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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

\* \* \* \* \*  
UNITED STATES OF AMERICA  
v.  
IAN FREEMAN  
\* \* \* \* \*

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\*  
\* 1:21-cr-41-JL  
\* December 20, 2022  
\* 1:38 p.m.  
\*  
\*

TRANSCRIPT OF JURY TRIAL  
DAY 9 - AFTERNOON SESSION  
BEFORE THE HONORABLE JOSEPH N. LAPLANTE

Appearances:

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Seth R. Aframe, AUSA  
John J. Kennedy, AUSA  
United States Attorney's Office

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## I N D E X

<u>WITNESS:</u>	<u>Direct</u>	<u>Cross</u>	<u>Redirect</u>	<u>Recross</u>
IAN FREEMAN	(Cont.)			
By Mr. Sisti	3		103	
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P R O C E E D I N G S

THE COURT: Ladies and gentlemen of the jury, did you have any conversation with each other or anyone else during the recess regarding the trial?

Were any of you exposed to any information regarding the trial inadvertently or on purpose regarding the trial during the recess?

Let's proceed, Mr. Sisti.

MR. SISTI: Thank you, Judge.

THE COURT: Mr. Freeman, you're still under oath.

CONTINUED DIRECT EXAMINATION

BY MR. SISTI:

Q. Ian, let me circle back a little bit.

We dealt with that so-called heroin dealer. Just generally, on any of these money laundering charges, did you agree with anybody or any human being at all to launder money, to take illegal steps in laundering money?

A. I would never do that and I didn't do that.

Q. Now, let me go back a little bit to the church itself.

You were discussing some of the things you folks did outreachwise --

A. Yeah.

Q. -- in the Keene and Cheshire County area. Did you also reach out to the Muslim community in that area?

1           A.     They reached out to us in the form of a gentleman  
2 who was moving to the Keene area or was interested in moving to  
3 the Keene area who I happened to know personally from the  
4 festival that was mentioned earlier, the PorcFest, Porcupine  
5 Freedom Festival. His name was Will, and he's an imam, and he  
6 approached me and was asking whether or not there would be a  
7 space available for a Muslim group to gather in Keene.

8                     There are Muslims in Keene and they have a space,  
9 but it's very, very small. And so he was aware of their  
10 situation and was asking if the Shire Free Church could help  
11 with that. And we did. The building next door to -- you heard  
12 about the thrift store which became Route 101 Goods and then  
13 now is a convenience store, the -- the Bitcoin Embassy is now  
14 located next to the convenience store, but there is another  
15 building next to it which is a home, but we converted the  
16 living room of that home into a mosque and the imam and his  
17 family moved into that home. And then we also set aside a room  
18 of that building for what we call the interfaith area. So it  
19 was both a mosque and an interfaith area.

20           Q.     So earlier in the trial there was some discussion as  
21 shrines or meeting places with regard to the church. Is that  
22 one of the meeting places that you folks actually utilized?

23           A.     Yeah, it definitely was. The questions that were  
24 being asked earlier were regards to the parsonages, which don't  
25 really have meetings going on, but this area was certainly



1 that. It was an actual mosque.

2 Q. And did you also gather at the -- the Embassy?

3 A. Yes. The Embassy was open and was able to host  
4 multiple classes. We performed Bitcoin 101 and, of course, the  
5 Shire Free Church, being the property owner, also was the  
6 co-founder of the Bitcoin Embassy. And the whole point of that  
7 was to help, again, continue with that outreach, spread the  
8 word about bitcoin and how it can help bring peace.

9 And so, you know, it's easy to go online and look up  
10 various information about bitcoin, but it's not so easy to find  
11 someone who's willing to stand in front of a classroom  
12 environment and actually teach you. And that's what Chris  
13 Reitmann did, who you all met earlier. He would regularly host  
14 Bitcoin 101 classes whenever anyone in the region wanted to  
15 have one. Free of charge.

16 Q. Now, there's a number of different churches that  
17 were mentioned during the course of the trial so far. Let me  
18 go through the list and tell me what your involvement is in  
19 each one of these things.

20 A. Sure.

21 Q. New Hampshire Peace Church, what is that?

22 A. New Hampshire Peace Church is just a trade name.  
23 That means that it's just an alternative name for what I was  
24 doing with the Shire Free Church. And one of the reasons for  
25 that was because it was difficult to open bank accounts under

1 the name Shire Free Church, we presume because they would do a  
2 Google search on it and find that it was associated with  
3 bitcoin vending machines and then immediately refuse to open  
4 the accounts.

5 So that was the -- the New Hampshire Peace Church  
6 was just another name for the Shire Free Church.

7 Q. All right. So let me -- let me make this clear.

8 Was the intent on opening up New Hampshire Peace  
9 Church to be involved in any criminal activity whatsoever?

10 A. No, of course not.

11 Q. What was it -- what was the reason for that, quote,  
12 trade name, period?

13 A. For banking purposes.

14 Q. And would that also hold true for the Church of the  
15 Invisible Hand?

16 A. No. The Church of the Invisible Hand is a church  
17 founded by my friend and cohost on Free Talk Live, Nobody, and  
18 it has its own separate set of beliefs that he has spent a lot  
19 of time working on.

20 Q. All right. So your involvement with the Church of  
21 the Invisible Hand is what?

22 A. Nobody and I also had an agreement regarding working  
23 on LocalBitcoin so he could benefit his church and the Shire  
24 Free Church could benefit our church operations as well.

25 However, Nobody is not a member of the Shire Free

1 Church and he's not a minister there because he doesn't adhere  
2 to the same level of advocacy of peace for me to consider him  
3 to be a minister there. However, we will still work together  
4 on the things and the issues that we agree on.

5 Q. Reformed Satanic Church, what's that?

6 A. That is a church founded by Aria DiMezzo, another  
7 one of our cohosts. She is a Satanist, which doesn't mean she  
8 believes in the devil. It's more of a humanist belief system  
9 and if she were here she would be better at explaining it to  
10 you. But that's -- that's her church. She had some severe  
11 disagreements with the actual -- the original Satanic church,  
12 so she founded the Reformed Satanic Church of Keene.

13 Q. Okay. I mean, is she involved with you in any way,  
14 shape, or form? What's the situation?

15 A. We're on the air together on Free Talk Live three  
16 nights a week and we work closely together. And we also have  
17 an agreement in regards to LocalBitcoins where the Shire Free  
18 Church, similar to my friend Nobody, provided some funds for  
19 her to work on that site for her church.

20 Q. Did you refer people to her as well?

21 A. I did refer some people to her. At some point I got  
22 to the point where I was not really wanting to spend much time  
23 on doing LocalBitcoins things anymore. I still had some of the  
24 larger clients that I was servicing, but I would send most of  
25 the smaller LocalBitcoins clients over to her at that point.



1 Q. And --

2 A. This is probably in 2020.

3 Q. How about the Crypto Church of New Hampshire?

4 A. Crypto Church of New Hampshire is yet another  
5 program of the Shire Free Church in that case. And in that  
6 case, it's a little different from a trade name because we  
7 actually did file for a nonprofit with the Crypto Church. And  
8 Renee and Chris were the two key ministers involved there and I  
9 did make sure to have a conversation with both of them that I  
10 didn't want them to open up this church, corporation, if --  
11 this nonprofit if they didn't believe in God. And so I did  
12 have those conversations with them prior to that.

13 But I think it's important to differentiate  
14 something here, and that is the difference between a church and  
15 a corporation. So the church is an idea that people create in  
16 order to facilitate the worship of God and the understanding of  
17 the nature of the universe. You don't have to ask permission  
18 to create a church. And when you get a corporation, like a  
19 New Hampshire nonprofit or an LLC, you are asking for  
20 permission to do something in sort of this, for lack of a  
21 better term, this legal land that the government operates in.

22 So when you see a corporation, you're not looking at  
23 a church. You're looking at a filed folder that's sitting in  
24 the Secretary of State's office. Those aren't churches.  
25 Churches like Shire Free Church have corporations and the

1 reason we have corporations is to be able to do things in this  
2 legal land where you have to have certain corporate structure  
3 in order to buy a house, which we have; and you have to have a  
4 corporation in order to, you know, open a bank account.

5 In fact, when you go to the IRS website and you  
6 apply for an employee identification number or a tax ID number  
7 there, there's a special category for church. And when you  
8 click on that category, there's an option that you only want  
9 this number for banking purposes. You can inform them of this.  
10 Because they understand at the IRS that they don't regulate  
11 churches and that we're not employees -- you know, we don't  
12 employ people at our church. So we don't -- we're not an  
13 employer, but we have to have that number or we'll never be  
14 able to open a bank account. So --

15 Q. Did you actually get that number?

16 A. Uh-huh, yes, for the Shire Free Church as well as  
17 Shire Free Church Monadnock, which is the nonprofit that we  
18 have registered with the state of New Hampshire and have since  
19 2013.

20 Q. And that number would have been what again, so the  
21 jury understands that?

22 A. That's the employee identification number or tax ID  
23 number or whatever terminology they are using.

24 As you may know from 2001, I think it was, when the  
25 Patriot Act was passed, banks have required social security



1 numbers in order to open an account. In the good old days, you  
2 didn't have to do that but now you do. So in order to open an  
3 account under the name of the church, it has to have one of  
4 these numbers. So --

5 Q. Okay.

6 A. -- that's the only reason we applied for that.

7 Q. So you applied for the number, the IRS has the  
8 number, and it's the same IRS that never contacted you?

9 A. The very same.

10 They did send one letter.

11 Q. And what was that?

12 A. This was in 2014, so long before the bitcoin thing.

13 They sent a letter in Spanish to four, I think,  
14 different addresses that I had used over the years. And I had  
15 to translate it. The Spanish letter was requesting that I  
16 provide my updated address information to them.

17 Q. And was it -- was it updated?

18 A. I saw no reason to communicate with them. It was  
19 simply a request that said please.

20 Q. And was it in Spanish, you said?

21 A. The letter was in Spanish, yes.

22 Q. Okay. All right. After -- after the 2014 Spanish  
23 letter, were there any further communications from the IRS?

24 A. No. I had never heard from them.

25 Q. And did you apply for these numbers that you needed

1 to get bank accounts between 2014 and 2021?

2 A. That's correct. I think we might have applied for  
3 one in 2013 when we first formed the nonprofit. Maybe.

4 Q. Okay.

5 A. But it's certainly when we wanted to open the first  
6 bank account because we -- we had to.

7 Q. All right. So that was on record?

8 A. It must be. I mean, it's an instant system. As  
9 long as you do it during business hours, they kick the number  
10 out to you immediately.

11 Q. All right. Let me get into some of the ins and outs  
12 of the bitcoin vending machine.

13 A. Sure.

14 Q. The ones that the church operated, what was your  
15 interpretation of your obligation concerning FinCEN and whether  
16 or not it was money transmission?

17 A. Zero obligation. We did an extensive amount of  
18 research about this, including hiring an attorney, Attorney  
19 Seth Hipple, who did the research on this question and looked  
20 into both -- looked into both state and federal regulations  
21 regards to money so-called services businesses, which -- of  
22 which money transmission is a subcategory to see if we not only  
23 met the qualifications as a money transmitter, but also any of  
24 the other money services business categories. And he  
25 determined that we did not and so, therefore, we didn't need to

1 do any of the requirements for those things.

2 Q. Do you consider what you're doing with your bitcoin  
3 machines transmitting?

4 A. No, not at all. And not to go too far into the  
5 technical weeds with bitcoin, but when you actually start  
6 learning about sort of the guts of how it operates, you would  
7 learn that there's no transmission at any point.

8 Now, when you look at the -- sort of the terminology  
9 that they would use if you had a bitcoin wallet, you would see  
10 things like send and receive, but those are just words to help  
11 communicate to the user sort of what's kind of happening. But  
12 it's not what's actually happening on the back end, which is  
13 called the blockchain. The blockchain is the public ledger  
14 that is available for anyone to look at.

15 And on this blockchain is essentially -- it's also  
16 a distributed ledger, meaning that it exists in thousands of  
17 locations all at the same time. And the brilliance of the --  
18 one of the brilliances of the blockchain by Satoshi Nakamoto is  
19 that you cannot cook the books with bitcoin. There is no way  
20 to falsify these bitcoin blockchain entries and that's because  
21 they're constantly checking one other. Each copy of the  
22 blockchain is constantly checking against the other.

23 And so what happens when a bitcoin transaction  
24 occurs is there's something called a UTXO, which stands for  
25 unspent transaction output, and all of the bitcoin is



1 represented by these UTXOs which are associated with these  
2 bitcoin addresses. When a transaction is, quote, unquote,  
3 sent, it doesn't actually move at all. It stays on the ledger  
4 and it doesn't even move on the ledger. The UTXOs that are  
5 relating to the coins that are being spent are simply destroyed  
6 and re-created and associated with a different wallet address.

7 Q. All right. So there isn't actually any transmission  
8 or transfer?

9 A. At no point is bitcoin ever transmitted. It stays  
10 in the same place.

11 Q. All right. And, again -- and, in fact, the bitcoin  
12 in your machines was actually owned by the church?

13 A. That's correct. It was donated to us and given to  
14 us by various different people over the years.

15 Q. All right. So that -- those particular bitcoin  
16 machines, in essence, were not owned by a business then, were  
17 they?

18 A. No. The bitcoin machines were owned by the Shire  
19 Free Church which is a religion. It's a church. It's not a  
20 business.

21 Q. Now, we did mention briefly and the Government's  
22 mentioned on a number of occasions this FinCEN email from 2018.  
23 Do you recall that?

24 A. I do recall it.

25 Q. And did you actually see such a thing back in 2018?

1           A.     Yeah, I did see it. It came in to sort of one of  
2 these catchall email addresses. If you were to go to the  
3 website coinatmradar.com back in those years, you would see  
4 the -- sort of a map of where bitcoin vending machine locations  
5 are all around the planet. And, of course, in New Hampshire as  
6 well. And then if you were to look at each of those machines,  
7 it would tell you who the ostensible operator of those machines  
8 was.

9                     And so what it seemed like had happened with the  
10 FinCEN letter, it seemed like somebody in FinCEN in DC went to  
11 this website, pulled off all of the contact emails for every  
12 bitcoin vending machine operator that they couldn't find a file  
13 on, sent them all into the same email and shot out a mass email  
14 to all of those people. They didn't know who they were sending  
15 it to.

16           Q.     And what was your impression when you received such  
17 a thing?

18           A.     I was immediately suspicious. I had never received  
19 an official government email communication like that before.  
20 Normally when -- you know, my experience, when a government  
21 agency, whether it be a federal or state or local government  
22 agency, wants to communicate with you, they send you mail. And  
23 if they really want to communicate with you, they make sure  
24 they send registered mail so you have to sign for it somewhere  
25 so they know that it didn't get lost or whatever. The idea



1 that somebody would send a communication through email seemed  
2 suspicious.

3 I actually thought there was a chance it may have  
4 been a scam artist that was sending that email, but presuming  
5 it was actually FinCEN, I discarded it simply because I knew  
6 that we weren't required to register with them.

7 Q. And then there's been some discussion during the  
8 last couple of weeks about the ages of your -- I guess  
9 individuals that you transacted some of these bitcoin purchases  
10 and so forth?

11 A. Sure.

12 Q. What -- what is the age group that you deal with? I  
13 mean, do you -- do you have any idea?

14 A. I have been involved with bitcoin purchases from all  
15 age ranges and especially so on LocalBitcoins.com. That's  
16 probably the reason why they didn't go through that folder,  
17 because there's a bunch of people in there that are of all  
18 different ages.

19 Q. Yeah, what was the folder that they went through and  
20 did the median age on?

21 A. They did the Telegram folder, which was a subset of  
22 people who I had met on LocalBitcoins.com that wanted to trade  
23 off of LocalBitcoins.com because we had had trades together and  
24 they knew that I was reliable and they wanted to trade off the  
25 site because LocalBitcoins takes a fee. And so I was able to

1 lower my fee to them on Telegram to give them a better rate for  
2 direct trades.

3 Q. So you were actually giving them a better deal going  
4 to Telegram?

5 A. That's correct.

6 Q. Your fee was being reduced by going to Telegram?

7 A. That's right, yes.

8 Q. And the median age that was represented by the  
9 government, does that have any basis in reality at all?

10 A. As far as all of my bitcoin buyers, no, not at all.  
11 But, ultimately, people who are older tend to have more money  
12 to spend and they want to get into different things just like  
13 anybody of any age.

14 Q. Okay. When you were dealing with the banks, did you  
15 ever have conversations with some of these bank presidents  
16 about bitcoin and whether or not you had any obligations  
17 whatsoever to even tell them the kind of business you're in?

18 A. I actually had a really interesting discussion with  
19 one bank president. Because as I mentioned before, whenever a  
20 bank would break up with us, it would always be a -- especially  
21 if it was a corporate bank, it would always be like a terse  
22 letter of, you know, such and such bank, we're going to  
23 terminate our relationship with you based on our terms of  
24 service, goodbye. And if you tried calling the service line  
25 and asking them, well, why, they wouldn't say.

1           And TD Bank, they have what's called the demarketing  
2 department. So you've probably heard of a marketing  
3 department, but the demarketing department is the department  
4 designed to break up with you. And they weren't very helpful.  
5 They were very robotic.

6           So I received some number of these breakups over  
7 time and then we had a bank account at Savings Bank of Walpole,  
8 which is a more local bank in the Keene area. And in this case  
9 when I got the breakup letter, it was actually signed by the  
10 bank president. And it had his phone number, his office phone  
11 number, was at the bottom; if I had any questions, I could  
12 call. I had questions. Because at this point I had had very  
13 little interaction with any banker willing to tell me anything  
14 about why they were ever closing my accounts.

15           So I called him up, left a message, and I scheduled  
16 an appointment. And Chris Reitmann and I, you know, we put on  
17 suits and we went into the bank and sat down with this bank  
18 president for more than an hour and had a really interesting  
19 conversation with him where he revealed that he's quite  
20 intimidated by the federal government and all their  
21 requirements. And even though he's not against --

22           MS. MACDONALD: Objection, your Honor.

23           THE COURT: Yeah, sustained.

24           Q. You don't have to go through the ins and outs of the  
25 conversation, but what was the result of that meeting?



1           A.     Well, what I learned was that even though bitcoin  
2 wasn't illegal, right, like he understood that, I learned that  
3 he didn't feel comfortable --

4           MS. MACDONALD:  Objection, your Honor.

5           THE COURT:  Yeah.  It's hearsay.

6           MR. SISTI:  All right.

7           THE COURT:  Unless there's a different purpose for  
8 which you're offering it.

9           Q.     Ian, after the conversation with bank presidents,  
10 were you able to go to banks and say, hey, I want to open an  
11 account, I want to do it for bitcoin?

12          A.     Oh, no.  Banks have -- most banks have no interest  
13 whatsoever in dealing with bitcoin.  At one point I actually  
14 called all of the banks and credit unions in the Manchester  
15 area.  I used, you know, Google Maps and looked at all of them.  
16 And I called every single one of them and I asked them, I said,  
17 I'm interested in opening an account.  And I didn't tell them  
18 exactly what I was going to do, but I just said it would be in  
19 regards to bitcoin.  I just brought up bitcoin and told them  
20 that the account would have to do with, you know, something in  
21 regards to bitcoin.  And every single one of them told me no.

22          Q.     Okay.  So let me ask you something.

23                 On -- on the -- on some of the receipts and some of  
24 the writing that was on some of the transactions, there would  
25 be quotes like for investment purposes.

1 A. Uh-huh.

2 Q. Okay? Would that be an accurate representation?

3 A. I think a lot of people believe that bitcoin is a  
4 good investment. The last decade, bitcoin has been the best  
5 investment of all potential investments that you could possibly  
6 have made in the last decade.

7 Q. How about writing that says rare coins? What was  
8 that all about?

9 A. Yup, that's absolutely true with bitcoin. So in  
10 bitcoin, there's a maximum. There's -- Satoshi decided there  
11 should be no more than 21 million bitcoins ever issued. Right  
12 now I think we're getting close to 19 million that have come  
13 out, so every ten minutes, roughly, the bitcoin miners will  
14 mine what's called new block onto the blockchain and that block  
15 contains roughly the last ten minutes' worth of transactions.  
16 And then once it's mined onto the blockchain, it's there  
17 permanently. It cannot be removed. It's a permanent record.

18 But with each block that is mined into existence,  
19 there's what they called a block reward that comes out. And  
20 this is how the miners are awarded for their efforts, which is  
21 a very expensive effort. They have to have very specific  
22 computer hardware that has to work very hard at solving very  
23 complex math problems. And only one miner can receive the  
24 block reward. It's the one that sort of finds the block or  
25 mines that block into existence. And that -- that reward



1 reduces over time.

2 Q. Okay.

3 A. So when bitcoin first started in 2009, it was 50  
4 bitcoins per block which, of course, in the beginning was worth  
5 zero and then basically I think every three to four years, the  
6 bitcoin block reward cuts in half. So it went down to 25 and  
7 then 12 and a half and it is currently at 6.25 bitcoin per  
8 block. And then next year I think sometime it's going to cut  
9 in half again.

10 So those coins are -- I forget what the original  
11 question was.

12 Q. Yeah. Were they -- are they rare coins?

13 A. Yeah. Okay. Thank you.

14 So the total number is 21 million and so slowly,  
15 over time, the number of bitcoins that is coming out every ten  
16 minutes is going down over the years to where we probably will  
17 get to 21 million sometime in 2140 or, you know, roughly a  
18 hundred years from today.

19 And so if you look at the rarity of the number 21  
20 million -- a friend of mine gave me an example years ago. He  
21 said that somebody somewhere calculated that in the world  
22 there's only like roughly 40 million millionaires in the world.  
23 So there's not even enough bitcoin to give every millionaire a  
24 whole bitcoin. So it is quite rare.

25 Q. Okay. How about --

1           A.     And everyone calls them coins.

2           Q.     How about when people would write "donation" on that  
3 receipt? What would that be all about?

4           A.     Well, everything that we were doing was for the  
5 benefit of the Shire Free Church and its mission. And I don't  
6 know if you all noticed, but when they put the trade -- the  
7 trade terms for LocalBitcoins up that I had on my account under  
8 the About Me section, it talked about that this is a church  
9 project, that everything that is earned from this is going  
10 right back into the church, its outreach programs and such, and  
11 in order to open a trade on LocalBitcoins, the rule is you have  
12 to read the terms of the trade. So they must have known if  
13 they were opening a trade that this was for church reasons.

14          Q.     Okay.

15          A.     Oh, and also it was mentioned on the bitcoin vending  
16 machines in the terms and service as well.

17          Q.     So that was open and out there for the public?

18          A.     Absolutely.

19          Q.     And that would have been known or should have been  
20 known by everybody that engaged in that transaction with you?

21          A.     It should have been, yes.

22          Q.     I want to go to the beginning of this case.

23                 Well, let me stay on one thing because -- I want to  
24 stay on one subject.

25                 I'm going to refer you to -- it's just marked for ID

1 now, but Defendant's C-2 through C-4.

2 And if I told you that it had to do with feedback  
3 for FTL\_Ian, would you be familiar with something like that?

4 A. Yes, I'm quite familiar with my user feedback on  
5 LocalBitcoins.

6 Q. And why would you be familiar with it and why would  
7 it be important to you?

8 A. Well, as a top-rated seller on LocalBitcoins, I  
9 achieved what they call the pro level simply because of the  
10 volume of trades that I had done. I am certainly concerned  
11 with what people think of how I've performed. I mean, did I do  
12 a good job? I'd like to know. And so I would regularly review  
13 the feedback that was left.

14 Q. All right. And how much feedback did you get? I  
15 mean, do you even have any estimate?

16 A. I know because I reviewed it before the trial. Over  
17 1,400 positive ratings and a handful of negatives and what they  
18 call neutral ratings as well.

19 Q. Let me show you what's been marked as Defendant's  
20 C-2, C-3, and C-4, and ask you if you can identify these for  
21 the jury.

22 A. Okay. C-2 is, I believe, 70-something pages of  
23 positive feedback from my LocalBitcoins account.

24 C-3 is a whole one page of neutral feedback that I  
25 received. And this is in the four years, five years, that I



1 had the account.

2 And then a less than half a page of negative  
3 feedback is C-4 on this exhibit.

4 MR. SISTI: Your Honor, I'd ask that these be marked  
5 as full exhibits at this time.

6 MS. MACDONALD: Objection, your Honor. These  
7 contain statements of the customers that are not offered for a  
8 purpose other than hearsay. He can certainly testify about  
9 this generally and the amount of reviews he received, but to  
10 introduce the statements of the customers would be hearsay.

11 MR. SISTI: It's the number of reviews -- it's the  
12 number of positive reviews versus the number of negative  
13 reviews over a four-year period that is critical during the  
14 course of this case that is claiming --

15 THE COURT: Well, I need to see it.

16 MR. SISTI: Okay. I can bring it up.

17 THE COURT: Sure. Or you can pass it -- however you  
18 want to do it. Do I have a copy? Because I have government  
19 exhibits. I don't think I have a copy of --

20 MR. SISTI: You may not.

21 THE COURT: Okay.

22 MS. MACDONALD: Your Honor, to be clear, he just  
23 testified to all the things Mr. Sisti said he would be using it  
24 for, so I --

25 THE COURT: That's true.

1 MS. MACDONALD: -- would have an objection to that.

2 THE COURT: Thank you.

3 Oh, I see.

4 Is D-1 part of the -- oh, sorry.

5 So this is Internet feedback regarding the business.

6 MR. SISTI: Uh-huh. And it's used -- I mean, I

7 don't want to continue with the --

8 THE COURT: I'm just -- I'm trying to understand --  
9 I mean, he has testified about it, but the -- the problem is  
10 this is a lot of statements by looks like maybe hundreds of  
11 people and I certainly can't admit it for its truth.

12 MR. SISTI: Doesn't have to be.

13 THE COURT: So what do you -- so what are you  
14 offering it for?

15 MR. SISTI: It doesn't have to be admitted for the  
16 truth of the matter. It's asserted in the anonymous names that  
17 are there.

18 THE COURT: Yup.

19 MR. SISTI: But as the business record that he  
20 actually keeps in order to sustain his business and fine-tune  
21 his business and make sure that he's on the up-and-up with his  
22 client base, that's what he does regularly. I can get that  
23 out. I can -- that's part of his business, what he does.

24 THE COURT: Yeah.

25 MR. SISTI: It's part of the church business and



1 that's how he --

2 THE COURT: I'm going to allow it as records he  
3 maintains for running his business. They appear -- they  
4 definitely appear to be business records.

5 Do you have any authentication objection?

6 MS. MACDONALD: Well, I don't think that the  
7 defendant --

8 THE COURT: Yeah, he hasn't laid a foundation for  
9 their authenticity yet, but that's not -- your objection was  
10 hearsay. And I'm not going to allow it for its truth, but they  
11 are records of the business that a business would normally  
12 maintain to, you know, assess customer opinions. And it can be  
13 admitted for that purpose. And I can give a limiting  
14 instruction, but before we get to that, I need to know if you  
15 have any other objection.

16 MS. MACDONALD: Yes, your Honor. That business  
17 would be localbitcoins.com, not the defendant's business.

18 MR. SISTI: It's his business with --

19 THE COURT: Wait a minute. Don't --

20 MR. SISTI: Sorry.

21 THE COURT: Yeah. That business --

22 MS. MACDONALD: Localbitcoins.com would have to  
23 authenticate these records. That's where these come from.

24 THE COURT: Right. Isn't that Mr. Freeman?

25 MS. MACDONALD: Localbitcoins.com is a Finnish

1 company that keeps those records. That -- he took them off a  
2 website, but that's not sufficient to authenticate those  
3 records.

4 THE COURT: That's true.

5 MR. SISTI: They're directed to his business.

6 THE COURT: Directed to, though.

7 I'm not going to admit these yet. We're going to  
8 have to take it up at the break and we'll have the argument  
9 then.

10 But for now -- you can continue with your  
11 examination but I'm not admitting that yet.

12 MR. SISTI: Thank you.

13 Q. And let me show you another defendant's exhibit,  
14 D-1. Let me ask you if you know what that is.

15 A. Yes, I do. This is the church website from the  
16 Shire society site, church.shiresociety.com.

17 Q. Okay. And just what is it? Not what is in it, but  
18 what is it?

19 A. This is a statement of -- all about the church, the  
20 church's mission, the church's declaration, its virtues,  
21 various different statements about how to become ordained and  
22 that sort of thing.

23 Q. And that's out there for the public so they can  
24 educate themselves on your church?

25 A. It is.

1 MR. SISTI: And I'd like to strike the ID on D-1 at  
2 this time, your Honor.

3 THE COURT: D-1?

4 MR. SISTI: D-1.

5 MS. MACDONALD: That's fine, your Honor.

6 THE WITNESS: Can I say something to clarify on  
7 that?

8 THE COURT: Admitted.

9 MR. SISTI: Thank you.

10 (Defendant's Exhibit D-1 admitted.)

11 MR. SISTI: Can we call that up on the screen,  
12 please?

13 Q. Okay. D-1. Now, you testified a little bit earlier  
14 today about, you know, your declaration, your mission, and that  
15 sort of thing. I want to make it clear as to what it is.

16 Is this D-1 full exhibit, the declaration, mission,  
17 unification in diversity, maxim, virtues, is that what is  
18 intact now and is that what has been intact for years?

19 A. Yeah, I believe this was printed within the last few  
20 weeks and it has been relatively similar for some time. It may  
21 have been expanded slightly over the years.

22 Q. All right. And can you -- can you tell the jury,  
23 can you -- can you read the declaration of your church?

24 A. Certainly. The Shire Free Church offers a sanctuary  
25 for those seeking an escape from state churches. The Shire



1 Free Church is an interfaith diverse group of people who may  
2 not share identical theological beliefs.

3 As a member in or minister of the Shire Free Church,  
4 you are a sovereign individual and may be the faith of your  
5 choice whether it be Christian, Muslim, Hindu, Buddhist,  
6 Daoist, Jewish, Quaker, et cetera, or following your inner  
7 light. Monotheists, polytheists, pantheists, panentheists, and  
8 atheists are all welcome as long as you are peaceful.

9 The Shire Free Church was organized in Keene in the  
10 year --

11 THE COURT: You've got to really slow down when  
12 you're reading.

13 THE WITNESS: The Shire Free Church was organized in  
14 Keene in the year 2013 and serves all of the shire.

15 Q. And does your church have a mission, and what would  
16 that be?

17 A. We don't claim to have all of the answers. We are  
18 open to all peaceful people. We want to learn from each other.  
19 It is our mission inspired by God, Allah, the universe, and the  
20 inner light, to foster peace.

21 We understand that in order to have peace in the  
22 world, one must have it inside oneself first, the purification  
23 of the soul, as our Muslim friends call it.

24 Q. And is there a statement of beliefs as well?

25 A. There is, the unification and diversity.

1           What unifies the Shire Free Church and its diverse  
2 members is peace, love, and liberty. There are many paths to  
3 God, one for every individual.

4           The Shire Free Church does not define a specific  
5 path beyond those parameters that must be your foundation,  
6 peace as your way, love as your guide, and liberty as your  
7 light.

8           Q.     And a maxim?

9           A.     Be the best you can be and harm no other in his  
10 person or property.

11          Q.     Okay. Now, has this been the common theme since the  
12 beginning of the church, since the inception?

13          A.     It has.

14          Q.     And then does it give, on the second page,  
15 instructions on how to visit and join the Shire Free Church?

16          A.     It does.

17          Q.     All right. And is that -- it's laying out any and  
18 all requirements there may be and how to get in touch?

19          A.     Correct.

20          Q.     And it lays out for the public how to contact a  
21 minister, an ordination of ministers, and church locations,  
22 correct?

23          A.     Yes, it does all of those things.

24          Q.     Okay. And, again, when was that first put before  
25 the public, if you recall?

1           A.     Many years ago, probably shortly after the church  
2 was formed in 2013.

3           Q.     So it's been in existence since 2013?

4           A.     That is correct. The church has.

5           Q.     Yes.

6           A.     I can't say if the website was 2014 or exactly when  
7 that happened.

8           Q.     We were showing the Court and offering Exhibits C-2,  
9 C-3, and C-4.

10          A.     Uh-huh.

11          Q.     Were those documents that you kept or reviewed in  
12 your day-to-day business?

13          A.     I did review them. I wouldn't use the term business  
14 for what we were doing, but I think it's important to point out  
15 I did not keep those records. Those records are kept by  
16 LocalBitcoins. I do not have any ability to edit those  
17 records. Those are -- much in the same way that you might see  
18 an eBay rating for someone, those are completely done without  
19 my involvement. At the termination of a trade on  
20 LocalBitcoins, the person who did the trade has the option to  
21 leave feedback.

22                   I can also leave feedback for the buyer, which I  
23 did, but those are the feedbacks that were left for me by those  
24 people. I cannot go in and delete, I have no editing ability  
25 over those, and if we need to verify it, we can pull up the



1 website live here.

2 Q. Why do you review these --

3 THE COURT: Listen, listen. I'll decide what we do  
4 here.

5 THE WITNESS: All right. Just a suggestion.

6 THE COURT: I don't need any suggestions. Just  
7 answer his question.

8 Q. Why do we -- why do we look at these? Why do you  
9 review these?

10 A. As somebody who wants to provide good service, I  
11 want to make sure that the people who are buying are happy and  
12 I want to know if I've made any mistakes or if there's anything  
13 I can do to make something right that hasn't been brought to my  
14 attention.

15 Q. And, again, how many positive feedbacks?

16 A. I believe it was over 1,400 or 1,379, somewhere in  
17 that ballpark.

18 Q. And negative feedbacks?

19 A. Negative was around five and then there was neutral  
20 which I think was 14.

21 Q. And these would have been entered into this  
22 particular collection of data without your influence  
23 whatsoever, correct?

24 A. That is correct, beyond the influence of being good  
25 at what I do.

1 Q. Now, part of that peace -- or part of the mission  
2 of the church has to do with being peaceful, nonviolent,  
3 understanding. Is that kind of it in a nutshell?

4 A. Absolutely.

5 Q. All right. So that would have been --

6 A. Love, peace, forgiveness. Sorry.

7 Q. If anybody wanted to know about your church, they  
8 could have pulled that right up, Googled that, and taken a look  
9 at it, right?

10 A. They certainly could. They could also call my radio  
11 show and talk about it.

12 Q. And if anybody wanted to know about you or the  
13 people involved in your church, including the people in your  
14 house, they could have checked that out as well?

15 A. Yeah. It's not hard to learn who lived in my home.

16 Q. All right. Was anybody living there secretly?

17 A. Certainly not that I'm aware of.

18 Q. Was anybody living in your home with a violent  
19 record of any kind?

20 A. Definitely not. They mentioned early --

21 Q. On March 16th, 2021, you were awakened in the early  
22 morning hours and I want to bring you back to that for a  
23 second. Okay?

24 Do you remember that?

25 A. Oh, I remember it quite clearly.

1 Q. There was testimony from an agent that claims that  
2 the normal course of business when a search is supposed to take  
3 place is that there's supposed to be an announcement, a  
4 call-out, I believe is what the statement actually was.

5 Do you recall any call-out in the early morning  
6 hours of March 16th, 2021?

7 A. I was asleep at the time of roughly 5:00 a.m., 5:13,  
8 when they arrived. I don't recall hearing any such thing  
9 happen and my friend Nobody, who was awake at the time, never  
10 reported that to me.

11 Q. What was the first thing you recall that morning?

12 A. I was awoken by the sound of smashing glass, coming  
13 from the first floor, what sounded, of my home. I was sleeping  
14 on the second floor with my then girlfriend Bonnie at the time.  
15 And we were obviously quite shocked to be awakened by that.

16 My first thought was maybe someone had thrown a  
17 brick through the front window. Every now and then we would  
18 have teenagers that would steal the peace flag that was hanging  
19 on the porch. You might have seen that in one of the video  
20 clips. And that flag had been stolen on a number of occasions.

21 And we had security cameras on the house. In  
22 reviewing the footage, we'd seen teenagers steal that flag over  
23 the, you know, the last several years on a number of occasions.  
24 So I just -- I figured, you know, that was what happened,  
25 somebody chucked a brick through the front window.



1           And I continued to hear noise from downstairs, got  
2 up, put a robe on, and as soon as I opened the door to the  
3 stairwell, I noticed that there was a very loud noise coming  
4 from downstairs. And it turned out it was a drone that was  
5 flying inside of my home, just hovering inside of my home, and  
6 that was when I was shouted out -- shouted at by what appeared  
7 to be men with guns outside of the -- what was a window and was  
8 now a gaping hole on the side of my home by the front door  
9 where they had torn out the window after smashing it.

10           Q.    I mean, were there any bars on your windows or --

11           A.    No, this is Keene, New Hampshire. I don't know if  
12 anyone has bars on their windows.

13           Q.    All right. Did anybody in your home resist anything  
14 from what you recall?

15           A.    No. You know, we came downstairs with our hands up  
16 as instructed. And my girlfriend was completely naked at the  
17 time, so I did request that she be able to go back upstairs and  
18 put her robe on, which she was allowed to do.

19                    Then we continued down the stairs and halted because  
20 there was broken glass everywhere and they wanted us to walk  
21 outside.

22                    So -- and we also had Cocoanut, our dog, which I had  
23 in my arms at that point. They allowed me to pick him up so he  
24 didn't have to walk across the glass. We were able to dump the  
25 glass out from our -- inside of our shoes, because it was right

1 in the entryway where all the shoes are, and put the shoes on  
2 and then exit the home.

3 Q. Okay. There were four of you, total, in the home at  
4 the time?

5 A. On our side it would have been me and Bonnie and  
6 then Matt Roach and our dog Cocoanut.

7 Q. On that side there would have been three and a dog.  
8 Matt Roach, any violent history that you're aware  
9 of?

10 A. No, I've never heard of such a thing. In fact, I  
11 happen to know that Matt is a registered gun owner with the  
12 federal government. He's gotten all kinds of permits for the  
13 various different things that he owns. So they certainly knew  
14 that he had no criminal history.

15 Q. All right. And who lived on the other side of the  
16 house?

17 A. My good friend Nobody and his roommate Calvin.

18 Q. All right. So all of you were -- were all of you  
19 taken into custody that night?

20 A. Everyone was detained until they could clear the  
21 building and make sure there was, you know, not somebody hiding  
22 out or something in there.

23 Q. And was -- was there any reason that you could  
24 ascertain as to why they were destroying your surveillance  
25 equipment?

1           A.     Well, I mean, I -- I could speculate as to their  
2 reasons, but it doesn't seem like they wanted to be seen doing  
3 what they were doing.

4           Q.     Is there any off-site, you know, monitoring of your  
5 house? I mean, do you have some special militia group keeping  
6 an eye on you or something like that?

7           A.     Certainly not. The cameras were hooked up to  
8 recording devices, DVRs, that were located in the basement of  
9 the other side of the house, so on Nobody's side of the house,  
10 was where the recording decks were and they took those decks.  
11 And, thankfully, they did return those. A year later.

12          Q.     Did you -- was there -- was there anybody that gave  
13 you any reason for smashing out windows and doors and throwing  
14 a flash bang grenade onto your porch?

15          A.     The flash bang wasn't thrown on the porch. It was  
16 thrown on the back end of the house over by the garage, at  
17 least according to the video, which was nearby where I was  
18 asleep on the -- the upstairs room. And it seemed -- based on  
19 the time codes of the video, it seemed that all those things  
20 happened at one.

21                 So if you watch carefully, you'll see that the flash  
22 bang is thrown and basically right when that happens is when  
23 they smashed in the windows on both my side and on Nobody's  
24 side.

25                 On his side they used a BearCat with a battering ram



1 to smash his window in and I'm not sure what they used on my  
2 side.

3 Q. But there was no call-out?

4 A. Oh, not that I could hear and I certainly -- you  
5 know, if there was, they didn't give us more than ten seconds.

6 Q. Okay.

7 A. And you can look at the video. It doesn't seem like  
8 anyone has a megaphone in their hands. The guys on the front  
9 porch had like a claw hammer that I think that they used to  
10 smash in the front windows. I had two of my windows smashed,  
11 including the front window to the studio and the window on the  
12 side of the house.

13 They were carrying a lot of guns, but no megaphone.

14 Q. All right. Let me jump ahead.

15 One of the counts is the tax evasion count. We've  
16 gone over this a little bit.

17 A. Uh-huh.

18 Q. And you've already discussed with the jury that you  
19 received no letters or no notification of any arrearages or  
20 owed taxes or anything like that?

21 A. No communications in that way at all.

22 Q. I mean, did anybody in person call you or anything  
23 like that?

24 A. I've never heard anything directly from any IRS  
25 agent.

1 Q. Did you file any documents with the IRS, any false  
2 documents or anything like that?

3 A. No. I did not believe I had any obligation to file  
4 documents as churches under the IRS rules don't pay taxes.

5 Q. So was that one of the reasons you weren't filing  
6 returns?

7 A. That's correct.

8 Q. Okay.

9 A. Based on my research of the IRS codes and their  
10 publications, they do not require churches to file anything.

11 Q. And did you have a source of income other than the  
12 support you were receiving from the church?

13 A. I don't have income because I live at the support of  
14 the church. It sustains me.

15 Q. At any point in time over the past nine years or so,  
16 were you attempting to do anything illegal?

17 A. Not to my knowledge.

18 Q. And to your knowledge, did you in any way, shape, or  
19 form conspire with others for any illegal act?

20 A. I think I may have smoked some cannabis at some  
21 point over the past nine years.

22 Q. And that's about it?

23 A. That's about it.

24 MR. SISTI: I have nothing further. Thank you, Ian.

25 Your witness.

1 THE COURT: Cross-examination.

2 MS. MACDONALD: Thank you.

3 CROSS-EXAMINATION

4 BY MS. MACDONALD:

5 Q. Good afternoon, Mr. Freeman.

6 A. Hello.

7 Q. So, Mr. Freeman, we have established that you call  
8 yourself a minister, right?

9 A. Yes, that's right.

10 Q. Of the Shire Free Church; is that right?

11 A. That's correct.

12 Q. Okay. And Mr. Sisti just recently showed us your  
13 church website, right, a printout of your church website?

14 A. That's what that was.

15 Q. Okay. And did you write that?

16 A. I did with a -- with some others.

17 Q. Okay. And you heard Hope Cherry testify that banks  
18 will research the businesses that open accounts with them,  
19 right?

20 A. Yeah, that's their job.

21 Q. Okay. That would include things like Google  
22 searches of businesses?

23 A. It would seem that would be step one for them, I  
24 would think.

25 Q. Okay. And you have a nightly radio show, Free Talk

1 Live, right?

2 A. Yes, seven nights a week.

3 Q. And that -- you get calls in to that radio show from  
4 various listeners, right?

5 A. Of course. It's an open phone show. Anyone can  
6 call in.

7 Q. Okay. And because it's an open phone show, people  
8 can call in to talk about whatever they want, right?

9 A. Absolutely, including undercover agents.

10 Q. Okay. And you -- you don't prepare for it, because  
11 you don't know what the topics are going to be, right?

12 A. That's part of the fun, yeah.

13 Q. Right. And so you're -- you're good at that; you're  
14 a good talker, right?

15 A. Precisely. I'm quite practiced at talking on the  
16 radio. I've been doing it since I was 17.

17 Q. And on your show you often talk about current  
18 events, right?

19 A. Yup, that's right. It's an open phones talk show  
20 and so current events are usually the issue of the day. But  
21 sometimes we talk about theology and various other topics.

22 Q. Okay. And, for example, on Friday night of this  
23 week, the topics on your radio show included car companies  
24 adding ridiculous subscription fees, right?

25 A. Yup, that sounds like something we talked about



1 recently.

2 Q. And Trump's superhero NFT, right?

3 A. Yeah. That was a very silly story, but, yeah, we  
4 covered that, too.

5 Q. And the Griner trade for Bout, right?

6 A. Yes, the gunrunner from Russia, yeah. That's right.

7 Q. And another thing from the description of the show  
8 was 25 Oregon counties reprobhibit mushrooms, right?

9 A. They did, sadly.

10 Q. And you talked about online bullying?

11 A. Yup, that sounds right.

12 Q. And then something called Edgington Post Serbian  
13 Prince Philip, correct?

14 A. That wasn't actually on the radio show. The  
15 Edgington Post is something that comes in only on our podcast.  
16 So radio listeners didn't hear that segment.

17 Q. Okay. But those are generally the -- an example of  
18 some topics that you talk about on the radio show, correct?

19 A. That is one night's worth of topics, yes.

20 THE COURT: Let's make sure we let each other  
21 finish, mostly to give the reporter a little beat to catch up.

22 THE WITNESS: Sure.

23 Q. Mr. Freeman, you call this radio show your outreach  
24 ministry, right?

25 A. That's correct.

1 Q. And you've testified today that your parsonage is  
2 at -- is at 73 Leverett Street, correct?

3 A. That's correct.

4 Q. That's where you live?

5 A. That's right.

6 Q. And it's also where you broadcast the radio show  
7 from, right?

8 A. Yes.

9 Q. And you purchased that property and you donated it  
10 to the church, correct?

11 A. Yes. I purchased it in 2006 before I moved to  
12 New Hampshire.

13 Q. And you tried to get the city of Keene to exempt you  
14 from paying property taxes on that building, right?

15 A. We did put in one of those requests on a few  
16 different years in a row, yes. Ultimately they rejected it,  
17 unfortunately, which would mean we would have had to have sued  
18 them in civil court and at the time we didn't have the funds  
19 and the willingness to go about that process.

20 Q. Okay. And so you asked for the exemption based on  
21 it being a religion -- a religious location, a parsonage or the  
22 location of the church, correct?

23 A. Correct. The church owns those building -- that  
24 building.

25 Q. Okay.

1           A.     And that is the reason for the exempt request.

2                     However, as you may understand, being a newer  
3 religion is not exactly an easy thing to do. Had we been a  
4 Muslim religion or a Christian religion, sort of of the  
5 standard variety, they would have probably had a more difficult  
6 time rejecting that request. This is one of those things that  
7 newer religions sort of have to get over that hump and there's  
8 definitely some difficulties.

9           Q.     Okay. Mr. Freeman, you testified that the church  
10 sustains you, right?

11          A.     That's right.

12          Q.     And that includes paying for your car?

13          A.     It is not my car. The church owns that car. I am  
14 one of the drivers of it.

15          Q.     Okay. And does the church pay for the gas that you  
16 put in the car when you drive places in it?

17          A.     Of course it does.

18          Q.     And does the church pay for the food that you eat?

19          A.     Yes, it does.

20          Q.     And the clothes that you wear?

21          A.     It certainly does.

22          Q.     And you've traveled internationally at various times  
23 since being the minister of the Shire Free Church, correct?

24          A.     Just a few times. We've gone to Mexico on a radio  
25 remote, as we call it, where we went to a convention that was

1 run down in Acapulco three years in a row, kind of a  
2 Libertarian convention that happened there, and they had paid  
3 for us to -- you know, they bought our tickets and they paid  
4 for the hotel room for us to come down and broadcast. And we  
5 did broadcast there free of charge because we believed in what  
6 that particular organization was doing.

7 So, yes, we did go there, and I also went to Japan  
8 once to visit with Roger Ver, who was our number one supporter  
9 over all of the years.

10 Q. And did the church pay for those travel expenses?

11 A. Of course it did.

12 Q. Of course it did.

13 In other words, the church is how you make money,  
14 right?

15 A. No.

16 Q. It's how you get money that you use to pay things,  
17 right -- pay for things, right?

18 A. No, we get donations.

19 Q. Donations from your bitcoin customers?

20 A. From various different people --

21 Q. Okay.

22 A. -- various supporters.

23 Q. Okay. But it's those donations that allow you to  
24 buy food, correct?

25 A. Well, yeah.



1 Q. Okay.

2 A. That's right.

3 Q. Okay. And we've talked about a lot of different  
4 religious organizations, so I'd like to go through some of the  
5 ones that Mr. Sisti discussed with you.

6 Let's start with the Crypto Church of New Hampshire.

7 Okay?

8 A. Yeah.

9 MS. MACDONALD: And could you bring up 1505, please,  
10 Caryn.

11 Q. And this is a screenshot of the Crypto Church folder  
12 on your computer, right, Mr. Freeman?

13 A. That looks like it.

14 Q. And you testified -- I believe you called this  
15 another program of the Shire Free Church just a few minutes  
16 ago?

17 A. That's correct.

18 Q. Okay. But Ms. Spinella is the minister of that  
19 church?

20 A. One of two.

21 Q. I'm sorry?

22 A. She's one of two ministers.

23 Q. Okay. And who's the other minister?

24 A. Christopher Reitmann.

25 Q. Christopher Reitmann. Okay.

1           And you were here for his testimony, correct?

2           A.    Yes, I was.

3           Q.    Okay.  So the Crypto Church of New Hampshire was  
4 formed in November of '17; isn't that right?

5           A.    Sounds possible.  I mean, I see a certificate of  
6 existence from that time, so that may be right.

7           Q.    Okay.  Well, I can bring up something that might be  
8 helpful then.

9                    I think I'm looking for 1510, please, Caryn.

10           A.    Apologies, your Honor.  I think I have it on my  
11 desk.

12           THE COURT:  That's okay.

13           MS. MACDONALD:  Okay.  I am looking at 1536A.

14           Q.    And this states the Crypto Church of New Hampshire  
15 is a nonprofit -- New Hampshire nonprofit corporation  
16 registered to transact business in New Hampshire on  
17 November 17th of 2017.

18                    Did I read that right?

19           A.    Looks correct.

20           Q.    Okay.  And if we go on to page 3, this lists Renee  
21 LeBlanc as the chairman of the board of directors and the chief  
22 executive officer, correct?

23           A.    Yup, that looks correct.

24           Q.    Okay.  And over on page 4, you are listed as the  
25 payer for this document.  I would think it's at the top of the

1 page.

2 A. Yes, that's right.

3 Q. Okay. And in January of 2018, Ms. Spinella opened  
4 an account in the name of that church at the Service Credit  
5 Union, correct?

6 A. Sounds like something that happened.

7 Q. Okay. And then you and Ms. Spinella directed  
8 LocalBitcoins customers to deposit into that account?

9 A. Seems likely.

10 MS. MACDONALD: Okay. Let's bring up 1511.

11 Q. And this is another folder on your computer,  
12 correct?

13 A. That is correct.

14 Q. And remind us what COTIH stands for, please.

15 A. That's Church of the Invisible Hand. That is  
16 Nobody's church.

17 Q. Okay. And you told him he had some different views  
18 and so you -- that's why you have separate churches, correct?

19 A. No. It's one reason why I would not want to  
20 acknowledge him as a minister of the Shire Free Church.

21 Q. Okay.

22 A. But he has his own church because he wanted his own  
23 church. That's his own mission and his reasons.

24 Q. And you told Bank of America that you were the  
25 treasurer for that church?

1 A. On a phone call with him, yes. I was assisting him.

2 Q. Are you the treasurer for that church?

3 A. At that moment, I was.

4 Q. Okay. And this church was formed in December of  
5 2019, correct? I can pull up a document if you don't remember.

6 A. I --

7 MS. MACDONALD: 1512, please.

8 Q. And so this is a registered trade name on 12/16 of  
9 2019, correct?

10 A. That's true, Nobody registered a trade name under  
11 the name Church of the Invisible Hand.

12 Q. Okay. And Nobody lived at 75 Leverett Street,  
13 right?

14 A. He certainly did.

15 Q. But this says 73 Leverett Street on it?

16 A. He frequently received mail on my side of the home  
17 as well.

18 Q. Okay. And in January of 2020, just a month later,  
19 Nobody opened a bank account at JPMorgan Chase in the name of  
20 that church, correct?

21 A. Sounds plausible.

22 Q. Okay. And you directed localbitcoins.com customers  
23 to deposit money into that account?

24 A. Yes, per our agreement with one another.

25 Q. Okay. And in the end of May of 2020, Mr. Freeman,



1 you had a lot of bank accounts get closed; isn't that right?

2 A. I had bank accounts getting closed all the time.

3 Q. Okay. But you told the undercover at the end of May  
4 in 2020 that you couldn't sell him bitcoin at that time because  
5 you had a lot of accounts closed; is that right?

6 A. There were no more accounts closed at that time than  
7 any other time. What I was telling him was that at that time I  
8 did not have any active accounts that I could use.

9 MS. MACDONALD: Okay. And let's just pull up 4023,  
10 please.

11 Mr. Sisti, this is just a screenshot from the chat  
12 with the undercover officer that we've already introduced. Is  
13 that okay to display?

14 MR. SISTI: Put it right up.

15 MS. MACDONALD: Thank you.

16 Q. And so, Mr. Freeman, this is May 29th of 2020.  
17 The -- near the bottom of the page, the undercover officer  
18 Pavel tells you, I'm planning to make a good deal that weekend  
19 and wouldn't mind stopping by. And you respond to him, I, am  
20 sadly, not selling at this time due to losing two bank  
21 accounts.

22 Is that what we've been talking about?

23 A. Sounds like it.

24 MS. MACDONALD: Okay. Let's pull up another  
25 screenshot, 4027, please.

1 THE CLERK: Excuse me, Counsel. Are these all  
2 admitted?

3 MS. MACDONALD: They have not yet been admitted, but  
4 Mr. Sisti did not object because they're screenshots from  
5 something that has already been admitted.

6 THE CLERK: Okay.

7 Q. Okay. And this says -- June 10th of 2020, you say:  
8 Hi Pavel, my partner Aria is now able to accept wires and money  
9 orders. If you'd like to trade with her, please let me know  
10 and I will introduce you.

11 Is that right?

12 A. Yup, looks like I said that.

13 Q. Okay. And is it a time you still had bank accounts  
14 closed?

15 A. I can't say for sure --

16 Q. Okay. Let's --

17 A. -- possibly.

18 MS. MACDONALD: Let's pull up 4028.

19 Q. Okay. So the last one is June 10th and this one is  
20 June 19th. And the -- and Pavel asks you: Hey Ian, I was  
21 wondering if you'd be able to meet before your radio program  
22 starts. I was hoping to convert cash to BTC, explore Keene,  
23 and catch up with you after the show.

24 And your response is: I'm on hold with Chase.

25 And Chase is a bank, right?

1 A. It is.

2 Q. And so you weren't able to use that bank account at  
3 that time?

4 A. Perhaps. Like I said, we lost and gained various  
5 different accounts at various different times.

6 Q. Okay.

7 A. You could extrapolate that from it, but I can't say  
8 100 percent sure.

9 Q. Okay. But you did then tell him that he could go to  
10 the vending machine, right?

11 A. Absolutely.

12 Q. And you tell him that the last couple of weeks  
13 you've had banking/exchange issues, correct?

14 A. We always have banking exchange issues.

15 Q. Okay. And do you recall when Nancy Triestram  
16 testified in this court?

17 A. I do.

18 Q. And she testified that her scammer told her that in  
19 June of 2020 you were having trouble with bank accounts and so  
20 she would need to start sending to Aria DiMezzo instead, right?

21 A. Okay.

22 Q. Okay. Do you remember that?

23 A. Vaguely. That sounds like something that happened.

24 Q. Okay. And showing that -- I'm going to take a look  
25 at this chart that Mr. Aframe wrote up.



1                   And this was created with the witness Harold Jones  
2 on the stand, correct?

3           A.     I think that was, yeah.

4           Q.     Okay. And you'll notice he sent wires to the Church  
5 of the Invisible Hand, to you, the Church of the Invisible Hand  
6 all the way through May and then starting in June he began  
7 sending to the Reformed Satanic Church, correct?

8           A.     Looks like it.

9           Q.     Okay.

10          A.     I think that was because, as I explained earlier, I  
11 had been wanting to get away from a lot of the day-to-day with  
12 bitcoin transactions. So once Aria had taken that customer on,  
13 I think she just stuck with him.

14          Q.     And it's also the same time that you had a lot of  
15 bank accounts closed, right?

16          A.     I wouldn't say it was a lot of bank accounts. It  
17 was maybe one or two. But I usually never had more than one or  
18 two. But then I did get one later, if not shortly thereafter.  
19 I don't remember the time frame or how long it was between --

20          Q.     Okay.

21          A.     -- but I pretty much had a bank account the whole  
22 while.

23          Q.     Okay. Well, a month later, in July of 2020, that's  
24 when you registered the trade name for the New Hampshire Peace  
25 Church, right?

1 A. Possibly.

2 Q. Okay. We can show you 1515 if you have some doubt  
3 about that. And we'll go to the second page to look for a  
4 date, July 23rd of 2020. So does that -- do you agree that was  
5 in July of 2020, that's when you registered the New Hampshire  
6 Peace Church?

7 A. It looks like that might have been it, but I don't  
8 see it on this page.

9 Q. Perhaps you can go to the next page.

10 A. There it is. Yup. That's correct. That was the  
11 trade name that I registered with the Secretary of State.

12 Q. And you did that, you testified, because you wanted  
13 to open more bank accounts in the name of that church, correct?

14 A. Absolutely.

15 Q. Okay.

16 A. So we could continue the mission.

17 Q. Okay.

18 A. Just to clarify, the New Hampshire Peace Church is  
19 just a trade name for the Shire Free Church.

20 Q. Another name for the Shire Free Church, right?

21 A. Correct.

22 Q. Okay. Are there any other names?

23 A. No, there are no other trade names. Shire Free  
24 Church does have another trade name for Free Talk Live as well.

25 Q. Okay. Mr. Freeman, you've testified that the Shire

1 Free Church gave a lot of money to charity, correct?

2 A. We gave some money to charity for sure.

3 Q. Okay.

4 A. I don't know what you consider a lot.

5 Q. Well, did you give a lot of money, a substantial  
6 amount of money, to charity?

7 A. Thousands of dollars --

8 Q. Okay.

9 A. -- for sure.

10 Q. Okay. And compared to the amount of money coming  
11 into the Shire Free Church, was that a lot of money?

12 A. Well, it depends on what you mean by coming in. The  
13 majority of the super majority of the money that was coming  
14 into the church went right back out, as you guys showed, to  
15 bitcoin exchanges where more bitcoin was purchased, usually  
16 more so than we originally had in the first place.

17 Of what was remaining, we spent various different  
18 funds on everything from local charities to supporting other  
19 religions like the local Muslims and other folks that needed  
20 assistance in addition to our ongoing outreach projects of  
21 which we poured tens of thousands into those, the Shire Free  
22 Church's Bitcoin Embassy and on and on. We had a variety of  
23 different programs that were going on, plus the radio show.

24 Q. Okay. And I'd like to go through those, actually,  
25 one by one, but first I will ask you, just to make sure that we

1 have talked about all of the religious entities involved in  
2 your bitcoin business.

3 We talked about the Crypto Church of New Hampshire,  
4 correct?

5 A. That's correct. That is a registered nonprofit with  
6 the Secretary of State.

7 Q. The New Hampshire Peace Church, correct?

8 A. That's a trade name.

9 Q. The Church of the Invisible Hand, correct?

10 A. That is not related to the Shire Free Church.

11 Q. But it -- you did have a contract whereby you and  
12 that church sold bitcoin together, correct?

13 A. We worked together, yes.

14 Q. Okay. And the Reformed Satanic Church had a similar  
15 contract, right?

16 A. That's correct.

17 Q. Okay. Were there any other religious entities that  
18 were involved in selling bitcoin with you?

19 A. There was a gentleman with the Islamic group as  
20 well.

21 Q. And that is the -- the mosque that you were just  
22 testifying about?

23 A. That's correct, yes.

24 Q. Okay. And so that was also involved in your bitcoin  
25 sales, correct?



1           A.     Well, he did his own thing, but I provided support  
2 for him.

3           Q.     And by provided support for him, you lent him money  
4 or bitcoin and he sold it and gave you a percentage of the  
5 profits?

6           A.     Possibly. It's been quite a long time.

7           Q.     Okay. Mr. Freeman, Mr. Coley was the imam of that  
8 entity, correct?

9           A.     That's right. His name is Will Coley.

10          Q.     And what was that called, that mosque?

11          A.     His mosque had a bit of a long name. It was the  
12 masjid. That's the other name for mosque. I don't recall the  
13 full name of his masjid.

14          Q.     Is -- was it referred to as the MALIC Center?

15          A.     Yes, and MALIC stood for something lengthy, which I  
16 don't recall offhand.

17          Q.     Okay. And, Mr. Freeman, did Mr. Coley operate a  
18 MALIC Center localbitcoins.com business?

19          A.     Again, you're using the term business. He ran a  
20 mosque and he did have an account on LocalBitcoins.

21          Q.     And did he sell bitcoin for profit on  
22 localbitcoins.com?

23          A.     You keep using the term profit, and that is a term  
24 that has to do with making money for a business.

25                    So, no, I wouldn't say he sold it for profit, but

1 there was some revenue to his masjid.

2 Q. Okay. So he received -- he sold it for a lower  
3 price and received a higher price, correct?

4 A. You mean he bought it for a lower price?

5 Q. Thank you. He bought it for a lower price and sold  
6 it for a higher price, correct?

7 A. Yeah. Since you brought that up, I think it's  
8 important to point out that when you're selling on  
9 LocalBitcoins, you're in a marketplace. And so you are  
10 competing with other sellers who are also trying to sell  
11 bitcoin in that same marketplace.

12 So there's a natural tendency to compete for  
13 the lowest potential price. So one of the things that we  
14 definitely wanted to do was price our bitcoins lower than much  
15 of the competition there.

16 Q. Okay. Mr. Freeman, if you don't mind just listening  
17 to my question and answering my question and if I have a  
18 follow-up I will ask that right after, if that's okay.

19 A. I think I should be able to explain my answers.

20 MS. MACDONALD: Your Honor, could you instruct  
21 Mr. Freeman to limit his answers to the question that I ask.

22 MR. SISTI: I think he can explain his answers,  
23 though.

24 THE COURT: Right.

25 MR. SISTI: Thank you.

1 THE COURT: Here's the -- here's the deal.

2 Most questions on cross-examination have a yes or no  
3 answer. Not all, but most. Answer the question directly. If  
4 you feel you need to explain, you can do that, but make the  
5 effort first to answer the question directly.

6 THE WITNESS: Okay.

7 MS. MACDONALD: Thank you.

8 Q. Okay. And so Mr. Coley's MALIC Center bitcoins.com  
9 business was operated by him?

10 A. Again, you used the term --

11 Q. I'm sorry, business. Localbitcoins.com sales were  
12 operated by him --

13 A. Yes, he was doing that --

14 Q. -- is that correct?

15 A. -- himself.

16 Q. Okay. And so it would -- and was he an  
17 administrator of the Shire BTC?

18 A. To my knowledge, he was not.

19 Q. And so it would surprise you to know that his  
20 advisement on localbitcoins.com stated, I'm an administrator of  
21 Shire BTC, the Shire Free Church's outreach project dedicated  
22 to spreading bitcoin?

23 A. Ah, yes. That's probably because he copied that  
24 from me.

25 Q. Oh, okay. And so he was using it, but it used all

1 of your language from your advertisement?

2 A. Right. I had sort of set the standard, so it would  
3 make sense for somebody who wanted to do a good job to use me  
4 as an example.

5 Q. Okay. And did Mr. Coley --

6 A. By the way, just if I can answer further?

7 Shire BTC didn't have any sort of legal existence as  
8 far as like a board of directors. So, you know, if he wanted  
9 to claim that, it wasn't necessarily false.

10 Q. Okay.

11 A. Yeah.

12 Q. And, Mr. Freeman, did Mr. Coley write large -- write  
13 checks from his bank account in the name of the MALIC Center in  
14 the amounts of, for example, \$21,000, \$17,000, \$34,000,  
15 \$16,000, and \$61,000, to you?

16 A. Sounds like something that could have happened,  
17 likely in return for bitcoin.

18 Q. Okay. And Will Coley has been a friend of yours for  
19 some time, right, Mr. Freeman?

20 A. For several years I've known Will. Unfortunately,  
21 his parents got very ill and he had to leave Keene a couple of  
22 years ago.

23 Q. Okay. And you, while he was living in Keene,  
24 donated or allowed him to live at a residence owned by the  
25 Shire Free Church, correct?



1           A.     In addition to him and his family and his children  
2 living there, there was also a mosque that was built, a very  
3 nice mosque, built in that home.

4           Q.     Okay. And I'm going to show you Government's  
5 Exhibit, this has been admitted, 1701.

6                     And this is the location of that mosque, correct?

7           A.     That's correct. The mosque is inside at the middle  
8 window on the first floor.

9           Q.     Okay. And in 2021, Aria DiMezzo was living there,  
10 correct?

11          A.     That's correct.

12          Q.     Okay.

13          A.     And prior to that.

14          Q.     Okay. And so is this also the location of the  
15 Reformed Satanic Church?

16          A.     It is now, yes.

17          Q.     Okay. And while Mr. Coley was living in that  
18 residence, he attempted to -- he got into an argument with the  
19 city of Keene, correct?

20          A.     What do you mean?

21          Q.     Did he get into an argument with some people in the  
22 city of Keene about permitting related to that residence?

23          A.     I vaguely recall some news about that. I think that  
24 he didn't need a permit to open a church, so he just opened his  
25 church.

1 MS. MACDONALD: Okay. Your Honor, I would like to  
2 play a video. It is Government's Exhibit -- it's 4026, Ms.  
3 Shedd.

4 Can we have sidebar, your Honor?

5 THE COURT: You can.

6 THE COURT: Take a stretch if you'd like. No  
7 problem.

8 AT SIDEBAR

9 THE COURT: Okay.

10 MS. MACDONALD: Your Honor, I'd like to play a video  
11 that's filmed by Mr. Freeman.

12 THE COURT: What's the -- what's the exhibit number?

13 MS. MACDONALD: I believe it's 4026. We haven't --  
14 we haven't provided it, as I didn't know it would be relevant  
15 unless this testimony came up. So Mr. Sisti hasn't seen it  
16 yet. If we want to break just to have him view it before we  
17 discuss the relevance.

18 MR. SISTI: Well, I haven't seen it, but from the  
19 offer I got, it's irrelevant. I don't even know what it's  
20 being offered for. Something about an argument with regard to  
21 permitting with the city of Keene that has --

22 MS. MACDONALD: I'm happy to explain it, your Honor.

23 THE COURT: Yeah, I'll give you a chance to explain  
24 it. Just -- it's a statement of the defendant?

25 MS. MACDONALD: Yes.

1 THE COURT: Why haven't you provided it yet?

2 MS. MACDONALD: Well, your Honor, it's a statement  
3 of the defendant that is relevant only because of his testimony  
4 today about his affiliations with this MALIC Center mosque.

5 THE COURT: I didn't hear what you said what.  
6 Because of what?

7 MS. MACDONALD: It's something that -- that the  
8 defendant posted on the Internet that we found only thinking  
9 about his testimony of when he talked about the mosque. So  
10 it's a video of him and Mr. Coley going to the town assessor's  
11 office and arguing, saying that because there is -- the  
12 building is a religious organization, it shouldn't have to, you  
13 know, abide by whatever permitting rules.

14 And then Mr. Freeman walks out and says, that's why  
15 you shouldn't ask -- something along the lines of that's why  
16 you shouldn't ask for permission, because then you have to  
17 follow their rules.

18 MR. SISTI: Yeah, it's a wonderful statement. I  
19 wish I could have seen it. I would have filed the appropriate  
20 motion in limine at that point in time. But, I mean, if I  
21 don't see stuff, I'm not going to get, you know, like, trapped  
22 during the course of the trial with new stuff. I mean --

23 THE COURT: Yeah.

24 MR. SISTI: -- it's ridiculous, especially --

25 THE COURT: I'm -- I guess I'm not following what he

1 said that makes it relevant. I'm not seeing -- but it is  
2 highly unusual not to provide a statement that you're going to  
3 play at trial to the defendant. I mean, you know, it's just  
4 not -- I'm not familiar with the idea that you hold statements  
5 of the defendant until they become relevant based on his  
6 testimony, but I'm not ruling it out.

7 How long have we been going?

8 THE CLERK: I have 3:10 --

9 THE COURT: 3:10? Yeah, probably take the break  
10 early so I can take a look at this.

11 MR. SISTI: I'd like to look at it, too.

12 THE COURT: Yeah. Okay. So I'm going to give them  
13 a break. Then we can actually talk in the courtroom about --  
14 you can articulate it for me. Okay?

15 MS. MACDONALD: Thank you.

16 THE COURT: So we'll take a break.

17 CONCLUSION OF SIDEBAR

18 THE COURT: We're going to take the afternoon break  
19 now.

20 THE CLERK: All rise for the jury.

21 (Jury excused.)

22 THE COURT: Please be seated.

23 You can remove masks.

24 MR. SISTI: Can I generally speak with Ian just for  
25 a second because I don't even know what it's about. He might



1 have some knowledge of who it is.

2 THE COURT: Regarding the -- I don't think so.

3 MR. SISTI: Well, I mean --

4 THE COURT: Not yet anyway. I'm not ruling it out,  
5 but not yet.

6 MR. SISTI: Okay.

7 THE COURT: It might not become necessary. Because  
8 we are in the middle of his testimony.

9 MR. SISTI: Understood. But this is a new item  
10 that --

11 THE COURT: Yeah. Give me a moment.

12 Okay. Okay. So I'm looking at Rule 16. Rule  
13 16(a)(1)(B) says that the -- that -- that upon defendant's  
14 request -- and I think the local rule makes it not dependent on  
15 a defendant's request, I think it's just required -- the  
16 government must disclose to the defendant and make available  
17 for inspection, copying, or photographing all of the following:

18 One, any relevant written or recorded statement by  
19 the defendant if the statement is within the government's  
20 possession, custody, and control and the attorney for the  
21 government knows or through the due diligence could know that  
22 the statement exists.

23 I'm trying to understand why you would not think you  
24 had an obligation to produce it, at least once you -- it sounds  
25 to me like what you said at sidebar is that you didn't get this

1 until sort of relatively recently, maybe, but, you know,  
2 regardless, at the point you knew it existed, why didn't you  
3 have an obligation to provide it to the defense?

4 MS. MACDONALD: Your Honor, this defendant is a  
5 media personality and there are countless statements of his on  
6 the Internet. This is something that we found --

7 THE COURT: It's in your possession. It's in your  
8 possession. You obviously have this in your possession.  
9 You're about to introduce it as an exhibit.

10 So let me ask you again. Why did you think you  
11 didn't have an obligation to produce it in discovery?

12 MS. MACDONALD: Your Honor, because it only became  
13 relevant when he testified about this at the trial. It is not  
14 relevant to the rest of our case.

15 THE COURT: Okay. And it does say it has to be a  
16 relevant written or recorded statement by the defendant if it's  
17 within your possession and control and -- and you knew or  
18 should have known that it exists.

19 So your view is that it only became relevant based  
20 on his testimony. So break that down for me.

21 MS. MACDONALD: So my understanding -- I don't have  
22 it in front of me right now, but it occurs prior to the charged  
23 conduct in this case.

24 THE COURT: Okay.

25 MS. MACDONALD: So depending on what his testimony

1 was going to be, whether he talked about helping this mosque is  
2 the only way that it would have come in as relevant. It  
3 doesn't have to do with our case in chief and is relevant to --

4 THE COURT: Okay.

5 MS. MACDONALD: -- cross-examine him on his  
6 statements.

7 THE COURT: So break it down for me.

8 What did he say on -- what did he say on direct and  
9 what does this statement say so I can understand why it became  
10 relevant.

11 MS. MACDONALD: Mr. Freeman talked about how the  
12 Shire Free Church helped a mosque get set up in Keene.

13 THE COURT: Yeah.

14 MS. MACDONALD: That was discussed for the first  
15 time on his testimony.

16 Then we brought up the fact that he also worked with  
17 the person who set up the mosque to sell bitcoin. That was not  
18 something that was part of our case prior, but that --

19 THE COURT: Sure.

20 MS. MACDONALD: -- is information they did have.

21 THE COURT: Yup.

22 MS. MACDONALD: And he talked about that the  
23 legitimacy of this mosque and what he did to help them and so  
24 the video that we -- and I asked him about whether Mr. Coley  
25 got into an argument with the city of Keene about trying to get



1 exemptions from rules because he's a church and that has become  
2 relevant to this case where Mr. Freeman is talking about how,  
3 you know, he helped this mosque and this mosque is a real thing  
4 and the churches are a real thing --

5 THE COURT: Yeah.

6 MS. MACDONALD: -- and so that video has become  
7 relevant to show --

8 THE COURT: Well, it depends what's on the video. I  
9 mean, so you're saying that by describing his assistance to the  
10 mosque in Keene to get set up or whatever, and I guess get  
11 compliant with whatever city law -- city ordinances exist, he  
12 testified about that on direct.

13 So okay. What does this video show that adds to --  
14 that -- what does this video -- what are you offering it to  
15 show?

16 MS. MACDONALD: To show that Mr. Freeman's friend's  
17 mosque is just like the other churches and it helps him get out  
18 of government requirements. He tried to use the fact that he  
19 was a religious organization to not comply with the state  
20 licensing requirements and he's there with Mr. Coley and he's  
21 saying, yeah, you know, I agree, that's why you shouldn't ask  
22 this -- the government for permission to do things.

23 And so that's why it has become relevant.

24 THE COURT: All right. I guess I need to -- and you  
25 haven't seen it yet, Mr. Sisti, right?



1 MR. SISTI: Yeah, I haven't seen it and I agree with  
2 your Rule 16 and the local rules. I agree that, you know, I go  
3 as far back as, you know, the Jencks material, but I've got  
4 nothing here.

5 And, you know, I opened, by the way, a week -- over  
6 a week ago with a reference to a mosque.

7 THE COURT: Did you? Oh, what did you say a week  
8 ago?

9 MR. SISTI: I opened --

10 THE COURT: Yeah. But what did you say in your  
11 opening?

12 MR. SISTI: I -- I referred to a mosque. I referred  
13 to him helping.

14 THE COURT: Okay. Referred to a mosque -- you  
15 referred to him helping.

16 MR. SISTI: I referred to him being involved. All  
17 right?

18 THE COURT: Yeah.

19 MR. SISTI: And in various charities, including the  
20 Muslim community. All right? I just -- I mean, this is not,  
21 like, a shocker.

22 THE COURT: No.

23 MR. SISTI: All right? And I didn't get anything.

24 So, I mean, if they're going to use this thing, let  
25 me know. I -- I don't like getting, you know, clipped here

1 during this thing. What else is out there?

2 THE COURT: I know you don't like getting clipped,  
3 but that's not really -- the analysis is -- the -- the analysis  
4 is whether you were entitled to production of it and when.

5 MR. SISTI: Yeah.

6 THE COURT: And certainly to me -- I'm not crazy  
7 about this practice at all, frankly -- but I'm trying to  
8 evaluate whether the duty to disclose it only was triggered  
9 when it became relevant, because that's the argument. Right?  
10 That's your position.

11 MS. MACDONALD: That's correct, your Honor. And I  
12 would mention that we have also two clips from the defendant's  
13 radio show over the last -- over the last couple of days where  
14 he's been commenting on things that have happened in court --

15 THE COURT: Hmm.

16 MR. SISTI: (Shakes head.)

17 MS. MACDONALD: -- that we'd like to play as well.  
18 And we can give Mr. Sisti all of those to review now, if you'd  
19 like.

20 MR. SISTI: That's really nice of them, Judge. And  
21 they -- and, you know, but --

22 THE COURT: I think you had to expect his radio  
23 statements to come in.

24 MR. SISTI: I'm not --

25 THE COURT: But you should also expect to see them.

1 MR. SISTI: Yes.

2 THE COURT: Yeah.

3 MR. SISTI: I mean, I don't mind -- I don't mind any  
4 of that stuff if I can have him back on the stand and start  
5 direct again.

6 THE COURT: I hear you.

7 Is it your position that the radio statements also  
8 only became relevant after direct?

9 MS. MACDONALD: Yes. He said that he thought that  
10 the stories of the victims were very sad and so I'm going to  
11 put those -- those clips on to show that that wasn't a truthful  
12 statement and that that's not what he was saying on his radio  
13 show.

14 THE COURT: I -- see, I think any statements he made  
15 about the victims on the radio show became relevant as soon as  
16 you got the statements because the victims testified.

17 MR. SISTI: Yeah.

18 THE COURT: That's definitely potentially relevant  
19 and you had an obligation at that point to turn them over.  
20 This is a little different, though, the mosque testimony.

21 Look, he's talking -- he's making statements about  
22 the victims and you're presenting victims into criminal trial.  
23 There are definitely potentially relevant statements and you  
24 had possession of them. You had to turn them over.

25 MS. MACDONALD: I mean, we -- by that logic, we

1 would have to make -- download and turn over his radio show  
2 every single night. Is that -- I mean --

3 THE COURT: No, only the ones that you have  
4 possession of and intend to introduce at trial, by that logic.  
5 Yeah, I stand by it. It's not -- that's not hard. Come on.  
6 If you took the trouble -- you did download it, you have it,  
7 right?

8 MS. MACDONALD: That's correct, your Honor. We  
9 weren't sure we were going to use it --

10 THE COURT: It doesn't --

11 MS. MACDONALD: -- until he testified.

12 THE COURT: The rule doesn't say you turn it over  
13 when you're sure you're going to use it. The rule says if it's  
14 relevant -- and I'm only going -- I'm only using the relevance  
15 benchmark because you've introduced it. Because the rule says  
16 if you have possession of it and -- or you know it exists, you  
17 have to turn it over.

18 Now, if you monitored the radio show -- if I was  
19 trying the case, I'd be monitoring that radio show. I'd have  
20 somebody doing it. And everything -- I wouldn't say everything  
21 I heard had to be turned over, of course. It's his show.

22 But when you -- when you do download it and make an  
23 exhibit out of it, at that point, when it's about victims in  
24 this trial, it was relevant.

25 So those -- I don't -- I can't imagine how I can



1 allow you to do that now. You needed to turn that over when  
2 you took possession of them because those were already  
3 relevant. They concerned victims in the case that were  
4 presented in your case.

5 This question about the mosque is a little bit  
6 closer and I'm trying to evaluate it, but I think I need to  
7 watch it, too. I need to at least know what's on it.

8 So can we do that?

9 MS. MACDONALD: Yes.

10 THE COURT: I mean, I think in fairness, though --  
11 how long is the video?

12 MS. MACDONALD: Two minutes.

13 THE COURT: I -- before we just play it in open  
14 court, I'd like Mr. Sisti to have a chance to look at it first.  
15 That's all.

16 MR. SISTI: Thank you.

17 THE COURT: I'll get off the bench for a minute.  
18 You can show it to him and then let me know when you're ready  
19 to proceed.

20 MS. MACDONALD: Okay. Thank you, your Honor.

21 THE CLERK: All rise.

22 (Recess taken from 3:05 p.m. until 3:25 p.m.)

23 THE COURT: Sustained. You may proceed.

24 MR. SISTI: Thank you.

25 Q. Mr. Freeman, you testified that your church donated

1 to an orphanage in Uganda, correct?

2 A. Our church did, as well as many of our supporters.

3 Q. Okay. And your church donated about \$35,000,  
4 correct?

5 A. Sounds about right. Mark, my cohost and cofounder,  
6 was the one who handled most of that.

7 MS. MACDONALD: Okay. I'm going to pull up  
8 Exhibit 2406, please.

9 Q. And, Mr. Freeman, you recall this was one of the  
10 wire receipts from Danella Varel, correct?

11 A. Looks like it.

12 Q. And she sent you \$305,000, correct?

13 A. I think she did.

14 Q. And so your -- if your commission on that was 10  
15 percent, that would be about the amount that you donated to the  
16 orphanage in Uganda, right?

17 A. Looks like it.

18 MS. MACDONALD: Okay. Ms. Shedd, could we please  
19 pull up --

20 Q. Actually, before we do that, Mr. Freeman, you  
21 testified that you would ask your LocalBitcoins customers  
22 invasive questions, I believe, right?

23 A. Eventually, after I learned of some of the scams  
24 that were going on out there, I increased my security  
25 requirements and asked a number of questions.

1 MS. MACDONALD: Okay. And let's pull up 1206,  
2 please. This has been admitted.

3 Q. And, Mr. Freeman, this is a LocalBitcoins chat with  
4 loveshotz01, correct?

5 A. That's correct.

6 Q. And this is from December of 2019?

7 A. It is.

8 Q. Okay. And, here, loveshotz tells you on this first  
9 page: I am currently offshore and I have asked my in-law to  
10 make the deposit, is it okay.

11 Correct?

12 A. He said that.

13 MS. MACDONALD: Okay. And let's turn to page 2,  
14 please.

15 Q. And this is the Nigerian passport of Mr. Chiedu  
16 Okafor, correct?

17 A. It is.

18 Q. Okay. And his supposed in-law is Mary Hurd,  
19 correct?

20 A. That's what he said.

21 MS. MACDONALD: Okay. And here -- on the next page,  
22 please, Ms. Shedd.

23 Q. This is the -- the shirtless man here is Mr. Okafor,  
24 correct?

25 A. It looks like him.

1 Q. Okay. And this is the note that you had him send,  
2 right?

3 A. Yes.

4 Q. Okay. And let's just read through a couple -- a  
5 little bit of the conversation.

6 You recall there was a bit of a disagreement with  
7 Mr. Okafor, correct?

8 A. I do recall that vaguely, yup.

9 Q. Okay. So let's go down to, let's see, one, two,  
10 three, four -- five, the fifth page. In the middle of this,  
11 loveshotz complains: Bro, your terms is fucking complicated.

12 Correct?

13 A. He said that.

14 Q. And going on to the next page, this is a picture of  
15 Mary Hurd, correct?

16 A. That's her.

17 Q. And below, loveshotz says: Here is your receipt  
18 writing with the words. Please release my bitcoin now.

19 Correct?

20 A. He says that.

21 Q. And he says: Are you expletive kidding me.

22 Correct?

23 A. That's right.

24 Q. And then he says: I said release my bitcoin before  
25 I lunch (sic) a police report on your bank account. Right now.



1 Correct?

2 A. He said that.

3 Q. Okay. And, Mr. Freeman, you testified that when  
4 people say -- they yell at you to release their bitcoin, that's  
5 a red -- I think you said a red alert, right?

6 A. It can be.

7 Q. Okay.

8 A. In his case, if I recall correctly -- I mean, we  
9 don't have the whole conversation that you -- you know, we  
10 haven't reviewed it. But if I recall correctly, he wanted  
11 to -- me to release it, but I needed him to open another trade  
12 or something like that in order for that to happen --

13 Q. Okay.

14 A. -- if I recall this correctly.

15 Q. But he's -- he's saying, you know, are you expletive  
16 kidding me, release my bitcoin now. Correct?

17 A. That -- usually in the case of -- one of my  
18 requirements was that if you -- so to explain LocalBitcoins a  
19 little more, once the buyer clicked complete on the trade, it  
20 starts a clock and the clock is timing how quickly I am able to  
21 release the bitcoins from escrow once the customer has clicked  
22 complete.

23 However, not everyone follows the terms of the trade  
24 correctly and sometimes they would click the complete button  
25 prior to finishing the requirements.

1           So for instance, if he had not yet uploaded the  
2 required photographs but then clicked the complete button, I  
3 would then require him to open a new trade in order to get  
4 things right. So on the new trade he would have to do things  
5 in the correct order, then hit the complete button.

6           That way my score for how quickly I could release  
7 the coins was not impacted. Otherwise, I -- otherwise, if he  
8 clicked complete but he hadn't actually finished, then it's  
9 timing me for all the time that it would take him to finish the  
10 trade.

11           So if I recall correctly, that's what had gone on  
12 here. And he didn't understand, I don't think, that the trade  
13 had been marked complete before he had finished the trade. And  
14 because of that, I required him to open another trade and  
15 that's what he was upset about.

16           Q.    Okay. But he was quite upset with you here. Let's  
17 turn on to page -- the next page, 2019/12/9. I think it might  
18 just be one more. That's page -- that's great.

19           I'm just going to continue on in the conversation.  
20 He calls you a liar and says: Hold the bitcoin. Don't release  
21 and see happen. You will be charged for fraud.

22           And then he says, I am going -- and you give an  
23 explanation about your release time. And then he says: I'm  
24 going to the police now.

25           Correct?

1           A.     Yes.  And as I can see from my explanation here,  
2     this was, as I recalled, he simply just did things out of order  
3     and I needed him to correct the -- the right order before I  
4     could release the coins to him.

5           Q.     And nothing about this trade then raised a red alert  
6     for you?

7           A.     No.  Sometimes people get frustrated because they  
8     haven't fully read or understood the trade terms, which they're  
9     supposed to prior to opening the trade.  But he accidentally or  
10    for whatever reason just clicked that complete button, so I  
11    needed to rectify that situation.

12          Q.     Okay.

13          A.     Mary Hurd was a multiple-time buyer.

14          Q.     She was, wasn't she?

15          A.     That's right.

16          Q.     And Barbara K. Freeman also bought on behalf of  
17    Mr. Chiedu, or at least attempted to, right?

18          A.     I think so.

19          Q.     Okay.  And there's been evidence in this case,  
20    Mr. Freeman, that you never once called up Mary Hurd to  
21    question her about this trade, correct?

22          A.     I don't think there was any such evidence.

23          Q.     Your Honor -- there wasn't a stipulation by the  
24    Court that you have never -- don't recall ever speaking to  
25    Ms. Hurd?

1           A.    I don't recall, but I don't recall any evidence  
2 about that.

3           Q.    Okay.

4                    Mr. Freeman, I would like to talk a little bit about  
5 the FinCEN letter.

6           A.    Okay.

7           Q.    You testified that you did receive the letter via  
8 email in one email address that you monitored, correct?

9           A.    Well, by definition, receiving an email is not the  
10 same as receiving a letter, but it did come into an email box.

11          Q.    Okay. But my question was you received an email.

12          A.    That's right.

13          Q.    Okay. Thank you.

14          A.    It wasn't addressed to me.

15          Q.    You read the email?

16          A.    I read the email, but it wasn't addressed to me.

17          Q.    Okay. And it was addressed to Shire Cryptocoin,  
18 correct?

19          A.    Correct. And I wasn't sure who that was.

20          Q.    Okay. But you did have a folder on your computer  
21 labeled Shire Crypto, right?

22          A.    That is not the same thing, but I did have a  
23 computer -- a file on my folder. Shire Cryptocoin was  
24 associated with the vending machine located at Area 23, if I  
25 recall correctly, which I had nothing to do with.



1 Q. Okay. And would it surprise you that there is a  
2 Twitter account that lists -- in the name of Shire Cryptocoin  
3 that lists your vending machines on it?

4 A. I have no idea who's behind that account and I did  
5 not know about it.

6 Q. Okay. Nevertheless, you told Ms. Spinella that the  
7 FinCEN letter hit your box, right?

8 A. Yeah, that's right.

9 Q. Okay. And previous to receiving that letter, you  
10 got a letter from your lawyer, correct?

11 A. I had my lawyer write an opinion piece for the itBit  
12 exchange to explain to them why it is the Shire Free Church is  
13 not a money transmitter or a money services business under both  
14 state and federal law. So yes.

15 Q. Okay. And itBit received that letter and then  
16 closed your account, right?

17 A. Somewhere in that range. They may have closed my  
18 account before they received the letter. Either way --

19 Q. Okay.

20 A. -- they did receive the letter.

21 Q. Well, the FinCEN letter came about nine months after  
22 your lawyer's letter, right?

23 A. Possibly.

24 Q. Okay. Do you agree that the FinCEN letter was dated  
25 July 14th of 2018?

1           A.     I mean, I could take your word for it. It sounds  
2 plausible.

3           Q.     Okay. Well, I'm happy to pull it up.

4                     You know what, let me -- 15 -- I apologize. You  
5 know what, let's do this instead.

6                     This is a -- I'm going to play a voicemail. This is  
7 Exhibit 845B. This is on July 17th of 2018 between you and  
8 Ms. Spinella. So let's play that and that might clarify the  
9 dates.

10          A.     Okay.

11                             (Audio recording played.)

12                     MS. MACDONALD: Okay. And let's pull up 1544,  
13 please.

14          Q.     I've now found it and just confirm this is dated  
15 July 13th of 2018.

16          A.     There it is, yes.

17          Q.     And in that memo you said you ignored it but, in  
18 fact, you did send it to a friend of yours, Vin Armani, right?

19          A.     At some point I may have done that.

20          Q.     Okay. And on -- in fact, July 24th of 2018, did  
21 Vin Armani respond to you with his opinion about the letter?

22          A.     Possibly. I do recall having a conversation with  
23 Vin.

24          Q.     Okay. And didn't he tell you that his lawyer put  
25 together a little package at his request to help him understand

1 what is going on with the MSB laws after you shared your  
2 letter?

3 A. He did. Are you going to read the rest of it?

4 Q. I would like to read the rest of it, yes,  
5 Mr. Freeman. Thank you.

6 A. Okay. Good.

7 Q. Mr. Armani then wrote that he has attached two  
8 documents that his lawyer prepared; one is FinCEN's guidance  
9 that explains how they enforce MSB laws when it comes to  
10 virtual currencies, what they consider crypto to be. Is that  
11 right?

12 A. Sounds believable.

13 Q. Okay. Is that what -- did you receive this email  
14 from him?

15 A. It sounds familiar. I believe there are more emails  
16 in the chain.

17 Q. Okay. And correct that Mr. Armani pasted in the  
18 definition of a money transmitter into that email, correct?

19 A. He may have. I'm very familiar with that  
20 definition.

21 Q. Okay. And I'll read that. It says: A money  
22 transmitter in general, a person that provides money  
23 transmission services. The term, money transmission services,  
24 means the acceptance of currency, funds, or other value that  
25 substitutes for currency from one person and the transmission

1 of currency, funds, or other value that substitutes for  
2 currency to.

3 And then, a theme in this trial, Mr. Armani put  
4 another location in all caps or person by any means. Any means  
5 includes but is not limited to through a financial agency or  
6 institution, a Federal Reserve Bank or other facility of one or  
7 more Federal Reserve banks, the board of governors of the  
8 Federal Reserve system or both electronics funds transfer  
9 network or an informal value transfer system?

10 And Mr. Armani then writes: I capitalized, quote,  
11 another location there. The acceptance of currency from  
12 someone and then the transmission of value by any means to  
13 another location is defined in the statute as money  
14 transmission.

15 And he says: It's an absolutely bullshit broad  
16 definition, but broadcasting a transaction to the blockchain  
17 is, by definition, transmission of value to another location?

18 And he wrote that to you, correct?

19 A. That's his opinion. And there's more.

20 Q. Okay. And the more includes the attachment which is  
21 the 2013 FinCEN guidance, correct?

22 A. That's also their opinion.

23 Q. FinCEN's opinion?

24 A. That's right.

25 Q. Okay. And, in fact, Mr. Armani's lawyer highlighted



1 the parts in the FinCEN opinion that were relevant, correct?

2 A. I don't know what his lawyer did.

3 Q. Okay. Well, did you receive this attachment with  
4 highlighted parts of the FinCEN guidance?

5 A. I don't recall reading it.

6 Q. Okay. But you recall receiving the first letter  
7 from Mr. Armani?

8 A. That's right.

9 Q. Okay. You heard testimony, Mr. Freeman, from Ted  
10 Vlahakis from FinCEN, correct?

11 A. We did, but you didn't finish the email thread.

12 THE COURT: You can continue.

13 MS. MACDONALD: Thank you.

14 THE COURT: You conduct the examination.

15 MS. MACDONALD: Thank you, your Honor.

16 THE WITNESS: Okay.

17 Q. And, Mr. Freeman, my question was that you heard  
18 Mr. Vlahakis's testimony, correct?

19 A. I did, yes.

20 Q. And he talked about this guidance being available at  
21 FinCEN since 2013, correct?

22 A. I'm familiar with the FinCEN guidance, yes.

23 Q. Okay. And he testified about how FinCEN operates a  
24 hotline, correct?

25 A. Sure.

1 Q. Okay. And, sorry, just to back up, you're familiar  
2 with the FinCEN guidance. Have you ever read the FinCEN  
3 guidance?

4 A. I've looked at it --

5 Q. Okay.

6 A. -- yes, and a couple of their other papers.

7 Q. Okay. And, Mr. Freeman, when you received that  
8 email in the summer of 2018, you forwarded it to Vin Armani,  
9 correct?

10 A. According to you, yes.

11 Q. Okay. Well, according to the email that I read that  
12 you said you received, right?

13 A. Sounds right. I don't have it in front of me, so I  
14 can't say 100 percent --

15 Q. Okay.

16 A. -- but I'll take your word for it.

17 Q. Okay. And -- but you never contacted FinCEN?

18 A. No. I see no obligation to contact FinCEN. I mean,  
19 just because they have issued a legal opinion doesn't mean that  
20 they're correct.

21 Q. Okay. About their own guidance?

22 A. That's right. My understanding is the lawmakers  
23 make the -- they write the statutes and then these  
24 organizations like FinCEN interpret them. And they interpret  
25 them usually in the way that increases their power and their

1 scope, even though they are going beyond the scope of the  
2 original intentions of the law.

3 And when I looked at their guidance from 2013, and I  
4 think there was another one from 2014 as well, it was, in my  
5 opinion, written very carefully to make it sound like that they  
6 were regulating all forms of bitcoin transactions and bitcoin  
7 vending or bitcoin ATM situations, but the reality is that they  
8 weren't.

9 Q. Okay. And, Mr. Freeman, you also testified that  
10 banks closed your accounts without giving you any reason why.  
11 Correct?

12 A. All the time, with the exception of the conversation  
13 with the bank president that you wouldn't let me talk about.

14 Q. Well, frequently, actually, banks did tell you the  
15 reason they were closing your accounts, didn't they?

16 A. Not that I have much recollection of. There was  
17 another credit union that I was able to sit down with their  
18 Bank Secrecy Act officer and have a lengthy conversation with  
19 that particular credit union, but most of the time on the bank  
20 breakup letters they gave absolutely no reason except that they  
21 have it in their terms of service that they can break up with  
22 you anytime they want without explaining why and then follow-up  
23 phone calls, they would not reveal anything.

24 MS. MACDONALD: Okay. Let's look at Exhibit 1523,  
25 please.

1 Q. Mr. Freeman, this is a letter from the GFA Federal  
2 Credit Union, correct?

3 A. Yes, that's right.

4 Q. And this was to Colleen Fordham about an account  
5 that you asked her to open, correct?

6 A. Colleen and I agreed that she should open an  
7 account, yes. However, as I said, credit unions have been a  
8 little more forthcoming than most banks. You were asking me  
9 about banks.

10 Q. Okay. Thank you for the clarification.

11 A. Yes.

12 Q. This lets -- so would you agree that credit unions  
13 told you the reasons that they were closing your accounts?

14 A. Sometimes.

15 Q. Okay. And that was frequently because you were  
16 operating an unlicensed money transmitting business?

17 A. No, I definitely wasn't operating an unlicensed  
18 money transmitting business, as we explained to GFA. We were  
19 not, according to our attorney, subject to their regulations at  
20 all and we provided the attorney's opinion to these credit  
21 unions in these circumstances to explain to them why that was.

22 It was their opinion that we may have been operating  
23 as a money transmitter, but their opinion was wrong because  
24 they didn't understand the facts of the circumstances.

25 Q. Okay. And after receiving that opinion, did any



1 bank or credit union change their mind and reopen your account?

2 A. Unfortunately not, because they are deathly afraid  
3 of the federal government.

4 MS. MACDONALD: Okay. Ms. Shedd, I'm just going to  
5 go back to 1206 briefly.

6 Q. Mr. Freeman, you talked a lot about the positive  
7 feedback that you received on localbitcoins.com, right?

8 A. Yes.

9 Q. Okay. If we can go -- this, again, I know we've  
10 looked at this a number of times and I apologize to bring it up  
11 again -- one, two, three, four, five, six, seven, eight, nine,  
12 ten -- if we could go to page 11, please.

13 THE COURT: Don't -- don't -- don't count to  
14 yourself and stuff out loud. We've got to make a record.

15 MS. MACDONALD: Thank you, your Honor. I apologize.

16 THE COURT: That's okay.

17 MS. MACDONALD: Page 11, please.

18 Q. Now, this is after the conversation, after loveshotz  
19 was arguing with you, correct?

20 A. Looks like it.

21 Q. And you respond: All set. I'm leaving you positive  
22 feedback. I would appreciate you doing the same for me. Thank  
23 you. Please spread the word of peace and freedom that bitcoin  
24 can bring the world.

25 Correct?

1           A.     I did, yes. I said that usually after every trade.

2           MS. MACDONALD: Okay. And let's bring up 1526,  
3 please.

4           Q.     And, Mr. Freeman, does this have sort of a script of  
5 the sorts of things that you would say frequently on  
6 localbitcoins.com?

7           A.     Yes. This was a set of notes that I had a more  
8 updated version on Google Docs and I would drop into that  
9 anytime I needed to to copy and paste things so I didn't have  
10 to retype them every time.

11          Q.     Okay. And let's just look at page 2 quickly.

12                 This is after the sale. I'll direct you to after  
13 the sale, please.

14                 Does this have that same language: All set. I'm  
15 leaving you positive feedback. I would appreciate you doing  
16 the same for me?

17          A.     Yes, that's right.

18          Q.     Okay. And on the first page of this --

19                 THE COURT: Please, when you're reading, slow down  
20 just a little bit.

21          Q.     Back on the first page of this, I'll direct you to  
22 the bottom of the page where it says verification for agent.

23                 And this is when one person is buying -- sending you  
24 money and sending the bitcoin to another person, correct?

25          A.     This is when it was represented that an individual

1 was depositing on behalf of another person. They could have  
2 been using the other person's money. I didn't know exactly  
3 what their arrangement was.

4 Q. Okay. But one person is putting the money into your  
5 account, whether it's their money or someone else's money, and  
6 you're sending the bitcoin to the agent?

7 A. No. The agent is the person doing the depositing --

8 Q. Okay. But you're sending the bitcoin --

9 A. -- on behalf of the buyer.

10 Q. -- to someone else, correct?

11 A. That's correct.

12 Q. Okay. The buyer.

13 And this is on your list of sort of frequent things  
14 to say on localbitcoins.com, right?

15 A. Yeah. I had previously written things so I wouldn't  
16 have to retype them.

17 Q. Great.

18 A. I wouldn't say they were frequent, but they did  
19 happen.

20 Q. Okay.

21 A. A minority of the time.

22 Q. Okay. You testified that you did some research into  
23 whether churches pay taxes, correct?

24 A. I sure did. I read some of the IRS code and some of  
25 their publications.

1 Q. And so that research would have led you to the  
2 conclusion that ministers still do have to pay taxes, right?

3 A. I didn't see anything about that unless the minister  
4 was making some sort of an income at something.

5 MS. MACDONALD: Okay. And let's bring up 1504,  
6 please.

7 Q. Is this a document that you created?

8 A. No, I found this on the Internet.

9 Q. Okay. Is it something that you reviewed?

10 A. I did review this, yes.

11 Q. Okay.

12 A. Many years ago.

13 MS. MACDONALD: And I'd like to go to the second  
14 page, the section beginning with excerpts, please.

15 Q. And I'm just going to read this.

16 Churches and religious organizations, like many  
17 other charitable organizations, qualify for exemption from  
18 federal income tax under IRC Section 501(c)(3) and are  
19 generally eligible to receive tax-deductible contributions. To  
20 qualify for tax exempt status, such an organization must meet  
21 the following requirements.

22 And then there are some bullets.

23 First, the organization must be organized and  
24 operated exclusively for religious, educational, scientific, or  
25 other charitable purposes; second, net earnings may not inure



1 to the benefit of any private individual or shareholder; third,  
2 no substantial part of its activity may be attempting to  
3 influence legislation; fourth, the organization may not  
4 intervene in political campaigns; and fifth, the organization's  
5 purposes and activities may not be illegal or violate  
6 fundamental public policy.

7 Did I read that correctly?

8 A. You did. However, that does not apply here.  
9 This -- what you were reading is a list of requirements for  
10 501(c)(3) organizations and you do not have to be a 501(c)(3)  
11 organization to be a church.

12 Q. Okay.

13 A. Would you like me to explain more about that?

14 Q. No, thank you.

15 THE COURT: She asked -- sidebar.

16 AT SIDEBAR

17 THE COURT: Listen, the last thing I'm ever going  
18 to do in a trial is jump all over your client while he's  
19 testifying. But, you know, you're letting him go crazy here,  
20 all right, and I can't listen very much longer to this guy  
21 making speeches.

22 So I don't know what to do here exactly, but I'm --  
23 I'm --

24 MR. SISTI: Do you want me to talk to him for a  
25 second? I won't do it without your permission.

1 THE COURT: I understand. Yeah.

2 MR. SISTI: But, I mean, I don't want him to get to  
3 the other end.

4 THE COURT: Of course. I know you don't and I don't  
5 want to overstep.

6 But I'm going to ask you to assert yourself a little  
7 bit here. All right?

8 MS. MACDONALD: Okay, your Honor.

9 THE COURT: Yeah. I mean, ask your questions. I'll  
10 support you on it. I'm not going to cut him off, but tell him  
11 the usual thing that he can explain himself. But he needs to  
12 answer the questions. Mark will do a redirect and he'll get  
13 all this out.

14 MR. SISTI: I don't mind you actually talking to him  
15 right now and saying between you and me, just answer the  
16 questions, you know.

17 THE COURT: Okay.

18 MR. SISTI: You know, we'll get to -- we'll get to  
19 what you want to say afterwards.

20 THE COURT: Exactly.

21 MR. SISTI: Something like that. Okay.

22 CONCLUSION OF SIDEBAR

23 THE COURT: Please proceed.

24 MS. MACDONALD: Can we please pull up the next page,  
25 and I'll have you zoom in on parsonage or housing allowances.

1 Q. Mr. Freeman, I'll ask you just to listen to my  
2 question and answer just the question that I ask you. Okay?

3 A. Okay.

4 Q. Thank you.

5 I'm just going to read this.

6 A minister who has furnished a parsonage may exclude  
7 from income the fair rental value of the parsonages, including  
8 utilities.

9 Did I read that correctly?

10 A. Yes, you did.

11 Q. Okay. And that presumes that some ministers get  
12 income, correct?

13 A. Looks like it.

14 Q. Okay. Thank you.

15 Mr. Freeman, I'd like to talk now about your golden  
16 rule.

17 Let's pull up 1541, please.

18 Bullet point number 1 here, Mr. Freeman, do not tell  
19 our staff why you want the coins.

20 Did I read that correctly?

21 A. You did.

22 Q. Okay. And you are sending this to coinatmradar,  
23 correct?

24 A. That's right.

25 MS. MACDONALD: Okay. Let's pull up 302, please.

1 Q. And this was posted on one of your crypto kiosks,  
2 correct?

3 A. That was -- I believe it might have been Thirsty Owl  
4 but, yes, we had those rules posted at all the vending  
5 machines.

6 Q. Okay. And number 4 reads do not tell our staff why  
7 you want to buy cryptocurrency; is that correct?

8 A. That's right.

9 MS. MACDONALD: Okay. And let's pull up 1201,  
10 please, Ms. Shedd.

11 And I'll have you choose any of these  
12 advertisements, any one of them, Ms. Shedd.

13 And a little bit lower.

14 Q. Once again, Mr. Freeman, under this disclaimer, do  
15 the first two lines read, what you do with your bitcoin is your  
16 business, don't tell me what your plans are; is that correct?

17 A. Yes, it does.

18 Q. Thank you.

19 I'd like to talk now, Mr. Freeman, about some of  
20 your customers.

21 Let's look at 1224, please. And if you could scroll  
22 down a little bit.

23 This is a localbitcoins.com chat, correct?

24 A. It appears to be.

25 Q. Okay. And here you're talking to somebody named



1 sweetcuteBarbie, correct?

2 A. Yes.

3 Q. And that person says: I'm too old to take a selfie;  
4 my hands are trembling.

5 Right?

6 A. That's what they said.

7 Q. Okay. And you told them that they might use a  
8 mirror, because you need to get that selfie, correct?

9 A. It's very important, yes.

10 Q. And let's go on to the end of the page.

11 SweetcuteBarbie says: I can't hold something in one  
12 hand and take a photo with my phone in the other hand.

13 Right?

14 A. They said that.

15 Q. And to page 2, they continue: My hands tremble too  
16 much.

17 Right?

18 A. That's right.

19 Q. And your response, Mr. Freeman, was some people hold  
20 the paper with their mouth.

21 A. Some people do.

22 MS. MACDONALD: Okay. And, Mr. Kennedy, if we could  
23 pull up the Telegram folder.

24 Q. Mr. Freeman, on direct you told Mr. Sisti about a  
25 time that you believe you identified a scam because you noticed

1 that the receipt was scanned, correct?

2 A. That's correct.

3 Q. Okay. And you testified that you look very  
4 carefully at those photos that you get, right?

5 A. I do. Best I can.

6 Q. Yup. And you -- in that case, you zoomed in on it  
7 and looked very closely?

8 A. Yes. It appeared to be that it was a scan, so --

9 Q. Okay.

10 A. -- I took a close look.

11 Q. And that's how you figured that out?

12 A. That's right.

13 MS. MACDONALD: Okay. Mr. Kennedy, could you open  
14 Cindy Frank, please, and could you please open up that third  
15 photo.

16 Q. And, Mr. Freeman, you looked very carefully at this  
17 photo?

18 A. As I recall.

19 Q. Okay. And it's your testimony you thought this  
20 person was a legitimate bitcoin customer, right?

21 A. I did.

22 MS. MACDONALD: Okay. Let's pull up Donald  
23 Huffman's folder, please, and the fourth photo in.

24 Q. This one, Mr. Freeman, you looked closely at this  
25 photo?

1 A. Yes, I did.

2 Q. And it's your testimony you thought this person was  
3 legitimately investing in bitcoin?

4 A. Yes. Donald was a repeat buyer.

5 MS. MACDONALD: Okay. And how about, Mr. Kennedy,  
6 Laureen Garcia. That photo, thank you.

7 Q. Again, Mr. Freeman, you looked very carefully at  
8 this photo?

9 A. Yes, and the other photo she provided.

10 Q. And you believed that she was a legitimate bitcoin  
11 customer?

12 A. I had no reason to disbelieve that.

13 MS. MACDONALD: Okay. Danella Varel. And I think  
14 that's the one I'm looking for.

15 Q. And you looked closely at this one as well?

16 A. I certainly did.

17 Q. Okay. And could you zoom in on the -- and this one  
18 says, drilling equipment, purchase of virtual goods, doesn't  
19 it?

20 A. Yes, I think I can see that.

21 MS. MACDONALD: Okay. Susan Giordano.

22 Q. Mr. Freeman, I'm sorry. I'm going to back up and  
23 ask you one more question about Danella Varel.

24 Is it true, Mr. Freeman, that you have been  
25 reporting on this trial on your nightly radio show?

1 A. Yes, of course.

2 Q. And you talked about Ms. Varel's testimony on your  
3 radio show?

4 A. Likely, yes.

5 Q. Okay. And you talked about how ridiculous it was  
6 that she would believe that her boyfriend needed her to help  
7 pay for the drilling equipment, correct?

8 A. I didn't know anything at the time about drilling  
9 equipment beyond what was on that form.

10 Q. But you commented on your radio show that you  
11 thought that was a ridiculous story.

12 A. Yes. Had I known that that was the case, I would  
13 have told her that.

14 Q. Okay. And you were on your radio show with your  
15 cohost Aria DiMezzo, correct?

16 A. I think so.

17 Q. And she called Ms. Varel a moron?

18 A. Well, I wouldn't say the same thing. I mean, people  
19 can be fooled.

20 Q. Sir, my question is did Ms. DiMezzo call Danella  
21 Varel a moron --

22 A. I don't recall.

23 Q. -- on your radio show?

24 You don't recall her saying that Ms. Varel was  
25 stupid?



1           A.     I wouldn't say the same things about that, if that's  
2 what she said. I don't recall.

3           Q.     You don't recall. And you don't recall that on your  
4 radio show just a few days ago you didn't disagree with her?

5           A.     I apologize if I didn't, but I don't recall that.

6           MS. MACDONALD: Okay. If you could pull up one of  
7 these, please.

8           Q.     Again, Mr. Freeman, another photo that you reviewed  
9 closely?

10          A.     That's correct.

11          Q.     Okay. And you thought this was also a legitimate  
12 bitcoin customer?

13          A.     Indeed. She followed the instructions.

14          MS. MACDONALD: Nancy Triestram.

15          Q.     Again, something you reviewed closely, Mr. Freeman?

16          A.     That's right.

17          Q.     Okay. Another legitimate bitcoin customer?

18          A.     Absolutely. Multiple-time.

19          MS. MACDONALD: And Larry Bowman.

20          Q.     How about this one? Did you look at this one  
21 closely?

22          A.     I did, yes.

23          Q.     Okay. And he was, in your mind, a legitimate  
24 investor in bitcoin?

25          A.     At the time I had no reason to believe otherwise.

1 MS. MACDONALD: Okay. I think we've done enough.

2 If I could just have one moment, your Honor.

3 THE COURT: Sure.

4 MS. MACDONALD: No further questions. Thank you.

5 THE COURT: Redirect.

6 MR. SISTI: Thank you, Judge.

7 I'd ask now to strike the IDs on C-2, C-3, and C-4,  
8 based on the cross-examination referencing the feedback aspect,  
9 and the reintroduction of 1206 and 1526 regarding feedback that  
10 was questioned by the government's attorney.

11 THE COURT: Okay. Is it C-1 through C-3?

12 MR. SISTI: It's C -- let me go through them. C-2,  
13 C-3, C-4.

14 THE COURT: I see. And that's the feedback, right?

15 MR. SISTI: Those would be the positive, neutral,  
16 and negative feedback aspects that I already asked the Court to  
17 accept.

18 THE COURT: Okay. My ruling on those is I don't  
19 view them as business records, but I also don't view them as  
20 hearsay. I think they can come in for the limited purpose that  
21 I can instruct the jury on.

22 Do you have any other objections, though, besides  
23 the hearsay?

24 MS. MACDONALD: Other than the authentication  
25 objection?

1           THE COURT: Yeah, I don't think they're  
2 authenticated, Counsel. I think she's right about that.  
3 Because to be -- as LocalBitcoins records, which Mr. Freeman  
4 testified that they are, they're not -- they're not church  
5 records or Freeman records, so he can't really authenticate  
6 them. So I don't think they're authenticated as LocalBitcoins  
7 records and his testimony establishes that that's what they  
8 are --

9           MR. SISTI: Well --

10          THE COURT: -- so I can't allow them in. I can't  
11 allow them in as not authenticated. I didn't have any other  
12 substantive problem with it, but they're not authenticated.

13          MR. SISTI: These are the same LocalBitcoins records  
14 or at least references to LocalBitcoins records that the  
15 government has been introducing during the course of trial.

16          THE COURT: Without objection, though. Without  
17 objection.

18          MR. SISTI: Well, again, I mean, there doesn't seem  
19 to be a problem with this other than -- other than with  
20 Mr. Freeman.

21          THE COURT: Yeah.

22          MR. SISTI: And, again, they were referred to in the  
23 cross-examination. There was a specific reference as to  
24 feedback, how feedback was important --

25          THE COURT: Yeah.

1 MR. SISTI: -- and that is exactly what Mr. Freeman  
2 testified to and why he -- why he utilizes those records. And  
3 he utilizes those records for his day-to-day business or  
4 day-to-day church transactions.

5 So I'm just saying if he wants to get -- if they  
6 want to dive back into the water, so do I, Judge.

7 THE COURT: I do.

8 MS. MACDONALD: Your Honor, the localbitcoins.com  
9 records that we introduced were introduced with a business  
10 certification from localbitcoins.com. Those records did not  
11 come from what we received from localbitcoins.com.

12 THE COURT: The testimony about the feedback is all  
13 admissible and proper for the jury to hear, but the records  
14 themselves are unauthenticated and I'm not going to admit them.

15 Now, 1206 and 1526, I guess I need to see them  
16 before I can rule. I will --

17 MR. SISTI: Those are in.

18 THE COURT: Those are in?

19 MR. SISTI: Those are in.

20 THE COURT: Oh, okay. Then --

21 MR. SISTI: We're good with that.

22 THE COURT: No problem.

23 MR. SISTI: Right. Thank you.

24 REDIRECT EXAMINATION

25 BY MR. SISTI:



1 Q. So you understand that, Ian. I mean, as far as the  
2 feedback aspects, you can testify to them. It's just that the  
3 documents can't come in. Do you understand that?

4 A. Sure, although I will say that I downloaded them.

5 Q. I understand. It's fine. You downloaded them but,  
6 again, you heard the judge's ruling.

7 A. I heard it.

8 Q. We'll abide by that.

9 A. Sure.

10 Q. Okay. Now, with regard to the positive feedbacks  
11 that you said were important, they are important?

12 A. They're very important.

13 Q. All right. And does that aid you in going forth and  
14 actually seeking out and selling bitcoin?

15 A. Well, in that case, the positive feedbacks would be  
16 looked at by potential buyers who are presented with an entire  
17 website full of potential sellers and they have to determine  
18 which seller they want to choose. And the fact that I had what  
19 LocalBitcoins called a 100 percent positive feedback rating,  
20 despite the fact that there were five negatives and 14  
21 neutrals, because I had like 14 -- almost 1,400 positives, it  
22 was still enough to call it 100 percent positive.

23 So when someone looked at my profile, they would see  
24 the tremendous amount of trade volume over the years and the  
25 positive feedback. It would be a no-brainer.

1 Q. Okay. So, actually, this is part of the, actually,  
2 transaction kind of advertising, getting good feedback?

3 A. Yeah, absolutely. You want to have a good  
4 reputation or no one's going to be interested in you.

5 Q. And the reputation that you had from LocalBitcoins  
6 was the highest?

7 A. I mean, it was 100 percent. There probably were  
8 some other sellers who'd been on the site longer and had more  
9 positive feedback than me, but I was what they called a pro  
10 level seller.

11 Q. Okay. I want to clear up a few things.  
12 You just got a rapid fire look at a bunch of elderly  
13 individuals that were shown to the jury again.

14 A. Yes.

15 Q. We've seen these individuals before in this trial,  
16 correct?

17 A. Some of them appeared.

18 Q. Yeah. And with regard to their purchasing, do you  
19 just like automatically say it's -- I'm not going to sell to  
20 you, you're too old?

21 A. No, I don't discriminate.

22 Q. Okay. Do you say, I'm not going to sell to you  
23 because you're too young?

24 A. No.

25 Q. Okay. And with regard to those photos that you

1 were -- that you were shown, you were shown individuals that  
2 some of them had done multiple purchases from you, haven't  
3 they?

4 A. A lot of them had, yes.

5 Q. Right. And did they directly complain to you about  
6 anything?

7 A. No, they didn't. Had they given me some idea that  
8 there was something untoward going on, I would have done  
9 everything I could to help them in that circumstance.

10 Q. And was there any negative feedback from any of  
11 those folks?

12 A. Not that I'm aware of.

13 Q. All right.

14 A. The only negative feedback I received was from  
15 scam artists who were upset, I presume, because some people  
16 complained that he requires too many pictures. If you were to  
17 look at it, you'd see that.

18 Q. All right. And when we went through a number of  
19 these individuals, the name Varel came up again. You remember  
20 her?

21 A. Yes. She was the certified financial planner, since  
22 retired.

23 Q. Right. You -- you didn't call her stupid, right?

24 A. Absolutely not.

25 Q. You didn't call her a moron, did you?

1           A.     No, and I wouldn't. And I am sorry that those  
2 things happened to those folks.

3           Q.     And, in fact, with Ms. Varel, if we could just  
4 remember that situation, were you the individual that was the  
5 one that asked her if she really wanted to invest that kind of  
6 money?

7           A.     Yes. I did call Ms. Varel. And even though she  
8 only recalled that one question, it would have been a series of  
9 questions that I asked her.

10          Q.     Do you recall if any of the banks that dealt with  
11 Ms. Varel stopped her from cutting loose hundreds of thousands  
12 of dollars?

13          A.     None of the banks stopped any of the buyers because  
14 they all were allowed to send wire transfers.

15          Q.     And these would have all been the elderly  
16 individuals that were just depicted?

17          A.     People of all ages but, yes, those included.

18          Q.     Okay. The FinCEN letter again. What did you think  
19 that was when you got it?

20          A.     It could have been a scam, but if it was really from  
21 FinCEN, then I thought their opinion was incorrect.

22          Q.     All right. And from the date that you got this  
23 email that wasn't even addressed to you, was there any  
24 follow-up from them at all?

25          A.     At no point have I ever been contacted directly by



1 anyone from FinCEN --

2 Q. Okay.

3 A. -- meaning using my name.

4 Q. Okay. With regard to any of the banks that we've  
5 heard about that accounts were closed or they had issues with  
6 bitcoin, did any of those banks even lose one cent to you?

7 A. At no point did the banks lose anything at all to  
8 me. In fact, they gained through the various different fees  
9 that they charged the accounts.

10 Q. With your good faith investigation into the IRS  
11 code, what did you determine your status to be vis-a-vis  
12 501(3)(c) and church definition?

13 A. Yeah, thank you for asking.

14 This was something that we did a lot of research on  
15 before forming the Shire Free Church. And so what we  
16 researched was what's called the Free Church Movement. And  
17 this is a group of churches, many of which already exist, who  
18 have decided that they -- by becoming a 501(c)(3) organization  
19 or filing for that with the IRS that they had ended up  
20 restricting themselves without realizing what they were getting  
21 into.

22 A 501(c)(3) is not required to be a church. As I  
23 explained earlier, a church is something that's outside of the  
24 government. It's a creation of man for the purpose of bringing  
25 people together to worship God and to learn and understand the

1 nature and the purpose of the universe.

2 Churches do things like incorporate in order to  
3 interact in the sort of the legal world and so many churches  
4 are given advice, which in my opinion is bad advice, by many  
5 attorneys who would love to hold their hand through a 501(c)(3)  
6 application which, as I understand it, is very complicated.  
7 And, of course, the attorneys get paid thousands of dollars to  
8 do this and then at the end of it, if they get the 501(c)(3),  
9 it comes along with a lot of the restrictions that the attorney  
10 read during the cross-examination. But those restrictions do  
11 not apply if you're not 501(c)(3).

12 And so the Free Church Movement is the idea of any  
13 church that has felt restricted by 501(c)(3) and all of its  
14 rules can undo that. They can release those shackles to cancel  
15 the 501(c)(3) and return to a free church status.

16 And an important thing that we learned when we were  
17 looking at the IRS code is that one of the big concerns, one of  
18 the reasons why lawyers recommend churches get 501(c)(3) is  
19 because that means -- they say that means donations to those  
20 churches are tax-deductible, which is true, but it's also true  
21 that donations to any church are tax-deductible, according to  
22 the IRS code.

23 So the big lie about 501(c)(3) is that you need it  
24 to receive tax-deductible contributions and that is not true.  
25 The truth is any church can receive tax-deductible

1 contributions. So a lot of churches in the Free Church  
2 Movement has -- have undone the 501(c)(3). In our case, we  
3 never did the 501(c)(3). We formed Shire Free Church as a free  
4 church and we don't have to ask permission for that.

5 So what they were showing on cross-examination was a  
6 list of restrictions that apply specifically to people that  
7 want 501(c)(3) status, which we do not.

8 Q. Okay. And, again, you don't receive any income?

9 A. That's correct.

10 Q. All right. And as far as your golden rules or your  
11 rule one, although they don't seem to be rule one all the  
12 time --

13 A. Yeah.

14 Q. -- why is it that you would stay -- or why would  
15 there be a sign up in like a bar, restaurant, convenience  
16 store, that says, do not tell our staff why -- I mean, first of  
17 all, do you have any staff?

18 A. Well, I don't have staff. The Shire Free Church  
19 has no employees. But the bar certainly has staff or the  
20 convenience store certainly has staff. And what we didn't want  
21 to have happen was for a store employee to be put in the  
22 awkward circumstance of, say, having someone come into the  
23 store to purchase some bitcoin and tell the store employee,  
24 either before or after purchasing the bitcoin, I'm going to buy  
25 some marijuana with this bitcoin, right?



1           That would put that store employee in a very  
2 difficult circumstance of having to. If they hadn't purchased  
3 the bitcoin yet, if the person hadn't purchased the bitcoin,  
4 would they then have to, you know, somehow stand in front of  
5 that person and physically block them from using the machine?  
6 Would they need to, you know, call the police? It would be a  
7 very difficult situation to deal with because that person would  
8 have admitted that they were intending to do something that  
9 would have been illegal in a lot of places with that bitcoin.

10           So it would be better to not put a store employee in  
11 a situation like that, where they wouldn't necessarily know how  
12 to deal with that, where if Pavel showed up and tried that with  
13 one of the store employees, they may have been arrested for a  
14 money laundering charge.

15           So the -- the point of putting that there was to  
16 give the store employees at the very least the ability to say,  
17 hey, look, you broke the rules and we don't want to deal with  
18 you, you know, you have to leave or something like that. But,  
19 you know, better to leave those things unsaid in that case. It  
20 was for their protection.

21           Q. All right. It was for their protection?

22           A. Yes, and ours, and the customers' as well. Because  
23 privacy matters.

24           MR. SISTI: Thank you, Ian. No further questions.

25           MS. MACDONALD: Nothing further, your Honor.



1 THE COURT: Please resume your seat at counsel  
2 table.

3 (Witness excused.)

4 MR. SISTI: Can we just approach, Judge --

5 THE COURT: You may.

6 MR. SISTI: -- about scheduling?

7 THE COURT: Sure.

8 THE CLERK: Would the jurors take their headphones  
9 off, please?

10 AT SIDEBAR

11 THE COURT: We don't need a record for this.

12 (Off-the-record discussion.)

13 THE COURT: Ladies and gentlemen of the jury, I'm  
14 going to discharge you for the day. Tomorrow you will  
15 certainly, possibly among other things but certainly, hear  
16 jury instructions and closing arguments and begin your  
17 deliberations. That will happen tomorrow.

18 Under any set of circumstances, right, Counsel?

19 MR. SISTI: That is correct.

20 THE COURT: Yeah. So I'm going to discharge you for  
21 the day. I'll see you at 9:00 a.m. tomorrow. Remember my  
22 usual admonition, though, right? No conversations about the  
23 trial with anybody. No access about the trial from any source.

24 Have a good night.

25 THE CLERK: All rise.

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(Jury excused.)

THE COURT: Please be seated. Anything else on the record for the Court?

MR. SISTI: Nothing.

THE COURT: Okay. Why don't we convene in the jury deliberation room right here and we'll talk about the charge.

(Proceedings adjourned at 4:27 p.m.)

C E R T I F I C A T E

I, Liza W. Dubois, do hereby certify that the foregoing transcript is a true and accurate transcription of the within proceedings, to the best of my knowledge, skill, ability and belief.

Submitted: 3/10/23

/s/ Liza W. Dubois  
LIZA W. DUBOIS, RMR, CRR