ATTORNEY LAND: Object to form.

12 You can answer.

13 ATTORNEY GREENBERG: I'm going to -- I'm
14 going to object to that if you're asking about
15 specific cases that might implicate a
16 patient-doctor privilege. I think you're asking
17 a more general question, which I think is
18 probably -- which -- which -- which I'm not sure
19 that's what the objection is to. But it's --
20 it's -- it's something of a vague question.

21 THE WITNESS: Are we talking about this
22 text group in particular?

23 ATTORNEY WALAS: First, I want to make a
24 note for the record of the speaking objections
25 are beyond the rules of Federal Rules of

1 Procedure, so please cut them down a little bit.

2 BY ATTORNEY WALAS:

3 Q. Second, I'm asking if it's common for
4 you to be in group texts?

5 A. I am in group texts from time to time.

6 Q. And do you usually know who the people
7 that you are texting are?

8 A. Yes.

9 Q. And so, is it common for you to send
10 your views out about transgender people to people
11 that you don't know in a group text?

12 A. No. So if -- if the names were here, I
13 could help, but I --

14 Q. So you can't identify who is in this
15 text message group with you?

16 A. VW is probably Vincent Wagner.

17 Q. And do you believe that Texas Republican
18 lawmakers intentionally derailed a bill to ban
19 child sex procedures?

20 A. I shared an article that I thought would
21 be of interest to the people in the group.

22 Q. Do you believe the information that you
23 shared?

24 A. Candidly, in a text message situation,
25 my recollection is that I basically was focused

1 on the title here. So, I -- but your question
2 was, do I believe -- could you tell me the
3 question again?

4 Q. Do you believe that Texas Republican
5 lawmakers intentionally derailed a bill to ban
6 child sex change procedures?

7 A. My recollection is that at the time,
8 that's what occurred.

9 Q. Do you know what it means for parents to
10 have veto power in a transgender child's medical
11 decisions?

12 A. Yes.

13 Q. Did you believe parents should have veto
14 power in their child's medical decisions?

15 ATTORNEY LAND: Object to form.

16 THE WITNESS: I'm not sure how that's
17 relevant, what I believe. There are a number of
18 decisions being made in a variety of different
19 directions. Do I believe that parents of minors
20 should be able to help their kids make good
21 decisions on their medical care? Yes.

22 BY ATTORNEY WALAS:

23 Q. What does it mean for a parent to have
24 veto power?

25 A. So as a general principle, if a child

1 wants to do something and the parent doesn't want
2 them to do that, they'd be able to prevent that
3 from occurring.

4 Q. I'm going to hand you what I'll mark as
5 Exhibit 22.

6 (WHEREUPON, THE DOCUMENT WAS MARKED AS
7 EXHIBIT NO. 22 TO THE TESTIMONY OF THE WITNESS
8 AND IS HERETO ATTACHED.)

9 BY ATTORNEY WALAS:

10 Q. And is this another set of text messages
11 that you're a part of?

12 A. Yes.

13 Q. Do you know who the 12 people are that
14 are in this group text?

15 A. Some by name. All are -- let's see.
16 Here's Dr. Melanie Conway, Billy Burleigh, Grady
17 Crosland. Those who posted, their names appear,
18 Charisse Dean. Yeah.

19 Q. So who are all these people that are a
20 member of this group?

21 A. Concerned citizens who care about this
22 issue.

23 Q. Are any members of the Arkansas General
24 Assembly a member of this group text?

25 A. I mean -- I'm assuming that AC must be

1 Alan Clark, given the -- that this was disclosed,
2 so -- so I assume, yes.

3 Q. And this set of group texts was not part
4 of your production, correct?

5 A. Right. For reasons that I explained
6 earlier.

7 Q. Okay. What did you do to prepare for
8 your deposition today?

9 A. I read over the documents that I
10 submitted. I talked to my attorney. I had
11 breakfast with my son this morning, things like
12 that.

13 Q. Did you have something good?

14 A. Omelet.

15 Q. Good. Did you talk to your son about
16 the case or your testimony today?

17 A. In general terms, yes.

18 Q. Did you tell him anything you were going
19 to say?

20 ATTORNEY LAND: Object to form and
21 relevance.

22 THE WITNESS: So -- I assume since you
23 asked me the question, you want me to answer it.
24 So I'll answer your question. I was interested
25 in knowing how he felt about the issue. I was

1 interested in him knowing that I was about to go
2 through something that's difficult, and I was
3 interested in feeling his support.

4 BY ATTORNEY WALAS:

5 Q. That makes sense. And did anything he
6 tell you about his views on the issue, is that
7 going to influence the testimony you're giving
8 today?

9 A. No.

10 Q. Okay. And you said you spoke with your
11 attorney.

12 How many times did you meet with him to
13 prepare for your deposition?

14 A. We had one long intervention, and we had
15 a few short ones.

16 Q. Okay. About how long do you think?

17 A. It was an hour and a half.

18 Q. Okay. Did you review any documents
19 during that meeting?

20 A. I want to say that's privileged
21 information, but since my attorney's not speaking
22 up, I'll say yes, we did.

23 ATTORNEY GREENBERG: Yeah. I think
24 that's -- probably not. Same thing.

25 BY ATTORNEY WALAS:

1 Q. Yeah. And what documents did you
2 review?

3 A. We reviewed several of the documents
4 that I submitted to -- on Friday.

5 Q. And not from your attorney, but did you
6 glean any new information from those documents
7 during your review?

8 A. From the documents, no.

9 Q. Okay. Did you meet with any of Attorney
10 General Rutledge's or the Medical Board
11 defendants' attorneys to prepare for your
12 deposition?

13 A. No.

14 Q. Did you meet with any members of the
15 Arkansas General Assembly to prepare for your
16 deposition today?

17 A. No.

18 Q. Did you meet with Jerry Cox to prepare
19 for your deposition today?

20 A. No.

21 Q. Anyone with Family Council?

22 A. No.

23 Q. So no one else to prepare for your
24 deposition today?

25 A. I had a conversation with

1 Dr. Melanie Conway.

2 Q. Tell me about your conversation with
3 Dr. Conway.

4 A. She was aware that I was being deposed.
5 She spoke to me in general terms about deposition
6 generally and the issue specifically.

7 Q. Did she tell you anything that you
8 intend to repeat here today?

9 A. No.

10 Q. Did she tell you anything that you
11 think's going to influence what your testimony is
12 today?

13 A. I mean, everything that I hear or am
14 exposed to helps inform me, which is why on this
15 Item 8, I just -- I just didn't attempt -- I just
16 -- there's just so many things. So in some
17 subconscious way, maybe, but -- but nothing --
18 nothing specific.

19 Q. Did you meet with any of your colleagues
20 to discuss your testimony today?

21 A. So she's a colleague. She's a
22 psychiatrist, but that's it.

23 Q. Okay.

24 A. I -- I had to get coverage because I had
25 to turn off the phone. So I spoke to an advanced

1 practice nurse to cover for me, and I told her
2 that I was doing this.

3 Q. Did she give you any information that's
4 going to influence your testimony today?

5 A. No.

6 Q. Okay. Now we talked about you reviewed
7 some of your documents that you produced already
8 to prepare for today. Any other documents or
9 anything you reviewed to prepare?

10 A. I've looked at lots of stuff. I've
11 looked at lots of stuff. I suspect that I did
12 look at some documents that -- that, you know,
13 it's -- it's an -- stuff that happened over the
14 weekend, on the issue, I've looked at.

15 Q. Okay. Did you go back and listen to
16 your testimony before the senate to prepare for
17 today?

18 A. No.

19 Q. Did you make notes on any of the
20 documents that you reviewed in preparation for
21 your deposition today, not that I gave you today?

22 A. Oh, like handwritten notes?

23 Q. Uh-huh.

24 A. No.

25 Q. And earlier you had -- you had a