

EXHIBIT 7

1 PEOPLE OF THE STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL
2 CHARITIES BUREAU

-----X

3
4 IN THE MATTER OF THE INVESTIGATION BY ERIC T.
SCHNEIDERMAN, ATTORNEY GENERAL OF THE STATE
OF NEW YORK OF

5 DONALD J. TRUMP FOUNDATION, INC.

6
-----X

7
8 120 Broadway
9 New York, New York
August 10, 2017
10 9:40 a.m.

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CONFIDENTIAL INVESTIGATION OF JEFFREY S.
McCONNERY, the Witness, pursuant to Subpoena, taken
at the above place, date and time, before MARIA
ACOCELLA, a Notary Public within and for the State
of New York.

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1 Jeffrey S. McConney
2 Bernie, who is analysis. Troy Bongavonai,
3 B-O-N-G-A-V-O-N-A-I, I believe. He is an
4 accountant. Julio Almonte, probably accounts
5 receivable clerk. I missed two people.
6 Irene Caprino, who is a rent management
7 person, and Danielle Gabanalli (phonetic),
8 who works with Irene as an accounts
9 receivable clerk. I think that is everybody.

10 You don't need the
11 administrators' assistants, do you?

12 Q. No, that is fine.

13 Are all the people you just
14 mentioned employees of the Trump Corporation?

15 A. Yes.

16 Q. And is there an accounts payable
17 department that is separate from some of the
18 other departments that are in the whole, I
19 guess, accounting section that you oversee?

20 A. In this section, Deborah Tarasoff
21 is an accounts payable person. And Lady
22 Barillas is also part of the accounts payable
23 department. We take care of the New York
24 properties. The golf courses and properties
25 outside of New York have their own accounting

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2 staffs.

3 Q. Does the Trump Foundation have
4 any accounting staff assigned to it?

5 A. No employees. No payroll.

6 Q. In your capacity as the senior
7 vice president and controller of the Trump
8 Organization and employees of the Trump
9 Corporation, do you have any responsibilities
10 that relate to the Trump Foundation?

11 A. Same responsibilities I have for
12 every other company: Maintain the books and
13 records and provide information to the
14 accountants to prepare tax returns. That is
15 really about it.

16 Q. Does anybody who reports to you
17 have responsibilities with respect to the
18 Trump Foundation?

19 A. Can you define responsibility?

20 Q. Did they perform any work for the
21 Trump Foundation?

22 A. Yes. Deborah Tarasoff could cut
23 a check or issue a check requested. If she
24 is out, Lady Barillas can do it. If there is
25 a deposit, Irene Caprino would make a

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2 deposit, or Danielle could make a deposit
3 current. These are the current day
4 employees.

5 Over time, it has changed. Bank
6 reconciliations were probably done by Troy
7 Bongavonai. When the bank statements -- we
8 try to separate duties so there is no
9 internal control or internal conflicts.

10 Again, it is not a lot of
11 activity here. In the old days, it is one
12 deposit every couple of months, one or two
13 checks. It is not like a full-time job. And
14 since there is no employees, we try to keep
15 the expenses down to a minimum.

16 Q. In the last ten years have there
17 been any other employees of the Trump
18 Corporation other than Deborah Tarasoff and
19 Lady -- forgetting her last name --

20 A. Lady Barillas.

21 Q. -- who had responsibilities
22 for -- in the accounts payable that related
23 to the Trump Foundation?

24 A. Probably not. Deborah has been
25 there for a number of years. I think she has

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2 been there over ten years, so she would
3 probably handle the bulk of those
4 transactions.

5 Q. And is it fair to say you have
6 had the responsibilities that we just
7 discussed relating to the Trump Foundation
8 during the course of the last 15 years?

9 A. Yes.

10 Q. Do you play any role in
11 determining who the Trump Foundation will
12 make grants to?

13 A. No, no.

14 Q. Do you want to clarify that?

15 A. Trying to think. No, I don't.

16 Q. Are grants ever discussed with
17 you before they are made?

18 A. Just the fact that a grant has
19 been approved, and make sure the check is
20 issued to the correct firm or charity.

21 We search to make sure it is a
22 501(c)3 organization. Other than that, the
23 decision to the amount of the grant and the
24 charity to give it to has already been made.

25 Q. Who makes the decision concerning

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2 which charities will receive a grant?

3 A. Mr. Trump.

4 Q. Does Mr. Trump make all the
5 decisions concerning where the foundation's
6 grants go?

7 A. Mr. Trump's approval is on the
8 documents I have seen in order to issue a
9 check. Mr. Trump is the sole signatory on
10 the bank account. I don't know if he is the
11 sole determining factor, but he has to make
12 the ultimate decision.

13 Q. Have you ever received any
14 documents from anybody other than Mr. Trump
15 requesting that a grant be made from the
16 Trump Foundation?

17 A. Can you ask that question again.

18 Q. Sure. Have you ever received any
19 documentation from anybody, signed by or from
20 anybody other than Mr. Trump, requesting that
21 a grant be made from the Trump Foundation?

22 A. I may have gotten a document from
23 somebody; but without Mr. Trump's approval,
24 we would not have made the grant.

25 Q. So is it fair to say all grants

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2 from the Trump Foundation are approved by
3 Mr. Trump?

4 A. That is a fair statement.

5 Q. What documentation does your
6 department receive from the Trump Foundation
7 before a grant is -- a check for a grant is
8 issued?

9 A. Not a particularly formal
10 process. A charity may send a request to
11 Mr. Trump for a donation Susan B. Komen
12 Cancer Foundation sends a letter, sends an
13 e-mail to Rhona Graff, who is Mr. Trump's
14 assistant, requesting can he make a donation.
15 Rhona would speak to Mr. Trump about and get
16 Mr. Trump's approval on the dollar amount.

17 Or could be an invitation to a
18 gala or event of some sort, fundraising.
19 Mr. Trump would make a notation how much he
20 wants to pay. He would approve it, receive
21 that document, then draw the check, send it
22 back to Rhona, and Mr. Trump would sign the
23 check, and the check would be disbursed.

24 Q. Are there standard forms that are
25 used to obtain Mr. Trump's approval on a

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2 grant request?

3 A. No, no standardized forms.

4 Q. Do you need to receive something
5 where he signs a document before a check is
6 issued on behalf of the Trump Foundation?

7 A. I am sure there has been a case
8 where Mr. Trump said to Rhona, let me have a
9 check to ABC charity, without an actual
10 document. We look it up.

11 In the old days, we would look it
12 up in the charities book. After some
13 training from Morgan Lewis, we now go on the
14 IRS -- well, used to go on the IRS website,
15 until we stopped issuing grants to make sure
16 it is a legitimate charity. Issue the check,
17 hopefully to get a copy of the signed check,
18 so we have some backup for our files it was
19 okay to issue the check.

20 There probably were a few
21 occasions where we didn't have an actual
22 document; it was just a request, a verbal
23 request.

24 Q. But is it typically that you
25 would have some written document, whether it

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2 be a formal request for a check or e-mail or
3 something else? Is it usually a written
4 document that you would get requesting a
5 check be cut?

6 A. Yes. Now sometimes over 30 years
7 we have had various people file these
8 documents and file under Donald J. Trump's
9 bills as opposed to Donald J. Trump
10 Foundation bills or misfile it someplace
11 else.

12 So if you are asking if I can
13 produce every single invoice for every single
14 check we have cut, it is going to be highly
15 unlikely.

16 MR. SITARCHUK: He didn't ask
17 that. Don't give him any ideas.

18 Q. Who maintains the files with the
19 written requests for checks for the Trump
20 Foundation?

21 A. Deborah Tarasoff would get the
22 invoice back and file it away or give it to
23 one of the file clerks to file.

24 Q. Would those files be kept
25 separately for the Trump Foundation or are

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2 they kept with the Trump Corporation's
3 general books and records?

4 A. There are a number of entities
5 that we pay bills for, so there would be a
6 separate hang file, if you want to call it
7 that.

8 Again, the volume of transactions
9 is not that large. So it would be a separate
10 hang file for those paid bills, which would
11 be in drawers which maintains paid bills for
12 a number of other companies.

13 Q. Just to make sure I am
14 understanding, there is a separate file
15 within a larger set of files, and that
16 separate file would relate to the Trump
17 Foundation and its check requests?

18 A. Yes.

19 Q. And that was maintained by
20 Deborah Tarasoff?

21 A. Yes.

22 Q. Have you ever seen any minutes of
23 meetings of the board of directors of the
24 Trump Foundation?

25 A. I don't usually look at minutes.

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2 I don't remember.

3 Q. Have you ever seen resolutions
4 from the Trump Foundation board?

5 A. I may have. When we first set up
6 the foundation back in 1987, I may have seen
7 some documents to set up the foundation,
8 which we have to send to the bank for
9 separate bank account.

10 But other than that, I really
11 don't remember. I am not lawyer. I don't
12 need those documents.

13 Q. In your duties as the controller
14 were you ever given a resolution or set of
15 minutes from the Trump Foundation that
16 related to any of the work that you were
17 doing, such as having your office cut a check
18 to a recipient organization?

19 A. Not that I remember.

20 Q. Are you familiar with what the
21 Trump Foundation's charitable purposes are?

22 A. I can't quote it. Basically to
23 provide money to 501(c)3 organizations.

24 Q. What is your understanding that
25 you just related to us based upon -- how did

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2 you gain that understanding of what the Trump
3 Foundation's charitable purposes are?

4 A. I probably looked at that
5 original document when we first started in
6 1987 and just maintained it.

7 Basically that is what we drew
8 checks to, and that is why we looked at
9 charities book, and now look online, to make
10 sure it is a 501(c)3 organization.

11 Q. Do you recall ever reviewing the
12 Trump Foundation's certificate of
13 incorporation?

14 A. May have, back in 1987.

15 Q. But you haven't looked at it
16 recently?

17 A. No.

18 Q. How about its bylaws? Have you
19 ever reviewed those?

20 A. Again, back in 1987, but nothing
21 really currently.

22 Q. Where does the Trump Foundation
23 keep its money before it is disbursed?

24 A. In a bank account.

25 Q. Do you know if it is invested in

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2 any way?

3 A. There is a money market. We have
4 an operating account and a money market
5 account.

6 Q. And that is for the Trump
7 Foundation, there is a separate operating
8 account for the Trump Foundation and separate
9 money market account for the Trump
10 Foundation?

11 A. Correct, yes. Both in the
12 foundation's name.

13 Q. Do you know if the Trump
14 Foundation has an investment policy?

15 A. We don't invest in anything --
16 the bank account is probably more of a
17 checking account with an interest rate
18 associated or tagged to it, as opposed to a
19 traditional money market account, where you
20 go and buy shares for a dollar. It is more
21 of a bank account with an interest rate on
22 it.

23 I guess money market account is a
24 mischaracterization. That is all we would
25 put the funds into to earn some interest on.

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2 Q. Slightly different answer than my
3 question, although it relates to the previous
4 question.

5 The question here though is:
6 Do you know if there is an investment policy
7 for the Trump Foundation?

8 A. No.

9 Q. No, you don't know, or no, there
10 is not one?

11 A. I am sorry. No, I don't know of
12 an investment policy. This is the policy we
13 have been following.

14 Q. Okay. Thank you.

15 I think you mentioned earlier
16 that you are the -- one of your
17 responsibilities that you have with respect
18 to the Trump Foundation is that you interact
19 with the Trump Foundation's accountants; is
20 that correct?

21 A. Correct.

22 Q. And what do you do with respect
23 to the accountants for the Trump Foundation?
24 What are your duties?

25 A. We provide them the books and

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2 Foundation records?

3 A. He has been our contact for the
4 last couple of years.

5 MR. SHIFFMAN: Now let's mark as
6 the first exhibit a set of general
7 ledger and bank reconciliations that
8 have been produced to us. And they bear
9 the Bates number DJTF-ACCT 001 through
10 541.

11 (Whereupon, a multipage document
12 was received and marked as JM Exhibit 1
13 for identification, as of this date.)

14 Q. Mr. McConney, I have placed
15 before you what we marked as JM1. And do you
16 recognize the document that is contained in
17 that exhibit?

18 A. Without looking through all of
19 it, the detailed general ledger that our
20 general ledger package can print out.

21 Q. I think also included in there as
22 well are the bank reconciliations behind the
23 general ledgers for particular period. I
24 think there may have been two different
25 periods printed here, for 2009 through 2014,

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2 and then also for 2015 and 2016.

3 Do you recognize those as well?

4 A. Those are the bank
5 reconciliations that would be issued from the
6 same general ledger package.

7 Q. And this is information that -- I
8 am not going to ask you specific questions
9 about those. This is something that you can
10 print out from your internal data, you know,
11 software?

12 A. Yes.

13 Q. And who maintains these records
14 at the Trump Foundation or for the Trump
15 Foundation?

16 A. We maintain -- Deborah Tarasoff
17 would enter the checks that would be posted
18 on the cash disbursements. One of a number
19 of people would enter the deposits, which
20 would be called cash receipts. There may be
21 journal entries that are entered throughout
22 the course of time, which could be myself,
23 Troy, whoever the junior accountant was.

24 So I guess it is just the
25 accounting department, I guess, maintains

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2 them, if that is the answer.

3 Q. And the people who are in the
4 accounting department have a responsibility
5 to enter in whatever type of record you just
6 mentioned into the system so that the ledgers
7 and bank reconciliations can be maintained?

8 A. Correct.

9 Q. And is it part of their duties to
10 do that promptly upon issuing a check or
11 receiving a deposit?

12 A. As soon as they issue the check,
13 it is in the general ledger -- well, it is a
14 batch system; so as long as they enter the
15 check and process the batch, it will show up
16 immediately.

17 Whenever the batch is processed,
18 it is posted to the general ledger. The same
19 for the cash receipts and cash disbursements.
20 In theory, a check is cut, you process the
21 batch to the general ledger.

22 Q. And so then are these records
23 then used by the Trump Foundation for, you
24 know, its own accounting records of how its
25 money was spent and how -- you know, where it

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2 received money from?

3 A. Yes.

4 Q. And this is also the types of
5 records that you would send to the
6 accountants at the end of each year?

7 A. Correct.

8 Q. Other than those types of records
9 that are included in Exhibit 1, would you
10 send anything else to the accountants
11 routinely?

12 MR. SITARCHUK: Exhibit A.

13 MR. SHIFFMAN: It is JM1.

14 MR. SITARCHUK: Sorry.

15 MR. SHIFFMAN: It is okay.

16 A. Routinely, no.

17 If they had a question, whatever
18 they asked for, we would send them.

19 Q. I don't want to ask you for
20 everything you have ever sent them.

21 As a matter of general practice,
22 at the end of year, when they were preparing
23 the tax returns for the organization, the
24 material that you would send them would be
25 the material that is included in the Exhibit

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2 1?

3 A. Correct. The detailed general
4 ledger.

5 Well, we would also send them a
6 trial balance, which is just a summary of the
7 detailed general ledger by account with a
8 total and the total bank statements.

9 I don't remember seeing bank
10 statements. I see bank reconciliation, but
11 also some bank statements.

12 Q. But the bank statements would
13 just be the documents received. The
14 information on the bank reconciliations would
15 contain everything on the bank statements
16 that was relevant for an accountant?

17 A. For that month, yes.

18 Q. What type of computer program is
19 used to maintain the ledger?

20 A. Called Multi Data Services or
21 Multi Data System. They are a computer
22 company on Long Island.

23 Q. And are the bank reconciliations
24 and general ledgers ever provided to anybody
25 else other than the accountants?

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2 A. Not to my knowledge. If somebody
3 asked for them, somebody wanted to look at
4 them at them. I can't think of anybody
5 offhand that would need this information or
6 ask for it.

7 Q. Do you ever get requests from the
8 board of directors of the Trump Foundation to
9 produce documents to it?

10 A. Not to my knowledge, no.

11 Q. Did you ever produce reports
12 concerning the activities or operations of
13 the Trump Foundation and give those to
14 anybody?

15 A. No.

16 Q. And other than providing the
17 records that are contained in Exhibit 1 to
18 the accountants, do you play any role in the
19 preparation of the Trump Foundation's IRS tax
20 filings called what is all the 990PF?

21 A. If they will ask for information,
22 we will provide it.

23 I don't prepare the tax return.

24 Q. And do you review the 990PF or
25 what is called the Char 500s, which are the

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2 A. Yes.

3 MR. SITARCHUK: Let's take a
4 quick break.

5 MR. SHIFFMAN: Sure. Off the
6 record.

7 (Whereupon, a short recess was
8 taken.)

9 Q. Does the Trump Foundation have an
10 office?

11 A. No.

12 Q. And I think you said before, it
13 doesn't have any employees; is that correct?

14 A. Correct.

15 Q. Do you know if has its own phone
16 number?

17 A. I don't know. I don't think so.

18 Q. And how about a website? Does it
19 have a website, to your knowledge?

20 A. I don't think so, but I am not
21 going to swear to that.

22 Q. I just want your best.

23 A. My best guess is no.

24 Q. Are you aware of the foundation's
25 board of directors ever meeting to discuss

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2 A. He is only signatory on the
3 foundation checks.

4 Prior to his presidency he was
5 signatory on all bank accounts, but the
6 day-to-day checks would be signed by
7 Mr. Weisselberg or one of the Trump children,
8 normally.

9 Q. And with respect to the
10 foundation checks, did Mr. Trump sign all of
11 those checks by hand?

12 A. Yes.

13 Q. So there is no stamp with his
14 signature?

15 A. No stamp. No automated machine.

16 Q. When Mr. Trump would sign a check
17 on behalf of the foundation, did he require
18 anybody else to approve the expenditure
19 before he would sign his name?

20 A. Not to my knowledge.

21 Q. I think you testified earlier,
22 your department's responsibility to issue the
23 checks when the Trump Foundation was going to
24 be the payor, right?

25 A. Correct.

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2 Q. Was there any procedures that
3 your department had in place before cutting a
4 check on behalf of the foundation?

5 A. We needed approved, an invoice
6 and approved document, approval being
7 Mr. Trump.

8 Prior to the training by Morgan
9 Lewis on how to look at the IRS website and
10 make sure we issued the checks to correct
11 charities, we looked at the book of
12 charities, the book of cumulative
13 organizations. We looked at a charities
14 book, I don't remember the name, to see if it
15 was listed 501(c)3 charity, just to make sure
16 that the foundation made a contribution to a
17 501(c)3 charity.

18 And that would be about it. The
19 check would be cut, and we send it to
20 Mr. Trump for signature.

21 Q. When you say you looked at the
22 book, are you referring to the publication
23 that the IRS issued with the new list of all
24 tax exempt organizations?

25 A. Yeah. Book of cumulative

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2 Q. Do you recall where you would
3 then look?

4 A. It was in the IRS website. We
5 had it set up as a favorite, so you just
6 clicked on the favorite, and would bring you
7 to a one-step something, and you could search
8 for the charity by name or EIN.

9 Q. Did you change any other
10 practices with respect to the Trump
11 Foundation after receiving that training?

12 A. I don't remember. That was the
13 main change, to make sure the charity was
14 currently eligible.

15 Q. Did you change any practices with
16 respect to the necessary approvals before a
17 check was cut?

18 A. Not to my knowledge.

19 Q. Did you establish any other
20 safeguards to implement after having a
21 training to ensure checks were issued
22 properly on behalf of the foundation?

23 A. I am not too sure I understand
24 your question.

25 Q. Other than changing where you

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2 looked for information on whether a charity
3 was eligible, did you impose any other
4 controls to ensure that the foundation was
5 issuing its checks in a proper manner?

6 A. We may have spent more time
7 looking at documents. Other than that, I
8 don't really remember anything specific.

9 Q. Are there any written procedures
10 in place concerning how payments are made on
11 behalf of the foundation while the foundation
12 was in operation?

13 A. Not to my knowledge.

14 Q. Do you ever receive an oral
15 request that a grant be issued on behalf of
16 the Trump Foundation?

17 A. It is possible it may have
18 happened.

19 Q. Were there occasions where you
20 received a request for a check and didn't
21 know if it should be made on behalf of the
22 foundation or another entity?

23 A. My purpose was to make sure it
24 was a valid charity.

25 To me, the foundation is set up

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2 to give money to charity. If a request was
3 made, we would look to see if it was a valid
4 501(c)3 organization. And that was the
5 extent of what we would like to look at to
6 make sure it was a valid charity.

7 Q. When a check was cut from the
8 foundation, were you always told to cut the
9 check from the foundation?

10 A. I can't say always.

11 Q. Do you recall any circumstances
12 where you were not told to make the payment
13 from the foundation's account, but it was
14 ultimately determined that you did make the
15 payment from the foundation's accounts?

16 A. I can think of one instance where
17 a check was requested, and my decision was to
18 cut it out of the foundation, based on the
19 document that I saw.

20 But I can't remember somebody
21 saying, cut this check. Normally, if it was
22 a charitable organization, we would issue the
23 check out of the foundation.

24 Q. What instance were you referring
25 to, where you said that you made the decision

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2 Q. I think you testified earlier
3 that the approvals for checks being cut on
4 behalf of the Trump Foundation were all made
5 by Mr. Trump?

6 A. Correct.

7 Q. And then Mr. Trump -- after the
8 check was cut, it would be presented to
9 Mr. Trump for signature; is that correct?

10 A. Yes.

11 Q. With respect to this \$32,000
12 check to the North American Land Trust, did
13 you cut the check and then send it to
14 Mr. Trump for signature?

15 A. Yes.

16 Q. And then who would send out the
17 check after Mr. Trump signed it?

18 A. He had a number of assistants. I
19 don't know who would have send=t it out.

20 Q. Was there regular procedures
21 followed concerning the sending of checks to
22 organizations once the checks were signed?

23 A. I wasn't part of that. I don't
24 know.

25 Q. Your department did not mail the

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2 A. It had to have Mr. Trump's
3 approval on it.

4 Q. And so it would be Mr. Trump
5 signing a document or initialing?

6 A. Initially the e-mail, the paper
7 document, e-mail, the event document, a
8 letter from a charity, whatever the request
9 was on, or however it was transmitted to us.

10 Q. And would the requests also have
11 identified the entity that should be making
12 the payment?

13 A. Sometimes. I wouldn't say all
14 the time.

15 Q. Were there occasions that you
16 recall when there was a request for a check
17 to be cut, but it did not identify which
18 entity should make the payment?

19 A. Yes.

20 Q. And so what did you do in those
21 circumstances?

22 A. We looked to determine if it was
23 a 501(c)3 charity. And based on that, if it
24 was a legitimate charity, based on the
25 documents we looked at, we would issue it

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2 from the charity.

3 Q. Did you do anything to confirm
4 with Mr. Trump or anybody from the Trump
5 Foundation that the check should be cut from
6 the Trump Foundation's accounts?

7 A. Not that I recall.

8 Q. So in a situation where you
9 received a request, but it didn't identify
10 the payor, which entity should be the payor,
11 was your sole criteria to determine whether
12 or not the recipient organization was a
13 501(c)3 charity, at least when you're acting
14 with respect to the foundation account?

15 A. Yes.

16 Q. And so if you did make the
17 determination that it was a 501(c)3, and that
18 the foundation account should be used, you
19 then cut the check and send that to Mr. Trump
20 for signature, right?

21 A. Yes.

22 Q. So Mr. Trump would see who the
23 check was being sent to, right?

24 A. Yes.

25 Q. And he would see which account

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2 was being used, correct?

3 A. As long as he studied the check.

4 I can't tell you what his process
5 was when he saw the check. I can't tell you
6 what his process was when he signed checks,
7 or what his thought process was.

8 Q. The account name is on each
9 check, right?

10 A. On every check we issue.

11 Q. So obviously the recipient is
12 also on the check?

13 A. It is on every check we issue.

14 Q. Do you recall any circumstances,
15 sitting here right now, where there was a
16 request to cut a check without an indication
17 of which entity should make a payment, and
18 you determined that it should be made from
19 the foundation's accounts?

20 A. Ask that again.

21 MR. SHIFFMAN: Can you read that
22 back.

23 (Previous question was read
24 back.)

25 A. So the specific case where I made

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2 the determination without an entity being on
3 the invoice, no.

4 Q. Do you recall any situation where
5 somebody in your department made that
6 determination?

7 A. It could have been made -- again,
8 when invoices are given to Deborah, it looks
9 like a charitable organization, she is
10 instructed to look in the book, or now on the
11 IRS website. If it is a charitable
12 organization, to issue the check out of the
13 foundation.

14 So it is possible she may have
15 gotten a document directly from Mr. Trump's
16 office, looked it up, saw it was a charity,
17 and then she issued the check from the
18 foundation.

19 THE WITNESS: Can I ask a
20 question?

21 MR. SITARCHUK: Yes.

22 Q. Yeah, sure.

23 (Whereupon, a short recess was
24 taken.)

25 Q. On occasion you would determine

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2 to make a payment from the foundation if
3 there was no payor identified in the request
4 for a check. And you do so based on the fact
5 that the recipient was a 501(c)3, correct?

6 A. That is the basic idea, yes.

7 Q. Was that an established procedure
8 within the Trump Corporation, Trump
9 Organization?

10 A. It is a general procedure that
11 Debbie and I would follow over time.

12 Q. And did anybody from the Trump
13 Foundation give you the direction to follow
14 that procedure?

15 A. Not that I remember.

16 Q. So it is a procedure that you and
17 Ms. Tarasoff came up with?

18 A. I don't know if we came up with
19 it. Again, we have been doing this for a
20 long time. Somebody may have come up with
21 the idea. It may have been a thought we had.
22 But that is the practice we have been
23 following for a number of years.

24 Q. Do you recall discussing that
25 practice at any time with Mr. Trump or

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2 anybody else from the board of directors of
3 the Trump Foundation?

4 A. No.

5 Q. Do you know if they were aware of
6 that practice?

7 A. No, I don't know if they were
8 aware.

9 Q. And I believe you mentioned
10 Debbie before. Is that a reference to
11 Ms. Tarasoff?

12 A. Sorry, yes, Ms. Tarasoff.

13 Q. I just wanted to clarify.

14 Was there something you wanted to
15 clarify beyond what we just asked about?

16 A. The question I asked to be reread
17 to me asked if I saw a document -- I think
18 the question was if I saw a document that
19 didn't have a name on it specifically that I
20 remember, and was cut out of the foundation.

21 There is a lot of volume of check
22 deposits or whatever go through all of our
23 companies, foundation just being a small
24 piece of it.

25 I learn about things after the

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2 the checks.

3 Q. But there is no dollar threshold
4 above which you need to sign off on the check
5 as opposed to Ms. Tarasoff or somebody else?

6 A. No. I don't have that authority.

7 Q. Do you have any understanding as
8 to who sent out the check to And Justice For
9 All?

10 A. I don't know.

11 Q. Now the check -- so you guys --
12 Ms. Tarasoff looks up the address and looks
13 up the organization in the IRS publication of
14 all charities, correct?

15 A. She looks up the entity.

16 Q. Entity name?

17 A. She doesn't really look for an
18 address. If she sees an address that doesn't
19 seem consistent with what is on the document
20 she has, she will ask a question. But she
21 doesn't specifically look for the address,
22 just the entity.

23 Q. Just the entity.

24 And then when you cut the check,
25 is there any information kept in the books

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2 501(c)3, did you ever go back to Mr. Trump
3 and say, Mr. Trump, you know, this looks like
4 it is a donation to a charitable
5 organization. Should we cut the check from
6 the foundation account? Did you do that?

7 A. I don't remember that. I just
8 remember following the rules we set up.

9 Q. And those were the rules that you
10 and Ms. Tarasoff came up with?

11 A. Somebody came up with. We
12 followed, or we came up with and followed.

13 Q. And there was no procedure for
14 anybody other than Mr. Trump approving a
15 check on behalf of the foundation, right? It
16 was just Mr. Trump?

17 A. Without Mr. Trump's approval, I
18 don't believe we ever issued checks.

19 Q. And there was nobody else that
20 you ever received an approval from on behalf
21 of the foundation; is that right?

22 A. Off the top of my head, I don't
23 remember anybody else giving a final
24 approval.

25 MR. SITARCHUK: When do you guys

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2 A. It was an unintentional mistake.
3 It was a mistake.

4 Q. It was a mistake.

5 And the reference to the Wichita,
6 Kansas entity was one that the accounting
7 firm mistakenly made?

8 A. Yes.

9 Q. And do you know why they listed
10 an entity for Justice For All without the
11 word And in front?

12 A. No.

13 Q. Have you ever spoken to them
14 about that?

15 A. We may have had a conversation.
16 I don't know why the mistake happened.

17 Q. But in the accounting records
18 which we have marked as Exhibit 1, or JM1 --
19 and this is on, I think Bates number
20 DJTF-ACCT 109 --

21 MR. SITARCHUK: Hold on. Let us
22 get to it.

23 Q. Entry 51. Item 51 on that page,
24 which is for the -- of the general ledger
25 relating to, I guess, August of 2013, it

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2 says, although the transaction date is
3 September, there is a reference to And
4 Justice For All?

5 A. Correct. The August is the above
6 number.

7 Q. Above number.

8 A. Below that is the September
9 transaction.

10 Q. That makes sense. The bottom of
11 the line is a total line, right, for the
12 transactions above?

13 A. Correct.

14 Q. So item 51 And Justice For All
15 was entered into the ledger on or about
16 September 9, 2013, correct?

17 A. Correct.

18 Q. And would the entry in this
19 general ledger here for the disbursement to
20 And Justice For All be the only record that
21 you provided to the accountants that would
22 show this grant?

23 A. It is the first set of document
24 requests. So this is their initial request.

25 If they would have asked for

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2 something else, I don't remember. This is
3 the starting point.

4 Q. So in your typical practice, this
5 is what would you send them, and this is what
6 they would use. But on occasion, they might
7 ask for follow-up information?

8 A. Yes.

9 Q. But in this instance, you don't
10 have a specific recollection of them asking
11 for follow-up information?

12 A. Correct.

13 Q. You can put that aside.

14 Mr. McConney, are you familiar
15 with the event that Mr. Trump held in Iowa in
16 January 28, 2016, to raise funds for veterans
17 organizations?

18 A. Yes.

19 Q. When did you learn about that
20 event?

21 A. That morning or that afternoon.
22 The day of the event.

23 Q. And who told you about the event?

24 A. Mr. Weisselberg.

25 Q. And what did he tell you?

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2 A. He told me we were going with
3 Mr. Trump to the event in Iowa, and we had to
4 prepare for it.

5 Q. Did he tell you what the purpose
6 of the event was?

7 A. Yes. It was a fundraiser for
8 veterans.

9 Q. And had you heard there was going
10 to be fundraiser for veterans before
11 January 28th?

12 A. Prior to that, I don't remember
13 anything.

14 Q. Did Mr. Weisselberg tell you
15 anything about who was organizing the
16 fundraiser?

17 A. Not that I remember.

18 Q. So did you and Mr. Weisselberg
19 travel to Iowa on that date?

20 A. Yes.

21 Q. And who paid for your travel to
22 Iowa?

23 A. I don't know. It wasn't the
24 foundation.

25 Q. And did you have any specific

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2 duties associated with the fundraiser for
3 which you were traveling to Iowa?

4 A. At that time, we thought there
5 was a possibility of handing out checks to
6 veterans. I had a checkbook and a pen, piece
7 of paper to write down the contributions, if
8 that was Mr. Trump's desire.

9 Q. And so you brought a checkbook
10 with you to Iowa?

11 A. Yes.

12 Q. And was that -- whose checkbook
13 was that?

14 A. The foundation.

15 Q. Did the Trump Foundation ever
16 hold a fundraiser before the Iowa event?

17 A. Not to my knowledge.

18 Q. Do you know when the planning for
19 the fundraiser began?

20 A. No.

21 Q. Do you know who would have
22 knowledge concerning the planning of the
23 fundraiser?

24 A. No.

25 Q. Did Mr. Weisselberg tell you

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2 about anybody else who was involved in the
3 fundraiser?

4 A. Not that I remember.

5 Q. Other than you and
6 Mr. Weisselberg, who else from the Trump
7 Organization traveled to Iowa on the 28th?

8 A. Mr. Trump, Keith Schiller, his
9 bodyguard, Jared Kushner, his wife, Ivanka
10 Trump, Donald Trump, Jr., his wife Vanessa,
11 Eric Trump, Corey Lewandowski and a number of
12 secret services staff. There may have been
13 some others, but I don't remember
14 specifically other people.

15 Q. Do you know who came up with the
16 idea for the fundraiser?

17 A. No.

18 MS. FARBER: I just want to ask
19 you about the list you just gave.

20 So who went out with you?

21 THE WITNESS: It was myself -- I
22 am sorry, I left off Allen Weisselberg.
23 Keith Schiller, Mr. Trump's bodyguard,
24 Mr. Trump, Jared Kushner, Ivanka Trump,
25 Don Trump, Jr., his wife, Vanessa Trump,

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2 MR. SHIFFMAN:

3 Q. Do you know if any of the people
4 you just mentioned went out to the fundraiser
5 on behalf of the Trump Foundation? Do you
6 have an understanding as to what capacity
7 they went?

8 A. I thought we all went out on
9 behalf of the foundation.

10 Q. And what was that understanding
11 based upon?

12 A. Mr. Trump was raising money for
13 the veterans, so we would go on behalf of the
14 foundation. Really didn't give it much
15 thought.

16 Q. Were you told that all the money
17 raised would go first to the foundation and
18 then out to the veterans?

19 A. This was done -- the part that I
20 was involved in was done so quickly, I
21 believe that was the initial thought.

22 Q. Did somebody tell you that was
23 how it was going to be structured?

24 A. No.

25 Q. Do you know if there was ever any

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2 consideration given to money being donated
3 directly to veterans' groups as opposed to
4 passing through the foundation?

5 A. There are a number of individual
6 donors that wanted to draw the checks
7 directly to the veterans' group.

8 Q. Did that happen?

9 A. Yes.

10 Q. And then there were a number of
11 donors that donated through the foundation as
12 well?

13 A. Right.

14 Q. Do you know if the foundation's
15 board ever met in connection with the
16 organization of the fundraiser?

17 A. No, I don't know.

18 Q. Do you know who paid for the cost
19 of the fundraiser?

20 A. No.

21 Q. Did your department issue any
22 checks in connection with the fundraiser
23 setup or the running of the event?

24 A. Not to my knowledge.

25 Q. Was there a website set up for

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2 the fundraiser?

3 A. Yes.

4 Q. And who set that up, do you know?

5 A. I think the name is Giles,
6 G-I-L-E-S, Pascale, P-A-S-C-A-L-E, was the
7 website designer.

8 Q. Is that an individual's name?

9 A. I believe it is a company. Don't
10 know Giles name. It is Brad Pascale. I
11 believe he is one of the owners.

12 Q. Is that a company that had done
13 work for the Trump Foundation in the past?

14 A. Not for the Trump Foundation.

15 Q. Had that company done work for
16 the Trump Organization in the past?

17 A. I believe it did work for Eric's
18 foundation.

19 Q. That is the Eric Trump
20 Foundation?

21 A. The Eric Trump Foundation.

22 Q. And do you know if the Giles
23 Pascale company charged for services in
24 connection with setting up the website?

25 A. They did not.

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2 A. I believe it was about
3 5.6 million dollars.

4 MR. SHIFFMAN: Let's just mark
5 this next exhibit a document Bates
6 stamped DJTF-VETS 001. And it is
7 entitled Veterans Fundraiser,
8 January 28, 2016.

9 (Whereupon, a one-page document
10 was received and marked as JM Exhibit 4
11 for identification, as of this date.)

12 Q. Mr. McConney, do you recognize
13 this document?

14 A. Yes, sir.

15 Q. And what is it?

16 A. It is a summary of the funds
17 received and checks disbursed. I am sorry,
18 it is the funds received.

19 Q. I will direct you to the top of
20 the chart. It says donor.

21 A. Right.

22 Q. Does that refresh your
23 recollection that this is a summary of the
24 donations made?

25 A. Yes.

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2 Q. And so the first -- well,
3 actually, just ask, what does this tell you
4 about who donated directly to the veterans
5 organizations?

6 A. The first line 1, is 1,775,000
7 were checks drawn by donors directly to
8 veterans' organizations.

9 Q. The next section that begins with
10 JJ Cafaro, what does that section list?

11 A. Those for individuals drew checks
12 directly to Mr. Trump's foundation.

13 Q. And there is a site says
14 website -- I am sorry, a line entry that says
15 website contributions.

16 What does that refer to?

17 A. Those were the net contributions
18 raised by the website transferred to the
19 foundation, net of bank charges that were
20 charged by the credit card processor.

21 Q. So those website contributions
22 were made by individuals, and they went to
23 the Trump Foundation?

24 A. I don't know if it was made all
25 by individuals, but the contributions were

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2 received by the website and transferred to
3 the foundation.

4 Q. Did you or did your department
5 receive a list of the individual donors?

6 A. Yes.

7 Q. Do you recall approximately how
8 many people donated?

9 A. I believe the first batch was
10 over 15,000. I don't remember after that.
11 That was the first transfer that was made.

12 Q. And so the total contributions to
13 the foundation were just over 2.8 million
14 dollars?

15 A. Yes.

16 Q. And then Mr. Trump also donated
17 about one million, or donated one million?

18 A. He donated one check to one
19 charity directly from his personal account.

20 Q. And that one did not go through
21 the foundation, correct?

22 A. Correct.

23 Q. So as you mentioned earlier, the
24 total amount raised were approximately 5.6
25 million dollars?

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2 A. Net of the website bank
3 charges -- the credit card processor's bank
4 charges, yes.

5 Q. So that consists of the three
6 items above the total raised 1.775 that went
7 directly to the veterans' organizations, 2.8
8 that went to the contributions -- to the
9 foundation, and 1 million that Mr. Trump
10 donated directly to the veterans'
11 organizations?

12 A. Correct.

13 MR. SHIFFMAN: So mark as the
14 next exhibit document Bates stamped
15 DJTF-VETS 032.

16 (Whereupon, a one-page document
17 was received and marked as JM Exhibit 5
18 for identification, as of this date.)

19 Q. Have you seen this document
20 before?

21 A. Yes.

22 Q. And what is it?

23 A. It is the listing of the
24 disbursements to charitable veterans
25 charities from Mr. Trump's foundation.

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2 Q. And each of these donations was
3 made by check, correct?

4 A. Correct.

5 Q. And the check number is listed on
6 this sheet, right?

7 A. Yes.

8 Q. Who requested that each of these
9 checks be cut to these particular
10 organizations? Tell us the process by which
11 these checks were cut.

12 A. We received an approved list from
13 Mr. Trump of the first round off veterans
14 charities. When the donors wanted to draw
15 checks directly to the veterans, we provided
16 those lists to those donors.

17 And somebody instructed -- off
18 the top of my head I don't remember who --
19 instructed to draw checks to the other
20 foundations or two foundations, yeah, to
21 veterans' charities, sorry.

22 Q. Which two charities are you
23 talking about that somebody directed you, but
24 you don't remember whom?

25 A. I don't understand the question.

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2 A. No.

3 Q. When Mr. Trump approved that
4 first list of 22 charities, did he do so in a
5 memo or e-mail, or was it just a list that
6 Mr. Lewandowski sent saying, this is the
7 charities that should receive donations?

8 A. It was a list attached to an
9 e-mail from Corey saying, Mr. Trump has
10 approved these charities.

11 Q. Did Mr. Trump, either directly or
12 through Mr. Lewandowski, give instructions of
13 how the donations should be allocated between
14 the charities that he approved?

15 A. Ask that one more time, please.

16 (Previous question was read
17 back.)

18 A. Not that I remember.

19 MR. SHIFFMAN: These are
20 obviously documents that we would like
21 to see, the ones related to these
22 transactions. I don't know if they were
23 called for or not before, but are ones
24 we would like.

25 MS. DILLON: They weren't called

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2 Q. Did you learn that at any time?

3 A. Later on, when this investigation
4 started.

5 Other than that, I really didn't
6 know.

7 Q. Prior to the investigation, you
8 didn't know who was involved?

9 A. No.

10 Q. At some point were you instructed
11 that the Trump Foundation would have to cut a
12 check or send money to Mr. Greenberg or his
13 foundation?

14 A. Yes.

15 Q. And who did you receive that
16 instruction from or that information from?

17 A. I received an approved document
18 from Mr. Trump to send the wire. I don't
19 remember who actually handed me the document.

20 Q. What document did you receive, do
21 you recall?

22 A. I believe it was wire instruction
23 and dollar amount had to be wired out.

24 Q. And was Mr. Trump's approval on
25 that document?

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2 A. I believe so, yes.

3 Q. Did that document tell you which
4 account to use to make the payment?

5 A. I don't remember.

6 MR. SITARCHUK: I am pretty sure
7 you guys have that one.

8 MR. SHIFFMAN: Mark as the next
9 exhibit a two-page e-mail Bates stamped
10 MGF 001 through 2.

11 (Whereupon, a double-sided
12 document was received and marked as JM
13 Exhibit 8 for identification, as of this
14 date.)

15 Q. Mr. McConney, do you recognize
16 this document?

17 A. Looks familiar.

18 Q. And putting aside the very top of
19 it, the very top of it is an e-mail, looks
20 like Howard Melsberg (phonetic) printed out
21 e-mail that Mr. Fried forwarded to
22 Mr. Greenberg and Mr. Melsberg, which I
23 assume you haven't seen. So my questions to
24 you relate to the things below that.

25 A. Okay.

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2 Foundation?

3 A. In the normal course of business,
4 I may have had my hand on it, but I don't
5 remember.

6 MR. SHIFFMAN: Let's mark the
7 next document. It is a one-page
8 document Bates stamped TJDF-FH 173. It
9 is a memo with handwriting on it and a
10 stamp.

11 (Whereupon, a one-page document
12 was received and marked as JM Exhibit 13
13 for identification, as of this date.)

14 Q. Do you recognize this document?

15 A. No.

16 Q. Do you recognize the form of the
17 document? Does this look to be a copy of a
18 memo that -- on the type of pad that Mr.
19 Trump would use to send memos to people in
20 the Trump Organization?

21 A. Yes.

22 Q. That is his name at the top of
23 the memo, right?

24 A. Yes.

25 Q. And is the handwriting under

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2 Mr. Trump's name, Mr. Trump's handwriting?

3 A. Yes.

4 Q. And then there is a stamp below
5 that that says accounts payable.

6 Is that a stamp that was used by
7 the accounts payable department in the Trump
8 Organization?

9 A. Yes.

10 Q. The first line of the handwriting
11 say Allen W.

12 Do you know who that is a
13 reference to?

14 A. Allen Weisselberg.

15 Q. Do you understand this to mean
16 Mr. Trump is writing to Mr. Weisselberg,
17 telling him to make \$100,000 payment to
18 Fisher House from the Donald J. Trump
19 Foundation to settle the flag issue in Palm
20 Beach?

21 A. It is an e-mail to draw a check
22 out of the foundation. I don't know whether
23 it is to settled. Yeah, that sounds about
24 right.

25 Q. So right under Allen W it say DJT

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2 Foundation?

3 A. Yes.

4 Q. You understand that to be an
5 instruction to make the payment from the
6 foundation?

7 MR. SITARCHUK: I don't think
8 that is a fair question.

9 The document says what it says.
10 He has said he has never seen it
11 before.

12 I think you are trying to put
13 words in his mouth. I do not think that
14 is fair.

15 MR. SHIFFMAN: I don't think --

16 MR. SITARCHUK: How is his
17 interpretation of the document relevant?

18 MR. SHIFFMAN: Because he
19 received documents from Mr. Trump and
20 instructions to make payments routinely.
21 I think he testified that is how the
22 payments were paid from the foundation.
23 This is, to his department, part of the
24 process that he described earlier as how
25 things worked.

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2 MR. SITARCHUK: He testified he
3 has never seen this before.

4 But go ahead.

5 MR. SHIFFMAN: I don't think he
6 said he never saw it before. I think he
7 said he didn't recall.

8 A. I don't remember seeing this
9 until now.

10 Q. But when you would make a check
11 from the foundation's accounts, it would be
12 based upon an instruction that was given from
13 Mr. Trump; that is your testimony, right?

14 A. Correct.

15 Q. And this is one such instruction,
16 correct?

17 A. Correct.

18 Q. And this is a payment that was
19 made from the accounts payable department,
20 correct?

21 A. Correct.

22 Q. And accounts payable stamp there
23 indicates that your department, which you
24 oversee was, in fact, given this document,
25 right?

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2 A. Correct.

3 Q. So it was part of your overall
4 responsibilities to get memos of this type or
5 have your staff get memos of this type,
6 right?

7 A. Deborah would need this memo to
8 cut the check. Number of individuals being
9 give the memo to Deborah. I didn't have to
10 see them all.

11 Q. Based upon that, you have an
12 understanding of the information contained in
13 this document, whether or not you saw it
14 originally, right?

15 A. Yes.

16 Q. So do you understand that the DJT
17 Foundation is a reference to the Donald J.
18 Trump Foundation?

19 A. I would say yes.

20 Q. It is your understanding that
21 this is an instruction to make the payment of
22 \$100,000 to Fisher House from the Donald J.
23 Trump Foundation, right?

24 A. Yes.

25 Q. There is also parenthesis, it

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2 says, settlement of flag issue in Palm Beach,
3 right? Is it your understanding that was the
4 purpose of this payment being made?

5 A. I don't remember seeing the
6 document when it first came out. I don't
7 remember the settlement at that time.

8 Can I draw a conclusion? Maybe.
9 But it wouldn't have meant anything to me at
10 that time.

11 If Mr. Trump wanted us to draw a
12 contribution to a charity, his foundation was
13 set up to draw contributions to charities. I
14 probably didn't know at that time that we
15 probably shouldn't be using foundation funds
16 for this type of thing.

17 Now that I have had the training
18 I know, don't go near this.

19 But in those days it was a
20 charity, we made a contribution. We made a
21 mistake.

22 Q. This document, so the direction
23 came from Mr. Trump to make a donation from
24 the charity, correct?

25 A. Yes.

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2 (Whereupon, a one-page document
3 was received and marked as JM Exhibit 14
4 for identification, as of this date.)

5 Q. Have you ever seen this check
6 before?

7 A. I am sure I have at some point.

8 Q. Do you recall if you saw it
9 before it was sent out?

10 A. I don't remember.

11 Q. Do you know if there would be any
12 further approval beyond a memo in the form of
13 Exhibit 13 that would be necessary before a
14 check in the amount of \$100,000 would be sent
15 out on behalf of the foundation?

16 A. Not to my knowledge.

17 MR. SHIFFMAN: Let's mark the
18 next exhibit, a one-page e-mail dated
19 January 22, 2007, from Ed Raymundo to
20 Allen Weisselberg dated DJTF -- I am
21 sorry, Bates stamped DJTF-FH 019.

22 (Whereupon, a one-page document
23 was received and marked as JM Exhibit 15
24 for identification, as of this date.)

25 Q. Now, have you ever seen this