

DEPOSITION OF VICTOR MIGNOGNA

June 26, 2019

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<p style="text-align: center;">NO. 141-307474-19</p> <p>VICTOR MIGNOGNA,) IN THE DISTRICT COURT)) Plaintiff,)) VS.) TARRANT COUNTY, TEXAS)) FUNIMATION PRODUCTIONS,) LLC, JAMIE MARCHI, MONICA) RIAL, and RONALD TOYE,)) Defendants.) 141st JUDICIAL DISTRICT</p> <p style="text-align: center;">----- ORAL AND VIDEOTAPED DEPOSITION OF VICTOR MIGNOGNA JUNE 26, 2019 -----</p> <p>ORAL AND VIDEOTAPED DEPOSITION OF VICTOR MIGNOGNA, produced as a witness at the instance of the DEFENDANTS, and duly sworn, was taken in the above-styled and numbered cause on June 26, 2019, from 10:05 a.m. to 5:39 p.m., before Claudia White, CSR in and for the State of Texas, reported by machine shorthand, at the 141st Judicial District Court, 100 North Calhoun Street, 1st Floor, Fort Worth, Texas, pursuant to the Texas Rules of Civil Procedure and the provisions stated on the record or attached hereto.</p> <p>Job No. 132281</p>	<p style="text-align: center;">APPEARANCES (continued)</p> <p>1 2 3 FOR THE DEFENDANT FUNIMATION PRODUCTIONS: 4 Mr. John Volney, Esq. 5 LYNN PINKER COX & HURST, LLP 6 2100 Ross Avenue 7 Suite 2700 8 Dallas, Texas 75201 9 (214) 981-3839 10 jvolney@lynnllp.com</p> <p>11 FOR THE DEFENDANT JAMIE MARCHI: 12 13 Mr. Sam Johnson, Esq. 14 JOHNSON SPARKS 15 7161 Bishop Road 16 Suite 220 17 Plano, Texas 75024 18 (972) 918-5274 19 sam@johnsonsparks.com</p> <p>20 FOR THE VIDEOGRAPHER: 21 22 Mr. John Franks 23 24 ALSO PRESENT: (Appearing via Zoom) 25 26 Ms. Jamie Marchi 27 Mr. Ronald Toye 28 Ms. Monica Rial</p>
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1 Exhibit 27 Screenshot of a tweet 2/8/19.....275

2

REQUESTED DOCUMENTS/INFORMATION

3

NO.	DESCRIPTION	PAGE
4	NONE	

5

CERTIFIED QUESTIONS

NO.	DESCRIPTION	PAGE/LINE
8	NONE	

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23 *XXXX identifies redacted names in the transcript per
confidentiality stipulation

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1 MR. BEARD: Okay. Counsel has agreed that

2 the only people that will be watching this live stream

3 are the parties and counsel, and that it will not be

4 recorded or otherwise distributed without agreement of

5 all the parties.

6 MR. ERICK: That's agreed.

7 MR. LEMOINE: That's correct.

8 MR. JOHNSON: That's agreed.

9 MR. LEMOINE: One other -- one other thing.

10 This lady sitting in the black with the gray sweater

11 hasn't introduced herself, has she?

12 MR. BEARD: No. She's Lisa Hansell, she's

13 our witness consultant.

14 MR. LEMOINE: Okay. She's a jury

15 consultant of some sort?

16 MR. BEARD: Witness, but, yeah, my -- my

17 office.

18 MR. LEMOINE: All right. One other

19 agreement, can we have an agreement that objection for

20 one of the Defendants is an objection for all, so we

21 don't jump all over each other?

22 MR. JOHNSON: Agreed.

23 MR. LEMOINE: All right. And I don't know

24 if everybody wants to do consecutive deposition

25 numbering so that it would be throughout the

6

1 THE VIDEOGRAPHER: And we're going on the

2 record in the videotaped deposition of Mr. Victor

3 Mignogna. Today's date is June 26th, 2019. The time is

4 10:05 a.m.

5 At this time, will counsel please state

6 their appearances for the record, and then the court

7 reporter will swear in the witness.

8 MR. BEARD: Ty Beard for the Plaintiff.

9 MR. ERICK: Casey Erick for Defendants

10 Monica Rial, Ron Toye.

11 MR. LEMOINE: Sean Lemoine for the

12 Defendants Monica Rial and Ron -- Ron Toye.

13 MR. VOLNEY: John Volney for Funimation.

14 MR. JOHNSON: Sam Johnson for Jamie Marchi.

15 MR. BEARD: Go ahead and announce.

16 MS. CHRISTIE: Carey Christie for Vic

17 Mignogna.

18 MR. LEMOINE: And then we have appearing by

19 Zoom, which is a teleconference, we have Ethan Minshull

20 from Wick Phillips and Andrea Perez from Kessler

21 Collins. And, also, Ms. Marchi and Mr. Toye, and I

22 think Ms. Rial, are joining by Zoom.

23 And do you want to do the --

24 MR. BEARD: Yeah. We're on the record?

25 MR. LEMOINE: Yeah.

8

1 depositions, since I suspect there will be a large

2 number of them, but, Mr. Beard, that's up to you.

3 MR. BEARD: In other words, one objection

4 that you guys -- that one person makes is deemed to

5 be --

6 MR. LEMOINE: Oh, I'm -- I'm sorry.

7 MR. BEARD: -- made for all?

8 MR. LEMOINE: That -- that's an agreement

9 for the Defendants, that way we don't have to keep

10 objecting.

11 MR. BEARD: I was wondering what I was

12 involved in.

13 MR. LEMOINE: The agreement, what I was

14 asking everybody at the table, because I can't dictate

15 this, is consecutive deposition numbering, meaning we

16 start today at 1, and if we go to 42, and then tomorrow

17 there's a new deposition, 1 through 42 stays set, you'll

18 have them, you can use the 1 through 42, and then any

19 new depositions would start at 43. That way, when you

20 go to trial and you're playing deposition testimony, the

21 42nd deposition exhibit is the same in every deposition.

22 Does that make sense?

23 MR. BEARD: No. But --

24 MR. JOHNSON: If I may jump in, he means

25 consecutive exhibit numbering.

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1 MR. BEARD: Oh, sure, yeah, that's fine.
2 MR. LEMOINE: What am I saying?
3 MR. JOHNSON: You're saying consecutive
4 deposition --
5 MS. CHRISTIE: Deposition.
6 MR. JOHNSON: -- numbering.
7 MR. BEARD: Yeah.
8 MR. LEMOINE: I got it.
9 MR. BEARD: Yeah, that's fine.
10 MR. LEMOINE: Okay. Any -- anything else
11 we need to discuss? Read and sign, I assume?
12 MR. BEARD: No.
13 MR. LEMOINE: Okay.
14 THE REPORTER: You don't want to read and
15 sign?
16 MR. BEARD: Oh, I'm sorry. Help me out
17 here.
18 MR. LEMOINE: Do you want Mr. -- is it
19 Mignogna?
20 THE WITNESS: Mignogna, yes, sir.
21 MR. LEMOINE: Very good. Mr. Mignogna to
22 read his deposition and sign it when it's over?
23 MR. BEARD: Oh, yeah.
24 MR. LEMOINE: Okay.
25 MR. BEARD: Absolutely. I'm sorry, I was

10

1 --
2 MR. LEMOINE: Yeah, I thought that's --
3 MR. BEARD: I was -- I was a thousand miles
4 away.
5 MR. LEMOINE: That's what I thought. All
6 right. Are we otherwise ready?
7 (Oath administered.)
8 THE REPORTER: This will be taken under the
9 Texas Rules of Civil Procedure?
10 VICTOR MIGNOGNA,
11 having been first duly sworn, testified as follows:
12 DIRECT EXAMINATION
13 BY MR. LEMOINE:
14 Q. Would you state your name for the record.
15 A. Victor Joseph Mignogna.
16 Q. Mr. Mignogna, would you identify the woman with
17 the black shawl and gray shirt. Who is she?
18 A. Her name is Lisa Hansell.
19 Q. And what does she do for a living?
20 A. For a living?
21 Q. Yeah. Do you know?
22 A. She does several things, but among other
23 things, she does makeup work and production work.
24 Q. And when you say makeup work and production
25 work, is that in some kind of --

11

1 A. For film and television.
2 Q. Okay. Is she -- to your knowledge, has she
3 ever been a witness consultant?
4 A. I don't know anything about --
5 Q. As you sit here today, is she -- do you -- have
6 you hired her to be your witness consultant?
7 A. I have not hired her.
8 MR. LEMOINE: Okay. Then I'm going to ask
9 that Ms. Hansell be excluded from the deposition.
10 MR. BEARD: Counsel, I hired her. But
11 that's fine, she can be excluded.
12 MR. LEMOINE: Okay.
13 (Ms. Hansell exits.)
14 Q. (BY MR. LEMOINE) Have you ever been deposed
15 before, Mr. Mignogna?
16 A. No, sir.
17 Q. Have you ever had to give testimony in any
18 capacity before?
19 A. Yes, sir.
20 Q. In what capacity?
21 A. I was a police officer for a time, and in my
22 job capacity, I -- I would have to testify against
23 defendants that I arrested and give testimony.
24 Q. And when were you a police officer?
25 A. A long time ago. Roughly '86, '87, in

12

1 Maryland.
2 Q. And how long were you a police -- and how long
3 were you a police officer, a year?
4 A. Roughly two years, on and off.
5 Q. And when you -- when you say on and off, were
6 you some kind of auxiliary police officer?
7 A. Well, no, I -- well, I was a -- I was a
8 seasonal officer, went through a -- the - the necessary
9 degree of training and sworn in, powers of arrest, etc.
10 Q. Were you allowed to carry a pistol?
11 A. Yes, sir. And -- I'm sorry.
12 Q. Go ahead.
13 A. And then at some point they realized that I had
14 a background in film and television and they asked me to
15 -- to start making PSAs and commercials for
16 pedestrian-related, citizen-related videos to help
17 educate the -- the -- the public. That's why I meant on
18 and off. I -- I started doing the video stuff toward
19 the end.
20 Q. When did you stop being a police officer?
21 A. It was just a couple of years, so, I guess, you
22 know, roughly -- again, I -- I don't remember the years,
23 specifically, but a couple of years.
24 Q. And why did you cease being a police officer?
25 A. It was never a career move, it was a -- it was

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1 something that I thought would be interesting to do
2 right out of college. I mean, it wasn't something I
3 intended to do for a long period of time.

4 Q. Were you terminated or did you voluntarily
5 quit?

6 A. No, I voluntarily quit.

7 Q. Apart from your attorneys, have you talked to
8 anybody in preparation for this deposition?

9 A. No.

10 Q. What have you done to prepare for this
11 deposition?

12 A. Just spoken with my attorneys and prepared.

13 Q. Did you review any documents to refresh your
14 recollection about any events that you might be
15 discussing today?

16 A. No, sir.

17 Q. Are there any medications that you're on that
18 would prevent you from testifying truthfully?

19 A. No, sir.

20 Q. Is there anything that you can think of that
21 would prevent you from testifying truthfully today?

22 A. No, sir.

23 Q. What's your full name?

24 A. Victor Joseph Mignogna.

25 Q. How old are you?

14

1 A. Fifty-six.

2 Q. Do you ever go by any nicknames?

3 A. Vic.

4 Q. Is that it?

5 A. Yes.

6 Q. What about the Fuhrer, ever be -- ever go by
7 the nickname the Fuhrer?

8 A. No.

9 Q. Have any --

10 MR. BEARD: Excuse me --

11 Q. (BY MR. LEMOINE) Are you aware of --

12 MR. BEARD: -- Counsel, could you say that
13 louder?

14 MR. LEMOINE: The Fuhrer.

15 MR. BEARD: The Fuhrer?

16 MR. LEMOINE: Yeah.

17 MR. BEARD: As in Adolph Hitler?

18 MR. LEMOINE: I don't know.

19 MR. BEARD: Is that how it's spelled?

20 MR. LEMOINE: Yes.

21 MR. BEARD: Okay. Sorry.

22 Q. (BY MR. LEMOINE) Are you aware of there being
23 any group of people out there in -- in -- in the world
24 that refer to you as the Fuhrer?

25 A. Yes.

15

1 Q. And who refers you -- as you to the Fuhrer?

2 A. Many years ago, members of my fan club, the
3 Risebbool Rangers, thought that it would just be fun,
4 since it was kind of a nickname of the fan club, that
5 they were kind of Risebbool -- that they were Rangers,
6 and somebody made it up as a joke. I had nothing to do
7 with it. It was short-lived. I didn't make it up, I
8 didn't condone it, it was just a -- something some fan
9 made up.

10 Q. Do you know if your mother ever referred to you
11 as the Fuhrer?

12 A. Not to my knowledge.

13 Q. And when you say short-lived, short-lived like
14 how long, few days, few weeks?

15 A. I don't even know. I haven't heard that
16 reference in a very long time until you just said it.

17 Q. I take it that when the -- the Risebbool
18 Rangers started referring to you as the Fuhrer, you --
19 you understood the inappropriateness of something like
20 that, correct?

21 A. I didn't really have any feeling about it.

22 Q. Well, can you associate for me any other human
23 being that's been called the Fuhrer besides Adolph
24 Hitler?

25 A. Not to my knowledge.

16

1 Q. All right. And so you would agree with me that
2 it would be inappropriate for you to have a nickname or
3 condone a nickname like the Fuhrer?

4 A. I never condoned it.

5 Q. Okay. And you would agree with me that would
6 be in -- inappropriate for people to call you that, but
7 you don't support that kind of nonsense, do you?

8 A. I don't fully understand.

9 Q. Sure.

10 A. Can you rephrase?

11 Q. If somebody called me the Fuhrer, I would tell
12 them to stop immediately, because it's anti-Semitic and
13 refers to a time in our history where terrible things
14 were done to Jewish people. Do you -- do you have that
15 same feeling?

16 A. Of course I do.

17 Q. Okay. So you would agree with me that if there
18 were people out there calling you the Fuhrer, one of the
19 things you would do would be to intervene to stop that?

20 A. I knew that they were fans who meant nothing by
21 it. They're young people. And I didn't address it one
22 way or the other, and it died off.

23 MR. LEMOINE: All right. I'll object as
24 nonresponsive.

25 Q. (BY MR. LEMOINE) My question was not what you

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1 think the fans might believe, but if you agree, they
2 would be --
3 A. I believe you asked me if they would -- if I
4 told them to stop, and I said no. And my answer to that
5 is, no, because they were fans and I knew they didn't
6 mean anything by it. Their intentions were nothing more
7 than playful, and so I didn't address it and it died
8 off.
9 Q. Does the Risembool Rangers, do they have a
10 definitions page somewhere?
11 A. I don't know.
12 Q. That's not something you have anything to do
13 with?
14 A. No, sir.
15 Q. Is there any adult that monitors this --
16 A. Yes.
17 Q. -- Risembool Rangers page?
18 A. Sorry. Sorry. Not supposed to overlap. I
19 apologize.
20 Yes.
21 Q. And who's that adult?
22 A. I don't -- I don't specifically know all their
23 names, but we have moderators. We've always had
24 moderators of legal age to make sure that any of the,
25 like, forums and -- and places where the fans would

18

1 gather to chat, were safe places where -- where there
2 wasn't any inappropriate discussions or challenges or
3 bullying.
4 Q. Okay. And so do you know who any of these
5 moderators are?
6 A. I know some -- they've changed over the years,
7 because, again, they're volunteers, they're fans who
8 just offered to help.
9 Q. And who screens them to make sure they're of
10 legal age?
11 A. I'm sorry?
12 Q. Who screens them to make sure they're of legal
13 age?
14 A. The other moderators who are of legal age.
15 Q. Who screens that moderator?
16 A. I'm sure at some point in time I -- I probably
17 had spoken to someone who I knew was of legal age.
18 Q. As you sit here today, can you identify one
19 person?
20 A. I'm sorry?
21 Q. As you sit here today, can you identify one
22 person who is of legal age that is a moderator on the
23 Risembool Rangers page?
24 A. Alyssa Fluty.
25 Q. And how old is she?

19

1 A. I don't know her birthday.
2 Q. How do you know she's of age?
3 A. Because she's clearly of age.
4 Q. All right. How many hours does miss --
5 A. She's out of college, she has a job, she's
6 clearly of age.
7 Q. How much time does she devote to the --
8 A. I have no idea, sir.
9 Q. -- moderator?
10 A. I'm sorry.
11 Q. Where do you currently live?
12 A. Grapevine, Texas.
13 Q. And how long have you lived in Grapevine?
14 A. Since late December of last year.
15 Q. And where did you live prior to that?
16 A. I went back and forth between Los Angeles and
17 Houston.
18 Q. Are you married?
19 A. No, sir.
20 Q. Have you ever been married?
21 A. Yes, sir.
22 Q. How long were you married?
23 A. Six -- a little over six years.
24 Q. From when to when?
25 A. '95 to 2000, mid 2000.

20

1 Q. Do you have any children?
2 A. No, sir.
3 Q. What's the highest level of formal education
4 you've ever obtained?
5 A. I have a bachelor's degree in science.
6 Q. Where did you get that?
7 A. Arts and science. From Liberty University.
8 Q. In Virginia?
9 A. Yes, sir.
10 Q. When did you graduate?
11 A. '86.
12 Q. And after you left Liberty, that's when you
13 became a police officer in Maryland?
14 And I know it's been a long time, so I'm
15 not trying to --
16 A. I know. So sorry.
17 Q. I'm not trying to trap you on dates.
18 A. No, I -- I -- I know, I'm just trying to work
19 it out. When I said on and off, if I may, I guess, if I
20 --
21 Q. Sure. Go ahead.
22 A. -- may clarify.
23 As I mentioned, I was a seasonal officer.
24 There are cities in Maryland that are vacation towns and
25 they hire additional officers for -- for the -- for the

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1 seasons. And my senior year in college, I was hired.
2 And then I went back to college so I wasn't there any
3 more. And then after college, I went back and did it
4 for another year and a half or so. That's what I meant
5 by on and off.
6 **Q. Okay. Did you teach at a school after you**
7 **graduated Liberty University?**
8 A. Yes, sir.
9 **Q. What school did you teach at?**
10 A. Trinity Christian Academy.
11 **Q. Where's that located?**
12 A. Jacksonville, Florida.
13 **Q. What did you teach?**
14 A. I taught English and speech.
15 **Q. And how long did you teach there?**
16 A. A year.
17 **Q. And why did you leave?**
18 A. Because, again, it was not a career move. It
19 was not my intention to be a teacher. It was an
20 opportunity that was offered to me right after college.
21 **Q. Were you -- did you resign or were you**
22 **terminated?**
23 A. I actually don't even recall.
24 **Q. Were there any allegations of inappropriate**
25 **behavior between you --**

22

1 A. Not to my knowledge.
2 **Q. Let me get my question out.**
3 A. Sorry.
4 **Q. Were there any allegations of inappropriate**
5 **behavior between you and any students at this school in**
6 **Jacksonville that led to your resignation or**
7 **termination?**
8 A. Not to my knowledge.
9 **Q. And you would agree with me that if you were**
10 **terminated for inappropriate behavior or allegations of**
11 **inappropriate behavior with children, that's something**
12 **you'd remember?**
13 A. Certainly. Of course it was 30 years ago.
14 **Q. Okay. But even 30 years ago, if you were**
15 **accused of inappropriate behavior with children at your**
16 **first job after graduating the Christian school of**
17 **Liberty University --**
18 A. Uh-huh.
19 **Q. -- that's something that would stick with you,**
20 **isn't it?**
21 A. Yes, sir.
22 **Q. When did you first become involved in movies or**
23 **theater or TV production?**
24 A. Since I was very young.
25 **Q. All right. When --**

23

1 A. Thirteen, twelve, thirteen.
2 **Q. When was your first paying job in the movie or**
3 **--**
4 A. I have no --
5 **Q. -- TV production?**
6 A. I have no recollection.
7 **Q. How long would you say that you've been in the**
8 **public spotlight?**
9 A. Being in the public spotlight is kind of
10 subjective, you know, like what one person would
11 consider celebrity or whatever, I don't --
12 **Q. Okay.**
13 A. I -- I -- I couldn't answer that.
14 **Q. That's fair. Let me -- let me -- let me do it**
15 **this way. Do you consider yourself to be a celebrity?**
16 A. No.
17 **Q. Okay. Why not?**
18 A. Because I don't.
19 **Q. You've been in movies before?**
20 A. Yes.
21 **Q. You've been on TV shows?**
22 A. Yes, sir.
23 **Q. You have voice acted for, what, hundreds of**
24 **Japanese anime films?**
25 A. Yes, sir.

24

1 **Q. You go to conventions where thousands of people**
2 **show up?**
3 A. Yes, sir.
4 **Q. You've taken -- over the course of your, let's**
5 **say last 20 years, you've probably taken pictures with**
6 **over 10,000 people; is that fair?**
7 A. I don't know an exact number.
8 **Q. Well, I mean, is it more or less than 10,000?**
9 A. I couldn't answer. I couldn't tell you.
10 **Q. Well, how many people --**
11 A. I haven't kept count. Sorry.
12 **Q. Well, do you think it's more than 100?**
13 A. Sure.
14 **Q. All right. What's the last convention you went**
15 **to?**
16 A. I was at an event last weekend in Dublin,
17 Ireland.
18 **Q. How many people did you take pictures with**
19 **there?**
20 A. I didn't count.
21 **Q. More than 100?**
22 A. Probably not.
23 **Q. Do you consider yourself to be a celebrity in**
24 **the American voice actor community?**
25 A. I don't feel like it's for me to say whether

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1 I'm a celebrity or not.
2 Q. Okay. Anybody a more popular voice actor in
3 the, I guess, American anime community than you?
4 A. I'm sorry, would you ask that again, please?
5 Q. Yeah. I mean -- all right. You're -- you're
6 -- I know you're involved in cartoons, or something like
7 that, so how would you describe what it is you do for a
8 living?
9 A. I provide English voices for Japanese anime
10 that is -- that is dubbed into English.
11 Q. Okay. And is there a -- is there a lingo that
12 we can use in this deposition for that?
13 A. Voice actor.
14 Q. American voice actor?
15 A. Voice actor.
16 Q. Okay. All right. Is there anybody that you
17 know of in the voice acting community that is more --
18 has more celebrity than you?
19 A. I've never really thought about it.
20 Q. So as you sit here today, you don't know if
21 there's anybody that has more, what we call celebrity,
22 than you?
23 A. No, I do not.
24 Q. I mean, is -- is your -- is your reputation as
25 a voice actor, is that important to you?

26

1 A. Yes.
2 Q. Why?
3 A. My reputation, in general, is important to me.
4 MR. LEMOINE: Object as nonresponsive.
5 Q. (BY MR. LEMOINE) Is your reputation as a voice
6 actor important to you?
7 A. Of course.
8 Q. Okay. Why?
9 A. Because it reflects on me as a person, it
10 reflects on me as a professional in a field.
11 Q. And -- and do you feel like you have a positive
12 reputation as a voice actor in your field?
13 A. I believe I do.
14 Q. And how long have you had that, what you would
15 call, positive reputation?
16 A. Well, I've been a voice actor for almost 20
17 years, so I can only assume that since I've been hired
18 repeatedly for, you know, over 20 years, that somebody
19 must think I'm relatively good at what I do.
20 Q. And over the last 20 years, have you attended
21 conventions or Japanese anime films?
22 A. Yes, sir.
23 Q. Is that a -- is that how -- part of how you
24 make a living?
25 A. Sorry?

27

1 Q. Is that part of how you make a living?
2 A. Certainly.
3 Q. And I assume these conventions are open to the
4 public?
5 A. Yes, sir.
6 Q. And lots of people come and watch or meet you
7 at these conventions?
8 A. Yes, sir.
9 Q. What's the largest number of people that you
10 think you've ever spoken to at one of these conventions?
11 A. I have no idea.
12 Q. More than 20?
13 A. Sure.
14 Q. More than 100?
15 A. Probably.
16 Q. More than 500?
17 A. That's the point at which I wouldn't -- I
18 wouldn't be able to comment specifically.
19 Q. Are you usually in a room of the same size that
20 we're in right now?
21 A. The sizes of the rooms vary.
22 Q. Are they bigger or smaller than the room we're
23 in?
24 A. They vary.
25 Q. Well, on average, are they bigger or smaller

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1 than this room?
2 A. They vary.
3 Q. Okay. What's the smallest?
4 A. I've been in rooms, large rooms, that had a
5 small amount of people, I've been in small rooms that
6 have had a larger number of people. I mean, they're --
7 they vary.
8 Q. Is your personal reputation important to you?
9 A. Yes, sir.
10 Q. Why is that? Why?
11 A. The same reason anyone's is important to them.
12 Q. Well, not anyone is suing my clients for
13 defamation. You are, sir. So why is your reputation
14 important to you?
15 A. Well, because it goes to credibility, it goes
16 to the opportunity to continue to work and be hired.
17 Q. Anything else?
18 A. Nothing comes to mind at the time.
19 Q. If you think of something, feel free to jump
20 back in. It's not a power --
21 A. Yes, sir.
22 Q. It's not a power test.
23 With regard to your credibility, how has
24 whatever you think Mr. Toye has said, how has that hurt
25 your credibility?

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1 A. Mr. Toye has made a large number of public
2 assertions to which there is no evidence or proof.
3 They're very negative, they're -- they're defamatory.

4 Q. Okay.

5 A. And -- sorry.

6 Q. No, you get to answer until you're done.

7 A. No, go ahead. I'm -- I apologize.

8 Q. So Mr. Toye has made allegations that you would
9 consider to be unbelievable?

10 A. Yes, sir.

11 Q. All right. And so if those aren't credible
12 allegations, that really hasn't hurt your credibility,
13 has it?

14 A. There's a matter of public perception that I
15 think we can all agree is -- is pretty prevalent and
16 powerful these days.

17 Q. I understand what public perception is. I'm
18 trying to figure out whether or not somehow your
19 credibility has been hurt by what Mr. Toye has said.

20 A. Yes, I believe it has.

21 Q. Okay. How?

22 A. By altering the perception of people that make
23 decisions about my work and career.

24 Q. All right. And is Mr. Toye the only person
25 that's had this negative impact on the perception of

30

1 people that hire in your line of work?

2 A. No, I don't believe so.

3 Q. Other than Ms. Rial and Ms. Marchi, anyone else
4 that's done anything to hurt the -- your credibility in
5 the voice acting industry?

6 A. I'm sure.

7 Q. Can you identify any of them, as you sit here
8 right now?

9 A. No, sir, not -- not by name. Many of them are
10 screen names, you know, on a computer, you don't know
11 who they are, you don't know where they live, you know,
12 you -- you can't know, really.

13 Q. You would agree with me that the allegations
14 surrounding your alleged homophobia, anti-Semitism, and
15 sexual harassment are being discussed publicly, correct?

16 A. They are being discussed publicly, yes.

17 Q. And because of that public discussion, that's
18 hurting your credibility, isn't it?

19 A. Yes, sir.

20 Q. And it's not just Mr. Toye and Ms. Marchi and
21 Ms. Rial that are discussing that; is that correct?

22 A. Yes, sir.

23 Q. Are you suing anybody else, as we sit here
24 today?

25 A. No, sir.

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1 Q. Have you sent retraction letters to anybody
2 else?

3 A. No, sir.

4 Q. Would you agree with me that the damage to your
5 personal reputation is also damaging to your fan base?

6 A. Possibly.

7 Q. Would you agree with me that if this litigation
8 was resolved in one form or fashion, that that would be
9 a benefit to your fan base?

10 A. Would you rephrase that, please?

11 Q. Yeah. If this litigation was resolved, that
12 would -- that would help your fan base, wouldn't it?

13 A. I don't know.

14 Q. Well, for instance --

15 A. I've never been involved in anything like this.
16 I don't really know what the outcome would be or how it
17 would affect anything.

18 Q. Okay. How about this for an example: If the
19 litigation was resolved today, your fan base could save
20 their money and not donate to the GoFundMe campaign
21 that's been set up for you. Would you agree with that?

22 A. I have nothing to do with that.

23 MR. LEMOINE: Objection, nonresponsive.

24 Q. (BY MR. LEMOINE) Would you agree with me that
25 if this litigation got resolved, then your fan base

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1 wouldn't have to donate to your GoFundMe campaign?

2 A. They don't have to donate. No one is
3 compelling them to donate.

4 Q. And no one's asking them to donate?

5 A. I'm sorry?

6 Q. And no one's asking them to donate?

7 A. Not that I know of. I have nothing to do with
8 that.

9 Q. Do you know how the money is spent?

10 A. No, sir.

11 Q. So who makes sure the money is actually spent
12 for your benefit?

13 A. I didn't set it up. I don't know anything
14 about it.

15 MR. LEMOINE: Objection, nonresponsive.

16 A. I don't know.

17 Q. (BY MR. LEMOINE) So you have a GoFundMe
18 campaign out there in your name. Do you know how much
19 money is in it?

20 A. No, sir.

21 Q. You have no clue?

22 A. No, sir.

23 Q. So somebody is raising money with your name and
24 face on a GoFundMe page. Do you agree with that?

25 A. That's what I've been told, yes.

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1 Q. And you have no idea -- do you know who runs
2 that account?
3 A. Do I know who funds the account?
4 Q. Runs the account.
5 A. Oh. I believe it was set up by a gentleman
6 named Nick Rekieta.
7 Q. How do you spell Rekieta?
8 A. I don't know. R-E-K-E --
9 MR. BEARD: I-E.
10 A. -- E-I-T-A -- I-E -- I-E-T-A.
11 Q. (BY MR. LEMOINE) All right. Do you know Mr.
12 Rekieta?
13 A. I'd never met him until, for the first time, a
14 couple of weeks ago.
15 Q. Where did you meet him at?
16 A. I met him at an anime convention in Houston.
17 Q. Is he your attorney?
18 A. No, sir.
19 Q. Has he ever represented you?
20 A. No, sir.
21 Q. Have you ever communicated with Mr. Rekieta by
22 email, text, any type of application on your phone?
23 A. Briefly.
24 Q. About what?
25 A. He wrote me back in, probably, February. I

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1 didn't know who he was, it was unsolicited, and I did
2 not reply. And then it was brought to my attention that
3 there was a gentleman on the internet who was making
4 videos and -- and being very supportive of -- of my
5 situation. And when they told me his name, I went back
6 into my email and looked up to see if that was the
7 person that had contacted me, and it was. And so I sent
8 him an email and thanked him for his support.
9 Q. Is that the only exchange that you-all had or
10 have you-all had continuous email, text message?
11 A. Occasionally.
12 Q. Did you talk about this litigation?
13 A. Briefly.
14 Q. Do you know what his cell number is?
15 A. No, sir.
16 Q. Is it stored in your phone somewhere?
17 A. Yes, sir.
18 Q. When's the last time you got a text message
19 from Mr. Rekieta?
20 A. I don't recall.
21 Q. Have you done anything to delete any
22 communications off your, either email or phone, or other
23 electronic devices, from Mr. Rekieta?
24 A. Well, I -- I have a routine of, once I finish a
25 conversation with somebody, I delete it because I don't

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1 want to have 600 text messages. So if you and I have a
2 conversation about a particular thing, where are we
3 going to lunch today, whatever, once that conversation
4 is over, I delete it.
5 Q. All right. Have you ever done a factory reset
6 on your phone?
7 A. No, sir.
8 Q. Do you ever take your phone and put a lightning
9 cord in it -- well, strike that.
10 What kind of phone do you use?
11 A. iPhone.
12 Q. All right. Do you ever plug your iPhone into
13 your laptop?
14 A. I have, yes.
15 Q. When's the last time you did that?
16 A. I don't recall. It's been a while, actually.
17 Q. Have you done anything to remove communications
18 off your laptop?
19 A. No.
20 Q. All right. Do you have an iCloud account?
21 A. No -- wait.
22 Q. Just --
23 A. I -- I -- I -- I may, yes, actually.
24 Q. And do you know whether or not your phone backs
25 up to your iCloud account?

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1 A. I don't know.
2 Q. Do you have some type of administrator that
3 would help you with that, that handles --
4 A. No.
5 Q. So Mr. Rekieta communicates with you in
6 February of 2019, for the first time, and at some point
7 you reach back out to him and you-all have a
8 conversation.
9 Who came up with the idea of the GoFundMe
10 campaign?
11 A. Mr. Rekieta.
12 Q. And what was the purpose of the GoFundMe
13 campaign?
14 A. You'll have to ask Mr. Rekieta.
15 Q. What did Mr. Rekieta tell you the purpose of
16 the GoFundMe campaign was?
17 A. He said that he believed that the people who
18 supported my position wanted to help in any way they
19 could. And he said he was going to provide them a way
20 to do so, if they chose to.
21 Q. And you told him that was okay with you?
22 A. No. I did not give him permission. He had
23 already done it.
24 Q. Okay. Did you -- did he ask for permission
25 after he did it?

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1 A. No, sir.

2 Q. All right. You do realize that people have put

3 hundreds -- over \$100,000 into that GoFundMe account?

4 Did you know that?

5 A. If -- if that's the number you're telling me,

6 then I believe you. Voluntarily. I -- I believe. I

7 don't think anyone's been compelled to do anything.

8 Q. Did you ask Mr. Rekieta to set up this GoFundMe

9 campaign?

10 A. No, sir.

11 Q. It was a complete shock to you when it

12 occurred?

13 A. Define complete shock.

14 Q. Well --

15 A. That sounds rather, you know --

16 Q. Well, how about this: How many GoFundMe

17 campaigns have been set up for your benefit, without

18 your knowledge, in your lifetime?

19 A. None that I'm aware of.

20 Q. So this is the first?

21 A. As far as I know.

22 Q. And Mr. Rekieta wasn't a friend of yours when

23 it was set up, was he?

24 A. No, sir.

25 Q. All right. So would you agree with me that

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1 that was kind of shocking, that a random individual that

2 you don't know sets up a GoFundMe campaign?

3 A. It was unexpected.

4 Q. Did you ever bless him doing that?

5 A. No.

6 Q. Are you okay with the -- the GoFundMe account?

7 A. As a matter of fact, sir, I remember when he

8 first told me that he had done it, I told him I -- I

9 didn't -- I didn't really know how I felt about it,

10 because I didn't want people -- you know, I didn't want

11 people giving money to something. And that was the

12 point at which he said what I just mentioned to you

13 earlier, that he felt that there were a lot of people

14 out there who felt that I was being treated unjustly and

15 wanted to help.

16 Q. So this GoFundMe campaign, you don't have any

17 idea how the money is being spent?

18 A. No, sir.

19 Q. Don't know who -- where the money is going?

20 A. No, sir.

21 Q. What happens to the money when this -- if

22 there's any money left over after this litigation is

23 over?

24 A. I -- I believe I was told at some point that if

25 there was money, any money that was not spent, left

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1 over, as you say, would go to a charity, a charitable

2 cause.

3 Q. And who picked the charitable cause?

4 A. I don't remember.

5 Q. Does it strike you as odd that there's someone

6 out there raising money in your name and you can't tell

7 me how that money is being spent?

8 A. No, sir.

9 Q. Do you feel no responsibility to make sure --

10 A. No, sir.

11 Sorry.

12 MR. LEMOINE: Objection.

13 A. I apologize.

14 Q. (BY MR. LEMOINE) Thank you. So you feel no

15 responsibility to the --

16 MR. BEARD: Objection, form.

17 Q. (BY MR. LEMOINE) -- tens or thousands of

18 people that are putting money into this GoFundMe

19 campaign to make sure you know how the money is being

20 spent?

21 MR. BEARD: Objection, form.

22 Q. (BY MR. LEMOINE) Are you -- you struggling

23 with that question?

24 A. No, sir. I'm --

25 Q. Are you going to answer it?

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1 A. I'm responding to my --

2 MR. BEARD: You can answer the question,

3 I'm sorry.

4 A. -- attorney's objection.

5 Q. (BY MR. LEMOINE) Oh. Unless he tells you not

6 to answer it, you have to answer it.

7 A. Okay. Sorry. I didn't know how that worked.

8 Q. Yeah.

9 MR. BEARD: No, that's right.

10 A. Please repeat the question.

11 Q. (BY MR. LEMOINE) Sure. You feel no

12 responsibility whatsoever to make sure that the money

13 being put into a GoFundMe campaign for your benefit, how

14 it's spent?

15 MR. BEARD: Same objection. Objection,

16 form.

17 You can answer the question.

18 A. My understanding is that it's being spent for

19 legal defense.

20 Q. (BY MR. LEMOINE) Okay.

21 A. And I trust what I've been told.

22 Q. All right. Where did you get the understanding

23 that it's being spent for your legal defense?

24 A. What's the name of the GoFundMe? Do you know

25 what it is?

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1 (Exhibit 11 marked.)
2 Q. (BY MR. LEMOINE) Sure. I'm going to show you
3 what's been premarked as Exhibit 11. I will represent
4 to you that Exhibit 11 is a screenshot of the GoFundMe
5 campaign called Vic Kicks Back, that started on February
6 19th, 2019. Are you with me so far?
7 A. Yes, sir.
8 Q. Have you ever seen the GoFundMe page?
9 A. No, sir.
10 Q. This is the first time you've ever seen it?
11 A. I haven't followed it.
12 MR. LEMOINE: Objection, nonresponsive.
13 Q. (BY MR. LEMOINE) Is this the first time you've
14 ever seen the GoFundMe page?
15 A. I don't recall if I've -- if I've looked at it
16 before, but --
17 Q. So -- so why is it that you don't feel a desire
18 to make sure that money that's being collected in your
19 name is spent properly?
20 MR. BEARD: Objection, form.
21 A. Because I didn't start it.
22 Q. (BY MR. LEMOINE) Okay. So --
23 A. I didn't request it.
24 Q. -- if Mr. Rekieta is some kind of con artist,
25 it's okay that he takes money from your fans because you

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1 didn't start it?
2 MR. BEARD: Objection, form.
3 Q. (BY MR. LEMOINE) Fair point?
4 A. I have no knowledge of Mr. Rekieta being a con
5 artist.
6 MR. LEMOINE: Objection, nonresponsive.
7 Q. (BY MR. LEMOINE) If Mr. Rekieta is a con
8 artist and he is just taking money and doing whatever
9 with it that is coming from your fans, not your problem?
10 MR. BEARD: Objection, form.
11 A. I have nothing to do with it.
12 Q. (BY MR. LEMOINE) Okay. So not your problem,
13 right?
14 A. Correct.
15 Q. All right. Anybody else that you let use your
16 face and your name to collect money from your fans, that
17 you don't --
18 A. Not that I'm aware of. But I can assure you a
19 lot of people are using -- have used my face and my name
20 for their own purposes over the years and I don't have
21 anything to do with them.
22 MR. LEMOINE: Object as nonresponsive.
23 There's no question on the table.
24 Q. (BY MR. LEMOINE) Exhibit 11, the photo, that
25 is a photo of you?

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1 A. Yes, sir.
2 Q. All right. Do you know if that's a copyrighted
3 photo?
4 A. No, sir.
5 Q. How old were you when that photo was taken?
6 Got to be 30, right?
7 A. Sorry?
8 Q. You gotta be about 30 when this was taken?
9 A. Oh, you're very kind. That was taken in
10 roughly 2008, 2009, I -- I -- I think, so I would have
11 been mid-40s.
12 Q. As you sit here today, other -- other than your
13 attorney, because I'm not allowed to get into those
14 communications, has anybody else told you how money that
15 is going into this GoFundMe campaign, how it's being
16 spent?
17 A. No, sir.
18 Q. You've never seen any documents that -- that
19 show how it's being distributed?
20 A. No, sir.
21 Q. As you sit here today, are you paying your
22 attorneys to represent you?
23 A. I have not, as of this moment, paid them.
24 Q. Okay. Do you have an engagement agreement with
25 them?

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1 A. Yes.
2 Q. All right. And does the engagement agreement
3 have where you pay an hourly rate, or is it a
4 contingency fee agreement?
5 A. I don't recall.
6 Q. But as we sit here today, since -- since you've
7 been involved with your current attorney, Mr. Beard,
8 you've not paid him any money?
9 A. No, sir.
10 MR. BEARD: Counsel?
11 MR. LEMOINE: Yeah.
12 MR. BEARD: Can I interrupt? Off the
13 record just a second.
14 MR. LEMOINE: Let's go off. Let's go off
15 the record.
16 THE VIDEOGRAPHER: And we're going off the
17 record, the time is 10:43.
18 (Break taken from 10:43 a.m. to 10:43 a.m.)
19 THE VIDEOGRAPHER: And we're back on the
20 record at 10:43.
21 Q. (BY MR. LEMOINE) Real quick. If at any time
22 you want to take a break, this is not a -- this is not
23 the Bataan Death March.
24 A. Okay.
25 Q. So if you need to -- you need a break, as long

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1 as you answer whatever question is on the table --

2 A. Yes, sir.

3 Q. -- we'll take a break.

4 A. Yes, sir.

5 Q. All right. So I want to clarify something

6 about your engagement with your attorney.

7 As we sit here today, you've not paid Mr.

8 Beard any money?

9 A. No, sir.

10 Q. Okay. You had an attorney prior to Mr. Beard?

11 A. Yes.

12 Q. Who was that, if you remember?

13 A. Tonya.

14 MR. BEARD: Tonya something.

15 A. Tonya --

16 MR. BEARD: Meier?

17 A. Yes, Tonya Meier or Meiers.

18 Q. (BY MR. LEMOINE) Is she here in -- here in

19 Dallas-Fort Worth?

20 A. Yes, sir. Yes, sir.

21 Q. And how long did she represent you?

22 A. A few weeks.

23 Q. And you paid her some money?

24 A. Yes, sir.

25 Q. Are there any other attorneys that you have

46

1 paid in association with the --

2 A. No, sir.

3 Q. So do you know of any people, any of your fans

4 who have donated to this GoFundMe campaign?

5 A. No, sir.

6 Q. So when Mr. Rekieta came to you and said, I'm

7 going to go set up the GoFundMe campaign, did you-all

8 have a discussion of what the money would be used for?

9 A. He actually came to me and said, I've already

10 set one up and I wanted to tell you.

11 Q. Okay. And so it wasn't something you approved

12 ahead of time?

13 A. Correct.

14 Q. I mean, but -- but you're okay with it, right,

15 you're okay with there being a GoFundMe campaign out

16 there?

17 A. As I mentioned earlier, I -- I didn't have a

18 really good feeling about it at first, and I expressed

19 my concerns to Mr. Rekieta. And his response was, You

20 have a lot of people out there that feel like you're

21 being mistreated and they want to help, and it would

22 mean a lot to them to be able to help you, and -- so I

23 did not object.

24 Q. If anybody said that you approved Mr. Rekieta

25 of setting up the GoFundMe campaign, that would be

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1 incorrect?

2 A. I did not object to it.

3 Q. But I'm -- I'm not asking whether or not you

4 objected. I understand that that's your position. I'm

5 wondering if you approved him doing that.

6 A. Well, I guess what I mean to say is if -- he

7 didn't ask me if it was okay if he did it. He just went

8 ahead and did it, and let me know that he was doing it.

9 Q. Okay.

10 A. That he had done it.

11 (Exhibit 17 marked.)

12 Q. (BY MR. LEMOINE) All right. I'm going to show

13 you what -- what has been marked -- premarked as

14 Exhibit 17. Do you recall issuing a tweet on

15 February 20th, 2019?

16 A. Not offhand, but --

17 Q. All right. I'm going to represent to you that

18 Exhibit 17 is me pulling a screenshot of a tweet from

19 you off of --

20 A. Uh-huh.

21 Q. -- your Twitter account for February 20, 2019.

22 Do you recognize this?

23 A. Yes, sir.

24 Q. Does it look like a tweet that you issued?

25 A. Yes, sir.

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1 Q. All right. I want to look on the left-hand

2 side, second column down. It says: A friend expressed

3 a desire to set up a GoFundMe for legal expenses. I

4 approved his kind offer and am so grateful, but I am not

5 managing it, nor will I personally receive any of it.

6 First question, the friend that expressed

7 that desire is Nick Rekieta?

8 A. Yes, sir.

9 Q. And you would agree with me that when he

10 expressed that desire, you approved it?

11 A. As I mentioned, he had already done it.

12 MR. LEMOINE: Objection, nonresponsive.

13 Q. (BY MR. LEMOINE) Does --

14 A. He did not express a desire to do it, he

15 expressed that he had already done it.

16 Q. Okay. So when you tweeted this out to your

17 people, you didn't say -- or on -- to all of your

18 followers -- how many do you have?

19 A. Twitter followers?

20 Q. Twitter followers.

21 A. Roughly, 113,000.

22 Q. Okay. So when you -- when you made this tweet

23 on February 20th, 2019 to all these people, you didn't

24 say, Mr. Rekieta, or my friend, set this up without

25 asking me, but -- but I was okay with it?

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1 A. No, sir, I did not.
2 Q. In fact, what you said was you gave it -- what
3 it appears to be is you gave it your blessing, didn't
4 you?
5 MR. BEARD: Objection, form.
6 Q. (BY MR. LEMOINE) "I approved his kind offer
7 and am so grateful," that's -- that's Nick -- that's Vic
8 Mignogna blessing the GoFundMe?
9 A. Well, I -- I wanted to communicate that I was
10 aware of it, and --
11 Q. And grateful, right?
12 A. And grateful.
13 Q. Yeah.
14 A. Certainly.
15 Q. And grateful.
16 A. Certainly.
17 Q. Because you-all are going to take that money,
18 and you-all are going to sue some women into the dirt,
19 aren't you, Mr. Mignogna?
20 MR. BEARD: Objection, form.
21 A. I'm sorry, say that again.
22 Q. (BY MR. LEMOINE) You-all are going to take
23 that money and you're going to grind some women down
24 into the dirt with this lawsuit?
25 MR. BEARD: Objection, form.

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1 Q. (BY MR. LEMOINE) That's what you were going to
2 do?
3 A. No, sir.
4 Q. That's not what happened?
5 A. No, sir.
6 Q. I mean, where has the money been spent?
7 MR. BEARD: Objection, form.
8 A. You -- I don't know. As I mentioned in an
9 early -- to an earlier question.
10 Q. (BY MR. LEMOINE) You've sued Mrs. -- you've
11 sued Mrs. Rial?
12 A. Yes, sir.
13 Q. You've sued Ms. Marchi?
14 A. Yes, sir.
15 Q. Hadn't sued anybody else, right?
16 A. Mr. Toye.
17 Q. Mr. Toye.
18 A. Not yet, in answer to your question, anybody
19 else.
20 Q. Are there other people you plan on suing?
21 A. Possibly.
22 Q. Are there other people out there that have
23 damaged your reputation that I should know about?
24 A. Possibly.
25 Q. I mean, did they do more damage to your

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1 reputation than my clients?
2 A. I don't think so.
3 Q. What was the money going to be used for?
4 MR. BEARD: Objection, form.
5 A. What was this money going to be used for?
6 Q. (BY MR. LEMOINE) Yeah.
7 A. Well, I would encourage you to read it
8 yourself.
9 MR. LEMOINE: Object as nonresponsive.
10 A. I will read it --
11 MR. BEARD: The witness answered the
12 question.
13 A. I will read it for you, sir. Oh, no, here.
14 The fund is set up for Vic's legal
15 defenses.
16 And as you know, as well, anything that was
17 left over was told, very clearly, that it would be
18 donated to charity.
19 Q. (BY MR. LEMOINE) Okay.
20 A. If this all ended tomorrow, the lion's share of
21 what -- of this money would go to charity, which, I'm --
22 I assume you would approve of.
23 MR. LEMOINE: So object as nonresponsive.
24 Q. (BY MR. LEMOINE) My first question is, so the
25 money in -- according to the GoFundMe page, is for your

52

1 defenses, correct?
2 A. That's my understanding.
3 Q. Are you being sued by anybody right now?
4 A. No, sir.
5 Q. So what is the money defending against?
6 A. That seems like a semantic to me. I think we
7 both know what it's for. It's -- it's --
8 Q. Oh, yes, we do.
9 A. It's for the lawsuit itself.
10 Q. That's right, it's for you to sue two women
11 that have accused you of sexual harassment --
12 MR. BEARD: Objection.
13 A. No, sir.
14 MR. BEARD: Objection, form.
15 Q. (BY MR. LEMOINE) Oh, it's not -- the money's
16 not for you -- for -- not to be used to help you sue two
17 women that have accused you of sexual harassment?
18 A. The money is -- is to be used for me to seek
19 justice for defamation of my reputation.
20 Q. Are you aware of any other GoFundMe campaign in
21 the entire United States where a man accused of sexual
22 harassment gets money to go sue his accusers?
23 A. No, sir.
24 Q. I mean, you're a unicorn, aren't you?
25 MR. BEARD: I'm sorry, could you say that

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53

1 again?

2 A. What do you mean?

3 Q. (BY MR. LEMOINE) I mean, you're literally the

4 only male in the entire United States accused of sexual

5 harassment who solicited money not to keep --

6 MR. BEARD: Objection, form.

7 Q. (BY MR. LEMOINE) -- himself out of jail, but

8 to go sue the harassers. Do you realize how unique you

9 are?

10 MR. BEARD: Objection, form.

11 A. Am I?

12 Q. (BY MR. LEMOINE) Do you realize it?

13 A. No, sir, I don't.

14 Q. Okay. I mean, you're --

15 A. I didn't ask for any of this, sir.

16 MR. BEARD: Okay. Let's take a break.

17 He's answered the question.

18 THE VIDEOGRAPHER: And we're going off the

19 record at 10:52.

20 (Break taken from 10:52 a.m. to 11:00 a.m.)

21 THE VIDEOGRAPHER: And we're back on the

22 record for the beginning of disc number 2. The time is

23 11:00 a.m.

24 Q. (BY MR. LEMOINE) Mr. Mignogna, I'd like you to

25 pull Exhibit 17 back out, and we'll talk about it a

54

1 little bit more. Left-hand side of the page, top

2 column, there's a discussion there about public and

3 private apologies.

4 What are the private apologies that you

5 made?

6 A. Shortly after Monica publicly stated that I had

7 done something that upset or offended her in some way.

8 I had been friends, at least I considered us friends for

9 a very long time, and so I wrote Monica an email,

10 basically saying I -- I am mortified if I've done

11 something somewhere in the past to upset or offend you,

12 but I -- would you please tell me what it is because I

13 -- I didn't know in -- what she was referring to in her

14 tweets.

15 Q. Is that the only person you privately

16 apologized to?

17 A. Yes, sir.

18 Q. Okay. And so if I understand this correctly,

19 Ms. Rial publicly made statements about you that

20 reflected negatively upon you?

21 A. Yes, sir.

22 Q. Did they describe why she felt negatively about

23 you?

24 A. The first several -- for the first bit of time,

25 I can't tell you exactly how much -- how much time were

55

1 rather vague, and that was when I wrote her. As I said,

2 we'd been friends, my understanding, for 20 years.

3 Q. Okay. The public apologies, what would those

4 be?

5 A. I -- I put out a tweet at some point that just

6 basically said, I am extremely sorry for any unintended

7 -- certainly unintended offense or, you know, anything

8 that has hurt or offended anyone. Certainly never my

9 intention. And I also apologized publicly at an event.

10 Q. And -- and what -- what did you think you were

11 apologizing for?

12 A. Inadvertently offending them.

13 Q. And when you say inadvertently offending,

14 you're talking about giving hugs or kisses, and things

15 like that, people that didn't want it?

16 A. Whatever it was that -- that people had a

17 problem with.

18 Q. Like, now, were you also referring to instances

19 -- the various instances in your hotel room where it was

20 just you and a woman?

21 A. No, sir.

22 Q. Was that a part of it? So the public and

23 private apologies didn't apply to that?

24 A. I'm sorry, say that again, please.

25 Q. You know, as we sit here today, that a number

56

1 of people have accused you of inappropriate behavior in

2 your hotel room at these various conventions. Do you

3 agree with that?

4 A. No, sir.

5 Q. You don't think that that's been -- you've been

6 accused publicly of inappropriate conduct in your hotel

7 room?

8 A. You said a number of people. I'm not aware of

9 a number of people accusing me of that.

10 Q. So you're quibbling over the word "a number of

11 people"?

12 A. Yes, sir, I am.

13 MR. BEARD: Objection, form.

14 Q. (BY MR. LEMOINE) Okay. How many?

15 A. I don't know. Do you?

16 Q. Well, how do you know it's not a number?

17 MR. BEARD: Objection, form.

18 A. I didn't say it wasn't a number.

19 Q. (BY MR. LEMOINE) All right. Let me strike

20 that. Let me start this one over.

21 How many people do you know of that have

22 publicly accused you of inappropriate conduct in your

23 hotel room?

24 A. I don't know.

25 Q. More than one?

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1 A. Yes.

2 Q. More than five?

3 A. I don't believe so, but I don't -- I don't --

4 Q. Somewhere between one and five?

5 A. Possibly.

6 Q. And you don't know who those people are that

7 have accused you of this?

8 A. I certainly know some of them.

9 Q. And all false, right?

10 A. I'm sorry?

11 Q. And all false?

12 A. Anything that happened was consensual.

13 Q. Okay. Exhibit 17, left-hand side of the page,

14 second column, talks about if there's any surplus, that

15 will go to the Salvation Army Dallas Domestic Violence

16 and Abuse Shelters.

17 Whose idea was that?

18 A. I don't recall, actually.

19 Q. But it wasn't yours?

20 A. No, sir.

21 Q. Have you ever donated to the Salvation Army

22 Dallas Domestic Violence and Abuse Shelters?

23 A. No, sir.

24 Q. Have you ever donated to any domestic abuse

25 shelters?

58

1 A. No, sir.

2 Q. Have you ever donated to the Me Too Movement?

3 A. No, sir.

4 Q. Ever donated to any organization designed to

5 stop sexual harassment?

6 A. No, sir.

7 Q. Have you ever been arrested?

8 A. No, sir.

9 Q. And this is your first lawsuit ever?

10 A. Yes, sir.

11 Q. In this lawsuit, there's --

12 A. Does a divorce count? I guess not, does it?

13 Q. Kind of, but -- but I won't hold you to that.

14 A. Okay.

15 Q. Did you do anything to look for documents to

16 produce in this lawsuit?

17 A. I'm sorry?

18 Q. Did you do anything to look for documents to

19 produce in this lawsuit?

20 A. Can you -- can you --

21 Q. Let me -- let me --

22 A. -- clarify?

23 Q. In -- in most lawsuits, there's a process where

24 documents are requested from inside. Your attorney has

25 requested documents from my clients, we've requested

59

1 them from you.

2 A. Uh-huh.

3 Q. Are you with me so far?

4 A. Yes, sir.

5 Q. All right. Have you done anything to pull any

6 documents together for this lawsuit?

7 A. I have provided everything to Mr. Beard that --

8 that was relevant, that --

9 Q. Okay. So let me -- let me break that down a

10 little bit. When you say provided to him, in what form

11 did you provide it? Did you give him your phone, give

12 him your computer?

13 A. I forwarded -- I -- I guess, I forwarded emails

14 or -- or --

15 MR. BEARD: Don't answer that. I'm going

16 to object to privileged -- to privilege.

17 MR. LEMOINE: Okay.

18 MR. BEARD: Don't answer.

19 Q. (BY MR. LEMOINE) Did anyone assist you in

20 selecting information that you forwarded to your client

21 [sic]?

22 A. Not to my knowledge.

23 Q. Did anybody provide you documents to provide to

24 your attorneys?

25 A. Not to my -- no, sir.

60

1 Q. Where did you look for information; file

2 folders, computer, phone? Where did you look?

3 A. Well, I -- I didn't have a great deal, because

4 this has not been -- I -- it wasn't any kind of an

5 issue. When it came up, the only information that I

6 really had were any emails or -- or documentation

7 online, mostly.

8 Q. Okay. So let me see if I can narrow this down.

9 A. Stuff that might have been sent to me

10 anonymously.

11 Q. Do you -- did you have any type of computer

12 expert look at your phone or laptop?

13 A. No, sir.

14 Q. Did you give your attorneys or anybody else

15 access to your phone or laptop?

16 A. No, sir.

17 MR. BEARD: That's fine.

18 Q. (BY MR. LEMOINE) Were you given what are

19 called requests for production, it's an actual list of

20 requests for documents and it specifies what we're

21 looking for?

22 A. I believe my attorney was.

23 Q. Was that provided to you, do you know?

24 A. I believe he told me about it.

25 Q. Okay. I don't want to -- I can't get into

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1 that. How did you --

2 MR. BEARD: Off the record real quick.

3 MR. LEMOINE: No, I don't want to go -- I

4 don't -- I don't like that. If you have a -- if you

5 have a question, we can --

6 MR. BEARD: Works for me just fine. I

7 don't think you propounded requests for production. I

8 think -- is that right?

9 MS. CHRISTIE: No.

10 MR. ERICK: Yeah, well, just in the context

11 of the deposition.

12 MR. BEARD: Subpoena duces tecum is all we

13 got.

14 MS. CHRISTIE: Just a subpoena duces tecum.

15 MR. LEMOINE: Oh, my apologies.

16 MR. BEARD: Accepted.

17 Q. (BY MR. LEMOINE) So any -- any documents that

18 have been provided to your attorney were provided by

19 you. Did you have assistance pulling documents and

20 providing them to the attorneys?

21 A. Not to my knowledge.

22 Q. There were a number of folders produced for --

23 to -- by your attorneys, one of them is called Fan Club

24 Discovery, and it's like a little icon folder.

25 A. Okay.

62

1 Q. Did you put that together?

2 A. No, sir.

3 Q. Do you know how it would have gotten to your

4 attorneys?

5 A. No, sir.

6 Q. Do you know a woman named Lauren Kocich,

7 K-O-C-I-C-H?

8 A. Yes.

9 Q. And who is that?

10 A. She is one of the moderators of the RiseMbool

11 Rangers fan club.

12 Q. And how old is she?

13 A. If I had to guess -- I don't know. But if I

14 had to guess, probably mid-20s.

15 Q. Any idea why she would be producing documents

16 or why we even would be getting documents with her name

17 on it?

18 A. No.

19 Q. Are you familiar with a screen name or email

20 macwarrior_m@msn.com?

21 A. No, sir.

22 Q. What about chebedragonessa47?

23 A. It's fun to say, isn't it?

24 Q. Do you know who that is?

25 A. No, sir.

63

1 Q. amandalynnmartin@yahoo.com?

2 A. No, sir.

3 Q. What about Jenna Gentry?

4 A. No, sir.

5 Q. Do you know who Martin Palmer is?

6 A. No, sir.

7 Q. How about a Christian Echols, E-C-H-O-L-S?

8 A. No, sir.

9 Q. Do you have any text messages with this -- with

10 this Ms. Rial?

11 A. No, sir.

12 Q. None at all?

13 A. No, sir.

14 Q. And, certainly, if you don't have any text

15 messages, then no one could be reporting that you were

16 showing text messages from Mrs. Rial at conventions?

17 A. I'm sorry, say that again.

18 Q. Well, I'm -- oh, let me see if I do it this

19 way. I heard a rumor that you've been going to

20 conventions and showing people text messages supposedly

21 from Monica Rial; is that true?

22 A. Not to my knowledge.

23 Q. Okay. Are you familiar with a website called

24 Kiwi Farms?

25 A. I've heard of it.

64

1 Q. And do you know what it is?

2 A. Not -- I think it's some kind of an information

3 gathering website. I've never been there.

4 Q. How did you -- when did you first learn of it?

5 A. Just during this -- during this incident, over

6 the course of this incident.

7 Q. And how did -- I mean, when you say incident,

8 you're talking about the -- kind of the online eruption

9 of --

10 A. Yes, sir.

11 Q. -- allegations against you?

12 A. Yes, sir.

13 Q. And who introduced you to Kiwi Farms, or how

14 did you learn about it?

15 A. I don't even remember.

16 Q. Do you know what goes on in -- at Kiwi Farms?

17 A. No, sir.

18 Q. So what is it you know about Kiwi Farms?

19 A. As I mentioned earlier, it -- it's some sort of

20 an information gathering website. That's about all I

21 know.

22 Q. Do you know what doxing is, D-O-X-I-N-G?

23 A. I've heard that word, yes.

24 Q. What's -- what does that -- what does it mean

25 to you?

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1 A. Well, my understanding of it is that -- that it
2 is the public publication or releasing of private
3 information about someone. I think that's -- that's my
4 understanding of it.

5 Q. Do you know if Kiwi Farms has anything to do
6 with doxing any witnesses in this lawsuit?

7 A. No, sir.

8 Q. That's certainly not something you would
9 support, is it?

10 A. No, sir.

11 Q. You -- you don't want witnesses', that are
12 going to testify in this case, public information shared
13 on the internet, do you?

14 A. I don't think public information -- or I don't
15 think that kind of information should be shared
16 publicly, no.

17 Q. Are you aware of anyone trying to get Kiwi
18 Farms to identify witnesses and disclose their
19 information?

20 A. No, sir.

21 (Exhibit 10 marked.)

22 Q. (BY MR. LEMOINE) Let me show you what we're
23 going to mark as Exhibit 10. I'll represent to you that
24 Ki -- that Exhibit 10 is a printout of Kiwi Farms and,
25 in particular, threads in the bottom left-hand corner.

67

1 A. No.

2 Q. Any idea why these particular individuals might
3 be on this page?

4 A. No.

5 Q. Do you know any individuals identified on page
6 2?

7 A. Are you talking about these pictures?

8 Q. Yes.

9 A. Certainly, I know Jamie. I know who Daman
10 Mills is, I know who Amanda Winn Lee is, I know who
11 Monica Rial is, Ron Toye, Chris Sabat, Sean Schemmel,
12 Adam Sheehan, Jamie McGonnigal. They're all members of
13 the -- of the industry.

14 Q. And no idea why they might be on this page that
15 says "Doxemon," at the top, "Gotta catch 'em all"?

16 A. You'd have to ask the people that produced
17 this. I don't -- I didn't do it. I -- I've -- I've
18 never seen this before.

19 Q. And you understand that there are people who
20 have accused you of inappropriate acts that have not
21 disclosed their names, you're aware of that?

22 A. Yes.

23 Q. And -- and would you agree with me that you --
24 because they want to maintain their privacy, you would
25 not want those names disclosed publicly?

66

1 And what I want to do is take a look at page 10 -- I'm
2 sorry, page 2, at the beginning.

3 A. Okay.

4 Q. Page 2, there's a number of names, including
5 Mr. Toye, Mrs. Rial.

6 MR. BEARD: Page 10?

7 Q. (BY MR. LEMOINE) Pardon --

8 A. Page 2?

9 Q. Page 2.

10 MR. BEARD: Page 2. Okay.

11 A. Oh. They're -- are they printed on both sides?

12 Q. (BY MR. LEMOINE) Printed on the backsides.

13 A. Oh, okay.

14 Q. And if you look in the bottom -- bottom corner,
15 you see that Exhibit 10, page 2, it's called a Bates
16 label, at the very bottom of the document?

17 A. Down -- down here?

18 Q. Yeah. That's how I'll -- I'll direct you to
19 pages.

20 A. Okay.

21 Q. Okay. So first time you've ever seen this web
22 page?

23 A. Absolutely.

24 Q. Know anybody that -- that has anything to do
25 with Kiwi Farms?

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1 A. I believe that someone who makes accusations
2 publicly, especially with the intention of -- of
3 destroying someone's reputation or job, at least should
4 be identified. I don't believe somebody should have the
5 power to destroy someone and remain safely anonymous.

6 Q. Okay. So if women come forward and accuse you
7 of -- and are willing to testify, you want that public
8 -- their identities publicly disclosed, fair?

9 MR. BEARD: Objection, form.

10 A. I would expect as much public disclosure of
11 them as they have of me.

12 Q. (BY MR. LEMOINE) What about women who have not
13 publicly accused you of anything anonymously, should
14 they -- their names be disclosed?

15 A. Say that again, please, I'm sorry.

16 Q. Sure. What if there are women out there who
17 have never publicly accused you of doing anything
18 inappropriate, but are willing to testify in this case,
19 are -- should their identities be disclosed to the
20 public?

21 A. No, I don't believe so.

22 Q. Are you aware of anyone involved in this
23 lawsuit receiving death threats?

24 A. No, sir.

25 Q. Have you received any death threats?

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1 A. No, sir.

2 Q. And you certainly don't want anyone receiving

3 death threats?

4 A. Absolutely not.

5 Q. Okay. Do you think you're a pretty good judge

6 of character of people?

7 A. Apparently not. I thought I was.

8 Q. And when did -- when did you start to doubt

9 your ability to judge people's character?

10 A. When people that I have known for many, many

11 years, who have treated me publicly, privately to my

12 face, in dozens of settings, as friends, and then spent

13 the last five months trying to ruin my career and

14 reputation.

15 Q. Okay. So besides the Defendants in this case,

16 is there anybody else that you would put in that bucket

17 of trying to ruin your career?

18 A. Oh, sure.

19 Q. Who -- how about this: I'll go through some

20 names.

21 Do you know who Michele Specht is?

22 A. Sure.

23 Q. Your former fiancée, correct?

24 A. Yes, sir.

25 Q. Is she a truthful person?

70

1 A. Yes, sir, to a degree.

2 Q. Any reason why she would make up things about

3 you that you can think of?

4 A. You'd have to ask her that. I -- I'm not going

5 to speak for her.

6 Q. I'm not asking you to speak for her. I'm

7 asking you --

8 A. Do I -- you asked me if I thought she would do

9 that, and I said you'll have to ask her.

10 Q. What about Stan Dahlin, do you know who that

11 is?

12 A. Yes, sir.

13 Q. Who is he?

14 A. He ran a number of anime conventions.

15 Q. Truthful person?

16 A. As far as I know.

17 Q. Got any ax to grind with you, that you're aware

18 of?

19 A. Not as far as I know.

20 Q. All right. Do you know who Tammi Denbow is?

21 A. No.

22 Q. You never heard of Tammi Denbow?

23 A. No.

24 Q. D-E-N-B-O-W?

25 A. No.

71

1 Q. Okay. What about Chuck Huber, do you know who

2 that is?

3 A. Sure.

4 Q. Who is that?

5 A. He is a fellow voice actor.

6 Q. Is he a friend of yours?

7 A. I would consider him so.

8 Q. Does he have some kind of talent agency

9 company?

10 A. I don't -- does he? I don't -- I don't know if

11 he does.

12 Q. Has he ever represented you in any capacity?

13 A. No, sir. Represented me in what way?

14 Q. In any way.

15 A. Not that I'm aware of. No, not that I --

16 nothing comes to mind.

17 Q. Have you ever discussed this lawsuit with Mr.

18 Huber?

19 A. Sure. He's a friend. I consider him a friend.

20 Q. Did you email and text about it?

21 A. Possibly. Definitely, you know, phone

22 conversation.

23 Q. What did you-all talk about?

24 A. When?

25 Q. What.

72

1 A. I'm sorry. Just about the -- the online storm,

2 and then when Jamie and Monica started posting things

3 publicly, we spoke about that.

4 Q. And how long have you and Mr. Huber been

5 friends?

6 A. I -- I don't -- maybe -- I don't know, maybe 10

7 or 12 years, I -- I don't --

8 Q. Truthful guy?

9 A. As far as I know.

10 Q. How about Chris Slatosch, S-L-A-T-O-S --

11 T-O-S-C-H?

12 A. I don't really know him that well. He run --

13 he ran a convention here in Dallas that I attended.

14 Q. Is that Kameha Con?

15 A. Yes, sir.

16 Q. Did you email or text with Mr. Slatosch?

17 A. Yes, sir.

18 Q. What about?

19 A. What about?

20 Q. Yeah.

21 A. He invited me to his event last fall. I was

22 actually the first guest that he announced for his

23 Kameha Con this year. And -- and then when -- when this

24 eruption took place, shortly after it took place, Mr.

25 Slatosch called me and told me that he had been getting

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1 pressure from Monica and Chris Sabat to dump me as a
2 guest. And they made threats and -- and -- and put
3 pressure on him, and so he told me that he had no choice
4 but to cancel my appearance. And then I did not speak
5 with him for quite some time, like two or three months,
6 at least.

7 **Q. And did you end up going to Kameha Con?**

8 A. I did. I spoke with him two or three months
9 later, after that hiatus, as I mentioned, and -- and he
10 told me that he didn't -- he didn't really see any
11 reason -- he -- he -- he didn't feel good about
12 canceling me, that he felt that there were people that
13 wanted me there and that, you know, barring any -- you
14 know, anything substantial, that he wanted to have me
15 back. And so I was very excited about that.

16 And he -- he -- my understanding, Sean, is
17 that he called or communicated with Monica and Chris
18 Sabat that he was going to re-invite me, and --

19 **Q. Did you get to go?**

20 A. And -- and -- and then they expressed more
21 pressure and -- toward him not to have me. He -- and he
22 went back and forth, vacillated on it for, I don't know,
23 a couple of weeks, and then -- we did have a contract as
24 well.

25 **Q. And what do you mean a contract?**

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1 A. A contract that I was to attend that event.

2 **Q. And you ended up going to the event?**

3 A. Yes, sir, I did.

4 **Q. Okay. Do you know a woman named Michelle**
5 **McConnell Blankenship?**

6 A. Not specifically by name.

7 **Q. Okay. What about Lynn Hunt?**

8 A. No, sir.

9 **Q. Whitney Robinson Falba?**

10 A. No, sir.

11 **Q. Greg Ayres?**

12 A. Sure. Greg's a voice actor, been a voice actor
13 for years with me.

14 **Q. Truthful, as far as you know?**

15 A. (Witness nods.)

16 **Q. No?**

17 A. I -- I -- that's problematic.

18 **Q. Okay. So -- so --**

19 A. Greg has never really liked me much.

20 **Q. Okay.**

21 A. And I've -- and I've known that. He's spoken
22 negatively about me to fans, and publicly, for many
23 years.

24 **Q. And what's he said publicly that was negative**
25 **about you?**

75

1 A. Oh, you know, Greg is gay and he -- he thinks
2 that I am somehow against homosexuals, or something like
3 that. I'm conservative, Greg is not, and he's very
4 vocal about -- he was, for many years, that he didn't
5 like me much.

6 **Q. Okay. What about Donald Schultz?**

7 A. Don Schultz, don't know that name.

8 **Q. Chris Sabat?**

9 A. Sure.

10 **Q. Who is he?**

11 A. Chris is a voice actor, has been a voice actor
12 as long as I've been voice acting.

13 **Q. Truthful guy, as far as you know?**

14 A. No, sir.

15 **Q. Okay. So what -- do you and Mr. Sabat have**
16 **some kind of issue?**

17 A. Oh, no. See, that's the unfortunate part. Mr.
18 Sabat has looked me in the face, as long as I've known
19 him and been friend -- and acted like friends, pretended
20 to be supportive, told me that he was, you know, with me
21 and -- and for me, and then over the course of this
22 storm, it has come to my attention from different
23 people, that he has, as long as they have known him,
24 spoken disparagingly about me, made accusations behind
25 my back and not been a friend at all.

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1 So, as I mentioned, apparently I don't have
2 the greatest luck when it comes to judging people's
3 friendship.

4 **Q. And who -- who told you that Mr. Sabat was**
5 **speaking -- had been speaking negatively about you?**

6 A. Several people.

7 **Q. And who are they?**

8 A. Chuck Huber, for one.

9 **Q. Anybody else? If you -- if you -- if it comes**
10 **to you, that's fine.**

11 A. Yeah, I'm -- yeah, I'm sorry, I can't.

12 **Q. How about Faisal Ahmed?**

13 A. Faisal works with conventions.

14 **Q. How long have you known him?**

15 A. I know who he is because, you know, in your
16 interactions going to a convention, you interact with
17 somebody for a weekend who's running the show or who's
18 in charge of the show in some way, but I don't really
19 know him, he doesn't know me.

20 **Q. Jim Gogal, do you know that name?**

21 A. No, sir.

22 **Q. All right. Adam Sheehan, do you know that**
23 **name?**

24 A. Yes. Adam used to work at Funimation.

25 **Q. Truthful, as far as you know?**

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1 A. I don't know him well enough to be able to make
2 that judgment.

3 Q. Okay. Emmett Plant, do you know that person?

4 A. No, sir.

5 Q. Neysha Perry?

6 A. No, sir.

7 Q. Dayna Price, do you know that name?

8 A. No, sir.

9 Q. Todd Haberkorn?

10 A. Sure.

11 Q. Who is he?

12 A. Todd is a voice actor I've known for a while, a
13 long time.

14 Q. Do you consider him a friend?

15 A. Yes.

16 Q. Consider him truthful?

17 A. He has his moments.

18 Q. Any ax he has to grind with you, that you're
19 aware of?

20 A. Apart from -- honestly, apart from just the --
21 the normal kind of rivalry, competitive rivalry, I -- I
22 will even tell you I -- you know, I've -- I've made
23 jokes and, you know, things at Mr. Haberkorn's expense
24 that I have apologized to him for. We have a -- a long
25 history of friendship and conflict, and friendship and

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1 conflict, and friendship and conflict.

2 Q. Kaylan Saucedo --

3 A. No.

4 Q. -- do you know that name?

5 A. Well, I -- I -- I -- I've heard the name. I --
6 I mean, I've heard the name because I -- I know that
7 she's been part of this Twitter online situation.

8 Q. But she's not somebody you know?

9 A. No, sir. I wouldn't -- I wouldn't know her if
10 she walked up to me right now.

11 Q. Janna Bruss?

12 A. No.

13 Q. Tara Sands?

14 A. No.

15 Q. Jessie Pridemore?

16 A. Oh, wait. Janna Bruss is married to Jerry
17 Jewel. Yes, I know who Janna is, but I have not
18 interacted with her in years.

19 Q. Do you know who Jessie Pridemore is?

20 A. I've heard the name.

21 Q. But you've -- have you ever met her?

22 A. I'm -- I've met her. I'm sure I've met her.
23 She attended a lot of conventions, and I'm sure I've met
24 her over the course of time. I've met an awful lot of
25 people.

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1 Q. How about Kara Edwards, do you know who that
2 is?

3 A. Sure. She is a voice actress.

4 Q. All right. Is she truthful, as far as you
5 know?

6 A. Depends on what she says.

7 Q. Well, as you sit here today, have you known any
8 instances where Mrs. Edwards has lied?

9 A. My understanding is that she has recounted
10 interaction between us inaccurately, that I would take
11 issue with.

12 Q. Okay. Do you know what -- how do you know
13 that? Did somebody tell you that?

14 A. I -- I assumed that, because there was an
15 article written that quoted an anonymous source, and I
16 -- just from reading this -- the account, I deduced that
17 it was Kara.

18 Q. How about James Prager?

19 A. No, sir.

20 MR. BEARD: I want to be sure that's on the
21 transcript.

22 MR. LEMOINE: Let's go off -- let's go off
23 the record.

24 THE VIDEOGRAPHER: We're off the record at
25 11:29.

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1 (Break taken from 11:29 a.m. to 12:54 p.m.)

2 THE VIDEOGRAPHER: And we are back on the
3 record for the beginning of disc number 3. The time is
4 12:54.

5 Q. (BY MR. LEMOINE) Has Chuck Huber ever been
6 authorized by you, or to your knowledge, to try and
7 settle this lawsuit?

8 A. Authorized?

9 Q. Yes.

10 A. Define authorized, if you would, please.

11 Q. Did you tell Mr. Huber, Go settle this lawsuit
12 for me?

13 A. No.

14 Q. Okay. Have you ever been diagnosed as a sex
15 addict?

16 A. No.

17 Q. Have you ever received treatment for -- as a
18 sex addict?

19 A. No.

20 Q. Is there any -- anyone ever told you that they
21 thought you were a sex addict?

22 A. Not to my knowledge.
23 (Exhibit 12 marked.)

24 Q. (BY MR. LEMOINE) I'm going to show you what
25 I've premarked as Exhibit 12.

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1 A. Okay.

2 Q. I will represent to you that is an email that

3 was sent to Ms. Rial in March of 2013 by a person

4 identifying themselves as Chuck Huber.

5 First question, looking at the first page

6 of Exhibit 12. Do you recognize fireflyworks@gmail.com,

7 is that an email you're familiar with?

8 A. Yes, sir.

9 Q. And whose email is that?

10 A. Chuck Huber's.

11 Q. All right. If you would, using the Bates label

12 at the bottom, if you would turn to page 3 of

13 Exhibit 12.

14 A. Uh-huh.

15 Q. First full email in the middle of the page.

16 A. Yes, sir.

17 Q. Appears to be from Chuck Huber on March 6,

18 2019, and then it says from Vic Mignogna. My name is

19 Vic Mignogna and I'm a -- a sex addict.

20 Any idea why Mr. Huber would be emailing

21 something like that to Monica Rial?

22 A. You'd have to ask Mr. Huber.

23 Q. All right. Certainly nothing that you were

24 authorized --

25 A. No, sir.

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1 Q. -- that you authorized him to do?

2 A. He wrote this.

3 Q. Have you ever seen this document before?

4 A. Yeah.

5 Q. When?

6 A. I -- I don't remember. He was -- he considers

7 himself a friend of many of the parties involved, and

8 apparently he wanted to try to see if he could help, and

9 he crafted this. I didn't authorize any of it.

10 Q. And so did he email it to you or just tell you

11 about it?

12 A. I -- I don't remember.

13 Q. And do you have a policy of deleting emails the

14 same as you do regarding deleting texts?

15 A. Well, I get a lot of emails, sir.

16 MR. LEMOINE: Objection, nonresponsive.

17 Q. (BY MR. LEMOINE) Do you have a policy of

18 deleting emails the same as you do of deleting texts?

19 A. Once I read them, they go into an old mail

20 folder, but I don't, like, permanently delete them, no.

21 Q. (BY MR. LEMOINE) Okay. So if Mr. Huber sent

22 you this email, it would be in your -- in some folder --

23 A. Yes, sir, I suppose so.

24 Q. And just -- I know that this is your first

25 litigation so just -- so you know, there's a concept in

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1 litigation called spoliation.

2 A. I'm sorry, what is it called?

3 Q. There's a concept called spoliation.

4 A. Spoliation?

5 Q. S-P-O-I-L-A-T-I-O-N [sic].

6 A. Okay.

7 Q. As in to spoil something.

8 A. Oh, okay.

9 Q. And -- and one of the things with regard to

10 spoliation is that when litigation starts, you shouldn't

11 delete relevant information. Do you follow me so far?

12 A. Sure.

13 Q. So, for instance, you shouldn't do anything to

14 delete emails off your computer --

15 A. Of course.

16 Q. -- or phone, things like that. You understand?

17 A. Yes, sir.

18 Q. All right. Thank you.

19 Okay. So very clear in your mind that Mr.

20 Huber was not authorized to send this email saying that

21 Vic Mignogna is a sex addict?

22 A. I didn't -- I did not consult with him or agree

23 to any of this. He wrote this.

24 Q. Okay. And when you -- when you saw it, did you

25 ask him the question of why are you telling -- saying

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1 that I'm a sex addict?

2 A. No. It never really got that far, because he

3 contacted me and said that Monica and Ron rejected what

4 he wrote.

5 Q. Okay.

6 A. It -- it didn't go very far at all.

7 Q. All right. If you turn to page 1 of

8 Exhibit 12. I want to start from the top, the second

9 email on March 26, 2019, at 4:06 p.m. Are you with me?

10 A. 4:06.

11 MR. BEARD: Sorry, Counsel, which -- which

12 page?

13 Q. (BY MR. LEMOINE) Page 1.

14 A. From Chuck at 4:06?

15 Q. Yes.

16 A. Yes.

17 Q. Are you with me?

18 A. Sure.

19 Q. All right. It says: Sean and Chris are not

20 going to show up in court for you. You will be on your

21 own.

22 Do you have any idea who he might be

23 referring to, the Sean and Chris?

24 A. The only Sean and Chris I know in this

25 situation are Sean Schemmel and Chris Sabat.

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1 Q. And who is Sean Schemmel?
2 A. He's a voice actor.
3 Q. And any idea why Mr. Huber would be referencing
4 Sean Schemmel in this -- in this email?
5 A. No, sir, you'll have to ask Mr. Huber.
6 Q. And do you recall receiving this part of the
7 email chain from -- where Mr. Huber forwarded it --
8 A. No, I don't recall. I don't recall if he sent
9 me this, because I don't recall seeing any -- any
10 correspondence between he and Monica. He told me that
11 he had sent something to her and -- and that they had
12 reject -- refused to agree to it.
13 Q. Okay. And did he ever have a discussion of
14 what the terms were that -- that he sent?
15 A. No. No, sir.
16 Q. Did you ask him what the terms were?
17 A. Not that I recall.
18 Q. So just so I understand, how did -- how did
19 this Chuck Huber involvement, how did it come to your
20 knowledge?
21 A. Well, as -- as you -- as you pointed out, we
22 talked about earlier this morning, Chuck has been a
23 friend, I've considered Chuck a friend for a long time,
24 and Chuck considers himself a friend of -- of Monica's
25 and Jamie's, as well, and I -- I assume he was troubled

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1 about the events and wanted to see if he could step in
2 and -- and help out.
3 Q. But totally operating on his own as to what --
4 A. Yes, absolutely.
5 Q. All right. Have you and Mr. Huber ever been
6 involved in any companies together?
7 A. Companies, no, sir.
8 Q. Do you own or control a company called
9 September the Movie, LLC?
10 A. No, sir.
11 Q. Any idea what that company is?
12 A. No, sir.
13 MR. BEARD: September the Movie?
14 MR. LEMOINE: Yep, LLC.
15 A. I know that Chuck -- no, I'm not even -- I
16 don't -- because I don't know. I'm sorry, I
17 shouldn't --
18 Q. (BY MR. LEMOINE) Yeah.
19 A. I shouldn't speculate, right? I don't know. I
20 -- I certainly don't have anything to do with that. I
21 don't know what it is.
22 Q. Okay. I'm going to -- this has been premarked
23 as Exhibit 13.
24 (Exhibit 13 marked.)
25 Q. (BY MR. LEMOINE) Again, I'll represent to you

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1 this is communications between Mr. Huber and Ms. -- Ms.
2 Marchi, or Marchi.
3 A. I think she -- yeah, I think does she say
4 Marchi, I think.
5 Q. Marchi?
6 A. Yes.
7 Q. I want to start on -- at the very top --
8 A. Uh-huh.
9 Q. -- from Ms. Marchi. Do you recall ever
10 receiving this particular email chain?
11 A. I -- I don't recall that. Like I said, I
12 recall Chuck telling me that they refused, so --
13 Q. All right. So if you look at the second email
14 on March 26th, 2019, at 3:55, from Mr. Huber. Are you
15 with me?
16 A. 3:55 p.m.?
17 Q. Yes, sir.
18 A. Yes, sir.
19 Q. I've discussed it with --
20 MR. BEARD: March 6th, right?
21 THE WITNESS: The second one.
22 Q. (BY MR. LEMOINE) It starts, I've discussed it
23 with them, they have the statements and have given their
24 input, I'm pushing as hard as I can on both ends to try
25 and meet in the middle.

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1 Do you have any idea who he would have
2 given these statements to?
3 A. I'm sorry, any idea who Chuck --
4 Q. Yeah. Yeah, who he's referencing?
5 A. I -- I assume he's referencing Monica and
6 Jamie. I -- I assume.
7 Q. Okay. So he's writing to Ms. Marchi and saying
8 --
9 A. Oh, then he must have been referencing Ron and
10 Monica if he's writing to Jamie. I suppose he was
11 probably referencing me, as well.
12 Q. Okay. But certainly you disavow any knowledge
13 of receiving any statements from Ms. --
14 A. I said I don't recall.
15 THE REPORTER: Would you -- would you wait
16 until he's finished?
17 THE WITNESS: I'm so sorry. I'm so sorry.
18 THE REPORTER: Thank you.
19 THE WITNESS: I apologize.
20 THE REPORTER: It just helps, a clean
21 record.
22 THE WITNESS: Sorry.
23 THE REPORTER: Thank you.
24 Q. (BY MR. LEMOINE) Okay. So --
25 A. Sorry, Sean.

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1 **Q. Yeah. You don't recall receiving any**
2 **statements from Mr. Huber where you would admit to**
3 **something like being a sex addict?**
4 A. No, sir.
5 **Q. And -- and as you sit here today, you don't**
6 **believe you're a sex addict?**
7 A. No, sir.
8 **Q. Are you seeking any mental anguish damages in**
9 **this lawsuit? Do you know?**
10 A. No, sir.
11 **Q. Okay. And so is that -- question was unclear.**
12 **Are you -- are you seeking mental anguish**
13 **damages?**
14 A. There is certainly a lot of mental anguish.
15 **Q. All right. Well, let me ask it this way.**
16 A. I'm just seeking to clear my name, sir.
17 **Q. Okay. And what would that look like? What**
18 **does clear your name mean?**
19 A. To stop people from -- to -- to end the public
20 attacks, and to somehow reach an agreement where these
21 people do not contact events and production companies to
22 try to keep me from working and making a living.
23 **Q. Okay. So are you seeking any treatment of any**
24 **type from any health care professionals as a result of**
25 **the defamation that you claim you've suffered?**

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1 MR. BEARD: Objection, privileged.
2 Objection, privileged.
3 Do not answer.
4 **Q. (BY MR. LEMOINE) Okay.**
5 MR. BEARD: You can answer the question,
6 but any further delving into it, I'll object.
7 You can say yes or no.
8 MR. LEMOINE: I mean, maybe -- Mr. Beard,
9 maybe you can just clear this up.
10 Is he seeking mental -- are you-all seeking
11 mental anguish damages?
12 MR. BEARD: I think we've asked for broad
13 damages. Yeah, that's probably a part of it.
14 MR. LEMOINE: Okay. So --
15 MR. BEARD: You know, I mean, I don't -- I
16 don't have the pleadings in front of me, quite frankly.
17 MR. LEMOINE: All right.
18 **Q. (BY MR. LEMOINE) Are you taking any medication**
19 **as a result of the defamation that you claim to have**
20 **suffered?**
21 A. I am taking two medications. One is Losartan
22 for high blood pressure and one is Zoloft for -- I guess
23 it's an antidepressant.
24 **Q. And did you take that before these allegations**
25 **came out?**

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1 A. No. That started -- that started in mid, late
2 January.
3 **Q. Okay. Have you been unable to work as a result**
4 **of any mental issues that you're suffering because of**
5 **this alleged defamation? Not that somebody is not**
6 **letting you work, but you can't get up and go to work.**
7 **Do you understand the distinction?**
8 A. If I'm honest, and of course I -- I'm supposed
9 to be.
10 **Q. If you want to --**
11 A. I had -- for the first several months, I found
12 it very difficult to -- you know, to really do much of
13 anything. I had -- I had offers from people to do
14 certain things, and I, you know, found it very difficult
15 to -- to -- to get motivated.
16 **Q. Did you do those --**
17 A. I didn't sleep, I didn't eat, I was losing
18 weight.
19 **Q. Did you do those things you had offers to do?**
20 **Did you turn them down?**
21 A. I haven't done them. I asked them if I could
22 have some time.
23 **Q. Okay. All right. As I understand it, you're**
24 **-- you may be seeking a million dollars or more in this**
25 **lawsuit?**

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1 A. No, sir.
2 **Q. No?**
3 A. Not -- not that I'm aware of. I -- I haven't
4 -- I have not discussed any numbers of any kind of
5 monetary anything.
6 **Q. All right. Do you believe that you've been**
7 **damaged as a result of the defamation of Mrs. --**
8 A. Yes.
9 **Q. Let me get the question out.**
10 A. I'm sorry. I'm so sorry. Sorry.
11 **Q. Do you believe that you have been damaged as a**
12 **result of the defamatory statements that you allege were**
13 **made by the defendants in this case?**
14 A. Yes.
15 **Q. Do you have a -- can you put a monetary value**
16 **on that?**
17 A. No.
18 **Q. What would you need to know to put a monetary**
19 **value on that?**
20 A. If I may, Sean, let me answer by saying this:
21 I didn't -- I didn't want to do this. I sat by for five
22 months and let these people destroy me online. I didn't
23 even know what to do. I -- I -- I literally did not
24 respond. I did not attack back. I didn't even defend.
25 I just couldn't believe it was happening for five

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1 months.

2 And when it got to the point where I had

3 lost so much, I -- I realized that the -- my only

4 recourse was legal recourse. I wasn't looking for

5 money, I wasn't asking for anything but to be left alone

6 and -- and to -- you know, to be allowed to -- to have

7 my career and my work.

8 **Q. All right.**

9 MR. LEMOINE: I'm going to object as

10 nonresponsive.

11 **Q. (BY MR. LEMOINE) Tell me how, in 2018, how did**

12 **you make money? How did you generate a living? What**

13 **were things that you did?**

14 A. I -- I do voice acting. I write music for,

15 like, ad agencies, commercials, private individuals. I

16 do graphic design work. I act on camera and I do event

17 appearances.

18 **Q. Is one -- is one of those more lucrative than**

19 **the other on a given -- in every year?**

20 A. They're all over the place. They fluctuate.

21 **Q. So it just depends?**

22 A. Yes, sir.

23 **Q. And then when you say you write music, does**

24 **that mean you sing and -- and write, or just write**

25 **music?**

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1 A. No, sir. I play the piano and I sing, and I

2 write and I produce.

3 If you guys live in -- in this area, you

4 probably have heard a couple of my jingles on the radio,

5 so --

6 **Q. How many conventions, for these anime**

7 **conventions, how many of those do you attend a year?**

8 A. It varies. It fluctuates from year to year.

9 **Q. So you're not consistent?**

10 A. No, sir.

11 **Q. And do you typically have a contract with these**

12 **conventions, a written agreement?**

13 A. Sometime -- sorry. Sorry. Sometimes.

14 **Q. It just depends?**

15 A. Yes, sir.

16 **Q. And --**

17 A. Some of them -- if I may, some of them are run

18 by people that I've known for a while, and they're just

19 like, hey, do you want to come to my show? Okay.

20 **Q. Is that something you schedule out months,**

21 **years in advance?**

22 A. It -- again, it varies. Sometimes months in

23 advance, sometimes a year in advance, sometimes weeks in

24 advance, if I'm free.

25 **Q. Do you get paid by the convention to show up?**

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1 A. Occasionally.

2 **Q. How else do you make money when you attend the**

3 **conventions?**

4 A. Well, when the convention appearances started,

5 and Monica knows this as well as I do, a lot of the

6 events didn't pay anything. It was literally just kind

7 of helping build the industry, you know, promoting

8 projects we were working on. There wasn't any -- there

9 really wasn't any payment at all.

10 And, again, it fluctuates. Some

11 conventions will -- will give you a flat amount to

12 appear and you'll spend all weekend signing autographs.

13 Some events will just provide air fare and hotel and you

14 might -- you might make some money selling a headshot or

15 signing a picture, or --

16 **Q. Do most conventions that you go to, you sell**

17 **some type of merchandise?**

18 A. Yes.

19 **Q. Isn't that pretty standard at every convention?**

20 A. Yes, for -- for every voice actor.

21 **Q. And how do you keep track of the amount of**

22 **money that you get paid at conventions?**

23 A. I don't. My -- I have an accountant who takes

24 care of that.

25 **Q. And does the accountant go to the conventions**

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1 **with you?**

2 A. No, sir.

3 **Q. So is there someone there that collects the**

4 **money?**

5 A. Yes. The convention usually provides someone,

6 a handler or a liaison of sorts.

7 **Q. And are most of these transactions in cash?**

8 A. They vary.

9 **Q. Does the handler bring some type of device to**

10 **track, to swipe credit cards?**

11 A. Yes. There's a -- there's a Square card.

12 **Q. And at the end of the --**

13 A. A Square reader.

14 **Q. At the end of the convention, are you provided**

15 **a check or direct deposit or cash?**

16 A. Everything you just said. It varies.

17 **Q. And then you provide that to your accountant?**

18 A. Yes, sir.

19 **Q. Do you know what your gross income was in 2018?**

20 A. Not offhand. I'd have to check with him.

21 **Q. But your accountant would know?**

22 A. Yes, sir.

23 **Q. And I guess if I asked you that question for**

24 **2017 to 2014, it would be the same?**

25 A. Yes, sir.

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1 Q. And does your accountant also do your taxes?
2 A. Yes, sir.
3 Q. Has there been a drop off in the amount of
4 money that you have made in 2019, after these
5 allegations started coming out against you?
6 A. Yes, sir.
7 Q. How much?
8 A. I don't know. There -- there -- it's --
9 there's not a specific amount, because you don't know.
10 There are so many variables. You just -- you can't
11 know. But, obviously, if you don't go to an event,
12 you're not going to do anything. So any time -- you
13 know, going would obviously be different than not going.
14 Q. You said earlier that you sat by for five
15 months before you did anything with regard to these
16 allegations.
17 You would agree with me the GoFundMe
18 campaign started at the end of February 2019, correct?
19 A. I believe that's what your -- the exhibit you
20 gave me said. I -- I don't remember when it started.
21 Q. And -- and then you put a tweet out on
22 February 20th where you talk about hiring a law firm,
23 correct?
24 A. I -- I don't remember the date, but I -- I put
25 out a tweet if -- I put out very few tweets, and one --

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1 the one that I remember was I -- I felt like I -- I have
2 no recourse left, but --
3 Q. Okay. If you pull Exhibit 17 back out in front
4 of you.
5 A. Okay.
6 Q. Do you recall -- do you recall Exhibit 17 is
7 your February 20th tweet where you discuss GoFundMe
8 being set up? Do you remember that?
9 A. Yes, sir. Yes, sir.
10 Q. All right. And you'd agree with me that what
11 you're telling the people that follow you on Twitter is
12 that you've retained a law firm -- firm to defend your
13 reputation as of February 20th; is that right?
14 A. Yeah, see, by the way, that's a different law
15 firm than -- than Mr. Beard, I believe. It wasn't -- I
16 can't keep track of the dates. There was the Tonya
17 woman that I mentioned earlier.
18 MR. BEARD: If I could interject, Counsel.
19 THE WITNESS: I'm sorry.
20 MR. LEMOINE: Sure.
21 THE WITNESS: I --
22 MR. BEARD: Yeah, you hired us, like, I
23 think on the 20th, but Tonya was not officially
24 discharged until --
25 THE WITNESS: Oh, okay.

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1 MR. BEARD: -- a couple of weeks later.
2 THE WITNESS: Okay.
3 MR. BEARD: It was kind of a blur.
4 MR. LEMOINE: Okay.
5 MR. BEARD: So -- but you had retained
6 counsel.
7 THE WITNESS: Okay.
8 Q. (BY MR. LEMOINE) Okay. Just so I'm clear, by
9 February 20th, you had retained Mr. Beard?
10 A. Yes, sir.
11 Q. And did you know Mr. Beard prior to this --
12 these events that --
13 A. No, sir.
14 Q. -- led to this lawsuit?
15 And who introduced you to him?
16 A. Mr. Rekieta.
17 Q. Do you know their -- how their -- where their
18 relationship started?
19 A. No, I don't.
20 Q. Did -- and Mr. Rekieta never told you how he
21 knew Mr. Beard?
22 A. No. Mr. Rekieta told me that he knew I was in
23 Texas and that he knew an -- an attorney in Texas if I
24 wanted to speak with him.
25 Q. And so after you hired Mr. Beard, is it -- is

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1 it your testimony that you basically sat silently for
2 the next couple of months until you finally decided to
3 sue somebody?
4 A. Pretty much.
5 Q. Can you think of instances in the last five,
6 six years where someone has impugned your reputation in
7 the voice acting community and you just walked away from
8 it and did nothing?
9 A. Certainly.
10 Q. Does that happen often?
11 A. There are always disgruntled fans and people
12 that are looking for attention in some way. I have
13 largely ignored it because attention is exactly what
14 they want, so I tend to ignore it. And it's never --
15 never been an issue. And -- and this time, this all
16 started, ironically, at the moment that the Dragon Ball
17 Broly movie that I was the main character in was
18 released, to the day. The day that it was released,
19 this was launched against me. And I didn't do anything
20 about it for a while, quite a while, thinking, well,
21 it's just the same old people trying to get some
22 attention. And then it just didn't -- it just didn't
23 abate, and so --
24 Q. And -- and what happened in -- when the Dragon
25 Ball movie was released in January of 2019?

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1 A. What do you mean what happened? May I ask what
2 you mean?

3 Q. You said the same day it was released, this
4 started. What -- what happened?

5 A. The social media attacks began and, like I
6 said, this has happened in the past, you know, so --

7 Q. All right. Prior -- prior to 2019, have you
8 ever been banned from a convention?

9 A. Not to my knowledge.

10 Q. And prior to 2019, have you ever been asked not
11 to come back to a convention?

12 A. Not to my knowledge.

13 Q. Prior to 2019, have you ever not gotten an
14 invitation to a convention that you attended a year
15 before?

16 A. Well, that's not unusual at all. Because once
17 the convention has you as a guest, they don't typically
18 bring the same people back every year because of the
19 number of people in the industry. In fact, I'm
20 actually -- I'm actually an exception because I -- I --
21 I -- I do -- I -- I do get invited back often to the
22 same events, so I -- if somebody doesn't invite me back,
23 there's nothing really unusual about that.

24 MR. LEMOINE: All right. Object as
25 nonresponsive.

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1 A. Okay.

2 Q. (BY MR. LEMOINE) Has anyone ever told you that
3 you are not welcome back at a particular convention?

4 A. No, sir.

5 Q. What about Metrocon, have you ever been not
6 invited back to Metrocon Tampa?

7 A. I was at Metrocon two years ago, sir.

8 Q. But you didn't -- so that would have been in
9 2017?

10 A. I -- I -- I think it was 2017.

11 Q. Didn't go back in 2018?

12 A. No, sir.

13 Q. Didn't get invited back in 2019?

14 A. No, sir.

15 Q. And do you know why?

16 A. No, sir.

17 Q. Okay. What about Anime Central, have you ever
18 --

19 A. I was at Anime Central, I believe, two years
20 ago, maybe three years ago.

21 Q. 2016 or 2017?

22 A. Yes, I've -- I've been there.

23 Q. And haven't been -- been back since that last
24 time?

25 A. No, sir.

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1 Q. All right. What about Tekkoshococon?

2 A. I was at Tekkoshococon last year.

3 Q. 2018?

4 A. Yes, sir.

5 Q. And did you get invited back for 2019?

6 A. No. As I said, typically with 70 or 80 voice
7 actors and industry people, writers, directors, artists,
8 they don't typically invite the same people back every
9 year.

10 MR. LEMOINE: Object as nonresponsive after
11 no.

12 Q. (BY MR. LEMOINE) What about the RTX, Rooster
13 Teeth Convention?

14 A. I attended that event two years -- two years
15 ago, and was not there last year, and was supposed to be
16 back there this year, but there -- the -- it was
17 rescinded, the invitation was rescinded.

18 Q. All right. What about Louisiana anime
19 MechaCon, have you ever been uninvited?

20 A. Not to my knowledge.

21 Q. When's the last time you went to that con?

22 A. I -- I don't know, sir. I don't remember.

23 Q. Do you know a woman named Kat Thompson?

24 A. Not -- no, don't believe so. Not by name.

25 Q. Okay. Are you familiar with a company called

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1 Sentai Filmworks? It's S-E-N-T-A-I.

2 A. I believe Sentai is the new company that was
3 formed in Houston. It's an anime dubbing company.

4 Q. What was the name of the company before then?

5 A. I believe it was ADV Films.

6 Q. Okay. And were you ever fired from either
7 Sentai or AD Film -- ADV Films?

8 A. No, sir. I moved.

9 Q. Okay. So you weren't -- you weren't fired by
10 them?

11 A. No, sir.

12 Q. Okay.

13 A. I moved -- I was living in Houston and I moved
14 to L.A., or started working more in L.A. I even came
15 back on a couple of occasions and worked at Sentai.

16 Q. What about Gear Box, have you ever been
17 terminated by Gear Box?

18 A. I don't think I have ever worked for Gear Box.

19 Q. Are you familiar with a company called Rooster
20 Teeth Productions, LLC?

21 A. Yes, sir.

22 Q. Just call it Rooster Teeth for short.

23 A. Yes, sir.

24 Q. What does Rooster Teeth do?

25 A. They dub -- they -- they produce, I believe,

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1 original animated content.

2 Q. And have you worked for Rooster Teeth in the

3 past?

4 A. Yes, sir.

5 Q. From when to when?

6 A. Oh, goodness. They cast me in a production

7 probably four -- I don't even know, four, five years

8 ago. And I recorded my lines remotely and sent them my

9 lines, and played a character in a -- recurring

10 character in a show of theirs until I was terminated

11 earlier this year.

12 Q. And -- and was your relationship with Rooster

13 Teeth, was -- were you an employee or independent

14 contractor?

15 A. Just -- just an independent contractor, I

16 believe.

17 Q. And -- and you know the distinction between an

18 employee and an independent contractor?

19 A. I -- I -- I assume -- I'm so sorry. I assume,

20 like an employee, like, gets a regular paycheck, and

21 they take out taxes and, you know, that kind of thing,

22 and -- and independent contractor is just hired per

23 project.

24 Is that close?

25 Q. I would say that's close.

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1 A. Okay.

2 Q. And -- and do you know the difference between a

3 W-2 and a 1099?

4 A. Yes. Well, one of them is what an employee

5 gets and one of them is -- I guess; is that right?

6 Q. That's right.

7 A. Okay.

8 Q. Okay. So do you know if you -- you would -- as

9 far as you knew, you were an independent contractor for

10 Rooster Teeth?

11 A. As far as I know. I have been hired to do so

12 many recording projects for 20 years that I don't even

13 really think about the distinction much.

14 (Exhibit 19 marked.)

15 Q. (BY MR. LEMOINE) Let me show you what we're

16 going to -- we're getting premarked as Exhibit 19. If

17 you'd look on page 7 of Exhibit 19. Is that your

18 signature?

19 A. Yes, sir.

20 Q. And you recognize this as an independent

21 contractor agreement --

22 A. Yes, sir.

23 Q. -- that you had with Rooster Teeth?

24 A. Yes, sir.

25 Q. And you signed it sometime in December of 2018?

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1 A. Yeah. They sent it to me at the very end of

2 last year.

3 Q. All right. And after December 2018, did you do

4 any work under this independent contractor agreement for

5 Rooster Teeth?

6 A. I -- I don't remember. I don't think so. I

7 mean, I -- like I say, I play this recurring character,

8 and as they would need more lines from me, they would

9 send me the lines and I would record them and send them

10 back. I really didn't -- didn't keep track of the

11 dates, but I don't think so.

12 Q. And are you typically paid, like, a day rate or

13 an hourly rate?

14 A. Yes.

15 Q. Which one?

16 A. Oh, sorry. Hourly rate.

17 Q. It's an hourly rate?

18 A. Yes, sir.

19 Q. Okay. And you keep your time and send it in,

20 and they'd send you a check?

21 A. Yes, sir.

22 Q. And do you get any type of back-end percentage

23 of --

24 A. No, sir.

25 Q. So not from Rooster Teeth?

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1 A. I wish. No, sir.

2 Q. Now, at any point in time, were you made aware

3 that Rooster Teeth was doing any type of investigation

4 into you?

5 A. No, sir.

6 Q. You said at some point you were terminated by

7 Rooster Teeth; is that correct?

8 A. Yes, sir.

9 Q. How did -- how was that communicated to you?

10 A. By email.

11 Q. Okay. And what was the -- who sent you the

12 email?

13 A. Well, there were several people on the email.

14 They were mostly, you know, I -- I assumed people at

15 Rooster Teeth. And they said -- it was really

16 interesting -- that I had been corresponding with a

17 friend, who is one of their producers, named Koen, who I

18 believe might have even signed this. Yes, Koen Wooten.

19 He and I had been corresponding at the very

20 beginning of this social media, for several weeks at the

21 beginning, and expressed how unfortunate and how crazy

22 it was, and -- and that he certainly didn't believe any

23 of the -- the garbage that was online. And then out of

24 the blue, without any real advance anything, I got an

25 email one day from Rooster Teeth, and it was from, I

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1 guess, Gray Haddock was one of the people on the email,
2 I expect Koen was on it, there were probably four or
3 five. And it was sent to me and it basically said,
4 Effective immediately, we will no longer be requiring
5 your services.
6 **Q. Was there any explanation?**
7 A. You know what, yeah. It said, Pursuant to
8 section something or other, or, paragraph something or
9 other. And I wrote them back and said, I'm really sorry
10 to hear this. Can you please send me the portion of the
11 contract that you're -- that you're citing? Like,
12 what -- in other words, what, why, what did I do?
13 A. And I never got a response. Well, I didn't
14 get an intended response. I got a response from
15 someone -- one of the people on the thread, on the
16 Rooster Teeth email, who clearly didn't mean to send it
17 to me, and it said, quote, I'm sure we're all in
18 agreement, but no one is to reply to Vic.
19 I don't think they meant to send that to
20 me. But I never heard back from anybody and I never
21 attempted to contact anybody.
22 **Q. Okay. So as far as you know, or sitting here**
23 **today, you don't really know why Rooster Teeth**
24 **terminated you?**
25 A. No, sir.

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1 **Q. No one has ever talked to you about it?**
2 A. No, sir.
3 **Q. And no one has ever said that it was because of**
4 **anything that any of the Defendants did?**
5 A. No, sir.
6 **Q. Do -- and do you know if you produced these**
7 **communications that Rooster Teeth sent you, to your**
8 **attorneys?**
9 A. Yes, sir.
10 **Q. And do you know if your attorneys ever reached**
11 **out and talked to Rooster Teeth about why you were**
12 **terminated?**
13 A. Yes, I believe he did. I believe he attempted
14 to contact their legal counsel.
15 **Q. And do you know if they responded?**
16 A. They did respond, but I don't remember the
17 details of it.
18 **Q. Okay.**
19 A. If I remember correctly, they -- they -- there
20 wasn't really much of anything, any kind of a response.
21 **Q. Did -- Mrs. Marchi or Mrs. Rial or Mr. Toye**
22 **work for Rooster Teeth, to your knowledge?**
23 A. Ms. Rial does.
24 **Q. Okay. And do you know if she's an employee or**
25 **an independent contractor?**

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1 A. I don't know. She is a voice actress and she
2 was cast in a new project they're working on.
3 **Q. Are you familiar with a -- obviously you are,**
4 **but you're familiar with the company Funimation**
5 **Productions --**
6 A. Oh, yes.
7 **Q. -- LLC, correct?**
8 A. Yes.
9 **Q. And that's the Defendant that you've sued in**
10 **this case?**
11 A. Yes, sir.
12 **Q. And what do they do?**
13 A. They -- they dub Japanese anime into English.
14 **Q. Similar to what Rooster Teeth does?**
15 A. Yes, sir. Well, no, actually, Rooster Teeth
16 does original programming. They make up their own
17 stories and they animate them themselves, and the vast
18 majority -- if I'm not mistaken, the vast majority of
19 Funimation's properties are Japanese animation that have
20 already been produced, and --
21 **Q. And were you an employee or an independent**
22 **contractor with Funimation?**
23 A. I assume -- I assume, again, I was an
24 independent contractor. There was a period, a year, in
25 2017, that I was hired to direct a series for

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1 Funimation, and I -- I lived in a hotel in -- in Irving
2 for 12 weeks and -- and directed a series for them.
3 I -- I -- I assume I was -- that was probably an
4 employee -- like a -- an employment thing. It was
5 different than the contracted voice actor thing.
6 **Q. Did you get a salary or were you paid by hourly**
7 **work?**
8 A. Well, it was -- it was -- it was hourly, but it
9 -- but there was like -- it was like, you know, taxes
10 taken out, kind of thing. You know, it was like a --
11 **Q. Does -- Mrs. Rial, has she worked -- ever**
12 **worked for Funimation?**
13 A. Oh, yes.
14 **Q. And do you know if she was an employee or an**
15 **independent contractor?**
16 A. I don't know. I know that she has directed, as
17 well, and I know she's done a great deal of voice
18 acting, but I don't know her -- her employment status
19 with them.
20 **Q. And what about Mrs. Marchi, do you know if she**
21 **--**
22 A. The same. I don't know.
23 **Q. And what about Mr. Toye, did he work for**
24 **Funimation?**
25 A. I don't know.

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1 Q. Anybody ever told you Mr. Toye worked for
2 Funimation?
3 A. I can't recall that anyone has.
4 Q. Were you ever interviewed at any point in time
5 by Funimation with regard to allegations of improper
6 conduct by you?
7 A. I was contacted in mid-January, very shortly
8 after this -- the online social media stuff started, I
9 was contacted by someone at Funimation. Basically, it
10 was about a 20-second phone call where they basically
11 said, Someone from Sony would like to chat with you, can
12 you be available tomorrow at this time.
13 And so I said yes. And someone from Sony
14 contacted me and said that they had received some --
15 some incidents that they wanted to ask me about. And
16 that was the first I had heard of it.
17 Q. Okay. And that's the only time that -- that
18 you've ever dealt with any investigation --
19 A. Yes, sir.
20 Q. -- while at Sony?
21 A. Yes, sir.
22 Q. Does the name Tammi Denbow ring a bell to you?
23 A. Not off the top of my head, no, sir.
24 (Exhibit 24 marked.)
25 Q. (BY MR. LEMOINE) Let me show you what we've

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1 premarked as Exhibit 24.
2 Have you ever seen Exhibit 24 before?
3 A. Yes, sir.
4 Q. And what is Exhibit 24?
5 A. It was apparently an email that Sony sent to
6 me, and I replied.
7 Q. And starting at the top, page 1 of Exhibit 24,
8 vichthewop, that's your email?
9 A. Yes, sir.
10 Q. And I assume the wop is a cute reference, in
11 fact, of your Italian heritage?
12 A. Yes, sir.
13 Q. And then it says: Forwarding confidential
14 discussion to Lisa --
15 A. She's laughing at my name. No, I'm just
16 kidding.
17 Q. -- to -- to Lisa Hansell. That's the lady that
18 was here earlier in the deposition?
19 A. I'm sorry. Yes.
20 Q. If you look at the top of Exhibit 24, are you
21 with me, on page 1, very top?
22 A. Oh, yes.
23 Q. This is you forwarding this communication to
24 Ms. Hansell?
25 A. Uh-huh.

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1 Q. Why would you be forwarding a confidential
2 communication between you and someone at phony -- Sony
3 to Ms. Hansell?
4 A. Well, I don't consider it confidential between
5 me and my friends. I mean, this is my life, this is my
6 situation, and Lisa was a friend and I shared it with
7 her.
8 Q. Okay. Did you share it with anybody else?
9 A. No, sir.
10 Q. Did you and Ms. Hansell discuss the situation?
11 A. Not to my recollection, no.
12 Q. So you just forwarded it to her, and then there
13 were no discussions after the fact?
14 A. Not to my recollection, no.
15 Q. And is Ms. Hansell an employee or independent
16 contractor for you, or --
17 A. No.
18 Q. Just a friend?
19 A. Yes.
20 Q. And how long have you-all been friends?
21 A. Oh, maybe six, six or seven years.
22 Q. All right. If you would turn to page 4 of
23 Exhibit 24. Are you with me?
24 A. Uh-huh.
25 Q. All right.

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1 A. Yes, sir.
2 Q. The bottom of the page, Ms. Tanny -- Tammi
3 Denbow, does that refresh your recollection --
4 A. Yeah.
5 Q. -- of who she is?
6 A. Yeah, that's the woman you asked me about, yes.
7 Apparently, that's the name of the woman at Sony.
8 Q. Okay. So prior to January 25, 2019, you had
9 never met Ms. Denbow and didn't know who she was?
10 A. Not to my -- no, not to my recollection.
11 Q. All right. And January 25, 2019 is the first
12 time that you even knew that there was any kind of issue
13 --
14 A. Yes, sir.
15 Q. -- with your work?
16 All right. So did you have a conversation
17 with Ms. Denbow?
18 A. Yes. Yes, sir.
19 Q. Okay. What -- what do you recall of that
20 conversation?
21 A. She asked me about three incidents that had
22 come to their attention. The first one was a kiss with
23 a coworker at Funimation a few years earlier. One was
24 an interaction with Monica at a convention with a jelly
25 bean. And the third one was an incident that was

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1 reported to them of two twin ladies who I had met
2 several times at conventions and had invited to my room.
3 **Q. Okay. So before I start asking you questions**
4 --
5 MR. BEARD: Counsel, can we take a
6 30-second break?
7 MR. LEMOINE: Off the record.
8 THE VIDEOGRAPHER: We're going off the
9 record at 1:34.
10 (Break taken from 1:34 p.m. to 1:39 p.m.)
11 THE VIDEOGRAPHER: And we're back on the
12 record, the time is 1:39.
13 **Q. (BY MR. LEMOINE) All right. So as I -- as I**
14 **recall your testimony, the three separate incidences**
15 **that Ms. Denbow wanted to discuss with you --**
16 A. Yes.
17 **Q. -- of those three, one of them is -- is Mrs.**
18 **Rial, correct?**
19 A. Yes.
20 **Q. The other two instances, are those women who**
21 **have publicly accused you of anything, meaning it's out**
22 **on -- they've given statements to magazines or otherwise**
23 **disclosed their names?**
24 A. Not to my knowledge.
25 **Q. All right. You know who these -- you know**

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1 **their -- their identities, correct?**
2 A. Yes.
3 **Q. If I ask you, you can tell me their names,**
4 **can't you?**
5 A. Yes.
6 MR. LEMOINE: Mr. Beard, I would like an
7 agreement that with regard to questions surrounding not
8 Mrs. Rial, but these other two incidents, that we agree
9 to keep that confidential until we get a ruling from the
10 court.
11 MR. BEARD: That's -- yeah, I think that
12 will be okay. That's -- just to be clear, that's the --
13 MR. LEMOINE: Don't say the names.
14 MR. BEARD: Right. I was about to do that.
15 MS. CHRISTIE: That's the other two
16 incidents.
17 MR. BEARD: Oh, besides the jelly bean?
18 MR. LEMOINE: Let me see if I can
19 articulate the -- the -- the request.
20 MR. BEARD: That's fine.
21 MR. LEMOINE: What -- what we would like to
22 do is -- is currently hold -- put the portion of the
23 deposition under seal with regard to the two non Monica
24 Rial incidents.
25 MR. BEARD: The names.

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1 MR. LEMOINE: The names.
2 MR. BEARD: Nothing more?
3 MR. LEMOINE: Yes, the --
4 MR. BEARD: Agreed.
5 MR. LEMOINE: -- and the names.
6 MR. BEARD: Agreed.
7 MR. ERICK: Yeah, that was -- I mean, it --
8 it will include, you know, their residence and things
9 like that, but we're not going to get into that.
10 MR. BEARD: Names, addresses.
11 MR. LEMOINE: Identifying information.
12 MR. ERICK: Right.
13 MR. LEMOINE: Okay. So --
14 MR. BEARD: Agreed.
15 MR. LEMOINE: -- starting from this point,
16 the deposition will be under seal until I stop asking
17 questions about these two incidents.
18 MR. BEARD: The deposition or just the
19 names?
20 MR. ERICK: I mean, just the names. I
21 mean, just the names of the contact information. The
22 allegations I think are --
23 **Q. (BY MR. LEMOINE) All right. So the first**
24 **incident with the woman that you had a kiss with, what's**
25 **her name?**

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1 A. I'm allowed to say -- is it okay if I say?
2 **Q. You say it and we're going to -- we'll -- it**
3 **will be removed from the transcript --**
4 A. Okay.
5 **Q. -- until the court rules whether or not it's**
6 **allowed.**
7 MR. BEARD: Yeah, you're going to have
8 to --
9 A. Okay. XXXX XXXXXXXXXX.
10 **Q. (BY MR. LEMOINE) And who was Ms. XXXXXXXXXX?**
11 A. She was an employee at Funimation.
12 **Q. And do you know what her title was?**
13 A. I believe she was a translator or a checker.
14 She would proofread and proof check subtitles.
15 **Q. And when was this kiss that occurred?**
16 A. At least three, two, three years ago.
17 **Q. So 2019, so it's either 2016 or 2017?**
18 A. It wasn't '17. So '15 or '16, I guess.
19 **Q. And you were an independent contractor at**
20 **Funimation at the time?**
21 A. Yes, sir.
22 **Q. And the kiss occurred at the Funimation**
23 **offices?**
24 A. Yes, sir.
25 **Q. And it was only one -- one kiss?**

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1 A. Yes, sir.
2 Q. Who kissed who? Or, how about this: Who
3 initiated the kiss?
4 A. I did. I asked her if I could kiss her, and
5 she said --
6 Q. And what did she say?
7 A. Yes -- no, actually, she said, close the door.
8 And I went over and -- and closed the door.
9 I'd visited her every time I was at the
10 studio. We -- you know, we had been kind of flirting
11 with each other and corresponding for quite some time
12 before that.
13 Q. And in 2015, you were engaged to Mrs. Specht;
14 is that correct?
15 A. Yes, sir.
16 Q. How long had you-all been engaged at that
17 point?
18 A. We got engaged in -- bear with me. Let me do a
19 little math. Roughly, seven years ago, so let's --
20 2012, 2013.
21 Q. Did you and Mrs. Specht have an exclusive
22 relationship?
23 A. Yes.
24 Q. Did you disclose to Ms. Specht at any time that
25 you kissed Ms. XXXXXXXXX?

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1 A. No.
2 Q. After you kissed, did it proceed from there?
3 A. Did what proceed?
4 Q. Your relationship, if you had one.
5 A. With Ms. XXXXXXXXX?
6 Q. Yes.
7 A. No.
8 Q. Why not?
9 A. I don't think either one of us were looking for
10 any kind of a, you know, ongoing long-term thing.
11 Q. And was there any other relationship beside --
12 physical relationship besides that one kiss?
13 A. With Ms. XXXXXXXXX?
14 Q. Yes.
15 A. No, sir.
16 Q. No? No sex or --
17 A. No, sir.
18 Q. -- sexual-related activities?
19 Anybody else at Funimation, that was
20 employed at Funimation, that you've kissed at any point
21 in time?
22 A. No, sir.
23 Q. So as far as you were concerned, Ms. XXXXXXXXX,
24 it was a consensual kiss?
25 A. Yes, sir.

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1 Q. And -- but it never -- never went anywhere
2 after that?
3 A. No, sir.
4 Q. Did you text or email Ms. XXXXXXXXX after that
5 incident?
6 A. I expect that we exchanged -- we exchanged a
7 few texts, yes, as a matter of fact.
8 Q. But she never pursued you after that kiss?
9 A. Well, not in any -- not in any sexual way.
10 Whenever I was in town recording, I would let her know,
11 and we talked about getting together sometime or having
12 lunch or something, but nothing heavy.
13 Q. Right. And when Ms. Denbow -- did Ms. Denbow
14 explain to you what the allegations were, or did she
15 just give you a name and say, what's the relationship?
16 A. Actually, she didn't give me any names, and I
17 asked her, Am I allowed to know who you're talking
18 about. And she -- she told -- that was the point at
19 which she told me their names.
20 Q. Okay. And -- but before she gave you the
21 names, did she describe the alleged incident that the
22 people had relayed to her?
23 A. Yes.
24 Q. Okay. So with regard to Mrs. XXXXXXXXX, what
25 was -- what is your recollection how Ms. Denbow

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1 explained that interaction?
2 A. She said, do you recall going into someone's
3 office at Funimation and forcibly kissing them?
4 Q. And you knew at that point in time that the
5 only person that could make -- even remotely try and
6 make that allegation was Ms. XXXXXXXXX?
7 A. Well, I -- Ms. XXXXXXXXX was the only one that
8 I had gone into an office and kissed.
9 Q. Okay. If you're engaged to Ms. Specht, why
10 kiss Ms. XXXXXXXXX?
11 A. Because I made some mistakes.
12 Q. So is that not -- not the first mistake you
13 made in terms of your exclusive relationship with Ms.
14 Specht?
15 A. No.
16 Q. How many mistakes do you -- would you say you
17 made with Ms. Specht during the course of your
18 engagement?
19 A. I don't know.
20 Q. More than one?
21 A. Yes, sir.
22 Q. More than five?
23 A. Yes, sir.
24 Q. More than 50?
25 A. I doubt it.

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1 Q. More than 25?
2 A. I don't know.
3 Q. Okay. So with regard to the twin ladies, do
4 you know their names?
5 A. Yes.
6 Q. And who are they?
7 A. XXXX and XXXXX XXXX.
8 Q. And how do you know them?
9 A. They had come to at least three or four
10 conventions that I was a guest at. They would always
11 come to my autograph table and to my Q and A sessions
12 and sit in the front row and come and say hello, and --
13 Q. All right. And what was -- how did Ms. Denbow
14 explain that particular allegation?
15 A. She said, Do you recall inviting two girls,
16 twins, two women, to your room at a convention. And I
17 said yes. And she said, Do you recall forcibly kissing
18 one of them, which I did not.
19 Q. All right. So -- and what did you tell -- what
20 was your recollection that you relayed to Ms. Denbow?
21 A. My recollection was that I had seen these --
22 these two ladies at multiple conventions, and I was
23 under the very clear impression that they were
24 interested or attracted to me. And they were very kind,
25 attractive, friendly young ladies.

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1 And so after the fourth or fifth time that
2 I saw them at an event, one night or one day I asked, I
3 don't remember when, I asked them if they would -- if
4 they wanted to come to my room. I invited them to my
5 room. They came, voluntarily. I let them in. One of
6 them sat on the bed, the other one sat in a chair in the
7 room, and I sat in another chair in the room.
8 We made some small talk, and then they
9 asked me why I invited them to my room. And I said,
10 Well, I was under the impression that there was a lot of
11 mutual attraction going on here and I thought maybe you
12 might be interested in -- in some -- you know, in some
13 kind of a sexual interaction. They told me they were
14 not, I said okay, and they left.
15 Q. Do you remember what time frame this would be,
16 what year?
17 A. No. It was several years ago.
18 Q. It was while you were engaged to Ms. Specht,
19 though?
20 A. Yes, sir.
21 Q. And your intent in inviting them to your room
22 was to have sex with them?
23 A. If they were consensual.
24 Q. And did you want the -- the two sisters to have
25 sex with each other --

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1 A. No.
2 Q. -- or just you? Because that would be creepy,
3 right?
4 A. If they were consensual, just me.
5 Q. And while you were engaged to Mrs. Specht, had
6 you ever had that happen before, where you had
7 consensual sex with more than one woman --
8 A. No.
9 Q. -- at the same time?
10 A. No, sir.
11 Q. What about after your engagement with Ms.
12 Specht broke off?
13 A. No, sir.
14 Q. And while you were engaged with Ms. Specht, did
15 you have consensual sex with any women at any
16 conventions?
17 A. Yes, sir.
18 Q. How many?
19 A. I don't remember.
20 Q. More than 20?
21 A. No.
22 Q. Did you ever have -- while you were engaged
23 with Ms. Specht, did you ever have sexual relations with
24 any -- with a woman more than once?
25 A. Yes.

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1 Q. And who was that?
2 A. I --
3 Q. We can put it -- you can make that
4 confidential, as well. We won't disclose it.
5 A. I -- I --
6 Q. You don't want to disclose it?
7 A. Well, it's not that.
8 Q. You don't remember?
9 A. I mean, do you want -- do you really want me to
10 just name people or someone? Is it -- I mean, I'll --
11 give me a second and I'll think about it. I mean --
12 MR. BEARD: Let's have an agreement that
13 these names will be kept confidential.
14 MR. LEMOINE: That's right.
15 MR. BEARD: Okay. Agreed.
16 A.
17 I -- I can't seem to recall --
18 Q. (BY MR. LEMOINE) How old was ?
19 A. Twenty-seven.
20 Q. And how long ago was it that you--all were
21 having a -- did you--all have a relationship as opposed
22 to just sex one time?
23 A. Say that again, please, I'm sorry.
24 Q. Did you--all have a relationship or did you just
25 have sex one time?

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1 A. No. We -- we developed a relationship.
2 Q. And that relationship continued parallel to you
3 being engaged with Ms. Specht?
4 A. Yes, sir.
5 Q. And you didn't disclose the existence of that
6 relationship to Ms. Specht while it was --
7 A. No, sir.
8 Q. -- going on?
9 How old were the XXXX twins when you
10 invited them up for the liaison?
11 A. Twenty, twenty-one.
12 Q. How old would you have been?
13 A. That would have been 40 -- I would have been, I
14 don't know, 50, 51, I don't know.
15 Q. Any other women -- well, let me back up.
16 As far as you're concerned, the interaction
17 with the twins is completely consensual?
18 A. Yes. There was very little interaction.
19 Q. All right. So you didn't -- there was -- was
20 there -- there was no kissing, there was no nothing?
21 A. No.
22 Q. It was just a discussion, and then they left?
23 A. That's correct.
24 Q. And were you disappointed?
25 A. I suppose.

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1 Q. Was it fairly common for you to invite women to
2 your room while you were at conventions?
3 A. Actually, very uncommon.
4 Q. So the -- the -- the XXXX -- the twins was kind
5 of a -- that was a one-off kind of a deal?
6 A. Yes. And, again, the fact that I had seen them
7 at four or five events over the years leading up to
8 this. It wasn't like, you know, I went walking down the
9 hallway and I point, you, I want you, you know. It --
10 they were people that -- that I had seen and spoken to
11 and interacted with multiple times leading up to this
12 event, which is why I developed the impression that they
13 were interested in me.
14 Q. Did you ask them to strip for you in your room?
15 A. No.
16 Q. And did Ms. Denbow communicate to you that the
17 twins thought that the interaction was not consensual?
18 A. Yes. She told me that -- yes. As I mentioned,
19 she said, do you recall this, and forcibly kissing them,
20 and, no, that is not the way it happened.
21 Q. Have you ever stated to anyone that you, in the
22 last 10 years, that you hired prostitutes or escorts?
23 A. I have.
24 Q. And who would you have said that to?
25 A. Oh, I don't remember who I said it to. I -- I

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1 thought you were asking me if I ever have.
2 Q. Well, that would have been a follow-up
3 question.
4 A. Sorry.
5 Q. So the follow-up question is, have you ever
6 hired prostitutes or escorts?
7 A. I did once, yes.
8 Q. And when was that?
9 A. Probably eight or nine years ago.
10 Q. Would that have been while you were engaged to
11 Ms. Specht?
12 A. That would have been before.
13 Q. So never during your engagement with her did
14 you hire --
15 A. No, sir.
16 Q. -- any prostitutes?
17 The behavior that we've gone -- been going
18 over, is that -- is that consistent with your Christian
19 faith?
20 A. No. I have made a lot of mistakes.
21 Q. Have you ever made any mistakes with girls
22 under 17 years old?
23 A. No, sir.
24 Q. Have you ever invited any girls up to your room
25 that were under 17?

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1 A. No, sir.
2 Q. Have you ever invited any girls up to your room
3 that looked like they might be under 17?
4 A. No, sir.
5 Q. Okay. So for purposes of the record, how we
6 were handling it, I'm going to shift now to the Monica
7 Rial allegation. So we discussed the first two
8 allegations, the incidents, the -- what did Ms. Denbow
9 tell you was the issue with regard to Mrs. Rial?
10 A. She said, Do you recall being at an event with
11 Monica, at a convention event, and eating a jelly bean
12 that she had signed, and saying, now -- now I can --
13 well, Monica said, Why would you eat that, you know,
14 you're going to get ink poisoning. And I, off the cuff,
15 made a joke that, Well, now I can say I -- now I can say
16 I ate Monica Rial.
17 Q. And that was the only thing that Ms. Denbow
18 communicated to you?
19 A. Yes, sir.
20 Q. And did you think that was kind of silly?
21 A. Yes, sir.
22 Q. And did you tell Mrs. Denbow that you didn't
23 mean anything by the jelly bean comment?
24 A. It was a -- yes. It was clearly a joke, and it
25 happened in public in front of plenty of people. It

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1 was -- it was, dare I say, kind of like a show. You
2 know, I mean, they're fans and they're all laughing and
3 thought it was funny.

4 Q. And you understand that Mrs. Rial has accused
5 you of a far more serious incident than --

6 A. I understand now.

7 Q. But that was not relayed to you by Ms. Denbow?

8 A. No, sir.

9 Q. Did you have any more conversations with --
10 with Ms. Denbow after that initial conversation on
11 January 25th?

12 A. I'm sorry, would you repeat the question,
13 please?

14 Q. Yeah. Did you have any more conversations with
15 Ms. Denbow after January 25th?

16 A. I -- I don't remember if it was her, but at the
17 end of that conversation, the first one, she said that
18 they would be in touch with me. And I don't remember
19 how much time went by, I don't think it was more than a
20 couple of days, and they called me and basic -- and
21 there was -- there was more than one person on the line,
22 and they said, We've reviewed the situation, and you're
23 being terminated from Funimation immediately.

24 Q. And did that come as a shock to you?

25 A. Yes, very much so.

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1 raised?

2 A. That's all I was told about.

3 Q. Now, you would agree with me that Ms. Denbow
4 did tell you not to reach out to any of the individuals
5 and to talk to them, correct?

6 A. Yes.

7 Q. And -- and did you reach out to any of them
8 after -- after the fact?

9 A. Yes. I was terminated, why -- why in the
10 world -- why wouldn't I? Especially a woman that I'd
11 been -- thought I was friends with for 20 years. And,
12 in fact, all I reached out to do was to apologize and
13 ask her what it was that -- that -- that I -- that I
14 did.

15 MR. LEMOINE: I object as nonresponsive
16 after yes.

17 Q. (BY MR. LEMOINE) Did you reach out to the --
18 to the -- the twins?

19 A. Nope.

20 Q. Did you reach out to Ms. XXXXXXXXX?

21 A. No.

22 MR. LEMOINE: Let's make sure we strike --
23 we take care of that.

24 Q. (BY MR. LEMOINE) Okay. And you sent an email
25 to Mrs. Rial, correct?

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1 Q. Did they say anything about why, other than the
2 situation?

3 A. No. I -- I was -- I was a bit dumbfounded.

4 Q. And so there was no, We believe them and we
5 don't believe you, nothing like that?

6 A. No.

7 Q. Now, did you -- was it anything other than you
8 were terminated and that's it? When that phone call
9 ended, did you ask them why?

10 A. Bear with me, Sean.

11 Q. Sure.

12 A. It was -- it was rather a blow.

13 Q. Sure.

14 A. And I think I -- I think I said I've worked for
15 you for 20 years. I -- I can't believe, based on what
16 you asked me about, that this is an appropriate action
17 and that -- and I don't -- I don't remember them saying
18 much of anything in response. And they're like, all
19 right, bye. I mean, you know, I was a bit dumbfounded.
20 You know, you feel like you've been hit by a truck.

21 Q. Now, did you talk to anybody at Funimation
22 after this termination, talk to anybody about it?

23 A. Let me think. No.

24 Q. And so as far as you know, the -- the basis for
25 the termination was the three incidences that they

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1 A. Yes.

2 Q. Did she ever respond?

3 A. No.

4 Q. Did you text or try and call her?

5 A. No.

6 Q. When was the first time you would say that you
7 understood that Mrs. Rial was raising the issue of some
8 kind of, what she considered to be assault in your -- in
9 your hotel room, in your hotel room? When did you
10 first --

11 A. You mean the assertion --

12 Q. Right.

13 A. -- from 11 years ago?

14 Q. Yes.

15 A. The first time I -- well, if -- I mean, I'm
16 sure you have all reviewed the -- the tweets and stuff.
17 The first week or -- or two, Monica made
18 several very vague references online. I have a story.
19 It happened to me. And people would ask, and she -- she
20 wasn't really very specific for a week or -- or two. I
21 can't remember. And it was during that period that I
22 emailed her and said, I -- I've considered you a dear
23 friend for 20 years, I'm so sorry if I ever did anything
24 to offend you. Please tell me what it was. I didn't
25 hear back from her. And then a short time after that

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1 was when she actually published, publicly, her account.

2 Q. And what is your understanding of what her --
3 her recollection of that event in your hotel room was?

4 A. I'm sorry?

5 Q. No, I don't want to do that. I'll do that
6 later.

7 Now, did you talk to this termination with
8 Ms. Hansell after it occurred?

9 A. Sure.

10 Q. And did she have any advice for you?

11 A. Not that I recall.

12 Q. Do you know if Ms. Hansell has any relationship
13 with the -- the Kiwi Farms --

14 A. No.

15 Q. -- that we looked at in Exhibit 10?

16 A. No, not to my knowledge at all.

17 Q. And do you know if Ms. Hansell has a YouTube
18 channel?

19 A. No.

20 Q. You don't know?

21 A. I don't think she does, but I don't know for
22 sure.

23 Q. And, certainly, if she did, you wouldn't know
24 about her commenting about this litigation --

25 A. No, absolutely not.

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1 Q. -- on that YouTube channel?

2 We've talked about Rooster Teeth, we've
3 talked about Funimation. Have you ever been
4 investigated for your behavior at any other company or
5 business that you ever worked for?

6 A. Not to my knowledge.

(Exhibit 1 through 9 marked.)

7 Q. (BY MR. LEMOINE) All right. I'm going to hand
8 you a binder that I've pretabbed with Exhibits 1 through
9 9.

10 A. Okay.

11 Q. Right now Exhibits 1 through 8 are in there.
12 I'll give you 9 when we get -- when we get through it.

13 A. Okay.

14 Q. And I'm giving your attorney Exhibits 1 through
15 8, as well.

16 You talked earlier in the deposition about
17 kind of this firestorm that kicked off about the same
18 time that Dragon Ball came out. Do you remember that?

19 A. Yes, sir.

20 Q. Turn to Exhibit 1. I'll represent to you that
21 Exhibit 1 is a tweet that I pulled off of the internet
22 from a person that uses the Twitter handle
23 @actuallyamelia. Do you recognize this tweet?

24 A. I'm sorry, say that again, please. I was

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1 reading it, I'm sorry.

2 Q. All I'm saying, I'm going to represent to you I
3 pulled this off of the internet and it's a tweet, I
4 understand, that may have kicked off this firestorm
5 about you. Are you with me so far?

6 A. Okay.

7 Q. Looking at Exhibit 1, is this the tweet, or do
8 you know?

9 A. I don't know.

10 Q. Do you recall looking at the tweet back in
11 January of 2019? Did you know it came --

12 A. The only tweet that I remember was one that
13 said, Sorry to bring this up on the day the Broly movie
14 is -- is being premiered, but I think it's time that
15 Funimation stop casting Vic Mignogna for his sex -- for
16 his misconduct, I think was the word they used.

17 And shortly after that, they started the
18 hashtag and, like I said, it just kind of picked up
19 steam.

20 Q. All right. And was the tweet on somebody's
21 Twitter that you were following, or is that something --

22 A. No. No, sir.

23 Q. -- somebody told you?

24 A. Just somebody. There are lots of people out
25 there.

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1 Q. All right. And so after that, did -- did you
2 agree that it kind of became -- it went viral?

3 A. I suppose, yeah.

4 Q. Do you know why it went viral?

5 A. (Witness nods.)

6 Q. I mean, is there something about anything that
7 you've done over the past 20 years in the voice acting
8 community that would lend credence to people thinking
9 that maybe you were a sexual assaulter?

10 A. No. There are an awful lot of fans out there
11 who are really desperate for attention, and they often
12 like to talk about people to get it.

13 Q. And so your theory is that they make up stories
14 about you sexually assaulting them to get attention?

15 A. Absolutely.

16 Q. Wouldn't it be better to say 'I had sex with
17 Vic' to get attention, as opposed to say 'Vic assaulted
18 me'?

19 A. Oh, I'm sure, give it time, or if you haven't
20 seen it, I'm sure somebody out there would say that.

21 Q. But -- and that may or may not be true, right,
22 you've -- you have had sex with --

23 A. Consensually, yes.

24 Q. In fact, you've had sex with so many people
25 consensually, you're not sure what the number is. And

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1 when I say people, I'm talking about people at these
2 conventions, right?
3 A. No.
4 Q. Do you know the number?
5 A. No. But it's not all at conventions, is my
6 point. I don't do that very much at conventions.
7 Q. Where do you reserve that behavior for?
8 A. Where I choose.
9 Q. If you look at the bottom of Exhibit 1, I
10 believe this is the first reply ever to this Amelia
11 tweet, and she says, I've heard hundreds of story about
12 what creepy is, and I'm always floored he gets -- still
13 gets invites.
14 Would you agree with me that that is
15 defamatory?
16 A. Sure.
17 Q. All right. And you -- whatever definition you
18 have of defamation, you would say that's defamatory?
19 A. Sure.
20 Q. Do you have any evidence, any proof, any
21 indication that any of the defendants had anything to do
22 with someone putting a tweet out about you on January of
23 -- January 16th, 2019?
24 A. I do not, no.
25 Q. And do you blame them for this tweet going out?

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1 A. I have no --
2 MR. BEARD: Objection, form.
3 A. I have no reason to.
4 Q. (BY MR. LEMOINE) Okay. And you would agree
5 with me that this -- the tweet going out harmed your
6 reputation?
7 A. Not necessarily. Not at first, it was a
8 cumulative thing.
9 Q. Kind of a death by a thousand cuts? Have you
10 ever heard that phrase?
11 A. I have. Yeah, that's probably a good example.
12 Q. All right. Turn to Exhibit 2. Are you
13 familiar with an online magazine called Polygon?
14 A. I wasn't until -- until this came out.
15 Q. All right. And are you familiar with the
16 Polygon article written on January 25th, 2019, titled
17 Dragon Ball Super: Broly Voice Actor Responds to Sexual
18 Harassment and Home -- Homophobia Claims?
19 A. Uh-huh.
20 Q. You've read it before?
21 A. I -- I -- I probably did, yes.
22 Q. And when you read it, did you -- you didn't
23 think there was a whole bunch of things in here that are
24 false?
25 A. Yes.

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1 Q. And when you read it, you thought there was a
2 whole bunch of things in here that are defamatory?
3 A. Yes.
4 Q. All right. Have you sued Petrana Radulovic?
5 A. Not yet.
6 Q. Do you recall if -- I'm going to say Mrs., but
7 I could be wrong, Radulovic, did she reach out to you to
8 speak on this particular article --
9 A. I don't recall.
10 Q. -- do you remember?
11 All right. Would you agree with me --
12 well, did anybody email this -- a link to this article
13 to you and say, Did this happen, or how did you find --
14 A. Well, I -- again, your friends tell you things
15 that are going on, and friends of mine told me that this
16 had been released.
17 Q. All right. Would you agree with me that this
18 article being released on the internet hurt your
19 reputation?
20 A. Sure.
21 Q. Do you blame any of the Defendants for the
22 release of this article?
23 A. I can't answer that. I mean, I -- I don't
24 know. At this point in time, I don't know whether any
25 of them had anything to do with this article or not.

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1 Q. Okay. If you would turn to page 3 --
2 A. Yes, sir.
3 Q. -- on Exhibit 2. You flipped over to
4 Exhibit 3.
5 A. Oh, did I go too far? Oh, I'm sorry, I went to
6 Exhibit 3 instead of page 3.
7 Q. Right. So page -- page 2. Oh, I'm sorry, it
8 should be page 3.
9 A. Okay.
10 Q. It's Exhibit 2, page 3. Are you with me?
11 A. Yes, sir.
12 Q. All right. The last sentence on -- on page 3
13 reads, Mignogna said he will stop his physical
14 interaction with fans as a result.
15 Is that a -- is that a statement that you
16 made?
17 A. Yes. No, actually -- actually, no. The
18 statement that I made was I intend to alter my
19 interactions with fans moving forward.
20 Q. Okay. And have you done that?
21 A. Yes, I have.
22 Q. And do you still hug and kiss your fans?
23 A. No.
24 Q. Do you hug them at all?
25 A. They hug me, occasionally, and I -- it's funny,

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1 because as this has been happening in the events that
2 I've attended since then, it -- I have never hugged
3 anyone or asked them to hug me, but if a fan, who is
4 clearly an adult, says, can I give you a hug, I will
5 look at my handler, who is right here, arm's length
6 away, witnessing everything, and say, Did you hear that
7 she requested a hug? And I will usually do kind of a
8 one little, one hand thing.

9 Q. And -- and do you restrict that to adults?

10 A. Yes.

11 Q. Meaning you don't hug children anymore?

12 A. No.

13 Q. And you don't kiss on children anymore?

14 A. No.

15 Q. Do you agree with me that's kind of creepy,
16 right?

17 A. No.

18 Q. Not creepy?

19 A. Not when they ask you.

20 Q. I mean, is there an age limit in which a child
21 can ask you to kiss and hug on them and you say that's
22 creepy?

23 A. You see, when you say kiss, it sounds like
24 something sexual, but somebody who is kissing a child on
25 the forehead or the cheek as a -- as a symbol of

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1 30 or 40, or however many events that I've been invited
2 to over the years, if -- if I -- if that was a regular
3 pattern. There are exceptions to that when you -- when
4 you interact with people or you discuss expectations
5 leading up to an event, and the expectations are not met
6 and it causes problems, it can be frustrating. I have
7 also apologized to conventions and organizers for
8 getting frustrated.

9 Q. What is Discord?

10 A. I don't know.

11 Q. You never heard of Discord?

12 A. I -- I think it's an online thing.

13 Q. Is it not -- is it like some kind of app or
14 something?

15 A. I don't know.

16 Q. All right. Look at the third paragraph on page
17 4.

18 A. Uh-huh. Wait. Page -- okay. Go ahead.

19 Q. The second sentence in the third paragraph
20 says, Leaked screenshots revealed that Mignogna took to
21 Discord for his private fan -- fan club, the Risebowl
22 Rangers, last Saturday to encourage his fans to counter
23 the accusations. The #istandwithvic rose in response.

24 So my first question is, do you recall
25 getting on some kind of online chat with your private

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1 kindness or appreciation, is not meant in any sexual
2 way.

3 Q. Besides yourself, do you know any 50-year-old
4 men that kiss children on the cheek or forehead that
5 aren't their children?

6 A. I'm sure there are many.

7 Q. I'm just asking if you know one.

8 A. No. I never thought to need to keep a record
9 of that. I don't.

10 Q. All right. Turn to page 4. Second full
11 paragraph, last sentence. It starts, Organizers at
12 conventions. Are you with me?

13 A. I'm sorry. Yes, sir, go ahead.

14 Q. Organizers at conventions, meanwhile, she heard
15 stories of unprofessional behavior such as oversetting
16 his panel time and yelling at staffers.

17 Any truth to that?

18 A. Occasionally.

19 Q. And when you say occasionally, that happened
20 every convention, every other convention?

21 A. No. Occasionally, not every time.

22 Q. It's not -- not a pattern of --

23 A. Absolutely not.

24 Q. Okay.

25 A. I don't think I would be invited to 40 events,

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1 fan club?

2 A. I did a group -- I did a group chat, yes.

3 Q. And that was prior to releasing your tweet, a
4 tweet about the allegations? Are you following me?

5 A. Which tweet?

6 Q. Fair point. So -- and see if I got the
7 timeline right, you tell me. My understanding is there
8 was a tweet on January 16th, 2019 when Dragon Ball:
9 Broly was released?

10 A. Yes, sir.

11 Q. That's the tweet that kind of erupted about
12 you, correct?

13 A. I assume so.

14 Q. All right. You issued a tweet on January 20th,
15 2019, basically apologizing for offending anybody, and
16 defending yourself?

17 A. Yes, sir.

18 Q. Does that sound right?

19 A. Well, apologizing.

20 Q. Okay.

21 A. I don't remember defending myself for anything.
22 I apologized for any unintended offense.

23 Q. Right. And then -- but prior to issuing that
24 tweet, you went -- went online somehow with your online
25 fan club to talk to them about what was going on?

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1 A. Uh-huh.
2 Q. And -- and one of the things that you were
3 trying to do was rally the troops to defend you online.
4 Do you agree with that?
5 A. No, sir.
6 Q. Well, why not, what's wrong with that? Why
7 shouldn't you get on the --
8 A. No, what I did was -- if I may be clear, what I
9 did was I encouraged them to speak of their positive
10 experiences. Because there were people online throwing
11 a bunch of negative experiences around, and I felt
12 pretty confident there were a lot more positive -- a lot
13 more positive experiences than there were negative ones,
14 and I encouraged people that had positive experiences to
15 speak up and be heard.
16 Q. Right. You went and rallied your troops?
17 A. I encouraged --
18 MR. BEARD: Objection, form.
19 A. -- them to speak positively. I don't have
20 troops any more than the people against me rally people
21 against me.
22 Q. (BY MR. LEMOINE) How many -- how many people
23 are in your fan club that you spoke --
24 A. I -- I don't know the exact number. I -- I --
25 I don't know the exact number, actually.

150

1 Q. Would you agree with me that after you had this
2 chat, private chat with your fan club, that the
3 #standwithvic arose?
4 A. I have no idea when that started or who started
5 it.
6 Q. I'm going to show you what I've premarked as
7 Exhibit 26.
8 (Exhibit 26 marked.)
9 A. I actually was troubled when that hashtag was
10 started because I just wanted it to die down, and I felt
11 like that was just going to exacerbate it, but that
12 wasn't really anything I had any control over.
13 Q. (BY MR. LEMOINE) Okay. I'll make a
14 representation to you about Exhibit 26, that this is
15 pulled off of the Risembool Rangers fan club page.
16 A. Uh-huh.
17 Q. Are you familiar with it? And what the first
18 screen is, I've done some blowups --
19 A. Okay.
20 Q. -- so we can see some of the language that you
21 used.
22 A. Uh-huh.
23 Q. And then pages 2 and 3 are the actual
24 screenshots just so somebody could check my homework.
25 Are you with me so far?

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1 A. Okay.
2 Q. All right. So February 19, 2019, before you
3 issue a public tweet, you are tweeting -- you're
4 communicating in your fan club group, right?
5 A. Yes, sir.
6 Q. And that group consists of people that like
7 anime?
8 A. Sure.
9 Q. And a lot of women, young women in that group?
10 A. All different ages and genders.
11 Q. Okay. And one of the things that you wanted to
12 make sure that they did was to do just whatever they
13 could do to counter any negative communications out
14 there about you, right?
15 A. Just to speak -- speak their own positive
16 experiences.
17 Q. And not just speak their own positive
18 experiences, you wanted them to do whatever they could
19 do?
20 A. No, sir.
21 Q. Go online, start a petition?
22 A. No, sir.
23 Q. Dox people?
24 A. No, sir.
25 Q. None of that? You didn't want that?

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1 A. No, sir.
2 Q. Why do this?
3 A. Why do what?
4 Q. Why -- why go online and have your fan base try
5 and rally the troops?
6 MR. BEARD: Objection, form.
7 Q. (BY MR. LEMOINE) How about this, I'll just use
8 your language: Why go online and say do whatever you
9 can do to counter all these lies and negativity? Why --
10 why did you do that?
11 A. Because my reputation and work was under
12 attack.
13 Q. Okay. Now, after January 19, 2019, the attacks
14 on you were what, or what did you understand them to be?
15 What -- what did you understand the attacks on your
16 reputation and your work, what did you think they were
17 -- they were?
18 A. I'm -- I'm sorry, I don't understand.
19 Q. I haven't done a good job.
20 A. What did I -- I don't --
21 Q. Was it that you were homophobic, that you were
22 racist, that you were a predator? What was it that you
23 were trying to get your fan base to counter?
24 A. The negativity, in general.
25 Q. All right. Any of your fans text or email or

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1 back-channel you in some way telling you what they were
2 doing to counter these lies and negativity?
3 A. I don't recall that any of that happened.
4 Q. Have you ever used this tactic in the past
5 where you encourage your fan base to go and counter
6 people that were speaking negatively about you?
7 A. Not that I recall.
8 Q. Okay. So this is kind of a first-time event,
9 right?
10 A. This -- yeah, this is a unique event.
11 Q. We're --
12 MR. LEMOINE: Let's go off the record.
13 THE VIDEOGRAPHER: And we're going off the
14 record at 2:21.
15 (Break taken from 2:21 p.m. to 2:34 p.m.)
16 THE VIDEOGRAPHER: And we are back on the
17 record for the beginning of disc number 4. The time is
18 2:34.
19 Q. (BY MR. LEMOINE) Mr. Mignogna, if you would
20 turn to Exhibit 3 in the binder.
21 A. Yes, sir.
22 Q. I'll represent to you that it's a printout from
23 the Facebook page of a woman named Jessie Pridemore.
24 A. Uh-huh.
25 Q. Are you familiar with Ms. Pridemore?

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1 A. I've heard her name.
2 Q. Are you aware that Ms. Pridemore made some
3 allegations?
4 A. Yes.
5 Q. What is your understanding of what those
6 allegations were?
7 A. I think she claims that I propositioned her at
8 an event in -- I don't even know, eight, nine years ago.
9 Q. All right. Did you ever tell anyone that Mrs.
10 Pridemore was a con slut?
11 A. No.
12 Q. Do you know what a con --
13 A. I don't know her.
14 Q. Do you know what a con slut is?
15 A. Well, I can only assume, you know, based on the
16 word itself.
17 Q. You've -- you've heard the word before,
18 correct?
19 A. Well, I -- I know what -- I understand what the
20 term slut means, and con, assumably, would be somebody
21 at a con, convention.
22 Q. Right. But have you ever heard that word
23 before, or are you just breaking it down because this is
24 the first time you've heard it?
25 A. No, I have not, actually.

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1 Q. Never heard it before?
2 A. No, sir.
3 Q. Okay. And so if Ms. Pridemore says that you
4 slid your hands up in her hair and tugged her head back
5 and said something to you [sic], you don't remember
6 anything like that?
7 A. No.
8 Q. And don't know who Ms. Pridemore is?
9 A. No. I mean, I -- again, I know the name. And
10 I think when you asked me about her before, I think I --
11 I said that I -- I -- I understand that she does -- she
12 shows up at a lot of events, but I don't know her
13 personally.
14 Q. Do you have a penchant for pulling the hair of
15 female guests at conventions?
16 A. No.
17 Q. You don't put your hand up -- slide your hand
18 up there and pull their hair, pull their neck back?
19 A. No.
20 Q. No idea where people might get that idea?
21 A. Well, there's a difference between doing
22 something on a regular basis, and no idea where somebody
23 would get that.
24 Q. Have you ever done that, have you ever, at a
25 convention, in front of people, reached your hand up

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1 behind a woman's hair and pulled her hair -- her neck,
2 head back?
3 A. No.
4 Q. Okay.
5 A. Not that I recall.
6 Q. If you would turn to Exhibit 4. Are you
7 familiar with a magazine called -- or an online group
8 called the Anime News Network?
9 A. Yes, sir.
10 Q. Is that a fairly influential publication in the
11 anime world?
12 A. I -- I don't know.
13 Q. Have you been mentioned in it before in a
14 positive manner?
15 A. I don't even know, actually.
16 Q. Have you ever --
17 A. I've not really followed it.
18 Q. Have you ever read it before?
19 A. No, sir.
20 Q. All right. Were you aware that on May 30 -- or
21 January 30th, 2019, there was an article printed in the
22 Anime News Network online titled, Far From Perfect:
23 Fans Recount Unwanted Attention from Voice Actor Vic
24 Mignogna?
25 A. Yes, sir.

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1 Q. Did you read it when it came out?
2 A. I don't know if I did in its entirety, no.
3 Q. Do you know the author, Lynzee Loveridge?
4 A. No.
5 Q. Are there things contained in Exhibit 4 that
6 you consider to be defamatory?
7 A. Yes.
8 Q. You would agree with me that the statements
9 made in the Anime News Network article about you have
10 damaged your reputation?
11 A. Yes.
12 Q. Do you see anything that any of the Defendants
13 in this lawsuit have done with the publication of this
14 article?
15 A. I don't know. They could have. I don't have
16 any knowledge either way.
17 Q. If you would look on page 1 of Exhibit 4, third
18 full paragraph.
19 A. Uh-huh.
20 Q. About the middle of the page it says, The
21 thread quickly spread with over 4,000 retweets at the
22 time of this writing and over 400 comments, many
23 relaying their own negative experiences, including
24 unwanted and unsolicited physical interaction from the
25 Full Alchemist voice actor. Did I read that correctly?

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1 A. Yes, sir.
2 Q. And you are the Full Alchemist voice actor?
3 A. I suppose so.
4 Q. And you agree with me this article is written
5 about you?
6 A. Yes, sir.
7 Q. Okay. Do you disagree with that, that -- or,
8 sorry, strike that.
9 Do you agree with me that that particular
10 thread accusing you of things on January 16th spread
11 like wildfire?
12 A. I assume so.
13 Q. Do you attribute anything that any of the
14 Defendants did, to it spreading like wildfire?
15 A. I can't answer that. Possibly. I don't know.
16 Q. Would you agree with me that kissing
17 14-year-old girls on the face, whether it's consensual
18 or not, is really not appropriate for a 40- or
19 50-year-old man?
20 MR. BEARD: Objection, form.
21 A. I would say a lot depends on context.
22 Q. (BY MR. LEMOINE) Okay. When is it -- what is
23 the context in which a 40- or 50-year-old man kissing a
24 14-year-old girl is appropriate?
25 A. Well, if it is requested, if the -- if the --

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1 in the past, this is the way I felt about it. I
2 apologized for this, by the way. I apologized for not
3 really considering, you know, that while there may be
4 500 people who appreciate that kind of kindness, there
5 may be a few that don't.
6 When they -- when they're visibly emotional
7 or upset, and you're wanting to be comforting and kind
8 to them, all of these things happened in full public
9 view of many people standing around, shooting videos,
10 taking pictures. It wasn't sexual in any way, it wasn't
11 private or sadistic or weird in any way. It was -- it
12 was literally meant as an act of kindness.
13 Q. Right. So if you would turn to page 3 of
14 Exhibit 4. Page 3, look at the bottom.
15 A. Two. This must be three.
16 Q. Three.
17 A. Uh-huh.
18 Q. So top photo, that's a picture of you --
19 A. Uh-huh.
20 Q. -- kissing a --
21 A. Uh-huh.
22 Q. -- woman, perhaps girl, in 2014. That would
23 have been fairly regular for you to kiss women on the
24 side of the face like that?
25 A. No, actually, it wasn't regular at all.

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1 Q. That was irregular?
2 A. Yes.
3 Q. Do you even -- you don't remember this photo,
4 do you?
5 A. No.
6 Q. Okay. So how do you know it's irregular?
7 A. Because I know how often I do it, and it
8 doesn't happen very often.
9 Q. And when you say very often, you're talking
10 about it happens less than 50 times at convention?
11 A. I don't count, sir, I'm sorry.
12 Q. So then how do you know it's not often if you
13 don't count?
14 A. Because if it happened often, I would know that
15 it was pretty often.
16 Q. You would agree with me that it was happening
17 often enough that people were commenting on it and --
18 online for years, weren't they?
19 A. Yes.
20 Q. Okay.
21 A. I agree that people were commenting on it,
22 certainly.
23 Q. And even though people commented on it in a
24 negative light, you continued to do it, right?
25 A. Yes.

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1 Q. Do you ever give your phone number out to girls
2 under the age of 15 and 16?
3 A. No, sir, not that I recall at all.
4 Q. Be no reason to do that, right?
5 A. No, sir.
6 Q. Do you ever give out your email to girls under
7 -- under the ages of 15 and 16?
8 A. My email is very public, sir. I receive lots
9 of emails from fans.
10 Q. Do you correspond privately with women under
11 the age of 16?
12 A. Define correspond.
13 Q. Email, talk to them.
14 A. Fan letters?
15 Q. Yeah. Sure.
16 A. Sure, I'll write back and say, thanks so much,
17 I'm so glad you're enjoying my work, I'll look forward
18 to meeting you some day at a convention.
19 Q. Is that pretty much a standard response?
20 A. Yes, sir, very standard.
21 Q. And then this -- this chat, is there some kind
22 of private chat room where you can chat with your fans?
23 A. Sorry?
24 Q. Is there some kind of private chat room that
25 you use to chat with your Riseembool Rangers?

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1 A. Well, the Rangers fan club has a chat room.
2 There's nothing private about it, anybody can join it.
3 And I -- I don't go in there more than once or twice a
4 year, actually, just to say hello and -- you know, I
5 mean, when people form a fan club for you, you want to
6 let them know you appreciate that and say hello
7 occasionally.
8 Q. Who -- who runs the Riseembool Rangers? Is
9 there somebody that runs the website, keeps it up?
10 A. Well, there -- there is -- there is a woman who
11 runs the website, and there is -- there are several, as
12 I mentioned earlier, moderators, who just kind of, you
13 know, moderate chat rooms and kind of administrate
14 things. It's pretty loose.
15 Q. Does your mom have any role in dealing with
16 this Riseembool Rangers website?
17 A. To some degree. I -- I don't know exactly to
18 what degree.
19 Q. Does she have a nickname that's associated with
20 that?
21 A. I believe she likes to be called the Matriarch.
22 Q. Would you agree with the proposition that at
23 least 40 percent of the people in Riseembool Rangers are
24 under age?
25 A. No, sir.

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1 Q. And why do you disagree with that?
2 A. Because I have no idea.
3 Q. So it could be more?
4 A. Or less.
5 Q. Or less. Is there any kind of age entry that a
6 person has to put when they get into -- when they become
7 a Riseembool Ranger?
8 A. No, sir. It's a fan club. People who are fans
9 of something join voluntarily.
10 Q. If you would turn to page 6 of Exhibit 4.
11 A. Uh-huh.
12 Q. Second full paragraph, where it starts with
13 Mignogna.
14 A. Yes, sir.
15 Q. I want to skip down, one, two, three -- five
16 sentences. It says, While researching this article, I
17 kept learning of more conventions that supposedly
18 blacklisted Mignogna from ever returning, yet any
19 attempts to reach out to a long-time staffer at each
20 event were met with silence.
21 Do you know anything -- can you confirm or
22 deny that you've ever been blacklisted from a
23 convention?
24 A. No, sir.
25 Q. Now, would you agree with me that you were

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1 given the opportunity to comment for this particular
2 article written by Anime News Network?
3 A. Yes, sir.
4 Q. And you declined?
5 A. Yes, sir.
6 Q. And why did you decline?
7 A. Because it occurred -- because it seemed to me
8 very clear that they were not interested in -- you know,
9 in -- in just relaying truthful information. It seemed
10 like they were more interested in -- in getting clicks
11 and -- and promoting rumor.
12 Q. Did you talk to anybody about what the article
13 was going to be about? Did they tell you or send an
14 email?
15 A. A reasonable person could assume what the
16 article was going to be about, considering that they
17 wrote it in the midst of this social media upheaval.
18 Q. Okay.
19 A. And I was right, it was about exactly what I
20 thought it would be about.
21 Q. And -- and you would agree with me this -- this
22 particular article was -- was very damaging to your
23 reputation?
24 A. It was damaging.
25 Q. I mean, and after this article came out, you

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1 started losing invitations to conventions, didn't you?
2 A. Not -- not -- a few, but -- but not, you
3 know --
4 Q. Well, you --
5 A. A few, but not -- not -- not a lot.
6 Q. What would a lot be?
7 A. Well, what I -- what I mean to say is that my
8 recollection is that I started losing more events after
9 Funimation and Rooster Teeth terminated me, and after
10 Jamie and Monica came out and -- and started posting
11 publicly.
12 Q. Well, how many -- how many conventions did you
13 lose, if you know?
14 A. I -- I don't remember. I don't remember
15 offhand.
16 Q. Were Jamie and Monica -- this article is
17 written on January 30th, 2019. Were Jamie and Monica,
18 were they posting prior to this time, or do you know?
19 A. I don't know.
20 Q. Okay. If you turn to Exhibit 5. Are you
21 familiar with an online blog called The Dao of Dragon
22 Ball?
23 A. No, sir.
24 Q. You don't know if that's popular with Dragon
25 Ball fans or not?

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1 A. It may be. I don't know.
2 Q. Now, were you aware that The Dao of Dragon Ball
3 wrote an article about you?
4 A. I'm sorry?
5 Q. Were you aware that The Dao of Dragon Ball
6 wrote an article about you?
7 A. I -- I don't. This period was very, you know
8 --
9 Q. Okay. So --
10 A. I -- I don't know, specifically.
11 Q. All right. As you sit here today, have you
12 ever read this Exhibit 5?
13 A. Not that I recall.
14 Q. So you don't know what it says --
15 A. No, sir.
16 Q. -- about you one way or the other?
17 A. No, sir.
18 Q. And so you can't comment on whether or not you
19 blame any of the Defendants for any of the information
20 in it?
21 A. No, sir.
22 Q. You don't even know whether or not the -- the
23 article was defamatory?
24 A. I don't. I don't, but I -- I would lay odds
25 that it is.

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1 Shall we read it and find out?
2 Q. I'll represent to you that this article was --
3 was posted online on February 1, 2019. When you print
4 it out, for whatever reason, it didn't print out the
5 date.
6 A. Okay.
7 Q. Are you with me? All right. So I want to turn
8 to page 3 of Exhibit 5.
9 A. Okay.
10 Q. All right. First full paragraph, second
11 sentence reads, However, numerous allegations of sexual
12 assault have shadowed Mignogna's career and continue up
13 to today. During the research for this article, over
14 100 independent allegations surfaced dating back to
15 2013.
16 Do you agree with that statement?
17 A. No, sir.
18 Q. You don't think there's been numerous
19 allegations of assault that have shadowed --
20 A. It didn't say numerous, it says over 100. I
21 don't agree with that. I've not seen a list of 100
22 names.
23 Q. Does it make a difference to you if it's 100
24 names or 10?
25 A. Makes a difference to them. That's why they

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1 said 100; it sounds much more impressive.
2 MR. LEMOINE: Objection, nonresponsive.
3 Q. (BY MR. LEMOINE) Does it make a difference to
4 you if you're accused of 10 -- 10 ti -- 10 allegations
5 of sexual assault or just 100, or 100? Does it make a
6 difference?
7 A. Yes, it does.
8 Q. And why does it make a difference?
9 A. Because in a world of four billion people,
10 there are going to be people that don't like you, for
11 whatever reason, or have a problem with you, and the
12 more people there are, the more troubling it is.
13 Q. Are you aware of any other voice actors that
14 have -- have had numerous allegations of -- of improper
15 behavior against them?
16 A. Yes.
17 Q. Like who?
18 A. I'm not going to name them.
19 Q. Fair enough. So you're not the only one?
20 A. No, sir.
21 Q. I assume you're familiar -- familiar with the
22 Me Too Movement?
23 A. Yes, sir.
24 Q. I take it you -- you also believe that sexual
25 assault victims ought to be heard?

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1 A. Yes.

2 Q. And certainly don't want to silence them in any

3 way, right?

4 A. No, sir.

5 Q. Would you agree that most of your fans tend to

6 be female?

7 A. No, sir.

8 Q. If you would turn to page 8. Second -- or

9 first full paragraph, starts with another --

10 A. Yes, sir.

11 Q. -- or another. If you skip down four

12 sentences, it reads, This issue is exacerbated by his

13 age, as any 56-year-old who spends so much time

14 interacting with young girls on a website without

15 parental supervision and who then embraces and kisses

16 these children at conventions is going to raise

17 eyebrows, even if innocuous.

18 Do you agree with that statement?

19 A. No, sir. This is completely inflammatory.

20 Q. You don't think that it's odd that a

21 56-year-old man embraces and kisses children at

22 conventions --

23 A. No, sir.

24 Q. -- is going to raise eyebrows?

25 A. Sorry?

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1 Q. What's inflammatory about the statement?

2 A. If I may.

3 Q. Sure.

4 A. "So much time." How much is that? Who's to

5 determine how much so much time is. "On a website

6 without parental supervisor." The person who wrote this

7 does not know any of that factually. This is meant to

8 inflame.

9 Hold on. Let me please finish. "Embraces

10 and kisses children." Yeah, like every other voice

11 actor does in public for photo ops at conventions. It's

12 not seedy and dirty and pervy. And the vast majority of

13 the people, many of them that I have met over the years,

14 have no problem whatsoever with it. There is a small

15 contingent that does, and I apologized to those people

16 in the tweet where I said, I -- I accept that I need to

17 be more mindful that not everybody is open to that kind

18 of interaction.

19 Q. And do you blame the Defendants for people who

20 have had that type of interaction --

21 A. No.

22 Q. -- or that reaction to this?

23 A. No.

24 Q. But you'd agree with me that that type of

25 reaction and the fact that it's being talked about has

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1 damaged your reputation?

2 A. Please rephrase.

3 Q. Yeah. The fact that people have reacted

4 negatively, whether it's true or not, that you kissing

5 young girls, that has damaged your reputation, as we sit

6 here today?

7 A. To a degree.

8 Q. All right. Look at page 9. Under the word

9 allegations, are you familiar with a site called Vic

10 Mignogna Horror Stories?

11 A. No, sir.

12 Q. First time you've ever heard of it, today?

13 A. Yes, sir.

14 Q. Didn't know that it ran for six years?

15 A. No, sir.

16 Q. Are you familiar with a Twitter #kickvic?

17 A. I certainly know of it, yes.

18 Q. Do you know when it started?

19 A. If memory serves, it started very shortly after

20 January 16th, when the -- when the first tweets were put

21 up, were posted.

22 Q. And do you blame any of the Defendants for that

23 Twitter handle starting?

24 A. I don't know their involvement.

25 Q. Would you agree with me that Twitter handle has

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1 gotten some level of notoriety in -- in your -- your

2 community?

3 A. Sure.

4 Q. And would you agree with me that's also hurt

5 your reputation?

6 A. Sure.

7 Q. Do you know who -- who created the

8 #istandwithvic Twitter?

9 A. No, I don't, actually.

10 Q. Turn to page 17. Top paragraph reads, Even

11 without definitive proof following the recent

12 allegations in January, several conventions announced

13 that Vic Mignogna would no longer attend their

14 convention. For example, on January 28th, 2019, Planet

15 Comicon in Kansas City announced that Vic had canceled

16 his scheduled appearance.

17 Is that true?

18 A. Is what -- which part of it?

19 Q. Good question.

20 A. No, that's fine.

21 Q. My apologies. Did Planet Comicon cancel your

22 -- announce that you were -- wait a minute.

23 Did you cancel your appearance to Planet

24 Comicon?

25 A. No, sir.

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1 Q. Did Planet Comicon cancel your appearance?
2 A. Yes, sir.
3 Q. Did they tell you why?
4 A. No, sir.
5 Q. Have you ever spoken to any --
6 A. Well, I assume because of -- of what was going
7 on, but I don't know.
8 Q. But nobody that runs Planet Comicon has told
9 you why you weren't invited?
10 A. No, sir.
11 Q. If you look at the bottom of page 17, last --
12 last full paragraph, Likewise, the Rangerstop & Pop
13 Atlanta convention announced on January 18th that Vic
14 would attend a convention, that the fans sent them the
15 allegations and requested #kickvic. The staff replied
16 they had not heard these allegations before and
17 investigates them. Then on January 28th, the staff
18 cancels.
19 Is it true that Rangerstop & Pop Atlanta
20 canceled your attendance?
21 A. Yes, sir. That was a -- this was a first-year
22 convention, by the way. This was run by a friend of
23 mine, Nakia Burrise, who -- well, she was one of the
24 organizers of it. And -- and she had invited me, and
25 then she called me to say that they were just kind of

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1 really surprised by all these anonymous messages they
2 were getting, and they really were afraid, you know,
3 being a first-year event. And so, yes, they -- yes.
4 MR. LEMOINE: And do any of you --
5 Q. (BY MR. LEMOINE) Do you know how to spell that
6 -- that lady's name?
7 A. I'm so sorry?
8 Q. Do you know how to spell her name?
9 A. Oh. Nakia, N-A-K-I-A, Burrise, B-U-R-R-I-S-E,
10 I think. She was the yellow ranger in one of the
11 incarnations of Power Rangers.
12 Q. And when you talked to Ms. Burrise, did she say
13 that anything that any of the Defendants said or did was
14 -- was why they were canceling that?
15 A. Not specifically, no.
16 Q. Did she imply that, it was something that one
17 of the Defendants --
18 A. Not specifically, no. She didn't say any
19 names.
20 Q. Okay. So looking on paragraph -- or on page 18
21 -- or, I'm sorry, Exhibit 5, page 18. Are you with me?
22 A. Yes, sir.
23 Q. Second full paragraph. This was followed on
24 January 30th by Emerald City Comicon announcing Vic
25 Mignogna's appearance at Emerald City Comicon has been

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1 canceled.
2 Is that true?
3 A. Yes, sir.
4 Q. And did you talk to anybody at the Emerald City
5 Comicon?
6 A. I did not speak with them. I spoke with one of
7 my friends, my -- an agent of mine who was working with
8 Emerald City.
9 Q. And who was that?
10 A. His name is Gary Hassen.
11 Q. And what did Mr. Hassen tell you?
12 A. Gary -- Gary told me that -- Emerald City is
13 owned by a larger company that puts on several events.
14 I believe the company is called Inform -- no, ReedPOP.
15 There are two big companies that buy a lot of
16 conventions. There's ReedPOP and there's Informa. And
17 Emerald City, I believe, is owned by ReedPOP. And for
18 the same reasons, they -- they told my -- my -- my --
19 they told Gary that -- that they had received anonymous,
20 you know, negative accusations and -- and that they were
21 canceling me.
22 Q. And did -- did Mr. Hassen relay to you that
23 anything the Defendants did caused ReedPOP to cancel the
24 -- that convention?
25 A. Not this specific convention, no, sir.

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1 Q. Are you familiar with the concept of a broken
2 staircase?
3 A. I'm sorry?
4 Q. Have you ever heard of a broken staircase?
5 A. No, sir.
6 Q. Did you know that you were mentioned on a
7 website called Broken Staircase?
8 A. No, sir. What -- what is it?
9 Q. Turn to page 23 of Exhibit 5. If you look
10 under Broken Staircase. Apparently, you're the third
11 entry on the list for sexual misconduct with minors,
12 physical boundary violations, verbal and physical sexual
13 harassment, homophobia and anti-Semitism.
14 I take it you didn't know that?
15 A. No, I've heard that there was a list, and it's
16 preposterous.
17 Q. And, obviously, you disagree with that?
18 A. Absolutely.
19 Q. But you would agree with me that being on that
20 kind of list is damaging to your reputation?
21 A. Sure.
22 Q. Do you attribute anything to what the
23 Defendants have done for you being on that list?
24 A. I don't know. I don't know what any -- I don't
25 know what any actions that -- that I'm unaware of might

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1 be.

2 Q. Do you recall the date that you were terminated

3 by Funimation?

4 A. Well, can I consult one of your exhibits?

5 Q. Sure.

6 A. Whichever -- okay. So the conversation with

7 Tammi --

8 Q. January 25.

9 A. So I would guess it was on or about January 27,

10 28, I think, roughly.

11 Q. And that's when they called you and said --

12 A. Yes, sir.

13 Q. Okay.

14 A. Yes, sir.

15 Q. Are you familiar with Kara Edwards?

16 A. Yes, sir.

17 Q. And she is a voice actor in Dragon Ball Super?

18 A. Yes, sir.

19 Q. I forget. Adam Sheehan used to work at

20 Funimation?

21 A. Yes, sir.

22 Q. Have you ever had any negative run-ins with Mr.

23 Sheehan?

24 A. No, sir.

25 Q. Would it surprise you to learn that Mr. Sheehan

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1 considered sexual assault allegations against you to be

2 an open secret in the voice acting industry?

3 A. Yes, it would surprise me. All of my

4 interactions with Mr. Sheehan were always very positive

5 and friendly.

6 As we established early on in this

7 deposition, I apparently am not very good at -- at

8 assessing friends.

9 Q. If you turn to Exhibit 6. I will represent to

10 you that it's a screenshot from Rooster Teeth's Twitter

11 account.

12 MR. BEARD: Exhibit 6?

13 Q. (BY MR. LEMOINE) Are you familiar -- are you

14 familiar with this tweet?

15 MR. BEARD: Hold on, Counsel.

16 A. I --

17 MR. BEARD: Exhibit 6?

18 THE WITNESS: It's this one.

19 MR. BEARD: All right. Got it. Well, you

20 got the colored ones. We only got the black and whites.

21 Q. (BY MR. LEMOINE) I'll represent to you that

22 this was sent out on February 5th, 19 -- I think you

23 were told you were terminated by Rooster Teeth on

24 February 4th of 2019. Does that sound right?

25 A. I believe you. I didn't see this, but I was

179

1 told about it.

2 Q. Okay.

3 A. I was in a pretty difficult state at this

4 point.

5 Q. Anything on Exhibit 6 that you consider to be

6 defamatory about you, obviously?

7 A. Sorry, I'm not the super fast reader.

8 Q. It's all right.

9 A. No, sir.

10 Q. Would you agree with me that even if it's not

11 defamatory, it -- being terminated by Rooster Teeth in a

12 public way, hurt your reputation?

13 A. Sure.

14 Q. Would you associate that termination with you

15 losing invitations to any cons?

16 A. Possibly.

17 Q. Anybody ever tell you that, that because

18 Rooster Teeth terminated you, we're not going to invite

19 you to this con?

20 A. There were certainly conventions that told me

21 that because I was terminated by Funimation and Rooster

22 Teeth, so in the same sentence they included Rooster

23 Teeth.

24 Q. As you sit here today, do you think that

25 Rooster Teeth has defamed you in any way?

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1 A. Not verbally, not publicly.

2 Q. Do you think privately they've defamed you in

3 some way, that you're aware of?

4 A. Possibly. I -- I'm not aware of anything

5 specific. But as you asked me earlier in the day, you

6 know, terminating me without even so much as a

7 conversation or any kind of an understanding of -- of --

8 of it was -- was pretty difficult.

9 Q. If you turn to Exhibit 7. Are you familiar

10 with the Funimation tweet terminating you?

11 A. Yes, sir.

12 Q. Have you seen it before?

13 A. Yes, sir.

14 Q. And is this a true and correct copy of that

15 termination?

16 A. Well, this is one of them.

17 Q. There was more than one?

18 A. Yes, sir.

19 THE WITNESS: Am I correct?

20 A. I'm sorry. May I consult my counsel? Is that

21 okay? I'm just --

22 Q. (BY MR. LEMOINE) I'll represent to you -- I'm

23 not trying to trick you.

24 A. Sorry.

25 Q. I'll represent to you that I took this from

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1 Funimation's page and cut it -- did a screenshot of it,
2 and those are the --

3 MR. BEARD: I think if you look here --
4 THE WITNESS: Oh, there it -- I'm so sorry,
5 it's below. That's the second tweet. The -- I was just
6 looking at the first one. So underneath it is another
7 one, and then a third one, right?

8 Q. (BY MR. LEMOINE) Right. Okay. So -- so let
9 me break it down into components.

10 The first thing is, do you consider the top
11 part of Exhibit 7 the big tweet, on February 11th, 2019,
12 that says, everyone, we want to give you an update on
13 the Vic Mignogna situation. Following an investigation,
14 Funimation's recast Vic Mignogna in Morose Mononokean
15 Season 2. Funimation will not be gauge -- engaging
16 Mignogna in future productions.

17 Do you consider that to be defamatory?

18 A. No, sir, that's not the big tweet. The big
19 tweets are the follows.

20 Q. The -- the two smaller ones?

21 A. Right.

22 Q. And when I say big tweet, I'm just saying it's
23 physically bigger.

24 A. Yeah, I was going to say -- okay.

25 Q. Right.

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1 there anything that you think is untrue about those
2 statements?

3 A. Well, as I -- as I said, it's a matter of
4 implication.

5 Q. Okay. But on its face, there's nothing that --
6 that you would point and say, that statement that Sony
7 doesn't condone harassment of any kind is -- is not --
8 it's untrue?

9 A. I'm sorry, please say that again.

10 Q. Right. As you sit here today, do you think
11 Funimation or Sony condones harassment?

12 A. Of course not.

13 Q. If you turn to Exhibit 8. Are you familiar
14 with a magazine called --

15 A. Oh, that's awesome, what a great picture.

16 Q. Are you familiar with a --

17 A. No, sir.

18 Q. All right. Let me get my question out.

19 A. Oh, I thought you just asked, and were
20 repeating it, I apologize.

21 Q. Are you familiar with a magazine -- online
22 magazine called Gizmodo?

23 A. No, sir.

24 Q. Have you ever seen or read the article from
25 Gizmodo, written on February 19th, 2019, titled one of

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1 A. Big as in important.

2 Q. Right. So --

3 A. Sorry.

4 Q. Right. So it's the two tweets below what we
5 call the second and third tweets, that you would
6 consider to be defamatory, correct?

7 A. Yes, sir.

8 Q. And the reason you consider them to be
9 infamatory is -- defamatory is what?

10 A. Because they clearly imply that -- that I am
11 guilty of harassment, threatening behavior. There's
12 no -- there's no proof or evidence of -- evidence of
13 that. And if I'm -- if I -- if I'm not mistaken,
14 Funimation, on the phone, told me that they were not
15 going to be releasing any public statement. When they
16 terminated me -- I should say Sony. In the
17 conversation, they called me and terminated me, they
18 said they would not be releasing any public statement.
19 And shortly after, I can't remember, a week, two weeks
20 after, maybe a week, they started -- they released these
21 tweets publicly.

22 Q. Were there any other tweets other than these
23 tweets?

24 A. Not that I'm aware of.

25 Q. Looking at the second and third tweets, is

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1 biggest -- One of Anime's Biggest Voices Accused of
2 Sexual Harassment?

3 A. No, sir.

4 Q. Never seen it before today?

5 A. No, sir. I was told it was -- it existed. I
6 have not read it myself.

7 Q. So you haven't -- you -- I could go through
8 this, but you can't comment one way or another in terms
9 of as we -- strike that.

10 Right now, do you know whether or not this
11 article is defamatory about you or not?

12 A. I could lay really good odds.

13 Q. Okay. Do you know if -- turn to page 2.

14 Do you know Beth Elderkin?

15 A. No. I mean, I know the name, but I don't know
16 her personally.

17 Q. Did Ms. Elderkin reach out to you to comment on
18 this particular article?

19 A. Yes, she did.

20 Q. And did you comment?

21 A. I did.

22 Q. And did she -- how did that -- was it online --
23 strike that.

24 Did you email each other, or was it a phone
25 conversation?

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1 A. She emailed me, and I replied.
2 Q. And so did she -- in the email, did she list
3 out the allegations against you --
4 A. Yes.
5 Q. -- and actual responses?
6 A. Yes. And I replied to them, and she picked and
7 chose my replies to put into the article, and omitted
8 portions of what I -- of my replies.
9 Q. Did -- do you still have the copy of that
10 email?
11 A. I -- I'm sure I -- again, it's -- it's -- I'm
12 sure it's in an -- an old email folder.
13 Q. Do you know if you gave it -- provided it to
14 your attorneys at some point?
15 THE WITNESS: Did I -- had I even retained
16 you at that point?
17 Q. (BY MR. LEMOINE) It's February 19th.
18 MR. BEARD: If we have it, we'll --we'll
19 produce it. I think I might.
20 A. Are you asking, sir -- are you asking about my
21 reply or are you asking about her email to me requesting
22 a comment?
23 Q. (BY MR. LEMOINE) So I didn't know that -- how
24 you communicated with her.
25 A. She wrote me unsolicited, said I'm writing an

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1 article for io9 and I'd like to ask if you would comment
2 on these issues. And I commented on them, bullet point
3 --
4 Q. Right.
5 A. -- and sent it back to her.
6 Q. And was it a pretty lengthy email that she sent
7 to you?
8 A. Yes, sir.
9 Q. Okay. And so you went through each of them and
10 --
11 A. Yes, sir.
12 MR. BEARD: Counsel, if I might, the -- I
13 think all that has -- has been released out on Twitter,
14 both the emails she sent to Vic and Vic's response.
15 MR. LEMOINE: Okay.
16 MR. BEARD: I think, yeah.
17 MR. LEMOINE: And I'm not -- I'm not
18 implying that you didn't produce it, I just didn't --
19 hadn't seen them.
20 MR. BEARD: Yeah. No, I'm just trying to
21 -- I'm trying to rack my brain to know if I did. It was
22 -- if it was, it was real early when this stuff was
23 going on. I don't think so.
24 Q. (BY MR. LEMOINE) Regardless, you -- it was --
25 there was no oral conversation with Ms. Elderkin?

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1 A. No, sir.
2 Q. Okay. So -- so we could go look and we'd get
3 the email and see exactly how you responded to whatever
4 she wrote.
5 All right. If you turn to page 6. Top
6 paragraph reads, When reached by io9 to comment,
7 Mignogna said that he had never forced himself on
8 anyone, claiming that any and all encounters I have ever
9 had have been 100 percent consensual. He gave specific
10 responses to the accusations present in this article,
11 denying some and providing his own version of events on
12 others. Did I read that correctly?
13 A. Yes, sir.
14 Q. And you haven't read the articles, you don't --
15 MR. BEARD: Counsel, sorry, I got -- I got
16 lost. Where -- where is that?
17 MR. LEMOINE: Page -- page 6.
18 MR. BEARD: Page 6. Okay.
19 MR. LEMOINE: Very top.
20 MR. BEARD: Yeah, okay, sorry, got it.
21 Q. (BY MR. LEMOINE) But you haven't gone through
22 this article to figure out whether or not she accurately
23 portrayed your commentary, your -- your responses?
24 A. I was told that -- who -- by people who knew
25 what I had responded to her and then read the article,

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1 that -- that they -- that she did not print my complete
2 responses.
3 Q. Right. Did anyone help you craft your
4 responses?
5 A. Yes.
6 Q. Was it an attorney?
7 A. No.
8 Q. Who was it?
9 A. It was a man-and-wife couple named Jessica and
10 Cliff, Jessica and Cliff -- I don't know their last
11 names. They're PR, you know, kind of -- just kind of
12 help people, and somebody -- actually, it was -- I don't
13 even -- I -- I think Todd Haberkorn --
14 MR. BEARD: I'll get you that -- those
15 names.
16 A. -- referred them to me.
17 Q. (BY MR. LEMOINE) Let me ask a few follow-up
18 questions and see if I jog your memory a little bit.
19 Have you ever used Jessica and Cliff's
20 services before?
21 A. No.
22 Q. Todd Haberkorn is the person who introduced
23 you?
24 A. Yes. Well, I -- may I -- may I --
25 Q. Sure.

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1 A. -- revise that? What I mean is I understood
2 that they had helped him craft a statement. I was --
3 didn't know what to do or how to respond to everything
4 that was happening and -- and I -- so I reached out to
5 them to see if they could help me, as well. Todd did
6 not call me and say, This is their name and number.

7 Q. Now, did you know Jessica and Cliff outside of
8 that?

9 A. No, sir.

10 Q. That's the first time you had ever met them?

11 A. Yes, sir.

12 Q. And so that would have been sometime in 2019?

13 A. Yes, sir.

14 Q. And do you know, were they -- are they local to
15 Dallas?

16 A. No, sir, I believe they're in Florida.

17 MR. BEARD: Florida.

18 Q. (BY MR. LEMOINE) And did you pay them?

19 A. Yes, sir.

20 Q. And did you meet them in person to discuss the
21 issues?

22 A. No, sir.

23 Q. Talk to them on -- talk to them on the phone?

24 A. Yes, sir.

25 Q. And would you have emailed with them?

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1 A. I probably did.

2 Q. Were there multiple drafts of your response
3 that you--all went over?

4 A. Yes, probably.

5 Q. And do you know -- and would you have emailed
6 those back and forth?

7 A. Between them and me?

8 Q. Yes.

9 A. Yes, sir.

10 Q. And do you know, were those -- did you save
11 those drafts on your computer somewhere?

12 A. No, no more than you save a rough draft of
13 something, you save the final draft, you know, and you
14 work on something and --

15 Q. But you would have edited the draft, sent it to
16 them; they would have edited and sent it back?

17 A. Actually, no. More than -- more times than not
18 they would write something, and then I would -- they
19 would send it to me, and then I would make adjustments
20 to it that I felt were appropriate.

21 And if I may say, there were things that
22 they actually suggested that I never posted, I never --
23 like I never ever released. Like we talked about
24 something, and then I just didn't feel good about
25 releasing it at all.

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1 Q. Meaning there was personal information that you
2 didn't want to discuss?

3 A. No, no, no. No, meaning that they wrote up
4 something that I didn't want to release, that I -- I
5 didn't want to -- I didn't want to get out. Not
6 personal information, just didn't want to exacerbate the
7 situation, you know.

8 Q. If you look at exhibit -- stay on -- still on
9 Exhibit 8, page 7.

10 A. Yes, sir.

11 Q. There's a reference to a woman named Rachel?

12 A. Yes, sir.

13 Q. Do you recall -- do you know who that Rachel
14 is?

15 A. No, sir.

16 Q. All right. If you look at the -- on page 7,
17 the second full paragraph, it says, Mignogna
18 acknowledges events that happened, including that he had
19 rubbed the back of Rachel's thighs, but said the
20 encounter was consensual.

21 You sure you don't remember who that is?
22 Because, obviously, her name is not Rachel.

23 A. If I -- may I have a minute to read this?

24 Q. Sure.

25 A. Where is the -- where does Rachel start here?

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1 Q. Page 6, last paragraph.

2 A. Yes, I believe that's Kara Edwards, and I think
3 that I replied in my reply to -- you know, in -- in the
4 email that I sent to -- to Beth Elderkin, I -- I
5 believe. I believe. But in my reply, I -- I stated
6 very clearly that many of the details of this were
7 untrue.

8 Q. All right. If you would turn to Exhibit 8,
9 page 9.

10 A. It's so funny to me.

11 Q. What -- what -- what's funny?

12 A. I'm reading this. So she has this horrific
13 experience, and then a second situation, she agreed to
14 come by my room briefly. Now, why would she do that?

15 I'm sorry. I -- I -- I didn't even -- like
16 I said, this is -- some of this is still kind of fresh.

17 Q. If you look at the bottom of page 7.

18 A. Yes, sir.

19 Q. Last paragraph. It says, Rachel says she did
20 not report the incident to hotel management or to police
21 because she feared Mignogna would attempt to negatively
22 impact her career. He's very well-known in the
23 industry, very, very powerful in our industry, she said.

24 Would you agree with the statement that
25 you're very, very powerful?

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1 A. No, sir.
2 Q. And why do you disagree with that?
3 A. Because it's not true. Voice actors are a dime
4 a dozen, and --
5 Q. So you're --
6 A. I have no power or influence. I audition for
7 roles for 20 years just like everyone else. I get some,
8 I -- I don't get many others.
9 Q. Turn to Exhibit 8, page 9. Third full
10 paragraph.
11 A. Yes, sir.
12 Q. This is in 2014, a professional cosplayer,
13 Diana. That's not her real name.
14 Do you know who it is?
15 A. I'm fairly certain it was someone at an event
16 in Hawaii. I'm fairly certain it was at an event, but
17 I'm not -- I'm not sure, again. But I believe it was at
18 an event.
19 Q. And when the -- when Ms. Elderkin was provided
20 the information, did she use the actual names?
21 A. No, she did not.
22 Q. She used -- okay. So pseudonyms of some sort?
23 A. Yes, sir. And, of course, when I replied, I --
24 I used the names of the people I believed these -- they
25 were. Of course, she didn't publish that, but --

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1 Q. Are you aware of anyone being harassed online
2 that has come out against you in this -- during this
3 controversy?
4 A. No. Not personally, no. I do know that people
5 that have defended have been viciously harassed. I do
6 know that.
7 Q. All right. If you turn to page 15.
8 A. Sorry?
9 Q. Page 15.
10 A. Fifteen?
11 Q. Yep.
12 A. Yes, sir.
13 Q. Top paragraph, four sentences down, it starts,
14 but an email shared with io9 also showed Mignogna --
15 MR. BEARD: Wait one second.
16 A. Hold on, I'm sorry. I couldn't quite make out
17 what you --
18 MR. BEARD: Okay. I don't see 15 now.
19 MR. LEMOINE: Exhibit 8.
20 MR. BEARD: Oh, Exhibit 8, page 15. My
21 bad. All right.
22 Q. (BY MR. LEMOINE) Are you with me?
23 A. Yes, sir.
24 Q. All right.
25 MR. BEARD: Oh, yeah, sorry. Yeah, sorry.

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1 Q. (BY MR. LEMOINE) First full paragraph, fourth
2 sentence down, says, But an email shared with io9 also
3 showed Mignogna three days later privately telling a fan
4 how a certain voice actor turned to be hateful toward
5 me. Mignogna mentioned that person by name.
6 Do you know who that is?
7 A. No. Three days later from what? I'm -- I'm
8 trying to get a context here.
9 Q. Looks like it would be February 11th, based on
10 context.
11 A. Harassment included -- oh, this is -- okay. So
12 the context here is people being harassed, correct?
13 Q. Yes.
14 A. Or -- or somehow being messed with because --
15 right?
16 Q. Yes.
17 A. No, I -- I -- I don't know -- showed Mignogna
18 three days later privately telling a fan how a certain
19 voice actor had turned to be hateful toward me.
20 Well, I -- I -- that's -- I don't remember
21 that, but I don't -- that certainly has happened. But I
22 have never encouraged anyone to -- to do any -- anything
23 hateful or negative, attacking, certainly not death
24 threats.
25 Q. And anybody associated with you, do you know if

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1 they've encouraged that type of behavior?
2 A. No, sir. I've heard -- I've heard people tell
3 that they've received death threats, and I've also heard
4 that every time they're -- they're put on the spot to
5 produce said death threats, they never do. I don't know
6 if that's true or not so I -- I -- I've heard the buzz,
7 but I don't really have any personal knowledge.
8 Q. Right. If you turn to page 17. That block
9 quote appears to me to be a quote from Ms. Specht, your
10 former fiancée?
11 A. Yes, sir.
12 Q. First paragraph, last sentence. It says, I've
13 had to face the reality that the loving, monogamous
14 relationship I believed in and was devoted to never
15 existed.
16 Do you agree with Ms. Specht's hindsight
17 review of your relationship?
18 A. No. It certainly did exist at some point, but
19 I -- I failed Michele miserably, and I deeply regret
20 that.
21 MR. BEARD: While you're looking,
22 two-minute break?
23 MR. LEMOINE: Sure.
24 THE VIDEOGRAPHER: And we're going off the
25 record at 3:27.

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1 (Break taken from 3:27 p.m. to 3:37 p.m.)
2 THE VIDEOGRAPHER: And we're back on the
3 record for the beginning of disc number 5. The time is
4 3:37.
5 Q. (BY MR. LEMOINE) Mr. Mignogna, I'm going to
6 show you what I've premarked as Exhibit 9. And you can
7 put that in the binder or keep it in front of you, it's
8 up to you.
9 A. My name has an additional G in it, but --
10 Q. Oh, I'm sorry.
11 A. -- people have missed it for a long, long time,
12 so it doesn't matter at all.
13 Q. My -- my apologies.
14 A. No, no worries. I just wanted to let you know.
15 Q. So I put together the timeline just to kind of
16 show start to finish -- or not start to finish, but
17 start -- you would agree with me that this firestorm
18 kind of kicks off on January 16, 2019, right?
19 A. Yes, sir.
20 Q. And then by January 19, 2019 is when the
21 GoFundMe announcement occurs?
22 A. I'm sorry?
23 Q. I'm sorry, February 19th --
24 A. Oh.
25 Q. -- is when the GoFundMe occurs?

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1 A. If you say so. I don't remember dates, like,
2 specifically, but, yes.
3 Q. Okay. And then along the way, you are losing
4 convention invites, would you agree with that?
5 A. Yes, sir.
6 Q. Was there any other business besides
7 invitations to cons that you lost, that you can point
8 to?
9 A. Well, I mean, the -- there were at least seven
10 or eight recurring roles at Funimation that I had been
11 playing for many, many years, I lost those, and any
12 future recording sessions of those shows. I lost the
13 recurring character that I was playing for Rooster
14 Teeth. And I'm sure there are, you know, other
15 repercussions, you know, ripples that I might even never
16 know about.
17 Q. And the Rooster Teeth termination, we don't
18 know why that occurred, we just know it occurred,
19 correct?
20 A. Yes, sir.
21 Q. And then the Funimation termination, we don't
22 know why that occurred either?
23 A. Well, we can only assume, based on the -- the
24 three stories that -- the three incidents that Tammi --
25 Tammi?

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1 Q. Yes, Tammi Denbow.
2 A. Yes, sir. That Tammi asked about.
3 Q. Are you familiar with --
4 MR. BEARD: Excuse me, Counsel.
5 MR. LEMOINE: Sure.
6 Q. (BY MR. LEMOINE) Are you -- are you --
7 A. Yes, sir. Go ahead.
8 Q. Are you familiar with something called rumor
9 panels?
10 A. No. In what context, sir?
11 Q. In the context of panel discussions at cons
12 that are, I guess, called rumor panels.
13 A. No, sir. I did a panel many, many years ago at
14 a convention about rumors about me, because I wanted to
15 dispel them. They were baseless and without substance,
16 and I -- and I knew that people had questions and I
17 wanted to address them.
18 Q. Is that the only rumor panel that you've ever
19 done?
20 A. Yes, sir.
21 Q. Do you know what con that was at?
22 A. No, not offhand. It was a long time ago.
23 Q. And -- and what was the purpose of the -- the
24 rumor panel?
25 A. As I said, I -- I knew that there were rumors

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1 and gossip online, and I knew that fans had questions
2 about it, and I wanted to dispel the rumors.
3 Q. All right. I'll show you what we're going to
4 mark as Exhibit 21.
5 (Exhibit 21 marked.)
6 Q. (BY MR. LEMOINE) I'll represent to you
7 Exhibit 21 is a post on the internet I pulled off, or
8 somebody pulled off, with a date of 4/20/2010,
9 references a Tekkoshococon rumor panel.
10 A. Which is in Pittsburgh. Tekkoshococon is in
11 Pittsburgh.
12 Q. All right. Does that one refresh your
13 recollection, that that's what the rumor panel that you
14 did was at the Tekkoshococon in Pittsburgh?
15 A. Yes, sir. I suppose, yes. I only did one, and
16 I didn't remember the panel -- the convention, and this
17 says Tekkoshococon, in which I know is a Pittsburgh
18 convention, so I can -- I'm going to assume that's --
19 that's the one.
20 Q. All right. Are you aware of any other voice
21 actors that have done rumor panels?
22 A. I don't know. There are hundreds of voice
23 actors do hundreds of panels at hundreds of conventions.
24 I don't know what their schedules are. I don't know
25 what they do.

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1 **Q. Okay. So you've never heard of anybody doing a**
2 **rumor panel besides you?**

3 A. I've never asked. I mean, I -- I've never
4 inquired. I don't know.

5 **Q. And so the rumor panel is designed for you to**
6 **talk about rumors and address them; is that right?**

7 A. Yes, sir.

8 **Q. Okay.**

9 A. Well, actually, if I may say so, it wasn't
10 designed to be that type of panel. It was a normal Q
11 and A session, and I ended up -- I think maybe somebody
12 even might have asked a question about something and I
13 answered it, and it kind of continued in a vein of,
14 you've heard this, or, you've heard this, and it became
15 that, but it wasn't, like, advertised that way.

16 **Q. Do you recall that this rumor panel in**
17 **Tekkoshoccon addressed any issue of you being homophobic?**

18 A. Yes, sir. It's outrageous.

19 **Q. And that was -- and is that a rumor that has**
20 **kind of dogged you even after that rumor panel?**

21 A. Yes, sir.

22 **Q. And does -- that you're homophobic, does that**
23 **hurt your professional reputation?**

24 A. Well, it certainly doesn't help it.

25 **Q. And if you turn to page 2 --**

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1 A. And for the record, I am not remotely
2 homophobic.

3 **Q. Okay. Turn to page 2 of Exhibit 21. Third**
4 **sentence down on the top paragraph, if you slide over,**
5 **it reads, Vic also reveals that he encouraged Britt and**
6 **her friends to attack cosfu and 4chan about these**
7 **stories and that he set up a PayPal account which**
8 **demanding video proof of Vic being drunk in exchange for**
9 **\$100. Does that ring a bell?**

10 A. Yes, sir. I didn't occur -- I'm going to
11 clarify, though. You see, this is somebody's words, not
12 mine. I didn't encourage someone to attack anybody.
13 I will tell you what happened, if -- if I
14 may, Sean.

15 **Q. Sure.**

16 A. There were all these rumors, I saw Vic falling
17 down drunk, I'm stumbling around a convention. Well,
18 there are dozens of cameras rolling at all times. I've
19 never been stumbling drunk in my life, ever, on the
20 planet Earth. And these rumors made up by fans just
21 looking to get attention were more and more frustrating.
22 And so I told one of my friends, why don't we set up a
23 PayPal and anyone who can provide video evidence of me
24 stumbling around drunk at a convention, I'll give them a
25 hundred bucks.

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1 **Q. Okay.**

2 A. Suffice to say, nobody ever claimed it, because
3 it never happened.

4 **Q. And during this rumor panel, did you encourage**
5 **people to go on sites and tell everybody that they were**
6 **wrong about you?**

7 A. I encouraged people that were my friends and
8 supporters to be supportive.

9 **Q. And have you had -- between the Tekkoshoccon**
10 **panel and the January 19th discussion you had with the**
11 **Risembool Rangers, have you ever done that in between,**
12 **in the last nine years?**

13 A. Not that I recall. Actually, I kind of got
14 used to it after a while. You know, the first time it
15 happened, I tried to -- I tried to address it, and then
16 I just kind of came to terms with the fact that there
17 are people out there who are going to say what they want
18 to say from the anonymity and -- and -- you know, and
19 safety of their laptops at home and I can't do anything
20 about it, so I just stopped addressing it.

21 **Q. And what are the -- what would you say are the**
22 **rumors that have kind of persisted?**

23 A. Well, this is one of the biggest ones, that I'm
24 homophobic, although there's not one ounce of evidence,
25 no -- I -- I would challenge anyone to provide any

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1 public comment or attitude or anything that ever proves
2 that I have been rude or cruel or hateful or mean or
3 made -- ever made a homophobic remark.

4 I have several friends that are gay. There
5 are many friends of mine that worked on my Star Trek
6 production who are gay. I attended a transsexual
7 friend's wedding.

8 **Q. Let me show you what we're going to mark as**
9 **Exhibit 14.**

10 (Exhibit 14 marked.)

11 **Q. (BY MR. LEMOINE) Do you recognize Exhibit 14**
12 **as the tweet you sent out on January 20th, 2019?**

13 A. Yes, sir. This was the first -- the first
14 response that I made four days after the -- I mean,
15 based on the date, four days after the -- the social
16 media thing began.

17 **Q. And -- and this is the tweet that you put out**
18 **after -- the day after you had the discussion on the**
19 **Risembool Rangers website encouraging people to go out**
20 **and talk about you in a positive light?**

21 A. I -- I -- I don't remember the dates. Again,
22 this was -- I was in quite a distressed place at this
23 point, and I don't remember when. I wasn't going to
24 respond. As I said just a minute ago, I had kind of
25 gotten to the point where, you know what, don't -- don't

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1 encourage it, don't respond. And so for the first
2 several days, I didn't respond, and -- and then this was
3 the first public response.

4 **Q. Now, you've kind of apologized in that letter**
5 **to people you've made feel uncomfortable.**

6 **Was there anybody in particular that you**
7 **were thinking or was that just more of a generic?**

8 A. No, it was generic. It -- it was the idea of
9 somebody that I might have hugged for a photo that
10 didn't say anything at the time, but, of course they
11 went home and posted about how they didn't approve --
12 appreciate it or something, and I apologized to those
13 people for not being sensitive to that.

14 **Q. Now, were there allegations floating around**
15 **after January 16, 2019 that you were a pedophile?**

16 A. Well, people have been throwing that word
17 around for, you know --

18 **Q. For -- for what?**

19 A. Well, just for a while.

20 **Q. About you?**

21 A. Yes.

22 **Q. For how long?**

23 A. I don't know.

24 **Q. I mean, when's the first time you can recall --**
25 A. I don't recall. Like I said, there are people

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1 out there that see me hugging someone for a photo in
2 front of 300 other people and 25 video cameras, it's
3 purely for the photo, and they -- and they decide
4 somehow that I'm a pedophile. There is no evidence of
5 that. There's no proof of it. There are no charges.
6 There are no convictions. It's just salacious.

7 **Q. Have any of the Defendants, to your knowledge,**
8 **ever accused you of being a pedophile?**

9 A. Not to my knowledge.
10 (Exhibit 15 marked.)

11 **Q. (BY MR. LEMOINE) Let me show you what I've**
12 **marked as Exhibit 15.**

13 A. Uh-huh.

14 **Q. The second email, Exhibit 15, that is the**
15 **apology that you wrote, or the -- not the apology, but**
16 **the letter you wrote to Monica Rial on February 8th,**
17 **2019?**

18 A. Yes, sir.

19 **Q. And you -- did you have any -- anybody help you**
20 **draft this?**

21 A. I bounced it off a couple of friends of mine
22 before I sent it.

23 **Q. Who did you bounce it off of?**

24 A. My friend Jeff Johnson.

25 **Q. Anybody else?**

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1 A. Not that I can think of.

2 **Q. And at the time you wrote this, you had -- it's**
3 **your testimony that you had no idea that Mrs. Rial had**
4 **accused you of inviting her to your room -- or to your**
5 **room and forcing yourself on her?**

6 A. I never forced myself on her.

7 **Q. Did you do anything? Did you kiss, make out**
8 **with, or have any type of sexual interaction with Ms.**
9 **Rial at any point in time?**

10 A. If -- if -- if I understand correctly, this --
11 this is from 11 years ago and I -- I don't -- I don't
12 have any specific recollection. But what I can tell you
13 is that I have had hundreds of interactions with Monica
14 over the years since, and no indication whatsoever that
15 I ever did anything that upset or offended her.

16 **Q. Has she ever been in your hotel room in the**
17 **last eight years?**

18 A. Sir, we've done dozens of conventions together,
19 we have been friends and I -- I don't know any specific
20 times, but I wouldn't be surprised if -- if that were
21 the case.

22 MR. LEMOINE: I'm going to object as
23 nonresponsive.

24 A. I wouldn't be surprised if she were, because
25 we've done many, many, many events together.

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1 **Q. (BY MR. LEMOINE) As you sit here today, since**
2 **-- in the last eight years, can you identify any time**
3 **that you recall Mrs. Rial being alone with you in your**
4 **hotel room?**

5 A. Is she married now, Mrs. Rial?

6 MR. LEMOINE: Object as nonresponsive.

7 A. I'm just saying, I believe it's Ms. Rial.

8 No, I don't recall any specific events,
9 specific times.

10 **Q. (BY MR. LEMOINE) And -- and you don't actually**
11 **have a specific recollection of her ever being in your**
12 **room?**

13 A. Not specifically, no.

14 **Q. So the point in time in which you wrote this**
15 **email on February 8, 2019, you were really struggling to**
16 **figure out why she was upset with you?**

17 A. Yes, sir.

18 **Q. And she hadn't gone public with that in any**
19 **way?**

20 A. Oh, she had alluded to it publicly, but she had
21 not given any specifics, which is why I said I really
22 want to know what -- what it was that -- you know. I
23 embarrass -- I am embarrassed to say that I honestly
24 don't know. I hope you will share it with me so that I
25 may sincerely apologize.

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1 Apparently, she wasn't interested in any
2 apology, because the beginning of this she writes
3 another member -- another actress at Funimation and
4 says, This is what he always does, it's disgusting.
5 I guess she wasn't interested in any kind
6 of sincere interaction.
7 MR. LEMOINE: Object as nonresponsive.
8 Move to strike. There's no question on the table.
9 (Exhibit 20 marked.)
10 Q. (BY MR. LEMOINE) I'll show you what I've
11 premarked as Exhibit 20. I'll represent to you that
12 what Exhibit 20 is, it's a -- what's called written
13 discovery, and it's an interrogatory where each side
14 gets to ask the other side certain questions. And these
15 are questions that your attorneys asked --
16 A. Okay.
17 Q. -- of Ms. Rial. And what I want to do is go
18 through one of her -- some of her answers and get your
19 comments. So I want to start on page 5 of Exhibit 20.
20 A. Yes, sir.
21 Q. Interrogatory number four. Are you with me?
22 A. Yes, sir.
23 Q. Okay. Interrogatory number four has a request
24 about, at some point in time which you grabbed or kissed
25 Mrs. Rial in a hotel room in the mid 2000s.

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1 As we sit here right now before reading the
2 response, do you have any recollection of any type of
3 interaction in your hotel room with Ms. Rial where you
4 kissed her?
5 A. No, sir.
6 Q. Okay. All right. So if you look at the first
7 bullet point, it says, Plaintiff grabbed and kissed
8 Defendant without Defendant's consent on Sunday,
9 November 4, 2017, while --
10 A. 2007.
11 Q. I'm sorry, 2007 -- while Plaintiff and
12 Defendant were both attending Izumicon, Oklahoma City,
13 Oklahoma.
14 Any recollection of that?
15 A. No, sir. That was 12 years ago.
16 Q. If you turn to page 6. The first bullet point
17 at the top of page 6 says, Plaintiff played videos
18 promised, while Defendant stood to watch video. The
19 Plaintiff soon grabbed the Defendant by the upper arms
20 and began aggressively kissing Defendant. Defendant
21 attempted to resist, but Plaintiff physically restrained
22 Defendant, pushed Defendant back towards -- backward
23 toward the bed. Plaintiff climbed on top of Defendant
24 and held her down as he continued to aggressively kiss
25 Defendant.

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1 Did that happen?
2 A. No, sir.
3 Q. And you're sure that didn't happen?
4 A. Yes, sir.
5 Q. Second bullet point on page 6, Plaintiff
6 continued in this fashion for several minutes,
7 despite Defendant's --
8 A. Several minutes.
9 MR. LEMOINE: Object, nonresponsive.
10 A. What was Ms. Rial doing at this time?
11 Q. (BY MR. LEMOINE) Let me get the question out.
12 A. Sorry, I apologize. I apologize. This is the
13 first I read this. I'm sorry. I apologize.
14 Q. Let me start over at the bullet point.
15 Plaintiff continued in this fashion for several minutes,
16 despite Defendant's fear and shock, until Ms. Dahlin
17 knock -- Mr. Dahlin knocked on the Plaintiff's hotel
18 door. Plaintiff left Defendant on the bed and hurriedly
19 answered the door. Mr. Dahlin inquired whether the
20 Defendant was okay, clearly noticing the stress.
21 Defendant, however, was too shocked and afraid to admit
22 what had occurred.
23 You dispute that, right?
24 A. I don't recall that at all.
25 Q. Okay. The third bullet point. Following

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1 dinner, Plaintiff forced Defendant to speak with
2 Plaintiff's long-time fiancée on the telephone and
3 Plaintiff spoke with his fiancée as if nothing happened.
4 Do you recall that?
5 A. No, sir.
6 Q. And your fiancée at the time would have been
7 Ms. Specht?
8 A. Michele Specht.
9 Q. Now, prior to today, have you seen that
10 description from Ms. Rial in -- in any --
11 A. I'm sorry, say that again, sir.
12 Q. Prior to today, have you seen or heard that
13 description from Ms. Rial online or anywhere?
14 A. I -- I know of the story that she posted online
15 back when she originally posted it. But I -- I -- there
16 are more details here than there were in her original
17 story. Like, I don't believe -- on the online story,
18 she didn't say anything about when or where, she didn't
19 say anything about Stan Dahlin, she didn't say anything
20 about putting her on the phone. By the way, I -- well,
21 I -- I just don't even understand a lot of it, so --
22 Q. Have you ever grabbed Mrs. Rial's hair -- Ms.
23 Rial's hair and pulled it back and whispered in her ears
24 before?
25 A. Whispered what?

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1 Q. I don't know.

2 A. Neither do I.

3 Q. I'm not asking for what you whispered, I'm
4 asking if you --

5 A. Well, you asked if I did. I don't recall
6 whispering anything.

7 Q. And do you recall grabbing her by the back of
8 her hair and pulling her hair?

9 A. I -- well, I -- I -- I recall doing that, not
10 in a violent or hurtful way, but in a playful way.

11 Ms. Rial used to be a hairdresser. She's
12 always kind of changing her hairstyles over the years
13 and coloring cool colors and -- and I -- and I always
14 used to comment on how much I loved her hair or her new
15 hairstyle.

16 It's really disingenuous to use the term
17 pulling hair, too, because it sounds -- it just has a
18 connotation of being somehow violent, and it -- it was
19 never that.

20 Q. But you did put your hands on her and pull her
21 hair?

22 A. Yes, sir.

23 Q. And you've done that more than once?

24 A. No. I -- I did not pull her hair. And, again,
25 we were friends, it was all in casual interaction, and I

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1 hallways and even worked with me in productions and been
2 nothing but friendly and kind and jovial, and I never
3 had any idea that there was any animosity.

4 Q. Anybody you can specifically identify?

5 A. Well, I'm sure you can find them by who -- who
6 posted, who liked the tweets.

7 Q. But nobody, as we sit here today, off the top
8 of your head?

9 A. Well, I'm certain I was referring to Monica,
10 probably Jamie, and I know that Chris Sabat, Sean
11 Schemmel, and a few other voice actors liked and
12 commented on -- on some of this, and I was quite
13 dumbfounded when I -- when I found out. I'm like, oh,
14 my goodness, like, I worked -- I cast this guy in my
15 show and he was all friendly and -- you know, and jovial
16 and best buddies, and now he's online joining in on
17 this. It was surprising, to say the least.

18 Q. It was just a total shock to you because people
19 were coming out that had known you for all these years,
20 and --

21 A. Yes, sir.

22 Q. And you just don't know why they would do that?

23 A. Yes, sir.

24 Q. Did you seek the help of a counselor at any
25 time on --

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1 was never -- if she had ever told me don't -- please
2 don't do that again, I wouldn't have ever done it again.

3 Q. And is that something you've done with other
4 women in the past, where you pull their hair just
5 playfully as part of just who you are?

6 MR. BEARD: Objection, form.

7 A. I would -- I would definitely say it has
8 probably happened before in -- in playful interaction
9 with people, but not very often.

10 Q. (BY MR. LEMOINE) Let me show you what we're
11 going to mark as Exhibit 16.

12 (Exhibit 16 marked.)

13 Q. (BY MR. LEMOINE) Is Exhibit 16 a true and
14 correct copy of a tweet that you sent out on
15 February 13th, 2019?

16 A. Yes, sir.

17 Q. If you look at the third paragraph, it talks
18 about your colleagues and that there was animosity that
19 you didn't know existed.

20 Who are you referencing there? Who are
21 your colleagues?

22 A. I am -- I am referencing any of the voice
23 actors who not only posted, but those who liked or
24 supported the people that did, people that, for the last
25 15 years of my work at Funimation, have seen me in the

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1 MR. BEARD: Objection, privileged.

2 Don't answer.

3 MR. LEMOINE: Why is it privileged? I'm
4 not asking about what a counselor talked about.

5 MR. BEARD: That's true. That's -- fair
6 enough. Fair enough.

7 You can answer yes or no, that's true.

8 Q. (BY MR. LEMOINE) Have you sought the help of a
9 counselor prior to February 13th, but with regard to
10 this whole issue?

11 A. I don't remember the dates, specifically, but I
12 was in a great deal of distress and needed to talk to
13 somebody and I -- I started spending -- I started seeing
14 a counselor.

15 Q. So February 13th, kind of the last paragraph,
16 you talk about you don't want to be hateful to anybody
17 else.

18 Why did you -- why did you make that
19 statement? Were you aware of something that was going
20 on?

21 A. Well, because I -- I knew that there was a lot
22 of -- what's the word?

23 Q. Vitriol?

24 A. Friction. You know what I mean? There was a
25 lot of -- of growing friction. It was just building.

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1 And I -- I didn't -- I didn't want any of that. I
2 didn't ask -- I did not ask for any of this. I didn't
3 start any of it. I was living my life, and suddenly out
4 of no where this stuff starts. I merely responded to
5 it.

6 **Q. And have you posted that type of statement**
7 **anywhere else since then?**

8 A. I have said that statement several times in
9 events that I've attended since this, publicly, and
10 there -- I'm -- I'm quite certain there are many videos
11 online of me encouraging people to be kind and positive
12 and -- and, you know, be known for -- for being a
13 purveyor of good as opposed to negativity.

14 **Q. What is it that Jamie Marchi has done to defame**
15 **you?**

16 A. Wow. Well, apart from mischaracterizing a very
17 casual, brief interaction in public and the lobby at
18 Funimation, she publicly posted that and then went on to
19 say that she wanted my head on a stake and wanted my
20 balls in a sling and has -- has posted many, many
21 extremely vitriolic comments.

22 **Q. And how is that defamatory?**

23 A. Because she's a voice actress in my industry,
24 and people will tend to give her more credence because
25 they think, oh, well, she knows him. She -- you know,

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1 said hello.

2 She and I have had, as far as I've known, a
3 very casual, friendly relationship for many, many years,
4 and I was astounded by her account online.

5 **Q. And the account online is that you pulled her**
6 **hair?**

7 A. And that I pulled her hair and that I -- that I
8 whispered something sexual in her ear, which absolutely
9 is not true. I do not, have not, ever had any sexual
10 interest in Jamie.

11 **Q. Ms. Marchi certainly wouldn't be the first**
12 **woman whose hair you've pulled?**

13 A. No. We've established that. But I would take
14 issue with the word pulling hair. That sounds like
15 something you do in a fight with somebody, and that is
16 not the intent ever. Nor do I believe they took it that
17 way at the time.

18 **Q. Are there any conventions that you can point**
19 **to, as you sit here today, that you had an actual**
20 **contract with that were terminated as a result of this**
21 **firestorm?**

22 A. Yes.

23 **Q. All right. Which ones are they?**

24 A. Phoenix Comicon. I'm fairly certain I had a
25 contract with a couple of Informa shows. And my

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1 she must -- her -- her -- her words must carry more
2 weight than some -- some fan, you know, some
3 miscellaneous fan out there.

4 **Q. So what was it exactly that she**
5 **mischaracterized or took out of context?**

6 A. She mischaracterize -- my memory of -- of the
7 event with Jamie was that I had come in to record one
8 day at Funimation, and I was in the lobby and she was
9 there, and she had just changed her hair somehow. She
10 had -- she was wearing it differently or she had cut it
11 somehow. Probably as far away as I am from Casey, and
12 she said, Hey, Hon. And I'm like, oh, my gosh, I love
13 your hair. And she's like, I know, I just got it -- and
14 I walked around the -- the -- the counter, and I was
15 kind of standing there kind of flipping it and like, oh,
16 my gosh, it's really beautiful, I love it. And I -- and
17 I put my hand up in the bottom of it and I'm like, oh,
18 this is great.

19 It was not painful, it was not hurtful, it
20 was not sexual, and it happened at least four or five
21 years ago, maybe longer.

22 And if I may say, I saw Jamie in the lobby
23 at Funimation in January of this year, literally a week
24 to 10 days before this social media thing started, and
25 she's like, Hey, Hon, and went over and hugged her and

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1 understanding is that Informa told my agent that -- that
2 one of their sponsors put pressure on them to cancel me.
3 I do not know for a fact, but one of their sponsors, a
4 big sponsor, is Funimation. So, you know, it would seem
5 possible to me that Funimation put pressure on Informa
6 to drop me from the shows that I was scheduled for.
7 That would be Megacon, Fan Expo Toronto, Dallas Comicon.
8 I think those are the -- the three that come to mind.

9 **Q. All right. But you don't have -- no one has**
10 **ever told you that it was something that Funimation did**
11 **that caused you to lose those?**

12 A. No one used the word Funimation, no.

13 **Q. All right. Did those --**

14 A. I might look into it a little further, though.

15 **Q. All right. Did any of those -- in this**
16 **conversation, did anyone tell you that it was anything**
17 **that the three individual Defendants said or did that**
18 **caused you to lose those -- those cons?**

19 A. Kameha Con did.

20 **Q. But we've established you got to go to Kameha**
21 **Con, right?**

22 A. Only after a great deal of back and forth. I
23 was originally canceled, even though I had a contract,
24 because of -- of -- of pressure put on by them and
25 threats.

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1 I have also been told, again, I don't know
2 specifics, not yet anyway, that there are other events
3 that the Defendants have contacted and encouraged not to
4 have me, or said they weren't going to come and they
5 were going to try to get their other voice actor friends
6 not to come if I was there.

7 **Q. And who told you that?**

8 A. I don't recall at the time. I don't recall
9 right now.

10 **Q. Do you know what cons that they allegedly --
11 the individual --**

12 A. Not as -- not as I sit here today, sir.

13 **Q. Do you have any written evidence, emails, text
14 messages, anything?**

15 A. Not yet.

16 **Q. When did you first start doing voice work for
17 anime films?**

18 A. If memory serves, maybe 2000. Maybe 2000,
19 2001. I started in Houston with ADV Films and then
20 sometime a few years after that, which is, by the way,
21 where Monica began, that's how I knew her, and then a
22 few years after that, I met people from Funimation who
23 encouraged me to -- asked me if I wanted to play a role
24 in certain things they were doing, and that's how I
25 ended up starting to work at Funimation.

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1 Fantasy, a large number. I kind of just don't even keep
2 track anymore.

3 **Q. When you go to these cons, do you usually do
4 panels by yourself or are you with people?**

5 A. Both.

6 **Q. Is it unusual for you to do a panel by
7 yourself?**

8 A. No. But it's also not unusual to do them with
9 others.

10 **Q. And what about most recently when you were in
11 Ireland, did you do panels by yourself or with others?**

12 A. I paneled -- I did panels by myself. Often,
13 I'll do a -- often, I'll do a panel on a particular
14 show, and if there are other voice actors there that
15 were part of that show, you know, we'll do a Fullmetal
16 panel with me or Kaitlyn and -- and Aaron. Or if there
17 are multiple people that are at the convention who were
18 in that show, or if it's a Dragon Ball panel, you know,
19 we would do a panel if there are multiple voice actors
20 there from Dragon Ball.

21 **Q. How many cons have you done in 2019?**

22 A. Nine, thus far.

23 **Q. Do you typically average between 30 and 40 a
24 year?**

25 A. No, I -- I think I average closer to 20 or 30.

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1 **Q. When would you say your reputation in the voice
2 acting community was at its peak?**

3 A. I can't answer that. I don't know. I'm not --
4 it's not for me to say when it's at a peak. I don't
5 know.

6 **Q. Well, you don't kind of intuitively know when
7 you're getting invited to more cons and getting asked to
8 do more shows?**

9 A. There's an ebb and flow to it all.

10 **Q. When did you first start doing the Broly voice
11 for Dragon Ball Z?**

12 A. About 15 years ago.

13 **Q. Is that the most famous character that you've
14 done?**

15 A. No, sir.

16 **Q. What's the most famous character?**

17 A. Probably Edward Elric from Fullmetal Alchemist.

18 **Q. When was the last Fullmetal Alchemist?**

19 A. Full -- I'm sorry. Sorry. Fullmetal ended,
20 wow, roughly 10 years ago.

21 **Q. And you've also done the voice characters on
22 video games; is that correct?**

23 A. Yes, sir.

24 **Q. What video games?**

25 A. Oh, wow. Soul Calibur, Persona, Sonic, Final

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1 I had a pretty large number lined up for this year. I
2 can only assume because of -- of the Broly movie. He's
3 a pretty popular Dragon Ball character, and I've played
4 him in all the anime and video games, Dragon Ball video
5 games for 15 years. So it was kind of exciting when
6 they came out with a new movie that he was the main
7 character of. And it's apparently done very, very well.

8 **Q. Would you agree with me that if you read the
9 articles that were being written about you that are
10 reflected in Exhibits 1 through 8, and you were at
11 convention, on or around convention, that that would
12 give you pause to invite you to conventions?**

13 A. Some yes, some no. I've spoken to convention
14 organizers who come down on both sides of it.

15 **Q. So there's some conventions out there that
16 aren't concerned at all about the allegations against
17 you?**

18 A. There's some.

19 **Q. All right. And then there's others that are?**

20 A. Certainly. And if I may say, I hope this is
21 okay, but if I -- I mean --

22 MR. BEARD: Go ahead.

23 A. A convention organizer may be on the fence,
24 based on rumor and social media, but if a voice actress
25 in the industry or a voice actor in the industry calls

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1 up and -- and puts pressure or -- or a -- an animation
2 company like Funimation or Rooster Teeth calls up and
3 puts pressure on a convention, you know, they can
4 certainly sway the conventions having me.

5 Q. (BY MR. LEMOINE) All right. As you sit here
6 today, you don't know of any instances where Funimation
7 or Rooster Teeth put pressure on a convention not to
8 hire you or allow you to come, do you?

9 A. Not yet.

10 Q. All right. And other than Kameha Con, are you
11 aware of any other conventions that any of the
12 individual Defendants reached out to that chose not to
13 let you come, or cancelled the contract with you?

14 A. You know, Sean, I'm thinking now there was one,
15 and I can't remember the name. Can I have a second?

16 Q. Sure.

17 A. No, I don't yet have any specific information
18 to that effect.

19 Q. Are you familiar with a website called
20 prettyuglyliar.net?

21 A. I've heard of it.

22 Q. Have you ever gone on and looked at it?

23 A. No, sir.

24 Q. Why not? Well, take it -- let me strike that.
25 What have you heard about it?

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1 Q. Unwanted touching.

2 A. So that -- so any -- any unwanted contact is
3 harassment?

4 Q. Sexual harassment, yeah.

5 A. Sexual harassment?

6 Q. Sure.

7 A. I -- I don't agree with your definition
8 personally.

9 Q. Well, then give me your definition of sexual
10 harassment.

11 A. Forcing somebody to engage in sexual-related
12 behavior against their will.

13 Q. So you have to use some type of physical force
14 to harass them under your definition, right?

15 A. Or verbal.

16 Q. And when's the first time that you were ever --
17 has there been any allegations made against you for
18 verbal or physical sexual harassment?

19 A. Well, for the longest time, my only
20 recollection of the rumors and stories online were that
21 I would hug fans that -- you know, that didn't want to
22 be hugged or, you know -- or I would get -- I would be
23 too close to -- to a fan that didn't appreciate it. And
24 of course they didn't say anything at the time, but they
25 -- they mentioned it later. Those were the first

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1 A. I'm sorry?

2 Q. What have you heard about it?

3 A. I have heard that it's just a repository for
4 garbage.

5 Q. About who?

6 A. Anybody. You. I mean, anybody. No one.
7 Anybody. Anything salacious, anything people desperate
8 to know about other people might want to read.

9 Q. Right. I'm going to show you what we're going
10 to mark as Exhibit 25.

11 (Exhibit 25 marked.)

12 Q. (BY MR. LEMOINE) I'll represent to you that
13 Exhibit 25 represents a Google Docs repository that's
14 associated with prettyuglylittleliar.net. This
15 particular Google Doc was pulled on April 25th, 2019,
16 and it goes through a series of allegations at lengths,
17 associated with people who have made statements about
18 you over the years. But you've never read it, correct?
19 Never been through pretty little -- Ugly Little Liars to
20 see what was being said about you?

21 A. No, sir.

22 Q. When's the first time you can recall
23 allegations of sexual harassment being raised against
24 you in your career as a voice actor?

25 A. Can I ask you to define sexual harassment?

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1 instances I ever heard of.

2 Q. And when was that, like, roughly?

3 A. I -- I don't remember.

4 Q. Would you agree with me that this issue of you
5 kissing young girls and that being kind of creepy has
6 been around for a while?

7 A. No, sir.

8 Q. Something that just started?

9 A. No, I wouldn't agree that it was kind of
10 creepy, that part of your sentence.

11 Q. All right. How about we do it this way: Would
12 you agree with me that people online have commented that
13 it's creepy that you kiss young girls?

14 A. Sure.

15 Q. And that's been around for a while?

16 A. Yes, sir.

17 Q. And that's certainly impacted your personal
18 reputation, hasn't it?

19 A. Not much. I mean, I -- I was doing pretty well
20 in the industry, as you pointed out yourself at the
21 beginning of the deposition. I have done hundreds of
22 characters. I've -- I'm just saying I have been a voice
23 actor at Funimation and been hired repeatedly for 15
24 years, and --

25 Q. And it all started on April 16th, 2019, when

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1 that tweet went out?
2 A. April?
3 Q. I'm sorry, January 2016.
4 A. No. No. Like I said, my belief is that --
5 that that date was chosen to piggyback on the popularity
6 of the Broly movie. There has been a recurring theme
7 here. Over the years, any time I am announced as part
8 of a new, big new show or playing a role, there are
9 always a handful of people that want to jump on that
10 publicity and -- and get some attention for themselves.
11 Q. And -- and by get attention to themselves, you
12 mean people post anonymously that you -- you harass
13 people or do inappropriate things?
14 A. Yes.
15 Q. And so they want to get attention for
16 themselves --
17 A. Yes.
18 Q. -- through an anonymous avatar, I guess?
19 A. Yes. For the same reason they don't want to be
20 listed right now, because they want the attention, they
21 want people to click on, ooh, I like your post, and, oh,
22 look how many people liked my post, but they don't --
23 you know, they certainly don't want the accountability.
24 And whenever any supporters have been pressed for any
25 evidence or substance, well, a friend told me that they

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1 heard from a friend, who saw a friend who said that they
2 heard at a convention four years ago, etc., etc.
3 Q. And so the people that have come out and
4 actively accused you of things, you've sued?
5 A. I'm sorry?
6 Q. The people that have come out with evidence and
7 said, this is my testimony and this is what happened,
8 you've sued them?
9 A. What evidence would that be?
10 MR. LEMOINE: Objection, nonresponsive.
11 Q. (BY MR. LEMOINE) Isn't it true that you --
12 well, let me back up.
13 Your complaint is that people don't offer
14 evidence, right? They just say things anonymously,
15 fair?
16 A. Some people.
17 Q. All right. And some people actually come out,
18 use their name and make statements about things that
19 you've done that they think were inappropriate, right?
20 A. Yes.
21 Q. And you've sued at least two of them, two women
22 that allege that you did inappropriate things to them,
23 correct?
24 A. Yes.
25 Q. All right. You haven't sued any of the

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1 magazines or online articles that wrote articles using
2 all of these anonymous names?
3 A. Not yet.
4 Q. You're planning on doing that?
5 A. Possibly.
6 Q. You would agree with me that if you don't sue
7 those magazines, your reputation is still going to be
8 damaged because you'll never --
9 A. Oh, I would say my reputation has been
10 irreparably damaged.
11 Q. And because of those articles, correct?
12 A. No, sir, because of everything. All of it.
13 It's a cumulative thing. Didn't you use -- like the
14 term you used, death by a thousand cuts, you know.
15 (Exhibit 18 marked.)
16 Q. (BY MR. LEMOINE) I'm going to show you what
17 we're going to mark as Exhibit 18.
18 Who is -- Alyssa Fluty does work --
19 A. I mentioned her earlier, and she -- she is one
20 of the moderators for the fan club, for the RiseMbool
21 Rangers.
22 Q. Do you know who drafted this statement?
23 A. No. I've never seen it. I -- I mean, it says
24 at the top, Hello, my name is Alyssa Fluty, so I can
25 only assume that Alyssa drafted it.

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1 Q. But you didn't have any role in drafting?
2 A. No, sir.
3 Q. First time you've seen it is when I handed it
4 to you today?
5 A. Yes, sir.
6 Q. Do you know if there are any other character
7 statements for you?
8 A. I have been told that there has been a website
9 accumulating people's positive accounts of interactions
10 and how I've helped them through difficult times with
11 encouraging words and support. You might be very
12 surprised. There are a lot of them. People that have
13 written me over the years.
14 Q. Are there any -- is there a repository of
15 statements from women that have been alone with you in
16 your room expressing positive support for that
17 interaction?
18 A. I'm not aware of them.
19 Q. Did you ever text with Chris Slatosch at Kameha
20 Con?
21 A. We talked about this, didn't we? I -- I -- I
22 think I told you that I did not text with him at all
23 until after he contacted me three months after canceling
24 me and we -- and decided to re-invite me, and then
25 received pressure from Monica, Chris Sabat, others, I'm

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1 sure, and started going back and forth. I -- I involved
2 my attorney because we had a contract, and I'm sure
3 there were a few interactions by text.

4 **Q. Is there a Houston couple, I don't know their
5 full names, that you're good friends with? Does that
6 ring a bell?**

7 A. I'm afraid you'll have to be more specific. I
8 -- I lived in Houston 20 years. I have a lot of friends
9 in Houston.

10 **Q. All right. How about -- how about this: Is
11 there a Houston couple that helps hire prostitutes, and
12 helps you pick them out and send them to you? Does that
13 ring a bell?**

14 A. There was -- there -- there is a friend of mine
15 who told me of a site, which is how I found about the
16 one time that I told you that I tried it.

17 **Q. All right. Have you ever -- has any friends or
18 anybody assisted you, in terms of actually hiring --**

19 A. No, sir.

20 **Q. -- a prostitute and sending her to your room?**

21 A. No, sir.

22 **Q. What was Star Trek Continues?**

23 A. It was a fan-made web series about -- that --
24 that picked up where the original Star Trek ended, and
25 finished the original five-year mission of the

235

1 interested in having me do something, but nothing has
2 been done yet, so I don't know when it would be shot, so
3 I certainly don't know when it would be coming out.

4 **Q. What about any anime films that are in the can
5 that will be released this year? Rohan for JoJo?**

6 A. Yeah, I was going to say there are a couple of
7 -- of -- I believe that's already all been released.
8 But there are a couple of recurring characters that I --
9 that I played, that I don't think they have been
10 released yet, but they've already been recorded.

11 MR. LEMOINE: All right. Let's take a
12 little break. I'll talk to everybody. I think I'm
13 ready to pass the witness.

14 THE VIDEOGRAPHER: And we're going off the
15 record at 4:29.

16 (Break taken from 4:29 p.m. to 4:37 p.m.)

17 THE VIDEOGRAPHER: And we're back on the
18 record for the beginning of disc number 6. The time is
19 4:38.

20 CROSS-EXAMINATION

21 BY MR. JOHNSON:

22 **Q. Okay. Mr. Mignogna, my name is Sam Johnson.
23 We met this morning. But have you and I ever met or
24 spoken before that interaction this morning --**

25 A. No, sir, not that I know of.

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1 Enterprise from the original series in the '60s.

2 **Q. And how many series did -- how many episodes
3 were there?**

4 A. We made 11.

5 **Q. And is that something you did like a GoFundMe
6 or some type of kick starter for it?**

7 A. As a matter of fact, I funded the first episode
8 myself, and then after we made an episode, that
9 basically is a proof of concept -- well, myself and --
10 and -- and another gentleman funded the first episode.
11 And then once we had the first episode and we put it
12 online, people really enjoyed it. We began Crowdfunding
13 to make further episodes.

14 **Q. And you made -- ultimately made 11 total?**

15 A. Yes, sir.

16 **Q. And were you paid by any studio for that?**

17 A. I'm sorry?

18 **Q. Were you paid by any studio for that?**

19 A. No, absolutely not. In fact, we were not
20 allowed -- to this day, we've not sold or -- or made any
21 profit from Star Trek Continues because it's a licensed
22 property. We made it as a -- as a fan series just to
23 celebrate Star Trek.

24 **Q. Do you have any films coming out this year?**

25 A. I have been contacted by a couple of people

236

1 **Q. -- that you can recall?**

2 Okay. And just so you know, I represent
3 Jamie Marchi in this matter, who's also a Defendant in
4 this case.

5 So I know you've answered a lot of
6 questions today, and I'm going to fill in some gaps that
7 I have in my list, but a lot of -- a lot of what I had
8 has already been addressed, so I'm going to do my best
9 not to duplicate that.

10 Same rules apply. Please allow me to
11 finish my question before you answer. If you need a
12 break, just let me know.

13 A. Yes, sir.

14 **Q. All right. Thank you. I wanted to -- to take
15 a few steps back and talk a little bit more about --
16 about your work and about what you do. So I know we
17 talked a little bit about how many productions you've
18 been in, how long ago you started.**

19 From what I can tell, not all of your work
20 is in anime; is that correct?

21 A. The vast majority of it is, but not all of it,
22 certainly.

23 **Q. Okay. Are there -- other than the Star Trek
24 Continued -- is it continued?**

25 A. Continues.

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1 Q. Continues.

2 A. That was just a passion project.

3 Q. Okay. Are there -- are there any other live

4 action productions that you've been in?

5 A. A handful over the years.

6 Q. Okay.

7 A. I've done some Christian films and I've done

8 some short films, and --

9 Q. Are there sub genres of anime that you appear

10 in or your voice appears in more than others? I don't

11 know the answer. I don't know if that's a thing. Just

12 wanted to ask.

13 A. I would say, no, sir.

14 Q. Okay.

15 A. I -- again, when you're talking about 300-plus

16 project -- series, you're talking about every

17 conceivable style and genre.

18 Q. Uh-huh.

19 A. Scary, funny, shows for boys, fighting, MECA

20 shows, romance shows, scary. I mean, it -- it covers

21 the gamut.

22 Q. Okay.

23 A. And often, I don't even know what I'm going to

24 do until I get in there. I don't even know a lot about

25 what I'm doing until I get in there and they go, you're

238

1 this guy.

2 Q. Okay. So you don't normally get the script --

3 A. No --

4 Q. -- very far in advance?

5 A. -- never in -- no, you don't get it ever in

6 advance.

7 Q. Okay. I know you've got some social media

8 presence. I wanted to walk through and see exactly

9 which platforms you have an account on.

10 A. Okay.

11 Q. I know you have a Twitter account; is that

12 correct?

13 A. Yes, sir.

14 Q. Do you have a Facebook account?

15 A. Yes, sir.

16 Q. On Facebook -- strike that.

17 Do you have an Instagram account?

18 A. No, sir. I -- I -- I -- I downloaded the app

19 because of all the cool things you can do, like put

20 funny faces and hats and weird things, you know, but I

21 don't ever use it. I've -- I don't think I've ever

22 posted on Instagram once.

23 Q. How about Snapchat?

24 A. No, sir.

25 Q. Any other social media platforms that you

239

1 regularly use?

2 A. No, sir. And the only reason I've ever used

3 them is because fans encouraged me to do them as a way

4 to interact with the fans.

5 Q. Right. And your Twitter account, if I'm -- if

6 I remember correctly, is verified; is that right?

7 A. That -- I -- I think so. That means that they

8 -- they basically verify that you're you?

9 Q. That's right.

10 A. I think it's true. There's a dot or something;

11 is that right?

12 Q. Yeah, there's a blue circle with a little white

13 checkmark inside --

14 A. Okay.

15 Q. -- next to your -- your name.

16 A. I believe you.

17 Q. Did you -- do you remember what you did to get

18 that account verified?

19 A. No, I don't.

20 Q. Okay. Do you know if you did anything?

21 A. I don't remember doing anything. In fact, when

22 somebody said something about being verified, I'm like

23 -- I literally said, how does that work, like how -- how

24 do you do that?

25 Q. Do you use a publicity firm that might have

240

1 done that for you?

2 A. No.

3 Q. Do you use a publicity firm at all?

4 A. No.

5 Q. So you do all of your -- your publicity, your

6 social media posting, your statements, all that's --

7 A. Yes, sir.

8 Q. Let me finish, please.

9 A. Sorry. Sorry.

10 Q. All those things, you generate those yourself?

11 A. Yes, sir. Or I have. I have. Over the years,

12 I have. This incident has been the first time that I

13 have ever sought the services of someone to -- to help.

14 Q. Okay. So with regard to the -- the statements

15 and occurrences that are discussed in this lawsuit, you

16 have been receiving some publicity help?

17 A. Well, the -- the couple that I mentioned --

18 Q. Okay.

19 A. -- in particular.

20 Q. All right.

21 A. Attorney interaction, of course.

22 Q. Uh-huh. Any PR firms?

23 A. No, sir.

24 Q. Okay.

25 A. The -- the couple in Florida considers

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1 themselves kind of a PR couple firm, but I don't know if
2 they actually have a name. You know what I mean? I
3 don't know if they're an official thing --

4 **Q. Right.**

5 A. -- but --

6 **Q. I think I understand.**

7 **And you are the voice -- is it Broly or**
8 **Broly?**

9 A. Everybody says something different. I've
10 always thought it was Broly.

11 **Q. Okay.**

12 A. But some people say Broly, so --

13 **Q. And I understand that film, Dragon Ball: Broly,**
14 **was the third highest grossing anime film in the United**
15 **States. Does that sound right to you? Were you pretty**
16 **pleased with that success level?**

17 A. Yeah. It was -- sorry.

18 **Q. Uh-huh.**

19 A. It was a privilege. I was really proud to be a
20 part of it. I mean, I played this character for 15
21 years and he would be in video games and stuff. And
22 when I would do events, fans would always say, oh, I
23 love Broly, he's my favorite character in Dragon Ball.
24 When are they ever going to do anything more with him?
25 And I would always say, I don't know, wouldn't that be

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1 A. No, and I think that's one of the interesting
2 things about voice acting.

3 **Q. Uh-huh.**

4 A. You know, you just -- you're not recognized.

5 **Q. How about when you're at the conventions?**

6 A. Well, I mean, there, yes, because people come
7 there specifically to celebrate anime.

8 **Q. Okay.**

9 A. And because of the internet, you know, you can
10 look up, you know, people's faces and stuff and find out
11 who somebody is who played this character or that.

12 **Q. What is Riseembool?**

13 A. Riseembool was the town that my character and
14 his brother came from in Fullmetal Alchemist.

15 **Q. Okay.**

16 A. So it was literally just a --

17 **Q. Your fans?**

18 A. It was -- yeah, the -- two -- two women started
19 the Riseembool Rangers. I -- I didn't start a fan club,
20 I didn't ask anybody to start a fan club. A couple of
21 fans contacted me and said, We want to start a fan club
22 for you. I'm like, really? Okay. How fun, right? And
23 they came up with the name based on the anime.

24 **Q. Okay. So it was based off of your prior work?**

25 A. Yes, one of the characters that I played.

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1 fun? And then when this movie was announced, you know,
2 I was -- I was real excited about it.

3 **Q. Uh-huh. That's a big deal, you know, third**
4 **highest grossing. And I assume that brings with it a**
5 **pretty significant fan base?**

6 A. I already had -- I think they already existed.

7 **Q. Okay.**

8 A. I -- I -- I think. I don't -- again, I don't
9 do any analytics or count this or that.

10 **Q. Uh-huh.**

11 A. But I -- I -- I think my overall body of work
12 over the years has -- you know, has been pretty well
13 received.

14 **Q. Okay. Yeah, your IMDb page says that you've**
15 **been in over 356 productions. Does that sound --**

16 A. See, I -- I don't even know. I -- I mean, I
17 said over 300, and I didn't even know.

18 **Q. Right.**

19 A. I -- I don't keep track. After a while, you
20 just do them.

21 **Q. Do you ever have that situation where people --**
22 **you know, if you're at the airport or Starbucks or**
23 **whatever, do fans recognize you out --**

24 A. No.

25 **Q. -- in public?**

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1 **Q. I do want to switch and talk about Jamie**
2 **Marchi, my client, at this point.**

3 **How long have you known Jamie?**

4 A. As long as she's been working at Funimation. I
5 -- I -- I honestly can't tell you an amount of years.

6 **Q. Uh-huh.**

7 A. It's one of those things you don't really think
8 about because you don't think you need to ever really
9 know, but it's been as long as she's -- if I had to
10 guess, maybe 10 or 12 years, maybe.

11 **Q. And so did you meet her working at Funimation?**

12 A. Yes, sir.

13 **Q. And were you-all working on a production**
14 **together, or --**

15 A. We worked on several productions.

16 **Q. Is that how you first met?**

17 A. Actually, it's an interesting dynamic, because
18 voice actors typically record alone, which means you and
19 I, and him, and him, and her, could all be in a show
20 together and never even meet each other because we would
21 come in separately and record our lines. But you might
22 cross paths in the hallway or you might see each other
23 in the lobby.

24 **And many times, you also would do a**
25 **convention and other voice actors would be there. I've**

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1 actually met voice actors for the first time, who I'd
2 been in 8 or 10 shows with, and I'd never met them, but
3 I met them at a convention because we were both invited
4 there. And that's honestly how, more times than not,
5 you actually talk to them more and, you know, get to
6 know them a little more there.

7 Q. So did you ever -- I know you said you've done
8 some live action productions. Was Jamie in any of those
9 with you, that you can recall?

10 A. Not that I can recall, no.

11 Q. Okay. But you-all did interact at conventions?

12 A. Sure.

13 Q. Okay. I do want to go ahead --

14 MR. JOHNSON: What exhibit number are we
15 on?

16 THE REPORTER: 22. Or, you guys, did you
17 already mark something?

18 MR. BEARD: No, we didn't mark anything.

19 THE REPORTER: Okay.
20 (Exhibit 22 marked.)

21 Q. (BY MR. JOHNSON) All right. I'm going to hand
22 you what I've marked as Exhibit 22. And I'll represent
23 to you that this is a cease and desist letter that was
24 sent by your attorney to Ms. Marchi. Have you seen this
25 letter before?

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1 A. No, sir. I was informed that it was sent, but
2 I have not seen it personally.

3 Q. Okay. I just want to walk through this letter.
4 If you'll look with me, and in the first full paragraph,
5 it says that the demand was relating to posts and tweets
6 using the personal social media account, including
7 @rontoye. Since this is sent to Ms. Marchi, I'm
8 assuming that's a typo. Do you have any reason to
9 disagree with that?

10 A. Can I read that real quick?

11 Q. Please.

12 MR. BEARD: It's a typo.

13 A. I don't know. I don't know what that is
14 relating to.

15 Q. (BY MR. JOHNSON) Okay.

16 A. Can I consult my -- is it a typo? I don't
17 know.

18 Q. I just wanted to make sure there wasn't
19 something I --

20 MR. BEARD: It's a typo.

21 Q. (BY MR. JOHNSON) -- that I wasn't aware of.

22 A. No, I don't --

23 Q. Yeah. Lawyers are humans, too.

24 A. It's the first time I'm seeing it, too.

25 Q. We have typos, so it happens. I want to walk

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1 through with you the statements that your -- your cease
2 and desist letter addressed --

3 A. Okay.

4 Q. -- by Ms. Marchi. And the first one I want to
5 look at is -- is February 6th, 2019, at 9:05 p.m. And
6 there are some quotes in the letter, but if you'll turn
7 back to the --

8 A. Wow.

9 Q. -- fifth page, there's an image of the actual
10 tweet. And I just -- I want to give you a minute to
11 look at it.

12 A. Okay.

13 Q. All right. Is your name mentioned anywhere in
14 this tweet?

15 A. No, sir.

16 Q. Okay. What -- what in here is there to let you
17 know that it references you?

18 A. Well, who is she responding to? Do we have the
19 previous tweet? Clearly, she's responding to someone,
20 right?

21 MR. JOHNSON: Object, nonresponsive.

22 Q. (BY MR. JOHNSON) I'm just asking, based on
23 what you can see on -- on the page, is there anything
24 that would let -- let someone know that it's actually
25 referencing you?

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1 A. On this page alone?

2 Q. Correct.

3 A. No, I don't see any -- I do not see my name
4 here.

5 Q. Okay. What -- what are the statements of fact
6 -- if we assume that this is about you, what are the
7 factual statements that are made about you in this
8 tweet? Something that could independently be verified
9 by someone, if you read through it?

10 A. Well, this tweet alone?

11 Q. Uh-huh.

12 A. Nothing.

13 Q. Okay.

14 A. But there -- she tweeted before this, when she
15 initially tweeted her account of something.

16 MR. JOHNSON: Object, nonresponsive.

17 Q. (BY MR. JOHNSON) We'll -- we'll get to her
18 other tweets.

19 A. Okay.

20 Q. I'm only asking about this one, so --

21 A. No, there -- there -- there's nothing in -- in
22 here except a lot of anger, that I can see.

23 MR. JOHNSON: Object, nonresponsive.

24 A. I'm sorry, what was your question?

25 Q. (BY MR. JOHNSON) The question is just what in

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1 this particular tweet on February 6th is a statement of
2 fact about you?
3 A. Nothing.
4 Q. Okay. And then in -- in your letter -- sorry
5 to make you flip back and forth.
6 A. Sure. No worries.
7 Q. But in the paragraph that goes from the first
8 page to the second page, that your lawyer wrote, it says
9 that this tweet implies that you committed some type of
10 criminal offense.
11 Do you see anything in this particular
12 tweet that gives that impression that -- that a criminal
13 offense was committed?
14 A. No, sir. But it's -- you have to take the
15 context of the entire thing.
16 MR. JOHNSON: Object, nonresponsive after
17 no, sir.
18 A. I -- I -- I said, no, sir. I'm sorry, that was
19 -- yeah, that was my response, sorry.
20 Q. (BY MR. JOHNSON) You're fine. That's my job
21 to clean it up.
22 A. Okay.
23 Q. All right. That's all my questions about
24 that -- that tweet. I'm going to skip ahead from the
25 order that they're addressed in in the letter to the

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1 next one chronologically, which was on February 7th,
2 2019. And that is on the last -- I'm sorry, page 11.
3 A. Okay.
4 Q. Do you see that tweet, it's -- it says What
5 Would Jesus Do?
6 A. Page 11? Oh, goodness.
7 Q. Yeah, the 11.
8 A. I looked down here and I saw one, slash, one
9 and thought it was 11.
10 Q. No problem.
11 A. So sorry.
12 Q. Uh-huh.
13 A. Eight. Am I -- am I blind? Seven -- page 8 is
14 the last page I have here.
15 Q. It's the one before that, sorry.
16 A. Okay.
17 Q. Give yourself a moment to read that.
18 A. Okay.
19 Q. And my questions might sound familiar to you.
20 The first one is, is your name stated in this tweet?
21 A. No, sir.
22 Q. Is there any direct reference to you, that you
23 can see?
24 A. No, sir.
25 Q. If we assume that this tweet was about you,

251

1 what is the statement of fact about you in here?
2 A. No statement of fact about me in this tweet.
3 Q. Thank you. I want to go to the last page in
4 this, and there's no date here. But there's another --
5 it's a little harder to tell, I can't tell. I think
6 it's a tweet, also. But there's one that's attributed
7 to Ms. Marchi. Do you see that on this page, as well?
8 A. Here?
9 Q. The third one down.
10 A. Yes.
11 Q. Yes. Give yourself a moment to read that.
12 A. Okay.
13 Q. All right. What is the statement of fact about
14 you in this particular tweet, as you read it?
15 A. The only thing that I can see is where she
16 says, Fighting back does not in any way, shape or form
17 make me as bad as Vic. I would say that tends to create
18 a statement of fact that I'm a bad person.
19 Q. Is that the only statement of fact that you see
20 in there?
21 A. Yes, sir.
22 Q. Do you see anything in that tweet that implies,
23 as you read it, that you are a bad person, akin to a
24 criminal, or that there's any reference to criminal
25 activity in this tweet?

252

1 A. Not in this tweet, no.
2 Q. Thank you. All right. And then the last one
3 is -- that I want to talk about is, is the one, it's on
4 February 8th, and it's -- it's -- I think might be the
5 one you had in mind a few moments ago, the -- the one
6 that I'm going to refer to as Ms. Marchi's statement.
7 A. Okay.
8 Q. So if I use that term, this is what I'm
9 referring to.
10 A. Yes, sir.
11 MR. BEARD: Counsel, we're going to be here
12 tomorrow. The jury didn't come to a decision so we're
13 in here tomorrow morning.
14 MR. JOHNSON: Okay. Thanks.
15 Q. (BY MR. JOHNSON) So -- and -- and I'm -- I'm
16 wanting -- have you seen this tweet before? It's --
17 it's pretty lengthy. Do you recall having read it
18 before today?
19 A. I'm pretty sure I read it. Somebody said --
20 somebody called me, a friend, and said, Jamie Marchi
21 just tweeted. And I'm like, Jamie, what about? And
22 I -- and then I -- I read it, or somebody, like,
23 Screenshot it and sent it to me.
24 Q. Okay. I actually want to walk back to -- to
25 the second page of -- of this exhibit, the -- the actual

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1 letter your attorney wrote for you. If you'll go to the
2 second page, there are a few statements that they point
3 out that I just want to work through with you.

4 A. Okay.

5 Q. They -- they point out the statement that --
6 that's made, that you, quote, Gave almost all the women
7 at my job the creeps, unquote. Do you see that in
8 there?

9 A. I do.

10 Q. Okay. And then there's the statement that --
11 at -- at the time of the incident, Ms. Marchi's writing
12 about, that you whispered something sexual in nature to
13 her?

14 A. Correct.

15 Q. All right. Do you have any evidence, that
16 you're aware of, that Ms. Marchi did not actually
17 believe these statements to be true at the time she
18 wrote them?

19 A. At the time she wrote them or at the time they
20 happened?

21 Q. At the time she wrote them.

22 A. I can't answer for her. I don't know what's in
23 her mind. I -- I can't say whether she believes it's
24 true or whether she was joining in to pile on. I don't
25 know.

254

1 Q. Are you -- and I know you're not an attorney,
2 sir, but are you aware of anything in the Texas Penal
3 Code that is defined as being simple assault?

4 A. No, sir.

5 Q. You're not aware of any crime or statute that's
6 referred to that?

7 A. I mean, I've heard the term. I don't know
8 the -- the definition or the details of it.

9 Q. Okay. So sitting here today, you don't know if
10 that's actually a crime under Texas law?

11 A. Well, I don't know what it is so -- and I don't
12 -- no, I don't know if it's a crime.

13 Q. I don't either. That's why I was asking. Do
14 you know, are there any crimes in the Texas Penal Code
15 that legally classify a convicted defendant as a
16 predator? Are you aware of any of that?

17 A. I don't know.

18 Q. Would you agree with the statement that the way
19 one person perceives a situation is not always going to
20 be the same way everybody perceives that same situation?

21 A. Of course.

22 Q. So is it possible that Ms. Marchi perceived
23 pain when you pulled her hair in the lobby that day, and
24 that you were unaware of that?

25 And the reason I ask is you testified

255

1 earlier --

2 A. I have -- I -- I had no indication that -- I
3 had no indication when it happened or in the years that
4 followed that we've been friends and interacted that
5 I -- that there was anything offensive or painful about
6 it. In my mind, my recollection, it was very casual,
7 playful interaction as happens all the time in the
8 hallways of Funimation.

9 Q. But you would agree that she certainly could
10 have perceived it differently than you?

11 A. Sure.

12 Q. Is it your testimony today that you did not say
13 something sexual into Ms. Marchi's ear at that moment
14 that you're grabbing her hair?

15 A. Yes. Sorry.

16 Q. You're good.

17 A. Yes, it is, absolutely.

18 Q. Do you recall if you said anything into her
19 ear?

20 A. I don't recall that I said anything. If I did,
21 it was literally something about, ooh, I love your hair,
22 or, love it, it's awesome. You know, it was that kind
23 of a thing.

24 Q. Okay. Other than the statements that we've
25 discussed today, are there any other statements by Ms.

256

1 Marchi about you that are statements of fact that you
2 allege to be defamatory in nature, that -- that you're
3 aware of?

4 A. At present that I'm aware of, no.

5 MR. BEARD: What is the number of this
6 exhibit?

7 MR. JOHNSON: This was Exhibit 22.

8 Q. (BY MR. JOHNSON) I know you've talked today
9 about Defendants having reached out to conventions and
10 encouraging them to end their relationship with you or
11 cancel a contract.

12 Sitting here today, are you aware of any
13 conventions that Jamie reached out to for that purpose?

14 A. I'm going to answer and you're going to say
15 nonresponsive.

16 MR. JOHNSON: Objection, nonresponsive.

17 A. See there, we just saved ourselves six or seven
18 seconds. I have been told by several convention
19 organizers who had booked me to be at their show that
20 they were not inclined to cancel me until voice actors
21 started coming out. Because they -- they weren't going
22 to give a lot of credence to just a bunch of people on
23 the internet, you know.

24 Q. (BY MR. JOHNSON) Uh-huh.

25 A. But -- but when the voice actors came out, and

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1 we all know who the voice actors were that came out, so,
2 I mean, it's kind of an assumption, they didn't call me
3 and say, Jamie Lynn Marchi and Monica Rial, you know
4 what I mean, contacted us, but they did tell me that it
5 was the public comments by the voice actors that led
6 them to ultimately cancel me.
7 Q. So it was the public comments, not -- not
8 necessarily a direct contact by a particular voice actor
9 to the convention?
10 A. I don't know.
11 Q. Okay.
12 A. I don't know if there was any direct contact or
13 not.
14 Q. So sitting here today, you don't know of any
15 conventions that Jamie directly reached out to, correct?
16 A. Not yet, no. Not at present.
17 Q. And then I think it was Ms. -- Ms. Denbow at
18 Funimation that you were communicating with while they
19 were conducting their investigation; is that correct?
20 A. Tammi Denbow, I think she's with Sony, not with
21 Funimation.
22 Q. Okay. Thank you for -- for clarifying that.
23 A. I'm pretty sure; is that right?
24 Q. And I believe you testified earlier that she
25 mentioned some of the people who had outcried --

258

1 A. Yes, sir.
2 Q. -- to Sony or to Funimation?
3 Did she ever mention Jamie during that
4 process?
5 A. No, sir.
6 Q. Looking at your original petition filed in this
7 lawsuit, just tracking that timeline, did you read the
8 original petition in this case --
9 A. This one?
10 Q. -- what your -- what your lawyer filed to
11 initial -- initiate the lawsuit?
12 A. No, sir.
13 Q. Okay. I'm just going to --
14 A. It probably would have looked very -- like,
15 what is this, Latin? I mean, you know, I just kind of
16 trust him to do what he does.
17 Q. I hear you. Well, I want to walk through a
18 timeline with you --
19 A. Okay.
20 Q. -- and I want to see if this sounds about
21 correct, as far as your terminations from certain
22 conventions earlier this year.
23 On January 18th of this year, the Phoenix
24 Fan Fusion Convention canceled your appearance --
25 A. Yes, sir.

259

1 Q. -- there?
2 A. That was the first one.
3 Q. And then January 29th, I think was roughly when
4 Funimation terminated your contract with them?
5 A. 20 -- again, I think, what did we say, 27, 28,
6 26, 27?
7 Q. Late January?
8 A. Yes, sir.
9 Q. Okay. January 30th, Anime NYC and Anime
10 Milwaukee canceled your appearances there; is that
11 right?
12 A. I don't -- I'm sorry.
13 Q. That's okay.
14 A. I don't remember the dates.
15 Q. Late January, does that sound about right? I'm
16 not trying to trick you, I'm just --
17 A. I know you're not, and I'm not trying to be
18 evasive.
19 Q. Right.
20 A. I was a mess. I don't remember.
21 Q. Okay.
22 A. I don't remember dates of these things. I knew
23 they were happening and it was kind of a --
24 Q. Uh-huh.
25 A. You know, it was a -- a cumulating thing.

260

1 Q. I guess my question is, if the first public
2 statement by Jamie on Twitter, which -- which you allege
3 to be defamatory, obviously, Ms. Marchi and I would not
4 agree with that, but if the first one is dated
5 February 6th, I'm trying to figure out how that could
6 have impacted these conventions' decisions prior to the
7 date of her tweets that -- that the cease and desist
8 letter referenced.
9 A. It didn't impact the conventions prior to her
10 -- to her -- her state -- her public statement,
11 obviously. But there were, certainly, events that
12 canceled me after, and there are presumably events and
13 production companies who might have been -- have had me,
14 and when they saw these things, they decided not to.
15 MR. JOHNSON: Object, nonresponsive after
16 the word obviously.
17 Q. (BY MR. JOHNSON) Did you ever have any
18 conversations with Chuck Huber about Jamie's online
19 posts or tweets?
20 A. Yes.
21 Q. What were those conversations?
22 A. He contacted me shortly after she had posted.
23 And he said that -- he's like, I -- Jamie was my writing
24 partner and I've always had a great relationship with
25 her and I -- you know, I don't know why she would say

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1 this.

2 And my response was basically, Dude, you

3 know, I don't -- I don't know where this came from. I

4 was completely floored when -- when she posted that.

5 And like I said, I've had many interactions with her

6 over the years since this alleged incident and they have

7 all been positive and friendly. So I -- I -- I told

8 Chuck that, and he told me that -- you know, that he --

9 he was concerned because he had written with Jamie, and

10 she was a writing partner of his, and they were good

11 friends.

12 **Q. Okay. Did you ever text with him about Jamie?**

13 A. I don't recall that I did.

14 **Q. Email?**

15 A. Not that I recall.

16 **Q. What -- what current model -- what's your phone**

17 **that you use?**

18 A. iPhone.

19 **Q. An iPhone. Do you know what model it is?**

20 A. It's the X, the 10.

21 **Q. Okay.**

22 A. Yes, sir.

23 **Q. How long have you had that phone?**

24 A. A couple of months, I think.

25 **Q. Okay. So since what, March, April?**

262

1 A. Maybe. Maybe. Maybe.

2 **Q. Okay. What was your prior phone that you had?**

3 A. iPhone 9.

4 **Q. Okay.**

5 A. I've had every version of them.

6 **Q. Did you keep the iPhone 9 when you upgraded to**

7 **the 10?**

8 A. I sold it or I was -- I intended to sell it.

9 **Q. Okay. Did your text messages, to the extent**

10 **any hadn't been deleted as part of your -- what you**

11 **testified about earlier, were those transferred to your**

12 **new iPhone, your text message conversations?**

13 A. I -- I assume so. You know how you do the --

14 you do the backup --

15 **Q. Uh-huh.**

16 A. -- and then when you buy the new phone, you --

17 the first thing you tell it to do is restore from

18 backup.

19 **Q. Right.**

20 A. But as I mentioned earlier with -- with the

21 other gentleman, I -- I don't like to scroll through 55

22 text message conversations. Once a conversation is

23 over, I'll get rid of it so it's easier to find the ones

24 that are current and ongoing.

25 **Q. You mentioned earlier that you have an**

263

1 **accountant that helps you with your financial --**

2 A. Yes, sir.

3 **Q. -- reporting. What is the accountant's name?**

4 A. Frank Pacella.

5 **Q. Could you spell Pacella, please.**

6 A. Sure. P-A-C-E-L-L-A.

7 **Q. Where is Frank?**

8 A. He lives in New York.

9 **Q. Okay. Do you happen to know his email address**

10 **or his phone number offhand?**

11 A. Not offhand. Can --

12 MR. BEARD: I can provide all that.

13 MR. JOHNSON: Thank you.

14 **Q. (BY MR. JOHNSON) Were you scheduled to appear**

15 **at Tekkoshoccon in 2010?**

16 A. Wow. That was a lot of events ago and almost

17 10 years. I -- I -- I don't -- well, yeah, wasn't that

18 the -- I believe that the rumors panel that he

19 referenced --

20 **Q. Uh-huh.**

21 A. -- mentioned Tekkoshoccon 2010, so I -- I assume

22 I was there.

23 **Q. Okay.**

24 A. I mean --

25 **Q. Do you recall being uninvited from Tekkoshoccon**

264

1 --

2 A. No, sir.

3 **Q. -- at any time?**

4 A. No, sir. I wasn't there for -- I -- I was not

5 there for several years, and then -- and then about

6 three years ago, they invited me to do an event in

7 Pittsburgh. It was run by the same people that ran

8 Tekkoshoccon. So they invited me to that event, and I

9 did it, and then they said we need to get you back to

10 Tekkoshoccon. And about, like the following year or two

11 years after, based on availability, I went back to

12 Tekkoshoccon.

13 **Q. So there was nothing with your nonappearance at**

14 **Tekkoshoccon that arose from allegations that you were**

15 **stalking someone --**

16 A. No.

17 **Q. -- that you can recall?**

18 A. No.

19 (Exhibit 23 marked.)

20 **Q. (BY MR. JOHNSON) I do want to give you one**

21 **more exhibit. And I'm going to mark this as Exhibit 23.**

22 **And I'll represent to you that that one's --**

23 A. Oh, I'm sorry.

24 **Q. Sorry.**

25 THE WITNESS: Oh, okay.

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1 Q. (BY MR. JOHNSON) She's going to attack us if
2 we don't keep the right exhibits --
3 A. Okay.
4 Q. -- down here when the deposition is over.
5 A. Stay over there.
6 Q. I'll represent to you that this is a letter
7 that your attorney sent to Ms. Marchi in March of 2009,
8 I'm sorry, 2019, informing her that she needed to
9 preserve all electronically-stored information, data,
10 all that kind of stuff.
11 Do you agree that if -- if you, whether
12 directly or through an attorney were instructing the
13 other parties to this lawsuit to preserve all electronic
14 information that might relate to this case, that you
15 should be doing that also, at least as of that date?
16 A. I suppose.
17 Q. Okay.
18 MR. JOHNSON: I'll pass the witness.
19 CROSS-EXAMINATION
20 BY MR. VOLNEY:
21 Q. Hi, Mr. Mignogna, my name is John Volney. I
22 represent Funimation. The first time we met was this
23 morning before this event started, correct?
24 A. Yes, sir.
25 Q. So I just have a few follow-up questions. I

266

1 want to start out with the timeline. On January 16th
2 was the date that the latest Broly movie was released?
3 A. Yes, sir, in theaters.
4 Q. In theaters. And that was the same date that
5 these social media posts started to happen that were
6 accusing you of inappropriate behavior?
7 A. Yes, sir.
8 Q. Did you, at that time, communicate to anyone at
9 Funimation about those social media posts that were
10 coming out about you?
11 A. Yes.
12 Q. Who did you communicate with?
13 A. Justin Cook.
14 Q. What did you tell Mr. Cook?
15 A. I was in recording and -- for that Mononokean
16 show that I -- that they tweeted that I was replaced in.
17 And I had spoken with him. He was telling me -- he was
18 showing me the -- the demographics and -- or not the
19 demographics, what do you call it, the analytics, you
20 know what I mean, of how well the movie was doing, and I
21 was in his office, and I -- I mentioned the -- the --
22 the -- the -- the Twitter stuff that had just started at
23 that point. And he said -- he -- he was very much in
24 agreement, he was like, it's a bunch of garbage. I
25 know, it's -- it's just, what a bunch of garbage. And

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1 we both agreed that it was, you know, just unfortunate
2 fan garbage.
3 Q. This was not the first time that this sort of
4 what you called fan garbage had come out coincident with
5 the release of a movie where you provided a voice --
6 voice?
7 A. Or an anime series. Not a movie, but anime
8 series.
9 Q. Anime. So this had happened before?
10 A. Yes, sir.
11 Q. And so did you have any other conversations
12 with Funimation at that time?
13 A. Not that I recall, no, sir.
14 Q. What does Justin Cook do for Funimation?
15 A. He's -- you know, he kind of oversees all of
16 the directors, I -- I believe. I'm -- I'm kind of
17 embarrassed to say that I don't know what his actual
18 title is. I want to say head of production, but I -- I
19 don't think -- I don't know if that's it for sure. He's
20 been there many -- he and I have been friends, I
21 believed, for a very long time.
22 Q. When was the next time you had any contact from
23 anyone at Funimation about the -- the social media
24 uproar that was going on?
25 A. When the human resources woman called me and

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1 said that -- that someone from Sony wanted to have a
2 conversation with me.
3 Q. And was the next contact after that human
4 resources call the communication you got from Tammi
5 Denbow at Sony?
6 A. Yes, sir.
7 Q. And then -- did you then participate in an
8 interview with Ms. Denbow?
9 A. We had a phone conversation where she raised
10 the three incidents.
11 Q. How long did that phone conversation last?
12 A. Maybe half an hour, 40 minutes. I -- I don't
13 recall, specifically.
14 Q. Was anyone on the phone besides you and Ms.
15 Denbow?
16 A. No, sir.
17 Q. Did you take any notes?
18 A. No, sir.
19 Q. How did that phone conversation end?
20 A. With her saying that they would -- that she
21 would take the information she gathered from me and
22 review -- and review it with other people, I don't know
23 who, and get back to me with their decision on it.
24 Q. Did you consider yourself honest and truthful
25 in your communications with Ms. Denbow?

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1 A. Absolutely.

2 Q. Did you, in that conversation, explain to Ms.

3 -- to Ms. Denbow that you sometimes had hugs and kisses

4 with fans at anime conventions?

5 A. Probably.

6 Q. Tell me, how is it that you get signed up to be

7 a participant at -- at an anime convention.

8 A. The convention organizers will contact people

9 in the industry and invite them to come for the purpose

10 of, you know, attracting fans to come and meet the guy

11 who wrote this show, or the woman who directed that

12 show, or the guy who played this character in this show,

13 or this artist, or --

14 Q. Who handles it for Vic? Do you, Mr. Mignogna,

15 take the phone calls and get the text messages yourself

16 or do you have somebody who handles this for you, like

17 an agent?

18 A. The vast majority of them are me, and it's

19 because I've been doing it since they started. Even

20 Monica and -- can tell you that when we started in this

21 industry 20 years ago, there were only a handful of --

22 very few con -- anime -- anime-specific conventions.

23 And they were much smaller, they were in

24 hotels and, you know, very small venues. And the

25 conventions would contact us and just basically say,

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1 we'll give you a hotel room and we'll buy you a plane

2 ticket, that's about all we got for you. And -- and so

3 we would go and sign autographs and do Q and A sessions

4 with the fans and talk about Dragon Ball, or whatever

5 show the fans were interested in.

6 And over the years, the conventions

7 continued to grow, they kept popping up and -- but I had

8 a relationship with a large number of the convention

9 organizers personally.

10 Q. So they would just contact you directly?

11 A. Yes, sir.

12 Q. And would they do it via email, via telephone

13 call, via text message?

14 A. Every way.

15 Q. And so I understand from your earlier

16 testimony, for some of those conventions you actually

17 had a written contract, fair?

18 A. Not back then.

19 Q. I'm talking about in January 2019 --

20 A. Yes, sir.

21 Q. -- until today.

22 A. Yes, sir.

23 Q. Fair?

24 A. Yes, sir.

25 Q. You had a contract with many of them?

271

1 A. Yes, sir.

2 Q. And then some of them you didn't have a

3 contract, it was more of just a verbal agreement?

4 A. Yes, sir.

5 Q. When a convention canceled you, beginning -- I

6 think you say the first one canceled you in -- on

7 January 18th of 2019, and that was the Phoenix Fan

8 Fusion event, how did that get communicated to you?

9 A. The organizer, Matt Solberg, called me.

10 Q. For any of the conventions that you claim were

11 canceled as a result of the -- the tweeting by any of

12 the parties here, or social media uproar, have you kept

13 records of the -- the communication, like the -- the

14 text message or the email?

15 A. I feel like I have to -- to a degree. There

16 have been some of these conventions, a number of them

17 this year, the ones that we're speaking of right now,

18 that the men -- the men -- the gentleman that I

19 mentioned earlier, Gary Hassen, had represented me to

20 those events. And they contacted him, told him that

21 they were canceling my appearance, and he called me and

22 said, Megacon has canceled you or Emerald City has

23 canceled you.

24 Q. For example, when you say in your petition that

25 Anime NYC and Anime Milwaukee canceled your appearance

272

1 on January 30th, 2019, are you referring to a text

2 message, an email or a phone call?

3 A. Anime NYC emailed me.

4 And what were the other ones you mentioned,

5 sir?

6 Q. Anime Milwaukee.

7 A. Anime Milwaukee? I honestly don't remember

8 whether they called me or sent me an email.

9 Q. Do you know whether you were signed up or

10 slated to appear at Anime Milwaukee as of January 30th,

11 2019?

12 A. I can -- I can -- I can check my schedule. If

13 I was canceled, I can only assume that I was scheduled

14 to go.

15 Q. And in terms of the person who would have the

16 records of being scheduled and being canceled by a

17 particular convention, that would be you?

18 A. Yes -- well, for Anime Milwaukee, yes, sir.

19 Q. Which ones did this gentleman, Gary Hassen,

20 handle for you?

21 A. Gary Hassen only handled the pop culture

22 events, like a multi-genre event. I -- I -- he -- I --

23 I never wanted him to involve himself with the

24 anime-specific conventions, mostly because it's a

25 different -- it's a completely different dynamic, and I

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1 had an ongoing long relationship with a lot of the
2 organizers myself, and --

3 Q. Fair. I take it within a -- you've testified
4 that within a few days of your conversation on the
5 telephone with Ms. Denbow, you had a further
6 conversation with the folks at Funimation, where they
7 communicated to you that they were terminating your
8 relationship, fair?

9 A. No, sir. I did not speak with Funimation. A
10 couple of days after my initial conversation with Ms.
11 Denbow, she called me back, and there was someone else
12 on the line, a gentleman. I -- I don't remember his
13 name. And they were the ones on the phone that informed
14 me that my employment with Funimation was terminated.

15 Q. Was Karen Micah on the phone?

16 A. Maybe. Possibly.

17 Q. Was Zack Hall from Sony on the phone?

18 A. I don't remember the names.

19 Q. What do you recall about what they told you?

20 A. They told me, quote, We have finished reviewing
21 the -- the situation and concluded that your
22 termination -- your employment with Funimation is
23 terminated, effective immediately.

24 Q. Now, you said employment. At the time, you had
25 an independent contractor agreement with Funimation; is

274

1 that right?

2 A. Yes, sir.

3 Q. You weren't like a W-2 employee where they
4 provided you benefits; you got paid by the hour --

5 A. Yes, sir.

6 Q. -- for your voice acting, fair?

7 A. Yes, sir. Sorry.

8 Q. And then did Funimation make any public
9 statement at the time that it terminated you?

10 A. No, sir. In fact, as I mentioned earlier, they
11 told me on the phone that they had no intention of
12 making any public statement, and I didn't either.

13 Q. Did you, thereafter, make any public statements
14 about the social media uproar situation that was going
15 on?

16 A. Relating to what specifically?

17 Q. Relating to Funimation's termination of the
18 relationship.

19 A. No, sir.

20 Q. Did you --

21 A. I was rather ashamed. I was embarrassed.

22 Q. Got it. You have a personal Twitter account, I
23 take it?

24 A. Yes, sir.

25 Q. And you, from time to time, have issued tweets

275

1 that relate to the social media uproar that we've been
2 talking about today; is that fair?

3 A. Yes, sir.

4 Q. Mr. Lemoine asked you some questions about this
5 subject matter. I don't really want to go into it in
6 detail. But my understanding from looking at these
7 posts and some of the tweets is that there was quite a
8 bit of turmoil and strife between the #kickvic
9 supporters and the #istandwithvic supporters; is that
10 fair?

11 A. Yes, sir.

12 Q. Were you concerned about that at any time?

13 A. Yes, I was.

14 MR. VOLNEY: So what's the next exhibit
15 number?

16 MR. BEARD: 24 [sic].

17 MR. VOLNEY: 24. Can I have a sticker?
18 (Exhibit 27 marked.)

19 Q. (BY MR. VOLNEY) Right here it's going to show
20 you Exhibit 24. Is this a tweet that you published on
21 February 8th, 2019?

22 A. I assume so, yes.

23 Q. In your tweet you say that it has come to your
24 attention that there have been threats made toward
25 others by fans in support of me. Do you see that?

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1 A. Yes, sir.

2 Q. What are you referring to there?

3 A. I had heard just through the normal, you know,
4 gossip and interaction that -- that people were making
5 threatening statements.

6 (Sneeze.)

7 THE WITNESS: Bless you.

8 MR. JOHNSON: Bless you.

9 A. I had not seen any of those statements. I -- I
10 don't even -- honestly, don't even know if such
11 statements ever existed. I never saw any. But all you
12 need to do is tell me, hey, your fans have threatened to
13 do this, and I -- and I tweeted, hey, don't do that.

14 Q. (BY MR. VOLNEY) Part of the point of this
15 February 8th tweet is to let the folks -- any folks who
16 might be engaged in threatening or intimidating
17 behavior, that they shouldn't do that, fair?

18 A. Let me be clear, perfectly clear. I would
19 never condone that.

20 Q. And that's, in fact, what you say in the tweet?

21 A. Yes, sir.

22 Q. And do you know if this particular tweet had
23 any effect on that sort of online fighting that was
24 going on?

25 A. I don't know. I hope so.

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1 MR. BEARD: Counsel, this should be 27, not
2 24.
3 (Discussion off the record.)
4 Q. (BY MR. VOLNEY) Now, we spent a lot of time
5 today talking about Monica Rial and Jamie Marchi.
6 What is it that you allege that Funimation
7 did to harm you or to defame you?
8 A. After -- well, first of all, I don't believe
9 they really had any legitimate reason to do what they
10 did. After the conversation ended with Ms. Denbow, I
11 honestly believed that when they called me back they
12 were going to say you're on some kind of probation for a
13 year, you know what I mean, and if we have any other
14 complaints, then -- you know what I mean? That's really
15 what I thought would happen.
16 So when -- when they terminated me, you
17 know, I was -- I -- surprised, to say the least. And
18 the last thing she said was, like I mentioned earlier,
19 we're not going to be making any public statements. And
20 then a week later, roughly, a week or 10 days later,
21 Funimation, someone at Funimation, from Funimation's
22 account, tweeted that I was being replaced, and they
23 continued to tweet that they don't condone sexual
24 harassment, which, you know, any reasonable person would
25 infer that that's what they were terminating me for.

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1 And -- and that did an enormous amount of damage.
2 Q. Let me ask you, let's look at Exhibit 7. It
3 should be in that notebook in front of you. Is that the
4 February 11 Funimation tweet, Exhibit 7?
5 A. Yes, sir. Yes, sir.
6 Q. Does Funimation, anywhere in that Twitter
7 thread, use the word sexual?
8 A. No, sir.
9 Q. Do you know whether Funimation condones any
10 kind of harassment or threatening behavior being
11 directed at anyone?
12 A. I don't know. I would -- I don't know.
13 Q. I think you testified earlier that with respect
14 to the -- the first tweet on this page, Exhibit 7,
15 there's nothing untrue about that particular statement,
16 fair?
17 A. Yes, that was just a statement of fact, that I
18 had been recast in that show.
19 Q. And then looking at the subsequent tweets, you
20 would agree with me that there's nothing untrue about
21 the following statement, part of our core mission is to
22 celebrate the diversity of the anime community and to
23 share our love for this genre and its positive impact on
24 all, fair? Nothing untrue about that?
25 A. Nothing what about it?

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1 Q. There's nothing untrue about that.
2 A. I can't speak to what Funimation's core mission
3 is. I mean, only Funimation can do that.
4 Q. Okay. Fair. Do you -- do you share that core
5 mission yourself?
6 A. Absolutely.
7 Q. And with respect to the second sentence of the
8 next tweet, which I think is clarified at the bottom,
9 Funimation makes the statement, we do not condone any
10 kind of harassment or threatening behavior being
11 directed at anyone. Do you see that?
12 A. Yes, sir.
13 Q. They don't mention Vic Mignogna in that
14 sentence at all, do they?
15 A. No, sir.
16 Q. And what your argument is, that you must infer
17 that they're referring to your conduct, fair?
18 A. Yes, sir.
19 Q. Now, is this the only public statement that
20 Funimation has made about the Vic Mignogna situation,
21 that you're aware of?
22 A. As far as I know, yes.
23 Q. Certainly, from February 11th, 2019 to today,
24 there have not been any other tweets by Funimation --
25 A. No, sir.

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1 Q. -- that you're aware of, fair?
2 A. No, sir.
3 Q. I just have a few follow-up questions here and
4 I think we can wrap this up. If a particular convention
5 terminated you before February 11th, 2019, you would
6 have to agree that that -- that particular convention
7 did not terminate you because of Funimation's tweet,
8 fair?
9 A. Not necessarily.
10 Q. Why do you say that?
11 A. Well, if someone from Funimation privately
12 contacted a convention and said, we're not going to
13 sponsor your show if you have this guy, and then the
14 convention contacts me and says, we're not having you;
15 now, I don't know that that happened, but I don't know
16 that it didn't, so not necessarily.
17 Q. Well, assuming that didn't happen and the only
18 public statement by Funimation about its termination of
19 you is this February 11th tweet, then Funimation's
20 communication could not have caused a termination of a
21 convention that -- that occurred to you before
22 February 11th, fair?
23 A. No, I'm not going to assume that that didn't
24 happen.
25 Q. Do you have any personal knowledge of any such

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1 event occurring?
2 A. Not yet, but I -- I have been -- as I mentioned
3 earlier, I -- I have heard rumblings from the convention
4 community and organizers and my -- and Gary Hassen that
5 a sponsor, a large sponsor, who was fostering
6 relationship with one of the large convention organizers
7 put enormous pressure on the conventions not to have me.
8 Q. Is --
9 MR. BEARD: John?
10 MR. VOLNEY: Yes.
11 MR. BEARD: I don't think he understood the
12 question. If I could jump in.
13 He's asking did the tweet itself, just the
14 tweet, cause any damage before it was sent out?
15 MR. VOLNEY: Right.
16 THE WITNESS: No, I thought -- no --
17 Q. (BY MR. VOLNEY) Yeah, okay, so let me back up
18 because it was a long question. It was a long question.
19 A. I thought you asked me if Funimation couldn't
20 have had any involvement before the tweet, and my answer
21 is, sure they could, privately, in closed back channels.
22 Q. Right. But in terms of what you know, you
23 don't know any specific conduct by Funimation that
24 occurred privately in back channels to somehow stymie
25 you from getting a convention job or keeping a

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1 convention job, fair?
2 A. We -- I'm so sorry, John, please say it again.
3 Q. It sounds to me like you've heard rumors or
4 you've made assumptions that Funimation may have done
5 something privately as a sponsor of a convention to get
6 you canceled, fair?
7 A. Yes, sir.
8 Q. Other than rumors, do you have any other
9 evidence of that sort of behavior by Funimation?
10 A. Not at present.
11 Q. Who at Funimation would even do that?
12 A. I would encourage you to look at some of the
13 statements made by Monica Rial and Jamie Marchi and Ron
14 Toye, talking about Funimation this and Funimation that,
15 and Funimation knows this, and everybody at Funimation
16 that, and, I mean, they have -- they have, you know --
17 what's the word I'm looking for, brandished the
18 Funimation name and, you know --
19 Q. Is --
20 A. And -- and I'm quite certain -- I'm -- I'm
21 sorry.
22 Q. Go ahead.
23 A. I -- I -- I can only -- again, I can only
24 assume, I think a reasonable person would assume that
25 there were entities at Funimation that did not like me

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1 for whatever reason and wanted me gone. Did not want me
2 to play the character Broly that I had been playing for
3 15 years. And I -- I -- so to ask me the question, your
4 question was, who at Funimation would do that --
5 Q. Well, when you say --
6 A. -- I think it's been established there are
7 people at Funimation that don't like me much and wanted
8 me gone.
9 Q. Well, when you say that there are people at
10 Funimation who don't like you much and wanted you gone,
11 who are you referring to specifically?
12 A. Chris Sabat.
13 Q. Is he a Funimation --
14 A. Oh, I would --
15 Q. -- employee?
16 A. I would say he has a great deal of weight at
17 Funimation, a great deal of weight. And, I mean -- yes,
18 he is, probably. Funimation outsources production to
19 his studio. Chris Sabat has been involved with
20 Funimation since Funimation was in the Frost Bank
21 building in -- you know, on 820, when I started working
22 there. So Chris Sabat, for one.
23 Q. Who else?
24 A. I would say other voice actors and directors.
25 Q. Can you name names?

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1 A. Do I have to? I mean, I'm not --
2 Q. Yeah, I mean --
3 A. -- a name namer. I'm not that kind of a
4 person.
5 Q. This is kind of a bridge-burning exercise we're
6 going through so let's burn the bridges.
7 A. Yeah, the bridge is kind of burned, isn't it?
8 Q. Yeah. I have to say this is my chance to ask
9 you questions.
10 Who besides Chris Sabat at Funimation?
11 A. I would wager that voice actors like Monica
12 Rial, Jamie Marchi, Michael -- J. Michael Tatum, by
13 their own admission on the -- on the Twitter storm,
14 other voice actors that have been employed by Funimation
15 for many, many years, Mike McFarland, Colleen
16 Clinkenbeard, Daman Mills, Sean Schemmel.
17 See, what -- what Funimation may not get is
18 that these voice actors have been employed by them for
19 many years, and when they speak, the public at large
20 sees Funimation.
21 Q. Got it. Is Ron Toye a voice actor?
22 A. No, sir.
23 Q. What is he? What does he do for a living?
24 A. I don't know.
25 Q. Does he -- does he have any business type of

DEPOSITION OF VICTOR MIGNOGNA
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1 relationship with Funimation?
 2 A. I don't know. I don't even really know him.
 3 Q. So do you ever go to Funimation -- when you
 4 were working for Funimation, I take it you would
 5 occasionally go to their studios?
 6 A. Yes, sir.
 7 Q. Did you ever see Ron there?
 8 A. Not to my recollection, unless I passed him in
 9 the course of, you know, in the hallway. He's Monica's
 10 boyfriend. That's -- that's his connection here, as far
 11 as I know.
 12 Q. Okay. So in terms of what you know about Ron's
 13 connection to Funimation, it is that Ron is Monica
 14 Rial's boyfriend?
 15 A. That's my only knowledge of Ron Toye.
 16 Q. And, to your knowledge, Monica is a voice actor
 17 who occasionally works on an hourly basis for
 18 Funimation, fair?
 19 A. No, sir. She works a lot, for many years, and
 20 has directed at Funimation. I -- I would bet --
 21 Q. Similar to your relationship with Funimation
 22 that you talked about earlier?
 23 A. Sure. Yes.
 24 MR. VOLNEY: Okay. Those are all the
 25 questions I have. Thank you.

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1 THE WITNESS: Thank you, John.
 2 MR. LEMOINE: Nothing further.
 3 MR. JOHNSON: We'll reserve.
 4 MR. BEARD: Pass the witness.
 5 You're done.
 6 THE VIDEOGRAPHER: And we're going off the
 7 record at 5:39 p.m.
 8
 9 (Deposition concluded at 5:39 p.m.)
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1 CHANGES AND SIGNATURE
 2 WITNESS NAME: VICTOR MIGNOGNA DATE: JUNE 26, 2019
 3 PAGE LINE CHANGE REASON
 4 _____
 5 _____
 6 _____
 7 _____
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 9 _____
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1 I, VICTOR MIGNOGNA, have read the foregoing
 2 deposition and hereby affix my signature that same is
 3 true and correct, except as noted above.
 4
 5 _____
 6 VICTOR MIGNOGNA
 7 THE STATE OF _____)
 8 COUNTY OF _____)
 9
 10 Before me, _____, on this day
 11 personally appeared VICTOR MIGNOGNA, known to me (or
 12 proved to me under oath or through
 13 _____) (description of identity
 14 card or other document) to be the person whose name is
 15 subscribed to the foregoing instrument and acknowledged
 16 to me that they executed the same for the purposes and
 17 consideration therein expressed.
 18 Given under my hand and seal of office this
 19 _____ day of _____, _____.
 20
 21
 22 _____
 23 NOTARY PUBLIC IN AND FOR
 24 THE STATE OF _____
 25 COMMISSION EXPIRES: _____

DEPOSITION OF VICTOR MIGNOGNA
June 26, 2019

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1 NO. 141-307474-19
2 VICTOR MIGNOGNA,) IN THE DISTRICT COURT
3)
4 Plaintiff,)
5)
6 VS.) TARRANT COUNTY, TEXAS
7)
8 FUNIMATION PRODUCTIONS,)
9 LLC, JAMIE MARCHI, MONICA)
10 RIAL, and RONALD TOYE,)
11)
12 Defendants.) 141st JUDICIAL DISTRICT
13)
14)
15)
16)
17)
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20)
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25)

REPORTER'S CERTIFICATION
DEPOSITION OF VICTOR MIGNOGNA
JUNE 26, 2019

I, Claudia White, Certified Shorthand Reporter in and for the State of Texas, hereby certify to the following:
That the witness, VICTOR MIGNOGNA, was duly sworn by the officer and that the transcript of the oral deposition is a true record of the testimony given by the witness;
That the deposition transcript was submitted on _____ to the witness or to the attorney for the witness for examination, signature and return to CSI Global Deposition Services by _____;
That the amount of time used by each party at the deposition is as follows:
Mr. Ty Beard, Esq. - 00 HOURS:00 MINUTE(S)
Mr. J. Sean Lemoine, Esq. - 03 HOURS:40 MINUTE(S)
Mr. Sam Johnson, Esq. - 00 HOURS:30 MINUTE(S)
Mr. John Volney, Esq. - 00 HOURS:30 MINUTE(S)
That pursuant to information given to the

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1 Deposition officer at the time said testimony was taken,
2 the following includes counsel for all parties of
3 record:
4 Mr. Ty Beard, Esq., Attorney for Plaintiff
5 Mr. J. Sean Lemoine, Esq., Attorney for Defendant
6 Monica Rial and Ronald Toye
7 Mr. Sam Johnson, Esq., Attorney for Defendant
8 Jamie Marchi
9 Mr. John Volney, Esq., Attorney for Defendant
10 Funimation
11 I further certify that I am neither counsel for,
12 related to, nor employed by any of the parties or
13 attorneys in the action in which this proceeding was
14 taken, and further that I am not financially or
15 otherwise interested in the outcome of the action.
16 Further certification requirements pursuant to Rule
17 203 of TRCP will be certified to after they have
18 occurred.
19 Certified to by me this 1st day of July, 2019.
20)
21)
22)
23)
24)
25)

Claudia White

Claudia White, Texas CSR #8242
Expiration Date: 5/31/21
Firm Registration No. 526
CSI Global Deposition Services
4950 N. O'Connor Road, Suite 152
Irving, Texas 75062
(877) 784-0004 fax (972) 650-0225
production@courtroomsciences.com

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1 FURTHER CERTIFICATION UNDER RULE 203 TRCP
2 The original deposition was/was not returned to the
3 deposition officer on _____;
4 If returned, the attached Changes and Signature
5 page contains any changes and the reasons therefor;
6 If returned, the original deposition was delivered
7 to Mr. Sean Lemoine, Custodial Attorney;
8 That \$ _____ is the deposition officer's
9 charges to the Defendants for preparing the original
10 deposition transcript and any copies of exhibits;
11 That the deposition was delivered in accordance
12 with Rule 203.3, and that a copy of this certificate was
13 served on all parties shown herein on and filed with the
14 Clerk.
15 Certified to by me this _____ day of
16 _____, 2019.
17)
18)
19)
20)
21)
22)
23)
24)
25)

Claudia White

Claudia White
Texas CSR #8242
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