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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),)	Wednesday February 19, 2025
)	9:05 a.m.
Defendants.)	
)	

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

VOLUME VII - 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 9:05 A.M.

2 **IN OPEN COURT**

3 **(JURY NOT PRESENT)**

4 THE COURT: Good morning, everyone. You may be
5 seated.

6 We're out of the presence of the jury. My
7 understanding is that there's an issue to be raised.

8 Mr. Ebert.

9 MR. EBERT: That's right, Your Honor. Good
10 morning.

11 THE COURT: Good morning.

12 MR. EBERT: The court is well aware of the events
13 that transpired yesterday that are still unfolding with
14 respect to the government's anticipated witness of Mr. Jama.

15 I want to bring to the court's attention a matter
16 that I've also brought to the attention of defense counsel,
17 which is notice that the government may, may elicit aspects
18 of that interaction that happened yesterday outside chambers
19 involving Mr. Jama with respect to the individual who spoke
20 to him, spoke to him in reference to the fact that he was
21 here to testify.

22 And I do not know with certainty, Your Honor, if
23 that's something that will come out through the testimony of
24 Mr. Jama, but it is possible. And so I want the court to be
25 aware, and I want defense counsel to be aware of that as

1 well.

2 The reason for potentially eliciting some aspects
3 of that conversation, Your Honor, is that, point number one,
4 it is direct evidence of this fraud scheme. It is direct
5 evidence in the same way, for example, that a recorded jail
6 call, Your Honor, where after conduct, alleged conduct has
7 ended, a person is then talking about the conduct at issue,
8 communicating a strategy or a directive that has direct
9 bearing on the crime in a recorded jail call, by way of
10 analogy.

11 I think it's quite similar to that and I think
12 would come in on a routine basis as direct evidence of the
13 fraud scheme.

14 It certainly would speak as well to consciousness
15 of guilt, where, you know, if in fact it has occurred, there
16 is an effort to try to address, shape, intimidate in some
17 fashion a government witness.

18 Certainly the reason to do that is because there's
19 a concern of what that person might say. So I think it
20 directly speaks to consciousness of guilt.

21 So I, from the government's perspective, Your
22 Honor, I don't know that there would necessarily even be a
23 dispute under 401. So it seems to me the real issue is 403,
24 Your Honor.

25 And I think certainly under 403, I don't think

1 anyone in this room would dispute that it's extraordinary
2 conduct. It's brazen conduct. Folks could practice in
3 court for decades and perhaps not encounter such a
4 situation.

5 So it is highly unique and extraordinary, but I
6 don't think, therefore, it follows that it's so prejudicial
7 under 403 that it out not to come in, Your Honor.

8 The government didn't choose this conduct. The
9 government does not want this to be part of the case, but
10 here we are. It's been thrust upon the matter, not by the
11 government's doing.

12 We are simply reacting to this highly
13 inflammatory, unique and extraordinary series of events that
14 happened, and I think it's altogether appropriate that this
15 direct evidence that is relevant, highly probative and it
16 speaks to consciousness of guilt, if appropriate, be
17 elicited through Mr. Jama's testimony.

18 Finally, Your Honor, I would imagine as is often
19 the case there will be a series of questions and efforts on
20 anticipated cross-examination of Mr. Jama suggesting he is
21 not credible in some fashion.

22 And so it could also be, Your Honor, that
23 depending upon what avenue that line of questioning goes
24 down, it may well then open the door, Your Honor, on
25 redirect to try to elicit more information on this issue of

1 what happened yesterday.

2 So I just want to flag that as well, that
3 certainly the government may well go into it, depending upon
4 what might be raised on cross-examination of that witness.

5 So we believe it's certainly relevant and
6 withstands any 403 concerns for the reasons I've stated.

7 Thank you.

8 THE COURT: Thank you.

9 Mr. Udoibok, do you have any objection to the
10 government's line of, proposed line of questioning?

11 MR. UDOIBOK: Yes, I do, for multiple reasons.

12 One, more importantly is the prejudice that such
13 information would affect Ms. Bock, my client. There is
14 ample evidence in this case for this case to be restricted
15 to what it is.

16 I don't know what transpired yesterday or the
17 personalities. Apparently some were in the courtroom. My
18 back is facing the door, so I don't know what happened.

19 But eliciting testimony in a conspiracy case based
20 on facts that has yet to be established, the court
21 apparently commands an investigation yesterday, an
22 investigation. We don't know what happened. The universe
23 of behaviors has not been isolated enough for it to become
24 an evidentiary issue.

25 I think it would completely paint all defendants,

1 all parties in this courtroom, with the same broad brush.
2 And until the government is able to establish as to who said
3 what and to whom and what time, such evidence is not
4 relevant here.

5 THE COURT: Thank you.

6 Mr. Colich or Mr. Montez. Mr. Montez.

7 MR. MONTEZ: Thank you, Your Honor. Obviously we
8 object to the introduction of this evidence.

9 I perceive this as a 404(b) motion in trying to
10 introduce other bad acts. As has already been stated, we
11 don't have any information as to what actually happened
12 outside, who said what to Mr. Jama.

13 I know the court did an investigation yesterday
14 after court. Maybe the court knows something that the
15 parties don't, but as it stands right now, we don't know
16 anything that was stated, by who, to who and in what
17 context. So without that, I don't know what probative value
18 there would be to such testimony. That's number one.

19 The prejudice is clear, and I find it somewhat not
20 genuine for the government to say we don't want to introduce
21 this, we don't want to bring this up. The jury has no idea
22 this happened. So why would they need to bring that
23 attention to the jury when they don't know what happened?
24 The only basis would be to prejudice our client.

25 So until we know what happened and we can balance

1 that with the government's need to introduce this evidence,
2 it has no place in this courtroom.

3 THE COURT: Thank you.

4 Mr. Ebert, could you respond in particular to the
5 404(b) issue?

6 MR. EBERT: Well, for the same reason why it's
7 directly relevant under 401, Your Honor, it is intrinsic to
8 the fraud. It is not 404(b), Your Honor. It is direct
9 evidence of the scheme itself where you have a codefendant
10 and an alleged coconspirator of Mr. Salim standing and
11 sitting in the courtroom, observing the events, facts that
12 bear on him and on Mr. Salim knowing to be here at that
13 time, Your Honor, and then furthermore speaking to a witness
14 who is going to offer testimony about some of these issues
15 involving Mr. Salim and that alleged coconspirator.

16 So I think that is certainly consciousness of
17 guilt. It certainly speaks to intent. I don't think it is
18 404(b), Your Honor.

19 And I also just want to mention, Your Honor, as we
20 are speaking, at an appropriate point I also just want to
21 just raise two logistical scheduling issues, and I just want
22 to make sure I don't forget to bring that to the court's and
23 parties' attention.

24 THE COURT: All right. Just one moment.

25 First, just to clarify, the investigation into the

1 actions of yesterday, I met with the marshals and the FBI to
2 make sure that whatever evidence there was in the courthouse
3 of what occurred would be preserved and investigate as a
4 potential violation of the individual's pretrial release
5 conditions, because that is the court's purview.

6 As to any other crime that could have happened or
7 its involvement or place in the alleged conspiracy on trial
8 here, the court isn't involving itself in that
9 investigation. Thus, my sole purpose was, in meeting with
10 the government yesterday, was to ensure the proceedings,
11 that the proceedings were conducted in a manner that is
12 expected in the courthouse and that no laws were broken in
13 the courthouse.

14 So those two things are separate in my mind. I
15 wanted to make that clear.

16 Second, as to the proposed line of inquiry,
17 objections on 403 grounds, which I understand to be made by
18 Mr. Udoibok, and 404(b) and 403 grounds, which I understand
19 to be made by Mr. Montez, are overruled.

20 The proposal of or the evidence of these
21 defendants involvement or not in the actions outside the
22 courtroom are grounds for cross-examination, but they don't
23 go to the admissibility of the evidence. I don't find that
24 the 403 test is met.

25 This is clearly relevant to the scheme itself. It

1 is not 404(b) because it is potentially intrinsic to the
2 scheme.

3 And the connection, the scheme is something that
4 the government must prove, and the connection to these
5 defendants can be appropriately explored on
6 cross-examination.

7 Mr. Ebert, your logistic concerns.

8 MR. EBERT: Thank you, Your Honor.

9 There are two, we believe, should be short
10 witnesses, Your Honor, who would go first before Mr. Jama.
11 And I understand, Your Honor, that counsel for Mr. Jama has
12 an important matter that requires him to be in two places at
13 once.

14 And so to the extent that there is an ability to
15 take some type of break, Your Honor, to accommodate that
16 issue with Mr. Jama's attorney, perhaps that could be done
17 after these two initial short witnesses are concluded, if
18 that scheduling is acceptable.

19 THE COURT: We are going to take a hard stop break
20 at 10:30 today no matter where we are.

21 MR. EBERT: And it may be, Your Honor, it may be
22 that the two witnesses get to that point. It could be
23 between 10:00 or 10:30, so I just wanted to flag.

24 THE COURT: We will be in recess at 10:30, because
25 that's my understanding of Mr. Jama's counsel's need for

1 break.

2 MR. EBERT: Thank you.

3 THE COURT: Is that fair? Okay.

4 All right. We will bring in the jury.

5 Mr. Colich.

6 MR. COLICH: Your Honor, in light of your ruling,
7 will defense counsel be made aware of the comments that
8 allegedly were made yesterday by that individual outside of
9 the courtroom?

10 THE COURT: May I have the counsel on sidebar,
11 please.

12 **(Sidebar discussion)**

13 THE COURT: There was a motion made by the
14 government this morning in that related case. I do not know
15 whether that motion is sealed. And nor do I know if it's
16 been provided to defense counsel.

17 MR. EBERT: Your Honor, it has not been made
18 available yet, and my understanding is it remains under
19 seal.

20 THE COURT: All right.

21 MR. THOMPSON: Your Honor, we can certainly convey
22 the substance of the motion to defense counsel here.

23 THE COURT: Thank you.

24 Mr. Colich, your microphone is not on, sir.

25 MR. COLICH: Could we get that information before

1 we start testimony today, Your Honor?

2 THE COURT: Yes.

3 I will take a five-minute break. Thank you.

4 **(In open court)**

5 THE COURT: All right. We'll come back with the
6 jury in a few minutes.

7 (Recess taken at 9:30 a.m. till 9:35 a.m.)

8 9:35 a.m.

9 **IN OPEN COURT**

10 **(JURY PRESENT)**

11 THE COURT: You may all be seated.

12 Good morning, everyone.

13 And the government may call its next witness.

14 Good morning. Come on up to the witness stand.

15 Would you raise your right hand.

16 AMAL MUSE,

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

19 THE WITNESS: Yes.

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

21 And pull that microphone toward you, if you would.

22 The whole thing moves.

23 And then could you state and spell both your first
24 and last name for the record.

25 THE WITNESS: Amal Muse.

1 THE COURT: And could you spell it for me.

2 THE WITNESS: Yes. A-M-A-L. Last name M-U-S-E.

3 THE COURT: Thank you.

4 Mr. Bobier, you may inquire.

5 MR. BOBIER: Thank you, Your Honor.

6 DIRECT EXAMINATION

7 BY MR. BOBIER:

8 Q. Ms. Muse, good morning.

9 A. Good morning.

10 Q. We heard your name. Could you tell the jury where you
11 are from?

12 A. I'm from Willmar, Minnesota.

13 Q. How long have you been in Willmar?

14 A. I've lived there ever since I was 5, and I'm 23 now.

15 Q. Where are you from originally?

16 A. I was born in Ethiopia.

17 Q. What do you do out in Willmar?

18 A. I work at a juvenile correctional facility at the
19 moment. I used to work for the Willmar Police Department
20 previously.

21 Q. I want to ask you a few questions today about downtown
22 Willmar in particular. Is that an area of Willmar that you
23 are familiar with?

24 A. Yes.

25 Q. And why is it that you are familiar with downtown

1 Willmar?

2 A. With my time at the police department, I patrolled
3 downtown Willmar very frequently throughout the days, and my
4 family owned a business downtown Willmar.

5 Q. You said you were at the Willmar Police Department; is
6 that right?

7 A. Yes.

8 Q. When were you there?

9 A. I was there in between 2021 to 2023.

10 Q. And while you were working for the Willmar Police
11 Department, what exactly were you doing?

12 A. I was a community service officer.

13 Q. What's a community services officer?

14 A. You kind of handle the grunt work of the police
15 officers. We did traffic control, did events. We did
16 parking enforcements for downtown. That was one of our
17 duties and so on, so forth.

18 Q. So if someone in Willmar in 2021 got a parking ticket,
19 they maybe would have you to thank?

20 A. Yeah.

21 Q. I want to talk to you a little bit about 2020 and 2021.
22 All right?

23 A. Okay.

24 Q. Were you working with the police department during that
25 time?

1 A. Yes.

2 Q. And you mentioned your family has a business in downtown
3 Willmar; is that right?

4 A. Yes.

5 Q. Was that business in downtown Willmar in 2020 and 2021?

6 A. Yes. It was open from 2017 to 2022.

7 Q. What sort of business?

8 A. It was a boutique/henna shop.

9 Q. And where in downtown Willmar was it?

10 A. It was on the 500 block of Becker Avenue.

11 Q. I think you mentioned that you worked in that family
12 business; is that right?

13 A. Yes. Yes.

14 Q. What did you do?

15 A. I was the henna artist for the shop.

16 Q. This was including in 2020 and 2021; is that right?

17 A. Yes.

18 Q. In addition to your responsibilities with the police
19 department for Willmar in that same time frame; is that
20 right?

21 A. Yes.

22 Q. You mentioned parking enforcement. We talked about
23 traffic control, some other responsibilities you had with
24 the police department.

25 Did those responsibilities extend to the downtown

1 Willmar area in particular?

2 A. Yes, downtown was exclusively the CSO's duties.

3 Q. Of which you were one, right?

4 A. Yes.

5 Q. A CSO?

6 A. Yep.

7 Q. What's downtown Willmar like for anyone who hasn't been
8 there?

9 A. It's, it's kind of a small town downtown, but a little
10 bit of a metro mix. It's not -- I mean, we have a few
11 businesses, but it's not very packed or anything like that.
12 It's just kind of a small down downtown I guess.

13 Q. One or two main streets?

14 A. Yeah.

15 Q. While you were working in parking enforcement for the
16 Willmar Police Department, what did that look like
17 day-to-day?

18 A. So we had routes that we would walk for downtown
19 Willmar, and we would walk the routes, mark the vehicles
20 with chalk on the tire and then come back two hours later
21 and cite the vehicles. And depending on how busy we were
22 that day, we did it one to three times.

23 Q. One to three times a day?

24 A. Yeah.

25 Q. And by did it one to three times a day, you mean made

1 that two-hour circuit one to three times every day you were
2 working?

3 A. Yes.

4 Q. How many days a week were you working for the police
5 department doing that type of activity?

6 A. I worked about four to five days a week.

7 Q. 2020 and 2021, amongst some other years you mentioned,
8 right?

9 A. Yes.

10 Q. In addition to the parking enforcement work that put you
11 in downtown Willmar, how many days a week were you in
12 downtown Willmar at your family store?

13 A. I would say three to four times a week, when I wasn't at
14 the police department, or I would be there half the day and
15 go work.

16 Q. Put a fine point on it: You spent a lot of time in
17 downtown Willmar in 2020?

18 A. Yes.

19 Q. And 2021?

20 A. Yes, fair amount of time.

21 Q. And when you weren't in the store because it's family
22 opened, was someone else in your family operating it?

23 A. Yes. My mom.

24 Q. Are you familiar with a restaurant in downtown Willmar
25 called the FaaFan Restaurant?

1 A. Yes.

2 Q. Why are you familiar with that?

3 A. I was a customer as well, and our shop was right around
4 the corner from it.

5 Q. How close do you think your shop was to the FaaFan
6 Restaurant?

7 A. A few hundred feet, less than that, maybe.

8 Q. Very short walk?

9 A. Yeah, a very short walk.

10 Q. Let me show you on your screen there an exhibit that's
11 already in evidence. It's government's G39. Do you see
12 those photos in front of you?

13 A. Yes.

14 Q. Do you recognize those?

15 A. Yes.

16 Q. What is that?

17 A. That is the restaurant.

18 Q. That you visited sometimes when you were working
19 downtown in Willmar in 2020 and 2021?

20 A. Yes.

21 Q. What's it like in there?

22 A. It's a ma and pa shop. Very cosy. There would be
23 people in there kind of having tea and chatting, yeah.

24 Q. About how many tables do you think are in there?

25 A. I believe three tables and like a bar area.

1 Q. And when you were in there with the other patrons you
2 mentioned, about how many patrons might be in there at a
3 time in your experience?

4 A. At the max I would say ten. I have never seen more than
5 five people in there.

6 Q. You mentioned this was just a few hundred feet from your
7 family's business; is that right?

8 A. Yes.

9 Q. Is it on the same street? Is it around the corner?

10 A. It's around the corner.

11 Q. Do you know what street this is on?

12 A. Yes. Litchfield Ave.

13 Q. When you mentioned you had visited this as a patron,
14 just to be clear, was that extended into 2020 as well?

15 A. Yes.

16 Q. Did the restaurant stay open during COVID, or did it
17 close at some point?

18 A. I believe it was closed at some point during COVID.

19 Q. Like a lot of restaurants?

20 A. Yes.

21 Q. Ms. Muse, are you aware in 2020 or 2021 of any free
22 meals to children being distributed out of that restaurant
23 in downtown Willmar?

24 A. Not that I know of, but I did hear things of free meals.
25 I just never seen any being given out.

1 Q. You never saw any in your time working as a CSO?

2 A. No.

3 Q. In downtown Willmar, right?

4 A. No.

5 Q. To be clear, this is in downtown Willmar?

6 A. Yes.

7 Q. Is the street that the FaaFan Restaurant is located on,
8 was that part of the territory you were responsible for --

9 A. Yeah.

10 Q. -- checking parked cars on?

11 A. Yes 400 block of Litchfield Ave is a very main street of
12 downtown I guess.

13 Q. Considering it's a small downtown?

14 A. Yes.

15 Q. An area of which you are very familiar?

16 A. Yes.

17 Q. Did you ever see or are you aware of any lines of
18 children lining up to receive free food from this location?

19 A. No.

20 Q. Are you aware of any lines of parents lined up to
21 receive free food for children from this location?

22 A. No.

23 Q. You said you had heard, but did not see some activity
24 there. Can you give us an idea for the scope of activity?

25 A. I heard things about free meals, maybe like a thing of

1 rice and stuff being handed out, but nothing -- I had never
2 seen anyone receive the free meal that was being talked
3 about.

4 Q. You never saw that?

5 A. No.

6 Q. Not when you were working at your family's business a
7 few hundred feet away?

8 A. No.

9 Q. Throughout 2020?

10 A. No.

11 Q. Throughout 2021?

12 A. No.

13 Q. Let me show you a different exhibit on the screen. It's
14 Government's G6. It's in evidence.

15 Now, I know this isn't your email. The jury's
16 already seen this and seen that it's an email sent from
17 Abdikadir Mohamud to a Mr. Eidleh in a
18 claims@feedingourfuturemn.org.

19 Do you see that at the top of this document here?

20 A. Yes.

21 Q. I direct your attention down to the second page.

22 Now, Ms. Muse, the jury has heard already that
23 this sheet represents purported meals handed out to children
24 from Willmar?

25 MR. UDOIBOK: Objection. Foundation.

1 THE COURT: Let me hear the rest of the question.

2 BY MR. BOBIER:

3 Q. The jury has heard already testimony that meals were
4 purportedly handed out to children as represented by this
5 sheet at a site in Willmar.

6 Do you see that?

7 A. Yes.

8 THE COURT: The objection is overruled.

9 You may continue.

10 MR. BOBIER: Thank you.

11 BY MR. BOBIER:

12 Q. Now on this sheet in particular, the claim is that
13 nearly 3,000 meals to children were provided every day from
14 the FaaFan Restaurant that we've just discussed.

15 Ms. Muse, do you have a reaction to seeing these
16 claims?

17 A. Yeah, it's very surprising.

18 Q. Why is it very surprising?

19 A. With the amount of time I spent downtown, if we had that
20 many people coming in on a daily basis, we would have the
21 police department involved for some traffic control.

22 Q. Was the police department so far as you are aware --

23 A. No.

24 Q. -- ever asked to assist with traffic control outside the
25 FaaFan Restaurant in 2020?

1 A. No.

2 Q. In 2021?

3 A. No.

4 Q. Is that something you would have been aware of?

5 A. Absolutely.

6 Q. Because you were working there at the time?

7 A. Yes. And that was my main duty there, traffic control.

8 Q. In that exact area?

9 A. Yes.

10 Q. Were you aware of extreme or unusual numbers of cars
11 parking in this area in 2020?

12 A. Nothing out of the ordinary.

13 Q. Is that something you would have been aware of?

14 A. Yes.

15 Q. Because as you told us, you were responsible for parking
16 enforcement in this exact area at this exact time?

17 A. Yes.

18 Q. And in 2021, correct?

19 A. Yes.

20 Q. You mentioned when you were not personally working at
21 your family's business, which was a few blocks from the
22 FaaFan Restaurant; is that right?

23 A. Yes.

24 Q. When you weren't personally working there, I think you
25 said your mom was?

1 A. Yes.

2 Q. Are you aware of anyone in your family while working at
3 the restaurant seeing thousands of meals provided to kids
4 every day out of that restaurant?

5 A. No.

6 MR. UDOIBOK: Objection. Calls for speculation.

7 MR. BOBIER: Asked if she's aware, Judge.

8 THE COURT: Overruled.

9 BY MR. BOBIER:

10 Q. Are you aware?

11 A. No.

12 Q. Are you aware of any, in this time period, 2020 or 2021,
13 substantial volumes of trucks making deliveries out of the
14 ordinary, either picking up, unloading or loading --

15 A. No.

16 Q. -- from the FaaFan Restaurant?

17 A. No.

18 Q. Or any other area in downtown Willmar for which you were
19 responsible?

20 A. No.

21 Q. Not aware of that?

22 A. Nope.

23 Q. Ms. Muse, do you believe based on living in Willmar and
24 working extensively in the downtown area that in 2020 and
25 2021 thousands of meals were provided to children every day

1 from that restaurant?

2 MR. UDOIBOK: Objection.

3 THE WITNESS: No.

4 MR. UDOIBOK: Competence.

5 THE COURT: Overruled. The answer will stand.

6 BY MR. BOBIER:

7 Q. Do you believe that could have happened without you
8 knowing about it?

9 A. No.

10 Q. Why not?

11 A. I would have known about it somehow, either from the
12 police department or working at the shop, with the amount of
13 time I spent there.

14 Q. Thank you.

15 THE COURT: Mr. Udoibok, cross-examination.

16 MR. UDOIBOK: Yes, Your Honor.

17 CROSS-EXAMINATION

18 BY MR. UDOIBOK:

19 Q. My name is Kenneth Udoibok, and I represent Aimee Bock.
20 We've never met, have we?

21 A. No.

22 Q. Is it Muse or Muse?

23 A. Muse is fine.

24 Q. Muse. All right. In 2021, were you a full-time
25 employee at the Willmar Police Department?

1 A. Yes.

2 Q. In 2020 were you a full-time police officer with the
3 Willmar Police Department?

4 A. No. I was never a police officer. I was a community
5 service officer.

6 Q. Oh, community. Okay. Community services officer.

7 And you testified that you heard that free meals
8 were given out at the FaaFan Restaurant, correct?

9 A. I'm sorry. Can you rephrase that?

10 Q. I said you testified earlier that you heard that free
11 meals were given out at the FaaFan Restaurant?

12 A. Yes, I heard things of meals.

13 Q. All right. And did you, when you heard those things,
14 did you make any attempt to check it out whether there was
15 food given or not?

16 A. No.

17 Q. All right. In 2020, 2021, did you conduct any
18 surveillance of the restaurant to determine how much, if
19 any, food was distributed?

20 A. I wasn't surveilling the restaurant, but the area, yeah.

21 Q. All right. Do you have any information whether there
22 were, there were home deliveries of the food that was
23 supposedly free?

24 A. No.

25 Q. All right. Do you know the nature of food that you

1 heard was delivered? Was it prepackaged food or cooked?

2 A. Cooked.

3 Q. All right. You heard that it was cooked?

4 A. Yeah, they don't have prepackaged food, so I just
5 assumed it was cooked.

6 Q. You just assumed that it was cooked?

7 A. Yeah.

8 Q. By the way, Ms. Mallet, would you call up Exhibit G39
9 that was just presented.

10 That's not what -- the exhibit before then. It
11 wasn't 39. There you go. Is that G6? Call out the top
12 part.

13 Do you know who Abdikadir Mohamud is?

14 A. No.

15 Q. Do you know who Abdikerm Eidleh is?

16 A. No.

17 Q. Why don't you go to the next page, please. Call out the
18 first part.

19 Do you know what this is?

20 A. Yeah, the meal counts.

21 Q. How do you know that is a meal count?

22 A. It says Summer Meal Counts at the top.

23 Q. Have you ever completed a form like this before?

24 A. No.

25 Q. Do you know what is Feeding Our Future?

1 A. It was a program that was developed during COVID.

2 Q. Where did you get that information from?

3 A. I'm assuming. I don't really have that much information
4 about it.

5 Q. All right. Now do you see the number -- go to the
6 number of children requesting meals and food was gone.

7 Highlight, call out that section, please. Now the line, the
8 number of children requesting food.

9 Do you see that section?

10 A. Yes.

11 Q. It says, Number of children requesting meals of food is
12 gone. Do you see that?

13 A. Yes.

14 Q. Do you have any information as you sit here today that
15 that is not accurate?

16 A. I don't believe for it to be accurate.

17 Q. I know you don't believe it's accurate, but what do you
18 base that on?

19 A. What was that?

20 Q. What do you base the fact that it's not accurate on?
21 Just your gut feeling, right?

22 A. No, the fact that there wasn't really lines or anything
23 proving that that many people would.

24 Q. Well, you don't know whether food was delivered, though,
25 did you? Do you?

1 A. No, I do not.

2 Q. Okay.

3 A. But I don't believe that much food would be delivered a
4 day.

5 Q. You just believe. You are not based on surveilling the
6 restaurant, right?

7 A. Well, part of it is based off of the patrol that I did
8 downtown.

9 Q. Yeah.

10 A. Yeah.

11 Q. How long -- let me just, let's just talk about
12 patrolling. Were you -- how long were you at that
13 particular restaurant in a day? How many hours?

14 A. In the restaurant?

15 Q. Yeah, around the restaurant.

16 A. Around the restaurant?

17 Q. Yeah.

18 A. I would -- I didn't spend hours there, but I drove
19 around there fairly often.

20 Q. Okay.

21 A. Probably ten times in a day maybe.

22 Q. Ten times in a day. So would you, based on surveilling
23 ten times a day and you derived from that that 139 children
24 could not have been turned away for food?

25 A. No, I don't.

1 Q. Okay. Thank you.

2 MR. UDOIBOK: No further questions.

3 THE COURT: Mr. Colich.

4 MR. COLICH: We have no questions, Your Honor.

5 THE COURT: Any redirect, Mr. Bobier?

6 MR. BOBIER: Nothing further, Your Honor.

7 THE COURT: You may step down, ma'am. Thank you.

8 THE WITNESS: Thank you.

9 THE COURT: And the government may call its next
10 witness.

11 MR. JACOBS: Thank you, Your Honor. The
12 government calls Becky Christianson.

13 THE COURT: Good morning. You may come forward
14 all the way up here. And I will have you stand to take the
15 oath.

16 THE WITNESS: Okay.

17 BECKY CHRISTIANSON,

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

20 THE WITNESS: I do.

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

22 And when you are seated, if you pull that
23 microphone up a little bit to you. Could you state and
24 spell both your first and last name for the record.

25 THE WITNESS: Becky Christianson. B-E-C-K-Y.

1 C-H-R-I-S-T-I-A-N-S-O-N.

2 THE COURT: Thank you.

3 You may inquire, Mr. Jacobs.

4 MR. JACOBS: Thank you, Your Honor.

5 DIRECT EXAMINATION

6 BY MR. JACOBS:

7 Q. Good morning, Ms. Christianson.

8 A. Good morning.

9 Q. How are you today?

10 A. Good.

11 Q. Can you tell the jury where you are from?

12 A. Originally I am from the Norwood/Young America.

13 Q. And where do you currently live?

14 A. I live up in northern Minnesota now in Deer River.

15 Q. And how long have you lived in Deer River?

16 A. Just a few months. I just moved up there from the
17 Willmar area.

18 Q. Okay. Well, you answered my next question. Prior to
19 moving to northern Minnesota you lived in Willmar?

20 A. Mm-hmm.

21 Q. And how long did you live in Willmar, Minnesota, for?

22 A. From '99 until just like I said now in January. So 24,
23 25 years.

24 Q. To January of 2025?

25 A. Yeah.

1 Q. The jury's heard a little bit about Willmar, Minnesota,
2 but could you paint them a picture of what Willmar,
3 Minnesota, is like for anyone not familiar with it?

4 A. Willmar is, it's very spread out. We have the downtown
5 area, and then we have outside Willmar where most of the
6 commerce is, you know, the big box stores grocery stores,
7 things like that.

8 Downtown Willmar is more of what we call a melting
9 pot, a lot of original businesses down there that are maybe
10 over 100 years old, shoe store, a couple accounting firms.
11 And then as far as meaning a melting pot, a lot of the
12 immigrants that come in are downtown. They have grocery
13 stores, restaurants, kind of convenience type stores.

14 They -- some Mexican, some Somali, so it's a
15 variety downtown.

16 Q. How big is the area of downtown Willmar?

17 A. I would consider it from First Street to about Seventh
18 Street, so about seven blocks. And then maybe, maybe
19 another seven blocks. So seven blocks by seven blocks I
20 would --

21 Q. Kind of a quaint downtown feel?

22 A. Yeah, definitely.

23 Q. How familiar are you with downtown Willmar, Minnesota?

24 A. I, when we moved up there in '99, I worked in downtown
25 the entire time I was there up until 2002. So I worked, I

1 did work at an accounting firm for a short time, and then I
2 worked at an insurance agency, and which was in downtown
3 Willmar.

4 Q. Okay. I want to focus your attention on the period of
5 time of 2020 and 2021.

6 A. Mm-hmm.

7 Q. Were you working downtown in Willmar during that time
8 period?

9 A. Yes.

10 Q. And what were you doing for work then?

11 A. I was, I worked at an insurance agency.

12 Q. And where in downtown Willmar was that insurance agency
13 located?

14 A. It was on Litchfield Avenue. It was on the corner of
15 Litchfield Avenue and Fifth Street.

16 Q. And is that the 400 block --

17 A. Yes, it is.

18 Q. -- of Litchfield Avenue?

19 A. Yes, the address is 436.

20 Q. I'm pulling up what has already been admitted into
21 evidence as Government Exhibit G39.

22 Ms. Christianson, do you recognize the business
23 location that I'm showing in that photograph in front of
24 you?

25 A. Yes, I do. It was, yeah, about three doors from us.

1 Q. Three doors down from you. So if you are looking at the
2 door, which direction was the office where you worked?

3 A. If I'm looking at that blue door, ours was to the left
4 of that, so west of that.

5 Q. Okay. And how long about would it take you to walk from
6 the door of your office to the door of this restaurant?

7 A. Ten seconds.

8 Q. And in 2020 and 2021, obviously it was during COVID.
9 Were you working in downtown Willmar at that time?

10 A. I was. We were considered essential. We could work
11 from home, but we didn't have good internet, so the three of
12 us that worked in that office all agreed to work. We did
13 not have at home setups, so he worked in the building, yeah.

14 Q. Okay. And again in that time period of 2020 and 2021,
15 how often were you in downtown Willmar?

16 A. I worked Monday through Friday 8:00 to 5:00.

17 Q. Pretty much every single weekday?

18 A. Yeah. Yep.

19 Q. Okay. How would you get to downtown Willmar?

20 A. I would come in on Highway 12 and then come in on Second
21 or Third Street, and then to get to my office, I would turn
22 on Litchfield Avenue, and then usually we'd park on the
23 street and/or in a parking lot. We only had two- or
24 three-hour time limit for parking because it was monitored,
25 so we would have to move.

1 Q. Pretty strict enforcement of parking regulations in
2 Willmar?

3 A. Some days it was. Some days it wasn't.

4 Q. Can you explain to the jury what we're seeing in this
5 far picture to the right in Exhibit G39?

6 A. That is the backside of the building, of the building in
7 the other pictures. That is on Benson Avenue. Yeah, just a
8 small, small little parking lot, alley type area between
9 buildings. I would say the cars you see in there is about
10 all that, you know, I would ever see parked in there, three,
11 four cars.

12 Q. And when you were traveling to and from the office, were
13 you able to see this alleyway?

14 A. If I parked in the three-hour parking lot, which I did
15 most days, at least part of the day, I can see that, that
16 backside of the building.

17 Q. Are you aware if the Willmar Public Schools were
18 providing free meals to kids during the time of COVID?

19 A. There was a program. I don't know exactly all the
20 details of that. I remember hearing about it on the radio,
21 and I believe it went up to age 18 of those that were in the
22 Willmar area.

23 And then I would see school buses along Highway 12
24 on county roads that would bring meals. Parents could come
25 pick them up for their kids at the school bus if they lived

1 in the country, yeah.

2 So I know there was some type of program. I don't
3 know all the details about it but --

4 Q. And this was being offered through the Willmar Area
5 Public Schools?

6 A. I believe it was, yes.

7 Q. To be clear, did you ever see any large scale food
8 distribution occurring at this restaurant in downtown
9 Willmar?

10 A. No.

11 Q. Did you ever see any large scale food distribution
12 occurring in downtown Willmar during 2020 and 2021?

13 A. No.

14 Q. How often would you see this restaurant during your
15 daily routine?

16 A. Oh, I guess I would say almost every time I would go
17 move my car due to parking or if I would run out for lunch.
18 Yeah, I would say two, three times a day I would probably,
19 because even if we didn't have to move our cars, we would
20 still go out to check to see if they were marked.

21 So I would say two, three times a day I would see
22 this building.

23 Q. Did you ever see lines of people outside of this
24 building picking up food?

25 A. No.

1 Q. Did you ever see hundreds or thousands of kids waiting
2 in line outside this building?

3 A. No.

4 Q. Did you ever see lines of cars either in the back
5 alleyway or parked in front outside of that building?

6 A. No.

7 Q. Did you ever see signs offering free meals to kids
8 outside of that building?

9 A. No.

10 Q. Is that the type of thing that you would have noticed in
11 2021 and 2020 in downtown Willmar?

12 A. Definitely would have noticed lines, lines of people or
13 lines of cars, yeah. It's -- yeah.

14 Q. Would it --

15 A. No. That's fine.

16 It would have been noticeable.

17 Q. And why would it have been noticeable to you?

18 A. So in our office we faced out. You know, we had double
19 door with glass windows, and you could look right out to
20 Litchfield Avenue. If there were cars out there, it would
21 have been noticeable.

22 Even going out and moving our car, if there were
23 lines of cars and lines of people, being able to move my car
24 to the parking lot or say from the parking lot to the
25 street, it would have been noticeable.

1 Q. Would it surprise you that between November of 2020 and
2 October of 2021 people claimed to you 2,000 or 3,000 meals
3 from this restaurant in downtown Willmar?

4 A. Yes. That would surprise me.

5 Q. Why would it surprise you?

6 A. I just didn't see that kind of activity, you know. On a
7 daily basis, the normal activity is just those of us that
8 were still working downtown, you know, maybe the postal
9 worker going by, but he couldn't deliver mail because our
10 door was, they weren't allowed to come in during that time.

11 Yeah. Normal traffic was for those that had the
12 stores downtown or those that maybe lived in apartments
13 downtown. You know, there wasn't -- yeah, it would have
14 been, it would have been noticeable just to see lines of
15 cars or to know that that many meals went out of there.

16 Q. Not 3,000 children?

17 A. No.

18 MR. JACOBS: Thank you, Your Honor. No further
19 questions.

20 THE COURT: Cross-examination, Mr. Udoibok.

21 MR. UDOIBOK: Yes, Your Honor.

22 CROSS-EXAMINATION

23 BY MR. UDOIBOK:

24 Q. Ms. Christianson, my name is Kenneth Udoibok. I
25 represent Aimee Bock. Good morning.

1 A. Good morning.

2 Q. We have never met?

3 A. No.

4 Q. Have you met Ms. Bock?

5 A. No.

6 Q. I just want to ask you about the FaaFan Restaurant.

7 A. Okay.

8 Q. Did you know it by any other name other than FaaFan?

9 A. No. Prior to them going into that building, I knew it
10 was an Elks Lodge, but otherwise I did not know about that
11 restaurant or know it as any other name.

12 Q. Have you ever heard of the word Stigma-Free?

13 A. No.

14 Q. Why don't you call up G39.

15 This is an exhibit that was shown to you earlier?

16 A. Yep.

17 Q. And the name of the restaurant is FaaFan, correct, on
18 the top?

19 A. Oh, yes. Yep.

20 Q. And then next is Stigma-Free, Willmar?

21 A. Yep.

22 Q. Is this the first time you've seen that, that name
23 Stigma-Free, Willmar?

24 A. Yes.

25 Q. All right. While you were working in Willmar, did you

1 ever encounter the name Feeding Our Future?

2 A. No.

3 Q. All right. And so you don't have, you don't know the
4 relationship that Feeding Our Future had with Stigma-Free,
5 Willmar? You don't?

6 A. No.

7 Q. You don't know whether there was any agreement to supply
8 food, correct?

9 A. Correct.

10 MR. UDOIBOK: No further questions.

11 THE COURT: Mr. Colich?

12 MR. COLICH: We have no questions, Your Honor.

13 THE COURT: Thank you.

14 Any redirect?

15 MR. JACOBS: No redirect, Your Honor.

16 THE COURT: Sorry. You may step down.

17 THE WITNESS: Thank you.

18 THE COURT: And the government may call its next
19 witness.

20 MR. EBERT: Thank you, Your Honor. The government
21 calls Sharmake Jama.

22 THE COURT: Good morning, sir. You are going to
23 come all the way up to the witness stand by me. Would you
24 raise your right hand for me.

25

1 A. I was born in Somalia.

2 Q. And at some point you left Somalia; is that right?

3 A. Can you say that again?

4 Q. At some point you left Somalia?

5 A. Correct.

6 Q. How old were you when you left Somalia?

7 A. About seven.

8 Q. Why did you leave Somalia as a child?

9 A. There was a civil war in Somalia and then my family fled
10 to Kenya.

11 Q. Why did you go to Kenya?

12 A. Because of the war that was happening back home.

13 Q. And how long did you and your family stay in Kenya?

14 A. I believe we stayed there for about four years or around
15 there.

16 Q. When you were in Kenya --

17 A. Yep.

18 Q. -- where did your family live?

19 A. We stayed at a refugee camp, and then after that we
20 ended up in America.

21 Q. All right. And what does that mean, like a refugee
22 camp? Can you describe that for the jury?

23 A. Yeah, that's a place where everybody that's going to
24 somewhere around the world goes to. So you guys get a list
25 of where you are going to go, and then you just stay in that

1 camp, and then you are, either you are off to America,
2 Europe or Australia.

3 Q. And you were there for how many years?

4 A. Almost four years, I believe.

5 Q. And you said a moment ago that eventually you and your
6 family came to America; is that right?

7 A. Correct.

8 Q. Can you tell the jury about how and when you and your
9 family came to the United States?

10 A. Yeah, we came around August of '97, and we ended up in
11 Minneapolis, Minnesota. And then after that went to
12 St. Paul. We stayed with a family that took us in. I
13 believe it was like a charity of Catholic.

14 And then after that, we ended up living in
15 North Minneapolis for about three weeks, and then my mother
16 ended, you know, decided to leave for Owatonna.

17 Q. Owatonna, Minnesota?

18 A. Yep.

19 Q. And about how old were you when your family relocated to
20 Owatonna?

21 A. About almost seven and a half, eight.

22 Q. And for folks who don't know, where is Owatonna in
23 relation to where we are now in the Twin Cities?

24 A. I believe it's about almost two hours from here, and
25 it's close to Rochester, about 45 minutes from Rochester.

1 Q. How long did your family stay in Owatonna?

2 A. We stayed there for about almost two years.

3 Q. And while you were there --

4 A. Yep.

5 Q. -- did you attend school?

6 A. Yeah. I attended third grade and then fourth and then
7 after that fifth and then we moved.

8 Q. Where did you move?

9 A. We moved to Rochester, Minnesota.

10 Q. Where do you live now?

11 A. I live in Rochester.

12 Q. Did you stay in Rochester the whole time after you left
13 Owatonna as a child?

14 A. Correct, until now.

15 Q. Had you graduated from high school?

16 A. Yes, in Rochester.

17 Q. In what year did you graduate?

18 A. '07.

19 Q. In the year 2007?

20 A. Yep.

21 Q. What was the farthest you went in your schooling?

22 A. After high school I went to college, and then I finished
23 my bachelor's, and that was it.

24 Q. Where did you get your bachelor's degree?

25 A. At Winona State University.

1 Q. What did you study at Winona State?

2 A. In general I did public health and, yeah, public health,
3 but overall just bachelor's of science.

4 Q. And when did you get that degree from Winona State?

5 A. 2016.

6 Q. After 2016, did you start working?

7 A. At that moment, a restaurant was already opened, and
8 right away I started working at the restaurant that I opened
9 with my family.

10 Q. And you said a restaurant?

11 A. Yep.

12 Q. Which restaurant?

13 A. Brava Restaurant and Cafe.

14 Q. Is that located in Rochester?

15 A. Correct.

16 Q. What type of restaurant was Brava?

17 A. It's actually like Somali food mixed with American. So
18 we had rice and chicken, noodles and hamburgers, chicken
19 nuggets, wings and fries. So we mixed combinations of food.

20 Q. Can you give a sense to the jury of how big of a place
21 is Brava Restaurant?

22 A. I believe it's about almost 3,000 square feet, so like
23 half of this side of this jury.

24 Q. So about one half of the courtroom that we're in now?

25 A. Correct.

1 Q. And this was a family operated restaurant; is that
2 correct?

3 A. Yeah, but mostly I worked there five days, twelve hours
4 a day. And then Saturdays and Sundays I would have some of
5 my family members cover me.

6 Q. So now I want to move forward in time --

7 A. Yep.

8 Q. -- and direct your attention to about the spring of
9 2020.

10 A. Mm-hmm.

11 Q. Specifically, when the pandemic began. Okay?

12 A. Correct.

13 Q. Can you explain what impact, if any, the pandemic
14 hitting in 2020 had on your restaurant, Brava?

15 A. Yeah, I followed the government guidelines of closing
16 all the restaurants due to COVID. So about I think mid
17 March of 2020 or around there, I ended up shutting down my
18 restaurant.

19 And then I was, I had a second job where I worked
20 as a caretaker for a group home. And I went full time on
21 that.

22 Q. So your restaurant stopped in about March of 2020; is
23 that right?

24 A. Correct.

25 Q. Did it remain closed after that point in time?

1 A. Yeah, until about August 2020, around there, end of
2 August 2020.

3 Q. Okay. Now, Mr. Jama, you and I have met before; is that
4 right?

5 A. Correct.

6 Q. On a few occasions?

7 A. Yes.

8 Q. And is it the case that part of the reason we have met
9 is that you were charged with a crime?

10 A. That's correct.

11 Q. Specifically, were you charged with fraud and with money
12 laundering?

13 A. That is correct.

14 Q. Fraud and money laundering with respect to the Federal
15 Child Nutrition Program?

16 A. That is correct.

17 Q. And directing your attention to about September of 2022?

18 A. Okay.

19 Q. Is it around that time frame that you were charged with
20 those crimes involving the Federal Child Nutrition Program?

21 A. Could you state that again?

22 Q. Was it about September of 2022 that you were originally
23 charged with those crimes in an indictment?

24 A. I believe it was, yeah, the indictment, correct but --

25 Q. And since that time, have you pled guilty?

1 A. Yes.

2 Q. Pled guilty to fraud?

3 A. Those two counts.

4 Q. Fraud and money laundering?

5 A. Correct.

6 Q. Did you do the things that you are accused of?

7 A. That is correct.

8 Q. Have you been sentenced in your case?

9 A. No, not yet.

10 Q. Do you know who will determine your eventual sentence in
11 your case?

12 A. Judge Nancy.

13 Q. Her Honor, Judge Brasel?

14 A. Judge Brasel.

15 Q. So Her Honor Judge Brasel will determine your sentence?

16 A. That is correct.

17 Q. Has anyone made any promises to you about what your
18 sentence might be?

19 A. No.

20 Q. Has anyone with the government made promises about what
21 your sentence might be?

22 A. No.

23 Q. And you know, Mr. Jama, that when you raised your right
24 hand, you're obligated to tell the truth today.

25 A. Yes.

1 Q. And is that what you are prepared to do?

2 A. Yes.

3 Q. Although, as you indicated, no promises have been made.
4 Despite that, is it your hope that testimony today might
5 eventually result in a better sentence for you from the
6 court?

7 A. That is correct.

8 Q. But no promises about that have been made?

9 A. Yeah. That, I'm not sure.

10 Q. Well, are you sure that no one has made a promise to
11 you?

12 A. That is correct.

13 Q. All right. I want to direct your attention back,
14 Mr. Jama, to the summer of 2020. You'd indicated that your
15 restaurant was closed.

16 A. Correct.

17 Q. So there were, I take it, no customers coming?

18 A. Yes.

19 Q. The lights were off?

20 A. Yep, just paying bills. That's all.

21 Q. Did you have any workers able to make food at that time?

22 A. No.

23 Q. At some point, Mr. Jama, did you become involved in the
24 Federal Child Nutrition Program?

25 A. That's correct.

1 Q. How did that first happen?

2 A. I believe I heard of the program in summer of 2020, and
3 at that moment I believe Safari was the only one that was
4 doing the program.

5 Q. And when you say "Safari" --

6 A. Yeah.

7 Q. -- what is Safari?

8 A. Just a restaurant in Minneapolis.

9 Q. And so did you take any steps after you heard this
10 information about Safari Restaurant in the food program?

11 A. Yeah. I went to Feeding Our Future. Their office was
12 closed at that moment due to COVID regulations, and there
13 was a number on the door to say if you have any question,
14 please call this number, and I did call that number.

15 Q. And what happened after you called that number?

16 A. I told them that I own a restaurant in Rochester, that I
17 also wanted to take part of this program. And after that
18 they said we will direct you to someone else.

19 And then I waited for a couple more minutes.

20 After that I talked to someone else.

21 Q. And who was the "someone else"? Do you remember?

22 A. That I don't remember, but yeah.

23 Q. Was this on the phone?

24 A. On the phone.

25 Q. Okay. And what happened when you spoke to the next

1 person?

2 A. Yeah. They said that I do qualify for the program, but
3 in order to fulfill the program needs or everything you
4 want, you will have to go to Safari Restaurant to further do
5 your applications and everything that is needed from you.

6 Q. What did you do next?

7 A. I went to Safari Restaurant.

8 Q. And, Mr. Jama, I'm showing you on the screen
9 Exhibit B49. Do you recognize that?

10 A. Yeah, that's Safari Restaurant.

11 Q. Located at 3010 Fourth Avenue South in Minneapolis?

12 A. That's correct.

13 Q. And is that the location you went to after speaking with
14 someone at Feeding Our Future?

15 A. Yes, around August of 2020.

16 Q. Okay. What happened when you arrived at Safari
17 Restaurant?

18 A. I think I went into the back door where, close to that
19 other, like there's a gauge next to that door, yeah.

20 Q. And you went inside?

21 A. I went inside.

22 Q. Were there people inside?

23 A. At that moment, yeah, there was a lot of people. Some
24 people were cleaning. Others were -- it seemed like
25 everybody was busy, but there was some people inside.

1 Q. Did you speak with anyone?

2 A. Yeah, I just told that I, I was told to come here and
3 then I needed to talk to someone.

4 Q. And did that happen?

5 A. Yeah.

6 Q. Whom did you speak with?

7 A. I think that's the first time I met Mr. Salim.

8 Q. Salim Said?

9 A. Salim Said.

10 Q. I'm showing you Exhibit Y3. Do you recognize that face?

11 A. Yes.

12 Q. Who is in Y3?

13 A. That's Salim.

14 Q. Salim Said?

15 A. Salim Said.

16 Q. And that's the man you met for the first time in
17 August 2020?

18 A. Yep, after FOF direct me to go to Safari.

19 Q. After FOF, Feeding Our Future?

20 A. Yep, Feeding Our Future.

21 Q. And the man in Y3 that you met that day, do you
22 recognize him in this courtroom?

23 A. Yes.

24 Q. Can you point him out based on where he's seated or by
25 an article of clothing?

1 A. He's behind you to your left -- or right.

2 Q. And is he wearing -- can you describe what he's wearing?

3 A. I believe he's wearing a white shirt underneath and
4 black suit.

5 Q. Is he wearing a tie?

6 A. No.

7 MR. EBERT: Your Honor, may the record reflect
8 that he's identified Mr. Salim Said?

9 THE COURT: The record will so reflect.

10 BY MR. EBERT:

11 Q. So did you have a conversation in August 2020 with Salim
12 Said?

13 A. Yes.

14 Q. Within the Safari location, where did your conversation
15 take place?

16 A. I think it was his office, I think.

17 Q. Okay. What types of things did you speak about with
18 Mr. Said?

19 A. I told him my name and where I'm from and that I own a
20 restaurant and I was direct to come here.

21 Q. Did he respond to that?

22 A. Yes.

23 Q. What did he say?

24 A. He said just stay here for a second and I'll get back to
25 you.

1 Q. What happened?

2 A. And then I believe after that he called someone from
3 FOF.

4 Q. Why do you believe that?

5 A. Because that's the day that I filled out that
6 application at that location.

7 Q. When you say, "At that location" --

8 A. Yeah.

9 Q. -- at Safari Restaurant?

10 A. Yeah. Once he made a phone call, someone from Feeding
11 Our Future sent an application to a fax.

12 Q. It came to a fax machine?

13 A. It came to a fax machine, correct.

14 Q. Okay. What do you remember about the application?

15 A. That application, it was -- I think it had everything
16 general, like your name, your business name, your location,
17 address, phone number, email, your EI number and all that
18 information.

19 Q. Did you know how to fill out the forms?

20 A. Yeah.

21 Q. Did you do it by yourself?

22 A. Yeah, I did it by myself.

23 Q. Where was Salim Said while you were filling out the
24 forms?

25 A. I think after the fax came to his office, he gave me the

1 application and direct me to go somewhere in the back to sit
2 where the table was, and then that's where I filled out the
3 application.

4 Q. Okay. What happened after you finished the application
5 forms?

6 A. After I finished the application, I gave it to Salim,
7 and I believe he faxed it back to Feeding Our Future.

8 Q. Tell the jury what happened after that.

9 A. After that, Salim told me to take a break for lunch, and
10 I left. I came back with him having results.

11 Q. Having results?

12 A. Yeah.

13 Q. What do you mean by that?

14 A. After I send the application.

15 Q. What were the results?

16 A. The results was that I qualify, I was accepted, my
17 application was taken, Feeding Our Future has it, and that
18 MDE also has a copy of it, and I was ready to take part in
19 the program.

20 Q. And who told you these things?

21 A. I believe Salim. He was there, yep, but he was given
22 that information from FOF.

23 Q. Over the telephone?

24 A. Yes.

25 THE COURT: Mr. Ebert, at this time we need to

1 take a morning break.

2 So we're having a hard stop at 10:30. So we will
3 go ahead and take that morning break.

4 Maybe just a little longer than normal, so I'll
5 ask the jury for their patience.

6 All rise for the jury.

7 10:28 a.m.

8 **IN OPEN COURT**

9 **(JURY NOT PRESENT)**

10 THE COURT: I believe we'll wait about 20 minutes,
11 everyone, but just stay close, and we'll keep you posted.
12 Thank you.

13 You may step down, sir. And then I'll have you
14 back on the witness chair when the jury comes back.

15 (Recess taken at 10:29 a.m. till 10:57 a.m.)

16 10:57 a.m.

17 **IN OPEN COURT**

18 **(JURY PRESENT)**

19 THE COURT: You may all be seated.

20 And, Mr. Ebert, you may continue your inquiry.

21 MR. EBERT: All right. Thank you, Your Honor.

22 BY MR. EBERT:

23 Q. Mr. Jama, before we took that morning break, I was
24 asking you some questions about your conversation at the
25 Safari Restaurant; is that right?

1 A. That's correct.

2 Q. And just to refresh the jury, that was approximately
3 when?

4 A. About August 4th, around there, 2020.

5 Q. And you received a series of forms; is that right?

6 A. That's correct.

7 Q. Forms to enroll in the Federal Child Nutrition Program?

8 A. That's correct.

9 Q. And was it your testimony that you were told in Salim
10 Said's office that you had been approved?

11 A. Correct.

12 Q. Specifically, what do you recall? In other words, what
13 had you been approved to do?

14 A. To take part in the program.

15 Q. To feed children?

16 A. Yeah, to you and feed children.

17 Q. And were you told how many children in that conversation
18 in August of 2020?

19 A. Yeah, Salim was on the phone at first, and it look like
20 he was speaking with someone of Somali origin.

21 Q. Why do you say that?

22 A. Because he was speaking Somali.

23 Q. And are you fluent in Somali?

24 A. Yes.

25 Q. And what do you recall Mr. Salim Said saying in Somali

1 on the phone?

2 A. That I was approved. And I wasn't hearing the person on
3 the phone with him, but his reaction was he's accepted, he's
4 approved, is he going to start tomorrow, all of those
5 questions.

6 Q. Okay. And were you given a number of children that you
7 were approved to feed?

8 A. Later on in that conversation, yes.

9 Q. And what was that number?

10 A. After Salim hand me the phone and I asked him to, I
11 wanted to speak with someone who speaks English.

12 Q. Why did you want to speak with someone who speaks
13 English?

14 A. Because at that moment Salim was talking to somebody in
15 Somali, so I didn't want to misinterpret anything or, you
16 know, I wanted to be, clarify what was going on.

17 Q. Okay.

18 A. Yeah.

19 Q. And so when you spoke with that person, what did you
20 discuss?

21 A. After that Salim talked to the person and said he's
22 requesting to speak with someone who speaks English, and
23 then I believe as far as I can recall he said just pass down
24 the information that you told me to that other person who is
25 going to speak with him or, in that matter, and then the

1 phone was given to me.

2 Q. Okay. And you said that you were told in this
3 conversation about a number that you were approved to feed
4 or you of children per day; is that right?

5 A. Yeah, after I ended up on the phone, on the phone with
6 FOF staff.

7 Q. What was that number?

8 A. I believe he said I -- we got your application and
9 you're ready to start tomorrow and your limit for the start
10 date is, as of tomorrow, is 5,000.

11 Q. 5,000 meals?

12 A. A day.

13 Q. Did you have a reaction to hearing you were approved to
14 start at 5,000 children per day?

15 A. Yeah, my reaction was to thank him first like that I
16 was, you know, happy to take part in this program, and I
17 wanted to you my community. That's what I told him. But I
18 told him at this moment, if I was to you -- and I didn't
19 know if he meant like start 5,000 as in like get to 5,000 or
20 start today or I mean tomorrow and whatever, you know, you
21 get like those meals and then work your way up.

22 But as we were talking, he was adamant of me
23 starting with a limit of 5,000 and your limit's tomorrow.
24 And then the conversation went on.

25 Q. And this is the conversation --

1 A. Yeah.

2 Q. -- with Mr. Salim present; is that correct?

3 A. Yeah, he's present there. Yep, it was his phone when I
4 had the conversation.

5 Q. Salim Said?

6 A. Yep.

7 Q. At that point in August 2020, your restaurant was
8 closed; is that right?

9 A. That is correct.

10 Q. And it had been closed for a number of months?

11 A. That's correct.

12 Q. Okay. No staff?

13 A. No staff.

14 Q. Lights were off?

15 A. Unless I was there to do some work, but, yeah, most
16 those days lights were off.

17 Q. Did you have any concerns about your ability to you
18 5,000 meals per day at that moment in time?

19 A. Yeah. I told him that I'm not ready to start the next
20 day and I have to get ready and also I had to get some
21 equipments and hire more staffs. And I told him the reason
22 why I couldn't start the next day, and I told him it was a
23 big project, so I had to get ready for it.

24 Q. Okay.

25 A. And, and then -- but he was still adamant of me just

1 starting and saying 5,000 is your limit, and then I told him
2 it's COVID. I don't know who's going to show up. Everybody
3 is restricted, you know, so even if I start tomorrow, I
4 would at least write down to the numbers of people that
5 showed up that I served and then work my way up to that
6 limit.

7 Q. And so did you agree that moment to start in the
8 program?

9 A. Yeah, I agreed, but not to his limit. And then that's
10 when I told him if I were to start tomorrow there was only
11 one condition.

12 Q. And what was that?

13 A. I told him if you can bring that limit of 5,000 students
14 in a bus in front of my restaurant, I will start the next
15 day.

16 Q. And you said that to Salim Said?

17 A. No. To the gentleman from FOF staff on the phone.

18 Q. And Mr. Salim Said was present?

19 A. I believe at that time it was ten, I think five minutes
20 into it. He stepped out for a minute, and then he came back
21 when I was on the phone.

22 Q. And when you said this one condition --

23 A. Yeah.

24 Q. -- of having, what, 5,000 children brought to your
25 location the next day?

1 A. Yeah.

2 Q. How did the person from Feeding Our Future respond to
3 that?

4 A. He said I can't do that. And I told him that's the
5 reason why I can't start the next day.

6 Q. Okay. So at some point did you head back home to
7 Rochester?

8 A. Yeah, I went back and inform my family that I was going
9 to take a project of this magnitude and that we need to get
10 ready and then, and then also told the gentleman that I have
11 to make advertising. I had to go contact, you know, I went
12 to Rochester local school district.

13 And I went, met with someone from there, and then
14 he ended up, you know, I told him I was going to partner
15 with Feeding Our Future. I was going to you to the
16 community of the kids and to send an email to all the kids
17 in Rochester and attach my email to it, which he did.

18 And then I got that email, and I was in the
19 process of getting ready after that.

20 Q. Okay. And did that happen over a series of weeks?

21 A. Yeah. That, it went from August to September, all the
22 way end of September, I was in the process of getting ready.

23 Q. Okay. And did you have any further communications with
24 Salim Said or with anyone with Feeding Our Future about next
25 steps?

1 A. Yeah, I believe around September 3rd I got a call from
2 Salim.

3 Q. What did he say?

4 A. He asked me, hey, are you still getting ready for the
5 program. And I told him, yes. I'm not ready yet, but I'm
6 still in the process of getting ready.

7 Q. And did he have a reaction to that?

8 A. Yeah, he said that, well, okay, no problem, but someone
9 from FOF will be coming to see you, which was the next day
10 on September 4th.

11 Q. And did that happen?

12 A. Correct.

13 Q. What happened on September 4th of 2020?

14 A. I was, I think I was in the restaurant, yeah, I was in
15 the restaurant. It was around 7:00, 8:00 p.m., and someone
16 from FOF came to me, and he had a badge, and he introduce
17 himself to me.

18 Q. And did he introduce, did he say what his name was?

19 A. Yeah. He said, I don't remember his first name, but he
20 said Eidleh.

21 Q. On the screen do you see the gentleman in Exhibit Y2?

22 A. Yeah.

23 Q. Do you recognize that person?

24 A. Yeah, that's the person who came to my restaurant on
25 September 4th around 7:00, 8:00 p.m.

1 Q. Okay. So is it nightttime?

2 A. Nightttime.

3 Q. And did Mr. Eidleh announce why he was there?

4 A. Yeah, he told me that I'm coming from FOF, and I was
5 told to come here.

6 Q. And did the two of you proceed to have a conversation?

7 A. Yeah, he told me that I heard you self admitted
8 application, and there was a couple, you know, papers and
9 message to that, and then I came down for that.

10 Q. Okay. And what types of papers did he have, do you
11 remember?

12 A. I believe he had a couple papers, about three pages
13 only.

14 Q. And he presented those to you?

15 A. That's correct.

16 Q. What did you do with them?

17 A. I read it first, and that was it.

18 Q. Okay. And this took place at the Brava Restaurant; is
19 that right?

20 A. Yeah. He told me that he stop at two previous
21 restaurants in Rochester, one was one was Muna Halal.

22 Q. And that's Muna Halal?

23 A. Yeah, Muna Halal, and the other one is Nile River. And
24 then after that he said you are my last stop in Rochester of
25 the restaurants.

1 Q. Okay. And you filled out the paperwork that he gave
2 you; is that right?

3 A. That's correct.

4 Q. Did Mr. Eidleh do any sort of inspection of Brava
5 Restaurant?

6 A. No, he didn't do any inspection. We talked right in
7 front. There was a table when you walk in the restaurant,
8 and that's where it took place.

9 Q. Roughly, about how long did this conversation last?

10 A. I believe about ten minutes.

11 Q. And then he left?

12 A. And then he left. I signed it. I ended up signing the
13 papers he had, and then I asked him to take a copy of it.
14 He said I will send it to you by email, and then I asked to
15 take a picture of it.

16 And then he said no need for that, but I will just
17 email it to you once I get to the office at FOF.

18 Q. And later, did he give you a copy of it over email?

19 A. He never did.

20 Q. And he didn't want you to take a photo of it?

21 A. Never.

22 Q. Did he say why?

23 A. No.

24 Q. Did that concern you?

25 A. After he left and maybe a month later, I just have some

1 concerns.

2 Q. Why?

3 A. I wanted to see him and follow up on that because he
4 never sent me that email.

5 Q. And so you spoke with him approximately a month later;
6 is that right?

7 A. That was September something. Yep. And then towards
8 the end of September 20, 25, around there, I was already
9 done with everything I needed to get ready for the program.
10 And I believe that's when I called Salim.

11 Q. You called Salim Said?

12 A. Yeah.

13 Q. Why did --

14 A. Towards the end to let him know because he call me on
15 the 3rd of September asking me if I was ready for the
16 program, and then towards the end of December 25, around
17 there, 2020, I was already ready.

18 I bought all the equipments that I needed. I did
19 all the advertising that I did. I went to most of the
20 schools. I put up flyers everyone in Rochester so the
21 students got the emails that I was going to be serving
22 meals, everything.

23 And that's when I contacted Salim. But Idleh
24 will come again a month later after that.

25 Q. Okay. And so you've spoken about, about an

1 approximately September 3rd, 2020, conversation that you had
2 with Salim Said; is that right?

3 A. That's correct.

4 Q. And so what was the next conversation you had with him
5 after September 3rd?

6 A. Yeah, that was around 25th of September that I had a
7 conversation with him. He asked -- I told him that I was
8 ready for the program and that I needed to talk to the
9 gentleman that told me to start the program at FOF.

10 And Salim said he's going to call FOF to make
11 sure, you know, he gets ahold of that staff or something.
12 And then I wait a couple days, and Salim call me back and
13 said I don't know where that staff is, like I don't know --
14 he couldn't get ahold of him, and that's when he told me my
15 start date.

16 Q. And what did Salim Said say was going to be your start
17 date?

18 A. He said you will be starting October 1st, 2020, and then
19 my limit for that will be 3,000.

20 Q. 3,000 meals?

21 A. Yeah.

22 Q. Per day?

23 A. Per day.

24 Q. Did you have concerns about being able to you 3,000
25 meals per day?

1 A. Yeah. I asked Salim how does that work and that I
2 needed to know how -- because at that moment Safari was
3 already, you know, giving out meals. They probably knew
4 what was going on.

5 And when I talked to the staff from FOF that
6 direct me to Safari said that they manage and do everything,
7 they will teach you everything you need for the program.

8 Q. That Safari will teach you how to do it?

9 A. Yeah.

10 Q. And did they teach you?

11 A. Yeah, around towards the end of September for a couple
12 days.

13 Q. What happened?

14 A. I was given my limit of 3,000 and about how many bags of
15 rice that's equal to, around 16 to 18 bags of rice, and the
16 tray of food, you spray rice on all, on the pan of rice, and
17 then you spread, sprinkle veggies all over it.

18 And then I was told for every child, say is a
19 family, and every child in that pan -- like every meal, like
20 meat meal is equal to one person. So if you put four meat
21 choice in there, that's four kids. If you do six that's
22 six, eight, that way.

23 Q. And that's how you were told to do this; is that right?

24 A. Correct.

25 Q. But to be clear in reality, day after day after day, you

1 were not actually serving 3,000 children every single day
2 seven days a week, were you?

3 A. That's correct.

4 Q. The numbers were inflated?

5 A. Yeah. After my arrest and after I did all the work, it
6 didn't add up.

7 Q. So I want to direct your attention to some documents
8 that the jury has seen.

9 On the screen is Exhibit L34, which is a
10 multi-page document.

11 A. Yeah.

12 Q. And you can see the very first page --

13 A. Yep.

14 Q. -- it indicates Brava Rochester. Do you see that?

15 A. Yep.

16 Q. And the jury has seen this as one of the records that
17 was seized by agents from the Feeding Our Future office.

18 A. Okay.

19 Q. And within this particular folder there are a series of
20 documents like this one. Do you recognize this type of
21 document?

22 A. Yes.

23 Q. And what do you recognize it to be?

24 A. The meal counts that I was following, that I was doing
25 my daily limits with.

1 Q. And so for this example, you see in the upper right
2 where it indicates it's from March, the week of March 28th,
3 2021?

4 A. That's correct.

5 Q. Just so we're oriented as to time, is that roughly about
6 six months or so that you were into your enrollment in the
7 Federal Child Nutrition Program?

8 A. Yeah. From October 2020, yeah, close.

9 Q. All right. And we even see your name at the top; is
10 that right?

11 A. Yes.

12 Q. Sharmake Jama?

13 A. That's correct.

14 Q. Right below an email address of Aimee at Feeding Our
15 Future?

16 A. Yes.

17 Q. And then there are a series of numbers that we see here,
18 right? 2,990, varying numbers that are all just below the
19 Number 3,000; is that fair?

20 A. Correct.

21 Q. Why did you put a slightly different number for each day
22 on these forms?

23 A. I was, when I did my limits for the day and how many 16
24 to 18 bags they equal to, and then when I went by that is
25 how many that, that came up to.

1 Q. Right. Even though it's an inflated number, right?

2 A. That's correct.

3 Q. And these types of forms continue on and on; is that
4 right?

5 A. That is correct.

6 Q. And is it the same issue that each day these are, these
7 are inflated meal count numbers by you?

8 A. Yes.

9 Q. Now, in some instances it has a row here where it reads,
10 "Number of children requesting meals of food," and it says,
11 "is gone."

12 Do you see that?

13 A. Yeah.

14 Q. Do you recall filling out numbers on that line?

15 A. I believe so.

16 Q. Okay. And where did those numbers come from, do you
17 recall?

18 A. Those numbers are if any of the kids showed up as you
19 was closed from the restaurant if they requested, after the
20 day ended.

21 Q. Okay. But similar to the other numbers --

22 A. Yeah.

23 Q. -- but those are inflated as well?

24 A. That's right.

25 Q. Not correct numbers?

1 A. Yes.

2 Q. And putting the numbers on these forms in this way, was
3 that your idea?

4 A. No.

5 Q. Where did you get that idea?

6 A. As when I met with Salim and Safari team and then they
7 direct me how to, you know, how your daily counts go and my
8 average of how many bags of rice that I cook, the limit that
9 I follow.

10 Q. And you were preparing some food; is that right?

11 A. Yeah, that's correct.

12 Q. And you were serving some food?

13 A. Yes.

14 Q. But to be clear, just nowhere near the numbers on these
15 forms, correct?

16 A. Not at all.

17 Q. Not at all?

18 A. Yeah.

19 Q. Okay. I want to show you up on the screen the photo
20 that's in Exhibit U8. Do you recognize that?

21 A. Yes.

22 Q. What is that?

23 A. I think -- I don't know what it was called, but the
24 Safari office or the office or --

25 Q. And is that a location that you would go to?

1 A. Correct.

2 Q. Okay. Now, earlier before the break we showed you that
3 photograph of the Safari Restaurant.

4 A. Yeah.

5 Q. Do you remember that?

6 A. Yeah.

7 Q. Now at some point, did you switch, and you would go to
8 this location for your business?

9 A. That's correct.

10 Q. Do you know approximately when that happened that you
11 started going to this location?

12 A. I think it was some time in spring 2021.

13 Q. And how would you, how would you even know to go to this
14 location on Park Avenue in Minneapolis?

15 A. This is where I usually drop off my meal counts towards
16 the end of the month.

17 Q. Okay. And so how would you know when to go to this
18 location each month?

19 A. A week before the last week of the meal counts. And
20 then after that ends, then you will go and drop it off.

21 Q. Okay. And who told you that?

22 A. Salim.

23 Q. Salim Said?

24 A. Yep.

25 Q. Okay. And so you would drive up from Rochester to do

1 that; is that correct?

2 A. Yeah.

3 Q. And what happened when you would go to this location,
4 specifically?

5 A. At this location, usually when I do drop off the
6 application, you would meet also in there. There was
7 offices, and I believe the accountant at Safari, Abdulkadir,
8 had an office in there and then the accountant. No. Sorry.
9 The accountant Salah had an office in there.

10 And then at Safari Abdulkadir also had an office
11 in there. Salim also was there and any other people that,
12 you know, that was under Safari management who owned a
13 restaurant too was also there present.

14 Q. And this is a place you would go to on a recurring
15 basis; is that right?

16 A. Mostly towards the end of the month, correct.

17 Q. So you mentioned a few names a moment ago.

18 A. Yeah.

19 Q. You mentioned Abdulkadir; is that right?

20 A. That's correct.

21 Q. And do you know that as Abdulkadir Nur Salah?

22 A. That's correct.

23 Q. I'm showing you what's mark as Exhibit W6, which is a
24 business bank account application for the restaurant.

25 And do you see a couple names beneath where it

1 says Cosmopolitan Business Solutions?

2 A. Yeah.

3 Q. Is one of them Salim Said?

4 A. Yep.

5 Q. And there's another name above that, which I'll
6 highlight in yellow.

7 A. Yep.

8 Q. Do you see at that name?

9 A. Yeah, Abdulkadir Nur Salah.

10 Q. Is that the same Abdulkadir that you just mentioned a
11 moment ago?

12 A. Yes, that's who Salim introduce me as his manager at
13 Safari.

14 Q. His manager at Safari?

15 A. Yeah.

16 Q. And when you would go to that Park Avenue location,
17 sometimes would you see the same people?

18 A. It varies. Not always, though. There's always
19 different faces.

20 Q. Different people depending on the day?

21 A. Yeah, and the time that you go.

22 Q. Okay. All right. Now I'm showing you some photographs
23 that the jury has seen. And this is Exhibit FF1.

24 Do you recognize what we see in this first page of
25 FF1?

1 A. Yeah, same building, but towards the side view of the
2 building.

3 Q. All right. And when you would visit the Park Avenue
4 location, can you point out on here where you would enter?

5 A. I would enter from the side where the mouse is. Yep,
6 towards that area, there's a door.

7 Q. Where I just highlighted in yellow?

8 A. That's correct.

9 Q. This door that has an overhang?

10 A. Yep.

11 Q. And is that the door that we see here on page 4?

12 A. Yes.

13 Q. And then you indicated that there were several rooms
14 once you got inside; is that right?

15 A. Yes.

16 Q. Page 7. What is that?

17 A. I believe that's as soon as you walk in, you see the
18 living room or the waiting room.

19 Q. And in this angle on page 10, can we see what appears to
20 be a conference room through this open doorway?

21 A. Yes.

22 Q. Is that a room you would go into?

23 A. Yes.

24 Q. Page 11, is that the inside of that room?

25 A. Yes.

1 Q. Okay. So this is a location you would go to on a
2 recurring basis. Do I have that right?

3 A. That's correct.

4 Q. And when you would go on this recurring basis, is Salim
5 Said a person you would meet with?

6 A. If he's present.

7 Q. Okay.

8 A. Yep.

9 Q. So for times that Salim Said was present, what types of
10 things did you meet about?

11 A. If I needed more shopping, if I was low on equipments
12 and gloves or any type of food or milk or any, any bills
13 that was due.

14 Q. Or any what?

15 A. Or any bills if they were due.

16 Q. And so I want to talk to you a little bit about
17 invoices.

18 A. Yep.

19 Q. So this, we're going back to that same copy of a file
20 folder recovered from the Feeding Our Future office. And
21 within that 49-page file copy, let's take a look at page 22.

22 So in the upper-left-hand corner do we see a name
23 of this invoice?

24 A. Premium Fresh Produce, yes.

25 Q. With an address at 2554 Como Avenue; is that right?

1 A. That's correct.

2 Q. Located in, apparently, in St. Paul, Minnesota?

3 A. That's correct.

4 Q. Now, this is an invoice at the bottom for how much
5 money?

6 A. About 56,400.

7 Q. And do you see in the middle where it kind of lists some
8 line items of what was apparently purchased?

9 A. Yep.

10 Q. And these are things that were supposedly purchased by
11 your restaurant; is that right?

12 A. Yes.

13 Q. That's what it says anyway?

14 A. Correct.

15 Q. And that address, 1217 Marion Road Southeast, was that
16 the address location for Brava Restaurant?

17 A. That's correct.

18 Q. Now this indicates that there were several purchases of
19 milk. Do you see that?

20 A. Yes.

21 Q. 3,080 gallons of milk for over \$14,000 on line 1, is
22 that right, or is that what it says, I should say?

23 A. Yeah. That's what it says, correct.

24 Q. Okay. And then there's a series of approximately, you
25 know, 3,000 more in total, indicating that you supposedly

1 purchased over \$56,000 of milk in this time frame of
2 March 2021.

3 Did that happen?

4 A. Never.

5 Q. Never?

6 A. Never.

7 Q. Where did you get this invoice?

8 A. I've never seen this invoice until I got arrested.

9 Q. Okay. Did you, did you prepare any invoices when you
10 were in the food program?

11 A. Never.

12 Q. Did you get food and products from a supplier?

13 A. Yeah. I always went to Restaurant Depot, Costco,
14 Aldi's, Quik Trip and then also these companies. So I went
15 everywhere.

16 Q. Okay. When you say "these companies," are you talking
17 about Premium Fresh?

18 A. Yeah, that was working with Safari.

19 Q. How do you know that Premium Fresh was working with
20 Safari?

21 A. Because when I was paying the money to them or to Salim,
22 Salim would say I am also, I manage you, I also bring milk
23 and supplies that you need. I would write the check to
24 Salim, and then I will write the check to them.

25 But I never seen how the invoices or how they

1 break that down. Never.

2 Q. Do you know who was managing those invoices?

3 A. When I talked to Salim, he says my manager Abdulkadir
4 does that.

5 Q. Okay. This whole arrangement you are describing with
6 the invoices and Premium Fresh, for example, was this your
7 idea?

8 A. No.

9 Q. Whose idea was it?

10 A. This was part of when I first called FOF. They told me
11 to go to Safari and they manage you, they have everything
12 that you need, like food deliveries, everything is under
13 when you go to Safari.

14 Q. And is that how it played out?

15 A. And that's how I met Salim and everything after that.

16 Q. Now you said that you were providing some money to a
17 place like this Premium Fresh Produce?

18 A. Yeah.

19 Q. Okay. Why were you giving them some money?

20 A. You -- he would, after he drops the meals, I mean, foods
21 that he drops off, and then he would ask the total check
22 that he needs for another delivery.

23 Q. A person with Premium Fresh?

24 A. Yeah, whoever is from the companies. Yeah.

25 Q. Now, you've indicated a moment ago that this is an

1 invoice that you've not seen before.

2 A. No, and I can't hold all that in my restaurant.

3 Q. Can't hold all of what?

4 A. All those gallons of milk.

5 Q. Even close?

6 A. Never. I think my limit for milk or gallons to that
7 magnitude it would be around 400 gallons I can do.

8 Q. So what's your reaction to seeing an invoice with your
9 business's name saying you supposedly bought 12,000 gallons
10 of milk?

11 A. I believe that's a scam.

12 Q. Why do you believe it's a scam?

13 A. Because I would never order amount to that if I can't
14 hold it, you know, a proper place for it.

15 Q. Was it your understanding that you had to go through
16 Safari to deal with vendors like Premium Fresh?

17 A. Can you say that again?

18 Q. Was it your understanding that you had to go through
19 Safari to deal with vendors like Premium Fresh?

20 A. That's correct. And then I also went to, I shopped at
21 Restaurant Depot, Costco and other shoppings, and I would
22 bring my receipts monthly, all of that, and I will give it
23 to the accountant Salah.

24 Q. At the Park Avenue location?

25 A. Yeah. Yep.

1 Q. And do you know what people at Park Avenue, like Salah,
2 did with your paperwork?

3 A. Well, after my arrest, every, during the food program I
4 was -- Salah was charging me 1500 to do my bookkeeping. And
5 after my arrest, I found out he didn't do no bookkeeping for
6 me, and then there was no, nothing.

7 I had to start, you know, from scratch and look
8 everything on my own.

9 Q. Have you heard of a business called Total Financial
10 Solutions or TFS?

11 A. Yes.

12 Q. What is Total Financial Solutions?

13 A. I believe that's Salah's business.

14 Q. And in fact did we just see a photograph a few moments
15 ago --

16 A. Yeah.

17 Q. -- as you entered into the office space for Total
18 Financial Solutions?

19 A. Yes, that's correct.

20 Q. Now, within Exhibit 34, which is one example of Brava
21 Restaurant files at Feeding Our Future, I want to direct
22 your attention to some other invoices.

23 Do you see on the top of page 6 an invoice that
24 says it's from Brava Restaurant to Feeding Our Future?

25 A. I see that.

1 Q. All right. And this has an invoice date of March 31st,
2 2021. Do you see that?

3 A. Yeah.

4 Q. And this goes on to list a series of bills for supposed
5 breakfast and lunch served throughout the month of March.

6 Do I have that right?

7 A. Correct.

8 Q. With approximately 18,300 listed for every entry?

9 A. Correct.

10 Q. Is this an invoice that you prepared?

11 A. Never.

12 Q. Do you know where this invoice saying a total balance
13 due of over a half million dollars, do you know where it
14 came from?

15 A. I believe the management at Safari, Abdulkadir and
16 Salim.

17 Q. Why is that your belief?

18 A. Because the first day when I met Salim and he introduce
19 me to the Safari group, he told me everybody's roles and who
20 they are and their job title.

21 Q. And you just used the word "Safari group"?

22 A. Yeah.

23 Q. Why do you use the Safari group? What do you mean?

24 A. It just, Safari is Salim and Abdulkadir Salah, and those
25 are group of people that own together, I guess, the

1 restaurant or the business, yeah.

2 Q. Continuing on with these invoices, Mr. Jama, now on the
3 screen is page 20 of this same Exhibit L34.

4 And once again, is this an invoice from Premuim,
5 spelled P-R-E-M-U-I-M?

6 A. That's correct.

7 Q. Premuim Fresh Produce at this Como Avenue address in
8 St. Paul?

9 A. Yes.

10 Q. And under bill to, does it once again list your
11 restaurant, Brava Restaurant in Rochester?

12 A. Yes.

13 Q. And does this invoice suggest that you purchased over
14 \$94,000 in food?

15 A. No. And if it did, it would have showed in my bank
16 account or my bank statements, which Salah never did.

17 Q. Well, do you agree that this invoice at least says that
18 dollar amount?

19 A. That's correct.

20 Q. But is it your testimony that that dollar amount is
21 false?

22 A. Is false.

23 Q. Why is it false?

24 A. Because I don't remember ever writing that amount of
25 money.

1 Q. But you would pay some money to Premium Fresh?

2 A. Yes.

3 Q. Who told you to do that?

4 A. It was the company when they show up to your location,
5 they will say it's around 30,000 or 40,000 that you owe me,
6 and we'll come and drop your next loads.

7 Q. But it, there was no relationship between those payments
8 and the dollar amounts you are testifying about on these
9 documents, these Premium Fresh invoices?

10 A. Not at all.

11 Q. No?

12 A. No.

13 Q. All right. I'm showing you another exhibit the jury has
14 seen, and this is L40, which is additional paperwork that
15 was found at the Feeding Our Future office.

16 Page 2, do we see another invoice showing your
17 restaurant's name?

18 A. Yep.

19 Q. And then this one shows a dollar amount at the bottom of
20 over \$305,000. Is that what we see?

21 A. That's correct.

22 Q. Is this a true and accurate invoice for your business?

23 A. No.

24 Q. Okay. Do you know where it came from?

25 A. Same as the others that you showed me. Whatever that,

1 whoever made them. It came from as in like the manager
2 always, which is Abdulkadir.

3 Q. Salim Said's partner?

4 A. Yes.

5 Q. The person he introduced you to?

6 A. Yeah, he says he's the one that directly contacts to the
7 vendors and everything.

8 Q. Now, we've seen a few that show this entity called
9 Premium Fresh, right?

10 A. Yeah.

11 Q. Now I want to show you this one on the third page, and
12 we'll enlarge it because it's small print.

13 Now, this one, what's the name of this supposed
14 food vendor?

15 A. Afro Produce.

16 Q. And beneath it, can you read aloud the address?

17 A. 2554 Economy Avenue, Suite 3, St. Paul, Minnesota,
18 55108.

19 Q. Is that the same address that we just looked at a moment
20 ago with Premium Fresh or similar?

21 A. Similar. They are in the same area, I think.

22 Q. Okay. Now this, once again, is showing an invoice for
23 your company's name; is that right?

24 A. That's correct.

25 Q. This one has a date of November 30th, 2021?

1 A. That's correct. I see it.

2 Q. And it's showing, you know, a series of food items on
3 it. Do you see that?

4 A. Yes.

5 Q. Totaling how much?

6 A. \$86,595.03.

7 Q. Is this a true and accurate invoice for your business?

8 A. Nothing near.

9 Q. Nothing near?

10 A. Yeah. It's inaccurate.

11 Q. All right. Now I'm showing you an Exhibit FF31,
12 Mr. Jama, which the jury has seen as a series of records
13 that were recovered from the Park Avenue location.

14 And do you see at the top it says Brava
15 Restaurant?

16 A. That's correct.

17 Q. And within this record from Park Avenue, what do we see
18 on the second page?

19 A. A meal count.

20 Q. Okay. The same type of meal counts we've looked at
21 before; is that right?

22 A. Which are inflated.

23 Q. They are what?

24 A. Inflated meal counts.

25 Q. And at the very, towards the end on about page 7,

1 another invoice?

2 A. That's correct.

3 Q. Similar to the ones we've looked at this morning?

4 A. That's correct.

5 Q. Once again showing an entity on 2554 Como Avenue in
6 St. Paul?

7 A. That's correct.

8 Q. And what's the company name on this one?

9 A. Afro Produce.

10 Q. Showing that your restaurant was involved in some
11 transactions supposedly?

12 A. Yeah.

13 Q. For how much money?

14 A. That figure over here it says \$80,505.44.

15 Q. Is that dollar amount true?

16 A. No.

17 Q. Is all the line items of food here on this Afro Produce
18 invoice, is all of that true?

19 A. No. Some of this food I didn't even get.

20 Q. Do you know where this invoice came from?

21 A. Same as others, like the ones you asked me. I'm not
22 sure. But if I was to guess, it's Abdulkadir and Salim and
23 accountant Salah should know.

24 Q. When you would go to that Park Avenue location, would
25 you bring documents with you?

1 A. Yeah, meal counts only.

2 Q. Meal counts like the ones we just looked at?

3 A. Yeah, the inflated ones.

4 Q. Okay. And did you bring any other types of paperwork
5 with you?

6 A. Yeah, unless it was receipts that I did shopping for
7 Costco, you know, Quik Trip, Restaurant Depot, Aldi, any of
8 those receipts too.

9 Q. Would Salim Said or anyone else at the Park Avenue
10 location give you paperwork while you met at the office?

11 A. No.

12 Q. At some point did you start to get money from the
13 Federal Child Nutrition Program?

14 A. That's correct.

15 Q. Okay. And then how did you know that you were starting
16 to get money?

17 A. As in after I did the food prep and I served and I did
18 the meal counts and I would bring it, meal counts, plus the
19 receipts, I bring it to that Safari location building. And
20 then after that, they get submitted, and I believe Salim
21 takes all of them, all the restaurant paperwork, and then
22 takes it to FOF.

23 Q. To Feeding Our Future?

24 A. Yeah.

25 Q. Why?

1 A. That's what I heard.

2 Q. What did you hear?

3 A. As in from that building, because he collects all the
4 information and then passes it to FOF.

5 Q. Okay. That was your understanding?

6 A. Correct.

7 Q. Did you, did you ever submit your claims directly to
8 Feeding Our Future?

9 A. Never.

10 Q. Why not?

11 A. That was -- I was told from Safari when I was directed
12 to go work with them was, you just do the meal counts. You
13 cook. You serve, and then you bring your receipts that you
14 shop with and then pay the money fees and then pass that to
15 the Safari building, I guess.

16 Q. Is that something that Salim Said told you?

17 A. Correct.

18 Q. And is that how it played out after you enrolled?

19 A. Every month after that, yep.

20 Q. And so when you had a payment for you, how did you know
21 what to do to get the money?

22 A. Like, all like I think the first couple payments I got
23 direct deposits.

24 Q. Into your bank account?

25 A. Yeah. And then after that I will pick up from the

1 Safari location building, and Salim will call you and say
2 your check is ready and then you can pick it up.

3 Q. Salim would call you directly?

4 A. Yeah. He will call whatever restaurants that Safari
5 managed, yeah.

6 Q. So there were other restaurants that Safari managed?

7 A. I believe so.

8 Q. Why do you believe so?

9 A. Because when I went to that locations, there was other
10 people from different locations of restaurants that will be
11 there.

12 Q. Like what locations?

13 A. That same location you showed us, the building.

14 Q. The building --

15 MR. MONTEZ: Objection, Your Honor. Lack of
16 foundation.

17 Could we have a sidebar?

18 THE COURT: You may have a sidebar.

19 **(Sidebar discussion)**

20 THE COURT: Mr. Montez. Just one moment.

21 Mr. Montez.

22 MR. MONTEZ: Your Honor, for about the last five
23 minutes now we've been hearing testimony from Mr. Jama where
24 he says, well, this is how I heard it was done. This is
25 what they told me. He's using phrases like "they," the

1 "Safari group."

2 We have no idea where he's getting any of this
3 information from, and I don't think proper foundation has
4 been laid for a majority of his testimony so far.

5 THE COURT: All right. Well, you need to object
6 to every question as it comes, and I will rule on it.

7 As to this question, Mr. Ebert, lay foundation and
8 then I'll see.

9 Sorry. Let's go back.

10 MR. EBERT: If I could indulge the court or the
11 court reporter to relay what the last question was.

12 THE COURT: Just one moment.

13 It was what locations. So he said when I,
14 approximately he said when I went to that location there
15 were other people from different locations of restaurants
16 that would be there, and you said what locations.

17 MR. EBERT: Okay. Thank you.

18 **(In open court)**

19 THE COURT: All right. Mr. Ebert, you can lay
20 foundation for that last question.

21 MR. EBERT: Thank you, Your Honor.

22 BY MR. EBERT:

23 Q. So, Mr. Jama, you indicated that when you went to Park
24 Avenue at times there were other individuals there.

25 A. That's correct.

1 Q. So let's talk about that.

2 Specifically, what types of individuals did you
3 observe when you would go to the Park Avenue location?

4 A. Like I don't remember their face that much, but if I
5 seen pictures I would, but they were, I believe they run
6 other restaurants.

7 Q. You believe?

8 A. Like me.

9 Q. You believe that they were part of other restaurants?

10 A. Yes.

11 Q. And --

12 MR. MONTEZ: Objection. Lack of foundation.

13 THE COURT: You may follow up.

14 BY MR. EBERT:

15 Q. But why did you have that belief that other individuals
16 there were from other restaurants?

17 A. But that was towards the beginning, but I think towards
18 the end it was 2021, September, is, there was, I believe
19 there was a time that we needed names. And then that's when
20 I met them and say how you guys write down your names and
21 stuff for, you know, kids' names and all of that.

22 And then that's when I met that they had
23 restaurants too.

24 Q. And you had these conversations directly with them?

25 A. Yeah.

1 Q. Okay. And we'll turn to that in a moment.

2 A. Yep.

3 Q. Now, a moment ago you indicated that Mr. Salim Said
4 would contact you to let you know that you had a check; is
5 that correct?

6 A. That's correct.

7 Q. And when he would contact you to let you know that, what
8 would you do?

9 A. I would drive up to the Cities from Rochester to go pick
10 up the check at that location.

11 Q. I'm showing you up on the screen Exhibit W2, which
12 contains checks from the Feeding Our Future Bank of America
13 account.

14 A. That's correct.

15 Q. And on the screen what do you see?

16 A. I believe that was the first check.

17 Q. You believe that was the first check you received?

18 A. Yeah.

19 Q. For how much money?

20 A. \$531,700.80.

21 Q. And do you see some handwriting on the memo line?

22 A. Yeah.

23 Q. What does that say?

24 A. It says November.

25 Q. Of 2020?

1 A. Yeah.

2 Q. And it's made out to your restaurant; is that correct?

3 A. That's correct.

4 Q. And who is the payor of this over half million dollar
5 check?

6 A. Feeding Our Future.

7 Q. And do you see a signature line?

8 A. Yeah.

9 Q. Are you able to read what that says?

10 A. I believe that says Bock or, yeah, Aimee Bock.

11 Q. And one page prior on page 76, is this an example of
12 another check that you received from Feeding Our Future in
13 the food program?

14 A. That's correct.

15 Q. Except this one is for how much money?

16 A. \$1,121,514.

17 Q. A lot of money?

18 A. A lot, yes.

19 Q. Have you ever had anything close to that come through
20 your hands in your life?

21 A. Minus the one million, yeah. Never.

22 Q. And to be clear, Mr. Jama, these large checks are based
23 upon information that was false?

24 A. Inflated meal counts, fake invoices, all of that.

25 Q. And when you got all of this money, did you keep it in

1 the Brava Restaurant bank account?

2 A. No.

3 Q. What did you do with it?

4 A. There was an idea, I think it was towards December 2020.

5 Q. What was the idea?

6 A. Like how you share the check and how you, you know, you
7 split it. But I talked to Salah and said how the program
8 works, like, because he was the accountant at Safari, so he
9 said, well, before that it was Mr. Salim came to Rochester
10 with two females and said, you know, you guys, this is how
11 the program works. You should open, you know, LLCs since
12 you guys are family and you are invested in the business and
13 that you are invested in the business, then that way you
14 guys can split your profits, pay all that taxes together.

15 But it was an idea that came from I believe Salah
16 that came to Salim that came to us at Rochester.

17 Q. And did you, did you follow that advice?

18 A. That's correct.

19 Q. And did you create an LLC?

20 A. That's correct.

21 Q. What was the name of the LLC?

22 A. Mumu.

23 Q. Spelled M-U-M-U?

24 A. That's correct.

25 Q. And do you have some brothers and sisters that were also

1 working with you at Brava?

2 A. That's correct.

3 Q. Likewise, did they create LLCs?

4 A. Yes. After, yeah, after we thought -- we talked to
5 Salim, not Salim, but Salah, the accountant, it was idea if
6 that's all right.

7 Because I ask them, they also spending money in
8 the business, they are shopping, they are contributing. And
9 then after that we open shells.

10 Q. You open what?

11 A. Then we open the shells after that.

12 Q. The shells to get this money?

13 A. The shell companies, yeah.

14 Q. From the food program?

15 A. Correct.

16 Q. Now we've looked at some of these large checks from
17 Feeding Our Future.

18 Did you also pay some of that money back to Salim
19 Said?

20 A. Like when I got the checks, right?

21 Q. Yes.

22 A. Yeah. One for, yes, for supplying Safari to Brava as in
23 like shoppings or any of that matter, equipments, milk and
24 cereals, if I was running out.

25 Q. Well, let's take a look at Exhibit W198. Is this a

1 Coulee Bank account document for you?

2 A. That's correct.

3 Q. For Brava Restaurant?

4 A. Yes.

5 Q. And we'll get to the right page here.

6 Here on page 79, do you see a series of bank
7 checks paid from your account?

8 A. Correct.

9 Q. And do we see two checks each written in the amount of
10 \$42,000 to Salim Limited?

11 A. That's correct.

12 Q. By you; is that right? By Brava Restaurant?

13 A. Yeah.

14 Q. One of them is dated February 17th of 2021?

15 A. That's correct.

16 Q. And then is the other one dated the very next day?

17 A. That's correct.

18 Q. Who decided the dollar amounts that would get paid in
19 these checks?

20 A. It was Salim.

21 Q. Okay. Who decided which business name or business
22 entity would receive the money?

23 A. Salim.

24 Q. And each time he asked for this, did you do it?

25 A. That's correct.

1 Q. W195. Is this another place where you banked at Brava
2 Restaurant?

3 A. Yeah, Mutual Think Bank.

4 Q. Think Mutual Bank?

5 A. Yeah.

6 Q. And we'll enlarge the middle, the middle row, rather.

7 What do we see enlarged on the screen?

8 A. 35,000.

9 Q. From your Brava Restaurant account?

10 A. That's correct.

11 Q. Made out to which party?

12 A. Salim Limited.

13 Q. And this is dated April 14th of 2021?

14 A. That's correct.

15 Q. Once again, who decided this dollar amount, 35,000?

16 A. Salim.

17 Q. And who directed you to make the payment at all?

18 A. Salim.

19 Q. And who told you which party should be the recipient of
20 the money?

21 A. Salim.

22 Q. Moving on to page 57 of this same exhibit. Did you
23 write another check for \$35,000 to Salim Limited?

24 A. That's correct.

25 Q. This time dated approximately April 27th, 2021?

1 A. That's correct.

2 Q. Is this your idea?

3 A. No.

4 Q. Whose idea was it?

5 A. Salim.

6 Q. He told you the dollar amount?

7 A. Yeah.

8 Q. When to pay it?

9 A. Yes.

10 Q. And whom to pay it to?

11 A. Correct.

12 Q. Page 59 of this same exhibit, yet another check; is that
13 right?

14 A. That is correct.

15 Q. This time for \$21,000?

16 A. That's correct.

17 Q. On about June 3rd of 2021?

18 A. That's correct.

19 Q. Is this your idea to write Salim Limited a check for
20 \$21,000?

21 A. No.

22 Q. Whose was it?

23 A. Salim.

24 Q. Mr. Jama, a few moments ago you told the jury about a
25 meeting that you had with some of these other restaurant

1 folks; is that right?

2 A. That's correct.

3 Q. Approximately when did that happen?

4 A. About the first week of September 2021.

5 Q. Specifically, was it located in this conference room on
6 page 11 of Exhibit FF1?

7 A. That's correct.

8 Q. This is a room in the Park Avenue location. Do I have
9 that right?

10 A. That's right.

11 Q. Okay. And how did you know to attend this meeting in
12 about September of 2021?

13 A. Yeah. There was I believe around September 2021, there
14 was a new rule to write down the total of the kids, and that
15 week it was kind of hectic and commotion because we was
16 writing down parents' names, addresses, some information
17 that they were not happy sharing.

18 So I went to this building to further get
19 clarified and talk to Salah, Salim and Abdulkadir to make
20 sure this is the right information that we need to write
21 down from the, you know, parents, address, their phone
22 numbers, names, everything. So I had all of those
23 information when I went to that building that day.

24 Q. And you had indicated that there was you thought a
25 change or a new rule; is that right?

1 A. That's right.

2 Q. What was your understanding?

3 A. To write down all the kids that you serving, their
4 names.

5 Q. And was it a concern to you personally to have to write
6 down these names?

7 A. Yeah. Obviously, yes.

8 Q. Why obviously?

9 A. That will prove if you are serving food. That's what I
10 would thought.

11 Q. And was in this meeting, approximately how many people
12 were in this room?

13 A. I would say about almost 10, 11 people.

14 Q. And so in part of the discussion, is it right, was the
15 need to start having lists of names?

16 A. Yeah. List of names and, yeah. Correct.

17 Q. Was the mood in the room one you would describe as
18 concerned or panicked?

19 A. Like at Brava Restaurant, we were kind of stressed with
20 this, you know, with the names and all that; but when I came
21 here that day and when I seen everybody, I believe they were
22 just seemed chill.

23 Q. Chill?

24 A. Relaxed. Yeah.

25 Q. What do you mean they were "chill"?

1 A. As in like I didn't know, like I couldn't tell if they
2 also had stress or anything that they need to be worrying
3 about. But it was just, it was food on the tables,
4 takeouts, and everybody was just going about their day, I
5 guess.

6 Q. There was takeout food in this room?

7 A. Yeah.

8 Q. What kind of food were you eating?

9 A. I don't know if it was Chinese or something like that,
10 Chinese food.

11 Q. And so in this meeting was there a discussion about
12 rosters with names?

13 A. At that meeting, they were talking about like lists of
14 rosters, kids, and that's when I brought my information in,
15 trying to share with them and see what they were doing. But
16 I didn't see nobody with any names or lists of papers or
17 folders, nothing.

18 Q. But you did?

19 A. Yeah, I had all that with me.

20 Q. And you did not observe that anyone else had their own
21 rosters?

22 A. No.

23 Q. Do you recall any other locations that these other
24 people came from?

25 A. Yeah. I don't know. I think it was someone from

1 Willmar, Mankato, Minneapolis or any of those locations.

2 Q. Did you have a reaction that these other folks did not
3 have lists of names?

4 A. Yeah, I think I asked them, but I believe some said that
5 it was left in the restaurant or other staff are handling
6 that, but they just went about their day. But I wanted to
7 compare to, I went and show if this is the right, you know,
8 format or is it just blank paper or -- because we were using
9 FOF format where they said parents' names and all that.

10 Q. Was there a discussion of, of how people were going to
11 get rosters of names?

12 A. That I'm not sure, but I think, I don't know, I heard
13 something, but --

14 Q. At this meeting?

15 A. Not at this meeting, but a couple days later, but --

16 Q. What did you hear a couple days later?

17 A. I believe, I don't know, it was Salah or something that
18 he said he has an idea or something.

19 Q. And what was the idea that you heard about?

20 A. I believe they generated fake names after that. That's
21 what I heard.

22 Q. Okay.

23 A. Yeah.

24 Q. Was that a concern to you?

25 A. Yeah.

1 Q. Why?

2 A. Because I was writing down real rosters, real kids that
3 I was serving. And I wanted, at that meeting, when I came
4 back to Rochester, I told my siblings that, you know, I
5 didn't know if anybody had names or anything or I didn't see
6 any concerns. So I believe, you know, we should, you know,
7 keep our names and everything and then just wait until the
8 end of the month to submit it.

9 Q. Did you share any names you had with anyone else at that
10 meeting?

11 A. I showed it to them, but I didn't share it with them,
12 but there was an email sent to Salah a week later, couple
13 weeks later, I think.

14 Q. An email sent by, by which person?

15 A. My manager Ayan, my sister.

16 Q. And what was that email that your sister Ayan sent?

17 A. Yeah, because after the meeting she asked me how did it
18 go. She wanted to get more clarification if this is how it
19 works, but she asked the same questions to Salah and asked
20 him, hey, is example, the names, we writing down the
21 people's names, like the parents, the addresses.

22 Some of these parents, they don't want to share
23 their addresses, you know, for private reason, but they were
24 willing to write down their kids' name and their age and
25 their, their age and their names.

1 Q. This meeting that you had with the other folks,
2 including from Willmar, do you know if Salim Said was aware
3 of the meeting?

4 A. He wasn't in the room, but I'm pretty sure he was aware.

5 MR. MONTEZ: Objection. Lack of foundation.

6 THE COURT: Sustained.

7 BY MR. EBERT:

8 Q. Do you have any understanding of how he was aware that
9 the meeting happened?

10 A. But he knew we was all there present.

11 Q. How do you know?

12 MR. MONTEZ: Objection. Lack of foundation.

13 THE WITNESS: I seen him but --

14 THE COURT: Wait. Wait. You got to let me rule.

15 Overruled. I want you to continue with
16 foundation.

17 BY MR. EBERT:

18 Q. So you indicated that you believed he had an
19 understanding of the meeting, that the meeting had occurred;
20 is that right?

21 A. Yeah. But I didn't see him physically in the room with
22 us.

23 Q. But where did you see him?

24 A. He was in the living room area.

25 Q. Outside of that room?

1 A. Yeah, and then I think he was outside smoking and then,
2 then he will come back in the break room and then in the
3 living room.

4 Q. I'm showing you Exhibit FF30, which has been introduced
5 to the jury. This is another series of records from the
6 Park Avenue location.

7 On page 11 do you see here a list of names of
8 apparent children followed by their ages?

9 A. Yes.

10 Q. And in the upper left, what does it say?

11 A. Brava Restaurant.

12 Q. Your restaurant?

13 A. Yep.

14 Q. And beneath that does it say Attendance For After-School
15 Program, December?

16 A. That's correct.

17 Q. And this roster of names, you can see does it continue
18 onward for several pages?

19 A. Yeah.

20 Q. Is this a roster that you prepared?

21 A. Well, in the beginning we was using a blank piece of
22 paper to write down all the names. And with this format and
23 the way it's looking like this, it was I think Salah had
24 made the format of this.

25 And then he printed out, not printed out, but

1 emailed it to us and told us to put it like this.

2 Q. That's what they told you to do?

3 A. Yeah, and then that's what we did. We put names and
4 ages minus the addresses. We took that part out.

5 Q. All right. Did you email rosters to Feeding Our Future?

6 A. No, never.

7 Q. Do you know how any rosters for Brava Restaurant got to
8 Feeding Our Future?

9 A. I believe someone from I would think either Salim or
10 Abdulkadir would take it to there.

11 MR. MONTEZ: Objection. Lack of foundation.

12 THE COURT: Sustained. The answer will be
13 stricken.

14 BY MR. EBERT:

15 Q. When is the last time that you spoke with Salim Said?

16 A. 2021, end of 2021.

17 Q. And what do you remember about the last time you spoke
18 with Salim Said?

19 A. I think he asked me how, how things were going for
20 towards the end, I think towards the end of the program.

21 Q. Did there come a point where Salim asked you to sign a
22 document?

23 A. Yeah.

24 Q. Okay. I'm showing you Exhibit FF29, which was found at
25 the Park Avenue location.

1 Do you see this is titled a Management Agreement?

2 A. Yes.

3 Q. And this purports to be a management agreement dated
4 June 1st of 2020. Is that what it says?

5 A. On this paper, yes.

6 Q. And that's between Cosmopolitan Business Solutions and
7 Brava Restaurant; is that correct?

8 A. Yeah. To that date, yes, on that paper what it says.

9 Q. So what do you remember about this conversation that you
10 had with Salim?

11 A. I believe I told him that my start date, it was
12 misinformation on this. I told him that my start date was
13 October 1st that I started food. And I don't remember going
14 in contract with this company.

15 Q. Did you, did he want you to sign a document?

16 A. That's correct.

17 Q. Did you agree to sign a document?

18 A. No.

19 Q. Why not?

20 A. Because the information on the paper did not, you know,
21 match with information that I thought was correct.

22 Q. You thought the information was false?

23 A. That's right.

24 Q. Including the date?

25 A. That's right.

1 Q. And so how did he react when you refused to sign it?

2 A. I think he waved it off and we laughed about it like
3 that.

4 Q. Now, on page 6 of this document, do we see two
5 signatures?

6 A. Yes.

7 Q. One for Cosmopolitan?

8 A. Correct.

9 Q. And do you recognize the signature?

10 A. That, I don't know. Is it Abdulkadir Salah it says?

11 Q. And then there's a signature as well for Brava
12 Restaurant beneath it?

13 A. Yeah.

14 Q. And does that appear to be your signature?

15 A. Yes, but I don't know how it got there.

16 Q. Because you didn't sign it?

17 A. Never.

18 Q. I'm showing you on the screen Exhibit Y10. Is that a
19 person you recognize?

20 A. That's correct.

21 Q. Is this a person that you would see at Park Avenue when
22 you would visit?

23 A. I believe I seen him couple times in the parking lot.

24 Q. And did you see this individual more recently?

25 A. Yesterday, yes.

1 Q. And yesterday did you see this individual in Exhibit Y10
2 right outside this courtroom?

3 A. Yeah, to the left. I was down on the bleacher or the
4 bench I was sitting down there.

5 Q. And did that gentleman speak to you?

6 A. Yeah, at first he looked at me, and then he came back,
7 and then he started talk to me.

8 Q. And did he ask why you were here?

9 A. No. Yeah, he said like are you coming here, are you
10 going in here or something, and I didn't answer that.

11 Q. At some point, did you let him know that you were a
12 witness who would testify?

13 A. I believe he knew that I was a witness, that I was here
14 to testify, yes.

15 Q. Did he ask you to do anything?

16 A. No. He just said can we talk, can I talk to you or
17 something.

18 Q. Talk to you where?

19 A. He said can we talk in the bathroom.

20 Q. In the bathroom down the hallway outside this courtroom?

21 A. That's correct.

22 Q. Did you have an understanding of why he wanted to talk
23 to you in the bathroom before your testimony?

24 A. I have no idea. He was slurring in his speech, and I
25 didn't know exactly what he was saying, but I can hear him

1 just say let's talk or can we talk or can we talk in the
2 bathroom.

3 Q. And did you agree to do that?

4 A. No. I was just there sitting down.

5 Q. And when that happened outside this courtroom yesterday,
6 what was your reaction to it?

7 A. At first I didn't know, like if, like first thing I
8 asked was my lawyer. I asked him like what was he doing
9 here, and he asked me who is he, and I thought he was a
10 defendant or anything.

11 And then that's when I told him maybe, yesterday
12 after I wrote -- what I read yesterday it said he a relative
13 to Salim but --

14 MR. MONTEZ: Objection, Your Honor.

15 THE COURT: Sustained.

16 THE WITNESS: He was, he was actually, I meant
17 like relative.

18 MR. MONTEZ: Objection, Your Honor.

19 THE WITNESS: He has a sibling.

20 THE COURT: Hang on. Hang on. Sustained.

21 I want you to stop and you to ask another
22 question.

23 BY MR. EBERT:

24 Q. Did it surprise you that he wanted to talk to you in the
25 bathroom?

1 A. No -- yes, yes, yes.

2 Q. Did it concern you?

3 A. Yeah. I believe that if you're anyone that's involved
4 in the food program, you don't want to talk to them.

5 MR. MONTEZ: Objection, Your Honor.

6 THE COURT: Overruled.

7 BY MR. EBERT:

8 Q. I'm showing you what's Exhibit X1. And I'm going to
9 enlarge it so the jury can see it.

10 At the very top do you see Feeding Our Future
11 Claims By Site, the title of the document?

12 A. Yeah.

13 Q. And I want to direct your attention to the fourth row.
14 Do you see your restaurant there?

15 A. That's correct.

16 Q. Brava Restaurant, Rochester?

17 A. Yes.

18 Q. Showing that in the food program in 2020 and 2021,
19 \$5.6 million was paid out. A lot of money?

20 A. Yes.

21 Q. And did you get some of that money?

22 A. Yeah.

23 Q. What types of things did you spend that money on?

24 A. After I paid my bills, the shopping and my employees,
25 after that, we bought a couple houses and a car.

1 Q. And you mentioned your, some of your siblings a moment
2 ago.

3 A. Yeah.

4 Q. In addition to houses and cars, was there also a
5 purchase of property near the Mediterranean in the country
6 of Turkey?

7 A. That's correct.

8 Q. Child food money?

9 A. That's right.

10 Q. Looking back on all of this, Mr. Jama, how do you feel
11 about your involvement in the child food program?

12 A. Well, I, when I started the program October 1st and then
13 I find out that there was claims that was made in
14 September 2020 without my knowledge, and overall I just felt
15 like I ended up in the wrong place and that everything that
16 happened basically after that was false and which turned
17 into inflated meal counts, fake invoices, and all of that.

18 Q. And the houses you mentioned, do you know about how many
19 different homes you and your family put food money toward?

20 A. Yeah, about two in the Cities, one in Rochester and then
21 one in overseas, I think.

22 Q. And those were located in Minnesota?

23 A. That's correct.

24 MR. EBERT: I have no further questions. Thank
25 you.

1 THE COURT: Mr. Udoibok, let's get started with
2 your cross, and then we'll take a break for lunch at 12:30.

3 MR. UDOIBOK: Thank you, Your Honor.

4 CROSS-EXAMINATION

5 BY MR. UDOIBOK:

6 Q. My name is Kenneth Udoibok. We have never met, have we?

7 A. Never.

8 Q. Okay. I represent Ms. Bock.

9 A. Nice to meet you.

10 Q. Have you met her before?

11 A. I met her one time.

12 Q. When was that?

13 A. I believe there was a meeting at Jiggiga Mall or
14 something. There was a meeting held around March, spring
15 2021. That's when I met her.

16 Q. What was the meeting about?

17 A. I believe the program stopped at that moment, and
18 everybody that was involved in the food program from Feeding
19 Our Future, PIN and other sites were all there at that
20 location.

21 Q. So it was a general --

22 A. Yeah.

23 Q. -- meeting about --

24 A. The food program, yes, everybody that served, yeah.

25 Q. All right. That's the only time you met her?

1 A. That's the only time, I believe, yes.

2 MR. UDOIBOK: No further questions.

3 THE COURT: Mr. Montez.

4 MR. COLICH: Your Honor.

5 THE COURT: Mr. Colich.

6 MR. COLICH: Thank you, Your Honor.

7 CROSS-EXAMINATION

8 BY MR. COLICH:

9 Q. Hello.

10 A. Hello.

11 Q. How did you buy property out of the country? How did
12 you accomplish that?

13 A. I believe that was, that came from one of my brother's
14 account.

15 Q. But who was able to contact and make plans to purchase
16 property in another country while you were here in
17 Minnesota?

18 A. There was a trip made, I think.

19 Q. By whom?

20 A. A family member of mine.

21 Q. And who directed that person to go there?

22 A. No. We always, we always visited that country. So it's
23 not like the first time we went there to purchase that, but
24 I went there a couple times. Some of my family members went
25 there, so yeah.

1 Q. But this is the first time you went there to purchase
2 something?

3 A. That's correct.

4 Q. And whose decision was that?

5 A. That was a family decision.

6 Q. Okay. And you have brothers and -- brother and sisters,
7 correct?

8 A. That's right.

9 Q. And a number of those individuals, were they indicted?

10 A. Yes. And one of them --

11 Q. Tell us who was indicted.

12 A. Asha Jama, Fartun Jama who passed away April of 2023,
13 Mustafa Jama, me Sharmake Jama, Ayan Jama and Zamzam Jama.

14 Q. And now has everyone pled guilty in your family?

15 A. That's correct.

16 Q. Were you the first one to plead guilty?

17 A. I believe so.

18 Q. So I'm going to try to restrict my questioning here with
19 you to things that you said today or things you may have
20 said to these gentlemen and lady, if she was present, I
21 don't know if she was or not, when you met with them. Okay?

22 A. No.

23 Q. You don't want me to do that?

24 A. Can you say that again?

25 Q. Yes, I can.

1 I'm going to try to ask you questions based on
2 things you just said today.

3 A. That's right.

4 Q. And/or things that you had said to the U.S. Attorneys
5 and to the agents when you met with them. All right?

6 A. Correct.

7 Q. Okay. Now, you met with, let's see, a number of agents
8 and U.S. Attorneys or U.S. Attorney Mr. Ebert who just was
9 up here talking with you; and then Travis Wilmer, Special
10 Agent; Joshua Parks, Criminal Investigation, Special Agent.

11 Is that correct? Do you remember doing that?

12 A. Yeah, after my plea deal.

13 Q. Well, let me direct your attention to a date that's
14 reflected in the report that I was provided by the
15 U.S. Attorney. It's dated January 27th, 2025.

16 Do you recall that meeting? You had your attorney
17 present with you also.

18 A. Correct.

19 Q. Okay. Now, when you went there that day, you went there
20 to tell the authorities you were guilty; is that correct?

21 A. Yeah, a plea.

22 Q. You hadn't pled guilty yet.

23 A. Huh?

24 Q. You hadn't pled guilty when you went on at that date to
25 meet with the U.S. Attorneys and the agents, correct?

1 A. That was couple days before I pled guilty.

2 Q. And you went to tell them your involvement in this; is
3 that correct?

4 A. That's correct.

5 Q. And do you remember someone talking about a proffer
6 agreement?

7 A. I believe that was my lawyer.

8 Q. Okay. He read it to you?

9 A. That's right.

10 Q. And then you were asked to sign it?

11 A. That's correct.

12 Q. And generally, what did you understand that to be?

13 A. As in like returning everything that you got from the
14 program.

15 Q. Well, do you recall it being something like whatever you
16 were to tell them that day, they couldn't use against you if
17 you actually went to trial?

18 A. I believe so.

19 Q. Okay. But you went there to do anything but to make a
20 deal, right?

21 A. Never.

22 Q. You wanted to plead guilty, correct?

23 A. Yes.

24 Q. So on January 27th, 2025, prior to that, you and with
25 the consultation of your attorney, made a decision that you

1 were going to accept responsibility for what you did?

2 A. Yeah, after talking to my attorney and then what I was
3 facing and likelihood of the trial results and everything,
4 and I made the best decision with my lawyer.

5 Q. Okay. So you weren't thinking about pleading guilty
6 when you bought those homes in Minnesota, were you?

7 A. Can you say that again?

8 Q. Sure. You weren't thinking about pleading guilty when
9 you bought those homes in Minnesota with the money you say
10 you got illegally from Feeding Our Future?

11 A. I still didn't understand you.

12 Q. Okay. When you bought the two homes --

13 A. Okay.

14 Q. -- in Minnesota and the home overseas --

15 A. Yeah.

16 Q. -- were you thinking about pleading guilty?

17 A. Never.

18 Q. Okay. Only when you were facing the reality of what
19 you're charged with and read everything with your attorney,
20 you have a very good attorney, right?

21 A. Yep.

22 Q. Did you make that decision I'm going to plead guilty?

23 A. That's correct.

24 Q. Okay. Now, there's been some discussion here, minimal,
25 I would say, about Total Financial Services. You are

1 familiar with what that is?

2 A. Yeah, I believe that's Salah's company.

3 Q. Okay. Well, that's an accounting firm, is it?

4 A. Yeah.

5 Q. And is it correct that prior to your involvement with
6 Feeding Our Future that company was your accountant?

7 A. That's correct.

8 Q. And that you had visited there quite often, and your
9 family members had visited Total Financial Services many
10 times to drop off or pick up payroll or whatever; is that
11 correct?

12 A. If you are talking about from 2017 and beyond that --

13 Q. I'm talking about from when you first employed Total
14 Financial Services, and it wasn't 2017, was it?

15 A. It was around 2017, but not this location. He, Salah,
16 had another building in another location.

17 Q. But eventually you went to wherever they were?

18 A. Where he had his office, yes.

19 Q. And at one point did he have an office right attached to
20 the Safari Restaurant?

21 A. Yes.

22 Q. Okay. You and your family members went there?

23 A. Usually me and my manager, Ayan, yes.

24 Q. Okay. And then you went to the new building, the one
25 you seen the pictures of, once they moved there?

1 A. That's correct.

2 Q. So you had an established relationship with Abdulkadir
3 Nur Salah long before the pandemic hit, didn't you?

4 A. That's correct. That's the only person that I knew,
5 first.

6 Q. Did you know that he had a brother that was a coowner in
7 that business?

8 A. Never.

9 Q. Did you ever hear the name, last name Omar-Hashim?

10 A. Never.

11 Q. Okay. Now, when you spoke with the government on
12 January 27th, that's 2025, did you indicate to them that you
13 had heard about this program, the food program, and that
14 you, you wanted to go and make a lot of money also?

15 A. No. I looked at it the way as a businessman would look
16 at it.

17 Q. Okay. So I'm going to be asking you questions from
18 reports that this agent, this agent --

19 A. Yep.

20 Q. -- wrote about that meeting. So the questions I'm about
21 to ask you are a summary of his report of what you said.

22 A. Yeah.

23 Q. Okay?

24 A. Yep.

25 Q. So when I ask you this question, I'm not saying that you

1 said it, but I'm saying it's reported you said it. And you
2 are saying if you didn't say that, please make that very
3 clear.

4 A. Yep.

5 Q. Because we can always ask the agent to clarify this for
6 you.

7 A. Correct.

8 Q. Right?

9 A. Correct.

10 Q. All right. So I'm going to ask you again, did you tell
11 the agent and the U.S. Attorneys that you heard about the
12 food program and heard you could make a lot of money? Yes
13 or no.

14 A. Yes towards -- yeah.

15 Q. Okay. Thank you.

16 A. Yep.

17 Q. And did you tell them that you came in July, June or
18 July 2020 to Minneapolis to visit Safari Restaurant to see
19 what they were doing? Yes or no.

20 A. That's correct.

21 Q. Okay.

22 A. Not June but --

23 Q. Well --

24 A. Yeah, around --

25 Q. The report says June or July. Do you still recall

1 saying you went to see how they were operating?

2 A. I went and seen that one time, yeah.

3 Q. Okay. Pandemic is happening?

4 A. Yeah, pandemic is happening.

5 Q. So, I mean, it makes sense, does it not, that if you are
6 running a for-profit business, a restaurant, that has to
7 close down -- and I assume that business supported your
8 family members as well as you?

9 A. That's correct.

10 Q. Okay. That it would make sense that, well, I can go
11 help the community and feed kids, but I also can make a
12 profit, right?

13 A. That's correct.

14 Q. So you went there, so maybe I can get in on this because
15 I'm for-profit so I should be able to make a profit, right?

16 A. At that moment I was also closed, too, that would give
17 me work.

18 Q. Right?

19 A. Yeah.

20 Q. You had to make money?

21 A. Yeah.

22 Q. Okay. And then do you recall telling the agents and
23 U.S. Attorneys that in August 2020 you called Feeding Our
24 Future about enrolling in your, in the restaurant program?
25 Yes or no.

1 A. Correct.

2 Q. You called them; is that correct?

3 A. Say that again?

4 Q. You called them, Feeding Our Future?

5 A. Yes.

6 Q. Okay. Who told you to call Feeding Our Future?

7 A. There was -- I went to the location, and there was a
8 slip on it.

9 Q. Someone there told you?

10 A. No. Nobody told me.

11 Q. You just saw a slip?

12 A. I went there on my own.

13 Q. So you just happened to go to Safari where your
14 accountant office was or is at the time. You just happened
15 to see a sign there, and you just happened to call Feeding
16 Our Future, correct?

17 A. I -- so my accountant, I never knew he was serving the
18 food or involved in the food.

19 Q. Well, Safari Group. Safari Group, Safari Group, Safari
20 Group.

21 A. That's correct, but I didn't know he was involved in the
22 food program or like that.

23 Q. But you knew about Cosmopolitan Business Solutions?

24 A. Never, never heard of it.

25 Q. Okay.

1 MR. COLICH: One moment, Your Honor.

2 THE COURT: Yes.

3 BY MR. COLICH:

4 Q. Do you recall telling the agent and the U.S. Attorney
5 that you met Salim Said for the first time at Safari
6 Restaurant on August 4th, 2020?

7 A. Around that time.

8 Q. Okay. You did not know him before that?

9 A. I never did, no.

10 Q. You never heard about him.

11 A. Never.

12 Q. You don't know anyone that would know him.

13 A. No.

14 Q. Don't have any family relatives that may be related in
15 some fashion to him.

16 A. Not to my knowledge.

17 Q. Okay. And who told you to go back to Safari Restaurant?

18 A. Like when? You talking about a specific date.

19 Q. You testified that you called Feeding Our Future and
20 someone told you to go back to Safari Restaurant.

21 A. Yeah, the phone call.

22 Q. Who told you?

23 A. From FOF, someone from FOF. They didn't state their
24 name, though.

25 Q. They just said go to Safari.

1 A. Yeah, that they are doing the food program at that
2 location.

3 Q. And you knew where Safari was?

4 A. Yes. I Googled it.

5 Q. Had you been there before with your accounting firm?

6 A. Accounting firm?

7 Q. Yeah, they officed there.

8 A. I believe 20 -- yeah, earlier years.

9 Q. So you know where Safari was because you had been there?

10 A. Yeah. Yeah.

11 Q. And while you were at Safari, you say that you received
12 the application to fill out.

13 A. Yeah.

14 Q. And you testified that you filled it out and gave it to
15 Salim Said, correct?

16 A. That's correct.

17 Q. Did you see him send that back to Feeding Our Future?

18 A. Yes.

19 Q. You actually saw him do that?

20 A. Yeah, his room had a fax. It was a black fax.

21 Q. He did it right while you were sitting there?

22 A. Yeah, he faxed it back.

23 Q. You neglected to tell the agents all that when you first
24 talked to them, didn't you?

25 A. I believe I told them.

1 Q. You told them you thought someone had done that; is that
2 correct?

3 A. No. The application came to Safari in his office, and
4 then he took it out, gave it to me, filled it out, and then
5 he faxed it back after I was done.

6 Q. Okay. So if we heard something differently, that's your
7 recollection, right?

8 A. No, no, no.

9 Q. Okay. Who did you deal with from Feeding Our Future?

10 A. No one.

11 Q. Ever?

12 A. No.

13 Q. Who is Coley Flynn?

14 A. Coley Flynn? That's the guy that came with Eidleh, I
15 think, the second time I seen Eidleh around November to the
16 location.

17 Q. Who is he?

18 A. I have never met him, but I don't know. He said he also
19 from Feeding Our Future.

20 Q. Did you ever get a phone call from him?

21 A. I get a phone call from him?

22 Q. Yeah.

23 A. No, never.

24 Q. Ever?

25 A. But I believe that was the guy I talked to on the phone

1 on August 4th on the application.

2 Q. Did you talk with him about the limit of 5,000 meals?

3 A. I believe he told me the limit that Salim was told --

4 Q. No.

5 A. -- by the Somali agent, Somali person from FOF, and then
6 he passed me the information of the 5,000.

7 Q. But that's not what you told the authorities when you
8 talked to them. You didn't mention Salim Said in that
9 conversation at all, did you?

10 You said you had talked to this Coley Flynn who
11 told you the limit was 5,000. Is that correct or not?

12 A. That's correct, yeah.

13 Q. Okay. And is it correct that you, you asked him, well,
14 I don't know if I can do 5,000. You said something about
15 5,000. That's crazy or something, whatever you said, right?

16 A. That's correct.

17 Q. And he said, don't worry, that's not how the program is
18 done. He told you that.

19 A. Can you say that again?

20 Q. Yeah. He told you don't worry about the 5,000, that's
21 not how this program is done.

22 A. No. Can you be a little bit clearer or slower?

23 Q. Well, I can't be more clearer. I will be slower.

24 A. Okay.

25 Q. Did he tell you when you questioned the 5,000 meals a

1 day that that's just how the program is done?

2 A. No. As in like that's the limit that I have to start
3 that day.

4 Q. Okay.

5 MR. COLICH: I just need another moment, Your
6 Honor.

7 Your Honor, this would be a good time to break
8 because I will have to find these documents.

9 THE COURT: All right. We will come back at 1:30.
10 All rise for the jury.

11 12:33 p.m.

12 **IN OPEN COURT**

13 **(JURY NOT PRESENT)**

14 THE COURT: We will recess till 1:30, everyone.

15 (Recess taken at 12:34 p.m. till 1:36 p.m.)

16 1:36 p.m.

17 **IN OPEN COURT**

18 **(JURY PRESENT)**

19 THE COURT: Good afternoon, everyone. You may be
20 seated.

21 And, Mr. Colich, you may continue.

22 MR. COLICH: Thank you, Your Honor.

23 BY MR. COLICH:

24 Q. Hello again, Mr. Jama.

25 A. Hello.

1 Q. Just a few more questions for you.

2 When we ended I had asked you if you recalled the
3 name of Coley Flynn. Do you recall it now?

4 A. Yeah.

5 Q. Okay. And do you recall telling the U.S. Attorney and
6 the agents, again on January 27th, 2025, that Coley Flynn
7 called you and explained the limit is 5,000 meals?

8 A. He didn't call me, but Said turned the phone to me, and
9 then that's how I talked to him.

10 Q. Do you remember telling him that he called and he
11 explained the limit is 5,000 meals starting tomorrow?

12 A. Yeah.

13 Q. And did you question him about the 5,000 meals?

14 A. Yeah, because I was confused if it was that limit that
15 day or any limit or that's your limit to get to that day.
16 So I was confused, so I had to ask him more questions.

17 Q. Did you indicate to the individuals who are interviewing
18 you that Flynn told you this isn't how the program works?
19 Do you recall that?

20 A. Can you say that again?

21 Q. Do you recall telling the U.S. Attorneys and the agents
22 on January 27th, 2025, in relation to a phone call you had
23 with Coley Flynn that Flynn told you in regards to 5,000
24 meals a day, this isn't how the program works?

25 A. I don't recall.

1 Q. Yes or no.

2 A. No.

3 Q. So if it's reported by Joshua Parks, a special agent, he
4 was just wrong about what he reported you said?

5 If it's in this report that was made by Inspector
6 Joshua Parks, investigator, that you said that, is he wrong?

7 A. I think it was a miscommunication.

8 Q. Okay. All right. How about this one, is this a
9 miscommunication? Did you tell --

10 MR. EBERT: Excuse me, Your Honor. This is
11 improper impeachment.

12 THE COURT: Sustained.

13 BY MR. COLICH:

14 Q. Did you want to make a profit when you began the food
15 program?

16 A. That's correct.

17 Q. And you made that very clear to the authorities when
18 they interviewed you; is that correct?

19 A. That's right.

20 Q. Now, last Wednesday, February 12th, yes, last Wednesday,
21 did you meet with some of these people sitting here?

22 Mr. Thompson, Mr. Ebert? Did you meet with them last week?

23 A. Last, last Thursday you said?

24 Q. February 12th. Is that a Wednesday?

25 A. Correct.

1 Q. Yeah, last Wednesday.

2 A. Correct.

3 Q. You came here and met with them, right?

4 A. Yeah, with my lawyer.

5 Q. Your lawyer was there?

6 A. No. On that previous day, he was there, but not --

7 Q. Okay.

8 A. -- the last.

9 Q. Not this time?

10 A. Yeah.

11 Q. And Special Agent Joshua Parks was at that meeting also.

12 Do you recall that?

13 A. Correct.

14 Q. And you know that he made a report regarding that.

15 A. Yes.

16 Q. Okay. And in this he states, Joshua Parks --

17 MR. EBERT: Objection, Your Honor. It's improper
18 impeachment.

19 THE COURT: Sustained.

20 BY MR. COLICH:

21 Q. Did you talk with them about what you testified today
22 when you indicated that my client came to you in the summer
23 of 2022?

24 A. No.

25 Q. You didn't talk about that?

1 A. No.

2 Q. So you didn't tell them on Wednesday of last week that
3 at some point in the summer of 2022 Said approached you to
4 have you fill out some paperwork?

5 A. That was the contract earlier, yeah, on the stand that
6 he asked me. Yes.

7 Q. So you did tell them that last week?

8 A. Yeah.

9 Q. Okay. And, again, you went there, according to this,
10 because you had new information, correct?

11 A. Correct.

12 Q. And that was the new information, right?

13 A. Yes.

14 Q. Yeah. And so the information you say you forgot from
15 2022 you remembered last Wednesday in 2025, right?

16 A. No, not to that extent.

17 Q. Okay.

18 MR. COLICH: No other questions.

19 THE COURT: Redirect, Mr. Ebert?

20 MR. EBERT: Just briefly, Your Honor.

21 REDIRECT EXAMINATION

22 BY MR. EBERT:

23 Q. Mr. Jama, you were just asked a few questions about that
24 consulting agreement by counsel; is that right?

25 A. Yes, yes.

1 Q. Specifically this one at FF29 that you see on the
2 screen?

3 A. Correct.

4 Q. And this is a multi-page document that indicates it was
5 supposedly from June 1st of 2020; is that right?

6 A. Correct.

7 Q. Is this the document that Salim Said wanted you to sign?

8 A. That's correct.

9 Q. And did you tell agents that you didn't felt the
10 document seemed right to you?

11 A. Yes, out of date. The dates were not accurate.

12 Q. Did it seem suspicious to you?

13 A. Yes.

14 Q. And for that reason, did you agree to sign it?

15 A. No, because I told him I started on the program
16 October 1st and I never had a contract with this company.

17 MR. EBERT: Thank you.

18 I have no further questions, Your Honor.

19 THE COURT: You may step down, sir. Thank you.

20 THE WITNESS: Thank you.

21 THE COURT: And the government may call its next
22 witness.

23 MR. JACOBS: The United States calls Special Agent
24 Travis Wilmer.

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TRAVIS WILMER,

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

THE WITNESS: I do.

THE COURT: Thank you. You may be seated.

Would you please state and spell both your first and last name for the record.

THE WITNESS: Travis Wilmer. T-R-A-V-I-S.
W-I-L-M-E-R.

THE COURT: Thank you.

Mr. Jacobs you may inquire.

MR. JACOBS: Thank you, Your Honor.

DIRECT EXAMINATION

BY MR. JACOBS:

Q. Good afternoon, Special Agent Wilmer.

A. Good afternoon.

Q. Could you please tell the jury where you work?

A. I work at the FBI office in Minneapolis.

Q. And what is your position at the FBI?

A. I'm an FBI special agent.

Q. And we've heard from a few special agents already, but can you explain to the jury what it is that a special agent with the FBI does?

A. Conduct investigations into potential violations of federal crimes.

1 Q. How long have you worked for the FBI?

2 A. Roughly three and a half years.

3 Q. Prior to that, could you walk the jury through your
4 previous work experience?

5 A. I was an engineer most recently with the Texas
6 Commission on Environmental Quality.

7 Q. Could you tell the jury about your educational
8 background?

9 A. I have a bachelor's of science in biochemical
10 engineering from MIT.

11 Q. In your three and a half years at the FBI, what types of
12 cases have you worked on?

13 A. A variety of cases, including fraud against the
14 government, complex financial crimes including wire fraud,
15 money laundering, amongst other things.

16 Q. What type of training have you received as part of your
17 employment at the FBI?

18 A. Generalized training into all the various aspects of our
19 job to include conducting investigations, interviews, how to
20 document, proper reporting, executing warrants, both arrest
21 warrants, search warrants, seizure warrants, amongst other
22 things.

23 Q. You spend a little time at Quantico before you started?

24 A. I did, roughly 20 weeks.

25 Q. Tell the jury a little bit about that.

1 A. It's the training grounds for all FBI special agents.
2 Go through standard training again that covers many aspects
3 of your job, some which you end up doing on a daily basis.
4 Others are more specialized that you may or may not do on
5 any given squad.

6 Q. I want to talk in particular about your role in this
7 investigation. Okay?

8 A. Okay.

9 Q. What was your role in this investigation?

10 A. I'm one of the case agents for the investigation.

11 Q. And generally speaking, what does it mean to be a case
12 agent for an investigation?

13 A. You are one of the lead agents who oversees the
14 investigation. You conduct specific tasks, as well as
15 manage from a high level, coordinate amongst the different
16 agencies that assist with various aspects of it.

17 Q. In this case, there were several case agents?

18 A. That's correct.

19 Q. What are some of the tasks and responsibilities that you
20 had as a case agent on this investigation?

21 A. Reviewing records, conducting interviews, assisting with
22 warrants to be executed, preparing, you know, plans moving
23 forward for future actions to take and reviewing what had
24 been done, evidence that had been gathered, putting that all
25 together in a succinct picture.

1 Q. How long have you been working on this investigation?

2 A. Since the end of 2021.

3 Q. So those are just some of the things that you have done?

4 A. That is correct.

5 Q. I want to talk today about two cities. Okay?

6 A. Okay.

7 Q. St. Cloud and Waite Park. All right?

8 A. Sounds good.

9 Q. So let's start with St. Cloud. Okay? Are you familiar
10 with a company called Olive Management?

11 A. I am.

12 Q. And from a very high level, what is Olive Management?

13 A. Olive Management is an entity that was created to
14 participate in the Federal Child Nutrition Program and
15 operated a site in St. Cloud.

16 Q. I'm pulling up what has not been admitted into evidence
17 yet and is marked for identification as Government E1.

18 Special Agent Wilmer, do you recognize this
19 document?

20 A. I do.

21 Q. What is it?

22 A. This is a Certificate of Incorporation through the
23 Minnesota Secretary of State for Olive Management Inc.

24 Q. True and accurate copy of that certificate?

25 A. It is.

1 MR. JACOBS: Your Honor, the government offers E1.

2 THE COURT: Any objection?

3 MR. UDOIBOK: No objection.

4 MR. COLICH: No objection.

5 THE COURT: E1 is admitted.

6 BY MR. JACOBS:

7 Q. All right. Special Agent Wilmer, so the jury is now
8 looking with us at Government E1. We've seen some of the
9 certificates of incorporation before, but can you explain
10 what we're looking at here?

11 A. For new businesses this is official registration with
12 the State of Minnesota to acknowledge that you exist as a
13 business within the state.

14 Q. You submit paperwork to Minnesota?

15 A. That's correct.

16 Q. And you get back a Certificate of Incorporation?

17 A. Correct.

18 Q. Okay. This particular Certificate of Incorporation is
19 for what entity?

20 A. Olive Management Incorporated.

21 Q. And what is the date that the certificate was issued on?

22 A. September 7th of 2020.

23 Q. Okay. I'm scrolling down to the next page here, and
24 there's some additional information in these articles 1
25 through 4. So I'm pulling up article 1. Let's zoom in.

1 What is the corporate name here?

2 A. Olive Management Incorporated.

3 Q. Okay. That's the company we've been talking about?

4 A. Correct.

5 Q. And if we go down here, who is the incorporator of Olive
6 Management?

7 A. Ahmed Omar.

8 Q. And can you explain to the jury from a high level who
9 Mr. Omar is?

10 A. Ahmed Omar-Hashim is one of the defendants in this case.

11 Q. Going down to the very bottom, there's an email address
12 that is listed for official notices. And the email address
13 is salahdonyale@gmail.com?

14 A. Correct.

15 Q. Who is Salah Donyale?

16 A. That is a nickname for Ahmed Omar-Hashim.

17 Q. Same person that we were talking about Mr. Donyale here,
18 Mr. Omar-Hashim?

19 A. Correct, and that's his personal email address.

20 Q. There's also an address listed on here Fremont Ave in
21 Minneapolis. Are you familiar with that address?

22 A. Yes, it's a residence in Minneapolis.

23 Q. I'm pulling up what has already been admitted into
24 evidence as Government Exhibit W34. Special Agent Wilmer,
25 what is this document that we're looking at here?

1 A. This is a business account application through Wells
2 Fargo.

3 Q. Okay. And importantly, I'm going to pull up this top
4 part or this middle part. What is the customer name for
5 this particular account?

6 A. It's for Olive Management Incorporated.

7 Q. So this is a business bank account?

8 A. Correct.

9 Q. And it also lists an individual under customer two. Who
10 is that individual?

11 A. Ahmed Hashim.

12 Q. And it says account receivership signer. What is a
13 signer of a bank account?

14 A. A signatory is the person who has control of that
15 account.

16 Q. And if we now pull up this date here in the top
17 right-hand corner, what is the date that this account was
18 opened up on?

19 A. September 8th of 2020.

20 Q. And how does that correspond to the Secretary of State
21 documents that we just looked at?

22 A. Exactly one day later.

23 Q. I'm going to show you a document that has been marked
24 for identification as Government's E2. Do you recognize
25 this document?

1 A. I do.

2 Q. And what is it?

3 A. This is an email message from the TFS account to Salim
4 Said's personal account on September 8th of 2020 with the
5 subject line: Forward, New Business Registration.

6 And it includes Olive Management Inc., as well as
7 identifying numbers for that business.

8 MR. JACOBS: Your Honor, we'd offer Government E2.

9 THE COURT: Any objection?

10 MR. UDOIBOK: No objection.

11 THE COURT: E2 is admitted.

12 BY MR. JACOBS:

13 Q. Okay. So the jury's now looking at this same email.
14 I'm going to blow up the top.

15 First things first. What's the date of this
16 email?

17 A. September 8th of 2020.

18 Q. Okay. So we're now one day after the Secretary of State
19 documents have been submitted?

20 A. That's correct.

21 Q. Who is this email from?

22 A. Tfsauditors@gmail.com.

23 Q. And based on the investigation, can you explain to the
24 jury what TFS Auditors is?

25 A. It's an accounting firm owned and controlled by two of

1 the defendants, Abdulkadir Nur Salah and Ahmed Omar-Hashim.

2 Q. Do you know where the headquarters of TFS Auditors is?

3 A. Beginning in the spring of 2021, it was at 2722 Park Ave
4 as has been seen previously in this trial.

5 Q. That's the historic mansion that we've seen some
6 photographs of?

7 A. That's correct.

8 Q. All right. And who is this email sent to?

9 A. Salim Said.

10 Q. Salimsaid4040@gmail.com?

11 A. That's correct.

12 Q. And whose email address is that?

13 A. Salim Said, a defendant in this trial.

14 Q. Subject of this email is New Business Registration.

15 A. That's correct.

16 Q. And then what are the actual contents of this email?

17 A. A list of business named as Olive Management
18 Incorporated, as well as several numerical identifiers for
19 that business.

20 Q. Maybe an EIN number or a Minnesota equivalent of that?

21 A. Correct.

22 Q. And that's being sent from TFS to Mr. Said?

23 A. That is correct.

24 Q. I'm pulling up what has been marked for identification
25 as Government Exhibit E3 that's not in evidence yet.

1 Special Agent Wilmer, can you tell me what this
2 document is?

3 A. This is an email correspondence from Aimee Bock to
4 Kendra Pace, an MDE employee, as well as another MDE email
5 account on September 9th of 2020.

6 Q. True and accurate copy of that email?

7 A. Yes, it is.

8 MR. JACOBS: Your Honor, the government offers
9 Government Exhibit E3.

10 THE COURT: Any objection?

11 MR. UDOIBOK: No objection.

12 MR. COLICH: No objection.

13 THE COURT: E3 is admitted.

14 BY MR. JACOBS:

15 Q. All right. Special Agent Wilmer, now that the jury has
16 this in front of them, let's pull up the top part of the
17 email that contains some information.

18 First things first. What is the date of this
19 email?

20 A. September 9th of 2020.

21 Q. Okay. And we've looked at a couple documents so far,
22 but can you orient the jury as to where we are in timing?

23 A. This is two days after the business filing with the
24 Secretary of State and one day after the business bank
25 account was opened.

1 Q. Okay. Day one business filing. Day two bank account
2 open. Day three this email?

3 A. That's correct.

4 Q. Okay. What, who is this email from?

5 A. Aimee Bock.

6 Q. And who is it to?

7 A. MDE.

8 Q. And what is the subject of this email?

9 A. SFSP/CACFP Site Application Olive Restaurant
10 Incorporated.

11 Q. So let me take a step back because we've thrown a lot of
12 acronyms at the jury in a short period of time.

13 Can you explain what SFSP is?

14 A. That's the Summer Food Service Program. It's a program
15 designed to ensure that students and children receive meals
16 in the summertime when they're not necessarily enrolled in
17 educational programming.

18 Q. And same thing while we're at it for CACFP?

19 A. Child and Adult Care Food Program. This is
20 traditionally linked to school or other formal educational
21 programming during the school year, whether it be during the
22 school day or after school hours.

23 Q. Okay. And attached to this email is a PDF attachment
24 called Site Application Olive Management?

25 A. That is correct.

1 Q. And going down to the first page of that attachment,
2 we've seen documents like this, but tell the jury what we're
3 looking at here.

4 A. This is a Feeding Our Future document, verification
5 purporting that they've gone through a number of documents
6 related to Olive Management Incorporated for the purported
7 month of September 2020.

8 Q. And submitted by who?

9 A. Aimee Bock.

10 Q. Okay. We're on the fourth page now, and this is
11 actually a Minnesota Department of Education document.

12 What is this document that we're looking at?

13 A. This is a site identification request form for MDE to
14 add, change or look up a site number within the CLiCS
15 system.

16 Q. Okay. And under Section 1, Site Application, what is
17 this site for?

18 A. Olive Management.

19 Q. Now, what is the site address listed under Olive
20 Management?

21 A. 3040 Fourth Avenue South, Minneapolis, Minnesota.

22 Q. Do you know what that is the address of?

23 A. I'm familiar with that location.

24 Q. What is it?

25 A. It's a commercial space in Minneapolis, modest

1 storefront size.

2 Q. Is it a restaurant?

3 A. It is not.

4 Q. A place capable of cooking or serving meals?

5 A. No.

6 Q. Going down to the bottom part labeled Site ID Requests,
7 Number 3 says, "Check type of site."

8 What type of site is checked for Olive Management?

9 A. For-profit.

10 Q. And under Section 2, Sponsoring Organization
11 Information, who is the sponsor?

12 A. Feeding Our Future.

13 Q. Okay. Jumping down now to page 11, we have a
14 certification. Go ahead and read that certification to the
15 jury, please.

16 A. "The authorized representatives of Olive Management
17 Incorporated and Feeding Our Future certify that Olive
18 Management Incorporated and Feeding Our Future will comply
19 with all rights and responsibilities outlined in this
20 agreement. We understand the agreement may be terminated by
21 either party with written notice. We understand this
22 agreement is for receipt of federal funds, and deliberate
23 misrepresentation may subject us to prosecution under
24 applicable state and federal criminal statutes. Olive
25 Management Incorporated representative certifies that Olive

1 Management Incorporated is not participating in the CACFP
2 under any other sponsoring organization."

3 Q. Okay. And for Olive Management Inc., who signs this
4 document?

5 A. Ahmed Omar as CEO.

6 Q. Going on to page 12 of this document, who signs on
7 behalf of Feeding Our Future?

8 A. Aimee Bock as founder/executive director.

9 Q. Okay. Next page is what's called the Preoperational
10 Visit to New Site, Child and Adult Care Food Program.

11 There's a header there that says why. Can you
12 read the "why" to the jury?

13 A. "To ensure that the Child and Adult Care Food Program
14 requirements will be met."

15 Q. And what about the "when"?

16 A. "A preoperational visit must be done at new sites prior
17 to claiming meals on the CACFP."

18 Q. And in this particular case, when was the visit date?

19 A. It's stamped as September 8th of 2020.

20 Q. Okay. So that's one day after the Secretary of State
21 documents were received?

22 A. That's correct.

23 Q. Same day as the bank account?

24 A. That is correct.

25 Q. And the address is that location on Fourth Avenue in

1 Minneapolis, right?

2 A. That is correct.

3 Q. You testified about this earlier, but what was located
4 at that address?

5 A. Here it would be a modest size commercial space.

6 Q. Was it restaurant or anything quipped with, to cook
7 food?

8 A. Not to my knowledge.

9 Q. Okay. Jumping down to page 23, we heard testimony
10 earlier about press releases for applications. Do you
11 recall that?

12 A. I do.

13 Q. This looks like it's labeled for immediate release?

14 A. Correct.

15 Q. And there's an announcement section. What's the
16 announcement?

17 A. "Feeding Our Future today announced its participation in
18 the Summer Food Service Program. Meals will be available at
19 no separate charge to children from September 9th of 2020
20 through December 31st, 2020, that visit the following
21 sites."

22 Lists two sites: Olive Management and Youth
23 Wisdom Incorporated.

24 Q. Olive Management, the Olive Management site has a site
25 address, again that Fourth Avenue South location?

1 A. That is correct.

2 Q. And do you know what the actual business located in
3 that, at that address is?

4 A. I do not.

5 Q. Okay. So we see a stamp here mailed September 9th,
6 2020?

7 A. That is correct.

8 Q. I'm pulling up what has been admitted into evidence
9 already as Government Exhibit E40. Special Agent Wilmer,
10 what are we looking at here in Government E40?

11 A. This is a digital copy of a folder that was obtained
12 during the search warrant executed at the Feeding Our Future
13 office on January 20th of 2022.

14 Q. Okay. It's labeled FY20, Sept. What does that mean?

15 A. I believe it to mean fiscal year 2020 for the month of
16 September.

17 Q. Okay. And this is, as you can see, a monthly claim
18 packet?

19 A. That is correct.

20 Q. The site name is what?

21 A. Olive Management.

22 Q. And the claim month is?

23 A. September of 2020.

24 Q. Okay. Here we see what on page 3 of this document?

25 A. This is a purported invoice between Olive Management and

1 Feeding Our Future.

2 Q. Okay. And the invoice date here is September 30th of
3 2020?

4 A. That is correct.

5 Q. And on this particular document, who is sending the
6 invoice?

7 A. It's from Olive Management with an address of 3360 West
8 Division Street, St. Cloud, Minnesota.

9 Q. Okay. And what is at 3360 West Division Street?

10 A. That's Hormud Grocery.

11 Q. An actual grocery purveyor?

12 A. Yes, a small grocery store in a strip mall there in
13 St. Cloud.

14 Q. And it's sent to whom?

15 A. Feeding Our Future.

16 Q. Approximately how much, how long after the application
17 that we just looked at are these invoices for serving meals?

18 A. This is within weeks, the same month.

19 Q. Several weeks later?

20 A. Correct.

21 Q. And in this particular case it looks like they are
22 submitting claims for three days in September?

23 A. That is correct.

24 Q. And what is the quantity that they're claiming?

25 A. Approximately 3,000 breakfast and lunch for each of

1 those three days.

2 Q. Okay. So there's a unit price of 6.15?

3 A. Correct.

4 Q. Have you heard of a blended rate before?

5 A. Yes, that's a reimbursement rate that accounts for both
6 meals blended into one numerical value.

7 Q. Okay. So while the quantity for each of these days is
8 2,995 meals, it's actually two times that?

9 A. That is correct.

10 Q. Same amount of breakfast, same amount of lunch?

11 A. Correct.

12 Q. Okay. And for each of these three days in September
13 that Olive Management claimed to be serving nearly 3,000
14 meals twice a day, how much are they invoicing per day?

15 A. Over \$18,000 per day.

16 Q. So those are claims for the month of September, right?

17 A. That's correct.

18 Q. Now, we heard some testimony yesterday about an event
19 that occurred in October of 2020 that was significant to the
20 food program. What was that?

21 A. MDE changed the rules and disallowed for-profit
22 restaurants from continuing to participate as food sites
23 within the program.

24 Q. And we saw in that site application that Olive
25 Management had checked the box for for-profit; is that

1 right?

2 A. That is correct.

3 Q. So what was significant then about the rule change in
4 October?

5 A. Given the new rules, entities such as Olive Management
6 would no longer be able to operate food sites as they had
7 previously claimed.

8 Q. Because of their for-profit status?

9 A. That is correct.

10 Q. Okay. Pulling up what has previously been admitted into
11 evidence as Government Exhibit F7, have you seen this email
12 before?

13 A. I have.

14 Q. In fact, there's been testimony about this email before?

15 A. There has.

16 Q. Can you briefly explain again to the jury what we're
17 seeing in this email?

18 A. This is an email from Aimee Bock to MDE in which she
19 clarifies that the for-profit restaurants will be staffed by
20 Feeding Our Future employees and volunteers, thus allowing
21 them to continue to submit claims within the food program as
22 they had done previously.

23 Q. Okay. And what was significant about this email?

24 A. It allowed the for-profit restaurants to continue to
25 operate as they had been despite the new rule change.

1 Q. Going down to page 2 of this restaurant, excuse me, of
2 this document, and you see several restaurants listed here
3 that we've talked about before?

4 A. Correct.

5 Q. ASA Limited?

6 A. Yes.

7 Q. Purportedly staffed by Feeding Our Future?

8 A. Correct.

9 Q. Brava Restaurant we just heard about, purportedly
10 staffed by Feeding Our Future?

11 A. Correct.

12 Q. And then here we go on the third page of this document,
13 Olive Management, St. Cloud. Can you read this paragraph to
14 the jury?

15 A. "This site is being staffed by Feeding Our Future. The
16 site operators will not prepare the meals, and funds will
17 not be provided, given, or otherwise paid to the site to
18 employ site staff. Only Feeding Our Future's trained staff
19 and volunteers and sponsor trained site staff serving as
20 volunteers are permitted to distribute the meals."

21 Q. Okay. And to be clear, this restaurant that Feeding Our
22 Future is claiming to serve at is labeled Olive Management,
23 St. Cloud?

24 A. That is correct.

25 Q. And in that application that we just looked at, what was

1 the address for Olive Management?

2 A. 3040, commercial space in Minneapolis.

3 Q. And what was the location of the site visit for Olive
4 Management?

5 A. That same address in Minneapolis.

6 Q. So this email was October 20th of 2020?

7 A. That's correct.

8 Q. I want to jump ahead in time a little bit and show you
9 what has been marked for identification as Government E4.

10 What is E4?

11 A. This is an email correspondence from Aimee Bock to Emily
12 Honer of MDE and Rhyddid Watkins, a previous attorney for
13 Ms. Bock, dated November 24th of 2020.

14 MR. JACOBS: Your Honor, the government offers E4.

15 THE COURT: Any objection?

16 MR. COLICH: No objection.

17 MR. UDOIBOK: No objection.

18 THE COURT: E4 is admitted and may be published.

19 BY MR. JACOBS:

20 Q. All right. Special Agent Wilmer, can you go over again
21 who this is email is from and who it is sent to?

22 A. This is an email correspondence from Aimee Bock of
23 Feeding Our Future to Emily Honer of MDE and Rhyddid
24 Watkins, prior attorney for Ms. Bock.

25 Q. Okay. And this email is dated November 24th of 2020?

1 A. That is correct.

2 Q. So it's about two months after their first, Olive
3 Management's first claims for September?

4 A. Correct.

5 Q. Those claims of 3,000 meals a day?

6 A. That is correct.

7 Q. And approximately a month after the clarification email
8 we just saw in which Feeding Our Future was purporting to
9 serve meals?

10 A. That is correct.

11 Q. Okay. And what do we, if we go down to the body of the
12 email, can you read this part to the jury?

13 A. "Olive Management: Their address is 3360 West Division
14 Street, St. Cloud, Minnesota, 56301. Attached is a new site
15 ID request. This site has a Minneapolis mailing address,
16 St. Cloud mailing address, and a kitchen they use. Sorry
17 for the confusion. Thanks, Aimee."

18 Q. Okay. So apparently that Minneapolis address is the
19 mailing address for Olive Management?

20 A. Purportedly.

21 Q. Okay. And what was the address listed on the
22 application?

23 A. 3360 West Division Street, St. Cloud.

24 Q. And what was the address on the press release that
25 purported to let people know where to go to?

1 A. The Minneapolis address.

2 Q. I'm showing you what has been marked for identification
3 as Government E33. Do you recognize this photograph?

4 A. I do.

5 Q. What is it?

6 A. This is 3360 West Division Street in St. Cloud, that
7 being the suite you see on the far right end of the red
8 roofed building.

9 MR. JACOBS: Your Honor, we would offer Government
10 Exhibit E33.

11 THE COURT: Any objection?

12 MR. UDOIBOK: No objection.

13 MR. COLICH: No objection.

14 THE COURT: E33 is admitted and may be published.

15 MR. JACOBS: Thank you, Your Honor.

16 BY MR. JACOBS:

17 Q. Special Agent Wilmer, now that the jury has this in
18 front of them, can you explain what they are seeing in
19 Government Exhibit E33?

20 A. This is the location 3360 West Division Street in
21 St. Cloud. That specific suite is the far right entrance
22 that you see there on the red roofed building where you can
23 make out the word Hormud slightly obscured by the Google
24 marker.

25 Q. Okay. There are a couple other businesses in that, in

1 that building?

2 A. That is correct.

3 Q. And can you generally describe for the jury the location
4 of Hormud Deli and Grocery?

5 A. Yeah. This is a small strip mall in St. Cloud,
6 Minnesota, on Division Street. The vantage from this
7 picture is taken, you are essentially on the curb of
8 Division Street, which is a heavily traveled street through
9 the St. Cloud area.

10 Q. I want to go through some of the claims that were
11 recovered during the search of the Feeding Our Future
12 office. Okay?

13 A. Okay.

14 Q. I'm pulling up what has previously been admitted into
15 evidence as Government Exhibit E41.

16 Now, we already looked at claims for September.
17 About how many days in September did Olive Management submit
18 claims for?

19 A. Three days.

20 Q. Moving on to October, we see here another monthly claim
21 packet?

22 A. Correct.

23 Q. And we see here another invoice. What is this invoice
24 for?

25 A. This is another invoice purportedly from Olive

1 Management to Feeding Our Future.

2 Q. Now, I'm jumping down to the eighth page of this
3 document, and we see a meal count. Can you tell the jury
4 the details of this particular meal count?

5 A. This is a summer meal count for the site Olive
6 Management, St. Cloud, beginning on October 1st of 2020
7 purporting to document breakfast and the quantity of 3,000
8 prepared each day and approximately 3,000 served each day,
9 with additional children requesting meals after the food is
10 gone.

11 Q. Okay. That one is for breakfast. How about on this
12 next one, page 9?

13 A. Again, summer meal count for Olive Management, St. Cloud
14 beginning on October 1st of 2020. This time for lunches,
15 showing exactly 3,000 prepared each day, just under 3,000
16 served and additional children waiting for food after it's
17 gone.

18 Q. Moving on to the next one?

19 A. This begins October 4th and continues for every single
20 day, 3,000 breakfast served and nearly 3,000 -- 3,000
21 prepared, nearly 3,000 served and additional children
22 waiting every single day.

23 Q. Okay. Lunch here?

24 A. Lunch, the exact same thing.

25 Q. What is your reaction to looking at these meal count

1 sheets?

2 A. They appear to be pencil whipped.

3 Q. Tell the jury what you mean by "pencil whipped"?

4 A. The exact same number of meals served day after day,
5 just a slight variation in the number served, additional
6 children requesting food every single day, the exact same
7 staff member checking off every single day.

8 We've heard numerous testimony from people who
9 operated in this industry for years, and that type of
10 consistency is just not real.

11 Q. And where did the term "pencil whip" come from?

12 A. Heard it throughout my life.

13 MR. UDOIBOK: Excuse me?

14 THE WITNESS: I've heard that throughout my life,
15 referring to just filling in documentation.

16 BY MR. JACOBS:

17 Q. Okay. So you talked about a few things there, and I
18 want to unpack it. First is consistency amongst number of
19 meals prepared.

20 A. Yes.

21 Q. And what is suspect to you about that?

22 A. It's the exact same number every single day without
23 variation.

24 Q. And the next is the number of firsts served to children.

25 And let's just pull up the first couple of these. What is

1 suspected to you about that number?

2 A. There is variation every day, but it's extremely
3 minimal.

4 Q. So, for example, looking at Friday, 3,000 meals were
5 purportedly prepared and 2,999 meals were served to
6 children?

7 A. Correct. Across a week of seven days, there's less than
8 10, a difference of less than 10 when you were preparing
9 3,000. So as a percentage, variation is extremely small.

10 The reality is that there's kids that go on
11 vacation, get sick. There's differences in production,
12 issues with staff, issues with supplies, less kids show up.
13 It doesn't account for any of that.

14 Q. Moving on, there's another line item for number of
15 children requesting meals of food is gone, and we see here
16 69, 70, 58, 70.

17 What is suspect to you about that?

18 A. Again, the quantity is fairly similar day after day.
19 There's not a similar day where there's extraordinary more
20 or less. Also if your goal is to serve meals to children
21 and you have 50 or 60 kids there every day, you would think
22 that at some point in time you might prepare more meals to
23 account for that.

24 Q. Cook an extra 70 meals to make sure?

25 A. That would make sense.

1 Q. Okay. I'm going back up to the invoice that we talked
2 about a moment ago. Again, this invoice from Olive
3 Management and to who?

4 A. Feeding Our Future.

5 Q. And this, again you see the same unit price?

6 A. Correct.

7 Q. And what are the quantities that are being claimed here?

8 A. For the first four entries it's just under a hundred --
9 or just under 18,000, and then it goes down to just under
10 6,000 and then just under 3,000 for two of the entries.

11 Q. And there's a subtotal at the bottom. What's that
12 number?

13 A. It's over half a million.

14 Q. For one month?

15 A. Correct.

16 Q. Showing you now what has been previously admitted into
17 evidence as Government Exhibit E42, let's, let's move ahead
18 another month. Now we're in November of 2020.

19 A. Correct.

20 Q. Now just for everyone's clarification, this now says
21 FY2021?

22 A. That is what it's labeled.

23 Q. Fiscal year 2021?

24 A. I would assume so.

25 Q. We're still in the actual year of 2020.

1 A. Correct.

2 Q. Okay. And you can see here what's the claim month?

3 A. November of 2020.

4 Q. Okay. We're moving on now for the week of what?

5 A. It's purported to document the week of November 1st,
6 2020.

7 Q. And again just to refresh the jury, what's the site that
8 we're talking about here?

9 A. Olive Management, St. Cloud.

10 Q. Purportedly that same location in the strip mall that we
11 just looked at?

12 A. Correct.

13 Q. Okay. And tell the jury what you are seeing in this
14 meal count for the first week of November 2020?

15 A. Again, every single day exactly 3,000 breakfasts are
16 prepared, just under 3,000 are served and there's between 50
17 and 80 additional children waiting for food after it's gone.

18 Q. Looking now at lunch. What do you see?

19 A. Exact same thing for lunch. 3,000 prepared every single
20 day, just under 3,000 served every day, between 50 and 80.

21 Q. What are the initials on, at the bottom here, initials
22 of the person taking daily meal count?

23 A. FJ.

24 Q. Moving on to the week of 11/8. I will show you
25 breakfast and lunch. And let's keep moving on the week of

1 11/15, breakfast and lunch.

2 11/22, breakfast and lunch. Through the end of
3 the month.

4 What is striking to you about these meal counts
5 for November?

6 A. It's the exact same for every single day for every meal.

7 Q. Same numbers of meals prepared?

8 A. Same number of meals prepared, just slightly less than
9 that number served and roughly the same number of children
10 requesting food after it is gone with the same staff member
11 initialing each day.

12 Q. What's significant to you about the same staff member
13 initialing these every day?

14 A. Very few of us work every single day of every single
15 month.

16 Q. And was that particularly true at this time in November
17 of 2020?

18 A. Exceptionally true in that time.

19 Q. Why is that?

20 A. Because the COVID pandemic, many people either got COVID
21 or around someone who had it and then were forced to
22 quarantine, which means staying away from others, staying
23 home from work for additional periods of time to try to slow
24 the spread of sickness.

25 Q. We shudder to think about it, but there was a time where

1 you would stay home for seven to ten days if you were
2 exposed to COVID?

3 A. That's correct.

4 Q. Presumably sometime in this week, these last weeks of
5 November, it was Thanksgiving?

6 A. That is correct.

7 Q. How many meals on Thanksgiving?

8 A. The exact same number, 3000 prepared, just under that
9 served.

10 Q. All right. Moving on to December of 2020. I'm going to
11 show you what has been marked and admitted as Government's
12 E43.

13 Okay. Looking at the first week of December,
14 briefly for the jury what are we looking at?

15 A. Beginning week of December 1st, 2020, for Olive
16 Management, St. Cloud, this document's number purported
17 breakfast served is 3,000 prepared each day, just under
18 3,000 served to children, between 50 and 80 additional
19 children requesting food after it's gone, initialed by FJ.

20 Q. Okay. Remarkable consistency?

21 A. Remarkable consistency.

22 Q. Showing you the lunch here for the first week. Now
23 we're in the week of 12/6 showing you breakfast and lunch.
24 And I'm going to scroll through the rest of the December
25 claims.

1 What's your reaction to these meal counts?

2 A. They appear fake.

3 Q. Why do you say that?

4 A. Again, this type of consistency does not occur, food
5 distribution in real settings. Talked to numerous people
6 who have worked in this industry for years. We've all been
7 around schools and children. It's too perfect.

8 Q. And here we're looking at the last month or last week of
9 December, Christmas, New Year's, how many kids?

10 A. Exact same as every other day of the month.

11 Q. Okay. Notably, the number of children requesting meals
12 once food is gone remains pretty high.

13 A. Yes, it does.

14 Q. What's your reaction to that?

15 A. Again, if your goal is to provide food to children and
16 you had 50 or 80 kids requesting meals after it's gone, if
17 you are already preparing 3,000 a day, doesn't seem it would
18 be that unreasonable that you would try to account for that.

19 Q. Moving on, showing you what has been previously admitted
20 as Government's E44. We see a monthly claim packet for
21 January 2021?

22 A. That is correct.

23 Q. Okay. I don't want to spoil the surprise, but tell the
24 jury what they are seeing here?

25 A. This is a Feeding Our Future summer meal count for Olive

1 Management, St. Cloud form, purporting to document the
2 number of breakfast served, beginning the week of
3 January 1st, 2021. And for those first two days, again
4 exactly 3,000 breakfasts are prepared. Just under that are
5 served to children, and there's additional children waiting
6 for meals after the food is gone.

7 Q. All right. New Year's Day, how many meals are they
8 claiming to serve?

9 A. 2,998 served.

10 Q. And now I'm flipping through the month of January.
11 Again, what are we just seeing?

12 A. No variation throughout the month. Exactly the same day
13 after day every similar month.

14 Q. Now, you just mentioned no variation throughout the
15 month. Have you seen any significant variation amongst the
16 multiple months that we've just seen?

17 A. No.

18 Q. Pulling up what has been admitted into evidence as
19 Government Exhibit E45, the February 2021 claim packet.
20 What do we see?

21 A. A trend continues. Breakfast beginning February 1st,
22 3000, prepared. Just under that served, and additional
23 children waiting for food after it's gone, initialing by FJ.

24 Q. Same person who's taking daily meal counts each and
25 every day that month?

1 A. Correct. Remarkable attendance.

2 Q. And the prior month?

3 A. And the month before that.

4 Q. So I want to go back to page 5 of this document, which
5 is an invoice. Whose the invoice from?

6 A. This is from Olive Management to Feeding Our Future.

7 Q. And at this particular point in time, this is after the
8 rule change that we talked about?

9 A. That is correct.

10 Q. So what's significant about that when you are looking at
11 this invoice?

12 A. That it's coming from a for-profit restaurant to Feeding
13 Our Future, and it documents exceedingly high number of
14 meals being purportedly served each day.

15 Q. Again we see the unit price of 6.15?

16 A. Correct.

17 Q. That appears to be a blended rate?

18 A. Appears to be a blended rate to account for the
19 breakfast and lunch served each day.

20 Q. Okay. And February is the shortest month of the year,
21 but what is the subtotal for that month?

22 A. Again, over half a million dollars for the month.

23 Q. Okay. Showing you what has previously been admitted
24 into evidence as Government's Exhibit E46.

25 We'll do this quickly, but I just want to flash

1 through the meal counts for the month of March.

2 I'm just flipping through, and we'll land on the
3 week of March 14th.

4 What do you see in this meal count for the middle
5 of March?

6 A. This particular sheet documents purported lunches served
7 at Olive Management, St. Cloud, beginning on March 14th of
8 2021. Again, for every day of the month, it's exactly 3,000
9 prepared, just under that served and additional children
10 waiting after the food is gone.

11 This one actually has food temperatures documented
12 each day, which again shows remarkable consistency
13 day-to-day.

14 Q. Now at some point did sites participating in this
15 program start sending receipts and other items along with
16 their submissions?

17 A. That is correct.

18 Q. Jumping ahead to page 27. What do we appear to be
19 looking at on this page of the meal count or the meal claim
20 submission?

21 A. This appears to be a Restaurant Depot receipt.

22 Q. Okay. See Restaurant Depot over here?

23 A. I do.

24 Q. Restaurant Depot is a real company?

25 A. It is.

1 Q. They provide food and other stuff?

2 A. Correct.

3 Q. All right. What is the customer listed on this receipt?

4 A. Baarakallah Restaurant Incorporated located on Cedar
5 Avenue, Minneapolis?

6 Q. Not Olive Management?

7 A. That is correct.

8 Q. I'm scrolling down to the next page, page 28, another
9 Restaurant Depot invoice. Who is the customer on this one?

10 A. It's the same restaurant on Cedar Avenue in Minneapolis.

11 Q. One more page.

12 A. Same customer, not Olive Management.

13 Q. Jumping ahead to page 65, what is this an invoice for?

14 A. This is an invoice for Capital Imports LLC, again billed
15 to that same Baarakallah Restaurant, Cedar Ave in
16 Minneapolis.

17 Q. Okay. Is there anything, apart from the fact that it is
18 billed to a different restaurant, is there anything notable
19 to you about this particular invoice?

20 A. The logo appears to be copy and pasted as it overlaps
21 with the text directly below it, and then there's another
22 out-of-place mark above Contact Name.

23 Q. What's your inference based on that?

24 A. That what I see on this sheet, combined with what we've
25 seen throughout the investigation, leads me to believe that

1 this is likely a fabricated invoice.

2 Q. Okay. Jumping ahead to page 104. This is a Sysco
3 invoice?

4 A. It is.

5 Q. Sysco is a real company?

6 A. It is.

7 Q. A food distribution company?

8 A. That is correct.

9 Q. And this appears to be an invoice for various food
10 items?

11 A. That is correct.

12 Q. What is the customer on this particular invoice?

13 A. It's Nile Restaurant in Rochester, Minnesota.

14 Q. We heard testimony about Nile Restaurant?

15 A. We did earlier today.

16 Q. Not Olive Management?

17 A. That is correct.

18 Q. How long would it take to drive from Rochester to
19 St. Cloud?

20 A. Several hours.

21 Q. Kind of opposite, excuse me, opposite parts of the
22 outlying metro?

23 A. That is correct.

24 Q. Okay. Pulling up what has already been admitted into
25 evidence as E48. Continue our march through the months.

1 Here we have now an April 2021 monthly claim packet. The
2 week of April 1st, week of April 4th, week of April 11th.

3 What are we seeing in these meal counts?

4 A. These are eerily similar to the months we have already
5 looked at for Olive Management, St. Cloud, purportedly to
6 serve just under 3,000 breakfast and lunch every single day,
7 additional children waiting for food every single day.

8 Q. Now, there's a menu here, and again this one is for the
9 April meal claims. What's the date of this menu?

10 A. September 30th is when it was last updated.

11 Q. And do these menus appear to be consistent throughout
12 every month?

13 A. They do.

14 Q. Now, again, we see an invoice from Olive Management to
15 Feeding Our Future. This invoice is dated what?

16 A. Invoice date of April 30th of 2021.

17 Q. Okay. And jumping down to the bottom, what's the total
18 that Olive Management billed Feeding Our Future for
19 purportedly serving those 3,000 meals day and day out in the
20 month of April?

21 A. Over \$553,000 for the month.

22 Q. Showing you E50, what has previously been admitted into
23 evidence. It's the June claims. Here we're in the week of
24 June 21st. What are the numbers here?

25 A. Notably now, exactly 2,000 breakfasts and lunches are

1 served each day, just under 2,000 are served and again
2 additional children waiting after the food was gone, FJ
3 initials every single day.

4 Q. And E52, what has previously been admitted into
5 evidence, is the July 2021 claims.

6 Now here we're again in the first week of July,
7 and what are we seeing?

8 A. Exactly 2,000 breakfasts and lunches prepared each day,
9 just under 2,000 breakfast and lunches served each day,
10 additional children waiting after the food is gone each day
11 of the month.

12 Q. So the number of meals being prepared is different here?

13 A. That is correct.

14 Q. Any idea why it's gone down from 3,000 to 2,000?

15 A. While they operated under the Summer Food Service
16 Program, they seem to cap themselves at 2,000 claimed as
17 opposed to 3,000 when they were operating under CACFP.

18 Q. So can you explain that to the jury how the interplay of
19 summer food and CACFP works?

20 A. As previously described, the Summer Food Service Program
21 traditionally operates during the months and times of the
22 years when students are not in school, and claims are
23 processed through that.

24 So it's a different program through which,
25 different program heading through which the claims are

1 submitted and processed, whereas CACFP is usually during the
2 traditional school year.

3 Q. Okay. Jumping ahead to page 21 of this document. We
4 see another invoice here. This time who is it from?

5 A. Hormud Meat and Grocery.

6 Q. Okay. And what is Hormud Meat and Grocery?

7 A. This is the business that exists at that West Division
8 address that we saw earlier.

9 Q. That small storefront location in the parking lot?

10 A. Correct.

11 Q. Okay. What is this invoice, or who is this invoice to?

12 A. It's to Olive Management Incorporated.

13 Q. And it's billed to Olive Management Incorporated at what
14 address?

15 A. 3360.

16 Q. What is the address of 3360 Division Street?

17 A. In theory, directly adjacent to 3361 West Division
18 Street.

19 Q. And this is an invoice for the month of July. There are
20 three entries. Can you walk the jury through those three
21 entries?

22 A. Yeah. They are all dated July 25th of 2021. First
23 entry is occupancy charges for July 21st in the amount of
24 \$25,000, followed by food and grocery charges for July 21st
25 in the amount of \$63,587, and then trucking charges for

1 July 21st in the amount of \$5,918.

2 Q. Okay. So according to this invoice, Olive Management is
3 paying \$25,000 a month just for access to that location?

4 A. That is correct.

5 Q. Okay. Going down, we have some receipts or invoices.
6 What is this one?

7 A. Appears to be two receipts from Speedway, both in
8 St. Cloud.

9 Q. What's this a receipt for purchase of?

10 A. This particular one is for a couple Powerades and
11 approximately 13 gallons of gas.

12 Q. Purportedly to support a reimbursement for a child food
13 program?

14 A. Yes, these would have been submitted in support of a
15 reimbursement claim.

16 Q. And remind the jury, where these receipts and all the
17 documents we've just looked at --

18 A. These all were, these were all scanned copies of a
19 folder that was obtained during the search warrant executed
20 at the Feeding Our Future office in January of 2022.

21 Q. Okay. Jumping ahead to page 62 here, we see another
22 invoice. Walk the jury, please, through the particulars of
23 this invoice.

24 A. Yeah. This is an invoice. It says, Billed to Feeding
25 Our Future, lists both Olive Management and Safari

1 Restaurant. On the left-hand side, you see an address of
2 3010 Fourth Avenue South, Minneapolis, which is the address
3 for Safari Restaurant.

4 Q. Okay. And what is significant to you about an invoice
5 from Safari Restaurant for this July claim?

6 A. In this particular instance, they are documented as a
7 purported vendor. So this is an invoice for 2,000 breakfast
8 and lunches each day in July as the vendor for that site for
9 that month.

10 According to this document, Safari Restaurant is
11 billing them for having supposedly provided those meals that
12 were then distributed at that site every day of July.

13 Q. You are also seeing purported invoices for other food
14 directly to Olive Management for the same month?

15 A. That is correct. It appears a bit redundant.

16 Q. And for this particular invoice, how many meals a day?

17 A. 2,000 breakfast and lunches each day.

18 Q. Okay. And the rate has gone up a little bit. What's
19 the deal with that?

20 A. Again, this is, appears to be a blended rate to account
21 for both the breakfast and lunch. This is supposed to be
22 based on a federally stated reimbursement rate, and this
23 month it is slightly higher than what we've seen through the
24 previous CACFP month claims we were looking at.

25 Q. Okay. Moving down to the very bottom. What's the total

1 amount that Safari billed Feeding Our Future for purportedly
2 serving 2,000 meals a day, twice a day in July of 2020?

3 A. Over \$440,000 for the month.

4 Q. Okay. Jumping ahead to what has already been admitted
5 into evidence as Government's Exhibit E53. We're now in
6 what month?

7 A. August.

8 Q. Okay. Quickly for the jury, what are we seeing in the
9 August 1st?

10 A. These are meal count sheets for Olive Management,
11 St. Cloud for the month of August 2021. Document reported
12 2,000 breakfast and lunches prepared each day, just under
13 2,000 served each day and additional children requesting --

14 This is a meal count sheet for Olive Management,
15 St. Cloud for the month of August 2021. Document reported
16 2,000 breakfast and lunch prepared each day, just under
17 2,000 breakfast and lunch served each day, and additional
18 children waiting after the food is gone each day.

19 Q. Now, I'm flipping, scrolling through the entire month of
20 August. Is what we are seeing consistent?

21 A. It is, extremely consistent.

22 Q. Pulling up what has already been admitted into evidence
23 as Government's Exhibit E55. And this is a September
24 monthly meal claim?

25 A. That is correct.

1 Q. Okay. And this particular, in this particular month of
2 September we see two separate invoices. On page 3 we see an
3 invoice from Olive Management, right?

4 A. Correct.

5 Q. Going down to page 4, we see an invoice from Safari
6 Restaurant?

7 A. That is correct.

8 Q. Can you explain to the jury why we're seeing two
9 invoices here?

10 A. So the one that's on the screen now from Safari
11 Restaurant to Feeding Our Future covers the first seven days
12 of the month. This is when they're still operating under
13 SFSP.

14 So Safari's a purported vendor, therefore they are
15 claiming reimbursement for 2,000 meals provided each day.
16 However, the rest of the month it transitions back to CACFP,
17 and Olive Management is purported vendor. So that invoice
18 for those dates is billed from Olive Management to Feeding
19 Our Future.

20 Q. Okay. So for the Safari Restaurant invoice, it's the
21 first seven days of September?

22 A. That is correct.

23 Q. And how much is Safari Restaurant billing Feeding Our
24 Future for that month?

25 A. Just under a hundred thousand dollars.

1 Q. And that's for purportedly providing how many, providing
2 and serving how many meals?

3 A. 2,000 breakfast and lunch each day.

4 Q. Okay. And then the rest of the month it goes back to
5 CACFP; is that correct?

6 A. That is correct.

7 Q. So this invoice is now from Olive Management?

8 A. That is correct.

9 Q. And who are they invoicing?

10 A. Feeding Our Future.

11 Q. Scrolling down to the bottom, what's the total that
12 Olive Management bills Feeding Our Future?

13 A. Over \$234,000.

14 Q. And that's for purportedly serving approximately how
15 many meals every --

16 A. Just shy of 2,000 supper and snacks each day through the
17 rest of the month of September.

18 Q. All right. I'm jumping ahead to page 17 of that same
19 document. We're going to look at another invoice here, this
20 time from who?

21 A. Hormud Meat and Grocery Incorporated.

22 Q. Okay. And I want to talk about who the invoice is from
23 and who it's to. So who is billed here?

24 A. Olive Management Incorporated.

25 Q. So Hormud Meat and Grocery at 3361 West Division Street

1 is billing Olive Management Inc. at 3360 West Division
2 Street?

3 A. That's correct.

4 Q. And this invoice appears to be for food?

5 A. That is correct.

6 Q. Going down then to the next page, what do we see?

7 A. This is another invoice from Hormud Meat and Grocery
8 Incorporated at 3361 West Division Street, billed to Olive
9 Management Incorporated, 3360 West Division Street. This
10 time though it's for an occupancy charge for the month of
11 September and a trucking charge.

12 Q. Okay. Date of this invoice is what?

13 A. September 22nd of 2021.

14 Q. Okay. Going back to the previous invoice, what's the
15 date of that invoice?

16 A. The same date, September 22nd, 2021.

17 Q. Okay. Notice anything different about the two invoices?

18 A. Completely different format.

19 Q. Same company?

20 A. Purportedly.

21 Q. Same date?

22 A. Correct.

23 Q. And for this September 22nd invoice on page 18, again,
24 what are they invoicing Olive Management for?

25 A. \$25,000 for an occupancy charge and just under \$5,000

1 for a trucking charge.

2 Q. So again, \$25,000 a month purportedly for the use of the
3 space in that strip mall?

4 A. That is correct.

5 Q. Okay. Jumping ahead a month to October. We're going to
6 quickly scroll through here. Week of October 1st,
7 October 3rd, October 10th and October 17th.

8 What are we seeing in these October 2021 invoices?

9 A. Approximately 2,000 supper and snacks prepared and
10 served to children every single day and additional children
11 requesting meals after the food is gone every single day.

12 Q. So we've gone through month after month of invoices.

13 After looking at these invoices across months,
14 what's your reaction to seeing these invoices or meal
15 counts?

16 A. They appear fake.

17 Q. Why is that?

18 A. The consistency seems too perfect. The numbers seem
19 outrageous. And additional investigative steps we've taken
20 support that idea.

21 Q. I want to change gears a little bit, and I want to talk
22 about how the meal counts that we've just been looking at
23 were submitted to Feeding Our Future. Okay?

24 A. Okay.

25 Q. I'm pulling up an exhibit that is marked for

1 identification as E7. What is Government Exhibit E7?

2 A. This is an email correspondence from the
3 tfsauditors@gmail.com to eidleh@feedingourfuturemn.org,
4 dated March 5th of 2021.

5 MR. JACOBS: Your Honor, we'd offer Government
6 Exhibit E7.

7 MR. UDOIBOK: No objection.

8 MR. COLICH: No objection.

9 THE COURT: E7 is admitted and may be published.

10 BY MR. JACOBS:

11 Q. All right. Special Agent Wilmer, we're looking at an
12 email here, and it's actually, it looks like two emails, one
13 that was forwarded. So let's start at the bottom.

14 What do we see in this first email?

15 A. This is an email correspondence from
16 tfsauditors@gmail.com to claims@feedingourfuturemn.org, date
17 Tuesday, March 2nd, 2021, the subject of Olive Management
18 Summer Meal Counts Feb, 2021.

19 Q. Okay. So first things first. The from email address,
20 what's your understanding of what tfsauditors@gmail.com is?

21 A. That's the email address used by the TFS Auditors
22 accounting firm we discussed previously that's owned and
23 controlled by two of the defendants in this case.

24 Q. And can you explain to the jury the role that TFS
25 Auditors had in the food program scheme that we've been

1 talking about?

2 A. They handled a lot of the administrative paperwork side
3 of things for the sites. As we heard testimony earlier this
4 morning, gathering and submitting various documentation to
5 support the claims for this group of sites.

6 Q. Okay. So now moving on to the "to" line, the "to" line
7 is claims@feedingourfuturemn.org.

8 In the course of the investigation, have you seen
9 other emails to this what I'll call "claims" email address?

10 A. Yes, many.

11 Q. Many. What's your understanding of what the
12 claims@feedingourfuturemn.org email address is?

13 A. It's an email address at Feeding Our Future for the
14 specific use of having sites submit the various
15 documentation to support reimbursement claims that were then
16 processed, reviewed and submitted by Feeding Our Future.

17 Q. So I want to now jump down to the attachments that were
18 included on that original email address. And these are
19 what?

20 A. These are meal count sheets for Olive Management,
21 St. Cloud in the month of February of 2021.

22 Q. Okay. And is attaching these and submitting them part
23 of the routine process of submitting the paperwork that
24 we've talked about?

25 A. That is correct.

1 Q. Now I want to jump up to this top level email and walk
2 through that one.

3 First things first. Same attachment in both of
4 those emails?

5 A. That is correct.

6 Q. And same subject line. This time it's includes
7 "Forward"?

8 A. That is correct.

9 Q. Now, the dates of these emails are different. Can you
10 explain that to the jury?

11 A. Yeah, this is three days after the original email was
12 sent.

13 Q. Okay. And this email is from the TFS Auditors gmail
14 account?

15 A. That is correct.

16 Q. Same one that sent the original email?

17 A. Correct.

18 Q. It's to a different email address, though?

19 A. It is. This one goes to eidleh@feedingourfuturemn.org
20 as opposed to claims at Feeding Our Future.

21 Q. Okay. And who is Eidleh?

22 A. Abdikerm Eidleh was a Feeding Our Future staff member
23 who we heard about through numerous testimony already.

24 Q. Did Mr. Eidleh have a connection to Olive Management?

25 A. He did.

1 Q. What was that connection?

2 A. He received payments from the operator of that site.

3 Q. What were those payments for?

4 A. Kickback payments for participation within the food
5 program.

6 Q. I'd like to show you another email that has been marked
7 for identification, but not admitted, as E28.

8 Special Agent Wilmer, can you briefly tell us what
9 we're looking in this document?

10 A. This is an email correspondence from Abdulkadir Salah to
11 asia@feedingourfuturemn.org dated December 2nd of 2021.

12 MR. JACOBS: Your Honor, we'd offer Government's
13 Exhibit E28.

14 THE COURT: Any objection?

15 MR. COLICH: No objection.

16 MR. UDOIBOK: No objection.

17 THE COURT: E28 is admitted and may be published.

18 BY MR. JACOBS:

19 Q. All right. Special Agent Wilmer, I want to walk through
20 this email as well.

21 The last email we just looked at was from TFS
22 Auditors. Who is this email from?

23 A. Abdulkadir Salah.

24 Q. And who is Mr. Salah?

25 A. One of the owner-operators of TFS Auditors and a

1 defendant in this case, coowner of Safari Restaurant.

2 Q. Okay. And in this case he is emailing
3 asia@feedingourfuturemn.org?

4 A. That's correct.

5 Q. An employee of Feeding Our Future?

6 A. I assume so.

7 Q. The subject line of this email is what?

8 A. Olive Management.

9 Q. And the date of the email is what?

10 A. December 2nd of 2021.

11 Q. Okay. And this email has a couple of attachments, and
12 let's take a look at those.

13 Again, what are these attachments that were
14 submitted with the email?

15 A. These are meal count sheets for Olive Management,
16 St. Cloud for the month of November 2021.

17 Q. Those same meal count sheets that we have gone through
18 that were recovered from the Feeding Our Future office?

19 A. That's correct.

20 Q. Did Mr. Salah have a connection to Olive Management?

21 A. He did.

22 Q. What was that or explain to the jury what that
23 connection was?

24 A. Payments were made from Olive Management to Mr. Salah's
25 LLC entity.

1 Q. Now, you mentioned that Mr. Salah was also a coowner of
2 Safari Restaurant?

3 A. That is correct.

4 Q. Who did he coown Safari Restaurant with?

5 A. Salim Said, amongst others.

6 Q. Did Olive Management also make payments to the bank
7 account of Safari Restaurant?

8 A. They did.

9 Q. Showing you what's marked for identification as E21.
10 What is Government Exhibit E21?

11 A. This is an email correspondence from an Ibra Qabobe to
12 tfsauditors@gmail.com, date October 31st, 2021.

13 Q. Ibra, I-B-R-A, Q-A-B-O-B-E?

14 A. Correct.

15 Q. And again, it's to TFS Auditors?

16 A. That is correct.

17 Q. And the subject of this email, I'll only make you read
18 the first two words but Olive?

19 A. Olive MNG.

20 Q. Olive Management?

21 A. I would assume so.

22 Q. Now there's an attachment to this email that is a, it's
23 a file with .XLS. What's XLS?

24 A. That's an Excel file for Microsoft Excel.

25 Q. And for us nonsavvy computer users, what's an Excel

1 file?

2 A. It's a program within Microsoft that's generally used
3 for numerical data keeping.

4 Q. Okay.

5 A. It's easy to make tables and organize numerous data
6 entries.

7 Q. So I'm scrolling down here to the attachment. Can you
8 explain to the jury what we're seeing here?

9 A. This is a purported roster sent in support of a
10 reimbursement claim. We saw numerous rosters for varies
11 sites purporting to document the specific children that were
12 receiving the meals that were purportedly served.

13 MR. JACOBS: Your Honor, if I didn't move to admit
14 E21, I --

15 THE COURT: You have not.

16 MR. JACOBS: -- will do now.

17 THE COURT: Any objection?

18 MR. UDOIBOK: No objection.

19 MR. COLICH: No objection.

20 THE COURT: E21 is admitted.

21 BY MR. JACOBS:

22 Q. All right. Special Agent Wilmer, I realize we've been
23 talking and the jury hasn't been looking at what we've been
24 seeing, but hopefully they now know what an Excel
25 spreadsheet is. So go ahead and explain to them what we're

1 seeing in this Excel attachment?

2 A. This is a roster for Olive Management, St. Cloud,
3 purporting to document attendance for after-school program,
4 week one in September.

5 Q. At some point in the pendency of the food program, did
6 sites start submitting rosters with their claims?

7 A. Yes, they did.

8 Q. And what is your understanding of why they started to do
9 that?

10 A. To purportedly document the exact children receiving the
11 meals that they are claiming for reimbursement.

12 Q. Why was there a shift at some point between not
13 providing rosters to providing rosters?

14 A. Additional documentation was requested for claims due to
15 the scrutiny of claims coming in.

16 Q. Now, in the course of your investigation, did you review
17 lots and lots of rosters?

18 A. Yes, we did.

19 Q. What's significant about the rosters that were included
20 to support the claims that we're talking about?

21 A. Many of them appear to have fabricated names.

22 Q. Why do you say that?

23 A. Based on several reasons. One, the numbers just like
24 the meal counts seem absurd. The students or supposed
25 students included on these rosters do not match students

1 enrolled in public schools in the areas. Some rosters used
2 formulas within the Excel sheet to randomize ages.

3 Some rosters have used links to websites that
4 generate names. So many indicators that numerous rosters
5 and names used within these reimbursement claims were
6 fabricated to support the claims.

7 Q. It actually turns out it's harder than you think it
8 would be to get a list of two or three or five or six
9 thousand names?

10 A. It would be a time-consuming endeavor, to say the least.

11 Q. So I want to talk about this particular roster that was
12 submitted. And this one is for Olive Management, St. Cloud?

13 A. That's correct.

14 Q. And this roster purports to be for, for what?

15 A. After-school program attendance in September.

16 Q. Okay. First question: Does the Hormud Grocery and Deli
17 appear to be a location that 2,000 or 3,000 students could
18 attend an after-school program?

19 A. Definitely not.

20 Q. Why definitely not?

21 A. The size of the facility, the area that it's in, 2,000
22 students a day would be the equivalent of an extremely large
23 high school. I think we're all familiar with the size and
24 footprint of the facility to hold that many people.

25 And that's a far, drastically different from what

1 we see at the store front there.

2 Q. Okay. You mentioned a few other things about roster,
3 rosters that you've seen that raised your suspicion, and I
4 want to talk about how those relate to this particular one.
5 Okay?

6 A. Okay.

7 Q. The first thing, do you notice, and I'll flip through a
8 few pages, does any child ever miss two days in a row?

9 A. They do not.

10 Q. Was that significant to you?

11 A. It is.

12 Q. Why?

13 A. If a child was sick, went on vacation, there's numerous
14 reasons why a student would miss an extended period of time,
15 and to not have a single student out of a list of several
16 thousand for an entire month where that happened seems
17 unreasonable.

18 Q. Okay. Now I'm going back to the page 2 here, which is
19 the top of the roster. If you look on the first page of
20 this roster and the second page of this roster, there are a
21 couple Xs missing.

22 A. That is correct.

23 Q. If you go down to the third page, what do you notice?

24 A. There's no Xs missing.

25 Q. Fourth page?

1 A. No Xs missing.

2 Q. Fifth page?

3 A. No Xs missing.

4 Q. What's significant to you about that?

5 A. The first couple pages there is an X here or there
6 that's missing. And then as you continue to scroll, you see
7 not a single entry without an X in it. Suggests to me that
8 someone was likely deleting them single-handedly one at a
9 time and got tired of doing so at some point.

10 Q. Now, also taking a look at the names on this roster,
11 does it appear that the purported children on this roster
12 are sorted in any specific way?

13 A. Not that I can discern.

14 Q. It's not alphabetical?

15 A. It is not.

16 Q. By first name or last name?

17 A. No.

18 Q. What was significant to you when you saw that on this
19 and other rosters?

20 A. If that's how you are storing your roster, it would seem
21 very inefficient for marking attendance. As people come in,
22 you would have to sort through the entire list of names to
23 find, to document who's there and who's not.

24 Q. And again this is for September of 2021, when Olive
25 Management is purporting to serve 2,000 kids?

1 A. That's correct.

2 Q. How would you find an individual kid on a list of 2,000
3 if it's not sorted?

4 A. It would be very difficult.

5 Q. Special Agent Wilmer, we talked a bit about invoices
6 when you were looking through the meal claims, but I want to
7 talk more about invoices. Okay?

8 A. Okay.

9 Q. I'm pulling up what has been marked for identification
10 as Government Exhibit E11. What is this email?

11 A. This is an email message drafted by
12 salahdonyale@gmail.com, dated May 4th of 2021.

13 MR. JACOBS: Your Honor, we'd offer Government
14 Exhibit E11.

15 THE COURT: Any objection?

16 MR. UDOIBOK: No objection.

17 MR. COLICH: No objection.

18 THE COURT: E11 is admitted and may be published.

19 BY MR. JACOBS:

20 Q. All right. Special Agent Wilmer, Government Exhibit
21 E11. What do we see at the top here?

22 A. This email correspondence is from
23 salahdonyale@gmail.com, which is the personal email address
24 of Ahmed Omar-Hashim. Subject: Invoice, date of May 4th,
25 2021.

1 Q. Okay. So we talked about Omar Hashim a/k/a Salah
2 Donyale, but can you remind the jury who Mr. Donyale is?

3 A. Ahmed Omar-Hashim is the one who owns and operates Olive
4 Management Incorporated.

5 Q. Okay. And this email has a subject line Invoice?

6 A. That is correct.

7 Q. And the text of the email says, Invoice, March Invoice?

8 A. That is correct.

9 Q. And what is the -- you don't have to read it all, but
10 from a high level, what's the contents of the email?

11 A. This appears to be the same information that we've seen
12 documented on the previous invoices between Hormud Meat and
13 Grocery Market Incorporated and Olive Management
14 Incorporated that we've looked at. Below that, it would be
15 the line items that would be included on such an invoice.

16 Q. Okay. And although this claims to be a March invoice,
17 what is the date of the email?

18 A. This is May 4th of 2021.

19 Q. Pulling up what has been marked for identification as
20 Government E12. What is this document?

21 A. This is an email correspondence from TFS Auditors at
22 gmail to Abdulkadir Salah, date May 4th, 2021.

23 Q. Okay. So similar in time to the email that we just saw?

24 A. Yes.

25 Q. And the subject line is?

1 A. Forward Revised Hormud Invoice.

2 Q. From TFS Auditors to whom?

3 A. To Abdulkadir Salah.

4 Q. And the text in the body of this email is what?

5 A. "How is this one."

6 Q. And what do we now see attached to that invoice?

7 A. This is an invoice from Hormud Meat and Grocery Inc.,
8 billed to Olive Management Incorporated.

9 Q. Okay. And the date of this invoice is what?

10 MR. JACOBS: Your Honor, I would offer Government
11 E12.

12 MR. COLICH: Your Honor, could we have a sidebar?

13 THE COURT: You may.

14 **(Sidebar discussion)**

15 THE COURT: Mr. Colich.

16 MR. COLICH: Your Honor, Mr. Said has just
17 indicated to us that his prayer time was at 3:00 -- 3:19?
18 3:19.

19 THE COURT: Yeah, I'm keeping track of it. Thank
20 you. I was going to break at about 3:10. Sorry. Thank
21 you.

22 **(In open court)**

23 THE COURT: E12 is admitted.

24 BY MR. JACOBS:

25 Q. Okay. That will be the last one that I belatedly offer.

1 Now that the jury can see what we're talking about, let me
2 just go back quickly and highlight the text in the body of
3 this email is what?

4 A. "How is this one."

5 Q. Okay. And just to reiterate, the date of this email is
6 similar in time to the invoice that we just saw, to the
7 email that we just saw?

8 A. Similar to the email we just saw, correct.

9 Q. And if we go down to the attachment, what are we looking
10 at here?

11 A. This is a March invoice between Hormud Meat and Grocery
12 Incorporated billed to Olive Management Incorporated.

13 Q. Okay. So purportedly an invoice for March?

14 A. Correct.

15 Q. Purportedly from Hormud Meat and Grocery?

16 A. Correct.

17 Q. Purportedly to Olive Management?

18 A. Correct.

19 Q. Let me ask first. Does it appear that Hormud Meat and
20 Grocery made this invoice?

21 A. Not to me.

22 Q. Why not?

23 A. It appears that this matches the items in the email
24 draft we saw previously from Ahmed Omar-Hashim, which would
25 indicate likely he made this invoice.

1 Q. Fabricating and back dating the invoice?

2 A. Yes.

3 Q. Showing you what has been marked for identification, but
4 not admitted, as Government Exhibit E8. What is this email?

5 A. This is an email correspondence from Abdi Salah, email
6 address abdisalah7@gmail.com to a Paul Poncin,
7 pponcin@21stcb.com, dated March 31st, 2021.

8 MR. JACOBS: Your Honor, we offer Government
9 Exhibit E8.

10 THE COURT: Any objection?

11 MR. COLICH: No objection.

12 MR. UDOIBOK: No objection.

13 THE COURT: E8 is admitted and may be published.

14 BY MR. JACOBS:

15 Q. All right. Government Exhibit E8 is a long email
16 string, so I want to start at the bottom, but first let's
17 just orient the jury about who this email string is between.

18 A. Abdi Salah is Abdulkadir Salah's brother and a defendant
19 in this case.

20 Q. And Paul Poncin, his email address is @21stcb?

21 A. Yeah, he's a vice president of commercial banking.

22 Q. So let's go down, and that's at 21st Century Bank?

23 A. Correct.

24 Q. Okay. If we go down to the very original email, the,
25 this is on March 26th of 2021, and it's from someone at,

1 with an email address @cushwake?

2 A. That's correct. I believe it's short for Cushman &
3 Wakefield.

4 Q. And what is Cushman & Wakefield?

5 A. I don't know the exact description.

6 Q. They work in commercial property?

7 A. That is correct.

8 Q. And it's to Abdi Salah?

9 A. That is correct.

10 Q. And there's a subject line. What is that?

11 A. 2600 East 26th Street, LOI.

12 Q. LOI, letter of intent?

13 A. I assume so.

14 Q. So if we look at the attachment, what does this appear
15 to be talking about?

16 A. A potential purchase of commercial property at 2600 East
17 26th Street, Minneapolis.

18 Q. Okay. Did, for lack of a better word, the Safari group
19 end up making a purchase of commercial property at some
20 point?

21 A. They did.

22 Q. What was that?

23 A. 2722 Park Avenue.

24 Q. And can you again explain to the jury what 2722 Park
25 Avenue ended up being for the Safari group?

1 A. A meeting location where many records were brought
2 together from various sites related to them.

3 Q. And moving up the email chain, we now have an email from
4 Mr. Donyale, and it says, "Attached is bank statements, both
5 business and personal, and three years tax returns."

6 A. Correct.

7 MR. JACOBS: Your Honor, if it's permissible, I
8 could pick this up after the break.

9 THE COURT: Makes sense things. Thanks.

10 We'll return at 3:30 and take our afternoon break
11 now.

12 3:11 p.m.

13 **IN OPEN COURT**

14 **(JURY NOT PRESENT)**

15 THE COURT: All right, everyone. We're in recess.

16 Is 3:30 sufficient? All right.

17 We'll return at 3:30. Thanks, everybody.

18 (Recess taken at 3:11 p.m. till 3:31 p.m.)

19 3:31 p.m.

20 **IN OPEN COURT**

21 **(JURY PRESENT)**

22 THE COURT: You may all be seated.

23 Mr. Jacobs, you may continue.

24 MR. JACOBS: Thank you, Your Honor.

25

1 BY MR. JACOBS:

2 Q. Special Agent Wilmer, when we left off, we were going in
3 reverse chronological order of this email Government
4 Exhibit E8. Do you remember that?

5 A. I do.

6 Q. Okay. And we were talking about commercial property,
7 looking at commercial property and putting together
8 information for the purchase of commercial property.

9 A. That's correct.

10 Q. So moving, again, up the email, we see an email from
11 Paul Poncin who appears to be some kind of broker?

12 A. Correct.

13 Q. Okay. And he's emailing Mr. Salah. Can you read that
14 email?

15 A. "Can you tell me what Total Financial Solutions is? How
16 does it generate revenue? What is Olive Management
17 Incorporated? What do they do to generate revenue? We
18 still need to gather personal statements, personal taxes and
19 the business taxes for Total Financial and Olive Management
20 are incomplete. We will need budget forecasts as well.
21 Monthly payments on this building will be about 10,500 a
22 month. What is the budget to pay this?"

23 Q. Okay. So this appears to be some kind of due diligence
24 for the purchase of commercial property?

25 A. Correct.

1 Q. And to be clear, the Safari group made a purchase of
2 commercial property?

3 A. They did.

4 Q. For that purchase, did they finance it or did they pay
5 in cash?

6 A. Paid in cash.

7 Q. So moving up to this top line email from Abdi Salah in
8 response, I want to walk through a few of these lines.
9 Okay. First the top paragraph. It says, "Total Financial
10 Solutions is an accounting firm."

11 A. Correct.

12 Q. Based on your investigation, is that correct?

13 A. Seems fairly accurate.

14 Q. Okay. In addition to doing accounting, did they have a
15 more specific role in the federal food program?

16 A. Within the food program, they operated as a gatherer and
17 submitter for a lot of paperwork for various food sites.

18 Q. Okay. Moving on, the third line says or the second line
19 says, "Olive Management is a food management company. They
20 generate revenue by providing food products, restaurant
21 equipment, logistics, training culinary art professionals,
22 efficiency in service delivery to a range of clients,
23 including restaurants, nonprofits and other vendors."

24 Based on your investigation, is that description
25 of Olive Management correct?

1 A. No.

2 Q. Why not?

3 A. Through review of bank records, talking to witnesses,
4 I've seen no evidence to support that statement. It seems
5 to be a misrepresentation.

6 Q. Have you ever seen any evidence of Olive Management
7 training culinary art professionals?

8 A. I have not.

9 Q. Or doing restaurant equipment or logistics?

10 A. I have not.

11 Q. In fact, have you seen anything suggesting Olive
12 Management does anything but participate in the federal food
13 program?

14 A. I have not.

15 Q. Okay. Moving on to the second paragraph, this seems to
16 be in response for how they are going to pay for the
17 building.

18 "We are still gathering all the documents you
19 requested. The budget to pay for the building cost will
20 include leases from Total Financial Solutions, Olive
21 Management, Tunyar LLC, and Stonebridge Development."

22 What are all of these four entities that are
23 purportedly going to pay for the building cost?

24 A. Total Financial Solutions had some previous business
25 activity. The other three are shell companies created and

1 used for food sites within the Federal Child Nutrition
2 Program all related to the defendants in this case. So I
3 would say all four of these are tied to defendants in this
4 case and were used in various roles to facilitate this fraud
5 scheme.

6 Q. Was there any evidence that Olive Management actually
7 maintained a physical office location?

8 A. Not that I'm aware of.

9 Q. Now, we're talking about Olive Management. I want to
10 talk for a minute about the finances of Olive Management.
11 Okay?

12 A. Okay.

13 Q. Now, the jury will hear testimony from a forensic
14 accountant later in more detail, but I want to walk through
15 a few pertinent pieces relating to their finances.

16 I'm showing you what has been admitted into
17 evidence as Government Exhibit W34. And remind the jury
18 what we're seeing in W34?

19 A. This is a business account application through Wells
20 Fargo for Olive Management Incorporated.

21 Q. Okay. And just as a reminder, the date that this
22 account was opened is when?

23 A. September 8th of 2020.

24 Q. And remind the jury when that falls relating to when the
25 company started?

1 A. One day after they filed with the Secretary of State of
2 Minnesota.

3 Q. Okay. So you just read off a description of Olive
4 Management a moment ago from that previous email. Do you
5 remember that?

6 A. I do.

7 Q. Where did you see nearly all of the money coming into
8 Olive Management come from?

9 A. Through the Federal Child Nutrition Program as
10 reimbursement payments, routed through Feeding Our Future.

11 Q. So jumping ahead to page 128, this is a first check from
12 Feeding Our Future going to the Olive Management account,
13 right?

14 A. That is correct.

15 Q. And what do we see here?

16 A. This is a check from Feeding Our Future, dated
17 December 29th of 2020 to Olive Management Incorporated for
18 over a million dollars.

19 Q. Another one here?

20 A. This is another check from Feeding Our Future to Olive
21 Management Incorporated, just a couple weeks later, for over
22 half a million dollars.

23 Q. Two weeks later, another check for over half a million?

24 A. That is correct.

25 Q. And another one?

1 A. And just a couple weeks later, an additional check from
2 Feeding Our Future to Olive Management Incorporated for over
3 \$571,000.

4 Q. Now, I won't take you through page by page, but if we
5 did that, what else would we see?

6 A. That they received over \$5 million in reimbursement
7 funds.

8 Q. I want to talk a little bit about where that money went,
9 and again, we'll hear from a forensic accountant more about
10 that. But I want to pull up page 176.

11 This is another check, correct?

12 A. It is.

13 Q. And this is paid to the order of Salim Limited LLC.

14 A. That is correct.

15 Q. What is Salim Limited?

16 A. An entity created and controlled by Salim Said. It was
17 used within this fraud scheme to receive fraudulent
18 proceeds.

19 Q. And how much is this check for?

20 A. \$313,000.

21 Q. And the date on this check is what?

22 A. January 18th of 2021.

23 Q. And how does that correspond to the large Feeding Our
24 Future checks that we just saw coming into this account?

25 A. This is within weeks of the first giant check from

1 Feeding Our Future into the Olive Management account.

2 Q. Okay. Jumping ahead a little bit, what about this
3 check?

4 A. This is an additional check in the mid February of 2021,
5 \$80,000 from Olive Management Incorporated to Salim Limited
6 LLC.

7 Q. Jumping to page 202. What do we see?

8 A. Roughly a week later, another check from Olive
9 Management Incorporated to Salim Limited LLC for \$229,000.

10 Q. I'm pulling up what is marked for identification but not
11 admitted as Government Exhibit E10.

12 Special Agent Wilmer, what is Government E10?

13 A. This is an email correspondence between Abdikadir
14 Mohamud and Salim Said, dated May4th of 2021.

15 MR. JACOBS: Your Honor, the government offers
16 Exhibit E10.

17 THE COURT: Any objection?

18 MR. COLICH: No objection.

19 THE COURT: E10 is admitted and may be published.

20 BY MR. JACOBS:

21 Q. Special Agent Wilmer, can you tell the jury the details
22 of what they're looking at in this particular email?

23 A. Yeah, this is an email correspondence from
24 amohamud15@gmail.com to salimsaid4040@gmail.com. That's
25 Abdikadir Mohamud and Salim Said, both defendants. Subject:

1 Forward Olive Management Consulting Agreement dated May 4th
2 of 2021, with an attachment.

3 Q. Okay. Attachment's consulting agreement?

4 A. That is correct.

5 Q. Okay. And going to the first page of that attachment,
6 you see a document titled Consulting Agreement?

7 A. That is correct.

8 Q. Does this look familiar to you?

9 A. It does.

10 Q. What is it familiar to?

11 A. This is very similar to the consulting agreements that
12 we've seen for previous entities, such as the
13 Willmar/Mankato sites.

14 Q. And are those entities' consulting agreements between
15 Salim Limited and a client?

16 A. That is correct.

17 Q. In this case the client is what?

18 A. Olive Management.

19 Q. Okay. And I'm going to go down to the services
20 provided. Can you read that off the bullet point?

21 A. "Services will include analyzing client needs and
22 current business obstacles, identifying projects, scoping
23 potential business solutions, and improving sales by
24 coordinating sales efforts with both inside and field sales
25 representatives."

1 Q. Based on your investigation, did Salim Limited provide
2 those services to Olive Management?

3 A. No.

4 Q. Is this a signed copy of the management agreement or the
5 consulting agreement?

6 A. It is not.

7 Q. Did we see many -- how many consulting agreements have
8 we seen in this case?

9 A. Numerous.

10 Q. And in your experience, what have the consulting
11 agreements been used for?

12 A. To give reason for the large payments between the
13 entities involved in this fraud scheme.

14 Q. I'm going to go back to the bank statement and go to
15 Government Exhibit W34.

16 Okay. I'm jumping ahead in the Olive Management
17 bank statements to page 177. This is another check written
18 from the Olive Management account; is that right?

19 A. That is correct.

20 Q. And who is this paid to?

21 A. This is to Eidleh Inc.

22 Q. And what is Eidleh Inc.?

23 A. That is an entity created and controlled by Abdikerm
24 Eidleh and used to receive numerous kickback payments from
25 various sites under the sponsorship of Feeding Our Future.

1 Q. Based on the investigation, did Mr. Eidleh use
2 consulting agreements to accept kickbacks or other money?

3 A. He did.

4 Q. Can you tell the jury about them?

5 A. He used consulting agreements or wrote similar
6 descriptions on memo lines of checks for various food sites
7 that he received kickback payments from, and those kickback
8 were paid for their fraudulent participation in the Federal
9 Child Nutrition Program under the sponsorship of Feeding Our
10 Future.

11 Q. And again, what's the date of this check from Olive
12 Management to Eidleh Inc.?

13 A. January 18th of 2021.

14 Q. How does that relate to that first big check that we saw
15 from Feeding Our Future?

16 A. This is less than a month after Olive Management
17 received their first large reimbursement payment from
18 Feeding Our Future.

19 Q. Are you aware of how much money total Salim Limited
20 received from Olive Management?

21 A. Of the roughly \$6 million that went into the Olive
22 Management account, over 1.2 million was paid directly to
23 Salim Limited LLC.

24 Q. Okay. And when we're talking about Olive Management,
25 during the twelve-month period that Olive Management

1 submitted claims for the federal food program, September of
2 2020 to September of 2021, how much money was paid out based
3 on those claims?

4 A. Over \$5 million.

5 Q. And how many meals did they purport to serve based on
6 those meal counts that we walked through in detail earlier?

7 A. Over 1.6 million meals.

8 Q. Over the course of a year?

9 A. Correct.

10 Q. Okay. So that is Olive Management, a site in St. Cloud.

11 Are you familiar with another site located in
12 St. Cloud?

13 A. I am.

14 Q. What site is that?

15 A. Stigma-Free International, St. Cloud.

16 Q. Now, we talked pretty extensively about Stigma-Free
17 yesterday, but can you briefly explain to the jury what
18 Stigma-Free is?

19 A. It's a nonprofit entity that was taken over, received by
20 individuals in this fraud scheme and used to facilitate
21 multiple sites under the sponsorship of Feeding Our Future
22 after rule changes came out that required the use of a
23 nonprofit entity.

24 Q. Okay. And about when did those rule changes happen?

25 A. Fall of 2020.

1 Q. So that was during the pendency of when Olive Management
2 was submitting claims?

3 A. That is correct.

4 Q. Now I want to talk about Stigma-Free, St. Cloud, and I'm
5 pulling up what has been marked for identification as
6 Government Exhibit J1. Recognize this document?

7 A. I do.

8 Q. What is it?

9 A. This is an email correspondence between Aimee Bock and
10 MDE, dated December 30, 2020.

11 MR. JACOBS: Your Honor, I offer Government
12 Exhibit J1.

13 THE COURT: Any objection?

14 MR. UDOIBOK: No objection.

15 MR. COLICH: No objection.

16 THE COURT: J1 is admitted.

17 BY MR. JACOBS:

18 Q. Okay. So email is from Aimee Bock, and it's to MDE?

19 A. Correct.

20 Q. And what's the subject?

21 A. This is a site ID request, Stigma-Free International,
22 St. Cloud.

23 Q. Okay. And the date is December 30, 2020?

24 A. That is correct.

25 Q. Okay. And moving down to the attachments, what do we

1 see here on the second page?

2 A. This is the MDE form for site identification request,
3 add, change or look up a site in the CLiCS system.

4 Q. Okay. And in this particular application under site
5 information, what is the site name?

6 A. Stigma-Free International, St. Cloud.

7 Q. And the site address?

8 A. 3358 Division Street, St. Cloud, Minnesota.

9 Q. What is 3358 Division Street?

10 A. Directly adjacent to 3360 and 3361 Division Street, a
11 small trip mall in St. Cloud that we just discussed.

12 Q. In that location is there any kind of -- apart from the
13 Hormud Grocery and Deli, which is the site of, the site that
14 we just talked about, is there any other restaurant in that
15 location?

16 A. No.

17 Q. Okay. Now, if we move down to the site ID request, in
18 check type of site, here what site, what type of site is
19 checked?

20 A. On this form, it's notated as nonprofit.

21 Q. Okay. And why is that? Is that the correct type of
22 site?

23 A. It is.

24 Q. Because in this case who is the, who's applying for a
25 site?

1 A. In this case it's connected to Stigma-Free
2 International.

3 Q. Pulling up what has been marked for identification as
4 J2. Special Agent Wilmer, what is J2?

5 A. This is email correspondence between Aimee Bock and
6 Hadith Ahmed, dated February 21st of 2021.

7 MR. JACOBS: Your Honor, we'd offer J2.

8 THE COURT: Any objection?

9 MR. COLICH: No objection, Your Honor.

10 MR. UDOIBOK: No objection.

11 THE COURT: J2 is admitted.

12 BY MR. JACOBS:

13 Q. All right. Special Agent Wilmer, there are three emails
14 in this exhibit, so I want to start at the bottom.

15 And can you read this bottom email to the jury?

16 A. Email correspondence from Aimee Bock to FOF office
17 staff, February 19th of 2021, subject: Stigma-Free,
18 St. Cloud. "This site's application moved to Step 2. If
19 they have not started serving, please train them and have
20 them start. They can serve supper and snack and will need
21 to take attendance. Aimee Bock."

22 Q. Okay. So according to this email from Ms. Bock, she is
23 saying if they have not started serving, please train them
24 and have them start?

25 A. That's correct.

1 Q. What's significant about that?

2 A. This would, it would I assume come after the approval
3 for the site ID request has been received, and they are
4 given the green light from Feeding Our Future to begin
5 serving and claiming meals.

6 Q. Okay. And then there's a response here from someone
7 named Reyna at Feeding Our Future to Ms. Bock. And can you
8 read that email to the jury?

9 A. "I don't find nothing under the name, and address is
10 Savers Donation Center."

11 Q. Okay. "I don't find nothing under the name, and address
12 is Savers Donation Center."

13 A. That's correct.

14 Q. Is the address literally a Savers Donation Center in
15 that strip mall?

16 A. There is a Savers Donation Center in that strip mall.
17 The particular numerical address they used does not
18 correspond to a building suite in that strip center.

19 Q. Okay. And then the top email is from, this is a
20 forwarding of the email down below from Ms. Bock to Hadith
21 Ahmed. Who is Hadith Ahmed?

22 A. He is a former Feeding Our Future employee.

23 Q. Okay. And Ms. Bock says what?

24 A. "This is Suad's site."

25 Q. Now, eventually does Stigma-Free, St. Cloud change the

1 location of their purported food distribution site?

2 A. Yes, they do.

3 Q. And I'm pulling up what has been marked, but not
4 admitted, as Government's M5. What is the email in
5 Government Exhibit M5?

6 A. This is an email correspondence from Abdulkadir Salah to
7 himself, subject: Sites, dated November 4th of 2021.

8 MR. JACOBS: Your Honor, we'd offer M5.

9 THE COURT: Any objection?

10 MR. UDOIBOK: No objection.

11 MR. COLICH: No objection.

12 THE COURT: M5 is admitted.

13 BY MR. JACOBS:

14 Q. Okay. So this is a November 2021 email that has
15 attachment Sites?

16 A. Correct.

17 Q. If you go down to the attachment, what does the sites
18 attachment list?

19 A. It lists addresses and nonprofits associated with given
20 site names.

21 Q. Okay. Is there any common thread between all these
22 sites included in this attachment?

23 A. These are all under the nonprofit Feeding Our Future,
24 Bet on Better Future, and many of these are tied to
25 defendants in this case.

1 Q. Okay. Part of the, many are part of the Safari group
2 we've heard?

3 A. Correct.

4 Q. At the top, we see Safari Restaurant, ASA, Brava
5 Restaurant and then Olive Management?

6 A. Correct.

7 Q. That lists Division Street in St. Cloud?

8 A. Misspelled, but I assume it's the same.

9 Q. Okay. And then if we go down three up from the bottom,
10 we see Stigma-Free, St. Cloud?

11 A. That is correct.

12 Q. And what's the address listed there?

13 A. 413 Ninth Avenue North, St. Cloud, Minnesota.

14 Q. Okay. And what is actually at that address?

15 A. Hormud II. It's a stand-alone grocery/restaurant small
16 building.

17 Q. I'm showing you what has been marked for identification
18 as J36.

19 Do you recognize these photos?

20 A. I do.

21 Q. What are they?

22 A. This is the business at that address we just discussed.

23 MR. JACOBS: Your Honor, we'd offer Government
24 Exhibit J36.

25 MR. COLICH: No objection.

1 MR. UDOIBOK: No objection.

2 THE COURT: J36 is admitted.

3 BY MR. JACOBS:

4 Q. Special Agent Wilmer, now that the jury can see these
5 photos in front of them, can you explain what we're looking
6 at here?

7 A. This is that address we just saw from the previous Excel
8 table. Hormud Restaurant II is the name on the side,
9 outside of the building.

10 Q. Okay. So the site for Olive Management is Hormud I?

11 A. Correct.

12 Q. And the site for Stigma-Free, St. Cloud is?

13 A. Hormud Restaurant II.

14 Q. Okay. Can you describe this restaurant, and I'm going
15 to flip through these photos, to the jury?

16 A. Small stand-alone, two story building in St. Cloud, not
17 connected to a large strip center, modest parking area
18 around it on a fairly small street.

19 Q. Okay. Now we just looked at an email from the end of
20 February talking about Stigma-Free, St. Cloud moving to
21 Step 2. Do you remember that?

22 A. I do.

23 Q. I want to pull up what has already been admitted into
24 evidence as Government Exhibit J31.

25 What is Government Exhibit J31?

1 A. This is a digital copy of a folder obtained at the
2 Feeding Our Future search warrant, labeled FY21 March,
3 Stigma-Free International, St. Cloud.

4 Q. Okay. So these are meal claims from March for
5 Stigma-Free, St. Cloud?

6 A. Yes.

7 Q. Now, I'm looking at the first page, which is the week of
8 February 28th. Can you tell the jury what they're seeing
9 here?

10 A. This is a Feeding Our Future meal count form for the
11 site Stigma-Free International, St. Cloud, the week of
12 February 28th, so the first day with meals notated being
13 March 1st. Documented for purported supper and snack, 2,000
14 of each prepared and served every day of the week, signed
15 offer AO Supervisor Ahmed Omar.

16 Q. Do you know who AO is, Ahmed Omar?

17 A. I assume Ahmed Omar-Hashim.

18 Q. What is his connection to Stigma-Free, St. Cloud?

19 A. Defendant in this case, tied to Olive Management, also
20 in St. Cloud.

21 Q. But to be clear, this is a different site from Olive
22 Management?

23 A. Purportedly a different site and a separate meal
24 reimbursement claim.

25 Q. And I'm flipping through now the week of March 7th and

1 March 14th and March 21st.

2 What is significant about these meal counts now
3 for Stigma-Free International, St. Cloud?

4 A. Exactly 2,000 suppers and snacks prepared and served
5 every single day.

6 Q. Okay. What is your reaction looking at these meal
7 counts?

8 A. They seem to be fake, fabricated meal counts that don't
9 reflect what actually took place.

10 Q. Jumping forward a month to what has already been
11 admitted as Government's J32. What are these?

12 A. This is a folder, similarly a digital copy of a folder
13 seized during the search warrant of Feeding Our Future for
14 Stigma-Free International, St. Cloud, labeled FY21 April.

15 The note on the outside, it says, "Good to go."

16 Q. Okay. And again I'm going to flip through these meal
17 counts. And what is your reaction to seeing these April
18 meal counts?

19 A. They are too perfect. Exactly 2,000 suppers and snacks
20 purportedly prepared and served every single day with the
21 same person, a supervisor signing off every single day for
22 the month of April.

23 Q. And J33, which is already in evidence?

24 A. Correct. This is a digital copy of a similar meal count
25 or meal submission folder for the month of May 21st,

1 Stigma-Free International, St. Cloud.

2 Q. Okay. Here on, under the site name what does it say in
3 these handwritten notes?

4 A. There appears to be check marks notating receipts, menu
5 and attention.

6 Q. And what are the written comments?

7 A. There is a written comment, "On CP." Another written
8 comment saying, "Missing receipts," and what appears to say,
9 "264K \$."

10 Q. And again here we have, we're talking about May claims;
11 is that right?

12 A. That is what the folder purports to document.

13 Q. And here if we look at the menu, what does the menu say?

14 A. June, July, 2021, Stigma-Free International
15 Incorporated, 413 Ninth Avenue North, St. Cloud, Minnesota.

16 Q. So, again, flipping through the first week of May,
17 second week of May, third week of May. What do we see?

18 A. Again, for the month of May almost every similar day
19 exactly 2,000 meals prepared and served both supper and
20 snack except for one day where it appears that a zero was
21 left off the prepared line.

22 Q. Now interestingly, I'm going to pull up the number of
23 children requesting meals once food is gone. For this site
24 in St. Cloud, how many children are requesting meals once
25 the food is gone?

1 A. Zero. It appears to be a perfectly efficient operation.

2 Q. There's never a kid requesting food once it's gone?

3 A. Never.

4 Q. How does that compare to the other site we saw in
5 St. Cloud?

6 A. There was kids roughly between 50 and 80 most days
7 requesting food after it was gone every single day according
8 to the meal count.

9 Q. And in here, actually, well, we just see perfection,
10 right?

11 A. That is correct.

12 Q. Can you tell the jury what's significant about that?

13 A. Based on our investigation, talking to people who have
14 significant amount of experience in this field, such
15 perfection does not exist.

16 Q. Now, we just walked through meal count claims
17 submissions for March 2021, April 2021 and May of 2021. Did
18 this site submit claims for the summer months?

19 A. They did not.

20 Q. Why or explain to the jury what is different about the
21 claims we just looked at versus the summer months?

22 A. Again, as we discussed earlier, during the summer months
23 claims would be processed through SFSP, the Summer Food
24 Service Program, as opposed to CACFP.

25 This site did not submit claims through that

1 program heading.

2 Q. So it's a different program?

3 A. Correct.

4 Q. Okay. Jumping ahead to what is already admitted into
5 evidence as Government Exhibit J34.

6 What are we looking at here?

7 A. This is the digital copy of a folder obtained for
8 Stigma-Free, St. Cloud, FY22 December. Again, from the
9 Feeding Our Future search warrant.

10 Q. Okay. And to be clear, we're jumping ahead to December,
11 but were there claims for September, October, November?

12 A. There were.

13 Q. Now going through the December claims, first week of
14 December, second week, third week, fourth week, what do you
15 notice?

16 A. For the month of December 2021 for Stigma-Free,
17 St. Cloud, again claiming purported distribution of supper
18 and snack each day, however now although the number is very
19 close to 2,000 prepared and served each day, there is slight
20 variation through both lines every single day, as well as a
21 small number of children requesting meals after food is gone
22 every single day.

23 Q. That's every day in December?

24 A. That is correct.

25 Q. Christmas Eve?

1 A. Christmas Eve, New Year's Eve, Christmas Day, every
2 single day.

3 Q. Okay. So those are the claims that were recovered from
4 the office of Feeding Our Future. I want to similarly talk
5 about how those claims were submitted. Okay?

6 A. Sounds good.

7 Q. So I'm pulling up what is marked for identification as
8 Government J4. What is Government J4?

9 A. This is an email correspondence from Farhiyo Moalin's
10 email address at TSF to tsfauditors@gmail.com, dated
11 June 18th of 2021.

12 MR. JACOBS: Your Honor, I offer government J4.

13 THE COURT: Any objection?

14 MR. UDOIBOK: No objection.

15 THE COURT: J4 is admitted.

16 BY MR. JACOBS:

17 Q. All right. Special Agent Wilmer, I'd like to walk
18 through this email header. First of all, the email is from
19 someone named Farhiyo Moalin, with an email address
20 farihiyo.tsf@gmail.com. First off, what's TSF?

21 A. That is the TSF business, previous accounting firm that
22 was used for the generation of paperwork within this fraud
23 scheme.

24 Q. And who is Farhiyo Moalin?

25 A. An employee of that company.

1 Q. Okay. The subject here is Meal Count 2021 for March,
2 April and May?

3 A. That is correct.

4 Q. Those are three of the months that we just looked at?

5 A. That is correct.

6 Q. And these contain the actual meal counts that we just
7 went through, right?

8 A. They do.

9 Q. They also contain some invoices, right?

10 A. Correct.

11 Q. This one's from -- well, you tell me.

12 A. It's a misspelled version of Premium Fresh Produce LLC.
13 We've seen invoices from this same company title from
14 previous testimony that we've walked through in this trial.

15 Q. From Premuim Fresh?

16 A. Correct.

17 Q. And have we heard testimony about the authenticity of
18 these invoices?

19 A. We have.

20 Q. And what was that testimony?

21 A. That these invoices were generated at the 2722 Park
22 location for submission and support reimbursement claims
23 through sites related to Safari and defendants in this case.

24 Q. Okay. Moving on to page 8, we see an invoice from who?

25 A. Hormud Meat and Grocery Incorporated.

1 Q. And we've already, we just looked at some invoices from
2 Hormud Meat and Grocery for Olive Management. Who is this
3 one billed to?

4 A. This one is for Stigma-Free International Incorporated.

5 Q. And I want to talk for a second about the top line item
6 there, which is occupancy charges for April 2021. Is the
7 concept of occupancy charges something that you came across
8 in the course of your investigation?

9 A. It is.

10 Q. Can you tell the jury about that?

11 A. For several sites, including St. Cloud, Willmar, we've
12 found that these entities that were created and then began
13 participating in the food program overnight as brand-new
14 entities not surprisingly didn't have their own commercial
15 space or restaurant to use, so they would use that of a
16 business that already existed, hence FaaFan Restaurant,
17 Hormud Meat and Grocery.

18 And then they would pay significant amounts of
19 money each month for the use of these store fronts as part
20 of their food distribution sites.

21 Q. So we heard about the FaaFan Restaurant in Willmar
22 earlier today, right?

23 A. That is correct.

24 Q. Did the owners of FaaFan receive occupancy charges?

25 A. They did.

1 Q. How much?

2 A. Upwards of 40 or 50 thousand dollars a month.

3 Q. For that location on the main street in Willmar?

4 A. That's correct.

5 Q. Now, we saw a little while ago that Hormud Meat and
6 Grocery invoices had been backdated?

7 A. That's correct.

8 Q. Same with this one?

9 A. It appears so.

10 Q. Pulling up what's marked for identification as
11 Government J3. What is this email?

12 A. This is again an email draft within the
13 salahdonyale@gmail.com account, dated June 14th of 2021.

14 MR. JACOBS: Your Honor, we'd offer Government
15 Exhibit J3.

16 THE COURT: Any objection?

17 MR. UDOIBOK: No objection, Your Honor.

18 THE COURT: J3 is admitted.

19 BY MR. JACOBS:

20 Q. All right. Special Agent Wilmer, go ahead and tell the
21 jury what we are seeing in this email.

22 A. Similar to the one we looked at earlier, this is an
23 email draft in salahdonyale@gmail.com to the personal email
24 account of Ahmed Omar-Hashim, and in the body of that email
25 dated June 14th, 2021, we see a note to create an invoice

1 for Stigma-Free International Incorporated from Hormud
2 Grocery, and then it list the items and information you
3 might expect to see in such invoices from March, April and
4 May to include occupancy charges, food and grocery charges
5 and trucking charges and labor charges for April.

6 Q. Okay. And that, those are the same numbers that appear
7 in the invoices for the submissions we just looked at?

8 A. That is correct.

9 Q. I'm pull up Government Exhibit J5 which is marked for
10 identification.

11 Your Honor, we'd offer Government J5?

12 MR. COLICH: No objection, Your Honor.

13 THE COURT: Any objection?

14 MR. UDOIBOK: No.

15 THE COURT: All right. J5 is admitted.

16 MR. JACOBS: All right.

17 Special Agent Wilmer, this is an email from who?

18 THE WITNESS: Stigma-freemn1@gmail.com to claims
19 at Feeding Our Future and Suad at Feeding Our Future.

20 BY MR. JACOBS:

21 Q. Okay. So this is the actual submission of the claims to
22 Feeding Our Future?

23 A. That is correct.

24 Q. What's your understanding of what that claims email was
25 used for?

1 A. Claims email is a way for Feeding Our Future to have
2 sites submit digital documentation to them to support their
3 reimbursement claims for Feeding Our Future to review,
4 verify and then submit to MDE.

5 Q. And based on the investigation, do you know who has
6 access to that email address?

7 A. I don't know every single person, but it's my
8 understanding that Aimee, as well as some other staff, have
9 access to that.

10 Q. Jumping ahead to page 135, here we see that backdated
11 invoice that we just saw the creation of. It's now included
12 in the claims submission; is that right?

13 A. That is correct.

14 Q. Showing you what has been marked for identification as
15 Government J10. What is this email?

16 A. This is an email correspondence again from the
17 stigma-freemnl@gmail.com account to
18 claims@feedingourfuturemn.org, dated October 8th of 2021.

19 MR. JACOBS: Your Honor, we'd offer Government
20 J10.

21 THE COURT: Any objection?

22 MR. COLICH: No objection.

23 MR. UDOIBOK: No objection.

24 THE COURT: It is admitted.

25 MR. JACOBS: Thank you, Your Honor.

1 BY MR. JACOBS:

2 Q. So this is another email from the same, from the same
3 email account to the same email account; is that right?

4 A. That is correct.

5 Q. From Stigma-Free MN1?

6 A. Correct.

7 Q. To claims at Feeding Our Future?

8 A. That's correct.

9 Q. And this particular email attaches what or submits what?

10 A. There appears to be two separate attachments.

11 Q. And scrolling down, what do we see here?

12 A. The first one are meal count sheets for September 2021,
13 documenting approximately 2,000 suppers and snacks prepared
14 and served each day. However, the site name is blank.

15 Q. Okay. And these particular meal counts look a little
16 bit different from the March, April, May meal counts; fair
17 to say?

18 A. Fair to say.

19 Q. With generally what are some of those differences?

20 A. There's slight variations in the entries, as well as
21 supervisor listed. Similar quantities each day, but slight
22 variations between the two.

23 Q. But these September invoices pick up after a break from
24 the summer?

25 A. That is correct.

1 Q. All right. Showing you what has been marked for
2 identification as Government J11.

3 Your Honor, we'd offer Government J11.

4 THE COURT: Any objection?

5 MR. UDOIBOK: No.

6 MR. COLICH: No objection.

7 THE COURT: J11 is admitted.

8 BY MR. JACOBS:

9 Q. Special Agent Wilmer, this is another email submitting
10 claims to Feeding Our Future?

11 A. Correct.

12 Q. And this one contains an invoice here. Can you walk
13 through the details of this invoice?

14 A. Yep, this is an invoice dated October 1st of 2021 from
15 Stigma-Free International Incorporated, St. Cloud, billed to
16 Feeding Our Future.

17 Q. Okay. And the address on here is which address?

18 A. This is the 413 Ninth Avenue North, which is the Hormud
19 II location.

20 Q. Okay. And according to this invoice, what generally is
21 the quantity of meals for the month of September?

22 A. It began at just over 1700 and then quickly grew to just
23 under 2,000 per day supper and snacks each day of the month.

24 Q. So we talked about blended rate before, but this is for
25 actually the quantity times two?

1 A. That's correct. For each quantity, you see that's to
2 document both a supper and a snack.

3 Q. And what is the bottom line number invoiced by Feeding
4 Our Future to Stigma-Free International?

5 A. Over \$219,000 charged.

6 Q. Now we talked earlier about, or you mentioned earlier
7 that one of the meal counts didn't have a site location on
8 it?

9 A. That's correct.

10 Q. Pulling up what is mark for identification as
11 Government J13.

12 Your Honor, we'd Government Exhibit J13.

13 MR. COLICH: No objection.

14 THE COURT: Any objection?

15 MR. UDOIBOK: No objection.

16 THE COURT: J13 is admitted.

17 BY MR. JACOBS:

18 Q. All right. Special Agent Wilmer, can you read the body
19 of this email?

20 A. It says, "Can you write Stigma-Free International,
21 St. Cloud where it says the site on each paper please."

22 Q. And if you go down and you look at the attachment,
23 what's missing from the site?

24 A. The site entry is blank on each meal count.

25 Q. So these purport to be meal counts for a site that's

1 left blank?

2 A. That's correct.

3 Q. Okay. Moving on to what's marked for identification as
4 J14.

5 We'd offer J14.

6 THE COURT: Any objection?

7 MR. COLICH: No objection.

8 MR. UDOIBOK: No objection.

9 THE COURT: J14 is admitted.

10 BY MR. JACOBS:

11 Q. Can you go ahead and similarly read the body of this
12 email?

13 A. The body of this email says, "Can you write
14 Stigma-Free/North Star/St. Cloud."

15 And then there's a forwarded message.

16 Q. Okay. And going down to the attachment, it looks like a
17 snack menu?

18 A. That is correct.

19 Q. What's the site of the snack menu?

20 A. The site is left blank.

21 Q. Jumping ahead to what's marked for identification as
22 Government J17.

23 Your Honor, we'd offer Government J17.

24 MR. COLICH: No objection.

25 MR. UDOIBOK: No. No objection.

1 THE COURT: J17 is admitted.

2 BY MR. JACOBS:

3 Q. And what generally speaking is attached to Government,
4 to the email in Government Exhibit J17?

5 A. Are multiple attachment, including receipts and menus
6 and attendance in support of meal reimbursement claims.

7 Q. For October 2021?

8 A. Correct.

9 Q. And here if you zoom in, are these those same meal
10 counts that had the blank site?

11 A. They are. However, now it's been filled in Stigma-Free
12 International, St. Cloud.

13 Q. And jumping ahead to page 102, are these those same
14 snack menus?

15 A. They are. Again the site has been digitally filled in,
16 Stigma-Free International, St. Cloud.

17 Q. What is significant to you about this process here that
18 we just saw?

19 A. Based on this email correspondence, it shows that these
20 documents are being filled in via the TSF employees prior to
21 submission.

22 Q. And were these meal counts and supporting documents then
23 submitted to Feeding Our Future?

24 A. They were.

25 Q. All right. Special Agent Wilmer, I want to talk about

1 rosters for a little bit. Can you remind the jury generally
2 speaking what we're talking about when we talk about a
3 roster in the context of the Federal Child Nutrition
4 Program?

5 A. At some point in 2021, numerous sites began submitting
6 rosters in support of their meal reimbursement claims to
7 purportedly document the specific children receiving those
8 meals included in the claims.

9 Q. Showing you what's marked for identification as
10 Government J27.

11 And, Your Honor, I'd offer Government J27.

12 THE COURT: Any objection?

13 MR. COLICH: No objection.

14 MR. UDOIBOK: No objection.

15 THE COURT: J27 is admitted.

16 BY MR. JACOBS:

17 Q. Special Agent Wilmer, is Government J27 a submission
18 from Stigma-Free to Feeding Our Future with December claims?

19 A. It is.

20 Q. For what site?

21 A. Stigma-Free International, St. Cloud.

22 Q. Okay. And part of those claims are the meal counts that
23 we've gone through?

24 A. That is correct.

25 Q. And part of it are invoices like we see here?

1 A. Correct.

2 Q. This one actually says North Star Meals?

3 A. That is correct.

4 Q. What's that entity?

5 A. That's another entity tied to Ahmed Omar-Hashim, and
6 this invoice purports him to be a vendor supplying those
7 meals.

8 Q. Now, you say "purports." Why do you say "purports"?

9 A. I don't believe that the quantities listed here were
10 actually provided and served.

11 Q. And we see additional invoices. We talked about these
12 Hormud Meat and Grocery invoices to Stigma-Free --

13 A. Correct.

14 Q. -- International.

15 And we also see some receipts like this Costco
16 receipt?

17 A. Correct.

18 Q. Now, jumping ahead, we also see a roster; is that right?

19 A. We do.

20 Q. And we've talked about rosters before, but what does
21 this particular one appear to be?

22 A. This particular roster supposedly documents the
23 attendance for an after-school program as part of the
24 Stigma-Free International, St. Cloud site for the month of
25 December 2021.

1 Q. Now, does Hormud II appear to be a site that could fit
2 2,000 kids for an after-school program?

3 A. No, it does not.

4 Q. Why not?

5 A. Again, that is an extreme quantity for such a small
6 place, 2,000 kids. Again for scale is like extremely large
7 high school worth of students. To support that many
8 children, even if they were staggered across different times
9 would take a facility much larger and more extensive than
10 what we see here.

11 Q. Okay. And we previously talked about a different roster
12 but some of the things that jumped out to you and made them
13 suspicious. Do you remember that testimony?

14 A. I do.

15 Q. Now, I'm going to page through the first couple pages
16 here. Are a few of those same things present here?

17 A. They are.

18 Q. For example, what?

19 A. The overall attendance is extremely high compared to
20 historically what's seen, even at schools where students are
21 required to attend. Many of the times where there are Xs
22 missing, they are done so in blocks. It doesn't seem to be
23 random.

24 The student names are not alphabetized or in any
25 discernible order that would be a hallmark of a roster

1 tracking for -- to make it more efficient for documenting
2 students attending each day.

3 Q. Okay. So based on those observations, what is your
4 reaction to this roster?

5 A. I believe that these names are not actual students who
6 attended every day, and rather this is a fabricated document
7 to support a fraudulent claim.

8 Q. Now in addition to just the observations you talked
9 about, did you do any further investigation into this
10 roster?

11 A. We did. We actually compared the names listed on this
12 roster with all the students enrolled in the St. Cloud
13 Public School District at that time, and less than 10
14 percent of the names overlapped.

15 Q. And what was significant to you about that?

16 A. That's an extremely low number, even accounting for the
17 very small number of children in the St. Cloud area who are
18 not registered students.

19 As we all might expect, a vast majority of school
20 age students in the St. Cloud area attend St. Cloud Public
21 Schools. So although you wouldn't expect a perfect match,
22 there would certainly be significantly more than what we saw
23 in our comparison, which was less than 10 percent.

24 Q. Now, you just mentioned the St. Cloud Area School
25 District. Are you familiar generally with that school

1 district?

2 A. I am.

3 Q. Approximately how many children are part of the
4 St. Cloud Area School District?

5 A. Approximately 9,000.

6 Q. Now, we've seen purported meal sites for two different
7 sites in St. Cloud. Generally speaking, if you combine
8 those two, what, what kind of numbers were you getting for
9 the St. Cloud area?

10 A. Well over half of the entire student enrollment for all
11 St. Cloud Public Schools between these two sites we
12 discussed so far.

13 Q. Just from these sites connected to Safari and Feeding
14 Our Future?

15 A. Just these two sites.

16 MR. MONTEZ: Objection, Your Honor. Argumentative
17 as to Safari.

18 THE COURT: Overruled.

19 BY MR. JACOBS:

20 Q. In total, over the several months that Stigma-Free
21 International, St. Cloud location submitted claims for its
22 purported food site, how many meals did it claim to serve?

23 A. Over 700,000 meals.

24 Q. And in that same several month period, that it claimed
25 to serve meals, how much in Federal Child Nutrition Program

1 funds were paid out as a result of those claims?

2 A. Over \$1.3 million.

3 Q. Now, we've talked about two sites in St. Cloud, Olive
4 Management and Stigma-Free International. I want to talk
5 about a third site which is located in Waite Park.

6 A. Okay.

7 Q. Are you familiar with Waite Park?

8 A. I am.

9 Q. And for those of us who might not be, can you explain
10 where is Waite Park?

11 A. Waite Park is a small area directly adjacent to
12 St. Cloud on the west side.

13 Q. And can you give us a little bit of a description of
14 what Waite Park is like as a town?

15 A. Roughly 8,000 people in total. So, you know, small area
16 of the greater St. Cloud metro.

17 Q. Okay. And was there a purported food site connected to
18 Stigma-Free that operated in Waite Park?

19 A. There was.

20 Q. I'm going to pull up what is marked for identification
21 as Government Exhibit I1.

22 Your Honor, we'd offer Government Exhibit I1.

23 MR. COLICH: No objection.

24 MR. UDOIBOK: No objection.

25 THE COURT: Exhibit I1 is admitted.

1 BY MR. JACOBS:

2 Q. Special Agent Wilmer, what are we seeing here in
3 Government Exhibit I1?

4 A. This is an email correspondence from Aimee Bock to MDE,
5 dated December 30th of 2020, the subject: Site ID Request
6 Stigma-Free International, Waite Park.

7 Q. Okay. Scrolling down to the attachment, what are we
8 looking at?

9 A. This is the MDE form for site identification request,
10 add, change or look up a site within the CLiCS system.

11 Q. Okay. And the address of this site is where?

12 A. This is Stigma-Free International, Waite Park, located
13 at 73 Tenth Avenue South.

14 Q. And again in the type of site, what are we dealing with
15 here?

16 A. It is noted as nonprofit.

17 Q. Okay. And does this email from December 30th of 2020
18 look familiar to you?

19 A. It does.

20 Q. And what does it look familiar to?

21 A. It's very similar to the one we just saw for Stigma-Free
22 International, St. Cloud.

23 Q. If I pulled that up on the left, and I pulled the
24 St. Cloud one up on the right, can you tell the jury what we
25 are seeing?

1 A. These are two emails on the same date less than a minute
2 apart from the same person to the same email addresses at
3 MDE. The only difference in the subject line is the
4 notation of St. Cloud versus Waite Park in the site name and
5 again similar attachments, except one's for St. Cloud and
6 one's for Waite Park.

7 Q. So in the span of a minute, Ms. Bock is submitting an
8 application for Stigma-Free, St. Cloud on the right and
9 Stigma-Free, Waite Park on the left?

10 A. That is correct.

11 Q. How far away are St. Cloud and Waite Park?

12 A. Directly adjacent.

13 Q. Literally touching?

14 A. On the map, St. Cloud and Waite Park are touching.

15 Q. So I want to just focus on Waite Park here and go
16 through the application a little bit. Again, Section 2
17 sponsoring organization is who?

18 A. Feeding Our Future.

19 Q. Okay. And if we go up to that first page, you told us
20 the address in Waite Park. I'm going to show you what is
21 marked for identification as Government Exhibit I30.

22 Do you recognize this document?

23 A. I do.

24 Q. What is it?

25 A. This is a photo of a strip mall in Waite Park. Notably

1 in the middle of that photo, you see a business labeled a
2 Green Market. And that is the address noted in the
3 application we just looked at.

4 MR. JACOBS: Your Honor, we'd offer
5 Government I30.

6 THE COURT: Any objection?

7 MR. COLICH: No objection.

8 MR. UDOIBOK: No objection.

9 THE COURT: I30 is admitted.

10 BY MR. JACOBS:

11 Q. All right. Special Agent Wilmer, now that we're
12 looking -- now that the jury is looking at this with us, can
13 you tell them what they're looking at here?

14 A. Yeah. This is a small strip center in Waite Park. In
15 the middle there you see a business labeled Green Market.
16 That is the specific address we just looked at in the site
17 application for Stigma-Free International, Waite Park.

18 Q. Okay. And I want to pull up for you what is admitted
19 into evidence already as Government I20.

20 What are we looking at here?

21 A. This is a digital copy of a folder for a site. In this
22 case, it's Stigma-Free International, Waite Park, and again
23 that address on Tenth Avenue South is listed.

24 Q. All right. And if we go down to page 18, we have the
25 MDE submission verification?

1 A. Yeah. This is the Feeding Our Future internal form that
2 purports to document the required documents that they've
3 reviewed prior to MDE submission.

4 Q. And what's the date at the bottom?

5 A. This is stamped dated December 16th of 2020.

6 Q. All right. And at the end of this document, it looks
7 like there's a printed out gmail form?

8 A. That is correct.

9 Q. And the subject is?

10 A. Site ID Request Granted.

11 Q. So according to this email from March 25th of 2021,
12 that's the date of the site ID request granted?

13 A. That's correct.

14 Q. All right. Showing you what's already in evidence as
15 Government I22. What is I22?

16 A. Again, this is a digital copy of a folder obtained
17 through the Feeding Our Future search warrant, FY21, April,
18 Stigma-Free International, Waite Park.

19 Q. And scrolling down, this is a monthly claim packet for
20 April?

21 A. That is correct.

22 Q. And if we get to page 9 here, looked at a lot of meal
23 counts, but can you go over these for the jury again,
24 please?

25 A. Yep, these are Feeding Our Future meal counts for

1 Stigma-Free International, Waite Park, and they purport to
2 document supper and snack in the quantity of 1700 the first
3 week, jumping to 2,000 the second week. And again exactly
4 the same number prepared and served each day. Site
5 supervisor Hamdi Omar, initials each day of HO.

6 Q. Okay. So sponsor, Feeding Our Future?

7 A. Correct.

8 Q. Site is?

9 A. Stigma-Free International, Waite Park.

10 Q. And you mentioned the supervisor. Who was that?

11 A. Hamdi Omar, another defendant in this case.

12 Q. And how is she connected to the Safari group?

13 A. There's significant financial transactions between her
14 entity that she creates and uses as a purported vendor for
15 this site and the entities of the other defendants, such as
16 Salim Limited LLC.

17 Q. Okay. So looking in this first week of April, we see
18 1700 available meals?

19 A. 1700 supper and snack prepared and served each day.

20 Q. And how many second meals served to children?

21 A. Zero.

22 Q. What are the number of meals served to the program
23 adults?

24 A. Zero.

25 Q. Bottom line, zero through every other category?

1 A. That is correct.

2 Q. Number of children requesting meals once food is gone?

3 A. Zero.

4 Q. All right. Jumping one week later, how much does it go
5 up?

6 A. It goes from 1700 to 2,000 prepared and served.

7 Q. So purportedly another 300 kids are arriving at that
8 location?

9 A. Exactly 300 began showing up the second week every day.

10 Q. Not 299?

11 A. Exactly 300.

12 Q. Not 301?

13 A. Correct.

14 Q. Now, I'm scrolling down to page 13 here, and this
15 appears to be another roster.

16 A. It does appear to be, although it is extremely difficult
17 to make out.

18 Q. Could you read off the names of the kids who were
19 purportedly receiving meals here?

20 A. Not at this zoom.

21 Q. Do you think it would be hard to keep track of who is
22 getting meals on every single day of the month based on this
23 roster?

24 A. Certainly from this format, although it appears that
25 there's nearly perfect attendance.

1 Q. Going down to the second page, third page, fourth page,
2 fifth page. Do some of the hallmarks that you talked about
3 earlier about rosters, do you see them here?

4 A. I do.

5 Q. What are those?

6 A. Again, remarkable attendance across such a large number
7 of students. Although it's extremely small font, no
8 discernible pattern or sorting was used in the formation of
9 this list.

10 It does not fit standard list of children that you
11 see through various school and programming datasets you
12 expect to come across.

13 Q. Now, we just talked about Hamdi Omar, who is one of the
14 individuals who signed the meal count.

15 A. Correct.

16 Q. I want to show you what's marked for identification as
17 Government Exhibit I2.

18 Your Honor, we'd offer Government I2.

19 THE COURT: Any objection?

20 MR. COLICH: No objection.

21 MR. UDOIBOK: No objection.

22 THE COURT: I2 is admitted.

23 BY MR. JACOBS:

24 Q. Special Agent Wilmer, what is Government Exhibit I2?

25 A. This is the Minnesota Secretary of State Certificate of

1 Assumed Name for Feeding Our Youth.

2 Q. All right. So the entity name is Feeding Our Youth.

3 What is Feeding Our Youth?

4 A. Feeding Our Youth is an entity created and used by Hamdi
5 Omar to facilitate the Stigma-Free International, Waite Park
6 site.

7 Q. And if we talk about a vendor, are you familiar with
8 that?

9 A. I am.

10 Q. What is a vendor in the context of this fraud scheme?

11 A. A vendor is a business or entity who is responsible for
12 providing the meals to be distributed at the food site.

13 Q. And why go to the trouble of creating an entity like
14 Feeding Our Youth to act as a vendor?

15 A. If you're looking at a food site that's claiming to
16 serve thousands of meals a day, obviously you would expect
17 that they would be paying somebody to provide those meals.

18 So if you create a vendor, payments can go to that
19 entity, and it would look at first glance like someone is
20 being paid to provide the meals, when in fact the payments
21 are going to your own entity.

22 Q. Well, put another way, why wouldn't Hamdi Omar just make
23 Feeding Our Youth a food site?

24 A. Because it would be a for-profit entity.

25 Q. Was that allowed at this time under the food program?

1 A. It was not.

2 Q. So instead, what entity do they use?

3 A. Stigma-Free International.

4 Q. So what role does Feeding Our Youth play?

5 A. Feeding Our Youth is the for-profit vendor underneath
6 the Stigma-Free International nonprofit umbrella.

7 Q. A way for money to go from the nonprofit to the
8 for-profit?

9 A. That is correct.

10 Q. Who is the name holder for Feeding Our Youth?

11 A. Hamdi Omar.

12 Q. Okay. Now, based on the investigation, was Feeding Our
13 Youth really a food vendor for nonprofit sites in the food
14 program?

15 A. No.

16 Q. Why do you say that?

17 A. Again, this is an entity that was created and then
18 instantly began claiming to serve thousands of meals a day.

19 Based on observations of the site location,
20 talking to witnesses and also looking at the financials,
21 there's no evidence to suggest that that was actually taking
22 place.

23 Q. I'm showing you what's previously been admitted into
24 evidence as Government Exhibit I2 -- actually, let me go
25 back.

1 What is the date that this entity was formed?

2 A. April 9th of 2021.

3 Q. And how does that compare to the initial claims for the
4 site for Stigma-Free, Waite Park?

5 A. This is well after the documents we just saw for the
6 initial filing with Feeding Our Future, and the claims began
7 immediately after this date in April for reimbursement.

8 Q. Okay. Now showing you what has already been admitted
9 into evidence as Government W123, what -- these are bank
10 records?

11 A. That is correct.

12 Q. And what entity are these bank records for?

13 A. These are through Sunrise Bank for Feeding Our Youth.

14 Q. And what is the date that this account was opened?

15 A. Appears to be July 15th of 2021.

16 Q. And how does that compare to the initial submissions of
17 claims for feeding 2,000 kids a day?

18 A. Significantly later.

19 Q. Several months afterwards?

20 A. Several months.

21 Q. The original bank account of the purported food vendor
22 is opened?

23 A. That is correct.

24 Q. Okay. I'm showing you what has been previously admitted
25 into evidence as Government's I23. What is I23?

1 A. Again, this is a digital copy of one of the site folders
2 obtained during the search warrant.

3 This one is labeled FY21 May, Stigma-Free
4 International, Waite Park.

5 Q. Now, this is still a month before the bank account for
6 the purported vendor has been opened?

7 A. Yes, well before.

8 Q. And going through these claims, we see another invoice
9 included here?

10 A. Yes, we do.

11 Q. Whose this invoice from?

12 A. Again, the same Premium Fresh Produce LLC to Feeding Our
13 Youth, dated May 1st of 2021.

14 Q. And again this is for May. And I'll flip through the
15 first full week of May, second full week of May, third full
16 week of May.

17 What jumps out to you about these invoices or
18 these meal counts?

19 A. Again, exactly 2,000 suppers and snacks prepared and
20 served every single day for the month of May.

21 Q. Showing you I24, which has previously been admitted into
22 evidence.

23 Waite Park claims submissions for September?

24 A. That is correct.

25 Q. Now, these are a little bit different, but tell the jury

1 what we're looking at here.

2 A. This is again for Stigma-Free, Waite Park, 2,057 meals
3 prepared and served each day beginning September 16th.

4 Q. And what's different about how these are filled in?

5 A. These are typed as opposed to handwritten.

6 Q. Again, we see a roster?

7 A. We do.

8 Q. Attendance for after-school program for Stigma-Free
9 International, Waite Park?

10 A. That is correct.

11 Q. Does that little Green Market appear to be a place that
12 2,000 kids could attend an after-school program?

13 A. No, it does not.

14 Q. And what jumps out to you about at least this first page
15 of the roster?

16 A. It's almost perfect attendance.

17 Q. Jumping ahead to Government I25, which is already in
18 evidence.

19 October claims for Waite Park?

20 A. That is correct.

21 Q. And for the first week we see meals received and
22 prepared of 2,057?

23 A. That is correct.

24 Q. And what about the second week?

25 A. It changes to 2,158 prepared and served every day.

1 Q. Who is the supervisor?

2 A. Hamdi Omar.

3 Q. And then we go to the next week. What happens?

4 A. Now it changes to exactly 2,283 prepared and served
5 every single day.

6 Q. Continuing to increase?

7 A. That is correct.

8 Q. Next week, continuing to increase?

9 A. It does.

10 Q. Next week?

11 A. Again, small increase to 2,378 and then 2,395.

12 Q. But never, never an extra meal the week before?

13 A. That is correct.

14 Q. Showing you Government I26 which is already in evidence.
15 Waite Park meal count claims for November 2021?

16 A. That is correct.

17 Q. Here we go back to that first week in November, and what
18 are the meal counts?

19 A. Now it's 2,605 prepared and served every single day of
20 the week.

21 Q. How does that compare to the last week of October we
22 just saw?

23 A. Continues to increase by week.

24 Q. Next week?

25 A. 2,659. 2,697 the following week through the end of the

1 month.

2 Q. Okay. And finally jumping ahead to the last month of
3 December, showing you I27, already in evidence. What do we
4 see here for December of '21?

5 A. First week of December 2021 for Stigma-Free, Waite Park,
6 we see exactly 2,817 meals prepared and served each day.

7 Q. Pretty consistent across the month of December?

8 A. To say the least.

9 Q. I'm showing you -- I want to talk now similarly to
10 St. Cloud about how those claims were submitted to Feeding
11 Our Future.

12 Okay?

13 A. Sounds good.

14 Q. Showing you what's marked for identification as
15 Government I10.

16 Your Honor, we'd offer I10.

17 MR. COLICH: No objection.

18 MR. UDOIBOK: No objection.

19 THE COURT: I10 is admitted.

20 BY MR. JACOBS:

21 Q. All right. Special Agent Wilmer, two emails here, one
22 that's forwarded. Can you explain it to the jury?

23 A. Yeah, there's an email from Hamdi Omar to
24 stigma-freemn1@gmail.com on November 2nd, 2021, that reads,
25 "Hello. Here is our October claims. Feel free to ask any

1 questions or concerns. Thank you. Ahmed Artan."

2 Q. So this email goes from Feeding Our Youth to Stigma-Free
3 MN?

4 A. That is correct.

5 Q. Because who has to submit the claim?

6 A. Stigma-Free.

7 Q. And then that Stigma-Free MN email address sends it to
8 whom?

9 A. Claims at Feeding Our Future.

10 Q. And this contains the meal counts and the rosters and an
11 invoice here?

12 A. That is correct.

13 Q. And this invoice is from who to who?

14 A. From Feeding Our Youth to feed Feeding Our Future.

15 Q. And what is the bottom line number for the month of
16 October?

17 A. Over \$361,000.

18 Q. Showing you Government I17, which has not been admitted
19 into evidence yet.

20 Your Honor, we'd offer Government I17.

21 MR. COLICH: No objection.

22 MR. UDOIBOK: No objection.

23 THE COURT: I17 is admitted.

24 BY MR. JACOBS:

25 Q. Special Agent Wilmer, have you seen an email similar to

1 this before?

2 A. I have.

3 Q. And what entity did that relate to?

4 A. The Stigma-Free International, St. Cloud.

5 Q. Okay. And this particular one is now relating to which
6 entity?

7 A. Stigma-Free International, Waite Park.

8 Q. And who in this case is submitting the Waite Park meal
9 counts to Feeding Our Future?

10 A. Abdulkadir Salah.

11 Q. And remind us again what his role was.

12 A. He's a defendant in this case, is one of the
13 owners/operators of TSF, also coowner of Safari.

14 Q. And in this case, did Feeding Our Youth provide money to
15 entities associated with Safari?

16 A. They did.

17 Q. Like which ones?

18 A. 301 -- 3017 LLC, which is an entity owned and controlled
19 by Abdulkadir Salah; as well as Salim Limited LLC, owned and
20 controlled by Salim Said.

21 Q. Now we've talked about Safari group a couple times in
22 your testimony.

23 A. Yep.

24 Q. And you've heard other people testify about Safari
25 group.

1 A. I have.

2 Q. What is your understanding of what the Safari group is?

3 A. This is a group of individuals and the entities that
4 they control which are associated with numerous food sites
5 under the sponsorship of Feeding Our Future, and they are
6 all financially and administratively linked to the Safari
7 Restaurant and their owners.

8 Q. Okay. And are the entities that we've been talking
9 about for the past couple hours part of the Safari group?

10 A. They are.

11 Q. Now, to be clear, did you come up with the word "Safari
12 group"?

13 A. I did not.

14 Q. Where did it come from?

15 A. We've seen it on documentation that we found as part of
16 the investigation.

17 Q. I'm showing you what has previously been admitted into
18 evidence as Government Exhibit FF2. Special Agent Wilmer,
19 what is this?

20 A. This is a digital copy of documents found and obtained
21 during a search warrant that was executed as part of the
22 investigation.

23 Q. And was that at 2722 Park Ave?

24 A. It was.

25 Q. Now, how does 2722 Park Ave relate to the Safari group?

1 A. That is, as we've heard from several individuals, an
2 area where people related to these sites met, brought in
3 paperwork, had discussions related to the sites.

4 TSF, which as we saw in the emails and also from
5 testimony was heavily involved in the gathering and
6 submission of this paperwork, was also headquartered there.

7 Q. In fact, who owns 2722 Park Ave?

8 A. The defendants in this case.

9 Q. Part of the Safari group?

10 A. Correct.

11 Q. Jumping ahead to page 229 of that document, what do you
12 see at the top of this piece of paper?

13 A. Titled Safari group.

14 Q. Where was this piece of paper found?

15 A. 2722 Park Avenue.

16 Q. Okay. Safari group. Olive Management, we've talked
17 about that quite a bit?

18 A. Correct.

19 Q. Safari Restaurant, talked about that quite a bit?

20 A. Correct.

21 Q. Stigma, are you familiar with Stigma?

22 A. I assume that is short for Stigma-Free International.

23 Q. We have talked about Stigma-Free International sites
24 quite a bit?

25 A. We have.

1 Q. ASA Limited?

2 A. We've heard quite a bit about them.

3 Q. Brava Restaurant?

4 A. We've heard about that one.

5 Q. Horseed Mankato. What is Horseed?

6 A. That is the entity that purported to be a vendor for the
7 Stigma-Free International site, Mankato, which we heard
8 previous testimony regarding.

9 Q. All right. Up here we see Safari ASA again. This might
10 say Brava?

11 A. It appears close to that.

12 Q. Okay. Another Horseed. What about Tunyar?

13 A. Tunyar Trading is an entity owned and controlled by
14 Abdikadir Mohamed, and it is a purported vendor for the
15 Stigma-Free International, Willmar site that we heard about
16 previously.

17 Q. Part of the Safari group?

18 A. Part of the Safari group.

19 Q. Now this one is crossed out, but it says what?

20 A. Southcross.

21 Q. Related to the Safari group?

22 A. I believe so.

23 Q. And finally last, but not least, Waite Park, which we've
24 just been talking about.

25 A. That is correct.

1 Q. Waite Park International. Part of the Safari group?

2 A. Yep. Stigma-Free International, Waite Park would be an
3 associated site.

4 Q. And it looks like over here to the right it says 2,000,
5 2,000, 2,000, 2,000 next to Waite Park. Is that potentially
6 talking about number of meals served?

7 A. That appears to document the approximate numbers of
8 meals claimed daily at those sites.

9 Q. Claimed, not served.

10 A. Exactly.

11 Q. Now, we've just been talking about Waite Park. Any idea
12 of what the population of Waite Park is?

13 A. Roughly 8,000 people.

14 Q. Now, is that 8,000 kids?

15 A. No.

16 Q. 8,000 people total?

17 A. Correct.

18 Q. And at the peak of submission, how many meals was
19 Stigma-Free, Waite Park claiming to serve?

20 A. Well over 2,000 per day.

21 Q. 2800 or more at points?

22 A. Correct.

23 Q. That's what percentage of the population of Waite Park?

24 A. Roughly a third of the total population.

25 Q. Not just the kids, but the total population?

1 A. That is correct.

2 Q. Now, are you familiar with the schools of Waite Park?

3 A. I am.

4 Q. Does Waite Park have its own school district?

5 A. It does not.

6 Q. Where do kids in Waite Park -- what school district are
7 they part of?

8 A. Waite Park is covered by the St. Paul Public School
9 District, which we discussed earlier.

10 Q. The St. Cloud?

11 A. St. Cloud. I misspoke.

12 Q. So they are part of the St. Cloud Area Public Schools?

13 A. That is correct.

14 Q. Which you mentioned have about how many students?

15 A. Roughly 9,000 for the total enrollment for the St. Cloud
16 Public School District.

17 Q. And at their peak, how many kids or meals to kids are
18 these three sites in St. Cloud and Waite Park claiming to
19 serve?

20 A. Roughly 8,000, which is close to the total enrollment of
21 the entire school district, per day.

22 Q. Nearly every single student in the St. Cloud Area Public
23 School District?

24 A. That is correct, between just these three sites.

25 Q. Now, in Waite Park alone, the claims were how high?

1 A. Up to 2800 per day.

2 Q. Is there a high school in Waite Park?

3 A. There is not.

4 Q. Is there a public school in Waite Park?

5 A. There is one.

6 Q. And how big is it?

7 A. An elementary school, significantly less than 500
8 students enrolled.

9 Q. Between April and November of 2021, how many meals did
10 Waite -- did Stigma-Free, Waite Park claim to serve out of
11 that small storefront Green Market?

12 A. Over half a million meals.

13 Q. And based on those claims, how much money in Federal
14 Child Nutrition Program funds were paid out?

15 A. Well over a million.

16 MR. JACOBS: Your Honor, no further questions.

17 THE COURT: All right. Let's break here for
18 today, and we'll take up cross-examination tomorrow morning.

19 All rise for the jury.

20 4:50 p.m.

21 **IN OPEN COURT**

22 **(JURY NOT PRESENT)**

23 THE COURT: Renee, we can be off.

24 (Off-the-record discussion)

25 THE COURT: All right. Thanks, everyone. We will

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see you at 9:00 in the morning.

(Court adjourned at 4:52 p.m., 02-19-2025.)

I, Renee A. Rogge, certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter.

Certified by: /s/Renee A. Rogge
Renee A. Rogge, RMR-CRR