

1 IN THE MATTER OF

2 PLT.

3 V.

4 DFT.

5

6 DEPOSITION OF (CARL WESTBERG)

7 -----

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1 CARL WESTBERG

2 BY MS. LIU:

3 Q And hi, Mr. Westberg. I'm Angela Liu with
4 Dechert on behalf of applicants Atiku Abu car. I'm
5 present here today with my colleague, Alex Jermont and
6 Taylor sue Jewssky, who are joining us virtually as
7 well as my colleague nicole Carla a doe adieu in the
8 room. Would counsel likewise introduce yourselves.?

9 MR. HAYES: Michael Hayes for Chicago State
10 University the Respondent in this matter.

11 MR. HENDERSON: Good morning, Victor
12 Henderson, I'm on behalf of the Intervenor. Period of
13 time Bola Tinubu T-I-N-U-B-U. As is my colleague,
14 Mr. R O W E F A F O L A B I and he's appearing virtual
15 and you see him on the screen.

16 Q Mr. Hayes, I believe you had something that
17 you would like to add to the record.

18 MR. HAYES: Yes. Thank you. Just as a
19 preliminary matter, we would like to note that
20 today's deposition is under Rule 30(b)(6), on five
21 topics approved by the Court in this matter. And the
22 University witnesses prepared to address those topics
23 the University witness is not prepared to speak on the
24 University behalf on any other issues that is not

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1 related to the topics and we would urge for the
2 applicant and the intervenor to stay with the topics
3 that have been approved by the Court. Finally, I would
4 note by the agreement of the parties this deposition is
5 not being video recorded. We do have several persons
6 participating remotely, but it is our understanding and
7 I someone please speak up if this is not so, that no
8 one that is participating remotely is video recording
9 today's deposition. Thank you.

10 MS. LIU: Thank you Mr. Hayes, and
11 Mr. Westberg, can you please state and spell your full
12 name for the record?

13 A Caleb Westberg.

14 Q And are you being represented by Mr. Hayes
15 today?

16 A Yes.

17 Q And are you being represented by any one else
18 in the room or on camera today?

19 A No.

20 Q Have you ever been deposed before?

21 A No.

22 Q With that I would like to go over some ground
23 rules for the deposition. First, you are under oath
24 today, do you understand?

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1 A Yes.

2 Q And it is important that there be a clear
3 record of today's deposition. I'm going to be asking
4 you a series of questions and to ensure that there is a
5 clear transcript of your answer, please respond
6 verbally to all of my questions. And so there should
7 be no headshakes or head nods. Do you understand?

8 A Yes.

9 Q And so that the Court Reporter, can
10 accurately transcribe the deposition and let's try not
11 to talk at the same time. Please let me finish my
12 question before you answer and I'll let you finish your
13 answer before I ask my next question. Do you
14 understand?

15 A Yes.

16 Q If you don't understand a question, let me
17 know and I'll try to rephrase it. If you don't say
18 anything, I'll assume you understood the question. Do
19 you understand?

20 A Yes.

21 Q And at times, Counsel may object to my
22 questions but unless, your counsel instruct you
23 otherwise, not to answer, you can answer the question,
24 when he has finished stating his objections download

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1 that.

2 A Yes.

3 Q Finally, if at any point you would like to
4 take a break, just let your counsel or me no and we
5 will accommodate you. The only exception if there is a
6 question pending and in instance, I'll ask you to
7 answer the question before we take a break, do you
8 understand that?

9 A Yes.

10 Q And do you have any questions about the
11 procedures we will follow today?

12 A No.

13 Q Is there any reason you cannot testify
14 truthfully and accurately today everyone, no.

15 Q And just to make sure we are on the same
16 page, when I say CSU, I mean Chicago State University.

17 A Yes.

18 Q And when I say Mr. Tinubu, Mr. Bola Tinubu,
19 who is presently the President of Nigeria?

20 A Okay.

21 Q And when I say INEC, Independent National
22 Electoral Commission in the Nigeria, do you understand
23 that?

24 A Yes.

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1 Q So I would like to borrow your LinkedIn. I'm
2 handing what is marked as Exhibit 1.

3 (WHEREUPON Exhibit 1 was marked for
4 identification).

5 Q Do you recognize this as your LinkedIn
6 profile?

7 A Yes.

8 Q And I understand you graduated from the
9 University of California at Berkeley in 2012, is that
10 correct?

11 A That is correct.

12 Q And then you received a Master Degree in the
13 philosophy from the University of Chicago in 2013
14 right?

15 A That is correct.

16 Q You've been employed as the registrar by the
17 Chicago State University since November 2020, correct?

18 A October 2020.

19 Q Since October 2020.

20 Q And CSU is a public university?

21 A Correct.

22 Q And can you describe to me your job
23 responsibilities?

24 A The registrar managing all policies and

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1 procedures for the University so we oppose academic
2 affairs regulations and keep the day-to-day management
3 of the office functioning.

4 Q And that include maintaining record?

5 A Correct.

6 Q And does CSU registrar office maintain a
7 physical office?

8 A Yes.

9 Q And do you work out of that office?

10 A I do.

11 Q And how many employees work in the
12 registrar's office.

13 A We are a team of eight at present.

14 Q And do the seven other individual report to
15 you.

16 A Yes.

17 Q And you work with all seven of those
18 individuals?

19 A That's correct.

20 Q I'm going to hand you I'm going to mark this
21 as Exhibit 2.

22 (WHEREUPON Exhibit # was marked for
23 identification). Two.

24 Q I'm handing you what has been marked as

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1 Exhibit 2.

2 Q Mr. West bigger this is the subpoena for the
3 deposition which includes the topics of examinations
4 that Mr. Hayes refers to, is that correct?

5 A Yes.

6 Q And do you recognize this document?

7 A Yes.

8 Q Prior to today's deposition did you review
9 the topics of the examination that are listed on the
10 pages four and five.

11 A Yes.

12 Q And are you appearing today as the corporate
13 designee as all of the topics on Pages 4 and 5 Of this
14 company?

15 A Yes.

16 Q And are you prepared to each topic of
17 examination on Pages 4 and 5 of the subpoena?

18 A Yes.

19 Q And do you understand as the designated
20 corporate representative of this deposition, my
21 questions are asking for the CSU knowledge and not your
22 percentage knowledge, do you understand that?

23 A Yes.

24 Q And how did you prepare to testify on the

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1 topics in the subpoena?

2 A We reviewed the student file, conferred will
3 legal affairs at the Chicago State as well as Michael
4 Hayes and reviewed the topic submitted.

5 Q You are concurring with Mr. Haze, how many
6 times did you meet with Mr. Haze?

7 A Somewhere between four or five times.

8 Q And when were these times?

9 A Within the last two months.

10 Q And how long was each meeting.

11 A At least an hour.

12 Q And were they in person?

13 A No, most today was in person most were
14 virtual.

15 Q Did you pleat with anyone else from
16 Mr. Haze's office?

17 A No.

18 Q Did you speak with any other attorneys in
19 this room?

20 A No.

21 Q Did you speak with other attorneys of
22 Mr. Tinubu?

23 A No.

24 Q Did you speak with any employees of CSU in

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1 preparing for this deposition.

2 A Robin Hawkins in our legal affairs office.

3 Q And what Robin title?

4 A I don't know her title --

5 Q And she is an attorney?

6 A Yes.

7 Q And when did you speak with the Robin?

8 A Within the last two weeks.

9 Q And for how long.

10 A About an hour each time. We've casted.

11 Q And what were the general topics of

12 conversations?

13 MR. HAYES: I would object on the basis of
14 privilege, Mr. Westberg, you can answer that question
15 generally, but do not disclose in that answer specific
16 conversations with Miss Hawkins who is an attorney for
17 the CSU. Generally, the subject matter, answer that
18 but, please don't go beyond that.

19 A We discussed the case.

20 Q And did you speak with any formal employees
21 of the CSU in preparation for this deposition.

22 Q Did you speak to Mr. Tinubu or any
23 representatives of the Tinubu?

24 A no.

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1 Q And other than the individual that we spoke,
2 did you speak with any one else about today's
3 deposition?

4 A no.

5 Q And you said that you reviewed the
6 student's files. What are the document that you
7 reviewed in the preparation for the deposition?

8 A The once in the exhibit that we submitted.

9 Q And so that the document that you produced?

10 A Correct.

11 Q Did you review any other documents in
12 preparation for your deposition?

13 A No.

14 Q And did your counsel provide any of the
15 documents that you reviewed for your deposition?

16 A What do you mean?

17 Q Mr. Hayes didn't give you the documents to
18 review for your deposition?

19 A No we've provided all the documents.

20 Q And how did you select these documents?

21 A They were what were requested.

22 Q Who selected them?

23 A I did.

24 Q And how did you, how did you sech for them?

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1 A Physically in our office we keep student
2 record.

3 Q And they are physical student record?

4 A During that time period yes.

5 Q And electronic copies of those record?

6 A Not from that time period.

7 Q And did you do anything else to prepare?

8 A No.

9 Q I am going to mark this as Exhibit 3.

10 (WHEREUPON Exhibit # was marked for
11 identification). 3.

12 Q Before I hand you this exhibit, did do the
13 document produced yesterday constitute all the
14 documents about Mr. Tinubu.

15 A Yes.

16 Q I'm handing you what has been marked as
17 Exhibit 3, this is these are the responses to applicant
18 revised subpoena to produce documents. That include
19 the applicant's request document requests. So have
20 you reviewed the document requests?

21 A Yes.

22 Q Have you reviewed the responses?

23 A Yes.

24 Q So I have some questions to ask about the

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1 requests. 1st request Number 1 state, a true and
2 correct copy of any diploma for the Bachelor of
3 Science, degree issued by the CSU in 1979. And in
4 response it looks like you have's been able to locate
5 documents that have now been Bates labeled, CSU, 0001
6 through CSU 0007. And so we'll show outhouse
7 documents. Mr. Tinubu.

8 Q I'm handing what has been marked as
9 Exhibit 4.

10 Q Are diplomas that CSU produced yesterday in
11 response to the Number 1.

12 MR. HAYES: Angela, the exhibit goes beyond
13 the one in the Number 1, I would like to note for the
14 record that the Exhibit 4, knows from the SCS1, to.
15 CSU12 and the response to the one is referencing one
16 through seven.

17 MS. LIU: That is correct. I'm handing you
18 diploma that the CSU produced in response to request
19 Number 1 that and CSU have produced some other
20 documents in the response to request Number 1. And are
21 they true and correct copies of the CSU diploma?

22 A Yes.

23 Q And what is the basis for that?

24 A We have them in our possession. We produced

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1 these documents. They align with the student record
2 and the official transcript.

3 Q And are these documents maintained in the
4 physical copy form.

5 A We have those physically.

6 Q And you don't have these document
7 electronically?

8 A Correct.

9 Q And how did you determine that the diplomas
10 from 1979, which are CSU which are Bates stamped CSU1,
11 allow did you determine that these were issued by the
12 CSU in 1979.

13 A Because they say they were.

14 Q Any other reason?

15 A No.

16 Q And where were they found?

17 A In our record room.

18 Q Where is the record room?

19 A Cook administration, building, building 128.

20 Q And if you don't have the record in the
21 electronic form, what is the put off for keeping
22 documents manually.

23 Q Could?

24 A Could you rephrase that.

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1 Q So you said that these documents are not in
2 electronic form correct?

3 A Correct.

4 Q So what is the date cut off for the keeping
5 the documents manually rather than digitally?

6 A Are you asking when did we start tracking
7 document digitally?

8 Q Yes?

9 A We moved to Elecian Banner in 1996.

10 Q And that is a software.

11 A Stupid Information Center. ELECIAN Banner.

12 Q And once again. What date was that?

13 A 1996.

14 Q And so documents prior to 1996, you would
15 have, you would not have an electronic form?

16 A Correct.

17 Q And for the diplomas after 1996, you have
18 those stored in the electronic form?

19 A No.

20 Q So at what point do you store diplomas in the
21 electronic form?

22 A We do not ever.

23 Q And did you I guess, why were these records
24 available?

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1 A While not able to determine that, the
2 speculation I have is that they were never picked up.

3 Q So you did not find Mr. Tinubu diploma that
4 was issued in 1979?

5 A Correct.

6 Q And turning to CSU, 0001 through 0007. These
7 diplomas have date in the 1979, correct.

8 A Correct.

9 Q And they all have seal with the Class B hand.

10 A Correct.

11 Q They all have the same five signatures,
12 correct?

13 A Correct.

14 Q And it looks like one of the signatures it is
15 from the Chairman of Board of Governors Leon Davis?

16 A Correct.

17 Q And another signature from Donald E. Walters
18 Secretary, correct?

19 A It appears so, yes.

20 Q And then Benjamin, Alexander President,
21 correct?

22 A Correct.

23 Q Looks like a Dean leer, Andrew F. Skull Ia?

24 A Something like that.

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1 Q But look like Andrew who was a Dean, yes?

2 A Yes.

3 Q And a signature for a registrar James J her
4 reviews sa?

5 A Yes.

6 A I would note that the Dean is going to be
7 different on those because some of them are different
8 colleges.

9 Q So this we're looking at CSU, 001 diploma, is
10 the Andrew because he is the Dean of Business and
11 Administration?

12 A Yes.

13 Q And is your understanding that the reason why
14 the Board of Govenors, sir is listed on the Diploma,
15 because there is no Board of Trustee in 1979?

16 A That's correct.

17 Q And it is pretty school that the registrar
18 used to be on the diploma in 1979 as well?

19 A Sure.

20 Q Let's turn to CSU8 through 10.

21 Q Now, these diplomas were issued by CSU in the
22 '90s, correct?

23 A That is correct.

24 Q And how do you know when they are were

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1 issued?

2 A They say the year they were issued.

3 Q And you say that because each document states
4 when the diploma is granted.

5 A Correct.

6 Q And each of those date are in the 90s.

7 A Correct.

8 Q Could any of these diploma, considered drafts
9 or exemplar?

10 A I'm hot sure what the word exemplar means,
11 but none of those would be drafts.

12 Q And how do you know that?

13 A Because these are original diploma we had on
14 file.

15 Q And how can you be sure that they are
16 original?

17 A They are in H our possession, and have never
18 left our possession.

19 Q And why does CSU maintain copies of those di
20 memo mass and not others?

21 A As I mentioned before, we believe the student
22 did not pick them up.

23 Q And looking at these diplomas on the
24 left-hand side, you'll see a signature from the chair

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1 of the Board, correct.

2 A Correct.

3 Q Do you know who that is.

4 A A little hard to read the signature to be

5 honest.

6 Q And then on the right it looks like Elenora,

7 D Daniel signs the diploma?

8 A Yes.

9 Q And she is the President in the '90s.

10 A I believe so.

11 Q And under that signature, a Herbert Kwonly,

12 Science as the Dean of the university?

13 A As Dean of the college?

14 Q And we know he's Dean of the College Of

15 business because there is Dean at the bottom of the

16 page here?

17 A Correct.

18 Q And the seal on the diploma the seal is a

19 triangle with two lines through, correct?

20 A That's correct.

21 Q And the seal has the verbiage, 1867 under it?

22 A True.

23 Q And it has Chicago State University on top of

24 the seal, correct?

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1 A Yes.

2 Q And the seal has the word "responsibility"
3 under that?

4 A Yes.

5 Q And this seal is different than those that
6 were conferred in the Bates stamp CSU1 through seven
7 correct.

8 A Yes.

9 Q When did the seal change?

10 A I'm not certain. Some point between 1979 and
11 the 90s.

12 Q You think it changed in the 90s?

13 A Possibly.

14 Q And if you look at CSU8 and then CSU9, it
15 looks like the font is a little different between the
16 two. Do you see that?

17 A I don't see a difference to be honest?

18 Q If you look at the AD before 1989 and the AD
19 1998?

20 A Okay.

21 Q Do they look slightly different to you.

22 A You know necessary are scanned copies and it
23 is entirely possible that that difference is due to the
24 Xerox machine.

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1 Q And if you go to the Bates stardom CSU11.

2 And 12 these are two diplomas from 2003?

3 A Correct.

4 Q And they have two signatures on those diploma

5 diplomas?

6 A Yes.

7 Q And one from the Lubin chairperson and the

8 other Elenora D Daniel president of the university

9 correct?

10 A Correct.

11 Q And Dr. Lubin was the chairperson in the

12 2003?

13 A Yes.

14 Q Doctor Lubin, was Dr. Lubin the Chairman man

15 in the 2022.

16 A I do not know that off the top of my head.

17 Q And Elenora, Daniel the president in the

18 2003?

19 A Yes.

20 Q And Elenora Daniel is not the president in

21 the 2022 correct?

22 A Correct.

23 Q And you'll see the seal on these diplomas

24 from 2003, are seals with a tree on them?

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1 A Uh-uh, yes.

2 Q And that seal is different from the previous
3 set of diplomas?

4 A That is correct.

5 Q So when did the seal change then?

6 A At some point between 1999 and 2,003.

7 Q And you don't know which date?

8 A No I'm not certain.

9 Q Is the seal the same today?

10 A No.

11 Q And what is the seal now?

12 A Our current seal. It is a book, but it looks
13 a little like a tree.

14 Q And when did that change?

15 A I don't know for certain, I believe that was
16 at some point in the 20 teens.

17 Q And going back to the Exhibit 3, you look at
18 the Request Number 2, the request is a true and correct
19 copy of the any diploma issued by the CSU in the 1979
20 to Mr. Tinubu. Do you see that?

21 A I do.

22 Q And CSU has determined that it does not have
23 a true and correct copy of too Bola Tinbuti in 1979?

24 A That is correct.

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1 Q And how did the CSU determined that it did
2 not have a true and correct copy of this?

3 A We went through every diploma in our
4 possession.

5 Q And you went through every diploma in your
6 possession, given the importance of this matter.

7 A Yes.

8 Q And so CSU after going through every diplomas
9 was unable to find and authentic copy of any diploma
10 matured to Tinubu in the 1979?

11 A We did not find any diploma issued by 1979 to
12 Mr. Tinubu.

13 Q But you retained copies of the some diplomas
14 of some and not others?

15 A When we have a copy of the diploma, it is
16 because a student didn't pick it up.

17 Q And you don't have a copy of the
18 Mr. Tinubu's, June 22, 1979 diploma or his June 27,
19 1979 diploma, correct.

20 A We have the June 27, 1979 diploma, is in our
21 possession.

22 Q The original June 27, 1978, diploma, is in
23 your possession it is a reordered copy.

24 A The one that you have, it is in one of your

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1 exhibits.

2 Q And the reordered copy is a re-created copy
3 that CSU re-created?

4 A It is a diploma reorder that matches what we
5 have in CSU11 and 12.

6 Q And why did you not produce the June 27
7 diploma yesterday.

8 A My impression was that you already had that.

9 MR. HAYES: Which request do you think it is
10 responsive to. I don't read it as being requested
11 yesterday.

12 MS. LIU: True and correct. Copy of any
13 diploma for a Bachelor of Science Degree issued by the
14 CSU in 1979?

15 MR. HAYES: Please ask the witness, but the
16 June 27, diploma was not issued by the CSU in 1979. We
17 all know that.

18 THE WITNESS: What he says is correct.

19 MS. LIU: And she was June 27, 1979 diploma
20 in Mr. Tinubu's files at CSU?

21 A We don't keep diploma that in the student
22 files. We have a file cabinet that has diplomas.

23 Q And how long do you keep diplomas, please let
24 me know at CSU?

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1 A At present until student pick them up. .

2 Q So just to backing up, just so I understand
3 it, say someone today graduated from the 1979 and calls
4 the registrars office and want a copy of their diploma
5 you don't have like a template for a degree from the
6 CSU in the 1979 in the registrar's office that you
7 use?

8 A Correct.

9 Q And that person requesting a gloam from 1979
10 department receive a copy of the diploma from 1979,
11 correct?

12 A Correct.

13 Q Diploma.

14 Q Let's go to Tab 4.

15 MS. LIU: Before I hand you another document.
16 I believe you testified that you produced the entire
17 student file?

18 A Correct.

19 Q Are there any other documents from the file
20 that have been withheld because you thought they were
21 not responsive?

22 A No.

23 Q Only the June 27th please let me know that,
24 correct?

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1 MR. HAYES: I object. As he testified
2 before, that diploma is not part of the Mr. Tinubu
3 file, when you say other documents with held from the
4 file that is not accurate, Mr. Westberg answer the
5 question if you can.

6 MS. LIU: I kindly ask Counsel from making
7 speaking objections and improperly coaching the
8 witness.

9 THE WITNESS: What was the question again?

10 MR. HAYES: I objected to the form of the
11 question.

12 A No.

13 Q But you did with located the June 27, please
14 let me know because you thought it was not responsive?

15 MR. HENDERSON: Objection, miss character
16 rises his testimony.

17 THE WITNESS: We provided what was requested.

18 Q But you did not provide the June 27, 1979
19 diploma?

20 MR. HENDERSON: Same objection.

21 THE WITNESS: We did not provide that
22 yesterday.

23 MS. LIU: No, no, I'm going to hand you
24 another document. 5.

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1 (WHEREUPON Exhibit # was marked for
2 identification), five.

3 Q I am going to hand you what is marked as
4 Exhibit 5, entitled Undergrad rate, please let me know
5 that order replace placement form. And this is the
6 form that is posted on the CSU website for an undergrad
7 order or replacement form.

8 A Yes.

9 Q And do you recognize this document?

10 A Yes.

11 Q And do you people fill out this form in order
12 to order a replacement diploma?

13 A Yes.

14 Q And does everyone has to fill out this form?

15 A If they want to order a replacement diploma.

16 Q And it says full legal name at time of the
17 graduation, you take steps to verify that this person
18 went to CSU?

19 A Correct, yes.

20 Q And what steps do you take?

21 A We locate their record.

22 Q And how do you do that?

23 A Using the confidential information provided
24 that allows you to identify their identity and we do a

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1 record look up and verify what is on the record before
2 we produce a diploma reorder.

3 Q And how far back in time do those records go.

4 A What do you mean.

5 Q Do you have record from the every student in
6 the 70 be?

7 A If they were ha student with us, we keep a
8 student file on them.

9 Q And how far back do the records go?

10 A I have seen record as early as the 30s.

11 Q Does CSU have a policy or practice after how
12 long they keep the student record?

13 A We keep the student record into perpetuity.

14 Q And what does CSU keep for the student who
15 graduated in the 1979?

16 A At the very least we maintain an official
17 transcript.

18 Q So every, CSU student who graduate waded in
19 the 1979 would have an official transcript in their
20 files?

21 A That's correct.

22 Q And where are these files kept?

23 A In our records room.

24 Q And are there any instance are record are not

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1 maintained for a student.

2 A No.

3 Q Do you keep any record of when former
4 students ask for the diplomas?

5 A No.

6 Q Did you have a record of when Mr. Tinubu
7 asked for the diploma?

8 A No.

9 Q Why don't you keep a record?

10 A It is not consequential to the student file.

11 Q And how many questions for the diploma do you
12 get typically, in a month.

13 A 1. If one. Maybe none.

14 Q It is pretty, A typical, if someone request a
15 replacement dim please let me know?

16 A It could be a handful in a -- this is not a
17 common, it is not that common.

18 Q And do you always verify that the someone
19 went to the University before I cannerring a
20 replacement diploma?

21 A Yes.

22 Q And by what mean base, do you do this, if we
23 talk about a student who attend 40 years ago.

24 MR. HENDERSON: Objection. Asked and

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1 answered.

2 THE WITNESS: I do answer this, we would look
3 up there record.

4 MR. HENDERSEN: On Exhibit 5, at the top of
5 the page, please note we only keep on file diploma up
6 to the two years. Please let me know you are correct?

7 A You are correct.

8 Q If someone graduated in the 2021, and asked
9 for the copy of their diploma from CSU, they would
10 receive a copy. Correct.

11 A I would provide the diploma if we had in our
12 possession, if not I would place an order.

13 Q But if someone graduated from the CSU in the
14 1979 you don't have a copy of that 1979 diploma?

15 MR. HENDERSON: Objection asked and answered?

16 THE WITNESS: The only event that we have a
17 copy is if a student didn't pick it up.

18 Q So do you keep documents that were reordered
19 only if they are not picked up?

20 A Correct.

21 Q So why do you have the June 27, diploma in
22 your files?

23 A While the University know that for certain,
24 my speculation, it was not picked up.

UNCERTIFIED TRANSCRIPT

1 Q And you're speculating correct.

2 A Correct.

3 Q You don't know that for certain?

4 A Correct.

5 Q And just process wise, you need to use a
6 different form diploma, if someone reorders a di memo
7 ma from the 1979 to today?

8 A It would appear like the di memo mass that we
9 issued in the 2023.

10 Q So correct me if I am wrong, all diploma are
11 signed by the current President and Board Chair?

12 A Correct.

13 Q And so if I graduated in the 1979 and I fill
14 out this form for a replacement diploma that placement
15 diploma, would be signed by the current president and
16 board Saturday are chair?

17 A Yes, correct.

18 Q And any one else that you would see to expect
19 to see on the diploma as a signature?

20 A No.

21 Q And if it is a third party requesting a
22 diploma of a CSU graduate, do you always call the CSU
23 graduate of --

24 A We would not do that, we would not process

UNCERTIFIED TRANSCRIPT

1 that D if it was not from the student.

2 Q Every time?

3 A We would verify it is the student who is
4 requesting.

5 Q So you have never --

6 (WHEREUPON Exhibit # was marked for
7 identification), six.

8 Q I'm handing you what has been marked as
9 Exhibit 6, this purports to be a June 22, 1979 issued
10 to Mr. Bola Tinubu, and you can see it is stamped by
11 INEC on the diploma as well. Have you seen this
12 document before.

13 A In the proceedings of this case, yes.

14 Q You have never seen this document prior to
15 the proceedings in this case?

16 A Correct.

17 Q And I'll submit to you that this diploma is
18 the diploma that Mr. Tinubu reported to the INEC, do
19 you have any reason to doubt that statement?

20 A No.

21 Q And this June 22, 1979 diploma I will refer
22 to as the INEC diploma for the simplicity sake for do
23 you understand?

24 A Yes.

UNCERTIFIED TRANSCRIPT

1 Q And let's take a look at the INEC diploma.

2 INEC diploma says that the diploma is granted on this

3 22nd day of June 1979. Correct.

4 A Yes.

5 Q And CSU didn't have a Board of Trustees in

6 the 1979, did it.

7 A True.

8 Q So let's look at the signature on the INEC

9 diploma. On the right it looks like one of the

10 signatures says Elenora Daniel, correct.

11 A Yes.

12 Q And Elenora Daniel was not the share or the

13 President of CSU in 1979, correct?

14 A Yes.

15 Q And she was the President from 1998 to the

16 2008, correct.

17 A As far as I'm aware.

18 Q For the other two signatures, the one on the

19 right, looks like her Herbert A Conley.

20 A It doesn't state Dean under it, correct.

21 A It does appear that may be cut off from the

22 Xerox.

23 Q But it is not there?

24 A I do not see it on the paper.

UNCERTIFIED TRANSCRIPT

1 Q And Herbert A Conley, was not Dean in 1979,
2 correct?

3 A As far as I'm aware.

4 Q And the signature on the left who was that?

5 A Very hard to make out signatures I'm not sure
6 what the name is.

7 Q You don't think this person was the Chairman
8 of the board in 1979?

9 A I didn't say that.

10 Q Are you looking at a different document?

11 A I think this matches what we have for
12 Exhibit 10 and 11.

13 Q From the Bates stamp CSU so and CSU11.

14 Q And those diploma plas are from 1990, well,
15 it is not from CSU11. Correct.

16 A Pops you are correct.

17 MR. HAYES: Keep your voice up please.

18 THE WITNESS: 9 and 10.

19 Q So.

20 MS. LIU: And the date for included on the
21 diploma for CSU9 and 10, are 1998 and 1999
22 respectively, correct.

23 A Yes.

24 Q And so this person on the left-hand side of

UNCERTIFIED TRANSCRIPT

1 Exhibit 6 that signature he wasn't the Chairman of the
2 Board in the 1979, correct.

3 A Correct.

4 Q And the seal on the Exhibit 6 doesn't have,
5 it is the triangle with it lines through it?

6 A Yes.

7 Q And the seal doesn't have the word
8 responsibility under it?

9 A Correct.

10 A Not on this copy, no.

11 Q And the seal does not have 1867 under it?

12 A Not on this copy.

13 Q And you are unaware of any diploma that
14 includes these three signature being issued by the CSU
15 correct.

16 A Correct.

17 Q And you are unaware from any diploma from
18 1979 that includes the triangle, seal having been
19 issued by the CSU, correct.

20 A Correct.

21 Q And you have's never seen a diploma that
22 cut off the triangle seal in this manner?

23 A Correct.

24 Q You have never seen a diploma that cut off

UNCERTIFIED TRANSCRIPT

1 the signature of Herbert Conley, position like that?

2 A Correct.

3 Q And CSU doesn't have a 1979 diploma that
4 contains the font CL signatures and wording apart from
5 the INEC diploma, correct.

6 A Correct.

7 Q And CSU doesn't know of any diploma like the
8 INEC diploma being issued, correct.

9 A I believe that is what we produced that in
10 the request. Hold on. The ones that are like it, are
11 CSU, eight, nine and 10.

12 MS. LIU: CSU8, 9 and 10, are dated in the
13 1999?

14 A You are correct.

15 Q Or from the 90s?

16 A Correct.

17 Q And Exhibit 6 is dated from 1979 crescent?

18 A It is dated 1979.

19 Q So CSU doesn't know of any diplomas dated
20 1979 like the INEC diploma that has ever been issued
21 correct.

22 MS. LIU: It is a simple yes or no answer.

23 A Sure.

24 Q That's correct.

UNCERTIFIED TRANSCRIPT

1 A Yes.

2 Q And has hoe bases so that it was issued by
3 the CCSU?

4 A Check audio.

5 A The student in the question graduated from
6 the university June 22, 1979, were not qualified to
7 verify whether this document is authentic, given that
8 it is not in our possession.

9 Q Have you ever seen a diploma purporting to
10 the be from the CSU but was actually a forgery?

11 A Yes.

12 Q Are you awe wear of any entities, create such
13 fake diplomas?

14 A Yes.

15 Q Can you give me some examples of that --

16 A Not I cannot provide a name of an entity,
17 that does such, however, you can Google this easily,
18 there are many companies that do this for folks.

19 Q And CSU has no record of issuing this INEC
20 diploma to the President Tinubu in 1979?

21 MR. HENDERSON: Objection. Asked and
22 answered?

23 A Correct.

24 Q And CSU has no record of I's cannerring, INEC

UNCERTIFIED TRANSCRIPT

1 to President Tinubu?

2 MR. HENDERSON: Objection. Asked and
3 answered for a third time.

4 A Correct, we do not keep copies of the reorder
5 requests.

6 Q And CSU did not issue either the two diploma
7 to the President Tinubu in the 1979, correct?

8 A Can you rephrase that.

9 Q So CSU did not issue June 22, 1979 diploma as
10 well as the June 27, 1979 diploma to Mr. Tinubu in
11 1979?

12 MR. HENDERSON: Objection. Compound
13 question.

14 MS. LIU: Reframe from making.

15 MR. HENDERSON: Other than a speaking
16 objection, vague. And -- question is not a speaking
17 objection.

18 MR. HAYES: You can answer the question Caleb
19 if you understand it.

20 A We issued a diploma to every. Students that
21 graduates. I think I'm a little confused by the
22 question, though.

23 Q I'll rephrase it. So CSU did not the INEC
24 diploma to President Tinubu in 1979?

UNCERTIFIED TRANSCRIPT

1 MR. HENDERSON: Objection. Asked and
2 answered?

3 THE WITNESS: Not in 1979.

4 Q And did not issue a diploma dated June 27,
5 1979 to Mr. Tinubu in 1979?

6 A Correct.

7 Q Mr. Westberg, I'm hand you can you what is a
8 has been marked as Exhibit 7. It is a letter from CSU
9 dated June 27, 2022, do you recognize that document.

10 A I do.

11 Q This is a stock letter for anyone who
12 requested Mr. Tinubu's record?

13 A Yes.

14 Q Did you draft this letter?

15 A I did.

16 Q Did anyone else help to prepare you in
17 drafting this letter?

18 A No.

19 Q And was CSU counsel involved at this point.

20 A I don't recall.

21 Q Do you recall CSU outside counsel was
22 involved at this point?

23 A I don't think so.

24 Q And no one else was anyone else involved in

UNCERTIFIED TRANSCRIPT

1 drafting this letter?

2 A no. in about 20 years ago we received similar
3 requests and a past registrar named Lois Davis looked
4 into the matter and drafted a more or less, identical
5 letter at that time as well.

6 Q So 20 years ago, you received similar
7 requests about Mr. Tinubu's record?

8 A That's correct.

9 Q And Lois Davis was the registrar then?

10 A She was.

11 Q And she wrote a stock letter similar to this
12 in Exhibit 7?

13 A Yes.

14 Q And you don't have a record of that in your
15 possession?

16 A Not no.

17 Q There is no record of Lois Davis' letter in
18 the CSU's possession?

19 A Yes, we have a copy of the letter.

20 Q And that is in Mr. Tinubu's files?

21 A No.

22 Q Where would that be then?

23 A Somewhere in our office, probably in my
24 office at present.

UNCERTIFIED TRANSCRIPT

1 Q University like sitting on your desk or
2 where?

3 A When these matters arise and we have to do
4 checking on thing, we look up what we have available to
5 us and this was found.

6 Q So where was it found?

7 A 1 of my staff members brought it to me.

8 Q Was that in electronic form?

9 A Yes. A scanned copy.

10 Q And so you took miss Davis' letter and just
11 made and identical letter in 2,022.

12 A After verification of the record to ensure
13 that was accurate.

14 Q And what did you do to verify?

15 A I looked up the student record.

16 Q Anything else.

17 A Nothing else.

18 Q Did you call Miss Davis?

19 A No.

20 Q Was the letter that is Exhibit 7 drafted at
21 the request of the Mr. Tinubu?

22 A No..

23 Q And do you know if the letter drafted by Lois
24 Davis was drafted at request of Mr. Tinubu?

UNCERTIFIED TRANSCRIPT

1 A I doubt it.

2 Q Why do you say that?

3 A I was not around when Lois Davis was
4 registrar so I can't 100 percent say that, we as
5 registrar don't usually, issue letters of student.

6 A We don't generally do these kind of
7 typically, the student without being requesting a
8 letter like this.

9 Q And so was a hyperfile situation 20 years
10 ago.

11 A My understanding is that yes, I believe
12 bulletin who has been in the politics for a long time.

13 Q And in drafting Exhibit 7, was there and
14 uptick in the number of inquiry for Mr. Tinubu's
15 record then?

16 A Yes.

17 Q And were you balding those inquiries?

18 A Yes.

19 Q Building.

20 Q And were they in to his diploma?

21 A Yes.

22 Q And about how many inquiries, did you get?

23 A 5 to 30 a day.

24 MR. HENDERSEN: Would you read that answer

UNCERTIFIED TRANSCRIPT

1 back.

2 Q And how would those inquires come to CSU?

3 A Via, e-mail.

4 Q And for each of necessary inquiries, you

5 would send this letter that is Exhibit 7?

6 A Correct.

7 Q And did you notify Mr. Tinubu each time?

8 A No.

9 Q And you knew it was a controversial matter,

10 but you did not notify him?

11 A The university was not under the impression

12 this was a controversial matter.

13 Q You knew it was an important matter though,

14 and you didn't notify him then?

15 A Correct.

16 Q And the letter state please be advised that

17 the bola Tinubu attended Chicago State University from

18 the August 1977 to June 1979. He was awarded a

19 Bachelor of Science Degree in the Business

20 Administration with honor on June 22 terms and

21 conditions 1979. His major was accounting. Apart from

22 coping the information from Lois Davis' letter, what

23 is the basis for the assertions in this letter.

24 A The student transcript.

UNCERTIFIED TRANSCRIPT

1 Q Anything else.

2 A no.

3 Q Your assertions are rather than the are
4 aren't based on personal knowledge though that
5 Mr. Tinubu applied, correct.

6 A No.

7 Q And were you told by someone that Mr. Tinubu
8 applied.

9 A No.

10 Q So CSU has no basis to conclude with the
11 certainty that the Bola Tinubu is the same Bola Tinubu
12 who is president, correct?

13 A We believe they are one in the same.

14 Q So CSU is simply, assuming that the Bola
15 Tinubu is the same person as the President?

16 MR. HENDERSON: Objection asked and answered?

17 THE WITNESS: That is correct.

18 Q And whom it may concern that CSU produced
19 yesterday doesn't have your signature right?

20 A Can you show me what we are talking about.

21 Q Sure.

22 (WHEREUPON Exhibit # was marked for
23 identification) Exhibit 8.

24 Q I hand you what has been marked as the

UNCERTIFIED TRANSCRIPT

1 Exhibit 8.

2 A You are correct, their letter does not have
3 my signature.

4 Q And I'll just put on the record that the
5 Exhibit 8 are the documents that are some of the
6 document that you produced that CSU produced yesterday.

7 A Yes.

8 Q And so to the to whom it may corn letter
9 doesn't have yourating.

10 MR. HENDERSON: Can we talk about the Bates
11 stamp to make the record here?

12 A Would you let me know, Bates stamp CSU0015,
13 doesn't have your signature right.

14 THE WITNESS: I don't see the Bates stamp but
15 this letter here or this one does have and this one
16 does not have the signature. 0013 does not have my
17 signature.

18 MR. HAYES: Can we stop for a second. Can I
19 ask a question, the exhibit that you showed the witness
20 CSU0015, is not what we produced yesterday. It is
21 missing the Jamar or attached up in the corner. J Arc O
22 R R. I'm looking at what we've produced yesterday and
23 what we just handed the witness with the CSU number on
24 it and the documents are different.

UNCERTIFIED TRANSCRIPT

1 Q These document were what we received
2 yesterday, we can clear up from the maybe after the
3 break, but it is not necessary at this point?

4 MR. HENDERSON: I would object, if you are
5 going to ask questions about the document, I would are
6 like to refer to the Bates nal or if you are not going
7 to ask him question that is fine, if you are going to
8 ask let's be on the same page either by exhibit or
9 Bates page.

10 MR. HAYES: I'm happy to talk to you during
11 the break about the parent discrepancy in the some of
12 the markings on the documents I agree we should move
13 ahead, I apologize.

14 Q And you are aware. That are you oh, you
15 aware that to whom it may conern, that was Nigerian has
16 your signature.

17 MR. HENDERSON: Either, what exhibit or Bates
18 page.

19 MS. LIU: I'm asking him a question you.

20 MR. HENDERSON: You are referring to a
21 document.

22 MS. LIU: I can depo to the Exhibit 7.
23 Exhibit 7 has your signature on it, correct.

24 A Yes.

UNCERTIFIED TRANSCRIPT

1 Q Are you aware that this letter with your
2 signature on it, was submitted in the Nigerian
3 litigation.

4 A I am now.

5 (WHEREUPON Exhibit # was marked for
6 identification), Exhibit 9.

7 Q Landing the witness what has been marked as
8 Exhibit 9. This is a subpoena issued by Mike
9 ENAHORO-EBAH. This is the subpoena issued by Mike
10 Enahoro-Ebah lawyer Mr. Kowals, K-O-W-A-L-S. And it is
11 a subpoena for the record pertaining to the admission
12 or pertaining to record, it is a subpoena for any and
13 all record pertaining to the admission of bola Ahmed
14 Tinubu. Do you recognize that.

15 A Yes.

16 Q You have seen this subpoena before?

17 A Yes.

18 Q Were you the one that gathered the
19 information for this subpoena?

20 MR. HAYES: I would object to this line of
21 questioning as not related to today's topics of
22 today's deposition, topic, one through five,
23 Mr. Westberg is not here on the University's behalf
24 to address questions about that prior subpoena. I'm

UNCERTIFIED TRANSCRIPT

1 not going to instruct you not to answer, but
2 Mr. Westberg can answer question to the extent of his
3 personal knowledge and I ask you to stick to the topic
4 of the deposition today, this isn't one of them.

5 MS. LIU: Topic Number 2, is CSU positions on
6 the authenticity of the eight document that are
7 included in the exhibits to the complaint in
8 Enahoro-Ebah versus, Tinubu.

9 MR. HAYES: I agree it is the authenticity of
10 the document that are attached to the subpoena. But
11 please go ahead I have stated my objection.

12 MS. LIU: Were you the one that gathered the
13 information for this subpoena.

14 A Yes.

15 Q Did anyone else help you?

16 A No.

17 Q And let's turn back to the subpoena which is
18 Exhibit 2. The subpoena in this matter.

19 A Yes.

20 Q And attached to?

21 MR. HENDERSON: I am sorry. We are on
22 Exhibit 2 now.

23 MS. LIU: Yes, attached to that exhibit are
24 additional documents that were topics in the subpoena..

UNCERTIFIED TRANSCRIPT

1 A Yes.

2 Q And if you can turn to the page with the
3 handwritten Exhibit 7 on it, it is a letter from you to
4 Mr. Kowals dated September 22, 2022. Do you recognize
5 this letter?

6 A I do.

7 Q This letter was sent by CSU, that is correct.

8 A That is correct.

9 Q And you signed this letter?

10 A I did.

11 Q And it says, the enclosed documentation, is
12 all the record we have for Bola Tinubu. We do not have
13 the record of any documentation for a passport visa,
14 Social Security Card or driver's license, initially, we
15 don't have a record of how o tuition was paid during
16 their time of attendance.

17 Q Before sending along these documents to
18 Mr. Kowals, did you contact Mr. Tinubu?

19 A No.

20 Q Why not?

21 A I was not instructed to do so.

22 Q And who would have instructed you to do so?

23 A Our Legal Affairs Department.

24 Q Did the Legal Affairs Department tell you you

UNCERTIFIED TRANSCRIPT

1 could send one of these documents without contacting
2 Mr. Tinubu. Strike that. Par par this letter has more
3 information in it than the stock letter of information
4 that you sent before in Exhibit 7.

5 A You are correct.

6 Q And the remainder of the document attached to
7 this subpoena that is Exhibit 2, these were included in
8 the Enahoro-Ebah complaint with this letter.

9 A What are we referring to.

10 Q So the remainder of the documents attached to
11 the subpoena which is Exhibit 2?

12 A Oh, I see, yes.

13 Q And the remainder, did Mr. Enahoro-Ebah?

14 A Yes.

15 Q And looking at the documents with the written
16 Exhibit 9, the written Exhibit 10. And written
17 Exhibit 11, and written Exhibit 12 how did CSU
18 authenticate these documents before sending them to
19 Mr. Enahoro-Ebah.

20 A We located them in the student file.

21 Q And the written Exhibit 8, was that also in
22 the student file.

23 A no. this is in the file cabinet with
24 diplomas.

UNCERTIFIED TRANSCRIPT

1 Q So looking at these exhibits or at least
2 document, how is CSU cellular that they all concern the
3 same Bola Tinubu who is now president?

4 A Because of the transcript.

5 Q And that the only basis?

6 A That is the official record of the a student,
7 a diploma in the U.S. is considered a ceremonial
8 document.

9 Q Let's look@ment handwritten nine which state
10 Chicago State University academic record at the top?

11 A Yes.

12 Q And you see in the upper right hand corner,
13 that the bitter date appearance to be 3/29/54 here.

14 A That is correct.

15 Q And you are aware that Mr. Tinubu also
16 submitted to the INEC that his H birthday is 3/29/52?

17 A I'm not aware of that.

18 Q How can you be sure that this is the same
19 Bola Tinubu who is now president?

20 A This is the part of the student official
21 record, we don't have any reason to authenticate of our
22 student record. Authenticity of our student record.

23 Q But there is nothing in this document that
24 strike that.

UNCERTIFIED TRANSCRIPT

1 Q Exhibit 12, the handwritten Exhibit 12. Leer
2 it says, that the Bola A Tinubu is female.

3 MR. HENDERSON: What document are we looking
4 at?

5 MS. LIU: Handwritten Exhibit 12,.

6 MR. HAYES: At the back of Exhibit 2. Vic.

7 MR. HENDERSON: I want to make cellular we
8 are on the same page.

9 Q (By Ms. Liu) It has a heading of southwest
10 college.

11 Q And this document is in the student files?

12 A You are correct.

13 Q And this document says, Bola A Tinubu is
14 female?

15 MR. HENDERSON: We are talking about the
16 southwest college document?

17 THE WITNESS: It does indicate that.

18 Q So how are?

19 MS. LIU: So how did you sure that the Bola A
20 Tinubu who is female is the Bola Tinubu of Nigeria.

21 MR. HENDERSON: Objection foundation?

22 A We can attest this is part of the student
23 record, there was received by the just, this is what we
24 have in connection with the student record.

UNCERTIFIED TRANSCRIPT

1 Q So anything received by the university you
2 just awe assume is correct.

3 A no.

4 Q So you are notarial sure then that this Bola
5 Tinubu listed at female is the same Bola A Tinubu is
6 the president R president of my engineer ra?

7 MR. HENDERSON: Objection. Asked and
8 answered?

9 THE WITNESS: I'm not saying that.

10 Q (By Ms. Liu) Because you are not
11 cellular,?

12 A I'm not saying that, because we believe there
13 to be part of the student record, so while you know, I
14 can't detest whether or not that was caught at the
15 time, this was submitted and received as part of the
16 student file.

17 Q So everything that is a part of the student
18 file is in your estimation, correct.

19 A I'm saying these are accurate document that
20 that are a part of the -- they are accurately part of
21 the student file.

22 Q But you are not saying that the information
23 submitted in the documents is correct.

24 A I'm saying I'm able to verify that this is

UNCERTIFIED TRANSCRIPT

1 what is a part of the student file.

2 Q So you are saying that the student, this is
3 part of the student file correct but just because a
4 record is a part of the student file doesn't mean that
5 the underlying information is correct right.

6 A You are correct.

7 Q So this document doesn't mean that this is
8 the same Bola Tinubu that is the President of my
9 Nigeria?

10 MR. HENDERSON: Objection. Asked and
11 answered.

12 THE WITNESS: Chicago University doesn't seek
13 to what is on the transcript, what I can say is this is
14 received by the Chicago State University and is a part
15 of the student file.

16 Q (By Mr. Hayes) We have been going for the
17 two hours, sometime soon, you can finish on that
18 document, I would request a five minute break.

19 Q (By Ms. Liu) So CSU doesn't know for
20 certain what is in these documents is true correct.

21 MR. HENDERSON: Objection. Asked and
22 answered?

23 THE WITNESS: Nobody working at the
24 university was currently working at the university was

UNCERTIFIED TRANSCRIPT

1 around in the 1979, so I don't have a way to tell you
2 what occurred with the southwest college transcript at
3 the time.

4 Q Can you read back the question.

5 MR. HENDERSON: Would you read back his
6 answer please. Read back.

7 Q (By Ms. Liu) And just a few employer
8 questions before a break, just to make sure I'm
9 clear, none of these documents we just looked at
10 state that the individual is Bola Ahmed Tinubu
11 correct.

12 A I'm not certain that we have his middle name
13 spelled out on those documents no.

14 Q (By Mr. Henderson) Which document are you
15 talking about. The Southwest College one that we
16 went over.

17 Q (By Ms. Liu) Any of the documents attached
18 to the subpoena?

19 MR. HENDERSON: Okay. The Southwest College
20 Sabo la A Tinubu.

21 MS. LIU: Let me ask the question again, none
22 of these documents --

23 THE WITNESS: They do not state his full
24 middle name.

UNCERTIFIED TRANSCRIPT

1 Q (By Ms. Liu) Thank you.

2 MR. HENDERSON: For the record the Southwest
3 College one says Bola HTinubu and the document in the
4 court file and I'm not sure what this is,?

5 MS. LIU: Mr. Henderson, kennelly, are you
6 speaking a speaking objection.

7 MR. HENDERSEN: I'm going to clarify the
8 record. Less are Bola H on the document that is three
9 or four pages ahead of the Exhibit 11 and ahead of the
10 Exhibit 11. On Exhibit 10, it says Bola A Tinubu. On
11 Exhibit 10. On Exhibit and another one --

12 Q But none of those documents state Bola Ahmed
13 Tinubu.

14 A You are correct.

15 Q Awe 10, bore, can we take a comfort break.
16 Austin --

17 MS. LIU: Back on the record, Mr. Westburg, I
18 asked you previously how do you know that the Bola
19 Tinubu and in the student record is the same B Tinubu
20 that is now president. And I believe your testimony is
21 that the record is correct.

22 A I guess how do you know that it is the the
23 same person who is president.

24 A So when we do an analysis of the record we

UNCERTIFIED TRANSCRIPT

1 are looking at a lot of the documentation in, we are
2 looking at the official transcript. We're looking at
3 thing like for example what is in here is the admission
4 to the student and the admissions application, all of
5 outhears things match that identity and so we have no
6 reason to doubt that what's in the student record is
7 what we have.

8 Q I guess I would ask you this question. So
9 using my name, Angela Liu if there is a record of Angie
10 Liu in CSU files, how do you know this is the same
11 Angie Liu that is iting in the front of you right now.

12 MR. HENDERSON: Objection asked and answered.

13 A We would check your student file against your
14 personal information in the case of Bola Tinubu it is
15 the unusual name in the U.S. It is not a hard one to
16 verify.

17 Q Do you know if Bola Tinubu is a common name
18 in the fly engineer yeah?

19 A I'm not aware.

20 Q Nigeria.

21 Q And your aware of the discrepancy of his
22 birth date in the document appended to the subpoena and
23 what was submitted to the INEC?

24 A Can you reference where we're looking at

UNCERTIFIED TRANSCRIPT

1 discrepancy,.

2 Q Handwritten Exhibit 9 says the date of birth
3 is 3/29/54?

4 A Against which document.

5 Q I can submit to you that the document that
6 was submitted to in the Mr. Tinubu's affidavit of
7 particulars state that hi birthday is March 29, 1952. .

8 MR. HENDERSON: For the record can you
9 identity that document for us please.

10 MS. LIU: It is I can get that exhibit, are
11 you aware of any of the discrepancy in his bitter date
12 in in these document that were submitted to the INEC.

13 MR. HENDERSON: Same objection.

14 THE WITNESS: According to the record, I'm
15 not aware of any discrepancies.

16 MS. LIU: And you are aware of the
17 discrepancy in his gender?

18 A The university is not confused by this, we
19 issued a to Bola Tinubu and he applied as a male
20 student that is a part of the record.

21 Q So if you have a record of and Angela Liu in
22 CSU's files, you are certain it is the same one in
23 front of you now?

24 MR. HENDERSON: Objection. Calls for

UNCERTIFIED TRANSCRIPT

1 speculation and complete hypothetical.

2 THE WITNESS: I would need to look at what
3 you submitted to me, to identify your identity.

4 Q Can you give me some examples of that?

5 A When we seek to verify identity, we are
6 seeking to the look at legal name, we are looking at
7 date of birth, we are looking to look at you know,
8 could be social security number -- you know, there is a
9 variety of personal identification information that we
10 might look up.

11 Q Identifying information.

12 Q Okay, let's go to and going back to that, I
13 guess did you verify strike that. Turning to
14 handwritten exhibit approximate, attached to the
15 subpoena which is Exhibit 2 in this case. This is a
16 diploma that is I'm sorry I ask that you turn to the
17 exhibit handwritten Exhibit 8. Which is the diploma
18 dated the 27th day of June, 1979.

19 A Yes.

20 Q Do you recognize this document.

21 A I do.

22 Q And this was one of the documents that were
23 included in the letter to Mr. Kowals?

24 A Yes. K O W A L S. Hold on. Oh, yes. .

UNCERTIFIED TRANSCRIPT

1 Q And there is issued with the Enahoro-Ebah
2 subpoena?

3 A This is date.

4 A Yes.

5 Q This is dated differently than the diploma
6 that is dated June 22, 1979?

7 A You are correct.

8 Q And was this because this one is dated
9 July 27, 1979, correct.

10 A Yes.

11 MR. HAYES: You meant to say June, Angela.

12 MS. LIU: Yeah, June 1979.

13 A Above that was the Mr. Hayes.

14 Q And this document was already in
15 Mr. Tinubu's files when you were responding to the
16 Mr. Enahoro-Ebah for a subpoena?

17 A We had this in our diploma file cabinet.

18 Q Typically, you don't keep diplomas longer
19 than it years?

20 A We only mail diplomas that students do not
21 pick up.

22 Q Do you ever send di memo mass out?

23 A We do mail diplomas as part of our business
24 operations. Some student request a pick up and some

UNCERTIFIED TRANSCRIPT

1 student do not. At other point in time, this is not
2 current, but a diploma may be, it used o be that the
3 diploma were sometimes held due to an outstanding
4 balance as well.

5 Q So this diploma could have been held because
6 of an outstanding balance?

7 A I doubt that, but I suppose it is possible.

8 Q So why would you have this diploma dated
9 June 27, 1979 and not the INEC diploma.

10 A I have this diploma because it was never pick
11 up, the INEC diploma we don't have in our possession,
12 as it is not a current record of ours.

13 Q And you didn't mail you think think to mail
14 that June 27, 1979 diploma?

15 A no. we do not mail any of our diplomas.

16 Q How long has this diploma been in your file?

17 A We would have to speculate around the same
18 time as the ones that match the signature and the seal.

19 Q And are you referring to the documents Bates
20 stamp CSU11 and CSU12?

21 A Correct.

22 MR. HAYES: Let her finish.

23 Q -- Exhibit 2.

24 A I was referring to the Exhibit 4, 11 and 12.

UNCERTIFIED TRANSCRIPT

1 Q And if you could turn back to the document
2 requests that CSU responded to. Through the Exhibit 3.

3 Q And it state, CSU for the response to Number
4 request Number 3, CSU is also producing bait labeled at
5 CS11 and 12, prepared for the other student which match
6 the format of the Tinubu replacement diploma dated
7 June 1997. Is 1997 a typo.

8 A Yes.

9 Q Should it be the 1979?

10 A I believe so.

11 Q And then you are saying the CSU document
12 Bates stamped, CSU11 and 12, match the format of the
13 Tinubu diploma dated June 27, 1979 then correct.

14 A Yes.

15 Q And if I go back to the CSU11 and 12
16 documents so the documents Bates attached 11 and 12,
17 which are?

18 MR. HAYES: Exhibit 4.

19 MS. LIU: Part of Exhibit 4. These documents
20 are from 2,003 correct.

21 A Correct.

22 Q And just to make sure that it is clear for
23 the record, the response to request Number 3, which
24 state that the students' name on this has been --

UNCERTIFIED TRANSCRIPT

1 sorry, which states, CSU is also producing Bates
2 labeled at CSU11 and CSU12, diplomas prepared foreother
3 students with their names redacted for the privacy,
4 which match the format of the Tinubu replacement
5 diploma dated June 27, 1997 that you means June 271979.

6 A That is correct.

7 MR. HAYES: I'll state on the record as the
8 author that is my typo.

9 Q And CSU11 and 12, those Bates stamp document
10 are from 2,003 correct.

11 A Yes.

12 Q And there is not from 1979 correct.

13 A Correct.

14 Q And going back to the June 27, 1979 diploma
15 that is attached to Exhibit 2, you didn't prepare this
16 diploma?

17 A No.

18 Q Do you know who prepared this diploma?

19 A No.

20 Q And your speculating that the diploma is in
21 the files because it wasn't picked up.

22 A Correct.

23 Q So why would Mr. Tinubu in Nigeria row order
24 a diploma and not asked that it be sent to him.

UNCERTIFIED TRANSCRIPT

1 MR. HENDERSON: Objection. Foundation.

2 Calls for speculation.

3 A You may want to ask him.

4 Q (By Ms. Liu) You have any thought on that?

5 MR. HENDERSON: Same objection,.

6 A I can't speculate on why a student behaves
7 the way they behave.

8 Q Does it sound plausible to you that
9 Mr. Tinubu in Nigeria would reorder a diploma and not
10 asked that it be sent to him.

11 MR. HENDERSON: Same objection?

12 THE WITNESS: Yes.

13 Q (By Ms. Liu) Liu this diploma dated
14 June 27, 1979 looks different than the INEC
15 diploma?

16 A You are correct.

17 Q The verbiage of top is different. Correct.

18 A Yes.

19 Q Because the seal with a tree on it, correct.

20 A Correct. I believe we answered these.

21 Q And it is signed by Eleanor Daniel who is
22 president of the University, correct.

23 MR. HENDERSON: Objection. Asked and
24 answered.

UNCERTIFIED TRANSCRIPT

1 THE WITNESS: Yes.

2 Q (By Ms. Liu) Liu she wasn't the president
3 of the university in 79?

4 MR. HENDERSON: Same objection. Asked and
5 answered.

6 THE WITNESS: She is correct and that is
7 correct.

8 Q And she wasn't the President in 2022,
9 correct?

10 A Correct.

11 Q Also signed by Niva Lubin by the Board of
12 Trustee, correct.

13 A Correct.

14 Q And Dr. Lubin wasn't the Board of Trustee in
15 1979 hen-same objection, asked and answered?

16 THE WITNESS: Yes.

17 Q Dr. Lubin wasn't chairman of the board of
18 trustees in 2022, correct?

19 A Correct.

20 Q Apart from the letter to Mr. Kowals. What
21 communications did you have with Mr. Enahoro-Ebah
22 lawyers?

23 A None.

24 Q Now, let's move to some more documents.

UNCERTIFIED TRANSCRIPT

1 MR. HAYES: Can we take a slotter break and
2 get the right one.

3 (WHEREUPON Exhibit # was marked for
4 identification). 10..

5 MR. HENDERSON: This is being marked as 10.

6 MR. HAYES: Yes.

7 Q (By Ms. Liu) Liu I've just handed you
8 exhibit marked as 10 and these are documents that I
9 just received as the official copy of the CSU
10 produces relating to Mr. or. Previously I had put
11 many the record Exhibit 8 which is the copy that we
12 received yesterday from CSU but Exhibit 10 is the
13 official copy from the CSU.

14 MR. HAYES: Can you confirm that for her
15 Caleb.

16 A Yes, that is correct.

17 Q So tress document in the Exhibit 10 were
18 produced in response to a document request asking for
19 true and correct copies of any CSU documents relating
20 to Mr. Tinubu that were certified by the Jamar C. Orr,
21 correct?

22 A Correct.

23 Q And Lamar or his associate, GC of CSU?

24 A He was.

UNCERTIFIED TRANSCRIPT

1 Q And does associate, GC -- document?

2 A I'm not aware of that.

3 Q Are you aware of any other instance when
4 associate or when any documents are certified by CSU
5 counsel?

6 A No I'm not.

7 Q And what does certifying a document even
8 mean?

9 A My impression the recollection in this was
10 that he was request requested to do this.

11 Q And who requested him to do this.

12 A I think the W O L E A F O L B I.

13 Q Mr. Obvious Mr. Woleafolbi is Mr. Tinubu
14 lawyer here, correct?

15 A I believe so, yes.

16 Q And did you speak with Mr. Woleafolbi?

17 A No.

18 Q Do you know if Mr. Orr spoke with
19 Mr. Woleafolbi?

20 A I think they had an e-mail exchange.

21 Q Was it prior to certifying these documents?

22 A Yes.

23 Q And do you know what was discussed in that
24 e-mail exchange?

UNCERTIFIED TRANSCRIPT

1 A The request to certify the documents.

2 Q Have you seen their e-mail before?

3 A I don't recall.

4 Q And did anyone at CSU certify the

5 certification?

6 A I don't understand the question.

7 Q Did anyone at CSU know that Mr. Orr was

8 certifying those documents?

9 MR. HENDERSON: Objection. Foundation.

10 Vague.

11 A I believe Jason Carter was aware. Part of

12 General Counsel.

13 Q Do you know Jason Carter then approved their

14 certification.

15 A I'm not aware.

16 Q And looking at CSU13, the document Bates

17 stamped, C SU13. It's states that on June 28, 2023, in

18 compliance with the family education right and prive va

19 act, on receipt of sign consent from Mr. Bola A. tinubu

20 diploma, Mr. Woleafolbi was provided the educational

21 record of Mr. Tinubu. Do you see that?

22 A I do see that.

23 Q And so your understanding is that

24 Mr. Woleafolbi e-mailed Mr. Orr asking for these

UNCERTIFIED TRANSCRIPT

1 documents, correct?

2 A I don't know the question was made, it was
3 played, via, the form you have which is CSU14. .

4 Q (By Ms. Liu) Liu apart from the Jason
5 Carter, do you know of anyone else who was involved
6 in certifying these documents?

7 A No.

8 Q Did you help correctness document for
9 certification. Collect?

10 A Yes, they were from the student file.

11 Q Did Mr. Orr ask you to collect the document
12 for certification.

13 A He asked me to provide them which I did.

14 Q And so you went to the student file and you
15 provided the documents to Mr. Orr?

16 A Yes.

17 Q So that he could respond to
18 Mr. Woleafolbi's request?

19 A Yes.

20 Q Did you know that Mr. Orr was going to
21 certify and provide them to Mr. Tinubu's lawyers?

22 A I was aware that the request was made. I
23 don't get involved in the legal affair to say, business
24 processes.

UNCERTIFIED TRANSCRIPT

1 Q So turning to the CSU14 the content to
2 release student educational record it looks like it is
3 for Bola, Ahmed Tinubu from Lagos Nigeria, correct.

4 A That is correct.

5 Q Asking for the grades, kick process?

6 A That is correct.

7 Q And Lagos, Nigeria.

8 Q And the record should be released to
9 Mr. Woleafolbi correct.

10 A Correct.

11 Q And there being released for legal
12 proceedings, is that correct.

13 A Correct.

14 Q And then it has a signature dated
15 286-20-23##, is that Mr. Tinubu signature?

16 MR. HENDERSON: Objection. Foundation.
17 Calls for speculation.

18 A It appears so yes.

19 Q And do you know what legal proceedings they
20 were being released for.

21 MR. HENDERSON: Same objection. Foundation.
22 Calls for speculation.

23 A I believe it was the state court case this
24 summer.

UNCERTIFIED TRANSCRIPT

1 Q Can you be more specific?

2 A I don't recall what the state case was called
3 this summer, you probably have that.

4 Q And then moving to the CSU, 15, which is the
5 next page, this is a June 27, 2022, to whom it may
6 concern letter, it does not have your signature
7 included in this document correct.

8 A Correct.

9 Q And why does it not.

10 A The university deemed it kind to me to take
11 me off the document because of how many inquiries, we
12 were receiving and the amount of that I was coming into
13 the press.

14 Q And looking at these documents provided to
15 Mr. Orr, there are more documents provided here than
16 what you had previously seen in response to
17 Mr. Enahoro-Ebah subpoena correct.

18 MR. HAYES: Objection. Foundation.

19 THE WITNESS: I'm not aware of any
20 differences in the documents.

21 Q You would expect the same documents would be
22 produced here as in the Enahoro-Ebah spen that?

23 MR. HENDERSON: Objection. Foundation.

24 Calls for speculation.

UNCERTIFIED TRANSCRIPT

1 THE WITNESS: I believe so.

2 Q And all of these document certified by

3 Mr. Orr came from the CSU files.

4 A Correct.

5 Q Did any of those document come from the

6 Mr. Tinubu in the 2022, or 23?

7 THE WITNESS: The FERPA form. F ER PA.

8 Q And anything else.

9 A No.

10 Q FERPA.

11 Q What's process to certify documents?

12 A That is a great question. I assume that was

13 a legal thing, I suspect you although about that than I

14 do.

15 Q Has CSU ever certified documents for anyone

16 else.

17 A Not that I'm aware.

18 Q And so and compensation was made for

19 Mr. Tinubu?

20 MR. HENDERSON: Objection. Foundation.

21 Calls for speculation,.

22 A I don't know if it is an exception, but we

23 complied with the request.

24 Q But you have never seen it a certification

UNCERTIFIED TRANSCRIPT

1 process happen for someone else?

2 A No I believe this was made because it is more
3 of a Nigerian thing.

4 Q Employer of a Nigerian thing. So were these
5 documents pulled together for legal proceedings in the
6 fly engineer yeah?

7 MR. HENDERSON: Objection. Asked and
8 answered.

9 A I believe this was related to the west
10 pressing case. Oh I'm sorry, I apologize you are
11 talking about the FERPA, this was produced as a rul of
12 the FERPA request.

13 Q And the FERPA request state that the record
14 are being released for the purposes in legal
15 proceedings?

16 A Correct.

17 Q So are you aware of whether these documents
18 were requested to be certified for the Nigerian
19 proceedings.

20 A I believe they were requested by
21 Mr. Woleafolbi to be certified. I cannot say more than
22 that about why or why or for what.

23 Q And looks like these stamps in the corner
24 here, upper corner, of each of these documents says

UNCERTIFIED TRANSCRIPT

1 certify certified true copy, certified by the Jamar

2 Orr. Is this stamp and o-Fish stamp?

3 A I'm not aware if it is an official stamp. It

4 was what was requested.

5 Q So CSU representative today, you don't know

6 if this is an official stamp of?

7 MR. HENDERSON: Objection, asked and

8 answered.

9 A I suppose as a matter of course given that we

10 were certifying the document, we could call it

11 official.

12 Q And why did Mr. Orr feel compel to stamp the

13 documents certified true copy?

14 A Because it was requested.

15 Q This isn't part of any CSU practice correct?

16 A Correct.

17 Q Did Mr. Orr later departed from the CSU

18 several weeks after the certificate if I cake of these

19 documents correct?

20 A I believe so.

21 Q Was it related to the certification?

22 A Not that I'm aware of.

23 Q Do you know why Mr. Orr departed from the

24 CSU?

UNCERTIFIED TRANSCRIPT

1 A I have no clue.

2 MR. HAYES: State on the record it is not a
3 topic for the today's deposition.

4 Q Turning to another exhibit. Is.

5 (WHEREUPON Exhibit # was marked for
6 identification) 11.

7 Q I'm handing you what has been marked as
8 Exhibit 11, which is look like your affidavit.

9 Q This document is your affidavit that was
10 submitted to Mr. Tinubu's pleadings in this matter.
11 Do you recognize it?

12 A I do.

13 Q And did Mr. Tinubu's counsel request for it
14 to be prepared?

15 A I don't I'm not aware, I mean the request to
16 me came from our own legal counsel.

17 Q And do you know if Mr. Requested for it toen
18 prepared.

19 A I'm not aware Woleafolbi.

20 THE COURT: Mr. Tinubu counsel.

21 Q And you have's signed their affidavit at
22 the bottom leer.

23 A I did.

24 Q And this signature looks different from the

UNCERTIFIED TRANSCRIPT

1 signature that is in H the Exhibit 7 which is the to

2 would you let me know it may concern letter?

3 A Correct. This is a wet signature, I did it in

4 the moment, the other signature is from a let's say

5 more carefully composed signature that I'm able to

6 apply to the document the. They are both mine.

7 Q And carefully, composed, you have an

8 electronic signature?

9 A We are familiar with the professional you

10 might do a nicer signature that is the one I applied in

11 a more formal things like that. .

12 Q Mr. Tinubu counsel prepare this affidavit?

13 A I don't believe so.

14 Q Diploma CSU counsel prepare it?

15 A I think so.

16 Q Did they draft it?

17 A I mean these were my statements.

18 Q So you drafted this affidavit?

19 A I think they helped me put in the format that

20 you see in front of you, with the writing here is my

21 own.

22 Q And so let's go through the affidavit.

23 Paragraph 2, it state, Bola, Ahmed Tinubu and

24 paragraph, state, Bola Amed Tinubu graduated and was

UNCERTIFIED TRANSCRIPT

1 awarded a degree from the Chicago State University on
2 June 22, 1979. Awarded. What is the basis for the
3 assertion Bola Ahmed Tinubu graduated and was awarded a
4 degree from the Chicago State University on June 22,
5 1979.

6 MR. HAYES: Objection. Asked and answered.

7 Go ahead and answer the question, sir.

8 THE WITNESS: That is the official
9 transcript.

10 Q Any other basis?

11 A No.

12 Q So you are assuming from the official
13 transcript, how can you tell it is the same Bola Tinubu
14 president now?

15 MR. HENDERSON: Objection asked and answered.

16 MR. HAYES: Objection.

17 THE WITNESS: We did do that, giving the
18 wholistic review of the record, we believe it is the
19 president of my Nigeria.

20 Q Have you ever met Mr. Tinubu?

21 A no.

22 Q Has he visited CSU campus?

23 A no.

24 Q Does he donate to the CSU?

UNCERTIFIED TRANSCRIPT

1 A Not that I'm aware of.

2 Q Do so you have not seen Mr. Tinubu?

3 A I don't see most of our student alumni.

4 Q Apart from the official transcript, they have
5 no other basis that the Bola Tinubu is the same Bola
6 that is now president of Nigeria?

7 A Chicago State University has the original
8 record of Bola Tinubu and we believe that to be true.

9 Q So let plea ask the question again, and it is
10 a simple yes or no, apart from these document that
11 we've just gone through, CSU has no other basis for
12 stating that the Bola A Tinubu that attended KCS. Is
13 the same?

14 MR. HENDERSON: Objection and answered,
15 harassing the student. Argumentative.

16 MS. LIU: I would Kindlily, ask counsel from
17 making speaking objections. I know you know how to.

18 MR. HENDERSON: You are speaking right now,.

19 Q (By Ms. Liu) Under the federal rules.

20 MR. HENDERSON: We go off the record for a
21 second. Argument.

22 MR. HAYES: Let's go back on the record
23 please. Mr. Westburg, I object that asked and answered
24 and miss character rises your prior testimony, answer

UNCERTIFIED TRANSCRIPT

1 her question again, and I ask that it be the last time
2 it be asked.

3 A I apologize for what was the question again
4 at this stage.

5 A Apart from these document, we have no other
6 basis to comment on this student.

7 Q (By Ms. Liu) Liu response to
8 Mr. Henderson, colloquy during the bake, I'm more
9 than entitled to conduct this court order in
10 compliance with the federal rules and I'm not going
11 to be inTim dated other wise. I will continue?

12 MR. HENDERSON: For the record, in compliance
13 with the rules does are doesn't allow you to ask the
14 question nine times, that is not in compliance with the
15 rules.

16 MR. HAYES: Let's move along please.

17 Q Mr. Westberg, looking at Paragraph 2, how do
18 you know that Mr. Tinubu middle name is Ahmed. . It
19 was in the subpoena paperwork.

20 Q So none of the CSU documents say what his
21 middle name is correct.

22 A Not that I'm aware of.

23 Q So you have throw basis for stating that the
24 middle name of the student who attended CSU is Ahmed

UNCERTIFIED TRANSCRIPT

1 other than the Tinubu's counsel told you.

2 MR. HENDERSON: Objection. Foundation.

3 MS. LIU: Without clear documentation of a
4 passport, I have is a, Social Security Number,
5 driver's license, how can CSU no exactly, who Bola A
6 tin no.

7 MR. HAYES: Answer it one more time and I'll
8 instruct to not answer further questions that are
9 identical that you asked before, please answer again
10 sir.

11 A The legal name Tinubu is sufficient for the
12 university to determine the student identity, the
13 middle name is not required for us to do that.

14 Q Going to the Paragraph 3 it state, Chicago
15 State University provided a diploma to Bola Ahmed
16 Tinubu and subsequently provided a certified or
17 official copy of that diploma both are valid and
18 authentic diploma of Chicago State University do you
19 see that?

20 A I do.

21 Q Now, is the diploma referred to as the one
22 provided to Bola, Ahmed Tinubu the INEC diploma?

23 A I'm not able to comment on that, because the
24 INEC diploma is not in our possession, the reason for

UNCERTIFIED TRANSCRIPT

1 that statement is we provided a did them for all
2 student loans when they graduate.

3 Q Okay. And it says, and subsequently provided
4 a certified or official copy of that diploma. Which
5 diploma is that referencing. Is it the June 27
6 diploma.

7 A Yes.

8 Q In Exhibit 2 the example number is included
9 but it is in Exhibit 2. I think is example eight,
10 handwritten example eight.

11 Q And so when Chicago State University provided
12 a diploma to Bola Ahmed Tinubu you are say assuming
13 that when a person named bull Bola, Tinubu graduated in
14 the 1979 that CSU provided a diploma to that student
15 correct?

16 A Correct.

17 Q And so the diploma you refer to as the one
18 that the CSU provide to the Tinubu was the one that was
19 provided to that student in the 1979 correct.

20 A I'm sorry could you rephrase that.

21 Q So that diploma that you refer to in
22 Paragraph 3 that says, Chicago State University
23 provided a diploma to Bola Ahmed Tinubu you are
24 referring to that diploma asks at one that was provided

UNCERTIFIED TRANSCRIPT

1 to that student in the 1979?

2 A Correct.

3 Q Will.

4 Q And the diploma that was provided to the
5 student Tinubu in 1979 Kane be the one that president
6 submitted to the INEC because Dr. Daniel did not arrive
7 at CSU until later?

8 MR. HENDERSON: Objection. Calls for
9 speculation.

10 A That's correct.

11 Q And then we just talked about the certified
12 or the official copy of the diploma is in reference to
13 the June 27 diploma in the Exhibit 2 correct.

14 A Correct.

15 Q And going back to Exhibit 5, which is the
16 diploma order form. The order form doesn't say
17 anything about getting a certified or o-Fish copy does
18 it?

19 A Any diploma we issue is an official copy from
20 us.

21 Q So the diploma that was provided as the
22 official has the wrong date of graduation, correct?

23 A Correct.

24 Q And it is signed by two people who did not

UNCERTIFIED TRANSCRIPT

1 arrived at CSU until the late 1990s correct.

2 A Correct.

3 Q Auntly were gone by the early, 2,000's?

4 A Some point in that time period yes. .

5 Q Going to the Paragraph four of your

6 affidavit. It states there are certain differences

7 between the diploma and the certified copy because all

8 the diploma are signed by the current president slash

9 co-chair, there is also differences in the font and

10 seal on the diploma versus the certified copy because

11 the university updated its font and seal after the

12 diploma was issued. So you say that all on the diploma

13 are sign by the current president and board chair,

14 correct?

15 A Correct.

16 Q And going to the Paragraph 5, it state that

17 the difference in the date of a word on the diploma

18 versus the certified copy is likely the result of human

19 error do you see that everyone I do.

20 Q And you use the term likely, are you

21 speculating here?

22 A I have to -- I was not around at the time it

23 was produced.

24 Q So you don't really know?

UNCERTIFIED TRANSCRIPT

1 A Correct.

2 A I correct.

3 Q Who typed in the date on the June 27 diploma?

4 A We are not aware.

5 Q And how is it that you don't know. Or CSU

6 doesn't no?

7 A I don't have a staff member in my office that

8 was working at the time in my office in the 2,003.

9 Q So your testifying that this is an official

10 copy or certified copy but you don't know who prepared

11 it correct.

12 A Correct.

13 Q Going to the Paragraph 6, it says,

14 institution, in the United States of America,

15 institutions of higher education, often consider the

16 diploma to be a ceremonial document. So some

17 institutions in the US do not consider diploma merely

18 ceremonial?

19 A In general in the U.S. the diploma are

20 ceremonial documents. In other countries it is a more

21 official document for us it is not.

22 Q Do you know whether Nigerian law consider

23 diploma to be primarily ceremonial?

24 A I'm not aware.

UNCERTIFIED TRANSCRIPT

1 Q And what is your understanding of Nigerian
2 law as to the submission of inauthentic document
3 submitted by the Candidate to the Nigerian election
4 authority?

5 A I'm unaware.

6 Q I would like to take a five minute break.

7 Q Mr. Westberg, forgive plea if I miss id this
8 did you say check public record to the Bola, Tinubu
9 went to the CSU and graduated in the 1979 is the same B
10 Tinubu who is now president.

11 A What do you marine about the public records.?

12 Q Forges available in the public?

13 A No I did not.

14 Q And do you know whether the FBI has ever
15 contacted CSU about whether Mr. Tinubu attended CSU?

16 A Not that I am aware.

17 Q I would like to pass the witness and leave
18 the deposition open for the further questions after the
19 other attorneys here. Are done. Thank you for your
20 time.

21 MR. HAYES: Do you have questions.

22 MR. HAYES: Hayes flout I don't, why don't
23 you go ahead. Please.

24 MR. HENDERSON: Cross-examination.

UNCERTIFIED TRANSCRIPT

1 MR. HENDERSON: Mr. Westberg my name is
2 Victor Henderson, I'm the attorney for President Tinubu
3 and I apologize if I ask some questions that may
4 overlap or some of the questions you have asked before
5 I would like to get a little clarity, you said that you
6 never met Mr. Tinubu as far as you know, is that
7 accurate.

8 A Yes.

9 Q And you have never seen him in the
10 registrar's office?

11 A Correct.

12 Q And he's never heard about him being in the
13 registry, is that correct?

14 A Correct.

15 Q Will.

16 Q You didn't personally, prepare any diploma or
17 copies is that accurate?

18 A Yes.

19 Q Counsel asked you if you spoke with the Lois,
20 Davis, she was a prior registrar is that accurate?

21 A Yes.

22 Q And do you know ballpark how many registrars
23 were there between '79 and you.

24 A Oh, I would have to guess, I would say at

UNCERTIFIED TRANSCRIPT

1 least six. But quite possibly employer.

2 Q And is it fair to say as benefit you know, as
3 representative ofment CSU, that some policies and
4 procedures have changed overtime as the registrar as
5 have changed?

6 A Oh, yes.

7 Q And so that is the one of the reasons you are
8 not in a position to speak to what happened example in
9 the 1979?

10 A Correct.

11 Q And you did not speak to miss Davis on any
12 level including as it relate to you using her letter as
13 a template; is that right?

14 A Correct.

15 Q Do you know if she is still alive?

16 A I believe she is.

17 Q Counsel spent time with you as it relates to
18 the Exhibit No. 6, do you remember?

19 A Yes.

20 Q And so you didn't create Exhibit 6 is that
21 accurate?

22 A That is accurate.

23 Q And you don't know whether miss Davis created
24 it correct?

UNCERTIFIED TRANSCRIPT

1 A Correct.

2 Q And did you tell us earlier, that when there
3 is a replacement diploma made or any diploma is that
4 done in house by CSU or sent offsite?

5 A At present it is sent offsite.

6 Q Do you know whether in the 79 it was sent
7 offsite or whether it was done in house?

8 A I would have to speculate, I suspect it was
9 done in-house.

10 Q But you are not certain?

11 A You.

12 A I'm not certain.

13 Q So you don't know who created Exhibit No. 6
14 is that accurate?

15 A That is accurate.

16 Q And did you tell us earlier, that there was a
17 letter that you didn't want to sign because you were
18 feeling harassed?

19 A No, what I was referencing at that time, the
20 institution met to discuss the situation different how
21 many inquiries we were receiving and it was deemed just
22 better to not have my name tied to it given the way
23 that I was being pulled into the media in this
24 instance.

UNCERTIFIED TRANSCRIPT

1 Q I want to turn your attention to the
2 Exhibit 11. And that's your affidavit in particular I
3 would like to turn your attention to the paragraph five
4 and the difference in the date of the award on the
5 diploma versus the is likely of human error?

6 A Do you see that sense.

7 A Yes.

8 Q And the following sentence say, the
9 graduation date on a certified copy is typed in
10 manually by a person and can be inaccurate?

11 A I do.

12 Q Counsel spent a lot of time with you, asking
13 you about the male/female issue that was identified on
14 the southwest I guess community college transcript, do
15 you remember that?

16 A I do.

17 Q And when you went through your r?sum? with
18 us, you currently at CSU, before that you were at Ivy
19 Tech is that accurate?

20 A That is accurate.

21 Q And then you also spent time at UC Berkeley
22 as a research assistant?

23 A That is accurate also.

24 Q And spent time at Emmerson elementary?

UNCERTIFIED TRANSCRIPT

1 A Yes.

2 Q And Berkeley City college?

3 A Yes.

4 Q And there were human being al all tholes

5 places?

6 A Yes.

7 Q And as far as you know, in all those various

8 places did you observe people make mistakes from time

9 to time in terms of data entry?

10 A I couldn't really, comment on that. I'm sure

11 that happened from time to time. Yes.

12 Q And I'm asking in the context you are

13 experience at CSU is that people make mistakes?

14 A Human error happens.

15 Q As evidences by what you said in your

16 affidavit correct.

17 A Correct.

18 Q And prior to this lawsuit, did you know

19 anybody about the first name Bola Bola?

20 A no.

21 Q And so you don't know for example with the

22 transcript from the southwest whether whoever did the

23 entry, could have conservatively thought Bola was a

24 woman went in fact he's a man?

UNCERTIFIED TRANSCRIPT

1 A Correct.

2 Q Let me hand you what I would like to mark as
3 (WHEREUPON Exhibit # was marked for
4 identification), 12.

5 Q I'm going to land what you the Court Reporter
6 Lagos marked as Exhibit 12, this is something that was
7 filed in the lawsuit. It is an affidavit from a
8 gentlemen and I'm going to spell the name. Olajide
9 Adeniji as best I know. It's type, Olajide Adeniji.
10 Why don't you take a minute to look at this affidavit
11 and after you had a chance to look at it, let me know
12 that you have done so.

13 A I'm familiar with this.

14 Q And so you have's seen this affidavit prior
15 to today?

16 A I have.

17 Q And in this particular affidavit there is a
18 person I can't, do you know whether that person is male
19 or fee female?

20 A I don't recall this person's sex or gender.

21 Q It is a fir and last name that is unfamiliar
22 to you, similar to the way that the Bola Tinubu was
23 unfamiliar to you?

24 A Yes.

UNCERTIFIED TRANSCRIPT

1 Q And the left-hand corner, it says in the
2 application of the Atiku Abubakar, A B U B a/k/a R.

3 A You see that.

4 Q Have you met that person?

5 A no.

6 Q Do you know if that person is male or female?

7 A I think he is man, but I have not met him.

8 Q But you don't note concern.

9 Q And this particular student was at CSU and
10 on campus at the same time that the Bola, Tinubu was
11 there?

12 A I do.

13 Q Did you have an opportunity to check the
14 record to see whether or not this person Oljide Adeniji
15 actually went to CSU?

16 A Yes, I did.

17 Q And did that person go to the?

18 A Yes.

19 Q And was that person on the exam pass at the
20 same time as before you know president Tinubu was
21 there?

22 MS. LIU: Objection.

23 THE WITNESS: Yes.

24 Q And based on the record?

UNCERTIFIED TRANSCRIPT

1 A Yes,.

2 Q And the record have them being there at the
3 same time correct?

4 A That is correct.

5 Q And their document has the after are vent
6 saying that the president Tinubu is a man correct.

7 A I do see that.

8 Q Or at least it says, I'm family with the
9 Bola, Tinubu who is the president of my engineer ran
10 and you understand to be a man?

11 A Correct.

12 Q And it says in the paragraph four, oh, I ran
13 in the closely, contested race against B Tinubu for the
14 leadership of the counseling associate?

15 A I do.

16 Q And the major of Bola Tinubu at CSU appeared
17 to be accounting?

18 A Correct.

19 Q And the document let me take you to CSU 0019,
20 this is an Exhibit 10 and counsel went over this with
21 you. You see that.

22 A I see it.

23 Q And under, it says, Bola, honors lift do you
24 see that?

UNCERTIFIED TRANSCRIPT

1 A Where oh, yes, I see that.

2 Q And below honors list, and honors is since
3 you understand and at the university for the student
4 who do well correct.

5 A Yes.

6 Q And underneath principals of accounting do
7 you see that?

8 A I do.

9 Q And above it four or five lines above it it
10 says fundamentals of accounting?

11 A Yes.

12 Q And Southwest College this particular Bola
13 Tinubu was and accounting majors?

14 A Correct.

15 Q And then the Bola Tinubu at CSU, is also and
16 accounting major correct?

17 A Correct.

18 Q And you tommed counsel that there are any
19 number of things that you look at in a student's
20 record to verify that in fact is the person that you
21 believe it to be.

22 MS. LIU: Objection.

23 MR. HENDERSON: Isn't that what you told
24 counsel,.

UNCERTIFIED TRANSCRIPT

1 A I did.

2 Q And --

3 MR. HENDERSON: So for example on the 00149
4 Southwest College it list the address for the B Tinubu
5 as 7741 South Shore drive, do you see that.

6 A I do.

7 Q Are you familiar with the South Shore area?

8 A Somewhat.

9 Q You know it is not that far from CSU?

10 A Correct..

11 Q And then let me turn your attention to the
12 page CSU 0016 and in that same document. Look up in
13 the top left-hand corner. Do you see address that says
14 7424 South Shore drive?

15 A I do.

16 Q And so that is as based on your knowledge of
17 Chicago, just a few blocks from the earlier address?

18 A Correct.

19 Q And so those are the types of things that you
20 would be looking at to make sure that you are deal with
21 the same person when you look through the entire file
22 addresses, names, fields of study, those kinds of
23 thing?

24 A The university would have reviewed these

UNCERTIFIED TRANSCRIPT

1 materials when we received them.

2 Q And those are the types of thing that you
3 looked at to draw that the B Tinubu was in fact the B
4 Tinubu who is the president?

5 MS. LIU: Objection.

6 A That is the type of thing we would like at.

7 Q You would look at the whole record?

8 A Correct.

9 Q And then you draw a conclusion?

10 A Yes.

11 Q So when counsel asked you for example about
12 1954h versus, 1952, in term of a date of birth, that is
13 the type of information for example that could have
14 been acceptable for the humaner error?

15 A It could have been.

16 Q You don't know?

17 A I don't know.

18 Q Let me turn your attention to the CSU 025.

19 You with me?

20 A Yes.

21 Q And the very first Paragraph in this letter,
22 the very first Paragraph says, I am pleased to inform
23 you that you have been accepted as a transfer student
24 at Chicago State University for the fall trimester,

UNCERTIFIED TRANSCRIPT

1 1977 do you see that?

2 A I do.

3 Q And so the fact that CSU is indicating and
4 this is a certified true copy by the Jamar Orr that B
5 Tinubu is being accepted as transfer student that is
6 consistent with the fact that appears as if the B
7 Tinubu who is referred to on CSU 0019 was a transfer
8 student correct.

9 MS. LIU: Objection.

10 THE WITNESS: Wait a seek.

11 A Yes, the file indicates that the student was
12 a transfer student.

13 Q From a Community College or some other place?

14 A Correct.

15 Q And that is another indicia to you that the
16 person at Southwest College was the subsequently
17 admitted to the Chicago state?

18 A Correct.

19 Q And then on Page CSU, 0026, look at the top
20 left and it says, Bola H Tinubu do you see that?

21 A I do.

22 Q And where it says, major accounting do you
23 see that?

24 A I do.

UNCERTIFIED TRANSCRIPT

1 Q Again consistent with what was on the
2 Southwest College record?

3 A Correct.

4 Q Now, let plea point you to something else,
5 let you toggle back and forth between CSU 0019 and CSU,
6 zero of?

7 A Okay.

8 Q On the Southwest College document that
9 counsel referred to that has this particular B Tinubu
10 as a female do you see that?

11 A I do.

12 Q Then right next to it, is a social security
13 number do you see that?

14 A Yes.

15 Q And I don't want to talk about the social
16 security number because I don't know where it would
17 wind up, but you see the first three numbers do you see
18 he that?

19 A Yes, I do.

20 Q And those correspondence go to the CSU 0026
21 go to the 0026 for me,?

22 A I'm there.

23 Q The first three numbers are the same?

24 A All of the numbers are the same..

UNCERTIFIED TRANSCRIPT

1 Q Well, yes and the middle three numbers you
2 see that?

3 A Yes.

4 Q And then the last three numbers do you see
5 that?

6 A Yes.

7 Q So the social number and again I don't want
8 to put it in the record on Southwest College which was
9 typed in is it similar to, the same as a social
10 security number on the CSU document?

11 A Correct.

12 Q That would be something else that you would
13 look at to determine that you are deal with the same
14 person correct?

15 A Yes.

16 Q And if your experience as a college add plin
17 Administrator, a social security number is a unique
18 identifier?

19 A It is.

20 Q (By Ms. Liu) Liu for the record, the
21 transcript is CSU 0016.?

22 MR. HENDERSON: That was not the one that I I
23 was looking at.

24 MS. LIU: Okay.

UNCERTIFIED TRANSCRIPT

1 MR. HAYES: He was questioning the witness on
2 CSU 19 and CSU 26 that have the same social security
3 numbers I believe.

4 MR. HENDERSON: Yes.

5 Q CSU 0019 which is the southwest college
6 Document which is part of the City Colleges of the
7 Chicago. And then the CSU 0026 which has that same
8 social security number which is a State University
9 document.

10 Q Mr. Westberg, you understand City college of
11 college is to be a separate institution from the
12 Chicago State University correct.

13 A Yes.

14 Q And you actually know the City colleges of
15 Chicago, in some to be a feeder school for the CSU?

16 A It is.

17 Q And fourths who may read this transcript and
18 don't know what a feeder school, in the June it is
19 people who finish at a community college and then
20 enroll in a four-year institution like Chicago State?

21 A Correct.

22 Q Now me turn your attention to the the
23 Exhibit 7. And this is a document that was signed by
24 you correct.

UNCERTIFIED TRANSCRIPT

1 A 1 second.

2 A Yes.

3 Q And you got the information that that's
4 contains in the exhibit p from the student that you
5 been telling us about?

6 A Yes. student file.

7 Q Let plea focus on something that counsel did
8 not ask you about. And I want to go to the the second
9 full sentence which says, he, being Bola Tinubu, was
10 awarded a Bachelor of Science Degree in the business
11 administration with honors. Do you see tha?

12 A Yes.

13 Q Tell us what the significance of graduating
14 with honors at least in CSU?

15 A It is a GPA distinction.

16 Q And so people who graduated with honors have
17 higher GPAs?

18 A They do.

19 Q So is it fair to say that those are the more
20 accomplished students?

21 A I guess you could say that.

22 Q And based on your experience as both a
23 college Administrator and student is it fair to say
24 that some majors are harder than others; is that right.

UNCERTIFIED TRANSCRIPT

1 P- I think all of our programs are challenging to
2 student, but I'm sure that some present certain
3 rigorous that are than others.

4 Q And accounting is one of the more rigorous
5 majors?

6 A It is a rigorous majors.

7 Q And not only this have a rigorous major, he
8 also graduated with the honors?

9 A He did indeed.

10 Q Rigors.

11 Q And it is fair to say that the certain
12 students are employer motivated academically, than
13 others in your experience as with a college
14 Administrator and being in the college?

15 A Yes.

16 Q And in your experience the students who are
17 more motivated oftentimes go on to be prominent alumni
18 correct.

19 A That is speculative, but sure.

20 Q I'm asking based on your experience as being
21 a student and college Administrator, you have seen
22 scene that correct.

23 A I have.

24 Q And there B Tinubu that you are referring o

UNCERTIFIED TRANSCRIPT

1 about in the Exhibit 7, back in the 1979 graduating
2 with the honors, in a challenging major?

3 A Correct.

4 Q Honors.

5 Q And as far as you know, that is the person
6 who is now the President of Nigeria?

7 A Correct.

8 Q I don't have any further questions.

9 MR. HAYES: I do have a couple of focus
10 questions and get out of your way.

11 MR. HAYES: Mr. Westberg, you just reviewed
12 the portion in the Exhibit 10 that is Bates number CSU
13 0019 the southwest college document right.

14 A Yes.

15 Q And that is the document where whoever filled
16 it out on the Southwest College, designated the Section
17 As Africa, female?

18 A Yes.

19 Q Were their materials submitted to Chicago
20 State in Mr. Tinubu's record that indicate he was a
21 male.

22 A Yes.

23 Q Turn please to the CSU 0023. Let me know
24 when you are there.

UNCERTIFIED TRANSCRIPT

1 A Okay.

2 Q What is this document sir?

3 A This is the undergraduate admission
4 applications.

5 Q And this is this the document that appears to
6 have been completed by Mr. Tinubu himself?

7 A Ostensibly.

8 Q And what on this document does Mr. Tinubu
9 identify himself in terms of his sex?

10 A A male.

11 Q And when the university admitted Mr. Tinubu
12 turn to CSU 0025,. Is this the letter in
13 Mr. Tinubu's student file informing him of his
14 admission?

15 A Yes.

16 Q And the salutation at the top what does that
17 identify in term of Mr. Tinubu sex?

18 A It says, Mr. Tinubu indicating male.

19 MR. HAYES: I don't have any other questions.

20 Thank you.

21 Q (By Ms. Liu) Liu have a few questions. You
22 stated that you look at the information like South
23 Shore drive address, correct.

24 A Address is one of the proponents.

UNCERTIFIED TRANSCRIPT

1 Q And you don't know for a fact that the
2 President Tinubu lived at South Shore Drive?

3 A Not personally.

4 Q And you don't know President Tinubu's Social
5 Security Number, correct.

6 A Not, what I have is submission in the record
7 which I believe to be his social security number.

8 Q But you don't know that for a fact right?

9 A I'm saying that the record here is accurate
10 record.

11 Q That is not my question, you don't know
12 President Tinubu social security correct.

13 A I believe we do.

14 Q And what is the basis for that?

15 A This H documentation.

16 Q That's based on the assumption that in the
17 documentation, record is the same as President Tinubu
18 correct.

19 A Yes.

20 Q I'm hand handing you, and exhibit.

21 (WHEREUPON Exhibit # was marked for
22 identification) 13.

23 Q I'm hand you an exhibit marked 13.

24 Q There is a biography from the encyclopedia,

UNCERTIFIED TRANSCRIPT

1 Britannica.

2 Q And on the second page of this document, you
3 see here, that B Tinubu in full Bola Ahmed and I'll
4 spell Adekunle Tinubu born March 29, 1952. . Do you
5 see that?

6 A I do.

7 Q And on the first page, it says in
8 highlighting this is fact checked by the editor of
9 encyclopedia, Britannica, do you see that,?

10 A I do.

11 Q I'm handing you exhibit that has been marked
12 Exhibit 14. H.

13 (WHEREUPON Exhibit # was marked for
14 identification). 14.

15 Q This is from the all progressive Congress,
16 official website. Which is Mr. President Tea Party
17 affiliated website, if you go to the Page 2, it states
18 President Bola Amed and then Adekunle. Also known as
19 Jagaban was born in Lagos on March -- Lagos on October
20 29, 1952. . Do you see that?

21 A I do.

22 Q J A G A B A N.

23 Q And you can cithara there are discrepancy in
24 his H birth date versus the birthday and his H student

UNCERTIFIED TRANSCRIPT

1 record correct.

2 A Those are different dates.

3 Q And let's go to back to the Exhibit 4. Sorry,
4 Exhibit 5. This is the CSU diploma request form. And
5 it request the last four digits of the social security
6 number correct.

7 A It December.

8 Q Did Mr. Tinubu ever provide this information
9 when requesting record from the CSU?

10 A I don't have a copy of the diploma reorder
11 form so I would not I can't comment on that.

12 Q So you have never seen --

13 THE WITNESS: You are asking about the
14 June 27, 1979 diploma I don't have a copy of the
15 diploma record form associated with this record.

16 Q And so have you ever seen President Tinubu
17 sworn submission to the INEC?

18 A No.

19 Q You are not aware about the discrepancies,
20 between his birth date and nationality in the INEC and
21 the information in the CSU documents?

22 A I can't comment on anything related to the
23 INEC.

24 Q So you are not aware?

UNCERTIFIED TRANSCRIPT

1 A I'm not aware.

2 Q (By Ms. Liu) No further questions.

3 MR. HENDERSON: Let me take you to the two
4 documents that Counsel just gave you. Exhibit 13 says
5 his date of birth and again you don't have any
6 information one way or another to know whether 13 is
7 accurate or inaccurate.

8 A Correct.

9 Q You didn't play any role in the creating 13?

10 A Correct.

11 Q He was born on operator 29, 1952 correct.

12 A It does say that.

13 Q En a then exhibit sh, again same questions,
14 you didn't have any role in the creating Exhibit 14
15 correct.

16 A Correct.

17 Q So you don't know whether 14 is accurate or
18 inaccurate?

19 A Correct.

20 Q And simultaneously on the 204, he was born on
21 March 29, 1952 to you cithara?

22 A Yes.

23 Q And 13 and 14 have him as being on operator
24 29, 1952?

UNCERTIFIED TRANSCRIPT

1 A Correct.

2 Q And now let plea turn your attention to the
3 CSU, 0016 and the exhibit 10. Look at the top right
4 hand corner you see date of birth?

5 A That also say March 19.

6 A Yes.

7 Q And it has 54 as opposed to the 52?

8 A Correct.

9 Q You didn't play a role in creating this
10 document?

11 A Yes.

12 Q And you told us earlier, that you know from
13 time to time people makes honest mistakes?

14 A Correct.

15 Q (By Mr. Henderson) No further questions.

16 MR. HENDERSON: Mike thank you for your time.

17 MR. HAYES: It has.

18 MS. LIU: Off the record.

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UNCERTIFIED TRANSCRIPT

