

1 APPEARANCES:

2

On Behalf of the District of Columbia:

3

ASIA STEWART-MITCHELL, ESQ.

4

5

On Behalf of Respondent:

6

ARISTOTLE THERESA, ESQ.

7

ALSO PRESENT:

8

ASHLEY COOK, Director of Government Ethics

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LYNN TRAN, BEGA Board Counsel

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2 CHAIRPERSON HUTCHESON: March 5th, 2026,
3 and this is a special meeting of the District of
4 Columbia Board of Ethics and Government
5 Accountability. I'm BEGA Chairperson Norma
6 Hutcheson, and with me today are Board Members
7 Felice Smith, Darrin Sobin, and Melissa Tucker.
8 Together, the four of us constitute a quorum for
9 this meeting.

10 We have one item on the agenda for today,
11 and it is Case Number 25-0002-F In Re: Trayon
12 White. The proceeding today is being recorded
13 using our hearing room central recording system.

14 We will start with the identification of
15 the parties for the record, beginning with the
16 government, which I will refer to as the Government
17 or OGE or the Office of Government Ethics during
18 these proceedings.

19 MS. COOKS: Ashley Cooks, Director of the
20 Office of Government Ethics.

21 MS. STEWART-MITCHELL: Asia
22 Stewart-Mitchell, General Counsel.

1 CHAIRPERSON HUTCHESON: Okay. I note
2 that neither respondent nor representative for him
3 or counsel for him are present, but we're going to
4 move forward with our opening statements.

5 We are here today to continue the
6 adversarial hearing in this matter, which was
7 initially commenced on February 5th, 2026. At the
8 start of the hearing on February 5th, the parties
9 were provided an opportunity to make comments, and
10 the Board considered any pending motions.

11 The Board denied the Motion to Continue
12 the Hearing filed by Councilmember White on January
13 26th, 2026, which asked the Board to continue the
14 hearing until the resolution of his pending criminal
15 trial, which at that time was set to begin in March
16 of 2026. News reports indicate that the criminal
17 trial is now scheduled to start in September of 2026.

18 Although the Board denied the Motion to
19 Continue the Hearing until after the conclusion of
20 the criminal trial, the Board took notice of the
21 fact that Councilmember White was scheduled to
22 appear at a hearing in his criminal trial at that

1 -- on that same day and continue the adversarial
2 to a later date, which is today.

3 Before moving on to preliminary matters,
4 I ask the parties whether you want to invoke the
5 rule to exclude who may be testifying from the
6 proceedings while we're discussing either
7 substantive matters or during the testimony of other
8 witnesses to preserve the integrity of the
9 testimony.

10 MS. COOKS: Yes, we have one witness that
11 needs to be excluded.

12 CHAIRPERSON HUTCHESON: Okay. Okay.
13 Okay. Are there any other preliminary matters that
14 the Board needs to address?

15 MS. COOKS: The parties met and produced
16 a joint pre-hearing statement. OGE would like to
17 read the stipulated facts into the record.

18 CHAIRPERSON HUTCHESON: Okay.

19 MS. COOKS: Both parties met on October
20 2nd, 2025, as well as July 14th, 2026 (sic), and
21 stipulated to the following facts. The parties
22 agreed upon the following:

1 Fact 1: Respondent served as a
2 councilmember for Ward 8 from January 2017 to
3 February 2025. At all relevant times, respondent
4 was a public official as defined in the Ethics Act,
5 D.C. Official Code Section 1-1161.01(47)(B), and
6 was therefore required to file a Public Financial
7 Disclosure Statement, PFDS.

8 Fact 3: Because respondent was a
9 councilmember, he was required to file a PFDS twice
10 every year in May and November.

11 Fact 4: Respondent was required to file
12 a PFDS reporting on the period between January 1st,
13 2024 and June 30th, 2024, on or before November 15th,
14 2024.

15 Fact 5: Respondent was required to file
16 a PFDS reporting on the period between July 1st,
17 2024, and December 31st, 2024, on or before May 15th,
18 2025.

19 Respondent was required to file a PFDS
20 reporting on the period between January 1st, 2025,
21 and June 30th, 2025, on or before November 15th,
22 2025. Those are the facts that the parties have

1 stipulated to.

2 CHAIRPERSON HUTCHESON: Okay. Then
3 we'll move to the director's presentation of her
4 case.

5 MS. COOKS: We would like to start with
6 an opening statement.

7 CHAIRPERSON HUTCHESON: Okay. Go right
8 ahead.

9 MS. STEWART-MITCHELL: Good afternoon,
10 Chair Hutcheson, Members of the Board. This case
11 is a straightforward failure to timely file
12 financial disclosure statements. Financial
13 disclosure is an important transparency tool in
14 government ethics. The purpose of the disclosure
15 is to prevent financial conflicts of interest by
16 ensuring that there are no conflicts between public
17 officials' personal financial interests and the
18 district government's interests.

19 This is especially important for elected
20 officials such as the respondent, Councilmember
21 Trayon White, who has the authority to take official
22 actions that could directly impact his financial

1 interests or the financial interests of persons
2 closely affiliated with him. Allowing an elected
3 official to continuously ignore the filing
4 obligation undermines the public trust and
5 regresses the district with regard to transparency.

6 Councilmember White has already
7 stipulated to the fact that at all times relevant
8 to this case, he was required to file financial
9 disclosure statements. Moreover, he is familiar
10 with the filing requirement because he has completed
11 the filing throughout his tenure as a councilmember,
12 which began in 2017.

13 Today, I intend to prove that
14 Councilmember White was notified by the Office of
15 Government Ethics that he was required to file his
16 November 2024, May 2025, and November 2025,
17 financial disclosure statements, and that despite
18 multiple notices, he did not file his statements.

19 In fact, to date, the respondent has not filed his
20 financial disclosure statements. Thank you.

21 CHAIRPERSON HUTCHESON: Is that it?

22 MS. STEWART-MITCHELL: That concludes my

1 opening statement. Thank you.

2 CHAIRPERSON HUTCHESON: Okay. Then we
3 may start with the presentation of your witness or
4 witnesses.

5 MS. STEWART-MITCHELL: We would like to
6 call our first witness, Stanley Kosick.

7 CHAIRPERSON HUTCHESON: Okay.

8 MS. COOKS: Mr. Kosick, can you state your
9 name for the record?

10 MR. KOSICK: Stanley Kosick.

11 MS. COOKS: Raise your right hand.

12 WHEREUPON,

13 STANLEY KOSICK

14 was called as a witness by counsel for the Government
15 and, after having been duly sworn, was examined and
16 testified as follows:

17 MS. COOKS: Thank you.

18 MS. STEWART-MITCHELL: Thank you.

19 DIRECT EXAMINATION

20 BY MS. STEWART-MITCHELL:

21 Q Good afternoon, Mr. Kosick. Can you state
22 your name again and then your agency and your

1 district government title for the record?

2 A Yes. Stanley Kosick. I'm the program
3 coordinator for the Office of Government Ethics and
4 the Board of Ethics and Government Accountability.

5 Q Mr. Kosick, if you could, just try to talk
6 into the mic. It just seems a little low.

7 A Sorry, it was -- might be different.
8 Stanley Kosick. I am the program coordinator for
9 Board of Ethics and Government -- Government
10 Accountability, Office of Government Ethics.

11 Q Thank you. As program coordinator, what
12 do you do on a day-to-day basis?

13 A To provide administrative and technical
14 assistance with the financial disclosure system.

15 Q Okay. And how long have you been at BEGA?

16 A Six and a half years.

17 Q And during your time at BEGA, how much of
18 that time have you spent working on the financial
19 disclosure program?

20 A All of them.

21 Q Does anyone else send out notices
22 regarding financial disclosure on behalf of BEGA

1 besides you?

2 A No.

3 Q Is there anyone else responsible for
4 financial disclosure data and information at BEGA
5 besides you?

6 A No, I'm the sole coordinator.

7 Q Can you briefly explain the district's
8 financial disclosure process?

9 A Sure. It's a -- it's -- it's a long
10 process, but it -- to get it into this -- we start
11 -- we request from agencies to designate their --
12 those that are required to file financial
13 disclosure.

14 We receive those lists from those agencies
15 during -- after we request, and then I compile them.

16 They are uploaded into our e-file system. And
17 let's see, we ultimately send out a notice to all
18 public filers, both email and paper copy. And I
19 monitor the filing as they -- as they're completed
20 and any sort of technical issues as they come up.

21 Q Thank you. And so you talked a little bit
22 about notification in your last response. When do

1 you send your first notification to financial
2 disclosure statement filers?

3 A The first notification to -- for filers.
4 For filers, that's usually the week of April 15th.
5 Sometimes it's right on April 15th, sometimes it's
6 a few days ahead.

7 Q Okay. And after that initial April 15th
8 notice, do you send any other notices?

9 A We do, as a matter of course, send
10 reminders.

11 Q Okay. About how many reminders do you
12 send?

13 A On average, about five. Four or five.

14 Q And that is between the period of April
15 15th and when?

16 A And May 15th.

17 Q Okay. And May 15th, why is that
18 significant?

19 A It's the due date of the financial
20 disclosure.

21 Q Okay. And do you send any notices after
22 May 15th?

1 A Occasionally, but I do -- I try to get --
2 my job is -- was originally compliance. And so I'm
3 -- that is what I strive to -- to achieve, compliance
4 in financial disclosure filings.

5 Q Okay. And you also mentioned that
6 councilmembers filed twice.

7 A Yes. Council members file twice -- twice
8 a year. Once on the May 15th due date and once
9 November 15th due date.

10 Q And what's the process in November? Is
11 it -

12 A The process is the same. The
13 councilmembers provide us a list of files. But in
14 November, it's only the councilmember, not the
15 staff. I compile that list. We sent out a notice
16 somewhere in specifically 15th. That may be a
17 little early, maybe a little earlier, or right on
18 October 15th, excuse me. And then it's due by
19 November 15th.

20 Q Okay. And with regards to notices, go
21 through the timeline of your notices for the
22 November filing.

1 A I will send that initial notice, both paper
2 and -- and electronic on or before October 15th.

3 On October 29th, I will send another, like,
4 reminder to those who haven't filed. And then it's
5 sort of -- I -- and as I'm monitoring, I will send
6 as necessary, but usually right up to November 15th,
7 advising the councilmember to file.

8 Q Thank you. And you talked a little bit
9 about this, but in what form do you send those
10 notices?

11 A They're both hard copy, mail, and
12 electronic.

13 Q Thank you. Okay. Can you explain what
14 happens if a district government employee or public
15 official who is required to file fails to timely
16 file?

17 A They are referred to the attorney advisor
18 and -- and upper management for enforcement
19 activities.

20 Q Thank you. All right. At this time, I'd
21 like to have you take a look at some exhibits. Can
22 you please direct your attention to Exhibit 1 in

1 your binder?

2 Have you been able to navigate to Exhibit
3 1?

4 A Ma'am?

5 Q Are you at Exhibit 1?

6 A Yes, ma'am.

7 Q Okay, great. What is this document that
8 we're looking at, Exhibit 1?

9 A This is a document announcing that fall
10 financial disclosure statements are due.

11 Q Okay. And is this a true or accurate copy?

12 A Yes, it is.

13 Q Thank you. And can you read the beginning
14 of this document, the from, the to, the subject,
15 the date?

16 A Stanley Kosick (BEGA) to
17 twhite@dccouncil.gov. Subject: November 24
18 Public Financial Disclosure Statement Filing.
19 Date: Tuesday, October 15th, 2024 at 8:53 a.m.

20 Q Thank you. So I want you to take a look
21 at the entire document and let me know when you've
22 had a chance to look at the entire document.

1 A Yes, ma'am.

2 Q What kind of information have you shared
3 in this document?

4 A This -- this is our -- our notices, and
5 this is a good example of our notice. It's a --
6 a document announcing that the person -- the
7 recipient is and has been designated as a filer of
8 financial disclosure. It gives them a time period,
9 gives them a due date. And then in the how to file,
10 gives them step by step how to file, how to access
11 our e-file system. And -- and then at -- towards
12 the end, how to -- to do some minor troubleshooting
13 on their own before reaching out. And then there
14 are -- there's a -- we refer them to various -- to
15 the website for questions, training materials and
16 things like that.

17 MS. STEWART-MITCHELL: Thank you.

18 At this time, I'd like to request that
19 Exhibit -- Government Exhibit 1 be admitted into
20 the record.

21 CHAIRPERSON HUTCHESON: It's been
22 admitted.

1 (Whereupon, the above-referred to
2 document was received into evidence as Government's
3 Exhibit No. 1.)

4 MS. STEWART-MITCHELL: Thank you.

5 BY MS. STEWART-MITCHELL:

6 Q Mr. Kosick, I'd like you to move on to
7 Exhibit 2. Mr. Kosick, what document are we looking
8 at here with Exhibit -- Government Exhibit 2?

9 A This is a document -- a reminder document
10 reminding the councilmember to file.

11 Q And is this a true and accurate copy of
12 your reminder?

13 A Yes, ma'am.

14 Q And can you read the beginnings of the
15 email, the from, the to, the subject, and the date?

16 A From: Stanley Kosick (BEGA) to
17 Twhite@dccouncil.gov. Reminder: Fall '24 Filing
18 due 11-15. Sent date: Tuesday, October 29th, 2024
19 at 1:36 p.m.

20 MS. STEWART-MITCHELL: Thank you.

21 At this time, I'd like to request that
22 Exhibit 2 be admitted into the record.

1 CHAIRPERSON HUTCHESON: It's admitted.

2 (Whereupon, the above-referred to
3 document was received into evidence as Government's
4 Exhibit No. 2.)

5 BY MS. STEWART-MITCHELL:

6 Q All right. Mr. Kosick, if you could
7 direct your attention to Exhibit 3. And what is
8 this document, Government Exhibit 3?

9 A This is similar to Exhibit 2 in that it's
10 a reminder to file.

11 Q And is this a true and accurate copy of
12 your reminder?

13 A Yes, ma'am.

14 Q And can you read the from, the to, the
15 subject, and the date on this document?

16 A From Stanley Kosick (BEGA) to
17 Twhite@dccouncil.gov. Subject: Reminder: Fall
18 2024 -- fall -- filing due 11-15. Date: Thursday,
19 November 7th, 2024, at 11:30 a.m.

20 MS. STEWART-MITCHELL: Thank you. Thank
21 you, Mr. Kosick.

22 At this time, I'd like to request that

1 Government Exhibit Number 3 be entered into the
2 record.

3 CHAIRPERSON HUTCHESON: Exhibit Number 3
4 is admitted.

5 (Whereupon, the above-referred to
6 document was received into evidence as Government's
7 Exhibit No. 3.)

8 MS. STEWART-MITCHELL: Thank you.

9 BY MS. STEWART-MITCHELL:

10 Q And, Mr. Kosick, I just want to ask you
11 a question and backtrack a little bit to our initial
12 questions, just to clarify for the record.

13 This email address that is -- that we see
14 in the exhibits that we've discussed so far, the
15 Twhite@dccouncil.gov, tell me a little bit about
16 how you got that email address and if that was an
17 accurate email address for Councilmember White?
18 And if so, how you knew that?

19 A So again, excuse me, when we requested
20 information from the various agencies and
21 councilmember offices, that is what's provided to
22 us. For the -- the November notices, I go through

1 and make sure, because I go to each councilmember
2 and make sure that's their email address.

3 Q Thank you. And so is this -- at the time
4 that you sent out this notification, was this an
5 accurate email address for Councilmember Trayon
6 White?

7 A Yes, it was.

8 Q Thank you. All right, Mr. Kosick, at this
9 time, I'd like to direct your attention to Exhibit
10 Number 4. Okay. What is this document?

11 A This is a reminder notice to Councilmember
12 Trayon White and including his chief of staff, Wanda
13 Lockridge, reminding them that the filing is due.

14 Q Is this a true and accurate copy of your
15 notice?

16 A Yes, it is.

17 Q Thank you. And can you read the from, the
18 to, the copy, and subject, and the date at the
19 beginning of this document?

20 A Yes. Stanley Kosick (BEGA) to White, Sr.,
21 Trayon (Council). Carbon copy, Wanda -- or
22 Lockridge, Wanda (Council). Fall 2024 Financial

1 Disclosure is due by or on Friday, November 15th,
2 2024. The date, Wednesday, November 13th, 2024,
3 at 3:48 p.m.

4 Q Thank you, Mr. Kosick. And so take a look
5 at this notification for me. So what was the goal
6 of this notice?

7 A The -- the goal -- I'm sorry?

8 Q What was the goal of this communication,
9 this document?

10 A This, again, was another reminder to the
11 councilmember. And the idea to include the chief
12 of staff was that the councilmember had not filed,
13 and for -- for the chief of staff to perhaps sort
14 of push him in the right direction. Also, it gives
15 them the website to -- to file and advises what his
16 login would be.

17 Q Thank you. And to clarify, you said that
18 you sent this notification because at the time that
19 you sent the notification, the councilmember had
20 not filed?

21 A Correct.

22 MS. STEWART-MITCHELL: At this time, I'd

1 like to request that Exhibit Number 4 be admitted
2 into the record.

3 CHAIRPERSON HUTCHESON: Exhibit Number 4
4 is admitted.

5 (Whereupon, the above-referred to
6 document was received into evidence as Government's
7 Exhibit No. 4.)

8 MS. STEWART-MITCHELL: Thank you.

9 BY MS. STEWART-MITCHELL:

10 Q All right. Mr. Kosick, I'd like to -- you
11 to direct your attention to Exhibit Number 5 --
12 Government Exhibit Number 5. What is this
13 document?

14 A This is a printout. This is a printout
15 of the reporting from our GovDelivery system showing
16 the dates, the email addresses, delivery status --
17 status, failure messages, if any, total opens, total
18 clicks, and summary.

19 Q And what is GovDelivery?

20 A We have implemented using GovDelivery to
21 send out notices to financial disclosure filers.

22 It's a separate but -- system that we use through

1 our account.

2 Q Thank you. And you said this was a
3 printout. Tell me a little bit about how this
4 report is generated.

5 A Each time we send a notice via GovDelivery,
6 it generates a review of all the recipients. And
7 in this case, it's all the -- the recipients whether
8 or not that was delivered. Or if it maybe got a
9 bounce back, there was a failure message, which
10 would be the bounce back, the number that the --
11 the recipient opened. And total clicks is if they
12 clicked on a link in that email. And the click
13 summary is what links did they go to.

14 Q Thank you. And -

15 CHAIRPERSON HUTCHESON: Okay.

16 BY MS. STEWART-MITCHELL:

17 Q -- is this a true and accurate copy of the
18 GovDelivery report that you generated?

19 A It is.

20 Q Thank you. And so Mr. Kosick, if you could
21 go through and -- line by line and read the report,
22 starting with the April 15th date at the beginning

1 of the document.

2 A Yes, ma'am. April 15th, so 4-15-2025 to
3 trayonwhite2011@gmail.com. Delivered, no failure
4 message. Total opens, two. No other information.

5 Q If you could continue?

6 A Next one?

7 Q Yes, please.

8 A On 4-28 -- 4-28-2025, destination address,
9 trayonwhite2011@gmail.com. Delivery status:
10 Delivered. Three total opens. No further
11 information.

12 On 5-2, May 2nd, 2025, to
13 trayonwhite2011@gmail.com. Delivered, no failure
14 message, two opens, zero clicks, no further
15 information.

16 5-12, May 12th, 2025, recipient:
17 trayonwhite2011@gmail.com. Status: Delivered.
18 Opened twice -- two times, excuse me. No failure
19 message, no clicks, no further information.

20 And finally, on May 15th, 2025,
21 trayonwhite2011@gmail.com, was delivered, no
22 failure, one open, zero clicks, and no further

1 information.

2 Q Thank you, Mr. Kosick. And so in Exhibits
3 1 through 4, it appears that we were -- you were
4 sending notifications to a council email address,
5 Twhite@dccouncil.gov. Why is the address you sent
6 notification to -- the email address you sent
7 notification to different here?

8 A Between the November and the April notices
9 the -- my understanding was Councilmember White was
10 excused or relieved from his position as
11 councilmember and the -- while he was still -- but
12 he was still required to file. So Chairman
13 Mendelson had his staff produce us a list of -- of
14 not only his staff, but included Councilmember
15 Trayon White and his personal email address.

16 Q Thank you. So you received his contact
17 information from Chairman Mendelson?

18 A Correct.

19 Q And do you have any reason to doubt the
20 validity of the contact information that you were
21 provided by Chairman Mendelson?

22 A No, ma'am. It's not my purview.

1 Q And how do you usually receive contact
2 information for filers?

3 A From the agencies or in this case,
4 councilmembers.

5 MS. STEWART-MITCHELL: Thank you.

6 At this time, I'd like to request that
7 Government Exhibit Number 5 be admitted into the
8 record.

9 CHAIRPERSON HUTCHESON: Okay.

10 MR. SOBIN: I have a question before we
11 do that.

12 CHAIRPERSON HUTCHESON: Sure.

13 MR. SOBIN: It looks like from the
14 document itself, the exhibit sticker is covering
15 up column -- the last column that says Click Summary.

16 Is there any information on there that's -- it's
17 -- that's being covered up?

18 MS. STEWART-MITCHELL: I don't believe
19 there's any information there. And that's why I've

20 -

21 MR. SOBIN: Maybe you ask him.

22 MS. STEWART-MITCHELL: -- I feel

1 comfortable putting the exhibit sticker there.

2 There's nothing there.

3 MS. COOKS: So the column that has the
4 zeros, going straight down, that is the Click
5 Summary. There's nothing under the actual sticker.
6 It's kind of pushed over.

7 MR. SOBIN: All right.

8 MS. STEWART-MITCHELL: Correct. The
9 digit is to the left -- a little bit to the left
10 of the column.

11 MR. SOBIN: So total clicks, is that 2,
12 3, 2, 2, 1?

13 MS. COOKS: Yes.

14 MR. SOBIN: And click summary is 0, 0, 0,
15 0.

16 MS. COOKS: Yes.

17 MR. SOBIN: And so there's nothing under
18 the Total Opens category?

19 MS. COOKS: That's correct.

20 MR. SOBIN: And no failure message.

21 THE WITNESS: Okay.

22 MR. SOBIN: There were no failure messages

1 from what I see from the document?

2 THE WITNESS: No, Councilmember, there
3 were none from it.

4 MR. SOBIN: And there were no total opens
5 under the Total Opens column?

6 THE WITNESS: That is -- This column would
7 suggest that there were opens. I would have to
8 disagree with what was previously stated. That is
9 total opens. Total clicks is zero. Click summary
10 would list a website that they went to when they
11 clicked on whatever they clicked on. But they
12 didn't click on anything. They only opened the
13 document.

14 MS. COOKS: Oh, so to clarify, the digits
15 that are clear slightly to the right of the Total
16 Opens column -

17 THE WITNESS: Is -

18 BY MS. STEWART-MITCHELL:

19 Q -- is total opens?

20 A Yes, ma'am.

21 MS. STEWART-MITCHELL: Okay.

22 MR. SOBIN: So what's being covered up

1 there? Are there any numbers like zeros, or is it
2 just blank?

3 THE WITNESS: So that column would have
4 -- like I -- I previously stated, would have
5 websites. Perhaps, if -- if -- let's say if someone
6 received it and they opened it, they clicked on the
7 -- the link to go to file their financial disclosure,
8 that link would show up in that column.

9 MS. STEWART-MITCHELL: If the Board would
10 like, we can real -- we can provide an updated copy
11 with the exhibit sticker moved to a different area.

12 MR. SOBIN: I think for the integrity of
13 the proceeding, it probably is a good idea to do
14 that.

15 MS. STEWART-MITCHELL: Okay.

16 CHAIRPERSON HUTCHESON: Okay.

17 MS. STEWART-MITCHELL: Did you want to --
18 did you want to take -

19 CHAIRPERSON HUTCHESON: Why don't you
20 take care of that and then we can address some --
21 admission of Number 5?

22 MS. STEWART-MITCHELL: Okay.

1 CHAIRPERSON HUTCHESON: Okay.

2 MS. STEWART-MITCHELL: Okay. So I think
3 we're tabling admission of Government Exhibit
4 Number 5 for now.

5 BY MS. STEWART-MITCHELL:

6 Q Thank you, Mr. Kosick. If you could
7 direct your attention to Exhibit Number 6? Mr.
8 Kosick, what is Government Exhibit Number 6? What
9 document are we looking at here?

10 A This is a GovDelivery report, Summary for
11 Importance Notice. That was the definition of our
12 notice. It -- it identifies that it was sent to
13 you -- it was, Importance, sent normal.

14 The subject was "Important Notice from
15 Board of Ethics and Government Accountability -
16 Financial Disclosure Statement (FDS) Filing
17 Notification - Annual Filer Designation Notice."

18 The recipients were the subscribers of the BEGA
19 Financial Disclosure. The date sent was 4-15 --
20 April 15th, 2025, at 9:13 a.m. Total sent, 4,069;
21 total delivered, 4,013; and zero shared views.

22 Q Thank you. And is this a true and accurate

1 copy?

2 A Yes, it is.

3 Q Okay. First, I want to ask you -- give
4 me more context about what this report is?

5 A This is a -- the initial report from our
6 initial notice on April 15th, 2025, to all public
7 filers. It was sent that morning, yeah, to 4,069
8 recipients, and it was then delivered to 4,013.
9 That tells me there was -- that there were some
10 either hard bounce-backs or some soft bounce-backs
11 in -

12 Q Okay. And what are hard -- soft --
13 bounce-backs and soft bounce-backs?

14 A Hard bounce-backs, that the email doesn't
15 exist at all. Soft are -- are that -- are -- are
16 those that have an out-of-office response.

17 Q All right. I'm going to move on to the
18 next page of Exhibit 6. What is this document?

19 A This is the continuation of -- of that
20 report showing, again -- now actually repeating much
21 of the information. However, the boxes in the
22 middle where it lists Trayon White and All, then

1 Search. And then All, All, and then Search again
2 is where we identify the boxes to identify a
3 recipient. It could say Trayon White. It could
4 say Stanley Kosick. It could say anything, and what
5 it will produce is what you asked it to produce.

6 The -- so the destination address that
7 contained Trayon White is
8 trayonwhite2011@gmail.com. The status was
9 delivered. There was no failure message. There
10 were two opens, zero clicks, and zero click summary.

11 Q Thank you. And so just to clarify, how
12 is this document associated with Page 1 of Exhibit
13 6?

14 A This is the -- the continuation of the
15 report.

16 Q And so you mentioned the search box, so
17 explain the -

18 A Sorry?

19 Q You mentioned the search box on Page 2 of
20 Exhibit 6. Explain more about how you generated
21 this record?

22 A So because we sent it to 4,069 recipients

1 -- intended recipients, we could put any one of those
2 4,069 names or a part -- portion of those names in
3 that box where Councilmember White's name appears.

4 And all the way to the right, there is a search
5 -- there is a search box that we could -- and once
6 you fill in all of -- you know, all the boxes, all
7 the information you're looking for, you click on
8 search, and it generates that -- all the records
9 with that search criteria.

10 Q And is that what you did do?

11 A Yes, ma'am.

12 Q Thank you. Okay. Now we're on Page 3 of
13 Exhibit 6. What is this -- what is this document?

14 A This document shows where we also -- in
15 -- in addition to Councilmember White's personal
16 email address that was provided by Councilmember
17 Mendelson, we also used the former councilmember's,
18 at that time, former email -- council email.

19 Q And just to clarify, what did you use it
20 for?

21 A Basically, it's to make sure the
22 councilmember was -- received this notice, that's

1 -

2 Q So you're saying that you sent it to two
3 email addresses?

4 A Affirmative. Yes.

5 Q And that would be the personal email
6 address that was provided to you by Chairman
7 Mendelson?

8 A Correct.

9 Q And also, this email address that we -

10 A You -

11 Q -- see here; is that correct?

12 A Correct.

13 Q Okay. If you could direct your attention
14 to Page 5 of Exhibit 6. And the exhibit and the
15 page number of the exhibit is in the bottom right,
16 if you need -- if you need help getting direction
17 to Page 5. If you look at the bottom right of the
18 page, you'll see the exhibit number and the page
19 number of the exhibit.

20 So Exhibit 6, Page 5.

21 A I have it.

22 Q So are you -- you're in Exhibit 6? After

1 you see Exhibit 6?

2 A Yeah.

3 Q Yeah. You are. Okay.

4 And what is this document?

5 A This is a copy of the Notice that was sent
6 out on April 15th, 2025.

7 Q And how is this associated with Pages 1
8 through 4 of Exhibit 6?

9 A This is the actual notice that was sent
10 out.

11 Q And Exhibit -

12 A And -- and it's -- the other parts of the
13 -- the Exhibit 6 -- this is the notice. The other
14 parts are the report of the notice being sent.

15 Q Thank you. And so take a look at Exhibit
16 6, Pages 5 through 14 -- pages 5 through 14. Just
17 let me know when you're done reviewing that. Okay.

18 And is that the full notice that was
19 generated with the report on pages -- on Page 1 of
20 Exhibit 6?

21 A It's the notice.

22 Q Okay. But it's -- it encompasses the full

1 notification -

2 A Yes.

3 Q -- as what you sent to Councilmember White?

4 Okay. Thank you. And can you just tell me a
5 little bit about the kinds of information that you
6 included in this notice?

7 A It's a -- a notice that goes out to all
8 filers advising them that they were designated as
9 a filer. In this case, a public filer. And the
10 deadline to complete the filing was May 15th, 2025.

11 It gives them -- directs them to different pages
12 for information. It then lists out all of the
13 public filer designations of folks who reach -- who
14 -- who meet the definition of filer. There's a list
15 of boards and commissions as well as elected
16 officials. There is a section that advises them
17 how to file a designation appeal. And there's a
18 section that gives them filing instructions
19 directing them to the webpage, how to put in their
20 information, and what to do if they run into issues.

21 There's a FAQ question -- section advising
22 them on how to -- if they're -- if -- you know, the

1 frequently asked questions, that we repeat on
2 appeal. And then the notice -- and on Page -- page
3 10, the notice starts over again with the -- so about
4 a quarter of the way down, but with all the same
5 information. And then on Page 14, what happens when
6 time -- there's a failure to timely file.

7 Q Thank you. And now, if you could direct
8 your attention to Exhibit 6, Page 15. Tell me about
9 this portion of the report.

10 A This is a delivery report for the notice
11 that was sent on April 28th, 2025.

12 Q And can you read the date of the notice?

13 A It says April 28th, 2025, sent at 11:08
14 a.m.

15 Q And if you could draw your attention to
16 the Destination Address column, what email address
17 is there?

18 A trayonwhite2011@gmail.com.

19 Q Thank you. And so is this record similar
20 to the data on Exhibit 6, Page 2, and Exhibit 6,
21 Page 3?

22 A It is -- it's similar to -- to Page 2.

1 Q And how is this similar to Exhibit 6, Page
2 2?

3 A It's -- it's all the same, save the date
4 that we sent it and the total recipients, and those
5 that were delivered.

6 Q Okay. Thank you. And can you direct your
7 attention to Exhibit 6, Page 18? And is this this
8 a notification and is this similar to the
9 notification that we discussed at Exhibit 6, Page
10 5?

11 A Yes.

12 Q And they're similar. What are the
13 differences? What's the difference between this
14 notification and the notification on Exhibit 6, Page
15 5?

16 A The date. The date I sent it on April
17 28th, 2025.

18 Q Thank you. And so the information
19 contained in this notification, is it -- are there
20 any variances in the information besides the date?

21 A (inaudible).

22 Q Thank you.

1 CHAIRPERSON HUTCHESON: Okay. We're
2 going to pause. It looks like Mr. White and his
3 counsel have arrived.

4 MR. SOBIN: Can you identify yourself for
5 the record, please?

6 MR. THERESA: Ari Theresa for Trayon
7 White.

8 MS. STEWART-MITCHELL: I think we had
9 originally said 1:00 and then you had confirmed.
10 We communicated noon with you and confirmed it.
11 And also -

12 MR. WHITE: I think he was just saying
13 -

14 MR. THERESA: I must not have doubled back
15 to my calendar. My apologies. It's my fault. I
16 had 1:00 in the calendar, but, I guess, there was
17 some mix up.

18 CHAIRPERSON HUTCHESON: Okay. Why don't
19 we recess for a second so we can sort some of this
20 out?

21 MR. THERESA: Okay.

22 CHAIRPERSON HUTCHESON: Okay.

1 (Whereupon, the above-entitled matter
2 went off the record.)

3 CHAIRPERSON HUTCHESON: And we just want
4 to confirm with you that you have no objection to
5 the four exhibits that have already been admitted?

6 MR. THERESA: I know we saw it back there,
7 but I actually would like to see the exhibits before
8 I make that okay. Thank you. (indiscernible).

9 CHAIRPERSON HUTCHESON: Yes?

10 MR. THERESA: No, we don't have any
11 objections to the first four exhibits.

12 CHAIRPERSON HUTCHESON: Okay. Then we
13 were -- we had tabled Exhibit Number 5 and we were
14 in the middle of examination on Exhibit Number 6,
15 so we're going to continue with that. And I guess
16 we can have the witness come back in.

17 They just have it? What's this in front
18 of this? Did you put a mic or something in front
19 of us?

20 Do you have any objection to it, either
21 party?

22 MR. THERESA: No.

1 MS. STEWART-MITCHELL: I don't have any
2 objection.

3 CHAIRPERSON HUTCHESON: Okay. All
4 right. Go right ahead.

5 MS. STEWART-MITCHELL: Is Mr. Kosick
6 still under oath, or do I need to -

7 CHAIRPERSON HUTCHESON: Yes.

8 MS. STEWART-MITCHELL: Okay.

9 CHAIRPERSON HUTCHESON: He's still under
10 oath.

11 MS. STEWART-MITCHELL: Okay.

12 BY MS. STEWART-MITCHELL:

13 Q Okay. Mr. Kosick, welcome back. Can you
14 direct your attention to Exhibit Number 6, Page 26?
15 And as a reminder, we're about halfway through
16 Exhibit 6.

17 Mr. Kosick, what is this document?

18 A This is a report of GovDelivery of -- of
19 the notice that was sent out on May 2nd, 2025, at
20 9:37 a.m.

21 Q And can you read the address under the
22 Destination Address?

1 A The destination address is
2 trayonwhite2011@gmail.com.

3 Q And just to reiterate, explain to us again
4 what this report is telling us?

5 A GovDelivery generates a report of
6 everything that was delivered and reports on
7 delivery status -- to whom it was delivered,
8 delivery status, whether or not there was a failure
9 -- a failed message, if the email was opened, if
10 there were any links clicked, and so forth. This
11 particular document was sent, again, on May 2nd,
12 2025, to 5,804 filers. 5,766 were delivered. That
13 means there were some anomalies. But however, down
14 at the -- below, it shows status delivery as
15 delivered. There were no failed messages. Two
16 total opens, zero clicks.

17 Q Thank you. And just to reiterate on the
18 record, why was this notification in this report
19 sent to a -- trayonwhite2011@gmail.com?

20 A Because that was the email provided to us
21 by Chairperson Mendelson to all of us.

22 Q For what reason?

1 A For financial disclosure designation.

2 Q For what season?

3 A For spring of 2025.

4 Q Thank you. And so if you could direct your
5 attention to Exhibit 6 -- Page 28 of Exhibit 6?
6 Yes.

7 And the exhibit page is a little
8 obstructed, but it is there in the text. Are you
9 there? Yes?

10 A Yes, I am.

11 Q Okay. And so what is this document?

12 A This is a reminder notice to file on --
13 that was sent on May 2nd, 2025.

14 Q And if you could direct your attention to
15 Exhibit 6, Page 18? So is the document on Exhibit
16 6, Page 26 -- I'm sorry, Page 28, is it similar to
17 the document on Exhibit 6, Page 18?

18 A Yes, ma'am.

19 Q How is it similar?

20 A It's the same notice generally. I'm
21 advising the recipient to file their financial
22 disclosure.

1 Q And what are the differences?

2 A The date of the send on.

3 Q Thank you. All right, Mr. Kosick, if you
4 could direct your attention to Exhibit 6, Page 36?
5 What is this document?

6 A This is the report from GovDelivery dated
7 on 5-12 -- I'm sorry, excuse me. The report was
8 for the -- the message reminder sent on May 12th,
9 2025, excuse me, at 8:27 a.m.

10 Q Just one moment. I'm trying to navigate.

11 Okay, Mr. Kosick. If you could go back
12 to Exhibit 6, Page 26? So is the report on Exhibit
13 6, Page 36, similar to the report on Exhibit 6, Page
14 26?

15 A Yes, it is.

16 Q How is it similar?

17 A It provides us information on the -- the
18 notice that was sent, when it was sent, to whom it
19 was sent, the number of, well, recipients, the
20 number of bounce-backs, and whether or not the
21 designated recipient as indicated in the box
22 received it, or if there were any failure -- message

1 failures.

2 Q And how is the report on Exhibit 6, Page
3 36, different from the report on Exhibit 6, Page
4 26?

5 A The date that it was sent, 5-12 v. 5-2,
6 the number of recipients, the -- how many messages
7 were sent, to whom they were sent to, and that's
8 it.

9 Q Thank you. All right, Mr. Kosick. If you
10 could direct your attention to Exhibit 6, Page 38?
11 What is this document?

12 A This is the -- excuse me, this is another
13 reminder -- the report we just discussed, this is
14 the reminder that was sent on May 12th.

15 Q Thank you. And just to clarify, you
16 stated that -- could you repeat again what you said
17 about the report we just discussed?

18 A It's discussing the -- the recipients of
19 this document, of Exhibit 6, of Page 38.

20 Q Good. Thank you. And is the notice on
21 Exhibit 6, Page 38, similar to the notice on Exhibit
22 6, Page 28?

1 A Yes, it is.

2 Q Why -- how is it similar?

3 A It contains the similar -- same
4 information. It's similar in that it's a reminder.

5 It's different in that it -- it is an abbreviated
6 version. Only includes the filing instructions and
7 what happens if you don't file, as well as the FAQs.

8 Q And what date -- what is -- what's the date
9 on this notification?

10 A Oh, this one is May 12th, 2025.

11 Q Thank you. Any particular reason why this
12 notice is abbreviated?

13 A We just -- we -- we scale it back as we
14 go along. They just becomes reminders.

15 Q Okay. Thank you.

16 Mr. Kosick, can you direct your attention
17 to Exhibit 6, Page 43? What is this that we're
18 looking at?

19 A This is a summary report of -- of the --
20 a notice that was sent on May 15th, 2025, through
21 GovDelivery.

22 Q And can you read the -- under Destination

1 Address?

2 A trayonwhite2011@gmail.com.

3 Q And if you could just go through and read
4 the rest of that column -- row?

5 A Status was delivered. There were no
6 failure messages. There was one open, zero clicks,
7 and no click summary.

8 Q Thank you. And so is this report on
9 Exhibit 6, Page 43, similar to the report on Exhibit
10 6, Page 36?

11 A Yes, it is.

12 Q How is it similar?

13 A It is a report of everything that was sent
14 -- the -- the reminder that was sent to various --
15 to the recipients who had not already filed.

16 Q And is the destination address the same?
17 I'm referring to Exhibit 6, Page 36.

18 A Yes, it is.

19 Q Thank you. I think we're finally about
20 to wrap up Exhibit 6. If you could direct your
21 attention to Exhibit 6, Page 45. And what is this
22 document that we're looking at?

1 A This is a reminder document that was sent
2 on May 15th, 2025.

3 Q Thank you. And is this reminder document
4 at Exhibit 6, Page 45, similar to the document at
5 Exhibit 6, Page 38?

6 A Yes, it is.

7 Q How is it similar?

8 A In that it's a reminder to the recipient
9 to file their financial disclosure. And that it
10 was due on May -- that it is due on May 15th.

11 Q And how is it different?

12 A The date that it was sent.

13 Q Thank you. Can you direct your attention
14 to Exhibit 6, Page 52? What is this document?

15 A This is a document advising the recipient
16 that they are past due in their financial disclosure
17 filing.

18 MS. STEWART-MITCHELL: Thank you. I
19 think that was the end of Exhibit 6. So at this
20 time, I'd like to request that Exhibit 6 be admitted
21 into the record.

22 CHAIRPERSON HUTCHESON: Is there any

1 objection?

2 MR. THERESA: No objection.

3 CHAIRPERSON HUTCHESON: Exhibit 6 is
4 admitted.

5 (Whereupon, the above-referred to
6 document was received into evidence as Government's
7 Exhibit No. 6.)

8 MS. STEWART-MITCHELL: Thank you. The
9 rest of the exhibits are a lot shorter.

10 CHAIRPERSON HUTCHESON: Okay.

11 MS. STEWART-MITCHELL: Oh, sorry. Can
12 you hear me now? Something went wrong

13 CHAIRPERSON HUTCHESON: That's better.
14 Yeah.

15 MS. STEWART-MITCHELL: Okay. Sorry
16 about that.

17 BY MS. STEWART-MITCHELL:

18 Q Okay, Mr. Kosick, can you direct your
19 attention to Exhibit 7? What is this document?

20 A It's the detail report from GovDelivery
21 for the important notice that was sent on April 28th,
22 2025.

1 Q Okay. And if you could refer back to
2 Exhibit 6, Page 15. Is there a relationship between
3 Exhibit 7 -- exhibit 7 and the document at Exhibit
4 6, Page 15?

5 A Yes.

6 Q And what relationship is that?

7 A The Exhibit 7 is a -- a general overview,
8 whereas Page 15 of Exhibit 6 is the more specific
9 isolated review of the delivery.

10 Q And that is to the same events?

11 A Yeah.

12 Q And that -- and regarding the same events?

13 A Yes, ma'am.

14 Q Thank you. And is this a true and accurate
15 copy of the bulletin report that you generated?

16 A Yes, it is.

17 MS. STEWART-MITCHELL: Thank you. At
18 this time, I'd like to request that Exhibit 7 be
19 admitted into the record.

20 CHAIRPERSON HUTCHESON: Okay. Is there
21 any objection to admission of Exhibit 7?

22 MR. THERESA: Can I ask the witness

1 questions or -

2 CHAIRPERSON HUTCHESON: About Exhibit 7?

3 MR. THERESA: Yeah, on cross-examine.

4 Yeah.

5 CHAIRPERSON HUTCHESON: Only on cross,
6 right.

7 MR. THERESA: Right.

8 CHAIRPERSON HUTCHESON: Right now, we're
9 just trying to admit the exhibit.

10 MR. THERESA: Okay. Well, fine. Okay.

11 CHAIRPERSON HUTCHESON: No objection?

12 MR. THERESA: No.

13 CHAIRPERSON HUTCHESON: Okay. Number 7
14 is admitted.

15 (Whereupon, the above-referred to
16 document was received into evidence as Government's
17 Exhibit No. 7.)

18 BY MS. STEWART-MITCHELL:

19 Q All right. Mr. Kosick, can you direct
20 your attention to Exhibit 8? And now, I have to
21 direct my attention to Exhibit 8.

22 Mr. Kosick, what is this document, Exhibit

1 8?

2 A This is the detail -- detail report for
3 the "Important Notice from the Board of Ethics and
4 Government Accountability" sent on May 2nd, 2025,
5 at 9:37 a.m.

6 Q And is Exhibit 8 -- does Exhibit 8 have
7 any relationship with the report at Exhibit 6, Page
8 26?

9 A Yes. It is a general overview of the
10 delivery status.

11 Q The delivery status of what?

12 A Oh, of the notice to file -- the reminder
13 to file that was sent on May 2nd.

14 Q In what -- of what year?

15 A 2025.

16 Q Thank you. And is this a true exact --
17 accurate copy of the overview?

18 A Yes, ma'am.

19 MS. STEWART-MITCHELL: Thank you.

20 At this time, I'd like to request that
21 Exhibit 8 be admitted into the record.

22 CHAIRPERSON HUTCHESON: Any objection?

1 I need you to verbalize it.

2 MR. THERESA: No.

3 CHAIRPERSON HUTCHESON: Okay. Okay.

4 Exhibit 8 is admitted.

5 (Whereupon, the above-referred to
6 document was received into evidence as Government's
7 Exhibit No. 8.)

8 BY MS. STEWART-MITCHELL:

9 Q Okay. Mr. Kosick, directing your
10 attention to Government's Exhibit Number 9.

11 MS. STEWART-MITCHELL: The Board's
12 indulgence.

13 BY MS. STEWART-MITCHELL:

14 Q Okay. Mr. Kosick, what is Government
15 Exhibit 9?

16 A Exhibit 9 is the Detail Report from
17 GovDelivery for the -- another reminder that was
18 sent on May 12th, 2025.

19 Q Thank you. And is Government's Exhibit
20 Number 9 associated with the report on Exhibit 6,
21 Page 36?

22 A Yes. It's a -- it's the general overview

1 where it has 6, Page 36 is -- is the specific.

2 Q For what?

3 A For delivery of the reminder notice on May
4 12th, 2025.

5 Q Thank you. And is this a true and accurate
6 copy?

7 A It is.

8 MS. STEWART-MITCHELL: Thank you.

9 At this time, I'd like to request that
10 Exhibit 9 be admitted into the record.

11 CHAIRPERSON HUTCHESON: Is there any
12 objection to Number 9?

13 MR. THERESA: No.

14 CHAIRPERSON HUTCHESON: Number 9 is
15 admitted.

16 (Whereupon, the above-referred to
17 document was received into evidence as Government's
18 Exhibit No. 9.)

19 BY MS. STEWART-MITCHELL:

20 Q All right. Mr. Kosick, take a look at
21 Government's Exhibit Number 10. And that's on --
22 it's Exhibit 10, Page 1 of 2. There you go. There?

1 Okay.

2 What is this document?

3 A It's a report from GovDelivery regarding
4 the reminder that was sent on May 15th, 2025,
5 reminding folks to file their financial disclosure.

6 Q And does this report have any relationship
7 with the report on Exhibit 6, Page 43?

8 A It is the general overview of the -- of
9 this, whereas Page 43 of Exhibit 6 is the specific.

10 Q Of what?

11 A Of -- of the recipient, Councilmember
12 White.

13 Q Oh, clarify that, please. What is this?
14 How are Exhibit 10 and the report at Exhibit 6,
15 Page 43 related?

16 A Exhibit 10 gives us a general overview of
17 everything and everyone that was of -- of the
18 document that was sent on May 15th, 2025, a reminder
19 notice. And the document included in Exhibit 6 is
20 specific to one recipient.

21 Q And that recipient is?

22 A trayonwhite2011@gmail.com.

1 Q Thank you. And I can't remember if I asked
2 you if this was a true and accurate copy. Is this
3 a true and accurate copy?

4 A Yes, it is.

5 MS. STEWART-MITCHELL: Thank you. I'd
6 like to request that Exhibit 10 be admitted into
7 the record.

8 CHAIRPERSON HUTCHESON: Any objection to
9 the admission of Exhibit 10?

10 MR. THERESA: Yes.

11 CHAIRPERSON HUTCHESON: No objection?

12 MR. THERESA: I'm -- I don't understand
13 how something has a 520 percent click rate.

14 CHAIRPERSON HUTCHESON: I'm not
15 understanding what you don't understand.

16 MR. THERESA: I -

17 MS. STEWART-MITCHELL: You -- you'd like
18 clarity on the exhibit?

19 MR. THERESA: Yeah.

20 MS. STEWART-MITCHELL: Okay.

21 MR. THERESA: Yeah.

22 MS. STEWART-MITCHELL: Sure. I can ask

1 some -

2 CHAIRPERSON HUTCHESON: Okay.

3 MS. STEWART-MITCHELL: -- clarifying
4 questions for -

5 CHAIRPERSON HUTCHESON: Okay. Let's do
6 that.

7 BY MS. STEWART-MITCHELL:

8 Q All right, Mr. Kosick, directing your
9 attention back to Exhibit 10. Can you explain the
10 click rate included in this report?

11 A Yes. If you look on -- if you look -- if
12 you look at the -- the bottom -- first of all, the
13 bottom box bulletin analytics, it shows that there
14 were 3,045 total opens. That means of the -- that
15 means there were 2,260 recipients, but a few of them
16 opened it more than once.

17 Then further in that box, it shows how many
18 unique clicks there were, meaning how many unique
19 -- and maybe unique is a misnomer. I don't know.

20 But how many clicks there were and there's 11,590
21 clicks. So math 2,260 recipients clicked on
22 something 11,590 times. That's how you get to 520

1 percent.

2 MR. THERESA: Thank you.

3 CHAIRPERSON HUTCHESON: Okay. Okay. So
4 now, is there any objection to the admission of
5 Number -

6 MR. THERESA: No.

7 CHAIRPERSON HUTCHESON: -- 10? Okay.
8 Number 10 is admitted.

9 (Whereupon, the above-referred to
10 document was received into evidence as Government's
11 Exhibit No. 10.)

12 BY MS. STEWART-MITCHELL:

13 Q Okay. Mr. Kosick, now looking at
14 Government's Exhibit Number 11. What is this
15 document?

16 A This is the notice of non-compliance that
17 this office sent out on September 2nd, 2025.

18 Q And is this a true and accurate copy of
19 that notice?

20 A Yes, ma'am.

21 Q Thank you. And if you could, could you
22 read the first paragraph of the notice starting with

1 the word you?

2 A "You are receiving this notice because you
3 were required to file a 2025 Financial Disclosure
4 Statement, FDS, reporting on 2024. Our records
5 indicate that you failed to file your FDS on or
6 before May 15 -- on -- on or before the May 15, 2025
7 due date. Your failure to file your FDS has
8 resulted in a \$300 fine."

9 Q Thank you. And can you tell me a little
10 bit about the rest of the information provided in
11 this notice, including the links?

12 A Yes. The -- the rest of the notice goes
13 on to advise the recipient to file their financial
14 disclosure immediately using the link we provided.

15 And then if they wish to avoid any further
16 enforcement activity, they would be given an
17 opportunity to pay with a credit card using our --
18 the payment portal.

19 Q Thank you. And if you could, could you
20 just read the "from," the "to," the subject, and
21 the date of this document?

22 A From: Stanley Kosick. To:

1 twhite@dccouncil.gov. Subject: Notice of
2 Non-Compliance - Financial Disclosure 2025. Date:
3 Wednesday, September 3rd, 2025, 9:06 a.m.

4 Q Thank you.

5 MS. STEWART-MITCHELL: At this time, I'd
6 like to request that Exhibit 6 be entered into the
7 record.

8 CHAIRPERSON HUTCHESON: 6?

9 MS. STEWART-MITCHELL: I'm sorry. 11.

10 CHAIRPERSON HUTCHESON: You're talking
11 11?

12 MS. STEWART-MITCHELL: 6 is still
13 haunting me. I'm sorry. Exhibit 11, I would like
14 to request that it be admitted into the record.

15 CHAIRPERSON HUTCHESON: Any objection to
16 the admission of Number 11?

17 MR. THERESA: No.

18 CHAIRPERSON HUTCHESON: Okay. Number 11
19 is admitted.

20 (Whereupon, the above-referred to
21 document was received into evidence as Government's
22 Exhibit No. 11.)

1 BY MS. STEWART-MITCHELL:

2 Q Okay. Mr. Kosick, looking at Exhibit --
3 government's Exhibit Number 12, what is this
4 document?

5 A Exhibit 12 is an email of the reminder
6 notice that was sent on May 2nd, 2025.

7 Q And is there -- is that a true and accurate
8 copy of that notice?

9 A Yes, it is.

10 Q And can you read the "from," the "to," and
11 the subject and the date of this document?

12 A From: Stanley Kosick (BEGA). To:
13 twhite@dccouncil.gov. Subject: Reminder -
14 Financial Disclosure due May 15, 2025. Date sent:
15 Friday, May 2nd, 2025 at 9:44 a.m.

16 Q Thank you. And can you take a look at
17 Exhibit 12, all nine pages? Have you reviewed it?

18 A Yes.

19 Q What kind of information is in this
20 document?

21 A This is our standard notice to filers that
22 they've been designated to file, the list of all

1 the boards and commissions that are required to
2 file. There are instructions to file on -- starting
3 on Page 5 of 9.

4 For those with -- in this particular case
5 of -- of importance all other email addresses, so
6 those that do not end in @dc.gov would use the
7 instructions that start on Page 6. Again, I advise
8 them to go to the -- the proper website, how to log
9 in, and then some minor troubleshooting.

10 And there are frequently asked questions
11 in -- specifically regarding the training, how they
12 can file a waiver, how they can file an extension,
13 and how to find a waiver, what happens if they fail
14 to file, and then they'll find waiver requests.

15 Q Thank you.

16 MS. STEWART-MITCHELL: At this time, I'd
17 like to request that Exhibit 12 be entered into the
18 record.

19 CHAIRPERSON HUTCHESON: Is there any
20 objection to the admission of Exhibit 12?

21 MR. THERESA: No.

22 CHAIRPERSON HUTCHESON: No objection.

1 Exhibit 12 is admitted.

2 (Whereupon, the above-referred to
3 document was received into evidence as Government's
4 Exhibit No. 12.)

5 BY MS. STEWART-MITCHELL:

6 Q Okay. Mr. Kosick, looking at
7 Government's Exhibit Number 13, what is this
8 document?

9 A This is a document I sent to all the chiefs
10 of staff at council.

11 Q Thank you. And there was information in
12 Government's Exhibit 13 that's redacted. Can you
13 just explain a little bit about what that
14 information was?

15 A Imagine based -- that it's the -- the
16 recipient, that it was to the -- those were the --
17 those redacted are the parties not involved with
18 this particular proceeding.

19 Q You imagine or is that the case?

20 A I -- I don't know. I don't know the answer
21 to that question.

22 Q If you look -- if you direct your attention

1 to the document, can you tell me again -- you
2 mentioned it before, but who was this document sent
3 to?

4 A It was sent to chiefs of staff at council,
5 yes.

6 Q Okay. And so we only have one chief of
7 staff visible?

8 A Yes -- yes, ma'am.

9 Q And so what is the information that is
10 redacted?

11 A The other chiefs of staff.

12 Q Thank you. And is this a true and accurate
13 copy?

14 A It is.

15 Q Thank you. And can you read the "from"
16 and the "to" that is visible and the subject and
17 the date?

18 A Sure. From: Stanley Kosick (BEGA).
19 To: sbunn@dccouncil.com. Subject: Council Fall
20 Filing. Date: Tuesday, October 14, 2025 at 4:01
21 p.m.

22 Q Thank you. And can you read the first

1 paragraph of this communication starting with the
2 word "this"?

3 A "This is a reminder that I will be sending
4 out notices to your councilmembers regarding the
5 fall 2025 filing due November 15, 2025.

6 "As you may be aware, D.C. councilmembers
7 are required to file two times per year, in April
8 for the last half of the previous year and in
9 November for the first half of this year. As such,
10 this filing due on November 15, 2025 and will cover
11 January 1st, 2025 through June 30th, 2025. Please
12 let me know if you have any questions."

13 Q Thank you. And, Mr. Kosick, why did you
14 send this communication to Councilmember White's
15 chief of staff?

16 A Because I know -- I sent it to all chiefs
17 of staff because I know councilmembers are generally
18 busy, and their chiefs of staff help keep them in
19 mind.

20 Q Thank you.

21 MS. STEWART-MITCHELL: And I'd like -- at
22 this time, I'd like to request that Government's

1 Exhibit 13 be entered into the record.

2 CHAIRPERSON HUTCHESON: Any objection to
3 Number 13?

4 MR. THERESA: We have no objection.

5 CHAIRPERSON HUTCHESON: Okay. Number 13
6 is admitted.

7 (Whereupon, the above-referred to
8 document was received into evidence as Government's
9 Exhibit No. 13.)

10 BY MS. STEWART-MITCHELL:

11 Q All right. Mr. Kosick, directing your
12 attention to Government's Exhibit Number 14. What
13 is this document?

14 A This document is sent to the councilmember
15 for announcing that his -- his fall file -- financial
16 disclosures are due November 15, 2025.

17 Q And is this a true and accurate copy of
18 the notice?

19 A Yes, ma'am.

20 Q And is this the same notice that you
21 referred to in Government's Exhibit Number 13?

22 A Yes. This is the one I referenced here.

1 Q Thank you. And if you could, could you
2 read the "from", the "to", the subject, and the date?

3 A Sure. From: Stanley Kosick (BEGA).
4 To: twhite@dccouncil.gov. Subject: Council
5 Fall '25 Financial Disclosure Due November 15, 2025.
6 Date: Wednesday, October 15, 2025 at 8:31.

7 Q Thank you. Yeah, in some of our -- in the
8 -- some of the previous exhibits, you sent
9 notification to a Gmail account. And here I see
10 that you sent it to twhite@dccouncil.gov. Why is
11 that?

12 A Because Councilmember White was not back
13 in office by this time.

14 Q And what time is that?

15 A October 15, 2025.

16 Q All right. And take a look at the document
17 and just tell me what kind of information is
18 included?

19 A It's a -- it's an abbreviated version of
20 our -- our spring filing, but it -- it's something
21 that the councilmembers have -- - at least most
22 councilmembers have, you know, received.

1 So it is really just -- it's really basic.
2 You don't go through all of the -- you know, your
3 designated language, but to give -- give them the
4 how to file, how -- how -- you know, how -- how to
5 use our -- our e-file system.

6 Q Thank you.

7 A Uh-huh.

8 Q And can you just read the first -- sorry
9 -- the paragraph starting with the word "you" and
10 then the proceeding sentence?

11 A "You are receiving this letter because you
12 are a member of council and have been identified
13 as a public financial disclosure statement filer.

14 Council members must file a financial -- FDS twice
15 a year with the Board of Ethics and Government
16 Accountability on May 15th and November 15th.

17 "The period covered by the November 2025
18 filing spans from January 1, 2025 until June -- June
19 30th, 2025. This year, councilmembers'
20 semi-annual forms are due on Sunday, November 15,
21 2025."

22 Q Thank you.

1 MS. STEWART-MITCHELL: At this time, I'd
2 like to request that Exhibit 14 be admitted into
3 the record.

4 CHAIRPERSON HUTCHESON: Any objection to
5 Exhibit 14 being admitted?

6 MR. THERESA: No.

7 CHAIRPERSON HUTCHESON: Okay. Number 14
8 is admitted.

9 (Whereupon, the above-referred to
10 document was received into evidence as Government's
11 Exhibit No. 14.)

12 BY MS. STEWART-MITCHELL:

13 Q And, Mr. Kosick, direct your attention to
14 Government's Exhibit Number 15. What is this
15 document?

16 A A -- A friendly reminder from myself to
17 the councilmember to file.

18 Q To file what?

19 A The financial disclosure for November --
20 the fall 2025 financial disclosure.

21 Q Thank you. And is this a true and accurate
22 copy of the notice you sent?

1 A Yes, ma'am.

2 Q And can you read the "from", the "to", and
3 the subject and the date of this document?

4 A From: Stanley Kosick (BEGA). To:
5 twhite@dccouncil.gov. Subject: Council Fall
6 Financial Disclosure Due November 15, 2025. Date:
7 Tuesday, October 28, 2025 at 3:10 p.m.

8 Q Thank you. And can you read the first,
9 second, and third lines of the notice in the body
10 of the email starting with the date?

11 A Sure. Okay. "October 28, 2025. Dear
12 Councilmember White, Sr., a friendly reminder that
13 your 2025 financial disclosure is due by November
14 15, 2025. Please go to our website,
15 <https://efiler.bega.dc.gov/Auth>, A-U-T-H, /FDS and
16 file at your earliest convenience. Thank you."

17 Q Thank you, Mr. Kosick.

18 MS. STEWART-MITCHELL: I'd like to
19 request that Exhibit Number 15 be admitted into the
20 record.

21 CHAIRPERSON HUTCHESON: Any objection to
22 Number 15?

1 MR. THERESA: No.

2 CHAIRPERSON HUTCHESON: Okay. Number 15
3 is admitted.

4 (Whereupon, the above-referred to
5 document was received into evidence as Government's
6 Exhibit No. 15.)

7 BY MS. STEWART-MITCHELL:

8 Q Mr. Kosick, direct your attention to
9 Government's Exhibit Number 16. What is this
10 document?

11 A This is a document announcing that the fall
12 financial disclosure is -- is late.

13 Q Okay. And there's a portion of this
14 document that is not visible. Can you tell me what
15 that information is that's not visible?

16 A Sorry. I don't recall who was included
17 on that email.

18 Q Okay. So if you direct your attention to
19 the body of the email, who did you direct the
20 communication to?

21 A It says "Councilmember" and their chiefs
22 of staff.

1 Q So you say it must have been -- so with
2 regards to this notice, do you -- can you tell me
3 what the other information is that's not visible?

4 A What the other -- I'm sorry -

5 Q The information that is not visible.

6 A Most likely the councilmember's email
7 address and their chief of staff's email address.

8 Q Most likely, or it is? Is it?

9 A I -

10 Q Those councilmembers and the email --
11 their email addresses?

12 A That would be how I addressed it, yes.

13 Q And why did you send this notice?

14 A Because they were late.

15 Q Who is they?

16 A The -- well, Councilmember White is the
17 one that's there. And I don't recall who the other
18 councilmember was.

19 Q And you said that they were late. What
20 were they late for?

21 A Late filing their financial disclosure for
22 the fall of 2025.

1 Q Thank you. And can you just tell me a
2 little bit about the information you provided in
3 this notice?

4 A I disclosed in this email that -- and that
5 they should go to our -- our website to file their
6 financial disclosure.

7 Q Thank you. And can you just read the from,
8 the to, the copy, the subject, and the date?

9 A Sure. From: Stanley Kosick (BEGA).
10 To: Trayon White, Sr. (Council). Carbon copy:
11 Shannon Monk (BEGA) and Sheila Bunn (Council).
12 Subject: Fall Financial Disclosure. Date:
13 Monday, November 17, 2025, at 10:53 a.m.

14 Q Thank you. And is this a true and accurate
15 copy? I keep forgetting if I -- if I've asked you
16 -

17 A Yes, it is.

18 Q Thank you.

19 MS. STEWART-MITCHELL: At this time, I'd
20 like to have Exhibit -- government's Exhibit 16
21 entered into the record.

22 CHAIRPERSON HUTCHESON: And is there any

1 objection to number 16?

2 MR. THERESA: No.

3 CHAIRPERSON HUTCHESON: Okay. Number 16
4 is admitted.

5 (Whereupon, the above-referred to
6 document was received into evidence as Government's
7 Exhibit No. 16.)

8 BY MS. STEWART-MITCHELL:

9 Q Okay, Mr. Kosick, directing you to our last
10 exhibit, and it's Government's Exhibit Number 17.

11 What is this document?

12 A This is a -- actually two screenshots from
13 our -- from BEGA's admin system to look at the
14 backend admin that we can see who has and who hasn't
15 filed.

16 Q Thank you. And can you tell me the date
17 that you generated these screenshots?

18 A It says February 3rd, 2026.

19 Q Thank you. And is this a true and accurate
20 copy of what you viewed on February 3rd, 2026, from
21 our e-filing system?

22 A Yes.

1 Q Thank you, Mr. Kosick. And so directing
2 your attention to the first set of fields, can --
3 under "filers" in the first set of columns and
4 fields, can you read that information and then
5 explain those fields?

6 A So -- yeah. This is a -- a search that
7 is established and filtered by year. So we can
8 filter by all; that way I can capture if they filed
9 or didn't file. So all is -- is both.

10 Q I'm sorry to interrupt you. Just to
11 clarify all -- can you clarify what that is?

12 A It's both. It's both not submitted and
13 submitted. So that way we capture everything.
14 Filter by agency, we would put in the agency -- I
15 would put in the agency if I suspected that the name
16 was a somewhat common name.

17 Q Sorry, Mr. Kosick, just to interrupt you.
18 The -- so hypothetically -- you spoke
19 hypothetically. Did you generate the screenshot

20 -

21 A Yes.

22 Q -- with these search criteria? Okay.

1 Yeah.

2 A Yes, I did. And then filtered by filing
3 -- this says filter by year, but it -- it means filter
4 by filing year. So the year that the filer was
5 filing for. And so what we see here, for filtering
6 by filing year 2024, we searched a -- a basic search
7 with T. White, and we see -- we have two rows showing
8 -- out of 10,000 potential, we show two rows of --
9 of Trayon White, Sr., Councilmember, that their
10 filing status is not submitted.

11 Q And so why are there two entries on -

12 A Well, for -- because councilmembers file
13 twice for each year. We file in the spring and the
14 fall.

15 Q Okay. And what does the return on this
16 search indicate?

17 A That it was not filed.

18 Q What was not filed?

19 A The financial disclosure.

20 Q For -

21 A For either -

22 Q -- what years?

1 A For either -- that were due in November
2 '24. So that would be the fall of 2024 and the
3 spring of 2025 -

4 Q And -

5 A -- financial disclosures.

6 Q Thank you. And can you direct your
7 attention now to the second image?

8 A The second image is similar, except that
9 it is for the 2025 fall because we haven't entered
10 the 2025 -- or, I'm sorry, the -- it -- for
11 councilmembers, this would be for the first part
12 of 2025 because we haven't entered -- we're just
13 now beginning filing for 2025 for all other filers.

14 Q Okay. And so why is there only one entry
15 returned for this search?

16 A Because we haven't -- actually, because
17 I haven't uploaded his name for -- for -- to file
18 the second half of the 2025.

19 Q The 2025 what?

20 A The filing -- financial disclosure.

21 Q And -- thank you. And when you talked
22 about the second one that you haven't uploaded yet,

1 when would that filing be due?

2 A That filing would be due this coming May
3 15th, 2026.

4 Q Thank you.

5 MS. STEWART-MITCHELL: At this time, I'd
6 like to request that Government's Exhibit Number
7 17 be entered into the record.

8 CHAIRPERSON HUTCHESON: Okay.

9 Any objection to number 17?

10 MR. THERESA: No.

11 CHAIRPERSON HUTCHESON: Okay. Number 17
12 is admitted.

13 (Whereupon, the above-referred to
14 document was received into evidence as Government's
15 Exhibit No. 17.)

16 MS. STEWART-MITCHELL: Thank you.

17 BY MS. STEWART-MITCHELL:

18 Q Mr. Kosick, just the last couple of
19 questions. To your knowledge, did the respondent,
20 Councilmember Trayon White, file a November 15th,
21 2024 financial disclosure statement?

22 A I -- I know he did not. He did not.

1 Q And to your knowledge, did the respondent,
2 Councilmember Trayon White, file a May 15th, 2025
3 financial disclosure statement?

4 A Again, no. No, he did not.

5 Q Mr. Kosick, to your knowledge, did the
6 respondent, Councilmember Trayon White, file a
7 November 15th, 2025 financial disclosure statement?

8 A Yep, that's good. Yeah. No.

9 Q Thank you. And, Mr. Kosick, have you
10 received any bounce-backs -- bounce-backs from the
11 respondent, Councilmember Trayon White, with --
12 regarding any of the three filing periods we just
13 talked about?

14 A No, ma'am.

15 Q And either hard or soft bounce-backs?

16 A No.

17 Q Thank you. And have you had any direct
18 communication with Respondent Councilmember Trayon
19 White regarding financial disclosure?

20 A No, ma'am. Actually, this is the first
21 time I ever seen him in person.

22 MS. STEWART-MITCHELL: That concludes my

1 questioning of the witness. And I will pass it to
2 the Board for any other questions they might have.

3 CHAIRPERSON HUTCHESON: Do you have any
4 questions?

5 Exhibit Number 5 needs to be relabeled
6 before -- it hasn't been admitted.

7 MS. COOKS: Can we have a few minutes to
8 look at Exhibit Number 5 in our records?

9 CHAIRPERSON HUTCHESON: Okay. And we
10 need to deal with it before we wrap up.

11 MS. COOKS: Okay.

12 CHAIRPERSON HUTCHESON: So if you're done
13 -

14 Do you have any cross-examination?

15 MR. THERESA: I do.

16 CHAIRPERSON HUTCHESON: Okay.

17 CROSS-EXAMINATION

18 BY MR. THERESA:

19 Q Hi. Thank you for your time, Mr. Kosick.
20 What is your position with the D.C. Government
21 again?

22 A I'm the program coordinator. And I

1 oversee the financial disclosure filing system.

2 Q Is it fair to say that you're the one
3 responsible for sending out notices?

4 A Yes, it is.

5 Q I noticed from all of the government's
6 exhibits that they're all sent by email; is that
7 correct?

8 A Yes and no. The no part is that we do --
9 for public filers, they do get a hard copy in the
10 mail.

11 Q Okay. But as far as the Government's
12 exhibits go, we've -- you've just testified today
13 about what was sent by email, correct?

14 A Yes.

15 Q Okay.

16 MR. THERESA: Can we go to Exhibit 12?
17 Are we all at -- okay.

18 BY MR. THERESA:

19 Q So I noticed at the top of this email it
20 says twhite@dccouncil.gov. Is that who the email
21 was sent to?

22 A Yes, sir.

1 Q And it was sent on May 2nd, 2025?

2 A Yes.

3 Q Are you aware that Councilman White was
4 expelled February 7th?

5 A Yes, I am.

6 Q Are you aware that he did not swear back
7 in until August of 2025?

8 A That's the thing. This email was a
9 separate email from what we use in our GovDelivery
10 system.

11 Q So this email was sent to his council
12 address while he was expelled -

13 A Well, based on the dates, yes, correct.

14 Q Is that correct?

15 A That is correct.

16 Q Is there an open report with this email?

17 You had -- there were some exhibits where there
18 were reports about whether it was clicked on or
19 opened. Exhibit 12?

20 A Right. This -- this is sent -- this --
21 this email was sent from my authorization whereas
22 the other -- and the other exhibits were sent from

1 GovDelivery.

2 Q Okay. Is it fair to say that this email
3 was sent to Councilman White's council office while
4 he was expelled?

5 A Yes.

6 Q And while he was -- he did not have an
7 office at the Wilson Building?

8 A As I stated -

9 Q Yeah.

10 A -- it was for -- to cover bases because
11 the official went out via GovDelivery to
12 trayonwhite2011@gmail.com.

13 Q And what exhibit is that?

14 A That's in Exhibit 6.

15 MS. STEWART-MITCHELL: And just for
16 reference, it's Exhibit 6, Page 26.

17 MR. THERESA: Okay.

18 BY MR. THERESA:

19 Q And so I'm at Exhibit 6 now -

20 MS. STEWART-MITCHELL: Yeah. If you
21 look, there are page numbers for each exhibit.
22 Exhibit 6, Page 26.

1 MR. THERESA: Understood.

2 BY MR. THERESA:

3 Q So I'm on Exhibit 6, page 26. And so
4 you're saying that this -- that email that I
5 previously referenced from Exhibit 12 was also sent
6 to the -

7 A Yes.

8 Q Okay. Please bear with me. I'm looking
9 for your reports that were -- you know, that had
10 the click rates and all of that. Oh, I see.
11 Exhibit 7. So I'm at Exhibit 7.

12 Page 1 of 2. And so this is -- at the top,
13 it's labeled "Bulletin Detail Report"?

14 A Correct.

15 Q And is it fair to say that this represents
16 a report of all of the notices sent out across the
17 government?

18 A Yes.

19 Q And it has an open rate of 51 percent?

20 A Yes.

21 Q Would you say that -- that's typical?

22 A Actually that's pretty good.

1 Q All right. Let's go to Exhibit 8. And
2 it said "unique opens" there, 46 percent. Is that
3 typical?

4 A Yeah.

5 Q And Exhibit 9 says "unique opens, 41
6 percent." Is that typical?

7 A (No audible response.).

8 Q Is it fair to say that typically, these
9 notices don't reach its recipient or at least
10 they're not acknowledged by their recipient much
11 of the time?

12 A Those are two different questions, sir.
13 Do they reach the recipient? Absolutely. As it
14 -- if you look at -- you were on Exhibit 9, it says
15 99 percent delivered. That means 99 percent of the
16 people who were targeted received that document.
17 Only 41 percent opened it.

18 Q So does the government distinguish between
19 when notice was sent and when notice was opened?

20 A We do not, to the best of my knowledge.

21 Q Is it fair to say that if an email wasn't
22 opened, that the notice was not received?

1 A No, it's not fair to say that.

2 Q Do you know that if an email was sent, that
3 it was -- they -- there was actual notice?

4 A Yes. And that -- again, that is what all
5 of this shows. You -- Exhibit 9 -- 7, 8, 9, and
6 I forget which other one, are general overviews of
7 what was sent. The specifics were in Exhibit 6,
8 where for each EP, there's a specific -- because
9 we -- we directed it -- for this exercise, we
10 directed it specifically to the councilmember and
11 showed that, yes, the system did report that it was
12 sent to his Gmail account, that it was delivered
13 without any bounce backs, and that it was actually
14 opened. It doesn't tell us when it was opened, but
15 it does tell us it was opened.

16 Q And it doesn't tell you who opened it?

17 A No, sir, it does not. Only the recipient.

18 Q But is it fair to say that there's a
19 distinction between an email that was sent and an
20 email that was opened?

21 A I suppose, sure.

22 Q Is it fair to say that there's a

1 distinction between an email that was received and
2 an email that was opened?

3 A You -- you're getting into a -- a situation
4 where we have -- I have no control over who received
5 -- aside from the addressee, who received and who
6 opens that email. We have no control over that.

7 Q I understand that. I'm just asking if
8 there's a distinction between when an email was
9 received by somebody and if an email was opened by
10 somebody.

11 A I don't believe there's a distinction.

12 Q So I'm looking at Exhibit 9, and it says
13 that 3,780 emails were sent, and 3,741 of them were
14 delivered; is that correct?

15 A That's what it says, yes, sir.

16 Q So 3,741 of them received the emails; is
17 that correct?

18 A That is correct.

19 Q And 1,539 opened them; is that correct?

20 A Yes.

21 Q So is it fair to say that 41 percent of
22 people received actual notice?

1 MS. STEWART-MITCHELL: Objection. I
2 just would like some clarity on what we're defining
3 actual notice as.

4 MR. THERESA: Had knowledge of the
5 contents of the email.

6 MS. STEWART-MITCHELL: I would just
7 object on the grounds that the witness has been asked
8 and answered the question.

9 CHAIRPERSON HUTCHESON: Do you know the
10 answer to this question?

11 THE WITNESS: Can you ask -- repeat the
12 question, please?

13 BY MR. THERESA:

14 Q Is it fair to say that, at most, 1,539
15 people have actual notice of the contents of the
16 emails that they received?

17 A Whether they open up their email or not,
18 that -- that's not our concern.

19 Q I'm not asking you that. I asked you a
20 simple question about whether or not the people who
21 received your emails have content -- have knowledge
22 of the contents of those emails.

1 MS. STEWART-MITCHELL: I would just like
2 to reassert my objection. It's been asked and
3 answered.

4 CHAIRPERSON HUTCHESON: And it's probably
5 beyond the scope of what she asked.

6 But do you know the answer to that?

7 THE WITNESS: I can only go by -- based
8 on what's here, and it tells me that 99 percent of
9 the recipients received that email. Whether they
10 opened it or not, that -- it's immaterial. They
11 received the document.

12 BY MR. THERESA:

13 Q And it's your position that it's
14 immaterial whether or not that they have knowledge
15 of what's inside of the email?

16 MS. STEWART-MITCHELL: Objection. I
17 don't think the witness can speak to what the
18 recipients have knowledge of.

19 BY MR. THERESA:

20 Q Is it fair to say that a method of notice
21 that gets at best 50 percent of the people to open
22 the notice is not reasonably calculated to provide

1 notice?

2 MS. STEWART-MITCHELL: Objection.

3 CHAIRPERSON HUTCHESON: What's the basis
4 of your objection? Just so we're all clear. You
5 objected?

6 MS. STEWART-MITCHELL: Oh, I'm sorry.
7 Asked and answered.

8 CHAIRPERSON HUTCHESON: Okay.

9 MR. THERESA: I have no more questions.

10 CHAIRPERSON HUTCHESON: Okay. You have
11 no more questions?

12 Is there any redirect?

13 MS. STEWART-MITCHELL: Yes.

14 REDIRECT EXAMINATION

15 BY MS. STEWART-MITCHELL:

16 Q Mr. Kosick, when you introduced yourself,
17 you stated that you worked for this agency for six
18 years, correct?

19 A Correct.

20 Q So beyond the dates that we discussed at
21 this hearing, have you had experience with the
22 respondent, Councilmember Trayon White, filing a

1 financial disclosure statement?

2 A No.

3 Q I'm sorry -

4 A The -- I'm sorry, can you repeat the
5 question?

6 Q Have you had experience with the
7 respondent, Councilmember Trayon White, filing
8 financial disclosure statements?

9 A Yes.

10 Q Okay. And so in your experience, he has
11 filed a financial disclosure statement before?

12 A Generally on time, yes.

13 Q And in the -- you -- were you responsible
14 for sending notification for those past statements?

15 A Yes, ma'am.

16 Q And were those past statements similar to
17 the statements we discussed here today?

18 A Yes, they were.

19 Q And did they include information on why
20 a person is filing the financial disclosure
21 statement?

22 A Yes.

1 Q Did the past statements include
2 information about the frequency with which this
3 responsibility would occur?

4 A Yes, they did.

5 Q And what is that frequency?

6 A Ma'am?

7 Q And what is that frequency? How often
8 does this occur?

9 A Councilmembers are required to file twice
10 a year.

11 Q Thank you. And I'd also, just for
12 redirect, I'd like to point your attention back to
13 Exhibit 6. And if you could go to Exhibit 6, Page
14 15. What does this report show?

15 A This report shows that the recipient,
16 trayonwhite2011@gmail.com, received a -- an email
17 and opened it three times.

18 Q And what is the date of that email?

19 A April 28th, 2025.

20 Q Thank you. And can -- and Mr. Kosick, can
21 you turn your attention to Exhibit 6, Page 26? And
22 what does this report show?

1 A It shows that trayonwhite2011@gmail.com
2 received the document -- received the documents
3 reminder, and opened it twice.

4 Q And what was the date of that reminder?

5 A May 2nd, 2025.

6 MR. THERESA: Objection. I don't think
7 that accurately reflects the record here. It
8 doesn't say that Trayon White opened it twice. It
9 says that whoever had access to this email opened
10 it twice.

11 MS. STEWART-MITCHELL: I just want to
12 reiterate that we had established the email address
13 and the contact information that was provided to
14 the program specialist, and we also didn't say that
15 this notice was sent to Trayon White. The -

16 CHAIRPERSON HUTCHESON: He said it was
17 sent to this email address.

18 MS. STEWART-MITCHELL: -- program -- to
19 an email address, correct.

20 CHAIRPERSON HUTCHESON: Okay, go ahead.

21 MS. STEWART-MITCHELL: Thank you.

22 BY MS. STEWART-MITCHELL:

1 Q And Mr. Kosick, can you direct your
2 attention to Exhibit 6, Page 36? And what does this
3 report show?

4 A The recipient received a notice, and that
5 that notice was opened twice, two times.

6 Q And who was the recipient?

7 A trayonwhite2011@gmail.com.

8 Q Thank you. And just again, what was the
9 delivery status of that?

10 A Delivered, no problems.

11 MS. STEWART-MITCHELL: Thank you.

12 And that's it for me.

13 CHAIRPERSON HUTCHESON: Okay. Are you
14 done?

15 MS. STEWART-MITCHELL: Oh, sorry. I just
16 wanted to -- one question just to reestablish in
17 case Opposing Counsel.

18 BY MS. STEWART-MITCHELL:

19 Q With regard to trayonwhite2011@gmail.com,
20 who provided you with that email address?

21 A Chairperson Mendelson's staff.

22 Q And why were you provided that email

1 address?

2 A Because -- because it was at a time when,
3 as previously mentioned, the councilmember was --
4 had been expelled from the council.

5 MS. STEWART-MITCHELL: Okay. Thank you.

6 CHAIRPERSON HUTCHESON: Okay. Is there
7 any recross?

8 MR. THERESA: Yeah, I have one or two more
9 questions.

10 CHAIRPERSON HUTCHESON: That are within
11 the scope of what she asked?

12 MR. THERESA: I think. I think maybe -

13 CHAIRPERSON HUTCHESON: Go ahead.

14 RECROSS-EXAMINATION

15 BY MR. THERESA:

16 Q Now, at the time of -- you had mentioned
17 that Mr. White had previously responded to these
18 notices before, that he had answered?

19 A Not answered me directly, but filing his
20 financial disclosures.

21 Q Right. And do you know the email address
22 that he received notice at during those disclosures?

1 A Prior to last spring, all -- all notices
2 went to his council email address.

3 Q Okay. And one other question -

4 MR. THERESA: Nevermind. No, it -- I
5 don't think it's within the scope, so -

6 CHAIRPERSON HUTCHESON: Okay. Are you
7 done? Is the Government done?

8 MS. STEWART-MITCHELL: Yes. We rest.

9 CHAIRPERSON HUTCHESON: You rest? Do you
10 -- yes, because, right, you didn't name any
11 witnesses you did before -- yes.

12 MS. STEWART-MITCHELL: Oh, Exhibit 5.

13 CHAIRPERSON HUTCHESON: What's the story
14 with Exhibit 5?

15 MS. STEWART-MITCHELL: We don't need it.
16 We can have it stricken from the record.

17 CHAIRPERSON HUTCHESON: Okay. All
18 right. Mr. -- Mr. Kosick, you're excused. Thank
19 you.

20 Okay. Do you want to have an opening
21 statement to present any case?

22 MR. THERESA: Yes. So we -- as you know,

1 we previously filed some Fifth Amendment
2 objections. Those are on the record. We made
3 arguments, it was ruled on. And we would just like
4 to renew those objections and preserve them for
5 appeal.

6 CHAIRPERSON HUTCHESON: Okay. So are you
7 resting on that?

8 MR. THERESA: I would say that one of these
9 disclosures came due after we had filed that
10 paperwork. That's -

11 CHAIRPERSON HUTCHESON: One of these
12 disclosures -

13 MR. THERESA: Yeah, one of these
14 disclosures that are at issue in this case came after
15 we filed our -

16 MS. STEWART-MITCHELL: After the motion
17 to -

18 MR. THERESA: Yeah. Right.

19 MS. STEWART-MITCHELL: -- to stay, right?

20 MR. THERESA: Right. Yeah. Uh-huh.

21 CHAIRPERSON HUTCHESON: Do we know -- you
22 clear on what that was? Because I'm not hearing

1 -- I don't know what it was.

2 MS. STEWART-MITCHELL: The -- I'm sorry?

3 The -

4 CHAIRPERSON HUTCHESON: What was it?

5 MS. STEWART-MITCHELL: Just trying to
6 help clarify. I think we -

7 MR. THERESA: The fourth quarter -- the
8 fall 2025 disclosure statement came due after we
9 had filed our objections.

10 CHAIRPERSON HUTCHESON: Your objection

11 -

12 MR. THERESA: Fifth Amendment.

13 CHAIRPERSON HUTCHESON: -- to proceeding?

14 MR. THERESA: Yeah, on Fifth Amendment
15 grounds.

16 CHAIRPERSON HUTCHESON: The thing -- the
17 motion you filed in January?

18 MR. THERESA: Did we file that in January?

19 CHAIRPERSON HUTCHESON: It was in
20 January. When was the motion?

21 MS. STEWART-MITCHELL: I'm not sure when
22 it was filed, but -

1 CHAIRPERSON HUTCHESON: Okay. I don't
2 know that it matters anyway. But -

3 MR. THERESA: Yeah.

4 CHAIRPERSON HUTCHESON: We -- we've noted
5 it for the record.

6 MR. THERESA: All right. Thank you.

7 CHAIRPERSON HUTCHESON: Okay. Okay. So
8 if both sides are done and resting? Mr. Theresa?

9 MR. THERESA: Yes.

10 CHAIRPERSON HUTCHESON: Okay.

11 MS. STEWART-MITCHELL: I have a closing
12 statement.

13 CHAIRPERSON HUTCHESON: Okay. I was
14 going to get to that.

15 MS. STEWART-MITCHELL: Okay.

16 CHAIRPERSON HUTCHESON: The parties have
17 both presented their cases and rested, so we can
18 move on to closing arguments. Under our rules, the
19 government bears the burden of proof by substantial
20 evidence. We will start with the government's
21 closing, and then the respondent will close, and
22 there will be an opportunity for a brief rebuttal

1 from the Government.

2 So you're first.

3 MS. STEWART-MITCHELL: Thank you. The
4 evidence shows that Respondent Councilmember Trayon
5 White was designated per the Ethics Act as a public
6 financial disclosure statement filer. He received
7 notice of his filing obligation for November 15th,
8 2024, from the Office of Government Ethics via his
9 council email address, twhite@dccouncil.gov.

10 Respondent failed to fulfill his filing
11 obligation. Respondent received notice of his
12 requirement to file his May 15th, 2025 financial
13 disclosure statement via his personal email
14 address, trayonwhite2011@gmail.com, which was
15 provided by Chairman Mendelson as a proper -- as
16 proper contact information for the respondent.

17 Respondent failed to fulfill his filing
18 obligation. After he failed to file, respondent
19 was sent a fine notice. Respondent received notice
20 of his requirement to file his November 15th, 2025
21 financial disclosure statement at his council email
22 address, and again, Respondent failed to fulfill

1 his filing obligation. The evidence shows that
2 Respondent has been a councilmember since 2017.

3 He has admitted through stipulation of the
4 facts that he was required to file a public financial
5 disclosure statement on November 15th, 2024, May
6 15, 2025, and November 15, 2025, and he received
7 ample notice of his financial disclosure statement
8 filing requirements from October 13, 2024, through
9 November 17th, 2025, yet Councilmember White failed
10 to file his financial disclosure statements in the
11 required time periods. And we believe that this
12 is a violation of the Ethics Act.

13 CHAIRPERSON HUTCHESON: You're done?

14 MS. STEWART-MITCHELL: Thank you.

15 CHAIRPERSON HUTCHESON: Mr. Theresa?

16 MR. THERESA: I'd just like to add that
17 BEGA implements a notice policy where they are aware
18 that 50 percent of the people don't even open their
19 emails to see what they've been sent, and they do
20 this knowingly.

21 And I would say that that's not reasonably
22 calculated to provide people with notice of

1 something as serious as this. And that if final
2 notice was to be given, it should be sent by mail,
3 or it should be sent by first class mail to their
4 last known address, especially with the government
5 knowing how often their emails do not -- are not
6 opened by the recipient to even know what's inside
7 of them.

8 And for that reason, it's not reasonably
9 calculated to provide notice to people about
10 whatever violations have occurred. And so that's
11 all.

12 CHAIRPERSON HUTCHESON: Okay. Do you -

13 MS. STEWART-MITCHELL: Yeah, I just --
14 some closing in response to Opposing Counsel.
15 According to Mr. Kosick's testimony, the Office of
16 Government Ethics sends out a paper notice.
17 According to Mr. Kosick's testimony and the evidence
18 submitted into the record, the councilmember
19 received multiple notices per the three seasons at
20 question at this hearing.

21 Mr. Kosick also took us through evidence
22 that in our effort to notify the councilmember, we

1 also contacted the councilmember's chief of staff.

2 And finally, Mr. Kosick also testified that
3 Councilmember White has filed financial disclosure
4 statement in the past and was aware of his annual
5 filing requirement.

6 CHAIRPERSON HUTCHESON: Okay. Well,
7 with that, the Board is going to ask for additional
8 briefings that -- and submissions of findings of
9 facts and conclusions of law. We're going to ask
10 for those submissions -- I'm going to give you two
11 weeks, until the 19th of March, okay?

12 MR. THERESA: Thirty days?

13 CHAIRPERSON HUTCHESON: You object to 30
14 days? Okay, let's do 30 days.

15 MR. THERESA: Okay.

16 CHAIRPERSON HUTCHESON: And with that,
17 the Board will now adjourn this meeting.

18 You had something else, Mr. Theresa?

19 MR. THERESA: No.

20 CHAIRPERSON HUTCHESON: Okay. We'll
21 adjourn this meeting and wait to hear from you all,
22 and then we'll make a decision. Thank you.

1 MR. THERESA: Thanks.

2 (Whereupon, the above-entitled matter
3 went off the record.)

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C E R T I F I C A T E

I hereby certify that the attached transcription is to the best of my belief and ability a true, accurate, and complete record of the above referenced proceedings as contained on the provided audio recording.

Mae R. Guss

Transcriber

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