

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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, March 12, 2025
)	9:02 a.m.
Defendants.)	
)	

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

VOLUME XVII - JURY TRIAL PROCEEDINGS

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

* * *

Proceedings recorded by mechanical stenography;
Transcript produced by computer.

* * *

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES:

For Plaintiff: UNITED STATES ATTORNEY'S OFFICE
BY: JOSEPH H. THOMPSON
HARRY JACOBS
MATTHEW S. EBERT
DANIEL W. BOBIER
600 United States Courthouse
300 South Fourth Street
Minneapolis, Minnesota 55415

For Defendant KENNETH UBONG UDOIBOK P.A.
Aimee Marie Bock(1): BY: KENNETH U. UDOIBOK
310 Fourth Avenue South, #5010
Minneapolis, Minnesota 55415

For Defendant COLICH & ASSOCIATES
Salim Ahmed Said(3): BY: MICHAEL J. COLICH
ADRIAN SCOTT LAFAVOR-MONTEZ
RAGHEN LUCY
10 South Fifth Street, #420
Minneapolis, Minnesota 55402

* * *

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

PAGE

AIMEE BOCK

Direct Examination (Resumed) By Mr. Udoibok

3737

DEFENDANT BOCK'S EXHIBITS

REC'D

D1-997

3760

D1-0007

3815

D1-615

3861

D1-721

3949

* * *

1 9:02 A.M.

2 **IN OPEN COURT**

3 **(JURY PRESENT)**

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

6 Good morning again. Welcome back after our break.
7 We are continuing with the direct examination of Ms. Bock,
8 who remains under oath.

9 AIMEE BOCK,
10 called on behalf of the government, was previously duly
11 sworn, was examined and testified as follows:

12 THE COURT: And, Mr. Udoibok, you may continue.

13 MR. UDOIBOK: Thank you, Your Honor.

14 DIRECT EXAMINATION (Resumed)

15 BY MR. UDOIBOK:

16 Q. Ms. Bock, before we left off, we were talking about the
17 claims process at Feeding Our Future. Do you recall your
18 testimony last week?

19 A. I do.

20 Q. Why don't you describe what the claims process is, or
21 was, rather, at Feeding Our Future?

22 A. Was. So the claims obviously start at the site
23 locations. They would purchase the food, distribute it,
24 complete the meal counts. Once the month ended, that
25 information would be submitted to -- not to MDE, I'm

1 sorry -- to Feeding Our Future, generally 99 percent of them
2 through email to the claims at Feeding Our Future email
3 address.

4 From there the claims staff would review the
5 documentation that was received. You've heard about
6 testimony about Monday where we did our internal tracking.
7 So they would log what had been received, if anything was
8 missing.

9 And then they would forward any menus, receipts,
10 invoices, on to the coordinators. So at this point the
11 claim is being reviewed by two different staff members. Our
12 claims staff are the ones reviewing the meal counts,
13 entering that information into CenterPilot, the food program
14 processing software we used.

15 The coordinators are reviewing the invoices,
16 entering them into them CenterPilot, and then they are also
17 reviewing the menus to make sure that the meals served were
18 appropriate.

19 Should any of that documentation be missing, the
20 coordinator and the site support staff, again, the
21 coordinator -- so every site was assigned two staff members.
22 Coordinators were office based, handled more of the
23 paperwork side of things.

24 The site support staff were the ones that were out
25 in the field primarily, doing the monitoring visits,

1 checking in with sites, doing training. They would work
2 together to collect any documentation that was missing.

3 During the beginning process when food's being
4 distributed, the site support staff would do monitoring
5 visits. And so at this point if any red flags or concerns
6 had been discovered during the monitoring visit, they would
7 relay that information to the coordinator and claims to make
8 sure any invalid meals would be deducted.

9 Once the information is received by the
10 coordinators, so now these are the people with the
11 paperwork, they have the menu. If there's questions on
12 that, they will reach out. They're looking to verify that
13 the food on the menu is reflected on the invoices, that they
14 bought what they said they were serving.

15 They also will review the invoices. They
16 typically were the ones that would catch any concerns, any
17 red flags. Should anything be discovered, either the result
18 of a monitoring visit or based on the claims submission, the
19 documents, they would put it in a red folder, and then it
20 would be escalated to their manager.

21 From there, their managers would kind of do the
22 initial steps of an investigation, try to make contact with
23 the site, try to get clarification, get some questions
24 answered.

25 If it wasn't a simple misunderstanding or a

1 document they forgot to submit, if there was something that
2 was more concerning, it would be escalated to me. And at
3 that point then I would do or call in my staff to help
4 complete a more thorough investigation.

5 The results of the investigation can vary.
6 Sometimes sites were terminated. Sometimes certain meals
7 wouldn't be paid, you know, they didn't serve milk for
8 dinner so I can't pay you for dinner. Other times it would
9 turn out that what looked like a concern or a red flag
10 turned out to be nothing, just human error or something
11 simple, so the claim would be paid.

12 Once this entire process is done, all of the
13 information from the claim is now living in CenterPilot.
14 Monday, the note tracking, is being kept up to date, and
15 there is indicators that indicate that the menu is ready to
16 be submitted, the invoice -- basically that all the
17 documents are approved by the staff and the claims ready to
18 go to MDE.

19 So that would be the point where I would go into
20 CenterPilot and print a report. It was just a very
21 cumulative report, site name. They're assigned a site ID
22 number, total number of attendees, total number of whatever
23 meal or snack was being served, and then an estimate of what
24 the reimbursement would look like.

25 I would take that information from that report,

1 submit it to MDE through the CLiCS system that we've heard
2 about. From there, MDE takes that information and submits
3 it to USDA who issues the ultimate payments.

4 Q. Now, Ms. Bock, did you prepare a flow chart that
5 captures the claims process at Feeding Our Future?

6 A. I did. So I put together kind of a high level overview
7 of each of these steps.

8 Q. You are looking at what has been marked as Exhibit D1.
9 It's a demonstrative document. You testified to it.

10 Ms. Mallet, would you call up D1?

11 MR. THOMPSON: Your Honor, I'd raise the same
12 objection I raised on Friday.

13 THE COURT: Overruled. You may use it as a
14 demonstrative.

15 BY MR. UDOIBOK:

16 Q. Why don't you walk the jury through this D1-1003?

17 A. Yeah. So this is just sort of a simplified summarized
18 version of what I just discussed.

19 So it all starts at the site, getting the food,
20 distributing it to participants. If they're due for a
21 monitoring visit, the support staff are out there. Also
22 could be out there because we had concerns.

23 And for some of our sites, we just truthfully
24 over-monitored them because they are large.

25 Q. Are you able to mark a point? Do you know how to do

1 that?

2 A. I was showed this morning.

3 So we're at that phase now. (Indicating). Again,
4 the monitors, when they're there, they're looking for things
5 like is there enough food, are there participants coming to
6 pick up the food, does everything check out, look okay, is
7 the site open.

8 There were times we would show up, and there would
9 be nothing happening. From there, then the claim gets
10 submitted to Feeding Our Future. So now we're over here
11 (indicating).

12 Again, there were different options for
13 submitting. It could be dropped off at the office. They
14 could be emailed in, which the vast majority of them were,
15 to the claims email.

16 Occasionally a site would send it direct to their
17 assigned coordinator or support staff, but all those emails
18 would be forwarded and ultimately end up in the claims email
19 box.

20 Once it's in the claims email box, now our staff,
21 the claims staff are going to log, what have we received.
22 If there's anything missing, they're going to note that.
23 Any emails that had attachments of menus, receipts or
24 invoices again were forwarded to the coordinator, the office
25 based employee for paper review.

1 At this point (indicating), now the program
2 coordinators are working with the invoices. They are
3 conducting a milk audit. So they are comparing was enough
4 milk purchased. That's one of the most commonly short
5 items, and so the guidance is to audit that.

6 So we would compare the invoices, how much milk
7 was purchased, how many kids were sold -- not sold, served
8 and make sure that they had purchased enough for what they
9 were claiming.

10 They would also, like we heard I think Genesis had
11 mentioned when she was here as a coordinator that the
12 receipts and invoices are reviewed, broken into different
13 categories of what's allowed by the food program, what's
14 not, so that CenterPilot can process that and give us a
15 total.

16 The nonprofit organizations at our sites are not
17 allowed to profit on the program. And so we would monitor,
18 and every quarter or so if it appears they are making a
19 profit, the regulations require that we help them develop a
20 spend-down, look at ways to improve the quality of food or
21 their food service, what have you.

22 Now, while that is happening, simultaneously the
23 claims staff are reviewing the meal counts, those clicker
24 forms that we've seen lots of. Taking that data by day and
25 entering it into CenterPilot.

1 Again, if any documents are missing, the two are
2 going to work together as a team to collect it, multiple
3 phone calls, sometimes driving to the site, whatever it
4 took. If they didn't produce it, the claim would be
5 adjusted.

6 Again, if at any point in this process there were
7 red flags, they would be brought to their manager's
8 attention, who would take the first steps into investigating
9 those claims, those programs.

10 If it was not something that management deemed
11 they could handle, it was something more concerning, it
12 would be brought to my desk, at which point I would with my
13 team go into a larger investigation, contacting vendors,
14 visiting vendors, verifying receipts, that sort of thing.

15 Once all of that is done and we've decided the
16 claim is ready to go, my staff has updated Monday, they've
17 all done their jobs, everything is approved, I would print
18 the claims summary report, which again is just those total
19 numbers for the month, and that is what is used to submit it
20 to MDE.

21 MDE then has it, submits it to USDA. The claims
22 are paid. MDE issues the payments to Feeding Our Future as
23 the sponsor.

24 I would then use -- I think they showed the
25 spreadsheet that was on my computer. That was used to

1 calculate out, because it's not a straight 10 percent.
2 There's certain rules around it, so it would be used to
3 calculate what the amount was for the site depending on the
4 program.

5 I would use that information to issue the checks,
6 and then finally their assigned staff would notify them that
7 their checks were available, did they want to come pick it
8 up, did they want it mailed, just letting them know that the
9 reimbursement had come in.

10 Then it would start over.

11 Q. Thank you.

12 Now I want to talk to you, shift focus a little
13 bit about entering this data for submission to MDE. All
14 right?

15 A. Okay.

16 Q. Before I do that, I want to call up what is an exhibit.

17 A. Okay.

18 Q. B69. And this is regarding Safari. I'm using Safari as
19 a vehicle for to you explain to the jury what is a site
20 application.

21 All right?

22 A. All right.

23 Q. Before I do that, what is the difference between a site
24 ID application and a site application? So start with site
25 ID application.

1 A. So the site ID, like we've heard, is simply a request
2 for a number. The application for the food programs is
3 housed within CLiCS. So I go I would describe the site ID
4 as sort of the key to unlock the application.

5 Without a site ID, you can't access the
6 application. Likewise, if you just have a site ID, that's
7 not an application, so you cannot participate in the
8 program.

9 Q. All right. So when you -- what mechanism did you use in
10 submitting the application to MDE?

11 A. The site ID request would be emailed direct to, Kendra
12 Pace was sort of our applications person at MDE for Feeding
13 Our Future, so it would go to her, sometimes the general
14 email box.

15 Once we had that, that number would be used to
16 gain access to the MDE CLiCS online system to complete the
17 application.

18 Q. All right. So you submit, you submit the application
19 through CLiCS, correct?

20 A. Correct.

21 Q. Is that your testimony?

22 A. Yes.

23 Q. All right. Now do you input data into CLiCS when
24 submitting a claim?

25 A. For a claim, yes.

1 Q. All right. What type of data do you input?

2 A. So for the claim, we put the total number of -- based
3 off of the report, the total number of days that the site
4 was open, how many participants were fed and then the
5 specific count for breakfast, lunch, snack, whatever meals
6 in that combination was being distributed.

7 Q. Ms. Mallet, would you go to the second page in B69.

8 Before that -- B69 is in evidence. You know what
9 it is?

10 A. I do. So that is the monthly claim packet checklist
11 that would help, because it's being reviewed by multiple
12 different staff, it would help kind of identify that
13 everything had been received and reviewed and then put into
14 the monthly folder, hopefully in that order.

15 Q. So B69, what does it represent? Is it a site ID request
16 or site application or claim?

17 A. So this would be the claim documents for the Safari
18 location for the month of February 2021.

19 Q. Ms. Mallet, go to page 5.

20 What is this?

21 A. Yeah. So like I said, the staff would input all of the
22 information into CenterPilot. This is the report then that
23 I would print.

24 So for this instance, again for February, it's
25 going to tell us that it's February. They were open for 20,

1 whoops, 28 days, how many were there to be served, and then
2 the breakfast and lunch total counts. So those are the
3 numbers then that would match the entry in CLiCS that I
4 would just transfer the data to.

5 Q. Is this all that you see when submitting CLiCS?

6 A. Yeah. If the claim has been approved through the claims
7 process, this is the report that's printed, and this is what
8 I see.

9 Q. Ms. Mallet, go to page 6.

10 What is that?

11 A. These are the, appear to be the summer meal count
12 totals, clickers, for the week of February 21st, 2021.

13 Q. When submitting your claim to MDE, do you see the meal
14 count as these?

15 A. No, I don't see these. So these were, when they were
16 submitted and reached the claims email, these are held in
17 the claims department. And so they are the ones that work
18 with these, review these, and enter them into CenterPilot.

19 Q. Ms. Mallet, go to page 17.

20 What is that?

21 A. This is, appears to be an invoice that was from Sysco to
22 the Safari location.

23 Q. Now, when submitting your claim to MDE, would you review
24 the invoices?

25 A. No. So, again, these go to the coordinators, and I

1 think Genesis had kind of described. She would look at
2 them, look at what foods were allowable by the food program,
3 what items or foods weren't, enter it into CenterPilot.

4 But unless they had identified a concern or a red
5 flag on an invoice, I would not see it.

6 Q. Go to page 35, Ms. Mallet.

7 This is another type of invoice. Would you review
8 this invoice?

9 A. No, not unless it had been flagged as a concern
10 somewhere along the process.

11 Q. All right. I have another page just to make sure.

12 Ms. Mallet, go to page 38.

13 Would you normally review all the invoices?

14 A. No, not if the claims staff coordinators and program
15 support had verified that everything was approved.

16 Q. All right. Now, I don't know whether I asked you this,
17 but you formed, at least there's been testimony that Feeding
18 Our Future was formed sometime in 2018, correct?

19 A. That's when we started operating, correct.

20 Q. And it ran through what period?

21 A. January 20th of 2022.

22 Q. All right. At the, at the peak of Feeding Our Future,
23 how many employees did you, did Feeding Our Future have?

24 A. At our highest, it would have been around 100, a little
25 over, maybe 120. I don't recall the exact number.

1 Q. Now, as part of your job as executive director at
2 Feeding Our Future, you had payroll, correct?

3 A. Correct.

4 Q. And who processed your payroll?

5 A. Generally I did.

6 Q. All right. Why don't you describe what you did in
7 processing payroll?

8 A. Okay. So payroll, we used the ADP system. That way all
9 of the taxes, withholdings, insurance and all of that was
10 being withheld appropriately. I would -- most of our staff
11 were salary, so it was a relatively easy process. Just go
12 in and mark that they had worked and were due pay, and then
13 hit submit.

14 From there ADP would process it. They would
15 handle the automatic transfers to anyone's, to any staff's
16 personal bank account. Staff that wanted paper checks, they
17 would send those to me so that I could distribute them on
18 payday.

19 Q. Do you, do you know what your payroll liability was
20 between January 2021 through 2022?

21 A. Yeah. So our payroll during that period was about two
22 and a half million dollars for the year. That did not
23 include payments to some of the consultants and contractors
24 that were not part of the payroll system.

25 Q. You are looking at what has been marked as

1 Exhibit D1-998. It's not in evidence. What is that
2 document?

3 A. So that's just a summary report indicating that Feeding
4 Our Future had to have, we're rounding, \$2.5 million on hand
5 for ADP to deduct from Feeding Our Future's bank account to
6 pay everybody that was being reported.

7 Q. Who created this document?

8 A. ADP.

9 Q. Now, how did you obtain this document?

10 A. This particular document that we're looking at was
11 produced by the government as part of the discovery
12 materials. It appears to be, they appear to have received
13 it as part of a grand jury subpoena.

14 MR. UDOIBOK: Your Honor, we'll offer
15 Exhibit D1-998.

16 MR. THOMPSON: Objection. Hearsay.

17 THE COURT: Sustained.

18 BY MR. UDOIBOK:

19 Q. Did you rely on Exhibit 998 during the course of your
20 employment at Feeding Our Future?

21 A. Yes.

22 Q. Is this exact copy of your payroll liability document
23 from January 15, 2021 -- December 24, 2021, through
24 January 15, 2021?

25 A. Yes.

1 Q. And did you make any modification to this grand jury
2 document?

3 A. I did not.

4 Q. Is this an exact copy?

5 A. Yes.

6 MR. UDOIBOK: Your Honor, we attempt to offer it
7 again.

8 MR. THOMPSON: Same objection, Your Honor.

9 THE COURT: Sustained.

10 BY MR. UDOIBOK:

11 Q. Nonetheless, you testified that you had a \$2 million
12 payroll obligation while at Feeding Our Future, correct?

13 A. For that time period, yes.

14 Q. You testified earlier that at the peak you had over,
15 Feeding Our Future had over 100 employees?

16 A. Roughly.

17 Q. And how did you manage the growth?

18 A. So a variety of different ways. So there would --
19 Feeding Our Future had a managerial level that would oversee
20 various departments within the organization. So the claims
21 staff would have a manager. Coordinators had a manager.
22 Program support staff had a manager. And then we had an
23 admin department that shared a manager with claims.

24 They -- like I discussed, so each department had a
25 specific role. Claims received the claims, processed them.

1 Coordinators reviewed the paperwork, helped answer any
2 questions.

3 If a site should come in requesting information,
4 seeking answers, there was somebody at the office during
5 business hours that knew those answers, because they were
6 involved in the operation or the site and their processing.

7 The next department is the program support staff
8 who, like I said, were the ones out in the field, doing the
9 monitoring, doing visits, helping with investigations,
10 visiting vendors.

11 The admin department would handle all of the extra
12 paperwork, if you will. So there's forms that need to be
13 completed annually by each site. They would make sure that
14 those were completed, filed. They would review the claims
15 folder that we just looked at for Safari.

16 They would have gone through it and verified that
17 all of the documents were there, nothing had been left on
18 someone's desk or accidentally shredded, and then they would
19 file it away.

20 Q. Did you develop any procedure for employees to follow to
21 manage this growth?

22 A. Yeah. So we had a procedure that I developed that
23 walked through and really explained how the different
24 departments overlapped so that, again, we had multiple eyes
25 on each site, reviewing each document.

1 It walked through, in that document, how sites are
2 trained, how sites are on-boarded. Feeding Our Future
3 held -- and it was COVID time. We would hold open houses
4 that sites would come to for additional training, additional
5 information. If there were kind of common concerns
6 occurring, we would address them at those.

7 We would have meetings for the vendors to come in
8 and ask any questions. Again, we would share any concerns
9 we had received. And then, it, the plan described, again,
10 how the sites are on-boarded, how their participation is
11 monitored, how claims are reviewed.

12 And then additionally walked through that we had
13 hired a trainer, an individual who had been on MDE's food
14 nutrition service committee, if you will. I forget the name
15 of it. So had knowledge of that, had been a sponsor for
16 their own organization. So was familiar with MDE's
17 expectations, familiar with the food program.

18 So they were brought on to help train, because
19 obviously as Feeding Our Future is growing, new employees
20 are being brought on, and so we had a dedicated trainer for
21 the staff.

22 And then the plan also included just an overview
23 of the technology and systems that we were using.

24 Q. Was there a name? Sorry.

25 A. No.

1 Q. Was there a name that you gave to the plan?

2 A. Yeah. I titled it Managing Growth Over 35 Percent.

3 Q. And this, this plan was part of your operation at
4 Feeding Our Future; is that correct?

5 A. Yes. So it was used to make sure that each individual,
6 each department, was clear on their role, their piece in the
7 big puzzle.

8 Q. And I believe you testified that you developed this
9 plan.

10 A. I did.

11 Q. All right.

12 MR. UDOIBOK: Your Honor, we offer D1-6 --

13 No. Call out D1-660. Not offer yet.

14 BY MR. UDOIBOK:

15 Q. What is Exhibit D1-660?

16 A. Yeah. So this was the plan that I developed. At that
17 point in time, Feeding Our Future had 95 employees, but
18 again walked through the differ departments, the role of
19 each department, how we were on-boarding and training staff,
20 technology being used to help process claims, as well as
21 track, right?

22 A lot of sites, there's a lot of information
23 coming in, so we used Monday to help track that.

24 Q. Is this exact copy of your plan that you developed?

25 A. It is.

1 MR. UDOIBOK: Your Honor, we offer D1-660.

2 MR. THOMPSON: Objection. Hearsay.

3 THE COURT: Sustained.

4 BY MR. UDOIBOK:

5 Q. Did you use this document during the normal course of
6 your employment?

7 A. Yes.

8 Q. Is this document your business, the Feeding Our Future
9 business record?

10 A. Yes. It was created. I created it to use both
11 internally, and then I also provided it to the Department of
12 Education to help them understand how Feeding Our Future was
13 managing growth.

14 Q. And did you provide this document to Feeding Our Future
15 employees?

16 A. Yes, it was available to them, and then we had printed
17 copies available for them to take and review.

18 MR. UDOIBOK: Your Honor, we renew our offer.

19 MR. THOMPSON: Objection. Hearsay.

20 THE COURT: Sustained. This record does not fall
21 within the business records exception of the Federal Rules
22 of Evidence of hearsay. It is not an 803(6).

23 MR. UDOIBOK: I'll proceed.

24 BY MR. UDOIBOK:

25 Q. Nonetheless, while at Feeding Our Future, you had

1 documents that you provided to your employees in order to
2 manage the growth?

3 A. Correct.

4 Q. All right. It's not like you just didn't have anything.

5 A. No. There was a lot happening, and so this was, again,
6 a guide to make sure that everyone was clear on their roles,
7 that everyone understood, kind of a policy overview, if you
8 will, or a memo, kind of calling out the highlights of the
9 process in the departments.

10 Q. All right. I want to shift focus to something else.

11 You started Feeding Our Future in 2018. And sometime COVID
12 occurred, right?

13 A. It did occur.

14 Q. And how did you, how did you manage running Feeding Our
15 Future along with dealing with COVID?

16 A. It was a challenge, like it was for everyone during that
17 time, every business during that time.

18 We at the office had strict protocols of like
19 everyone again masking, sanitizing your hands, limiting
20 contact with employees.

21 If somebody would come down with COVID, they would
22 work from the -- the staff would work from home. Managers
23 would come to the office to still facilitate the transfer of
24 information. Remote visits would be conducted.

25 And then, like I had mentioned, we brought in

1 outside individuals, consultants that had knowledge in
2 specific areas to help make sure the new staff that were
3 being hired were being appropriately trained.

4 I didn't want to just bring in, hire 100 people
5 and say, okay, go make sure food is being served and release
6 them. So they were being trained by people that had
7 intimate knowledge with the rules, with regulations, with
8 sponsorship, with MDE expectations, to help train everyone.

9 And then I would have regular meetings with the
10 managers, with different consultants to get feedback on what
11 are they hearing, what problems exist.

12 Q. Let's talk about attendance. You've heard testimony
13 about attendance issues throughout this trial, correct?

14 A. Correct.

15 Q. All right. Now how did you stay abreast of attendance
16 regulations?

17 A. Mm-hmm. So during COVID attendance, as well as a
18 variety of other pieces of the program, had the normal
19 requirements waived. I would receive that information from
20 MDE.

21 They would send out, it's called a nutrition
22 bulletin or child nutrition bulletin each week, with
23 attached memos, attached guidance from USDA telling us or
24 showing what information had been provided so that we could
25 understand, I could understand what was being changed, what

1 changes we needed to make internally to make sure we were
2 complying with whatever waiver was in effect.

3 Q. Well, what you said, the bulletin, how did MDE send you
4 this bulletin?

5 A. So they sent it every week, to my understanding, the
6 sponsors, and then I believe on their website there's an
7 area that anyone from the general public can be added to
8 receive it as well.

9 Q. Were you ever sent a bulletin directly?

10 A. Yes, I received them. I believe they were typically
11 weekly.

12 Q. I want to direct you to Defense Exhibit D1-997. It's
13 not in evidence.

14 First of all, do you recognize this?

15 A. I do.

16 Q. What is it?

17 A. So this is the Nutrition Program Bulletin that the
18 Department of Education emailed me. The bulletin was
19 information for the week of April 13th, 2020.

20 THE COURT: This is not in evidence?

21 MR. UDOIBOK: I don't think so.

22 THE COURT: Okay. Let me stop you there before
23 you describe it in detail to see whether you're going to
24 offer it and whether there's an objection.

25

1 BY MR. UDOIBOK:

2 Q. Is this an exact copy of the bulletin from MDE sent to
3 you?

4 A. It's the exact, like, printed version. In my email,
5 there was a photo in that blank spot, but otherwise, yes,
6 it's an exact copy.

7 Q. And did you receive this while you were employed at
8 Feeding Our Future?

9 A. Yes, I received it on April 16th of 2020.

10 MR. UDOIBOK: Your Honor, we offer 997.

11 THE COURT: Any objection?

12 MR. THOMPSON: One moment, Your Honor.

13 THE COURT: Could you scroll down?

14 (Counsel confer)

15 MR. THOMPSON: No objection to this one, Your
16 Honor.

17 THE COURT: D1-997 is admitted.

18 You may continue. Thank you.

19 MR. UDOIBOK: Thank you.

20 BY MR. UDOIBOK:

21 Q. Now, just for clarity, I'm directing you to page 2,
22 Ms. Mallet, and call out just the U.S. Department, U.S.
23 Department of Agriculture, that section.

24 Did you review that section of the bulletin?

25 A. Yes, I did.

1 Q. What was it regarding?

2 A. So this section was question-and-answer documents that
3 the USDA had issued responding to common questions that
4 state agencies, sponsors, schools were experiencing based on
5 the hundred or so waivers that had been issued.

6 Q. All right. Did you have --

7 Release.

8 Did you have an occasion to review USDA
9 regulation?

10 A. I did.

11 Q. And now let's go to sometime in April of 2020. Did you
12 review U.S. regulation regarding attendance?

13 A. I did.

14 Q. But let me back up. You know, was there any confusion
15 around April 2020 regarding attendance issues?

16 A. There had been big changes to it that led to questions.

17 Q. Such as what?

18 A. So the USDA clarified that attendance -- so attendance
19 is normally required for programs in nonCOVID times.

20 The waiver had changed that requirement and
21 notified us that if the children were present and eating at
22 the site, so a daycare center or if there was an
23 after-school club or something where the children came and
24 ate at the table, attendance needed to be taken.

25 However, if the meals and snacks were being

1 distributed through home delivery, parent pickup, honestly
2 the waiver even allowed U.S. mail, if it was being delivered
3 to children any other method, attendance was not a
4 requirement.

5 Q. So how do you get this new regulation or waiver
6 regulation?

7 A. So it was part of the noncongregate dining, although it
8 was vague and led to some confusion. So USDA was getting
9 questions and issued the memo. It's the -- the top one on
10 this sheet, and one of the questions that was clarified was
11 the attendance requirement.

12 Q. Okay. Now, in April, sometime in April 2020, did you
13 receive bulletin guidance from USDA?

14 A. Yes.

15 Q. And how do you receive USDA guidance?

16 A. I received USDA guidance through the Department of
17 Education. They would either provide it as a link or tell
18 us like what website to go to to review important
19 information.

20 Q. Is this something that you did regularly in 2020?

21 A. It was something I did regularly all the time.

22 Q. And I want to direct you to Exhibit D1-224. It's not in
23 evidence. And I want to focus on attendance.

24 A. Okay.

25 Q. Did you receive guidance regarding attendance from USDA

1 in around April 2020?

2 A. We did, yes.

3 Q. What type of attendance guidance was it?

4 MR. THOMPSON: Objection, Your Honor. The exhibit
5 is not in evidence.

6 THE COURT: Sustained.

7 MR. UDOIBOK: All right.

8 BY MR. UDOIBOK:

9 Q. Now look at Exhibit --

10 I wasn't going to offer it yet until I got some
11 background information, but nonetheless I will try.

12 Look at Exhibit 224. What is it?

13 A. This is a memo that USDA had issued clarifying some of
14 the waivers that had been granted to deal with the COVID
15 pandemic.

16 Q. Before this, before this time, was there any confusion
17 about attendance issues?

18 A. When the waivers came out, there was confusion around a
19 variety of things, attendance being one of them. Being that
20 parents or others from the community can come and pick up
21 the meals and snacks for the children at home, it was
22 unclear how to collect attendance, how to get the names of
23 the children, if it's a neighbor say picking up or someone
24 else.

25 Q. Now is this a correct copy? Is that an exact copy of

1 the bulletin that you received from USDA?

2 A. Yes, this is the USDA memo.

3 Q. All right. And did you rely on this exhibit during your
4 employment at Feeding Our Future?

5 A. Absolutely. I had to rely on what the USDA was telling
6 me to make sure that we were following the rules.

7 Q. Is this exact copy of the bulletin that you received
8 from USDA?

9 A. It is.

10 MR. UDOIBOK: Your Honor, we offer D1-224.

11 MR. THOMPSON: Objection. Hearsay. And I'd ask
12 for a sidebar.

13 THE COURT: We can have a sidebar.

14 **(Sidebar discussion)**

15 THE COURT: Mr. Thompson.

16 MR. THOMPSON: Your Honor, I'd object to the
17 admission of this exhibit as hearsay, and I think there's
18 authenticity and foundational issue. But my broader
19 objection to this is, it seems like counsel wants to put in
20 one waiver into evidence, offered for the truth and let his
21 client interpret it as if it applies throughout.

22 If she wants to testify that the attendance was or
23 was not required at various times, she can do that, but to
24 put in a record that's not hers without a witness on the
25 stand to explain what it means, how it applied and when to

1 apply it is confusing to the jury and inappropriate, and
2 it's classic hearsay.

3 It's offering an out-of-court statement for the
4 truth of the matter asserted.

5 THE COURT: Mr. Udoibok.

6 MR. UDOIBOK: First of all, this is a record that
7 Ms. Bock relied on during her activity at Feeding Our
8 Future, and this is also a public record. And it is
9 admissible because, one, it's a public record. It's also,
10 even it could be a present sense impression of when she
11 received it, and it's a, a record of USDA guidance of
12 regulations.

13 And while I'm at it, Your Honor, I anticipate this
14 is a line of objections that the government is going to
15 bring regarding emails of regulations and policy manuals and
16 policy positions from MDE that Ms. Bock at Feeding Our
17 Future relied upon.

18 During the course of nonprofits, they regularly
19 rely on policy manuals and publications. This is one of
20 them. And if the defendant is not going to be able to
21 present to the jury and this court a document that she
22 relied upon regarding what the law was or interpretation of
23 the law was, I don't see how she's going to be able to
24 defend herself against violating the law.

25 And the government is, can cross-examine Ms. Bock

1 regarding the specificity of the waiver programs. I was
2 talking about April 2020, and that is a time frame that
3 there was confusion regarding attendance and waivers.

4 THE COURT: Understand. I'm trying to, I'm
5 looking at the Rule of Evidence. This is not a business
6 record, and it's one of the reasons that I went through the
7 business records exception --

8 MR. UDOIBOK: Yes.

9 THE COURT: -- on Friday, was to make sure that
10 everybody was aware of what that exception was.

11 The public records exception is 803(8). It's a
12 different exception.

13 Mr. Thompson, does it fall within 803(8) in your
14 estimation?

15 MR. THOMPSON: I don't believe it does, Your
16 Honor. First, I don't know where it came from. There's no
17 certificate authenticating it.

18 Second, I think even if it did, there's a 403
19 issue here fundamentally with putting in -- you know,
20 Ms. Bock can testify to her understanding of the regulations
21 and what was required and what wasn't required.

22 To put in selected excerpts of regulations or
23 waivers out of the 113 that were issued is confusing to the
24 jury. It has no probative value insofar as it allows her to
25 pick and choose selected examples.

1 One of the things that's notable to me, Your
2 Honor, is that Mr. Udoibok did not question Emily Honer
3 about any of this stuff, presumably because he knew she
4 wouldn't agree.

5 And now he wants to rather than ask the MDE
6 witness about the rules and regulations and press her about
7 what was or was not required, he wants to put in
8 out-of-court statements from the internet in an attempt to
9 prove it up in a way that's not subject to cross-examination
10 and is frankly confusing to the jury.

11 Ms. Bock can testify to this. She can say what
12 her understanding is, and that's fine. We don't need to be
13 putting in voluminous records from unknown sources to try to
14 pick and choose and take out of context sentences from
15 memos.

16 THE COURT: I'll allow the line of questioning.
17 But this record I can't see an exception for it. It doesn't
18 fall within public records under 803(8). It doesn't fall
19 within business records, and I think there's an authenticity
20 problem as well.

21 So this record is out. I'll sustain the
22 objection. The line of questioning is allowed.

23 MR. UDOIBOK: May I give one other way that the
24 Court may admit?

25 THE COURT: If you have an argument.

1 MR. UDOIBOK: And just another rule that admits
2 this exhibit, and that is 807 that is procedural, sort of a
3 catchall.

4 THE COURT: That's the only other way it doesn't
5 work, and you have other ways that could have worked here.

6 MR. UDOIBOK: Your Honor, I, I thought I gave, I
7 gave three ways that it could work. It -- 803 is present
8 sense impression. It can work that way. And 803(1), 803(3)
9 can work.

10 It's not offered for the truth of the matter, but
11 what for her reaction.

12 THE COURT: I did look at it, and I don't think it
13 is.

14 MR. UDOIBOK: Okay.

15 THE COURT: I mean, I think it's -- I looked at it
16 for that purpose to see if it was going to be admitted for
17 the truth, and I think it is.

18 But she's welcome to testify about her
19 understanding of the regulations.

20 MR. UDOIBOK: All right.

21 **(In open court)**

22 MR. UDOIBOK: Thank you.

23 THE COURT: The objection is sustained.

24 BY MR. UDOIBOK:

25 Q. So, Ms. Bock, at some point in April, sometime in

1 April 2020, you relied on USDA regulations, correct?

2 A. Yes, the regulations and their guidance.

3 Q. And regarding attendance, right?

4 A. Mm-hmm.

5 Q. What did you learn from that regulation?

6 A. So my understanding from the information I reviewed, I
7 learned that as part of the noncongregate dining, the rule
8 that changed allowing food to be served at home, the
9 attendance requirements had been changed.

10 Programs that were operating in kind of the
11 traditional sense they always had, kids were eating at the
12 location, were still required to keep attendance.

13 But for any site that was delivery, parent pickup,
14 using other methods to get the meals to the food, attendance
15 requirement was waived as long as the noncongregate dining
16 waiver was in place.

17 Q. So what was the significance of that to your operation
18 at Feeding Our Future?

19 A. It was large. It --

20 Q. Why do you say that?

21 A. It obviously waived a typical requirement, but it also
22 put Feeding Our Future in a situation. All of these waivers
23 were written with an expiration date, but they all also said
24 or when the public health emergency ends.

25 And so being such an unknown time, we didn't know

1 if we would get notice. And so we're in a situation where
2 sites don't have to take attendance, but we could get notice
3 that in 24 or 48 hours that requirement is back.

4 And we were worried that we would get claims
5 submission and hear from people, you never made us do that
6 before, you always paid me before, why do I have to do it
7 now, and it would result in disallowed meals, upset people,
8 money being spent on food that because of that change
9 wouldn't be reimbursed.

10 Q. So I want to shift gears a little bit to Government
11 Exhibit X1. It's in evidence.

12 Ms. Mallet, would you --

13 By the way, you've seen this exhibit throughout
14 this trial, haven't you?

15 A. I have.

16 Q. All right. Ms. Mallet, call out just the top, the
17 little column. There you go, that part.

18 So why don't you walk the jury through these
19 numbers, the 26, 86, 174 and 299, please?

20 A. So those were the number of sites. For the first year,
21 Feeding Our Future had 26 sites that were being sponsored.
22 The note on that one, however, is operations didn't begin
23 until October, so October to December there were 26 sites.

24 In 2019, obviously a full year, the program is
25 growing, the number of sites increased to 86. Again, growth

1 trend, businesses growing, the pandemic starts. So by 2020
2 there were 174 sites. And then by 2021 there were 299
3 sites.

4 Q. Now. What is your explanation for the growth between
5 174 to 299 in 2021?

6 A. That was the time during the COVID pandemic. There was
7 record high unemployment. There were people experiencing
8 needs that they had not typically experienced. It was a
9 time --

10 I mean, you couldn't even go to the store and buy
11 toilet paper. People were hoarding things. And so
12 locations would open so that parents could have access to
13 the food.

14 Because we worked direct with distributors, we
15 were able to keep -- and we can be flexible, right? A
16 vegetable is a vegetable. So we were able to continue to
17 get access, the sites to the foods that were needed to meet
18 the meal pattern.

19 Q. Okay. Now, I want to go to Government Exhibit X70.
20 It's in evidence.

21 A. Yes.

22 Q. Do you recall this, this document?

23 A. I do.

24 Q. And, Ms. Mallet, would you go to page 2.

25 Ms. Bock, do you know what that redline is about?

1 A. Yeah. So the government explained that there was a
2 large number of sites during that 1.8-mile corridor on Lake
3 Street.

4 Q. And why were there that many sites?

5 A. That area in particular experienced a large need. We
6 all remember seeing the images of the riots that occurred in
7 the Lake Street area. As a result of that -- let's see.

8 Q. Let's go to the next page.

9 A. Well, I was going to try to draw.

10 Q. Okay.

11 A. So in here (indicating), this I believe was Target was
12 destroyed and forced to close. Over here (indicating) is
13 Cub, and then if I remember correctly Aldi was there.

14 All of those three grocery stores that served this
15 area were closed for a long period of time, trying to
16 rebuild after they had been destroyed during the riots.

17 There was not a lot of commercial activity or
18 available space on the Lake Street corridor here
19 (indicating). However, there was just a few blocks down.

20 And so, again, with the closure of these stores,
21 this large area became what's known as a food desert.

22 There's not food that's easily available. People have to
23 travel a distance to get to a grocery store.

24 That created a need for additional sites that were
25 then located in that 1.8-mile section of Lake Street.

1 Q. Let's go to the next page.

2 Are you able to take out your --

3 A. Oh, I can unscramble. Sorry.

4 Q. So Government Exhibit X70, and you see the names, the
5 name of sites from 1 through 21. Do you see that?

6 A. I do.

7 Q. And these are all, based on testimony, are all in the
8 1.8-mile area. Is that what it is?

9 A. Yes, that was the testimony.

10 Q. All right.

11 A. It appears to be.

12 Q. And why did you have so many sites within such a short
13 area?

14 A. Again, the need during this time. This area had a
15 compound need. They had the effects of the COVID pandemic,
16 the job loss, the instability, children out of school,
17 having to provide meals that weren't maybe in the budget
18 because they'd typically receive them at daycare, at school.

19 And then like we saw in the last one, the three
20 major grocery stores that supported that area were closed.
21 And then additionally, of course, on Lake Street there's a
22 lot of small, family-operated Halal markets, little grocery
23 stores, convenience stores.

24 Most of them were damaged and closed as well. So
25 there was really not a lot of access to food, which led to

1 the creation of a number of sites.

2 Q. All right. I want to talk a little bit about, because
3 we're talking about food.

4 A. Okay.

5 Q. Was the meal portions ever an issue while Feeding Our
6 Future existed?

7 A. Not an issue. They are, though -- it's important to
8 kind of understand the portion sizes, when we're talking
9 about meals, are really, really small. So some of the
10 workshops and stuff, the supper is actually referred to as a
11 super snack, because there's not a lot of food provided in
12 the meal pattern required by law.

13 So like, for example, for a supper, for 6- to
14 18-year-old the requirement is two ounces of meat, which is
15 the equivalent of one large chicken leg. A can of tuna will
16 serve three to four kids. It's not large portion sizes that
17 are being distributed from the locations.

18 Q. Ms. Bock, do you have, did you have any information from
19 USDA regarding meal portions?

20 A. Yeah. USDA, it's their teen nutrition department, has
21 posters that Feeding Our Future ordered to give to the
22 sites. It's also available for download on their website.
23 So it was included in our new site packets that we would use
24 to train sites, and then actually large number of the sites
25 posted it in their kitchen area.

1 Q. Now you are looking at what's been marked as exhibit --

2 Your Honor, may I have a moment with counsel?

3 THE COURT: Yes.

4 (Counsel confer)

5 MR. UDOIBOK: Your Honor, may we approach, please?

6 THE COURT: You may.

7 **(Sidebar discussion)**

8 THE COURT: Mr. Udoibok.

9 MR. UDOIBOK: Your Honor, I have three sets of
10 exhibits, and they are USDA publication of, it's pictorial,
11 of meal portions. And I wanted to admit it either a
12 demonstrative, at least, or to admit it as a public record,
13 present sense impression, or record relied upon during the
14 regular course of activity, which would be 803(7), 803(1),
15 or 803(8).

16 And then even 803(7), if I fail on all those, then
17 I use it as demonstrative.

18 THE COURT: Mr. Thompson.

19 MR. THOMPSON: Your Honor, I'd object on the
20 grounds of hearsay. These appear to be documents printed
21 off the record that Mr. Udoibok wants to admit to show the
22 size of the meals necessary under the program.

23 First off, I don't know where these came from.
24 Second, I don't know whether they were kept in the regular
25 course of business, by whom and when or whether or not they

1 apply.

2 And finally, there's a 403 issue because, again,
3 Ms. Bock already testified to her understanding that the
4 meals could be small. To put in some document that shows
5 meals that look nothing like the ones that were served in
6 this case to try to show I'm not sure what is only confusing
7 to the jury.

8 She can testify to her understanding of the meals
9 didn't need to be big. She already has. You don't need to
10 put in outside documents from unknown sources to try to
11 bolster that and offer them for the truth. It's classic
12 hearsay.

13 THE COURT: All right. I'm not seeing an
14 exception. I'm going to sustain the objection.

15 **(In open court)**

16 BY MR. UDOIBOK:

17 Q. So as we continue to discuss the meal portions, you said
18 it was, it was small, correct?

19 A. Correct.

20 Q. And could you describe for the jury just breakfast? How
21 much food were you allowed, was a site allowed, to deliver
22 for breakfast, just breakfast?

23 A. For breakfast, so the minimum requirement, it varied a
24 little bit by age, but the largest portion size being school
25 age children 5 to 18. It was a small container of cereal, a

1 banana and eight ounces of milk. That would cover the
2 breakfast requirement.

3 And then for the younger kids, that would actually
4 be two breakfasts.

5 Q. Now what about for the older kids?

6 A. For the older kids, yeah, it was a full container of
7 cereal, a banana and milk, or they could substitute it. It
8 would be a piece of toast, half a cup of fruit or like a
9 small, one of those applesauce cups and again eight ounces
10 of milk.

11 Q. What about lunch?

12 A. Lunch, like I said, the meat requirement is two ounces,
13 so a chicken leg, part of a can of tuna. The requirement
14 for the grain is one slice of bread, so essentially half a
15 sandwich.

16 The requirement for, if it's a pasta or a grain,
17 it's half a cup, so it's really not a lot of grain. The
18 fruit and vegetable requirement combined is three-quarters
19 of a cup. So again a fruit cup and three baby carrots and
20 then eight ounces of milk.

21 Q. Dinner?

22 A. Dinner is the same requirement as lunch.

23 Q. Now, in terms of unit cost per meal, what was your range
24 of cost at Feeding Our Future?

25 A. So the cost per meal we didn't typically calculate for

1 each of our sites. That was more the vendor's role.
2 However, we did check. I did check public data. For
3 example --

4 MR. THOMPSON: Objection, Your Honor.

5 THE COURT: Sustained.

6 MR. UDOIBOK: All right.

7 BY MR. UDOIBOK:

8 Q. Regarding public data, did your site, did your vendors
9 keep unit cost?

10 A. Some of them did.

11 Q. All right. And contracts that you had with sites, did
12 you have unit cost per meal?

13 A. Yeah. So the reimbursement rate is set by the USDA, by
14 the federal government, and that doesn't change based on how
15 much the meal costs. So they serve one breakfast, they get
16 the same amount of money.

17 If it costs them \$5 to produce, if it costs them
18 \$0.50, \$0.20 to produce, they get the same amount of money
19 as a reimbursement.

20 Q. All right. Now regarding unit cost, I want to direct
21 you to D1-882. I believe it's in evidence.

22 Do you recall that?

23 A. I do.

24 Q. What is that?

25 A. This is a report for the St. Paul School District for

1 school year 2020.

2 Q. And what was the cost per meal?

3 A. Yeah. So for the lunch, the cost per meal is listed
4 down here (indicating). Their food cost was \$0.24. The
5 milk cost an additional \$0.02. So their food cost for that
6 program year was \$0.26.

7 Q. And what is the significance of that?

8 A. The significance is, again, the portion sizes are small.
9 It's not costing a lot of money to produce these meals. The
10 reimbursement rate doesn't change. So while there is
11 nonprofit rules for the nonprofit sites, vendors, Sysco
12 Costco, restaurants, grocery stores, are allowed to profit.

13 And so when they're buying the food, we all know
14 at our house, I have two boys. I could not feed them lunch
15 for \$0.26.

16 Q. Now I want to shift focus because of, also the
17 attendance issue. I want to go to Government Exhibit A82.
18 It's in evidence.

19 Do you recall testimony about A82 and attendance?

20 A. I do.

21 Q. Do you recall? Now you received -- you sent this email
22 to your staff, didn't you?

23 A. I did.

24 Q. What was it regarding?

25 A. This was required -- or I'm sorry -- requesting that the

1 staff, because of COVID, they were working from home.
2 Support staff that are on the road would occasionally have
3 records at home or in their car.

4 It was requesting that all of the information be
5 brought back to the office so that it could be organized and
6 submitted to the Department of Education.

7 Q. Why?

8 A. They had requested for claims that had been submitted,
9 they requested the backup documentation, the meal counts,
10 invoices and receipts for those claims that were pending.

11 Q. Now, was attendance always required?

12 A. It depended on the program. So in this email when I'm
13 requesting attendance records, again, daycare centers always
14 required. Emergency shelters, also required. Adult
15 daycare, always required. And then for any of the
16 after-school programs that had the kids in person, it was
17 required.

18 So it was requesting from the staff if we have
19 those documents, they need to be brought back.

20 Q. All right. So this email, were you trying to mislead
21 MDE with this email?

22 A. No, this email didn't go to MDE at all.

23 Q. Okay. Thank you.

24 So we talked about, a little bit, about site
25 requests, correct?

1 A. Yes.

2 Q. And site application. Remember?

3 A. I do.

4 Q. I'm going to know this thing by the time this trial is
5 over.

6 So I want to shift focus to Southcross.

7 A. Okay.

8 Q. All right. Let's look at Government Exhibit V8, V like
9 in Victor.

10 I'm going to be a little slow here.

11 A. Okay.

12 Q. So please, you know, walk me through this exhibit.

13 A. Okay. So this is the application for the Southcross
14 location that was submitted to MDE through the CLiCS system.

15 The time period for this application was October
16 of 2020 through April of 2021.

17 Q. Please call that out, Ms. Mallet.

18 What do you mean? What does it mean when you say
19 the approval effective date?

20 A. It means that this site was approved for October of
21 2020.

22 Q. Through?

23 A. Through April of 2021, correct.

24 Q. All right. Okay. And then the next, the site program
25 name?

1 A. Yep. This location was named Southcross. That was the
2 name of the road that it was located on.

3 Q. Okay. Release.

4 So go to the bottom, Ms. Mallet.

5 Obviously, you are the contact person for --

6 A. Yeah.

7 Q. -- Feeding Our Future?

8 A. Yes, MDE wants one specific person to contact, so it was
9 me.

10 Q. So why didn't you put claims at Feeding Our Future.org?
11 Is there a reason?

12 A. Well, claims only handles the portion of the claim.
13 They are not part of the application process. There's also
14 multiple employees within that department, and the
15 Department of Education wanted just one person.

16 If they had questions, if they had concerns, they
17 can pick up the phone and call, or they can send on email.
18 So they can get answers right away, and it wouldn't go to
19 claims, and they would have to say let me look into it or
20 let me find Aimee or let me find my manager. It would just
21 all come to me.

22 Q. There's a check on the classification of site. It says,
23 "Open site." Do you see that?

24 A. I do.

25 Q. What is the significance of that?

1 A. An "open site" means it's open to anyone.

2 Q. What does that mean?

3 A. The participants can come from anywhere. They don't
4 have to live in the Burnsville School District or within
5 like a certain mile radius of the address. They can come
6 anywhere. If they're from up north and they are driving
7 through on their way out of town or something, they can stop
8 at Southcross and pick up food.

9 Q. Okay. So, Ms. Mallet, would you go to the next page.
10 Call out the top three, please top three. Release. Call
11 out the top three. Number 2 and 3. Section 2 and 3. There
12 you go. Correct.

13 So, Ms. Bock, would you explain, it's obvious that
14 two is urban, right?

15 A. Yes.

16 Q. All right. So what does this other notation mean,
17 notations?

18 A. This section is completed by MDE or the CLiCS system,
19 but what it's indicating is that, as we've heard,
20 after-school programs have to be located in an area that's
21 eligible. It can be eligible based on census data or the
22 local public school data.

23 So in this case this location was eligible under
24 both criteria. Once you're established as eligible, the
25 regulations indicate that you remain eligible for the next

1 five years.

2 So even if there was a dramatic population change
3 or something, that site would be eligible until May 1st of
4 2025 as an after-school site.

5 Q. You just made a statement that this data is inputted by
6 MDE?

7 A. Yes.

8 Q. It's not you?

9 A. No, not that section.

10 Q. Do you have access, did you have access to CLiCS while
11 working at Feeding Our Future?

12 A. Yes.

13 Q. And how much access did you have?

14 A. So we would have access to this application. There are
15 a couple areas that were hidden that when I logged in that I
16 was not able to see.

17 This section I could see, but it was locked. I
18 couldn't make edits or changes to it. It came
19 pre-populated.

20 Q. Okay. Let's go to the same -- scroll down to six.
21 Could you call out six?

22 Would you explain that to the jury, please?

23 A. Yes. So there are certain edit checks or protections
24 placed within the CLiCS claim system. So this is indicating
25 that, for example, for the month of October, there would

1 only be claims for 16 days. Should I make a typo, documents
2 are wrong, attempt to claim for 17, 18, some other number,
3 that claim will not be allowed to be submitted. It will be
4 rejected until I figure out and correct the typo or the
5 error.

6 Q. Ms. Mallet, let's go to the third page, please. 14.
7 Could you call out 14, please.

8 What is that?

9 A. That is an indicator to MDE that this particular
10 location was only distributing food on Thursdays. So
11 Southcross would prepare boxes or bags of seven days' worth
12 of meals, and every Thursday the location would be open for
13 parents, whoever, to come and pick up the meals for their
14 children.

15 This notifies the Department of education that,
16 number one, if they're attempting to monitor that site, if
17 they're wanting to do surveillance, if they want to do an
18 unannounced visit, if they show up on any day other than
19 Thursday, they're not going to see anything. No one is
20 there.

21 It was also a notice to them that when you are
22 giving out seven days of food, so for example a hundred
23 people come on Thursday. They are receiving 100 meals for
24 Friday, 100 meals for Saturday and Sunday and so on.

25 So when the meal count forms are reviewed, they

1 are going to see a consistent number for seven days because
2 it was one parent pickup.

3 Q. Okay. Release. Let's go to column 13. No. Right
4 there. Right there. Call out.

5 What does that mean?

6 A. That is informing MDE that there, the site is estimating
7 to provide 3,000 snack and supper. It's also then another
8 protection or edit check that's put into the claims system,
9 meaning that that's the most meals that can be claimed.

10 Should that site distribute 3,001, anything over
11 3,000, that claim is going to be rejected because the
12 established and approved cap is 3,000.

13 Q. All right. Now regarding Southcross, there's internal
14 notes.

15 Could you scroll down, Ms. Mallet. Could you call
16 out the internal notes?

17 What does that mean?

18 A. These are the notes that MDE kept on the location. This
19 section I did not have access to, I couldn't view when I
20 logged in, but it appears to be them tracking the changes
21 and status of the Southcross location.

22 Q. Okay. Ms. Mallet, let's go to page 5 of V8.

23 By the way, before that, what is the significance
24 of that internal notes?

25 A. There were a couple things.

1 Q. Go back. Please go back to I believe page 3. Yes.

2 A. So there's a couple things that stand out in their
3 notes. One is that if you start at the bottom, which I
4 believe is the older notes, it says it's an approved new
5 site.

6 MDE is aware that there is another location
7 operating next door, and that location is serving breakfast
8 and lunch. So what that means is, the Southcross site can't
9 serve breakfast and lunch. They however can serve supper
10 and snack.

11 Q. Are you able to kind of highlight that section? There
12 you go.

13 A. Whoops. Sorry.

14 Q. So you were saying before I interrupted you. What did
15 that mean?

16 A. So, again, it means that there is a location next door
17 that was providing breakfast and lunch. So that meant that
18 per the regulations, the Southcross site can't offer
19 breakfast and lunch, but they can offer supper and snack.

20 Q. And then the top?

21 A. Yep. Sorry. They're also indicating -- so this site
22 had been approved for a thousand. That number was later
23 increased to 3,000. MDE was aware of that and approved it
24 on January 29th of 2021.

25 The KP I believe is Kendra Pace, who like I said

1 was the assigned MDE application person that worked
2 primarily with Feeding Our Future.

3 Q. Let's go to page 5.

4 Now we're still, we're talking about Southcross
5 now.

6 A. Correct.

7 Q. What is this page here?

8 A. This is a supplement that's submitted. It's only
9 required for a new site, or MDE will request it if a site
10 had had a lot of problems. Feeding Our Future provided this
11 for all of our sites just for clarity purposes.

12 But what it does is outlines the plan for summer
13 for this location. So when we're applying, this is how we
14 intend to run it.

15 Q. Ms. Mallet, could you release it a bit so we can see the
16 entire document? Fine.

17 So I understand, did you, does Feeding Our Future
18 complete this particular section of the form?

19 A. Yes.

20 Q. All right. And this sponsor ID obviously is Feeding Our
21 Future?

22 A. That is Feeding Our Future's ID number.

23 Q. Call out, Ms. Mallet, Number 2 section.

24 All right. So what is this?

25 A. This is indicating to MDE that the individual from

1 Feeding Our Future that was assigned to monitor that
2 location was Hadith Ahmed. Also shows that a preoperational
3 visit will be completed before they start, meaning we will
4 go and check everything out, make sure it's an appropriate
5 site.

6 Regulations require that the site is visited
7 within the first week of operations and then again within
8 the first four weeks, so that there's two checks when that
9 site is first opening.

10 Q. All right. Release the callout.

11 And there is -- the site is identified as a
12 for-profit or nonprofit? Am I mistaken on that?

13 A. It's both. So this site was operated by different
14 organizations over the course of its existence. It was
15 originally opened in October 2020 as a Feeding Our Future
16 site. It was used as a training location.

17 So Feeding Our Future would purchase the food,
18 pack the food and distribute the food on those Thursdays.
19 We set it up so that, number one, the staff, the new staff
20 would be able to actually experience it, to know what it
21 looks like, know the food portions, understand efficient
22 ways to do it.

23 And then we would also strongly encourage, others
24 we required, our sites to come and spend at least a few
25 hours there so that they could see, they could experience

1 the quantity of food, the packing of the food, the
2 distribution.

3 Q. Now, Ms. Mallet, go to the first page of Exhibit V8.

4 All right.

5 So this first page, October '20 through
6 April 2021, is that a site application?

7 A. Yes, this is the site application.

8 Q. All right. Ms. Mallet, go to page 7 of the same
9 exhibit. All right. Now call out the first section there.

10 So now what is the difference between page 1 and
11 page 7?

12 A. Page 7 is another application. It's virtually the exact
13 same. This one, however, covers June of 2021 through April
14 of 2022.

15 Q. So you, was it required that you make another
16 application every -- is that part of --

17 A. Yeah. So there's two different programs. So the fiscal
18 year started October. So every September Feeding Our Future
19 would have to submit a renewal application to be a sponsor,
20 and then site applications for each site would also need to
21 be resubmitted.

22 The same thing for summer. Because it's a
23 different program, every spring sponsor would reapply, sites
24 would reapply and the cycle would repeat.

25 Q. Ms. Mallet, why don't you go to page 9 of Exhibit V8,

1 please. Call out the meal section there. Right there.

2 Ms. Bock, earlier we saw, was it 3,000?

3 A. It was.

4 Q. And now we're seeing 2,000?

5 A. Mm-hmm, yeah.

6 Q. Why the discrepancy?

7 A. The site had overestimated. 3,000 children were never
8 served, so the limit was decreased to 2,000.

9 Q. Who decreased that limit?

10 A. I did.

11 Q. Why?

12 A. To have a more accurate depiction and understanding for
13 MDE, as well as to make sure that that claims section had
14 the right edit checks and that we had told the site 2,000.
15 If they were trying to overserve, I didn't want CLiCS to
16 somehow to be able to approve that claim.

17 Q. Now, did any of your sites ever exceeded the maximum
18 amount allowed? When I mean "your site," I don't mean
19 your -- Feeding Our Future sites.

20 A. Yeah. There were sites that would have meal counts
21 indicating they had served more than their approved limit.

22 Q. What did you do with those?

23 A. Anything over the limit was disallowed. It wasn't paid.

24 Q. There's another internal notes in the exhibit on page 9.

25 Do you see that?

1 A. Mm-hmm.

2 Q. What's that about?

3 A. Again, it's kind of a repeat of the notes that were in
4 the last application. Now they're adding that it's been
5 approved for program year 2022, opening date June 10th.
6 Kendra Pace approved it.

7 There had been a closing date change due to a
8 waiver extension. And then it appears that on March 24th of
9 2022, they deactivated this site due to the federal
10 investigation.

11 Q. All right. Let's go to page 11.

12 Now, what is that?

13 A. That is the summer food service vended meal contract,
14 the catering contract for the Southcross location.

15 Q. And whose the vendor here?

16 A. Empire Cuisine & Market.

17 Q. What is significant about Empire Cuisine & Market?

18 A. They were the vendor for that site and were allowed to
19 work with Feeding Our Future for about two months before
20 they were terminated and banned.

21 Q. Who terminated them?

22 A. I did.

23 Q. Who banned them?

24 A. I did.

25 Q. Why?

1 A. I had happened to be in the Burnsville area, and it was
2 a Thursday, so I swung by the location unannounced, and it
3 was not good. There was not nearly enough food for the
4 claims that had already been recorded for the other week.

5 They tried to explain that it had been distributed
6 by delivery from warehouses. That didn't check out. And
7 then just some of their, the food packaging that I was
8 seeing, a box of chicken legs on the floor with somebody
9 with rubber gloves portioning it out into smaller bags.

10 And it was just not a good fit, didn't meet
11 Feeding Our Future's standards, didn't meet the program
12 regulations, definitely didn't meet the health department
13 standards for food.

14 So Empire Cuisine & Market was terminated. And
15 then, again, because of what I had seen, they were not
16 allowed to vend for Feeding Our Future sites.

17 Q. Go to page 18 of the same exhibit. At the bottom there,
18 what is that?

19 A. That's the signatures. So Feeding Our Future. That's
20 my electronic signature. It is preprinted on these forms
21 because the terms never change, so it's always just there.

22 And, again, it was submitted to MDE as part of our
23 management plan, the policies, procedures, explanation of
24 how we're supervising the program, running the program. And
25 then it was signed by Abdiaziz Farah on behalf of Empire

1 Cuisine & Market.

2 Q. Did Feeding Our Future ever notify MDE about terminating
3 Empire?

4 A. I did.

5 Q. All right.

6 THE COURT: Mr. Udoibok, are you at a place where
7 we can break?

8 MR. UDOIBOK: Yes, Your Honor. Perfect.

9 THE COURT: All right. Let's do that. And then
10 we'll come back at 10:50.

11 All rise for the jury.

12 10:33 a.m.

13 **IN OPEN COURT**

14 **(JURY NOT PRESENT)**

15 THE COURT: Thank you. 10:50 everyone.

16 (Recess taken at 10:34 a.m. till 10:50 a.m.)

17 10:52 a.m.

18 **IN OPEN COURT**

19 **(JURY PRESENT)**

20 THE COURT: You may all be seated.

21 And, Mr. Udoibok, you may continue.

22 MR. UDOIBOK: Thank you, Your Honor.

23 BY MR. UDOIBOK:

24 Q. Ms. Bock, I want to shift focus a bit. I want to talk
25 about wire fraud. You've heard about wire fraud in this

1 trial, haven't you?

2 A. I have.

3 Q. So, Ms. Mallet, would you call up Exhibit Z2, which is
4 in evidence. And call out the first section.

5 What is that?

6 A. That is the email that I sent to Kendra Pace, as well as
7 the MDE general email box. It was a site ID request for ASA
8 Limited.

9 Q. Okay. Release. Ms. Mallet, would you call out the
10 exhibit label, please, exhibit label. There you go.

11 That's Z2, correct?

12 A. It is.

13 Q. What is your understanding about Exhibit Z2?

14 A. My understanding is that Z2 is Count 2, wire fraud, that
15 I've been charged with.

16 Q. Relating to?

17 A. Relating to this email.

18 Q. Okay. Release it, please.

19 And it is you writing to MDE, correct, as you
20 testified?

21 A. Yes, I sent the email.

22 Q. Now, Ms. Mallet, would you call out the, "Please see the
23 attached"?

24 So there is no confusion, you said, "Please see
25 the attached site application."

1 A. Yes.

2 Q. Do you see that?

3 A. I do.

4 Q. What did that mean?

5 A. So that was, like I said, it was a site ID request, but
6 that was just an indication that this site was going to be
7 entering the application process.

8 Q. All right. Ms. Mallet, go to the second page, please.

9 I want you to take your time to explain to the
10 jury through this exhibit the difference between site ID
11 request and site application.

12 A. Okay.

13 Q. All right. What is that?

14 A. This is the cover sheet for the documentation that I
15 submitted to MDE, in addition to the site ID request.

16 Q. And you checked --

17 Call out the middle boxes, please.

18 All right. Would you walk the jury through those
19 boxes.

20 A. Yes. So the site ID request form we've seen, and I
21 believe it's in this packet next, is the name, address, and
22 just the request to MDE to assign that ID so that the online
23 application can be unlocked.

24 I also provided the Department of Education with a
25 copy of the signed agreement, obviously the agreement

1 between the site and Feeding Our Future. The preoperational
2 visit form is just a checklist that's completed before the
3 site starts serving, just indicating that everything looks
4 okay, it looks like it's going to be an okay site to
5 operate.

6 After-school programs in the state of Minnesota
7 are exempt from licensing, and so there's just a form that
8 the site signs saying, yeah, we are not required to have a
9 license, but we are going to protect the children and take
10 certain steps.

11 The area eligibility map is, I think we've seen a
12 couple times. It's just the pinpoint location on the map of
13 the actual address, with shading around it indicating that
14 it's in one of those areas that is either approved by census
15 data or school data.

16 Nonprofit eligibility form only applies to daycare
17 centers and adult daycare forms. Adult daycare centers, so
18 that is NA. It's not required.

19 Rosters with ABCs, ABC represents free, reduced
20 and paid. So when you think school lunch program, it's free
21 or you get a reduced price, that is applicable again only to
22 daycare centers and adult daycares. So it's NA in this
23 instance.

24 The key staff, kind of the main point of contact,
25 at least at this stage has been trained and understands kind

1 of what they're applying for.

2 And then the federal regulations require that a
3 press release be sent for any new site, and so it's just a
4 copy of the release that was sent.

5 Q. Why do you need a press release?

6 A. It's just a requirement within the federal regulations.

7 Q. Now let's go to page, page 3.

8 It's the same identical. Why is that?

9 A. This one is slightly different. So again because of the
10 waivers, programs were being extended. There was some
11 overlap between summer and after-school that didn't normally
12 exist.

13 So when I submitted the information, I made sure
14 the first page covered the after-school forms requirements.
15 This one is specific to the summer program so that MDE would
16 have all of the information, depending on which program the
17 site was approved for.

18 It's very similar, slightly different,
19 preoperational visit form, and for the summer program we are
20 required to send a notice to the local health department
21 that there's going to be food distributed at this location.
22 And so there's a copy of that letter.

23 Q. Go to page 4, please.

24 What is that?

25 A. This is the site ID request. So this is, the purpose of

1 that email is to submit this form. It provides just very
2 basic information, the name of the site, the address. I
3 indicate on there that this is a request for a new site ID.
4 It's a new location.

5 Q. Ms. Mallet, please, no, not that yet. Would you call
6 out the first section?

7 Ms. Bock, what is the significance of this
8 section?

9 A. So this section is making it clear that this form can be
10 used for two purposes. One, to get a new site ID. Two, to
11 change the address if a program moves.

12 It also, again, is clarifying that the site is the
13 location. So the site is the address, not necessarily the
14 name of the organization distributing the food.

15 Q. So let me stop you there.

16 Release that, Ms. Mallet.

17 You just made a statement the site is the address
18 and not the location. What does that mean?

19 A. So kind of a common example that I use is a scouting
20 troop. The address may be a church or a library. So that
21 is going to be the site.

22 MDE would recommend that the site name then be
23 whatever public library, the church of whatever. However,
24 it's a scouting troop that's using space, distributing the
25 meals to the participants that are there. So the site name

1 is not always reflective of the organization that's
2 providing the food.

3 Q. And then there's a checklist for new site ID number
4 request.

5 A. Correct.

6 Q. Right? Ms. Mallet, could you call out that.

7 What is the significance of that check?

8 A. So this is letting MDE know that we're not dealing with
9 an existing site, a location that has a number. This is a
10 new request. This is a new application for this location
11 and organization.

12 Q. All right. Go to the fifth page and call out Section 4
13 on top.

14 What is that?

15 A. This is informing MDE that this location intends to be
16 an at-risk site, as well as a summer food site, depending on
17 the time of year and the waivers and what program was open
18 at the time.

19 Q. Well, there's a notation on this page that I want you to
20 clarify for the jury.

21 Would you release that, please, Ms. Mallet. And
22 then call out the new site created in CLiCS, that third
23 section. Okay.

24 Highlight the, "If new site ID is created in
25 CLiCS." I mean highlight that.

1 All right. So what does that mean?

2 A. This is the notation that myself, I was listed as the
3 contact person. I will receive an email from CLiCS letting
4 me know that a site ID has been issued.

5 It's also clarifying that that's not the end,
6 that's not an application, the site is not approved to
7 participate. It's informing me that there will be
8 instructions in that site ID email on how to apply, where to
9 submit the actual participation application.

10 Q. So when you submitted Exhibit Z2, you had not made a
11 site application, correct?

12 A. No. This was just a request for a number that matched
13 an address.

14 Q. Not submission of meal counts?

15 A. No. With the site ID number, you can't do anything.
16 It's -- I mean, you can use it in CLiCS to unlock it, but
17 the only thing you have access to is the application,
18 otherwise it's just obviously a useless number.

19 Q. Now, I want to walk you to --

20 Ms. Mallet, would you call up page 11 of this
21 document. Call out the, the "Authorized Representatives"?

22 So the program name is what?

23 A. ASA Limited LLC.

24 Q. And who are the representatives?

25 A. Abdihakim Ahmed.

1 Q. All right.

2 A. As the owner.

3 Q. All right. And then you did sign this request on
4 page 12, correct?

5 Go to page 12, Ms. Mallet, and call that out.

6 A. Yeah. So again this, it is my signature. It's the
7 electronic signature, but it is preprinted on the agreements
8 because the terms are set by -- this is a template provided
9 by MDE, so the terms don't change.

10 Q. Okay. So go to page 9 of Exhibit Z2.

11 Page 19. Sorry. So call out the first section
12 there with, including that 3,000.

13 What is that?

14 A. So that's the summer food preoperational visit form,
15 indicating a visit on September 4th, plan start date of the
16 8th and that the estimated number of meals to be served is
17 3,000.

18 Q. And you say, "Estimate." What does that mean to you?

19 A. It means that my staff has worked with the site,
20 reviewed the operations, and determined what that location
21 would be capable of serving. And so this is the proposed
22 estimate of how many meals they want to serve.

23 Q. Okay. Go to page 23. Call out the training information
24 and attendees.

25 So earlier you signed the site ID application

1 request, correct?

2 A. I sent it, yeah. There's no signature, but yeah, I sent
3 it.

4 Q. And then now you have training information. What is
5 that about?

6 A. So there's two trainings that sites are required to
7 undergo annually. One is the CACFP required elements. It's
8 just an overview of the program and the basic requirements
9 that they need to meet.

10 The second is a civil rights training. The
11 programs are open to youth 18 and under. However, programs
12 are required by law to provide meals and snacks requested by
13 anyone with a diagnosed disability of any age.

14 And so it's informing the sites that, number one,
15 they have to provide those meals if they're requested and,
16 number two, they can't discriminate based on any of the
17 protected classes.

18 Q. Okay. And who, who is, could you -- who is the trainer
19 here?

20 A. The trainer in this instance was Eidleh, Abdikerm
21 Eidleh?

22 Q. What do you mean the training?

23 A. So he was the one that was meeting with ASA and
24 providing the trainings to, it looks like, Abdihakim.

25 Q. All right. Okay. Let's go to government document C5.

1 Before, before, before you call up C5, Ms. Bock, we've gone
2 through Government Exhibit Z2.

3 A. Mm-hmm.

4 Q. You've seen that. As you sit here today, do you -- was
5 there anything about the site ID request that you did wrong?

6 A. No. I actually provided, Feeding Our Future from the
7 day it opened always provided extra information to MDE as
8 part of the preparation for an administrative review.

9 And so I provided them the form that was
10 requested, along with a whole bunch of supplemental
11 documents.

12 Q. Why did you do that?

13 A. Because they're documents that the state agency reviews
14 when they come out and do their inspections, their
15 administrative reviews of Feeding Our Future. Those are the
16 documents they request to see.

17 And so it was something that had been done at
18 Providers Choice when I worked there, so I brought it over
19 to Feeding Our Future, the intent being MDE can kind of have
20 an ongoing checklist.

21 So rather than showing up and me having to find
22 300 agreements or whatever number, they had it. They could
23 check it off so that it would make their review easier for
24 both Feeding Our Future but also for MDE staff.

25 Q. Now let's go to Exhibit C5.

1 This is an email that you received from MDE,
2 correct?

3 A. Yes. So this is the automated email on the site ID
4 request form. It said if it's approved I will receive an
5 automated email with a number. This is the email that was
6 received.

7 Q. Now, call out C5. What is the significance of that?

8 A. It is an exhibit that the government presented and used
9 in their presentation of the case. They sorted their
10 exhibits, and if I remember correctly, the Cs are related to
11 ASA.

12 Q. All right. So you received this email, and is it
13 your -- what's your testimony regarding this email and your
14 site request?

15 A. So this email indicates to me that MDE staff have
16 reviewed the site ID request form, they have entered the
17 address into the eligibility map and determined that this
18 location is eligible to participate and that they have
19 approved a site ID be issued for this location.

20 Q. All right. So let's move to Government Exhibit Z4.
21 It's in evidence.

22 A. Mm-hmm.

23 Q. Call out the first section, please.

24 What is this about?

25 A. This is another site ID request that I submitted to

1 Kendra Pace, our assigned application person, and MDE's
2 general email box, regarding -- again, it says site
3 application, but it's a site ID request for Stigma-Free
4 International, Willmar.

5 Q. And then regarding the claims against you, what does
6 your understanding Z4 indicate?

7 A. This would indicate Count 4 charge, charge of wire fraud
8 related to this email being sent to MDE.

9 Q. All right. Let's go through the email then. Let's go
10 to page 2.

11 Could you walk the jury through it? What is this?

12 A. So, again, this is the same form that we just looked at
13 for the ASA Limited site. It's the site ID request, along
14 with the supplemental documents, the agreement, pre-op
15 visit, licensed exempt.

16 The one difference is in the right column, the
17 third one down, Stigma-Free is a nonprofit, and so
18 verification of that was submitted, typically a printout
19 from the IRS website indicating that they were an approved
20 nonprofit.

21 Q. Let's go to page 3. Are we there? Highlight the first
22 check box, please. Call it out. That's fine.

23 So for Stigma-Free, is it Stigma-Free, Willmar?

24 A. Yes.

25 Q. All right. And Exhibit Z4 is the basis of the wire

1 fraud count correct?

2 A. It is.

3 Q. And you making a site ID request form?

4 A. That's correct.

5 Q. Request, correct?

6 A. Correct.

7 Q. Okay. Let's go to page 4. Call out site ID. There you
8 go. The check box.

9 What is that?

10 A. It's, again, an indication to MDE that Feeding Our
11 Future is requesting a new site ID for this program. It
12 doesn't exist at that time.

13 Q. Ms. Mallet, call out the first section, the middle part,
14 starting with, "Use this form when." There you go.

15 Ms. Bock, could you explain that?

16 A. Yep. So again, this is just, for this purpose of this
17 email, it was to request a new site ID. It wasn't notifying
18 MDE that a site was moving or anything like that.

19 It's also notifying me that when the site ID
20 number is issued, I will -- I'm sorry -- that the site ID is
21 the number that will be used within CLiCS to identify the
22 organization.

23 And again, just clarifying that the site is the
24 physical location. It's the address, not necessarily the
25 name of the group distributing the meals and snacks.

1 Q. Ms. Mallet, would you highlight the sentence in the
2 callout section starting with, "This site ID number is."
3 Highlight all the way down.

4 Ms. Bock could you explain that to the jury?

5 A. Yeah. So the site ID number, like I've said, is
6 essentially the key to unlock the CLiCS application.
7 Without a site ID number, you cannot apply for a child
8 nutrition program.

9 And this is informing me or anyone who submits the
10 form that we need that number in order to be able to prepare
11 the application or submit the application for the site to
12 participate.

13 Q. Ms. Mallet, would you go to page 11 of this exhibit and
14 call out the last two boxes. There you go. The last two
15 boxes. No. The last two. The last two. Start with the
16 program site. Program name, please. There you go.

17 Who is the signatory of this?

18 A. The program representative appears to be Ahmed Artan.
19 And again sponsor, Feeding Our Future, it's my electronic
20 signature that was printed on it.

21 Q. Now, if you go to page 21 of this exhibit, there's a
22 map. What is that? Why did you include a map?

23 A. This is the map that shows the location is eligible.

24 So when I talked about the shading in the last
25 one, all of this kind of gray shading indicates that the

1 little square here in the middle, that's the site. It is
2 within an area that is eligible.

3 Q. Go to page 22.

4 You also included tax information. Why did you do
5 that?

6 A. Right. So because this organization is a nonprofit, we
7 submit verification that it's a nonprofit. So this is the
8 IRS letter issued to Stigma-Free International, letting us
9 know that it's been determined that they are exempt from
10 federal taxes under 501c3.

11 Q. Let's go to page 24.

12 This time around the training information has FOF.
13 Why is that?

14 A. An FOF employer consultant was the one that completed
15 this training. They typically write their name on there.
16 For this one, they didn't. But it's indicating that on
17 October 9th of 2020, Ahmed Artan and Abdikadir Mohamud were
18 both trained on again the required elements and the civil
19 rights.

20 Q. Now, Ms. Mallet, I want you to put Exhibit Z2 and
21 Exhibit Z4 side by side.

22 Ms. Bock, you testified about Z2 being the basis
23 of your wire fraud count and Z4 being the same?

24 A. Correct.

25 Q. And looking at Z2 and Z4, did MDE approve the site

1 request?

2 A. They did.

3 Q. Site ID request?

4 A. They did, for both locations.

5 Q. All right. Did you submit, along with Exhibit Z2 and
6 Z4, any meal count?

7 A. No. At this phase, again, they weren't approved. There
8 was no meal counts to submit.

9 Q. Could you, would it have been possible without getting a
10 site ID request approved to submit any meal application?

11 A. No. So claims can't be submitted until there's an
12 approved application within the CLiCS system. Without an
13 application, when you enter that number, all it does is
14 bring you to the application. You can't do anything else.

15 Q. All right. Let's look at Exhibit Z5. It's in evidence.
16 What is it?

17 A. This is Count 5. I am charged again with wire fraud for
18 this email.

19 Q. All right. What was the email about?

20 Could you call out, Ms. Mallet, the top portion.

21 A. MDE had requested clarification on how certain sites
22 that were located within restaurants were going to be
23 participating, and so this was my response to their request,
24 providing that clarification.

25 Q. Now, regarding the clarification, did you misrepresent

1 anything in the clarification?

2 A. No.

3 Q. All right. Let's just go through it a bit.

4 Go to the next page, Ms. Mallet, and let's work
5 slowly. Call out the first section.

6 What is that, Ms. Bock?

7 A. I'm apologizing to MDE. They had requested information,
8 and I hadn't been specific enough. So I apologized for the
9 confusion and just provided additional information that the
10 catering contract is with the vendor, with the restaurant,
11 but all that the restaurant does is prepare the food. They
12 don't distribute the meals to the participants.

13 Q. All right. Let's go to the sites. Release the callout.
14 Call out the first, yeah, you were right.

15 So what was that about? K's Dollar Grocery?

16 A. So K's Dollar Grocery was a site that was in the
17 application phase at this time. And so again, we're just
18 notifying MDE that the site operators, the individuals
19 passing out the food, will not be -- will not prepare the
20 food.

21 They won't have a dual role. They will be there
22 to pass out the food and that it would be Feeding Our
23 Future's trained staff or volunteers and sponsor trained
24 site staff. So if there were other staff employees that
25 weren't working that wanted to participate in the

1 distribution of food, they would be trained by Feeding Our
2 Future and would be voluntary, volunteering to permit -- or,
3 oh, my gosh, I'm sorry, volunteering to distribute the
4 meals.

5 Q. All right. So what, what was happening in this time
6 frame for the need for this clarification?

7 A. So this is the first time the program had been operated
8 this way in the state of Minnesota, because typically a site
9 is located in a rented space, a commercial space, a library,
10 a school, a community center.

11 During this time because of COVID, we had
12 nonprofits that were operating within the physical
13 restaurant. Restaurants were closed. They had available
14 space, so it was a good partnership.

15 Q. All right. You've heard testimony about Exhibit Z5 that
16 the clarification was intended to mislead. Do you recall
17 that?

18 A. I do.

19 Q. Were you misleading anybody?

20 A. I was not.

21 Q. Why do you say that?

22 A. Because we had employees -- with the exception, I
23 believe there was one site that we never let operate, we had
24 paid employees that were assigned to work at each of these
25 locations.

1 We'd also trained a lot of people to just be
2 volunteers if the site was busy.

3 Q. Okay. Let me just -- you know, you talked about
4 employees and assignment.

5 A. Mm-hmm.

6 Q. All right. Did you as the executive director of Feeding
7 Our Future assign employees to sites?

8 A. I did not.

9 Q. All right. Who did that?

10 A. Eidleh, Abdikerm Eidleh was responsible for ensuring
11 that the sites are staffed, helping them complete the
12 applications, and then I would take their application
13 information and enter it into ADP for their payroll.

14 Q. All right. Did you have a list, though? Did you create
15 a list of employees, along with the site they would have
16 worked for?

17 A. Yeah. I kept track of that to make sure -- there's
18 turnover at any job. If people were quitting, I needed to
19 make sure that a new person would be brought in to replace
20 them.

21 And then just making sure that all of the
22 locations we had did have an employee assigned to work
23 there.

24 Q. And how, did you update this list with regularity?

25 A. I did.

1 Q. All right. And was this list part of your business
2 practice?

3 A. Yeah. Like I said, I had to make sure that there was
4 somebody hired for each of the locations. I had to make
5 sure that they were on payroll and that we were replacing
6 them should there be turnover.

7 Q. We'll come to that, we'll come to your list of employees
8 just in a second, but I want to direct you to, did you ever
9 receive confirmation email from MDE regarding your site
10 application?

11 A. I don't recall getting a response to this particular
12 email. However, all of those sites, with the exception of
13 Haji's Kitchen, did get approved by MDE to participate and
14 be sites in the program.

15 Q. Did you receive an email from MDE regarding Stigma-Free
16 International, Willmar site request?

17 A. Just the automated one that provided the site ID number
18 and the steps to submit an application.

19 Q. Well, Ms. Mallet, would you call up Exhibit D1-1007.
20 It's not in evidence.

21 What is that?

22 A. Again, this is the automated email that was referred to
23 in the site ID request form.

24 Q. And did you receive this email when you made the site ID
25 request for Stigma-Free International, Willmar?

1 A. Yes, this email was received in December of 2020.

2 MR. UDOIBOK: Your Honor, we offer D1-007.

3 THE COURT: Any objection?

4 MR. THOMPSON: No objection, Your Honor.

5 THE COURT: D1-007 is admitted.

6 MR. UDOIBOK: Call out site ID and the number,
7 please.

8 BY MR. UDOIBOK:

9 Q. Is that the number you are referring to?

10 A. Yes, that is the number assigned to that location, that
11 address.

12 Q. Before you received this number, is there any way that
13 you can make a site application?

14 A. No.

15 Q. This number? All right.

16 So you testified that you had employees assigned
17 to a particular restaurant.

18 A. Correct.

19 Q. No. Particular sites.

20 A. Yeah, particular sites. They were at restaurants. They
21 were also at a few other locations.

22 Q. I want to direct you to Exhibit, Government Exhibit Z12.
23 Do you know what that is?

24 A. I do. That is Count 12. It is a wire fraud charge
25 against me.

1 Q. And what is your understanding of the wire fraud charge?

2 A. I was a recipient of information from ASA Limited with
3 attached claim information.

4 Q. All right. So I want to walk you through Government
5 Exhibit Z12. Okay?

6 A. Okay.

7 Q. Ms. Mallet, why don't we go to page 2 of Z12.

8 So what is this?

9 A. This is the meal counts that were submitted by ASA. It
10 was one of the attachments to the email.

11 Q. All right. Now, Ms. Mallet, call out the first two
12 boxes, the first two boxes. There you go.

13 So you see the email now changes. Your email
14 changed to claims at Feeding Our Future. Do you see that?

15 A. Yeah. The email on the form is instructing the site to
16 submit these documents to claims@feedingourfuturemn.org.

17 Q. The site ID request, your email address is included.

18 A. Yes, that was for communication with the Department of
19 Education.

20 Q. All right. So why now do you have claims at Feeding Our
21 Future as email?

22 A. Yeah. So like I described before, the claims email is
23 where all of the meal counts, invoices, menus would be
24 submitted, and then it would be divided between the claims
25 department and the coordinators for review.

1 And so all sites were instructed to send it to
2 claims.

3 Q. Did you receive, do you have any recollection of
4 receiving the email Z12?

5 A. This specific email?

6 Q. Yeah.

7 A. No.

8 Q. All right. How many other people at Feeding Our Future
9 received this email, at least?

10 A. It went to the claims department, which was accessed by
11 maybe ten employees, and then it also went to Hani at
12 Feeding Our Future.

13 Q. Go to the first page, Ms. Mallet.

14 If you call out the email, your email is included.
15 So I just want to understand the process now.

16 A. Mm-hmm.

17 Q. Do you recall receiving this email with the attachments?

18 A. I don't recall this specific email. However, randomly
19 from time to time a site would copy me or include me on an
20 email submission.

21 Q. So what was your -- did you have a practice if you have
22 email, you have claims email, and then your email is
23 included along with another employee, did you have a
24 practice?

25 A. So when I would receive an email, like I said, it

1 appeared occasionally, not too frequently, but I would
2 obviously look at who the sender is, look at the attachment.
3 As soon as I see that it's all claims documents, I then go
4 to the body of the email to see if there's a question or
5 something that's directed specifically at me.

6 If there wasn't, I would verify that it had
7 already been sent to claims. If it was, I disregarded it.
8 If it hadn't, I would forward it to claims and disregard.

9 Q. Okay. So page 2, the meal count is sent to claims,
10 correct?

11 A. That's the instruction, yes.

12 Q. Now, the supervisor, could you call out that section
13 please. It looks tiny.

14 The supervisor is Mohamed Salad; is that right?

15 A. That's what it says.

16 Q. The supervisor is a Feeding Our Future supervisor, or is
17 he site supervisor?

18 A. I honestly don't know. I don't recall.

19 Q. Just randomly, let's go to page 6.

20 That's just another meal count. Is that a meal
21 count?

22 A. Yeah. It's just from a different week within the month.

23 Q. All right. Ms. Mallet, just scroll down a bit, and you
24 are going to get to a roster.

25 Now, by the way, before you go there -- all right.

1 So go back a little bit Ms. Mallet. Go back one or
2 two pages. Go forward one page, please. I don't know why
3 it's like that now.

4 See this invoice, this is an invoice here. What
5 was that about, do you know?

6 A. So ASA was the vendor providing the meals, and so they
7 are billing Feeding Our Future for the food that was
8 purchased.

9 Q. There you go.

10 So what is the difference between a vendor and a
11 site?

12 A. The site operator is the organization that is
13 distributing the meals or snacks to the participants. The
14 vendor is the group that's providing the food. So whether
15 it be a restaurant, a grocery store, a Costco, Sam's Club,
16 or a restaurant distributor like Sysco, those are the
17 vendors.

18 Q. All right. So scroll down a bit, and you will get to --
19 stop there.

20 What is this?

21 A. It is, it says it's attendance for an after-school
22 program for the month of October 2021.

23 Q. Did you request the attendance?

24 A. We requested that sites get in the habit of submitting
25 an attendance record so that, like I said, the waivers could

1 expire at any point in time, and so we wanted to avoid the
2 you never told me that, I didn't know, and have them in the
3 habit.

4 We instructed them also during this time to
5 practice different systems, see what works best for you,
6 whether it's having the parent sign, whether some people sat
7 at computers and tried walkie-talkies.

8 It was a time to test it out because it was not
9 necessary or being used as part of their claim.

10 Q. Okay. Do you, do you recall seeing this attendance
11 roster?

12 A. I have seen a lot of attendance rosters. I don't know
13 if I've seen this specific one. This would have, again,
14 once it hit the claims department, it was theirs. They
15 would print it and put it in a file, but that would be the
16 end of it.

17 It was not entered into CenterPilot or tracked in
18 that manner.

19 Q. When you are submitting claims to MDE, during the CLiCS
20 session, do you review attendance roster?

21 A. No. Like we saw in that form, it's just a number. So I
22 input the number.

23 Q. All right. Now, we're not supposed to deal with
24 feelings, though. As you sit here today, how do you feel
25 about Z12 being the basis of your wire fraud count?

1 A. I'm confused. I'm upset. It's an email that I received
2 that there was no instruction to send to me. I didn't ask
3 for it. I had no way to not receive it, and now I'm charged
4 with a federal crime because somebody chose to email me
5 something.

6 Q. So you talked a little bit about your employees, not
7 your employees, Feeding Our Future employees.

8 A. Yeah.

9 Q. And when you, when -- around November 2021, when Z12 was
10 sent to Feeding Our Future, how many employees did Feeding
11 Our Future have?

12 A. What was the date range?

13 Q. November --

14 A. November --

15 Q. -- 2021.

16 A. -- of '21. Our staff size had decreased. We were
17 probably around 65 or 70.

18 Q. Why did you decrease?

19 A. By fall of '21, Feeding Our Future was, one, eliminating
20 and closing some sites; and, two, we were no longer staffing
21 sites. If the site didn't meet the requirement on their
22 own, we were not going to be providing staff.

23 Q. Why is that? Why was that, rather?

24 A. There was a few reasons. One, we were transitioning
25 back to pre-COVID operations. The waivers were still in

1 effect, but the newer guidance from USDA had been to prepare
2 to transition for children eating on-site. We knew, because
3 of space, the numbers being served would obviously decrease.
4 There's no building that's going to be large enough, other
5 than perhaps a high school cafeteria for 2,000 kids to come
6 sit down at one time and be fed.

7 So we were pulling staff as sites were preparing
8 to operate in the traditional sense. They were also
9 prepared to transition to the on-site after-school
10 activities. So they would be having their own staff that
11 would be doing the homework help, the arts and crafts, the
12 music, whatever the enrichment activity was.

13 Q. Okay. I want to shift focus a bit to prepaying claims.

14 A. Mm-hmm.

15 Q. And you've heard testimony about Feeding Our Future
16 prepaying claims. Do you remember?

17 A. I do.

18 Q. So I want to talk, let's talk about it. For the benefit
19 of the jury, we'll use Government Exhibit A90.

20 A. Okay.

21 Q. Ms. Mallet, would you pull A90.

22 I'm not going to spend a lot of time. There's
23 62 pages in this document. Do you want me to go through
24 every single one of them?

25 A. No, thank you.

1 Q. Call out, Ms. Mallet, prepaid claims.

2 Whose writing is that?

3 A. Mine.

4 Q. Why did you make that notation?

5 A. That was the folder that I would track for invoices and
6 bills that had been paid prior to the reimbursement funds
7 being received from MDE.

8 Q. All right. So go to the next page.

9 Why do you have CenterPilot in there?

10 A. CenterPilot would be used to provide some clarity on
11 what the bill amount would be due. So for these sites, for
12 example, this one is Nicollet Commons Park. There was a
13 vendor that was providing the food.

14 The vendor would bill Feeding Our Future for that
15 food, right, no different than if we are catering an event
16 and we go into Chipotle and order food. They are not going
17 to allow you to leave until you've paid for it.

18 So we would have to purchase the food from the
19 vendor for Nicollet Commons Park. It is a reimbursement
20 program like we've heard. That meant Feeding Our Future
21 would expend the funds, buy the food, and then it was
22 Feeding Our Future as an organization that was waiting to be
23 reimbursed.

24 Q. All right. So why did you name it prepaid, though?

25 A. That was my internal note to myself that -- so for some

1 of the vendors, some of the months there would be cash flow
2 issues, right, because it is a reimbursement program. And
3 so we typically tried to pay our catering bills, our
4 restaurant invoices when they were submitted.

5 There were times that we'd have to ask them, you
6 know, can I pay a partial, will you let me wait a couple
7 weeks till I get the reimbursement funds to be able to pay
8 it.

9 I kept notes in here so that when I got the money
10 back from MDE, I would know for that particular restaurant,
11 had I paid the full bill, had I paid a partial bill, and so
12 that I could keep track of was that reimbursement all to be
13 left at Feeding Our Future or did a portion of those funds
14 be owed to an outstanding invoice.

15 Q. Go to the next page, please.

16 What is that?

17 A. That is a check stub from one of those checks.

18 Q. Okay. Go to the next page.

19 Now, the organization changed in this case.

20 A. Yep.

21 Q. What is that?

22 A. This one is for Oak Leaf West Park. There had been an
23 organization, new immigrant family organization, that was
24 there. An important note, though, is for the summer
25 program, Feeding Our Future buys all the food.

1 We don't pay sites at all for the summer program,
2 so depending on -- this was in October of '21. We would
3 have been buying the food for that location. And so again,
4 we paid the invoice for the food or we would occasionally,
5 again due to cash flow, if a site needed funds, we are
6 allowed by regulation to issue them funds to help them pay
7 for the purchase of food.

8 Q. What regulation is that?

9 A. There's two. So the summer food service program allows
10 it. That regulation is 7 C.F.R. 225.9 I believe, and that
11 discusses advance payments.

12 For the after-school, the Child and Adult Care
13 Food Program, those regulations are, again, 7 C.F.R. 226, I
14 believe it's .10.

15 Those regulations pertain to the sponsor. So the
16 regulations, the federal laws understand that sponsors need
17 to pay bills, that sites need to be paid.

18 And so within the regulation should Feeding Our
19 Future not have funds available to do that, we are able to
20 actually request an advance payment from the Department of
21 Education.

22 I'm sorry.

23 Q. Sorry. I didn't want to stop you. Go ahead.

24 A. Like I said, a lot of the times we had the funds
25 available and so we could pay it. At the times we didn't,

1 we would communicate with the vendor, because honestly
2 waiting for the reimbursements to come and for Feeding Our
3 Future to have the funds is typically a much quicker process
4 than requesting an advance payment, waiting for that to be
5 processed, approved and the payment to be issued.

6 Q. I'm going to move to Government Exhibit BB30e. It's in
7 evidence.

8 You recall this photograph?

9 A. I do.

10 Q. All right. We're not going to talk about the
11 photograph. I'm focusing our discussion on prepaid.

12 A. Mm-hmm.

13 Q. There was testimony about page 7 of this exhibit.

14 Ms. Mallet, go to page 7. Call out the second
15 paragraph. All right.

16 Read that please.

17 A. "I don't have the money to prepay you today. And since
18 you guys have been getting angry when I say not today, it
19 made it seem like it's better if you stop until the
20 application is approved. For almost two years I've prepaid
21 you when I can. You want me to write you a bad check?"

22 Q. What did you mean by that?

23 A. So what I meant by that is, we had been very timely in
24 paying our invoices for the food that Safari had provided.
25 Again, "prepaying" being a term that the organization used,

1 not necessarily -- Safari was not the site, so they were not
2 entitled to a reimbursement.

3 I had been paying their bills as timely as I
4 could. Cash flow was becoming an issue because applications
5 were taking longer to be approved. And so I simply said I
6 can't today, we have to wait until reimbursements are paid
7 and there's money to pay that.

8 Q. I want to understand. Was Safari Restaurant a site or a
9 vendor?

10 A. Safari Restaurant was the vendor.

11 Q. Okay. So now I'm going to feelings again. When it was
12 implied that you were improperly prepaying claims, how did
13 that make you feel?

14 A. Frustrated, confused. It seems like it would have been
15 a simple question to ask me that I could provide
16 clarification on.

17 Q. Okay. So, Ms. Bock, I want to move now to sites you
18 terminated.

19 A. Okay.

20 Q. Wouldn't it have been easier for you to accept any site
21 in order to get the 10 percent administrative commission?

22 A. I suppose it would be easier.

23 Q. Did you do that?

24 A. No.

25 Q. Ms. Bock, how many sites did you terminate?

1 A. Over 50. And then --

2 Q. So let's -- okay. Over 50.

3 A. That were terminated that had been participating. And
4 then there was an additional close to ten vendors that were
5 banned from Feeding Our Future. We would not, if sites
6 submitted invoices from those companies, we wouldn't use
7 them to validate the claim.

8 Q. So let's talk about the easier ones. The sites, the
9 vendors that you banned --

10 A. Okay.

11 Q. -- do you recall them?

12 A. I do.

13 Q. Could you name them?

14 A. So some -- I will do my best to recall them all.

15 We banned Empire Cuisine & Market. We banned --

16 Q. Stop for a second. Why?

17 A. Why? That was based on the visit that I did at the
18 Southcross location and then some additional investigation.
19 It was, they were too high of a risk to allow invoices or
20 anything at Feeding Our Future.

21 Q. All right. Next one?

22 A. The next one was Haji's Kitchen.

23 Q. Why did you ban Haji's Kitchen?

24 A. We banned Haji's Kitchen after we received the site ID
25 prior to the application due to some prior charges, as well

1 as investigations into some invoices indicated that he may
2 have had the role in falsifying some invoices.

3 Q. Next?

4 A. The next one is Brava Cafe.

5 Q. Why did you ban Brava Cafe?

6 A. She was, Hanna, who was here, was the --

7 Q. What's her last name? What's her last name?

8 A. Her last name is -- I'm going to pronouns it wrong --
9 Marekegn, Marekegn. She's the owner of Brava Cafe. She was
10 the vendor for House of Refuge who submitted claims that
11 were flagged by the staff that I then investigated.

12 As a result of that investigation, determined that
13 her invoices were not valid. I had also required her to
14 submit invoices proving she had purchased the food to
15 support what she was billing. Those invoices came in from
16 U.S. Halal Foods and were clearly fraudulent.

17 And so as a result, Brava Cafe and U.S. Halal
18 Foods were both banned.

19 Q. From Feeding Our Future?

20 A. From Feeding Our Future.

21 Q. All right. Any other vendor that you banned?

22 A. Yes. We also banned The Produce in January of 2022 --
23 we were not able to conclusively prove, but investigations
24 were raising a lot of red flags about invoices from The
25 Produce.

1 And so again we just, I sent a message to my
2 staff, no invoices from The Produce.

3 Q. All right. Any other one?

4 A. Yes. The other two were banned at the same time as the
5 result of another investigation. A claim, about 35 claims
6 from one organization had been red flagged by staff. So I
7 conducted an investigation looking at the documents.

8 And there were clearly fraudulent invoices from
9 Minnesota Food Grocery, as well as L & F. I think it's L &
10 F Foods. L & F is what I called it. I don't know if there
11 is more to it.

12 Q. What was fraudulent about the invoices?

13 A. A number of things. First, and most obvious, the
14 invoices from the two vendors were the exact same. They
15 were the same template. They had the same foods with the
16 same description listed in the same order, sold for the same
17 price.

18 The only difference would be the name of the
19 vendor and the quantity and then the price total. That is
20 in of itself common sense, a huge red flag.

21 We took that then, and I made contact with the
22 vendor in an attempt, both of them, in an attempt to get
23 what we call backup receipts, receipts proving that you had
24 provided this food.

25 I was never able to obtain documentation that food

1 had ever been purchased, much less the quantities to justify
2 the invoices.

3 Q. Why weren't you able to obtain confirmation?

4 A. The vendor L & F did not comply. They just never gave
5 us any documentation that I had requested to be able to see
6 they had purchased food.

7 So it was left with, I have no proof that food has
8 been purchased to justify these invoices. Within the L & F
9 invoices there were other indicators of, I mean aside from
10 them being the exact same from two companies, the invoice
11 numbers would not make sense.

12 So you would have an invoice from, I believe one
13 was January 13th that had an invoice number in the 700s. A
14 few days later, there's an invoice number in the 200s.
15 Generally invoices don't count backwards. They increase.

16 There was an instance that there was an, two
17 invoices produced from the same date with the same invoice
18 number, but it was different food items, different totals.

19 Q. All right. So regarding Brava after, you said you
20 banned Brava Cafe. And why specifically did you ban Brava
21 Cafe?

22 A. So Brava Cafe had been a vendor for, like I said, House
23 of Refuge in the months of July 2021. They started
24 July 7th, through August I think it was August 23rd or 24th
25 that I finally terminated them.

1 In the beginning of August, an invoice was
2 submitted by Brava Cafe, I believe we've actually seen it,
3 for \$3.1 million for a partial month of July.

4 Staff got that. Claims department got that.
5 Coordinators got that. Obviously, immediately gets
6 escalated to my office.

7 I look at the invoice and start requesting
8 additional documentation from Brava Cafe from --

9 Q. Let me stop you --

10 A. Yeah.

11 Q. -- before you go. Would it have been possible for you
12 to submit a three point something million dollar claim?

13 A. No. So like I said, CLiCS is capped at whatever the
14 approved application is. House of Refuge had a cap of 3,000
15 meals.

16 What they indicated on their paperwork that the
17 distribution had been is that every single day of the week,
18 seven days a week, they were passing out bags with seven
19 days' worth of food in it to different people, meaning
20 21,000 meals went out on Monday, 21,000 meals went out on
21 Tuesday to different people, Wednesday, so on and so forth.

22 There is no possible way. Even if I wanted to,
23 CLiCS would not allow a claim to be submitted for over
24 3,000.

25 Q. Is it, would it have been possible for you to trick

1 CLiCS to have that meal count paid?

2 A. Not in a way that I'm aware of. We entered the numbers,
3 and it's automatically accepted or rejected.

4 Q. So you banned Brava Cafe.

5 A. Yeah. After we conducted a more thorough investigation
6 into the backup documentation they submitted, they were
7 ultimately banned, as was the U.S. Halal Foods.

8 Q. All right. So you also testified that you terminated 51
9 sites.

10 A. Off the top of my head, yeah, around that.

11 Q. 50 or 51?

12 A. Yeah, somewhere in that neighborhood.

13 Q. So what is the difference? Why are some banned and some
14 terminated?

15 A. So for the sites, those are the organizations
16 distributing the food. Again, like a scouting group or some
17 sort of organization, that are distributing the food.

18 Once we terminate them, it's just FOF policy that
19 we don't take them back. There was no need to ban. The
20 contract was terminated. No. Like there's no coming back.

21 Other sites like House of Refuge, like Action For
22 East African People with the Minnesota Food Grocery and L &
23 F Food invoices were banned.

24 The individuals as operators were banned because I
25 didn't want either of the operators to reappear under a new

1 name. And so we banned the organization and the
2 individuals.

3 Q. So did -- was there an occasion where sites you
4 terminated continued to participate in the food program?

5 A. Yes. So I would conduct investigations, terminate
6 sites. They were terminated for a variety of reasons. Not
7 all of them were terminated for suspected fraud or for
8 invoice issues.

9 But, for example, the Brava Cafe, House of Refuge,
10 the Action For East African People and majority of the
11 vendors that we banned all went on and worked with another
12 sponsoring organization.

13 Q. Okay. Now, were there sites that you, Feeding Our
14 Future, submitted applications but then you did not allow
15 them to participate in Feeding Our Future?

16 A. Mm-hmm, yeah. So there was, again off the top of my
17 head trying to think back, probably close to 100, maybe a
18 little over, sites that we had started the application
19 process with, whether it's requesting a site ID or going all
20 the way through the CLiCS application and its approval.

21 We would get them that far, and then for one
22 reason or another, the relationship would be terminated.

23 Q. So let me just make sure the jury and the court gets a
24 clear picture.

25 How many sites, if you can recall, that Feeding

1 Our Future refused participation? In other words, they
2 applied, but you didn't want to participate with them. How
3 many sites?

4 A. So from the information that I tracked, there was about
5 120 that had submitted the required documentation, and we
6 just refused to submit it to MDE, even for a site ID
7 request.

8 Q. Why?

9 A. A variety of reasons. There was also a period of time
10 that we had signs on our door that simply said we are not
11 taking applications. Staff was at capacity, so applications
12 were closed.

13 If they somehow got one submitted, we didn't
14 submit it any further. We were not taking apps at that
15 time. Other reasons could be that they are located in an
16 area that's not eligible. It could be that they didn't meet
17 the nonprofit status requirements.

18 There were several that staff would go out to for
19 those preoperational visits and find a warehouse or find
20 some totally inappropriate area to be housing children. And
21 so they would be stopped immediately.

22 Yeah, it varied. Some didn't want to go through
23 the training. Some were when the staff was working with
24 them just clearly not understanding, and it was just not
25 worth, the site wasn't needed to make the kind of

1 risk/benefit for that organization.

2 Q. So I want to ask you another category, and that category
3 is, were there sites that you made site ID requests and site
4 application made and approved, yet you didn't submit any
5 claims?

6 A. There were, yeah.

7 Q. So why would that happen if you've gone through the
8 process of getting it approved and not submitting claims?

9 A. Mm-hmm. Again, that would happen for a variety of
10 reasons. Sometimes the application approval process was
11 taking an extended period of time at MDE, and so there were
12 a number of sites that by the time their application was
13 approved, we had lost contact with them.

14 We weren't able -- we called, no answer, phone's
15 off, that sort of thing. There were others that, again,
16 just some of them voluntarily, like you know, listen, we
17 just don't want to do this anymore, thanks anyway.

18 And then there were sites that the staff had
19 indicated to me, just we're not going to work with them.
20 And again that could be for a variety of reasons.

21 Q. So about how many sites were those that you, that went
22 through the process of application and approval, yet you
23 didn't submit any claims? How many were there about?

24 A. Off the top of my head, I would say 80 to 90.

25 Q. All right. Ms. Bock, I'm going to try to talk to you

1 about some of these numbers that you've discussed early.
2 You testified earlier that you kept track of these sites.

3 A. Yes.

4 Q. How did you keep, how did you keep track of them? Where
5 did you keep track of them?

6 A. We kept a log of them. One, I had a folder in my email
7 that I would just move all the requests that came. So
8 requests that were made on the website came directly to me,
9 and then I would forward that to the appropriate staff
10 member.

11 If there was an application during a time we
12 weren't taking it, I would put it in a folder in my email
13 box. We tracked it. We would update Monday. If it was
14 sites that had been claiming or depending on where they were
15 at, if they had made it to Monday, we would indicate on
16 there that they were terminated, or some sites did leave
17 voluntarily.

18 They transferred to another sponsor that they
19 thought would be a better fit. So we would track all of
20 that information.

21 Q. Now, I'm directing you to Exhibit D1-899. It's not in
22 evidence.

23

24 MR. THOMPSON: Your Honor, I'm going to object.
25 It's hearsay created for trial.

1 THE COURT: Well, are you offering it?

2 MR. UDOIBOK: I was going to talk to her about it
3 and, yes, Your Honor, I was going to.

4 MR. THOMPSON: Your Honor --

5 MR. UDOIBOK: May I speak?

6 MR. THOMPSON: Your Honor, my concern is --

7 THE COURT: Yes.

8 MR. THOMPSON: -- clearly not going to be admitted
9 into evidence.

10 THE COURT: Correct. I'll have a sidebar, please.

11 **(Sidebar discussion)**

12 THE COURT: Mr. Udoibok, what is this document?

13 MR. UDOIBOK: This is going to be, it's only
14 mainly demonstrative of the sites that she terminated that
15 she put together. The jury doesn't have to go back with it.

16 THE COURT: That she put together this list.

17 MR. UDOIBOK: Yes.

18 THE COURT: Okay. She hasn't testified to these
19 sites yet.

20 MR. UDOIBOK: She has. She's testified to the
21 list, to the number, but not specific to the sites.

22 THE COURT: Okay. Mr. Thompson.

23 MR. THOMPSON: Your Honor, this is just pure
24 hearsay. She's trying to testify through notes and through
25 a list that she created in anticipation of her litigation

1 here. The trial is completely improper. It is not a proper
2 demonstrative.

3 It's just her creating a list to give some sort
4 of, to bolster her testimony by putting it in writing.

5 THE COURT: Was this created for litigation?

6 MR. UDOIBOK: This is what she had. I'm not sure.
7 What I think, it's a list she created. Even for litigation,
8 it's allowable as a demonstrative evidence.

9 THE COURT: I just have it -- I didn't hear her
10 testify as to all the sites that are listed on this
11 document.

12 MR. UDOIBOK: May I? She said 50. She can't have
13 complete recollection of all the sites. That's the problem.
14 I can tell her to go through. She testified she -- 51,
15 about 10 and then 100 and something.

16 THE COURT: Okay. Thank you.

17 Mr. Thompson.

18 MR. THOMPSON: Your Honor, the list is also --

19 THE COURT: I can't hear you. I'm sorry.

20 MR. THOMPSON: Your Honor, she's welcome to
21 testify that she kicked sites out. She can't produce a list
22 and in lieu of testimony put a list on the screen that's
23 pure hearsay.

24 I also have questions about its accuracy. Some of
25 the sites I see on here were, were denied by MDE, not by

1 Ms. Bock.

2 But in any event, it's clearly hearsay, and it's
3 not a proper demonstrative. You can't just summarize our
4 testimony in writing and put it on the screen for the jury
5 to see.

6 THE COURT: The accuracy would go to the weight
7 and not the admissibility, but nonetheless, this isn't a
8 proper exhibit, and I'm going to sustain the objection to
9 it.

10 (In open court)

11 BY MR. UDOIBOK:

12 Q. So, Ms. Bock, let's just see if I can jog your memory a
13 little better.

14 A. Okay.

15 Q. Okay. Let's take sites that you terminated.

16 A. Okay.

17 Q. What I mean, you or Feeding Our Future.

18 A. Okay.

19 Q. How many were the sites?

20 A. Again, roughly 50 or so.

21 Q. All right. Could you name a few?

22 A. I'm trying to think. So we terminated, Great Lakes site
23 was terminated after I learned of his coordination with
24 Hadith. We had submitted an application to MDE. I do
25 believe they denied it, but we had already decided we

1 weren't working with them, so we didn't appeal their
2 decision.

3 We closed down -- we heard testimony from
4 Evergreen S & S, those sites. So a lot of the sites in
5 April of 2021 we closed. They didn't qualify for the summer
6 program. They were in areas that we didn't, we didn't need
7 them anymore or want them anymore. So they were terminated.

8 Q. What about, did you terminate Lido Restaurant?

9 A. Lido Restaurant, yes. That was part of the April 30th,
10 2021. I know she said that there was a change between
11 cooked food and groceries. I'm not quite sure what that
12 information came from, because there was no policy change.

13 We had sites that continued to provide cooked, hot
14 meals through the entirety of the program.

15 Q. Any other site you can recall out of the --

16 A. That we terminated, I am sorry. I am drawing a blank
17 now.

18 We terminated Los Ranchos. Again it was an
19 April 2021 location. They didn't qualify for summer. They
20 weren't going to be approved. We never reopened it.

21 We had ThinkTechAct had a number of sites that had
22 applied, and we just never agreed to work with them. A
23 sister organization of them was affiliated with a mosque,
24 but that was one of like 50 that was with Feeding Our
25 Future.

1 Q. What about U.S. African Chamber of Commerce?

2 A. U.S. African Chamber of Commerce, they cancelled the
3 agreement because they knew we were going to terminate them.

4 Q. Why do you say that?

5 A. We had, one of my staff had expressed concerns about the
6 vendor. I believe it was Hoya Cafe. There is a Hoya
7 Kitchen, so I may be confusing them, but one of the Hoya
8 restaurants, she was concerned after visits. Didn't seem to
9 be a lot of activity. Was providing for a number of sites.

10 It was, again, an indicator of some strong red
11 flags. After that notification, Hadith Ahmed, myself -- he
12 went first and set up a camera in his car and conducted
13 parking lot surveillance. I then went later with another
14 staff member, and we watched the restaurant from the outside
15 for probably two hours.

16 There was maybe like minimal people, three or four
17 people that came and went. At that point, I entered the
18 restaurant and asked to do an unannounced visit. Again,
19 minimal food, minimal preparation.

20 We were getting ready to take action. That night,
21 received notification that there was upset that we were
22 monitoring without MDE's presence, that we were conducting
23 monitoring visits without telling them first and that all
24 claims that had been submitted were being withdrawn and the
25 agreement was being terminated.

1 Q. What about, did you terminate Dar Al-Farooq?

2 A. Dar Al-Farooq was not formally terminated. However, we
3 were in the process of investigating them. We had opened an
4 investigation into that location. In October or November,
5 on the Monday notes, again there's indicators from the staff
6 with the dates and times of visits.

7 One visit, there was no distribution happening.
8 They, based on the information, appeared they had already
9 distributed the food or it had already been delivered. Went
10 back a couple weeks later. Again, saw some issues with the
11 foods available, the production.

12 If I'm remembering Monday correctly, I think they
13 did three or four visits.

14 MR. THOMPSON: Your Honor, I'm going to object.
15 She's testifying as to hearsay statement.

16 THE COURT: Overruled, but it is a narrative.

17 Can you ask another question?

18 BY MR. UDOIBOK:

19 Q. Did you, did you terminate Southwest Metro Youth?

20 A. Yes.

21 Q. Why?

22 A. I had terminated Hadith when I learned that he had
23 solicited a kickback from Action For East African People.

24 Q. So what is the connection between Hadith and Southwest
25 Metro Youth?

1 A. He, I've learned, was the bank account holder. My
2 initial, our initial understanding was it was Ayan.
3 Somebody that was the site operator later learned that it
4 was Hadith, and then learned that he -- those 35 claims that
5 investigated that resulted in Action For East African People
6 being terminated, Minnesota Food Grocery and L & F, I had
7 learned during that investigation that Hadith had received a
8 large payment in connection with the preparation and
9 submission of those claims.

10 Q. How much, did you learn?

11 A. I at that time had been told different amounts,
12 understood different amounts. It was somewhere between a
13 hundred thousand and above.

14 Q. Okay. Did you terminate Nawal Restaurant?

15 A. Nawal Restaurant was one of the sites that we closed in
16 April of '21.

17 Q. Why?

18 A. Again, we were just not operating all of the sites at
19 that time. Summer has smaller limits. They weren't going
20 to be approved for summer. When fall rolled around, there
21 wasn't a need. So we just never reintroduced them to the
22 program.

23 Q. I'm not going to go through the entire list of
24 applications that you refused, Feeding Our Future refused
25 participation.

1 Just to select, do you recall U-May Foods? Does
2 that name ring a bell?

3 A. I have heard of them. I know they never worked with
4 Feeding Our Future.

5 Q. All right. What about Youth Success Initiative?

6 A. Again, heard of the name, familiar with it, but I don't
7 believe they ever were a site.

8 Q. Okay. So what about sites that was going to participate
9 with you, with Feeding Our Future, but you never submitted
10 claims? And I believe you testified that there were over,
11 is it 100?

12 A. It was off the top of my head, my memory, about 100,
13 yeah --

14 Q. All right.

15 A. -- over the course of years.

16 Q. I'm not going to go through the entire list. I don't
17 expect you to recall that.

18 A. Thank you.

19 Q. Do you have fully recollection about ThinkTechAct
20 Foundation, St. Andrew's?

21 A. Yeah. ThinkTechAct was affiliated with Empire and was
22 wanting to transfer some of -- they were participating with
23 another sponsor, wanted to transfer some of their sites in.

24 When Empire was terminated, the ThinkTechAct sites
25 were, there was maybe like one or two that I think had one

1 month of claims. The rest were never --

2 Q. Okay. I'm just going to run down and ask maybe one or
3 two more. What about Sambusa King?

4 A. Sambusa King was another one April of '21 was closed.

5 Q. Why?

6 A. Same reason. They weren't going to be approved for
7 summer, and by the time fall came around, there was just no
8 need. So we just terminated it. Never allowed them back on
9 as a site, as a location.

10 Q. What about Success Tuition Center? Does that ring a
11 bell?

12 A. I have heard of that. That is not one that I dealt with
13 directly, so I don't recall --

14 Q. All right.

15 A. -- the details.

16 Q. Okay. What about, I'm curious about this, Midwest 15th.
17 What is that?

18 A. Midwest was a group of sites. They had been a former
19 sponsor.

20 Q. A former sponsor.

21 A. They had sponsored their -- they were similar to Feeding
22 Our Future, they were a sponsor. They sponsored a variety
23 of sites.

24 When the COVID waivers came out, my understanding
25 was that they wanted to put their sponsorship on hold during

1 the waiver time, and so they brought all of their sites. We
2 coordinated MDE, and their sites were brought under the
3 sponsorship of Feeding Our Future.

4 However, those relationships were terminated as
5 well.

6 Q. All right. I want to shift focus a bit. I want to
7 shift focus to your investigation of claims.

8 A. Okay.

9 Q. You testified about numerous vendors and sites that your
10 staff investigated while you were employed as Feeding Our
11 Future.

12 A. Correct.

13 Q. I want to direct you to Government Exhibit Q98. It's in
14 evidence. Q98.

15 It's frozen.

16 (Counsel confer)

17 MR. UDOIBOK: Your Honor, I'm just trying to make
18 sure -- I believe it's in evidence.

19 THE COURT: Understood.

20 MR. UDOIBOK: Thank you, counsel.

21 MR. THOMPSON: Okay.

22 BY MR. UDOIBOK:

23 Q. Ms. Bock, you are looking at what has been marked as
24 Exhibit 98.

25 Ms. Mallet, would you call out the first section.

1 Oh, no.

2 MR. THOMPSON: I'm happy to.

3 MR. UDOIBOK: Changed on me.

4 BY MR. UDOIBOK:

5 Q. What is that?

6 A. That is an email that was sent by Ms. Benti, who we
7 heard testimony was Hanna Marekegn from Brava Cafe, an email
8 with the House of Refuge July invoice submitted to Feeding
9 Our Future's claims department.

10 Q. Let's go to the second page. Thank you. And just call
11 out that section there. All right.

12 So you testified about Brava Cafe and the large
13 invoice. Is that what this exhibit is about?

14 A. Yeah. So this was the first of a couple.

15 Q. All right. I want to direct your attention to the
16 July 5th, 2021, breakfast and lunch.

17 A. Mm-hmm.

18 Q. Now, I'm assuming that there's something you can do to
19 get this invoice into MDE. All right? Follow me. Okay?

20 A. Okay.

21 Q. Look at the unit price. How much is that?

22 A. \$38.50 for a breakfast and lunch.

23 Q. Is there any mechanism in MDE and USDA that that unit
24 price would be acceptable?

25 A. No. So for this particular invoice, yes, I could

1 potentially have entered the quantities up to the 3,000.
2 However, the reimbursement rates are set by the USDA and
3 programmed into CLiCS by the Department of Education.

4 And, I mean, obviously it's law, so there's no way
5 to override or change those prices. So, yeah, I could have
6 maybe submitted the claim for the quantity, but certainly
7 not the price.

8 Q. All right. So I believe you testified about your
9 investigation of Brava Cafe, correct?

10 A. Correct.

11 Q. Now, I want to direct you to -- it's not in evidence --
12 D1-983.

13 And, Ms. Mallet, if you can -- you don't have it.
14 If you can call it up.

15 MR. THOMPSON: Switch it here. This one.

16 (Counsel confer)

17 MS. MALLET: Which exhibit? D1-983?

18 MR. UDOIBOK: Yeah, D1-983.

19 Your Honor, maybe this is a time for us to take a
20 break, so I can figure out --

21 THE COURT: I was just thinking the same thing.

22 We will return at 1:25.

23 MR. UDOIBOK: Thank you.

24 THE COURT: All rise for the jury.

25 12:25 p.m.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

IN OPEN COURT

(JURY NOT PRESENT)

THE COURT: All right, everyone. 1:25.

(Recess taken 12:25 p.m. till 1:33 p.m.)

1:33 p.m.

IN OPEN COURT

(JURY PRESENT)

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

And, Mr. Udoibok, you may continue.

MR. UDOIBOK: Thank you, Your Honor.

BY MR. UDOIBOK:

Q. Ms. Bock, before the break, we had shifted focus more specifically to your investigations. Do you remember?

A. I do.

Q. And we were focusing on your investigation of Brava Cafe, correct?

A. Yes.

Q. And we had talked about Exhibit Q98 that I have trouble calling up, and Mr. Thompson helped me out?

A. Yes.

Q. So let's go to the first page. Okay. Do you recall this Q98?

A. I do.

Q. And we were discussing on page 2 the unit cost?

A. We were.

1 Q. All right. Now, was this the only invoice that you
2 received from Brava Cafe regarding this three million some
3 dollars invoice?

4 A. It was not. So we received this invoice, which, like I
5 said, my staff immediately red flagged, brought to my
6 attention. The concerns at that time being the total due,
7 the unit price.

8 And then House of Refuge didn't begin operations
9 until July 7th, yet they billed for the 5th and 6th. So
10 that was obviously a concern.

11 Q. Ms. Mallet, would you call out July 5th and 6th.

12 All right. And so your testimony, testimony is
13 Brava Cafe billed for July 5th and 6th?

14 A. Correct.

15 Q. And had they become a vendor then?

16 A. They may have been a vendor, but that site didn't
17 operate. They didn't start distributing food until
18 July 7th.

19 Q. All right. Now did you, was there a service contract
20 between Feeding Our Future and Brava Cafe?

21 A. Yes. There was a summer meal contract or a vended, a
22 catering contract for summer that was between Feeding Our
23 Future, Brava Cafe, to provide meals to the House of Refuge
24 location.

25 Q. And was there agreed amount unit price?

1 A. There was. It is based on the federal regulations, and
2 so the per breakfast and per lunch is based on that.

3 Q. Now, if you recall, how did Brava Cafe come to Feeding
4 Our Future?

5 A. Brava Cafe had operated as a site at its Hennepin Avenue
6 location. We heard from Hanna Marekegn talking about that.
7 She was one of the locations that in April of 2021 we knew
8 that they weren't going to be approved to participate for
9 the Summer Food Service Program, has different limitations,
10 different capacities for sponsors.

11 So when we learned of that, she didn't participate
12 for the summer, and then -- but she did become a vendor for
13 House of Refuge.

14 Q. All right. I want to see if we can discuss Defense
15 Exhibit D1-983.

16 Do you know what that is?

17 A. Yeah. That is the vended meal, the catering contract
18 for Feeding Our Future and Brava Cafe for the House of
19 Refuge location.

20 Q. Is D1-983 a document that Feeding Our Future used as it
21 relates to Brava Cafe?

22 A. It was. So this is the catering contract that we relied
23 on in the operation of that site. It also was part of the
24 application for House of Refuge that was submitted to MDE.

25 Q. Did Feeding Our Future sign this document?

1 A. Yes.

2 Q. Is this exact copy of the contract between Feeding Our
3 Future and Brava Cafe?

4 A. It is.

5 MR. UDOIBOK: Your Honor, we offer 983.

6 MR. THOMPSON: Objection. Hearsay.

7 THE COURT: Sustained.

8 MR. UDOIBOK: All right.

9 BY MR. UDOIBOK:

10 Q. So let me move to something else. So you had a, you had
11 a service contract with Brava Cafe, and you received an
12 invoice.

13 A. Correct.

14 Q. And the invoice is Q98.

15 A. That is one of them, yes.

16 Q. Did you receive another invoice?

17 A. Yeah. So when I started the investigation into this
18 July invoice, Feeding Our Future was actually provided with
19 a revised invoice that was the same meal counts. However,
20 it increased the price per meal to, it was over \$40. I
21 think it was like \$40.50 instead of the 38 that was on this
22 initial invoice.

23 Q. Well, you looking at what has been marked as Defense
24 Exhibit 719.

25 What is that?

1 A. That's the second invoice that we received for the July
2 claim.

3 Q. What was your reaction when you received a second
4 invoice?

5 A. I was shocked because it should have been very clear we
6 were already investigating the first invoice. And so to
7 receive a second one for, again, the same two days that
8 hadn't been served, but this time increasing the price of
9 meals seemed weird. It just was crazy to me.

10 Q. All right. Did you receive another invoice?

11 A. Yes. So like we've heard, this is a reimbursement
12 program. So Feeding Our Future doesn't receive the July
13 invoice until sometime into August.

14 That meant that the location had been supposedly
15 feeding children during those month, or those days of
16 August. By the time this was finally brought to my
17 attention, I formally terminated Brava Cafe and House of
18 Refuge.

19 Well, Brava Cafe initially, I want to say it was
20 August 23rd or 24th, but we did receive an invoice for those
21 days of August. It was formatted slightly different. It
22 was for over \$2 million, and it added -- so for breakfast
23 and lunch, it added a description indicating that that was
24 seven days' worth of food each day.

25 Q. You are looking at what has been marked as

1 Exhibit D1-988. What is that?

2 A. So, yeah, that's the invoice that was submitted for
3 August. It is, again, unit price \$40.60. This time the
4 meal counts are all 3,000. And it's indicating that seven
5 days' worth of meals were passed out to 3,000 people every
6 single day.

7 Q. What was your reaction to Exhibit 988?

8 A. Shocked. One, I mean, that claim total is crazy. House
9 of Refuge and Brava Cafe had been told that their site limit
10 was 3,000 per day and that that was the daily limit. You
11 couldn't do 3,000 7-day packs every single day.

12 We also were investigating our records, and we
13 only had record of them operating on -- I may be wrong, but
14 I believe it was Wednesdays and Saturdays. And so how did
15 we only know of two days a week, but they're supposedly
16 feeding 21,000 every single day.

17 MR. UDOIBOK: Your Honor, I would like to offer
18 Exhibit 719 and 988.

19 MR. THOMPSON: Objection. Hearsay.

20 THE COURT: Sustained.

21 BY MR. UDOIBOK:

22 Q. Well, let's talk about -- you just discussed invoices.
23 Let's talk about receipts.

24 A. Okay.

25 Q. As part of your investigation, did you receive receipts

1 from --

2 A. Yes. Sorry.

3 Q. -- from Brava Cafe?

4 A. We did. So the typical first step of an investigation
5 when we receive an invoice like this is to contact Brava
6 Cafe and request backup documentation, proof that she had
7 purchased enough food to feed 21,000 children a day seven
8 days a week.

9 And so I received copies of invoices that claimed
10 to show she had purchased enough food.

11 Q. I'm directing you to Exhibit D1-615. Before,
12 Ms. Mallet, you call up that exhibit.

13 Could you describe the nature of the receipts that
14 you received from Brava Cafe?

15 A. So the backup receipts I received, I actually I, I think
16 they were submitted to us by her attorney, but the invoices
17 that I received and reviewed that claimed to support this
18 invoice were from U.S. Halal Foods and contained, like I had
19 described before, similar concerns.

20 Q. Such as what?

21 A. The most obvious was there was two different, excuse me,
22 logos.

23 So I had learned and known that U.S. Halal Foods,
24 which is a large vendor, had been providing schools for very
25 long time had a new logo that had U.S. and then Foods, and I

1 think the Os were like apples or a vegetable or something.
2 That was their new logo.

3 The old logo is a lion's head, and so when I
4 received the invoices, I would look at it. And for example,
5 the invoice for July 15th was the new logo. The invoice for
6 July 20 somehow switched back to the old logo, which didn't
7 make sense because obviously once you rebrand and have a new
8 logo, all of your documentation going forward should have
9 the new logo.

10 Other concerns, when I then put those invoices
11 side by side, the address and everything was correct. There
12 was two different email addresses in the top corner, both
13 indicating they were U.S. Halal Foods, but I believe one
14 was -- I don't recall what -- one was .yahoo. The other was
15 something different.

16 The one on the new logo, I was able to confirm did
17 go directly to U.S. Halal Foods. The other one I was never
18 able to confirm who, if anyone, controlled that email
19 address.

20 Additional concerns were similar to what I
21 described earlier, invoice numbers not making sense. There
22 would be two invoices, again same invoice number, same date,
23 different products.

24 Q. Now, this invoices or receipts that you've just
25 described, did you obtain them while you were conducting

1 investigation of Brava Cafe?

2 A. Yes, they were one of the key documents I received and
3 reviewed.

4 Q. Are those receipts in Exhibit D1-5 -- D-615. Sorry.

5 Are those receipts contained in Exhibit D1-615?

6 A. I can't see that.

7 Q. Okay. I ask you --

8 A. It is.

9 Q. Okay.

10 A. Yes. So these are photographs that I took of the
11 invoices that I used as part of the investigation and used
12 to communicate with the site.

13 Q. When did you take these photos?

14 A. Why?

15 Q. When?

16 A. When? It would have been during the course of the
17 investigation. So these ones are dated July. The photos
18 would have been taken probably mid August, end of August.

19 Q. Is this a correct copy of the photos of the receipts you
20 took during your investigation?

21 A. Yes.

22 MR. UDOIBOK: Your Honor, would like to offer
23 Exhibit D1-615.

24 THE COURT: Mid August of what year?

25 THE WITNESS: 2021.

1 THE COURT: Any objection?

2 MR. THOMPSON: Yeah, objection. I would ask for a
3 sidebar, Your Honor.

4 THE COURT: Sidebar, please.

5 **(Sidebar discussion)**

6 MR. THOMPSON: Your Honor, I'd object on the
7 grounds of hearsay and I guess 403. It appears that the
8 witness is trying to put in evidence of an investigation she
9 undertook after she had a dispute with a vendor who, a legal
10 deputy back in August.

11 It kicked off with, according to that vendor's
12 testimony, Ms. Marekegn, Ms. Bock raising questions about
13 her invoice and saying she'd only pay if she'd kick back
14 50 percent of it to Ms. Bock in cash.

15 After that, after she refused, Ms. Bock reported
16 her to MDE. And Ms. Marekegn also reported Ms. Bock to MDE.
17 They were essentially simultaneous reports. And then there
18 was a legal dispute with lawyers.

19 I don't think it's proper. One, it's hearsay; and
20 two, there's a 403 issue with respect to putting in evidence
21 of this purported investigation.

22 THE COURT: Mr. Udoibok.

23 MR. UDOIBOK: First of all, it is not hearsay
24 because -- and it's not offered, the receipts and invoices
25 are not offered for the truth of the matter. They are

1 offered to her reaction. In fact, I even asked that, what
2 was her reaction to receiving those invoices.

3 Secondly, this is material acquired during her
4 investigation. And I'm only trying to show that she's
5 testified about investigating, you know, multiple claims and
6 terminating claims, and this is only to show that she
7 conducted some investigations about claims.

8 THE COURT: Okay. Go ahead.

9 MR. UDOIBOK: So I'm only offering it not for the
10 truth of the matter, but to her reaction, present sense
11 reaction as to when, how she reacted to when she received
12 these invoices and receipts.

13 THE COURT: And these were photographs taken on
14 her phone that was later seized by the government?

15 MR. UDOIBOK: Correct.

16 THE COURT: I have an authentication issue, but
17 I --

18 Mr. Thompson, anything else?

19 MR. THOMPSON: Your Honor, I think that
20 explanation only exacerbates the Rule 403 issue insofar as
21 he's suggesting that the photos she took and documents that
22 she collected during the course of a legal dispute with
23 Hanna Marekegn is somehow emblematic of steps she may or may
24 not have taken with other sites when there's no evidence
25 this has anything to do with that.

1 THE COURT: Okay. That's your argument. It's not
2 admissibility. I'm not seeing a 403 grounds, given
3 Ms. Marekegn testified. So I'm going to let it in. I don't
4 think it's for the truth either.

5 (In open court)

6 THE COURT: The objection is overruled. D1-615 is
7 admitted.

8 BY MR. UDOIBOK:

9 Q. So just for clarity briefly, could you explain what you
10 were talking about, about the logo being different?

11 A. Yeah. So the top logo, this is what I was able to
12 confirm is their new logo. And that appeared on an invoice
13 from July 13th of 2021. I'm sorry. That's the shipping
14 date, but also up above.

15 This bottom one is the logo. Yet somehow three
16 days later, the old logo is on the newer invoice.

17 The other concern, if you look up here, this
18 invoice is info@ushalalfoodsinc.com, while this one is
19 ushalalfoods@gmail.com.

20 Q. Let's go to the next page.

21 A. Whoops, sorry.

22 Q. What about this?

23 A. So this one was concerning because for some reason the
24 food shipped the day before it was ordered.

25 Q. Is there a next page? Next page.

1 A. So this one again, somehow it shipped on the 18th, but
2 it wasn't ordered until three days later. Common sense says
3 you can't ship something that hasn't been ordered.

4 Q. Let's go to the next page, please.

5 A. So this one --

6 Q. Would you call it out a little bit so -- is it possible?

7 All right.

8 A. So this one, and I believe the next one in the exhibit,
9 have the exact same invoice number, yet the products are
10 different and the total of the invoice is different.

11 Q. Go to the next page.

12 A. Sorry.

13 Q. That's the last page. Sorry.

14 So clear, please.

15 All right. So you talked about getting in contact
16 with a lawyer.

17 A. Yes.

18 Q. Why?

19 A. Ms. Marekegn had obtained an attorney and was
20 threatening litigation if we denied or refused to pay her
21 claims.

22 Q. Did you pay the claims?

23 A. No.

24 Q. All right. Did you ask for \$1.5 million from
25 Ms. Marekegn?

1 A. Absolutely not.

2 Q. Why do you say that?

3 A. One, this was just part of the investigation. We
4 continued to investigate, and there's just absolutely no
5 reason those claims should or could be submitted.

6 Secondly --

7 Q. Stop. When you said, "There is no way the claims could
8 be submitted," what do you mean by that?

9 A. Like I described before, CLiCS has a limit that's based
10 on the application. The site was approved for 3,000 meals.
11 I can't submit a claim for more than that.

12 The price per meal is established, and in CLiCS
13 based on the USDA regulations, there's no ability to
14 override that. So these claims, had I been able to validate
15 any of them, the maximum claim that could be submitted would
16 be for \$3,000 {sic} for, I think it's like 5 or \$6 total for
17 breakfast and lunch.

18 Q. So one final question regarding your investigation of
19 Brava Cafe: Did you terminate this site or not?

20 A. I terminated this site, as well as the vendor.

21 Q. Was it because -- let me back up.

22 Was there any time during this investigation that
23 Ms. Marekegn raised the issue of you requesting a bribe?

24 A. No. In fact, I did not meet with her. I had met with
25 Sharon Ross, the operator of House of Refuge, to discuss the

1 distribution of the meals, were they really passing out
2 21,000 meals a day. I believe it was three staff members
3 that met with Hanna and asked her some questions about why
4 are you billing this, where are you getting these prices
5 from.

6 Once I terminated her, she retained an attorney,
7 and so I no longer had contact with her.

8 Q. All right. I want to shift focus to -- you did a few
9 investigations, didn't you?

10 A. I did.

11 Q. And was there a particular pattern of your
12 investigation?

13 A. It would depend on what the concern was that was raised
14 by the staff. A lot of times they would initiate from
15 invoices that were submitted. Other times it would be a
16 site visit where the support staff would show up and either
17 nothing was happening or, you know, wrong things were
18 happening, things that we expected weren't happening.

19 And so that would trigger an investigation as
20 well.

21 Q. Well, did you investigate, did you investigate a site
22 called AFEAP?

23 A. Yes. AFEAP is also, that's the acronym. It's Action
24 For East African People, and we did another very thorough
25 investigation into claims that were submitted by Ayan

1 Abukar, the site operator.

2 Q. So talk to me about AFEAP. How did AFEAP come in
3 contact with Feeding Our Future?

4 A. Ayan Abukar, the operator, had previously owned a child
5 care center that had been on the food program under Feeding
6 Our Future. And I had worked with her on some other child
7 care related issues.

8 Q. So why was there any concern about AFEAP?

9 A. So AFEAP had applied for, I want to say eight or nine
10 different locations. Three of those locations had been
11 approved to operate and were operating.

12 All of a sudden in -- it was July or August of
13 2021, Ayan arrived at the office and requested to see me.
14 So I met with her, and she handed me a box of claims for
15 five different locations, six months' worth of claims
16 submissions.

17 Q. Now, who, who was the site coordinator of AFEAP?

18 A. I'm trying to remember who the coordinator was. I don't
19 recall the coordinator. The initial program support for
20 that site was Hadith Ahmed.

21 Q. Who is Hadith Ahmed?

22 A. He is a consultant that I terminated as a result of the
23 investigation into these claims.

24 Q. Was he, so he was, when you say site, did you say site
25 coordinator or --

1 A. Support staff. He was, yes, monitoring the locations,
2 the three locations that were operating.

3 Q. What's, you said Hadith Ahmed, correct?

4 A. I did.

5 Q. Okay.

6 A. Excuse me.

7 Q. Could you describe for the jury what his role was at
8 Feeding Our Future relating to AFEAP, the site?

9 A. Yeah. So in his role, he was responsible for doing the
10 monitoring, the training, helping collect documentation,
11 making sure that everything was submitted so that it could
12 be given to claims and go through the review process.

13 Q. So how did AFEAP come in contact with you for you to
14 investigate?

15 A. Yeah. So when she came in with that box of 30 or so
16 claims, the first step I took was to inquire what sites are
17 these for, because we had records on the three that were
18 operating. And so I was confused on where these other five
19 sites came from.

20 So I reviewed our internal documentation and
21 discovered that, yes, she had requested them, but all of
22 Feeding Our Future's documentation showed that those sites
23 had never been serving.

24 Q. What do you mean by, "Never been serving"?

25 A. All of our records indicated that food had never been

1 distributed from those five locations. No children were
2 fed.

3 Q. But she was demanding you, Feeding Our Future, submit
4 claim to MDE?

5 A. Yes. She suddenly appeared with all of these claims
6 requesting that they be reimbursed.

7 Q. Did you, did you request receipts from AFEAP?

8 A. Yes. So when I went through the box and discovered that
9 they shouldn't have been operating, she, much like Hanna,
10 had also engaged an attorney. So we continued to
11 investigate before just saying, no, this is ridiculous, I'm
12 not paying it.

13 I wanted to make sure that they were in fact
14 invalid. So I started by looking at the invoices that were
15 included with each claim. Those invoices were from L & F
16 Grocery and Minnesota Food Grocery.

17 Q. Are those the vendors that you banned?

18 A. Yes. As a result of this, as a result of this
19 investigation, those vendors were terminated and banned.

20 Q. So I want to kind of -- you are not a lawyer by any
21 means, are you? When a site or vendor retains an attorney
22 and contacts you, what do you do?

23 A. So at that point typically Feeding Our Future's attorney
24 would engage with their attorney. During this investigation
25 process, however, Ayan and I did meet a couple times to go

1 through and outline the concerns that I had.

2 Q. All right. I want to direct you to Exhibit D1-700.

3 It's not in evidence.

4 What is it?

5 A. This is, this particular page is a menu that was
6 submitted in that box of claims.

7 Q. Well, generally about 27 pages to this document?

8 A. Correct.

9 Q. What are those?

10 A. This is a collection of the documents that I reviewed as
11 part of the investigation. The invoices that I -- excuse
12 me. The invoices in particular that were concerning, I
13 indicated notes on them.

14 And then these were used in a meeting with both
15 Ayan Abukar, as well as a Zoom call that I presented it to
16 her attorney with Feeding Our Future's attorney present.

17 Q. What was your reaction when you received the documents
18 included in D1-700?

19 A. I was honestly shocked and truthfully kind of annoyed
20 that anyone would even try to submit such ridiculous
21 documentation to claim federal food program money.

22 Q. What was ridiculous about it?

23 A. The invoices were clearly fraudulent.

24 Q. Why do you say that?

25 A. Two vendors, same invoice, same food description, same

1 order, same prices despite them being unrelated, invoice
2 numbers that sequentially didn't make sense, foods that were
3 included on the invoice which in and of itself isn't a huge
4 concern.

5 But there was a large amount of food that was
6 purchased that is not reflected on the menu. Likewise,
7 there's a significant amount of food that's on the menu
8 indicating it's being distributed that did not appear on the
9 invoices that were submitted.

10 Q. So you testified earlier that as part of your
11 investigation of AFEAP, you had cause to terminate
12 Mr. Hadith Ahmed, correct?

13 A. I did.

14 Q. So what specifically did he do that caused your
15 termination?

16 A. As part of the investigation, when I was questioning
17 Ayan about the validity of the documents, I had come to
18 learn and understand that Hadith Ahmed had been paid to help
19 create these documents, as well as to try to or try to push
20 them through the claims process at Feeding Our Future.

21 Q. How did you feel about that?

22 A. Oh, I was mad. I'm still mad.

23 MR. UDOIBOK: Your Honor, we offer D1-700.

24 MR. THOMPSON: Objection. Hearsay, Your Honor.

25 THE COURT: Sustained.

1 MR. UDOIBOK: All right.

2 BY MR. UDOIBOK:

3 Q. So nonetheless, the invoices were fraudulent.

4 A. Yes. We attempted to make contact with the vendors,
5 again asking for backup documentation. At no point in time
6 were we ever to establish that any food had been purchased
7 for these sites.

8 And so all claims were denied. Vendors were
9 terminated and banned. And Ayan Abukar as well as AFEAP,
10 Action For East African People, were terminated.

11 Q. I just want to make sure that I ask this. Was this
12 exhibit collected during the course of your investigation of
13 Feeding Our Future?

14 A. Yes.

15 Q. All right. As part of your investigation, how much did
16 you learn that Ms. Abukar gave to Hadith Ahmed?

17 A. I had been told different numbers.

18 MR. THOMPSON: Objection. Hearsay. Foundation.

19 THE COURT: Sustained.

20 BY MR. UDOIBOK:

21 Q. All right. So did you learn, did your investigation
22 reveal an amount?

23 A. My understanding was that he had received somewhere
24 between one and two hundred thousand dollars from Ayan
25 Abukar. I, however, didn't have access to any records, so I

1 couldn't confirm the exact amount.

2 Q. All right. I want to shift focus a bit to how helpful
3 MDE was to you. I see a smile on your face.

4 Was MDE helpful?

5 A. No. So with both of these claims, I had sought
6 assistance in how to respond, what to do, not sure
7 exactly -- I had never encountered something like this on
8 this scale. What do I need to do? Also, hoping for
9 guidance on do we need to reopen past claims if they had
10 been submitted and we missed them.

11 Q. All right. So I want to talk to you about Youth
12 Leadership Academy.

13 A. Okay.

14 Q. What is that?

15 A. Youth Leadership Academy later became known as GarGaar.
16 It was an organization that had been sponsored by Feeding
17 Our Future for a period of time. However, they terminated
18 their agreement with us because they were applying to be a
19 sponsor with MDE.

20 Q. All right. And did you have any difficulty with Youth
21 Leadership Academy make claims?

22 A. Yeah. So what happened is, once a site fills out --
23 it's called a transfer form. It's indicating that that site
24 was going to be transferring to, in this case, their own
25 sponsorship. It indicates an end date. In this case, it

1 was April of '21 our contract was ended.

2 We no longer had an agreement. We no longer had a
3 contractual relationship. My understanding is that their
4 sponsorship didn't get approved until some months later,
5 which left them in a position where they had reportedly been
6 providing meals and snacks for the month of May, but they
7 weren't a sponsor, so they couldn't submit them.

8 And they were coming back to Feeding Our Future,
9 requesting that we submit them.

10 Q. Did Feeding Our Future submit claims?

11 A. No, we legally couldn't. The agreement had been
12 terminated with an end date of April 2021. And so, one,
13 without a signed, valid program agreement, we legally can't
14 split it.

15 Secondly, if there's not an agreement in place,
16 we had no oversight, no monitoring, no way to know or
17 guarantee that the site had been operating.

18 Q. If you submitted the claims to MDE while you had
19 terminated the site, what would happen to Feeding Our
20 Future?

21 MR. THOMPSON: Objection, Your Honor. That
22 misstates the testimony. They had left to become their own
23 sponsor.

24 THE COURT: Sustained.

25 Can you rephrase?

1 MR. UDOIBOK: I will try, but before I do that,
2 Your Honor, may I go to sidebar, if that's okay?

3 THE COURT: Sure.

4 **(Sidebar discussion)**

5 MR. UDOIBOK: Your Honor, I'm just trying to
6 follow your order for not allowing speaking objections. I
7 think describing in his objection is not proper. Just so,
8 you know -- I don't want to --

9 THE COURT: I can strike it. Thank you.

10 MR. UDOIBOK: Okay.

11 **(In open court)**

12 THE COURT: The last portion of the objection will
13 be stricken.

14 You may continue, Mr. Udoibok.

15 MR. UDOIBOK: Thank you, Your Honor.

16 BY MR. UDOIBOK:

17 Q. So did you seek guidance from MDE?

18 A. So in this instance, I had worked directly with the
19 site. They had approached me. I informed them that there
20 was no, I had no legal authority or ability to submit a
21 claim.

22 At that point, MDE was added to the conversation,
23 requesting clarity on how this May claims should be paid.

24 Q. Did you receive clarity?

25 A. I was informed by MDE --

1 MR. THOMPSON: Objection. Hearsay.

2 THE COURT: Sustained.

3 BY MR. UDOIBOK:

4 Q. Did you receive clarity?

5 Sorry.

6 MR. THOMPSON: Objection, Your Honor.

7 THE COURT: Sustained.

8 BY MR. UDOIBOK:

9 Q. All right. Were you able to resolve your concern?

10 A. Partially. Feeding Our Future was advised that because
11 the site ID still existed under the sponsorship of Feeding
12 Our Future, that claim should be submitted.

13 MR. THOMPSON: Objection, Your Honor.

14 THE COURT: Sustained.

15 MR. THOMPSON: Move to strike.

16 THE COURT: It will be stricken.

17 BY MR. UDOIBOK:

18 Q. All right. You are looking at what has been marked as
19 D1-696. What is it?

20 A. This is an email between myself and multiple MDE staff.

21 Q. Was this regarding your work at Feeding Our Future?

22 A. It was.

23 Q. Is this exact copy of Exhibit 696? I don't want to
24 describe it. Just --

25 A. Yeah. This is the email that I sent.

1 Q. All right. And is this document, is that copy of the
2 email correspondence?

3 A. It is.

4 Q. All right. And did you -- where did you get this email?

5 A. So this is an email that I had sent to the Department of
6 Education.

7 Q. Why?

8 MR. THOMPSON: Your Honor, I object.

9 THE COURT: Mr. Udoibok, I think we have enough
10 that you can offer an objection, and she can describe it
11 further if it's in, but not if it's not.

12 MR. UDOIBOK: Okay.

13 So I'll offer 696.

14 MR. THOMPSON: Objection. Hearsay.

15 THE COURT: Sustained.

16 MR. UDOIBOK: I'll move on.

17 BY MR. UDOIBOK:

18 Q. All right. So but was the -- was the issue resolved
19 regarding Youth Leadership Academy?

20 A. Feeding Our Future refused to submit those claims
21 because we did not have the legal authority to do so, and so
22 it didn't matter what other understandings people had. I
23 was not going to violate the regulations and submit a claim
24 for a period of time that we had no oversight and no
25 contractual relationship with --

1 I wasn't going to violate the law.

2 Q. Well, I want to talk to you in that same scope. In sum,
3 on the issue of MDE and Feeding Our Future sometime in
4 June 2021, was MDE helpful in resolving the
5 misunderstanding?

6 A. No.

7 Q. Okay. Now, I want to shift focus still with MDE. Was
8 there any occasion that there was concern about naming a
9 site?

10 A. There was. So this was a topic that was a concern
11 throughout the program is, what do we name these sites.
12 There was the opinion and suggestion that sponsors named
13 sites based on the physical building.

14 So like I mentioned earlier, if it's a program
15 operating at a library, we name the site the name of the
16 library. Church, mosque, we use that name.

17 The concern was that was creating confusion.
18 Individuals would call the location, seeking information on
19 the food distribution, but that actual site wasn't doing it.
20 They didn't know.

21 And so that created confusion for parenting, I'm
22 sorry, for parents looking for meals. Also created
23 confusion on investigations and verification of claims.

24 Q. Well, I want to direct you to Exhibit D1-699. What is
25 this?

1 A. So there was a period of time -- so throughout the
2 program, it's common that there would be more than one site
3 distributing food to participants.

4 Guidance had indicated that if that happened with
5 two organizations at one address, their claim information
6 should be combined and submitted under one site ID. Despite
7 it being two separate programs, it would go in as one claim.

8 Q. Well, you testified earlier that MDE was not always
9 helpful, and I want to -- I want to talk to you about your
10 reaction to Exhibit D1-699. Okay.

11 MR. THOMPSON: Objection, Your Honor. It's not in
12 evidence.

13 THE COURT: Exhibit 699 is not in evidence.

14 MR. UDOIBOK: Yes, Your Honor. It's not, but I
15 haven't asked the question yet. We're just -- Your Honor
16 ask the question.

17 MR. THOMPSON: Your Honor, I don't think she can
18 react to something that's not in evidence.

19 MR. UDOIBOK: Okay.

20 BY MR. UDOIBOK:

21 Q. So what is, what is Exhibit D-699?

22 A. This is an email that I sent to MDE, expressing concern
23 about the sharing of site IDs.

24 Q. All right. When did you send the email?

25 A. I sent it twice, the first time in March of 2021 and

1 then a followup in May of 2021.

2 Q. Was this email sent during your employment at Feeding
3 Our Future?

4 A. Yes, it was.

5 Q. Was it a regular course of business to send emails to
6 MDE?

7 A. Yes. MDE is the State agency who sponsors are
8 instructed to reach out to when we have confusion or need
9 clarification.

10 Q. Is this an accurate copy of the email -- by the way, did
11 you receive a response from MDE?

12 A. I never did.

13 Q. All right. Is this an accurate copy of the email that
14 you sent to MDE?

15 A. It is.

16 MR. UDOIBOK: All right. Your Honor, we offer
17 D1-699.

18 MR. THOMPSON: Objection. Hearsay.

19 THE COURT: Sustained.

20 BY MR. UDOIBOK:

21 Q. All right. So you sent -- you made request specifically
22 about which organization?

23 A. So the concern or the question related to United Youth
24 on Lake Street. It was a large, multi-use building that
25 happened to have two organizations operating within it.

1 Q. Okay. What was the problem?

2 A. My concern with sharing site IDs is, if you have two
3 organizations and their information is being combined, how
4 to handle what if one organization is meeting the
5 requirements, what if one isn't. How do we handle that?

6 How do we monitor, because the regulations require
7 three times a year was waived down to two, but does that
8 mean two visits for the address? Is it two visits per
9 organization?

10 It also adds complexity to when you are combining
11 claims and submitting it and getting all the funds at once,
12 ensuring that those funds are being tracked appropriately.
13 If there's meals disallowed for one organization but not the
14 other, that that's all accurately reflected.

15 And so it was creating a lot of concern about how
16 to keep the programs separate, yet the same.

17 Q. So how did you feel when MDE did not respond?

18 A. I was frustrated.

19 Q. Why?

20 A. Because MDE is the State agency exists in part to
21 provide technical assistance to sponsors and sites, and so
22 I -- my expectation was that if I have a concern or a
23 question or need clarity that as a State agency they would
24 respond.

25 Q. All right. I want to continue to stay with your

1 relationship with MDE as it relates to this case.

2 A. Okay.

3 Q. So I'm going to shift focus a little bit.

4 And we are still on this issue of site
5 application, correct.

6 So who is SIR Boxer?

7 A. So we heard from him. Cerresso Fort came in and
8 testified about SIR Boxing. It's a location on Arcade.

9 Sorry.

10 Q. All right. So let's look at Government Exhibit P1. I
11 think, I believe it's in evidence.

12 Call out the top part, top part. There you go.

13 So what is that?

14 A. This is the site ID request that I sent to, again,
15 Kendra Pace and MDE with, requesting a site ID for the SIR
16 Boxing location in July of 2020.

17 Q. All right.

18 THE COURT: Can you wait one minute? I'm not sure
19 it's in evidence.

20 It's not in evidence. Excuse me.

21 MR. UDOIBOK: Excuse me?

22 THE COURT: I don't think it's in evidence.

23 One moment. I want to confirm.

24 Not in evidence.

25 MR. UDOIBOK: All right.

1 BY MR. UDOIBOK:

2 Q. Anyway --

3 MR. UDOIBOK: Your Honor, can we confer a minute?

4 THE COURT: Sure.

5 (Counsel confer)

6 BY MR. UDOIBOK:

7 Q. All right. So let's talk about SIR Boxer.

8 A. Okay.

9 Q. Was there ever a claim made by Feeding Our Future for
10 SIR Boxer?

11 A. There was not.

12 Q. Was there a site request made?

13 A. We did request and submit an application for SIR Boxing.
14 However, they never participated, and claims were never
15 submitted.

16 Q. You saw the testimony about claims submitted for Arcade.
17 Do you remember that?

18 A. I do.

19 Q. Was Arcade SIR Boxer?

20 A. It was not. So there were initial conversations with
21 SIR Boxing. Feeding Our Future had put a refrigerator in
22 the location with the intent of them being able to
23 distribute meals and snacks to the children that were
24 attending.

25 That conversation -- the site ID request was

1 submitted. Application was submitted because it was taking
2 a rather long period of time for MDE to process them. After
3 those initial conversations, nothing ever moved forward with
4 SIR Boxing, and so they never operated.

5 About a year later, a different nonprofit
6 organization, a different group, moved into a suite upstairs
7 in that same Arcade building that we saw photos of.

8 Q. All right. I want to direct you to Government
9 Exhibit P3. I hope this is in evidence. I think it is.

10 THE COURT: No, it is not.

11 MR. UDOIBOK: It's not?

12 BY MR. UDOIBOK:

13 Q. Well, let's go to A75. Sorry. That should be.

14 THE COURT: Yes.

15 MR. UDOIBOK: Thank you, Your Honor.

16 BY MR. UDOIBOK:

17 Q. So what was the issue with SIR Boxer site that you had
18 an approved site? Why didn't you just maintain that name?
19 Why did you change to Arcade?

20 A. So we tried to name it to identify the site, like I have
21 said. In this instance, SIR Boxing was not where they would
22 be able to go get food. Like I said after the initial
23 conversations, nothing moved forward.

24 And so then we changed the name to reflect that it
25 was Feeding Our Future on Arcade so that we wouldn't have

1 parents going into the boxing gym looking for food.

2 Q. So was Empress Watkins --

3 A. Watson.

4 Q. Watson. Empress Watson, was he going to have any
5 relationship with SIR Boxing?

6 A. Sort of, a loose relationship. So he worked out there
7 pretty frequently, like we heard. His role was going to be
8 to pick up the food, the meals and snacks, and drop them off
9 each day when he went there.

10 Q. Did you work out there?

11 A. I did for a while.

12 Q. How long?

13 A. Off and on for six months or so.

14 Q. Did you have a membership?

15 A. It wasn't like a membership type gym. It was more of a
16 like pay-as-you-go kind of. It's not a monthly fee per se.
17 It was a, when you are there, you pay.

18 Q. All right. Were you boxing, were you?

19 A. I did.

20 Q. All right.

21 A. I'm really bad at it, but, yes, it was a boxing gym and
22 so I would attempt. I would punch the bags.

23 Q. All right. So let's go to A75 that is in evidence.

24 A. Yeah.

25 Q. So was there any need to clarify between SIR Boxer and

1 Arcade?

2 A. So I had actually reached out. I believe, if I remember
3 right, the Arcade site operated in July or August of 2021.
4 And so around that time, I had informed the Department of
5 Education that I needed to change the name and that it was a
6 new organization there in a different suite.

7 I never got a response to the email, and I could
8 tell in the CLiCS system that those changes hadn't been
9 made. And so in October of 2021, sponsors' access changed
10 slightly to CLiCS, and I was able to change the name.

11 And so I went in and changed it, but then learned
12 that I was not allowed to do that and it needed to be left
13 as SIR Boxing.

14 Q. Look at paragraph, number three. Call out that section.

15 What is that?

16 A. So this is the information I received informing me that
17 MDE will change the site name, not Feeding Our Future.
18 Again, though, the first paragraph is informing that -- SIR
19 Boxing never started with Feeding Our Future.

20 There's a different nonprofit operating in the
21 multi-unit building at that time. And so, again, informing
22 the department SIR Boxing, while, yes, that was the initial
23 plan, they never participated, never claimed. It was a
24 different group in a different part of the building.

25 Q. Ms. Mallet, can you highlight the B section.

1 I just want to understand what that meant.

2 Ms. Bock, what is that?

3 A. So that's the technical assistance. I'm being reminded
4 that the CLiCS access is for creating the site applications
5 and that any site name changes will be completed by MDE.

6 And then I respond, "Thanks for the clarification."

7 Q. So regarding SIR Boxer, were you attempting to mislead
8 anyone?

9 A. No.

10 Q. Did you mislead anybody?

11 A. No.

12 Q. All right. I want to direct you to Government
13 Exhibit A72. No. 73. Sorry.

14 THE COURT: A73?

15 MR. UDOIBOK: Yes, A73.

16 BY MR. UDOIBOK:

17 Q. It's in evidence. It's in evidence.

18 So you testified earlier that MDE wasn't always
19 helpful.

20 A. Correct.

21 Q. And there's something that I want clarity from that seem
22 to be confusing.

23 I want to go to the second page first --

24 A. Okay.

25 Q. -- of the exhibit. Call out that list.

1 All right. Ms. Bock, was there a site named
2 Feeding Our Future Number 1.

3 A. Yes. Site ID requests were submitted for a site to be
4 named Feeding Our Future 1, down through the list.

5 Q. Ms. Mallet, could you highlight Feeding Our Future 7 and
6 8?

7 So were there sites named Feeding Our Future 7 and
8 Feeding Our Future 8?

9 A. There were site IDs. I don't remember if there were
10 CLiCS applications, but, yes, site IDs were issued for
11 Feeding Our Future 7, as well as Feeding Our Future 8.

12 Q. All right. So let's go to the first page of
13 Exhibit A73. Call out the, the address at the top section
14 again.

15 You were writing to who?

16 A. To MDE, again Kendra Pace, our main applications person,
17 Emily Honer, as well as Monica Herrera, Daron Korte and
18 Heather Mueller.

19 Q. Why?

20 A. Because I was seeking clarification on MDE's preference
21 for how to name sites.

22 Q. Why was that an issue?

23 A. Because, again, it's, it was creating an issue when you
24 name a site, maybe it's again a library, church, mosque,
25 other times it was like a community center within an

1 apartment building.

2 If you name it the apartment building and anyone
3 calls to verify, they're going to call the leasing office or
4 the main office, who will have no idea who is using the
5 community room, if they're distributing food. They won't be
6 able to provide invoices or any information.

7 And so that was causing confusion because
8 incorrect people were being requested to submit documents
9 they knew nothing about.

10 It was also causing confusion for parents. They
11 would show up at a community center at somewhere and say I'm
12 here to get the free food that's being distributed, and it
13 wouldn't be clear on who they were supposed to ask, where
14 they were supposed to go.

15 And so I was seeking clarification on if there's a
16 preference.

17 Q. Well, release the callout. Call out the paragraph, the
18 first paragraph, "I am unclear," all of that.

19 It's lengthy but just --

20 A. Yes.

21 Q. Could you read that a little slowly for the jury?

22 A. Yeah. So it says, "I am unclear what you mean by many
23 of these sites appear to be restaurants, apartment
24 buildings, dot, dot, dot. If you mean the physical
25 locations, yes. If you mean sites as that term is used in

1 the federal regulations, then no. These are all Feeding Our
2 Future sites. We are operating them. What do you mean by
3 another site name?"

4 Does MDE have name preferences or protocols that
5 you would like us to use, I'm sorry, like us to follow in
6 naming sites that Feeding Our Future is operating?

7 "As you know, we have tried a number of
8 conventions at MDE's request, and all have led to problems.
9 To list a couple, MDE has mistakenly denied or delayed
10 applications because two different locations were operating
11 out of the same physical address. It's denied or delayed
12 applications because it was confused about who was actually
13 operating the program, and it has called locations asking
14 about receipts when the location has nothing to do with the
15 operation of the food program.

16 "Using the location as the site name has also
17 confused parents and the community about who is providing
18 food."

19 Q. So what was the purpose of this email?

20 A. So those Feeding Our Future sites that were listed, 1
21 through 27, were going to be Feeding Our Future sites.
22 Feeding Our Future was going to operate them.

23 And so they were submitted as Feeding Our Future,
24 so it was clear again who was operating them. It would also
25 appear on the maps that are available for parents to use

1 that it's a Feeding Our Future location. If they go there,
2 ask someone for Feeding Our Future to be able to get the
3 food.

4 MDE asked if we had different names to use, and so
5 I was asking based on the problems and issues we'd
6 encountered if they had a preference on what system we use
7 to name these locations.

8 Q. Ms. Mallet, would you call out the next paragraph
9 starting with, "Please."

10 Could you read that, Ms. Bock?

11 A. Yeah. I said, "Please let me know if MDE has guidance
12 documents or policies that explain how it would like us to
13 name sites that Feeding Our Future is operating."

14 Q. Did you receive guidance from MDE?

15 A. I believe that in this instance, the IDs were issued for
16 the one for -- I'm sorry -- the 1 through 27. So there was
17 no names that were changed at this point.

18 Q. Now, did you submit site ID requests for all Feeding Our
19 Future 1 through 27?

20 A. Yes. So they would have been submitted, this
21 clarification was August of -- August 20th of 2021. So
22 those ID requests would have been submitted a week or two,
23 maybe, prior to this email.

24 Q. Let me direct your attention to Defense Exhibit D1-996.
25 It's not in evidence.

1 What is it?

2 A. These are site ID requests submitted to MDE for the
3 sites that were listed in that prior email.

4 Q. Is this a correct copy of the site ID requests?

5 A. Yes, it is.

6 Q. And how did you acquire this document about 79 pages
7 long?

8 A. So these were emails that I had sent to MDE, and then I
9 believe included in there is the auto-generated response.

10 MR. UDOIBOK: Your Honor, we offer Exhibit D1-996.

11 THE COURT: Any objection?

12 MR. THOMPSON: One moment Your Honor. Objection.
13 Hearsay.

14 THE COURT: Sustained.

15 BY MR. UDOIBOK:

16 Q. Okay. But nonetheless, you sent ID requests for all 27
17 Feeding Our Future sites that you've just discussed.

18 A. Correct. Site ID requests were submitted and granted
19 for all of the 27 locations.

20 Q. Did you submit site applications for all Feeding Our
21 Future, 27 Feeding Our Future sites?

22 A. I don't believe site applications were submitted for all
23 of them. Again, during the course of the process, plans
24 changed, and so some of the sites I don't believe were ever
25 submitted into CLiCS as an application.

1 Q. All right. I want to move on to another area. Okay?

2 A. Okay.

3 Q. There's been testimonies about lawsuits.

4 A. There has.

5 Q. So I'm going to ask you a few questions about that.

6 A. Okay.

7 Q. Have you ever personally sued MDE?

8 A. Not during this time period, no.

9 Q. All right. Have you personally sued MDE for
10 discrimination?

11 A. No.

12 Q. All right. While you were executive director of Feeding
13 Our Future, did Feeding Our Future sue MDE for
14 discrimination?

15 A. No.

16 Q. All right. While you were an executive director of
17 Feeding Our Future, did Feeding Our Future take court action
18 against MDE?

19 A. Yes.

20 Q. All right. How many, how many court actions?

21 A. There was one lawsuit filed.

22 Q. One lawsuit filed.

23 A. Correct.

24 Q. Why?

25 A. The lawsuit was filed because site ID requests were not

1 being allowed, were not being processed, and therefore
2 organizations were not being allowed to apply for any of the
3 child nutrition programs.

4 Q. Well, you've heard testimony that you were accusing MDE
5 of discrimination, correct? You've said that.

6 A. I've heard that, yes.

7 Q. Did you, have you ever written to MDE accusing them of
8 discrimination?

9 A. Not that I can recall, no. I have asked why Feeding Our
10 Future sites were being treated differently than sites with
11 other sponsors, other organizations, but I don't believe
12 I've ever --

13 Q. All right. So I want to direct you to Government
14 Exhibit BB37a. I'm just hoping it's in evidence. I think
15 it is.

16 (Counsel confer)

17 THE COURT: Yes? Yes.

18 MR. UDOIBOK: Thank you, Your Honor.

19 BY MR. UDOIBOK:

20 Q. You recall that video, don't you?

21 A. If it's the video I'm thinking of, yes.

22 MR. UDOIBOK: Ms. Mallet, are you able to play
23 that?

24 (Video recording played)

25 MR. UDOIBOK: Okay. Stop.

1 BY MR. UDOIBOK:

2 Q. So, Ms. Bock, what was said there? Do you understand
3 what was spoken?

4 A. I heard my name, but I don't know any of the other
5 parts, no. I don't speak Somali.

6 Q. Now, what event was that?

7 A. That was an event that was held at Benadir Hall, and a
8 number of individuals had been invited.

9 Q. Wait for a second. You said, what hall was it called?

10 A. Benadir.

11 Q. Benadir. Okay. Go ahead.

12 A. And so a number of individuals had been asked to attend.
13 It was indicated that we were invited and I was included
14 because work had been done to support the community.

15 Q. So was the event created to showcase you alone?

16 A. That was not my understanding, no.

17 Q. Were there other people showcased at the event?

18 A. There were.

19 Q. Right?

20 A. There were, yes.

21 Q. Such as?

22 A. There was some politicians that were there. There were
23 some leaders of -- there's an organization Isaih, and I
24 believe it's the Muslim coalition that were there and spoke.
25 There was I believe an Al-Amaan Sheik, a mosque leader, that

1 came and was recognized for his work.

2 Q. What politician was there?

3 A. There was a city councilman, a senator and then a
4 representative from Senator Ilham Omar's office.

5 Q. All right. So you heard testimony that you were
6 celebrated for winning a lawsuit. Do you remember that?

7 A. I do.

8 Q. I forgot to ask you. Were you comfortable with what
9 they were saying?

10 A. No. So my understanding was that it was just going to
11 be thank you for your work, give a short speech and move on.
12 I was asked to come sit in that chair, and all of a sudden
13 the chanting and dancing started. And so I was --

14 I try to embrace cultural events, but I was
15 surprised and confused and not quite sure what was
16 happening.

17 Q. All right. So right around this time frame, before you
18 were being celebrated, what happened to the claims that
19 Feeding Our Future made against MDE?

20 A. Yeah. So after the initial lawsuit was filed, a
21 stipulated agreement was entered into, and that agreement
22 was that MDE would approve or deny applications in a
23 reasonably prompt manner and that if there were issues with
24 any applications, missing information or it was incomplete,
25 that they would let Feeding Our Future know what those

1 issues were so they could be addressed, also that if the
2 applications were denied, appeal rights would be granted.

3 That -- go ahead.

4 Q. Go ahead.

5 A. So that was the agreement that was entered into the end
6 of, I believe it was the end of December 2020 if I'm
7 remembering correctly.

8 As time went on, site IDs continued to not be
9 granted. Sites were still not allowed to apply to
10 participate in the child nutrition programs. A few here and
11 there would be approved, but the vast majority were just
12 sitting in sort of this black hole.

13 And so Feeding Our Future filed a motion to hold
14 MDE in contempt of court for violating that court order and
15 stipulated agreement.

16 Q. What was the outcome of that motion?

17 A. The Department of Education was held in contempt of
18 court for violating the agreement. They were also ordered
19 by the judge to pay a sanctions, a fee --

20 MR. THOMPSON: Objection. Hearsay. Relevance.

21 THE COURT: Sustained.

22 BY MR. UDOIBOK:

23 Q. All right. So let me see whether this would be helpful.

24 Well, you're looking at what has been marked as
25 Exhibit D1-781. Do you recognize that?

1 A. I do.

2 MR. THOMPSON: Your Honor, I object to any
3 questions beyond foundation.

4 THE COURT: Sustained.

5 MR. UDOIBOK: May I ask about foundation then, a
6 question beyond foundation?

7 THE COURT: Let's take a ten-minute break.

8 MR. UDOIBOK: All right.

9 THE COURT: All rise for the jury.

10 2:51 p.m.

11 **IN OPEN COURT**

12 **(JURY NOT PRESENT)**

13 THE COURT: You may be seated.

14 MR. UDOIBOK: Thank you.

15 THE COURT: Mr. Thompson, could you explain your
16 objection please?

17 MR. THOMPSON: Yes, Your Honor. It appears that
18 Mr. Udoibok is trying to introduce a court order issued by
19 Judge John Guthmann. Obviously that's an out-of-court
20 statement offered for the truth of the matter asserted.

21 I think there's also a significant 403 issue with
22 respect to this.

23 THE COURT: Mr. Udoibok.

24 MR. UDOIBOK: Your Honor, it's government record.
25 It's a court order. It's a public record. And again,

1 documents obtained during the course of employment, and I
2 didn't even get to why it was her reaction, what this
3 document, what this order, how she -- the impression the
4 document made on her.

5 THE COURT: So my concern is the following: I
6 have a few.

7 One is that we've tried, and we had a motion in
8 limine to this effect to, when there are questions about
9 foundation for a document, not to go into detail about the
10 document because you then divulge the contents of the
11 document, which may or may not be admissible.

12 And so that's why I stop you before you go too far
13 so that Ms. Bock doesn't describe the document that might be
14 inadmissible.

15 Second, the fact that it was related to the
16 government investigation or found during the government
17 investigation or relied upon by Ms. Bock during her
18 employment, none of that has anything to do with the hearsay
19 rules.

20 And my concern is that the continued attempt to
21 admit clearly inadmissible documents is giving an impression
22 to the jury that we're hiding something from them, and we
23 are not. I'm simply ruling based on the Federal Rules of
24 Evidence.

25 So I really want you to look at the Federal Rules

1 of Evidence before a document is offered because it's, it
2 doesn't look good to the jury that I keep saying sustained,
3 sustained, sustained.

4 I'm not hiding anything from them. I'm simply
5 following the Federal Rules of Evidence. With respect to
6 this document, it's a court order. The law is very clear
7 that a court order under these circumstances is hearsay.

8 MR. UDOIBOK: Your Honor, you have ruled, except
9 you want me to make any comment?

10 THE COURT: You may certainly make a record.

11 MR. UDOIBOK: All right.

12 THE COURT: Yes, you may certainly make a record.

13 MR. UDOIBOK: So my response to the government
14 hearsay exception is, first, the document comes in. It's an
15 801 document. All right?

16 And followed with that, it's, it may have hearsay
17 exception, because I'm asking about the present sense
18 impression of the document to Ms. Bock.

19 There are other grounds that the hearsay exception
20 should be admitted. It is in a record of her recollection
21 of what occurred during, while she was employed at Feeding
22 Our Future.

23 It's, although written by a court, it's a record
24 that she, that she relied upon. That's 03(5). And it's
25 even 803(6), record of regular conducted -- business

1 activity.

2 And finally it's a, I don't know what else can be
3 more public than an order from a state district court
4 relating to the misrepresentation. That's a strong word,
5 but the testimony coming in from the government, government
6 witnesses, is Ms. Bock sued MDE for discrimination when she
7 never did that.

8 THE COURT: All right.

9 MR. UDOIBOK: So I'm offering this not for the
10 truth of the indictment, but the impression the order made
11 on her and the other numbers I have listed.

12 THE COURT: Thank you.

13 Mr. Thompson, would you like to reply?

14 MR. THOMPSON: Thank you, Your Honor.

15 Your Honor, I share the court's concern with the
16 defense's continued attempts to introduce exhibits that are
17 clearly not admissible under the Rules of Evidence because
18 they're inadmissible hearsay.

19 There's been emails of the defendant, fake
20 business records created by Feeding Our Future and the
21 defendant, documents created in the course of Ms. Bock's
22 ongoing dispute and litigation with Feeding Our Future, fake
23 records created in the course of the charged fraud scheme
24 designed to cover up the fraud.

25 Those clearly aren't admissible. And the

1 continued parading and then attempts to get at the substance
2 of them under the guise of laying foundation is problematic.
3 And I hope you can continue to admonish defense counsel not
4 to do that.

5 It's really problematic. From our perspective,
6 this is clearly not admissible under the Rules of Evidence.
7 It is basic black letter law, and the fact that we have had
8 to object to about 90 percent of the defense exhibits
9 prejudices the government because it looks like we're trying
10 to hide behind these documents.

11 I'll respond to the exhibit at issue here, which
12 is no longer on the screen, but it's an order of John
13 Guthmann, issued in 2021 in the course of this lawsuit.
14 Obviously, that's hearsay, Your Honor.

15 Mr. Guthmann's out-of-court statement offered, of
16 the proof --

17 THE COURT: Judge Guthmann.

18 MR. THOMPSON: Judge Guthmann's -- sorry --
19 opinion is not admissible under the rules of hearsay. It's
20 obviously incredibly misleading to the jury and problematic.
21 Also, Your Honor, judge Guthmann didn't issue this having
22 looked at all the evidence and having heard all the evidence
23 that the jury last heard here today.

24 And presumably if asked about it now and asked
25 whether he knew about all of this, he would have different

1 things to say. He was ruling on a very specific issue
2 before him at the time. And, frankly, I don't know what the
3 issue is standing here right now.

4 But I know that it is not relevant to whether or
5 not the government has met its burden of proving the
6 defendant's guilt beyond a reasonable doubt, which, of
7 course, is what this proceeding about.

8 More generally, Your Honor, there's been -- it's
9 fair enough for Ms. Bock. She's testified, so there's some
10 leeway with respect to relevance and what she can get into,
11 but a significant portion of her testimony has been about
12 her dispute with MDE and other entities, which doesn't seem
13 particularly relevant here, and it does seem misleading.

14 There's been testimony about GarGaar, which is an
15 organization that was its own sponsor, and whatever
16 discrimination that Ms. Bock may or may not have had with
17 them, that happened after they had left Feeding Our Future
18 and were their own stand-alone sponsor.

19 Therefore, it's irrelevant and misleading,
20 whatever they did or did not do once they became a sponsor.
21 Similarly, with ThinkTechAct, it was becoming a sponsor.

22 And I understand that Ms. Bock can, is testifying,
23 and we get to cross-examine her, but at some point the
24 questioning just becomes misleading. And I think that's, I
25 think it becomes a 403 issue, this constant going outside

1 the bounds of what's relevant to this case under these
2 collateral issues in a way that's misleading.

3 THE COURT: All right. Thank you.

4 As to this document, it's clearly inadmissible.
5 All of the rules Mr. Udoibok cited simply don't apply. Even
6 if they did, we'd have a 403 issue because we're not going
7 to litigate the state court case, and Judge Guthmann's order
8 is not only hearsay, but excludable under 403 which I would
9 do.

10 If there are emails that are coming forward that
11 you are going to present that are Ms. Bock's emails, they
12 are hearsay and they need an exception. So I just, I'm not
13 trying to admonish.

14 I'm trying to explain so that we're not in a
15 situation where I'm continually sustaining objections, and
16 the jury's getting an impression that frankly I don't want
17 them to get. I want them to be able to concentrate on
18 Ms. Bock's testimony.

19 All right. Now, we will take a ten-minute break.

20 MR. UDOIBOK: Your Honor, may I just -- I'm not
21 disputing your ruling.

22 THE COURT: Go ahead.

23 MR. UDOIBOK: But I just want to make a record.

24 I have, I have my interpretation of those exhibit,
25 whether it's allowed or not. I may not be right, but I have

1 factual basis and my interpretation how the rules apply.
2 Counsel is free to object on his basis.

3 And the last one, I'm not going to dispute you.
4 You know that, but, you know, I have a strategy to present
5 this case, and I will allow counsel to object, and I'm not
6 being disrespectful to the court.

7 I would take the, your order into consideration
8 and follow it. But if there's an objection that is
9 sustained, I'm not being disrespectful to the court. I just
10 want to make that clear.

11 THE COURT: I understand.

12 Counsel, come forward, please.

13 **(Off the record)**

14 THE COURT: Ten minutes, everyone.

15 (Recess taken at 3:03 p.m. till 3:17 p.m.)

16 3:17 p.m.

17 **IN OPEN COURT**

18 **(JURY PRESENT)**

19 THE COURT: You may all be seated.

20 And, Mr. Udoibok, you may continue.

21 MR. UDOIBOK: Thank you, Your Honor.

22 BY MR. UDOIBOK:

23 Q. So, Ms. Bock, still regarding your relationship with
24 MDE, I just have one or two more questions.

25 A. Okay.

1 Q. I'm directing you to Government Exhibit A21 that is
2 already in evidence.

3 Ms. Mallet, would you pull that up for me, please.

4 This is an email from Rhyddid Watkins.

5 A. Correct.

6 Q. Who is that?

7 A. He was Feeding Our Future's attorney.

8 Q. All right. You received this email, didn't you?

9 A. Yes, I was copied on it.

10 Q. What was it about?

11 A. It was about, it was in April of 2020. MDE was not
12 issuing site IDs. And so there had been concerns raised.
13 It escalated, and the issue was then resolved for a period
14 of time.

15 Q. How was it resolved?

16 A. MDE issued site IDs so that programs were allowed to
17 submit applications.

18 Q. Look at -- there was testimony about the first
19 paragraph.

20 Ms. Mallet, could you call out that first
21 paragraph, please.

22 What is that?

23 A. It says, "Thanks, Daron. That's all we need. Based on
24 your representations, we will not file a lawsuit as long as
25 the approvals come through timely. Is there any point

1 discussing why MDE initially declined to allow the
2 applications to be submitted, or is it better to just move
3 forward?"

4 Q. You didn't write the letter, did you, the email?

5 A. I did not.

6 Q. Now go to I believe the fourth, the fourth page. Call
7 out the first two lines, first three lines. Sorry.

8 What is that? Please read that.

9 A. It says, "As discussed, attached is our draft complaint.
10 Please note that we are alleging MDE's decision to deprive
11 minority-owned businesses of the right to even apply for
12 participation in CACFP is part of a long-established pattern
13 and practice of discriminating against minority-owned
14 businesses."

15 Q. Did you write that?

16 A. I did not.

17 Q. Okay. Now during this time frame, when you testified
18 earlier that MDE wasn't helpful, right, and you testified
19 that there was sites that you terminated, but that continued
20 on.

21 A. They did, yes.

22 Q. First, how did that make you feel?

23 A. It bothered me a lot. They were, some of them were
24 sites we had terminated because investigations had revealed
25 pretty substantial evidence that they were committing fraud,

1 and I in my investigation was making everyone aware, you
2 know, you're going to get in big trouble. You're going to
3 be held accountable. You can't do this. There's going to
4 be consequences.

5 And none of that happened. They moved to a
6 different sponsor and continued their behavior.

7 Q. All right. So was there, what was the implication of
8 MDE's action as it related to your operating Feeding Our
9 Future?

10 A. It made it a lot harder.

11 Q. Why do you say that?

12 A. I'm trying to think how to explain it. A message had
13 been made clear that if I stopped it, it didn't matter. If
14 I confronted you, you may lose a month of claims or two
15 months of claims, but all you had to do was move.

16 If you moved, you would be fine. You can keep
17 continuing your behavior. There was no consequences for the
18 actions.

19 My understanding is, there was no warning to the
20 other sponsor that there had been issues in the past that
21 they should watch out for. It was like all of my
22 investigation didn't matter to anyone. They just picked up
23 and moved.

24 Q. Okay. Let's move to another area. I want to talk about
25 School Age Consultants.

1 A. Okay.

2 Q. What is that?

3 A. That is a consulting company that I owned.

4 Q. And when did you begin to own School Age Consultants?

5 A. Mid December of '21.

6 Q. You are looking at what has been marked as Exhibit,
7 Government Exhibit S60. I believe it's in evidence.

8 What is that?

9 A. That is the Certificate of Organization from the
10 Minnesota Secretary of State.

11 Q. Ms. Mallet, would you call out the certificate date of
12 issue.

13 Was that the date you registered the organization
14 School Age Consultant LLC?

15 A. Yes.

16 Q. Go to the next page, please.

17 Now, could you explain the next date to the jury,
18 this certificate has been issued on that date?

19 A. So this is the Office of Secretary of State certifying
20 the record. It's indicating that the original filing for
21 the LLC, the limited liability corporation, was submitted on
22 December 13th.

23 I'm not quite sure what their process was, but
24 this particular certificate then was issued on March 14th of
25 2022.

1 Q. Ms. Mallet, would you go to the third page, and Article
2 4. Call out Article 4, Organizers, please.

3 Who is the organizer of this?

4 A. I am.

5 Q. All right. And what is Article 2? What is that?

6 A. So for this organization, I had hired a registered agent
7 that would receive all of the mail and stuff for the
8 organization. And so their name was Registered Agents Inc.
9 and the address was 202 North Cedar Avenue in Owatonna.

10 Q. Why did you do that?

11 A. A couple reasons. One, I didn't want it at my house,
12 the mail and stuff coming there.

13 Two, I wanted to make sure that it was separated
14 from Feeding Our Future. I didn't want there to be any
15 conflict or perceived conflict.

16 Q. All right. Now, you are looking at what has been marked
17 as Government Exhibit S61.

18 Could you call that up? Call out the first
19 quarter. There you go.

20 It's in evidence, by the way.

21 So what is this?

22 A. This is a form that was fill out at the bank for an
23 account for School Age Consultants.

24 Q. Did you do it? Did you fill -- did you open a bank
25 account?

1 A. I did.

2 Q. Now, I didn't ask you this. Why did you form School Age
3 Consultant LLC?

4 A. A couple of reasons. I first had been consulting for a
5 long time, and I was a trainer for child care centers,
6 approved by the State of Minnesota. I was contracted by
7 Institute of Child Nutrition, which is funded by USDA.

8 And so I would go and train for state agencies on
9 the food program regulations. And then around this time,
10 again, everything was transitioning back to normal. And so
11 we had sites that were offering after-school programs that
12 had, were new and not necessarily sure of the regulations
13 and the other requirements.

14 They knew the food program rules, but didn't
15 necessarily know school age care specifically, and so this
16 organization was established to help ensure that the, the
17 sites are compliant with all regulations, not just the food
18 program.

19 Q. All right. So how soon after your organizing School Age
20 Consultant was a search warrant executed that you know?

21 A. About a month later, a month and a few days.

22 Q. All right. So School Age Consultant was not around for
23 a long time?

24 A. It was not, no.

25 Q. So I want to direct you to Government Exhibit W45. I

1 believe it's in evidence.

2 It's a large document. It's 122 documents.

3 Ms. Mallet, would you go to page 54. All right.

4 What is that?

5 A. This is a check written to School Age Consultants from
6 Inspiring Youth and Outreach for \$2,800. The memo line is
7 "Policy, P."

8 Q. For how much?

9 A. 2800.

10 Q. Ms. Bock, what did you provide in exchange for the
11 \$2,800?

12 A. So the information provided was the state regulations
13 regarding after-school programs, required signage,
14 information on OSHA regulations for after-school programs,
15 these types of programs.

16 In fact, I think all businesses are required to
17 have, they are called Material Safety Data Sheets for their
18 cleaners. It's if a child ingested, if a person ingested
19 how, do you respond, what's it made up of.

20 So it included all of that information for the
21 most commonly-purchased products within the child care
22 industry. Additionally, there was photo graphics that would
23 illustrate some of the expectations, some of the
24 regulations.

25 We've heard from some of the folks here that

1 there's limited literacy, limited ability to read. And so
2 it included some icons, illustrations, to help explain what
3 they needed to have within those programs.

4 Q. Who put that policy and procedure together?

5 A. I did. I also forgot to mention that it did include a
6 policy and procedure handbook for employees, as well as a
7 family handbook for parents that were enrolled.

8 Q. So how long did it take you to produce it?

9 A. Months.

10 Q. So did you start working on the production before you
11 registered the company?

12 A. Yes.

13 Q. All right. Why did you do that?

14 A. Because at that time I wasn't certain if I wanted to
15 offer it as a separate company or just as me as an
16 individual.

17 Q. All right. So let's go to page 58.

18 What is that?

19 A. That's a check from Urban Learning Center, again to
20 School Age Consultants for \$2,800, and the memo is "Policy."
21 I'm not sure who signed it.

22 Q. Go to 68, please.

23 What is that?

24 A. Again, this is another check, this time from Academy for
25 Youth Excellence to School Age Consultants, \$2,800 for

1 policy and procedures.

2 Q. Did you deposit these checks into School Age
3 Consultants' bank account?

4 A. Yes.

5 Q. And how big was this book? What did you call it? Was
6 it a book or a manual?

7 A. It was a policy and procedure kit, if you will.

8 Q. All right. How big was it?

9 A. Probably all total, like four inches binder or so.

10 Q. So did you, did anyone pay you by cash?

11 A. There were some payments received by cash.

12 Q. And what did you do with the cash?

13 A. Deposited it to the bank account. There was some cash
14 that was in my home when they raided that was supposed to go
15 to the bank.

16 Q. You didn't have a chance to go to the bank?

17 A. I didn't, no. So there were a handful of checks and
18 cash that had not yet been deposited or delivered to the
19 bank.

20 Q. I want to ask you directly.

21 A. Okay.

22 Q. Was this moneys, \$2,800, was it a bribe?

23 A. No.

24 Q. Was it a kickback?

25 A. No.

1 Q. All right. And did people that purchased this policy
2 manual, were they all participants or sites at Feeding Our
3 Future?

4 A. I know some of them were. There were some individuals
5 and business names that I wasn't and I'm still not familiar
6 with. So I don't know if they were somehow a part of the
7 program, but as far as I knew, I couldn't tell.

8 Q. Did you insist that people gave you or purchased this
9 manual?

10 A. No. We've heard a little bit about a December '21
11 meeting, and at that time meeting it was explained what the
12 additional regulations were, as far as health codes, DHS,
13 the Department of Human Services, who oversees the child
14 care industry in Minnesota, what those expectations were.

15 There was copies of the laws for after-school
16 programs distributed, and it was explained to them that some
17 of the requirements are that they have a policy and
18 procedure manual, that they have certain required signage up
19 to alert parents to certain pieces of information.

20 At that meeting, the attendees -- it was an open
21 meeting, so it was open to Feeding Our Future sites,
22 vendors, as well as word of mouth, if there was people with
23 other sponsors or what have you because it was just general
24 compliance.

25 Q. Why was the need for this -- what was happening in

1 Minnesota during this time frame for the need to put
2 together this policy procedure?

3 A. So again by December 2021, actually more fall of 2021,
4 programs were transitioning back to in-person. Our schools
5 were open, and so the expectation was that food program
6 sites would kind of follow their lead.

7 And so based on information from the COVID
8 response team at the Department of Health, sites were
9 working on plans to transition back to normal, and this
10 would include then being able to care for the children that
11 were at the site doing activities, eating their meals and so
12 forth.

13 Q. Okay. I want to move to a different subject. I want to
14 talk about Handy Helpers.

15 A. Okay.

16 Q. I'm sure you know what that is, right?

17 A. I am. I do.

18 Q. Okay. So what is Handy Helpers?

19 A. Handy Helpers is a construction/handyman company.

20 Q. All right. Who operated Handy Helpers?

21 A. It was owned and operated by Empress Watson.

22 Q. What was your relationship with Handy Helpers?

23 A. I was in a relationship with him at that time.

24 Q. A romantic relationship?

25 A. Yes, we lived together.

1 Q. So for how long did you live together with Mr. -- with
2 Empress Watkins?

3 A. Watson.

4 Q. Watson. I'm sorry.

5 A. That's okay. Watkins is the attorney.

6 He moved in I believe sometime in 2020. It would
7 have been early in 2020 because I think he was living there
8 by the time the pandemic occurred.

9 Q. Okay. So you've heard and seen testimonies about Handy
10 Helpers.

11 I want to talk about whether or not you helped in
12 the registration of Handy Helpers.

13 A. No. My understanding is, he went directly to the
14 Secretary of State offices and had staff there help him
15 register it or make sure it was registered properly.

16 Q. But you helped him a little bit, though, didn't you?

17 A. I did.

18 Q. How?

19 A. I helped him, excuse me, with the payroll, with ADP. It
20 was complicated to track tax withholdings, Medicare payment,
21 unemployment, all of that. And so it was, the
22 recommendation was to use ADP to do the payroll for the
23 staff, for the employees of Handy Helpers.

24 Q. So you help him with his bookkeeping?

25 A. Not directly his bookkeeping. I did submit the payroll

1 payments to ADP and helped get that process set up, because
2 I'd used it for years and was familiar with it.

3 Q. So let's start out first with Government Exhibit S39.
4 What is that?

5 A. That is a receipt from or an email from Home Depot.

6 Q. All right. Let's talk about it a bit.

7 A. Okay.

8 Q. Let's go to the second page.

9 Did you purchase carpeting for yourself from Handy
10 Helpers account?

11 A. No. When this order was placed, we went together and
12 selected the carpet, and he paid for it. I don't know --
13 well, I know now he used the Handy Helpers account at the
14 time. I didn't know which account of his he was using.

15 Q. So why did he buy you carpeting?

16 A. The carpet? Partly he agreed to pay it because I, for
17 the duration of the time he lived there, paid all the
18 household bills. I paid the mortgage, the electric, the
19 utilities, garbage, all of that.

20 And then there had been an unfortunate, I believe
21 it was, TikTok challenge that his children had participated
22 in that resulted in some damage to the carpet and the
23 ceiling in the kitchen.

24 Q. So it needed to be changed?

25 A. Yeah.

1 Q. All right. I want to see Government Exhibit S48. I
2 believe it's in evidence.

3 So what is that?

4 A. Those are receipts from purchases at Wedding Day
5 Diamonds.

6 Q. Were you with Mr. Watson when that purchase was made?

7 A. No.

8 Q. And who was it, who was this purchase for?

9 A. I don't know who specifically all the purchases are for.
10 I did receive gifts, and they would be in Wedding Day
11 Diamonds boxes. Certainly not everything that's indicated
12 in these receipts.

13 Q. Let's go to page 3. Could you call that out a bit so we
14 know, for the jury.

15 What is that?

16 A. It is a purchase for a lab grown one, I think it's carat
17 total weight. I'm not quite sure on the jewelry acronyms, a
18 cluster.

19 Q. Did you receive that gift?

20 A. I'm not sure based on the description what it is, but I
21 have looked through these, and there are definitely more
22 items purchased than I ever received.

23 Q. Let's go to page 5.

24 What is that?

25 A. It's another receipt.

1 Q. Did you receive those?

2 A. I may have. The descriptions are so vague. I -- I'm
3 not quite sure like exactly what they were. I did receive
4 earrings and a necklace at some point, as well as a
5 bracelet. I don't know that they were these specific ones.
6 Some of --

7 Q. Let's go to page 8.

8 A. Yeah.

9 Q. Now, that's just a certification.

10 A. Yes.

11 Q. Were you present during the purchase of any of those
12 purchases?

13 A. No, I was never with when he bought any jewelry.

14 Q. Now, let's go to S40. It's in evidence. Go to page 4.

15 Is this the registration for Handy Helpers?

16 A. Yeah. It looks like it's the Articles of Incorporation
17 for a limited liability company.

18 Q. And I believe you testified that you didn't help in the
19 creation, correct?

20 A. No. I was, like I said, my understanding is, it was
21 completed at the Secretary of State office, and I was not
22 there for that.

23 Q. So let's go to Government Exhibit BB15. What is that?

24 A. That is a retail purchase agreement. Sorry. My eyes
25 are going bad.

1 Q. Could you call out the first section.

2 A. Thank you. It is a retail purchase agreement for a
3 vehicle. It doesn't say in this portion what it is. The
4 bank was Mercedes Benz Financial Services. The purchaser
5 was Empress Malcolm Watson, Jr.

6 Q. What, what time was this purchase made from
7 Exhibit BB15?

8 Could you highlight, Ms. Mallet. No call it out
9 and highlight it, please. You missed the date.

10 Now what's the date on it?

11 A. It is a date of January 10th, 2022.

12 Q. All right. When was the search warrant executed on your
13 home?

14 A. Ten days later on the 20th.

15 Q. Could you highlight the address, Ms. Mallet.

16 That's your address, right?

17 A. It was at that time.

18 Q. Release it. Were you present at the purchase of this
19 Mercedes?

20 A. No.

21 Q. Did you give Mr. Watson the money to purchase the
22 Mercedes?

23 A. No.

24 Q. Let's go to BB15. BB15. Sorry. Go to BB1. Government
25 Exhibit BB1.

1 We have 29 document here. That's your address
2 obviously?

3 A. It is. Was.

4 Q. Why do you say that? Why do you say, "Was"?

5 A. I don't live there anymore.

6 Q. Why?

7 A. Why? Because I had to sell it and then moved to a
8 rental and was evicted and now live with my parents.

9 Q. All right. Why were you evicted?

10 A. Financial. I couldn't afford the rent.

11 Q. Why not?

12 A. Because I wasn't able to get a job.

13 Q. You live with your parents now?

14 A. Yes. Sorry.

15 Q. All right. Let's go to page 24. Take your time.

16 A. Sorry. I'm good.

17 Q. Is that a Mercedes?

18 A. Yeah. That's the vehicle he purchased.

19 Q. Go to the next page.

20 Same car?

21 A. Yes.

22 Q. So was the vehicle, the Mercedes, taken into custody?

23 A. It was. They towed it away that day.

24 Q. What did you say?

25 A. They towed it from the house that day.

1 Q. Was it ever returned?

2 A. It was.

3 Q. How do you know that?

4 A. Because I've seen it. I know there was a speeding
5 ticket in November of '23 for it, and unfortunately, it was
6 in an accident and totaled. And I've seen those photos from
7 July of '24, last July.

8 Q. Who was the driver?

9 A. I assume Empress. It -- we were not together at that
10 time, and we have had occasional contact since, but not
11 regular updates. My understanding is, it was Empress.

12 Q. Did you see the speeding ticket?

13 A. I did.

14 Q. Who was the driver?

15 A. Empress.

16 Q. When?

17 A. It was November of 2023.

18 Q. You heard testimony here that the vehicle was in
19 impound. Do you recall that?

20 A. I do.

21 Q. So let's go to page 2, and we'll walk slowly.

22 That's your house?

23 A. It is. Was.

24 Q. Do you miss it?

25 A. Huh?

1 Q. You miss it?

2 A. Yeah.

3 Q. Go to the next page. Next page.

4 What is that?

5 A. That is the kitchen area.

6 Q. Next page.

7 What area is that?

8 A. It would be the dining room and living room area.

9 Q. Next page.

10 Was it always like that, with those boxes?

11 A. No. The boxes were his. He was doing something with

12 his clothes and stuff. I don't know what.

13 Q. You mean his, you mean --

14 A. Sorry. Empress Watson.

15 Q. Next page.

16 Whose room is that?

17 A. Mine.

18 Q. Next page.

19 What about that?

20 A. That's, yes, that's my room, the nightstand.

21 Q. Whose phone is that?

22 A. Mine, I assume. It's on my side of the bed.

23 Q. Was it taken into custody?

24 A. It was.

25 Q. Have you had it back?

1 A. No.

2 Q. Next page.

3 What's that?

4 A. That is my work computer.

5 Q. Was that also taken into custody?

6 A. Yes.

7 Q. Next page. Ms. Mallet, would you call out the bundle of
8 money.

9 By the way, whose room was that?

10 A. It was my room.

11 Q. How much money was in there?

12 A. Maybe \$200, 250 maybe.

13 Q. Why collecting -- was it one-, five-dollar bills?

14 A. So the vast majority of them are ones. My children and
15 I had started a long time ago that we would just put our
16 ones there, and then periodically when we wanted to, we
17 would treat ourselves to something, sometimes Benihana's, a
18 movie, arcade, something like that.

19 So most of it is ones. There are a few \$5 bills
20 at the back because we were always careful to trade it out.
21 So if somebody needed ones, they would put a five in and
22 then take the ones so that we were able to continue to grow
23 our treat.

24 Q. Let's go to the next page. Well, yeah, next page.

25 So -- all right. Ms. Mallet, would you call out the

1 blue-and-white frame that looks like an envelope there.

2 There you go.

3 What is that?

4 A. That's the envelope that I used when I brought deposits
5 to the bank.

6 Q. And release the callout. Call out the cash.

7 Were those moneys always like that laying on your
8 bed at your home?

9 A. No, no.

10 Q. Why was it laying that way?

11 A. It was laid out that way when the government was at the
12 house. Based on the items around it, I assume it was the
13 contents of my purse that was emptied onto my bed.

14 Q. What about that blue envelope? Was any part of that
15 money in the blue --

16 A. There may have been. I don't remember how it had all
17 been in there, but, yes, there were likely checks and money
18 in there.

19 Q. And what did you say you used that blue and white for?

20 A. Those were for bank deposits.

21 Q. So you had not deposit --

22 A. No. I had intended to go to the bank on my way to work.

23 Q. Go to the next page, please. Before you do that,

24 Ms. Mallet, call out the bracelet or whatever it is.

25 What is that?

1 A. The item on the left, that is a bracelet that I received
2 when my grandma passed in, I think I was in college at the
3 time. So some years ago. The clasp was broken on it, and
4 so I wasn't able to wear it.

5 Q. What about the next one?

6 A. This one is a chain that I purchased from a homeless man
7 in a parking lot that was selling things for \$20. So I gave
8 him a \$20 bill, and he gave me that.

9 Q. All right. Release. Next page.

10 No. By the way --

11 A. Sorry.

12 Q. -- the bag, whose bag is that?

13 A. That was my purse.

14 Q. How long did you have that bag before January,
15 January 20, 2022?

16 A. I don't recall the exact timeline. I would guess a
17 year.

18 Q. Okay.

19 A. Would be my, would be my guess, but I might be wrong.

20 Q. Did you buy it yourself, or was it a gift from
21 Mr. Watson?

22 A. I believe that one I purchased for myself.

23 Q. All right. What type of bag is it?

24 A. It was Gucci.

25 Q. Next one. Is that the same?

1 A. Yeah, that's the bag.

2 Q. Next page. Now, Ms. Mallet, could you widen the picture
3 so -- release it. Not close up. Is it --

4 All right. So what are those?

5 A. Those are -- these are my jewelry boxes. Those are the
6 two drawers, and so that was the jewelry that was in there.

7 Q. So call out the one to the left or the right. Either
8 one.

9 All right. What is that?

10 A. They look like earrings.

11 Q. You don't, you don't recall?

12 A. I don't wear a lot of jewelry, and I certainly don't
13 wear dangly earrings, but based on the shape of them, I
14 think they were earrings.

15 Q. All right.

16 A. I've never worn them.

17 Q. Did you buy it for yourself or someone purchase it for
18 you?

19 A. No. Those would have been given to me by Empress.

20 Q. All right. The next one.

21 By the way, did you know the value of the
22 earrings?

23 A. No.

24 Q. Okay. You, you -- were you with him during the
25 purchase?

1 A. No, because I, like I said, I don't like jewelry
2 particularly or wear much of it. So I would certainly, if I
3 was with him and he was wanting to buy jewelry, I would tell
4 him it was a waste.

5 Q. All right. What about this?

6 A. That is a necklace.

7 Q. Did you buy it for yourself?

8 A. No.

9 Q. Who bought it for you?

10 A. I believe that was Empress.

11 Q. Okay. And the last one, what is that?

12 A. A bracelet.

13 Q. All right. Do you know the value of these three items
14 we've just described?

15 A. No.

16 Q. Let's go to the next page. Call out the one with CB. I
17 believe you have two pages in one.

18 What is that?

19 A. Those are cufflinks. My children were asked to be
20 ushers in my sister's wedding, and so those were the
21 cufflinks ling for the wedding. Both of my children have
22 the same initials, CB, and so it had their initials on the
23 cufflinks.

24 Q. Who purchased them?

25 A. My sister. I believe from Etsy.

1 Q. There's a box there with jewelry. Could you call that
2 out, please.

3 Are those yours?

4 A. It is.

5 Q. Did you buy it yourself?

6 A. No. It was a gift.

7 Q. Who gave it to you?

8 A. I wish I could remember specifically who. It was a gift
9 from a coworker probably ten years ago or so.

10 Q. Before you met Mr. Watson?

11 A. Yes. It was I believe from someone at the daycare
12 center that I was managing at the time.

13 Q. All right. Let's go to the next page. So call out the
14 Louis Vuitton bag, the white kind of cream. Not that.

15 What is that?

16 A. They're bags that say Louis Vuitton. I think they're
17 called dust covers or something. I don't know what's inside
18 of them.

19 Q. All right. Was it money inside?

20 A. What?

21 Q. Was it money inside?

22 A. Not that I know of. Those were not mine. And so while
23 we lived together, we also kind of lived apart. We just
24 sort of simultaneously lived our lives. So I don't know
25 what he had purchased, something.

1 Q. Now, look at the bag. The brown bag on the ground, call
2 that out.

3 Whose bag was that?

4 A. It was mine.

5 Q. All right. What type?

6 A. Louis Vuitton.

7 Q. Do you know --

8 A. I don't know if it was real or fake.

9 Q. Who purchased it?

10 A. That was I believe Empress.

11 Q. Okay. What do you mean you're not sure whether it was
12 fake? What do you mean by that?

13 A. He bought a lot of stuff or some stuff that was name
14 brand, but he would also buy a fair amount or an equal
15 amount of fake stuff. And so there was really no way to
16 tell if it was real or fake until it fell apart.

17 Q. Let's go to the next one.

18 Okay. So call out this jewelry section.

19 Whose jewelry are those?

20 A. That was Empress's.

21 Q. What are those?

22 A. What's that?

23 Q. Yeah.

24 A. Yeah. That was his. It is a necklace. This is very
25 fake and was left behind presumably because it was turning

1 green.

2 Q. Hmm. What about the one on the right there? What do
3 you mean, "It was left behind because it was turning green"?

4 A. Oh, it was not an item that was taken when the home was
5 raided. It was left at the house.

6 Q. All right. Go to the next one. Release and go to the
7 next. Page 17.

8 So there's a safe in your home, correct?

9 A. Correct.

10 Q. How much money was in it?

11 A. I don't know the exact amount that was in it.

12 Q. Okay. Was -- did you keep cash at the home?

13 A. I did not. He did.

14 Q. All right. Go to the next page.

15 Is that the same bag?

16 A. Yeah, that's the same one as before.

17 Q. Let's go to 19.

18 Same bag or another one?

19 A. That's a different one.

20 Q. Whose bag was that?

21 A. That was mine.

22 Q. Okay. Did you buy it?

23 A. Yeah, at the Michael Kors outlet mall. It was on sale.

24 Q. All right. So there was testimony about the green
25 purse.

1 Ms. Mallet, could you call out the green purse in
2 the lower corner? There you go.

3 Yes. What is that?

4 A. It was something he had purchased. I don't recall
5 exactly. I think it might have been like a headband or a
6 wallet or something, but those were baskets of his
7 miscellaneous stuff that he kept, and so --

8 Q. Was that taken into custody?

9 A. I don't know. I don't know exactly what was in it. I
10 know some stuff was taken into custody, some stuff was left
11 behind. If it was an empty box, it was probably for sure
12 left behind, but like I said, I don't know if or what the
13 contents were, so I can't say.

14 Q. Let's go to the next page.

15 What room is that?

16 A. That's the upstairs. I've always just called it the
17 kids' room. It used to be a toy room. Now it's, or was,
18 they have a little game table there in the front, and then
19 there was a television with their video games connected.

20 Q. Go to -- all right. Let's just walk through it. Go to
21 the next page please.

22 All right. What, is it coat, jacket? What is it?

23 A. A jacket.

24 Q. Whose is it?

25 A. It was given to me.

1 Q. Who gave it to you?

2 A. Empress.

3 Q. Why was it -- how long before January 20, 2020, did he
4 give you the jacket?

5 A. Honestly, I don't remember. I wouldn't want to guess.
6 Maybe -- I don't remember. I don't remember if it was
7 spring as the season was ending or if it was fall going into
8 it. I don't remember. I never wore it.

9 Q. Why didn't you wear it?

10 A. One, it did not fit me at all; and, two, it's just not
11 my style at all. It's not.

12 Q. What is the significant -- what was the significance of
13 that jacket not fitting you? I know it's embarrassing, but
14 be frank.

15 A. So I have learned. I suspected at the time that there
16 was another female in his life. I have since learned from
17 discovery that there was in fact another female in his life.

18 There had been a time where he had given me shoes
19 that were like two sizes too small and I thought was weird
20 and kind of blew it off and then this jacket. My suspicion
21 is, it was bought and given to the wrong person, or I saw
22 it, and he told me it was for me, so I didn't question.

23 Q. Let's go to the next page.

24 What is that?

25 A. That appears to be the price tag for it.

1 Q. Okay.

2 Might as well pull right through. Go to the next
3 page. We have the Mercedes, Mercedes, rather.

4 Next page, please. Call out the box, the --
5 So what are those?

6 A. I don't know exactly. It's all stuff that was his in
7 his car. I believe the box was uniforms for Handy Helpers,
8 but I could be wrong. I didn't go through his car or his
9 stuff, so I don't know for sure one way or the other.

10 Q. Ms. Mallet, just quickly go through the pages.

11 Now, whose car was that?

12 A. That was my car.

13 Q. What happened to the car?

14 A. That was not seized during the investigation. However,
15 it has been repossessed by the bank.

16 Q. Why?

17 A. Same reason that I live with my parents. I have,
18 haven't been able to find a job that I could pay the car
19 payment.

20 Q. Go to the next page.

21 Now, Ms. Bock, you've testified that, you know,
22 you live with your parents. You can't, have to sell your
23 house, can't afford car payment.

24 I'm going to be straight with you. Did you take
25 any kickbacks from anybody?

1 A. Never. Never.

2 Q. Do you have money stashed overseas?

3 A. Overseas?

4 Q. Yes.

5 A. No, I've never had a passport. I've never left the
6 country, although I guess I should clarify. I have learned
7 you don't need to leave the country to do that, but, no, I
8 don't know anything about overseas banking.

9 Q. Do you have money somewhere?

10 A. No. I don't even have a bank account. I couldn't keep
11 a positive balance long enough, so that was also closed.

12 Q. So let me shift now to BB41c. It's in evidence.

13 A. Yes.

14 Q. This is, there's some discussion about a, a Porsche. Do
15 you remember?

16 A. Yes.

17 Q. So, Ms. Mallet, call up Exhibit S57. It's in evidence,
18 I believe. Could you place it side by side with 51 -- I
19 mean 41c. No. No. Yeah, BB41c. Sorry. BB41c. It's
20 getting late.

21 All right. Who initially owned the Porsche in
22 S57?

23 A. That was owned, while I was aware of it, it was owned by
24 other people before, but it was owned by Empress and a girl
25 named Sarah. I don't know how to pronounce her last name.

1 Q. So who is Sarah?

2 A. My understanding is that it was a friend, either his
3 ex-wife's friend or a couple friend that they had. It was a
4 friend. It was somebody he knew.

5 Q. All right. Do you know how much Mr. Watson paid for
6 S57?

7 A. I didn't, but I think the government showed the bank
8 information that it was like \$50,000 or something.

9 Q. What year?

10 A. The vehicle is a 2013, 2013.

11 Q. All right. So somehow you ended up purchasing the
12 vehicle S57?

13 A. Correct.

14 Q. Why?

15 A. So the vehicle was sold initially to a friend or a
16 friend of a friend that had been making regular payments on
17 it.

18 In August of 2021, it was found abandoned by the
19 Columbia Heights Police Department. And so as the title
20 owner, it was released and moved into storage then, where it
21 was stored, and there was attempts made to contact the
22 purchaser.

23 Q. Let me stop you for a second --

24 A. Sorry.

25 Q. -- so it's not too confusing.

1 A. Yeah.

2 Q. You said as the title owner.

3 A. Right.

4 Q. Who was the title owner?

5 A. The friend or friend of a friend never changed the title
6 to their name. And so when it was found and the vehicle was
7 looked up, the title was still in Empress and Sarah's name.

8 Q. All right. So what did you do?

9 A. So, like I said, it was moved to storage where it was
10 held in case they resurfaced. I don't know their name or I
11 would use it. I apologize. In case the buyer resurfaced
12 looking for it, because there were payments made up to
13 \$7,000.

14 The agreed upon price was nine, but there was
15 substantial payments made. And so around September of 2021,
16 I offered to pay the remaining two and transferred the title
17 to my name.

18 Q. You said the remaining two. The remaining two what?

19 A. Yes. So like I said, the agreed upon sale price was
20 \$9,000. It's not in very good shape. The transmission is
21 failing. It was, there was something wrong with the oil
22 that it couldn't keep the oil in.

23 Q. Ms. Bock, why would you want to purchase a vehicle that
24 transmission was failing and all that stuff?

25 A. Yeah. So I paid the \$2,000 difference. I Venmo'd it to

1 him in September of 2021. My oldest son at that time was
2 15, turning 16 in April. And so my intention had been to
3 use it to trade in to get him -- a Porsche is not
4 appropriate for a 16-year-old child, even if it was in good
5 shape and functioning.

6 But it was going to be traded in to get him
7 something more appropriate.

8 Q. So you paid \$2,000 for it.

9 A. I did. I Venmo'd it to him at the end of September.

10 Q. So you heard testimony that S57 was a \$9,000 car. Do
11 you recall that?

12 A. I do.

13 Q. In fact, how much did you pay for it?

14 A. I personally paid \$2,000. The other person had paid
15 seven.

16 Q. So and then how -- you took ownership of the vehicle,
17 right?

18 A. Yes. So when I went in to have the title transferred to
19 my name, I did put the full \$9,000 price on there.

20 Q. Why did you do that?

21 A. I didn't want any problems for either of us if I said it
22 was \$2,000, but he had really received nine. And so part of
23 the agreement when it was transferred was that I would
24 report the full 9,000, pay the taxes on it, and get it
25 transferred to my name.

1 Q. So, Ms. Mallet, I want you to highlight. Maybe you can
2 call out, if possible, the sentence, "What you have said a
3 million times."

4 So this portion was read into the record.

5 A. It was.

6 Q. Could you just for clarity read it?

7 A. "You have said a million times you were selling the
8 Nova, and it still sits in storage costing money every
9 month. Same with the Porsche. I bought a car that I don't
10 even know where it is or have a key to."

11 Q. What did you mean by that?

12 A. I was not -- I knew it was in storage. I was not sure
13 of which, like what storage location or what the company
14 was, so I didn't know physically where it was located.

15 Truthfully there was probably a key. I know there
16 was a key somewhere in the house that I could have looked
17 for, but I had never been given it and didn't want to dig
18 around and was angry at him at the time and was like, you
19 haven't even given me the key.

20 Q. What was going on in your relationship that you
21 expressed such a tone?

22 A. Like I said, I had long suspected that there was another
23 female around involved. Also, I mean, honestly, opposites
24 only attract for so long, and so the relationship was just
25 sort of running its course, and I was getting annoyed at

1 anything and everything and same with him.

2 Q. So there's a second part of this, this email. Was it an
3 email -- no, a text. Sorry.

4 A. Yes, this was.

5 Q. A Facebook post.

6 A. Correct.

7 Q. And I forgot to ask you. This Facebook post, did it
8 come from your phone?

9 A. Yes, it was on my phone.

10 Q. All right. The phone that, you don't have your phone
11 anymore, do you?

12 A. I don't, no.

13 Q. Who has it?

14 A. The government.

15 Q. Okay. So call out, "I literally deposited." Call out
16 that section.

17 Could you read that to the jury, please?

18 A. "I literally just deposited 78,000 into the account for
19 the book I sold. I made that in two weeks. I know how to
20 make money. You say you do too, but you've never once shown
21 it. Why?"

22 Is there a reason you won't do what needs to be --
23 I'm sorry -- what needs to get done to get ahead?

24 Q. Did you make \$78,000 in two weeks?

25 A. Yes, approximately.

1 Q. From what?

2 A. From the sale of the School Age Consultants policy and
3 procedure kit.

4 Q. All right. Were you hiding that you were selling a
5 procedure manual in any way?

6 A. No. And nor did I ever require it. I had mentioned it
7 at that December meeting. And when I introduced the
8 requirement, I did say that there would be one available for
9 purchase.

10 I also informed the attendees that they were free
11 to develop their own. Also, for child care center owners,
12 they are required to have a health nurse, and many of them
13 provide policy and procedure manuals.

14 So I advised, you know, if you have a child care
15 center, reach out to your health nurse and see if they have
16 one available.

17 Q. All right. I want to direct you to Exhibit S46.

18 Ms. Mallet, could you call out the first section
19 there, please. All right.

20 So what is that?

21 A. That is part of the ADP, I don't know, registration, the
22 setup for a payroll account for Handy Helpers.

23 Q. Did you help him with that?

24 A. I did, yeah.

25 Q. Why?

1 A. One, I knew how to use it and had used it for years.
2 And, two, generally when I'm in a relationship with someone,
3 if they need help with something that I'm familiar with, I
4 volunteer to help them.

5 Q. Did you register Exhibit S -- strike that. I'm sorry.

6 Looking at Exhibit S46, were you trying to mislead
7 anyone with helping your boyfriend with registering at ADP?

8 A. No.

9 Q. All right. So let's just for -- let's go to page 25 of
10 S46.

11 What is that?

12 A. It appears to be the record showing payroll like
13 approvals or submissions. I'm not quite sure what the term
14 is. And it shows that it's the Handy Helpers MN account.
15 The user name is Aimee Bock.

16 Q. Ms. Mallet, could you just call out the first few lines,
17 so that -- yes.

18 So describe for this jury what that is, the
19 first --

20 A. Yeah. So my understanding of what it is, is that it's
21 the date and time. So on May 18th, 2021, we're about
22 military time, I think 7:11. The payroll for Handy Helpers
23 MN was submitted. I don't know what the run user ID is or
24 the home ID.

25 The user name which is, I believe that was when I

1 went into log in, the user name was Aimee Bock.

2 The role description says owner. I assume that
3 was because it was the owner of the ADP. I'm not sure where
4 that designation came from.

5 And then it appears to show where it, like, where
6 it was submitted. So it looks like, like the first three
7 were submitted from a location in Minneapolis using Comcast.
8 The next two, again, I'm not positive, but it appears that
9 it would have been run in Rosemount using a Spectrum
10 internet.

11 Q. Did you own -- I'm sorry. I'm sorry. I didn't want
12 to --

13 A. No. You're good.

14 Q. Did you own Handy Helpers?

15 A. No.

16 Q. But it says owner next to your name.

17 A. Mm-hmm.

18 Q. Why is that?

19 A. I'm not sure. I don't know if it was a box in a form --

20 Q. Okay.

21 A. -- that was checked. I don't know if it's a default, or
22 I don't know if it's the indicator that I was the owner of
23 the ADP user. I don't know.

24 Q. All right. Go to page 37.

25 So what is this?

1 A. This is a W2 for an employee from 2020.

2 Q. Could you, Ms. Mallet, could you call out the first, you
3 know, quarter there. There you go. All the way down.

4 So could you describe this for the jury?

5 A. So it's a W2 form summarizing the income for 2020, the
6 name of the employee, the amount that was withheld in taxes,
7 as well as Handy Helpers' federal tax ID number.

8 Q. So was Clifford Burgin, is it, was that person a Feeding
9 Our Future employee?

10 A. No.

11 Q. Was the person Handy Helpers employee?

12 A. Yes. Yeah, they're on their payroll.

13 Q. And so Handy Helper paid this person from the proceeds
14 he made from Feeding Our Future, correct?

15 A. Yeah, from the income that was from Feeding Our Future,
16 he would pay his employees.

17 Q. All right. Go to 59. I don't want to go -- no. Back
18 up. I don't want to go through all of them. Just scroll
19 back further, Ms. Mallet.

20 So let's just take this, for example, could you
21 call out that for the jury.

22 So what is this?

23 A. This is an earnings record for Empress, starting on this
24 page, May 22nd of 2020, number of hours, amounts, the tax
25 withholdings and then the net pay.

1 Q. All right. Let's go to X24, Government Exhibit X24.

2 Okay. You saw testimony about 70 pages of this
3 document. You have heard testimony about --

4 Ms. Mallet, could you call out the total, net
5 total, \$906,613.78 to the right, please.

6 You've seen and heard this figure thrown around?

7 A. I have.

8 Q. What did Mr. Watson, right, what did Mr. Watson do for
9 \$906,000 for Feeding Our Future?

10 A. Feeding Our Future underwent extensive renovation. When
11 we initially leased the space, it was just a couple offices.
12 We gradually expanded to take over the top half of the third
13 floor.

14 When we did that, the entire -- there was some
15 offices around the outside of the perimeter. Those, not
16 all, but some, several of them had walls removed and then
17 extended out to make the space larger.

18 There was also, when you entered the space, it was
19 wide open, with a couple I think like four or six columns,
20 square columns in it. And so that space was divided into
21 smaller offices on one end, the lobby area in the center,
22 and then offices again on the left side.

23 During that process, the carpet was removed and
24 replaced. All of the offices had carpet removed, laminate
25 flooring put in. Holes were, there was holes in the walls

1 in all of them. So those were repaired. Sealing tiles were
2 replaced.

3 The kitchen, the ceiling tiles and the floor had
4 to be removed because there's requirements for food safety.
5 And so that flooring and walls and ceiling were replaced
6 with compliant materials.

7 Additionally, as Feeding Our Future grew, we
8 expanded to the second floor where we had additional office
9 spaces and then had recently acquired another large open
10 area that was going to be divided into additional offices
11 and meeting rooms.

12 Q. All right. So let's just understand, your thought
13 process.

14 Was Mr. Watson your first choice for renovating
15 the office space?

16 A. No. I had contacted three or four other companies. The
17 issue we ran into is at the time, there was no functioning
18 elevator in the building, and so when I would call
19 commercial construction companies to come out and even give
20 me an estimate, I would inform them that there was no
21 elevator, and they would immediately tell me that they
22 weren't interested.

23 They didn't have the staff that would be willing
24 to do it. It was too big of a work comp injury liability.

25 Q. What time frame was this?

1 A. This would have been kind of a little bit into the
2 pandemic. We had had him helping with just some general,
3 because initially it was two offices. And so he would do
4 like general maintenance, carry our furniture, all the
5 filing cabinets and stuff up the stairs.

6 As Feeding Our Future grew, as Feeding Our Future
7 staff grew, additional areas and projects were added.

8 Q. Well, I don't know whether I asked you this. What was
9 the total number of offices that Mr. Watson renovated for
10 you?

11 A. I believe there was 28 offices, a -- it was never
12 finished, but a kitchenette/break room area, a conference
13 room, and then the large open area we had tables in and used
14 it for trainings, but we were preparing to finish off that
15 area as well.

16 Q. So did you start off -- let me back up.

17 The \$906,000 that you paid Mr. Watson, what period
18 of time was this?

19 A. That would have been over the course. It looks like
20 this chart indicates it was March 12th of 2020 through
21 January 20th of 2022.

22 Q. So did you pay him \$906,000, along with buying
23 inventory? Who bought inventory for the renovation?

24 A. Okay. The -- all of the studs, the drywall, flooring
25 and stuff was purchased by Handy Helpers. The furniture

1 that we had assembled, the file cabinets that we had his
2 team bring up were purchased by Feeding Our Future.

3 Q. Did Feeding Our Future also pay Handy Helpers employees?

4 A. Their employees, no.

5 Q. All right. So he paid his employees from these
6 \$906,000?

7 A. He did. So he had his employees that were on payroll
8 through ADP. And then he did have employees that would be
9 paid in cash.

10 Q. Who are those? Who are those?

11 A. It would be people that would be called in, like day
12 labors for some larger projects days that a lot of sheet
13 rocking needed to be carried up. He would have people come
14 in and pay them in cash.

15 There were also some individuals --

16 Q. So -- oh, sorry.

17 A. Yeah. That didn't have some documents and stuff, and so
18 they would be paid.

19 Q. Ms. Bock, why didn't you just use the \$906,000 and hire
20 a reputable contractor?

21 A. Well, there was two reasons. One, like I said, nobody
22 would touch the job as soon as they heard third floor, no
23 elevator.

24 Secondly, it was an ongoing project, and so most
25 companies want to know the full scope. They want a large

1 downpayment of the project.

2 Q. Did you have the large downpayment?

3 A. No. So, one, we didn't have a need for the full project
4 at the time because we didn't know what growth Feeding Our
5 Future was going to encounter, but we also don't just have
6 hundreds of thousands of dollars sitting around to put as a
7 downpayment for a construction project.

8 Q. All right. You are looking at what has been marked as
9 Defense Exhibit 721. It's not in evidence.

10 I want to confer first with counsel.

11 (Counsel confer)

12 MR. UDOIBOK: So what is it?

13 THE WITNESS: These are before pictures of the
14 offices that were renovated, the space on the third floor.
15 Sorry.

16 BY MR. UDOIBOK:

17 Q. When, when was this picture taken?

18 A. This would have been taken either shortly before the
19 lease was signed or shortly after. Around the time that the
20 space was leased.

21 Q. And who took the picture, the pictures?

22 A. These pictures, I took.

23 Q. And is Exhibit D1 an accurate copy of the pictures you
24 took?

25 A. Yes.

1 MR. UDOIBOK: Your Honor, we offer D1-721.

2 THE COURT: Any objection?

3 MR. THOMPSON: No. Just one foundational
4 question. These were taken before they moved into the
5 building; is that right?

6 THE COURT: Ms. Bock?

7 THE WITNESS: Yes, these were before we were using
8 the space.

9 MR. THOMPSON: No objection.

10 THE COURT: D1-721 is admitted.

11 BY MR. UDOIBOK:

12 Q. Let's just go through the pack.

13 A. Okay.

14 Q. Just what is that, the first page?

15 A. So this would have been one of the offices that existed.
16 Like I mentioned, there were some around the outer
17 perimeter. So this was one of them.

18 Q. Next page, please.

19 What is that?

20 A. That is just, so part of what we were documenting was,
21 with any lease you need to document the condition.

22 And so the vast majority, almost all of the walls
23 had holes like this, some from, I assume, prior shelving or
24 something, as well as there were larger holes in some of
25 them.

1 Q. Next picture. Next one.

2 THE COURT: Mr. Udoibok, I'm going to have you
3 pick up here tomorrow morning. We're going to break here at
4 this time.

5 MR. UDOIBOK: Okay.

6 THE COURT: Okay? I know that's a little abrupt,
7 but we're going to break at this time.

8 All rise for the jury. Thank you.

9 4:37 p.m.

10 **IN OPEN COURT**

11 **(JURY NOT PRESENT)**

12 THE COURT: Thanks, everyone. We're adjourned
13 until 9:00 tomorrow morning. Sorry for the abrupt stop.
14 It's prayer time. So thank you.

15 (Court adjourned at 4:38 p.m., 03-12-2025.)

16 * * *

17 I, Renee A. Rogge, certify that the foregoing is a
18 correct transcript from the record of proceedings in the
19 above-entitled matter.

20 Certified by: /s/Renee A. Rogge
21 Renee A. Rogge, RMR-CRR

22

23

24

25