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UNITED STATES DISTRICT COURT
DISTRICT of MINNESOTA

United States of America,)	File No. 22-cr-223
)	(NEB/DTS)
Plaintiff,)	
)	
v.)	
)	Courtroom 13W
Aimee Marie Bock(1),)	Minneapolis, Minnesota
Salim Ahmed Said(3),)	Monday, March 17, 2025
)	9:00 a.m.
Defendants.)	
)	

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

VOLUME XX - JURY TRIAL PROCEEDINGS

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

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Proceedings recorded by mechanical stenography;
Transcript produced by computer.

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1 9:00 a.m.

2

IN OPEN COURT

3

(JURY NOT PRESENT)

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

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Good morning again. My understanding is we have an issue with respect to a potential impeachment of Mr. Said. Who wants to bring that to the court's attention?

10

MR. MONTEZ: Thank you, Your Honor.

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We were given notice by the government, pursuant to Rule 609, that it intended to impeach Mr. Said from a prior criminal conviction for -- I want to get the exact language here for this conviction. The notes from the conviction are forgery, counterfeiting, application fraud and fraud. The conviction was from 2011. Mr. Said was placed on probation for a period of three years. So he was released from probation in 2014.

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We believe that, under 609, there's been an expiration of its relevancy as ten years have passed since he was released from confinement or probation for this offense. And as such, it can only be admitted if its probative value, supported by sufficient facts and circumstances, substantially outweigh its prejudicial effect.

1 I don't know any of the specific facts or
2 circumstances surrounding this conviction that I can share
3 with the court. Maybe the government does. But other than
4 what he's convicted of, I don't know what the probative
5 value in regards to the specific facts and circumstances
6 surrounding the conviction, how it would substantially
7 outweigh its prejudicial effect.

8 I think the prejudicial effect is clear. Mr. Said
9 is on trial for fraud, and the name of the conviction is
10 from fraud. This is from an incident that happened
11 approximately 15 years ago. I don't see how introducing
12 that would really get to the ends of justice.

13 So I'll leave it at that.

14 THE COURT: Do you know whether the case law --
15 whether there is case law on when you start the period of
16 ten years? It's 2025 now. But obviously this was indicted
17 prior to the ten-year expiration.

18 MR. MONTEZ: I don't have any case law in regards
19 to that. The rule itself just says if more than ten years
20 have passed since the witness's conviction or release from
21 confinement, whichever is later. I interpret that to mean
22 from the trial date, but that's what I would read from the
23 plain letter of the rule.

24 THE COURT: All right. Thank you.

25 Mr. Thompson.

1 MR. THOMPSON: Thank you, Your Honor.

2 Yes, the government does seek and has given notice
3 of its intent to cross-examine Mr. Said with respect to his
4 credibility about an 2001 incident where he --

5 THE COURT: Wait. Is it 2001 incident or 2011?

6 MR. THOMPSON: I'm sorry. 2011 incident, Your
7 Honor.

8 THE COURT: Okay. Go ahead.

9 MR. THOMPSON: -- where he was convicted of, at
10 trial, of forgery, fraud -- forgery with intent to defraud,
11 fraud and theft in Indianapolis or the Indianapolis,
12 Indiana, area.

13 It is more than ten years ago, but it is
14 incredibly probative here in this case where he is charged
15 with a fraud scheme involving the creation of forged and
16 fraudulent documents.

17 My understanding of his defense is he didn't know
18 about those documents, or part of his defense at least is
19 that. And this is obviously very probative of that and it
20 goes to his credibility, which he is putting at issue by
21 choosing to take the stand in this case.

22 The Eighth Circuit routinely has affirmed the
23 admission of older convictions when credibility is key.
24 There's a case, *United States versus Callaway* from 1991,
25 *United States versus Maichie*, M-A-I-C-H-I-E, and

1 *United States versus Spero, S-P-E-R-O*, from 1988 that have
2 affirmed the importance and the propriety of admitting or
3 allowing the evidence of prior convictions when credibility
4 is key. And obviously its vital to this case, especially
5 when he's deciding to take the stand.

6 The fact that he in 2011 did this goes to his
7 credibility when he denies that he committed fraud here or
8 that he says he didn't know about it. And these documents
9 weren't fake when they obviously were, in our perspective.

10 THE COURT: All right. Thank you.

11 I'm going to take about five minutes off the bench
12 and consider the issue, and I'll come back with a ruling so
13 that you can make a determination on where you go next.

14 MR. THOMPSON: Your Honor, there's one other issue
15 that we would like to raise outside the presence of the
16 jury.

17 THE COURT: Go ahead.

18 MR. THOMPSON: The defense has -- during the
19 direct of Mr. -- Defendant Said is intending to admit two
20 videos that the government does not believe are admissible
21 on both hearsay and Rule 403 grounds.

22 The videos, both videos, show Congresswoman Ilhan
23 Omar at Safari Restaurant. My understanding is she was
24 there in May of 2020, in the very early days of this scheme.

25 The first video, which I believe is Exhibit D3-17,

1 is an excerpt or it's a Somali TV news clip showing
2 Congresswoman Omar at Safari Restaurant and talking in
3 Somali saying things and it's, I guess, the food
4 distribution.

5 And the other one, I think, is D3-42, if I have it
6 correctly, and that is another snippet, a video taken, not
7 televised, showing her there again talking about the food
8 distribution in --

9 THE COURT: In Somali or English?

10 MR. THOMPSON: It's in Somali.

11 THE COURT: Does --

12 MR. THOMPSON: Is it both? It's both.

13 THE COURT: Okay. And so as to the hearsay issue,
14 I'd have to know what she says to know whether it's hearsay.

15 MR. MONTEZ: Your Honor, we will mute the videos.

16 THE COURT: Okay.

17 MR. THOMPSON: If they mute the videos, Your
18 Honor, there's a 403 issue.

19 The videos, I assume, are being admitted to put
20 the imprimatur of Congresswoman Omar behind the defendant's
21 food distribution operation at Safari Restaurant, which is
22 inappropriate and confusing to the jury, especially when
23 she's not been noticed as a witness for the defense.

24 They certainly are free to call her. They had
25 interactions with her and her office throughout the fraud

1 scheme; and if they want her to come vouch for the meal
2 numbers, they are free to call her.

3 I would note Defendant Bock also had a video
4 marked as an exhibit involving Ms. Omar from that same day
5 at the Safari Restaurant, and she gave a number -- and I
6 forget what it was -- about the number of meals they were
7 serving up to every day, and that number fell far short of
8 the number of meals they actually claimed that day, which I
9 believe was May 3rd of 2020.

10 And so it's very confusing to the jury, and
11 there's a 403 issue putting a Congresswoman -- or a news
12 clip showing the Congresswoman at the site endorsing it,
13 because even without sound it's an endorsement without any
14 context and any substance for what she is saying.

15 And I think there's -- it's very prejudicial to
16 the government, especially when we aren't able to
17 cross-examine her about the limits of what she saw and,
18 frankly, the efforts that the defendants took later to reach
19 out to her office in the spring of 2021 to get her to
20 support their battles against MDE in the context of what
21 happened with respect to that.

22 THE COURT: Thank you.

23 Mr. Montez, what is the testimony to be
24 surrounding this video clip?

25 MR. MONTEZ: Your Honor, we don't intend to

1 question Mr. Said about the nature of the video itself in
2 terms of what's happening. What the video does show is food
3 being distributed to various vehicles that pull up. There
4 are trays that are being delivered into the vehicle. So it
5 does show the manner and the method of the distribution,
6 which is partly at issue during this trial.

7 The government has claimed that, through the
8 cross-examination of Mohamed Liban, you didn't see any
9 vehicles pulling up and getting food, you didn't see any
10 food being distributed to anybody. These videos do show
11 that process. So it does draw into full circle exactly how
12 the food was carried out from the restaurant and brought
13 into the vehicles.

14 The videos are not going to substantiate any claim
15 numbers. That's not what they are being offered for. And
16 we certainly aren't going to ask Mr. Said, Based on this,
17 were they serving three, four, five thousand meals a day?
18 We're just basically saying this is how the food ultimately
19 reached the vehicles and they pulled away.

20 As far as the claim that we are somehow asserting
21 that Representative Omar, you know, endorsed this or was
22 backing this process or something like that, I think that
23 goes to the weight of the evidence. The government can
24 certainly argue that that doesn't show the amount of meals
25 that are being distributed, but it certainly does show the

1 method in which the meals were arriving to the cars and that
2 they were driving away.

3 THE COURT: All right. Thank you.

4 Let me take a few minutes. I'll be back.

5 We're in recess.

6 (Recess taken at 9:10 a.m. till 9:19 a.m.)

7 **IN OPEN COURT**

8 **(JURY NOT PRESENT)**

9 THE COURT: You may all be seated. Thank you.

10 In reviewing the rule and the case law in the
11 Eighth Circuit on the issue of Mr. Said's prior conviction,
12 assuming that the time frame is indeed measured greater than
13 ten years, as referenced in Rule 609, I'm going to find that
14 the probative value substantially outweighs the prejudicial
15 effect.

16 Mr. Said's credibility is a central issue in the
17 case, if not the issue in his case, and the conviction
18 squarely addresses the same type of conduct alleged here.
19 Therefore, the conviction can be used for impeachment.

20 As to the videos at D3-17 and D3-42, so long as
21 they are submitted without sound and given the
22 representation that the -- there's food being distributed
23 shown on those videos, I don't find that they fall within
24 the confines of 403 and so I'm going to allow their
25 admission.

1 With that, we'll get the jury.

2 Mr. Montez, is Mr. Said your next witness?

3 MR. MONTEZ: Yes, Your Honor.

4 THE COURT: Your third witness you are not
5 calling?

6 MR. MONTEZ: We're not.

7 THE COURT: Okay. Thank you.

8 MR. THOMPSON: Your Honor, if I may raise a quick
9 issue before the jury comes in?

10 THE COURT: Mm-hmm.

11 MR. THOMPSON: I don't know if we have time.

12 THE COURT: I don't know. How quick?

13 MR. THOMPSON: Well, with respect to your ruling
14 on the videos showing Congresswoman Omar, I think one of the
15 avenues of cross has to be her -- the defendant's failure to
16 call -- or decision not to call her to testify at trial.

17 They appear to be putting in a video to suggest
18 that she approved of their claims. That's not true. They
19 have subpoena power to have -- to compel her to come testify
20 here today. We're at trial. They've chosen not to do so.
21 And I think that opens the door to cross-examination about
22 that topic.

23 THE COURT: I would actually like to see these
24 videos. That would be helpful. Based on the
25 representation, I've ruled on them, but it would be helpful

1 to see them. Can we do that at a morning break?

2 MR. MONTEZ: We may get to it before -- we can
3 just do them now.

4 THE COURT: All right. Go ahead.

5 MR. THOMPSON: Do you want me to bring them up?
6 Yes.

7 (Video recording played)

8 THE COURT: Sorry. Is that Ms. Omar --

9 MR. THOMPSON: Yes.

10 THE COURT: -- or Representative Omar? Excuse me.
11 Thank you.

12 (Video recording played)

13 THE COURT: All right. I think I've seen enough.
14 I want you to edit it for me. I want you to remove the -- I
15 don't know what it's called -- the title, the crawler. You
16 can leave the TV stamp on it, but I don't want the crawler
17 below.

18 And then I'd like you to edit it so that it shows
19 as much food distribution and less her talking. So it
20 doesn't identify her. If they recognize her, they recognize
21 her. But that's, I think, the way to balance the 403 issue.

22 Mr. Thompson, do you still want to place an
23 objection on the record?

24 MR. THOMPSON: Well, Your Honor, again, I think
25 that this is essentially a campaign spot. She has her

1 campaign staff there with her. It's akin to, I suppose,
2 showing a video of President Trump doing a campaign spot at
3 a McDonalds to show how the McDonalds operated that day when
4 it does anything but.

5 This looks like an attempt to graft the
6 credibility of Representative Omar onto Safari Restaurant
7 without having any probative -- any cross-examination or
8 pushback from the government about the limits of that.

9 Whether there should be any -- she has anything to
10 say in terms of -- for the defense in this case, this was
11 May 3rd, 2020, two weeks after they joined the program, is
12 my understanding. It's completely out of context. I don't
13 think it has any probative value.

14 To be clear, to the extent that probative value is
15 supposed to be that there's some food at Safari Restaurant,
16 we've seen plenty of videos on Friday of that, a dozen or
17 more.

18 To the extent it's to show that food was handed
19 out to someone in a car, Agent Kary put in surveillance
20 videos showing that some -- a dozen or two cars would come
21 by each day in December 2021, showing something just like
22 that.

23 To put in a member of Congress on a campaign ad
24 speaking clearly on behalf of it -- whether you know the
25 words or not, it's clearly some sort -- it's supposed to be

1 an endorsement of some sort, but of course she didn't know
2 what was going on and presumably -- where we could ask her
3 that, but it shouldn't be taken as an endorsement of their
4 claims, but I don't know how the jury could view it any
5 other way, or certainly there's a risk they would.

6 So the danger of unfair prejudice, namely, that
7 the jury will believe, oh, look a member of Congress
8 endorses the defendant, therefore he must not be guilty of
9 this crime far outweighs the potential probative value of
10 someone took one tray out to one car on one day in May of
11 2020, which is not really in dispute at this point. That's
12 what 403 is all about.

13 THE COURT: I see it a little differently than
14 you. I think with the modifications that I've made, I don't
15 think that there's a 403 issue. They're entitled to put in
16 evidence of food distribution.

17 And as to whether that member of Congress carries
18 an imprimatur of credibility with this jury, I think that's
19 a fair issue for cross-examination.

20 MR. THOMPSON: Your Honor, on that point, can we
21 cross about the defense's failure to present her testimony?

22 THE COURT: You may.

23 MR. MONTEZ: Your Honor, I'm going to -- I'm going
24 to respectfully ask that the court reconsider that line of
25 cross-examination that essentially is shifting the burden on

1 the defense to call witnesses to testify on behalf of the
2 defense when we're not obligated to present a case.

3 What we're showing is a video showing food
4 distribution. That's what we're doing. I don't believe
5 that the defense would be under any obligation to call
6 witnesses to substantiate a video.

7 THE COURT: If you can cut the video so that there
8 is absolutely no reference or image of Representative Omar,
9 then that is true; but when you show her, that's the risk
10 that you are running, that she is standing in for a
11 credibility vouch. And I think that cross-examination about
12 her, if that's what the government seeks to do or wants to
13 do, is probably fair game.

14 MR. MONTEZ: So if we don't have any intention of
15 identifying the individual inside the video --

16 THE COURT: If you can cut it so that you can't
17 see her face -- right? -- so the part about her talking
18 isn't there, I think that that would ameliorate that issue.

19 MR. MONTEZ: I don't know that we will be able to
20 do that. We do have a proposed --

21 THE COURT: You are going to have to just show it
22 to me and then we'll address it, and we can take a break to
23 address it. What I would like to do is bring in the jury,
24 though, and start.

25 MR. MONTEZ: Okay.

1 THE COURT: Fair? They've been waiting. Thank
2 you.

3 9:29 a.m.

4 **IN OPEN COURT**

5 **(JURY PRESENT)**

6 THE COURT: Good morning, everyone. You all look
7 festive. I appreciate that.

8 Thanks again for your patience here this morning.

9 And, Mr. Montez, you may call your next witness.

10 MR. MONTEZ: Thank you, Your Honor. The defense
11 calls Salim Said.

12 THE COURT: Mr. Said, you may come forward.
13 Either way is fine.

14 Would you stand and raise your right hand, sir.

15 SALIM SAID,

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

18 THE WITNESS: Yes, I do.

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

20 Please state and spell both your first and last
21 name for the record.

22 THE WITNESS: First name Salim. Last name Said.
23 First name S-A-L-I-M. Last name S-A-I-D.

24 THE COURT: Thank you.

25 Mr. Montez, you may inquire.

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DIRECT EXAMINATION

BY MR. MONTEZ:

Q. All right. Good morning, Mr. Said.

A. Good morning.

Q. Sometimes when witnesses take the stand, it's easy to get into a comfortable conversation with each other. I'll just remind you that wait till I finish asking you a question and then you can go ahead and answer. Okay?

A. Okay.

Q. All right. Can you tell the jury where you were born.

A. I was born in Somalia.

Q. What part of Somalia were you born in?

A. I was born in Mogadishu.

Q. How old are you?

A. I'm 36.

Q. Do you have any children?

A. I do have two boys.

Q. How old are your children?

A. Five and six.

Q. Are you married?

A. Yes, I am.

Q. What year did you leave Somalia?

A. We left Somalia in 1991.

Q. Why did you leave Somalia?

A. There was a civil war going on in Somali.

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

2 A. Two, going on three. I think two or three. Three years
3 old. I'll say three.

4 Q. Who did you leave Somalia with?

5 A. Mom and my siblings, my uncle.

6 Q. And when you left Somalia, where did you go?

7 A. We went to -- we went through a lot of cities. We went
8 to a city named Mandera. It's on the border of Somalia and
9 Kenya.

10 Q. When you got to Kenya, did you stay in Kenya?

11 A. No. They had a refugee camp in Kenya, so we have to --
12 it was full and we have to leave right away, and we went all
13 the way to Ethiopia, Nazret, a city named Nazret.

14 Q. Nazret, Ethiopia?

15 A. Yes.

16 Q. How long did you stay in Nazret, Ethiopia?

17 A. About three or four years, and then we had to come back
18 to Kenya.

19 Q. What happened when you came back to Kenya?

20 A. We went into a refugee camp in Kakuma.

21 Q. At some point did you leave Kenya and come to the
22 United States?

23 A. Yes, indeed, I did.

24 Q. How old were you when you came to the United States?

25 A. 13, 14, somewhere around there.

1 Q. And when you came to the United States, where did you
2 go?

3 A. We landed in Atlanta, Georgia, and then came to
4 Minnesota.

5 Q. So you came to Minnesota pretty much right away when you
6 came to the United States?

7 A. Yeah. We pretty much, yeah.

8 Q. Do you know what year that was?

9 A. 2004, sometime in 2004.

10 Q. And when you came to Minnesota, did you go to high
11 school?

12 A. Yes, I did.

13 Q. Where did you go to high school?

14 A. We went to Roosevelt High School.

15 Q. Were you working at all while you were in high school?

16 A. Freshman year, yes, I was.

17 Q. Can you tell the jury about that.

18 A. Yeah, I was working at Safari Restaurant in 2004.

19 Q. So you started working at Safari Restaurant in 2004?

20 A. Yes, sir, I was working at Safari Restaurant in 2004.

21 Q. And at that time you were in ninth grade; is that right?

22 A. Yes, sir.

23 Q. What were you doing at Safari Restaurant in ninth grade?

24 A. I started as a busboy, also a waiter.

25 Q. Busboy and a waiter?

1 A. Yeah. I was -- busboy was a waiter, actually. So I was
2 a busboy at Safari Restaurant.

3 Q. Who was the owner of Safari at that time?

4 A. At that time it was Sade Hashi that used to own Safari
5 Restaurant.

6 Q. Sade Hashi?

7 A. Yes, sir.

8 Q. So obviously you didn't own Safari in 2004 when you
9 started working there; is that right?

10 A. Yes, sir, I did not.

11 Q. Do you know a person by the name of Abdulkadir Nur
12 Salah?

13 A. Abdulkadir Nur Salah. By the time I was a busboy
14 working at Safari in two thousand -- when I was sophomore
15 year 2005, Abdulkadir Salah and Sade told me if you want to
16 make extra money -- at the time he was paying me about \$4 or
17 something, so 50 cents more, you can be a dishwasher.
18 Abdulkadir Salah can be --

19 COURT REPORTER: Just a second. Go back to what
20 you said about being a dishwasher. You could make \$4.

21 THE WITNESS: Yeah. When they told me I could
22 make \$4, it was -- \$4.50, I was making \$4.50.

23 THE COURT: Wait. Mr. Said, the problem is you
24 are speaking --

25 THE WITNESS: Am I speaking too fast?

1 THE COURT: -- too fast. Can you slow down?

2 THE WITNESS: All right. Sorry.

3 THE COURT: Thank you.

4 THE WITNESS: All right. I was making \$4. They
5 told me I can make \$4.50. And I said, Okay. And they put
6 Abdulkadir Salah in -- they made him a waiter in the front
7 and then I become a dishwasher.

8 BY MR. MONTEZ:

9 Q. Okay. So at some point in 2005 Abdulkadir Nur Salah
10 comes to work at Safari Restaurant; is that right?

11 A. Yep.

12 Q. And you are moved from the busboy position to
13 dishwasher?

14 A. Yes, sir.

15 Q. Make a little bit more money?

16 A. Yep.

17 Q. And Abdulkadir Nur Salah takes over your job,
18 essentially --

19 A. Yep.

20 Q. -- is that right?

21 A. Yes, sir.

22 Q. Is there any relationship between Sade Hashi and
23 Abdulkadir Nur Salah?

24 A. Sade Hashi and Abdulkadir Nur Salah, they grew up by --
25 it's family friends. They're family friends. They grew up

1 by -- in Somalia, same place. In America, they came in the
2 '90s. So Jamal Hashi, Sade Hashi, all of them, they grew up
3 together.

4 Q. Okay. You mentioned another name, Jamal Hashi. Who is
5 Jamal Hashi?

6 A. Jamal Hashi is Sade Hashi's older -- younger brother.

7 COURT REPORTER: Sade Hashi?

8 THE WITNESS: Sade Hashi's younger brother.

9 BY MR. MONTEZ:

10 Q. How were you paid by Safari Restaurant, by Sade Hashi
11 when you started working there?

12 A. I was getting paid cash at the time.

13 Q. Sade Hashi was paying you cash?

14 A. Yep.

15 Q. How about the tips? Were the tips any good?

16 A. The tips wasn't that good. Most of the time we used to
17 get more tips when, you know, foreigners come. Somalis most
18 of the time, they wasn't paying a lot of tips.

19 Q. Somalis don't tip very well?

20 A. No.

21 Q. Okay. At some point did you stop working for Safari
22 Restaurant?

23 A. At some point I stop working at Safari because they was
24 shorting me my checks. Sade was shorting me the cash he was
25 giving me. We kept arguing about it, so I just stopped and

1 went to Mall of America and I got -- I found a job at Mall
2 of America, Camp Snoopy.

3 Q. Camp Snoopy?

4 A. Yeah, I start working at Camp Snoopy.

5 Q. Okay. So at some point Sade Hashi is not paying you
6 what you think?

7 A. Yeah.

8 Q. You've been working?

9 A. Yep.

10 Q. So you stopped working at Safari Restaurant and go work
11 at Camp Snoopy?

12 A. Yep.

13 Q. What were you doing at Camp Snoopy?

14 A. It's all the way at the top. They have a big chute or
15 something. I forgot about it. A long time. There's a
16 chute you got to stop, and it rides down.

17 Q. Log chute?

18 A. Yeah, log chute, yep, where they have Paul Bunyan.

19 Q. Paul Bunyan?

20 A. Yeah. So that's where I was working at the time.

21 Q. Did you finish high school?

22 A. No, I did not.

23 Q. What was the last year you completed in high school?

24 A. I did junior high.

25 Q. Junior year?

1 A. Yeah.

2 Q. Eleventh grade?

3 A. Eleventh grade, yeah.

4 Q. Why did you drop out of high school? What happened?

5 A. At the time I was going to Roosevelt High School, there
6 was a lot of gangs and a lot of fights every day. And I was
7 living at the time Cedar with family members, and we moved
8 to 20th Avenue South, which is close to Cedar, and used to
9 be gangs all the time.

10 So I got stabbed, and when I got stabbed, my aunt
11 told me, I'm going to have to send you to another state.
12 You can't be joining gangs. So she sent me to Indiana,
13 Indianapolis, Indiana.

14 Q. You went to Indianapolis, Indiana?

15 A. Yes, sir.

16 Q. Okay. When you got to Indiana, did you continue high
17 school?

18 A. When I went to Indiana -- so I had a work permit and a
19 I-94 and Social Security. I had no ID in Minnesota at the
20 time when they send me to Indiana. So the work permit, I
21 took it to DMV, Indiana DMV.

22 So at the time I was 17. They switched around my
23 birthday. They switched. They just switch the birthday,
24 which was 6-12-88. And it was like, you know, May 25th. I
25 had five days to become 18. My birthday was 12-06-88, but

1 they put 6-12-88.

2 Q. So they made you older than you were?

3 A. Older than I was. And I not happy about it. I just
4 wait for five days and find a job right away.

5 Q. Okay. So you turned 18 essentially because Indiana made
6 a mistake about your birthday?

7 A. Yep.

8 Q. So you didn't go back to school?

9 A. No.

10 Q. Did you start working in Indiana?

11 A. Yep, I worked a lot of jobs in Indiana.

12 Q. What did you do?

13 A. I worked at National Alamo. I worked Budget. I worked
14 the airport. I worked hotels. I worked a place that used
15 to do bullet proofs. I worked at warehouses, JCPenney. I
16 worked at cell phone company. I used to -- I drove a truck.
17 I drove a truck, and I used to haul three-car holder trucks.
18 I worked -- I did a lot of work in Indiana.

19 Q. How many jobs do you think you had while you were there?

20 A. I will say 20, 21, 22 jobs in Indiana.

21 Q. Were there times where you were working more than one
22 job at a time?

23 A. Yes. I was working one time at National Alamo and also
24 I was working another company. There was -- I was doing the
25 hotel valet.

1 Q. When you were in Indiana, did you get in any trouble?

2 A. Yes, I did.

3 Q. What happened?

4 A. It was -- the truck I usually drive, my uncle used to
5 own it. It was a three-car holder. And I was coming from
6 Illinois at nighttime and he told me to come to a small town
7 named Black -- what was it? Hancock County, something like
8 that. It was Rockford, Indiana.

9 So I went to Rockford, Indiana. I went to a
10 Walmart, inside a Walmart. My uncle told me to swipe this
11 card, I'm going in the bathroom. I took the card from him.
12 He bought a couple laptops, and I swipe it for him.

13 COURT REPORTER: He bought what?

14 THE WITNESS: He bought two laptops, and I swipe
15 it for him, the card, sign it, and after that he took the
16 two laptops and that was it.

17 And one day he gave me like -- I was going to -- I
18 was trying to go to Canada for vacation. He said, I give
19 you more money to go to Canada for vacation. I said, Okay.
20 When I was leaving, the next thing you know I got -- they
21 stop me at the border and they said -- they arrest me.

22 BY MR. MONTEZ:

23 Q. What happened?

24 A. They arrest me. They keep me -- first customs arrest me
25 and FBI, I think, you know, Homeland Security. I don't

1 know. They put me a couple days in a hall, you know. They
2 brought me out and ask me a couple questions about terrorism
3 and all that stuff. I say, I'm not a terrorist. At the
4 time I wasn't praying, I wasn't a good Muslim. I say, I
5 don't remember the last time I prayed. I don't know what
6 you guys talking about.

7 They let me go and they put me in Detroit, Wayne
8 County. They send me back to Indiana. In Indiana I went to
9 a court. I went to a trial. And my uncle testified against
10 me. And the lady, he stole the card from her, she came in
11 the court and said, I never met this little kid.

12 So that's what happened.

13 Q. Were you convicted?

14 A. Yeah.

15 Q. After that did you come back to Minnesota?

16 A. Yes, I did come back to Minnesota after that.

17 Q. How old were you when you came back to Minnesota?

18 A. It was two thousand -- end of 2014. I was 25 -- 24, 25,
19 26, somewhere around there.

20 Q. What happened when you came back to Minnesota?

21 A. I used -- I found a job in Minnesota. I was driving a
22 truck for Amazon. I was driving a truck for Amazon.

23 Q. Okay. So at some point when you come back to Minnesota,
24 you are about 25 years old, did you go back to work at
25 Safari Restaurant?

1 A. No, I did not. I find Amazon job. I was going to
2 Safari. I went to eat. It's a famous restaurant, Safari.
3 And anybody tells you Safari is not a famous restaurant,
4 it's just a lie. It's one of the biggest restaurants in
5 Somali community. Everybody knows.

6 So I was going to Safari eating food from Safari
7 Restaurant and I seen Abdulkadir Salah, Jamal Hashi, Sade
8 Hashi, all of them at Safari. They been there since -- from
9 2004 to 2015, the people I used to work with before. So
10 they greeted me, they welcomed me.

11 And I was eating food over there just relaxing
12 with them. Then I saw Jamal Hashi mad outside, standing
13 outside. I came to him, Are you okay? He told me, I'm
14 opening a business in New York City, another restaurant,
15 Safari Restaurant. And he had another Safari named -- it's
16 Safari Restaurant Express in Midtown.

17 So he said, I'm going to open it, but the problem
18 is I want to leave this business and my brother keep ripping
19 me off. I cannot do business with my brother anymore, and I
20 don't want to go to courts and do lawsuits against my own
21 brother. But I'm selling it. I want to find somebody to
22 buy the shares.

23 Q. Okay. So before you become an owner of Safari, do you
24 start working for them again?

25 A. Abdulkadir Salah told me that, when I was driving Amazon

1 truck, I can give you extra job. I ask him about job. He
2 say, I can -- we can give you extra jobs. You can bring the
3 shopping to Safari. They had a cargo van. You go to
4 Restaurant Depot. You bring the shopping.

5 Q. Okay. So they basically ask you if you want to help
6 bring food to the restaurant?

7 A. Yep.

8 Q. Do you agree to do that?

9 A. I agree to do that. The pay was good. They was paying
10 2,000. It was part-time. I only got to do three times a
11 week the shopping and I can still have my Amazon job.

12 Q. So at this point who are the owners of Safari
13 Restaurant?

14 A. At the time the owners of Safari Restaurant was
15 Abdulkadir Salah, Jamal Hashi and Abdirahman Ahmed.

16 Q. Okay. So let's break that down. So there's three
17 owners at that point?

18 A. Yes.

19 Q. Abdulkadir Nur Salah?

20 A. Abdulkadir Nur Salah, which is Fish.

21 Q. So that's the guy that the jury knows as Fish, whose
22 name has come up periodically throughout this trial?

23 A. Yes.

24 Q. And then there's --

25 A. Chef Abcos, which is Abdirahman Ahmed.

1 Q. Abdirahman Ahmed.

2 A. And Jamal Hashi, which is Sade's brother.

3 Q. So these three essentially put you back on the payroll
4 as a part-time employee; is that right?

5 A. Yep.

6 Q. And what are you doing for Safari at this time?

7 A. I'm going shopping. I go shopping like Thursdays,
8 Saturdays sometimes, and sometimes Sundays, or Monday.
9 Three days a week I guess shopping at Restaurant Depot.

10 Q. How did you pay for the food that you would get during
11 that time?

12 A. The food I was -- the job I was doing, how did I get
13 paid?

14 Q. Yeah. So when you would go to like Restaurant Depot or
15 wherever --

16 A. Oh.

17 Q. -- you would go to get food, how would you pay for the
18 food?

19 A. They gave me Cosmopolitan Business Solution card through
20 Associated Bank, a card.

21 Q. So they give you a company card?

22 A. Company card and they give me a credit card company --
23 company credit card.

24 Q. Okay. So they basically allow you to use these company
25 cards; is that right?

1 A. Yes.

2 Q. All right. And just so we're clear here, you're not an
3 owner of Safari at this time; is that right?

4 A. No. I was employee. I start as employee again.

5 Q. Are you in charge of the bank account at all?

6 A. No.

7 Q. Are you on the bank account?

8 A. No.

9 Q. Okay. When you would go shopping, would they ask you to
10 save your receipts?

11 A. They will tell me to keep the receipts. Even if you,
12 you know, use for gas station or anything, you have to. The
13 accountant have to do the numbers, so you keep the receipts,
14 you bag it up, and give it to -- Abdulkadir was accountant
15 from 2010. At the time TFS was the accountant for Safari.

16 Q. Okay. So let's talk a little bit about that. So who
17 would you have to give the receipts to?

18 A. Abdulkadir Salah.

19 Q. Abdulkadir Salah, the same guy who is the owner of
20 Safari?

21 A. Yeah.

22 Q. Fish?

23 A. Fish.

24 Q. And why did you have to give the receipts to Fish?

25 A. Fish was the accountant, bookkeeping. He used to do the

1 checks for them. TFS and Fish is the same thing. So they
2 used to do everything for the company. I --

3 Q. So -- okay. I'm sorry. Go ahead.

4 A. Before I -- when I started working there, Fish is the
5 man that gave me the job and told me that, I do the
6 bookkeeping for the company. I do the taxes and everything.
7 So every receipt you get, you gather it and you bring it to
8 me and I have to calculate what -- you know. So I used to
9 bag it in Ziploc bags and give it to him. Sometimes he text
10 down to come back.

11 Q. Okay. So you mentioned another company, TFS. What's
12 TFS? Can you explain that to the jury.

13 A. TFS is -- they do consulting, accounting, bookkeeping.
14 They do IRS stuff, like tax. They do taxes. It's the same
15 company that Abdulkadir and his brother Salah owns.

16 Q. Who is his brother that owns the company with him?

17 A. Salah. Salah.

18 Q. That's his name?

19 A. Yeah.

20 Q. Okay. The --

21 A. The name -- other name, Ahmed -- you are going to have
22 to tell me because I always knew him as Salah Donyale.

23 Q. Salah Donyale?

24 A. Yes, sir.

25 Q. That's the name that you knew him as?

1 A. Yep.

2 Q. And we've heard his actual name throughout this trial,
3 Ahmed Omar-Hashim?

4 A. Ahmed Omar-Hashim, yes.

5 Q. So these are the same guys?

6 A. Same guys, yeah.

7 Q. And that's the brother of who?

8 A. Abdulkadir Salah, Fish.

9 Q. So how long was Total Financial Solutions doing the
10 books for Safari Restaurant?

11 A. Since 2010 or '11, one of them. '10 or '11 they was
12 doing it.

13 Q. So before --

14 A. Before I even came back to Minnesota.

15 Q. What do you know about Salah Donyale? What do you know
16 about him?

17 A. Salah Donyale -- Abdulkadir Salah was -- he was doing
18 accounting at the same time for schools. He was working
19 almost ten years at schools. And Salah was working -- he
20 was an auditor for IRS.

21 Q. He was an auditor for --

22 A. Auditor for IRS, they said, and Salah -- and Abdulkadir
23 Salah was accountant for school.

24 Q. He was an accountant for schools?

25 A. Yep.

1 Q. Okay. So just so we're clear here, Salah Donyale, also
2 known as Ahmed Omar-Hashim --

3 A. Yep.

4 Q. -- used to be an auditor for the IRS?

5 A. Yep.

6 Q. Abdulkadir Nur Salah used to be an accountant for
7 schools?

8 A. Yep.

9 Q. And these are the two brothers that own Total Financial
10 Solutions?

11 A. Yep. And you have another one too, which is the
12 older -- I think younger brother.

13 Q. And who is he?

14 A. Abdul Khadus.

15 COURT REPORTER: Abdul what?

16 THE WITNESS: Abdul Khadus. The third brother was
17 the politician guy, so.

18 BY MR. MONTEZ:

19 Q. Okay. So at some point you are an employee for Safari.
20 Do you acquire an ownership in Safari Restaurant?

21 A. Yes.

22 Q. Can you tell the jury about that.

23 A. So when I seen Jamal Hashi outside complaining about
24 the -- his brother, he told me that he's selling shares,
25 find somebody to buy the shares or -- he said, I want to

1 look for somebody to buy my shares. So I said, Hey, I can
2 buy your shares. I'll save up a little money. How much you
3 selling for your shares? He told me, 35,000. It's more
4 than that, but I'll just do 35,000 just to get out of here,
5 the state of Minnesota. So I told him, I got 20,000. I can
6 pay you the rest of the 15,000 in cash, whatever you guys
7 want. He said, Okay.

8 So I bought the shares from Jamal Hashi for 20 and
9 I pay the rest little by little until I got the rest of the
10 money.

11 Q. Okay. So let's break this down a little bit for the
12 jury.

13 So now you buy out Jamal Hashi; is that right?

14 A. Jamal Hashi.

15 Q. So who are the owners of Safari Restaurant at this
16 point?

17 A. It's me, Abdulkadir Salah and Abdirahman Ahmed.

18 Q. Okay. So you, Abdulkadir Nur Salah -- who is Fish?

19 A. Yep.

20 Q. -- and then Abdirahman Ahmed?

21 A. Yes.

22 Q. That's Chef Abcos?

23 A. Chef Abcos, yep.

24 Q. And do you know what year this was?

25 A. I think it was two thousand -- end of 2015 or '16. I'm

1 not sure.

2 Q. 2015 or '16?

3 A. Yes.

4 Q. Okay. So shortly after you came back to Minnesota and
5 started working at Safari Restaurant?

6 A. Yeah.

7 Q. Okay. So what happened when you became an owner of
8 Safari Restaurant? What became your role at Safari?

9 A. You remember they gave me a job for the shopping? The
10 job they gave me -- Sade Hashi train me for that job. So
11 now Chef Abcos have to come back to Safari Restaurant to
12 manage it and he told me to keep going shopping.

13 And about 2017, I say 2017, Chef Abcos or two
14 thousand -- he started training me. He said, I'm going to
15 have to train you so you can take over the restaurant and
16 the shopping and everything together.

17 So Chef Abcos trained me for 2017 -- 2016 through
18 2017, a whole year, and after that He said, It's time for me
19 to move out. I think he move out 2018. He got married and
20 moved to Ohio and never came back after that. He used to
21 come back once in a while. He had a house somewhere in
22 Hiawatha.

23 Q. Okay. So you -- when you initially take over ownership,
24 you continue with your role doing the shopping, things like
25 that?

1 A. Yep.

2 Q. Eventually, at some point, Chef Abcos says, I'm going to
3 train you to be the manager, basically?

4 A. Yep.

5 Q. Okay. And he eventually leaves Minnesota to go to Ohio;
6 is that right?

7 A. After that, yeah, after he train me and I took over the
8 management, he moved to Ohio, yeah.

9 Q. So what happened when you took over the management side
10 of Safari, can you explain what your role was to the jury.

11 A. My role was to manage the employees, to bring shopping,
12 to rent the place. We have event center in the back. We
13 used to rent event center. And also it's a restaurant.
14 Anything that happens, if bathroom brokes down, you got to
15 go, you know, clean the -- you don't have no role. It's
16 just you all over the place.

17 Q. So you are kind of doing everything at Safari at this
18 point?

19 A. Yeah. Sometimes the roof goes off. I just go up in the
20 ceiling and try and fix it or call companies. I would just
21 do anything.

22 Q. Okay. So you are doing maintenance, overseeing
23 employees?

24 A. Yep.

25 Q. What was Abdulkadir Nur Salah's role at this points?

1 A. Abdulkadir Nur Salah's role was the same role. He used
2 to come on Thursdays and sometimes Mondays. He will collect
3 the receipts. He will collect -- if we did invoices for the
4 event center, he will collect all those papers and he will
5 collect the hours of the employees and then he will leave.
6 Two hours later he will come back or he will send somebody.
7 He will bring checks for the employees.

8 Q. Okay. Was he doing any of the day-to-day stuff with
9 Safari during this time?

10 A. No.

11 Q. So he would come in once or twice a week?

12 A. Yep.

13 Q. To do what?

14 A. Just to pay the employees, do papers, collect cash if
15 we -- you know what I'm saying? If we make cash, most of
16 the time -- there's a lot of cash in a restaurant. So you
17 have to have the receipt that -- how much cash we made and
18 all that stuff, penny by penny. You just -- he's just a guy
19 that likes to count everything. He will collect everything
20 and take it.

21 Q. So he was dealing with the money?

22 A. Yeah.

23 Q. Now, at some point do you get placed on the business
24 account for Safari?

25 A. I don't remember the time, but it was in 2017 or '16. I

1 think it took a year or two years, because every time I go
2 to Restaurant Depot or gas stations or Aldi or something and
3 you buy big shopping, they will ask for your ID. So I kept
4 getting rejected. So I told them, You guys have to put me
5 on the bank account. I keep, you know, getting rejected.
6 So that's when they put me on the bank account. But the
7 time I cannot tell you. It was 2018 or '17, one of them.

8 Q. Okay. So initially when you become an owner, there's a
9 short time period when you are not on the bank account, but
10 eventually you are placed on the bank account?

11 A. Yeah, yeah.

12 Q. All right. Now, you mentioned something about
13 Abdulkadir Nur Salah would bring the checks to Safari. Can
14 you explain to the jury what you mean by that.

15 A. So he will bring the employees' hours and the checks
16 they made and the weeks they worked, the hours they worked,
17 you know. I will give it to him and he will go to TFS, the
18 office TFS, and make the checks and bring the checks.

19 After they put me on the account, what they used
20 to do is they will literally give all of the checks to one
21 of the employees and they will bring it to me and tell me to
22 sign it, because I was just signing and give to employees
23 their checks.

24 Q. Okay. So were you printing checks for the employees?

25 A. No, I never print no checks for employees.

1 Q. Who printed the checks for the employees?

2 A. TFS.

3 Q. Can you explain the difference to the jury, the
4 difference between printing a check and signing a check?

5 A. Printing a check, I think -- I don't know how to explain
6 it. You just got to -- the TFS company was doing the
7 checks. They will put the numbers, the name and the account
8 number at the bottom, and the date. They will print it and
9 bring it to me, and I will sign the check.

10 Q. So they would bring you printed unsigned checks?

11 A. Yep. But most of the time Abdulkadir used to sign it
12 too. If he's not around, he will literally tell you, Hey, I
13 made your checks. You go sign it. Then I just sign it.

14 Q. Okay. So sometimes he would print and sign the checks?

15 A. Yeah.

16 Q. And then other times he would just print them and then
17 you'd sign them?

18 A. Yeah.

19 Q. All right. Can you describe to the jury what the
20 general layout of Safari Restaurant looks like.

21 A. The general layout of Safari look like -- as soon as you
22 walk in, it's a beautiful place that has booths, chairs,
23 tables. It also has cultural things, you know, animals,
24 elephants, camels kind of animals, African culture stuff.

25 And when you -- and after that, when you go

1 through the restaurant, you can go through the cashier. You
2 pass through the cashier. You go in the kitchen. After
3 that -- it has a door by the kitchen. You go in the hall.
4 It's a big event center, you know.

5 Q. Okay. So let's talk a little bit about this. So at the
6 front of the restaurant there's an area with some tables and
7 chairs; is that right?

8 A. Yeah.

9 Q. About how many tables and chairs are in the front
10 portion of the restaurant?

11 A. In the front of the restaurant?

12 Q. Right.

13 A. I'd say six tables in the middle, in the middle. It has
14 two sides. The two sides has booths, which will be -- one,
15 two, three, four, five, six -- five or six, I think, six
16 booths. The other side has one, two, three, I think. That
17 side was little because it cuts the bathrooms, so.

18 Q. Okay. So there's a handful of tables in the middle and
19 then there's some other booths kind of surrounding the
20 tables; is that right?

21 A. Yep. And we had a big booth in the wall -- on a wall.

22 Q. All right. So maybe 15 total tables in the restaurant
23 area; is that about right?

24 A. Yeah, you can say that.

25 Q. Okay.

1 A. I was counting -- sorry. I was counting in my head.

2 Q. Okay. What the about the back? What about the event
3 center? Can you describe what that looks like to the jury.

4 A. Event center is a big place that we do events. It's a
5 very big place. We do events, weddings. We do
6 quinceaneras. We do any other ethnicity that comes and want
7 to do weddings or parties, you know. That's what we do in
8 the event center.

9 Q. Okay. So some of these events -- you mentioned
10 weddings, quinceanera. What's a quinceanera?

11 A. Quinceanera is a Mexican culture thing when a girl gets
12 to age -- a certain age. I think 15. I don't know. 15 or
13 14 -- 15, I say.

14 Q. What other kinds of events would you host in the event
15 center?

16 A. We will do Somali weddings. We will do baby shower. We
17 will do elections. When elections is happening, we have
18 more parties, politicians, you know. If you do Somali
19 politics and you don't go through Safari, you don't become a
20 politician.

21 Q. All right. Let's talk a little bit about some of these
22 events. Let's talk about a Somali wedding.

23 A. Okay.

24 Q. Would you host a lot of Somali weddings at Safari?

25 A. Yes, we do a lot.

1 Q. Can you describe what a typical Somali wedding would
2 look like to the jury.

3 A. It's not a regular wedding. Somali -- I will take any
4 time a quinceanera than Somali wedding, to be honest with
5 you. It's chaos. It's very chaos.

6 They will tell you, We want a lunch for 150, and
7 300 people will come, a friend of girlfriend, a cousin of
8 cousin. There's no invitation. Just people just walk in.
9 You just got to cook more food all day. It's consistent.
10 You got to be consistent. For quinceaneras, they tell you
11 80 or 90, it's going to be 90. If they tell you 300, it's
12 300.

13 Q. Okay. So walk me through a typical Somali wedding.
14 What would it look like?

15 A. It's very chaos. It's a lot of people, you know, and
16 they separate. You know, you will have a lunch, men, 80 --
17 I say 90 percent men. You will have 10 percent women on
18 that side.

19 Because the lunch is called mahr. And mahr is
20 like when a man comes to the family and trying to get the
21 daughter from her father, and they pay a lot of cash at that
22 time. You got to pay money to get the daughter. That's
23 mahr.

24 At nighttime the woman takes off. You will have
25 10 percent men at nighttime and 90 percent women, and that's

1 when the women gets to go.

2 Q. Okay. So there's basically two separate --

3 A. Lunch and dinner, two separate things.

4 Q. Lunch is for the men to --

5 A. More men.

6 Q. Yeah. And then dinner is typically for the woman?

7 A. More women, yeah, 90 percent women.

8 Q. Okay. How would food be served during lunch? Can you
9 describe to the jury what that would look like.

10 A. At lunchtime we will serve a family-style big plate that
11 we put rice. We make some kind of pasta. It's called angel
12 hair. We put Somali sugar or something, mix it up with
13 something. It's going to be sweet, you know. You just put
14 it on top. But you will have a lot of meat. You will have
15 goat meat. You will have chicken legs, drumsticks. You
16 will have tilapia. You will have salad. You will have --
17 the whole plate would be full of food and different --
18 whatever they order, different meat. It's family style. So
19 nine people or ten people will be sitting at a table. We
20 put it in the middle of it. The drinks is are right there.
21 We will have Fanta, Sprite, Coke, water and drink their
22 juice.

23 Q. Okay. So lunch is served family style?

24 A. Family style, yeah.

25 Q. What about dinner?

1 A. Dinner will be alfredo pasta or whatever they order,
2 chicken alfredo pasta. You know, dinner is more -- harder
3 than lunch.

4 Q. Why is that?

5 A. Because dinner you got to -- women don't like to eat
6 with other women, so you've got to serve them plate by
7 plate.

8 Q. Okay. So lunch is family style?

9 A. Lunch is like you put the family style. They just eat
10 together.

11 Q. Dinner is plate by plate by plate?

12 A. Plate by plate by plate, yeah.

13 Q. Okay. So let's say it's a Somali wedding and they want
14 to host 250 people.

15 A. Mm-hmm.

16 Q. Are you making 250 lunches?

17 A. Yeah.

18 Q. 250 dinners?

19 A. Yeah.

20 Q. Now, at the same time that you are making this food, are
21 you also serving food in the restaurant portion of Safari as
22 well?

23 A. Always. Always.

24 Q. So you are serving food in the event center and food out
25 in the restaurant area?

1 A. Yes, sir.

2 Q. Besides that, are you also doing any takeout orders or
3 anything like that?

4 A. Yep. When we -- Safari, people love it to have
5 weddings. We was a little bit convenient for our community
6 and it wasn't that expensive to rent the place. It is not a
7 like a hotel. A hotel will be like 15, 20 thousand dollars,
8 but we rent it for six or five thousand dollars. It's a lot
9 cheaper.

10 And you have your cultural food. So they'd rather
11 go to Safari than other place. So when we're booked, they
12 will literally go to hotels and the people that got money
13 will go to hotels. When they go to hotels, they would order
14 food from us. We deliver the food to them.

15 Q. Okay. So if they couldn't get the space at the event
16 center because it was booked, they would get a different
17 venue?

18 A. Yep.

19 Q. And you would cater the food for that venue?

20 A. Yep, we do.

21 Q. So would there be times when you would serve food at the
22 event center, cater food for other events and also serve
23 food in the restaurant portion of Safari as well?

24 A. Oh, yeah. Oh, yeah. It would be a lot of times.

25 Fridays and Saturdays sometimes you may have a wedding at

1 Safari and two catering outside, which you can look at least
2 a thousand meals for all those a day that you can give it
3 out.

4 Q. How often would that happen?

5 A. Monthly it might happen -- let's say 20 times monthly.

6 Q. So pretty often on the weekends?

7 A. Yeah.

8 Q. Every Friday, Saturday, Sunday?

9 A. Every Friday, Saturday, Sunday.

10 Q. Let's talk a little bit about the staff at Safari
11 Restaurant. So during 2018, 2019, leading up to the
12 pandemic, sometimes you are making a thousand meals a day.
13 How are you able to do this? Can you tell the jury about
14 the cooks that used to work at Safari.

15 A. We had a lot of cooks in Safari kitchen. We had Najj.
16 He was half Somali, half Yemen. We had Gabriel. He's a
17 Mexican. We had Jeannette. She's Ecuadorian. We had Juan.
18 He was a Mexican too. We had Manny Marianna that was
19 Ecuadorian. We had -- we had Momma Sadia, Momma Simpson.
20 If I say "momma," it's always Somali. So Momma Sadia, Momma
21 Simpson. We had a lot of chefs in there.

22 Q. What was their work ethic like? How would you describe
23 their work ethic?

24 A. I will say if you put Gabriel in the kitchen, Gabriel
25 equals to at least two Somali cooks. Gabriel was the one --

1 somebody can't get close to him. He will throw food in two
2 seconds. Gabriel was -- wasn't human, I say that. Gabriel
3 is a lot faster, a lot -- hardworking guy.

4 Q. Did you have a name for these guys?

5 A. Chop Chop Group. We used to call them Chop Chop Group.

6 Q. You used to call them the Chop Chop Group?

7 A. Yep.

8 Q. All right. So would you say that Safari Restaurant was
9 a popular restaurant in the Somali community during 2018,
10 2019?

11 A. Oh, yeah. Oh, yeah, it was a popular restaurant. It
12 was a wedding place. It was an events place. It was a
13 politician place. It was a religious place. It was
14 everything. The whole community, if you go -- if you come
15 to Minneapolis, you have to stop by Safari. And it used to
16 be every race used to come there.

17 Q. During your time working as the manager of Safari, did
18 you ever take any videos of the events that you would host
19 at Safari?

20 A. Yes, yes. That's one big problem about Somali
21 community. You can't take -- you have to hide your phone
22 when you're taking pictures sometimes. You cannot just take
23 pictures of people. They will get pissed. But I used to
24 take pictures all the time. Sometimes I used to take
25 pictures.

1 Q. Okay. Did we review some of these videos before you
2 took the stand to testify in court?

3 A. Yes, yes.

4 Q. And the videos that we watched, were those videos that
5 you personally took at the Safari Restaurant during 2018,
6 2019?

7 A. Yes, sir.

8 Q. Did they accurately depict the events that you were
9 hosting at Safari Restaurant during that time?

10 A. Yes.

11 MR. MONTEZ: Your Honor, at this time the defense
12 offers D3-199 through 204, 206, 208 through 211, 213 and 257
13 into evidence.

14 THE COURT: Any objection?

15 MR. THOMPSON: No objection, Your Honor.

16 MR. UDOIBOK: No objection.

17 THE COURT: The time frame again for these videos?

18 MR. MONTEZ: This is pre-pandemic, 2018, 2019.

19 THE COURT: All right. Those exhibits are
20 admitted.

21 (Video recording played)

22 BY MR. MONTEZ:

23 Q. Okay. Mr. Said, does -- that video that we just looked
24 at, what area of the restaurant is that?

25 A. That's not actually the restaurant. It's the event

1 center.

2 Q. So this is the event center that you are talking about
3 at Safari?

4 A. Yeah. Yeah, this is the event center.

5 Q. Can you describe what we are looking at in this video.

6 A. You're looking at tables, round tables, and chairs. And
7 there would be tables on the other side. I didn't took a
8 picture of this. You'd be on the corner. It would be in
9 the corner. So every table we have nine chairs. Sometimes
10 the people, they ask for eight, sometimes ten. This is a
11 dinner.

12 Q. What was the capacity that this event center could hold?

13 A. 200 something, 300.

14 Q. Two to three hundred people?

15 A. Mm-hmm.

16 Q. Next video, please.

17 (Video recording played)

18 Q. Okay. Is this another photograph of the event center?

19 A. Yeah. That's the side I was telling you that was
20 hidden.

21 Q. What do we see in the way back there?

22 A. Here (indicating)?

23 Q. Way in the way back, is that like a stage area?

24 A. Oh, back there. Okay. Yeah, that's a stage area.

25 That's the stage. You see two king chairs. It's a wedding

1 that's happening. And this is the dance floor right here
2 (indicating).

3 Q. Okay. So there's a stage and a dance floor on there?

4 A. Yes.

5 Q. Okay. Next, please.

6 (Video recording played)

7 A. That's the side I was telling you that was cut off.

8 Q. All right. Next.

9 (Video recording played)

10 Q. This is another example of an event that would be hosted
11 at Safari Restaurant?

12 A. This here is what I was telling you earlier is called
13 mahr. It's the lunch.

14 Q. Mahr?

15 A. Mahr, yeah.

16 Q. So that's the lunch portion of a Somali wedding where it
17 would be mostly men?

18 A. Yeah.

19 Q. All right. Next video, please.

20 (Video recording played)

21 Q. What are we looking at here?

22 A. When you say aluminum containers like this, it's going
23 out. It's pickup food. We catering this food.

24 Q. Okay. So --

25 A. It's a different wedding. It's not the wedding that is

1 happening in the place. It's going out.

2 Q. Okay. So food that's in aluminum trays like that,
3 that's for outside catering?

4 A. Any time you see aluminum, it's outside, yeah.

5 Q. Okay. Let's do the next video, please.

6 (Video recording played)

7 Q. What are we looking at here?

8 A. Can you play it again? You want me to explain the whole
9 food or --

10 Q. Just, yeah, generally what are we looking at?

11 A. You're looking at food, some eggs. It's a breakfast,
12 actually. It's breakfast.

13 Q. Breakfast food?

14 A. Mm-hmm.

15 Q. Okay. If we can go to the next video, please.

16 All right. So this is a photograph. Can you
17 describe to the jury what we are looking at in this
18 photograph.

19 A. Thursdays -- Fridays and Thursdays -- because Saturdays
20 and Sundays it get so busy, Thursdays and Fridays we will
21 have the locals that will come there and they shut down the
22 whole restaurant on -- the locals will shut it down. Most
23 of the time it will be Thursdays and Fridays.

24 Q. Okay. So you have basically the entire restaurant
25 packed Thursday and Fridays?

1 A. Thursdays, Fridays, we call it -- Thursdays, Fridays
2 always we call white people day, a lunch white people day.

3 Q. Okay. Next, please.

4 (Video recording played)

5 Q. Okay. Can you tell the jury what we're looking at here.

6 A. This is a mahr again, lunchtime. So it will be packed
7 like this.

8 Q. You can fit a lot of people in the event space?

9 A. Yep, you do.

10 Q. And then just so we're clear, all these videos, this is
11 before COVID, right, this is --

12 A. Yeah, this is before COVID, yeah.

13 Q. Obviously you couldn't congregate in 2020, right?

14 A. No.

15 Q. Okay. Next, please.

16 (Video recording played)

17 A. This here look like a quinceanera. I'll say this is a
18 quinceanera.

19 Q. Okay. Next, please. We've got a video here.

20 (Video recording played)

21 Q. Is this another quinceanera?

22 A. Yep, this is quinceanera.

23 Q. All right. Next.

24 (Video recording played)

25 Q. Is this another angle of the Safari Restaurant portion?

1 A. Yep. This is like politicians, I think. It look like
2 politicians.

3 Q. Okay. Next.

4 (Video recording played)

5 Q. Can you tell the jury what we're looking at here.

6 A. We're looking at chicken breast, milk, tiramisu,
7 tilapia, chicken wings, salmon, half and half milk, mixed
8 veggies, chopped spinach.

9 Q. A lot of food, basically?

10 A. Salad. Yeah, just food.

11 Q. And, again, this is still pre-pandemic, right, this is
12 still 2018, 2019 we're talking --

13 A. Yeah, this is me when I go to shopping and I will fill
14 it up two times, a car like this. This is a regular day at
15 Safari.

16 Q. Okay. Okay. Last video we're going to look at here.
17 Is this another event at Safari Restaurant prior to 2020?

18 (Video recording played)

19 A. Yep, this is an event, yeah.

20 Q. And this is in the event center?

21 A. This is the event center. This is like -- Somali
22 singers will have an event sometimes and they will throw a
23 party. So this is Somali singers that was doing a party
24 that night.

25 Q. Okay. And just so we're clear here, during this time

1 when Safari would host these events, would Safari be cooking
2 food for these people as well?

3 A. Yep. They will be cooking food, yeah.

4 Q. So if there was an event --

5 A. It depends. It depends. If this is like a party, a
6 night party, and like the party we just -- last you just
7 showed me, those people, they just came to party. They
8 might buy, you know, water or sodas. It's like a nightclub,
9 so they're not buying no food from me.

10 But if it's a wedding, there's always food. If
11 it's a bridal shower, there's always food. If it's a baby
12 shower, there's always food. Politicians, there's some what
13 you call finger foods and sometimes they buy food,
14 politicians.

15 Q. Okay.

16 A. So when we have the quinceaneras, we make food for them.

17 Q. All right. Let's talk a little bit about how the food
18 would get to Safari Restaurant during this time.

19 Did you personally go pick up food and bring it to
20 Safari Restaurant? I think you mentioned that earlier.

21 A. Yes, I did.

22 Q. Can you describe that process to the jury. What would
23 that look like?

24 A. You will go to Restaurant Depot. You're going to have a
25 cargo van or -- I used to have a cargo van. It broke down,

1 the cargo van they gave -- that Safari gave me. But I buy a
2 pickup truck after that. My own pickup truck, I was using
3 it for shopping.

4 So you will go to Restaurant Depot and grab so
5 much food and fill up the whole truck. They have a walk-in
6 cooler that's -- and freezers that's very cold. You got to
7 walk in there to grab the chicken and all that.

8 Q. Was the food ever delivered to Safari Restaurant?

9 A. From -- food delivered to Safari Restaurant?

10 Q. Right.

11 A. Yeah, sometimes, yeah. Most of the time the company
12 that deliver for us was -- 2017, '18 -- is Capital Imports.
13 They call themself right now, I think, Capital Distribution.
14 They used to bring the rice, fresh produce. In 2018 they
15 was bringing me food. Those are the people I used to buy
16 bananas and a whole lot of stuff, all these companies.

17 Q. So you would get deliveries to Safari and you would also
18 go and personally bring --

19 A. Yep. And African Halal Market is right next door. So
20 they used to bring -- we used to get the goat meat from them
21 because they used to give it a little bit cheaper than
22 regular stores.

23 Q. What did you do with the receipts?

24 A. We will collect all those receipts and gather and -- I
25 will collect them. And same thing, employee hours, all that

1 stuff. When I collect them, I will give it to -- Thursdays
2 Abdulkadir will come and collect the cash and count
3 everything.

4 Q. All right. So now we're getting close to the pandemic.
5 Now, we've heard what your role is at Safari Restaurant
6 during this time. You are kind of doing the overall
7 managing day-to-day stuff; is that right?

8 A. Yeah.

9 Q. Okay. What about the other two owners?

10 Let's talk about Abdirahman Ahmed. Where is he at
11 during this time?

12 A. Abdirahman Ahmed trained me. After he trained me, he
13 moved to Ohio and got married in Ohio. He stayed in Ohio
14 and he was opening his own restaurant in Ohio.

15 Q. So as we get closer to 2020 right before the pandemic,
16 is Abdirahman Ahmed, who we also know as Chef Abcos, is he
17 around the restaurant at all?

18 A. No.

19 Q. Ever?

20 A. Never. Abdirahman Ahmed never came to Safari Restaurant
21 after 2018, '19, I say. 2020 I ain't see him, no.

22 Q. What about Abdulkadir Salah, is he around the restaurant
23 during this time?

24 A. Abdulkadir Salah, every Thursday is the time he was
25 collecting papers or -- sometimes Thursday or Monday, but --

1 Q. Okay. So he's not doing any of the managing at Safari?

2 A. Abdulkadir Salah?

3 Q. Right.

4 A. No.

5 Q. Is he cooking any food?

6 A. No.

7 Q. Doing anything except the books?

8 A. No.

9 Q. All right. Let's get to it. February, March of 2020
10 restaurants get shut down --

11 A. Mm-hmm.

12 Q. -- everything closes. Can you tell the jury what that
13 was like for you and Safari Restaurant at that time.

14 A. At the time we had the whole February and March, we have
15 weddings that was coming in and we bought a lot of shopping.
16 And when they shut down the restaurants, they said you have
17 to shut down. The event center is worse than the
18 restaurants because restaurants you can six feet -- they
19 didn't have at that time that six-foot stuff. They didn't
20 have it, so they say automatically you got to shut it down.
21 So we shut down the restaurant and event center.

22 Q. And as you mentioned earlier, you already had some
23 events that were booked --

24 A. Yeah.

25 Q. -- for February and March; is that right?

1 A. Yep.

2 Q. Had you already made purchases for these events at that
3 time?

4 A. For these events, we did make purchases. We bought a
5 lot of food. We bought, you know -- because one of them was
6 like that next week. We had two weddings at the same time.
7 So we've got to have that. You don't want to go last minute
8 and they don't have no drumsticks in Restaurant Depot. Now
9 you've got to look for a Costco. So we had everything in
10 storage. It was ready. Then COVID happened.

11 Q. So when COVID happened, were you hopeful that the
12 restaurants were going to open back up?

13 A. The first two days, you know, we had hope, everybody had
14 hope. We was saying everything is going to be normal. We
15 just wait two days. Three days go by we still sitting
16 there.

17 And the fourth day was like -- I call my
18 employees. I start giving them the food we had. They take
19 it home. There was still more food left and we said, We
20 cannot just throw this food. I told the chef, I give you
21 free food. Why don't we do free charity and give it to
22 whoever comes in. The man that was in here, Abti Liban, has
23 social media. Let him pronounce it and we give it to the
24 whole community.

25 Q. So let's talk a little bit about that.

1 You had some food that was stored up at Safari
2 Restaurant; is that right?

3 A. Yep.

4 Q. Days go by. Restaurants aren't opening back up.

5 A. Mm-hmm.

6 Q. What do you decide to do?

7 A. We decide to give it out, the food, for free.

8 Q. Can you tell the jury about that.

9 A. So we had so much food. I told my chefs, I cannot pay
10 you. This is free food. You guys took enough food, and I
11 took enough food. Either we throw or we give it out for
12 free. They say, Okay, let's do it for free. Gabriel and
13 everybody else agree to that. So we started giving enough
14 for almost one, two, three days -- the third day something
15 has happened, so we was giving out free food.

16 Q. And you mentioned somebody, Mohamed Liban?

17 A. Mohamed Liban went on social media that day. We know
18 it's COVID. Just wear your mask. Come to Safari
19 Restaurant. We will give you free food, free meals. And
20 he put the address of Safari Restaurant. The line was so
21 long, man. There was a lot of people who needed food.

22 Q. So this Mohamed Liban, that's the same guy we just saw
23 testify on Friday; is that right?

24 A. Yep.

25 Q. So he's posting to social media, Hey, Safari is giving

1 out food?

2 A. Yep. And if Liban posts on social media, the Snapchat
3 always goes like less than an hour. Thousands that watches
4 Snapchat, locals, so --

5 Q. Did a lot of people start showing up?

6 A. A lot of people showed up, yeah.

7 MR. MONTEZ: Your Honor, now may be a good time to
8 break, if the court wants to break, or we can keep going.

9 THE COURT: Please keep going.

10 MR. MONTEZ: All right.

11 BY MR. MONTEZ:

12 Q. So at some point does somebody come to Safari Restaurant
13 while this is going on?

14 A. Yep.

15 Q. Can you tell the jury about that.

16 A. While we was giving out the food, a man named Shafi
17 Qanyare, Shafi Qanyare came to Safari Restaurant, and he
18 came from -- at the time he went to Abdulkadir Salah and
19 Abdulkadir Salah was like, Salim works there. Just go over
20 there. Call me if he, you know, says anything.

21 So he came to me. He said, Brother, you're giving
22 out free food every day. We have this program and this
23 company I work with. You can give out kids meals. Instead
24 of giving out everybody, kids meal. And we will reimburse,
25 we will give you -- whatever moneys, we will give you back.

1 Q. Okay. So let's break that down a little bit. What
2 month was this that Shafi came to Safari Restaurant to speak
3 with you?

4 A. March or April.

5 Q. March or April of 2020?

6 A. Mm-hmm. I'm not good at dates, but one of them.

7 Q. Okay. And he comes to you and what does he say?

8 A. He says, Instead of giving out -- you was giving out
9 already free food. Instead of giving out free food, we can
10 let you give out kids meals and you can get paid for that,
11 you can get reimbursed for that.

12 Q. Does he explain to you how that works?

13 A. When he told me that, I told him, That sounds good, but
14 how do you -- he said Abdulkadir Salah told me, Abdulkadir
15 Salah knows that stuff. I said -- and he explains to me.
16 He said, This is regular food and they have -- he had a lot
17 of papers. He keep showing me waivers and all this other
18 stuff and laws change and all that stuff. I said, Oh, I'm
19 not going to go through all this stuff with you. I'm going
20 to call my partners and I will give you a call tomorrow.
21 That's what I told Shafi.

22 Q. Did Shafi explain to you generally how the program
23 worked?

24 A. Yeah. He said, This is kids meals. This is the sites
25 of the food. He explain good. He show me. He had little

1 cereal. He had little stuff. He showed me everything in
2 detail. He says, That's how you're go to do it. And I
3 said, Okay, but I have to make -- I cannot make a decision
4 by myself. I have to give you a call back. And that's --

5 Q. Did he talk to you at all about reimbursements?

6 A. Yes.

7 Q. What did he tell you about reimbursements?

8 A. He say, You will get reimbursed. Your job is to give
9 out the food. What was it? You can be a vendor. You will
10 give out the food. We will reimburse you how many -- how
11 much ever you give out.

12 Q. Did he tell you about pricing at all?

13 A. He told me about pricing first. That's one thing we --
14 I was like, It don't make no sense what you telling me.
15 Because he show me pricing was 4 -- 4 and some change for a
16 plate.

17 Q. \$4 and some change for a plate?

18 A. For a plate, yeah.

19 Q. Did that make sense to you?

20 A. No, it did not make no sense because my plates are 15,
21 16, 17 dollars a plate from the restaurant.

22 Q. How did he explain to you the breakdown of the
23 reimbursement?

24 A. So I tell him, Brother, I'm already giving it out for
25 free. I might as well just give it out for free because the

1 money you telling me doesn't make no sense to me. \$4 for a
2 plate, I will not do it. And he says, Not what you think.
3 He show me a portion. So one portion, one little kid
4 portion can be three -- one adult meal can be three kids
5 meal in Somalia because you put a big old plate with rice
6 and chicken and everything all on one plate. That by itself
7 can be three kids. And if you add up, your money might
8 be -- when I add it up, it was there. And he said, You
9 cannot -- one thing you don't have to give is the most
10 expensive food.

11 Q. What do you mean by that?

12 A. Goat meat and camel.

13 Q. Goat meat and camel?

14 A. Yeah. When he told me that, I said, What am I giving
15 out? He said, Chicken, beef, all this other stuff. I say,
16 Okay.

17 Q. It's cheaper to give out beef and chicken?

18 A. You don't have to sell goat meat and camel. You can
19 substitute chicken and beef. It's a lot cheaper, a hell of
20 a lot cheaper.

21 Q. Did he tell you whether you can make a profit?

22 A. Yes.

23 Q. What did he say?

24 A. That's what we was arguing about, about the money. I'm
25 counting my money to make a profit, so -- and himself was

1 saying, You will get reimbursed. Whatever you buy --
2 whatever you give, we give you back. You give out the food.
3 You tell us what you give and how many kids you give. After
4 that we reimburse you. You can pay your shopping. You can
5 pay your employees. Whatever is left is yours.

6 Q. You get to make a profit?

7 A. Yep.

8 Q. So what do you tell Shafi at this point?

9 A. I tell him I cannot make a decision. I will give you a
10 call. He said, Abdulkadir already send me. I said, it
11 ain't just me and Abdulkadir that owns the business.
12 Abdirahman Ahmed owns the business with us. I have to give
13 him a call, three-way call, and we see what happens after
14 that. And he left.

15 Q. What happened next?

16 A. I call Abdulkadir and Abdirahman Ahmed on the line and I
17 tell them -- before I even explain, Abdulkadir Salah said,
18 Hey, I send you the guy and this is what it is and this is
19 how it is, and we can go for it.

20 Ahmed -- Abdirahman Ahmed was on the line and he
21 said, Okay, if Fish said we can go for it, he knows a lot
22 and he knows about schools. He's worked for schools, for
23 accountants. So let's do it.

24 That's how I give the Shafi guy a call the next
25 day. I told him, I'm not going to stop the food I'm giving

1 out. I had like three days to give out. Shafi came to me
2 like the second day. So I said, Shafi, I can give one more
3 day extra, about four days -- four days or five days. I
4 don't remember. I can give one more day food and that one
5 more day the people that drive by the place, we will tell
6 them stop coming for free food for adults. If you have
7 kids, you can come back tomorrow. And Abti Liban can do the
8 social media at the same time.

9 Q. So you, Abdulkadir Nur Salah and Abdirahman Ahmed, you
10 all agree let's do it?

11 A. Yeah.

12 Q. And you continue to give out free food to adults for
13 another day or two; is that right?

14 A. Yeah.

15 Q. You call up Shafi. You say, We're in?

16 A. I told Shafi we in, yeah.

17 Q. Okay. Does he come back and meet with you again?

18 A. When that -- Shafi came back to me and meet me, but
19 before he meet me, we start, instead of giving out the food,
20 like I just told you, to tell the people.

21 And Shafi came back to me with papers and all
22 other stuff. He had a lot of papers, and he said -- I even
23 call Abdulkadir that day and say, The guy came back. He got
24 so many papers right now. He said, Yeah, I know what it is.
25 It's the laws, you know. And this is the first time I'm

1 seeing a company named Feeding Our Future and --

2 Q. This is the first time you see Feeding Our Future?

3 A. Yeah.

4 Q. What does Shafi tell you about Feeding Our Future?

5 A. He says it's a great company that, you know, feed kids,
6 you know, do daycares and all the other stuff.

7 Q. Okay. So do you sign some paperwork with Shafi?

8 A. Shafi says, Sign here. I sign the place. He say, You
9 can start tomorrow.

10 Q. What do you tell him?

11 A. I say, Give me one more day. That's when I'm telling
12 him, Give me one more day so I can tell the people. That
13 day we go shopping, grab more stuff because -- and bring the
14 chefs back and let them know what's going on.

15 Q. Okay. So after you sign this paperwork with Shafi,
16 there's another day that goes by you are still giving out
17 food to everybody?

18 A. Yep.

19 Q. What's Mohamed Liban doing during this time?

20 A. This time he's changing his social media to adults
21 for -- he keeps saying over and over his social media, he
22 still says the same thing, he says, It is not going to be
23 adult food. It's going to be kids food, kids food, kids
24 food. He keep saying that over and over. Safari
25 Restaurant, if you late, you may not have a plate.

1 That's --

2 Q. All right. Mr. Said, I'm just going to ask you
3 point-blank, At any point during your discussion with Shafi,
4 did he ever mention to you that you would need to pay
5 kickbacks at anyone at Feeding Our Future to participate in
6 this program?

7 A. No, sir.

8 Q. After your meeting with Shafi, were you under the
9 impression that this was some type of fraudulent scheme?

10 A. No.

11 Q. Did you ever agree to pay kickbacks to Shafi or anyone
12 else at Feeding Our Future?

13 A. No, sir.

14 Q. Are you aware if Abdulkadir Salah ever agreed to do
15 anything like that?

16 A. No, sir.

17 Q. Did Abdulkadir Salah ever discuss kickbacks with you?

18 A. No, sir.

19 Q. What was your impression of the program after your
20 discussions with Shafi?

21 A. What was that?

22 Q. Your impression of the program after your discussion
23 with Shafi, basically, what did you think about the program?

24 A. I thought about it was a good business, you know. I'm a
25 restaurant man that was losing everything when COVID

1 happened. And a business walking through your door, you
2 will do it. It was a good business opportunity.

3 Q. Okay. So let's get to it, then.

4 A. Mm-hmm.

5 Q. A day passes by. You start giving out food to kids?

6 A. Yep.

7 Q. Can you tell the jury about that process. How did that
8 work?

9 A. So we -- we even bought radios. We had radios. So
10 Safari -- the chefs will cook the food.

11 First, there was a chef that was coming in
12 4:00 a.m. in the morning that was -- 3:00 a.m. 4:00 a.m. in
13 the morning. It was Gabriel. Gabriel will come 3:00 to
14 4:00 a.m. in the morning, make all the sauces ready, all,
15 you know, ingredients ready and everything else. He makes
16 it ready. He will marinade the chicken and all the other
17 stuff. When he do that -- cut the onions and potatoes and
18 everything.

19 And Jamal will come after that, one hour after
20 Gabriel. After that, the other cooks, more of them will
21 come by 5:00, 6:00 in the morning. They will all work 5:00,
22 6:00 in the morning. By the time they walk in, they start
23 cooking.

24 By the time it's 6:50, 7:00, before they reach,
25 Abti Liban walks into the door, records the food and tell

1 the people, The menu say -- menu, menu, menu. Menu means
2 the food that day that was being made. So he will record it
3 and tell the social media and tell them this is the food we
4 have.

5 Q. When you say "Abti Liban," are you talking about Mohamed
6 Liban?

7 A. Mohamed Liban. Abti Liban is Uncle Liban. That's his
8 nickname. But Mohamed Liban, yeah.

9 So he records it and put it in the social media.
10 By 7:30 the other employees are giving out the food, will
11 walk in there and start preparing the food. One of them
12 is -- it's like a warehouse assembly line, you know, when
13 you look at it. Somebody will do the rice. The other
14 person will put chicken. The other person will put other
15 meat. Other person will put some veggies or whatever. He
16 will put it on the table. There's another person that will
17 close the plate, throw it to the other table. The other
18 person will stack them up.

19 And we'll have every door, food, you know, so it
20 can go faster. So employees don't have to run back and
21 forth all day, you have food warmers and all that stuff. We
22 have fridges.

23 Q. All right. And you mentioned Mohamed Liban. He's
24 posting this stuff on social media as well; is that right?

25 A. Yeah.

1 Q. Okay. So let's talk a little bit about the Somali
2 community.

3 A. Mm-hmm.

4 Q. Okay. How would you describe the Somali community to
5 the jury?

6 A. Somali community is like connected community. It's
7 small. It's like a small community. It's big for Somali,
8 but when you look at it, Somali community is like a
9 connected community and they help each other and support
10 each other, you know. And sometimes there's something
11 called kharan.

12 Q. What's that?

13 A. Kharan means, you know, somebody get some problems or
14 financial problems or anything, you know, somebody will go
15 into community and tell his name and collect like \$5 here,
16 \$5 from everybody, even go to the mosque. By the time that
17 person, they bring the money, he will have like 70, 80,
18 whatever, thousand, whatever they collect for him.

19 So it's a connected community.

20 Q. Look out for one another?

21 A. Yeah.

22 Q. Now, Safari Restaurant is located on Lake Street; is
23 that right?

24 A. Yeah.

25 Q. Can you describe to the jury what Lake Street is like.

1 A. Anybody that sees Lake Street is like you will see
2 Somali person, you will see Mexican or Ecuadorian or -- like
3 every building is like Mexicans and Ecuadorians or Somalians
4 piled up, you know, one room ten people living in. So
5 that's the way it is.

6 Q. A lot of people living in a --

7 A. A lot of people living in that area, just Lake Street.
8 Fourth Street too. There's a lot buildings behind it too,
9 high-rise buildings on Fourth Street.

10 Q. Have you ever heard of something called Karmel Mall?

11 A. Yeah.

12 Q. Can you describe that to the jury.

13 A. Karmel Mall is like Mall of America for Somali
14 community. It has four or five floors. I don't know.
15 Three floors. But it's very big, and it has everything.
16 They sell everything, jewelry, clothes, food, barbers. They
17 sell anything, fake jewelry, real jewelry.

18 Q. How close to Safari Restaurant is Karmel Mall?

19 A. Three lights, four lights, maybe. And also there's
20 next -- Safari right next to it. There's a Mexican mall
21 right next to Safari.

22 Q. A Mexican mall?

23 A. Yeah, there's a Mexican mall right next to Safari.

24 Q. What's that like?

25 A. It's very big.

1 Q. Is there another place called 24 Mall?

2 A. 24 Mall is -- it's close. It's like a mile -- less than
3 a mile or mile. I don't know.

4 Q. Approximately a mile away from Safari?

5 A. Yeah. Yeah, it's similar to Karmel Mall.

6 Q. What about Cedar-Riverside area, how would you describe
7 that?

8 A. Cedar-Riverside area is like -- Somalis call it Little
9 Mogadishu.

10 Q. Little Mogadishu?

11 A. Yeah.

12 Q. Why do you call it that?

13 A. There's nothing but Somalians out there nowadays.

14 COURT REPORTER: Say that again.

15 THE WITNESS: There's nothing but Somalians in
16 Cedar-Riverside. You might find a couple Ethiopians or
17 Mexicans or here and there other race, but majority is
18 Somalians.

19 BY MR. MONTEZ:

20 Q. Are you familiar with a building called Riverside Plaza?

21 A. Yeah.

22 Q. Where is that located?

23 A. I grew up by there, man. That's where I grew up.

24 Q. Where is it located?

25 A. On Cedar.

1 Q. Cedar?

2 A. Yeah.

3 Q. Can you describe what Riverside Plaza is like.

4 A. Riverside Plaza is like -- I don't know how many floors.
5 It's 18 to 22 floors, I think, 18 to 22 or 30 floors. I
6 don't know. I don't remember. But every floor has so many
7 apartments and it's a lot of Somalians live in
8 Cedar-Riverside.

9 Q. How many buildings does Riverside Plaza have?

10 A. We was living at the time B building. So there's an
11 A building, B building, C building, D building, E building,
12 M building and then a lot of other buildings. I don't know.
13 I say 11.

14 Q. About 11 buildings?

15 A. Yeah.

16 Q. All right. Before you testified during this trial, did
17 we look at a couple maps together?

18 A. Yeah.

19 Q. Did those maps depict this area of Cedar-Riverside that
20 you are talking about?

21 A. Yeah.

22 MR. MONTEZ: Your Honor, the defense offers
23 D3-248, D3-249 into evidence.

24 MR. THOMPSON: No objection.

25 THE COURT: D3-248 and 249 are admitted.

1 Before we look at those, let's take our morning
2 break.

3 All right. We'll come back at 10:55. All rise.

4 **IN OPEN COURT**

5 **(JURY NOT PRESENT)**

6 THE COURT: We're in recess until 10:55.

7 (Recess taken at 10:42 a.m. till 10:58 a.m.)

8 **IN OPEN COURT**

9 **(JURY PRESENT)**

10 THE COURT: You may all be seated.

11 And, Mr. Montez, you may continue.

12 MR. MONTEZ: Thank you, Your Honor.

13 BY MR. MONTEZ:

14 Q. Okay. Mr. Said, right before the break, we were going
15 to take a look at a couple maps over at the Cedar-Riverside
16 area. Do you remember that?

17 A. Yes.

18 Q. All right. Can you tell the jury what we're looking at
19 here?

20 A. This is Cedar-Riverside. Somali Street.

21 Q. That's Somali Street?

22 A. Yep.

23 Q. What are those buildings that we're looking at?

24 A. This is, I think, B building and even --

25 Q. Is this the Riverside Plaza building that we're talking

1 about?

2 A. Yeah, this is the Riverside Plazas, yeah.

3 Q. Okay. These are the high rises that have multiple
4 buildings; is that right?

5 A. Yep.

6 Q. All right. Can we go to 249? And this is sort of an
7 overhead view of that Riverside Plaza area?

8 A. Yeah, there is. You can see all the way to here
9 (indicating). You go back this way.

10 Q. That's Cedar?

11 A. All the way Cedar. But this whole area is Somalians,
12 all these buildings. All this area is Somali neighbors.

13 Q. So that's the Riverside Plaza and associated buildings;
14 is that right?

15 A. Yep.

16 Q. All right. You can exit out of that, please.

17 Okay. Let's get back to the food program. So at
18 some point after Safari gets involved in the food program,
19 you and your employees start serving food in about
20 April 2020; is that right?

21 A. Yep.

22 Q. Can you describe the operation. How would people come
23 to Safari Restaurant and get food?

24 A. Cars would pull up. Some of them would come from all
25 the way from 28th, some 31st Street, some from Lake Street.

1 Cars will pull up, so we have two ways to go. If -- they
2 will go through, there's a little alleyway. No, it's not an
3 alleyway. It's like a parking lot. That's where they going
4 to go through to pick up the food. And some cars we'll send
5 them in the front to pick up the food so we don't create a
6 lot of jam in rush hour.

7 Q. How many doors were there where people could come and
8 get food from?

9 A. One, two, three, four -- four doors.

10 Q. Four different doors?

11 A. Mm-hmm.

12 Q. What would happen when a car would pull up?

13 A. Somebody will go up to the car, he will have a -- two
14 people will go out to the car. One person would ask the --
15 do you have kids. They will tell them they have kids. And
16 they will ask them first name, last name, and address and
17 also phone number, would ask them phone number.

18 When they give us all of that stuff, they will
19 write it down, the information. The other person will go
20 tell the other people to, you know -- will have the radios
21 and tell, you know, five kids. We have the address and
22 information. Go for it. So somebody else will bring the
23 plates of food ready, so the car will move. The next car
24 same thing. Next car same thing.

25 We was doing that about -- I say, about a week

1 or -- first week. After that we put it in the computer, the
2 names, first names and last names and address and phone
3 number, and we create this Excel -- Abdulkadir created some
4 kind of Excel sheet. He put the names and everything.

5 So at first we was writing it down by hand, but
6 when he did that, cars would pull up, we would ask -- start
7 asking them all this information. Would ask the four digits
8 of their last phone number. When they give us the last four
9 number of their four digits, assume you put in the computer,
10 the information will come out, the address and the first
11 name, the kids' name and everything.

12 After that, on the radio we would ask, Hey, can
13 you ask them the kids' last name. The guy will ask them
14 kids' last name. When they tell us and the address, the
15 second person will take the food again. So we started doing
16 that.

17 Q. Okay. So the first time they'd come, you'd gathered all
18 their information, how many --

19 A. Yep.

20 Q. -- kids they have and you'd write it down; is that
21 right?

22 A. Yep, yep.

23 Q. Eventually you started storing it on a computer --

24 A. Mm-hmm.

25 Q. -- along with the last four digits of their phone

1 number; is that right?

2 A. Yep.

3 Q. So then they'd come, they'd give the last four digits.

4 A. Mm-hmm.

5 Q. You were able to quickly look it up and confirm how many
6 meals need to go out; is that right?

7 A. Yep.

8 Q. And then you'd have somebody come and bring out the
9 food, bring it to the cars; is that right?

10 A. Yes, sir.

11 Q. Now we've seen some of how this food is assembled and
12 packaged. Can you describe to the jury what we're looking
13 at when we're looking at those aluminum trays. How many
14 meals are in those trays?

15 A. Most of the time we put five, and some families will be
16 six. But most of them I'll say five. And -- and then
17 depends how many, you know, meat and how many stuff that
18 goes in there, but most of the time we start five.

19 Q. Okay. So it goes by meat portion; is that right?

20 A. Yep.

21 Q. Okay. So if you put a certain number of chicken legs or
22 a certain amount of meat, it makes --

23 A. Two piece can be two drumsticks. That's the one on the
24 last. Two kids, two drumsticks, you know. And it will
25 have, you know, garbanzo beans or something else, you know.

1 And after that, we will have a little snack or breakfast,
2 whatever that goes into.

3 Q. Okay. So about 5 to 6 meals per tray?

4 A. Huh?

5 Q. About 5 to 6 meals per tray?

6 A. Yeah.

7 Q. Did you have smaller containers as well?

8 A. Yeah, we did.

9 Q. Can you describe that to the jury.

10 A. We had one-time-use to-go boxes. You know, one of those
11 small one-time-use to-go boxes. We did that.

12 Q. So you'd use smaller to-go boxes for individual meals?

13 A. For individual meals, yeah.

14 Q. So if they only had 1 or 2 kids, something like that?

15 A. Yeah. We will do with sometimes 1 or 2 kids. And we'll
16 have, like, two chicken. We will have some food
17 ful medames. We will have aluminum wrapped with chapati or
18 malawah, you know, and we will have a banana on top of it.

19 Q. So let's talk about a snack. What would a snack meal
20 look like?

21 A. Snack would be small as a banana or, you know -- but you
22 could add orange juice, or apple, anything. Snack can be
23 that.

24 Q. Animal crackers?

25 A. Animal crackers, yeah.

1 Q. Okay. And during this time, were you also making
2 videos, things like that as well?

3 A. Yes, I did.

4 Q. We reviewed some of those videos?

5 A. Yes.

6 Q. Do they accurately depict what was happening in April
7 2020?

8 A. Yes, sir.

9 MR. MONTEZ: Your Honor, defense offers D3-4, 6
10 through 8, 10 and 11 into evidence.

11 THE COURT: Any objection?

12 MR. THOMPSON: Okay. No objection, Your Honor.

13 THE COURT: Those exhibits are admitted.

14 BY MR. MONTEZ:

15 Q. Okay. Can you tell the jury what we're looking at here?

16 A. Looking at rice, drumsticks, chicken sugaar, onions,
17 some fries.

18 Q. Okay. This is an example of a packaged aluminum tray
19 that would go out during April 2020?

20 A. Yeah, yeah.

21 Q. And this has 5 to 6 meals it in, depending on how
22 many -- depending on the meat portion; is that right?

23 A. Yeah.

24 Q. Okay. Next, please.

25 Can you explain to the jury what we're looking at

1 here?

2 A. We're looking at bananas, dates. I think -- if you play
3 it, I can --

4 Q. Yeah, we can play the video as well.

5 (Video recording played)

6 BY MR. MONTEZ:

7 Q. So what are the bananas and dates used for?

8 A. For a snack.

9 Q. Snacks?

10 A. Yeah.

11 Q. What about these individual to-go containers here. What
12 are they used for?

13 A. They are used for meal.

14 Q. One meal?

15 A. One meal or two meal. If it's two kids and one meal
16 most of the time.

17 Q. Okay. Depending on the meat portion?

18 A. Yeah.

19 Q. Okay. Next video, please.

20 (Video recording played)

21 BY MR. MONTEZ:

22 Q. Just another example of individual meals --

23 A. Yeah.

24 Q. -- stacked up on the table like this?

25 A. Yeah.

1 Q. All right. Next video, please?

2 Okay. So this is what's inside of those to-go
3 containers; is that right?

4 A. Yeah.

5 Q. So if you put a couple chicken legs in there, you get
6 one meal?

7 A. Yeah. You have right now two drumsticks, some lettuce,
8 mixed veggies, ful medames with the garbonzo beans, and
9 date, bananas, chapati, so --

10 Q. How many meals are in one of these trays?

11 A. How many meals?

12 Q. Yeah.

13 A. How many kids' meals, you mean?

14 Q. Yeah, how many kids' meals?

15 A. This for a grown person would be one, but two kids.

16 Q. This is two kids' meals?

17 A. Yeah.

18 Q. And when you put a banana on top, what happens?

19 A. Snack.

20 Q. That's a snack?

21 A. Yeah.

22 Q. Okay. So one of these boxes, you are looking at two
23 lunches and one snack?

24 A. Yeah.

25 Q. So we're looking at six meals right here?

1 A. Yeah, you can say that. Hold on. 1, 2 -- what do you
2 mean six meals?

3 Q. Are we looking at four lunches and two snacks?

4 A. Oh, you add the snacks, yeah, six, yeah.

5 Q. Okay. Let's go to the next, please.

6 Okay. Now I want to talk about these black boxes
7 here, okay? What are these black boxes used for?

8 A. Black boxes was to go when we taking food to Cedar,
9 Cedar-Riverside.

10 Q. So when you say taking food over to Cedar-Riverside,
11 what do you mean by that?

12 A. We used to take food to Cedar-Riverside. We used to put
13 those kind of black boxes and take like, you know, one of
14 them long tables -- we would take -- we would put in the car
15 the long tables. We will go under the building --
16 C building, B building, whatever it is, take the food up
17 there, and people will come down and take the food.

18 Q. How many trays can fit in one of these black boxes?

19 A. Ten. 5 and 5.

20 Q. So they're stacked 5 and 5 in one of these black boxes?

21 A. Yes, sir.

22 Q. Okay. So let's do some math.

23 A. 60.

24 Q. We had ten trays in each one of these black boxes; is
25 that right?

1 A. Yeah.

2 Q. Times five meals in each tray?

3 A. Yeah.

4 Q. Times 1, 2, 3, 4, 5, 6 trays; is that right?

5 A. Yeah, mm-hmm.

6 Q. So just right here we're looking at 300 meals?

7 A. Yeah.

8 Q. Does that sound right to you?

9 A. Yeah. Cedar -- we used to deliver a lot of food to
10 Cedar.

11 Q. Tell the jury about that.

12 A. We used to deliver a lot of food to Cedar. I even had
13 the names for Cedar, buildings, apartments number, and
14 everything. It was -- the computer that was Safari, you had
15 all the information.

16 Q. Okay. Let's go to the next slide, please.

17 Okay. We can clear this out. So let's talk a
18 little bit about the delivery over to the Cedar-Riverside
19 area. How would that work?

20 A. At first when we started the place, a lot of people was
21 coming to us and telling us some of the people doesn't have
22 cars, some of the people did not have help. One mother will
23 come from Cedar. And let me tell you, I know a lot of
24 ladies and a lot of families that live in Cedar. I can get
25 you the information if you guys can deliver the food to

1 Cedar. So we start -- we hire a girl to do that.

2 Q. You hired a girl to do that?

3 A. Yeah.

4 Q. Okay.

5 A. After we hire her, we start working with her. A lot of
6 us, I had a pickup truck, Ghedi had a Tahoe. So we used to
7 fill up the trucks and go to Cedar. At first, it was hard
8 because we have to put up a table down there and start
9 giving it out; but we tell them, If you guys give us your
10 information, we can give you a call every day. Or when we
11 get to downstairs, we don't have to wait for you guys
12 picking up your food. Or text and give us your information,
13 we will be bringing it to you.

14 Some of them was giving us already, and we was
15 writing down the information; but we tell them if you knew
16 you have to text this number, which some of them have my
17 text -- my phone number. They was texting they information
18 to my cell phone.

19 Q. So some of them would just send you their info?

20 A. Yeah, to my cell phone.

21 Q. You can verify it?

22 A. Some of them will send it to Abti Liban, and some of
23 them will send it to Ahmed Ghedi.

24 THE COURT REPORTER: Who was the first person?

25 THE WITNESS: Some of them was me, Salim Said;

1 some of them Abti Liban and Mohamed Liban. Sorry. And some
2 of them were sent to Ahmed Ghedi. And there was another guy
3 that used to work with us. He had -- they would send it to
4 his phone.

5 BY MR. MONTEZ:

6 Q. So you'd have a few people loading up pickup trucks and
7 bringing this food over to --

8 A. Take it to Cedar, yeah.

9 Q. How many meals do you think you delivered to
10 Cedar-Riverside in a day?

11 A. It depends about the time. When we first started, we
12 was given nothing, some limit. We couldn't give up a lot of
13 food. So what we had is what we was giving. When the semi
14 came, they tell us we can give more food. That's when we
15 started taking almost 2,500 to 3,000 to Cedar-Riverside.

16 Q. Just to Cedar?

17 A. Just to Cedar-Riverside.

18 Q. You are also giving out food at the restaurant during
19 this time also?

20 A. Oh, yeah. We also had the drive-thru people was coming
21 in. We also have to hire. The -- you know, the day we
22 started this place, the food -- after weeks and summer came,
23 it got so busy. We had two officers working -- off-duty
24 officers every single day seven days a week.

25 Q. What were they doing?

1 A. Controlling the traffic.

2 Q. You had off-duty officers doing traffic control?

3 A. Traffic, controlling the traffic seven days a week.

4 Q. Okay. So let me ask you this: Was this a situation
5 where you'd have one kid come to Safari and get a meal; and
6 then have another kid come to Safari, get a meal; and then
7 another kid come to Safari and get a meal? Is that how the
8 program worked?

9 A. There was no one kid ever came to Safari Restaurant.

10 Q. No kids ever came to Safari?

11 A. There was no one kid ever came to Safari Restaurant. I
12 don't know -- I was told parents could pick up the food.
13 Kids never came to Safari Restaurant. It was parents that
14 was picking up the food.

15 Q. Tell the jury about that.

16 A. We never had one kid come to Safari Restaurant. Parents
17 will pull up say, I will have -- I have five kids. You give
18 them five kids' meal, lunch and breakfast. And when you are
19 doing a breakfast and lunch, it's not we're giving out
20 breakfast afternoon -- in the morning, and we're giving out
21 a lunch afternoon. One aluminum container, you pick it up.
22 The breakfast is on top of it. So it's going out the door
23 at the same time. There's nothing that has different times.

24 And we never give out food to kids. We was giving
25 out to the parents that was picking up for the food for the

1 kids.

2 Q. Would you have other parents come on behalf of other
3 parents?

4 A. Sometimes they like -- off the highway, there was a
5 neighborhood in north side, there was a lot of families used
6 to come from there. It was kind of a little bit far from
7 Safari. They will tell you -- one lady would come to you
8 and say, I'm picking up almost 20, 30 families' food today.
9 And somebody else will come the next day, and somebody else
10 will come the following because they want to save the gas.
11 Every week one person will come to you, one person, but they
12 cannot -- same family members, they taking.

13 Q. This is during COVID?

14 A. This is during COVID, yeah.

15 Q. Everybody is supposed to stay at home?

16 A. Everybody is supposed to be staying home, yeah.

17 Q. Kind of the point, right?

18 A. Yeah.

19 Q. Okay. So let's talk a little bit about the meal counts.

20 A. Mm-hmm.

21 Q. Can we pull up what's already in evidence B52, 15. I'm
22 sorry, B52, page 15.

23 Okay. Mr. Said, I want to draw your attention to
24 the date that's on top here.

25 A. Mm-hmm.

1 Q. Can you describe to the jury what date we're looking at?

2 A. 4/18.

3 Q. Okay.

4 A. 4/18, 4/19.

5 Q. So this is way in the beginning?

6 A. Yeah, this is April, yeah.

7 Q. This is right when you started?

8 A. 2020, yep.

9 Q. Can you describe to the jury what we're looking at here?

10 A. This is the names for -- for the families, for the kids'
11 names.

12 Q. How are these names organized on this list?

13 A. So what we used to do is one family -- when we do one
14 family, we will give up space, as you can see. There's a
15 space every family. So we used to do family by family like
16 that.

17 Q. Family by family?

18 A. Yeah.

19 Q. Okay. Can you page through a little bit, just kind of
20 scroll through a little bit.

21 So what we're looking at is by family, kids that
22 are coming. And I'm noticing that on these rosters, these
23 boxes are checked every single kid every single day?

24 A. Yeah.

25 Q. Did you have each one of these kids come to Safari

1 Restaurant every single day?

2 A. As I said, there were no kids. The parents was picking
3 up the food for them. There have never been kids coming to
4 Safari.

5 Q. Okay. Can we go to page 168, please.

6 Okay. Can you tell the jury what we're looking at
7 here?

8 A. Looking at Restaurant Depot receipt.

9 Q. Receipts?

10 A. Yeah.

11 Q. All right. Can you just slowly page through this,
12 please.

13 Okay. So we're kind of looking at chicken halal,
14 tomato paste, all sorts of stuff; is that right?

15 A. Yes.

16 Q. Okay. Keep going, please.

17 Thousand dollars there?

18 A. Mm-hmm.

19 Q. Okay. So these are the types of invoices and receipts
20 that you would collect from different restaurants; is that
21 right?

22 A. Yep.

23 Q. And on the meal counts that we just looked at, on the
24 previous page, who was signing all of these meal counts?

25 A. On the previous page?

1 Q. Right.

2 A. I was signing it.

3 Q. Why were you signing those meal counts?

4 A. Because I was working at the time. I was doing
5 everything myself.

6 Q. Are those meal counts accurate?

7 A. Yep, they are.

8 Q. Okay. Did Safari continue to be busy like that
9 throughout the summer of 2020?

10 A. Yeah.

11 Q. Busy every single day?

12 A. Every single day, yep.

13 Q. How often would food get delivered to the restaurant
14 during this time?

15 A. Every day. Sometimes every other day.

16 Q. Every other day, sometimes every day?

17 A. Yep.

18 Q. How often would you do shopping?

19 A. Every day. It's a restaurant. You are always going to
20 have something missing in the kitchen.

21 Q. How often were you at Safari Restaurant during the
22 summer of 2020?

23 A. I was there every single day, man.

24 Q. Every day? You were working every day?

25 A. Yep.

1 Q. Did you make more videos during this time?

2 A. Yes, I did.

3 MR. MONTEZ: Your Honor, defense offers D14, D20
4 through 22, D3-27, 29, 32 through 34, 38 through 41 into
5 evidence.

6 THE COURT: Any objection?

7 MR. THOMPSON: No objection, Your Honor.

8 THE COURT: That was 38 through 41, the last?

9 MR. MONTEZ: Do you want me to repeat those,
10 Judge.

11 THE COURT: Yes.

12 MR. MONTEZ: D3-14, D3-20 through 22, 27, 29, 32
13 through 34, 38 through 41.

14 THE COURT: Those exhibits are admitted.

15 BY MR. MONTEZ:

16 Q. All right. Can we pull up D3-14, please.

17 All right. Can you tell the jury what we're
18 looking at here?

19 A. This is the lids. This is the containers. Says Safari
20 logo up there.

21 Q. All right. Next video, please.

22 Now these are videos -- just so we're clear, these
23 are taken during May, June, July, and October of 2020; is
24 that right?

25 A. Yeah.

1 Q. Okay. Next video, please.

2 (Video recording played)

3 Q. Can we pause this here?

4 Can you describe to the jury what we're looking at
5 way in the back?

6 A. Here?

7 Q. Right.

8 A. You're looking at aluminum containers and lids, gloves,
9 napkins, I think.

10 Q. So supplies?

11 A. Supplies, yeah.

12 Q. And just to orient the jury where we are here, what
13 space is this at Safari Restaurant?

14 A. This is Safari Event Center.

15 Q. Okay.

16 A. Where we used to do the weddings and stuff.

17 Q. The space where we did the weddings, that kind of stuff,
18 that's what we're looking at?

19 A. Yeah.

20 Q. All right. Because obviously you are not hosting any
21 weddings during this time; right?

22 A. Yep.

23 Q. So you are using this space for this process; is that
24 right?

25 A. Yeah, we was using it to, you know --

1 Q. Okay.

2 A. -- give out the food.

3 Q. Next video, please.

4 (Video recording played)

5 Q. More examples of food?

6 A. Yep. This one had beef suqaar and Sambusa, malawah.

7 THE COURT REPORTER: Excuse me. I couldn't
8 understand. Could you repeat that?

9 THE WITNESS: Yeah, that one had beef suqaar and
10 malawah and Sambusa.

11 BY MR. MONTEZ:

12 Q. Beef suqaar, Sambusas?

13 A. Malawah and dates, yeah.

14 Q. All right. Next video, please.

15 Okay. So here we're looking at individually
16 packaged meals; is that right?

17 A. Yep.

18 Q. All right. Let's do some more quick math here. We've
19 got 1, 2, 3, 4, 5, 6, 7, 8 wide; is that right?

20 A. Yep.

21 Q. We got 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 deep; is that
22 right?

23 A. Yeah.

24 Q. One meal in each tray?

25 A. Mm-hmm.

1 Q. At a minimum?

2 A. Yeah.

3 Q. Okay. So we've got 88 meals just right here on this
4 table; is that right?

5 A. Yeah, if you say.

6 Q. Yeah, throw a banana on top, you've doubled it?

7 A. Yeah.

8 Q. So 176 meals?

9 A. 176, yeah.

10 Q. Next, please.

11 Okay. Can you tell the jury what these tables
12 are?

13 A. This is the tables I was talking about earlier.

14 There's -- if you stop -- can you go back a little bit?

15 There's a door on that side. So you have this table here,
16 and the milk is right there, if you can see it, and they
17 have milk ready for them, yep.

18 So the table, that door, whoever come to it, would
19 take the food from that table. You can plate -- there's
20 another table on the other side, same thing, you can take
21 the food from there. There's another table in the front
22 door, same thing. You can take the food from there.
23 There's another table on the other side of the door, you
24 could take food from there. There's four doors. And this
25 big door is -- goes through this one, the big door.

1 Q. So there's tables that are like that that we just saw --

2 A. Yeah.

3 Q. -- set up by each of the four doors at Safari?

4 A. Yeah.

5 Q. So that's not the middle table where we've seen food
6 stacked up before?

7 A. No, that's not the middle table.

8 Q. So you have food that's stacked on the middle table?

9 A. Yeah.

10 Q. You have food that's stacked up on the tables by the
11 door?

12 A. Mm-hmm.

13 Q. You have food that -- is that a yes?

14 A. Yes.

15 Q. You have food that's stacked up in the warmers as well;
16 is that right?

17 A. Yep.

18 Q. Okay. Next video, please.

19 Is this the crew that's working at Safari?

20 A. Yeah, this is the employees, yeah.

21 Q. Next, please.

22 More employees?

23 A. Yeah.

24 Q. Okay. Next.

25 All right. More examples of food that's being

1 served during this time?

2 A. Yeah.

3 Q. And, again, we're talking about May, June, July, August?

4 A. Yeah.

5 Q. Right?

6 A. Yeah.

7 Q. All right. Next video.

8 Okay. Another example of food that's stacked up
9 on that middle table?

10 A. Yeah.

11 Q. Next.

12 Okay. Can you tell the jury what we're looking at
13 in this picture. A lot going on here.

14 A. This is the table we put the food. As you can see,
15 there's -- there's one guy that's doing the rice, second guy
16 will do the meat, the other guy will do the other meat and
17 veggies and all the other stuff, so...

18 And this guy is the guy that -- this guy here is
19 the guy that takes it outside. And that guy right there on
20 this side is taking it outside. This guys stays inside --
21 all these guys stays inside and those guys.

22 Q. On the left, are those those warmers that you were
23 talking about with the food?

24 A. That's the food warmers. And also right now you got
25 four. There maybe some of them by the door go out.

1 Q. Okay.

2 A. So the four.

3 Q. And on the back there, more restaurant supplies stacked
4 up in those boxes against the wall?

5 A. Yeah.

6 Q. All right. So this picture here, this is showing that
7 assembly line that you are talking about?

8 A. Yeah, this is the assembly line, yeah?

9 Q. We have cooks assembling the meals, packaging the meals,
10 and ultimately bringing the meals out; is that right?

11 A. Yeah, yep.

12 Q. Okay. Exit out of there, please.

13 Okay. Last one here.

14 Okay. I want to do some more math here if we
15 could on this table. Okay?

16 How many trays high would you say this is?

17 A. Seven.

18 Q. Five meals in each --

19 A. Yeah.

20 Q. -- row or each box; is that right?

21 A. Mm-hmm.

22 Q. How far back do we go?

23 A. That way?

24 Q. Sure, back, yep.

25 A. Six, I think.

1 Q. Six. And then the long way, how many do we got?

2 A. It would have been nine if this last line was full.

3 Still they put on the plates you can see.

4 Q. Okay.

5 A. I would say eight.

6 Q. Let's say eight just to be on the conservative side.

7 1,680 meals; is that right?

8 A. Yes, that's about --

9 Q. Just on that table right there?

10 A. Yeah.

11 Q. Throw a banana on top, you double it?

12 MR. THOMPSON: Objection, Your Honor. That wildly
13 misstates the testimony.

14 THE COURT: Sustained.

15 BY MR. MONTEZ:

16 Q. Nonetheless, we're looking at almost 1700 meals just on
17 that table right there; is that right?

18 A. Yep.

19 Q. Okay. We can exit out of that, please.

20 Okay. So, Mr. Said, during this time, summer of
21 2020, who's overseeing the day-to-day operations at Safari?

22 A. I was.

23 Q. Okay. And you testified that you're using walkie
24 talkies. You have clipboards, aluminum trays, all that kind
25 of stuff; right?

1 A. Yes.

2 Q. During the months of May, June, July, and August of
3 2020, are you also doing the meal sheets for Safari
4 Restaurant?

5 A. August of 2020, yeah.

6 Q. Okay. Could we pull up what's already been admitted
7 into evidence B53, please. Go to page 25.

8 These some more of those meal sheets that we're
9 talking about from May 2020?

10 A. Yeah.

11 Q. Just kind of scroll through, please.

12 You are signing these meal counts?

13 A. Yes, sir.

14 Q. You there every single day?

15 A. Yeah.

16 Q. Are those meal counts accurate?

17 A. Yeah.

18 Q. Okay. Can we go to B57, please, page 5.

19 More meal counts for June?

20 A. Yeah.

21 Q. Signed by you?

22 A. Yep.

23 Q. Let's go to B62, please, page 3. July?

24 A. Yep.

25 Q. Now we're looking at a different system here. Now we

1 have a meal sheet that's starting to be used in July of
2 2020. Why are we using these meal sheets now?

3 A. This is the time I think summer.

4 Q. Summer food program?

5 A. Summer food program. It changed, you know. They
6 changed the laws or something. It's a different -- the
7 other one was -- I think, this one was -- it had clickers.
8 It's the time we started using that.

9 Q. The clickers?

10 A. Yeah.

11 Q. Okay. And now we're up to 5,000 meals that are being
12 prepared every day; is that right?

13 A. Yep.

14 Q. Is that how many meals you were preparing?

15 A. Yeah. More than that sometimes, but --

16 Q. More than that?

17 A. Yep. More than that sometimes.

18 Q. And you had the number of meals that were being served
19 to children; is that right?

20 A. Yeah.

21 Q. Again, did you ever have any kids come to Safari?

22 A. No, sir.

23 Q. Okay. Can we go to -- what is this? -- 62?

24 Okay. Let's go to B63, 14.

25 And here we are in August 2020. You signing these

1 meal counts too?

2 A. Yes.

3 Q. Are you saying to this jury that Safari Restaurant was
4 actually doing this, they were serving almost 5,000 meals to
5 the community every single day?

6 A. Yes. Every single day we was serving this food.

7 Q. Lunch and snacks?

8 A. Lunch and snacks. It's the same thing I just told you.
9 Lunch and snack when you said, as a paper, it might be a
10 different -- two different papers, but it's the same thing.
11 You giving out lunch in an aluminum container and the snack
12 goes with it. It's not a separate time. On the paper it
13 says it's different things, but it's the same thing. But
14 when you say lunch and snack, people would think it's
15 different things you talking about.

16 Q. They're going out at the --

17 A. It's the same thing, yeah. It's like this napkin and
18 this thing, I'm taking it outside. It's the same thing.
19 But if I make it two different time, it can be a lot of
20 things. It's the same thing.

21 Q. Okay. So now during the summer of 2020 -- we can take
22 that out, please. Thank you.

23 During the summer of 2020, did you start getting
24 reimbursed from Feeding Our Future right away?

25 A. No.

1 Q. Can you tell the jury about that?

2 A. I took -- it took me a month and some days and weeks;
3 and after that, we were just serving food. I think a month,
4 a week after that, we was running out of money. We didn't
5 have no. It wasn't a big company, so it was running -- the
6 money we had in the savings, we bought shoppings and all
7 this stuff and nobody is paying us money.

8 And I started to calling Shafi Qanyare. I
9 started -- keep calling him. And he wasn't answering the
10 phone. And I keep texting him. And one day he answered the
11 phone. He said, Hey, don't worry. We working on it. I
12 will talk to the company and see what they, you know, can do
13 for you. And I said, Hey, man, I just have the last two
14 days, and after that, I'm closing the shop, you know.

15 Q. So you were running out of money?

16 A. I was running out of money. Employees was running out
17 of patience. You know, you working almost going on two
18 months and you no have no \$5 paid and you working seven days
19 a week. You were worried about your money, so --

20 Q. So during April and part of May, you weren't able to pay
21 your employees?

22 A. No.

23 Q. Safari's running out of money?

24 A. Yeah.

25 Q. So when you talked to Shafi, he tells you he's working

1 on it?

2 A. He said he working on it, so that next day I have to go
3 to Restaurant Depot, me and Ahmed Ghedi went to Restaurant
4 Depot to go shopping. We grabbed a lot of shopping, almost
5 worth 3,500, so -- and we supposed to be using the credit
6 card, that business credit card. That one declined.

7 We used -- and after that, we say we might just
8 say in the name of card and use the business card, which we
9 knew was a negative \$15,000 at the time. He said let me
10 just since -- you don't want to get embarrassed in front of
11 the cashiers, so you just want to swipe the next card. So
12 we swipe the next card. It went through.

13 Q. Went through?

14 A. It went through. And we was surprised, we rushed it in
15 the car, we pack everything up. We went to the restaurant
16 -- Safari Restaurant, and dropped the shopping down. And I
17 said, Let me check the card. First time we checked out, I
18 don't know if it was 190 something thousand dollars was in
19 the account.

20 Q. That was the first time you received a reimbursement
21 check from Feeding Our Future?

22 A. Yeah, it was 190 something. I don't remember the number
23 exactly, but --

24 Q. What happened next?

25 A. I told my employees -- I owned them a month and a half.

1 I told them, If I pay you, all you guys, me and Ahmed Ghedi
2 we might not get paid today, so come all you guys. So they
3 all come and we write out checks -- we write out the
4 names -- we had already the names -- the hours and how many
5 hours they worked, and I call Abdulkadir Salah and tell him,
6 you know, you got to cut checks for these people and send it
7 to them.

8 Q. So you called Fish?

9 A. I called Fish to bring the checks -- to print the checks
10 and make the checks for them and bring it.

11 Q. Why did you have to call him?

12 A. Abdulkadir Salah was the guy that was doing the
13 accountant, I never did accountant, so --

14 Q. So Fish comes to the restaurant with the checks?

15 A. He cut the checks. We give it to them. I sign it for
16 them. And --

17 Q. You paid your employees that day?

18 A. I pay my employee. We had like I think, I don't know,
19 30,000, \$35,000 left.

20 Q. You take any money for yourself from this first check?

21 A. No, I did not because we had to go through to the next
22 month until we get the other reimbursements, so -- for the
23 shopping. I did not take no dollar the first time.

24 Q. How did your employees react to this?

25 A. They was very happy, man. I would get happy if I get

1 paid working for almost a month and a half, and it's in a
2 COVID time and he wouldn't have nothing.

3 Q. How did it feel to pay your employees during COVID?

4 A. It was good. It was good. Some of them had kids, you
5 know.

6 Q. Okay. So let's get back to the big picture here. When
7 Safari got its first big check, how did Abdulkadir Salah
8 react to this?

9 A. He was happy. Abdulkadir Salah was happy, and he
10 said -- that's when he started -- you know, kept coming back
11 saying, This how you got to do this, this how you got to do
12 this, you know, try to be a boss.

13 Q. So now all of a sudden Abdulkadir --

14 A. Abdulkadir Salah kept coming back saying, This what you
15 go to do, this what you got to do.

16 Q. He started coming to the restaurant more?

17 A. Yeah.

18 Q. Was he involved in the more of the day-to-day stuff at
19 Safari?

20 A. He started getting involved by -- I think -- he kept
21 coming back, kept coming back. After that, he started
22 involved -- getting involved more, more, more, more, so --

23 Q. So was Safari Restaurant still using TFS, his company,
24 for its bookkeeping at this point?

25 A. Yes. We never left TFS. We was using TFS since --

1 since we got ready.

2 Q. Okay. So at some point does Abdulkadir Salah start to
3 come to the restaurant pretty much every day?

4 A. Yeah.

5 Q. Do you know when about that was?

6 A. August, September, October, one of them, 2020.

7 Q. He starts showing up every day at the restaurant?

8 A. Starts showing up every day at the restaurant. At the
9 time, you know, I told him, you know, if you going to come
10 here every day, you might as well just help the work and,
11 you know, help me out. He said, I am doing the paperwork.
12 I said, give me days off because I'm working seven days a
13 week.

14 Q. So up until this point, you had been working seven days
15 a week?

16 A. Up until 2016, man, I was working almost seven days a
17 week. I might have day off on Sundays.

18 Q. But for a long time you were at the --

19 A. For a long time I was --

20 COURT REPORTER: Whoa, whoa, whoa. I didn't get
21 your question.

22 BY MR. MONTEZ:

23 Q. So for a long time, you are working seven days a week at
24 the restaurant; is that right?

25 A. Yes, I was work --

1 Q. So when Abdulkadir Salah comes in late 2020, did you
2 take some time off?

3 A. My wife had a baby. Our first -- second baby at the
4 time. He was -- my son was like -- when COVID happen was
5 four month old, 4, 5 month old somewhere, six month, I don't
6 know. Say five month.

7 When my wife had the baby, what happened was her
8 grandfather and her grandmother was living at the time in
9 Dallas, Texas. COVID happened to them. They went to --
10 they end up in the hospital. They was in critical
11 condition. The grandmother survived. The grandfather died.
12 So my wife have to leave to Dallas, Texas, and take the
13 kids. She needed help, so --

14 Q. So when Fish says --

15 A. And Fish told me that, you know, you can take a break.
16 Now is the time.

17 Q. Did you decide to do that?

18 A. That's when I started doing that.

19 Q. Okay. Can we pull up what's already been admitted into
20 evidence B65, please. Can we scroll down a little bit?
21 Just get to, yeah, to the meal counts there. Yeah. Sorry.
22 I don't know the page here.

23 Okay. So now we're in September 2020. Can you
24 tell me who's signing these meal counts for Safari
25 Restaurant?

1 A. That's Abdulkadir Salah.

2 Q. Okay. So are you signing meal counts during this time?

3 A. Not this one. I did not sign this one.

4 Q. Not this one?

5 A. Huh-uh.

6 Q. Periodically would you sign meal counts in
7 September 2020?

8 A. Sometimes I used to come around. They used to just say,
9 they'd -- you know, help us once in a while. I might sign
10 something, yeah.

11 Q. Okay. Can we go to B66, please. All right. I thought
12 I had page numbers. Let's see if we can see an example.

13 Okay. So here we are now October 2020. Who's
14 signing these meal counts?

15 A. This is not me. This is Abdulkadir's signature.

16 Q. Okay. So we're not going to go through all of these
17 meal counts that we all love so much, but I'm just going to
18 say if the jury is going to be able to have these available,
19 if they were to look back December 2020, January 2021
20 through December 2021, what are they going to see? Who is
21 signing these meal counts?

22 A. Abdulkadir Salah is signing it.

23 Q. So Abdulkadir Salah starts signing these meal counts?

24 A. What month is it?

25 Q. I'm talking about October 2020 moving forward into 2021.

1 A. Yeah.

2 Q. Now eventually you stopped signing these meal counts
3 altogether?

4 A. Yeah, I stopped signing it sometime in -- I don't
5 remember the dates.

6 Q. Sometime in 2021?

7 A. 2021, yeah.

8 Q. So if the jury were to look at these meal counts, are
9 they going to see that?

10 A. No.

11 Q. Are they going to see that you stopped signing these
12 meal counts at some point?

13 A. Yeah, they will see that -- that I stopped signing the
14 meal counts.

15 Q. So what did you start to do when Abdulkadir Salah
16 started going to the restaurant more often and basically
17 took over control of the day-to-day stuff in 2020? What did
18 you do?

19 A. At the time they had -- TFS was renting a place in 2722
20 Park, the mansion building. They was renting that place
21 that was there. So I started going over there just -- they
22 told me just relax here, so --

23 And I was spending more time with my family, my
24 kids and stuff.

25 Q. Okay. Now you mentioned something about this Park

1 Avenue address. You said that TFS was renting this space?

2 A. Yeah.

3 Q. Can you explain that to the jury?

4 A. The people that owned the property was a client for TFS,
5 the 2722 Park. They was a client for TFS.

6 Q. Okay. So TFS, Total Financial Solutions, who is
7 Abdulkadir Salah's, that's his company with his brother,
8 right?

9 A. Mm-hmm.

10 THE COURT: Is that a yes?

11 THE WITNESS: Yes, yes.

12 BY MR. MONTEZ:

13 Q. They're already renting this space in this mansion
14 building; is that right?

15 A. Yes.

16 Q. So you guys don't own it at this point?

17 A. No, we don't.

18 Q. His company is renting the space?

19 A. Yes.

20 Q. Okay. I want to talk a little bit now about LLCs.
21 Okay?

22 At some point around this time do you obtain an
23 entity called Salim Limited?

24 A. Yes, I did.

25 Q. Can you tell the jury about that?

1 A. I opened Salim Limited 2020. We had Cosmopolitan
2 Business Solution company name. So Associated Bank, when
3 Feeding Our Future put the money in there, they said it was
4 kind of too much in one account.

5 And Abdulkadir already had a idea how to separate
6 with that. You know, bank is getting closed all the time.
7 He had company named 3017. So he said, You can open Salim
8 Limited so you can have your shares, your 33.3 percent
9 shares when we make the profit money, so a place we can put
10 it in. I even asked him, I said, Why not put in my regular
11 account? He said, Anything that happens to you, what
12 happens to you; but if you have LLC, people later they
13 cannot sue you. They have to sue the LLC.

14 Q. This is Fish telling you this information?

15 A. That's Fish telling me that. So that's when I opened
16 LLC. Even Abdirahman Ahmed opened LLC after me, we call
17 Abdirahman too, the same thing.

18 Q. So the three owners of Safari Restaurant, right, you all
19 open up your individual LLCs?

20 A. Yeah.

21 Q. And whose idea was that?

22 A. Abdulkadir Salah. He had his own LLC, 3017, before we
23 open Salim Limited and --

24 Q. And he's the guy that's doing the books for Safari?

25 A. Yes.

1 Q. Before you even are working there?

2 A. Before I was -- yeah, I was -- I was employee one time
3 when he was doing the books, yeah.

4 Q. Okay. Is Total Financial Solution also doing the
5 bookkeeping for Salim Limited LLC? Basically what I'm
6 asking you is: Does Total Financial Solutions also print
7 the checks for Salim Limited?

8 A. Yep. Total Financial Solutions was doing the books for
9 Salim Limited, yes.

10 Q. Okay. Can we pull up what's already been admitted into
11 evidence B13, page 2?

12 Okay. So this is what we saw previously.

13 Can you go to the first page, actually?

14 This was an email that was sent in October of 2020
15 from Eidleh to Feeding Our Future; is that right?

16 A. Yeah. Yes.

17 Q. And this email is instructing Feeding Our Future how to
18 split up the payments; is that right?

19 A. Yes.

20 Q. And it's instructing them to do it in the following
21 three accounts, correct?

22 A. Yes.

23 Q. Okay. Can we go to the next page, please?

24 So here we have Abdirahman Ahmed, that's one of
25 the owners of Cosmopolitan LLC; is that right?

1 A. Yes.

2 Q. And this is a voided check?

3 A. Yes.

4 Q. Did you have access to Chef Abcos's checks?

5 A. No.

6 Q. Who had access to Chef Abcos's checks?

7 A. Chef Abcos's checks?

8 Q. Yes, who had access to his checks?

9 A. Himself.

10 Q. And anybody else?

11 A. Abdulkadir used to do the checks, you know, for a lot of
12 people, but I never had access to the accounts.

13 Q. Okay. Let's go to the next page, please. 30 LLC.

14 Whose LLC is that, 3017?

15 A. That's Fish, Abdulkadir Salah.

16 Q. Did you have access to his checks?

17 A. No.

18 Q. Okay. Let's go to the next page, please.

19 And then here we got Salim Limited LLC. Well, we
20 have Cosmopolitan also. And then we have Salim Limited LLC;
21 is that right?

22 A. Yeah.

23 Q. Okay. So who had access to all of these checks?

24 A. Abdulkadir had access to all these companies. I don't
25 know about if he -- if Abdirahman left him at the end, but

1 Salim Limited, they had access to it.

2 Q. Okay.

3 A. TFS had access to it too; Salim Limited, Cosmopolitan,
4 all those companies.

5 Q. All right. While we're on the topic of Eidleh, did you
6 direct Eidleh to divide the money up this way?

7 A. Did I direct Eidleh to divide the money?

8 Q. Yes.

9 A. No, I did not.

10 Q. So you didn't have any part in this email?

11 A. No, I did not. I -- the money -- the way they divided
12 was 200, I think, it says here, but I never told Eidleh to
13 divide money.

14 Q. Let's talk about Eidleh. Now we've seen some checks
15 that have come directly from Salim Limited to Eidleh. First
16 I want to back up before we get to those to June of 2020.

17 A. Mm-hmm.

18 Q. Okay?

19 In June 2020, Eidleh gets a check from
20 Cosmopolitan Business Solutions; is that right?

21 A. Yes.

22 Q. And you signed this check?

23 A. I got to see the check.

24 Q. Okay. Well, let me ask you this: June 2020, are you
25 still at Safari Restaurant doing the day-to-day stuff?

1 A. June 2020?

2 Q. June 2020.

3 A. Yes, I am.

4 Q. Are you signing checks for Safari Restaurant during this
5 time?

6 A. Yeah.

7 Q. Are you cutting checks --

8 A. No.

9 Q. -- for Safari Restaurant during this time?

10 A. No.

11 Q. Why are you signing the checks at Safari Restaurant
12 during this time?

13 A. 2020, employees was working for me and I was the
14 manager. So you got to pay your employees, but the check
15 was made from TFS, but when they bring it there, I was the
16 one that have to pay them because I knew my employees, who
17 they was, and who they are, and, you know.

18 Q. Okay. So TFS would bring checks to Safari Restaurant?

19 A. Yeah.

20 Q. They are already printed?

21 A. The checks would be printed. It will come to Safari
22 Restaurant. We had a little small office there. And I
23 would be signing the checks to my employees.

24 Q. In 2020, June 2020, did you notice a check that was made
25 out to Eidleh?

1 A. Yeah, there was -- there was a check that was made out
2 to Eidleh in 2020.

3 Q. What did you do when you saw that check?

4 A. I called up Abdulkadir. I said, Why you have a check
5 for Eidleh, the guy that works for Feeding Our Future? He
6 said, He don't work for Feeding Our Future. He's a
7 consultant or contractor or -- he don't work for them. He
8 can work for us too.

9 Q. So Fish says that Eidleh is --

10 A. Fish says that, and I said what is he going to do
11 working --

12 THE COURT: Don't talk over each other.

13 THE COURT REPORTER: Can you say your question?

14 BY MR. MONTEZ:

15 Q. Sure. So Abdulkadir Salah says Eidleh's doing some work
16 for Safari?

17 A. Abdulkadir Salah says Eidleh is going to do some work
18 for Safari Restaurant, yeah.

19 Q. Did he tell you what kind of work he would be doing?

20 MR. THOMPSON: Objection, hearsay.

21 THE COURT: Sustained.

22 MR. MONTEZ: Your Honor, it goes to the effect on
23 the listener.

24 THE COURT: My ruling stands.

25

1 BY MR. MONTEZ:

2 Q. What does he tell you to do with the check?

3 MR. THOMPSON: Objection, hearsay.

4 THE COURT: Sustained.

5 BY MR. MONTEZ:

6 Q. After your conversation with Abdulkadir Salah, did you
7 sign the check?

8 A. Yes, I signed the check. And I call up -- before I sign
9 the check, I give Abdulkadir Salah a call and ask him, What
10 is this check for? He said -- I said, Why we paying Eidleh
11 for a check? He said --

12 MR. THOMPSON: Objection, hearsay.

13 THE COURT: Sustained.

14 BY MR. MONTEZ:

15 Q. Let's not talk about the conversation you had with
16 Abdulkadir Salah. But after you spoke with him, did you
17 sign the check?

18 A. Yes, I did.

19 Q. Okay. And after your conversation with Abdulkadir
20 Salah, were you concerned at all about the check that you
21 were signing over to Mr. Eidleh?

22 A. Yes.

23 Q. Did you express that concern to Abdulkadir Salah?

24 A. Yes, I did.

25 Q. And after your conversation, did that alleviate your

1 concerns?

2 A. Yes.

3 Q. Why?

4 A. He told me he's a contractor and also what's the --

5 Q. Mr. Said, we can't talk about that conversation. But I
6 just want to know why did you feel comfortable signing that
7 check to Mr. Eidleh after your conversation --

8 A. Okay.

9 Q. -- with Mr. Salah?

10 A. Because the reason why I feel my business partner was
11 telling me, you know. There's no reason not to trust my
12 business partner. And this is the same man I been working
13 with 2015 to all the way to 2020. And he's the guy we trust
14 with the money and do the accountant, the booking, the
15 taxes, everything for the company. So there's no reason for
16 me not to trust him.

17 Q. So during your time working at Safari and along with
18 Abdulkadir Nur Salah, did you continue to sign checks over
19 to Abdikerm Eidleh?

20 A. Did I what?

21 Q. Did you continue to sign checks to Abdikerm Eidleh?

22 A. Yes.

23 Q. Why did you do that?

24 A. Sometimes Abdulkadir will tell me the checks --

25 Cosmopolitan Business Solution doesn't have enough money.

1 He will bring me a check and sign it -- and just sign it for
2 him. And he will tell me, I will pay you back from
3 Cosmopolitan Business Solutions.

4 Q. Did you ever notice these checks were getting bigger and
5 bigger?

6 A. I seen a couple times.

7 Q. That the checks were getting bigger?

8 A. Yeah.

9 Q. Did you question this?

10 A. I questioned him, but he said he's doing a lot of work
11 for us. He was going to ASA. He was going to a lot of
12 places for him, so --

13 Q. And we're going to get to that, but since we're kind of
14 on that topic, eventually more sites start getting opened
15 up; is that right?

16 A. Yeah.

17 Q. ASA, other sites as well?

18 A. Mm-hmm.

19 Q. Is that a yes?

20 A. Yes.

21 Q. Does that also kind of match up with the timeline of
22 Mr. Eidleh's checks getting bigger?

23 A. Yes.

24 Q. Did you accept what Abdulkadir Salah was telling you?

25 A. Did I accept?

1 Q. Did you believe what he was telling you?

2 A. Yes, yes, I did.

3 Q. So let me just ask you point blank, okay? Did you ever
4 have a conversation with Eidleh about paying kickbacks to
5 him or anybody else so Safari could participate in the Child
6 Nutrition Program?

7 A. No, I did not. Why would I have a kickback with Eidleh
8 when I was already in the business? Feeding Our Future was
9 before Eidleh. I was doing with Shafi. Why would I have
10 kickback with Eidleh?

11 Q. Was it your intention by giving money to Eidleh that
12 Safari could continue to operate in the Child Nutrition
13 Program?

14 A. No, it wasn't. No.

15 Q. Were you paying him a bribe?

16 A. No.

17 Q. Okay. While we're on the topic of checks, I kind of
18 want to talk a little bit about this Cosmopolitan business
19 account. Okay?

20 Can we go to W4, page 54, please. It's already
21 been admitted into evidence.

22 As part of your role as the manager at Safari,
23 were you paying your employees payroll checks?

24 A. I was signing it, yeah.

25 Q. Let's go to the bottom --

1 A. Paying them, yeah.

2 Q. Let's go to the bottom check here, if we could, and blow
3 that up.

4 Whose name is that in the signature section?

5 A. I don't sign like that, but that is my name, Salim Said.
6 And it paid Daadir Galayr. It's the police officer.

7 Q. That's your name?

8 A. Somebody is signing my name, but they paying the police
9 officer that was working there.

10 Q. Is that your signature?

11 A. That's not my signature, but --

12 Q. So are there checks coming out of Cosmopolitan Business
13 account purportedly signed by you that were not actually
14 signed by you?

15 A. You can say, because this is not my signature, I'll tell
16 you that. That is my name. Somebody --

17 Q. Let's back out of that. Let's go to the check right
18 above that.

19 A. That's my signature right here. All this other stuff.

20 Q. Is that your signature?

21 A. That's my signature.

22 Q. Okay. Let's back out of that, please.

23 Now at some point Fish takes over the day-to-day
24 stuff at Safari. Does he also take over complete control of
25 the Cosmopolitan bank account at one point as well?

1 A. Yeah, there was a -- there was a time we had Associated
2 Bank and Associated Bank let us go. We went to Bridgewater
3 Bank. Bridgewater Bank closed it. And we went, I think --
4 I don't know if it was in that Wells Fargo Bank, but I think
5 we went to Wells Fargo. I don't know.

6 By that time -- after that, Abdulkadir Salah was
7 like they closing the banks, because you the problem or
8 Abdirahman Ahmed is the problem, so I'm going to open a
9 bank. I will figure out another bank. And we was waiting
10 for him. He never came back to us. And Cosmopolitan had
11 another bank, I think named Bell Bank.

12 Q. Okay. Can we pull up what's already been admitted into
13 evidence W8, please. Okay. Let's highlight the top portion
14 with the date, please.

15 Can you tell the jury what we're looking at here?

16 A. Yeah, this is Bell Bank.

17 Q. Bell Bank?

18 A. Yeah.

19 Q. What's the date on this?

20 A. The Bell Bank was 7/14/2021.

21 Q. Okay. So at some time July 2021 a bank account is
22 opened at Bell Bank on behalf of Cosmopolitan Business
23 Solutions; is that right?

24 A. Yes, sir.

25 Q. Can we back out of that, please. Let's go to the

1 signature on the business account there.

2 Who's on that?

3 A. Abdulkadir Salah.

4 Q. Are you on that?

5 A. No, I'm not.

6 Q. Okay. Can we go to the next page, please?

7 Okay. Who signs this?

8 A. Same signature, Abdulkadir Salah.

9 Q. And what's his title?

10 A. President.

11 Q. Okay. So are you on the Cosmopolitan bank account
12 July 2021?

13 A. No, I'm not. But it's --

14 Q. Who is on the bank account July 2021?

15 A. Abdulkadir Salah, but it's just surprising. Three
16 owners, though. Why would he open a bank?

17 Q. Okay. Can we exit out of that, please.

18 Okay. Moving forward now, I want to talk a little
19 bit about ASA Limited. Are you familiar with an entity ASA
20 Limited?

21 A. Yes.

22 Q. What's that?

23 A. ASA Limited is entity that me and Ahmed Ghedi and
24 Abdihakim Ahmed.

25 COURT REPORTER: What?

1 THE WITNESS: Ahmed Ghedi and Abdihakim Ahmed and
2 Salim Said.

3 BY MR. MONTEZ:

4 Q. Okay. So one A is for Ahmed Ghedi, right?

5 A. Mm-hmm.

6 Q. Is that a yes?

7 A. Ahmed Ghedi is the first A. Salim is the S. A is
8 Abdihakim, the third.

9 Q. Abdihakim Ahmed?

10 A. Yeah.

11 Q. Can you tell the jury why this entity was created?

12 A. Why the entity was create?

13 Q. Right.

14 A. We created ASA -- actually, I did not come up with ASA.
15 Abdihakim Ahmed came to me and said, I found a place so we
16 can open another business in St. Paul. He found a location.

17 Ahmed Ghedi was there at the time. And I said --
18 me and Ahmed Ghedi, we told him that if you're going to open
19 a business, we cannot run day-to-day operation because we
20 already working at Safari and we're too busy. You can -- we
21 can -- if you going to manage it and run the business, you
22 can go ahead. He said, I will want you guys to invest. I
23 will do the work. So we invest, me and Ahmed Ghedi.

24 Q. So you and Ahmed Ghedi invest financially into ASA
25 Limited?

1 A. Yeah.

2 Q. What's Abdihakim Ahmed's role in ASA Limited?

3 A. Managing and doing the work.

4 Q. Okay. So let's talk about the location of this site
5 that we're talking about ASA Limited. Where is this site
6 located?

7 A. ASA Limited located in McKnight. The strip you guys
8 seen has -- it has a whole mosque, same strip, Somali mosque
9 under it. And it has a, say, a whole neighborhood called
10 McKnight, nothing about Somalis, and also has buildings,
11 nothing but Somalis, and the same distribution as whole
12 apartments called Shamrock. It's the same thing. It's
13 nothing but Somalis. Shamrock has 50 or 30, Somalis are say
14 30 percent Shamrock, but McKnight is 70 percent Somalis and
15 McKnight, they call McKnight neighborhood, but has a
16 different neighborhood.

17 Q. Okay. So you are kind of familiar with this area; is
18 that right?

19 A. I went twice in the place. First time when I went
20 there, I was trying to see if they could get more customers,
21 because the reason why Abdihakim opened this place, he keep
22 seeing people come from all the way from St. Paul to Safari
23 Restaurant, saying why you guys not opening a restaurant at
24 McKnight. There's a lot of Somalis. So we have to go check
25 it out.

1 I went over there checked it out with him. I seen
2 the neighborhood. There was another neighborhood. There
3 was another neighborhood. There's a whole Shamrock
4 neighborhood. And after that, that same strip, it has a
5 mosque, gas, Somali gas station. It's a Somalian area in
6 St. Paul.

7 Q. Okay. And your role in this, you're going to put up
8 some money; is that right?

9 A. Yeah.

10 Q. Can we pull up what's already been admitted into
11 evidence W23, page 23. Okay. And if we go to the bottom
12 check here.

13 Can you tell the jury what we're looking at here?

14 A. That Salim Limited paid ASA Limited 35, 35,000.

15 Q. Why would you pay ASA Limited \$35,000?

16 A. To start the, it was -- I paid more than that. I don't
17 know if you have the checks.

18 Q. We're getting there.

19 A. To start the investment. To start the work for them.

20 Q. What do you mean by --

21 A. Buy like, you know, fridges, food warmers, the supplies
22 for the restaurant. First, when you start restaurant, you
23 got to buy the supplies.

24 Q. Okay. So this check's dated October 4th, 2020; is that
25 right?

1 A. Yes.

2 Q. Okay. Can we go down two pages to page 25, please. Go
3 to the top.

4 What do we see here on October 10th?

5 A. 30,000. 30,000.

6 Q. From you to ASA?

7 A. Yes.

8 Q. Okay. So in October 2020 you've now given ASA Limited
9 \$60,000; is that right?

10 A. Six, yeah.

11 Q. Okay. Can we exit out of that.

12 Did Ahmed Ghedi put down money also?

13 A. Oh, yeah, he did. He did put down money.

14 Q. Okay. Now you mentioned that you went to this ASA site
15 a couple times. Tell the jury about that.

16 A. I went to the place a couple times. It was, it was -- I
17 will not say either, but they had a lot of Somali community
18 people up there.

19 Q. Did you show employees basically how the program worked,
20 things like that, in terms of how to --

21 A. Yeah.

22 Q. -- serve food?

23 A. Already Abdihakim Ahmed, we train him at Safari. He
24 knew everything. And we went over there, and he was
25 explaining everything to them, and he hired employees.

1 Abdihakim was running the day-to-day operation because he
2 did not put any investment. It was his job to take over the
3 place.

4 Q. Did you do any work over at ASA Limited?

5 A. No.

6 Q. You never did any work over there?

7 A. I never worked at ASA.

8 Q. Did we look at a couple maps of this area before you
9 testified today?

10 A. Yes, we did.

11 MR. MONTEZ: Your Honor, the defense offers
12 D3-255, D3-256 into evidence.

13 MR. THOMPSON: No objection.

14 MR. UDOIBOK: No objection.

15 THE COURT: 255 and 256 of D3 are admitted.

16 BY MR. MONTEZ:

17 Q. Okay. So, Mr. Said, is this a picture of Shamrock
18 plaza's signage that we're looking at here?

19 A. Yep.

20 Q. You can see where it says Gurey Deli in there?

21 A. Right.

22 Q. Is that where the ASA Limited site was?

23 A. Yes.

24 Q. And then below that do you see where it says Ramadan
25 Center?

1 A. Yes.

2 Q. What's that?

3 A. That's the mosque.

4 Q. Where is that mosque located?

5 A. Same. Same place.

6 Q. Same strip mall?

7 A. Mm-hmm.

8 Q. Is that a yes?

9 A. Yes.

10 Q. I have to remind you. I know it's not normal to have
11 conversations like this, but just talk into the microphone
12 nice and clear and you have to answer out loud. Okay?

13 A. Okay.

14 Q. Okay. Let's exit out of that please and go to the next
15 slide.

16 Okay. What are we looking at in this picture?

17 A. You looking at the mosque, the Ramadan Center.

18 Q. So that's the Ramadan Center that's located in that same
19 strip mall?

20 A. Yeah.

21 Q. So there's literally a mosque that's in the same strip
22 mall as the ASA Limited site; is that right?

23 A. Yes. Yes, sir.

24 Q. So when you saw all of this, what did you think?

25 A. Well, you -- a mosque, everybody goes to the mosque.

1 Five -- it's five times a day, the prayer. So parents will
2 come to the mosque; and when they see free food or free any
3 kids, they will literally --

4 MR. THOMPSON: Objection. Foundation. The
5 witness testified he'd only been there twice.

6 THE COURT: Foundation is sustained.

7 Can you ask another question?

8 MR. MONTEZ: Sure.

9 BY MR. MONTEZ:

10 Q. Were you aware at the time that you agreed to open up
11 the site that there was a mosque located in that building?

12 A. Yes.

13 Q. Okay. So what did you think when Abdihakim Ahmed had
14 suggested this site? Did you think it would be a good
15 place?

16 A. Yes.

17 Q. Okay. Let's talk a little bit about Mohamed Liban. Did
18 he also take videos at this site, to your knowledge?

19 A. Yes, he did.

20 Q. Did you post videos on his social media pages of this
21 site, to your knowledge?

22 A. Yes.

23 Q. Did you watch any of these videos?

24 A. Yes, I did.

25 Q. When you watched these videos, what did you think?

1 A. They were making up the same menu we make. Actually,
2 some of the cooks, you know, before they start ASA, the
3 chefs, we train them. So when they giving out food, they
4 giving out the same test as Safari Restaurant food.

5 Q. Is that what you thought?

6 A. That's what we train them for, so -- the restaurant.

7 Q. Okay. Did you ever sign any meal counts for ASA?

8 A. Did I what?

9 Q. Did you ever sign any meal counts for ASA?

10 A. No.

11 Q. Did you ever send any meal counts from ASA to anybody at
12 Feeding Our Future?

13 A. Not that I know of.

14 Q. Okay. So if the jury looks at all of the meal counts
15 from ASA, are they going to see your signature on these meal
16 counts?

17 A. No, no.

18 Q. Did you ever go to ASA and verify any of the information
19 that was being submitted to Feeding Our Future from ASA?

20 A. No, I did not.

21 Q. Did you personally count or sign off on any of those
22 meal sheets verifying that that information was accurate?

23 A. Did I sign what?

24 Q. Any of those meal sheets verifying that that information
25 was accurate?

1 A. No, I did not sign anything.

2 Q. Did you believe ASA was serving meals?

3 A. Yes.

4 Q. Why?

5 A. I used to watch the Snapchat that Liban posts, one.

6 And, two, some of the chefs that used to work there, I know
7 them. So they was going four in the morning up there same
8 as Safari Restaurant.

9 Q. Were you serving them any meals at Safari Restaurant
10 during that time?

11 A. Was I serving meals at Safari Restaurant?

12 Q. Right.

13 A. Yes.

14 Q. Okay. Let's talk a little bit about fake rosters.
15 Okay.

16 So we've seen some emails back and forth about a
17 purported fake roster that was generated. Do you remember
18 seeing that evidence and hearing that testimony?

19 A. Yes.

20 Q. Okay. I'm just going to ask you point blank. Did you
21 ever make a fake roster?

22 A. No, I did not.

23 Q. Did you ever direct anybody to create a fake roster of
24 children?

25 A. No, sir.

1 Q. Did you know that other people were working with each
2 other to create a fake roster?

3 A. No, I did not know that.

4 Q. Back in April 2020, were you already using a roster?

5 A. Yeah.

6 Q. How did that roster get created?

7 A. It's the same one that you show me earlier, 2020, when
8 we used to go to the cars and write down people names and
9 all that stuff. That's what I was doing.

10 Q. When you made that roster, were you using some random
11 equation to generate a number for an age?

12 A. No, sir. No, sir.

13 Q. Were you searching the internet for surnames to put into
14 that roster?

15 A. Never.

16 Q. What were you doing?

17 A. Was going to the parents and asking them their first and
18 last name, was actually writing down the addresses and phone
19 numbers. So this is real names, real families, and people
20 that live in Cedar or somewhere in Minneapolis.

21 Q. All right. I want to take a look at this email chain
22 about this fake roster. Okay?

23 A. Okay.

24 Q. Can we pull up C19, please. Okay.

25 We've seen this email a bit, but I got to break it

1 down. All right?

2 A. Okay.

3 Q. This is an email from TFS Auditors to Abdihakim Ahmed.
4 Who is Abdihakim Ahmed?

5 A. ASA.

6 Q. ASA?

7 A. Yeah.

8 Q. The guy who is doing the day-to-day stuff at ASA?

9 A. Yeah.

10 Q. Okay. This is an October 7th email that's sent at
11 1:57 p.m. And it says template attendance sheet; is that
12 right?

13 A. Yeah.

14 Q. Okay. Can we go to C20, please.

15 Now we have an email from Abdihakim Ahmed, who is
16 managing the ASA site, over to Faaris Studios; is that
17 right?

18 A. Yes.

19 Q. This is at 2:44 p.m.?

20 A. Yes.

21 Q. It says, "Can you make all the kids ages 6 to 17?" Is
22 that right?

23 A. Yes.

24 Q. Are you on this email?

25 A. No, I don't see my name.

1 Q. Okay. Let's go to C21, please.

2 This is an email from Faaris Studios back to
3 Abdihakim Ahmed with a list of the names and some
4 hyperlinks; is that right?

5 A. Yes.

6 Q. This is at 7:14 p.m.; is that right?

7 A. 7:14, yes.

8 Q. Okay. Let's go to C22, please. Email from Abdihakim
9 Ahmed to TFS Auditors.

10 By the way, who is TFS Auditors?

11 A. TFS is the same company Abdulkadir Salah and Salah
12 company.

13 Q. Salah Donyale?

14 A. Yeah.

15 Q. Ahmed Omar-Hashim?

16 A. Yes.

17 Q. Okay. So we have an email going from Abdihakim Ahmed
18 over to TFS Auditors; is that right?

19 A. Yeah.

20 Q. And you're copied on this email; is that right?

21 A. Yes.

22 MR. THOMPSON: Objection. He's not copied. He's
23 sent it.

24 BY MR. MONTEZ:

25 Q. Okay. Sorry. You are a direct recipient of this email

1 along with TFS Auditors; is that right?

2 A. I was sent this email to me or I sent it?

3 Q. Was this email sent to you?

4 A. It was forwarded to me, it looks like it.

5 Q. Did you receive this email?

6 A. Which email was this, though?

7 Q. So this is an email coming from Abdihakim Ahmed, and the
8 attachments says, ASA September kids count, final. Is that
9 right?

10 A. Yeah.

11 Q. Now, this is the email that contains the roster
12 information that's already been inserted into the roster.
13 Can we scroll down, please.

14 Is that right?

15 A. Okay.

16 Q. So that information has already been inserted into this
17 roster; is that right?

18 A. Yes.

19 Q. Have you ever seen this email?

20 A. Not that I remember. No.

21 Q. Did you ever do anything with this email?

22 A. No, I never did anything with this email.

23 Q. Okay. Can we go to C23, please.

24 So now this is an email with that roster from
25 Abdihakim Ahmed going over to Horseed Management; is that

1 right?

2 A. Yes.

3 Q. Are you on this email?

4 A. No.

5 Q. Okay. Let's go to C --

6 A. I think the bottom of it is different.

7 Q. Yeah, so basically that's the last email that we saw.

8 Now that email is being forwarded over to Horseed

9 Management; is that right?

10 A. Oh, okay. Yes.

11 Q. Okay. Can we go to C24, please. Email from TFS
12 Auditors. Again, that's Fish and his brother's company;
13 right?

14 A. Yes.

15 Q. Over to Abdihakim Ahmed?

16 A. Yes.

17 Q. You on this email?

18 A. No.

19 Q. Let's go to C25, please.

20 Email from TFS Auditors, Fish and his brother,
21 over to Abdihakim Ahmed. You on this email?

22 A. No.

23 Q. Let's go to C26, please.

24 Okay. Now it's Friday, October 8th, 2021.

25 There's an email that's sent from Abdihakim Ahmed to the

1 claims department at Feeding Our Future; is that right?

2 A. Yes.

3 Q. Are you on this email?

4 A. No.

5 Q. Mr. Said, did you have anything to do with the creation,
6 distribution, or submission of this roster to Feeding Our
7 Future?

8 A. No, sir, no.

9 Q. Did you need to make a fake roster for any reason?

10 A. No.

11 Q. Okay. Can we back out of that, please.

12 Okay. I want to talk a little bit now about some
13 of these other sites. Okay?

14 Besides ASA, did you invest financially into any
15 other companies that participated in the food program?

16 A. Yeah, I invest Olive Management, I invest Tunyar
17 Trading, I invest Horseed Management, and also invest --
18 there's another company -- Feeding Our Youth I also invest.
19 I invest a couple of businesses.

20 Q. Okay. So let's talk a little bit about that. Why did
21 you start investing in some of these companies?

22 A. Well, when I stop working at Safari and Abdulkadir took
23 over and I had nothing to do, I went to the building. I was
24 just staying at the building. At the time Abdulkadir would
25 come to me and say, You know, we have people that same as

1 ASA can work at this place, can open this place, and
2 you if -- we're going to invest them.

3 Q. So he suggested to invest in some of these other sites?

4 A. Some of these other sites, and I was just investing in
5 business.

6 Q. Okay. So let's talk about some of these sites.

7 Particularly I want to talk about this phrase Safari group
8 that we've been hearing. Okay. We've heard that phrase
9 used repeatedly throughout this trial; is that fair to say?

10 A. Yep.

11 Q. And I think at one point the government even said we're
12 going to use this phrase for lack of a better term. Do you
13 remember hearing that?

14 A. Yeah.

15 Q. Okay. So let's talk about it. Safari group. There's
16 been statements made throughout this trial that there's a
17 bunch of sites that are under the Safari group.

18 A. Yeah.

19 Q. Are you the leader of an entity called the Safari group?

20 A. A leader of Safari group?

21 Q. Right.

22 A. There's no Safari group, man.

23 Q. There's no Safari group?

24 A. There is no Safari group, man.

25 Q. Okay. So let's talk about some of these entities then.

1 Let's talk about Olive Management.

2 A. Mm-hmm.

3 Q. Okay?

4 Can we pull up E2. It's already been admitted
5 into evidence. Scroll down here. No. Scroll down, please,
6 to the next page. Is this it?

7 MR. THOMPSON: I think so.

8 MR. MONTEZ: All right. Let's try E1.

9 BY MR. MONTEZ:

10 Q. Okay. So this is a registration for Olive Management;
11 is that right?

12 A. Yep.

13 Q. Can you tell me who the owner is of Olive Management?

14 A. Olive Management owner --

15 Q. Do you see under Article 4?

16 A. -- is Ahmed -- Ahmed Omar.

17 Q. Is that Ahmed Omar-Hashim?

18 A. Yeah.

19 Q. Is that Fish's brother?

20 A. Fish's older brother, yeah.

21 Q. Okay. Did you give some money to Olive Management in
22 2020?

23 A. Yes, I did.

24 Q. Can we go to W25, page 36, please.

25 Okay. So here we are November 2020. Okay. So

1 right around the same time that you stopped going to Safari
2 Restaurant doing the day-to-day stuff; right?

3 A. Yes.

4 Q. Same time Fish is doing the day-to-day stuff at Safari;
5 is that correct?

6 A. Yes.

7 Q. You are making a \$25,000 payment to Olive Management; is
8 that right?

9 A. Yep.

10 Q. Can we go to page 60, please. Let's do -- okay. Go to
11 page 116, please. Or it's W34, 116. Already been admitted
12 into evidence.

13 Do you see what this is?

14 A. Yeah, I see.

15 Q. \$20,000 cashier check to Olive Management; is that
16 right?

17 A. I don't think I paid 20,000 cashier check.

18 Q. Do you see on the bottom where it says, Remitter 3017
19 LLC?

20 A. Yes, I see it there.

21 Q. Whose LLC is that?

22 A. That's Abdulkadir Salah.

23 Q. Okay. So you and Abdulkadir Salah are both giving money
24 to Olive Management LLC; is that right?

25 A. Yes.

1 Q. This one's from September 2020. Yours was from
2 November 2020. Is that right?

3 A. Yep.

4 Q. Can we go to page 116, please?

5 MR. THOMPSON: This is 116.

6 MR. MONTEZ: 118.

7 BY MR. MONTEZ:

8 Q. Is this another \$50,000 cashier's check from?

9 A. 3017.

10 Q. To Olive Management?

11 A. To Olive Management, yeah.

12 Q. Okay. So let's go to 120, please.

13 \$20,000 check from Cosmopolitan Business Solutions
14 into Olive Management; is that right?

15 A. Yes.

16 Q. This is November 2020?

17 A. Yes.

18 Q. Let's go to page 124, please.

19 And here we see a \$50,000 check from Cosmo
20 Solutions over to Olive Management; is that correct?

21 A. Yes.

22 Q. Signed by you?

23 A. Yes.

24 Q. So this is November 2020 time period; is that right?

25 A. Yes.

1 Q. So you and Fish have now sent well over \$150,000 to
2 Olive Management; is that right?

3 A. There was -- I'm not seeing -- there was -- there was
4 one time he told me to pay a restaurant that, the restaurant
5 for Olive Management.

6 Q. What do you mean by that?

7 A. The restaurant -- he tell me to pay -- they was buying
8 groceries from the restaurant. He told me to pay them
9 Hormud or something, the name I think. I don't know. Yeah,
10 pay some money to those people one time. I don't remember.

11 Q. Okay. Why are you and Fish paying all this money to
12 Olive Management?

13 A. Fish was saying we going to invest -- do more
14 investment, and it was his older brother. He said, He knows
15 how to do the job by now. He trained him, so --

16 Q. Was this to open up another site?

17 A. Yeah.

18 Q. And why are you giving this money to the site?

19 A. Well, I was investing. You know, my accountant told me
20 we going to invest and make more money, so -- so it was all
21 about business, so --

22 Q. Okay. So before you started getting big checks from
23 Olive Management, were you sending out big checks --

24 A. Yeah.

25 Q. -- to Olive Management?

1 A. Yes.

2 Q. Okay. I want to talk now about Brava Restaurant.

3 We can clear the screen, please. Thank you.

4 THE COURT: If we're going to start at Brava,
5 we're going to take a lunch break.

6 MR. MONTEZ: Okay.

7 THE COURT: All right. We'll come back at 1:25,
8 everyone.

9 All rise for the jury.

10

11

IN OPEN COURT

12

(JURY NOT PRESENT)

13

THE COURT: You may step down, sir.

14

We're in recess until 1:25.

15

(Recess taken at 12:25 p.m. till 1:31 p.m.)

16

IN OPEN COURT

17

(JURY PRESENT)

18

THE COURT: You may all be seated.

19

And Mr. Montez, you may continue.

20

MR. MONTEZ: Thank you, Your Honor.

21

BY MR. MONTEZ:

22

Q. Okay. Mr. Said, let's kind of get re-oriented here.

23

So before the break we were talking a bit about

24

some of these other sites. Do you remember that?

25

A. Yes.

1 Q. We just went through Olive Management. Do you remember
2 that?

3 A. Yes.

4 Q. We saw a series of checks that were going out from you
5 and Abdulkadir Nur Salah to Olive Management; is that right?

6 A. Yes.

7 Q. Okay. Now I want to talk a little bit about Brava
8 Restaurant. Are you familiar with Brava Restaurant?

9 A. Yes.

10 Q. Are you familiar with an individual Sharmake Jama?

11 A. Yes.

12 Q. He came in here to testify earlier in this trial; is
13 that right?

14 A. Yes.

15 Q. Do you remember during his testimony he said the first
16 time he met you was in 2020?

17 A. Yes.

18 Q. Is that true?

19 A. No.

20 Q. Can you tell the jury what you mean by that?

21 A. I met Sharmake Jama in 2018, and a cousin is married to
22 his sister. Asha Jama. So I know the whole family before
23 2020.

24 Q. You knew the -- his family before 2020?

25 A. Yeah.

1 Q. How, again?

2 A. What was that?

3 Q. How did you know him, again?

4 A. Our cousin is married to his sister.

5 Q. Your cousin is married to his sister?

6 A. Yes.

7 Q. Okay. Did you give any money to Sharmake Jama before
8 2020?

9 A. 2018, 2019 Sharmake used to come to me. The Brava
10 Restaurant wasn't doing well. He used to borrow money from
11 me. There was a time he took 10,000, 20,000, 5,000. It
12 adds up.

13 So by the time it was 2019 and COVID hits, I call
14 Sharmake Jama. I call actually my cousin and I told him,
15 Hey, you got to talk to your in-laws. I need the money
16 because 2020 COVID hit. You know, that's when we was going
17 through rough times when Feeding Our Future wasn't -- did
18 not pay us the money to go shopping. We didn't have no
19 money.

20 Q. Okay. So prior to COVID hitting in 2020, you had
21 already lent Sharmake Jama a decent amount of money; is that
22 right?

23 A. Yes. Yes.

24 Q. Okay. So when he came in and said that the first time
25 he met you in 2020, was that true?

1 A. No, that wasn't true.

2 MR. THOMPSON: Objection, Your Honor. That
3 misstates his testimony.

4 THE COURT: The jury will recall the testimony.

5 BY MR. MONTEZ:

6 Q. Was that true?

7 A. No, that wasn't true.

8 Q. Okay. Can we pull up what's already been admitted into
9 evidence W25, page 36. Second check, please.

10 So this is a check from November of 2020 from
11 Salim Limited to Brava Restaurant; is that right?

12 A. Yes.

13 Q. This check is for \$20,000?

14 A. Yes.

15 Q. So did you send Brava Restaurant a \$20,000 check in
16 November 2020?

17 A. I did not send it to him. He came to pick it up.

18 Q. Okay. But you gave him a check?

19 A. Yeah.

20 Q. Okay. Now, eventually you got some money from Brava
21 Restaurant; is that right?

22 A. Yeah.

23 Q. Okay. But before you got money from Brava Restaurant,
24 you had sent money to Brava Restaurant?

25 A. Yeah. Yep, I did.

1 Q. Okay. Now I want to talk about Horseed Management.

2 Okay? Can we pull up W25, page 38.

3 Can you tell the jury what we're looking at here.

4 A. This is Horseed Management, \$7,000.

5 Q. A \$70,000 check?

6 A. \$70,000 check from Salim Limited to Horseed Management.

7 Q. And this is in December 2020?

8 A. Yep.

9 Q. Can we go to page 41, please of W25, 41.

10 December 29th, 2020, a \$50,000 check going to
11 Horseed Management from Salim Limited; is that right?

12 A. Yes.

13 Q. Okay. So you eventually got some money from Horseed; is
14 that right?

15 A. Yes.

16 Q. But before that, \$120,000 going out; is that true?

17 A. Yes.

18 Q. Okay. Now I want to talk about Tunyar Trading. Can we
19 go to W22, 64, please.

20 Can you tell the jury what we're looking at here.

21 A. This is Salim Limited LLC, \$20,000, but this is not my
22 signature again.

23 Q. Did you sign that check?

24 A. I did not sign that check. That's not my signature.

25 Q. Okay. Can we go down to the next page, please. Yeah,

1 there we are.

2 A. Tunyar Trading to Salim Limited. Yeah, I signed this
3 one.

4 Q. Okay. So this is a \$5,000 check on December 16, 2020,
5 from Salim Limited to Tunyar Trading; is that right?

6 A. Yes, sir.

7 Q. Did you sign this check?

8 A. Yep.

9 Q. All right. Go to the next page, please.

10 \$6,000 check from Salim Limited to Tunyar Trading?

11 A. Yes, sir.

12 Q. And you signed this one?

13 A. Yeah.

14 Q. Next page, please.

15 \$20,000 check from December 16th, 2020, to Tunyar
16 Trading; is that right?

17 A. Yes, sir. I signed this one too.

18 Q. All right. Can we go to the next page, please.

19 And, finally, we've got a \$14,000 check going out.
20 Did you sign this check?

21 A. Not this one, no.

22 Q. Okay. But you had signed some of these checks; is that
23 true?

24 A. Yes, I did, yeah.

25 Q. And you eventually got some money back from Tunyar

1 Trading; is that right?

2 A. Yes.

3 Q. But before you got money back, did you send money out?

4 A. Yeah.

5 Q. Okay. We can clear that off the screen, please. Thank
6 you.

7 Okay. Now I want to talk a little bit about this
8 catering contract between Safari Restaurant and Feeding Our
9 Future.

10 Can we pull up B24, please.

11 Can you tell me whose name we see on this email.

12 A. Abdulkadir Salah.

13 Q. Abdulkadir Salah?

14 A. Yeah.

15 Q. Okay. And this is in July of 2021; is that right?

16 A. Yeah.

17 Q. Okay. Just kind of scrolling down a little bit, please.

18 This is the catering contract between Feeding Our
19 Future and Safari Restaurant, Cosmopolitan Business
20 Solutions; is that right?

21 A. Yep.

22 Q. Can we keep scrolling down a little bit, please. Keep
23 going.

24 Okay. Can you tell me who's the authorized
25 representative on this contract.

1 A. Abdulkadir Salah.

2 Q. All right. And just so we can orient the jury to what
3 we are talking about here, do you remember hearing testimony
4 about Safari Restaurant providing catering service to a
5 number of different restaurants during 2021? Do you
6 remember hearing testimony about that?

7 A. Yes.

8 Q. Specifically, there were statements made that Safari
9 Restaurant was purportedly vending 20,000 meals,
10 approximately, during that time?

11 A. Yes. I heard that, yeah.

12 Q. Okay. Can you tell me who's on this vending contract?

13 A. Abdulkadir Salah.

14 Q. Can we go to B25, please.

15 Now, this is an email. Can you tell me who this
16 email is from?

17 A. This is from Farhiyo Moalim.

18 Q. All right. Let's remind the jury. Who is Farhiyo
19 Moalim. Do you remember who that is?

20 A. That's -- yeah, Farhiyo Moalim is the girl that was
21 testifying from -- she used to work at TFS. She testified
22 on me.

23 Q. So she's the lady that came in and testified. She's
24 from Total Financial Solutions; is that right?

25 A. Yes.

1 Q. Abdulkadir Nur Salah and his brother's company?

2 A. Yeah.

3 Q. So she is sending claims to Feeding Our Future. And
4 what does that attachment say?

5 A. "Invoices from Safari sites."

6 Q. For the Safari sites?

7 A. Yeah, PDF.

8 Q. What's the date on that?

9 A. August 3rd, 2021.

10 Q. Okay. So can we scroll down on this, please, just page
11 through this.

12 These are all those invoices that we were just
13 talking about; is that right?

14 A. Yeah.

15 Q. So these are the invoices from July 2021 that are being
16 sent from TFS staff over to the claims department at Feeding
17 Our Future; is that right?

18 A. Yes.

19 Q. Now, did something else significant happen to the bank
20 account in July 2021?

21 A. Yes.

22 Q. What happened?

23 A. I wasn't -- I wasn't at the bank of -- I wasn't a signer
24 at the bank.

25 Q. You weren't on the bank account anymore?

1 A. At Cosmopolitan, yeah.

2 Q. Were you involved in this catering contract with Feeding
3 Our Future?

4 A. No.

5 Q. Okay. Now I want to talk a little bit about some of
6 these text messages, about these checks that we've been
7 seeing.

8 There's been some pictures of checks between you
9 and Ms. Bock. Do you remember seeing those?

10 A. Yes.

11 Q. Can you explain that to the jury.

12 A. Yep. We all knew each other somehow, some way and we
13 was all connected somehow, some way. But sometimes when
14 they come to the office, 2722 Park, and they come from small
15 towns, like Rochester and other place, some -- and I'm
16 sitting there, Abdulkadir will literally tell me, you know,
17 I'm working at Safari. I'm doing all this stuff. Can you
18 ask Aimee if she has a check ready or if we can get the
19 check? Because most of the time we wasn't getting paid on
20 time. Some of the sites wasn't approved. It was taking a
21 lot of time sometimes to get the checks.

22 THE COURT: Mr. Said, can you pull that microphone
23 toward you?

24 THE WITNESS: So we will -- Abdulkadir Salah will
25 literally tell me go get --

1 MR. THOMPSON: Objection. Hearsay.

2 THE COURT: Sustained.

3 BY MR. MONTEZ:

4 Q. So just kind of generally speaking -- let me kind of get
5 to the point here. Okay?

6 Were you in charge of an entity called the Safari
7 group?

8 A. There were no Safari group.

9 Q. Were you asking Feeding Our Future for checks, kind of
10 playing middleman at all for what has been referenced
11 several times throughout this trial as the Safari group?

12 A. No, I wasn't no middleman.

13 Q. Okay. Let's talk about real estate. Now, in 2021 did
14 you buy a couple commercial buildings?

15 A. Yes.

16 Q. All right. Let's talk about this Park Avenue address.
17 How did you come to buy this Park Avenue address?

18 A. We was already going to Park Avenue. We seen the
19 property there. TFS was -- had offices there. So my
20 business partners come up with idea we should invest in real
21 estate, and we invest in real estate.

22 Q. When you say your "business partners," who are you
23 talking about?

24 A. Abdulkadir Salah.

25 Q. You guys decide to buy this building?

- 1 A. Yeah.
- 2 Q. Did you create an entity to purchase this building?
- 3 A. Did I create entity?
- 4 Q. Did you make a company?
- 5 A. Abdulkadir Salah made the company for us, I think.
- 6 Q. What company was that?
- 7 A. Cosmopolitan Business Properties.
- 8 Q. Okay. So this is a different entity, now, than
- 9 Cosmopolitan Business Solutions; is that right?
- 10 A. Yes.
- 11 Q. So you guys create Cosmopolitan Business Properties; is
- 12 that right?
- 13 A. Yep.
- 14 Q. Okay. And who buys this building? Who's a member of
- 15 Cosmopolitan Business Properties?
- 16 A. Who owns the Cosmopolitan Business Properties?
- 17 Q. Right.
- 18 A. It's me and Abdulkadir Salah, which is the name Fish;
- 19 Salah Donyale, which is Omar-Hashim; and A.G., Ahmed Ghedi.
- 20 Q. Okay. So --
- 21 A. Four of us.
- 22 Q. So Salah Donyale --
- 23 A. Two brothers. Two brothers and me and Ahmed Ghedi.
- 24 Q. Okay.
- 25 A. Four.

1 Q. Okay. Salah Donyale is who we also know as Ahmed
2 Omar-Hashim, right?

3 A. Yeah.

4 Q. Okay. I want to talk about that building. Now I want
5 to talk about that property.

6 Was there a room at this building called the
7 Safari room?

8 A. No, there was no room called Safari room. No.

9 Q. Can we pull up what's already been admitted into
10 evidence FF1 at 73, please. FF1, page 73.

11 MR. THOMPSON: Are you sure it's 73?

12 MR. MONTEZ: I think so.

13 (Counsel confer)

14 MR. THOMPSON: Do you want me to page through it?

15 MR. MONTEZ: Yeah.

16 BY MR. MONTEZ:

17 Q. Okay. Okay. So we're looking at what's been admitted
18 into evidence as FF1, 14.

19 Do you remember when Farhiyo Moalim came in to
20 testify about these photographs?

21 A. Yes.

22 Q. Do you remember what she said about this room?

23 A. Yes. She said there used to be -- secret meetings used
24 to happen in this room.

25 Q. This is the Safari room?

1 A. This is, yeah, Safari room.

2 Q. Okay. Let me just ask you, Is this the Safari room?

3 A. No, it's not.

4 Q. Is there a Safari room?

5 A. No.

6 Q. What room are we looking at in this picture?

7 A. If you can zoom out, I can tell you the rooms and what
8 they are.

9 Q. Well, we can't zoom out, so we have to go off this
10 photograph. Do you know what this is?

11 A. This room was Abdulkadir Salah's room. There was
12 another room right next to it. It was Said Salah. There
13 was another room right next to it. It was Salah.

14 COURT REPORTER: It was who?

15 THE WITNESS: Salah. Ahmed Hashim. And after
16 that, Farihyo used to sit in the middle. That was the TFS
17 offices.

18 BY MR. MONTEZ:

19 Q. All right. Can we go back one? My numbers are going to
20 be off now. Okay. We're just going to have to skip that.
21 That's fine.

22 Did you ever have any secret meetings in that
23 office space with anybody?

24 A. In that -- in the room or just --

25 Q. In that room, in the room we were just looking at,

1 Fish's office.

2 A. Did I have what?

3 Q. Secret meetings in there.

4 A. No, I never had secret meetings in there. If I want to
5 have secret meetings, there's two, three conference room in
6 the building I can go to, and they're a lot bigger than that
7 small room.

8 Q. Okay. So besides this Park Avenue building, did you buy
9 any other commercial properties?

10 A. We bought another commercial properties -- property in
11 state of Ohio.

12 Q. Okay. Can you tell the jury about that.

13 A. We bought a property in Ohio. It was me, Abdulkadir
14 Salah and Ahmed, Abdirahman Ahmed.

15 Q. Now, remind the jury who Abdirahman Ahmed is again.

16 A. My business partner at Safari Restaurant, Chef Abcos.

17 Q. And where had Chef Abcos been during this relevant time
18 period that we've been talking about?

19 A. He moved to Ohio. That's the same guy that moved to
20 Ohio that got married.

21 Q. Okay. So he was already in Ohio during this time?

22 A. Yep, he was.

23 Q. Okay. Why did you guys buy this property?

24 A. Well, when we bought 2722 Park, Abdulkadir said we can
25 buy a property in Ohio, Columbus, Ohio. And since we had

1 Abdirahman Ahmed that was in Columbus, Ohio, it was a good
2 idea to, you know, tell Abdirahman and to figure out a
3 property for us in Ohio.

4 Q. What was your plan with this property?

5 A. We was trying to build the biggest African mall in
6 western country, so -- Abdirahman had the plan. I didn't
7 have no plan for it. Abdirahman showed us the plan and
8 everything. And we bought the property.

9 Q. And you guys had created a business called Afrikan
10 Village; is that right?

11 A. I think Afrikan Village, he had it already, the name. I
12 don't know, but he said we're going to use that name.
13 That's what I think.

14 Q. Okay. And the idea was to turn this into sort of an
15 African mall; is that right?

16 A. Yeah, big mall, African mall, East African mall.

17 Q. All right. So now kind of get to the point of all of
18 this. Okay?

19 A. All right.

20 Q. You made quite a bit of money in 2020 and 2021; is that
21 true?

22 A. Yes.

23 Q. Did you buy a house with this money?

24 A. Yes.

25 Q. Did you buy a couple cars with this money?

1 A. Yes.

2 Q. Did you give money to your wife during this time?

3 A. Yes.

4 Q. Why were you spending all this money?

5 A. Where did I spend the money?

6 Q. Why did you spend the money?

7 A. Well, you invest in businesses and you make money. What
8 do you do with the money? You invest money and you make
9 money and you worked for it. You spend.

10 Q. Did you think the money that you made was made
11 illegally?

12 A. Yes, I'm not --

13 Q. Did you think it was made illegally?

14 A. Illegally?

15 Q. Not legal.

16 A. Illegally, no. No.

17 Q. Mr. Said, did you believe that you were entitled to make
18 a profit while you were participating in the child nutrition
19 program?

20 A. I wouldn't participate if I wasn't making a profit. I
21 wouldn't even do business. I did a couple of days free
22 food. That's all I can afford. I'm not a big company. So
23 if I'm not making profit, why would I should down my whole
24 restaurant? I can make a living. That's my living. I
25 cannot shut down by business without no profit. It doesn't

1 make any sense.

2 Q. Was it ever your intention to defraud the United States
3 Government?

4 A. No, it wasn't, no.

5 Q. Thank you, sir.

6 No further questions.

7 THE COURT: Mr. Thompson, cross-examination.

8 MR. THOMPSON: Yes, Your Honor.

9 CROSS-EXAMINATION

10 BY MR. THOMPSON:

11 Q. Good afternoon, Mr. Said.

12 A. Good afternoon, Mr. Joe.

13 Q. I want to start off by clarifying something you covered
14 this morning briefly. You're a convicted felon correct?

15 A. Yes.

16 Q. And you were convicted in 2011, correct?

17 A. 2011, yes.

18 Q. 2011?

19 A. Yes.

20 Q. In Indiana?

21 A. Yes.

22 Q. And you were convicted of several crimes, correct?

23 A. You mean several crimes?

24 Q. Well --

25 A. Did I do several crimes?

1 Q. You were convicted of forgery?

2 A. Uh-huh.

3 Q. Correct?

4 A. Yeah.

5 Q. I think I have it right here. Forgery with intent to
6 defraud; is that right?

7 A. Forgery with intent to fraud, I don't --

8 Q. That is what you were convicted of, correct?

9 A. I don't know.

10 Q. Creating and using a fraudulent document, correct?

11 A. Not create no document, sir.

12 Q. You were convicted of fraud as well, correct?

13 A. I was convicted of fraud, yeah.

14 Q. And theft?

15 A. Yeah.

16 Q. From another person?

17 A. Yes.

18 Q. So you created a false and used a false document to
19 defraud someone else in Indiana, correct?

20 A. No, sir, I did not do that.

21 Q. You did not do that?

22 A. Yes, sir.

23 Q. In fact, you went to trial, correct?

24 A. Yes, I did went to a trial.

25 Q. You testified at that trial?

1 A. Did I testify at that trial?

2 Q. Yes.

3 A. I don't remember.

4 Q. You don't remember if you testified at your --

5 A. I think I -- I think I testified. I don't know.

6 Q. Did you get on the stand and get placed under oath?

7 A. Yes, I think -- yes, I think so, yes.

8 Q. Okay. And you said -- you denied that you had committed
9 forgery, correct?

10 A. Yes, I did.

11 Q. You denied that you committed fraud?

12 A. Yes, I did.

13 Q. You denied that you had committed theft?

14 A. Yes, I did.

15 Q. But you were actually convicted, correct?

16 A. Yes.

17 Q. That wasn't true. You actually had done those things,
18 right?

19 A. No, I didn't, and I'll still denying that, what happened
20 to me. I was set up, swipe a ^ credit card my uncle gave me
21 that was a commoner. The lady that he stole the car from
22 literally sat in the court and said that she never met me a
23 day in her life.

24 Q. Okay. You --

25 A. It was all something I didn't do this.

1 Q. You think --

2 A. You're not going to believe me, but this was something I
3 didn't do.

4 Q. Just like you didn't commit this fraud, correct?

5 A. It's the same thing.

6 Q. Same thing?

7 A. I'm not saying I commit a crime here. I don't think I
8 commit any crime here.

9 Q. Okay. You were set up by other people?

10 A. What is that?

11 Q. You were set up by other people here --

12 A. I'm not saying I was set up by other people.

13 Q. Okay. Let's talk about your restaurant, Mr. Said.

14 A. Mm-hmm.

15 Q. You're the co-owner of Safari Restaurant, correct?

16 A. Yes.

17 Q. You have 30 percent ownership or 33 percent ownership in
18 Safari?

19 A. Yes, sir.

20 Q. And you had that interest for several years, correct?

21 A. Yes.

22 Q. Since long before COVID, right?

23 A. Yes.

24 Q. And that was a relatively modest restaurant prior to
25 COVID, correct?

1 A. What was that?

2 Q. It was a relatively modest restaurant prior to COVID?

3 A. Yes.

4 Q. It didn't have significant revenues like it did during
5 COVID, correct?

6 A. It didn't have significant revenue?

7 Q. You weren't making millions and millions of dollars --

8 A. No, we wasn't.

9 Q. -- prior to COVID?

10 A. Huh-uh.

11 Q. That was only when you joined the food program, correct?

12 A. Yes.

13 Q. Okay. And, in fact, back in 2017 -- I'm showing you now
14 what's been marked as Government Exhibit B3. And at page 2,
15 this is the Safari Restaurant Cosmopolitan Business
16 Solutions tax return from 2017; is that right? Do you see
17 that?

18 A. Yeah.

19 Q. That's the tax return for your business in 2017?

20 A. Yes.

21 Q. Okay. You signed on behalf of the business, correct?

22 A. I signed what?

23 Q. That's your name?

24 A. That's my name, yes.

25 Q. You signed the tax return?

1 A. Where did I sign that? I don't see a signature. I just
2 see my name.

3 Q. Well, you electronically signed it, correct?

4 A. 2017?

5 Q. Yeah.

6 A. I did not did taxes in 2017. TFS was doing the taxes.

7 Q. Well, Mr. Said, whose name is listed on the first page
8 of the tax return for 2017 where it says "Sign here"?

9 A. Salim Said.

10 Q. That's you?

11 A. That's my name on list there.

12 Q. Okay. And your gross sales here for that year in 2017
13 before the COVID pandemic shut down all the restaurants in
14 the state of Minnesota. How much money did your company
15 make in total sales that year?

16 A. 624.

17 Q. \$624,000?

18 A. \$624,000, yeah.

19 Q. Okay. And on page 10, there's the K1 which is the
20 partnership income you earned that year in 2017. And it
21 looks like for your 33 percent ownership interest, you got
22 \$30,000 that year, correct?

23 A. For the -- yes.

24 Q. Okay. So in 2017 before the restaurant shut down, you
25 made \$30,000 as an owner of Safari Restaurant, correct?

1 A. Yes.

2 Q. Okay. I'm going to direct your attention to the 2019
3 tax return. This is the 2016. Were you the owner in 2016
4 too?

5 A. I was, yes.

6 Q. It looks like you made \$16,000 as owner of Safari
7 Restaurant in 2016; is that right?

8 A. 2016 or 2019?

9 Q. 2016.

10 A. 2016, we was doing renovation, yes.

11 Q. Okay. So \$16,000 you made from the company that year,
12 correct?

13 A. Yes.

14 Q. So safe to say you never earned anywhere near as much
15 money prior to COVID as you did in the food program,
16 correct?

17 A. No, I never own any money.

18 Q. Not even close, correct?

19 A. Not even close, yes.

20 Q. Okay. All right. So COVID hit in the spring of 2020,
21 correct?

22 A. Yes.

23 Q. Your restaurant shut down?

24 A. Yes.

25 Q. Is that right?

1 A. Yeah.

2 Q. It closed?

3 A. Yes.

4 Q. You had no revenue?

5 A. Yes.

6 Q. And you joined the food program, right?

7 A. Yes.

8 Q. You talked to Feeding Our Future about that?

9 A. Yes.

10 Q. And you guys enrolled in the program on April 13th,
11 2020; is that right? I'm showing you here Government
12 Exhibit B4. Is that the application for Safari Restaurant?
13 Well, let me help you out here.

14 Directing your attention to page 9 of Government
15 Exhibit B4, did you sign on behalf of Safari Restaurant when
16 it enrolled in the Federal Child Nutrition Program?

17 A. 2020?

18 Q. Correct.

19 A. Yes.

20 Q. That's your signature?

21 A. 2020, I wrote down my name, I never sign. I actually
22 took it to Abdulkadir Salah, so I wrote down my name on it
23 but, and I sign another papers for --

24 Q. On behalf of the company.

25 And the idea was that you guys were going to hand

1 out free food to kids, correct?

2 A. You said?

3 Q. The idea was you'd give out food free to kids, correct?

4 A. Yes.

5 Q. That was your understanding of the program?

6 A. To give out kids' meals to kids, yeah.

7 Q. And your company went from making half a million dollars
8 a year in revenue to making about \$16 million in the next
9 18 months; is that right? Just Cosmopolitan Business
10 Solutions?

11 A. Yes.

12 Q. Okay. Not -- setting aside all the other sites,
13 correct?

14 A. That I don't know.

15 Q. You don't know?

16 A. I not check the numbers.

17 Q. Okay. Well, you know your other sites made a lot of
18 money too, correct?

19 A. Yes.

20 Q. You made a lot of money from them?

21 A. Yeah.

22 Q. Stigma-Fee, Olive Management, ASA, you got millions of
23 dollars from those entities combined, correct?

24 A. Combined, yes.

25 Q. All right. So this program made you and your partners

1 rich, correct?

2 A. Yes, you can say that.

3 Q. Okay. I want to talk to you about how that happened.
4 Okay?

5 A. Okay.

6 Q. Because you joined the program, and within a month or
7 two you were claiming to be feeding 5,000 kids a day; is
8 that right?

9 A. A month or two?

10 Q. By the summer of 2020.

11 A. Yeah.

12 Q. You claimed to be feeding 5,000 kids a day; is that
13 right?

14 A. Yes.

15 Q. At Safari Restaurant?

16 A. Yes.

17 Q. And we saw some of these meal counts here. Government
18 Exhibit B62. In July of 2020, you claimed to be serving
19 breakfast and lunch to 5,000 kids a day; is that right?

20 A. Yes.

21 Q. Ever single day?

22 A. Every single day, yes.

23 Q. Seven days a week?

24 A. Yes, seven days a week.

25 Q. Week after week?

1 A. Week after week.

2 Q. Month after month?

3 A. Month after month. Yes, sir.

4 Q. Never missed a day?

5 A. No, we never took a day off.

6 Q. And you signed these meal counts, correct?

7 A. Yes, I did.

8 Q. Okay. And just to be clear, because I know there was
9 talk when Ms. Bock was testifying, about seven-day meal
10 packs. These aren't seven-day meal packs. These are
11 individual 5,000 people showing up every single day,
12 correct?

13 A. This is hot meals, which we give every single day.

14 Q. Okay. So 5,000 -- actually, it's technically 10,000
15 meals a day, correct?

16 A. Like I said, lunch is 5,000. We cook 5,000. The
17 breakfast is just the bag with cereal and little stuff in
18 there.

19 Q. So 5,000 breakfast, 5,000 lunch?

20 A. It was out the door at the same time, so it was just
21 one.

22 Q. 10,000 meals a day?

23 A. Yes.

24 Q. Every single day --

25 A. Yes.

1 Q. -- correct?

2 And you billed handsomely for this, correct?

3 A. Yes.

4 Q. In fact, in this first one here, so we page through, you
5 see it's 5,000 every single day, until we get to page 13 and
6 there's an invoice you billed Feeding Our Future, correct?

7 A. I never -- I never bill any invoices to Feeding Our
8 Future. Invoices, I used to collect them and give them to
9 Abdulkadir Salah.

10 Q. Okay. Both you and your partners billed Feeding Our
11 Future, correct?

12 A. You say that, but I never did it myself.

13 Q. Well, you got the checks, correct?

14 A. What checks?

15 Q. From Feeding Our Future.

16 A. Yeah.

17 Q. The million dollar checks, you know?

18 A. Yes.

19 Q. Extraordinarily large checks, you got those?

20 A. Yes, I got those.

21 Q. Right. These are based on these invoices, correct?

22 A. I don't know what they are based on, but I never took --
23 I never collect invoices.

24 Q. They are based on your meal counts, correct?

25 A. Yes, you could say that.

1 Q. Okay. You understand why you were getting the money,
2 correct?

3 A. Yes, because of the meal counts.

4 Q. Okay. And that continued month after month.

5 I'm showing you B63 at page 14. Again, that's
6 your signature, correct?

7 A. Yes.

8 Q. 5,000 a day in August 2020?

9 A. Yes.

10 Q. Seven days a week?

11 A. Yes.

12 Q. 5,000 kids, 10,000 meals every single day?

13 A. Yes.

14 Q. Is that right?

15 A. Mm-hmm.

16 Q. Again, not meal packs. This is every single day --

17 A. Yes.

18 Q. -- correct?

19 And, again, you bill an invoice for that month,
20 you billed Feeding Our Future \$950,000, correct? Correct?

21 A. \$955,000, Abdulkadir bill it. I don't do papers. I
22 just --

23 Q. You got the money, correct?

24 A. I got the money.

25 Q. So almost a million dollars a month and sometimes over a

1 million dollars a month, correct?

2 A. Sometimes what?

3 Q. Is that right?

4 A. What you say?

5 Q. Sometimes over a million dollars a month, correct?

6 A. Yes.

7 Q. Okay. All based on these meal counts?

8 A. Yeah.

9 Q. And this continues into 2021, correct? I'm showing you
10 B14. In January 2021, 6,000 kids a day, correct, at Safari
11 Restaurant?

12 A. Yes.

13 Q. Every single day?

14 A. Yes.

15 Q. And I know you -- there was some question about how many
16 meal counts you served. You signed it. This one on
17 January 31st, you signed, correct?

18 A. Yes.

19 Q. That's you?

20 A. I went up there that day, yeah.

21 Q. Again, at Government Exhibit B70, 6,000 a day in
22 March 2021, every single day?

23 A. Yes.

24 Q. Correct?

25 A. That is, but I'm not signing those, but it is 6,000

1 meals a day.

2 Q. I see some SSs on there. Are those your initials?

3 A. That is SS. No one SS is --

4 COURT REPORTER: Wait, wait, wait. SS is what?

5 THE WITNESS: SS can be Salah. SS can be

6 something Salah. SS can be --

7 BY MR. THOMPSON:

8 Q. Someone else signed these ones?

9 A. I did not sign this one.

10 Q. Okay.

11 A. If I put my name, I always sign it.

12 Q. Okay.

13 A. If I have my initials, I will sign sheets.

14 Q. Okay. So this continues all the way through the end of
15 2021, correct?

16 A. All the way?

17 Q. All the way through 2021, Safari's serving meals at its
18 sites?

19 A. I don't think Safari was serving meals, 6,000 meals, all
20 the way through 2021.

21 Q. It was like 3,000 meals in the fall of 2021, correct?

22 A. I think so, around there.

23 Q. Okay. But 3,000 meals, 6,000 kids, correct?

24 A. When -- 3,000 kids -- you say 3,000 kids, 6,000 meals.

25 Q. Let me show you B72.

1 A. Okay.

2 Q. These are the counts from November of 2021. It looks
3 like 3,400 suppers and snacks a day; is that right?

4 A. Yeah.

5 Q. So about 7,000 meals a day? And then there's rosters,
6 correct?

7 A. When you say seven, when you say snack and supper,
8 right?

9 Q. Yeah.

10 A. So snack is just a banana, man. You add the food on
11 top. If you count everything -- if you counted it for
12 5,000, 5,000, 10,000.

13 Q. So it would be 5,000 --

14 A. If you say 5,000, 5,000.

15 Q. But 5,000 bananas?

16 A. No. When we was giving up like the 5,000, if it was
17 lunch and breakfast, we'd give them out breakfast which is
18 cereal in a black bag. It would have orange juice. It
19 would have some kind of other foods, animal crackers, and
20 we'd give it out.

21 Q. I didn't see any pictures of animal crackers or orange
22 juice or cereal, correct?

23 A. I have a lot. Most of them wasn't in there. It's in
24 the pictures.

25 Q. I didn't see them. I didn't see them this morning,

1 correct?

2 A. You didn't see them this morning?

3 Q. I didn't see any cereal?

4 A. The black bags is the cereal. It's in a black bag.

5 Q. I don't recall seeing black bags. I don't recall seeing
6 5,000 bananas either. Were there 5,000 bananas in the
7 photos this morning?

8 A. There was a lot of bananas in the photos.

9 Q. Was there 5,000 bananas in the photos?

10 A. The bananas is -- it's like a warehouse, man. The boxes
11 are on the ground. We don't put 5,000 bananas on the table.

12 Q. Just not in the photos, correct?

13 A. The photos we've seen today?

14 Q. Yeah.

15 A. It probably was in there. I had a lot of pictures.

16 Q. Okay. You got huge checks from these meal counts,
17 correct? I just want to be clear here.

18 A. Yes.

19 Q. So, for example, at W4, page 35, that's a million dollar
20 check on December 29th, 2020, correct?

21 A. Yes.

22 Q. From Feeding Our Future?

23 A. Yes.

24 Q. For food purportedly distributed to kids, correct?

25 A. Yes.

1 Q. Okay. And then on page 37 another million dollars on
2 January 14th, 2021, \$1.1 million from Feeding Our Future,
3 correct?

4 A. Yes.

5 Q. On February 18th, at page 38 of Government Exhibit W4,
6 \$1.1 million from Safari Restaurant; is that right?

7 A. Yes.

8 Q. Signed by Aimee Bock?

9 A. Yes.

10 Q. On page 40 of Government Exhibit W4, another \$1 million
11 from Feeding Our Future on March 8th of 2021; is that right?

12 A. Yes.

13 Q. Month after month, correct?

14 A. Yes.

15 Q. Altogether, you guys got \$16 million? Safari
16 Restaurant, your business, received over \$16 million from
17 Feeding Our Future, correct?

18 A. \$16 million from Feeding Our Future?

19 Q. Yeah. Yes?

20 A. I don't know, no.

21 Q. I'm going to show you Government Exhibit X3, which is a
22 summary of the money that you guys received from April 1st,
23 2020, to January 21st, 2022.

24 Over \$15 million from Feeding Our Future and
25 nearly \$16 million, correct? Is that right?

1 A. \$16 million from Feeding Our Future. And which company
2 received this money? Safari Restaurant?

3 Q. Yeah.

4 A. But I see Bet on Better Future. That's not Safari.

5 Q. This is the account for Cosmopolitan Business Solutions?

6 A. Okay.

7 Q. Safari Restaurant, correct? So \$15 million from Feeding
8 Our Future to Cosmopolitan Business Solutions, correct?

9 A. I see 16,000,686, but I see a lot of companies in there.
10 I just don't see just Safari.

11 Q. Okay.

12 A. Safari Restaurant, but --

13 Q. Well, in any event, you didn't create that chart. But
14 you got over a million dollars a month from Feeding Our
15 Future, correct, just to Cosmopolitan Business Solutions,
16 correct?

17 A. Yes, yes, yes.

18 Q. And a significant portion of that money went to you,
19 correct?

20 A. That I don't know.

21 Q. You don't know. You don't know that you got a lot of
22 money from Feeding Our Future -- or from --

23 A. I did have money from Feeding Our Future. I invest in a
24 lot of businesses after Safari. But from Safari I couldn't
25 have most of the money because it was shares, so...

1 Q. Okay. All right. Let me talk a little bit about Safari
2 before we move on to these other sites. I want to talk
3 about -- you talked about Cedar-Riverside.

4 A. Yeah.

5 Q. Correct? And you said you were delivering food to
6 Cedar-Riverside; is that right?

7 A. Yes, sir.

8 Q. So I'm a little puzzled because I heard at length from
9 Ms. Bock that Lake Street was a food desert and there wasn't
10 enough food to serve the people that lived on Lake Street,
11 right?

12 A. Yes.

13 Q. But you're saying that you actually, in addition to
14 serving all those meals at Safari Restaurant, you were
15 delivering food to Cedar-Riverside?

16 A. Yes, sir.

17 Q. The towers?

18 A. Yes.

19 Q. And I think your counsel showed a photo --

20 Did you guys put the map in?

21 And I'm showing you now what's been admitted as
22 Government Exhibit D3-249. Is this a map of the
23 Cedar-Riverside area?

24 A. Yes.

25 Q. And you're suggesting that you guys delivered food to

1 this area right here (indicating); is that right?

2 A. The whole buildings, the buildings.

3 Q. All the buildings there?

4 A. Yeah.

5 Q. Now, I find that puzzling because, as you know, Safari
6 and your group, while you were one of the large -- or the
7 largest site under the sponsorship of Feeding Our Future,
8 you were far from the only site. Are you aware of that?

9 A. I was what?

10 Q. You guys were not the only site participating in the
11 food program.

12 A. Okay.

13 Q. You know this?

14 A. At the time I was there, no, I did not know that.

15 Q. You are aware that other people were sponsored by
16 Feeding Our Future, correct?

17 A. Yes, yes, yes.

18 Q. There were other sites?

19 A. Yes.

20 Q. Correct? Including ones like right next door, like
21 S & S Catering; is that correct?

22 A. Yes.

23 Q. Okay. And in Cedar-Riverside, there was actually a
24 whole slew of sites, correct?

25 A. Cedar-Riverside?

1 Q. Yeah.

2 A. They had what?

3 Q. There were sites all over --

4 A. That I don't know.

5 Q. -- sponsored by Feeding Our Future.

6 You are not aware of that?

7 A. No.

8 Q. You are not aware that right on Somali Street there,
9 there was a site called -- purportedly called Confederation
10 of Somali Community in Minnesota?

11 A. What is it called?

12 Q. Confederation of Somali Community in Minnesota? You are
13 not aware of that?

14 A. I never heard of it, sir.

15 Q. You are not aware of a site called Cedar Cultural
16 Center?

17 A. See, those places you asking me probably serve a dry
18 food. I'm cooking food, so...

19 Q. So you are aware there was other sites there?

20 A. I don't even know the sites, but I never heard of it.
21 I'm telling you the truth, but --

22 Q. Somali Service Center --

23 A. Somalis that was --

24 COURT REPORTER: I need one person speaking at a
25 time.

1 BY MR. THOMPSON:

2 Q. Are you aware of a site called Somali Service Center
3 located about right here (indicating) on the map?

4 A. No, I don't. I don't know Somali Service Center.

5 Q. How about Darul Quba Center which was right over there?

6 A. Darul Quba Center, no, I never heard of it.

7 Q. Did you know that they had a site sponsored by Feeding
8 Our Future?

9 A. Question here is: Are they -- are they giving out dry
10 food, or are they giving out cooked food?

11 Q. You were talking about the summer of 2020 which --

12 A. Summer of 2020, the only businesses that was doing the
13 cooked food was Safari Restaurant. Every city -- every
14 person in the city was coming to Safari Restaurant. They
15 might be coming to other restaurants, but Safari was the
16 biggest place that was serving cooked food.

17 Q. Cedar Cultural Center had a site, correct?

18 MR. MONTEZ: Objection, Your Honor. Facts not in
19 evidence.

20 THE COURT: Overruled.

21 THE WITNESS: I don't know.

22 BY MR. THOMPSON:

23 Q. There was one called Baarakallah Restaurant, which was
24 right about there (indicating). Are you familiar with that
25 site?

1 A. When did they open?

2 Q. Are you familiar with that site? That's my question.

3 A. I don't know.

4 Q. Are you familiar with a site called Smart Choice Adult
5 Daycare?

6 A. No.

7 Q. You don't know any of those sites?

8 A. No.

9 Q. Okay. You didn't see those people when you were
10 delivering food --

11 A. No.

12 Q. -- at Cedar-Riverside?

13 A. No, sir. No, sir.

14 Q. You know that Feeding Our Future sponsored sites
15 purported to distribute 1.2 million meals on this little map
16 here?

17 A. What little map?

18 Q. The map on the screen that you put in during your direct
19 examination.

20 Are you aware of that?

21 A. Are you aware of if Feeding Our Future was giving -- had
22 sites on that site?

23 Q. Yeah.

24 A. Not --

25 Q. Did sites sponsored by Feeding Our Future purported or

1 claimed to have distributed more than 1.2 million meals on
2 the area on this map you talked about during your direct
3 examination?

4 A. Is the -- Cedar-Riverside, we used to deliver food, and
5 we deliver so much food on Cedar-Riverside. And if you go
6 there today, you ask any of those people, they will tell you
7 Safari was bringing food on Cedar-Riverside. All these
8 things you asking me on those businesses, I don't know them.

9 Q. All right.

10 A. And I --

11 Q. Mr. Salim -- Mr. Said, it's my turn to ask questions.

12 When you first started getting checks from Feeding
13 Our Future, come July, you and your partners split them,
14 correct?

15 A. We -- yeah. Three ways, yeah -- and four ways.

16 Q. Four ways, correct? And I'm showing you Government
17 Exhibit B13, which is an email from Mr. Eidleh; is that
18 right?

19 A. Yes.

20 Q. To you and Ms. Bock?

21 A. Yes.

22 Q. And you know Ms. Bock, correct?

23 A. Yes.

24 Q. You dealt with her during the program?

25 A. Yes.

1 Q. You met with her at Feeding Our Future?

2 A. Yes.

3 Q. You texted with her?

4 A. Every now and then.

5 Q. Quite often?

6 A. Yes.

7 Q. You had a long text conversation going over the course
8 of months, correct?

9 A. What is that?

10 Q. You guys texted each other regularly, correct?

11 A. Not regularly.

12 Q. Lots of texts.

13 A. Not a lot of text --

14 Q. Hundreds of texts?

15 A. No. For two years? No. Eighteen months I think I know
16 Aimee. Actually, I did not even know Aimee first when we
17 started the food. Aimee, I met her I think in summertime,
18 her MDE came to Safari.

19 Q. Yeah. You met her during the food program, correct?

20 A. Yes, yes.

21 Q. Okay. And right away the very -- the first big check
22 that comes in, the first time you guys are entitled to a big
23 payday, you decide to split it four ways; is that right?

24 A. Yes.

25 Q. Essentially, not quite four ways. You and your two

1 partners each took \$200,000 to your own personal LLCs,
2 correct?

3 A. Yeah.

4 Q. And the balance went to Cosmopolitan, the restaurant
5 that purportedly served the meals, correct?

6 A. Yes.

7 Q. So you got \$200,000, correct?

8 A. Yes.

9 Q. Abdulkadir Salah got \$200,000?

10 A. Yes.

11 Q. Chef Abcos, as you call him, in Columbus, Ohio got
12 \$200,000?

13 A. Yes.

14 Q. And Cosmopolitan got about 160 grand, correct?

15 A. Yes.

16 Q. The smallest amount went to the company that purportedly
17 served the food; is that right?

18 A. Yes.

19 Q. Okay. And that trend continued over the course of the
20 fall of 2020, correct? You split the money that way,
21 correct?

22 A. Yes.

23 Q. Okay. It was pretty lucrative, you would agree? You
24 did well?

25 A. Yes.

1 Q. You made a lot of money?

2 A. Yes.

3 Q. And so you started another site, correct?

4 A. Yes.

5 Q. Just a few months in.

6 A. Yeah.

7 Q. In September of 2020?

8 A. Yes.

9 Q. Well, there was two sites, but the first one I want to
10 talk about was called ASA Limited. Okay?

11 A. Mm-hmm.

12 Q. Now, you and some of your friends registered ASA
13 Limited, correct? You created the company?

14 A. Yes.

15 Q. It was a three-person partnership?

16 A. Yes.

17 Q. You were one of the partners. You were the S, correct?

18 A. Yeah.

19 Q. Abdihakim Ahmed was the first A, correct?

20 A. Yes.

21 Q. And Ahmed Ghedi was the --

22 A. I don't know which one -- I don't know which one was the
23 first A, but they had for both of them, As.

24 Q. They were the two As, and you were the S, correct?

25 A. Yeah.

1 Q. Okay. And then you enrolled -- you created this company
2 on September 4th, 2020; is that right?

3 A. Yep.

4 Q. Okay. And you can see it was immediately forwarded to
5 you a few days later, the Articles of Incorporation; is that
6 right? That's your email address?

7 A. Yes.

8 Q. And then you guys opened a bank account, correct?

9 A. Yes.

10 Q. You were a signatory on the account, correct?

11 A. Yes.

12 Q. You could sign for it?

13 A. Say that again.

14 Q. You could sign checks?

15 A. For the account?

16 Q. Yes.

17 A. Yes.

18 Q. You had control over the account?

19 A. No, I did not.

20 Q. You were one of the people that had control over the
21 account?

22 A. I wasn't controlling the account. Abdul Hakim was
23 controlling the account.

24 Q. Well, in any event, here at Exhibit W14 at page 1, you
25 are one of the two signatories on this account; is that

1 right?

2 A. Yes.

3 Q. For ASA Limited?

4 A. Yes.

5 Q. That's you?

6 A. Yeah, that's me.

7 Q. And then you guys enrolled it in the food program right
8 away, correct?

9 A. Yes.

10 Q. ASA Limited, you created it to join the food program,
11 right?

12 A. Yes.

13 Q. You were getting rich through Safari?

14 A. (Moves head up and down.)

15 Q. You wanted to get more rich through ASA Limited,
16 correct?

17 A. Yes.

18 Q. And so you talked to Ms. Bock?

19 A. Did I talk to Ms. Bock?

20 Q. Yeah. You talked to her about joining -- creating a new
21 site, correct?

22 A. Actually Abdul Hakim did that and...

23 Q. And then you enrolled in the program on September 8th,
24 2020, correct?

25 A. Yes.

1 Q. As I page down, one of the things I notice on page 6 of
2 Government Exhibit C2 is that it looks like originally you
3 had planned to open the site under the name Salim Limited;
4 is that right?

5 A. No, that's not right.

6 Q. That's not right?

7 A. (Moves head from side to side.) I never thought about
8 opening a site for Salim Limited, so...

9 Q. Well, it looks like someone typed up the original
10 agreement with the name Salim Limited, LLC, correct?

11 A. Maybe it was -- Feeding Our Future employees maybe did
12 that, but I don't think I -- it says here, somebody made a
13 mistake and put ASA.

14 Q. Now, Salim Limited, to be clear, is your company,
15 correct?

16 A. Yes.

17 Q. You had created it about a month or two earlier; is that
18 right? You created it a month or two earlier?

19 A. A month or two earlier about -- from ASA, is this what
20 you're asking?

21 Q. Yeah.

22 A. I don't remember when I created Salim Limited. Salim
23 Limited was when we was -- before we was getting the 200K,
24 that's when I created it.

25 Q. Well, let's take a look.

1 A. All right, yeah.

2 Q. I'm showing you what's been admitted as Government
3 Exhibit T1. Are these the articles -- this is the Articles
4 of Organization for Salim Limited, your company, correct?

5 A. Yes.

6 Q. You created it on July 30th, 2020, correct?

7 A. July 30, 2020, yes.

8 Q. Yeah, okay. So that's just before the site application
9 is submitted on September 8, 2020, correct?

10 A. Yes.

11 Q. About five weeks before, correct?

12 A. Yes.

13 Q. Okay. All right. So five weeks after you created Salim
14 Limited, someone at Feeding Our Future types up an agreement
15 for Salim Limited to join the Federal Child Nutrition
16 Program under the sponsorship of Feeding Our Future; is that
17 right?

18 A. I don't know what it's -- whoever it is. I don't know
19 who did this.

20 Q. You don't know who did this?

21 A. Yeah.

22 Q. But you're the only owner of Salim Limited, correct?

23 A. Huh?

24 Q. You are the sole owner of --

25 A. Yes, I'm the sole owner of Salim Limited, yes.

1 Q. No one else has anything to do with it, correct?

2 A. Yes.

3 Q. You are the only person who has access to the bank
4 account, correct?

5 A. Salim Limited, yes.

6 Q. You are the only signatory on the account?

7 A. Yes.

8 Q. You are the only one that signs checks on the account?

9 A. I just seen a couple of checks that was signed by
10 some -- by my name, but yes.

11 Q. No one else gets money from Salim Limited, correct?

12 A. Yes.

13 Q. It's all going to you?

14 A. Yes.

15 Q. It's money you control?

16 A. Yes.

17 Q. It's your company?

18 A. Yeah.

19 Q. And you are saying you don't know how someone filled out
20 a form to enroll Salim Limited in the Federal Child
21 Nutrition Program?

22 A. I think they never used it. Somebody made a mistake and
23 they correct it right away.

24 Q. Okay.

25 A. I don't know if they ever used it for MDE or anything,

1 but I never had --

2 Q. But obviously you must have talked to someone about
3 putting Salim Limited in the program?

4 A. I did not.

5 Q. Otherwise how else would someone at Feeding Our Future
6 have even known what Salim Limited, LLC was?

7 A. Salim Limited, LLC was the same company that was
8 receiving the checks. That's why.

9 Q. Not from Feeding Our Future.

10 A. From Cosmopolitan. But somebody must have did it, but I
11 did not.

12 Q. Okay. But it wasn't you?

13 A. It wasn't me.

14 Q. To be clear, you are saying it wasn't you --

15 A. If it was me, if I did this, Salim Limited, I asked for
16 it, why didn't I just open Salim Limited, but sites --

17 Q. Okay.

18 A. -- for all those years?

19 Q. It sounds like you did ASA instead, correct?

20 A. It was ASA.

21 Q. And you enrolled in the program in September 2020, this
22 ASA Limited, correct?

23 A. I was enrolled?

24 Q. It applied for the program sponsored by Feeding Our
25 Future, correct?

1 A. What month you ask?

2 Q. Right here, September 8th, 2020, correct?

3 A. September 8, 2020, I see that.

4 Q. Okay. And three weeks later you and your partners
5 claimed to be serving meals to 3,000 kids a day at ASA
6 Limited, correct?

7 A. In three weeks later?

8 Q. Yes.

9 A. After we got enrolled?

10 Q. Yes.

11 A. Yes, I see that.

12 Q. I'm showing you now Government Exhibit C36 at page 7.
13 These are the original ASA Limited meal counts. Day one was
14 September 25th, 2020. About two and a half weeks later, you
15 claim to have served meals to 2,500 kids that first day; is
16 that right?

17 A. Yes.

18 Q. And then by September 27th, it was 3,000 kids a day?

19 A. Yes.

20 Q. Every day?

21 A. I see that, yes.

22 Q. Seven days a week?

23 A. Yes.

24 Q. And that continues. At Government Exhibit C37 -- into
25 October, Government Exhibit C37 at page 4, 3,000 a day every

1 single day in October of 2020, correct?

2 A. Yes.

3 Q. Two meals a day?

4 A. You can say -- like I said, it's just one lunch, one
5 breakfast on top of it, and going out the door.

6 Q. You'd agree that one lunch and one breakfast equals two
7 meals?

8 A. Huh?

9 Q. One lunch and one breakfast --

10 A. What I mean is aluminum container with five meals, it
11 will be the lunch. The dinner -- the breakfast will be on
12 top of it. It will be a black bag or any other bag that has
13 the cereal and stuff, and it goes out one time.

14 Q. I understand. 6,000 meals a day go out, though, is what
15 you're saying?

16 A. 6,000 meals, that's lunch and dinner. It's not lunch
17 and breakfast. It goes out at the same time. That's what I
18 mean.

19 Q. 6,000 meals?

20 A. Yes.

21 Q. That's what I'm saying. You would agree?

22 A. Yes.

23 Q. Okay. And I know you had said --

24 A. And it says here six -- not 6,000. It says 2,995.

25 That's the meals they served. 3,000 is the number they have

1 for --

2 Q. Well, almost 3,000.

3 A. Almost, yeah.

4 Q. Almost 6,000 a day, correct?

5 A. Yes.

6 Q. In fact, it's a remarkable level of attendance every
7 day, you would agree?

8 A. That's normal.

9 Q. So never -- like when you first formed the ASA Limited
10 site, it's not like you had to get the word out. Kids
11 started showing up every day?

12 A. We have Mohamed Liban brother. We have Mohamed Liban
13 that will go on social media two days before, will say we'll
14 have the same meals we have Safari at St. Paul.

15 Q. This is the guy who said he had -- he'd get 150, 200
16 views --

17 A. He did.

18 Q. -- each one of his posts?

19 A. He did.

20 Q. Gets 200 views and 3,000 people would show up?

21 A. 200 views, 3,000 people show up.

22 Q. Okay.

23 A. In St. Paul, yeah. But Safari will be more than that.
24 It depends where you at, St. Paul. Minneapolis is
25 different.

1 Q. Now, I know you had said a little bit in various times
2 that you didn't see these meal counts, but that's actually
3 not true. Whether you signed them or not, you received
4 them, correct?

5 A. Whether I signed them or not, did I receive?

6 Q. You saw them.

7 A. I saw what?

8 Q. The meal counts.

9 A. I don't have to see the meal counts. If somebody else
10 is sending it, I don't have to see it.

11 Q. Okay.

12 A. That person is responsible for it.

13 Q. So, for example, here at Government Exhibit C28,
14 Abdirahman Ahmed sent you meal counts for ASA Limited and
15 Stigma-Free St. Paul, another site, correct?

16 A. (Unintelligible.)

17 COURT REPORTER: What did you say?

18 THE WITNESS: Yes.

19 BY MR. THOMPSON:

20 Q. And these are essentially 2,000 kids a day in
21 October 2021, correct?

22 A. Yes.

23 Q. At ASA Limited.

24 A. Yes.

25 Q. And exactly -- well, similar numbers at a site called

1 Stigma-Free St. Paul, that's 3,000 a day in October of 2021;
2 is that right?

3 A. Stigma-Free St. Paul? Yes.

4 Q. Another site you guys had?

5 A. I did not have no Stigma-Free St. Paul.

6 Q. You didn't have that site?

7 A. Which site is it? I have to see the address.

8 Q. It's a fair question, Mr. Said. I too get confused
9 about these sites.

10 Did this site even have an address, Stigma-Free
11 St. Paul?

12 COURT REPORTER: I didn't get your answer. Can
13 you repeat it?

14 THE COURT: Wait. I want you to repeat the
15 question first.

16 Just wait for him to be done with the question.

17 BY MR. THOMPSON:

18 Q. Was there even a Stigma-Free St. Paul site?

19 A. There was a St. Paul site by University, if that's the
20 one you're talking about.

21 Q. Okay. So 2,000 meals a day in October 2021 at ASA in
22 St. Paul and another 3,000 kids at Stigma-Free St. Paul?

23 A. Yes. They're not even close to each other. They're
24 like 10, 15 miles away from each other, you know that. Ten
25 miles, I think.

1 Q. All right. ASA kind of made you rich too, right?

2 A. If you -- if you invest a business you supposed to be
3 making money out of it, so...

4 Q. I'm showing you Government Exhibit W14 which is an ASA
5 account for November 2020. You made over \$500,000 from
6 Aimee Bock, correct?

7 A. I'll say yes.

8 Q. And at page 38, \$500,000 to ASA Limited on January 14th,
9 2021?

10 A. Yes.

11 Q. Here's Horseed Management paying ASA Limited on
12 February 8th, 2021.

13 A. Who's paying ASA? Horseed Management?

14 Q. Yeah. You don't know why, I take it?

15 A. Nah.

16 Q. All right. On page 40, \$500,000 from Feeding Our Future
17 to ASA Limited on February 12th, 2021; is that right?

18 A. Yes.

19 Q. And on February 12th, another \$88,000 at page 41 from
20 Feeding Our Future, correct?

21 A. Yes.

22 Q. And on page 42, \$500,000 from ASA Limited on March 8th,
23 2021, correct?

24 A. Yes.

25 Q. So I know you had described earlier on direct that you

1 invested in ASA Limited; is that right?

2 A. Yes.

3 Q. And when I look, the first check here, and this is what
4 counsel went through, is on October 4th, 2020 -- this is
5 Government Exhibit W23 at page 23 -- it looks like \$35,000
6 from Salim Limited to ASA Limited.

7 A. Yes.

8 Q. Is that right? That's your investment in ASA?

9 A. I gave them more than that, so...

10 Q. Okay. But that's your first investment, correct?

11 A. Yes.

12 Q. Now, it's interesting, they had already started claiming
13 food, the ASA site, correct? The first meals served were in
14 late September; is that right?

15 A. First meals served was in September?

16 Q. Yeah.

17 A. Yeah.

18 Q. That was before you made your investment, quote/unquote,
19 in the company?

20 A. Yeah. I invest more -- before they started the work, I
21 invest money. And there was checks. I gave it to them.

22 Q. You didn't go through them on your direct; is that
23 right?

24 A. I didn't go through what?

25 Q. There was an earlier check that we didn't look at

1 earlier -- you and your counsel didn't look at?

2 A. I was missing checks, but I'm telling you, I give ASA
3 before they started business.

4 Q. They're just not in the business -- the bank records; is
5 that right?

6 A. That would be in the bank records.

7 Q. All right. Well, Mr. Said, I want to ask you: All the
8 money you put into ASA came from Salim Limited, correct?

9 A. Not just Salim Limited. It came from Ahmed Ghedi too.

10 Q. No. The money that you put in.

11 A. The money I put in ASA?

12 Q. Yeah. Your investment, quote/unquote?

13 A. Where did it come from? Salim Limited?

14 Q. Yeah.

15 A. Yes.

16 Q. And all that money --

17 A. Yes.

18 Q. And all that money that came in to Salim Limited came
19 from Safari, correct?

20 A. All the money that came from Salim Limited came from
21 Safari, yes.

22 Q. Yes. And all that money that came from Safari came from
23 Feeding Our Future, correct?

24 A. Yes.

25 Q. So you got -- you submitted these claims to Feeding Our

1 Future, correct? 5,000, 6,000 a day?

2 A. Yes.

3 Q. They paid you millions of dollars, correct?

4 A. Yes.

5 Q. You put your share of it in Salim Limited, correct?

6 A. Yes.

7 Q. Then you sent it to ASA Limited, correct? Some of it?

8 A. I invest some of it, yes.

9 Q. And then you got tons more back from ASA Limited that
10 came from Feeding Our Future, correct?

11 A. Yes.

12 Q. You know what that's called?

13 A. What?

14 Q. Money laundering.

15 A. How is it money laundering?

16 MR. MONTEZ: Objection, Your Honor.

17 THE COURT: Sustained. The jury will disregard.

18 BY MR. THOMPSON:

19 Q. Let's talk about -- we talked about the counts for ASA
20 Limited. Let's talk about the rosters, because there was
21 rosters for ASA Limited, correct?

22 A. The rosters I seen, yes.

23 Q. They were attendance rosters, correct?

24 A. I seen them, yes.

25 Q. And these rosters purported to list every kid that went

1 to ASA Limited and got food, right?

2 A. No.

3 Q. That was the idea behind them?

4 A. I don't know what was the idea behind them, but I don't
5 think so.

6 Q. You're saying that's not what they were supposed to be?

7 A. That's not what -- the roster? I don't know what
8 about -- what they was doing with the roster, but it ain't
9 supposed to be the kids' name on the roster.

10 Q. This is the first roster you guys looked at, correct?

11 A. I never look at this roster. It's -- the first time I
12 seen it was in this courtroom, so...

13 Q. Okay. It was sent to you, though, you would agree?

14 A. It was sent to me, but I never look at it.

15 Q. Okay.

16 A. So many times people don't open up emails, most of the
17 time.

18 Q. Yeah, I've heard that in this case.

19 Okay. And there's a roster list of names, right?

20 A. I see that.

21 Q. Correct? Do you see this?

22 A. Yeah.

23 Q. And it says, "Attendance for after-school program for
24 ASA Limited," correct?

25 A. Yes.

1 Q. That's what it says?

2 A. Yes.

3 Q. And ASA Limited is your company?

4 A. Yes.

5 Q. Where you purported to be distributing meals to 3,000
6 kids a day, correct?

7 A. There was management that was distributing meals too.

8 Q. Seven days a week?

9 A. Seven days a week. And --

10 Q. Correct?

11 A. When it comes to paperwork, there was a guy that was
12 working there, so...

13 Q. Okay.

14 A. I --

15 Q. And I know why you're distancing -- Mr. Said, just to be
16 clear, you are distancing yourself from these attendance
17 rosters because they are fake, correct?

18 MR. MONTEZ: Objection, Your Honor.

19 THE COURT: Overruled.

20 THE WITNESS: I'm not distancing myself. I don't
21 even know if they fake or real.

22 BY MR. THOMPSON:

23 Q. Well, you know -- you heard the --

24 A. I've never used them, so why would I --

25 Q. Mr. Said, I get to ask the questions.

1 You know they're fake. You heard the testimony
2 that none of these kids actually attended or are listed in
3 any of the public school rolls, correct?

4 A. I heard it in this courtroom.

5 Q. Okay.

6 And, in fact, these rosters contained a macro or a
7 formula that inserted a random age in the age column -- a
8 random number in the age column, correct? Correct?

9 A. That I don't know.

10 Q. You don't know that?

11 A. No.

12 Q. That when you look at these, if you look at the
13 spreadsheet, which is what you were sent, that there's a
14 formula that inserts a random age here, a random number
15 between 6 and 17. Are you aware of that?

16 A. I see age and then random numbers, but I don't see...

17 Q. Here we go.

18 Now you see what we're looking at here? This is
19 the Excel spreadsheet version of this attendance roster for
20 your company, ASA Limited. And if you see if you highlight
21 the age column, there's a formula that inserts a random
22 number between 7 and 17. Do you see that?

23 A. I see that, yes.

24 Q. Now, you'd agree with me there would be no reason to do
25 that if the list were real, correct?

1 A. What was that?

2 Q. There would be no reason to do that if you had a list of
3 real kids, correct?

4 A. If you had a list of real kids?

5 Q. Yeah.

6 A. Then you going to have to ask the person that did that.
7 I did not do that.

8 Q. You didn't do that?

9 A. No, I did not.

10 Q. Okay. Now, you got -- you were an owner in this
11 company, correct?

12 A. Yes.

13 Q. You got a lot of money from it, correct?

14 A. Yes.

15 Q. A lot of big checks?

16 A. Yes.

17 Q. From Salim Limited -- or from ASA Limited?

18 A. Yes.

19 Q. To Salim Limited?

20 A. Yes.

21 Q. I'm going to direct your attention to Government
22 Exhibit W26 at page 18. On January 22nd, 2021, you received
23 a check for \$135,000 from ASA Limited; is that right?

24 A. Yes.

25 Q. It looks like -- and two pages later, on page 20, you

1 got another \$10,000 from Salim Limited on February 23rd?

2 A. Yes.

3 Q. That same day, you also got a check for \$130,000 from
4 ASA Limited, correct?

5 A. How much was the first one?

6 Q. 10,000.

7 A. Okay. Yes.

8 Q. Let's look at them both.

9 A. Okay.

10 Q. So on February 23rd, you got \$140,000 from ASA Limited;
11 is that right?

12 A. Yes.

13 Q. Far more than you ever invested in the company, correct?

14 A. I invest -- I invest almost -- you don't invest money in
15 a company to get same money back.

16 Q. Okay.

17 A. So if you invest the money, you expecting to get more.

18 Q. Well, you knew you'd get more, correct?

19 A. What?

20 Q. You knew you were going to get money back from this
21 company, correct?

22 A. Did I know I was going to get money back?

23 Q. Yeah.

24 A. No, I didn't --

25 Q. Because you knew you were participating in the Federal

1 Child Nutrition Program, correct?

2 A. If you let me answer, I invested money in the company.

3 When I invest the money in the company, the first -- the

4 second month they were saying the food program would be

5 cancelled. It was shutting down --

6 Q. So Mr. --

7 A. -- so I wasn't expecting to get money from it.

8 Q. When you formed ASA Limited, you did so intending to

9 join the Federal Child Nutrition Program, correct?

10 A. I invest money to make money.

11 Q. That's not my question.

12 When you created ASA Limited, you did so intending

13 to use it to enroll in the Federal Child Nutrition Program,

14 correct?

15 A. It was Abdul Hakim plan. That was, yeah, his.

16 Q. You were a partner?

17 A. I was a partner, you can say that.

18 Q. Okay. And you partnered up with him intending to do

19 that, correct?

20 A. Yes.

21 Q. You had already made -- been making a million dollars a

22 month from Safari Restaurant, correct?

23 A. Yes.

24 Q. So you knew that when you joined ASA Limited, sponsored

25 by Feeding Our Future, that you would see similar returns,

1 correct, that you would get similar amounts of money every
2 month?

3 A. I wasn't expecting similar.

4 Q. You knew that you were going to start billing 3,000 kids
5 a day, correct?

6 A. I did not know how many kids will come there because I
7 wasn't working there, sir.

8 Q. And that's exactly what happened, correct?

9 A. Yep.

10 Q. 3,000 a day?

11 A. Yes.

12 Q. Now, on direct you talked about Shamrock Court -- your
13 counsel did, correct?

14 A. Yep.

15 Q. And I think you said your explanation for how this small
16 Gurey Deli could be having 3,000 kids show up every day, or
17 parents of 3,000 kids, that there was a nearby apartment
18 building; is that right?

19 A. Yes.

20 Q. Called Shamrock Court? Is that your testimony?

21 A. Shamrock Apartments. There's Shamrock Apartments, and
22 there's a whole neighborhood called McKnight. The name of
23 it -- it has a different name, a whole neighborhood of
24 Somalis live there. It's called McKnight.

25 Q. The picture your counsel put up, though, was of Shamrock

1 Court; is that right? Correct?

2 A. The picture he put up was, yep.

3 Q. Okay. And the explanation was Shamrock Court had a
4 large Somali population, correct?

5 A. Shamrock Apartments.

6 Q. Yeah.

7 A. McKnight, which is behind the place, has a lot of
8 Somalis.

9 Q. Here we go.

10 That's Shamrock Plaza there; is that right?

11 A. Yep.

12 Q. So where were the apartments that were supposed to be
13 located someplace?

14 A. There's apartments behind this way (indicating).

15 Q. Okay.

16 A. That way, coming this way, coming this way (indicating).
17 There's apartments behind there. Two blocks down there's a
18 whole neighborhood of - there's apartments called McKnight
19 that's in there, Somalis.

20 Q. Now --

21 A. And there's a mosque there also.

22 Q. Now I want to ask you about this Shamrock, because there
23 was actually another food site located at those Shamrock
24 Apartments. Were you aware of that?

25 A. Was I aware of another food?

1 Q. Yeah.

2 A. (Moves head from side to side.)

3 Q. Are you aware that the manager of that Shamrock
4 Apartments complex testified at a prior trial?

5 A. A prior trial?

6 Q. Involving the food fraud.

7 A. No.

8 Q. Are you aware of that? Julia Garcia?

9 A. Julia Garcia? No.

10 Q. You are not aware of that? And she testified that no
11 one delivered any food to her apartment complex. Are you
12 aware of that?

13 A. In this courtroom?

14 Q. Yeah.

15 A. Julia Garcia?

16 Q. You are not aware of that? Are you aware of that?

17 A. Can you remind me?

18 Q. If you're not aware of it, you're not aware of it.

19 A. No, I'm not.

20 Q. Are you aware there was another entity that was claiming
21 to be feeding a thousand kids a day in 2021 at those
22 Shamrock Apartments on McKnight?

23 A. Shamrock Apartments on McKnight no, I didn't.

24 Q. You are not aware of that?

25 A. No.

1 Q. That's kind of weird, huh?

2 MR. MONTEZ: Objection, Your Honor.

3 THE COURT: Sustained. The jury will disregard.

4 BY MR. THOMPSON:

5 Q. All right. So altogether, ASA Limited paid you over
6 \$800,000; is that right?

7 A. I've got to see the numbers. I don't see no numbers in
8 here. ASA paid me -- yeah.

9 Q. Over \$800,000?

10 A. Yeah.

11 Q. For food purportedly distributed at that ASA Limited
12 site?

13 A. Yes.

14 Q. That you never went to -- or you went to twice, you
15 said?

16 A. I went twice, yeah.

17 Q. Okay. 3,000 kids a day?

18 A. 3,000 kids a day.

19 Q. That same fall you also opened up a site in
20 September 2020 at -- called Olive Management; is that right?

21 A. Did I open a site called Olive Management?

22 Q. Your friend Ahmed Omar-Hashim did, correct?

23 A. Yeah.

24 Q. That was another -- that was a similar site that was
25 created, correct?

1 A. Yeah.

2 Q. In St. Paul?

3 A. Yeah.

4 Q. Or in St. Cloud. I'm sorry.

5 A. It was St. Cloud, yeah.

6 Q. That was enrolled at the same time in September of 2020,
7 correct?

8 A. I'd have to see the date. Yes.

9 Q. And I'm showing you now Government Exhibit E2, which is
10 an email from -- to you notifying you of the registration of
11 Olive Management on September 8th, 2020; is that right?

12 A. Yes.

13 Q. So about the same day that you guys enrolled ASA Limited
14 in the program, correct?

15 A. Yes.

16 Q. And that one followed a similar pattern, correct? By
17 October 1st, you claimed to be serving meals to 3,000 kids a
18 day at Olive Management, correct?

19 A. Yes.

20 Q. In St. Cloud?

21 A. Yes.

22 Q. 3,000 kids, two meals a day, seven days a week?

23 A. Yes.

24 Q. Correct?

25 A. Yes.

1 Q. I'm showing you E43. These are the meal counts for
2 December 2020, correct?

3 A. Yes.

4 Q. Remarkable that every one of these sites exactly -- or
5 almost exactly, 3,000 people showed up every single day
6 starting on day one. Would you agree?

7 A. It's not remarkable, but when you making a good food,
8 all these people you see in St. Cloud all these places you
9 see, before they get to open their businesses, they come to
10 Safari and we train them. There's chefs that train them.
11 If you are making good food, people will come to you.

12 Q. Exactly 3,000 a day.

13 In all the years you owned Safari Restaurant prior
14 to COVID, did you ever have 3,000 people show up a day?

15 A. 3,000 people every day?

16 Q. Yeah.

17 A. Safari Restaurant?

18 Q. Yeah. Prior to COVID?

19 A. You will cook more than 3,000 sometimes, food at Safari
20 Restaurant.

21 Q. Mr. Said, the maximum revenue your business had prior to
22 COVID was, what, \$600,000 in a single year?

23 A. Abdulkadir Salah report cash from the res -- from the
24 hall. There was a lot of cash in the restaurants.

25 Q. You were committing tax evasion through Safari?

1 A. I wasn't committing tax evasion. My job was to give it
2 to Abdulkadir Salah so he can.

3 Q. So 3,000 people a day came to Safari Restaurant prior to
4 COVID and paid cash?

5 A. What is that?

6 Q. Is that what you are saying?

7 A. I said, once a while it will happen, thousands of people
8 will come to Safari Restaurant.

9 Q. Once in a while.

10 A. Yes. And you will deliver food to weddings and stuff
11 like that.

12 But when you have -- the restaurant people love so
13 much a free food, a free food for kids, you think they will
14 go somewhere else?

15 Q. I think they might, yeah.

16 A. No, they might not. You have a Chick-fil-A giving out
17 free food and Wendy's, you won't go to Chick-fil-A every
18 day, seven days a week?

19 Q. I would not. My kids will not, and I bet your kids
20 wouldn't either, Mr. Said.

21 A. Oh, they will.

22 Q. Okay. Let's look at Olive Management, E44, January 2021
23 exactly 3,000 -- within a couple of 3,000 a day every single
24 day, correct?

25 A. Yes.

1 Q. And that continues throughout 2021; is that right? At
2 some point it's -- I guess at some point it's 2,000 a day.

3 A. Yes.

4 Q. In the summer. E52, 2,000 a day.

5 A. Yes.

6 Q. And, again, to be clear, these are not seven-day meal
7 packs. This is 2,000 kids every single day receiving food
8 from Olive Management in St. Cloud, correct?

9 A. This is cooked food.

10 Q. Yeah. So every single day --

11 A. Every single day they cooking the food, yeah.

12 Q. 2,000 kids, 4,000 meals every day?

13 A. Yeah.

14 Q. It continues in August of 2021 at Government
15 Exhibit E54, correct?

16 A. Yes.

17 Q. Now, I know you said that you invested, I think you
18 said, in Olive Management as well?

19 A. Yes, sir.

20 Q. You cut them a check for \$25,000 from Salim Limited,
21 correct?

22 A. Yes, sir.

23 Q. On November 18th?

24 A. More than that.

25 Q. And that was the one you guys showed us here, if I have

1 this right. Maybe I don't. Here we go.

2 \$25,000 on November 18th, so about 6 or 7 weeks
3 after the company started purporting - submitting meal count
4 claims correct? Correct?

5 A. After they claiming what?

6 Q. That's long after the company started submitting meal
7 counts, correct?

8 A. I don't know about that.

9 Q. Well, let's take a look. Here's Government Exhibit E41
10 at page 10, 3,000 kids a day in October 2020, correct?

11 A. Mm-hmm, yes.

12 Q. Starting October 1st?

13 A. Yes.

14 Q. Before you, quote/unquote, invested in the company?

15 A. See I told -- I had that I paid a check to Hormud, which
16 was the restaurant I was -- I said that earlier.

17 Q. There was some other check?

18 A. Yes.

19 Q. You guys just didn't cover it earlier?

20 A. Yes.

21 Q. Okay.

22 A. So we used to pay them from Cosmopolitan.

23 Q. Okay. But to be clear, all the money that you paid,
24 whether it was Salim Limited or whatever, came from the food
25 program, correct?

1 A. It came from Feeding Our Future.

2 Q. Yeah. So you took money you received from Feeding Our
3 Future, you gave it to Olive Management, and then you got
4 much, much more money back from Olive Management, correct?

5 A. I didn't work for Feeding Our Future. I'm a vendor. My
6 job is to feed -- give out food, cook the food and give out
7 and I will deliver. When I get the money, when I have a
8 profit I've made, I open different businesses. That's it.

9 Q. Okay. And your businesses, they aren't really
10 businesses. They're food sites, correct, nonprofit food
11 sites?

12 A. Yes.

13 Q. All right. Let's look at Olive Management because it,
14 too, was wildly successful, correct?

15 A. You said what?

16 Q. It was wildly successful.

17 A. Olive Management, 12/29/2020, it was successful. You
18 can say that yeah.

19 Q. So, for example, here at W34 at page 128, by
20 December 29th, about three months after the company was
21 formed, you received a \$1.1 million check from Ms. Bock and
22 Feeding Our Future, correct?

23 A. That's a two -- a two-month check, sir. It's not a
24 one-month check.

25 Q. It's a two-month check.

1 A. I think so, or three-month. I don't know. I say
2 two-month.

3 Q. And then that was on December 29th. Two weeks later,
4 another \$500,000 from Feeding Our Future on January 14th,
5 2021?

6 A. That's -- the whole three-month, they did not pay. They
7 paid a two-month check once and one check one month. That's
8 what it is.

9 Q. Okay.

10 A. For three months.

11 Q. Okay. And then on page 132, on February 12th, 2021,
12 \$571,000 from Ms. Bock and Feeding Our Future, correct?

13 A. Yes.

14 Q. And on page 136 on March 8th, \$516,000 from Ms. Bock and
15 Feeding Our Future, correct?

16 A. Yes.

17 Q. And much of that money got paid out to you; is that
18 right?

19 A. You said that money got paid out to me? Most of it, you
20 said?

21 Q. A lot of it.

22 A. I've got to see.

23 Q. Showing you here page 18 of Government Exhibit W26,
24 which is a Salim Limited bank account. This is a series of
25 three checks written to Salim Limited on January 22nd, 2021;

1 is that right?

2 A. That's -- yes.

3 Q. That's your company?

4 A. Salim Limited, yes, that's my company.

5 Q. So on January 22nd, 2021, you received \$135,000 from ASA
6 Limited, correct?

7 A. Yes.

8 Q. \$70,000 from Olive Management?

9 A. Yes.

10 Q. \$277,000 from Cosmopolitan Business Solutions, correct?

11 A. Yes.

12 Q. All food money?

13 A. Yes.

14 Q. None of these businesses had any revenue outside of the
15 money provided by Feeding Our Future, correct?

16 A. They didn't have what? Any revenue?

17 Q. There was no other revenue.

18 A. That I don't know, if they had revenue or not, but --

19 Q. Well, you know. You owned these businesses.

20 Cosmopolitan was shut down.

21 COURT REPORTER: Could you repeat your answer?

22 THE WITNESS: I said Safari Restaurant had a
23 revenue.

24 BY MR. THOMPSON:

25 Q. Not at this point. It was shut down, correct?

1 A. Yes. If you say that, yes. It was COVID. They didn't
2 have revenue.

3 Q. That's what I'm saying.

4 A. Yes.

5 Q. So all this money came from the food program, right?

6 A. Yes.

7 Q. And rather than being used to buy food to feed kids, it
8 went to your shell company?

9 A. We did buy food, and we did feed kids.

10 Q. Just not with this money?

11 A. The same money, we used to feed kids. We made -- we
12 bought -- shopping. We had Syscos, Costcos, Shopkos, all of
13 these places coming to Safari, so -- and all of these
14 places. So we did feed kids.

15 Q. Showing you Government Exhibit W25 at page 21, on
16 January 18th, you deposited another check from Olive
17 Management into your Salim Limited account; is that right?

18 A. Yes.

19 Q. That was for \$313,000?

20 A. Yes.

21 Q. All food money?

22 A. Yes.

23 Q. At page 24, there's a bunch of checks here. All food
24 money, but the middle one is from Olive Management; is that
25 right? February 22nd, 2021, you deposited \$229,000 from

1 Olive Management into your company, Salim Limited, correct?

2 A. Yes.

3 Q. All food program money?

4 A. Yes.

5 Q. And the very next page here, on February 18th, 2021, you
6 deposited \$80,000 from Olive Management to Salim Limited,
7 correct?

8 A. Yes.

9 Q. Now, altogether, you received over \$1.2 million from
10 Olive Management into your Salim Limited account, correct?

11 A. That I don't know.

12 Q. You don't know?

13 A. I've got to see it.

14 Q. Well, it's a summary chart, but this is a chart that's
15 been admitted into evidence as X5, which is a summary of all
16 money into and out of the Olive Management account.

17 And if you see here, the number one recipient of
18 money from Olive Management was Salim Limited, LLC; is that
19 right?

20 A. Is this Olive Management?

21 Q. Yes.

22 A. That says 1,000,242?

23 Q. Mm-hmm.

24 A. Is that 3017 that made 610?

25 Q. You got more than Abdulkadir Salah from Olive

1 Management.

2 A. Well, the question is: How do I have more than the
3 owner of the business?

4 Q. It's a darn good question. It's almost like you were
5 quarterbacking this whole thing, Mr. Said.

6 A. No, I wasn't.

7 Q. In fact, you were the one that would reach out to
8 Ms. Bock about checks being due, correct?

9 A. Yeah, something's not here. I don't -- Abdulkadir did
10 not own the business. Me and Abdulkadir was same as shares.
11 Salah Donyale owned the business, and I'm making more than
12 both brothers.

13 Q. It does seem questionable, doesn't it?

14 A. It doesn't make any sense.

15 Q. Agreed.

16 All right. So in the fall of 2020, you guys
17 opened up a series of other sites under a nonprofit called
18 Stigma-Free International; is that right?

19 A. I never opened a Stigma-Free International.

20 Q. You had sites under the sponsorship -- or not under the
21 sponsorship -- under the name of Stigma-Free, correct?

22 A. I did not have sponsors under Stigma-Free. I just
23 invest in business, which is those sites.

24 Q. You invested in the Stigma-Free sites?

25 A. I invested in the sites, and they went to Stigma-Free.

1 Q. And these sites were opened -- the Stigma-Free company
2 was acquired in October of 2020; is that right?

3 A. I don't know anything about Stigma-Free.

4 Q. And the sites were opened?

5 A. Sites maybe. I don't know anything about Stigma-Free.

6 Q. Well, you know about the Stigma-Free Willmar site; is
7 that right?

8 A. The Willmar site I know, but I don't know Stigma-Free.

9 Q. Okay. And the Stigma-Free Willmar site -- you are
10 familiar with the Willmar site?

11 A. Yes.

12 Q. Sometimes called "Stigma-Free Willmar," sometimes called
13 "Tunyar Trading"?

14 A. Yes.

15 Q. And it purported to be in -- by October of 2020, serving
16 meals to 3,000 kids a day, correct?

17 A. Yes.

18 Q. So we got 5- or 6,000 kids a day at Safari, correct?

19 A. Yes.

20 Q. 3,000 kids a day -- and that's in Minneapolis, right?

21 A. What is in Minneapolis?

22 Q. Safari is in Minneapolis?

23 A. Safari is in Minneapolis, yeah.

24 Q. Then you got another 3,000 kids a day at ASA Limited in
25 St. Paul?

1 A. Yes.

2 Q. 3,000 kids a day at Olive Management in St. Cloud?

3 A. Yes.

4 Q. 3,000 kids a day at -- in Willmar, correct?

5 A. Willmar, yeah.

6 Q. Willmar, Minnesota?

7 A. Yes.

8 Q. Where a total of 4,000 kids attend public school?

9 A. Yes.

10 Q. So you guys were serving 75 percent of all children in
11 Willmar, Minnesota every day?

12 A. See --

13 Q. Is that right?

14 A. When you say "you guys, Willmar, Minnesota, you have to
15 understand, all these places you count all of the numbers
16 and all of the stuff, like people were just coming into the
17 place. It's not -- they deliver food. They pick up food.
18 There's trucks that pick up food and deliver to homes. So
19 if you say they keep coming, and you keeping the same way --

20 Q. No, I'm just pointing out that that would be 75 percent
21 of all kids in Willmar, Minnesota receiving --

22 A. You can say that, but we -- small towns is next to
23 Willmar, they deliver food.

24 Q. In the small towns next to Willmar?

25 A. Yes.

1 Q. Okay.

2 A. Sometimes they deliver food to small --

3 Q. Were you there, Mr. Said?

4 A. No, I never been there, but that's what they used to
5 say. And Liban Mohamed used to record all these places, and
6 I used to watch the videos.

7 Q. Oh, yes the videos.

8 All right. G41, the Stigma-Free food must have
9 been great because in December 2020 it's still 3,000 kids a
10 day, two meals a day, seven days a week; is that right?

11 A. Yeah, yes.

12 Q. And G42, 3,000 kids a day in January 2021 in Willmar,
13 correct?

14 A. Yes.

15 Q. Same number?

16 There was a Mankato site too, right? You are
17 familiar with that one?

18 A. Yes.

19 Q. Horseed Management?

20 A. Yes.

21 Q. We saw some checks?

22 A. Yes.

23 Q. Showing you now Government Exhibit R18, which are meal
24 counts from Mankato sent to Mr. Idleh and Ms. Bock. And it
25 looks like there, too, 3,000 a day?

1 A. Yes.

2 Q. In October 2020; is that right?

3 A. Yes.

4 Q. Every single day in Mankato?

5 A. Yes.

6 Q. And that continues day after day, week after week, month
7 after month in Mankato?

8 A. Yes.

9 Q. Page 46, again, in January, it's 3,000 breakfast and
10 lunch every single day, correct?

11 There were also sites in Waite Park; is that
12 right?

13 A. Yes.

14 Q. And St. Cloud?

15 A. Yes.

16 Q. Another site in St. Cloud, correct?

17 A. Waite Park is not St. Cloud. It's close to St. Cloud.

18 Q. There's a Stigma-Free Waite Park site, right?

19 A. Stigma-Free Waite Park.

20 Q. And there's a Stigma-Free St. Cloud site?

21 A. Okay.

22 Q. And there's an Olive Management site in St. Cloud; is
23 that right?

24 A. Waite Park and St. Cloud is two different cities.

25 Q. They're side by side, is what I'm saying.

1 A. Side by side, okay.

2 Q. Okay. So in that St. Cloud metropolitan area, that you
3 guys had three sites, correct?

4 A. Three sites, yes. I think --

5 Q. Each doing 2- or 3,000 --

6 A. I didn't know about three sites. I knew Olive
7 Management and Feeding Our Youth. What was the name of the
8 other one?

9 Q. Stigma-Free St. Cloud?

10 A. I don't think I had anything to do with that one.

11 Q. Okay. And each one of these sites was set up in a
12 similar model, correct? They each had a vendor company; is
13 that right?

14 A. You say vendor company?

15 Q. So Willmar had Tunyar Trading, correct?

16 A. Willmar, yes.

17 Q. And Mankato had Horseed Management?

18 A. Yes.

19 Q. Waite Park had Feeding Our Youth?

20 A. Yes.

21 Q. Is that right?

22 A. Yes.

23 Q. And so the Stigma-Free sites collectively received over
24 \$16 million from Feeding Our Future; is that right?

25 A. That I don't know.

1 Q. You don't know?

2 A. Huh-uh.

3 Q. And they received these in a series of enormous checks,
4 right, and that would pass through Stigma-Free down to these
5 various sites; is that right?

6 A. Say that again.

7 Q. They would be -- the money would go from Feeding Our
8 Future to Stigma-Free, right?

9 A. Yes.

10 Q. And from Stigma-Free to Horseed or Willmar?

11 A. Yes.

12 Q. Or Feeding Our Youth, correct?

13 A. Yes.

14 Q. And from those companies, it would go to you or your
15 partners, correct?

16 A. It wouldn't go to me, but I don't know about my
17 partners. Some of them invest money, some of them did not,
18 so...

19 Q. You got quite a bit from Tunyar; is that right? So, for
20 example, at W26 at page 19, you got \$94,000 from Salim
21 Limited, is that right, on February 9th, 2021?

22 A. Yes.

23 Q. And the next page, Horseed Management, that's the
24 Stigma-Free Mankato site, right?

25 A. Yes.

1 Q. \$125,000?

2 A. Yes.

3 Q. And, again, essentially every penny that went into Salim
4 Limited came from these various food sites; is that right?

5 A. Yes.

6 Q. Here's W25 at page 22, \$94,000 from Tunyar Trading on
7 January 27th, correct? Is that right?

8 A. Yeah.

9 Q. And if I page through every single one of these, is
10 money from every one of these sites, correct, of Salim
11 Limited?

12 A. You said?

13 Q. What I'm saying is every check that got deposited into
14 your Salim Limited bank accounts came from the food program,
15 correct?

16 A. Yes, yes.

17 Q. Okay. And altogether, it was millions of dollars into
18 Salim Limited?

19 A. Yes.

20 Q. From the food program?

21 A. Yes.

22 Q. All right. So let's talk about --

23 THE COURT: Mr. Thompson, before you go to another
24 subject, we're going to take a break, and we will come back
25 at 3:30.

1 All rise for the jury.

2 (3:13 p.m.)

3 **IN OPEN COURT**

4 **(JURY NOT PRESENT)**

5 THE COURT: Court's in recess until 3:30.

6 (Recess taken at 3:13 p.m. till 3:31 p.m.)

7

8 **IN OPEN COURT**

9 **(JURY PRESENT)**

10 THE COURT: You may all be seated.

11 And, Mr. Thompson, you may continue.

12 MR. THOMPSON: Thank you, Your Honor.

13 BY MR. THOMPSON:

14 Q. All right. Mr. Said, when we left off, we were talking
15 about all these various food sites that you and your
16 partners had opened up all around the state of Minnesota; is
17 that right?

18 A. Yes.

19 Q. And I know you took issue with them -- you guys being
20 described as the Safari group, but we actually didn't make
21 up that moniker, did we? In fact, I'm showing you
22 Government Exhibit FF2 at page 229. And there is a document
23 labeled Safari Group; is that right? That was recovered
24 during the search of 2722 Park Avenue.

25 A. Yes.

1 Q. And there's a bunch of sites listed here; is that right,
2 including Safari Restaurant, correct?

3 A. Yes.

4 Q. ASA Limited?

5 A. Yes.

6 Q. Brava crossed off, correct -- Brava Restaurant down in
7 Rochester?

8 A. Yes, I see Brava.

9 Q. Horseed Management, which is also known at Stigma-Free
10 Mankato, correct?

11 A. Yes.

12 Q. Tunyar Trading, which is also known as Stigma-Free
13 Willmar?

14 A. Yes.

15 Q. Waite Park, sometimes called Feeding Our Youth?

16 A. Yes.

17 Q. And I see on here also Olive Management; is that right?

18 A. Yes.

19 Q. And you and your colleagues invested or received money
20 from all these different sites, correct? Correct?

21 A. Yes.

22 Q. Okay. And we looked at some of the meal counts, and
23 you, in fact, either received or sent emails with counts for
24 these various sites; is that right?

25 A. I sent -- you said I sent emails for the sites?

1 Q. Yeah.

2 A. I did not send email. I received this email.

3 Q. This is an email you received at Government Exhibit G28
4 from Abdikadir Mohamud; is that right?

5 A. Yes.

6 Q. You know him? He ran the Willmar site, correct?

7 A. Yes.

8 Q. And here he sent you meal documents for the Stigma-Free
9 Willmar site, correct?

10 A. I don't know why he sent me. Yes, I see that.

11 Q. Okay. You don't know why he sent this to you?

12 A. Yes.

13 Q. You will agree that you are the only person to whom he
14 sent this on this day, on this email, correct?

15 A. That I don't know.

16 Q. Well, your email address --

17 A. This email, yes.

18 Q. Okay. You are the only -- that's your email account,
19 correct?

20 A. Yes.

21 Q. He didn't send this to anyone else here in this email?

22 A. Yes.

23 Q. And attached to it is an invoice for meals purportedly
24 distributed at Stigma-Free Willmar in October 2021; is that
25 right? Correct?

1 A. Yeah.

2 Q. Total invoice for \$246,000 for that month, correct?

3 A. That's what it says, yes.

4 Q. And then there's an attendance roster for the
5 after-school program at Stigma-Free International Willmar,
6 correct?

7 A. That's what it says, yes.

8 Q. Sent to you on November 3rd, 2021?

9 A. November 3rd, 2021, yes.

10 Q. And you asked why -- you said he didn't know why he
11 would have sent it to you. It looks like, here at
12 Government Exhibit G29, you then sent some of this
13 information to Feeding Our Future; is that right?

14 A. Actually, November 3rd, 2021, I wasn't doing any
15 paperwork, so -- I never did any paperwork, but I wasn't
16 doing it this time there, so I don't know why he sent me and
17 I don't know why I sent to.

18 Q. That's your email account, would you agree?

19 A. It is my email account, but --

20 Q. You are sending this email to
21 claims@feedingourfuturemn.org?

22 A. Yes, I see that.

23 Q. Okay. And attached to the email are meal counts for
24 Stigma-Free Willmar?

25 A. Yes.

1 Q. For the month of September 2021?

2 A. Yes.

3 Q. 2,000 kids a day?

4 A. Yes.

5 Q. I'm directing your attention to Government Exhibit G30.

6 And that same day you send those counts in a separate email
7 to just claims@feedingourfuturemn; is that right?

8 A. Is it the same email?

9 Q. Different email.

10 A. Same person?

11 Q. Two emails on the same day that you sent on
12 November 3rd, 2021, correct?

13 A. It's the same stuff.

14 Q. One sent to both claims@feedingourfuture and also
15 Asia@feedingourfuture, correct, on the left?

16 A. That's what it says, yes.

17 Q. And on the right, to just claims@feedingourfuture?

18 A. That's what it says.

19 Q. Both containing meal counts for the Stigma-Free Willmar
20 site, correct?

21 A. Yes.

22 Q. Government Exhibit C29, you received meal counts for the
23 ASA Limited site from Abdihakim Ahmed, your partner in ASA
24 Limited, correct?

25 A. Yes.

1 Q. November 3rd, 2021?

2 A. Yes.

3 Q. Containing meal counts for the ASA Limited site for
4 September of 2021, correct?

5 A. Yes.

6 Q. You also received counts from the Waite Park site. I'm
7 showing you now what's been marked as Government Exhibit
8 I -- or admitted as Government Exhibit I11. Do you see this
9 email?

10 MR. THOMPSON: I guess I will admit Government
11 Exhibit I11, Your Honor.

12 THE COURT: Any objection?

13 MR. UDOIBOK: No objection.

14 MR. MONTEZ: No objection.

15 THE COURT: Exhibit I11 is admitted.

16 BY MR. THOMPSON:

17 Q. All right. Is this an email you received from Hamdi
18 Omar?

19 A. I was cc'd to the email.

20 Q. You are on the "to" line?

21 A. Yes, up there.

22 Q. You received this email, correct?

23 A. I don't know if I received it, but I am in the email.

24 Q. It was sent to your email address?

25 A. Yes.

1 Q. You know Hamdi Omar?

2 A. Yes.

3 Q. She ran the Waite Park site?

4 A. Yes.

5 Q. Feeding Our Youth?

6 A. Yes.

7 Q. And it appears that she also sent her meal counts to you
8 for September of 2021; is that right?

9 A. She sent it to Stigma-Free, I think. The email says
10 Stigma-Free and me, so it's not just me.

11 Q. Yeah, you and Stigma-Free, correct?

12 A. Yes.

13 Q. Okay. And that's -- of course you had -- you received
14 funds from the Stigma-Free Waite Park site, correct?

15 A. Yes.

16 Q. You got some of the proceeds from that site?

17 A. Yes.

18 Q. And in September of 2021, like the other sites, it
19 claimed to be serving approximately 2,000 kids a day in
20 Waite Park, Minnesota, correct?

21 A. It says here 2,057, yes.

22 Q. Every single day?

23 A. But this not -- it says on this, not a -- warm food.
24 It's dry food, which means you give up one day for seven
25 days' food.

1 Q. Okay. Brava Restaurant also sent you meal counts; is
2 that right? Are you familiar with Brava Restaurant?

3 A. Yes, I am.

4 Q. Mr. Jama's site down in Rochester?

5 A. Yes, sir.

6 Q. You received funds from that site?

7 A. Which I gave funds to them.

8 Q. And I'm showing you now Government Exhibit L22.

9 MR. THOMPSON: I'm going to move to admit
10 Government Exhibit L22, Your Honor.

11 THE COURT: Any objection?

12 MR. MONTEZ: No objection.

13 MR. UDOIBOK: No objection.

14 THE COURT: L22 is admitted.

15 BY MR. THOMPSON:

16 Q. And is this an email sent to you on December 2nd, 2021?

17 A. Yes.

18 Q. From Brava Restaurant to you, Salim Said 4040, correct?

19 A. Yes.

20 Q. And attached are meal counts for the Brava Restaurant
21 site down in Rochester for October 2021, correct?

22 A. Yes.

23 Q. 2,000 a day?

24 A. It says 2,000 a day, yes.

25 Q. Day after day?

1 A. That's what it says.

2 Q. Okay. And agents searched your home during the
3 investigation and found meal counts too; is that right?

4 A. Yes.

5 Q. You had meal counts for the Mankato site in your house
6 in January 2022; is that right?

7 A. I have to see the meal counts.

8 Q. They've been admitted into evidence as Government
9 Exhibit GG5. Are those meal counts from the Stigma-Free
10 Mankato site?

11 A. Yes.

12 Q. Those were in your house?

13 A. I don't know if those were my house, though.

14 Q. All right. Now I want to talk about the Safari Group,
15 as you guys put it in your writings, in your notes.

16 It ran -- you guys ran out of this building, 2722
17 Park Avenue; is that right? That was your office for Safari
18 Restaurant, right?

19 A. Not for Safari Restaurant. For TFS.

20 Q. TFS. You were there most days, correct?

21 A. I used to go there, yeah.

22 Q. And you guys purchased this building using the money you
23 made from the food program, correct?

24 A. Yes.

25 Q. Okay. And people would come buy and bring their papers

1 related to the food program, right?

2 A. They will come up there, yeah.

3 Q. So people that ran the various sites, ASA Limited, Olive
4 Management, Willmar Mankato, Brava, would bring their meal
5 counts, correct?

6 A. They will not just bring the meal counts. They will
7 bring the meal counts, the paperwork, and everything,
8 because TFS was doing the paperwork.

9 Q. And they meet with you and Fish and Salah, correct?

10 A. They don't meet me all the time. They just meet me once
11 in a while when I see them outside. Somalis --

12 COURT REPORTER: Wait, wait could you please slow
13 down. "We meet outside."

14 THE WITNESS: I'm sorry.

15 We meet outside. We have a culture, if you see
16 somebody, you say hi to them. We just talk, have a normal
17 conversation. I don't know that we having meetings every
18 minute we see each other.

19 BY MR. THOMPSON:

20 Q. Well, those counts that we saw, similar counts to the
21 ones that we saw you receiving and emailing, were found
22 during the search of the Park Avenue --

23 A. Yeah, sure.

24 Q. -- building, correct?

25 A. Yes.

1 Q. For example, at Government Exhibit FF8, these are meal
2 counts from the ASA Limited site that were found at Park
3 Avenue, right? Is that right?

4 A. You say, this was found in Park Avenue?

5 Q. Yeah.

6 A. You guys found it then.

7 Q. It certainly doesn't surprise you, right?

8 A. You guys found this. If you guys found it.

9 Q. Mr. Said, it doesn't surprise you that that was found
10 there, correct? That's where people would bring their
11 paperwork?

12 A. It's a TFS company, so they will bring their paperwork.
13 They will be doing taxes over there, doing paperwork over
14 there, bookkeeping, so...

15 Q. FF16 is another folder found at Park Avenue?

16 A. FF16?

17 Q. For Stigma-Free Mankato?

18 A. Okay.

19 Q. Various meal counts, correct?

20 A. Okay.

21 Q. FF5 is a folder for Safari Restaurant. Your business,
22 correct?

23 A. Yeah.

24 Q. Meal counts for January 2021, including here at page 81
25 signed by you, correct?

1 A. Yes.

2 Q. Willmar brought their counts and paperwork there,
3 correct?

4 A. Yes. Willmar, I don't know if they brought it, but you
5 show me, yes.

6 Q. And --

7 A. I don't know who brought paperwork up there, but they
8 used to bring their paperwork, but I cannot tell which was.

9 Q. Because all these sites were working together, right?

10 A. They wasn't working together. Everybody has its own
11 sites.

12 Q. You were all doing the same thing, though, correct, the
13 same pattern?

14 A. They was doing food.

15 Q. Yeah. And supplied by Safari?

16 A. Supplied by Safari? No, not most of them was supplied
17 by Safari. Safari invests money, but it wasn't supplied by
18 Safari.

19 Q. You invested. And Tunyar Trading, one of your
20 investment free child food sites, correct? Tunyar?

21 A. What about Tunyar?

22 Q. This is one of your investments?

23 A. Tunyar, yes, I invest.

24 Q. And here, FF22 is meal count sheets for Tunyar found at
25 the 2722 Park Avenue; is that right?

1 A. Yeah.

2 Q. You don't know?

3 A. Do I what?

4 Q. You don't know? The Willmar site brought their --

5 A. Yes.

6 Q. -- meal counts to 2722 Park Avenue, right?

7 A. Yes.

8 Q. Olive Management did?

9 A. Yes.

10 Q. ASA Limited did?

11 A. ASA Limited, yes, maybe.

12 Q. Safari Restaurant -- well, you should know. You're a

13 partner in the business.

14 A. Maybe. Safari Restaurant, yes.

15 Q. Safari Restaurant did?

16 A. Safari Restaurant, at that point, the man that was doing

17 it was the same man that owns the office you talking about.

18 Q. Mankato?

19 A. It's the same man that owns the same office.

20 Q. He did --

21 A. Abdulkadir Salah owns the office, and he was doing the

22 paperwork for everybody, so...

23 Q. Okay. There was something else that agents found when

24 they searched Park Avenue, and I want to ask you a little

25 bit about it.

1 You had invoices on the computer, so agents
2 searched the computers found at Park Avenue. There were
3 computers, right?

4 A. There was.

5 Q. People had computers?

6 A. Yeah, they had computers.

7 Q. Right? And they used those to make -- do food program
8 paperwork, correct?

9 A. That I don't know.

10 Q. You don't know.

11 Well, I want to show you one of them, which is
12 Government Exhibit FF80, okay?

13 You are familiar -- well, this is an invoice. Do
14 you see it here?

15 A. This is not -- this is an invoice, yes.

16 Q. And this is for one of the sites that you guys had,
17 correct, Olive Management?

18 A. Salah had. I just invested it.

19 Q. Well, you shared in the proceeds of it, correct?

20 A. I just invest money in it, so Salah owns the business.

21 Q. You got a lot of money from it, though, is what I'm
22 saying, like over a million dollars from it?

23 A. I did have a lot of money from it, but --

24 Q. So let's not hold it too far at arm's length because you
25 got over a million dollars from Olive Management, correct?

1 MR. MONTEZ: Objection, Your Honor. Asked and
2 answered.

3 THE COURT: Overruled.

4 You may answer.

5 THE WITNESS: I just said to you again and again.
6 Salah Donyale owned the business and opened the business and
7 worked there, and it was his job to work there. I never
8 went there, so I invest the money.

9 BY MR. THOMPSON:

10 Q. Okay. And you got over a million dollars from Olive
11 Management, correct?

12 A. No. Do I have what?

13 Q. You received over a million dollars from Olive
14 Management?

15 A. That's what you showed me on the screen, but I don't
16 know.

17 Q. A lot of money, you would agree?

18 A. A lot of money.

19 Q. Well, I want to look at some of these invoices that were
20 found on a computer --

21 A. Okay.

22 Q. -- at Park Avenue, the building that you owned and
23 bought, correct?

24 A. Yes.

25 Q. There were invoices related to Olive Management, this

1 company that you received a lot of money from, okay? Fair?

2 A. Invoices that were related to Olive Management.

3 Q. Yes.

4 A. Okay.

5 Q. All right. So this first page here -- actually, the two
6 first pages are the same -- are from an entity called
7 Premium Fresh Produce. Do you see that?

8 A. Yes.

9 Q. And it's for a bunch of milk; is that right, for Olive
10 Management?

11 A. I see that, yes.

12 Q. And the invoice here is Invoice Number 1134, and it's
13 dated November 13th, 2020; is that right?

14 A. Yep.

15 Q. Okay. Now I want to turn to the next page of this
16 exhibit, page 3. Maybe I will just do this on two screens
17 here.

18 All right. So we see two different invoices here
19 from Premium Fresh Produce, right? And the address looks
20 the same here, 2554 Como Avenue, Suite 3; is that right?

21 A. 2554, yeah.

22 Q. Spelled Premuim Fresh Produce, LLC, correct?

23 A. Yeah.

24 Q. And there's a Yahoo email account, correct?

25 A. Yes.

1 Q. And if we see here on the left side of the screen,
2 page 3 is invoice number 1135, which is dated November 13th,
3 2020. This was, again, saved on a computer at Park Avenue.

4 Do you see that?

5 A. Yeah.

6 Q. Now I want to direct your attention to the right side of
7 the screen which is page 4, Invoice Number 1136 saved on
8 that computer, which is the next invoice number, 1136, but
9 it's earlier in time.

10 Do you notice that?

11 A. Yeah, yes.

12 Q. So the next invoice actually was issued nine days
13 earlier, according to this; is that right?

14 A. Yes, but -- what was this invoices again?

15 Q. And now I want to direct your attention on the left side
16 of the screen to page 4, and you will see it's an invoice
17 Premuim Fresh Produce, spelled P-R-E-M-U-I-M; is that right?

18 A. Yeah.

19 Q. And on the right side is a different invoice from
20 Premuim Fresh Produce. This time it's spelled differently,
21 P-R-E-M-I-U-M. Do you see that?

22 A. Yeah.

23 Q. Do you know why that is?

24 A. What was that?

25 Q. Do you know why there's two different versions of this

1 Premium Fresh Produce invoices saved on the computer at that
2 building you owned at 2722 Park Avenue?

3 A. The building that I own --

4 Q. You don't know?

5 A. -- the offices that's in there is TFS. Like I said,
6 this was TFS, which was found was TFS. And the man who owns
7 all the management was Salah Donyale, which is TFS again.

8 Q. You were just an investor in Olive Management; is that
9 right?

10 A. So I don't own the rooms. They rent the rooms under the
11 TFS name. I don't own the room.

12 Q. All right. Well, in any event, let's go through this
13 because you did get a lot of money from Olive Management so
14 it does feel relevant to me.

15 In addition to the spelling changes, on the left
16 here, at page 4, Premium Fresh Produce has a Yahoo email
17 account. Do you see that?

18 A. Premium Fresh Produce, yeah. Yeah.

19 Q. And on the right side at page 5, it's a Gmail account.

20 A. Yes.

21 Q. Is that right?

22 A. Yes.

23 Q. Do you have any idea why?

24 A. No.

25 Q. Okay. Between 4 and 5 you also see the address changes.

1 If you flip through them, you can tell. It goes from
2 Premium spelled one way in the Yahoo account and the address
3 2554 Como Avenue, Suite 3. This is a totally different
4 version of a Premium Fresh Produce invoice that's saved to
5 that computer at 2722 Park Avenue in the name of Olive
6 Management; is that right?

7 A. That's what it says, yeah.

8 Q. Okay. And here, if you look at page 6 and page 7, you
9 see a similar thing with the invoices, like 6, 7, 8.

10 A. You're going too fast. I can't --

11 Q. All right. At page 6?

12 A. Looking at the name or --

13 Q. Look at the name. Page 6, it's P-R-E-M-I-U-M; is that
14 right?

15 A. Yes.

16 Q. Page 7 --

17 A. Yeah, with the U in front.

18 Q. The U in front?

19 Page 8 --

20 A. U in front.

21 Q. -- now there's an I, P-R-I-M-U-I-M?

22 A. Yeah.

23 Q. All for Olive Management, correct?

24 A. It says Olive Management, yes.

25 Q. And then here on page 7 and 8, both of them are Invoice

1 Number 5006, ostensibly from Premium Fresh Produce to Olive
2 Management, the company that you invested in, correct?

3 A. Yes.

4 Q. And if you look page 8 is also Invoice 5006, but the
5 invoice changes; is that right? You would agree?

6 A. Am I looking at 5006 or --

7 Q. Well, the 5006 doesn't change, but everything else
8 changes on the --

9 A. Okay.

10 Q. -- thing, correct?

11 A. Yeah. And the numbers there.

12 Q. Okay. And then if we keep paging through, you will see
13 there's various versions of Premium Fresh Produce invoices
14 where the name and the address and the email address change,
15 correct?

16 A. Yes.

17 Q. Until we get to page 11, when suddenly the invoice,
18 although the address stays the same, becomes U.S. Halal
19 Foods, Inc. Do you see that in the upper left?

20 A. U.S. Halal Food.

21 Q. I take it you didn't do the invoices for Olive
22 Management and the other sites that were found at Park
23 Avenue?

24 A. I never did invoice.

25 Q. Someone else did those?

1 A. TFS did those.

2 Q. TFS.

3 A. The man that own the business is, says Hamdi's name, and
4 you probably find it in his office. Olive Management, TFS.
5 They all on the -- 101 was their room, TFS. So Olive
6 Management, the owner of Olive Management, the bank signer
7 was Salah Donyale.

8 Q. You just got the money from the site?

9 A. I invested it. I invest money.

10 Q. In the food -- the Federal Child Nutrition Program site?

11 A. Yes.

12 Q. You paid money to get a cut of the profits?

13 A. Yes. I pay money for them. You know, I invest money.
14 Abdulkadir kept saying, we've got to invest this, we've got
15 to invest this, so I just invest money.

16 Q. I'm going to show you Government Exhibit B25 because one
17 of the things I don't understand, Mr. Said, is Safari -- you
18 seem to be holding these other sites at some arm's length,
19 but when I see this email, B25, on August 3rd, 2021, it
20 appears to show the Safari Restaurant was providing meals to
21 be served at all of these sites. For example, on page 2 it
22 says that Safari Restaurant served both breakfast and lunch
23 to 2,000 kids a day at the Stigma-Free Mankato site in July
24 of 2021. Is that what it says?

25 A. You said Safari serves 2,000 meals a day in where?

1 Q. Stigma-Free Mankato.

2 A. 7/31/2021. I wasn't working at Safari at this time.
3 This is when Abdulkadir was running it. And if there was
4 any contract, you will not find my signature on this. I
5 wasn't doing any of this. But Abdulkadir was doing this
6 kind of work. I didn't know about the vendor.

7 Q. So are you suggesting that -- you're an owner of Safari,
8 correct?

9 A. Yeah. This is the time he told me to take a break, and
10 I was just relaxing at the building most of the time.

11 Q. You were relaxing at the building?

12 A. Yes, sometimes I be in the building. Sometimes I'd be
13 with my family. Sometimes I'd be driving around.

14 Q. Gotcha. Okay. So you are not saying that Safari served
15 meals to 2,000 kids a day at Stigma-Free Mankato in
16 July 2021? You are saying that didn't happen?

17 A. I'm not saying that didn't happen.

18 Q. Okay.

19 A. I'm saying I wasn't there.

20 Q. Page 4, Safari Restaurant, your restaurant, in which you
21 are a partner, also claimed to be serving 2,000 -- meals,
22 breakfast and lunch, to 2,000 kids a day at the Stigma-Free
23 Willmar site that same month of July 2021.

24 A. I see that.

25 Q. Correct?

1 So you guys had your site in Minneapolis, Mankato,
2 and Willmar, correct? That's what you're billing for?

3 A. That's what -- you said Mankato and Willmar and --

4 Q. It says, Mr. Said, that you guys -- you were billing
5 Feeding Our Future for providing breakfast and lunch to
6 2,000 kids a day in Mankato, as well as 2,000 kids a day in
7 Willmar?

8 A. It does say that.

9 Q. Okay.

10 A. Yes, it does say that here.

11 Q. Okay. On page 6, Safari Restaurant was also billing
12 Feeding Our Future and the Federal Child Nutrition Program
13 for serving breakfast and lunch to 2,000 kids a day at Brava
14 Restaurant in Rochester that month of July 2021?

15 A. It does say that.

16 Q. Okay.

17 A. Can I -- you want me to explain it or --

18 Q. No.

19 A. Okay.

20 Q. Safari Restaurant also is claiming it's entitled to
21 reimbursements from the Federal Child Nutrition Program for
22 serving breakfast and lunch to 2,000 kids a day at Olive
23 Management in St. Cloud that same month?

24 A. That's what it says.

25 Q. Each day? Your restaurant? Money you received?

1 A. That's what it says.

2 Q. Your company received, I should say?

3 A. Company received what?

4 Q. And then at page 10, Safari claimed to be -- your
5 restaurant, Safari, claimed to be entitled to Federal Child
6 Nutrition Program fund reimbursements for serving breakfast
7 and lunch to 2,000 kids a day at the ASA Limited site every
8 day of July 2021; is that right?

9 A. That's what it says.

10 Q. Okay. And that both Safari Restaurant and ASA Limited
11 are your entities, correct?

12 A. Yes.

13 Q. And you guys -- you and your partners received money
14 from Ms. Bock and Feeding Our Future based on these
15 invoices, correct?

16 A. You said?

17 Q. You received this money, correct?

18 A. Yes, that's what it -- I don't know if I received it,
19 but...

20 Q. Safari did, correct?

21 A. Safari did, yes.

22 Q. Okay. And you received a cut of it, correct?

23 A. This says July 31st, 2021.

24 Q. Yeah.

25 A. So I have to see it. I did receive --

1 Q. You did receive. Okay. You did. I mean, it's pretty
2 obvious you received millions of dollars. You received some
3 of this money, too, correct?

4 A. I have to see -- I have to see the checks.

5 Q. Well, speaking of checks, you would correspond and text
6 with Ms. Bock about the availability of checks; is that
7 right?

8 A. I wasn't corresponding. I was just -- sometimes I used
9 to go there and get it from her.

10 Q. To pick up the checks?

11 A. Sometimes.

12 Q. Not only for Safari Restaurant and ASA, but also for
13 these other sites, correct?

14 A. Sometimes, yes.

15 Q. The Stigma-Free sites?

16 A. It doesn't matter who it is. If they there in the
17 building, they will literally say, hey, if somebody going
18 there, can you pick up the checks? Sometimes I will pick up
19 sometimes. Abdul will pick up sometimes. Fish will pick
20 up. Whoever goes there.

21 Q. Okay. Your partners, one of you guys would pick it up,
22 correct?

23 A. Yeah, sometimes.

24 Q. From all these various entities that we've been talking
25 about, right?

1 A. Yes.

2 Q. And Ms. Bock would text you when checks were available,
3 correct?

4 A. Not all the time. Sometimes.

5 Q. Sometimes, right?

6 A. Yeah.

7 Q. For example, at Government Exhibit BB30a, on May 19th of
8 2021, she sent you images of some checks, right?

9 A. Yes.

10 Q. Stigma-Free International, \$1.1 million -- two \$1.1
11 million checks on May 19th, 2021, correct?

12 A. Yes, I see that.

13 Q. As well as a \$1.5 million from Brava Restaurant that
14 day?

15 And you responded, "Thanks, Aimee"?

16 A. Yes. The guys came to the place and asked me, you know,
17 if Aimee has the checks. And this -- they been waiting for
18 three or four months. As you can see, this more than
19 \$1 million, that's like four months or three months of
20 payment.

21 Q. Okay. And she texted you and said they're available?

22 A. Yes.

23 Q. Stigma-Free -- I know earlier you had said you had
24 nothing to do with Stigma-Free. Obviously you had something
25 to do with Stigma-Free.

1 A. No, I didn't have nothing to do with Stigma-Free. Just
2 picking up a check, that don't mean you have something to do
3 with the business. If somebody asks you to go pick
4 something up for them, that doesn't mean you have something
5 to do with it. I'm not on papers on Stigma. I'm not on
6 papers on all these nonprofits.

7 Q. So I guess when I said, Mr. Said, that you had something
8 to do with it, what I mean is Aimee Bock thought that she
9 would let you know the two \$1 million checks to Stigma-Free
10 were ready for you to pick them up. That's what I mean by
11 involved in.

12 A. Okay.

13 Q. Under that definition, you had some involvement in the
14 company?

15 A. Not in Stigma-Free. Tunyar, like I said. Stigma-Free
16 will never come to me. Tunyar would come to me, which is
17 the Willmar guy.

18 Q. All right. Let's look at Government Exhibit BB30d. And
19 this is another text exchange between you and Ms. Bock,
20 correct, on November 2nd, 2021; is that right?

21 A. Yes.

22 Q. And she asked you if any -- if she had -- you asked her
23 if she had any checks for ASA Limited, correct?

24 A. Yep.

25 Q. Olive Management?

1 A. Yep.

2 Q. Stigma-Free?

3 A. Yep.

4 Q. Brava?

5 A. Yeah.

6 Q. Because you wanted to know whether you could pick up a
7 Stigma-Free check, correct?

8 A. Yeah.

9 Q. All right. Because you were involved in Stigma-Free and
10 received money from it, correct?

11 A. I wasn't involved in Stigma-Free again.

12 Q. From Tunyar, I'm sorry. The money passed from
13 Stigma-Free to Tunyar to you, correct?

14 A. Tunyar, yes, to -- Feeding Our Future to Stigma-Free to
15 Tunyar. Tunyar. I was involved in investment with Tunyar.
16 I was investment with Horseed. I was investment with Olive
17 Management.

18 Q. So Stigma-Free --

19 A. Stigma-Free, I never had nothing to do with it.

20 Q. Okay. Just asked to pick up the checks for Stigma-Free,
21 and then Stigma-Free would take the money, give it to
22 Horseed or Tunyar, and then Horseed or Tunyar would send it
23 to you?

24 A. That is -- sorry.

25 Q. Is that right?

1 A. Sorry I cut you.

2 These guys will come to the office.

3 Stigma-Free -- not Stigma-Free. Tunyar. The owner of
4 Tunyar. Horseed was, they would come to the 2722 Park, and,
5 you know, some of them will say, hey, we've been working all
6 day, can you text Aimee and ask if checks ready?

7 Q. Because you were the contact with Aimee, correct?

8 A. Did I have contact with Aimee? Yes, I do have contact
9 with her.

10 Q. You were the one who could text her, correct?

11 A. Aimee?

12 Q. Yeah.

13 A. Some other guys sometimes used to text her. Aimee
14 was -- I was texting her. Abdulkadir sometimes will text
15 her.

16 Q. All right. Let's talk about -- I want to further talk
17 about your relationship with Feeding Our Future. Okay?

18 So you -- we talked about Mr. Eidleh -- or you
19 talked about Mr. Eidleh on direct; is that right?

20 And he was a Feeding Our Future employee; is that
21 right?

22 A. No. I think he was contract.

23 Q. He used a Feeding Our Future email address?

24 A. He used an email address of Feeding Our Future?

25 Q. Yeah.

1 A. When we send in the claims, we used to send email
2 address to Feeding Our Future, not him.

3 Q. Idleh -- there was an email address, Idleh at --

4 A. Something like that, yeah.

5 COURT REPORTER: I didn't get your -- could you
6 ask your question again, Mr. Thompson?

7 BY MR. THOMPSON:

8 Q. My question is simple. Mr. Idleh had an email address,
9 Idleh@feedingourfuture, correct?

10 A. Yes.

11 Q. Okay. Because he worked at Feeding Our Future and with
12 Feeding Our Future, correct?

13 A. Yes.

14 Q. And so you would send him emails or receive emails from
15 him about Feeding Our Future business, and he would use that
16 Feeding Our Future email account, correct?

17 A. Yes.

18 Q. Okay. And he was a site monitor; is that right?

19 A. Idleh?

20 Q. Idleh.

21 A. It depends the time.

22 Q. At various times?

23 A. After Shafi left, he became a -- he wasn't a site
24 monitor. He was a site -- he was helping us with papers and
25 all that --

1 Q. Helping you with papers. And you paid him, right?

2 A. Yeah.

3 Q. You and your friends? You paid him a series of
4 payments, correct?

5 A. Yes, we did pay him.

6 Q. And you didn't make them out to him directly, right?

7 A. What was that?

8 Q. You didn't make the checks out to him directly?

9 A. I never made a check to nobody.

10 Q. You signed checks to him, correct?

11 A. Yes.

12 Q. A lot of checks?

13 A. I don't know how many it was, but I signed two -- two
14 checks, I think, or three. I don't know.

15 Q. To Eidleh. And he had opened up these essentially shell
16 companies, correct, to receive these checks?

17 A. I don't know if there was shell companies. I don't know
18 if he made his own shell companies. But Eidleh, when I was
19 Abdulkadir said let's do business with him, he was a
20 contractor, and he was doing every work. He even did
21 insurance for Safari, some kind of insurance company that
22 Feeding Our Future say, you've got to have some kind of
23 insurance, so Eidleh did that.

24 Q. Okay. So Feeding Our Future told you that you need
25 insurance and Eidleh should help you with that?

1 A. It was some kind of bond insurance when you make so much
2 money, I think. I don't know. But Eidleh was doing that
3 work. He was working on that. And Eidleh was doing also
4 with me the -- he was showing us the laws, the waivers and
5 all that stuff. So he was working with us, my restaurant.

6 Q. Because that was his job, working for the sponsor,
7 right?

8 A. That was his job working for the sponsor? Yeah.

9 Q. That's what Feeding Our Future's role was, correct?

10 A. I don't know what his role was on Feeding Our Future.

11 Q. Well, Feeding Our Future's job was to sponsor your
12 claims, correct?

13 A. Claims, yes.

14 Q. In other words, you couldn't submit claims to the
15 Minnesota Department of Education, could you, directly?

16 A. Yes.

17 Q. You could not do it yourself?

18 A. We can -- yes.

19 Q. You had to go through Feeding Our Future, correct?

20 A. That I don't know about those laws, but that's what --

21 Q. Well, that's what you did, right?

22 A. Yes.

23 Q. If you wanted to get a claim submitted, you had to send
24 it to Feeding Our Future, right?

25 A. Yes.

1 Q. And they would submit your claims to MDE, the Department
2 of Education, correct?

3 A. Yes.

4 Q. And then they would give you money, correct?

5 A. Yes.

6 Q. Feeding Our Future would, correct?

7 A. Feeding Our Future would reimburse us, yes.

8 Q. So that was their job in the program, correct?

9 A. Yes, Feeding Our Future.

10 Q. And you know that they got to keep a portion of the
11 claim every month for doing that, correct?

12 A. Yes.

13 Q. Ms. Bock told you that, I assume?

14 A. Yes.

15 Q. Okay. That's how they were compensated by the system?

16 A. Yes.

17 Q. Feeding Our Future, correct?

18 A. What about Feeding Our Future?

19 Q. That's how they got compensated. They got to keep a
20 portion of the claim, 10 percent, correct?

21 A. The job they do, the claims they submit for us and
22 maybe. I don't know those laws, but yes, maybe.

23 Q. And then separate and apart from that, you paid Eidleh
24 regularly, correct?

25 A. That's a difference. Eidleh's job for Feeding Our

1 Future to us was to get the claims, to do the claims, to
2 take it to Feeding Our Future and do a little --

3 Q. So for --

4 A. Some site -- like he wasn't a site visitor, so that's
5 what his job was. But Abdulkadir Salah say he's doing more
6 than that for us.

7 Q. Okay. Let's set aside Mr. Salah.

8 A. Okay.

9 Q. Let's talk about what you did.

10 A. Okay.

11 Q. I'm showing you now Government Exhibit Z18. On
12 September 15th, 2020, you signed a check from Cosmopolitan
13 business Solutions to Eidleh, Inc. for \$5,000; is that
14 right?

15 A. Yes.

16 Q. And Eidleh -- that is Abdikerm Eidleh's company,
17 correct? The money was for Eidleh, correct?

18 A. The money was from Eidleh?

19 Q. It was to him. It was for him.

20 A. Oh, yes.

21 Q. You would agree? Don't look at the check. Listen to
22 me.

23 You wrote that \$5,000 check to Eidleh, Inc. to
24 give it to Eidleh, correct?

25 A. Give it to him, yes.

1 Q. You paid him through the shell company, Eidleh, Inc.,
2 correct?

3 A. I don't know if it was a shell company. I paid Eidleh,
4 Inc.

5 Q. And at that time you paid him \$5,000 --

6 A. \$5,000, the work he did.

7 Q. And on November 25th, 2020, you paid him another \$5,000
8 from Cosmopolitan Business Solutions, correct?

9 A. This is the same check, right?

10 Q. No. This is a different check.

11 A. Can you show me the other check? What was it?

12 Q. Sure.

13 A. It was Cosmopolitan.

14 Q. On the left side, no -- this is the same checks.

15 All right. On the left side, \$5,000 signed by
16 you, September 15th, 2020, correct?

17 A. Yep.

18 Q. On the right side, Z19, another \$5,000 from you,
19 November 25th, 2020?

20 A. Yes.

21 Q. Signed by you?

22 A. Yes.

23 Q. To Mr. Eidleh?

24 A. Yes.

25 Q. And that second one was on November 25th; is that right?

1 A. Yeah.

2 Q. Check Number 1842, correct? See it in the upper right?

3 A. Yes.

4 Q. Okay. And I have to say that because on that same day
5 you wrote him a second \$5,000 check to Eidleh, or someone
6 did, from Cosmopolitan Business Solution at check
7 Number 1852; is that right?

8 A. Yes I see that. Abdulkadir.

9 Q. He wrote a different check?

10 You also paid him from Salim Limited; is that
11 right? Government Exhibit Z32, \$14,000 to Eidleh, Inc. on
12 February 25th, 2021, correct?

13 A. Yes.

14 Q. Now, certainly Eidleh didn't do any work for Salim
15 Limited, did he?

16 A. Salim Limited -- he never did work for Salim Limited.

17 Q. Yes, Salim Limited didn't have any work, correct? It
18 was just a shell company.

19 A. It wasn't a shell company.

20 Q. It didn't have a business. It didn't have an address,
21 right?

22 A. What was it?

23 Q. It didn't have any employees?

24 A. It did have employees. Had a couple employees.

25 Q. It had no operations, correct?

1 A. It did have a little operations, not all --

2 Q. It had no line of business right?

3 A. No.

4 Q. It was just a bank account?

5 A. It was a bank that I opened for investment.

6 Q. Yes.

7 A. Yes yeah.

8 Q. So Eidleh -- this isn't a paycheck to Eidleh from Salim
9 Limited, correct, because they --

10 A. Eidleh -- like I said to my lawyer earlier, Eidleh --
11 when I was paying this 14,000, Abdulkadir Salah came to me
12 and said, sign this check from -- we don't have enough money
13 in the Cosmopolitan Business Solutions. That's when I
14 signed this check.

15 And if Eidleh, all the money we pay, if you look
16 at it, he was working with us almost this -- the 55,000, it
17 was after -- after three months, \$10,000 we paid him, within
18 three months.

19 So it's not like regular checks. My cooks I was
20 paying more than that, 7,500 a month some of the cooks,
21 so...

22 Q. All right. Z34, another \$14,000 from Salim Limited to
23 Hope Suppliers, LLC. That's another Eidleh company, right?

24 A. I don't know about that, but I see \$14,000 that I
25 signed.

1 Q. You weren't doing any business with Hope Suppliers and
2 Salim Limited, correct?

3 A. The same thing I just told you.

4 Q. Is that a no? Hope Suppliers didn't have a business
5 either, did it?

6 A. It had a business about with Hope Suppliers, but I
7 signed this check. Abdulkadir say the same thing,
8 Cosmopolitan Business Solutions running out of money, can
9 you pay Eidleh.

10 Q. All right. So your testimony is that Abdulkadir told
11 you to do this? You didn't do it on your own?

12 A. No. That's my business partner, you see. Sometimes he
13 will come to me. You know, if you -- I think it was a week
14 ago something when you guys was posting 2722 Park Avenue, I
15 seen the money everybody paid for partners. We four
16 partners. I pay more than the other three partners.
17 Sometimes somebody will tell you, hey, can you pay this
18 30,000 extra for me? And stuff like that. So you will get
19 paid back. So 14,000 a couple of times I pay from Salim
20 Limited, it was Cosmopolitan was short of money.

21 Q. Cosmopolitan was never short on money, Mr. Said.

22 A. Abdulkadir Salah used to say I got to go shopping and I
23 got to do this stuff.

24 Q. Mr. Said, Cosmopolitan Business Solutions was receiving
25 over a million dollars a month from Feeding Our Future,

1 correct?

2 A. Yes.

3 Q. It was never short on money?

4 A. It was short on money.

5 Q. It was never short on money?

6 A. Yeah, it was.

7 Q. You guys had money coming out your ears.

8 MR. MONTEZ: Objection, Your Honor.

9 BY MR. THOMPSON:

10 Q. You would agree?

11 THE COURT: THE COURT: Sustained.

12 BY MR. THOMPSON:

13 Q. And it's not true that -- in fact, the truth is you
14 asked Salah Donyale to cut these checks, didn't you?

15 A. I asked him to cut the checks?

16 Q. Yeah.

17 A. Salah Donyale?

18 Q. Yeah.

19 A. Oh, you meant -- or Abdulkadir? Which?

20 Q. Salah.

21 A. No.

22 Q. I meant Omar-Hashim. No?

23 A. Salah Donyale, when we told him to cut a check, it was
24 employees check that I told him to cut.

25 Q. All right. I'm going to show you what's been marked,

1 but not yet admitted, as some text messages between -- that
2 were recovered from your phone between you and Salah
3 Donyale. Okay?

4 A. Okay.

5 Q. And these have been marked as Government Exhibit R50,
6 R -- I'll start with R50, not yet in evidence.

7 MR. THOMPSON: Actually, I'd move to admit
8 Government Exhibit R50.

9 THE COURT: Can you enlarge it, please?

10 MR. THOMPSON: Yep.

11 THE COURT: Any objection?

12 MR. MONTEZ: No objection.

13 MR. UDOIBOK: None.

14 THE COURT: R50 is admitted.

15 BY MR. THOMPSON:

16 Q. Okay. Now, Mr. Said, I'm showing you Government
17 Exhibit R50, and these are text messages that -- a little
18 hard to read, but it's -- the first one is from phone
19 number 317-529-8354, which is listed as B-A-O-L, J-Y-O,
20 S-M-A, owner. That's your phone number, correct?

21 A. B-A-O-L -- the phone number, 317 [indiscernible] --

22 COURT REPORTER: Whoa, whoa.

23 THE COURT: Slow down.

24 COURT REPORTER: Wait.

25 THE WITNESS: The top phone number --

1 COURT REPORTER: Wait. Wait.

2 THE COURT: Say it again.

3 THE WITNESS: The top phone number is
4 317-529-8354. Is that the one you're asking me?

5 BY MR. THOMPSON:

6 Q. Yes.

7 A. Yes.

8 Q. That's your phone number?

9 A. Yes.

10 Q. This is a text message you are sending to Salah Donyale,
11 who's also known as Ahmed Omar-Hashim, correct?

12 A. Yes.

13 Q. Okay. And the date on this text is July 28th, 2020,
14 correct?

15 A. Yes, it is.

16 Q. And you text him, "Eidleh Inc., 34" -- "3249 Hennepin
17 Avenue, Suite 75, Minneapolis, Minnesota"; is that right?

18 A. Eidleh Inc., yes.

19 Q. That's Mr. Eidleh's company?

20 A. I think, yes.

21 Q. And then shortly thereafter you send a second text to
22 Salah that says, "\$1,500," correct -- or "1,500"?

23 A. 1,500, where is it at? \$1,500?

24 Q. It says, "1,500."

25 A. Okay.

1 Q. That's what you texted to Salah on July 28th, 2020?

2 A. Yes.

3 Q. And directing your attention to Z16, that same day you
4 sign a check for \$1,500 to Eidleh Inc., correct?

5 A. Yes.

6 Q. So you asked him to prepare a check and then you signed
7 it, correct?

8 A. Yes.

9 Q. To Eidleh?

10 A. But I --

11 Q. Correct? Correct?

12 A. Abdulkadir is the --

13 Q. Mr. Said, I didn't ask --

14 A. Abdulkadir probably is with me telling me to tell his
15 brother to send the check, so -- to make the check so we can
16 give to Eidleh.

17 Q. Abdulkadir and Salah are brothers?

18 A. Yes.

19 Q. So rather than just tell his brother directly, he had
20 you tell his brother? Is that what your testimony is?

21 A. You can ask. The whole community knows Abdulkadir.
22 Nobody deal with him except -- his brother runs away from
23 him.

24 Q. And you, I guess.

25 A. Yeah, I'm a business partner with him. I own Safari

1 with him. And this is 1,500. It is not 14,000.

2 Q. All right. I'm going to show you now --

3 I'm going to move to admit Government Exhibit R52,
4 which is another text message from you to Salah Donyale?

5 MR. THOMPSON: Any objection?

6 MR. MONTEZ: No objection.

7 MR. UDOIBOK: No objection.

8 THE COURT: R52 is admitted.

9 BY MR. THOMPSON:

10 Q. Is this another text message you sent to Salah Donyale,
11 your partner, on August 20th, 2020?

12 A. Yes.

13 Q. And in the text you said, "Eidleh Inc., 2,500"?

14 A. Yes.

15 Q. Directing him to prepare a check for \$2,500 to
16 Mr. Eidleh's company, Eidleh Inc.?

17 A. Yes.

18 Q. Which he, in fact, did, correct?

19 A. Which -- what are you saying?

20 Q. I'm showing you now Government Exhibit Z17. That same
21 day, August 20th, 2020, he prepared a \$2,500 check to Eidleh
22 Inc. at your instruction, correct?

23 A. Yes.

24 Q. And you signed the check?

25 A. Yes.

1 Q. And you gave it to Mr. Eidleh?

2 A. Yes.

3 Q. The Feeding Our Future employee?

4 A. The Feeding Our Future contractor.

5 Q. The Feeding Our Future --

6 A. Nobody told me he was employee. Abdulkadir said he's
7 not employee. We can pay this man he can help us out.

8 Q. Mr. Said, he used a Feeding Our Future email account,
9 correct?

10 A. Huh?

11 Q. He used a Feeding Our Future email account?

12 A. As a consultant. He was a consultant. That's what they
13 told us.

14 Q. When you -- you and him would --

15 A. I think I --

16 Q. Mr. Said, listen to my question, please.

17 You and he would exchange emails about meal counts
18 and other things having to do with Feeding Our Future and
19 its sponsorship of your food sites, correct?

20 A. Can you say that again?

21 Q. You would email him, correct?

22 A. Email him about what? About the claims?

23 Q. Yeah.

24 A. Yes, sometimes.

25 Q. Because he worked with Feeding Our Future, correct?

1 A. He was working for Feeding Our Future.

2 Q. Okay. All right. I'm going to show you now what's been
3 marked, but not yet admitted, as Government Exhibit R54,
4 which is another text message from you to Salah on
5 January 1st, 2021.

6 MR. THOMPSON: Your Honor, I move to admit
7 Government Exhibit R54.

8 THE COURT: Any objection?

9 MR. MONTEZ: No objection.

10 MR. UDOIBOK: No objection.

11 THE COURT: R54 is admitted.

12 BY MR. THOMPSON:

13 Q. Is this another text that you sent to Salah Donyale,
14 your partner's brother, the owner of Olive Management?

15 A. Yes.

16 Q. And in the text -- this is January 1st, 2021, correct?

17 A. January 1st, 2021, yes.

18 Q. And you wrote him, "Bridge Consulting and Logistics,
19 3249 Hennepin Avenue, Minneapolis, Minnesota, 14,000 Brava."
20 Is that right?

21 A. "14,000 Brava," what is that? It says on the text
22 message.

23 Q. That's what you wrote, correct?

24 A. "14,000 Brava." Okay. Yes.

25 Q. Okay. And that was directing him to write a check from

1 Brava to Bridge Consulting and Logistics for \$14,000,
2 correct?

3 A. No, that was --

4 Q. And Bridge Consulting and Logistics was actually a
5 company owned by Eidleh, correct?

6 A. I don't know if it -- if I remember the name of it. He
7 had a couple companies, so.

8 Q. Let me show you --

9 (Counsel confer)

10 BY MR. THOMPSON:

11 Q. Three days later Mr. Eidleh deposited into his account a
12 \$14,000 check from Brava Restaurant to Bridge Consulting and
13 Logistics; is that right?

14 A. I see Mr. Eidleh deposit a check to -- 1,400 [sic], but
15 not got a check from Brava and give it to Eidleh. Is that
16 where you're going with --

17 Q. From Brava Restaurant, correct, which is just what you
18 texted?

19 A. Does it say, "Brava Restaurant"? It says, "Brava." And
20 also --

21 Q. It's a different Brava Restaurant, you're saying?

22 A. And also I didn't took a check from Brava Restaurant and
23 give it to Eidleh.

24 Q. Okay. You mentioned -- on direct counsel was asking you
25 about paying kickbacks to Eidleh; is that right?

1 A. Yes.

2 Q. And you said, if I heard you correctly, that why would I
3 pay kickbacks to Eidleh? Shafi was the first guy who came
4 to Safari from Feeding Our Future. Is that right?

5 A. Yep. Shafi came to me, 2020, yes.

6 Q. Shafi Qanyare?

7 A. Qanyare.

8 Q. That's his name.

9 You, in fact, paid him money too, correct?

10 A. Shafi Qanyare came to me to invest a business in 2021,
11 at the end of 2021, and he wasn't in the food program when
12 he came to me.

13 Q. Okay. I just want to show you here, and this is page --
14 this is Government Exhibit W25 at page 52, and it's a Salim
15 Limited bank account.

16 There's first a check on February 25, 2025 [sic],
17 from you drawn on the Salim Limited account to Eidleh for
18 \$14,000; is that right?

19 A. This is Eidleh, yes.

20 Q. And then the same page there's another check you wrote
21 from the Salim Limited account to Shafi Qanyare for \$20,000,
22 correct?

23 A. Yes.

24 Q. On February 24th, 2021?

25 A. Yes.

1 Q. And at page 60 you wrote another check for \$20,000 to
2 Shafi Qanyare from Salim Limited on April 2nd, 2021; is that
3 right?

4 A. Yes.

5 Q. \$40,000 to Shafi Qanyare from Salim Limited?

6 A. Yes.

7 Q. Now, Mr. Said, every single one of these checks that you
8 wrote to Eidleh's companies or Shafi Qanyare, all of that
9 money that you used to fund those checks to pay over came
10 from the Federal Child Nutrition Program, correct?

11 A. Yes.

12 Q. Yeah. So it's all money that you got from Feeding Our
13 Future, correct?

14 A. Yes.

15 Q. So you got money from Feeding Our Future based on these
16 meal counts that we've seen, correct?

17 A. (No response.)

18 Q. Correct?

19 A. Yes.

20 Q. And then you paid a bunch of it to Feeding Our Future
21 employees via these shell companies, correct?

22 A. No, I did not.

23 Q. No, you didn't?

24 A. Hmm.

25 Q. Okay. Altogether you and your partners paid Eidleh

1 several hundred thousand dollars; is that right?

2 A. I don't know who paid Eidleh \$700,000.

3 Q. You know you did. You paid a lot of money, correct?

4 A. I didn't pay Eidleh \$700,000.

5 Q. Several hundred?

6 COURT REPORTER: Wait. Wait.

7 THE WITNESS: How much?

8 COURT REPORTER: Could you repeat your answer
9 first?

10 THE WITNESS: I said I did not pay Eidleh
11 \$700,000.

12 THE COURT: You are saying "seven."
13 You are saying "several."

14 BY MR. THOMPSON:

15 Q. I'm saying you and your partners paid him several
16 hundred thousand dollars?

17 A. I don't know how much they paid. I can only tell about
18 what I paid.

19 Q. You paid him quite a bit?

20 A. Not even a hundred from Salim Limited. I think I paid
21 two checks of 14, 15 -- I don't remember.

22 Q. You don't recall how much?

23 A. No.

24 Q. Okay. Let's talk about the money you paid to Ms. Bock.
25 Okay?

1 You paid Ms. Bock money; is that right?

2 A. I paid Ms. Bock money.

3 Q. Okay. \$310,000, correct?

4 A. (Moves head from side to side.) I did not pay Ms. Bock
5 money.

6 Q. From Cosmopolitan Business Solutions?

7 A. Talking about the daycare?

8 Q. I'm talking about the \$310,000 that you guys wrote to
9 Ms. Bock, the check for \$310,000.

10 A. Again, that \$310,000 Abdulkadir invested in the daycare.

11 Q. I'm showing you Z40. This is a check for \$310,000 that
12 your entity, Cosmopolitan Business Solutions, paid to
13 Ms. Bock, correct?

14 A. \$310,000, Cosmopolitan Business Solution.

15 Q. Yes. You paid Ms. Bock -- you and your partners paid
16 her \$310,000. Do you agree?

17 A. To buy a daycare.

18 Q. Buy a daycare?

19 A. Yes.

20 Q. And you never -- had never been in a daycare before,
21 correct?

22 A. What was that?

23 Q. You had never run a daycare before?

24 A. I was not the one that was buying. It was Abdulkadir
25 Salah. I was just the witness.

1 Q. Abdulkadir Salah had never run a daycare before?

2 A. Abdulkadir Salah used to own -- used to run a couple of
3 businesses with health cares and stuff like that.

4 Q. But not a daycare?

5 A. Not that I know of.

6 Q. He had never been involved in child care before?

7 A. Not that I know of.

8 Q. You guys had food sites all over the state, correct?

9 A. Yes.

10 Q. Sponsored by Feeding Our Future and Ms. Bock?

11 A. Yes.

12 Q. She was cutting you checks for millions of dollars a
13 month at this point, correct?

14 A. Yes.

15 Q. And you guys paid her \$310,000. And I say "you guys"
16 because you're partners in Cosmopolitan Business Solutions
17 correct?

18 A. Cosmopolitan Business Solution, at the time Abdulkadir
19 Salah was buying this business, I wasn't in the bank -- I
20 wasn't a signer for the Cosmopolitan business bank.

21 Q. And I know you say that, Mr. Said, but --

22 A. And I was a witness.

23 Q. Let me talk about the bank account, because you made
24 that point.

25 MR. MONTEZ: Your Honor, I'm going to ask that the

1 witness be allowed to answer the questions.

2 THE COURT: The witness will be allowed to answer
3 the questions. I think he did there, which is why I'm
4 hesitating.

5 Go ahead and ask your next question.

6 BY MR. THOMPSON:

7 Q. You've made this point about the bank accounts.

8 You guys had some real issues with the banks,
9 right?

10 A. Yes.

11 Q. The banks kept closing your accounts, correct?

12 A. Yes.

13 Q. Their anti-money laundering compliance departments?

14 A. No.

15 Q. They were concerned about the huge amount of checks
16 flowing into and out of your accounts?

17 A. No. If your name is Mohamed Mohamed, all the banks
18 close your bank, man. It's not we making too much money.
19 They close my bank so many times. I even had a small
20 bank Wells Fargo that -- [indiscernible].

21 COURT REPORTER: You had a small bank. What?

22 THE WITNESS: I had a Wells Fargo bank before the
23 food program and before Safari. It was only used to -- I
24 was working at a trucking company. They used to shut down
25 my bank, U.S. Bank, Chase Bank, all the banks.

1 BY MR. THOMPSON:

2 Q. Well, these ones, they were shut down -- I mean, the
3 bank records are in evidence. The jury can look at them.
4 Okay?

5 Wells Fargo -- you guys had a series of accounts
6 that were opened and closed at these various banks because
7 they refused to do business with you, correct?

8 A. (No response.)

9 Q. Correct?

10 A. Yes, you can say that.

11 Q. The Safari bank [sic] had had an account for years
12 before COVID that hadn't been closed, correct?

13 A. Yes.

14 Q. So it wasn't an issue with the signatories on the
15 accounts or your names. It was closed after you guys
16 entered the food program and the checks started coming in
17 and flowing out in a way that seemed like money laundering
18 to the banks, correct?

19 A. Maybe you say that. I don't know.

20 Q. So people -- for example, when we had a witness testify
21 about this, you guys would open a company, like, say, Salim
22 Limited, and within a matter of weeks be pouring in large
23 checks for hundreds of thousands of dollars, flat numbers,
24 and then sending it out to -- in similar sized checks to
25 other entities that were newly created, correct?

1 A. They didn't understand what we was doing. That's what
2 it was. They did not understand. That's why.

3 Q. I think they did understand?

4 A. No, they did not.

5 Q. They were concerned that you guys were laundering money
6 stolen from the food program, correct? That was their
7 concern?

8 A. No, they did not understand what we was doing. We just
9 don't have the same culture. Same thing. We don't do the
10 same things. So they did not understand.

11 Q. Well, in any event, you were on all the Cosmopolitan
12 Business Solutions except for that brief period in
13 July 2021, correct?

14 A. Actually, I don't know the time when it was, but yes.

15 Q. All the rest of the time. So it's not like --

16 (Simultaneous indiscernible crosstalk)

17 A. -- 2021.

18 Q. It's not like you weren't on the Cosmopolitan Business
19 Solutions' bank accounts generally during this period,
20 correct?

21 A. 2021 or --

22 Q. Yeah.

23 A. It was sometime in June or July. I don't know.

24 Q. For a brief period you weren't on the account, correct?

25 A. I wasn't in the account, yes.

1 Q. But generally you were on the account, correct?

2 A. 2020, yes, I was on the account.

3 Q. And then most of 2021 you were on the bank account,
4 correct?

5 A. Not most of 2021 because he opened Wells Fargo. I open
6 it with him, and I wasn't doing anything with it. So he
7 left Wells Fargo right away, Abdulkadir Salah.

8 Q. You weren't on the Wells Fargo account?

9 A. I think I was, but he left right away. They -- it was
10 like a couple months.

11 Q. They didn't want to do business with you guys?

12 A. Yes.

13 Q. Okay.

14 A. But I have Wells Fargo myself and stayed there. As
15 Salim Limited, I have Wells Fargo as a -- I had almost
16 15 years at Wells Fargo Bank, and they never kick me.

17 Q. I thought you just said Wells Fargo kicked you out.

18 A. In 2012, '13, '15.

19 Q. Okay.

20 A. Wells Fargo kick me out, Chase kick me out, a couple
21 banks kick me out when I was driving a truck. That was
22 before Safari.

23 Q. All right. So let's talk about this \$310,000 you guys
24 paid to Ms. Bock.

25 That was ostensibly for a daycare, correct?

1 A. That was for daycare.

2 Q. Daycare wasn't opened, though, correct?

3 A. (No response.)

4 Q. There were no kids?

5 A. It was in COVID time. Daycares was closed.

6 Q. This was August of 2021, correct?

7 A. Yes.

8 Q. There were no kids at the daycare? It never had any
9 kids, correct?

10 A. That I don't know. I did not buy the daycare. I was a
11 witness. And I went up to that daycare one time, and we
12 seen -- I think a couple times I went there and we seen --
13 when we went there, we seen daycare. It was a small daycare
14 next to it. There was a daycare and there's a gas station.

15 Q. But no kids?

16 A. At the time we went, there was no kids.

17 Q. No teachers?

18 A. No teachers.

19 Q. No license?

20 A. That I don't know.

21 Q. You weren't buying a building, this wasn't a real estate
22 transaction, correct?

23 A. What was that?

24 Q. There was no building, you weren't buying real estate,
25 correct?

1 A. No.

2 Q. And when you took it over, there was no kids, correct?

3 You didn't start a daycare?

4 A. I did not took over the business. Like I said,

5 Abdulkadir took over that business.

6 Q. Okay. There was no business, though, correct? He

7 didn't start running a daycare?

8 A. His plan was to start up Islamic Center.

9 Q. But what I'm asking is, He didn't do that?

10 A. He did not do that, yes.

11 Q. That never happened?

12 A. Never happened.

13 Q. In fact, by January 2022 the place was largely empty,

14 correct, when the search warrant was executed?

15 A. Yes, I don't know.

16 Q. There was a food site there, though, correct?

17 A. Yes.

18 Q. A food site that was sponsored by Feeding Our Future,

19 correct?

20 A. Yes.

21 Q. And receiving \$250,000 or more a month in Federal Child

22 Nutrition Program funds, correct?

23 A. I don't know what they was receiving, so.

24 Q. You don't know?

25 A. You said \$250,000 a month?

1 Q. Yeah.

2 A. Feeding Our Future site or the -- a Feeding Our Future
3 site or --

4 Q. The site that you guys bought in August of 2021.

5 A. Did not buy the site. Abdulkadir Salah bought the site.

6 Q. Then you guys put it into your portfolio of sites after
7 that?

8 A. In that handwriting, you see only Safari group. It's
9 Abdulkadir handwriting, so.

10 Q. All right. HH26, this is the purchase agreement,
11 correct, for this daycare?

12 A. Yeah.

13 Q. And just to be clear, the purchaser is Cosmopolitan
14 Business Solutions; is that right?

15 A. It says that, yeah.

16 Q. That's your company?

17 A. Yes.

18 Q. Okay. The purchase price \$310,000? It looks like
19 Abdulkadir Salah signed it and you are a witness to it,
20 right? So you signed the agreement too, correct?

21 A. I was a witness. Same with this person.

22 Q. Yeah. So you were there for this transaction?

23 A. Yes. Yes, I was.

24 Q. Okay. And then you guys opened a site there or
25 continued to run that site; is that right?

1 A. (No response.)

2 Q. It was called Southcross?

3 A. They had a Southcross site, yeah.

4 Q. You had a Southcross site?

5 A. I didn't have a Southcross --

6 Q. You guys bought it, right?

7 A. I just said to you Abdulkadir Salah bought that.

8 Q. I'm showing you Government Exhibit P22. Which begins
9 with an email from Farhiyo Moalim to you on November 6,
10 2021; is that right?

11 A. Farhiyo Moalim, yes.

12 Q. She sends this to you and the subject line is
13 "Southcross October Attendance"?

14 A. Who send it to me? Farhiyo?

15 Q. Yeah.

16 A. Yes.

17 Q. And then you forwarded it to Abdulkadir, correct?

18 A. Yes, sir.

19 Q. And attached to it was attendance for that Southcross
20 site that you guys ran?

21 A. I did not run Southcross. Farhiyo Moalim is
22 Salah Abdulkadir's brother worker --

23 Q. Okay.

24 A. -- which she works for Abdulkadir too.

25 Q. She worked for you too, right?

1 A. TFS. She worked with me to do -- submit a couple of
2 checks.

3 Q. You paid her?

4 A. I was paying her a thousand dollars. It's nothing for
5 me to hide from there.

6 But this lady was working for Abdulkadir for long
7 before me.

8 Q. Okay.

9 A. And she was working for TFS. Farhiyo Moalim is the
10 same --

11 Q. Yeah. And she sent you the Southcross attendance?

12 MR. MONTEZ: Your Honor, I'm going to ask the
13 witness be allowed to answer the question.

14 THE COURT: Thank you. You may continue. Just
15 wait. Do you have anything else?

16 THE WITNESS: Yes, ma'am.

17 Farhiyo Moalim was Abdulkadir Salah's worker. She
18 used to work for them. She send me an email. As you can
19 see, the email, as soon as she send it to me, I forward it
20 to Abdulkadir Salah. Did not forward it to Feeding Our
21 Future or any place else.

22 BY MR. THOMPSON:

23 Q. Okay. She just sent it to you? That's all I'm pointing
24 out.

25 A. She send it to me, yes.

1 Q. Okay. You shared in the proceeds of the Southcross
2 site?

3 A. Did I share what?

4 Q. You got some of the money from Southcross?

5 A. No, I didn't. Not that I remember of it.

6 Q. I'm sorry. What was that?

7 A. No, not that I remember of it.

8 Q. You don't remember?

9 A. Yes.

10 Q. Is it hard to keep --

11 A. I don't think I got money from Southcross. Abdulkadir
12 was mixing a lot of stuff, man. The money he own, he would
13 tell you he get it from here, get it from there. It's just
14 mixed up, but it is not --

15 Q. But all food money, correct?

16 A. I did not have any shares with Southcross, I'm telling
17 you.

18 Q. Your business, though, bought it, correct?

19 A. My business bought Southcross.

20 Q. And the money used to buy the business came from Aimee
21 Bock and Feeding Our Future, correct?

22 A. The money?

23 Q. The money, that \$310,000.

24 A. \$310,000 came from Aimee Bock, you said?

25 Q. Yeah, from Feeding Our Future.

1 A. It came from Feeding Our Future, but not Aimee Bock.

2 Q. Okay. Well, she wrote the check?

3 A. Yes.

4 Q. Yes?

5 A. She wrote the check --

6 Q. Yeah.

7 A. -- for Feeding Our Future? Yes.

8 Q. All right. Let me just show you here. This is
9 Government Exhibit W8 at page 91. It's a \$476,000 check
10 from Feeding Our Future to your company, Cosmopolitan
11 Business Solutions. You would agree?

12 A. Yeah.

13 Q. Signed by Aimee Bock --

14 A. Yes.

15 Q. -- is that right?

16 A. Yes.

17 Q. And here at page 87, that same day she wrote your
18 business a check for \$380,000, August 12th, 2021?

19 A. August 12th, 2021, yes.

20 Q. And a check for \$381,000 to Cosmopolitan Business
21 Solutions on August 12th, 2021?

22 A. Yes. This is Feeding Our Future, though.

23 Q. \$476,000 from Feeding Our Future on August 12th, 2021,
24 correct?

25 A. Yes.

1 Q. \$380,000 on August 12th, 2021, page 93?

2 A. Yes.

3 Q. Another \$380,000 from Feeding Our Future on August 12th
4 on page 95?

5 A. Yes.

6 Q. \$380,000 from Feeding Our Future on August 12th at
7 page 97, another \$380,000?

8 A. Yes.

9 Q. Altogether, there's like \$2.3 million on August 12th,
10 2021, from Feeding Our Future?

11 A. Yeah, but it's not one site, you know. This money is
12 not one site. You making it like it came from one site.

13 Q. No. It's like five sites.

14 A. Yes.

15 Q. Does that make it more or less reasonable in your mind?

16 A. What?

17 Q. Does that make it more or less reasonable in your mind?

18 A. When you say it's 2 million something, you like -- it
19 says, "Cosmopolitan Business Solution," but there was so
20 many sites.

21 Q. Okay. All right. Well, let's just -- this is page 97.

22 I'm just going to page down two pages in this exhibit.

23 Okay?

24 A. Okay.

25 Q. It's Government Exhibit W8. And the next transaction

1 out of the account is the purchase of a \$310,000 cashier's
2 check to Aimee Bock.

3 A. Okay.

4 Q. Do you see that?

5 A. Yes.

6 Q. So if I'm doing my sequencing right, on August 12th you
7 guys deposit all this money from Feeding Our Future and
8 they're checks signed by Aimee Bock, correct?

9 A. Yeah.

10 Q. In the fall -- very next day, August 13th, you cut a
11 check for \$310,000, sending some of that money back to Aimee
12 Bock?

13 A. That's your math, but that's not what happened.
14 Cosmopolitan Business Solution had money in there before --
15 Abdulkadir had his money in there. So it's not like Aimee
16 pay us so we can pay her back. That's not -- it's what it
17 looks for you, but that's not what happened.

18 Q. A little earlier you were saying you could only pay
19 Eidleh -- you had to use your Salim Limited account because
20 there was no money in the banks?

21 A. Yes, sir. I just said to you Abdulkadir Salah was
22 buying the business. He had money in his account. He
23 probably deposit or transfer to Cosmopolitan. If we would
24 have had Cosmopolitan Business Solution, all transaction --
25 bank transaction we would have seen some but I don't have

1 it. And it's not like Aimee paid us to pay her back.

2 Q. It's nothing to do with that?

3 A. No.

4 Q. No.

5 A. No.

6 Q. You guys wanted to buy -- you guys wanted do run a
7 daycare?

8 A. Abdulkadir wanted to buy it and he wanted to run some
9 kind of Islamic center. He didn't -- he was trying to do
10 that and --

11 Q. Never did it, though?

12 A. Never did it, yeah.

13 Q. And there's no -- I've searched -- we've searched
14 2722 Park. We've searched Abdulkadir's house and your
15 house. I've seen no evidence anywhere of an Islamic center
16 of any type. Have you seen evidence of that?

17 A. Islamic type of what?

18 Q. I don't know what you are talking about. His Islamic
19 daycare.

20 A. You didn't see evidence in my house. Why would it be in
21 my house?

22 Q. It's not in Abdulkadir's house either.

23 A. That's Abdulkadir --

24 MR. MONTEZ: Object to the question.

25 THE COURT: Sustained -- overruled. Sorry. Go

1 ahead.

2 THE WITNESS: That was Abdulkadir's plan. That
3 wasn't my plan, so it wouldn't be in my house.

4 BY MR. THOMPSON:

5 Q. Not at Park Avenue, correct?

6 A. Huh?

7 Q. There's no emails about this anywhere, correct?

8 A. The Islamic center?

9 Q. Yeah.

10 A. The plan we had was when this COVID was over with --
11 Aimee sold the daycare to him. She has cribs. She has a
12 lot of stuff there, toys and everything. Abdulkadir put it
13 in the storage room. All that stuff, he took it out and put
14 in storage room. And he said, When this is over, I can
15 start up some kind of Islamic -- because that area doesn't
16 have Islamic --

17 Q. So that's why none of that daycare stuff -- there was no
18 daycare stuff come January, a few months later, because he
19 had put it in storage? Is that what you are saying?

20 A. What you say?

21 Q. I'm just --

22 A. The cribs and the toys, you talking about?

23 Q. Yeah. They weren't found there in January because
24 someone put them in storage between August and January?

25 A. Before we just -- as soon as Abdulkadir Salah bought it,

1 he bag it and, you know, he hired a couple employees and
2 took over that and put in boxes and they took it to storage
3 room.

4 Q. Because he didn't want to actually run a daycare?

5 A. That's a question for him, not me.

6 Q. All right. Mr. Said, let's talk about other ways in
7 which you spent your money. Okay?

8 A. Ways I spend my money?

9 Q. Yeah. The money you received from the food program.
10 Okay?

11 A. Okay.

12 Q. So you had this company, Salim Limited, correct?

13 A. Yes.

14 Q. And altogether here, Government Exhibit X12 shows that
15 you got, between August 2020 and January 2022, more than
16 \$5 million put into -- and you deposited it into the
17 account; is that right? Does that sound right?

18 A. That's what it says, yes.

19 Q. And \$1.9 million from Cosmopolitan Business Solutions;
20 is that right?

21 A. Yes.

22 Q. And that's the Safari Restaurant, correct?

23 A. Yes.

24 Q. All Federal Child Nutrition Program money?

25 A. What was that?

1 Q. That's all money from the food program, right?

2 A. That's the food program, yes.

3 Q. Olive Management, \$1.2 million you got?

4 A. Yes.

5 Q. And another food site in St. Cloud?

6 A. Food site that I invest, yes.

7 Q. Okay. ASA Limited was the food site you opened in
8 St. Paul. You got \$860,000 in --

9 A. Yes.

10 Q. \$250,000 from Horseed Management?

11 A. 259.

12 Q. 259,000?

13 A. That's what it says, yes.

14 Q. \$200,000 from Feeding Our Youth?

15 A. Yes, that's what it says.

16 Q. \$200,000 from Tunyar Trading?

17 A. Yes.

18 Q. \$500,000 directly from Feeding Our Future?

19 A. \$500? \$500,000 from Feeding Our Future?

20 Q. Half a million dollars.

21 A. That's what it says, yes.

22 Q. Okay. So altogether, in that eight -- less than
23 18-month period, you got over five and a half million
24 dollars, correct?

25 A. Yes.

1 Q. Essentially all from the Federal Child Nutrition
2 Program?

3 A. Yes.

4 Q. And you spent it on all sorts of stuff, correct?

5 A. Yes.

6 Q. Went on a bit of a shopping spree. You bought a truck?

7 A. Yes, I did.

8 Q. Chevrolet Silverado, correct?

9 A. Yes.

10 Q. In February of 2021?

11 A. I bought -- I turn -- 2021 Silverado 1800, I turn that
12 truck, I switch it to --

13 Q. Mr. Said, I'm asking, did you buy a Chevrolet
14 Silverado --

15 MR. MONTEZ: I'd ask the witness be allowed to
16 answer the question.

17 THE WITNESS: Okay.

18 THE COURT: He was done. You can go forward.

19 BY MR. THOMPSON:

20 Q. You bought a brand new 2021 Chevy Silverado, correct?

21 A. I did not buy a brand new Chevy Silverado. I switch it
22 to another truck like I said.

23 Q. You bought it for \$47,000, correct?

24 A. Say that, yeah.

25 Q. What's that?

1 A. Yes.

2 Q. And all that money came from the food program, correct?

3 A. Yes.

4 Q. In fact, here on February 23rd, 2021, you got \$140,000
5 from ASA Limited, correct, food money?

6 A. ASA Limited, down there, yeah, 30,000, yeah, 140, yeah.

7 Q. And the very next day you used it to buy -- get this
8 cashier's check for \$47,000 for the Chevy Silverado, right?
9 Correct?

10 A. Chevy Silverado, I pay 47,000; but it was Lupient
11 Chevrolet, I trade in my other truck.

12 Q. And then a couple weeks later you bought another car for
13 your wife?

14 A. Yes, I did.

15 Q. A Mercedes?

16 A. Yes.

17 Q. From Feldmann Imports?

18 A. Yes.

19 Q. You paid \$60,000 for that car?

20 A. Yes.

21 Q. All Federal Child Nutrition Program money? You don't
22 have to look at the screen.

23 A. Yeah.

24 Q. All the money you made was --

25 A. What do you mean all for the child nutrition program?

1 It's the money I worked for, investment. Money I spent, I
2 invested it, I worked for it. And the investment I got back
3 from it, that's what I bought.

4 Q. The investment in the free food sites for kids?

5 A. Yes.

6 Q. For all those big meal count forms that you filled out?

7 A. They're not all free meal counts.

8 Q. And this one your wife cut the check, but it came from
9 Salim Limited, correct?

10 A. Yes.

11 Q. You paid her 60 grand, and she turned around and bought
12 a cashier's check to buy the car, correct?

13 A. Yes.

14 Q. Okay. She didn't work for that money, correct?

15 A. What was that?

16 Q. Your wife didn't -- she wasn't working in the food
17 program, correct?

18 A. My wife never works.

19 Q. Okay. She doesn't work.

20 A. I work for her.

21 Q. And you bought her a Mercedes-Benz, correct?

22 A. Yes.

23 Q. And that was in March 4th of 2021, about two weeks after
24 you bought your Silverado?

25 A. Yes.

1 Q. Correct?

2 And then shortly thereafter, you bought a house in
3 Plymouth; is that right?

4 A. Yes.

5 Q. A million dollar home?

6 A. Yep.

7 Q. \$1.1 million?

8 A. Yes.

9 Q. Nice house?

10 A. Sure.

11 Q. In Plymouth, Minnesota. What, about 15 miles from here?

12 A. Yes.

13 Q. Indoor basketball court?

14 A. Yes.

15 Q. And you paid for that all with food money, correct?

16 A. All the money I worked for, like I said.

17 Q. In other words, you didn't get a mortgage?

18 A. Sure.

19 Q. You didn't get -- you didn't get a bank loan?

20 A. Can I answer the question or? I can't get a bank loan,
21 we can't get a bank loan. It's interest, and we can't
22 that's one of the reasons. I'm a Muslim. I can't have
23 interest. So if God give us enough money to buy something,
24 we buy it with cash.

25 Q. Okay.

1 A. Interest is like a sin to Islam, so that's why -- it's
2 not like we moving around money and running away with money.
3 It's just -- we running away from the interest. That's all.

4 Q. Okay. So you felt compelled to use the food program
5 money to buy a house?

6 A. You said again? I felt what?

7 Q. All of the money you spent on that house, that
8 \$1.1 million, came from the Federal Child Nutrition Program
9 funds, correct? Correct?

10 A. You can say that, yes.

11 Q. You can say that because it's true?

12 A. What I believe is the money I use is the money I worked
13 for.

14 Q. Okay.

15 A. I worked seven days a week, day and night, every morning
16 from 2020 --

17 Q. Mr. Said, you realize this is a program that's designed
18 to feed kids, right? You understand that?

19 A. Yes, it was program to feed --

20 Q. You understand this was during a global pandemic?

21 A. Yes.

22 Q. When most people were just trying to get by and stay
23 healthy and safe?

24 A. Yes.

25 Q. You understand that?

1 A. Yes.

2 Q. Kids weren't able to go to school?

3 A. Yes.

4 Q. They weren't able to do activities, sports, plays,
5 whatever they were doing. You understand that, right?

6 A. Yes.

7 Q. People were scared?

8 A. Yes, I understand.

9 Q. People were getting sick?

10 A. I lost family members, so I understand what you are
11 saying.

12 Q. And rather than take that money and feed food, you
13 bought a house for a million dollars?

14 A. I did feed the food. I did give out food. If anything,
15 we give out more than -- we work more every single day.
16 It's -- what I see here is a company told us we can make a
17 profit. You telling us we cannot make a profit.

18 Q. Aimee Bock told you you could make that kind of money?

19 A. Feeding Our Future, the company said --

20 Q. No. Feeding Our Future doesn't talk, Mr. Said. Who
21 told you that?

22 A. Company told us we can make a profit.

23 Q. Aimee Bock?

24 A. Company told us we can make a profit.

25 Q. Companies can't talk, Mr. Said.

1 A. Shafi came to me saying, the first time I met him, You
2 can make a profit.

3 Q. The Shafi you paid \$40,000 to?

4 A. He told me I can make a profit. I paid him 40,000 in
5 2021 when he was trying to open a soccer indoor place. He
6 probably open by now.

7 Q. So you thought you'd give him some of the --

8 A. No, he --

9 Q. -- Federal Child Nutrition Program funds to start his
10 own business?

11 A. No. He said, Invest this business. And I said, Okay.

12 Q. Using the money you received from Feeding Our Future,
13 the Federal Child Nutrition Program funds?

14 A. Yes, sir.

15 Q. Okay. You also bought other real estate, right?

16 A. Yes, sir.

17 Q. Not just your \$1.1 million house, correct? Separate
18 real estate apart from that?

19 A. Yes.

20 Q. You bought a building, 2722 Park, right?

21 A. Yes.

22 Q. Now that's a big building, correct?

23 A. Yeah.

24 Q. It's an old mansion --

25 A. Yeah.

1 Q. -- on Park Avenue? A gilded aged mansion.

2 A. I don't know about that. It's a old mansion.

3 Q. Yeah. And you and your friends, your partners bought
4 it, correct?

5 A. Yes.

6 Q. Fish?

7 A. Yes.

8 Q. Ahmed Ghedi?

9 A. Yes.

10 Q. Salah Donyale?

11 A. Yes.

12 Q. And you bought it for \$2.7 million, correct?

13 A. Yes.

14 Q. Cash.

15 A. Yes.

16 Q. All money from the Federal Child Nutrition Program?

17 Correct?

18 A. Yes.

19 Q. Money meant to feed kids?

20 A. We did feed the kids.

21 Q. Taxpayer money.

22 A. What was that?

23 Q. Taxpayer money.

24 A. It wasn't feeding taxpayers, I'll tell you that, but we
25 was --

1 Q. Had you weren't?

2 A. Yeah, we was feeding the kids.

3 Q. Hmm.

4 A. Yeah.

5 Q. You bought that for \$2.7 million. You each pitched in,
6 right? In June of -- June or July of 2021; is that right?

7 A. June or July of 2021, we bought the property, yes.

8 Q. Yeah. For, again, no financing. Just using the money
9 you received from Feeding Our Future?

10 A. No financing, financing as the property?

11 Q. Yeah.

12 A. Like I said earlier, if you have the money, you don't
13 want to be paying interest --

14 Q. Okay.

15 A. -- in Islam. So it was better. That's why we go
16 Islamic banks, and they double charge you.

17 Q. Mr. Said, I'm just saying, you took the money you got
18 from Feeding Our Future that was supposed to be reimbursing
19 you for the cost of feeding kids, and you used it to buy a
20 building for \$2.7 million?

21 A. We bought -- we bought with the building the
22 investment -- the money -- the profit we made from, and we
23 did feed the kids, like I said.

24 Q. But really you didn't buy any food. Do you notice that?
25 When you look at those bank records, there's no checks for

1 food?

2 A. No, no. We bought a lot of food. Safari bought a lot
3 of food.

4 Q. You bought a lot of houses?

5 A. We did buy a lot of food. There was a lot of invoice
6 for Safari Restaurant.

7 Q. We saw like those invoices that we looked at earlier
8 from Premium Fresh Produce?

9 A. If you calculated it, if you pick up half -- half a
10 store every time, it's going to be different. But Safari
11 Restaurant did buy a lot of food. Sysco was there every
12 day. Costco was there. Restaurant Depot. I even signed a
13 contract with Sysco, 2 million a month.

14 THE COURT REPORTER: Wait. Wait.

15 THE WITNESS: I even signed a contract with Sysco.
16 My partner signed, Ahmed Ghedi, with Sysco, 2 million a
17 month for shopping. Sysco trucks was delivering food every
18 day, so --

19 BY MR. THOMPSON:

20 Q. You never paid \$2 million to Sysco. Never. Correct?

21 Mr. Said, this is important. You never once paid
22 \$2 million to Sysco, did you?

23 A. Like I said, I wasn't doing the invoices, but I'm sure
24 we paid more than that to Sysco. I'm sure we paid more than
25 that, sir.

1 Q. You absolutely didn't. You've seen the bank records.
2 They're in evidence.

3 A. Bank records I'm seeing is half bank records every time.
4 I see half of Cosmopolitan and half of Bridgewater Bank's.
5 I don't see it.

6 Q. Okay. You have a lawyer, don't you?

7 A. Yes.

8 Q. And your lawyer is going to have a chance to stand up
9 and ask you questions when I'm done?

10 A. Sorry.

11 Q. Correct?

12 A. Yes.

13 Q. And he'll have those bank records?

14 A. Okay.

15 Q. And you guys are welcome to walk through them, okay?

16 A. All right, sir.

17 Q. And to see the \$2 million in payments to Sysco, okay?

18 A. Okay.

19 Q. So don't lie to this jury.

20 MR. MONTEZ: Objection, Your Honor.

21 THE COURT: Mr. Thompson, let's break it here.

22 All rise for the jury.

23 We'll see you at 9:00 tomorrow morning.

24 **IN OPEN COURT**

25 **(JURY NOT PRESENT)**

1 THE COURT: All right. We're going to pick it up
2 at 9:00 tomorrow morning.

3 We're off the record.

4 (Off-the-record discussion)

5 MR. MONTEZ: Your Honor, may I make a record?

6 THE COURT: You may make a record.

7 You can step down, sir. Thank you.

8 MR. MONTEZ: Your Honor, I'm just going to ask
9 that Mr. Thompson's last statements to the jury be stricken
10 from the record in the morning, and that the jury be -- I'm
11 sorry -- oh, yeah, in the morning, and that the jury be
12 instructed to disregard those statements.

13 The statements indicating that we will have an
14 opportunity to present records is effectively shifting the
15 burden to the defense to present evidence. I don't believe
16 that's what the rules are in criminal courts. It's very
17 clear that the government retains the burden to prove beyond
18 a reasonable doubt each and every element of the offense.
19 It's not on the defense to start proving these -- evidence
20 to the contrary. So I would just ask that the Court
21 instruct the jury to the effect tomorrow morning.

22 THE COURT: All right. Mr. Thompson, do you want
23 to respond?

24 MR. THOMPSON: Yeah, Your Honor.

25 The defendant clearly said that there were bank

1 records out there that his client -- or that he had not gone
2 through -- the government had failed to show that showed
3 \$2 million or more than \$2 million in payments to Sysco.
4 That's obviously not true. I think he probably knows that's
5 not true.

6 That was one of several instances during his
7 testimony where the defendant essentially said that there's
8 other stuff out there that you're -- for example, he said,
9 just ask this person or ask that person. And, of course,
10 they have the power to subpoena people to come to court. If
11 they think our summary charts of our bank records are
12 inaccurate, they can hire their own accountant to present
13 them.

14 And certainly if there are \$2 million worth of
15 payments to Sysco, I would expect defense counsel to go
16 through them either with his client on the stand or through
17 some other witness. That's not happened. But he can't get
18 up there and tell the jury that we're hiding stuff from them
19 and not allow us to respond that those records are in
20 evidence, and he can go through them if he thinks there are.

21 He said clearly that we're hiding \$2 million worth
22 of payments to Sysco. That's what the defendant says. He
23 knows that's not true.

24 THE COURT: All right.

25 MR. THOMPSON: He doesn't get to lie. He has --

1 you know, he's under oath as well.

2 THE COURT: Thank you.

3 I'm going to deny Mr. Montez's motion. When a
4 defendant chooses to testify, he's subject to the same
5 cross-examination rules that any other witness is. It's
6 within permissible bounds of cross-examination for the
7 government to inquire about whether a witness who could
8 possibly have corroborated the defendant's story has been
9 summoned by court to the defense. The same applies to
10 evidence that might be in the record.

11 One of the cases for that proposition is *United*
12 *States v. Weil*. That's 561 F.2d 1109 from the Fourth
13 Circuit. A prosecutor is also entitled to test the
14 plausibility of a defendant's account on cross-examination
15 by asking whether he has any corroborative evidence. That's
16 *United States v. Nowak*. That's 370 F.App'x 39 from the
17 Eleventh Circuit at 2010. I think it's clearly within the
18 bounds of cross-examination to test this defendant's
19 account, like any other witness, without shifting the
20 burden.

21 In addition, there is a jury instruction that
22 instructs the jury well on the burden of proof.

23 With that, we'll pick it up tomorrow morning at
24 9:00.

25 We're in recess.

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MR. THOMPSON: Your Honor.

THE COURT: We're off the record.

(Court adjourned at 5:07 p.m., 03-17-2025.)

* * *

I, Renee A. Rogge, certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter.

Certified by: /s/Renee A. Rogge
Renee A. Rogge, RMR-CRR