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UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,)	File No. 22-cr-223
)	(NEB/DTS)
Plaintiff,)	
)	
v.)	
)	Courtroom 13W
Aimee Marie Bock(1),)	Minneapolis, Minnesota
Salim Ahmed Said(3),)	Tuesday, February 10, 2025
)	8:58 a.m.
Defendants.)	
)	

BEFORE THE HONORABLE NANCY E. BRASEL
UNITED STATES DISTRICT COURT DISTRICT JUDGE

VOLUME II - JURY TRIAL PROCEEDINGS

Court Reporter: RENE E. A. ROGGE, RMR-CRR
United States Courthouse
300 South Fourth Street, Box 1005
Minneapolis, Minnesota 55415

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Proceedings recorded by mechanical stenography;
Transcript produced by computer.

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1 8:58 a.m.

2 **IN OPEN COURT**

3 **(JURY NOT PRESENT)**

4 THE COURT: Good morning again. We are on the
5 record. The case is the United States versus Aimee Marie
6 Bock, Salim Ahmed Said, Case Number 22-223.

7 May I please have appearances, beginning with the
8 government.

9 MR. THOMPSON: Good morning, Your Honor. Joe
10 Thompson on behalf of the United States, along with several
11 of my colleagues.

12 THE COURT: Good morning.

13 THE RESPONDENT: Harry Jacobs on behalf of the
14 United States.

15 MR. EBERT: Good morning, Your Honor. Matthew
16 Ebert on behalf of the United States.

17 MR. BOBIER: Dan Bobier on behalf of the
18 United States. Good morning.

19 THE COURT: Good morning to all of you.

20 And for Ms. Bock.

21 MR. UDOIBOK: Good morning, Your Honor. Kenneth
22 Udoibok on behalf of Ms. Bock, who is in court on my left.
23 Last time she was on my right, and with me is Darlene
24 Mallet, who is my paralegal.

25 THE COURT: Good morning.

1 MR. UDOIBOK: Substituted paralegals.

2 THE COURT: Good morning.

3 MR. UDOIBOK: For reasons I won't get to now.

4 THE COURT: Fair enough. Thank you.

5 Mr. Colich.

6 MR. COLICH: Good morning, Your Honor. Michael
7 Colich.

8 MR. MONTEZ: Good morning, Your Honor. Adrian
9 Montez.

10 MS. LUCY: Good morning. Raghen Lucy.

11 THE COURT: Good morning. My understanding is
12 that there is an issue that one of you wanted to place on
13 the record before we brought the jury in to begin opening
14 statements; is that correct?

15 MR. UDOIBOK: Yes.

16 THE COURT: Mr. Udoibok, is that you? Come on
17 forward, please.

18 MR. UDOIBOK: Your Honor, this is just a matter of
19 housekeeping and just keep the record straight and also an
20 event that --

21 Am I too loud?

22 THE COURT: You are fine.

23 MR. UDOIBOK: Just an event that the jury may
24 misinterpret what is going on.

25 The first and the primary one is the access of

1 Ms. Bock in presenting her case.

2 The court order instruction was that she cannot
3 have access to any electronic device, and I believe the
4 reason for that instruction was what happened with the other
5 case.

6 Ms. Bock is very skillful, and I'm not as
7 skillful. And it's difficult when this entire case is going
8 to be mostly electronic and she cannot use a computer to
9 assist me in representing her.

10 The government witnesses have access to these
11 computers, and so there seem to be an imbalance as to how
12 the rule is impacting the parties in this case.

13 I just wanted to make a record. I'll do what I
14 can to comply with the court. I have to comply with the
15 court, but it's creating some obstacles.

16 THE COURT: Thank you. Is there anything else
17 that you wanted to raise here today, Mr. Udoibok?

18 MR. UDOIBOK: Other than another difficulty. The
19 court ordered the naming convention for exhibits to run
20 numerically, 1 till infinity. The government chose a
21 different naming convention, and AAs and BBs and YYs, and
22 the disclosures of the exhibits goes into I think we're into
23 the seventh generation of exhibits.

24 It is hard to segregate which ones are new, which
25 ones are substituted when we're using alphabet. That's it.

1 THE COURT: You had the naming convention
2 available to you at the pretrial, did you not?

3 MR. UDOIBOK: Yes, I did. We spoke, we spoke, I
4 spoke to Mr. Thompson about this, but just making a record
5 of it so that the record is clear.

6 THE COURT: I'm confused as to what makes it
7 difficult.

8 MR. UDOIBOK: Well, so the naming convention, say,
9 for example, the government has Exhibit A. Exhibit A1, A2,
10 A3, A4 and then goes to B. All right?

11 And then it goes, at some point the alphabet is
12 exhausted so he goes to -- we have some that are BBs, BB1.
13 It's not numerical. It's easier when it's 1 through, like
14 in our case, 1 through 900 something, and is, and is easier
15 to call up during trial and is easier also if this changes
16 to know which exhibits have been changed because it's all
17 numerical, but that's not the case here.

18 THE COURT: Thank you. Let me just have the
19 government respond, unless there's anything else.

20 MR. UDOIBOK: No.

21 THE COURT: I've got two from you. All right.
22 Thank you.

23 MR. THOMPSON: Good morning, Your Honor.

24 THE COURT: Good morning.

25 MR. THOMPSON: Your Honor, I'll respond to the

1 naming, the exhibit naming convention. I've always found,
2 and I think all the parties have found it easier when the
3 government buckets its exhibits by category, which makes it
4 easy to understand.

5 For example, the A series of exhibits are records
6 related to Feeding Our Future. The B series of exhibits are
7 records related to Cosmopolitan Business Solutions doing
8 business as Safari Restaurant and so on and so forth.

9 That seems much easier for someone when we talk
10 about an A exhibit or, for example, if Mr. Colich is trying
11 to look for records of Safari Restaurant, his client's
12 company, he can look at the B series and know where they
13 are, as opposed to trying to look through an exhibit list
14 that is 45 pages long, listed 1 through 1400.

15 So I've never had any complaints with that. I
16 think people generally find it easier. With respect to
17 replacement exhibits, we've added a few exhibits. There
18 have not be wholesale changes, and whenever we've done so,
19 we have marked them clearly and sent via email a chart of
20 exactly which new exhibits have been added, not just a new
21 exhibit list, but the new ones just added in there for them
22 to find.

23 They don't have to compare the old list with the
24 old one. The email actually sets out what new exhibits are
25 being produced and added to the list, and to the extent

1 there is any exhibits being tweaked or changed, which we
2 have had relatively minimal amount of that because our
3 paralegals don't like it when we do that.

4 We do the same thing, and we note very clearly
5 that this is a replacement exhibit to replace a prior
6 version of the same exhibit.

7 THE COURT: All right. Thank you.

8 MR. THOMPSON: With respect to, you know, I don't
9 need to speak to the electronic devices, I don't think.

10 THE COURT: Thank you.

11 Mr. Colich, do you have anything to add?

12 MR. COLICH: We have no problem with that, Your
13 Honor.

14 There is one problem I think we're experiencing,
15 and that is the continued dump of additional new potential
16 discovery in this case. It seems to be ongoing.

17 I understand the nature of a case like this it's
18 necessary, but there's got to be some point, Your Honor,
19 where defense should not have to run to try to figure out
20 what this new exhibit might say or impact our client.

21 So I'm just curious if there's a cut-off point in
22 terms of when we're going to stop getting discovery from the
23 government or can we set a cut-off date so that we don't
24 have to scramble in the middle of a trial to explore the new
25 exhibits.

1 THE COURT: Can you be more specific?

2 MR. COLICH: 67,000 documents, I think, have been
3 provided in this case or more. Just last week we received
4 some more discovery.

5 THE COURT: How much more from last week?

6 MR. COLICH: Well, I don't recall, Your Honor.

7 THE COURT: All right. Thank you.

8 Mr. Thompson.

9 MR. THOMPSON: Your Honor, we have not been
10 turning over wholesale amounts of discovery at this point.
11 We've generated some new interview reports. Have we prepped
12 some of our witnesses in advance of trial? Obviously we
13 document those interviews to the extent the witnesses are
14 providing new information, and we have to turn those over.

15 We obviously can't turn them over until we have
16 done those interview prep sessions.

17 With respect to additional documents, there have
18 not been, there's not been a large volume of additional
19 discovery in terms of documents. That being said, it's been
20 an ongoing investigation for a long time.

21 Occasionally we get in new materials in response
22 to either grand jury subpoenas or trial subpoenas, and when
23 we do, we turn them over to the defense as we are required
24 to. But there has not been a large volume turned over in
25 the last view weeks in advance of trial, and I don't expect

1 there will be during the trial.

2 THE COURT: All right. Thank you.

3 Obviously phrases like "wholesale dump" and "large
4 volume" are difficult to interpret, so if there is a, is
5 a -- if the government turns over documents and the defense
6 feels that it's too much and needs a remedy for that, I'd
7 like to hear about that with specifics.

8 Other than that, I don't think I can put a cutoff
9 on it because that would create other problems down the road
10 obviously.

11 With respect to the naming convention, that has
12 been the naming convention for the government from the
13 beginning of the turnover of exhibits, including at the
14 pretrial. I should have heard about it at the pretrial if
15 it was actually an issue, and I'm not about to make anyone
16 redo all of their exhibits.

17 As to the electronic access, it is the case for
18 every criminal trial that I have ever had that a criminal
19 defendant does not have an electronic device in the
20 courtroom or should not have an electronic device in the
21 courtroom that is turned on.

22 That should have been the case in the last trial
23 with respect to this investigation, but more importantly,
24 it's the case in every single criminal trial, unless the
25 defendant is representing him or herself, which is not the

1 case here.

2 Ms. Bock is welcome to assist you by using your
3 computer, I will allow that. But I'm not going to allow to
4 break a rule that has been a rule in the courtroom since I
5 have been a judge.

6 And I believe it's the rule in every courtroom in
7 this district.

8 We do have the jury here. Am I right, Ms. Wegner?

9 COURTROOM DEPUTY: Yes.

10 THE COURT: They are ready, so I'll bring them in,
11 and I have preliminary instructions. I have not received
12 any objections to the preliminary instructions that I sent
13 out to the parties, so I will give them the preliminary
14 instructions and then begin with opening statements.

15 For the government, who is giving the opening
16 statement?

17 MR. BOBIER: I will be, Your Honor.

18 THE COURT: Thank you, Mr. Bobier.

19 And Mr. Udoibok, do you wish to give an opening
20 statement?

21 MR. UDOIBOK: Yes, Your Honor.

22 THE COURT: All right. Thank you.

23 MR. UDOIBOK: May I make a suggestion, just
24 raise -- I'm not sure what is intentional in the
25 instruction.

1 THE COURT: Come to the podium.

2 MR. UDOIBOK: Yes. Your Honor, I wonder in the
3 instruction, I don't have the page right now -- I can get
4 it -- but in the conspiracy elements it says Ms. Bock or
5 Abdikerm Eidleh. And I don't know whether that's
6 intentional or --

7 THE COURT: I believe it is intentional. They
8 were proposed by all parties, and I believe that is an
9 intentional. I haven't heard any objection.

10 Mr. Thompson, is that intentional?

11 MR. THOMPSON: Yes, Your Honor.

12 THE COURT: Yes. All right.

13 Anything else?

14 MR. UDOIBOK: No.

15 THE COURT: Okay.

16 And then, Mr. Montez or Mr. Colich, are you going
17 to give an opening?

18 MR. MONTEZ: I will be, Your Honor.

19 THE COURT: Thank you, Mr. Montez.

20 All right. I'll step off the bench briefly, and
21 we'll bring the jury in. Thanks everyone.

22 THE CLERK: All rise.

23 9:11 a.m.

24 **IN OPEN COURT**

25 **(JURY PRESENT)**

1 THE COURT: Good morning, everyone. You may all
2 be seated.

3 Good morning again. Members of the jury, now that
4 you have been sworn as the jury to try this case, I will
5 take a few moments to give you some initial instructions
6 about the case and about your duties as jurors.

7 At the end of the trial, I will give you further
8 instructions about the law governing the case. I may also
9 give you instructions in the course of the trial. Unless I
10 specifically tell you otherwise, all of my instructions,
11 both those given now and those which I will give you later,
12 are equally binding on you and must be followed.

13 This is a criminal case brought by the
14 United States of America against defendants Aimee Bock and
15 Salim Said. The defendants are collectively charged with 22
16 crimes: One count of wire fraud conspiracy, five counts of
17 wire fraud, one count of conspiracy to commit federal
18 programs bribery, nine counts of federal programs bribery,
19 one count of conspiracy to commit concealment money
20 laundering, five counts of engaging in monetary transactions
21 in property derived from unlawful activity.

22 Those charges are set forth in what is called an
23 indictment. The indictment alleges that from about
24 April 2020 to January 2022, Number 1, Aimee Bock engaged in
25 wire fraud conspiracy, wire fraud, conspiracy to commit

1 federal programs bribery and federal programs bribery.

2 And, 2, Salim Said allegedly engaged in wire fraud
3 conspiracy, wire fraud, conspiracy to commit federal
4 programs bribery, federal programs bribery, conspiracy to
5 commit concealment money laundering and engaging in monetary
6 transactions in property derived from unlawful activity.

7 You should understand that an indictment is simply
8 an accusation. It is not evidence of anything. The
9 defendants have pleaded not guilty and are presumed to be
10 innocent unless and until proven guilty beyond a reasonable
11 doubt.

12 It will be your duty to decide from the evidence
13 whether the defendants are guilty or not guilty of the
14 crimes charged. From the evidence, you will decide what the
15 facts are. You are entitled to consider the evidence in
16 light of your own observations and experiences in the
17 affairs of life.

18 You may use reason and common sense to draw
19 deductions or conclusions from facts that have been
20 established by the evidence. You will then apply those
21 facts to the law which I give you in these and my other
22 instructions, and that is how you will reach your verdict.

23 You are the sole judges of the facts, but you must
24 follow my instructions, whether you agree with them or
25 disagree with them. You have taken an oath to do so.

1 Do not allow sympathy or prejudice to influence
2 you. The law demands of you a just verdict, unaffected by
3 anything except the evidence, your common sense and the law
4 as I give it to you.

5 You should not take anything that I may say or do
6 during the trial as indicating what I think of the evidence
7 or what I think your verdict should be. The defendants and
8 only the defendants are on trial here. Also, the defendants
9 are on trial only for the crimes charged and not for
10 anything else.

11 In order to help you follow the evidence, I will
12 now give you a brief summary of the elements of each of the
13 crimes charged with which the government must prove beyond a
14 reasonable doubt to make its case.

15 The instructions on the elements will also be
16 provided to you in writing after trial.

17 Wire fraud conspiracy. The crime of wire fraud
18 conspiracy as charged in Count 1 of the indictment has four
19 elements. 1. Two or more people reached an agreement to
20 commit the crime of wire fraud.

21 2. The defendant voluntarily and intentionally
22 joined in the agreement, either at the time it was first
23 reached or at some later time it was still in effect.

24 3. At the time the defendant joined in the
25 agreement, the defendant knew the purpose of the agreement.

1 And 4. While the agreement was in effect, a
2 person or persons who had joined in the agreement knowingly
3 did one or more acts for the purpose of carrying out or
4 carrying forward the agreement.

5 If all of the elements for conspiracy to commit
6 wire fraud for Count 1 have been proved beyond a reasonable
7 doubt, then you must find the defendant guilty of the crime
8 charged under that count. Otherwise, you must find the
9 defendant not guilty of the crime charged under that count.

10 The crime of wire fraud as charged in Counts 2, 4,
11 5, 8 and 12 of the indictment, has three elements.

12 1. The defendant voluntarily and intentionally
13 devised or made up a scheme to defraud another or
14 participated in a scheme to defraud with knowledge of the
15 scheme's fraudulent nature out of money or property by means
16 of material false representations or promises.

17 2. The defendant acted with the intent to
18 defraud.

19 3. The defendant used or caused to be used an
20 interstate wire communication, that is an email or wire
21 transfer of funds, in furtherance of or an attempt to carry
22 out some essential step in the scheme.

23 If all of the elements of wire fraud have been
24 proved beyond a reasonable doubt for the count you are
25 considering, then you must find the defendant guilty of the

1 crime charged under that count. Otherwise, you must find
2 the defendant not guilty of the crime charged under that
3 count.

4 The crime of conspiracy to commit federal programs
5 bribery as charged in Count 15 of the indictment has four
6 elements.

7 1. Two or more people reached an agreement to
8 commit the crime of federal programs bribery.

9 2. The defendant voluntarily and intentionally
10 joined the agreement, either at the time it was first
11 reached or at some later time it was still in effect.

12 3. At the time the defendant joined in the
13 agreement, the defendant knew the purpose of the agreement.

14 And 4. While the agreement was still in effect, a
15 person or persons who had joined in the agreement knowingly
16 did one or more acts for the purpose of carrying out or
17 carrying forward the agreement.

18 If all of the elements of conspiracy to commit
19 federal programs bribery for Count 15 have been proved
20 beyond a reasonable doubt, then you must find the defendant
21 guilty of the crime charged under that count. Otherwise you
22 must find the defendant not guilty of the crime charged
23 under that count.

24 The crime of federal programs bribery is charged
25 in Counts 16 through 19, 32, 34, 36 through 38 and 40 of the

1 indictment. I will explain separately the two versions of
2 federal programs bribery; one, giving a bribe and two,
3 accepting a bribe.

4 Federal programs bribery, giving or agreeing to
5 give a bribe, as four elements.

6 1. Aimee Marie Bock or Abdikerm Eidleh, depending
7 on the count you are considering, was an agent of Feeding
8 Our Future.

9 2. Before Feeding Our Future took an official act
10 concerting its sponsorship of the defendant's participation
11 in the Federal Child Nutrition Program, the defendant
12 corruptly offered, gave or agreed to give money or something
13 of value to Ms. Bock or Mr. Eidleh in connection with that
14 sponsorship.

15 3. The transaction involved something of value of
16 \$5,000 or more.

17 4. Feeding Our Future received benefits in excess
18 of \$10,000 pursuant to the Federal Child Nutrition Program
19 within a one-year period beginning no earlier than twelve
20 months before the commission of the offense or ending no
21 later than twelve months after the commission of the
22 offense.

23 Federal programs bribery, accepting or agreeing to
24 accept a bribe has four elements:

25 1. Aimee Marie Bock was an agent of Feeding Our

1 Future.

2 2. Before Feeding Our Future took an official act
3 concerning its sponsorship of Abdulkadir Salah's
4 participation in the Federal Child Nutrition Program, Aimee
5 Bock corruptly solicited, demanded, accepted or agreed to
6 accept money or something of value in connection with that
7 sponsorship.

8 3. The transaction involved something of value of
9 \$5,000 or more.

10 4. Feeding Our Future received benefits in excess
11 of \$10,000 pursuant to the Federal Child Nutrition Program
12 within a one-year period beginning no earlier than twelve
13 months before the commission of the offense or ending no
14 later than twelve months after the commission of the
15 offense.

16 If all of the elements for federal programs
17 bribery have been proved beyond a reasonable doubt for the
18 count you are considering, then you must find the defendant
19 guilty of the crime charged under that count. Otherwise you
20 must find the defendant not guilty of the crime charged
21 under that count.

22 The crime of conspiracy to commit money
23 laundering, as charged in Count 41 of the indictment has
24 four elements:

25 1. Two or more people reached an agreement to

1 commit the crime of concealment money laundering.

2 2. The defendant voluntarily and intentionally
3 joined in the agreement either at the time it was first
4 reached or at some later time it was still in effect.

5 3. At the time the defendant joined in the
6 agreement, the defendant knew the purpose of the agreement.

7 And, 4. While the agreement was still in effect,
8 a person or persons who had joined in the agreement
9 knowingly did one or more acts for the purpose of carrying
10 out or carrying forward the agreement.

11 If all of the elements for conspiracy to commit
12 concealment money laundering for Count 41 have been proved
13 beyond a reasonable doubt, then you must find the defendant
14 guilty of the crime charged under that count. Otherwise you
15 must find the defendant not guilty of the crime charged
16 under that count.

17 The crime of engaging in monetary transactions in
18 property derived from unlawful activity, as charged in
19 Counts 42, 44, 51, 52 and 57 of the indictment, has five
20 elements:

21 1. The defendant knowingly engaged in a monetary
22 transaction.

23 2. The monetary transaction was of property of
24 value greater than \$10,000 derived from wire fraud.

25 3. The defendant then knew that the monetary

1 transaction involved proceeds of a criminal offense.

2 4. The monetary transaction took place in the
3 United States.

4 5. The monetary transaction in some way or degree
5 affected interstate commerce.

6 If all of the elements for engaging in monetary
7 transactions in property derived from unlawful activity have
8 been proved beyond a reasonable doubt for the count you are
9 considering, you must find the defendant guilty of the crime
10 charged under that count. Otherwise you must find the
11 defendant not guilty of the crime charged under that count.

12 As to evidence, I've mentioned the word
13 "evidence." Evidence includes the following:

14 It includes the testimony of witnesses, documents
15 and other things received as exhibits, any facts that have
16 been stipulated to, that is formally agreed to by the
17 parties, and any facts that have been judicially noticed,
18 that is facts which I say you may, but are not required to
19 accept as true, even without evidence.

20 Certain things are not evidence. I shall list
21 them for you now.

22 1. Statements, arguments, questions and comments
23 by lawyers representing the parties in the case are a proper
24 part of the trial, but they are not evidence.

25 2. Objections are not evidence. Lawyers have a

1 right and a duty to object when they believe something is
2 improper. You should not be influenced by that objection.
3 If I sustain an objection to a question, you must ignore the
4 question and must not try to guess what the answer might
5 have been.

6 3. Testimony that I strike from the record or
7 tell you to disregard is not evidence and must not be
8 considered.

9 4. Anything that you may have seen or heard about
10 this case outside the courtroom is not evidence unless I
11 specifically tell you otherwise during the trial.

12 Sometimes a particular item of evidence is
13 received for a limited purpose only, that is it can be used
14 by you only for one particular purpose and not for any other
15 purpose. I will tell you when that occurs and instruct you
16 on the purposes for which the item can and cannot be used.

17 Some of you may have heard the phrases or terms
18 "direct evidence" and "circumstantial evidence." The law
19 makes no distinction between direct and circumstantial
20 evidence, so disregard any distinction. You should give all
21 of the evidence the weight and value which you believe the
22 evidence is entitled to receive.

23 In deciding what the facts are, you may have to
24 decide what testimony you believe and what testimony you do
25 not believe. You are entitled to believe all of what a

1 witness says or only part of it or none of it.

2 In deciding what testimony of any witness to
3 believe, you may consider the witness's intelligence, the
4 opportunity the witness had to have heard or seen the things
5 testified about, the witness's memory, any motives that
6 witness may have for testifying a certain way, the manner of
7 the witness while testifying, whether the witness said
8 something different at an earlier time, the general
9 reasonableness of the testimony, and the extent to which the
10 testimony is consistent with other evidence that you
11 believe.

12 Again, you must avoid bias, conscious or
13 unconscious, based on a witness's race, color, ethnicity,
14 national origin, religion, gender, gender identity, sexual
15 orientation, disability or economic circumstances in your
16 determination of credibility.

17 At the end of the trial, you must make your
18 decision based on what you recall of the evidence. You will
19 not have a written transcript to consult. You must pay
20 close attention to the testimony as it is given.

21 If you wish, however, you may take notes to help
22 you remember what witnesses said. If you do take notes,
23 please keep them to yourself until you and the other jurors
24 go to the jury room to decide the case and do not let your
25 note taking distract you to the point that you don't hear

1 the answers of a witness.

2 During this trial, as you've seen during voir
3 dire, it may become necessary for me to talk with the
4 lawyers outside of the hearing of the jury, either by having
5 a bench conference while the jury is present in the
6 courtroom or by calling a recess.

7 Please understand that while you are waiting,
8 we're working. The purpose of the conferences is to decide
9 how certain evidence is to be treated under the Rules of
10 Evidence to avoid confusion and error. We will of course do
11 everything we can to keep the number and length of these
12 conferences to a minimum.

13 You as jurors must obey certain rules. I shall
14 list those for you now.

15 First, do not talk with each other about this case
16 until the end of the case when you go to the jury room to
17 decide your verdict.

18 Second, do not talk with anyone else about the
19 case or about anyone involved with it until the trial has
20 ended and you've been discharged as jurors.

21 Third, when you are outside the courtroom do not
22 let anyone tell you about the case or about anyone involved
23 with it until the trial has ended and your verdict has been
24 accepted by me.

25 If someone should try to talk to you about the

1 case during trial, report it to my courtroom staff
2 immediately.

3 Fourth, during the trial you should not talk with
4 or speak to any of the parties and the lawyers, the
5 witnesses involved in the case, not even to pass the time of
6 day with them.

7 It's important not only that you do justice in the
8 case but that also you give the appearance of doing justice.
9 If any lawyer, party or witness does not speak to you when
10 they pass you in the hall or ride the elevator with you,
11 it's because they're not supposed to talk with you or visit
12 with you.

13 Fifth, it may be necessary for you to tell your
14 family, friends, employer, teachers, coworkers, et cetera,
15 about your participation in the trial. You can explain when
16 you are required to be in court. You should warn them not
17 to ask you about the case, not to tell you anything they
18 know or think they know about this case or discuss the case
19 in your presence.

20 Sixth, do not do any research or investigation
21 about the case on your own. That means not to research any
22 information about the case, the law, the people involved,
23 including the parties, the witnesses, the lawyers or the
24 judge.

25 During trial, you will hear about locations in

1 Minnesota. Do not visit or view any place discussed in the
2 trial.

3 Seventh, do not read or view any news stories or
4 articles, whether in print, on air, in the internet or
5 social media. In fact until the trial is over, I suggest
6 that you avoid the news altogether. I can assure you that
7 by the time you have heard the evidence in the case you will
8 know everything you need to return a just verdict.

9 Eighth, you must leave your cell phone, other
10 wireless communication devices, in the jury room during the
11 trial. You may only use them during breaks. You are not
12 allowed to have them at all during deliberations, but during
13 the trial, they will be back in the jury room, and you may
14 use them during breaks.

15 Ninth, do not make up your mind during the trial
16 about what your verdict should be. Keep an open mind until
17 after you have gone to the jury room to decide the case and
18 you and your fellow jurors have discussed the evidence.

19 Tenth, faithful performance by you of your duties
20 as jurors is vital to the administration of justice. You
21 should perform your duties without prejudice or fear and
22 solely from a fair and impartial consideration of the whole
23 case.

24 If you decide the case based on information not
25 presented in court, you will have denied the parties a fair

1 trial. In accordance with the rules of this country you
2 will have done an injustice. So it's very important that
3 you abide by these rules. You have taken an oath to do so.

4 Finally, I'll note for you that our system of
5 justice depends on jurors like you being willing and able to
6 make a careful and fair decision. A first response is often
7 like a reflex, and it may be quick and automatic. Even
8 though a quick response may not be the result of conscious
9 thought, it may influence how we judge people or even how we
10 remember or evaluate evidence.

11 You must decide this case based on personal
12 likes -- you must not decide this case based on personal
13 likes or dislikes, sympathy, prejudice, fear, public
14 opinion, biases, including unconscious biases such as
15 stereotypes, attitudes or preferences that people may
16 consciously reject but may express without conscious
17 awareness, control or attention.

18 Take time to reflect carefully and consciously
19 about the evidence.

20 A few more instructions for you.

21 One is that there has been some pretrial publicity
22 about this case prior to the beginning of trial. The
23 statements contained in some of these accounts may of course
24 not be accurate or may have come from individuals who have
25 not been present in court and who therefore could not be

1 seen and evaluated by a jury, like all the other witnesses
2 you will see.

3 You of course must lay aside and completely
4 disregard anything you may have read or heard about this
5 case outside the courtroom because your verdict must be
6 based solely on the evidence presented here in court in
7 accordance with my instructions to you.

8 To rely on anything else that you see and hear
9 outside the courtroom in reaching your verdict is a
10 violation of your oath as a juror.

11 The fact that one party may call more witnesses
12 and may introduce more evidence than the other does not mean
13 that you should necessarily find the facts in favor of the
14 side offering the most witnesses.

15 By the same token, you do not have to accept the
16 testimony of any witness who you find not to be credible
17 even if the witness's testimony has not been contradicted or
18 impeached.

19 You also have to decide which witnesses to believe
20 and which facts are true. To do this you must look at all
21 the evidence drawing upon your common sense and your
22 personal experience.

23 After examining all the evidence, you may decide
24 that the party calling the most witnesses has not persuaded
25 you because you do not believe its witnesses or because you

1 believe the fewer witnesses that may be called by the other
2 side, but you should always keep in mind that the burden of
3 proof is always on the prosecution, and the defendants are
4 not required to call any witnesses or offer any evidence,
5 since they are presumed innocent.

6 As you know, there are two defendants on trial
7 here, Aimee Bock and Salim Said. Each defendant is entitled
8 to have his or her case decided solely on the evidence which
9 applies to him or her.

10 Much of the evidence in this case will apply only
11 to one specific defendant at a time, and you must not
12 consider the evidence against the other defendant to whom it
13 does not directly apply.

14 The trial will proceed in the following manner:
15 First, the government will make an opening statement. Next,
16 each defendant's attorney will make an opening statement.

17 An opening statement is not evidence. It is
18 simply a summary of what the attorney expects the evidence
19 to be.

20 The government will then present its evidence, and
21 counsel for each defendant may cross-examine.

22 Following the government's case, each defendant
23 may, but does not have to, present evidence, testify or call
24 other witnesses. If the defendant calls witnesses, the
25 government's counsel may cross-examination them.

1 After presentation of the evidence is completed,
2 the attorneys will make their closing arguments to summarize
3 and interpret the evidence for you. As with opening
4 statements, closing arguments are not evidence. The court
5 will instruct you further on the law and after that you will
6 retire to deliberate on your verdict.

7 We are now ready for opening statements.

8 Mr. Bobier, you may proceed.

9 MR. BOBIER: Thank you, Your Honor.

10 It was early 2020 when the first news started
11 coming out. The sickness was highly contagious,
12 fast-moving, they called it COVID-19.

13 At first it was only elsewhere. It was only
14 overseas, and then all of a sudden it wasn't. So quickly
15 for so many of us everything changed.

16 Sports were cancelled, offices closed, and
17 theaters, concert halls, museums shut their doors.
18 Restaurants slowed down their business and then stopped.

19 And our schools. They closed down too.

20 Suddenly our nation's kids didn't have a classroom
21 waiting for them on Monday. That meant nowhere to go and
22 learned that for a lot of kids the nation, here in
23 Minnesota, it also meant nowhere to get their lunch that
24 day.

25 For years kids in our schools have had access to

1 meals, the kind of consistent, healthy meals that kids need,
2 but also the kind that some families aren't always able
3 without the schools to provide.

4 I'm describing something called the Federal Child
5 Nutrition Program. It's funded by the United States
6 Department of Agriculture or USDA, and it's a reimbursement
7 program. It allows schools to feed kids and get reimbursed
8 for those meals.

9 Now during COVID, schools shut down, so the USDA
10 changed the program. They changed it to make it easier for
11 schools to keep feeding kids. It allowed meal pickup or
12 meal delivery to kids' homes.

13 The sort of government project, a reimbursement
14 program to allow schools to feed kids, that might not strike
15 you as the sort of thing that would lead you here to a
16 federal courtroom to consider federal charges.

17 And it might not have if it weren't for Aimee
18 Bock, if it weren't for Salim Said. Those are the
19 defendants in this case. They are why we are here.

20 We're here because they came up with as scheme.
21 That's what you will see in this case. They came up with a
22 scheme to steal from the federal food program, a brazen
23 scheme, one so bold, so big and so effective that in a
24 matter of months they had stolen a quarter of a billion
25 dollars, \$250 million. That became the largest COVID fraud

1 in this country.

2 And what is fraud? It's just lying to get money.

3 Now, at the head of the scheme was Aimee Bock.

4 Aimee Bock was the founder and executive director of a
5 nonprofit called Feeding Our Future. You are going to hear
6 a lot about Feeding Our Future. Feeding Our Future
7 sponsored hundreds of participants in the food program, all
8 fraudulently claiming reimbursements they did not earn. And
9 Aimee Bock was at the top of it all.

10 She was the gatekeeper to those federal program
11 dollars. She decided who got to be in the scheme and who
12 did not. Aimee Bock led this scheme, and she conspired with
13 hundreds of people to do it.

14 Salim Said was just one of those people, but he
15 was one of the biggest players in the scheme, one of the
16 people who acted the most boldly, who stole the most.

17 You are going to hear how he ran sites sponsored
18 by Feeding Our Future and how from doing so he got millions
19 by ripping off the federal food program. But before you
20 hear about the defendants' scheme in this case, we have to
21 talk about the program they defrauded.

22 Again, that's the Federal Child Nutrition Program.
23 The point of it is feeding kids. There are a few ways the
24 program does that.

25 The largest part of the program is called the

1 National School Lunch Program. You might be familiar,
2 rectangular cuts of pizza, fruit cups, little cartons of
3 milk. Through that program school age kids can get fed at
4 school, and the schools get reimbursed for providing that
5 food.

6 But there are two other parts of the program that
7 are important to this case. The first is called the Child
8 and Adult Food Care Program, CACFP. That operates around
9 school hours, weekends, after school. It operates at
10 education centers like daycares, after-school programs.

11 And through the CACFP, the kids that attended
12 those programs can get fed, and the program can get
13 reimbursed. The other program is similar. It's called the
14 summer program.

15 Just like its name suggests, that provides meals
16 to kids over the summer when classes aren't in session. And
17 again, it's a reimbursement program. Educational
18 organizations feed the kids that attends, and they get
19 reimbursed.

20 Those two programs are nothing new. They've
21 operated throughout the country and in Minnesota for
22 decades.

23 Now in this case the way that the money flows
24 through this program in the ordinary course, that's really
25 important. Here's how it works:

1 The USDA is at the top of the chain. USDA
2 provides program funding to state governments. Here in
3 Minnesota the agency that handles that is the Minnesota
4 Department of Education or MDE. Now under MDE are nonprofit
5 organizations. Those help administer the program. They're
6 called sponsors.

7 The role of the sponsors is to oversee all of the
8 participating organizations at the bottom of this chain.
9 All of the after school programs, the childcare centers, the
10 places actually getting the food to the kids.

11 Those places at the bottom are called sites.
12 USDA, MDE, the sponsor and the sites.

13 The sites keep records of the kids that they feed,
14 and they provide those records up to the sponsor. The
15 sponsor reviews those claims, analyzes them, makes sure they
16 are accurate; and if they are, submits them up to MDE. MDE
17 pays out the reimbursements for those claims, and the money
18 flows back down.

19 The money flows from MDE had for the
20 reimbursements to the sponsor and then down to the sites.

21 Under the program, the sponsor gets to keep an
22 administrative fee, 10 percent. That's used to maintain the
23 sponsors' staff who are responsible for supervising the
24 sites, analyzing the claims and submitting them up.

25 That's how the program was supposed to work. It's

1 how it did work for decades, but then a new sponsor came
2 along and broke the system. This case is about that one
3 sponsor. It was Feeding Our Future. It was founded as a
4 nonprofit in 2018 by Aimee Bock, and it started as a
5 sponsoring program that same year.

6 Back then Feeding Our Future was small. It
7 supervised a few daycares and that was 2018, 2019. But by
8 2021, three years later, Aimee Bock's tiny nonprofit was a
9 business juggernaut. It sponsored hundreds and hundreds of
10 sites, and its revenue had exploded.

11 In just 2021, that one year, Feeding Our Future
12 submitted claims for the sites it supervised to MDE totaling
13 \$200 million.

14 So how did she do it? How will you see in this
15 trial that Aimee Bock transformed Feeding Our Future from a
16 tiny nonprofit into a moneymaking engine. Here as how: The
17 program provides reimbursement. So of course, the more kids
18 you claim to feed, the more money you get.

19 And that makes sense if you are in elementary
20 school. If you feed 100 kids in week one and 120 kids in
21 week two, your reimbursement for the second week will be
22 higher.

23 But in this trial, you will see that Aimee Bock
24 realized something. What if you claimed to be feeding kids
25 but you actually weren't?

1 What if you claimed to be feeding a lot of kids,
2 thousands of kids, thousands of kids a day, millions of kids
3 total? What if you had a sponsor willing to send the
4 reimbursement claims up to MDE no matter what those claims
5 looked like, no matter how big they were, no matter if they
6 defied common sense, if they were outrageous, if they were
7 patently absurd?

8 What if you had a sponsor who wouldn't just send
9 those claims up, but would fight for them and demand that
10 they got paid? What then?

11 You will see in this trial that's exactly what
12 Aimee Bock and Salim Said and their coconspirators did. A
13 few months into 2020, the sleepy little nonprofit of Feeding
14 Our Future exploded. Within weeks Aimee Bock enrolled
15 dozens and dozens of new sites, in St. Paul and Minneapolis
16 and all over the state, in Willmar, in Mankato, in
17 St. Cloud, Waite Park.

18 And immediately, right away, no hesitation, those
19 new Feeding Our Future sites started firing off fraudulent
20 claims, fraudulent meal counts.

21 To be clear about what you will see in this case,
22 these sites, they weren't skimming off the top. They
23 weren't feeding 50 kids but claiming 60. No. As soon as
24 they were formed, as soon as Aimee Bock let them into the
25 program, these sites started demanding payment on enormous,

1 impossible numbers of meals they said they were giving to
2 kids. Let me give you some perspective.

3 The biggest high school in this state is Wayzata,
4 is 3500 kids. Picture that. Just picture that for a
5 second. The size of the building that is required to house
6 that many kids, the classrooms, the hallways, the cafeteria.
7 Picture all those students gathered somewhere, an
8 auditorium, a gym.

9 In this case, you will hear that Feeding Our
10 Future, Aimee Bock, claimed her sites were feeding that many
11 meals every single day, and I don't mean all of her sites
12 put together. I mean each site, individual sites claiming
13 to feed a high school's worth of kids every day without
14 exception, every week for months, at a time when schools
15 were still providing food.

16 You don't have to be an expert in the federal food
17 program. You don't have to be a teacher or a school
18 administrator to know that that is not real, to know that
19 that is fraud.

20 You will see that Aimee Bock knew it. You will
21 see their site operators knew it. To paper her fraud, those
22 sites created stacks and stacks of fraudulent paperwork.
23 Here's what the evidence will show:

24 They submitted meal counts claiming to have fed
25 thousands and thousands of kids every day, but those meal

1 counts were fake. They submitted rosters with some names to
2 show the kids they were claiming to feed. There were no
3 kids. Those names were made up.

4 They submitted receipts, invoices purporting to
5 show the food they purchased to feed the kids, but those
6 invoices were shams. And all of that, all of that paperwork
7 from all of those sites flowed up to Feeding Our Future, the
8 sponsor. Everything went through Feeding Our Future.

9 Not a dime got paid out otherwise, not without
10 Feeding Our Future's approval, not without Aimee Bock's
11 okay. And over and over and over again Aimee Bock approved
12 them. She approved those absurd enormous claims, and they
13 were paid.

14 Aimee Bock sat on top of the scheme. She was
15 Feeding Our Future's executive director, but you will see in
16 this trial that wasn't just a title. In a very real way,
17 Aimee Bock was Feeding Our Future. No decision made without
18 her. No site allowed on board. No claim approved. It was
19 Aimee Bock who overnight transformed a sleepy nonprofit into
20 an engine for the largest COVID fraud in this country.

21 So why did she do it? Here's what you will see.
22 First, she got to steal a lot of money. Remember, the
23 sponsor in the program gets 10 percent of all the sites'
24 claims, 10 percent of a quarter of a billion dollars ain't
25 bad.

1 Aimee Bock aggressively expanded her territory.
2 The more sites she had setting up those enormous,
3 unbelievable claims, the bigger her cut. That fraud money
4 poured into Feeding Our Future's bank account. And who was
5 the only controller of that account, the sole signatory?
6 Who else? The founder, the executive director, Aimee Bock.

7 From this scheme, Aimee Bock got something else
8 too. She got power. In 2019 she's running a small
9 nonprofit in St. Paul. A year later, she's the CEO of a
10 multi-million-dollar enterprise. You will see that from her
11 perch atop all that, Aimee Bock exercised total control.

12 She controlled the bank, who got to have a site
13 under Feeding Our Future, access to those millions of
14 fraudulently obtained program dollars and who didn't, who
15 got to play and make money and who was on the outside
16 looking in.

17 But if you wanted to run a Feeding Our Future
18 site, if you wanted access to the bank, you had to pay up.
19 Site operators had to pay Aimee Bock and her Feeding Our
20 Future staff. You will see it in this trial. Those
21 payments were bribes. They were kickbacks.

22 And in exchange, Aimee Bock kept the bank open.
23 She waved through the fraudulent claims. She ensured her
24 sites got minimal oversight, and she made sure her sites got
25 paid. More than that, the evidence will show that if a site

1 stopped paying, they didn't want to pay the kickbacks
2 anymore, she didn't just cut them out of the program. She
3 would report them for fraud. That's what you will see.

4 Aimee Bock got money. She got power, and she also
5 got adoration. Feeding Our Future sponsored hundreds of
6 sites run by hundreds of people. And the site operators,
7 all those people bleeding the state dry under Feeding Our
8 Future's sponsorship, well they loved Aimee Bock.

9 She was celebrated. She was feted. Of course.
10 She was their source. She was their pipeline. She opened
11 the gate to unlimited government money, and for that they
12 loved her.

13 That's Aimee Bock.

14 Now, while Aimee Bock was running Feeding Our
15 Future, other people had to run the sites. There were
16 hundreds of sites, hundreds of people running them. Salim
17 Said was one of them.

18 So who is he? Salim Said operated a restaurant in
19 South Minneapolis. It was called Safari. He operated
20 Safari and some related businesses with partners who you
21 will hear about in this trial, but it's not his partners'
22 day in court. It's his.

23 Salim Said worked with Aimee Bock to enroll Safari
24 as a food site under Feeding Our Future, and almost
25 immediately Safari became one of the largest sites operating

1 under Feeding Our Future. In July 2020, for example, Salim
2 Said signed and submitted meal counts claiming to be serving
3 5,000 meals a day to kids at Safari.

4 Think about that. 5,000 meals to kids a day.
5 Every day. Look, you will see this in trial. Seven days a
6 week, week after week, month after month. By March 2021,
7 Safari was fraudulently claiming 6,000 kids a day every day.
8 That's 42,000 meals to kids a week.

9 Let's talk perspective again. Think about this.
10 Target field is a few blocks from this courthouse. When the
11 Twins play a sold out game, when every single seat in that
12 ballpark is full, that's only 40,000 people. That's still
13 less than the number of kids that Salim Said said that
14 Safari was feeding every single week, for weeks on end, for
15 months.

16 Think about if someone asked you to prepare meals
17 for every person sitting at a sold out crowd at Target
18 Field. They asked you to do it. How do you even start?
19 Think about the size of the kitchen you would need. Think
20 about the rooms of ingredients, the staff, the prep space,
21 the packaging.

22 That's what Salim Said said he was doing every
23 week at a modest restaurant in South Minneapolis. You will
24 see that it didn't happen. Of course, it didn't happen.
25 But Feeding Our Future submitted those claims up to MDE.

1 So in a matter of months through his Safari sites,
2 Salim Said and his partners fraudulently claimed and were
3 repaid \$12 million in food program funds. \$12 million in
4 months. That was bold. That was flagrant. That was fraud.
5 But for Salim Said it wasn't enough.

6 So while Safari was fraudulently claiming 5,000
7 meals to kids a day every day, he created a new company.
8 Called it ASA Limited. You will see that ASA was a shell
9 company. Now all that means is a company used to transfer,
10 to hide or spend stolen money.

11 You will see it. It had no operations, no assets,
12 no employees. Salim Said created it in September 2020, and
13 four days later Aimee Bock signed its application to be
14 added as a brand-new site under Feeding Our Future, operated
15 out of a little deli in St. Paul.

16 By the end of that month, ASA Limited is
17 fraudulently claiming to feed 3,000 meals to kids every day.

18 In a matter of months through ASA, Salim Said and
19 his partners stole another \$5 million in food program money.
20 This was a fast, relentless scheme. By October 2020, sites
21 under Feeding Our Future had claimed 4.3 million fraudulent
22 meals and for that demanded payment of \$11 million in
23 taxpayer funds. It was out of control.

24 So it prompted MDE to change the rules. Now
25 for-profit restaurants like Salim Said's Safari, they

1 couldn't operate sites in the program anymore. Aimee Bock
2 wasn't going to let that stop Feeding Our Future. She
3 refused to close any Feeding Our Future sites. She wasn't
4 going to let the state get in the way of her stealing the
5 state's money. You will see it in this trial.

6 So she fired off an email to MDE. She had an
7 explanation, of course. You will see it. Yes, Feeding Our
8 Future oversaw sites at for-profit restaurants like Salim
9 Said's Safari, but she told them those sites don't count.
10 They don't count as for-profits because, she said, every one
11 of them was actually staffed and had been staffed all along
12 by Feeding Our Future volunteers.

13 Site after site after site, at Salim Said's
14 Safari, then fraudulently claiming 6,000 meals a day, this
15 site is being staffed by Feeding Our Future. That's Aimee's
16 email. That's Salim Said's ASA Limited, then fraudulently
17 claiming 3,000 meals a day, this site is being staffed by
18 Feeding Our Future and elsewhere.

19 Sites in St. Cloud claiming 3,000 fraudulent meals
20 a day, this site is being staffed by Feeding Our Future, and
21 she said the same for many more. You will see it. It
22 wasn't true. It was a lie.

23 The lie Aimee Bock told to shut MDE up to get them
24 to go away. There were no armies of Feeding Our Future
25 staff volunteering at all of these sites, but it didn't

1 matter. Her lie works. It gave her enough cover to
2 continue blatantly ripping off the program.

3 Meanwhile, for Salim Said, millions of dollars
4 continued to flow in from his Safari and ASA sites, and even
5 so he decided to expand. The new MDE rule required
6 nonprofits. So Salim Said went out and he got one. Called
7 it Stigma-Free International.

8 It was a shell company, and he used Stigma-Free
9 International to expand his fraud into a franchise. Working
10 with his partners, Salim Said used Stigma-Free to open new
11 Feeding Our Future sites across the state, in Willmar, in
12 Mankato, in Waite Park, in St. Cloud.

13 And he had a model for it. The evidence will show
14 that each Stigma-Free site was set up with its very own fake
15 vendor to provide fake invoices to support the sites' fake
16 claims. That meant each of Salim Said's site operators,
17 each of his partners at those sites, they each had their
18 very own shell company to manage and use the federal program
19 dollars obtained from his sites' bogus claims.

20 Salim Said created an empire designed for one
21 purpose: To rip out of the Federal Child Nutrition Program
22 every dollar he could get.

23 Now to run that empire he needed a headquarters.
24 Every business does. So he and his partners took
25 \$2.7 million of the taxpayer money they'd stolen that they

1 had fraudulently obtained by claiming to feed 42,000 kids a
2 week, and they bought themselves a mansion on Park Avenue in
3 Minneapolis, the base of operations for the business of
4 their fraud.

5 From this Park Avenue mansion, Salim Said and his
6 partners handled the accounting for Safari and for the
7 Stigma-Free sites all across the state. It was here that
8 they gathered up all that bogus paperwork, the claims, the
9 rosters, the invoices, and submitted them up to their
10 sponsor, to Feeding Our Future.

11 And business was good. From the Safari site,
12 Salim Said is getting \$12 million over a number of months,
13 another five from the ASA Limited site and the Stigma-Free
14 franchise size model, that's another 14 and a half million
15 dollars, to him, to his partners.

16 Ladies and gentlemen, Aimee Bock and Salim Said
17 operated the largest COVID fraud in the United States. For
18 that they've been charged with conspiracy, wire fraud and
19 bribery, and Salim Said in addition to those charges, been
20 charged with money laundering.

21 I've described the scheme for you. We've
22 discussed the program, the roles each of these people had in
23 defrauding it, Aimee ruling her kingdom from Feeding Our
24 Future, Salim Said lording over his sites from the Park
25 Avenue mansion.

1 But how will you know? In this case how will you
2 know that these two are guilty beyond a reasonable doubt?
3 Here's how:

4 First, you will see all those documents,
5 everything we discussed. You will see the meal counts from
6 Safari, from ASA, from the Stigma-Free sites, page after
7 page after page fraudulently claiming to feed thousands of
8 kids a day, packed stadiums of kids every week.

9 You will see the fraudulent rosters, and make no
10 mistake. These rosters, they are not real kids. They are
11 fabrications. They are fictions. Some of the rosters you
12 will see use names copied from a website of common first
13 names, and some like this one, they used a function to come
14 up with a random age, made-up ages for the made-up kids.

15 Makes sense. In any business you want to be
16 efficient, why do it manually if you can have a computer do
17 it for you.

18 And you will see the fraudulent invoices. You
19 will see that all of that obviously phoney paperwork is
20 passed up to Feeding Our Future. These are the documents
21 they reviewed and approved over and over and over again.

22 But in this case, you will see a lot more than
23 just paper. You will hear from cooperators, people who
24 participated in the scheme, who pleaded guilty to their
25 part, people who have agreed to tell the truth in hopes that

1 at sentencing the court will give them a break.

2 And what are they going to tell you? They'll
3 explain how it all worked. They will tell you they set up
4 fraudulent sites under Feeding Our Future, that they
5 submitted fake meal counts, fake rosters, fake invoices.

6 They will tell you they did it to get rich. And
7 you will hear how they spent the millions they stole, on
8 travel, on real estate, on cars.

9 And they will tell you about the pay to play. How
10 they paid kickbacks to Feeding Our Future, to Aimee Bock, to
11 stay in the program, to keep the money flowing, to keep the
12 bank open.

13 You will hear from insiders, people who worked
14 inside Feeding Our Future, and they will tell you what it
15 was like. They will tell you Feeding Our Future wasn't
16 acting as a sponsor should. It wasn't monitoring sites,
17 checking receipts, ensuring accuracy of the claims.

18 You will hear that Feeding Our Future's focus
19 wasn't on feeding kids. It was on growing their operations
20 to enrich its players, to expand Aimee Bock's territory and
21 her influence. They focused on growing sites, enlarging
22 claims and making money.

23 You will hear about throngs of site operators
24 filling the Feeding Our Future office daily, clambering for
25 their latest checks, not to help kids. To help themselves.

1 Not to buy food. To buy everything else.

2 And you will hear about Feeding Our Future
3 employees on the take. Demanding and taking bribes,
4 kickbacks from the very sites they were supposed to monitor.
5 That's what you will hear.

6 And you will hear about Aimee Bocks' tactics,
7 about how far she went to protect and prolong the scheme.

8 You are going to hear that she was relentless,
9 that she didn't just facilitate the fraud. She fought for
10 it. When MDE raised concerns about Feeding Our Future,
11 about the massive claims pouring in, Aimee Bock went to war.
12 She attacked MDE in public, in the media, in the courts.

13 The evidence in this case will show you her
14 strategy was clear, attack, attack, attack, batter them
15 down, beat them away, shut down their questions. How dare
16 they cross Aimee Bock, cross Feeding Our Future, question
17 these enormous claims? 6,000 a day, 42,000 a week. How
18 dare they ask her about it. You will see it. Aimee Bock
19 was making people a lot of money, and that made her a lot of
20 friends.

21 So when MDE questioned her claims, her sites, she
22 rallied those friends to her side, literally. They held a
23 rally outside MDE. They protested with chanting and signs,
24 and she sued them. She sued MDE, the state, the state she
25 was stealing the money from, For discriminating against her

1 and her sites.

2 When one MDE employee was quoted in the press as
3 having concerns that Feeding Our Future was engaged in
4 fraud, she sued him too personally for defamation. You will
5 see it. You will see it in this trial.

6 MDE wasn't discriminating against Aimee Bock or
7 her sites. She knew that, but it didn't matter.

8 She waged a campaign of intimidation so that she
9 and her sites, the ones she sponsored, they could do as they
10 liked, take as they pleased and bleed the system dry.

11 So what did MDE eventually do? They called the
12 FBI. So the FBI came in. They set up a bunch of cameras at
13 some of those sites you heard about, like Salim Said's
14 Safari and his ASA site. What did they see? You will see
15 it. Not thousands of parents picking up food, not thousands
16 of kids.

17 They didn't see weekly deliveries of enough food
18 to feed Target Field. No. Most days the sites claiming to
19 feed four, five, six thousand kids a day, they were just
20 empty streets, quiet restaurants.

21 You don't have to see that to know that it's fake,
22 but you will see it, and there's more.

23 The FBI got search warrants for the defendants'
24 homes and their businesses. And you will see bundles and
25 bundles and bundles of that bogus site paperwork that they

1 found, the claims, the counts, the rosters.

2 You will see defendants' own communications about
3 the claims, about the sites, and there's more. The FBI got
4 the bank records, all of them, for the defendants' accounts,
5 for all of their companies, for all of their shell
6 companies, and they were analyzed by FBI forensic
7 accountants.

8 Ever heard the phrase "follow the money"? These
9 are the people who do it. They looked at every page, every
10 transaction, and you will hear exactly what they saw, how
11 the food program money flowed into defendants' pockets, how
12 the defendants moved it from company to company to company
13 they controlled.

14 And you will hear how they spent it. Some of the
15 money was spent on food. Some rice or beans, veggies,
16 fruit. But they followed the money, and in this trial you
17 will too.

18 You will see that food was the smallest part of
19 these sites' expenses. They didn't buy food to feed 41
20 million meals to kids, which is what they claimed. No.

21 The little food they did buy was window dressing,
22 make their fraud look good. They didn't use their money for
23 food. You will see they used it had for themselves, and you
24 will see exactly how.

25 We talked about how Aimee Bock was the only

1 signatory on the Feeding Our Future account. Millions of
2 dollars flowed through there at any one time. She's the
3 only one with access there. She used that access whenever
4 she wanted.

5 It was her only personal slush fund to pay for
6 travel, romantic get-aways for her and her boyfriend,
7 San Diego, Memphis, to Las Vegas where they rented a
8 Lamborghini for \$2,000 a day. Must have had a nice time.
9 They went back. Second trip, Las Vegas. They rent a Rolls
10 Royce this time, another 2,000 a day. Food program money.

11 She followed another \$1 million of food proceeds
12 into an account held by that boyfriend, and of course as
13 executive director for her hard work keeping the scheme
14 alive, she awarded herself a six-figure salary.

15 And Salim Said, he lived the high life. You will
16 see it. Funded by government money meant to feed kids.

17 He used program money to buy himself a Mercedes
18 and a Chevy Silverado. In cash. We talked about the
19 mansion he and his partners bought, \$2.7 million in food
20 program money, Minneapolis, their headquarters, and again no
21 mortgage, no financing. That's cash.

22 He invested in other businesses, another
23 \$2.4 million. He bought a defunct business in Ohio, food
24 program money, cash purchase.

25 And of course you got to have a place to live. So

1 he bought himself a house in Minnesota for over another
2 million dollars. Cash.

3 Finally, the FBI accountants will tell you about
4 the kickbacks, the bribes, how Salim Said and his partners
5 and the food program paid Feeding Our Future employees over
6 half a million bucks, how Salim Said and his partners paid
7 Aimee Bock \$310,000, how they claimed this money was for the
8 purchase of a daycare Aimee owned, a daycare you will hear
9 that had no business license, no clients, no active
10 operations whatsoever, an empty shell, for \$310,000.

11 You will see what it was. They weren't buying a
12 business from her. There was no business. They were making
13 money in the program hand over fist, and they needed to pay
14 the gatekeeper. That's what that was. You will see it in
15 this trial.

16 Finally, everyone, you are going to hear in this
17 case from community members. These are neighbors, business
18 owners, ordinary folks who live, work or commute right by
19 the sites that you will hear about in this case, every day,
20 during COVID, during the years the defendants were
21 fraudulently making their claims.

22 And they will tell you they didn't see lines of
23 people picking up food for kids. They didn't see traffic or
24 masses of parents. No. Because these sites weren't feeding
25 kids. Because the enterprise the defendants ran wasn't

1 about helping kids. It was just about helping themselves.

2 Ladies and gentlemen, the defendants in this case,
3 they saw opportunity in crisis. And the moment they saw it,
4 the opportunity to rip off the food program, the moment,
5 they went all the way.

6 Everything in this scheme was about speed. You
7 will see it again and again and again. Create a fake
8 company on Monday. Enroll it as a site under Feeding Our
9 Future on Tuesday, and on Wednesday start fraudulently
10 claiming to feed thousands and thousands and thousands of
11 meals to kids.

12 They didn't just rip off the program. They didn't
13 just steal this money. They acted like they were entitled
14 to it. So quickly, \$250 million in a matter of months. And
15 they dared someone to stop them. That's corruption. You
16 will see it in this trial. That's fraud on an order of
17 magnitude this state has never seen in so short a time. And
18 these people, these two people, Aimee Bock, Salim Said, they
19 are responsible for it.

20 By the end of this trial, you will know that, you
21 will know it beyond a reasonable doubt, and we will come up
22 before you again and ask you then to return the only verdict
23 consistent with the evidence in this case, which is guilty
24 on all counts.

25 THE COURT: Thank you, counsel.

1 think the case is about.

2 Of course, the way I think about the case differs
3 from that which you have just heard.

4 Aimee Bock is not big enough, powerful enough,
5 connected enough to control the government, the legislature,
6 and Minnesota Department of Education. Just one woman. She
7 isn't that powerful.

8 You are going to hear this case, but it is very
9 simple if you follow evidence. What you may have heard in
10 the news was not evidence. Evidence is what the judge has
11 described to you, and that is only what we will follow.

12 At the end of the day, evidence is stubborn.
13 Evidence is truthful. Evidence does not change. It is like
14 history. It doesn't change. And that is what we intend to
15 show you in this case.

16 As you well know, and the court has already told
17 you, Ms. Bock and me, we don't have to, we are not obligated
18 to even say anything. The burden is on the government to
19 prove this case beyond a reasonable doubt. Think about that
20 phrase "reasonable doubt."

21 Ms. Bock should not be responsible for the action
22 of others. It is simple. If I'm a driver of a car, and I'm
23 speeding, the passenger doesn't get a ticket. It's the
24 driver that gets the ticket.

25 What any other person did in this case when Aimee

1 didn't know anything about it, the evidence will show it
2 will tell you that she must not be held responsible.

3 However flamboyant, however graphic it may be, she should
4 not be held responsible for what she didn't do, what she
5 didn't know, what she didn't participate in.

6 The government give a certain description of a
7 departmentalization of this case. What looms large is the
8 Department of Agriculture. That's where the funding came
9 for the child food programs.

10 Then we have Minnesota Department of Education.
11 You are going to hear testimony about MDE. When I say
12 "MDE," I mean Minnesota Department of Education.

13 And then you are going to hear a lot about Feeding
14 Our Future. That's, it's important, however. You have this
15 word. Think about it. The evidence will show sites. Sites
16 are different from vendors. There are sites. There are
17 vendors owned by maybe the same people or maybe different
18 people that are two separate entities.

19 Something is going to be clear to you. Delivery
20 of the foods. Some of the deliveries were made directly to
21 homes, to families comprising men, women, children, and some
22 were picked up from the sites. It's going to be plain.

23 What is also going to be plain is, in this case,
24 is evidence. Plain truth. Truth matters.

25 Evidence will show that MDE lied. They lied.

1 It's a tough word. You will see the lies. They lied about
2 the food programs. They lied to the federal government.
3 They lied to Ms. Bock just to cover their rear end.

4 Evidence will also show that MDE listened to the
5 testimonies that will come. They refused to investigate
6 fraud. Refused to investigate fraud.

7 Now, if MDE will not investigate fraud, what is,
8 what can one woman do when the government, when the state
9 government refuses to investigate fraud?

10 Evidence will show that MDE refused to take
11 responsibilities for their failures. There are more
12 documents that may come from me or even the federal
13 government about MDE failures.

14 You may hear argument. You may see evidence or a
15 suggestion that you should disregard a particular piece of
16 evidence, but it is going to be stubborn. That is one thing
17 in this case. It's not routine. It's not guessing.
18 Documents will show. Who generated the documents? You will
19 find out. Is it Aimee Bock? If it is Aimee Bock you will
20 find out. If it's someone else, you will see.

21 Evidence will show that MDE claimed that it does,
22 does not have authority to investigate fraud. I want you to
23 focus on that. You are going to see it. It may be an
24 email. Clear, clear, clear, clear like the sky outside that
25 they would not investigate fraud.

1 But then after this case started, MDE would like
2 to tell you that they suspected fraud all along.

3 Another thing MDE will say, evidence will show,
4 MDE claimed they did not have authority. So if they don't
5 have authority. Who does?

6 My PowerPoint is off. There you go.

7 Now, this is something else the evidence will
8 show. MDE you will see actually reauthorized organizations
9 that Feeding Our Future and Ms. Bock suspected of fraud and
10 terminated, MDE put them back into the process and declared
11 no fraud. We will show you that.

12 You will see, it's a little close now, but MDE
13 told Aimee Bock that they would take no position in fraud
14 after Aimee Bock reported an organization. MDE.

15 There are a couple names. I'm bringing this up so
16 at least you will hear these names come up during this case.
17 One person is Abdikadir Kadiye.

18 Just keep in mind our position. He pled guilty.
19 These are people that had some contact with Ms. Bock and
20 Feeding Our Future.

21 Another person is Abdul Abubakar Ali. You will
22 hear this slide, this sponsors, pled guilty.

23 Another one, to continue, notice SMB USA is a site
24 terminated by Feeding Our Future. Nawal Restaurant,
25 terminated by Feeding Our Future. Pled guilty.

1 You will hear about Anab Artan Awad, multiple
2 community services. Worked with Partners in Nutrition,
3 abbreviated as PIN. Pled guilty. That's a fact.

4 Those are folks that Ms. Bock would not have
5 anything to do with them in Feeding Our Future.

6 There's this organization, Action for East African
7 People, Ayan Farah Abukar, terminated by Feeding Our Future
8 for fraud. Pled guilty.

9 How about Youth Inventors Lab, admitted to staging
10 food distribution to trick Feeding Our Future staff. Pled
11 guilty.

12 Filsan Hassan, Youth For Higher Education
13 Achievement. Sites vended by S & S, under investigation by
14 Feeding Our Future. Pled guilty.

15 The narrative is, it's like Feeding Our Future,
16 Aimee Bock, just sat down and conspired with all these
17 people and did nothing. The evidence will show how much
18 work Ms. Bock did to prevent fraud in this program. In fact
19 the evidence will show she worked harder than MDE to the
20 point where some people got mad and sued her, threatened to
21 sue her, because she would not let them in the program.
22 Evidence will show that.

23 Now, how about Hadith Ahmed, South Metro Youth,
24 Mizal Consulting. Terminated by Feeding Our Future, also
25 pled guilty.

1 You will hear about Haji Sosman Salad, Haji
2 Kitchen. That organization was blacklisted by Feeding Our
3 Future because of the suspicion. Again, pled guilty.

4 You are going to hear from maybe Hanna Marekegn.
5 You are going to hear one of the sites, one site was Brava
6 Cafe. That also terminated from Feeding Our Future by Aimee
7 Bock. MDE reenrolled, transferred that to Partners in
8 Nutrition. They pled guilty.

9 Hoda Ali Abdi, another guilty plea. Worked for
10 Partners in Nutrition. Had some association with Feeding
11 Our Future. Kawsar Jama, Partners in Nutrition, MDE didn't
12 find fraud. They pled guilty.

13 Liban Alishire, Community Enhancement Services.
14 Pled guilty.

15 You may here from Lul Bashir Ali. Maybe the
16 government will call him. You will hear about Lido
17 Restaurant, who was terminated by Feeding Our Future. Pled
18 guilty.

19 Hassan, Qamar Hassan, S & S. You might hear from
20 that catering service. Investigated also, was under
21 investigation by Feeding Our Future. Pled guilty.

22 How about Sahra Mohamed Nur. Same thing.

23 Issa is one of them. Terminated by Feeding Our
24 Future. This seems exhausting. There's so many. But this
25 is what Ms. Bock was doing, getting rid of fraudsters,

1 fraudsters, if she finds one.

2 Sharon Ross, House of Refuge. Also terminated for
3 fraud. Then transferred to Partners in Nutrition, committed
4 fraud there. MDE has the authority of reregistering these
5 folks.

6 Feeding Our Future suspects them of fraud,
7 notifies MDE. MDE says I'm not going to take any position
8 about fraud. Enrolls them. Allows them to transfer, and
9 they commit fraud. And now the evidence will show people
10 lied. People lied to Aimee Bock.

11 She's just one person. Feeding Our Future had
12 anywhere between 68 to 100 employees. It wasn't a small
13 office space. You will see that. You will see she employed
14 a lot of people. She had consultants. She was focused on
15 policy, management.

16 The evidence will show that Ms. Bock is not
17 Jacques Cousteau. She is not Columbo, watching every
18 receipt with a magnifying lens. There's some amount of
19 relying on people's responsibility, people's obligation to
20 be truthful.

21 MDE, the evidence will show, mislead Ms. Bock and
22 the federal government in this case.

23 You may hear from Emily Honer from MDE. You will
24 see that MDE staff failed to do their jobs. They made the
25 problem worse.

1 What is Ms. Bock supposed to do when she reports
2 someone she suspects of fraud to MDE and they do nothing?
3 Would you report the next person? She continued to report
4 some that she discovered, that her employees, that things
5 didn't match. You risk a lawsuit yourself.

6 Evidence will show that MDE insisted that FOF pay
7 claims, Feeding Our Future that is, that Ms. Bock didn't
8 have oversight. You will see throughout this case, in this
9 case, you will see on occasion where MDE is nudging Ms. Bock
10 to pay a claim that she didn't have oversight and she didn't
11 want to pay. MDE is pushing her to do it.

12 You will see these emails. Emily Honer that you
13 may hear from will have something to say. You see, Ms. Bock
14 says please, explain why MDE is telling programs that
15 Feeding Our Future will submit claims for their
16 organization.

17 As I have explained to you, this organization
18 terminated their agreement with Feeding Our Future and was
19 not being monitored by us. MDE is telling people Feeding
20 Our Future is going to submit their invoice.

21 What government agency does that?

22 Evidence will show that only MDE had the authority
23 to approve site applications, not Ms. Bock. MDE has an
24 obligation. An application is made. They have to do their
25 own due diligence. Ms. Bock and Feeding Our Future does

1 hers. What's MDE's obligation? None? I don't think so.

2 MDE has the authority to approve or deny, deny
3 claims, not Ms. Bock. Not her. As this case proceeds, you
4 will get the sense, you will see based on evidence, not
5 anything else, not because Ms. Bock is a woman, not because
6 she's a white woman, not because for any other thing, but
7 evidence. As I said earlier, evidence is very stubborn. It
8 tells the truth. Ms. Bock is the wrong person.

9 Evidence will show that Ms. Bock is just a
10 convenient target. We got to have someone. Why not pin it
11 on the administrator of Feeding Our Future? When you have a
12 clever thief, you don't blame the person who wasn't able to
13 catch your thief. You blame the thief.

14 You will see throughout this case that Aimee Bock
15 followed the law. The law, Department of Agriculture, she
16 followed it. She followed the regulations, all the law, to
17 the best way possible.

18 One thing Ms. Bock wasn't afraid to do, rightly
19 so, is to follow the law, because of time like these. Could
20 you imagine if she did not try to follow the law? She
21 fought to follow the law. The evidence will show that.

22 One incident, the government talked about it, that
23 Aimee, Ms. Bock with Feeding Our Future, sued the State of
24 Minnesota. Evidence will show that by the time it came to
25 this action, two other court actions had occurred, where the

1 court sided with Ms. Bock and her organization against MDE.

2 It was only after they refused to follow the law,
3 and it's tough when you know what the law is, and the state
4 doesn't want to follow it, you bring a lawsuit. And for
5 bringing a lawsuit, for following the law, she's not a
6 bully. She's just following the law. She's just doing what
7 any of us would do.

8 Evidence will also show some of the sites made
9 false complaints against Aimee because she reported them of
10 fraud, and they threatened her. She wasn't afraid. She
11 wasn't afraid. She did the best she could. She reported
12 people that committed fraud to MDE and the attorney general.
13 You will see.

14 In this case as we continue to go, it may come
15 through the government, it may come through Ms. Bock, that
16 some of the sites were agitated, that they were feeding more
17 people and lied to Aimee Bock. What is she supposed to do?

18 She has 68 to 100 employees. Someone, her
19 employee to go inspect the sites. The employee comes back
20 and reports. I see they are feeding people. One thing you
21 are going to find out during this process is, think about
22 it. How many times was Feeding Our Future required for site
23 inspection?

24 You will see evidence that Feeding Our Future made
25 a surprise site inspection, and the site owner got mad, was

1 upset, but why did Ms. Bock do that? Because she went over
2 and beyond what the law required. You will hear how many
3 times, and it will surprise you, how many times she
4 inspected, how many times the law required it. Then ask
5 yourself how many times did MDE go to site inspections.

6 Yeah. She conducted more site inspections than
7 was required by law. The evidence will show that.

8 People lied to her about the site inspection.
9 What was she supposed to do? When the consultant comes and
10 tells her I saw about a thousand people, I saw a line of
11 cars, and comes back with maybe a text, a picture, what is
12 she supposed to do when people -- when she is dealing with
13 clever liars? What is she supposed to do?

14 One thing Feeding Our Future instituted, you may
15 hear from this -- you may hear about this, is a device, a
16 platform called Monday.com.

17 And ladies and gentlemen of the jury, this is a
18 very important case. An update in time to show you what you
19 are going to see in this case, because it's that important.
20 Since 2022, there hasn't been an opportunity to present
21 evidence until now.

22 So I'm going to walk you through Feeding Our
23 Future office. They have a device, a platform, called
24 Monday.com.

25 Ms. Bock does not operate, doesn't go in -- she

1 has access. She doesn't go in there regularly. Employees
2 who do site inspection, when the duty assigned inspection,
3 they will come to Monday.com and make comments. Everyone.
4 And only those in the claims department, they will make
5 comments about the sites. They populate invoices.

6 Aimee Bock has nothing to do with it yet at that
7 time. Evidence will also show that during COVID-19 --
8 remember. Folks could not congregate -- food were delivered
9 to homes.

10 One thing I think you should know, because this is
11 hard to tell. It really doesn't affect Feeding Our Future
12 much, but it's important for information that you ought to
13 know.

14 The amount of food that Feeding Our Future and
15 Ms. Bock supplied was greater than the amount of food
16 recommended by USDA. You will hear that. Feeding Our
17 Future actually fed more food than it was required.

18 The evidence will also show that Ms. Bock had very
19 limited contact with the sites. Very limited. And so you
20 will see, the evidence will not show this grand conspiracy
21 to power, to manipulate a hundred something sites to her
22 will, including State of Minnesota.

23 Who is Aimee Bock? 44 years old. Attended
24 kindergarten in Cottage Grove. Attended the University of
25 Minnesota Duluth. Graduated college. Has a degree in

1 elementary education. She's married, was married, has two,
2 two boys. Divorced in 2011.

3 Ms. Bock lost their home when this case began.
4 Where's the money she supposedly got, this millions of
5 dollars? The evidence will not show that Ms. Bock made
6 millions of dollars.

7 After this case, Ms. Bock moved to a rented house.
8 She couldn't afford it. Was evicted. Lost her furniture
9 because -- she lives with her parents. Doesn't have a car.
10 Could not afford an apartment for her family.

11 Is that someone who made millions? No.

12 How did she come to work for Feeding Our Future?
13 She has a background as a teacher, daycare. She was a
14 director for a child care facility, and she's been a
15 nonprofit all her life.

16 Was never in the business of making money. And
17 she worked with two sponsors of the food program before
18 joining Feeding Our Future. In fact, Ms. Bock trained state
19 agencies.

20 You will hear about Partners in Nutrition. That
21 is the case we talked about. It's one of our reasoning for
22 Feeding Our Future.

23 The Court of Appeals ruled that MDE's conduct was
24 arbitrary and capricious. It wasn't just with Feeding Our
25 Future that MDE had been noted for wrongdoing.

1 Ms. Bock worked with the legislature.

2 The evidence will show that part of, part of the
3 reason MDE dislike Feeding Our Future and Ms. Bock is the
4 fact that there was this move to move the child care
5 program, the food program, to the Department of Health, away
6 from MDE. It almost passed.

7 So Feeding Our Future began in 2018. So what is
8 Feeding Our Future like? If you, the news media, you
9 wouldn't know anything that this was an organization that
10 wanted to help feed people. It wasn't just Africans. There
11 was other languages spoken by Feeding Our Future offices,
12 Spanish and Mandarin.

13 One thing you will see from the evidence, the
14 businesses, the sites that purportedly you -- people thought
15 that Aimee Bock created those sites, Aimee Bock created
16 those nonprofits. No. The evidence will show that she did
17 not. She monitored. Feeding Our Future staff monitored
18 staff.

19 Evidence will show that staff reviewed documents,
20 not, not just Aimee. And you will see how the process
21 works.

22 You will likely hear from some witnesses. You
23 will hear from law enforcement, maybe Doug. You might hear
24 from Travis Wilmer, who executed a search warrant. You
25 might hear from Matthew Snell. These are all government

1 witnesses, Jared Kary, Pauline Roase.

2 You now you heard this name Abdelahi Eidleh. I
3 want you to listen, listen very intently, because you will
4 learn the evidence about Mr. Eidleh who speak the truth.
5 Listen to his relationship with the sites.

6 While Ms. Bock is in the office, he's out in the
7 field. Ms. Bock doesn't speak Somalia. She rely on people
8 in the office to tell her the truth.

9 Watch for who bribed Mr. Eidleh. You will hear
10 the lies he told to Aimee Bock. Notice how he manipulated
11 folks, not Aimee Bock.

12 The fact that Ms. Bock didn't speak Somalian was
13 convenient. How is she going to know the language what they
14 are saying? I trust that deputy says, hey, here's a new
15 site that wants to join.

16 Watch for the sites. Just think about it. Watch
17 for the sites that Mr. Eidleh recruited himself, not with
18 Ms. Bock.

19 You will hear from Hadith Ahmed, maybe as a
20 government witness. That's the guy that was terminated for
21 fraud by Ms. Bock.

22 You will hear from him, and you are going to think
23 when did he start telling the truth. Early on or when he
24 met the government agents? Or when he testified at another
25 trial? Or when you hear from him now?

1 You listen for Feeding Our Future investigation of
2 empire. Think hard. The evidence will show he received
3 \$337,000 in bribes from Ayan Abukar.

4 The government may produce it. That's what the
5 evidence is going to show.

6 Think about it. This man worked for Honest
7 Process and received bribe and lied to Ms. Bock and Feeding
8 Our Future. You may hear from him.

9 When I said evidence is stubborn, you can't
10 rewrite history. Documents tell you the truth. This case,
11 there are a lot of documents. There are a lot of
12 statements. The statement he gave to investigating agents,
13 the statements he made to Feeding Our Future, the statement
14 he made to the court, you will see it.

15 It wasn't just men that were lying. Women too.
16 Ayan Abukar, Ms. Bock, Feeding Our Future, terminated her
17 for fraud.

18 After Ms. Bock terminated her, she got a lawyer,
19 threatening Ms. Bock personally and Feeding Our Future.
20 Guess what. When I said you can't rewrite history.
21 Documents are stubborn. She withdrew her challenge, her
22 termination, her disagreement and claim it was a computer
23 glitch in the food count.

24 You will hear from her. She insisted, insisted on
25 Feeding Our Future increasing the locations and the number

1 of people she fed. You will see it.

2 This is what I summarize Ayan Abukar's fraud. She
3 produced fake invoices, fake corporations, fake claims, fake
4 meal counts. That's why Feeding Our Future terminated her.
5 Pay attention to the investigation of her claims.

6 Notice how closely Ms. Abukar worked with Hadith
7 Ahmed. She gave him bribes, not Aimee. Not Aimee Bock.
8 Pay attention to her lies.

9 I want you to -- another person is Lul Bashir Ali.
10 There are so many people here. I have to apologies. I
11 can't help it, but I have to show you what the evidence in
12 the case is going to show. Not going to see any
13 communication between Lul Bashir Ali of Lido Restaurant with
14 Ms. Bock. Watch for her lies. Her, too, was terminated by
15 Feeding Our Future. She lied to Ms. Bock. She lied to the
16 federal investigators.

17 Who brought her? Her brought Lido Restaurant?
18 Who brought this group? Lul Eidleh.

19 Lul Bashir worked for, worked with Feeding Our
20 Future staff, not Aimee Bock. The evidence will show that.
21 Pay attention to conflicting statements to this court. You
22 may hear from Mekfira Hussein, her lies about payments and
23 phantom checks. You will see. A government witness
24 possibly.

25 Hanna Marakegn, I know so many names, but we will

1 try to show you evidence of Ms. Hussein's lies. She paid a
2 thousand dollar bribe, I mean a thousand dollar bribe. She
3 was also terminated by Feeding Our Future.

4 We may hear from the assistant commissioner Daron
5 Korte. You might hear from him. You will see how is it
6 possible to have done your job?

7 I mean, the state auditor conducted an
8 investigation. It is possible that that report will be
9 discussed. MDE did not do its job.

10 Think about this. October 2020, a letter from
11 Daron Korte. He says this, that USDA finds that MDE has
12 made improper meal claim reimbursements. However, USDA
13 could not require MDE to pay back those claims. Just think.
14 That's what the state agency is saying. I know that we have
15 paid improperly but we're not getting it back.

16 The requirement is to get back if you are going to
17 police fraud. All right? Facing a billion dollars of loss,
18 \$4 billion of loss, yet you are not going to require it back
19 from those that you purportedly overpaid? Does that make
20 sense? The evidence will show that.

21 Monica Herrera, you might hear from her also. She
22 failed to do her job.

23 You might hear from Emily Honer. MDE staff. She
24 made the situation worse.

25 Kendra Pace. You may hear from these people.

1 Camille Jones, Butcher, Johnson Reed.

2 The government talked about how this thing, whole
3 thing started. It was COVID. Schools were closed,
4 businesses. People lost their jobs. Restaurants were
5 closed. There was a stay-at-home order.

6 Remember, the Twin Cities, what happened? People
7 came from all over the country to the Twin Cities. A lot of
8 the protesters took their food because no one could stop
9 anybody.

10 All Ms. Bock wanted to do with Feeding Our Future
11 was feed as many hungry people as possible.

12 So I talked about Monday.com. That's the first
13 entry of invoices, meal counts, that you saw with the
14 government's opening statement. There's something else that
15 you will see. It's called CenterPilot, another platform.
16 And then CLiCS. CLiCS, like its name, is the last resort.

17 The invoices and meal counts come to Monday.com.
18 All the employees can make comments about sites and on what
19 they found, what is missing. Do they have pictures? Do you
20 have evidence or food?

21 Does the -- sorry. Does the milk number correlate
22 with how many families in the home? Those comments will be
23 made at Monday.com. You are not going to see a lot of
24 Ms. Bock's comments because it is the claims department
25 doing it.

1 After it moves from Monday.com, it goes to
2 CenterPilot. CenterPilot is where the distribution, the
3 percentile of what payments would go to which site, looking
4 at number of food, what number of people, allocations, what
5 meals you approve. Is it a thousand a day, 2,000 a day, a
6 hundred?

7 Whatever it is, CenterPilot will collect that.
8 And whatever is missing, they have to put it at CenterPilot,
9 and then it goes to CLiCS. Ms. Bock, either one of the two
10 in the office, will send it to MDE. MDE does the approval,
11 not Ms. Bock. The evidence will show that.

12 The evidence will show, as I already said, it goes
13 through many employees, so it is impossible for Ms. Bock to
14 sit in her office while she's doing the policy work,
15 administrative work, to go out in the field and conspire
16 with someone to send an invoice, a milk invoice, to
17 Monday.com, pass all the claims department, go to
18 CenterPilot, pass those people and then get to her. It's
19 impossible. The evidence will show that.

20 Program coordinators do the audits. It goes to
21 CenterPilot, the meal count. Many, many steps that has to
22 be followed. This was not an office, maybe one or two
23 offices.

24 The evidence will show how many offices Feeding
25 Our Future had. Just imagine anywhere between 68 to 100

1 employees. It is not in one room, sitting at the computer,
2 and manufacturing invoices and sending it to MDE for
3 payment? No.

4 Evidence will show things went through many
5 employees, and meal counts were disallowed. And then right
6 at the peak, it could be escalated to the director. Claims
7 were denied. Ms. Bock prints out reimbursements. Sites are
8 notified they are approved.

9 MDE approved claims, not Ms. Bock. She can
10 approve all she wants, but MDE has the responsibility to
11 approve or deny. It is MDE's responsibility to conduct
12 oversight, not Ms. Bock.

13 There's something else the evidence will show,
14 that Feeding Our Future invited the Attorney General's
15 Office, not the United States Attorney General's Office, but
16 Minnesota Attorney General's Office representing MDE. Is
17 that something that translates, inviting the attorney
18 general to your office, to come? I have boxes ready for
19 you. Come take a look. Come to the building. Look at
20 the -- let's go to sites. Here, Feeding Our Future would
21 approve -- would provide copies, contracts, communication,
22 internal, external, for you, meal validation. We have
23 75 boxes.

24 Did they do it? No. Because they weren't
25 concerned about fraud. Even invited Attorney General's

1 Office into the communities. Feeding Our Future provided
2 open access.

3 So here we are. Count 1, wire fraud conspiracy.
4 This is what the evidence is going to show.

5 Ms. Bock defrauded no one. Conspired with no one.
6 She provided MDE with open access. She wasn't lying about
7 anything. The evidence will show that's not the behavior of
8 someone who is hiding something. Those are boxes. She was
9 all ready for them to review and get at the truth.

10 Counts 2, 4, 5 and 12, wire fraud. Ms. Bock did
11 not agree with anyone to commit wire fraud. She didn't do
12 it knowingly or voluntarily participate in wire fraud. She
13 was busy doing her job, running the office, managing her
14 staff.

15 One thing you want to know, the evidence is going
16 to show, site ID requests sent by Aimee Bock, site
17 identification requests, they're just not lawful requests.
18 The site applications, site IDs and the site application are
19 two separate things, you will find out.

20 Multiple Feeding Our Future staff submitted site
21 applications to MDE, not just Aimee Bock.

22 The administrative fees that she collected, the 10
23 percent administrative fees, that's lawful. In fact she was
24 on the low end. You can, you can charge up to 15 percent.
25 That's allowed for nonprofits, based on lawful agreements.

1 We will show you.

2 MDE was required to review reimbursement for
3 approval. She invited everyone. This is very important.
4 She invited anyone to come to Feeding Our Future office,
5 Attorney General's Office, MDE, to come and check her books.
6 That's not someone who is hiding something.

7 You saw ASA in the government's opening. Look at
8 that. Ms. Bock is just one of three people that would
9 request -- that would receive emails of site inspection,
10 anything about that ASA building, business. You are not
11 going to see her unlawful conduct.

12 Evidence will show that there is nothing unlawful
13 about Ms. Bock's email to MDE regarding ASA Limited or
14 Stigma-Free or email -- emails that open for MDE to see, for
15 MDE to investigate. If they have questions, they can go
16 back. If she has knowledge of an event, she's not going to
17 write the opposite. Applications were reviewed by multiple
18 staff.

19 The government will be saying that her emails
20 about Safari, her emails about Safari Restaurant or anyone
21 else is, was misleading. You will see that is not unlawful.
22 She sent out an email clarifying whether or not
23 for-profit -- you will see that.

24 You will see that. You will see that very clearly
25 what is a nonprofit, what is a for-profit organization and

1 who can participate in this program. MDE many times got it
2 wrong. You will see.

3 Count 15, conspiracy. You are not going to see
4 evidence of Ms. Bock conspiring with anyone, soliciting
5 anyone. And those lies will be revealed, not by what I
6 think, by evidence.

7 She didn't solicit. People can make up whatever
8 stories they want when they have been caught and they want
9 to limit their exposure. They don't want the government to
10 send them away, they'll make up any story. And
11 unfortunately they are conflicting statements. The evidence
12 will show those.

13 Ms. Bock did not agree with anyone, did not make
14 giving her money, kickbacks, as a participant -- in order to
15 participate. You are not going to see it. You are not
16 going to see it.

17 You heard about, you are going to hear evidence,
18 I'm sure, about The Learning Journey. She legitimately sold
19 that business.

20 What the evidence is going to show about Learning
21 Journey, the School Age Consultants was an educational
22 business that -- remember, the evidence will show that
23 Ms. Bock is involved, was involved in child care, elementary
24 education, way back. That's her original orientation.

25 She wanted, always wanted to own a child care

1 business. She collected some inventor, the evidence will
2 show. She had preregistered the organization. So she knew
3 a lot, and she sold policy manuals.

4 Optional. Not everyone involved at Feeding Our
5 Future can buy that policy manual. And you are going to see
6 evidence, hopefully, a video if I can, where Ms. Bock is
7 telling folks, you don't need to buy these, but you need a
8 manual, you need a policy. The evidence will show that.

9 The policy manual wasn't just about MDE. It
10 involved DHS, all the state agencies, outside the food
11 program. Folks that bought the program were not necessarily
12 sponsored by Feeding Our Future, folks that bought the
13 manual.

14 This wasn't a way for Ms. Bock to receive
15 kickbacks, that those who participate in Feeding Our Future.
16 Anyone can buy it if you have a child care. You need a
17 policy manual, because she was helping people who owned
18 child care facilities comply with the law.

19 Bribery. The government is focusing on the threat
20 of \$10,000 as a bribe. The evidence will show that she did
21 not solicit bribe or kickback from anyone. The sale of her
22 child care is legitimate. The government version is that
23 Ms. Bock sold the child care to members of Safari
24 Restaurant.

25 This is what you are going to see. The Safari

1 Restaurant, members of the Safari Restaurant, were already
2 doing food distribution while they were there, way, way,
3 way, way before the sale. And the business was long
4 registered, lease was gotten.

5 And there was an agreement, the evidence will
6 show, of Ms. Bock saying I, will train you, I will help you
7 get licenses. And if any of you have children and you send
8 them to child care, you don't transfer licenses. The
9 evidence will show the extent, and it's not a bribe.

10 At the end of the day, we will ask for a not
11 guilty verdict because Ms. Bock is innocent. She should not
12 be responsible for the crimes of someone else. She did not
13 receive kickbacks or bribes. She did not conspire to
14 receive bribes or kickbacks or however you want to name it.
15 She did not conspire to receive federal programs bribery.

16 Aimee Bock is innocent of any form of bribery. In
17 this case, as I said earlier, evidence will show the plain
18 truth. Evidence will show that people lied to Ms. Bock.
19 Evidence will show that they betrayed her trust to be
20 truthful. MDE made the problem worse. MDE misled people,
21 possibly the federal government.

22 There were clever thieves. She could not control
23 them.

24 Ms. Bock in this case is just a convenient target,
25 by those who have already pled guilty, by MDE. She followed

1 the law. The government will not be able to meet the burden
2 of proof. Because why? Facts and evidence, they are
3 stubborn. They are very stubborn. Indeed they will support
4 Aimee Bock, and we'll ask for a not guilty.

5 Thank you very much.

6 THE COURT: Thank you, counsel.

7 At this time, we'll take our noon break, and we'll
8 come back at 1:00.

9 All rise for the jury.

10 **IN OPEN COURT**

11 **(JURY NOT PRESENT)**

12 THE COURT: Court is in recess until 1:00.

13 (Recess taken 12:00 p.m. till 1:00 p.m.)

14
15 **IN OPEN COURT**

16 **(JURY PRESENT)**

17 THE COURT: You may all be seated.

18 And, Mr. Montez, you may proceed.

19 MR. MONTEZ: Thank you Your Honor.

20 Counsel. Members of the jury. Once again my name
21 is Adrian Montez, and together with Michael Colich and
22 Raghen Lucy we represent Salim Said, Ms. Bock's codefendant
23 in this case. I assure you all I'm going to be very brief.

24 Now, as we've mentioned to you before, we wouldn't
25 be here today unless there was some evidence that a crime

1 has occurred. You've heard a lot of different names that
2 have been mentioned so far this morning. You've heard of a
3 lot of different entities that have been named also.

4 And as the government explained to you, the
5 evidence in this trial will show that during the relevant
6 time period at issue here several new companies were created
7 by various individuals.

8 The evidence will show that revenue was generated,
9 that payments were made to and by different entities through
10 different individuals.

11 The government wants you to accept the fact that
12 this activity was criminal in nature.

13 What I'm going to ask you to consider are the
14 facts and the evidence in light of the specific time frame
15 that we were operating under, specifically the circumstances
16 under which all of these activities were taking place. The
17 activities didn't happen last week or even last year.

18 The evidence will show that the starting point for
19 all of these activities was in early 2020, a time of
20 complete unprecedented change in our society, a time when
21 all of us changed almost every aspect of our lives, how we
22 worked, where we worked, how we shopped, where we could go,
23 how we socialized and how we got our food.

24 The evidence will show that every business had to
25 adapt to this once-in-a-lifetime pandemic that crippled not

1 just this community, but the entire world.

2 The evidence will show that the restaurant
3 industry was no different.

4 Every restaurant was forced to change the way that
5 they did business, change their business model, if they were
6 going to survive a stay-at-home order. The days of going to
7 a restaurant, sitting down, eating your food, paying your
8 bill and leaving was over.

9 The evidence will show that every restaurant,
10 including Safari, shifted from a traditional restaurant
11 setting to providing solely takeout or catering services.

12 The evidence will show that at the exact same time
13 the United States Government, through the help of states,
14 relaxed its requirements under certain federal food programs
15 to get food into communities during the stay-at-home order.

16 The evidence will show that for-profit restaurants
17 like Safari could now serve meals to members of its
18 community and receive reimbursement from the state. You
19 will learn that Salim Said, an owner of Safari Restaurant,
20 began participating in this program and began feeding people
21 in his community.

22 Members of the jury, as this trial unfolds, I ask
23 you to think back to that time and the circumstances that we
24 were all operating under.

25 As the government stated, the evidence will show a

1 drastic shift in the way these entities did business.

2 That's true. You will see new companies that were created,
3 money that was being made and paid by several individuals.

4 But if you consider the evidence in light of the
5 times that we were under, you will not reach the conclusion
6 that the government wants you to reach.

7 Keep a close eye on who is doing what, when they
8 are doing it, as this evidence is presented to you. You
9 have heard a lot of names thrown out so far. Pay attention
10 to who the players are in this case, who is doing what and
11 when they are doing it.

12 And ask yourselves, are they sitting here charged
13 with a crime today? We wouldn't be here if there wasn't
14 some evidence of a crime, but it's the government that bears
15 the burden of proving to you exactly what that crime was and
16 who it was that did it.

17 And if you pay attention to who the players are in
18 this case, I'm confident that you will find Mr. Said not
19 guilty.

20 Thank you.

21 THE COURT: Thank you, counsel.

22 And the government may call its first witness.

23 MR. EBERT: Thank you, Your Honor. The government
24 calls Postal Inspector Matthew Hoffman.

25 THE COURT: Good afternoon, sir. You are going to

1 come up here by me and stay standing to be sworn.

2 MATTHEW HOFFMAN,

3 called on behalf of the government, was duly sworn, was
4 examined and testified as follows:

5 THE WITNESS: I do.

6 THE COURT: Thank you. You may be seated.

7 And when you are seated there, please state and
8 spell both your first and last name for the record.

9 THE WITNESS: Matthew Hoffman, M-A-T-T-H-E-W,
10 H-O-F-F-M-A-N.

11 THE COURT: Thank you.

12 Mr. Ebert, you may inquire.

13 MR. THOMPSON: All right. Thank you, Your Honor.

14 DIRECT EXAMINATION

15 BY MR. EBERT:

16 Q. All right. Good afternoon.

17 A. Good afternoon.

18 Q. Can you please plain to the jury where you work.

19 A. I'm a United States postal inspector who works for the
20 U.S. Postal Inspection Service.

21 Q. How long have you had that role?

22 A. Over 20 years.

23 Q. For people in the jury who may not be familiar with the
24 Postal Inspection Service, can you explain what that is?

25 A. We are a federal law enforcement agency that is part of

1 the U.S. Postal Service. Our job is to investigate crimes
2 involving criminal misuse of the U.S. mail, as well as
3 crimes against postal service employees, facilities,
4 infrastructure, et cetera.

5 Q. Where do you work geographically?

6 A. Here in Minneapolis.

7 Q. I want to direct your attention, Postal Inspector
8 Hoffman, to this case. At some point did you take a role
9 where you were assisting in the investigation that gave rise
10 to why we are here in trial today?

11 A. Yes, I did.

12 Q. Can you explain how so?

13 A. I was asked to assist in the service of a search warrant
14 at a business tied to the investigation.

15 Q. And before we turn to that, can you explain to the jury
16 what a search warrant is?

17 A. Yes. In the course of any investigation, agents,
18 investigators, we gather evidence of the allegations that we
19 initially received. At some point in time that usually
20 results in the identification of a location or a place where
21 there may be additional evidence of the crimes that we're
22 investigating.

23 Because of the Constitution, we just can't go to
24 that place and take whatever we want. We have to get
25 permission to do so, and we do that by obtaining a search

1 warrant, and that search warrant is obtained by an
2 investigator writing a report or an affidavit, summarizing
3 the facts of the investigation to date and stating the
4 reasons why law enforcement believes that there may be
5 evidence at the location.

6 We present that to a judge. The judge reviews it
7 to determine if there is probable cause, and if there is
8 probable cause to believe that evidence may be at that
9 location, the judge signs the warrant, therefore giving law
10 enforcement permission to search the location specified.

11 Q. As a postal inspector, approximately how many search
12 warrants of a physical location have you been a part of?

13 A. Over my career, over a hundred.

14 Q. Within that number, have you also had occasion to
15 conduct search warrants at a location that was an office
16 setting?

17 A. Yes, I have.

18 Q. Approximately how many?

19 A. Probably 10 to 15.

20 Q. Have you received training on conducting these types of
21 searches pursuant to a search warrant?

22 A. Yes, I have.

23 Q. Can you explain that to the jury.

24 A. In general with a search warrant conducted at a
25 business, our primary concern is to secure any occupants of

1 that business to make sure that they are safe, to make sure
2 that law enforcement is safe. Once the occupants of a
3 business have been secured, then we go about the process of
4 documenting -- well, searching for any evidence that may be
5 contained therein and documenting both where it's located
6 and then ultimately gathering that evidence and cataloging
7 it.

8 Q. In your role, are there agency policies and procedures
9 that relate to executing a search warrant?

10 A. Yes, there are.

11 Q. And are you generally familiar with those federal agency
12 policies and procedures?

13 A. Yes.

14 Q. Shifting gears, did you participate in the search of the
15 office space for an entity by the name of Feeding Our
16 Future?

17 A. Yes, I did.

18 Q. Approximately when did that occur?

19 A. January 20th of 2022.

20 Q. Prior to assisting with that search warrant, did you
21 have any other role in this investigation?

22 A. No, I did not.

23 Q. Where was the Feeding Our Future office located?

24 A. It was inside a larger office building located in the
25 city of St. Anthony, Minnesota.

1 Q. Prior to carrying out that warrant, did law enforcement
2 apply to a court for authorization in the manner that you
3 just described generally a few moments ago?

4 A. For a search warrant, yes, they did.

5 Q. What types of evidence, generally, were you and others
6 authorized to seize at the Feeding Our Future office
7 location?

8 A. The search warrant authorized us to seize evidence
9 related, relating to Feeding Our Future's participation in
10 different federal child nutrition programs, and that
11 includes, it included records relating from everything to
12 how Feeding Our Future was run, such as employees, bank
13 records and other things related to that entity, as well as
14 records related to Feeding Our Future's interaction with
15 other related businesses or agencies or entities that had
16 been identified in the investigation.

17 Q. When you did the search warrant, did you do it all by
18 yourself?

19 A. No.

20 Q. Were you part of a team?

21 A. Yes, I was.

22 Q. About how many members were a part of the team?

23 A. We had about 25 to 30 agents at the site, as well as I
24 believe 5 to 10 civilian support personnel.

25 Q. From which agencies?

1 A. Primarily the Postal Inspection Service, the FBI, and
2 the IRS criminal investigations.

3 Q. Can you describe for the jury kind of the general roles
4 that some of the agents had while executing this warrant at
5 Feeding Our Future?

6 A. Yes. In general, the agents were broken up into teams.
7 We had an entry team whose responsibility it was to enter
8 the business and secure it. Some of us were also on the
9 interview teams. So our primary job was to speak to any
10 employees who might be present, if they wanted to speak with
11 us.

12 And then finally there were search teams, and
13 those agents were responsible for searching the location for
14 the evidence as specified in the search warrant.

15 Q. And going back to the beginning of the execution of the
16 warrant, can you briefly walk the jury through how the
17 search unfolded that day?

18 A. Yes. At approximately 8:30 a.m. that day, we entered
19 the office. I should say this, this office sort of globally
20 was located on two floors of this office building. The
21 primary office space was on the third floor. That's the one
22 that I was at most of the time.

23 There was a second smaller office space on the
24 second floor.

25 But at approximately 8:30 we entered into that

1 office space. We contacted a few individuals who were
2 working there at the time. We escorted them out to the
3 lobby while the rest of the office space was secured.

4 And then ultimately the interview team spoke to a
5 few of the employees that wanted to stick around and speak
6 to us, whereas the search teams got started labeling rooms,
7 starting to identify evidence and getting a scope of, you
8 know, what we were facing and then also coming up with a
9 plan for, you know, how it could be efficiently searched.

10 Q. About how long did the search take?

11 A. Approximately, seven hours.

12 Q. And then directing your attention to the end of that
13 seven hours, explain to the jury what happened as the search
14 concluded?

15 A. So during those seven hours we gathered a lot of
16 evidence, I think roughly in the neighborhood of 270 like
17 banker style boxes full of documents, as well as I think
18 over 60 or so digital devices, such as laptops, phones,
19 et cetera.

20 So once all of that evidence was gathered and
21 cataloged by the on-scene evidence teams, then we
22 transported all that evidence from the offices downstairs to
23 a postal service box truck that we had procured to load up
24 that evidence, and then we loaded it up and escorted it to
25 the FBI where it was retained.

1 Q. All right. Next I want to direct your attention to an
2 item that is not in evidence and have you take a look at
3 that. And this is what's been marked as Exhibit AA1 and it
4 should show up on your screen in a moment.

5 Do you recognize what's in front of you, postal
6 inspector?

7 A. Yes. This is a photograph of the hallway outside of the
8 third floor Feeding Our Future office.

9 Q. And as I scroll through, are these a series of
10 photographs of the office space?

11 A. Yes. These photographs appear to be going from sort of
12 the outside hall of the office into the lobby.

13 Q. And before we turn to them, are these true and accurate
14 copies of the photos from the day that you participated in
15 the search warrant?

16 A. Yes, they are.

17 MR. EBERT: Your Honor at this time the government
18 offers Exhibit AA1.

19 THE COURT: Any objection?

20 MR. UDOIBOK: No objection, Your Honor.

21 MR. COLICH: No objection, Your Honor.

22 THE COURT: AA1 is admitted and may be published
23 to the jury.

24 BY MR. EBERT:

25 Q. All right. So on the screen, the very first image, can

1 you describe for the jury what that is?

2 A. This is a placard which identifies the date, location,
3 case number and the photographer of, I guess the person
4 responsible for taking photographs at this search warrant
5 site on this day.

6 Q. And can you read aloud the address for the location?

7 A. 3055 Old Highway 8, Suite Numbers 312 and 229, in
8 St. Anthony, Minnesota.

9 Q. Looking at the second page of this exhibit, can you
10 describe what we see in this image?

11 A. This is the sort of the hallway of the office building
12 as it's leading into the lobby of the third floor Feeding
13 Our Future office.

14 Q. What do we see in the third page of this exhibit?

15 A. This is a photograph of the exterior door of the Feeding
16 Our Future office on the third floor, and you can sort of
17 look inside and see the lobby of that office, reception
18 desk.

19 Q. On page 4?

20 A. Yes.

21 Q. All right. Now I want to have you take a look at pages
22 6 and pages 7 within the office space and describe what the
23 jury is seeing in these images.

24 A. So after passing through the lobby to this office space,
25 you would encounter a long hallway where you could look

1 either left or right. That's what's depicted on pages 6 and
2 7.

3 You can see that there were a number of doors to
4 individual offices, as well as a large number of filing
5 cabinets, et cetera.

6 Q. For example, now on page 8, what are the metal items on
7 the walls?

8 A. Those are lateral filing cabinets found within that
9 third floor office.

10 Q. And you described a moment ago that I believe over 270,
11 approximately, boxes of records were removed; is that
12 correct?

13 A. Yes.

14 Q. Did some of those records come from storage facilities
15 that we see in this image, for example?

16 A. Yes.

17 Q. Approximately, how many internal offices were there, to
18 the best of your memory?

19 A. I believe there were over 20 between the third floor
20 space and the second floor space, but I believe the vast
21 majority were on the third floor.

22 Q. Now, you indicated that boxes were removed. In some
23 instances, did you encounter items that were already boxed
24 up?

25 A. Yes. So if we encountered a box that was preexisting,

1 it was already there, we'd usually label that as evidence
2 and sort of take it as is. Alternatively, if we were
3 encountering say a filing cabinet, we might empty out that
4 filing cabinet by drawer and use the appropriate number of
5 boxes it would take to, to accommodate all the files within
6 that cabinet.

7 Q. Just directing your attention to this 13th page, on the
8 wall do we see the letter C taped there?

9 A. Yes.

10 Q. Can you explain to the jury the purpose of that?

11 A. Yeah. So whenever we conduct a search warrant, we
12 always keep a record of the different rooms within a
13 location.

14 And we do that by labeling each room, and
15 different agencies might use different methodologies, but in
16 this case, the sign that contains the letter C would
17 identify this particular room as room C of the search
18 warrant.

19 Being able to identify the room is important for
20 later on because, you know, as we review evidence and we
21 need to know where it came from. So the room letter in this
22 case is the first step of that process.

23 Q. All right. In image 19, what's the office labelled?

24 A. There's a placard outside of this office that reads
25 Claims Department.

1 Q. And that was labeled room G for law enforcement purposes
2 that day; is that correct?

3 A. Yes.

4 Q. And within that, do we see a series of records,
5 including some that are on the floor?

6 A. Yes.

7 Q. Some of which appear to have months handwritten on the
8 exterior; is that correct?

9 A. Yes.

10 Q. Directing your attention to page 26 of this exhibit,
11 whose office is depicted here?

12 A. The placard outside of this office reads Aimee Bock,
13 Founder/Executive Director.

14 Q. Underneath the name and logo of Feeding Our Future?

15 A. Yes.

16 Q. And her office was labeled M for those purposes of that
17 day; is that right?

18 A. Yes, it was.

19 Q. And then can you describe some of the items that you and
20 others encountered within Aimee Bock's office?

21 A. There were a number of different types of documents that
22 were seized. There were electronic devices, I believe a
23 desktop computer. There may have been two laptops computers
24 that were also seized from that office.

25 Q. At page 31, what is depicted here?

1 A. This depicts a black filing cabinet with a stack of
2 documents on top of it. To the left of that filing cabinet
3 is a stack of bankers boxes with additional documents.

4 Q. All right. Now I want to focus a bit on some of the
5 records that were seized by you and others that day.

6 I'm showing you what has been marked but not
7 admitted, and this is Exhibit B50.

8 Is B50 a multi-page series of documents that were
9 obtained by law enforcement from Feeding Our Future on
10 September 20th, 2022?

11 A. Yes, it is.

12 Q. A true and accurate copy of those seized records?

13 A. Yes, it is.

14 MR. EBERT: Your Honor, at this time the
15 government offers Exhibit B50 into evidence.

16 THE COURT: Any objection?

17 MR. UDOIBOK: No objection.

18 MR. COLICH: No objection, Your Honor.

19 THE COURT: B50 is admitted and may be published.

20 BY MR. EBERT:

21 Q. Now, to be clear, this 62-page item, Exhibit B-50, this
22 is a photocopy of the original records that were pulled from
23 Feeding Our Future by law enforcement; is that correct?

24 A. Correct. This is a scanned version of an original
25 document that would have been seized from Feeding Our

1 Future's office.

2 Q. And at the very top is there a label to what appears to
3 be a file folder?

4 A. Yes.

5 Q. And what does it say?

6 A. This label reads Safari Restaurant, 310 Fourth Avenue
7 South, Minneapolis, Minnesota 55408.

8 Q. Now, as we scroll through, fair to say this is a
9 voluminous record with many pages?

10 A. Yes. This exhibit would represent scanned copies of not
11 only the exterior of the file folder, but also all of the
12 individual documents contained within that file folder.

13 Q. So let's take a look at page 10, for example. What's
14 the title of that document?

15 A. Child and Adult Care Food Program, Contract For Vended
16 Meals.

17 Q. And do you see in the middle where it indicates a site
18 name?

19 A. Yes.

20 Q. What's the site name?

21 A. Safari.

22 Q. And then directing your attention to the middle, is
23 there a stamped date?

24 A. Yes.

25 Q. Actually there's two stamped dates, are there not?

1 A. Yes, there are two.

2 Q. What are those?

3 A. It appears to be June 1st of 2020 through June 1st of
4 2021.

5 Q. Now at the end of that application, at the bottom of
6 page 17, top of page 18, do we see two signatures who signed
7 this item for the food program on behalf of Safari
8 Restaurant and Feeding Our Future?

9 A. Yes.

10 Q. What do we see?

11 A. The top signature is signed by authorized representative
12 from Feeding Our Future, Aimee Bock.

13 Q. Defendant in this case?

14 A. Yes.

15 Q. And below that do you see where it says "vendor name"?

16 A. Yes, I do.

17 Q. What is indicated?

18 A. Safari Restaurant.

19 Q. Is there a title for the signer of that Safari
20 restaurant?

21 A. Yes. The title is owner.

22 Q. And do you see a signature for an authorized
23 representative?

24 A. Yes.

25 Q. And below that is there a printed name?

1 A. Yes, there is.

2 Q. And what is it?

3 A. Salim Said.

4 Q. Also a defendant in this trial?

5 A. Yes.

6 Q. Now we're not going to go through every single page here
7 today. To give the jury a sense, about how many pages,
8 ballpark, do you think were recovered by agents in those 270
9 odd boxes?

10 A. Probably several hundred thousand.

11 Q. And prior to your testimony today, did you have an
12 opportunity to go through a series of marked exhibits that
13 were taken from the balance of the records from the search
14 warrant at Feeding Our Future?

15 A. Yes, I have.

16 Q. For example, did you have occasion to look at
17 Exhibits B-51 through B-76?

18 A. Yes, I did.

19 Q. And are those true and accurate copies of file records
20 taken from Feeding Our Future all concerning Safari
21 Restaurant?

22 A. Yes, they are.

23 MR. EBERT: Your Honor, at this time the
24 government offers Exhibit B-51 through B --

25 MR. UDOIBOK: No objection.

1 MR. COLICH: No objection, Your Honor.

2 MR. EBERT: -- through B-76.

3 THE COURT: Similar, 51 through 76?

4 B-51 through 76 are admitted.

5 MR. EBERT: And with Your Honor's and the room's
6 indulgence, are there a series of several more items that
7 you have looked at that relate to this search and seizure of
8 records?

9 THE WITNESS: Yes, there are.

10 BY MR. EBERT:

11 Q. Okay. Does that also involve exhibits AA2, AA3, AA4, as
12 well as Exhibits A2 and A3?

13 A. Yes, they do.

14 Q. Are those true and correct copies of records seized that
15 day?

16 A. Yes, they are.

17 MR. EBERT: Your Honor, the government offers AA2
18 through AA4, as well as A2 and A3.

19 THE COURT: Any objection?

20 MR. COLICH: I have no objection.

21 MR. UDOIBOK: One moment please.

22 No objection.

23 THE COURT: AA2, AA3, AA4, A2 and A3 are admitted.

24 MR. EBERT: All right. And moving on in this same
25 manner, did you also review copies of Exhibits A79, A80, A90

1 and A91?

2 THE WITNESS: Yes, I did.

3 BY MR. EBERT:

4 Q. And are those true and accurate copies of records seized
5 that day?

6 A. Yes, they are.

7 MR. EBERT: Your Honor, the government offers
8 those exhibits at this time.

9 THE COURT: Any objection?

10 MR. COLICH: We have no objection, Your Honor.

11 THE COURT: Thank you.

12 MR. UDOIBOK: No objection.

13 THE COURT: A79, A80, and A91 are admitted and A90
14 as well.

15 MR. EBERT: Thank you, Your Honor.

16 BY MR. EBERT:

17 Q. Directing your attention to an entity named ASA Limited.
18 On January 20th, 2022, did law enforcement seize records
19 related to ASA Limited?

20 A. Yes, we did.

21 Q. And are Exhibits C35 through C53 true and accurate
22 copies of records seized by law enforcement?

23 A. Yes, they are.

24 MR. EBERT: Your Honor, at this time the
25 government offers C35 through C53.

1 THE COURT: Any objection?

2 MR. UDOIBOK: No objection.

3 MR. COLICH: No objection, Your Honor.

4 THE COURT: C35 through C53 are admitted.

5 MR. EBERT: Did you also encounter records
6 concerning an entity by the name of Olive Management?

7 THE WITNESS: Yes, we did.

8 BY MR. EBERT:

9 Q. Are Exhibits E40 through E57 true and accurate copies of
10 Olive Management records seized at the Feeding Our Future
11 office space?

12 A. Yes, they are.

13 MR. EBERT: Government officers Exhibit E40
14 through E57.

15 MR. COLICH: No objection, Your Honor.

16 MR. UDOIBOK: No objection.

17 THE COURT: E40 through E57 are admitted.

18 MR. EBERT: Moving on, Postal Inspector Hoffman,
19 did you encounter records concerning an entity named
20 Stigma-Free, Willmar?

21 THE WITNESS: Yes, we did.

22 BY MR. EBERT:

23 Q. Are Exhibits G40 through G53 true and correct copies of
24 Stigma-Free, Willmar records?

25 A. Yes, they are.

1 MR. EBERT: The government offers G40 through G53,
2 Your Honor.

3 THE COURT: Any objection?

4 MR. UDOIBOK: No objection.

5 MR. COLICH: No objection, Your Honor.

6 THE COURT: G40 through G53 are admitted.

7 MR. EBERT: Did you additionally encounter records
8 involving an entity by the name of Stigma-Free, Mankato, as
9 well as an entity named Horseed, spelled H-O-R-S-E-E-D?

10 THE WITNESS: Yes, we did.

11 BY MR. EBERT:

12 Q. And are Exhibits H40 through H57 true and accurate
13 copies of those records?

14 A. Yes, they are.

15 MR. EBERT: Government offers Exhibits H40 through
16 H57, Your Honor.

17 THE COURT: Any objection?

18 MR. COLICH: No objection, Your Honor.

19 MR. UDOIBOK: A moment, Your Honor. No objection.

20 THE COURT: H40 through H57 are admitted.

21 MR. EBERT: Did you additionally encounter records
22 related to an entity named Stigma-Free International-Waite
23 Park?

24 THE WITNESS: Yes, we did.

25

1 BY MR. EBERT:

2 Q. Are Exhibits I20 through I29 true and accurate copies of
3 those records?

4 A. Yes, they are.

5 MR. EBERT: The government offers Exhibits I20
6 through I29.

7 THE COURT: Any objection?

8 MR. COLICH: No objection, Your Honor.

9 MR. UDOIBOK: No objection.

10 THE COURT: I20 through I29 are admitted.

11 MR. EBERT: Thank you.

12 BY MR. EBERT:

13 Q. Did you also encounter records related to Stigma-Free,
14 St. Cloud, during the January 20th, 2022, execution of a
15 warrant at Feeding Our Future?

16 A. Yes, we did.

17 Q. Are Exhibits J30 through J35 true and accurate copies of
18 those records?

19 A. Yes, they are.

20 MR. EBERT: Government offers Exhibits J30 through
21 J35, Your Honor.

22 THE COURT: Any objection?

23 MR. COLICH: No objection, Your Honor.

24 MR. UDOIBOK: No objection.

25 THE COURT: J30 through J35 are admitted.

1 MR. EBERT: Next is Stigma-Free, St. Paul, another
2 entity for which you and others saw and seized records from
3 Feeding Our Future?

4 THE WITNESS: That's correct.

5 BY MR. EBERT:

6 Q. And are Exhibits K10 through K15, as well as K17 and K18
7 true and accurate copies of those records?

8 A. Yes, they are.

9 MR. EBERT: Your Honor, at this time the
10 government offers Exhibits K10 through K15, as well as K17
11 and K18.

12 THE COURT: Any objection?

13 MR. COLICH: No objection.

14 MR. UDOIBOK: No objection.

15 THE COURT: Those exhibits are admitted.

16 MR. EBERT: Thank you, Your Honor.

17 BY MR. EBERT:

18 Q. In addition, did law enforcement encounter records for
19 an entity named Brava Restaurant in Rochester, Minnesota, at
20 the Feeding Our Future office?

21 A. Yes, we did.

22 Q. Do Exhibits L30 through L40 fairly and accurately
23 represent those records?

24 A. Yes, they do.

25 MR. EBERT: Your Honor, at this time the

1 government offers Exhibits L30 through L40.

2 THE COURT: Any objection?

3 MR. UDOIBOK: No objection.

4 MR. COLICH: No objection.

5 THE COURT: L30 through L40 are admitted.

6 MR. EBERT: Did law enforcement further encounter
7 records related to an entity named Bet on Better Future/Gaur
8 Limited, spelled G-A-U-R?

9 THE WITNESS: Yes, we did.

10 BY MR. EBERT:

11 Q. Are Exhibits M35 through M38 true and accurate copies of
12 those records?

13 A. Yes they are.

14 MR. EBERT: Your Honor, the government offers M35
15 through M36.

16 THE COURT: Is it 36 or 38?

17 MR. EBERT: I misspoke. Thank you, Your Honor.
18 M35 through M38.

19 THE COURT: Any objection?

20 MR. UDOIBOK: No objection.

21 MR. COLICH: No objection.

22 THE COURT: M35 through M38 are admitted.

23 MR. EBERT: And continuing on with records you and
24 your colleagues seized that day, did you also find records
25 involving Feeding Our Future Arcad, spelled A-R-C-A-D?

1 THE WITNESS: Yes, we did.

2 BY MR. EBERT:

3 Q. Related to an entity known as Sir Boxes, spelled S-I-R?

4 A. Yes.

5 Q. Do Exhibits P6 through P13 fairly and accurately reflect
6 those records seized by law enforcement?

7 A. Yes, they do.

8 MR. EBERT: Your Honor, the government offers P6
9 through P13.

10 THE COURT: Any objection?

11 MR. UDOIBOK: No objection.

12 MR. COLICH: No objection, Your Honor.

13 THE COURT: Those exhibits are admitted.

14 BY MR. EBERT:

15 Q. Feeding Our Future/Southcross, is that another entity
16 for which law enforcement found records at Feeding Our
17 Future?

18 A. Yes, it is.

19 Q. And do Exhibits P29 through P43, are those accurate
20 depictions of those seized records?

21 A. Yes, they are.

22 MR. EBERT: Your Honor, at this time the
23 government offers P29 through P43.

24 THE COURT: Any objection?

25 MR. COLICH: No objection, Your Honor.

1 MR. UDOIBOK: No objection.

2 THE COURT: P29 through P43 are admitted.

3 MR. EBERT: Thank you.

4 BY MR. EBERT:

5 Q. Feeding Our Future/Southside Youth, yet another entity
6 for which you and others encountered records on
7 January 20th, 2022?

8 A. Yes. That's correct.

9 Q. And do Exhibits P70 through P79, are those true and
10 accurate copies of those records?

11 A. Yes they are.

12 MR. EBERT: The government offers P70 through P79,
13 Your Honor.

14 MR. COLICH: No objection.

15 MR. UDOIBOK: No objection.

16 THE COURT: P70 through P79 are admitted.

17 MR. EBERT: Directing your attention to an entity
18 called Action For East African People, did law enforcement
19 seize records from Feeding Our Future concerning that
20 entity?

21 THE WITNESS: Yes, we did.

22 BY MR. EBERT:

23 Q. And do Q12 through Q29, are those true and accurate
24 copies of those types of records as well?

25 A. Yes, they are.

1 MR. EBERT: Your Honor, at this time the
2 government offers -- just to clarify, Your Honor.

3 Rather does Q12 through Q14 accurately depict
4 those records?

5 THE WITNESS: Yes.

6 MR. EBERT: The government offers Exhibits Q12,
7 Q13 and Q14, Your Honor.

8 THE COURT: Any objection?

9 MR. UDOIBOK: No objection.

10 MR. COLICH: No objection.

11 THE COURT: Q12 through Q14 are admitted.

12 MR. EBERT: Did law enforcement seize records
13 concerning Shafii Tutoring and Sambusa King at Feeding Our
14 Future?

15 THE WITNESS: Yes, we did.

16 BY MR. EBERT:

17 Q. Do Q20 through Q29 reflect true and accurate copies of
18 those records?

19 A. Yes, they do.

20 MR. EBERT: The government offers Q20 through Q29,
21 Your Honor.

22 THE COURT: Any objection?

23 MR. UDOIBOK: No objection.

24 MR. COLICH: No objection.

25 THE COURT: Q20 through Q29 are admitted.

1 MR. EBERT: Did law enforcement seize records
2 involving parties by the name of Future Leaders, as well as
3 Alif Halal, Postal Inspector.

4 THE WITNESS: Yes, we did.

5 BY MR. EBERT:

6 Q. And Q70 through Q76, are those true and accurate copies
7 of those items?

8 A. Yes, they are.

9 MR. EBERT: The government offers Q70 through Q76.

10 THE COURT: Any objection?

11 MR. UDOIBOK: One moment, Your Honor.

12 MR. COLICH: I have no objection, Your Honor.

13 MR. UDOIBOK: No objections.

14 THE COURT: Q70 through Q76 are admitted.

15 MR. EBERT: Do Exhibits Q81, 82, 83, are those
16 true and accurate copies of documents seized from Feeding
17 Our Future involving a party by the name of Xogmaal Media.

18 THE WITNESS: Yes, they are.

19 MR. EBERT: The government offers Q81, Q82 and
20 Q83, Your Honor.

21 THE COURT: Any objection?

22 MR. UDOIBOK: No objection.

23 MR. COLICH: No objection.

24 THE COURT: Q81 through Q83 are admitted.

25 MR. EBERT: And are Exhibits Q100 and Q101 true

1 and accurate copies of seized records involving Nawal
2 Restaurant?

3 THE WITNESS: Yes, they are.

4 MR. EBERT: The government offers Q100 and Q101.

5 MR. UDOIBOK: No objection.

6 MR. COLICH: No objection.

7 THE COURT: Q100 and Q101 are admitted.

8 MR. EBERT: Do Exhibits Q145 and Q144 concern
9 records involving Somali America Faribault Education or
10 SAFE?

11 THE WITNESS: Yes, they do.

12 MR. EBERT: The government offers Q144 and Q145.

13 THE COURT: Any objection?

14 MR. UDOIBOK: No objection.

15 MR. COLICH: No objection.

16 THE COURT: Q144 and 145 are admitted.

17 MR. EBERT: And rounding out a final series of
18 documents, do Q160, 161, and Q162, as well as S19 and S20,
19 S45, S53, S63 and S76, do those contain true and accurate
20 copies of additional records that law enforcement seized
21 from Feeding Our Future?

22 THE WITNESS: Yes, they do.

23 MR. EBERT: Your Honor, at this time the
24 government offers those series of exhibits.

25 THE COURT: Any objection?

1 MR. UDOIBOK: Would you repeat those numbers
2 please?

3 THE COURT: I have Q160 through 162, S19 through
4 S20, S45, S53, S63, S76.

5 MR. EBERT: Yes.

6 MR. UDOIBOK: No objection.

7 MR. COLICH: No objection, Your Honor.

8 THE COURT: Those exhibits are admitted.

9 MR. EBERT: Now we're not going to go through each
10 of those items, but do those represent hundreds, if not
11 thousands of pages now in evidence taken from the Feeding
12 Our Future office space?

13 THE WITNESS: Yes, several thousand pages.

14 BY MR. EBERT:

15 Q. And will the jury see some of those items during the
16 course of this trial?

17 A. I would expect so.

18 MR. EBERT: Thank you, Your Honor. I have no
19 further questions.

20 THE COURT: Cross-examination?

21 Mr. Udoibok.

22 MR. UDOIBOK: Yes, Your Honor.

23 CROSS-EXAMINATION

24 BY MR. UDOIBOK:

25 Q. Officer, my name is Kenneth Udoibok. I just have a few

1 questions for you.

2 A. Good afternoon, sir.

3 Q. When you went to the location on I believe, was it,
4 January 12th or January 22nd?

5 A. January 20th of 2022.

6 Q. '22. Did you have any conversations with any of the
7 Feeding Our Future employees?

8 A. Yes, I did.

9 Q. How many people did you talk to?

10 A. I spoke to two.

11 Q. Who did you talk to?

12 A. I believe a man by the name of Qeys Mohamed, who was IT
13 support.

14 Q. All right.

15 A. And then another individual by the name of Coley Flynn.

16 Q. Now, who was the lead agent in the execution of the
17 search warrant? Was it you?

18 A. No, it was not.

19 Q. Who was that?

20 A. I believe it was, our site team leader was Uri Rosenwald
21 with the FBI.

22 Q. I want to talk to you about the exhibit, Exhibit AA1,
23 that was just in evidence. Specifically let's go to the
24 first page. Would you call out Exhibit --

25 MR. THOMPSON: Do you want us to do it? We can do

1 it.

2 MR. UDOIBOK: Please.

3 MR. THOMPSON: Just give me a second. AA1.

4 MR. UDOIBOK: Let's go to the first page, just --

5 MR. THOMPSON: What happened? It went off the
6 screen.

7 MR. UDOIBOK: Maybe she is going to do it.

8 MR. THOMPSON: Can you switch back to the
9 government computer?

10 MR. UDOIBOK: Thank you.

11 BY MR. UDOIBOK:

12 Q. And I want to go specifically to page 12 of Exhibit AA1.
13 Just scroll down.

14 Do you have -- do you know who put those boxes
15 together when you executed the search warrant?

16 A. The specific boxes in this photograph?

17 Q. Yes.

18 A. No, I do not.

19 Q. Is it, do you believe it had remained like that before
20 you executed the search warrant?

21 A. Can you rephrase your question?

22 Q. Well, I will try. I mean, you found those boxes on
23 page 12 of Exhibit AA1 like that, correct?

24 A. Yes.

25 Q. And do boxes, were they empty or there were documents

1 inside?

2 A. I can't speak to these specific boxes, but in general,
3 boxes that we found at the location did contain documents.

4 Q. Do you recall talking to anyone as to what was the
5 content of those boxes, if any?

6 A. I don't recall.

7 Q. Do you recall talking to anyone as to why those boxes
8 were there in that building?

9 A. I don't believe so.

10 Q. Did you recall taking contents of those boxes with you,
11 along with the documents that you took from Feeding Our
12 Future building?

13 A. I believe these documents would have been among those
14 that we seized pursuant to the warrant and then collected
15 and transported to the FBI.

16 Q. All right. Why don't you go to the next page, if you
17 just scroll down for me, please. Thank you very much.

18 Now, when you executed the search warrant, did you
19 count the number of offices that were, were the Feeding Our
20 Future building?

21 A. Yes. I believe a sketch was prepared of the office
22 layout, and I believe between the third floor office space
23 and the second floor office space, to my recollection, I
24 believe there were 22 different offices.

25 Q. 22 different offices. Do you know how many employees

1 were in the building, in the offices, when you executed the
2 search warrant?

3 A. I don't recall offhand. I would guess less than ten,
4 but I don't know.

5 Q. What time of day was it?

6 A. 8:30 a.m.

7 Q. All right. Did you talk to all ten employees?

8 A. I spoke to two.

9 Q. Okay. Why don't you go to page 17 of exhibit --
10 Was that what you testified to earlier as
11 Ms. Bock's office?

12 A. I believe I would have to see a previous page in this
13 exhibit to know what specific office this is a photograph
14 from.

15 Q. Let's go to page 12. How close was Ms. Bock's office to
16 these boxes here?

17 A. This picture lacks any information indicating what
18 office it represents.

19 Q. But you recall seeing these boxes, that's your
20 testimony.

21 A. I recall seeing a lot of boxes that day.

22 Q. A lot of boxes. So you don't know which was which,
23 correct?

24 A. I'm sorry?

25 Q. A lot of boxes in the building, correct?

1 A. Yeah. I can't tell you today which, which office these
2 specific boxes were seized out of.

3 Q. I believe you testified earlier that there were about
4 270 boxes total?

5 A. I believe so, yes, sir.

6 Q. All right. Let me see page 13 again. Is this 17? Is
7 that -- if my notes are correct. 17. Go back. All right.
8 Could you call out?

9 MR. THOMPSON: That box?

10 MR. UDOIBOK: Yes.

11 BY MR. UDOIBOK:

12 Q. All right. Anyway, do you know what's the first box on
13 your right? Something foundation? Do you recall seeing
14 that?

15 A. To clarify, I believe at the time these photographs
16 would have been taken inside the office, I was likely
17 interviewing one of the employees.

18 Q. So you don't have any idea what -- thank you -- what
19 this boxes represent here today, do you?

20 A. Are you asking me about this specific box or --

21 Q. Correct.

22 A. -- all of the boxes in general?

23 Q. Just this.

24 A. I cannot speak to the specific contents of this box.

25 Q. Okay. Thank you.

1 I want to direct you to what has already been
2 admitted into evidence, the B series. B50, referring to the
3 Safari Restaurant documents that you took into custody.

4 And it's your testimony that you acquired, you
5 obtained those documents at the Feeding Our Future building?

6 A. Yes.

7 Q. I want you to take a look at I think page 8.

8 Do you know what that is?

9 A. This is a document entitled Obstruction Permit.

10 Q. Do you have any reason why that would be in the Safari
11 document?

12 A. I don't know why this document would be where it was
13 found.

14 Q. Do you know what obstruction permit is for?

15 A. No, I do not.

16 Q. If I submit to you that that's obstruction of traffic,
17 would you have any facts to dispute that that wasn't a
18 permit?

19 MR. EBERT: Your Honor, I'm going to object as to
20 relevance and lack of foundation.

21 THE COURT: Sustained.

22 BY MR. UDOIBOK:

23 Q. All right. But nonetheless, this obstruction permit was
24 in one of the documents you obtained from Safari, correct?

25 A. Can you please repeat your question?

1 Q. Page, specifically, page 8 of Exhibit B50, you obtained
2 from Feeding Our Future when you executed a search warrant
3 in the name of Safari Restaurant, correct?

4 A. This is a document that would have been contained within
5 the folder indicated on page 1 of this exhibit.

6 Q. All right.

7 MR. UDOIBOK: No further questions.

8 THE COURT: Mr. Colich or Mr. Montez, do you have
9 cross-examination?

10 MR. COLICH: No, Your Honor. We have no
11 questions.

12 THE COURT: Mr. Ebert, any redirect?

13 MR. EBERT: No, Your Honor. Thank you.

14 THE COURT: You may step down, sir. Thank you.
15 And the government may call its next witness.

16 MR. THOMPSON: Your Honor, the government calls
17 Emily Honer.

18 THE COURT: Good afternoon. Please remain
19 standing to take the oath.

20 EMILY HONER,
21 called on behalf of the government, was duly sworn, was
22 examined and testified as follows:

23 THE WITNESS: I do.

24 THE COURT: Thank you. You may be seated.

25 When you are comfortable, please state and spell

1 both your first and last name for the record.

2 THE WITNESS: My name is Emily Honer. First name,
3 E-M-I-L-Y. Last name, H-O-N-E-R.

4 THE COURT: Thank you.

5 Counsel, you may inquire.

6 DIRECT EXAMINATION

7 BY MR. THOMPSON:

8 Q. Good afternoon, Ms. Honer.

9 A. Good afternoon.

10 Q. How are you?

11 A. I'm good.

12 Q. Ms. Honer, before we get into the substance of your
13 testimony, I want to ask a few questions about your
14 background. Okay?

15 A. Okay.

16 Q. First off, where are you from?

17 A. So I am from Port Wing, Wisconsin, and I moved to
18 Minnesota about eight years ago.

19 Q. And where is that in Wisconsin?

20 A. So Port Wing is way up north on Lake Superior.

21 Q. Okay. What's your educational background?

22 A. So my educational background, I went to the University
23 of Wisconsin Stout for my bachelor's in service management,
24 along with a minor in human development and family studies
25 and a specialization in gerontology.

1 And then later on, I went on to Southern New
2 Hampshire University for my master's in business with a
3 specialty in health care administration.

4 Q. When did you are graduate from UW Stout?

5 A. I graduated in 2011.

6 Q. After you graduated from college, what did you do in
7 terms of employment?

8 A. So after I graduated college, I had moved back up to
9 Northern Wisconsin, and I started the next month with the
10 Bayfield County Department of Human Services.

11 Q. What did you do for the Bayfield County Department of
12 Human Services?

13 A. So there I first was employed as an aging and disability
14 services specialist, and then I moved on to a lead role,
15 again with the aging and disability services unit, again as
16 the lead.

17 Q. Okay. Did you have other jobs in Wisconsin before you
18 moved down to Minnesota?

19 A. I did. After I left Bayfield County, I went to the Bad
20 River Tribe, and I worked for the Health and Wellness Center
21 as the assistant clinic administrator.

22 Q. What did you do as the assistant clinic administrator?

23 A. So what I did there, the Health and Wellness Center
24 acted as a clinic and health department, so we had many
25 units. I was primarily responsible for the health

1 programming that we had, but also oversaw all of the
2 day-to-day of the clinic and such as backup to the
3 administrator.

4 Q. Okay. When did you move to Minnesota?

5 A. I moved to Minnesota in July of 2017.

6 Q. What brought you here?

7 A. My now husband brought me here.

8 Q. Okay. Where did you work when you moved down here?

9 A. When I first moved down here, I began working at the
10 Waters Assisted Living, and I worked at the Oakdale
11 location.

12 Q. And what's the Waters Assisted Living?

13 A. So the Waters Assisted Living is just that, assisted
14 living for older adults, but there is transitional care, so
15 it can be independent living, but also with services as an
16 adult grows older.

17 Q. What did you do there?

18 A. I was the business operations manager for that location.

19 Q. And at some point -- well, where do you work now?

20 A. Where I work now is the Minnesota Department of
21 Education, and I am the director of nutrition program
22 services.

23 Q. What does that mean?

24 A. So I oversee the unit or the division that administers
25 the United States Department of Agriculture child nutrition

1 programs.

2 Q. Okay. Before we get into the child nutrition program, I
3 want to ask you a little bit about Minnesota Department of
4 Education, which is commonly referred to as MDE; is that
5 correct?

6 A. That is correct.

7 Q. What is the Minnesota Department of Education?

8 A. So the Minnesota Department of Education is a state
9 agency that is responsible for many divisions and programs
10 related to students' education in Minnesota.

11 Q. And what kind of programs does MDE run?

12 A. Sure. So I believe there's around 20 different
13 divisions in total. This could range from charter centers,
14 special education, academic standards and testing, nutrition
15 of course.

16 Q. Basically runs the school systems?

17 A. Runs the school systems, yes.

18 Q. Okay. Now you said you work in the nutrition program?

19 A. That is correct.

20 Q. Tell us about what that program is, just generally.

21 A. Sure. So generally the nutrition programs, again, come
22 from the United States Department of Agriculture or the USDA
23 and serve children in a variety of settings, students in
24 school, children before school or after school.

25 And there's really about three core programs with

1 a few supplemental programs.

2 Q. Okay. Now obviously we're all familiar with school
3 lunches. What is MDE's role in all this, just generally?
4 Do they have a role in administering the child nutrition
5 program?

6 A. Yeah, absolutely. So our role with the child nutrition
7 programs in school specifically would be a school food
8 authority or school district applies to operate that
9 program, and then we process the application, ensure that it
10 is eligible under the program regulations.

11 And then we also review the claims, process those,
12 and disperse the reimbursement from the federal government.

13 Q. And what agency of the federal government provides the
14 funding for the child nutrition program?

15 A. That, again, is the USDA or United States Department of
16 Agriculture.

17 Q. Okay. Now you are in the business operations; is that
18 right?

19 A. I was when I started at MDE, and now I am the director.

20 Q. Okay. You started in 2019, you said?

21 A. I did start in 2019, yes.

22 Q. Okay. What was your job title then?

23 A. So in 2019 when I started, I was the business operations
24 and support services supervisor.

25 Q. What were your responsibilities in that position?

1 A. So my responsibilities in that position were to oversee
2 the financial specialists, the applications of these
3 programs from sponsors, the claims that came in, federal
4 reporting, and a variety of other small programs as it
5 complemented again those USDA programs.

6 Q. I'd like to walk through the basics of how the Federal
7 Child Nutrition Program operates, because there's actually
8 several components of it; is that right?

9 A. Yes.

10 Q. I think the first one is the National School Lunch
11 Program; is that right?

12 A. Yes. And the National School Lunch Program would fall
13 under the school nutrition programs which is one of the
14 three core programs that I see the USDA offering.

15 Q. What is the National School Lunch Program?

16 A. So this is, again, what we typically understand or know
17 when a student is in a school setting and receives lunch at
18 school, we typically see it as grabbing the tray, going
19 through the line.

20 Q. Okay. And that's, the USDA funds that; is that right?

21 A. That is correct. In the State of Minnesota, Minnesota
22 does offer additional reimbursement, but the federal program
23 is the foundation.

24 Q. And what meals does the National School Lunch Program
25 fund or provide in the school context?

1 A. Primarily breakfast and lunch.

2 Q. And during the school year or outside of the school year
3 or both?

4 A. During the school year is when that program operates.

5 Q. Are there additional programs? What's the goal of the
6 National School Lunch Program? Why does it exist?

7 A. So the National School Lunch Program exists to offer
8 students a healthy, nutritious, well-balanced meal,
9 primarily because we know many children only get that meal
10 at school.

11 Q. Okay. Okay. So there's a National School Lunch Program
12 that we are all familiar with, and that provides lunches
13 during the school day during the school year?

14 A. That is correct.

15 Q. There's also additional supplemental school nutrition
16 programs, is that right, or child nutrition programs?

17 A. Yes. I really see it as three core programs that the
18 USDA has for child nutrition. School nutrition being one
19 with the National School Lunch Program, and then the other
20 two are the Child and Adult Care Food Program, and the third
21 being the Summer Food Service Program.

22 Q. Let's start with the Child and Adult Care Food Program.
23 What is that?

24 A. So the Child and Adult Care Food Program has a couple
25 different subsets, but primarily operates to serve children

1 before they reach school age. So we see this program
2 operate in family daycare home settings, in child care
3 settings.

4 There's also a part of this program that will
5 operate after the school day has ended for an after school
6 snack or supper.

7 Q. And why, why does this program exist in terms of after
8 school snacks and suppers?

9 A. To, again, provide children healthy, nutritious meals
10 that again are well balanced with the, with the guidelines.

11 Q. Okay. Are there certain rules in terms of how the Child
12 and Adult Care Food Program operates in terms of when those
13 meals can be provided?

14 A. Yes. There are a lot of rules for this program into
15 when they can be operated. Again, timing, meal components,
16 who's eligible, et cetera.

17 Q. So the school lunch program is provided to kids while
18 they're at school?

19 A. That is correct.

20 Q. When or where are the meals, the snacks, suppers served
21 as part of the Child and Adult Care Food Program served?

22 A. So after school, this would be an after school setting,
23 some sort of educational setting or enrichment setting that
24 is happening where children are gathering.

25 Q. When you say an educational or enrichment setting, what

1 do you mean by that?

2 A. So this could be, you know, after school there might be
3 a variety of programs for children to participate in. It
4 could be sports, kind of. It could be homework help. It
5 could be just gathering maybe to learn new skills.

6 Q. And do those meals as part of that Child and Adult Care
7 Food Program have to be provided in a formal educational or
8 enrichment setting?

9 A. For the CACFP at-risk program, there needs to be an
10 enrichment activity.

11 Q. Why is that?

12 A. Because that would be the purpose for children to be
13 gathering, and these meals are to complement something that
14 is going on. So again that educational setting, that
15 enrichment setting, it is part of something that is already
16 happening where children are gathering.

17 Q. Okay. How does MDE reimburse entities that provide
18 meals as part of the Child and Adult Care Food Program?

19 A. So we have sponsors that operate this program, and what
20 the sponsor does is have sites where the meals are operated
21 or served.

22 And then after the meals are served, the
23 information is provided by the sponsor to MDE in the form of
24 a claim.

25 Q. Okay. You say, "After the meals are served."

1 A. Correct.

2 Q. Can you explain that a little bit?

3 A. Correct. So these are reimbursement programs. So the
4 meals must be served first, and then the claims are
5 submitted on a monthly basis.

6 Q. You say reimbursement. What's being reimbursed as part
7 of this program?

8 A. So the reimbursement is a set amount that is set by the
9 federal government, and so there is a set amount for what
10 breakfast can be reimbursed for, what lunch can be
11 reimbursed for, what a supper can be reimbursed for.

12 And those reimbursement rates are intended to pay
13 for the cost of the meal.

14 Q. Is that reimbursement set on a per meal claim or based
15 on the expenses of the entity involved?

16 A. The reimbursement is set on a per meal claim.

17 Q. What does that mean?

18 A. So that means it, it really doesn't matter how much it
19 costs to make that meal. That meal is only going to be
20 reimbursed what the federal government sets that as.

21 Q. Does that mean entities involved can turn a profit?

22 A. Absolutely not.

23 Q. You say, "Absolutely not." Why?

24 A. So within the USDA child nutrition programs, there are
25 specific regulations set for these programs, that the

1 reimbursement must be kept in a nonprofit food service
2 account, only to be used for the meal itself.

3 Q. Okay. Before -- and right now we're talking about the
4 program before COVID, just to be clear; is that right?

5 A. That is correct.

6 Q. Prior to COVID, what kind of entities tended to be
7 enrolled in the child aftercare or the after school program,
8 for lack of a better phrase, under MDE?

9 A. Sure. So prior to COVID, the entities that would be
10 operating the Child and Adult Care Food Program at-risk
11 would be schools and would be nonprofit organizations,
12 although schools were the majority.

13 Q. You say nonprofits.

14 A. Correct.

15 Q. Could for-profit entities be involved?

16 A. Not in the at-risk portion.

17 Q. Okay. And why is that?

18 A. That is set by the USDA.

19 Q. Okay. What kind of meals are reimbursed as part of the
20 after school program?

21 A. Primarily it's going to be snack and suppers.

22 Q. Are there rules about what qualifies as a snack or a
23 supper?

24 A. Yes. There are a lot of rules around what qualifies as
25 a snack or supper as well. The snacks and suppers or meals

1 have to meet very specific guidelines.

2 Q. And what kind of guidelines?

3 A. So in general I like to explain it as, you know, the
4 five components, whole grain, fruit, vegetable, meat, and
5 milk.

6 The USDA has guidelines that further define these,
7 and so there is portion requirements. There is nutritional
8 requirements that these foods must meet.

9 Q. Okay. And why? USDA sets these, these requirements in
10 terms of the nutrition?

11 A. That's correct.

12 Q. And again what's the goal here?

13 A. The goal is to provide children a healthy, nutritious
14 well balanced meal.

15 Q. Okay. Now one of the phrases we're going to hear later,
16 and I think it's been mentioned already, is child congregate
17 setting?

18 A. Yes.

19 Q. What is a congregate setting?

20 A. So a congregate setting is where you have for the cases
21 of these programs children gathering. They are in a
22 congregate setting. They are gathering together and eating
23 that meal together.

24 Q. And in MDE's eyes, are there benefits to that?

25 A. Absolutely. There are social benefits to that. You

1 know, children getting to be with their peers. There can
2 also be some safety benefits to that as well in having a
3 safe place and safe adult for those children.

4 Q. So that's the after school program.

5 A. Yes.

6 Q. The second of the three, school lunch, after school.
7 What's the third?

8 A. So the third program would be the Summer Food Service
9 Program.

10 Q. What is the Summer Food Service Program?

11 A. So the Summer Food Service Program typically operates
12 three months during the year, and it's those summer months
13 when school is not in session.

14 Q. What kind of meals are reimbursable under the Summer
15 Food Service Program?

16 A. There's a variety of meals. So, you know, typically you
17 have breakfast, lunch. You can have supper and snacks, so
18 any of those four could be reimbursed. Sites are allowed to
19 serve two.

20 Q. What's the goal of the Summer Food Service Program?

21 A. So again, the goal is to serve children healthy,
22 nutritious, well balanced meals when they are not able to
23 get those meals because school is not in session.

24 Q. Does it have similar rules to the after school program?

25 A. They are a little bit more relaxed, but primarily

1 similar rules in that there has to be some sort of setting
2 where children are gathering.

3 Q. Okay. And all three of these programs, the funding
4 comes from the USDA, correct?

5 A. That is correct.

6 Q. Okay. So let's talk a little bit about how that works.
7 It's a little bit -- there's multiple layers of government
8 involved in this; is that right?

9 A. That is correct.

10 Q. Okay. Who funds these programs, again?

11 A. So again this funding comes from the USDA.

12 Q. And who administers the program?

13 A. From the federal side, the USDA administers these
14 programs. And at the state level, the state agency
15 administers the program within the state. In Minnesota that
16 being the Department of Education.

17 Q. So anyone wanting to participate in one of these
18 programs in the state of Minnesota is going to deal with
19 MDE; is that right?

20 A. That is correct.

21 Q. Okay. Now is there -- can you talk to us a little bit
22 about, you mentioned a sponsor?

23 A. Yes.

24 Q. What are the sponsors here?

25 A. So sponsors are entities or organizations that are

1 operating this program. They are taking administrative
2 responsibility, financial responsibility. And again it's
3 the organization coordinating the meal program itself.

4 Q. Okay. If I can get us to understand, how does a sponsor
5 differ from MDE?

6 A. So a sponsor is in charge of the meal program. They are
7 operating the programs, more than likely. So an example
8 would be a school is a sponsor. So they're in charge of
9 whatever educational enrichment activities are going on.
10 They are responsible for the meal and are actually doing the
11 operation of the program.

12 Q. Okay. And that differs from a site, correct?

13 A. That is correct.

14 Q. What's a site?

15 A. So a site is a place on the ground. We define that by
16 latitude and longitude, and it is where a meal is served to
17 children.

18 Q. So if I wanted to start an after school or maybe I was
19 running an after school program and I wanted to serve snacks
20 that were reimbursable, how would I go about doing it?

21 A. So you would hopefully take a look at the regulations,
22 determine if you are eligible. If so, you would submit an
23 application to the Department of Education.

24 Q. Okay. Would I go through a sponsor? Would I
25 necessarily have to go through a sponsor or no?

1 A. There has to be a sponsor in order for there to be a
2 meal site in operation. So, yes, you would have to go
3 through a sponsor. Some organizations can be their own
4 sponsor, but then they are signing up for that
5 responsibility.

6 Q. And what responsibilities are we talking about here?
7 This is paperwork, I'm taking it?

8 A. It's paperwork. It is the administration of the
9 program. It is the monitoring of the sites to ensure that
10 the meals are meeting meal pattern standards. Record
11 retention, ensuring that, again, the program is operated in
12 conformance with the federal regulations, and then
13 submitting claims and being responsible for the
14 reimbursement.

15 Q. Okay. So again my hypothetical after school program and
16 I'm serving meals to some kids, I'm serving the meals. What
17 kind of records am I supposed to keep, and what do I do with
18 them?

19 A. So the records that need to be kept need to show that
20 the meals met the standards of these programs. So if you
21 have an after school program, that's going to be your menu.
22 It's going to be the documentation of the food itself.

23 It's going to be the documentation of that after
24 school activity, the children who attended that activity,
25 any invoices or expenses paid from the nonprofit food

1 service account for that meal.

2 Q. Okay. So you said the children who, who attend it.

3 What do you mean by that?

4 A. Yes. In the CACFP at-risk program, again, children have
5 to be attending some sort of educational opportunity or
6 enrichment activity, and there needs to be attendance of
7 those children.

8 Q. So a roster, essentially?

9 A. Yes.

10 Q. Like the elementary schoolteacher taking attendance
11 every day?

12 A. That is, yes.

13 Q. Who got a meal, essentially?

14 A. Correct.

15 Q. And what does the site do when they take attendance in
16 terms of the kids who have eaten the meal?

17 A. So as the meals are being served and attendance is being
18 recorded, then that information is going up to the sponsor.

19 Q. Okay. And what does the sponsor do after receiving that
20 information from a site that it's sponsoring?

21 A. So the sponsor is responsible to ensure that that
22 claiming information appears correct, that it's in line with
23 what has been applied for for that site to operate, and if
24 the documentation is in line, then the sponsor will submit a
25 claim for that site for the month.

1 Q. Submit a claim to MDE?

2 A. That is correct, to MDE.

3 Q. When a sponsor submits the claim, do they submit that
4 documentation along with it, like the roster and stuff like
5 that?

6 A. They do not. MDE does not collect that documentation
7 for a claim.

8 Q. What information does MDE get from the sponsor?

9 A. So MDE has a claims submission through our technology
10 system, and we collect -- I don't remember all of the
11 pieces, but it would be the total lunches or the total
12 meals, average daily attendance, how many days of operation,
13 but it's filled in by the sponsor.

14 Q. Okay. Those records, though, that the sponsor receives
15 from the site, what, if anything, does the sponsor do with
16 those records?

17 A. So the sponsor is responsible to keep those records for
18 three years plus the current year, and then at any time we
19 could ask to see those records.

20 Q. Why might you do that?

21 A. It's to ensure that the sponsor is operating the program
22 correctly and keeping those records and that we can see the
23 meal is reimbursable.

24 Q. So it sounds like MDE sort of outsources the monitoring
25 of these sites to the sponsors; is that correct?

1 A. Yes. Monitoring is a requirement of sponsors.

2 Q. And what is monitoring?

3 A. Monitoring is dropping into the sites to ensure that
4 that meal operation is operating correctly. So ensuring
5 that the right training has happened at that site, ensuring
6 that the documentation is being kept at the appropriate time
7 of that site, the health and safety standards are intact.

8 Q. Okay. So the sponsor does that. When they can see that
9 it looks good, the paperwork looks good, they submit the
10 claims to MDE?

11 A. That is correct.

12 Q. What does the sponsor get for its trouble? That's a lot
13 of paperwork, a lot of work monitoring, ensuring compliance,
14 taking responsibility.

15 A. So as far as what the sponsor gets in terms of payment,
16 on the CACFP program, the sponsor is allowed to retain up to
17 15 percent of that claim reimbursement for their
18 administration. And then on the summer food side, a sponsor
19 receives an additional administration reimbursement.

20 Q. Okay. So they keep a portion, a cut essentially?

21 A. That is correct.

22 Q. Okay. You talked about an audit. So the sites create
23 this documentation showing the meals, the children they
24 served, the meals they served. They give it to their
25 sponsor. Based on that, the sponsor submits claims to MDE

1 for reimbursements?

2 A. That's correct.

3 Q. The money gets paid to?

4 A. The sponsor.

5 Q. The sponsor keeps 10 to 15 percent?

6 A. Up to 15 percent, correct.

7 Q. Okay. And then the rest goes down to the site.

8 A. Correct. If the sponsor is providing funding to the
9 site, then the rest of the reimbursement goes to the site.
10 If the sponsor is responsible for the vended meal contract
11 or the food, then it's accounted for separately in that way.

12 Q. What's a vended meal contract?

13 A. So a vended meal contract is pretty common. It's where
14 you have a site that may not have the facilities to cook the
15 meal on site, and so then they contract out with an caterer
16 or a restaurant to provide meals to that site.

17 Q. Okay. So then the money would go to them?

18 A. Through the contract and the invoices submitted on that
19 contract.

20 Q. Okay. Those records that are submitted by the site to
21 the sponsor, you talked about there being an audit system in
22 place. First question: How long does the sponsor have to
23 keep those records showing that the meals, submissions, the
24 meal claims are accurate?

25 A. The records must be kept for three years plus the

1 current. That's how the regulations state that.

2 Q. And MDE in the normal course when they get a claim
3 submission, they don't check those documents, correct? They
4 don't ask for them?

5 A. We do not ask for them when we get the claim, no.

6 Q. You rely on the sponsor?

7 A. That is correct.

8 Q. You said there's an audit system, though, during that
9 three years. How does that work?

10 A. Yes. So in terms of audit or monitoring, so again the
11 sponsor monitors the site, and this is done according to
12 regulations and program to make sure that the meal
13 operations are running smoothly and how they should.

14 The state also does monitoring.

15 So the monitoring is called an administrative
16 review, and this happens on a scheduled basis as per the
17 regulations where we as the state agency go into the sponsor
18 and we monitor the sponsor to ensure that those records are
19 kept, and we take a look at their organization.

20 Q. And what does MDE, what do MDE employees look for when
21 they are doing the administrative review of a sponsor?

22 A. We look for, again, to make sure similar to what a
23 sponsor would look at for the site. We want to see that the
24 training is in place. We want to see that the documentation
25 is kept correctly, that the documentation shows that

1 reimbursable meals were served and that the money was
2 accounted for correctly.

3 Q. Showing that the claims were accurate?

4 A. Correct.

5 Q. Okay. Prior to COVID, I'd like to get a sense or if you
6 can provide the jury with a sense of what, how this program
7 or these programs operated prior to COVID, because obviously
8 everyone has heard already things did not go according to
9 plan once COVID hit.

10 But prior to that, can you give us a sense of how
11 these three programs worked in terms of who participated and
12 the volumes of children served?

13 A. Oh, sure. So in the School Nutrition Program, only
14 schools operate that program.

15 And then in the Child and Adult Care Food Program,
16 we have a number of small child care centers and family
17 daycare homes that operate those, again pre-COVID.

18 And then for the after school portion of Child and
19 Adult Care Food Program, we had about ten to twelve sponsors
20 that operated the at-risk program, in addition to the
21 schools. Schools could also operate at risk.

22 And then the summer food program, we had, again
23 only during the summer and I don't recall the exact number
24 of sponsors or sites, but primarily schools operated Summer
25 Food Service Programs.

1 Q. The public schools continue their meal service during
2 the summer?

3 A. Correct.

4 Q. It's just reimbursed under the different program?

5 A. Correct. And with summer food there is an eligibility
6 component for area eligibility, so not all schools can
7 operate that.

8 Q. What do you mean by an "eligibility requirement"?

9 A. So the USDA states that the Summer Food Service Program
10 can only be operated in primarily low income areas. And so
11 this is based on school data, as well as census data.

12 Q. In terms of the demographics socioeconomically of the
13 different school districts?

14 A. That's correct.

15 Q. Okay. You said that outside of the schools there were
16 small child care centers?

17 A. That's correct.

18 Q. Kindercare, stuff like that?

19 A. Yeah. So this would be, a small child care center would
20 be your typical child care center on the corner of the
21 street, you know, ABC Child Care.

22 Q. And generally how many kids would be served or at these
23 child cares? I'm sure it varied but --

24 A. Yeah, it ranges definitely based on the licensing
25 capacity of DHS. I would say, you know, maybe 40 to 60.

1 Q. 40 to 60 kids?

2 A. Correct, in a child care center.

3 Q. You said there's also home family daycares. What do you
4 mean by that?

5 A. Yes. So family daycare homes would be similar to a
6 child care center, but instead of at a center building, it's
7 in someone's home. And there's about, there's probably
8 about 5,000 family daycare homes before COVID that operated
9 under four different sponsors.

10 Q. What's a typical capacity or number of children
11 attending that kind of home daycare?

12 A. It's much smaller. I believe the licensing is around 12
13 or must be under 12.

14 Q. And then you said that there was also some sponsors that
15 participated in the after school program prior to the onset
16 of COVID.

17 A. That's correct.

18 Q. Can you give us a sense of those sponsors in terms of
19 how they operated, the number of sites they had and the
20 number of children?

21 A. Sure. So of those, again, ten to twelve sponsors that
22 operated these programs outside of schools.

23 So the number of sites varied. It could be like
24 your YMCAs. It could be a small nonprofit organization, but
25 operating sites that were fairly specific to whatever their

1 organization's mission was.

2 Q. Okay. One of the sponsors, was one of the sponsors
3 called Feeding Our Future?

4 A. That is correct.

5 Q. Can you tell us when you first learned about Feeding Our
6 Future?

7 A. Sure. So in 2019 when I started at the Minnesota
8 Department of Education or MDE, I ended up hearing about
9 Feeding Our Future in late summer, early fall of 2019 during
10 the budget review process of the application.

11 Q. Why did it come up during the budget review process?

12 A. At that time I was the business operations supervisor,
13 and so I supervised the staff person who was responsible for
14 that review, and they had questions about what was submitted
15 in Feeding Our Future's budget and management plan.

16 Q. Okay. In 2019 when you started, do you have a sense of
17 the amount of Federal Child Nutrition Program funds that
18 were being paid out to Feeding Our Future and sites under
19 its sponsorship?

20 A. I believe around that time was the close of the 2019
21 year, and I believe they had around two and a half million
22 that they had received in that year.

23 Q. Okay. And who, who ran Feeding Our Future?

24 A. To my knowledge, Aimee Bock was the executive director
25 throughout all of Feeding Our Future's time.

1 Q. And have you met her before?

2 A. In certain virtual meetings and such, yes.

3 Q. Do you see her here in court?

4 A. I do.

5 Q. Could you identify her?

6 A. Yes. Aimee Bock is to your right.

7 MR. THOMPSON: Your Honor, could the record
8 reflect that the witness has identified Defendant Bock?

9 THE COURT: The record will so reflect.

10 BY MR. THOMPSON:

11 Q. Okay. Ms. Honer, I want to switch gears here.

12 THE COURT: I'm sorry, Ms. Honer. There are two
13 women to Mr. Thompson's right. Near to him or further away?

14 THE WITNESS: Near.

15 THE COURT: Thank you.

16 You may continue.

17 MR. THOMPSON: Thank you, Your Honor.

18 BY MR. THOMPSON:

19 Q. Can we talk about what happened in the spring of 2020?

20 A. Yes. So in the spring of 2020, we along with everyone
21 experienced the COVID-19 global pandemic.

22 Q. How in those early days did the onset of the COVID-19
23 pandemic affect you and your colleagues at MDE?

24 A. In regards to the child nutrition programs and our work,
25 it was -- I would explain it as being turned upside down.

1 The USDA, for example, the biggest, and maybe the first
2 hurdle that we had, was to switch all of the schools from
3 the School Nutrition Program over to the Summer Food Service
4 Program.

5 Q. Okay. So let's just take a step back from that, before
6 we get to the food program. First off, just remind us
7 again. When COVID happened in March, April of 2020, what
8 happened with respect to the schools here in the state of
9 Minnesota?

10 A. Yes. So in Minnesota at the COVID-19 pandemic, the
11 schools were shut down, essentially. I believe there was a
12 two-week pause, And so students were sent home. Schools
13 were shut down. Stay-at-home orders were beginning to be
14 talked about.

15 Q. Stay-at-home orders for all employees, correct?

16 A. Employees and all Minnesotans. It was an encouragement
17 to stay home and stop the spread of COVID-19.

18 Q. You said something about two weeks.

19 A. Yes. So I believe it was March 15, 16th, 17th,
20 somewhere around there, where schools shut down for two
21 weeks, and I believe or I understand the intent to be this
22 pause of, you know, I think it was advertised or told to us
23 that we were going to stop this in two weeks.

24 Q. They were wrong.

25 Okay. You're at MDE. The schools have shut down.

1 A. Yes. Yes.

2 Q. Are you going to work at that point?

3 A. Yes, there was a number of us still going to work. I
4 don't remember at that time if we, if we had been virtual or
5 not.

6 Q. Okay. The schools when they should down, did they
7 continue to serve meals?

8 A. Many did, yes.

9 Q. Can you tell us about how they did that.

10 A. Yes. So the schools had to completely switch gears from
11 the School Nutrition Program. Because of many of these
12 congregate requirements, the USDA had an ability to serve
13 noncongregate under summer food.

14 And so the schools had to switch, and they had to
15 also switch their whole meal model in how those meals were
16 not only prepared, but delivered to students in that
17 noncongregate setting in a safe way.

18 Q. Again, by "congregate," you mean they are all together
19 in a lunchroom as opposed to noncongregate, they are not?

20 A. Correct.

21 Q. So why bother? Kids aren't coming to school. They are
22 all staying home. Why didn't the schools shut down the
23 nutrition program until schools went back to in-person
24 learning?

25 A. Yeah, because we know that so many of our students only

1 get that healthy, nutritious meal from school. And so even
2 with school shut down, many children may not have access to
3 that meal at home. And so it was important to keep that
4 meal going to the children that needed it.

5 Q. You said there was various ways that schools in those
6 early days of COVID adapted to make sure that they were able
7 to serve meals to kids.

8 Can you tell us about some of the ways that the
9 schools went about ensuring kids got those meals?

10 A. Sure. So some of the ways was having a meal pickup.
11 And so the children could stop by for breakfast or lunch and
12 pick up that meal each day. Some schools had where they
13 would maybe send home a couple of meals at a time with the
14 student.

15 I think in the early days of COVID, there were
16 schools that had students social distancing, whatever the
17 social distance requirement was at that time, and together
18 but apart.

19 Q. Okay. And so you mentioned that they had to switch the
20 programs, the USDA food programs that the schools were
21 operating under --

22 A. That's correct.

23 Q. -- to do this, correct?

24 A. That's correct.

25 Q. Tell us about that. It used to be the school lunch

1 program. How did it switch?

2 A. Yes. So the switch happens. You know, the school as
3 the sponsor takes over the requirements and ensuring that
4 they are meeting the meal patterns of the different program,
5 which is similar.

6 At the administrative side, it was very difficult
7 because in order to ensure that the right amount of claim
8 reimbursement was going out, me and my staff had to manually
9 switch over all of those schools and all of their sites to
10 the Summer Food Service Program and ensure that we had all
11 of the documentation in place that was required by the
12 Summer Food Service Program.

13 Q. Why did it have to go, be paid out through -- why did
14 the reimbursements have to be paid out through the Summer
15 Food Service Program during distance learning?

16 A. Because, yeah. Sure. So the USDA was not able, in my
17 understanding, to offer waivers for the School Nutrition
18 Program, but only under summer food. And so in order to
19 ensure that the right amount of reimbursement and such was
20 going out, schools had to make that switch.

21 There wasn't the authority under the School
22 Nutrition Program to offer those pieces that were needed for
23 COVID.

24 Q. Because all these programs are authorized by various
25 federal statutes and regulations?

1 A. That is correct.

2 Q. Okay. All right. You used the word "waiver."

3 A. Yes.

4 Q. What do you mean by "waiver"?

5 A. So a waiver is authorized by the federal government. In
6 our programs it's the USDA. And it waives a certain
7 regulation. So there's a specific citation that a waiver
8 would essentially waive to say that the program could be
9 done differently.

10 Q. And did the USDA implement a series of waivers in early,
11 in the spring of 2020 in response to the COVID-19 pandemic?

12 A. Yes, they did.

13 Q. Okay.

14 THE COURT: Mr. Thompson, I'll ask you to come to
15 a stopping point so we can take an afternoon break.

16 MR. THOMPSON: That's fine.

17 THE COURT: This is fine.

18 All right. We'll return at 3:00.

19 MR. THOMPSON: Thank you.

20 THE COURT: All rise for the jury.

21 2:38 p.m.

22 **IN OPEN COURT**

23 **(JURY NOT PRESENT)**

24 THE COURT: And the court is in recess.

25 (Recess taken at 2:38 p.m. till 3:04 p.m.)

1 3:04 p.m.

2 **IN OPEN COURT**

3 **(JURY PRESENT)**

4 THE COURT: You may all be seated.

5 Mr. Thompson, you may proceed.

6 MR. THOMPSON: Thank you, Your Honor.

7 BY MR. THOMPSON:

8 Q. Welcome back, Ms. Honer.

9 A. Thank you.

10 Q. When we broke, I believe we were talking about the
11 waivers that the United States Department of Agriculture
12 implemented in the spring of 2020 to allow schools to
13 continue to serve children meals even when kids weren't
14 coming to the actual school; is that right?

15 A. That's correct.

16 Q. Can you tell us about those first waivers that the USDA
17 implemented and how MDE went about implementing them?

18 A. Sure. So I don't remember exactly the order, but the
19 first few waivers had to do with allowing the noncongregate
20 setting for summer food, and that was due to the
21 unanticipated school closures of COVID.

22 And then there were waivers related to children
23 not being able to gather and parents picking up some of
24 those meals, understanding that picking up meals, there
25 would have to be mealtimes that were waived or slightly, you

1 know, different from normal.

2 And I believe those were the -- oh, and the last
3 one was probably area eligibility, allowing all areas to be
4 eligible for that program.

5 Q. Even, an area eligibility, if I recall correctly, was
6 the provision that said under the summer food program, only
7 kids in certain areas with high levels of poverty qualify;
8 is that right?

9 MR. UDOIBOK: Objection. Leading.

10 THE COURT: Sustained.

11 Rephrase, please.

12 BY MR. THOMPSON:

13 Q. What's the area eligibility requirement that was waived
14 during COVID for the Summer Food Service Program?

15 A. So the area eligibility requirement that was waived for
16 the Summer Food Service Program was that the waiver
17 essentially made all areas eligible and not having to follow
18 the census or school data targeting low income areas.

19 Q. Did the goal of the School Nutrition Program change with
20 the implementation of these waivers?

21 A. Well, the School Nutrition Program was not operating
22 during COVID. It, again, switched over to summer food, but
23 the intent was always to provide children healthy,
24 nutritious, high quality meals.

25 Q. How did MDE go about implementing these waivers?

1 A. So the first few waivers, they were nationwide waivers.
2 And the state could elect to use them, and then they were
3 elected for the entire state.

4 So what we would do is, we would put out a
5 bulletin announcement to our sponsors, stating what the
6 waiver was, that it was allowed for the entire state, and
7 that it could be used, any guidance that the USDA gave with
8 that.

9 Q. So how did, what happened with the terms of these meals
10 after these waivers were put in place in those first days
11 with the schools?

12 A. Well, on the school side, we saw the meals dramatically
13 decrease, you know, just simply children not being in that
14 congregate setting. So there were meal sites, but there
15 weren't as many as there had been school sites on the school
16 side, and there wasn't any many children utilizing those
17 sites, either.

18 Q. Were the schools setting up sites, though?

19 A. The schools were absolutely setting up sites where they
20 could and trying to get to children.

21 Q. Fewer kids went to the sites, as opposed to getting
22 school lunch?

23 A. Correct.

24 Q. Did some of the schools, how did the schools distribute
25 the meals to kids during COVID?

1 A. So there was, you know, I had mentioned before a couple
2 variety ways. That was when meals on site, right, if the
3 children was at a picnic table, socially distanced or
4 parents picking up.

5 But there's kind of two routes for the meals, and
6 that was parent pickup or child pickup, a child could always
7 pick it up, or home delivery. But most of the schools, and
8 it's my understanding from seeing the applications, most of
9 the schools went with a parent pickup.

10 Q. Okay. So schools continued to serve, numbers went down
11 because kids weren't in school.

12 A. Correct.

13 Q. Did you, as the months moved on from April 2020 into the
14 late spring, into the summer, did you and your colleagues at
15 MDE see any changes in the program that concerned you?

16 A. Yes. We started to see growth with primarily two of our
17 sponsors in the CACFP at-risk program, which we thought was
18 concerning.

19 Q. How was that concerning?

20 A. It was concerning in that these were brand-new sites
21 popping up, and the global pandemic did not seem to be a
22 reasonable time to open up new sites.

23 Q. What do you mean, "New sites were popping up"?

24 A. We were getting site ID requests for brand-new sites
25 that had never operated these programs before.

1 Q. How many?

2 A. It started as just a few, you know, maybe ten or so, and
3 then continued to grow through the summer, getting to
4 hundreds of new sites by the fall.

5 Q. And was there also a growth in the amount of
6 reimbursement claims being submitted, the amount of those
7 claims, I should say?

8 A. Absolutely.

9 Q. How would you describe that growth?

10 A. Astronomical.

11 Q. Were you concerned?

12 A. Very concerned.

13 Q. What did you do in the spring and summer of 2020?

14 A. So in the spring of 2020, me and my colleagues started
15 with trying to understand where this growth was coming from.
16 So we would reach out to the sponsor to ask questions, ask
17 questions on eligibility.

18 We were also asking questions of the USDA and how
19 these flexibilities could be used.

20 We did not get satisfying answers. We continued
21 to be concerned, and so ended up asking towards the end of
22 summer 2020 the USDA for help with a referral.

23 Q. Okay. Before we get to that point, I want to put a
24 little finer point on it. One of the sponsors was Feeding
25 Our Future; is that right?

1 A. That is correct.

2 Q. What did you notice with respect to Feeding Our Future
3 in the early days of COVID?

4 A. Well, Feeding Our Future had never operated the Summer
5 Food Service Program before. So this was their first year,
6 was the summer of 2020. And the growth of the sites
7 operating, typically we would see summer food sites be sites
8 that operated during the school year, because again it only
9 operates for three months.

10 So the number of new sites and the amount of
11 enrollment being submitted on the applications was quite
12 alarming.

13 Q. Okay. I want to take you back a second. You said
14 typically in the summer food program, you would see sites
15 that were also operating during the school year. I want to
16 make sure I understand what you mean by that.

17 A. Sure. So this is going to be, you know, it could be,
18 for example, a school, middle school. They would operate
19 during the school year, and then there might be a summer
20 food site at that middle school during the summer months.

21 It could be a summer program that is operated, you
22 know, in conjunction with the school or at-risk activity
23 that no longer operates because the school year has ended.

24 Q. Like an after school program, daycare type program?

25 A. Correct.

1 Q. Okay. Is that not what you saw with respect to Feeding
2 Our Future and the sites that it was trying to open in the
3 summer of 2020?

4 A. That is not what we saw. In fact, we then started to
5 see restaurants being submitted as sites.

6 Q. Tell me about that.

7 A. So restaurants are not a normal site under any of these
8 programs. Restaurants can operate as the vendor, but to see
9 restaurants being submitted as sites in these programs under
10 the waivers, not only was that not normal under normal
11 circumstances, but it didn't seem to be allowable.

12 Q. Okay. Did you have other concerns about the restaurant
13 sites that were being opened by Ms. Bock and Feeding Our
14 Future?

15 A. Yes. One in particular situation was seeing a
16 restaurant that had been submitted to serve, I believe it
17 was, 150,000 meals per month, which was equivalent to either
18 Minneapolis or St. Paul public school.

19 Q. It was equivalent to, what do you mean it was equivalent
20 to the St. Paul or Minneapolis Public Schools?

21 A. It was equivalent to the number of meals that those two
22 school districts had submitted to also serve.

23 Q. The entire district?

24 A. That is correct.

25 Q. What restaurant that opened under Feeding Our Future was

1 claiming to serve as many kids as the entire Minneapolis or
2 St. Paul public school district in the summer of 2020?

3 A. That was the Safari Restaurant.

4 Q. When you saw those claims initially, did MDE -- you said
5 that you interacted with the sponsors.

6 A. Yes.

7 Q. Did you interact, you and your colleague interact with
8 Ms. Bock?

9 A. Yes, primarily by email.

10 Q. Could you tell us a little bit about that in that summer
11 of 2020.

12 A. Yes. So me and my colleagues would interact by email to
13 ask questions about the site eligibility, what was going on
14 at that site. And then I in particular with my staff
15 interacted mainly on the budget of the sponsor application
16 in asking how could this growth be possible.

17 Q. What were your concerns?

18 A. My concerns was that I didn't think it was possible. To
19 set up a restaurant and to set up a new child nutrition
20 program in a global pandemic, one, it didn't seem like the
21 right time; but, two, just to set up those meal operations
22 takes so much time --

23 MR. COLICH: Argumentative.

24 THE COURT: Overruled.

25 You may continue.

1 THE WITNESS: So like I was saying, to set up meal
2 operations takes so much time, and I was concerned about how
3 quick those sites popped up.

4 BY MR. THOMPSON:

5 Q. Was Safari Restaurant one of the sites you were
6 concerned about?

7 A. Absolutely.

8 Q. Had Safari Restaurant participated in the program prior
9 to this?

10 A. Not to my knowledge as a site.

11 Q. And how quickly was it before Safari Restaurant claimed
12 to be serving as many meals as the entire Minneapolis or
13 St. Paul public school district?

14 A. To my knowledge, just a few months.

15 Q. That was concerning to you and your colleagues?

16 A. Absolutely.

17 Q. Did MDE talk to Ms. Bock about these for-profit
18 restaurant sites that she and Feeding Our Future were
19 attempting to open?

20 A. Yes, we did on a number of occasions. First, in June is
21 when for-profit distribution sites was allowed as a
22 flexibility from the USDA. As we saw growth in these
23 for-profit sites, such as Safari, and became concerned, we
24 had been seeking feedback from the USDA, and then I relayed
25 that guidance in September to Aimee Bock regarding

1 for-profits.

2 Q. Okay. Now before we get to that, the sort of changes in
3 the fall of 2020, you talk about for-profit restaurants
4 being able to participate in the program under the waivers.

5 Did that change? I know previously you had said
6 that you can't make a profit. This is, this is a
7 reimbursement program designed to provide meals to kids.

8 Did that change during COVID with these waivers?

9 A. It absolutely did not change. These programs were never
10 allowed to make a profit.

11 Q. Okay. Okay. Before we go to the rule changes that you
12 talked about, I want to talk to you about the way a sponsor
13 and Feeding Our Future submits claims. Is there a system
14 that this they use to submit claims?

15 A. Yes. So the system is called the Cyber-Linked
16 Interactive Child Nutrition System, and we use the acronym
17 CLiCS, C-L, little i, C-S.

18 Q. Okay. And how does CLiCS work?

19 A. So CLiCS is the Minnesota home grown technology system
20 for applications and claims in the child nutrition program.
21 So it works, first, by the applications are submitted into
22 this program. And then if approved, a claim opens up for
23 that time frame that the application has been approved for.

24 Q. Okay. And the sponsor is the one that has access to
25 this CLiCS system; is that right?

1 A. That is correct.

2 Q. Now prior to your testimony here today, did we review
3 together some exhibits that were pulled from the CLiCS
4 system?

5 A. That is correct.

6 Q. Okay. And those are Government Exhibits V1 through V25
7 and V32 through V42; is that right?

8 A. I don't remember the numbers.

9 Q. How about I show you one on the screen here?

10 A. Sure.

11 Q. Do you recognize that?

12 A. Yes, I recognize that.

13 Q. And you recall there was a whole series of them we
14 looked through; is that correct?

15 A. That is correct.

16 Q. And they all started with V?

17 A. That appears to be correct.

18 Q. Okay.

19 MR. THOMPSON: Your Honor, I would move to admit
20 now Government Exhibits V1 through V25.

21 First off, these are true and accurate copies or
22 copies of the CLiCS submissions and applications submitted
23 by Feeding Our Future; is that correct?

24 THE WITNESS: Yes. They appear to be true and
25 accurate copies.

1 MR. THOMPSON: Okay. Your Honor, I move to admit
2 Government Exhibits V1 through V25 and V32 through V42.

3 THE COURT: Any objection?

4 MR. UDOIBOK: No objection.

5 MR. COLICH: No objection, Your Honor.

6 THE COURT: V1 through 25 and V32 through 42 are
7 admitted.

8 MR. THOMPSON: Thank you, Your Honor.

9 BY MR. THOMPSON:

10 Q. And while we're at it here, prior to your testimony, you
11 also looked at a thumb drive that contained information from
12 the CLiCS system, MDE's system, of all the claims submitted
13 by Feeding Our Future between 2018 and 2022; is that right?

14 A. That is correct.

15 Q. And that's marked as Government Exhibit V43. It's right
16 here. This is what you looked at?

17 A. It was in a computer, but yes.

18 MR. THOMPSON: Your Honor, I move to admit
19 Government Exhibit V43.

20 THE COURT: Any objection?

21 MR. UDOIBOK: No objection.

22 MR. COLICH: No objection, Your Honor.

23 THE COURT: V43 is admitted.

24 MR. THOMPSON: Thank you.

25

1 BY MR. THOMPSON:

2 Q. Okay. Before -- I know you were talking about these
3 rule changes, but before we get there, I want to go through
4 a little bit about why.

5 I'm going to show you now what's been admitted as
6 Government Exhibit B4, and I believe this is already in
7 evidence.

8 THE COURT: B4?

9 MR. THOMPSON: B4.

10 THE COURT: Sorry. Did you say B, as in boy, or V
11 as in victor?

12 MR. THOMPSON: Sorry. B as in boy.

13 THE COURT: It is not.

14 MR. THOMPSON: It's not. Okay. Well, we will
15 stick with V, then.

16 BY MR. THOMPSON:

17 Q. Actually, I will show you B4 because I think you've seen
18 it before.

19 All right. Do you recognize this email?

20 A. It looks -- oh, yes, I do.

21 Q. Okay. And is this a site application that was submitted
22 to MDE by Aimee Bock?

23 A. That is correct.

24 Q. On behalf of Feeding Our Future?

25 A. That is correct.

1 Q. And I know you're, there's a couple email addresses to
2 which this is sent by Ms. Bock; is that right?

3 A. That is correct. And I oversaw the MDE FNS box at that
4 time.

5 Q. So you received this email?

6 A. That is correct.

7 Q. And it's a true and accurate copy of the email?

8 A. Yes.

9 MR. THOMPSON: Your Honor, I move to admit
10 Government Exhibit B4.

11 THE COURT: Any objection?

12 MR. UDOIBOK: No objection.

13 MR. COLICH: No objection, Your Honor.

14 THE COURT: B4 is admitted.

15 MR. THOMPSON: Thank you, Your Honor.

16 BY MR. THOMPSON:

17 Q. Okay. Ms. Honer, I'm showing you Government Exhibit B4.
18 Let's -- could you describe this email for us?

19 A. Yes. So this is an email from Aimee Bock with the
20 Feeding Our Future email tag. It was sent to Kendra Pace,
21 who is an application claims specialist, and the MDE main
22 box. It says, Site application Safari and has an attachment
23 on April 13th of 2020.

24 Q. And you said this was a -- you mentioned earlier this
25 email account mde.fns@state.mn.us?

1 A. That's correct.

2 Q. Whose email account is that?

3 A. So FNS stands for Food Nutrition Service, which is what
4 our division used to be named. And so this is what is used
5 for our division's main email communication. It's the one
6 email that we send out to everyone if they should have any
7 questions in our programs.

8 Q. Okay. And Ms. Bock sends this email with the subject
9 Site Application Safari, on April 13th of 2020; is that
10 right?

11 A. That is what appears, correct. Yeah.

12 Q. And attached to the email, if I direct your attention to
13 page 2, what do we see?

14 A. So this is an MDE Submission Verification is what the
15 title is, and this, to my understanding, was supplemental
16 documents that Feeding Our Future would be sending with site
17 applications.

18 Q. Okay. And what's the entity applying for the program
19 here?

20 A. The program name is listed as Safari.

21 Q. Okay. And the -- what's, Feeding Our Future is the
22 sponsor then?

23 A. That is correct.

24 Q. And who signed on behalf, who submitted this submission
25 here on behalf of Safari?

1 A. The submitted by is a printed name of Aimee Bock, date
2 of April 13th, 2020, with what appears to be Aimee Bock's
3 signature.

4 Q. Okay. And then on page 4 there's a document on Feeding
5 Our Future letterhead that says Child and Adult Care Food
6 Program, Agreement between Feeding Our Future and Safari.

7 What is this?

8 A. So in the child nutrition programs for the Child and
9 Adult Care Food Program, when a site is not legally
10 affiliated to their sponsor, it means that there's two
11 separate entities, there has to be a program agreement in
12 place. And that's what this appears to be.

13 Q. And what's a program agreement?

14 A. So the program agreement is where the sponsor can list
15 out the requirements of the program, where the site is
16 agreeing to those requirements of what will be provided by
17 the sponsor and what is to be required of the program.

18 Q. And at the top it says, "This agreement is for use
19 between Feeding Our Future, a sponsoring organization that
20 participates in the Child and Adult Care Food Program, and
21 Safari, child care program, after-school program, adult
22 daycare or emergency shelter that is legally distinct from
23 the sponsoring organization."

24 Is that right?

25 A. That is correct.

1 Q. So they want to participate in the program under the
2 sponsorship of Feeding Our Future; is that right?

3 A. That is correct.

4 Q. And then it says, "The Feeding Our Future charges an
5 administrative fee to the Safari not to exceed 10 percent."

6 Is that right?

7 A. That's what it says, yes.

8 Q. And on the page 5 here they have some information about
9 the location of this site; is that right?

10 A. That is correct.

11 Q. And what's that location?

12 A. So the address location is 310 Fourth Avenue South in
13 Minneapolis, Minnesota.

14 Q. And what's the date on which this contract is starting?

15 A. The contract start date is listed as April 10th, 2020.

16 Q. Okay. And then it goes on here on page 5 of Government
17 Exhibit B4 to talk about the responsibilities of the
18 sponsoring organization; is that right?

19 A. That is correct.

20 Q. That would be Feeding Our Future?

21 A. That is correct.

22 Q. It talks about being, handling the general
23 administration of the site; is that correct?

24 A. That is correct.

25 Q. Keeping enrollment and income eligibility records?

1 A. Yes, that is correct in the section there.

2 Q. And then handling claims, reimbursement payments and the
3 administrative fee; is that correct?

4 A. Correct, that's another section.

5 Q. And then direct your attention to bullet 11 under this
6 contract, it says that Feeding Our Future will "submit
7 Safari's monthly claims for reimbursement to MDE in a timely
8 manner after confirming documentation to support the claim
9 and conducting required edits."

10 Is that right?

11 A. That is correct.

12 Q. It also says that Feeding Our Future will establish a
13 household contact system to verify attendance and income
14 information of enrolled children if needed.

15 Is that correct?

16 A. That is correct.

17 Q. And then on page 7 of this exhibit, it goes through the
18 rights and responsibilities of Safari under this contract;
19 is that right?

20 A. That is correct.

21 Q. It talks about having site eligibility and participant
22 eligibility documentation; is that right?

23 A. That is correct as well.

24 Q. And then continuing on to page 8, it talks about the
25 meal service. And it says that Safari under this contract

1 will "document meal service operations as required to
2 support program claims for reimbursement, including menus,
3 food production records, meal counts, attendance records,
4 enrollment forms and household income statements."

5 Is that right?

6 A. That is correct.

7 Q. It also requires Safari to document all food service
8 costs and revenues to show that the food service is
9 nonprofit?

10 A. That is correct.

11 Q. And that's something that is required under the program;
12 is that right?

13 A. That is correct.

14 Q. And then it talks about in the section about claims and
15 reimbursement payments, bullet 14, it says that Safari will
16 receive payments of CACFP reimbursements from Feeding Our
17 Future after deduction of the administrative fee of 10
18 percent within five working days of Feeding Our Future's
19 receipt of program reimbursement funds from MDE.

20 Do you understand what that's saying?

21 A. Yes, I do.

22 Q. What is it saying?

23 A. So there is a requirement of this program that when MDE
24 reimburses the sponsor, on the date that the money is
25 deposited into the sponsor's account, if the sponsor

1 provides funds to that site, those funds need to be
2 disbursed within five working days.

3 So this to me shows that Feeding Our Future was
4 going to get the claim. When they received the claim,
5 deduct their 10 percent additive fee and then release the
6 rest of the funds within the five days.

7 Q. So they pay -- Feeding Our Future pays the
8 reimbursements to the site after receiving the money from
9 MDE?

10 A. That's correct.

11 Q. Did they ever pay in advance?

12 A. I don't think so.

13 Q. Okay. Because it's a reimbursement program?

14 A. It's a reimbursement program, and you would still have
15 to have the documentation to show that it could be paid.

16 Q. What do you mean by that?

17 A. Or that the claim was valid.

18 And so at MDE, when we receive a claim for
19 reimbursement, we process that pretty quickly. So to pay in
20 advance, it seems it would be out of sequence.

21 Q. Okay. All right. Then it's signed -- well, there's a
22 certification at the bottom. And it says, The authorized
23 representatives of Safari and Feeding Our Future certify
24 that they will comply with all rights and responsibilities
25 outlined in the agreement.

1 It also says, We understand this agreement is for
2 receipt of federal funds, and deliberate misrepresentation
3 may subject us to prosecution under applicable state and
4 federal criminal statutes.

5 Is that right?

6 A. That is correct.

7 Q. And who signs these contracts or this contract on April
8 10th of 2020?

9 A. So this contract under the program name is typed Safari.
10 The representative appears to be Salim Said as the title of
11 owner, with what appears to be their signature on April 10th
12 of 2020.

13 And under the sponsoring organization is titled
14 Feeding Our Future, with the printed representative name
15 Aimee Bock, with the title of founder/executive director,
16 with what appears to be Aimee Bock's signature, also on
17 April 10th, 2020?

18 Q. Okay. I'm going to show you now what's been admitted as
19 Government Exhibit V1, V as in victor.

20 All right. The dreaded CliCS.

21 A. Yes.

22 Q. Tell us what we're looking at here in Government
23 Exhibit V1.

24 A. So this document is out of the CLiCS system. It is a
25 Summer Food Service Program site application. I can see

1 that from the top area there that you are highlighting.

2 And this application in particular is for the site
3 called distribution site Safari Restaurant, which has a
4 unique site ID number of 9000018431.

5 Q. Can I stop you there, Ms. Honer.

6 A. Yes.

7 Q. You say it has a unique site identification number.

8 A. Yes.

9 Q. What is that?

10 A. So when a site is applying to operate this program, when
11 we are first creating that site, again, looking at latitude
12 and longitude, our staff assign a unique identification
13 number to that site for the system.

14 Q. Each site gets its own number?

15 A. That is correct.

16 Q. And who is the sponsor on this one?

17 A. The sponsor is Feeding Our Future with their distinct
18 unique identification number for their sponsoring
19 organization.

20 Q. Okay. So CLiCS, if I look at it here, it looks like
21 it's a computer system; is that right?

22 A. That is correct.

23 Q. Could you explain that?

24 A. Yeah. So again, CLiCS being that home grown application
25 and claiming system, but it is a technology product. And so

1 what we do is, we grant access to users of sponsors to
2 submit applications, again once that ID is identified. And
3 that is where sponsors can input their applications, their
4 claims.

5 We do a lot of internal processes with it outside
6 of what the sponsor does as well.

7 Q. And this you said again is the Safari site. It had some
8 information here on the date of the site and then the
9 address. Could you walk us through that here.

10 A. Yes. So the date on the site here, we can see from the
11 top June 2020 to July 2020. So there are two months that
12 are being applied for in this particular site application,
13 which are June and July 2020.

14 And then we see the site address as 3010
15 Fourth Avenue South in Minneapolis, and it also shows the
16 program year under which this site application is operating.
17 Each program has different years.

18 Q. Okay. And the contact for Feeding Our Future?

19 A. The contact listed for the site application is Aimee
20 Bock of Feeding Our Future, as you can see from the email,
21 with the title of founder/executive director and their phone
22 number.

23 Q. And then directing your attention to page 3 of
24 Government Exhibit V1, there's something called catering
25 contracts or renewal documents. What is that?

1 A. Yes. So this indicates, along with the facts that
2 Safari has indicated right above this as the food service
3 management company, this indicates that this site is using a
4 vendor to prep the meals, drop off the meals, as I had
5 mentioned before.

6 And when that happens, MDE requires a copy of the
7 vended meal contract.

8 Q. Which was, and that's uploaded into the CLiCS system?

9 A. Yes. That is what is uploaded into that system.

10 Q. So this is what you and your colleagues at MDE have
11 access to; is that correct?

12 A. That is correct.

13 Q. And these contracts are actually attached here to
14 Government Exhibit V1; is that correct?

15 A. That is correct.

16 Q. And specifically I'm directing your attention to page 9
17 of Government Exhibit V1 a document labeled Summer Food
18 Contract, Summer Food Service Program Contract For Vended
19 Meals; is that right?

20 A. That is correct.

21 Q. What is that?

22 A. So when a site is going to be having a vended meal
23 contract, there are particular things that are required to
24 be in that contract. And so this is a copy of the contract
25 with what appears to be between Feeding Our Future as the

1 sponsor and the vendor as Safari Restaurant and Event
2 Center, laying out the program requirements to be a vended
3 meal contractor.

4 Q. And what meals does it say under this contract that
5 Safari will be providing?

6 A. Under this contract, breakfast and lunch are indicated
7 by the B and L column.

8 Q. And this is, again this is the summer program?

9 A. This is the summer program, correct.

10 Q. All right. Now, this, like all the contracts, has
11 certain requirements for the parties; is that right?

12 A. That is correct.

13 Q. And it has down here recordkeeping and availability of
14 records; is that right?

15 A. That is correct.

16 Q. It says, The vendor will maintain such records,
17 supported by invoices, receipts and other evidence, as
18 sponsor will need to meet its responsibilities for
19 participation in the SFSP; is that right?

20 A. That is correct.

21 Q. Vendor will submit daily production records for each
22 meal type, numbers of meals furnished to sponsor and
23 applicable meal counts to the sponsor by the 15th of each
24 month?

25 A. That is correct.

1 Q. And then the vendor agrees that books and records about
2 its food service will be made available to the sponsor upon
3 request and retained according to law; is that right?

4 A. That is correct.

5 Q. On page 14 of Government Exhibit V1, there's a section
6 that talks about the sponsor's responsibilities; is that
7 right?

8 A. That is correct.

9 Q. Feeding Our Future?

10 A. Yes.

11 Q. Can you read here what it says about the first
12 responsibilities that the sponsor has with respect to the
13 Safari site?

14 A. Yes. The first responsibility listed under letter A is
15 to, "Retain control of the quality, extent and general
16 nature of the food service, including counting the numbers
17 of reimbursable meals and claiming SFSP reimbursement from
18 the Minnesota Department of Education."

19 Q. How about letter C under the sponsor Feeding Our
20 Future's responsibilities?

21 A. Letter C reads to, "Retain control of the nonprofit food
22 service account and overall financial responsibility for the
23 nonprofit food service operation."

24 Q. Letter E contains another of Feeding Our Future's
25 responsibilities for the Safari site?

1 A. That is correct. Letter E states, "Monitor provided
2 meals to ensure the food service is in conformance with
3 program regulations."

4 Q. And on page 15 it says -- there's a box checked. The
5 contract is expected not to exceed \$250,000; is that right?

6 A. That is what is checked, yes.

7 Q. Is that significant under the program?

8 A. Under the Summer Food Service Program it is significant
9 because after that amount, a performance bond is required.

10 Q. What's a performance bond?

11 A. A type of insurance, basically.

12 Q. All right. On page 16 is the signatures on this
13 contract. Who signed on behalf of Feeding Our Future?

14 A. On behalf of Feeding Our Future is printed name Aimee
15 Bock as the executive director with what appears to be her
16 signature on June 1st, 2020.

17 Q. And who signed on behalf of Safari Restaurant?

18 A. On behalf of Safari Restaurant, appears to be Salim Said
19 as the title, possibly manager. Signature appears to be
20 that name of Salim Said and date June 1st, 2020.

21 Q. Okay. So this is the CLiCS. This is essentially the
22 site application as seen in CLiCS, correct?

23 A. Yes. This is a document uploaded with the site
24 application.

25 Q. And what's the significance of a site application?

1 A. So the site application indicates, again, where the meal
2 is served, and therefore documents the eligibility of the
3 site, documents the meal types that are going to be served
4 to children, documents when that meal site is allowed to
5 operate or approved to operate, the estimated number of
6 children to be served.

7 It's the information that goes along with each
8 site.

9 Q. Okay. Okay. I'm going to show you now what's been
10 admitted as Government Exhibit V2, which is again from the
11 CLiCS system.

12 And this is another application, I believe,
13 submitted by Feeding Our Future; is that right?

14 A. That is correct. This also appears to be the site
15 application for the Child and Adult Care Food Program this
16 time.

17 Q. Okay. And what's the site here?

18 A. The site is the distribution site Safari Restaurant with
19 those numbers of 9000018431.

20 Q. Okay. All right. So you, you said the Safari, I think
21 we saw the first submission was submitted, the first
22 application was submitted via email on April 10th. Is that
23 about the time of this one here in CLiCS?

24 A. That is correct. The date for this application, the
25 date of participation, appears to be submitted as April 2020

1 through September 2020.

2 Q. Okay. So then we look -- CLiCS not only receives
3 applications. It also receives the claims submissions; is
4 that right?

5 A. That is correct.

6 Q. So I'm going to show you now what's been admitted as
7 Government Exhibit V3. Okay?

8 A. Okay.

9 Q. Can you tell us what we're looking at here on Government
10 Exhibit V3? Again, first orient us into this CLiCS program.

11 A. Yes. So this is a screen out of CLiCS on the claiming
12 side, and so this is a claim for the Child and Adult Care
13 Food Program, which I can see again from that top left
14 corner.

15 And this particular claim is the site 9000018431,
16 which is titled the distribution site Safari Restaurant
17 under Feeding Our Future.

18 Q. And the other one was an application, so the
19 "application" was highlighted. This one has "claims"
20 highlighted; is that right?

21 A. That is correct.

22 Q. So April 2020. These are the claims that were
23 submitted?

24 A. Yes, this is the claim that was submitted for the month
25 of April 2020.

1 Q. Okay. And can you tell us what claims Feeding Our
2 Future submitted on behalf of Safari Restaurant in
3 April 2020?

4 A. Yes. So this is the information that is in our CLiCS
5 system that we ask for on a claim. The first information
6 there is the average daily attendance of 1,179 children.
7 The number of days served is 13.

8 For at-risk after school snacks of 15,322 snacks
9 and 15,322 lunches.

10 Q. So site application came in April 10th, so they started
11 shortly after that and claimed to have served meals 13 days
12 in April 2020?

13 A. That's what it appears to be.

14 Q. For an average daily attendance of 1,179 children?

15 A. That's what it was submitted as, yes.

16 Q. And which meals did they claim to be serving each day to
17 those 1,179 children?

18 A. So the two claims are made under the at-risk after
19 school snack and the at-risk lunch.

20 Q. So snack and lunch to each kid?

21 A. That is correct.

22 Q. Directing your attention to page 3, is this, are these
23 the claims that Feeding Our Future submitted on behalf of
24 Safari Restaurant from May of 2020?

25 A. That appears to be correct, yes.

1 Q. Can you describe for us the claims that Feeding Our
2 Future submitted for Safari Restaurant in terms of meals
3 distributed in May of 2020?

4 A. Yes. So in May of 2020, CLiCS shows that Feeding Our
5 Future submitted an average daily attendance for the Safari
6 Restaurant of 2,928 children for 31 days served and totaling
7 90,725 snacks and lunches.

8 Q. 90,725 each?

9 A. No. That would be total.

10 Q. Okay. I'm sorry. Total, what do you mean "total"?

11 A. Total meals for the month.

12 Q. Okay. 90,000 meals?

13 A. That is correct.

14 Q. Okay. And then on page 5, I think we have the claims
15 submitted by Feeding Our Future for Safari Restaurant in
16 June of 2020; is that right?

17 A. Yes. This appears to be June 2020 for the Child and
18 Adult Care Food Program.

19 Q. And what are the claims for that month?

20 A. The claims for June are an average daily attendance of
21 3,589, with a number of days served being 9, for a total of
22 32,301 snacks and lunches.

23 Q. Okay. And that's only nine days of June. Is there a
24 reason there's only nine days served that month?

25 A. Yes, because the CACFP at-risk program can only operate

1 during the school year, and so many schools end up having
2 their school year end into that second week of June. So it
3 would not be eligible to participate after.

4 Q. Okay. I'm going to show you now -- well, did Safari
5 Restaurant stop serving meals after those nine days in June
6 of 2020 or stop claiming reimbursements?

7 A. I don't remember on the CACFP side, but Safari continued
8 to serve and be a meal site under summer food.

9 Q. Okay. I'm going to show you now -- well, before I do
10 that, the average daily attendance here by June is already
11 over 3500 kids. Is that what you were referring to when you
12 talked about the concerns you had?

13 A. Yes, that was concerning, although the concerns I was
14 talking about was particularly on the applications of the
15 number of kids being submitted to be served.

16 Q. What do you mean by that?

17 A. So on our applications in the CLiCS system, a sponsor
18 has to submit how many children they expect to serve or what
19 their daily limit is, and those numbers that Feeding Our
20 Future was submitting on applications began to grow and
21 grow.

22 Q. And the application numbers caught your attention first;
23 is that right?

24 A. Yes.

25 Q. Why is that?

1 A. Because this is a reimbursement program, the
2 applications come first, and the claims do not come until
3 after the month of operation has ended.

4 Q. What was the result of that?

5 A. The result of claims coming in later continued to grow
6 our concerns.

7 Q. Okay. But you didn't learn about them until down the
8 road, later into the summer; is that right?

9 A. Correct.

10 Q. Okay. All right. I'm showing you now Government
11 Exhibit V38, which has been admitted into evidence. What
12 are we looking at here?

13 A. So this is a claim again, submitted by Feeding Our
14 Future, this time for the Summer Food Service Program, and
15 again I can see that from the top left corner. It's also in
16 the title of the claim screen. And this is for June of
17 2020.

18 Q. So this is when they switched over from the aftercare
19 program to the summer food program?

20 A. That's what would typically happen, yes.

21 Q. And could you describe the claims that Feeding Our
22 Future submitted on behalf of Safari Restaurant for
23 reimbursements under the Summer Food Service Program in June
24 of 2020?

25 A. Yes. So in June of 2020, the claims screen is a little

1 bit different in what we ask for.

2 So what was claimed is 21 days served for both
3 lunch and a morning snack and 75,366 meals served under both
4 lunch and morning snack.

5 Q. Okay. And then page 2 is the claims submitted by
6 Feeding Our Future for Safari Restaurant reimbursements in
7 July of 2020; is that right?

8 A. That is correct.

9 Q. And what do we see in terms of the claims that month?

10 A. So the claims for July are lunch and morning snack,
11 again. This time for 31 days served, for a total of 154,810
12 meals under both of those categories.

13 Q. Did that number catch your eye?

14 A. Absolutely.

15 Q. Why?

16 A. That number is incredibly large when we were comparing
17 to other sites that were operating this program, and we
18 didn't understand how this could be happening.

19 Q. Trying to do my math here, it's like 5,000 kids a day;
20 is that right?

21 A. That sounds about right.

22 Q. August 2020 on page 3 of Government Exhibit V38, again
23 Safari Restaurant submitted by it was sponsor Feeding Our
24 Future, correct?

25 A. That is correct.

1 Q. What do we see that month?

2 A. So that month we see the meal types as lunch and morning
3 snack again, with the number of days served being 31, and
4 the number of meals being claimed as 154,796 under both of
5 those categories.

6 Q. Again, around 5,000 kids a day?

7 A. That sounds about right, yes.

8 Q. And I'm just paging through here. Page 5 is September.
9 Page 6, September. Page 7, October of 2020, is that right,
10 for Safari?

11 A. That is correct.

12 Q. And how many meals did Safari claim --

13 A. So in October --

14 Q. -- that month?

15 A. -- we now have breakfast and lunch being claimed,
16 31 days served, for total meals of 185,849 meals under both
17 of those categories.

18 Q. And math is tough, but I think that's 6,000 a day; is
19 that right?

20 A. Sounds about right.

21 Q. And that continues on and on; is that right? Is
22 November the same thing at page 8?

23 A. That is, yes. That is correct.

24 Q. All right. This is what you were talking about earlier
25 when you had concerns in the summer of 2020; is that right?

1 A. That is correct.

2 Q. Said the comparison in particular with the entire
3 Minneapolis or St. Paul public school district?

4 A. That is correct.

5 Q. So what did you and your colleague at MDE do as these
6 claims continued to grow in the summer of 2020?

7 A. So as I mentioned before, as our concerns continued to
8 grow through the summer, we reached out to Feeding Our
9 Future on the site applications and questioning how is it
10 happening, what was going on.

11 We were also reaching out to the USDA for
12 assistance as well in understanding the flexibilities.

13 Q. Why did you reach out to USDA?

14 A. Because we did not feel that the way these sites, in
15 particular Safari, was operating was in the spirit or intent
16 of the waivers or flexibilities.

17 Q. Did you implement any changes, you and your colleagues,
18 after talking to the United States Department of Agriculture
19 in the fall of 2020?

20 A. Yes. So in September of 2020, after receiving guidance
21 from the USDA, particularly on for-profit sites in the CACFP
22 at-risk program, I issued an email to a couple of sponsors,
23 one being Feeding Our Future, stating that that would no
24 longer be allowed.

25 Q. What would no longer be allowed?

1 A. For-profit distribution sites in the CACFP and summer
2 food programs.

3 Q. Why not?

4 A. Because it did not meet regulatory standards.

5 Q. Okay. Did you communicate that to Feeding Our Future?

6 A. I believe I did.

7 Q. Who did you communicate it to?

8 A. Aimee Bock.

9 Q. What was her reaction when you told her about this rule
10 change?

11 A. From my recollection, Aimee Bock responded to me not too
12 long after the September email, stating that the sites in
13 question were actually going to be operating summer food
14 instead.

15 Q. What do you mean by that?

16 A. So the guidance provided in September included both
17 CACFP at-risk and summer food, but summer food does allow
18 for for-profit sites in -- with limitations. And so that
19 response essentially allowed the program to operate.

20 Q. Were you satisfied with that response?

21 A. No, I wasn't. I went back to USDA.

22 Q. Why were you not satisfied with Ms. Bock's response?

23 A. Because I did not believe that those sites were
24 operating again in the spirit of that guidance or the policy
25 memo that was being cited.

1 Q. You went back to talk to USDA again about your concerns?

2 A. That is correct.

3 Q. What was the result of those conversations?

4 A. USDA gave what I felt was a more clear answer, that
5 those for-profit sites could not operate, and therefore I
6 communicated once again to the sponsors, including Feeding
7 Our Future.

8 Q. Ms. Bock?

9 A. That is correct.

10 Q. When you told -- this was in the fall of 2020?

11 A. Yes. The second email that I sent would have been
12 around the first or second week of October.

13 Q. When you told Ms. Bock that her for-profit sites,
14 including Safari --

15 A. Correct.

16 Q. -- but not only Safari, correct?

17 A. Correct, there were others.

18 Q. Did they have similar concerns?

19 A. Absolutely.

20 Q. When you told her that those for-profit sites under the
21 sponsorship of Feeding Our Future would no longer be allowed
22 to participate in the Federal Child Nutrition Program, what
23 was Ms. Bock's reaction?

24 A. Aimee Bock then submitted to me I think just a couple of
25 days later a clarification indicating that Feeding Our

1 Future would be operating these sites, therefore Feeding Our
2 Future being a nonprofit organization.

3 Q. Could you just explain that to me again? I want to make
4 sure I understand what you are saying.

5 A. Yes. So a for-profit organization such as Safari would
6 not be eligible into this program, but a nonprofit
7 organization is eligible to operate this program.

8 Q. And you told Ms. Bock that those for-profit companies,
9 restaurants, could no longer participate in the program.

10 A. That is correct.

11 Q. And she responded to you --

12 A. Yes.

13 Q. -- saying?

14 A. Saying that they were not being operated by the
15 for-profit restaurant, but instead by Feeding Our Future.

16 Q. Had that been your understanding previously?

17 A. It had not been.

18 Q. Had she told you that previously?

19 A. Not to my recollection.

20 Q. What was your reaction when Ms. Bock told you that
21 actually Feeding Our Future was running these sites at the
22 for-profit restaurants?

23 A. I found it difficult to believe that an organization
24 could switch gears that quickly, but I saw that it was
25 allowable within the regulations.

1 Q. And so the sites were allowed to continue?

2 A. That is correct.

3 Q. Under the sponsorship of Ms. Bock and Feeding Our
4 Future?

5 A. That is correct.

6 Q. After this point, did those sites -- how did the claims
7 trend after that change?

8 A. I don't remember in particular, but there was no
9 slowdown. The claims continued to be alarming.

10 Q. Okay. I want to show you some exhibits that are not yet
11 in evidence to kind of walk through what you just talked
12 about. Okay?

13 First I want to show you what's been marked but
14 not yet admitted as Government Exhibit F2.

15 A. Yes.

16 Q. Do you recognize Government Exhibit F2?

17 A. Yes, I do.

18 Q. And is that an email that you sent to Aimee Bock on
19 September 25th of 2020?

20 A. That is correct.

21 Q. I'm also going to show you another one that's not yet in
22 evidence, Government Exhibit F3. Is this an email you sent
23 to Aimee Bock on October 2nd of 2020?

24 A. That is correct.

25 Q. Government Exhibit F5, is this an email that Aimee Bock

1 sent to MDE on October 7th of 2020?

2 A. That is correct.

3 Q. F6 is an email that you sent to several people,
4 including Ms. Bock, on October 14th of 2020; is that right?

5 A. That is correct.

6 Q. And finally Government Exhibit F7, which is an email
7 that Ms. Bock sent to you six days later on October 20th of
8 2020; is that right?

9 A. That is correct.

10 Q. And are these all true and accurate copies of the
11 emails?

12 A. I believe so, yes.

13 MR. THOMPSON: Your Honor, I would move to admit
14 Government Exhibits F2, F3, F5, F6, and F7.

15 THE COURT: Any objection?

16 MR. UDOIBOK: No objection.

17 MR. COLICH: No objection.

18 THE COURT: Those exhibits are admitted.

19 MR. THOMPSON: Thank you. Permission to publish,
20 Your Honor?

21 THE COURT: Yes.

22 BY MR. THOMPSON:

23 Q. Ms. Honer, we'll start with Government Exhibit F2.

24 Okay?

25 A. Yes.

1 Q. Just see if we can orient the jury here as we get used
2 to looking at paper exhibits.

3 What, can you tell us what is this email, just the
4 basics?

5 A. Yes. So I sent this email. I copied our main mailbox
6 as we had gone over before, mde.fns and then I blind copied
7 Kara Lomen, Aimee Bock and two MDE staff. And the subject
8 was Restaurants as a Site in SFSP/CACFP At-Risk.

9 And the date was September 25th, 2020, with high
10 importance and an attachment.

11 Q. Okay. And let me just highlight here what you say in
12 this email, which begins, "Greetings."

13 Could you read what you wrote here on September
14 25th of 2020?

15 A. Yes. I wrote, "In regards to the email below sent by
16 MDE on June 23rd, 2020, regarding restaurants operating
17 SFSP, USDA provided MDE additional guidance surrounding
18 for-profit sites in SFSP and CACFP at-risk. You are
19 receiving this email as this new guidance will affect
20 current site applications under your sponsorship."

21 Q. Okay. There's a lot of acronyms there.

22 A. Yes.

23 Q. What's the gist of what you are telling Ms. Bock and the
24 others in this email?

25 A. The gist is that the distribution sites, there's new

1 guidance regarding those, and so take a look at that.

2 Q. Okay. And that guidance was actually attached here; is
3 that right?

4 A. That is correct.

5 Q. And fortunately the guidance is pretty clear. But it's
6 titled For-Profit Sites in the Summer Food Service Program,
7 SFSP, and Child and Adult Care Food Program At-Risk, CACFP
8 At-Risk; is that right?

9 A. That is correct.

10 Q. All right. The guidance begins with a question; is that
11 right?

12 A. Yes. That's correct.

13 Q. Question: Can a for-profit site participate in CACFP
14 at-risk? What's the answer?

15 A. The first sentence is, "No."

16 Q. Okay. How does it go on there?

17 A. It goes on that the USDA Midwest Regional Office
18 provided additional guidance to MDE on September 24th, 2020,
19 stating that even under the USDA COVID-19 waivers, CACFP
20 at-risk sites must be nonprofit sites and meet program
21 definitions.

22 Q. Okay. So it has to be a nonprofit?

23 A. Correct.

24 Q. And then it says based on this authority, MDE -- whoops.

25 "Based on the additional guidance, MDE does not

1 have the authority to approve for-profit sites for the CACFP
2 at-risk after school meals program."

3 Is that correct?

4 A. That is correct.

5 Q. And then it says, "Being this guidance was received on
6 September 24th of 2020, any for-profit CACFP at-risk sites
7 already approved to operate the month of September will see
8 their date of approval end on September 30th, 2020."

9 A. That is correct.

10 Q. What's the import of that?

11 A. So as I had mentioned before, this program and through
12 CLiCS operates by the month, approves applications by the
13 month, claims are submitted by the month. And so to end an
14 application, we like to do that by the end date of the
15 month.

16 Q. And then that's the end of those sites?

17 A. Yes.

18 Q. Okay. Then it goes on to talk about, Can a restaurant
19 operate as a summer food service site?

20 A. That is correct.

21 Q. And the guidance isn't as clear as the one word "no,"
22 but I think the gist of it is there is rules --

23 A. That is correct.

24 Q. -- is that right?

25 Okay. All right. That email that you sent to

1 Ms. Bock on September 25th of 2020; is that right?

2 A. That is correct.

3 Q. You said Ms. Bock then responded; is that right?

4 A. Yes.

5 Q. And what was, what did she tell you when she responded?

6 A. Again, the first response to this September email, my
7 recollection is that she responded by saying the sites would
8 be operating summer food.

9 Q. And why was that important or what was the effect of her
10 saying that?

11 A. The effect of that would be that we had to then look at
12 the summer food sites to ensure that they followed that
13 guidance I indicated.

14 Q. So they would potentially still be eligible?

15 A. Potentially.

16 Q. Okay. I'm showing you now what's been admitted as
17 Government Exhibit F3, an email --

18 A. Yes.

19 Q. -- from you to Aimee Bock; is that right?

20 A. That is correct.

21 Q. Okay. And what, can you tell me what you are telling
22 Ms. Bock here?

23 A. Yes. So it looks like I am reaching out for
24 clarification to understand if pending sites are eligible.

25 Q. Okay. And what do you mean by that?

1 A. It was not clear that the sites that I had listed below
2 were being operated in accordance to that policy memo.

3 Q. Under the Summer Food Service Program?

4 A. That is correct.

5 Q. And there's a series of restaurants here that you are
6 asking about; is that right?

7 A. That is correct.

8 Q. Brava Restaurant, Brava Cafe, correct?

9 A. Correct.

10 Q. Okay. All right. Government Exhibit F4 -- sorry -- F5.
11 This is an email from Aimee Bock to you on October 7th of
12 2020; is that right?

13 A. Yes, that is correct.

14 Q. And what does Ms. Bock tell you and your colleagues in
15 the body of the email?

16 A. So in response to the clarification requested in my
17 previous email, Aimee Bock is attaching a letter of request
18 for the Summer Food Service Program restaurants.

19 Q. Okay. And page 2 is the attached letter; is that right?

20 A. That appears to be correct.

21 Q. What was the significance of the SFSP letter of request?

22 A. So the significance was that it provided the
23 clarification where MDE would evaluate if those restaurants
24 were eligible.

25 Q. And it says here, If a site is able to demonstrate that

1 they are capable of operating the SFSP and can demonstrate
2 they will be serving youth that are not currently being
3 served, Feeding Our Future will submit a site application;
4 is that right?

5 A. That is correct.

6 Q. And then there is a series of sites that they talk
7 about; is that right?

8 A. That is correct.

9 Q. The following is an explanation of why the site is
10 needed and what steps have been taken to protect the program
11 integrity?

12 A. That is what it says.

13 Q. What is program integrity?

14 A. Program integrity is holding to the regulations and the
15 program's intent for these programs, ensuring that only
16 valid claims are submitted, that meals meet the standards,
17 that children are served high quality meals.

18 Q. Okay. All right. And that's on October 7th. And
19 there's a whole series of sites that Ms. Bock wants to open
20 here; is that correct?

21 A. That's correct.

22 Q. What was your reaction to this letter?

23 A. I don't recall specifically, but this letter, what I do
24 remember, does not show evidence that the sites were
25 eligible.

1 Q. What do you mean by that?

2 A. For example, it doesn't show that a nonprofit
3 organization is operating these sites. So although there's
4 information, it shows that these sites are not eligible.

5 Q. And did you communicate that to Ms. Bock?

6 A. I believe I did.

7 Q. I'm showing you now what's been admitted as Government
8 Exhibit F6, and this is an email that you sent to Ms. Bock
9 on October 14th of 2020; is that right?

10 A. That is correct.

11 Q. And it says, Updated guidance, restaurants as a site in
12 SFSP?

13 A. That is correct.

14 Q. Can you tell us about what you communicated in this
15 letter?

16 A. Yes. So this was again where I had gone back to the
17 USDA to further clarify how sites could operate, this time
18 in the summer food program as for-profit. And then taking
19 that guidance and letting sponsors know that we had received
20 additional guidance from USDA.

21 In this particular email, stating that the sites
22 of for-profit restaurants would not be eligible and any that
23 were approved would see their application approval end on
24 October 31st, 2020.

25 Q. Okay. And that's here, "Therefore MDE cannot approve

1 site IDs for restaurants or other for-profit businesses that
2 prepare food to operate as distribution sites."

3 A. That is correct.

4 Q. "Distribution sites with an approved application will be
5 updated with the closing date of October 31st of 2020."

6 A. That is correct.

7 Q. So you previously said the for-profit restaurants
8 couldn't participate in the Child and Adult Care Food
9 Program, the at-risk program?

10 A. Yes, and with limitations in summer food.

11 Q. All right. And now you are saying they couldn't
12 participate period --

13 A. Correct.

14 Q. -- in either program?

15 A. Correct.

16 Q. Okay. How did Ms. Bock react after you told her that?
17 Did she close those sites at Safari Restaurant and other
18 for-profit restaurants that were being sponsored by Feeding
19 Our Future?

20 A. No, she did not. She submitted an updated letter of
21 clarification.

22 Q. And that's Government Exhibit F7; is that right?

23 A. That is correct.

24 Q. An email that she sent to you and your colleagues on
25 October 20th --

1 A. That is correct.

2 Q. -- of 2020?

3 A. Yes that is correct.

4 Q. And it says, For-Profit Restaurant Clarifications.
5 That's the subject line?

6 A. That is the subject line, yes.

7 Q. And what does Ms. Bock say in the body of the email?

8 A. Ms. Bock says, "Please see the attached clarification of
9 how Feeding Our Future will be operating some of our sites."

10 Q. "Sorry for any confusion."

11 A. Yes.

12 Q. Okay. And attached is a document; is that right?

13 A. That is correct.

14 Q. Okay. Page 2 is the first page of that document?

15 A. That is correct.

16 Q. It's titled Feeding Our Future
17 Clarification-Restaurants. And then it reads, "I am sorry
18 for any confusion. Based on the documents and letter
19 request, I did not see a space to indicate that Feeding Our
20 Future will be staffing the following locations. A catering
21 contract is held with each food vendor, but their function
22 is limited to preparing the food. They do not participate
23 in distributing the meals."

24 A. That's what she wrote, yes.

25 Q. What was the, what was the impact of her saying that?

1 Why did that matter?

2 A. So again, that mattered because Feeding Our Future is a
3 nonprofit organization and therefore could have staff
4 operate sites that were typically for-profit.

5 Q. And then she runs through a series of sites; is that
6 right?

7 A. That is correct.

8 Q. One of them is called ASA Limited?

9 A. That is correct.

10 Q. It says, "This site is being staffed by Feeding Our
11 Future. The site operators will not prepare the meals, and
12 funds will not be provided, given or otherwise paid to the
13 site to employ site staff. Only Feeding Our Future's
14 trained staff and volunteers and sponsor trained site staff
15 serving as volunteers are permitted to distribute the
16 meals."

17 Is that right?

18 A. That is correct.

19 Q. So the same thing for Brava Restaurant; is that right?

20 A. That is correct.

21 Q. Olive Management in St. Cloud?

22 A. That is correct.

23 Q. Ms. Bock said that that site was being staffed by
24 Feeding Our Future?

25 A. Yes, that is what that states.

1 Q. Brava Cafe Ms. Bock claimed was being staffed by Feeding
2 Our Future?

3 A. That is also correct.

4 Q. Great Lakes?

5 A. That is correct.

6 Q. Goldfinger?

7 A. That is also correct.

8 Q. Haji's Kitchen, Dur Dur?

9 A. Yes, both of those are also the same.

10 Q. Lido Restaurant was being staffed by Feeding Our Future?

11 A. That is what was submitted to us, yes.

12 Q. Ms. Bock claimed that Feeding Our Future was staffing a
13 site called S & S Catering; is that right?

14 A. That is also correct.

15 Q. And then finally on page 6 of Government Exhibit F7,
16 Ms. Bock claimed that Feeding Our Future was staffing the
17 Safari Restaurant site.

18 A. That is also correct.

19 Q. All right. You had told Ms. Bock that all these sites,
20 these for-profit restaurants, were going to be shut down by
21 the end of October?

22 A. Yes.

23 Q. After you received this email from her on October 20th
24 of 2020, did that change?

25 A. Yes.

1 Q. Why, and how?

2 A. So it changed in that we were provided information where
3 we felt we could not close down those sites, but there was
4 also additional pushback as well in approving these sites.

5 Q. Well, let's talk about that. What do you mean you got
6 additional pushback?

7 A. So prior to October, I believe it started in April, MDE
8 had been receiving threats of a lawsuit for not processing
9 these applications quick enough.

10 Q. Who threatened a lawsuit?

11 A. Feeding Our Future.

12 Q. Why?

13 A. Again, it was my understanding that the lawsuit was on
14 the applications not being processed fast enough.

15 Q. Tell me about what you mean by "applications not being
16 processed fast enough." First off, the time frame, we are
17 talking about the fall of 2020.

18 A. Yes, the fall of 2020 was where the threats escalated.

19 Q. Okay. What, how would you describe the applications
20 being submitted by Feeding Our Future in the fall of 2020?

21 A. So in the fall of 2020, I would categorize them as
22 numerous applications, more than we had seen in a given year
23 before, in the hundreds, and with sites that were not
24 typically eligible.

25 Q. What do you mean by that?

1 A. So, again, we would see for-profit restaurants or
2 organizations that had newly been filed under the Minnesota
3 Secretary of State, ones that did not appear to have child
4 care or educational activities.

5 Q. Okay. You said organizations that had just been
6 recently file with the Minnesota Secretary of State.

7 A. Yes.

8 Q. What do you mean by that?

9 A. So my colleagues and I became concerned with the number
10 of applications, and we had not heard of these organizations
11 before. So we began to look at the Minnesota Secretary of
12 State, which is where business filings are and is public.

13 And we began to see that many of these
14 organizations had been newly filed, sometimes just days
15 before an application was submitted.

16 Q. Why did that matter?

17 A. That mattered because organizations, especially those
18 that care for children and provide meals, takes sometimes
19 months to years to get up and running.

20 Q. Okay. And so when you saw, when you saw sites or
21 entities that had just been created, just been registered
22 with the Secretary of State as a brand-new business, very
23 quickly enrolling in the program?

24 A. Yes.

25 Q. Under the sponsorship of Feeding Our Future?

1 A. Yes.

2 Q. And then how would you describe the claims that you were
3 receiving from entities like that?

4 A. I remember the claims of many of those sites being
5 equivalent, again, to large school districts.

6 Q. Did that deepen your concerns?

7 A. Absolutely.

8 Q. Why?

9 A. Because large school districts have a very robust,
10 intense organizational structure. There are many staff. It
11 takes a lot of equipment just to produce those meals. It
12 didn't seem reasonable.

13 Q. Okay. So when Feeding Our Future as, through the summer
14 of 2020 and into the fall continued to get more and more
15 applications from Ms. Bock and Feeding Our Future, including
16 those that had these red flags, how did MDE respond in terms
17 of processing those site applications from Ms. Bock?

18 A. So we were questioning the applications. We were asking
19 Aimee Bock to give us any type of information of how these
20 sites were eligible and able to operate.

21 Q. How did Ms. Bock respond when you questioned the sites
22 that she was submitting or applying to enroll in the
23 program?

24 A. I would categorize it as pushback, finding the
25 regulatory loophole or finding a reason, giving us the

1 answer that seemed to be working.

2 Q. What do you mean "answer that sealed to be working"?

3 A. An answer that would work with the regulations so that
4 we could not stop it.

5 Q. Well, normally an answer that worked would be a good
6 thing. Did you not see it that way here?

7 A. Correct. The answers were still not reasonable in mine
8 and my colleagues' eyes.

9 Q. Okay. So what did you do? You said there was some
10 issue with processing the applications.

11 A. Yes. So in processing the applications we look at the
12 eligibility, again, of not only the site location, but also
13 of the meal components. So we were asking questions related
14 to that.

15 And we were also asking USDA for additional
16 guidance.

17 Q. You said that you had received pushback --

18 A. Yes.

19 Q. -- from Ms. Bock. Can you explain to me the pushback
20 you got in terms of the speed with which MDE approved her
21 site applications?

22 A. Well, again, we still were not getting information that
23 was clearing it up, but ended up being in November of 2020
24 Feeding Our Future sued the Minnesota Department of
25 Education.

1 Q. Why? What was the basis of her lawsuit? What did she
2 claim MDE had done?

3 A. It's my understanding that the basis of the lawsuit was
4 that MDE was not processing applications quick enough and
5 that we were doing that on the basis of discrimination.

6 Q. What kind of discrimination?

7 A. Racism.

8 Q. So you, when you raised questions about her sites, did
9 she engage, did she address the substance of your concerns?

10 A. I do not feel that -- I do not feel that she did.

11 Q. You said she sued you?

12 A. Sued MDE, yes.

13 Q. And accused you and your colleagues of racial
14 discrimination?

15 A. That is correct.

16 Q. Did you put -- did MDE take steps in late 2020 to limit
17 the number of sites that Ms. Bock and Feeding Our Future
18 could open?

19 A. Yes. So in December of 2020, again in reviewing site
20 applications coming in, we found that Feeding Our Future's
21 applications for the summer food program exceeded 50,000
22 children per day. And there is a particular regulation that
23 does not allow a state agency to approve over this amount.

24 Q. That's a USDA regulation?

25 A. That is correct.

1 Q. So when MDE realized that Ms. Bock and her organization
2 were purporting to sponsor sites claiming to serve more than
3 50,000 children a day, what did you do, you and MDE?

4 A. So what we did is, after evaluating the applications, we
5 wrote an application denial and sent it out by email with
6 appeal procedures.

7 Q. An application denial to what?

8 A. Oh. To deny the site applications of anything pending
9 or in the future for summer food for that program year.

10 Q. So you started denying all incoming site applications
11 from Ms. Bock?

12 A. Yes, for the summer food program.

13 Q. And that was one -- how did she respond to that?

14 A. So Feeding Our Future did appeal that decision. I don't
15 remember how else that was responded to.

16 Q. Okay. MDE took other steps in late 2020, early 2021 to
17 address its concerns --

18 A. Yes.

19 Q. -- about Feeding Our Future?

20 A. Yes.

21 Q. In fact, these weren't the only concerns that you and
22 your colleagues had about Ms. Bock and her organization; is
23 that right?

24 A. That is correct.

25 Q. What other concerns did you and your colleagues have?

1 A. So another concern was that Feeding Our Future under
2 federal regulation should have submitted a federal single
3 audit by September 30th of 2020, and we had issued a late
4 notice and understood that Feeding Our Future was taking an
5 extension.

6 Additionally, we had also been concerned with
7 Feeding Our Future and their lack of financial
8 administrative staff.

9 Q. Okay. So there was an audit issued, nonprofit issue?

10 A. Issue with the audit. In January of '21 we discovered
11 an issue with their nonprofit status.

12 Q. What was that issue?

13 A. The issue was that the IRS had revoked their nonprofit
14 status.

15 Q. Was that significant to you and your colleagues at MDE?

16 A. It is absolutely significant.

17 Q. Why?

18 A. Because the IRS nonprofit status is what made Feeding
19 Our Future eligible to participate as a sponsor.

20 Q. Have to be a nonprofit.

21 A. For this particular parts of the program, yes.

22 Q. You said that was also an issue with them not having an
23 audit or having a late audit?

24 A. That is correct.

25 Q. Can you describe that for us?

1 A. Yes. So in federal regulation, and this is for all
2 federal funding, any nonprofit organization that receives
3 federal funding, at that time it was over \$750,000 per year,
4 had to have a third-party audit done, and there are specific
5 requirements of this audit.

6 Q. What's the purpose of that audit?

7 A. The purpose of that audit is to monitor the federal
8 funding that a nonprofit receives, ensure that sound
9 financial practices are in place, and to look for any
10 concerns that could be improved upon.

11 Q. And in January, as of January 2021, had Ms. Bock and
12 Feeding Our Future had such an audit in a timely fashion?

13 A. No, they did not.

14 Q. Okay. That was a concern to you and your colleagues?

15 A. Yes.

16 Q. Why?

17 A. This was absolutely a concern, because in receiving
18 federal funding, that audit is incredibly important to
19 ensure that the federal regulations are being followed, and
20 the nonprofit status was deeply concerning because again
21 that was the eligibility.

22 Q. Okay. You were concerned with the federal funds and
23 them being used appropriately?

24 A. That is correct.

25 Q. You said there's also a concern about the administrative

1 staff at Feeding Our Future?

2 A. Yes.

3 Q. Could you describe that for us?

4 A. Yes. As I had mentioned before, when I first came to
5 MDE and started to learn about Feeding Our Future, it was in
6 fall of 2019, and it was on the budget review.

7 At that time I had helped our financial staff. We
8 submitted to Feeding Our Future recommendations to get
9 financial staff. It was only Aimee Bock serving as the
10 executive director and as the financial oversight.

11 We did this again in fall of 2020 with the
12 application review as well.

13 Q. Okay. And what did you find in 2020?

14 A. What we found in 2020 was that although there was some
15 additional staff added, there was no financial staff that we
16 could see. And this was alarming because of the amount of
17 money that they were applying to operate. It's important to
18 have segregation of duties and to have financial staff.

19 Q. Okay. Okay. And so what, when you and your colleagues
20 at MDE in January of 2021 realized you had these three
21 additional concerns what, if anything, did you do to address
22 them?

23 A. Yes. So I did two things. One, I wrote a serious
24 deficiency letter to Feeding Our Future and sent that to
25 Aimee Bock and other individuals identified with the

1 organization. That serious deficiency was on the loss of
2 the nonprofit status and of the lack of an audit.

3 The second thing I did was reach out to internal
4 MDE staff regarding the concerns with the lack of audit.

5 Q. Let's talk about that first one, the serious deficiency
6 notice. What is a serious deficiency notice?

7 A. So a serious deficiency notice is through these
8 programs. It is an administrative process in which the
9 state, in our case the state, takes an action against the
10 sponsor to say that there is a serious deficiency in their
11 operation, and it gives them an opportunity to correct that.

12 Q. And the serious deficiencies were the three that you
13 noted?

14 A. This January serious deficiency was on the two items,
15 which again was the loss of nonprofit status and the lack of
16 an audit.

17 Q. In the spring of 2021, did you and your colleagues take
18 an additional step to address your concerns with respect to
19 Feeding Our Future?

20 A. Yes.

21 Q. What was that step?

22 A. I wrote another serious deficiency letter to Feeding Our
23 Future, and this time it was the failure to conform to
24 performance standards. There is three performance standards
25 in the CACFP program.

1 Q. And what are those performance standards?

2 A. So it's financial viability, program accountability and
3 administrative capability.

4 Q. What's financial liability?

5 A. So this includes correct claiming, documentation, having
6 the financial management practices in place, although
7 financial management practices can also be under the
8 administrative capability.

9 Q. How about program accountability?

10 A. So this is regarding the correct meals being served,
11 eligible sites operating and the program being operated
12 correctly at the site level mainly.

13 Q. Okay. And what was the third one? I forgot.

14 A. Administrative capacity.

15 Q. What does that mean?

16 A. That means having the staff at the organization in order
17 to carry out the program requirements.

18 Q. What was the concern there?

19 A. Lack of financial staff was one. I don't remember the
20 others.

21 Q. What was the concern with respect to program
22 accountability?

23 A. I believe where that was, was the number of issues that
24 we were seeing on the site IDs and applications being
25 submitted did not appear to be eligible.

1 Q. So what was the effect? Did that have -- what were you
2 trying to accomplish with respect to Feeding Our Future in
3 the spring of 2021?

4 A. So again, the serious deficiency offers the sponsor an
5 opportunity to correct. What we also did in that serious
6 deficiency letter is, we issued a stop pay, and we asked for
7 documentation from the claims.

8 So our goal was also to ensure that the correct
9 claims were being paid.

10 Q. Okay. What's a stop pay?

11 A. So stop pay is a function in our CLiCS system where the
12 sponsor can still submit claims, but the payments are not
13 going to run until one of our staff releases them.

14 Q. And -- okay. And how would that work, and what would
15 the staff be looking at before they released funds?

16 A. So what our goal was, is we had set up folders in
17 Feeding Our Future's Sharepoint site, and we had asked to
18 collect the meal claim documentation. Our goal was to have
19 staff look at that documentation, and if the claim was
20 correct, we would release the payment for that particular
21 site.

22 Q. Did that differ from how MDE typically handled claims?

23 A. That's correct. We do not typically receive
24 documentation in order to release claims.

25 Q. And that's pretty typical with a lot of these government

1 programs; is that right?

2 A. That's correct.

3 Q. Why is that?

4 A. That is because the sponsor is taking on responsibility
5 of that action. So the sponsor should be looking at that
6 documentation, ensuring that the claim is valid before it is
7 even submitted.

8 Q. So with the stop pay, when you put the stop pay in
9 place, it was going to work differently?

10 A. That is correct.

11 Q. So the, normally the roster, the meal counts, all the
12 documentation, the sponsor keeps it, correct?

13 A. That is correct.

14 Q. And would MDE see it before paying out the claims?

15 A. We would not.

16 Q. Who would you rely on?

17 A. We rely on the sponsor.

18 Q. With the stop pay, that changed that system, correct?

19 A. That is correct.

20 Q. And so when Feeding Our Future, when Ms. Bock submitted
21 a claim, what would she have to submit along with the claim?

22 A. So the documentation would be the meal counting and
23 claiming, attendance records of the children who attended
24 those sites, the menu of what was served to those children
25 and any invoices paid for those meals, let's say, to

1 vendors, but it could be the grocery store as well.

2 Q. The meal count just being the number of meals?

3 A. The number of meals and the type of meals. It matters
4 to know if it was breakfast, lunch, snack or supper.

5 Q. And you said the attendance rosters?

6 A. Yes. For the CACFP at-risk program, again attendance
7 rosters are required.

8 Q. Name of the kids receiving the meals?

9 A. That is correct.

10 Q. Okay. When you submitted, when you put that stop pay in
11 place, what happened?

12 A. It's my understanding that Feeding Our Future requested
13 a temporary restraining order through their current lawsuit.

14 Q. Okay. And you weren't, you are not a lawyer. You
15 weren't party to that lawsuit; is that right?

16 A. Not really, no.

17 Q. How did it generally result in that temporary
18 restraining order?

19 A. Well, I'm not really sure. Like with the temporary
20 restraining order, there was a hearing, and we ultimately
21 lifted the stop pay.

22 Q. Okay. Did that mean that your concerns were eliminated,
23 you no longer had concerns about Ms. Bock and Feeding Our
24 Future and the sites under its sponsorship?

25 A. No. Our concerns were still there.

1 Q. Did you take any steps to address those concerns at that
2 point?

3 A. Yes. As I had mentioned before, I had already reached
4 out in January to an internal staff person. And as the
5 concerns continued in January, February, March, we made a
6 referral to the FBI.

7 Q. Why did you -- what did you refer to the FBI?

8 A. We referred our concerns in the types of sites, the
9 amounts of claims, the amount of money going out, and again,
10 the types of sites, if I didn't say that.

11 Q. Okay. For a criminal investigation?

12 A. That is correct.

13 Q. And what entity or person did you refer to at the FBI in
14 the spring of 2021?

15 A. I don't know the first contact, but I believe -- I had
16 worked with and submitted documentation to Jared Kary.

17 Q. Okay. And about Feeding Our Future?

18 A. Oh. That's correct, yes.

19 MR. THOMPSON: Okay. Speaking of Special Agent
20 Kary, he handed me a note, and he's going to get upset with
21 me if I don't move to admit Government Exhibits V28 and V29,
22 which are some additional CLiCS data similar to the ones we
23 admitted earlier.

24 MR. UDOIBOK: No objection.

25 THE COURT: Any objection, Mr. Colich?

1 MR. COLICH: No objection, Your Honor.

2 THE COURT: V28 and 29 are admitted.

3 MR. THOMPSON: No further questions for this
4 witness at this time, Your Honor.

5 THE COURT: Mr. Udoibok?

6 MR. UDOIBOK: May I approach, Your Honor?

7 THE COURT: You may.

8 **(Sidebar discussion)**

9 THE COURT: Mr. Udoibok. Mr. Udoibok, can you
10 hear me?

11 MR. UDOIBOK: Yes, I can.

12 THE COURT: All right. Can everybody hear him
13 okay?

14 Go ahead.

15 I can't hear you. Here, put that right by your
16 mouth.

17 MR. UDOIBOK: Can you hear me now?

18 THE COURT: I can.

19 MR. UDOIBOK: It's about 4:30 now. Is it possible
20 for a break now and -- because it will be a -- I will barely
21 have to get her name and everything in and stuff for the
22 day.

23 THE COURT: All right. It's 4:40. That's fine.
24 We'll have you take it up at 9:00 in the morning. Thanks.

25 **(In open court)**

1 THE COURT: All right. Members of the jury, we're
2 going to break at this time for the day, and we'll see you
3 back here at 9:00 tomorrow morning, and we'll continue with
4 the testimony.

5 All right. All rise for the jury. Have a good
6 night, everybody.

7 4:40 p.m.

8 **IN OPEN COURT**

9 **(JURY NOT PRESENT)**

10 THE COURT: All right. We're off the record.

11 **(Off the record)**

12 (Court adjourned at 4:41 p.m., 02-10-2025.)

13 * * *

14 I, Renee A. Rogge, certify that the foregoing is a
15 correct transcript from the record of proceedings in the
16 above-entitled matter.

17 Certified by: /s/Renee A. Rogge
18 Renee A. Rogge, RMR-CRR

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