

ELECTION HACKS

Zeidman v. Lindell: Exposing the \$5 million election myth



BOB ZEIDMAN

Please enjoy this excerpt from:

**“ELECTION HACKS
Zeidman v. Lindell: Exposing
the \$5 million election myth”
by Robert Zeidman**

BAILEY GLASSER LLP

Brian Glasser then started his cross examination, probably the best I’d ever encountered in all of my over 260 lawsuits.

Q. When you came to the symposium, you personally expected to see authentic packet capture data, correct?

A. I had hoped to, yes.

Q. That’s why you brought the big array of storage devices so that you could actually download the authentic packet capture data that Mr. Lindell had promised the world he was going to deliver, correct?

A. Yes.

Q. In fact, on your way in, you thought the goal of the symposium was to find the truth, right?

A. My goal was to find the truth. I think the goal of the symposium was to expose to the public that there was some truth behind it.

Q. Right. That it was to be a historical moment, right?

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A. That's what was said.

Q. A big reveal, right?

Gould nodded.

Q. Of the authentic real time captured packets from the election... In fact, that's what Lindell said in this chair yesterday and repeated he had promised, right?

A. Yep.

Q. And that's why, when it turns out that Mr. Lindell did not produce any such data, you personally were disappointed?

A. That's correct.

Q. And at the end of the day, the purported data boiled down to the spreadsheet, Exhibit 13, that we've been discussing, the CSV spreadsheet that you talked about in your examination, right? That's the output of the purported data?

A. That's the output of the data that we were able to see. It is my understanding that there is other data that was not able to be disclosed. I assumed because it was classified or under some law enforcement interest that...

Q. Now, let's pull up Exhibit 13, the CSV file.

At this time, Brian started pointing to headings of the various columns in the spreadsheet on the screen.

Q. And I think you said on your direct examination that you agreed that latitude and longitude are not packet data.

A. Correct.

Q. You agree that city is not packet data.

A. Correct.

Q. You agree that state is not packet data.

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A. Correct.

Q. You agree that country is not packet data.

And then, in a strange attempt to speed up the questioning, or to show off his knowledge, Gould actually gave us more help.

A. Correct. You're good all the way over to [column] K. It's not packet data.

Q. All right. Everything all way over to K is not packet data. You're right. Everything over to K. So [columns]... A through J inclusive, would not be found in a packet to your knowledge, correct, sir?

A. That is correct.

Rich Katz, operating the display then highlighted the first 11 columns of the spreadsheet. Brian continued.

Q. All right. So if somebody is saying this is the output, so it's clearly curated data, right?

A. I would agree.

Q. Somebody has edited this data, right?

A. A person or program, yes.

Q. Somebody has added to it, made new data. Because it's not original packet capture data output. Clearly A through J can't be, right?

A. I can't tell you that it's authentic packet data because I don't have the authentic packets to verify, but it looks like a summary of that data.

Q. Well, but hang on. You know to a *moral certainty* that packets do not contain items A through J, correct?

Brian emphasized the term "moral certainty."

A. Yes.

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Q. So you know it's false data to that extent if it's supposedly a packet output, right?

A. I do not know that the data are false. I do know that they are not included within packets but can be derived from the information in the packets.

Q. Right. But if the promise was, I'm going to give you the output of the actual packets we captured, you know it's not true with respect to A through J.

A. I'll save you some time. An Excel spreadsheet is not packet data. It may be information about packet data, but it's not packet data.

Q. So with respect to columns A through J, no matter whether it was Wireshark-readable or not, it's not in a packet.

A. Correct. And it would have to come from somewhere else.

Q. Okay. Exactly. So it is therefore the case that you believe all of this data has been manipulated and is not authentic, valid, original packet data readouts.

A. I want to be careful. All... some of this data, it may be authentic data from packets. Other, information, the stuff you've highlighted in yellow, may augment the data in the packet but from other sources.

Q. All right. But I'm saying, based on your personal knowledge, you know columns A through J are impossible to have come from a packet.

A. Correct.

Q. All right. So you know to a *moral certainty* that lots of the spreadsheet is manipulated or curated. Your statement about what is not is just a hope, right?

Again, Brian emphasized the phrase "moral certainty."

A. There are directories which this information can be looked at. For example, if you're filing an action against a corporation, you go to

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the state government's bureau of corporations, you look up the registration, and it tells you who the owner of the corporation is. Similarly look up an IP address, a lot of this information will be in there.

Q. Right. But I mean is it any harder to just put a column together that says November 3rd, November 4th, November 5th than to put these columns together, A through J?

A. Anybody who looks at network data knows that's not from a packet.

Q. I'm now on the date. You were saying the dates could have been packet data. That's what you're saying?

A. Date and time are in the packet, yes.

At some point, Brian stood up, his six-foot-plus frame towering over the seated Gould who looked uncomfortable. Brian's deep voice began to very effectively increase in volume. I couldn't help thinking of the conclusion of the trial in the movie *A Few Good Men*. And also *My Cousin Vinny*. Some mashup of the two. He softly bellowed, "Correct. But I'm saying, if somebody added all this, how hard is it to add dates?"

A. There are 121,000 lines in this file. If one were to look at them and analyze the chronology of them and somehow prove that 50 of them occurred to the exact same millisecond, that might raise a question. But it's still not proof that they are not authentic.

Q. I'm saying you are *morally certain* that ten columns are not packet data. Impossible to be packet data, right?

Brian again emphasized the phrase "morally certain." At which point Gould offered up more helpful information.

A. Sixteen columns.

Q. Sixteen columns?

A. Success, Type, Biden1, Biden2, Trump1, Trump2 are also not packet data.

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Q. All right. So you are *morally certain* 16 of these columns could not possibly be packet data, right?

A. Correct.

Q. That only leaves four [sic] columns. Okay?

Rich had highlighted the 16 out of 22 columns, leaving a thin strip of information as potentially legitimate data. And then Gould served me yet more helpful information.

A. Well, even the SourceLocation, TargetLocation are not in the packet. They come from looking up the packet IP address.

Q. Okay. Great. So

A. So 18 columns.

Rich now highlighted 18 out of 22 columns, leaving a tiny thin strip of information as potentially legitimate packet data. Brian continued, pacing from the display back to his chair, his voice filling the small conference room. “Eighteen columns. You are *morally certain* could not come from packet data, right, Mr. Gould?”

And then came the admission that should win the entire case for me. Gould responded, “That’s correct.”

Brian looked at Gould for a long moment before responding, “All right.”

Arbitrator Hashmall saw the light, if he hadn’t already, and asked, “So what’s left that could possibly be from packet data?”

Gould answered, “In this spreadsheet?”

Arbitrator Hashmall said, “Yes. Tell me the substance of it.”

Gould replied, “Date, time, the source of the transmission, and the destination of the transmission.”

Brian explained, “So just to make the record clear, columns K, L, M, and P could be -- are data that could—that packets do contain.”

Gould replied, “They are required in packets, yes.”

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“Okay. So of the entire spreadsheet, only those four columns could be packet data.”

“That’s correct, but the rest are related to it.”

Brian continued. “All right. Now, then... and I think you’ve kind of said this on direct. But you personally agree that there’s no basis to treat K, L, M, and P as authentic based on anything you saw or because you have no basis to treat them as authentic. That’s why you said they’re not evidence.”

“From the point of view of evidence that would be admissible in court, correct.”

“Well, even you personally, having been to the symposium and because you were not given the promised actual original packet captures, have no basis to know whether K, L, M, and P are authentic at all.”

“That conclusion I cannot draw. However, if Thomas killed Judy with a 9-millimeter gun, and he’s found to have a 9-millimeter gun in his house, and it’s been recently fired, that’s part of the evidence. And more investigation has to be done, you know, all the bullet choices and that stuff.”

“But we learned here, sitting here, that basically all this stuff was curated and manipulated and created, encrypted, decoded, recoded, compressed, uncompressed by that Conan Hayes. That’s what I learned here. That’s what I think I learned here in this arbitration. Did you know any of that before you got here?”

“I did not know who did what. And I’m not sure I know what Mr. Hayes did from the testimony that was given here.”

Then leaning into Gould, face to face, Brian said. “So you can’t, based on anything at the Cyber Symposium, determine that any data actually produced was, in fact, original.”

Gould became visibly nervous. “No. Not without the packets and without other information, which I assume may include national security information and certainly includes information protected under federal law -- passwords, user IDs, et cetera.”

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Still face to face. “Do you think it’s misleading to promise people true, authentic, verifiable, original data and then provide none?”

Still visibly shaking, Gould replied, “It would be misleading without the intervention of external factors.”

Gould swallowed. I wasn’t close enough to see, but I would have bet on beads of sweat accumulating on his forehead. “However, it’s my understanding that there are external factors that prevent the disclosure of the data. And if that disclosure might place the contestants or attendees in jeopardy—in legal jeopardy in any way, then I would say it’s unfortunate and it certainly is not satisfying. But morally, I would say that, you know, I would applaud Mr. Lindell and his organization for not putting me at risk.”

Brian rolled his eyes, said nothing, took a couple steps back, and said, “Okay. I don’t have any other questions.”

This was one of the few Perry Mason moments I’d ever seen outside of Hollywood. There were some concluding details that needed to be agreed upon, and then we packed up our computers and gathered in our breakout room. I told Brian I had only one question, but it was an important one. Everyone on the team stopped and looked at me, holding their breath. “Who do you want to play you in the movie?” Everyone started laughing and talking and high fiving each other.

Later, we met at the strategy room in the Westin Hotel for one last meeting. Rich had to pack up all his equipment. Everyone else had to start making notes for briefs on various issues like damage awards and attorneys’ fees. Everyone else was leaving that night or early the next morning. I had nothing to do—I was leaving the next day. But I realized that we had done something difficult and good. I felt like I had to say something. I hadn’t prepared anything, but the words just came to me.

“I want to thank everyone here. First for believing in me and supporting me. This was an incredible effort by an incredible team, and anyone who knows me will tell you that I don’t say that often. I enjoyed getting to know you all. Everyone did the absolute best that they could, and as I know and I’m sure you know, the best efforts don’t always mean we’ll win, even if we deserve

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to win. But what we did here, as a culmination of months of work, was important and will, I hope, have a long and important effect on our country.”

“Manny, thank you for organizing things and coordinating things. Rich, thank you for getting all the electronics to work smoothly so that every display was right where it was supposed to be and all the important text and graphics were highlighted with the most impact. Brian, I am really grateful for you deciding to fund this really important effort and to even give your valuable time toward it.”

I shook each of their hands.

“And Cary, you have been incredible. I appreciate your working with me on every aspect of this case. Your work was brilliant for getting all the right questions, making all the right statements, and getting all the right answers from the opposing side. We were so in sync that we agreed on almost everything, and I could trust your judgment on whatever issues I wasn’t sure about. I think we’re going to be successful, but even if we’re not, your effort made sure we got as far as anyone could possibly go. Thank you.”

I then gave Cary a hug, put on my warm overcoat for the trek back to my hotel, and quickly left before I teared up too much.

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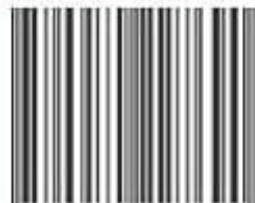
Mike Lindell, the MyPillow magnate, has been inciting crowds by publicly declaring he has proof of voting machine tampering that threw the 2020 election from Donald Trump to Joe Biden. Bob Zeidman, who invented the field of software forensics, was invited by Lindell in 2021 to examine and verify the alleged proof. What he found was bogus data, manipulated results, and dangerous conspiracy theories. This is the story of Bob's successful lawsuit against Lindell and his uncovering of a scandal leading to some of the top political leaders and advisors in America. Was the election stolen? Maybe. Maybe not. But Lindell's bogus claims have prevented legitimate investigations into voter fraud.

Election Hacks is not just an important book about the cries of a stolen 2020 presidential election, it's also a warning for the 2024 election and all future elections. It's a personal story of a man who found the truth and pursued it by going up against a rich, powerful, influential businessman. It's a technological mystery, a courtroom drama, and a character study. It's about human nature and how people can so easily be led astray. And it's about standing up for the truth, even when that truth may turn out to belie your beliefs and alienate you from your friends.

ABOUT THE AUTHOR

Bob Zeidman is the creator of the field of software forensics and the founder of several successful high-tech Silicon Valley firms including Zeidman Consulting and Software Analysis and Forensic Engineering. His latest venture is Good Beat Poker, a new way to play and watch poker online. He is the author of textbooks on engineering and intellectual property as well as award-winning screenplays and novels. His previous novel was *Animal Lab*, an update of George Orwell's *Animal Farm*.

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