

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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United States of America,	)	File No. 22-cr-124
	)	(NEB/DTS)
Plaintiff,	)	
	)	
v.	)	
	)	
Abdiaziz Shafii Farah(1),	)	Courtroom 13W
Mohamed Jama Ismail(2),	)	Minneapolis, Minnesota
Abdimajid Mohamed Nur(4),	)	Monday, April 22, 2024
Said Shafii Farah(5),	)	8:46 a.m.
Abdiwahab Maalim Aftin(6),	)	
Mukhtar Mohamed Shariff(7),	)	
Hayat Mohamed Nur(8),	)	
	)	
Defendants.	)	
	)	

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

**SEALED - JURY VOIR DIRE PROCEEDINGS - VOLUME I OF XXX**

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

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Proceedings recorded by mechanical stenography;  
transcript produced by computer.

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APPEARANCES:

1  
2 For Plaintiff: UNITED STATES ATTORNEY'S OFFICE  
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4 HARRY JACOBS  
5 MATTHEW S. EBERT  
6 CHELSEA A. WALCKER  
7 DANIEL W. BOBIER  
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17 Mohamed Jama BY: PATRICK L. COTTER  
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21 Abdimajid Mohamed BY: EDWARD V. SAPONE  
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24 For Defendant Said MASLON LLP  
25 Shafii Farah(5): BY: STEVEN L. SCHLEICHER  
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Abdiwahab Maalim BY: ANDREW S. GARVIS  
Aftin(6): 3109 Hennepin Avenue South  
Minneapolis, Minnesota 55408

For Defendant Mukhtar GOETZ AND ECKLAND P.A.  
Mohamed Shariff (7): BY: FREDERICK J. GOETZ  
ANDREW H. MOHRING  
KAITLYN C. FALK  
615 First Avenue NE, #425  
Minneapolis, Minnesota 55413

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APPEARANCES (Continued):

For Defendant Hayat  
Mohamed Nur (8):

BRANDT KETTWICK DEFENSE PLLC  
BY: MICHAEL J. BRANDT  
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2150 Third Avenue, #210  
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\* \* \*

**IN OPEN COURT****(JURY PANEL NOT PRESENT)**

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

5 Good morning. We are on the record. We are out  
6 of the presence of potential jurors on the first day of  
7 trial. I think we have everyone present and accounted for.

8 I wanted to go through a few items with the  
9 attorneys before we begin the process of voir dire and then  
10 ask if there are any issues that need to be raised before we  
11 begin.

12 I'll note these things. We're down to 16 strikes  
13 since we've had one motion to sever that was granted. So 16  
14 for the defendants, and then the government's will remain at  
15 6. You should have a new strike sheet on your tables.

16 And I've also been advised -- and I want to place  
17 this on the record, and I'll do so before testimony begins  
18 as well -- that the parties have reached an agreement, the  
19 defendants, have reached an agreement concerning making a  
20 record at trial with respect to defense objection. And  
21 under this agreement, I am told that an objection from one  
22 defendant will be considered an objection from all  
23 defendants, and that will be the case through voir dire as  
24 well, so for motions for cause and any other objections  
25 during voir dire.

1           So I'll note that for the record. That is, I'm  
2           appreciative of that agreement. My understanding is the  
3           government does not object. It certainly allows for a more  
4           orderly proceeding and a more efficient trial.

5           The potential jurors during their orientation, I  
6           believe you all know this, but they have all received the  
7           alphabetized list of potential witnesses. Those lists are  
8           in the jury room. They are numbered. They aren't to leave  
9           the jury room. You all have those lists as well. You don't  
10          need to keep them in the courtroom, but I'm emphasizing to  
11          you that those are confidential lists. And that way we  
12          don't have to read each name for each potential juror.

13          I have marked as Court Exhibit 1 the Criminal  
14          Trial Jury Questionnaire that the potential jurors have a  
15          copy of. You all have a copy of it. When they answer  
16          questions, I am just going to have them answer those  
17          questions by number. Again, that just makes things a bit  
18          more efficient so that I'm not repeating each question when  
19          I ask them.

20          That Court Exhibit 1 will also be available in the  
21          overflow jury room so that any public, members of the public  
22          or media can have that, because it would be part of the  
23          record anyway.

24          I will note the following. The first question is,  
25          What is your name and age? I am not going to have them

1 answer their name on the record. I have started this year,  
2 in just making it a practice of the court, to refer to each  
3 juror only by number. And so we're going to do that  
4 throughout, and I'd appreciate it if counsel would follow  
5 that practice as well.

6 Sidebars today are going to occur by headset.  
7 We'll give the juror a headset in case there's anything that  
8 the juror wants to reveal privately because this proceeding  
9 is being streamed to an overflow courtroom.

10 In addition, I will note that I have given  
11 permission for a sketch artist to be in this courtroom.  
12 That sketch artist will sit in the jury box. I have  
13 instructed the sketch artist that he is not to sketch any of  
14 the potential jurors. And so we're also giving them that  
15 assurance during orientation.

16 Those are all of my notes. I did -- I was alerted  
17 to an email over the weekend. Mr. Mohring, I think you had  
18 an issue. Do you wish to raise it at this time?

19 MR. MOHRING: If I may, Your Honor.

20 THE COURT: Yes.

21 MR. MOHRING: Your Honor, the defense I think  
22 collectively received access at 6:15 on Friday evening to a  
23 collection of disclosures, volume was over seven gigabytes.  
24 Some of those materials are recent. Most of them are not.  
25 Grand jury exhibits, they relate kind of to the grand jury.

1           My experience in the recent past suggests that  
2 this is actually a systemic issue. I don't propose to  
3 address it as a systemic issue this morning. I think this  
4 is something for the Federal Practice Committee.

5           The remedy for late disclosures can extend to  
6 preclusion or suppression of the material that's disclosed.  
7 I'm not asking for that.

8           But in the interest of effectively being able to  
9 represent my client, Mukhtar Shariff, for the record, I  
10 would ask that the court allow us a recess between jury  
11 selection and the beginning of the case, the beginning being  
12 opening statements. I would ask for two days to give us the  
13 ability to review the materials that were disclosed.

14           I would note for the record that this is the  
15 fourth such collection of disclosures -- I didn't compare  
16 size. It may be the biggest, it may not. It's certainly  
17 voluminous -- within the past month.

18           I think discovery, by the court's order, closed a  
19 year ago February. I understand that, I mean, this is an  
20 enormous case and there is an enormous volume. I don't  
21 understand how material that -- that has been in the  
22 government's possession since the grand jury in this case  
23 comes to us Friday evening before Monday trial. I'm not  
24 raising those questions.

25           What I am saying, though, is that this is a very

1 substantial volume of material. I've already identified  
2 things that would qualify as exculpatory in nature in the  
3 disclosures. And I just want some time on behalf of my  
4 client to be able to review them in the interest of  
5 effective representation. And so I'd ask for a recess  
6 between, what I'd suggest is let's pick the jury, but give  
7 us a couple days before we actually start the case with  
8 opening statements to allow us time to review.

9 THE COURT: Thank you.

10 MR. MOHRING: Thank you.

11 THE COURT: Mr. Thompson.

12 MR. THOMPSON: Thank you, Your Honor.

13 We did produce additional material on Friday  
14 evening. That material is of several types.

15 We produced about 80 pages of documents that were  
16 obtained pursuant to trial subpoena that came in last week.  
17 We also -- we turned over reports of interviews conducted  
18 during witness prep sessions over the course of the last  
19 week or so. And we turned over the NCIC criminal histories  
20 of our witnesses that we intend to call as we are required  
21 to do.

22 It is not true, Your Honor, that we turned over  
23 stuff that has been in possession since the grand jury. We  
24 did produce things that have rolled in pursuant to grand  
25 jury subpoenas.

1           As Your Honor knows, this is an ongoing  
2 investigation. The larger Feeding Our Future fraud is large  
3 in scope, and our investigation is very much ongoing. As  
4 Your Honor is aware, we charged ten additional defendants  
5 just a couple months ago. We continue to investigate the  
6 case and other individuals involved.

7           As we do that, material has rolled in pursuant to  
8 our grand jury subpoenas. We've turned that over, as we  
9 must, because Mr. Mohring thinks some of it is *Brady* and  
10 exculpatory. I don't necessarily think so, but *Brady* is in  
11 the eye of the beholder. And it's hard for me to say that  
12 because I don't know what his theory is and I don't know  
13 what the defense theory is. So as we've obtained this  
14 stuff, we turn it over right away, and that's what we've  
15 done, and that's really all that we can do.

16           THE COURT: And so you are saying that everything  
17 that you turned over on Friday was not in the possession of  
18 the government seven days prior to that?

19           MR. THOMPSON: Yes, Your Honor.

20           THE COURT: And I think you said seven --

21           MR. THOMPSON: Thereabouts. I should say -- when  
22 we decide to do discovery production, we get all the  
23 material and we say, As of Tuesday, here's the material, and  
24 it takes us a few days to process it and send it out. So  
25 whenever that deadline was. If the last discovery

1 production was made the prior Friday, my guess is the  
2 deadline, the internal deadline for getting that stuff to  
3 our paralegals is some days before that, but this is all --  
4 to answer your question, this is all newly gathered  
5 material.

6 And that's just -- it is a somewhat unique  
7 investigation. We don't generally see cases with this  
8 number of defendants that are going to trial as part of an  
9 ongoing investigation, but that's where we are. This is a  
10 massive fraud scheme, and the U.S. Attorney's Office has  
11 worked as hard as we can to charge people and bring people  
12 to account in a timely fashion. But you can only charge so  
13 many people in a given day, week, month, year.

14 THE COURT: Is the NCIC production a part of  
15 Jencks or no?

16 MR. THOMPSON: It's -- I suppose it is,  
17 Your Honor. And so you know on that, we have very a  
18 detailed index by name and Bates range for every witness  
19 whose NCIC we turned over, so it is very easy to go to any  
20 particular witness and go exactly to the page where their  
21 NCIC starts.

22 NCICs have to be run very close to trial because  
23 people pick up arrests, DUIs, other things very close to  
24 trial on a fairly regular basis. And so if we run it a  
25 month before or two months before, we risk not catching

1 something that came up in the interim.

2 THE COURT: And I know that Mr. Mohring referred  
3 to seven gigabytes. Is there a way that you can put that in  
4 pages for me?

5 MR. THOMPSON: I don't know. Like I said,  
6 Your Honor, the trial subpoenas is about -- it looks like  
7 about 80 or 90 pages of material for trial subpoenas that's  
8 related specifically to this trial. It looks like the  
9 interview reports are about 120 pages. That, I assume,  
10 includes attachments, and there's some 902.11 certificates.  
11 There's one cooperation letter that's a few pages long that  
12 was provided pursuant to the request of Mr. Mohring and  
13 Mr. Goetz. The criminal histories are about 700 pages all  
14 told. And the bulk of the remaining material is grand jury  
15 subpoenas, and that -- I'm just looking here, Your Honor --  
16 is larger. It's mostly bank records, and it is about  
17 20-some-thousand pages of bank records mostly.

18 THE COURT: Okay. And so let's focus for a moment  
19 on those grand jury subpoenas. Grand jury subpoenas are  
20 subpoenas that are issued by the grand jury when -- that's  
21 the largest bulk of what you are talking about.

22 MR. THOMPSON: Correct, Your Honor.

23 THE COURT: When did you receive the grand jury  
24 subpoenas?

25 MR. THOMPSON: Those have all come in in the last

1 week or two, Your Honor. I would have to ask our paralegals  
2 exactly when. But they have all come in since we processed  
3 our last discovery round. Like I said, we have very much an  
4 ongoing grand jury investigation, and most of this stuff  
5 relates to people that aren't involved in this case or  
6 involved in this particular group necessarily in terms of  
7 these defendants, but it is really just even though we've  
8 broken this up into many different indictments and  
9 conspiracies, at the end of the day, this is all one large  
10 conspiracy to fraudulently obtained federal child nutrition  
11 program funds, and there is overlap everywhere, so it's  
12 really hard for us to draw the line about -- decide we're  
13 not going to turn this over to these defendants because we  
14 don't see an immediate connection. They very well might.

15 THE COURT: Thank you.

16 Mr. Mohring, you, I think, probably have a handle  
17 on pages. It sounds roughly 30,000 to me.

18 MR. MOHRING: I think over 30,000 is the  
19 calculation that people more adept at making those  
20 assessments than me have reached.

21 THE COURT: All right. Well, let me do this. Let  
22 me see how long jury selection takes and where you are in  
23 terms of analyzing those documents. I'm not going to grant  
24 the relief now or rule on it. I want to see where we are  
25 after jury selection and whether that relief is still

1 necessary and you are still asking for it and what that  
2 looks like in terms of the rest of trial, but I appreciate  
3 the heads up on it. Thank you.

4 We did not, at the beginning of my remarks here,  
5 go through all of the appearances that you all have for your  
6 clients. I think we should do that even though that will be  
7 there for the record, but let's go ahead and do that so that  
8 I'm clear on where everyone is and that we have that noted  
9 for the record. So let's begin with the government if we  
10 could.

11 MR. THOMPSON: Good morning, Your Honor. Joe  
12 Thompson on behalf of the United States.

13 MR. JACOBS: Harry Jacobs on behalf of the  
14 United States. Good morning, Your Honor.

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

17 MS. WALCKER: Good morning, Your Honor. Chelsea  
18 Walcker on behalf of the United States.

19 MR. BOBIER: Good morning. Dan Bobier on behalf  
20 of the United States.

21 THE COURT: Good morning to all of you.

22 You have two agents who are sitting with you. And  
23 those are going to be the two throughout the trial,  
24 Mr. Thompson?

25 MR. THOMPSON: Yes, Your Honor.

1 THE COURT: And who are those?

2 MR. KARY: Jared Kary with the FBI.

3 THE COURT: Thank you.

4 MS. ROASE: Pauline Roase with the FBI.

5 THE COURT: Thank you to both of you.

6 All right. And let's begin here with Mr. Birrell.

7 MR. IAN BIRRELL: Good morning, Your Honor. Ian

8 Birrell and Andy Birrell here on behalf of Mr. Abdiaziz

9 Farah, who is present before the court.

10 And for the record, we were here throughout the  
11 whole pretrial process.

12 THE COURT: Thank you.

13 MR. SCHLEICHER: Good morning, Your Honor. Steve

14 Schleicher and Clayton Carlson on behalf of Said Farah, who

15 is present in court.

16 THE COURT: Good morning.

17 MR. COTTER: Good morning, Your Honor. Patrick

18 Cotter on behalf of Mohamed Ismail, standing to my right.

19 THE COURT: Good morning.

20 MR. SAPONE: Good morning, Your Honor, and

21 everyone. Edward Sapone appearing for and with Abdimajid

22 Mohamed Nur.

23 THE COURT: Good morning.

24 MR. GOETZ: Good morning, Your Honor. Frederick

25 Goetz, G-O-E-T-Z, on behalf of Mukhtar Shariff, along with

1 Andrew Mohring and Kaitlyn Falk.

2 THE COURT: Good morning.

3 MR. GARVIS: Good morning, Your Honor. Andrew  
4 Garvis on behalf of Mr. Abdiwahab Maalim Aftin, who is  
5 seated next to me.

6 THE COURT: Good morning.

7 MR. BRANDT: Good morning, Your Honor. Michael  
8 Brandt on behalf of Hayat Nur, along with co-counsel Nicole  
9 Kettwick.

10 THE COURT: Good morning.

11 And we now have seven of you rather than eight.

12 Is anyone wanting to slot into our empty seat there?

13 If you do, I just want to be consistent throughout  
14 trial. That helps the court reporter. So you are welcome  
15 to do so, if you wish, but, again, I'd like it to be  
16 consistent throughout trial.

17 MR. GARVIS: Your Honor, I might slide up over  
18 there. It's a tad bit tight.

19 THE COURT: I mean, that makes sense to me. And,  
20 frankly, it looks a little odd to have a blank space. Why  
21 don't you come on up.

22 Do you all have a list of the juror names in front  
23 of you? Okay. Those too are not to be obviously  
24 disseminated. They are confidential. I won't make you  
25 leave them in the courtroom, but I am counting on you all to

1 keep those confidential.

2 We had everybody who was supposed to report this  
3 morning report, except for one who was released for illness  
4 and two who did not appear. Those are Numbers 9, 53 and 60.  
5 9, 53 and 60 should be stricken.

6 Anything else to raise before we begin the process  
7 of voir dire?

8 MR. GOETZ: If I may, Your Honor.

9 THE COURT: Mr. Goetz.

10 MR. GOETZ: Your Honor, looking ahead to the start  
11 of the trial, I know pretrial we had a ruling from the  
12 court, I think there was an agreement of the parties, that  
13 we would get the government's batting order, so to speak,  
14 two days ahead. I think we're at that point, and so I look  
15 forward to hopefully getting that today. Well --

16 The other thing I had just a housekeeping  
17 question. Scheduling issues, those might arise from time to  
18 time. How would the court want to address that? I have one  
19 for later this week, but --

20 THE COURT: You can -- I think probably the most  
21 efficient thing is just to tell Ms. Wegner, and then we'll  
22 figure it out.

23 Any issue that you raise, scheduling or otherwise,  
24 my first question is probably going to be have you talked to  
25 everyone else and does anyone have an objection. So I'd

1 appreciate it if you did that before it was raised. But I  
2 think that's probably the most efficient way to do it.

3 MR. GOETZ: That's helpful. We will do that.

4 THE COURT: I will also -- I think everyone knows,  
5 but we will not hold trial this Friday. I think everyone is  
6 aware of that, but -- okay.

7 MR. GOETZ: That's all I have. Thank you,  
8 Your Honor.

9 THE COURT: All right. Thank you.

10 And I'm assuming the government will let everyone  
11 know who their witnesses are when you think we're two days  
12 away. I think we will have a better idea of that later  
13 today probably.

14 MR. THOMPSON: I think that's right, Your Honor.  
15 And obviously Mr. Goetz's partner has just asked for a  
16 continuance, so that might affect that.

17 THE COURT: All right. Fair enough.

18 All right. Anything else before we bring the  
19 jurors in?

20 All right. Just as a reminder for voir dire, we  
21 will bring everyone in. I will give my voir dire remarks  
22 and swear the panel in. They will then leave. And then  
23 I'll have them come up one by one to answer those questions  
24 on the Voir Dire Criminal Trial Jury Questionnaire, which is  
25 Court Exhibit 1.

1           After I do that, I'll ask you all via headset if  
2 you have follow-up that you wish me to proceed with. I'll  
3 do that. If the juror at any time needs to raise an issue  
4 that's private, I will have them do that via headset too  
5 because, again, we are streaming to an overflow room just  
6 during this voir dire process.

7           With that, we're going to go off the record, and  
8 I'm going to test these headsets.

9                           **(Off-the-record discussion)**

10  
11          9:29 a.m.

12                           **IN OPEN COURT**

13                           **(FIRST JURY PANEL ENTERS COURTROOM)**

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

16          Members of the panel, good morning. Can everyone  
17 hear me? Anyone not able to hear me? All right.

18          Let me start by welcoming you to the United States  
19 District Court for the District of Minnesota. My name is  
20 Nancy Brasel. I am a United States District Judge, and I am  
21 the judge who is going to be presiding over the trial for  
22 which you've all been called here as potential jurors.

23          I'm going to give you a small moment on jury  
24 service. I know that you have gone through an orientation  
25 already, but I wanted to give you my thoughts on it briefly.

1           It's a responsibility of citizenship, and it  
2 ensures that justice is served. The right to a trial of a  
3 jury of one's peers is guaranteed by our Constitution, and  
4 that means that by being here, you are, in a very real  
5 sense, fulfilling a promise of our Constitution.

6           Serving as a juror allows you to make a difference  
7 in our democracy. Your being here brings fairness, justice  
8 to our society and it directly impacts the lives of all of  
9 the people who are in the courtroom today.

10           Before we begin the process of questioning you,  
11 and I'll explain that process in a moment, I want to go over  
12 a few ground rules that apply to you. They will apply to  
13 you throughout this process. They're serious ground rules  
14 that I'm instructing you that they must be followed.

15           First, while you are in the courtroom, please turn  
16 your cell phones all the way off, not just on silent, but  
17 all the way off.

18           Thank you.

19           Second, if you are selected as a juror in this  
20 case, you cannot discuss the case with your fellow jurors  
21 before you're permitted to do so at the conclusion of the  
22 trial. You also can't discuss the case with anyone else  
23 until after you've reached a decision. So that means you  
24 don't talk about the case or otherwise have any  
25 communications about it with anyone, including your fellow

1 jurors, until I tell you that you may.

2 So in addition to no face-to-face discussions with  
3 fellow jurors or anyone else, that means no communications  
4 whether in writing, email, text messages, blogs, comments on  
5 social media.

6 You also -- so this is number three, is no  
7 research. You cannot conduct any independent or personal  
8 research or investigation regarding any matters related to  
9 the case. So that means not using your cell phones, your  
10 iPads, your electronic devices to do research or  
11 investigation regarding the case, the matters in the case,  
12 the legal issues in the case, or the individuals or entities  
13 that are involved in the case.

14 And as I noted in my letter to you when you were  
15 summoned to this courthouse, you must ignore any information  
16 about the case you might see even accidentally while  
17 browsing the internet or on your social media feeds, and  
18 that is because you must base any decision that you make in  
19 this case solely on what you hear and see in the courtroom.

20 Very important that you abide by these rules.  
21 Failure to follow the instructions could result in having  
22 the case retried, and we don't want that.

23 Before we begin the process of asking you  
24 questions, the courtroom deputy Ms. Wegner will now  
25 administer the oath for voir dire examination of prospective

1 jurors. So I would like you all to please stand and to be  
2 sworn.

3 COURTROOM DEPUTY: Members of our jury panel,  
4 please raise your right hand.

5 You and each of you do swear that you will true  
6 answers make to such qualifications as may be put upon you,  
7 touching upon your qualifications to sit as jurors in this  
8 case. If so, please answer "I do."

9 JURY PANEL: I do.

10 COURTROOM DEPUTY: Thank you.

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

12 We're now going to begin the process of jury  
13 selection, also called voir dire.

14 After I'm done explaining this process, I'll talk  
15 to each of you individually. In order to ensure that we  
16 choose a fair and impartial jury, I'll ask you a variety of  
17 questions.

18 You've already received those questions, along  
19 with lists of staff and potential witnesses. Those should  
20 have been available to you in your jury orientation room.  
21 So please review those questions and the lists before it is  
22 your turn to answer the questions.

23 When it's your turn to answer the questions, you  
24 will come into the courtroom, you're going to sit in this  
25 witness stand, and you are going to answer the questions

1 simply by referencing the question number on the sheet that  
2 you have. That is so -- that is to save me a little bit of  
3 time in asking every single question every single time.

4 The attorneys here all have the questions  
5 available to them; so when you reference a question number,  
6 we will all know what you are talking about.

7 I'll note that Question 1 asks you for your name,  
8 and you should ignore that because the attorneys have the  
9 confidential list of your name, and we will be referring to  
10 you only by your juror number. And so you do not need to  
11 state your name in answering the questions. Again, we have  
12 it, and you will be referenced by your juror number.

13 I will be asking the questions, just me. I may  
14 have follow-up questions for you that will come from the  
15 attorneys, but it is me who will be asking you the  
16 questions.

17 The purpose of the questions is to enable us to  
18 select a jury that will be fair and impartial in this case.  
19 My questions to you and your answers to them are in no sense  
20 evidence in the case. They are not meant to embarrass you  
21 in any way or pry unnecessarily into your personal affairs.  
22 They are to obtain basic information necessary to permit the  
23 parties to make an informed choice of jurors for this case.

24 The questions I ask of you also are not intended  
25 to question your honesty or your integrity. The fact that

1 you've been summoned here for jury service to federal court  
2 means you are qualified to serve.

3 What we're trying to determine, in fairness to  
4 each party and to ensure a fair trial for the parties before  
5 the court, is that there's nothing that's happened to you in  
6 your lifetime or opinions that you've formed that would  
7 interfere with your ability to be a fair and impartial juror  
8 in this case to all parties.

9 I would urge each of you to answer the questions  
10 asked by the court fully and frankly. In our system, the  
11 best way for a trial judge like me to ensure that a party  
12 receives a fair and a just trial and a fair and a just  
13 result is to make sure that each case is decided by a fair  
14 and impartial jury.

15 We do have a separate courtroom for the public to  
16 view the jury selection process. They will be able to hear  
17 your answers, even though they won't be in this courtroom.  
18 If you feel that any of the answers to my questions cause  
19 you great embarrassment or discomfort, let me know that, and  
20 if you'd prefer to discuss the answers privately, we'll do  
21 that by headset.

22 When I say "privately," under the law the  
23 attorneys will be able to listen, but we can make sure that  
24 they will be private. It's like a sidebar, but that's the  
25 technological way we are doing it in this case because it is

1 a larger case.

2 Under your oath that you just took, you're  
3 obligated to give fair and -- give fair and truthful answers  
4 to those questions. It's your solemn duty to serve in this  
5 case as a fair and impartial juror if you are able to do so.

6 It is equally your solemn duty not to serve if for  
7 any reason you cannot be fair and impartial. You must  
8 disclose to this court any fact or belief which might  
9 prevent you from being a fair and impartial juror.

10 If you are selected in the case, the only evidence  
11 that you may consider in deciding this case is the evidence  
12 of witnesses under oath in this courtroom, exhibits which  
13 this court receives into evidence.

14 I have no knowledge of the facts of this case that  
15 are going to come through as evidence. Nothing I say  
16 constitutes evidence.

17 I will, however, briefly describe to you the  
18 charges that have been brought by the government against the  
19 defendants so that you will understand the reasons for  
20 certain questions that are on that questionnaire.

21 This is a criminal case. The name of the case is  
22 the United States of America versus Abdiaziz Shafii Farah,  
23 Mohamed Jama Ismail, Abdimajid Mohamed Nur, Said Shafii  
24 Farah, Abdiwahab Maalim Aftin, Mukhtar Mohamed Shariff, and  
25 Hayat Mohamed Nur.

1           The indictment in this case collectively charges  
2           the defendants with 41 crimes; one count of wire fraud  
3           conspiracy, 11 counts of wire fraud, one count of conspiracy  
4           to commit federal programs bribery, six counts of federal  
5           programs bribery, one count of conspiracy to commit money  
6           laundering, 20 counts of money laundering, and one count of  
7           false statement in a passport application.

8           These charges are set forth in what is called an  
9           indictment. The defendants have pled not guilty to these  
10          crimes and contend they did not commit any fraud or bribery,  
11          did not launder any money and acted in good faith.

12          We will start with individual questioning. I  
13          wanted to give you one note on the witness list that was  
14          available to you down in the jury orientation room. That  
15          witness list is long. I've given it to you so that you may  
16          review it and see whether you know anyone on that witness  
17          list. And that is one of the questions that we'll ask you  
18          in the voir dire process. It does not mean that all of  
19          those witnesses will be called. They are potential  
20          witnesses.

21          If you have not had the opportunity or have not  
22          gotten through that list, please look at that while you are  
23          waiting for your turn to be called into the courtroom.  
24          Again, those are down in the jury orientation room.

25          So I'm going to have everyone exit the courtroom,

1 and I'm going to have Numbers 1 through 11? -- 1  
2 through 11 -- you know your number? Everybody know their  
3 number? Okay. 1 through 11 are going to stay in the  
4 hallway. The rest of you are going to go back to the jury  
5 assembly room. You are going to go back to the jury  
6 assembly room.

7 While you are waiting to be called, keep in mind  
8 my instructions that you are not to discuss this case with  
9 anyone, investigate or talk with anyone about this case.

10 I also noted in my letter to you as you were  
11 called, that you are not to review any media about this  
12 case, and that is an instruction that I expect you to keep  
13 following. I will probably remind you of that more times  
14 than you wish, but I want to keep that -- you to keep that  
15 in the forefront of your mind. You are not to review any  
16 media about this case.

17 It would be my preference that you not review any  
18 media at all, so you don't accidentally see anything, but my  
19 instruction to you is you do not review any media about this  
20 case.

21 All right. So I'm going to have you all exit the  
22 courtroom. Again, 1 through 11, please stay in the hallway.  
23 You will get shepherded in when it is your turn.

24 The rest of you can go to the jury assembly room.  
25 I thank you for your patience.

1 All rise for the jury.

2

3

**(FIRST JURY PANEL EXITS COURTROOM)**

4

5

**(Prospective Juror Number 1 enters courtroom)**

6

THE COURT: Good morning. Come on up.

7

You may all be seated.

8

PROSPECTIVE JUROR: Good morning.

9

THE COURT: How do you like going first?

10

PROSPECTIVE JUROR: I don't know about it.

11

THE COURT: All right. Juror Number 1, do you  
12 have the jury questionnaire in front of you?

13

PROSPECTIVE JUROR: Yes, I do.

14

THE COURT: All right. How old are you?

15

PROSPECTIVE JUROR: 61.

16

THE COURT: And can you go through the answers to  
17 Question Number 2.

18

PROSPECTIVE JUROR: No, I don't know anyone.

19

THE COURT: And you had an opportunity to review  
20 the witness list?

21

PROSPECTIVE JUROR: Yes.

22

THE COURT: Thank you. And Question Number 3. Go  
23 ahead.

24

PROSPECTIVE JUROR: Yes, I have.

25

THE COURT: Can you explain?

1 PROSPECTIVE JUROR: It would have been back when  
2 it first came out in the media that on your phone you get  
3 them news feeds, and so I read some of the articles that  
4 were like from KSTP and other news places from up here in  
5 the Cities.

6 THE COURT: And how far away from you are the --  
7 how far away from the Cities are you?

8 PROSPECTIVE JUROR: Two hours.

9 THE COURT: And I know you said KSTP. Do you  
10 remember what other news articles or outlets that you  
11 listened to or read?

12 PROSPECTIVE JUROR: No, I can't. That's the one  
13 that just sticks out to me.

14 THE COURT: Do you regularly read the Star  
15 Tribune?

16 PROSPECTIVE JUROR: No.

17 THE COURT: And then Question 3(b).

18 PROSPECTIVE JUROR: No, I don't have an opinion.

19 THE COURT: And Question 3(c).

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: And then Question 4 is similar, but it  
22 names the -- certain entities that you may hear about during  
23 the case. Could you go through these and see if you've  
24 heard of any of those?

25 PROSPECTIVE JUROR: The only one that I've heard

1 of is Feeding Our Future.

2 THE COURT: And how is that?

3 PROSPECTIVE JUROR: From the news articles that I  
4 read.

5 THE COURT: And let me go back to that a moment.  
6 You said that you reviewed those or saw those when the case  
7 first came out. Have you also seen or reviewed them as the  
8 case has gone along or recently?

9 PROSPECTIVE JUROR: A couple of months ago there  
10 was one, and I opened it up and started to read it and then  
11 closed it.

12 THE COURT: Did you form any opinion about the  
13 case?

14 PROSPECTIVE JUROR: No. When I got the letter  
15 from the court, I thought it already had been taken care of,  
16 that it was done.

17 THE COURT: Oh, really.

18 PROSPECTIVE JUROR: Yeah.

19 THE COURT: What made you come to that conclusion?

20 PROSPECTIVE JUROR: I guess because when it first  
21 came out, you know, there was a bunch of articles, and then  
22 there was, like, nothing. So I just assumed it was all  
23 taken care of.

24 THE COURT: And Question Number 5.

25 PROSPECTIVE JUROR: Yeah, I can. English is the

1 only language.

2 THE COURT: And then the next page is Questions  
3 5(b) and (c) about your jury service and any personal impact  
4 it may have on you.

5 PROSPECTIVE JUROR: The only thing is is I was  
6 injured at work on March 29th, and I'm still on light duty  
7 at work and seeing occupational health. I injured my back.

8 THE COURT: Okay. And so what does that mean in  
9 terms of your ability to sit?

10 PROSPECTIVE JUROR: With sitting, I have a hard  
11 time sitting for a long time.

12 THE COURT: What do you think that means in terms  
13 of -- so let me just tell you how this case will go. You  
14 know the length of the case. You will be in those chairs.  
15 We take breaks every morning. We take a break at noon. We  
16 take a break in the afternoon. I always allow jurors to  
17 stand if they need to stand because I understand how hard it  
18 is to sit.

19 PROSPECTIVE JUROR: Right.

20 THE COURT: Would that take care of the issue for  
21 you or not?

22 PROSPECTIVE JUROR: I'm not -- I'm not quite sure,  
23 because usually at work -- because I'm on light duty, I can  
24 still work, I work nights, and I can get up and walk and  
25 stretch whenever I need to. Been caught up doing paperwork,

1 I sat for like two hours, and that was too long.

2 THE COURT: Are you still working nights?

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: Would you be working nights -- what  
5 has your employer said about working through this trial?

6 PROSPECTIVE JUROR: They really haven't said  
7 anything other than I let them know. And I know I'll  
8 probably -- like, I work every other weekend. I'd  
9 probably -- they'd probably make me work that Friday and  
10 Saturday of my weekend that I work.

11 THE COURT: But you don't work during the week?

12 PROSPECTIVE JUROR: They'd take me off during the  
13 week.

14 THE COURT: How would that impact you?

15 PROSPECTIVE JUROR: Other than driving up here, I  
16 don't like driving up here.

17 THE COURT: I don't blame you for that. Given  
18 that you are, you said two hours away, you would be in a  
19 hotel.

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: Okay. And that wouldn't be a problem  
22 for you?

23 PROSPECTIVE JUROR: No, I figured out, you know,  
24 if need be, what to do, you know, to cover hotel stay.

25 THE COURT: Okay. So you're going to have to tell

1 me that -- the issue that I think we have is your back, and  
2 you're going to have to tell me whether you can do the  
3 sitting and standing that I've just described. If I allow  
4 you to stand up and stretch during testimony, is that going  
5 to be a sufficient remedy for you or not?

6 PROSPECTIVE JUROR: I don't think so because once  
7 my back starts hurting, if I stay in the position too long,  
8 then it starts spasming.

9 THE COURT: I'm going to excuse you for hardship.  
10 I don't think you can sit through this trial.

11 PROSPECTIVE JUROR: Okay. Thank you.

12 THE COURT: Thank you, Juror Number 1.

13 **(Prospective Juror Number 1 exits the courtroom)**

14 **(Prospective Juror Number 2 enters the courtroom)**

15 THE COURT: Good morning.

16 PROSPECTIVE JUROR: Good morning.

17 THE COURT: Counsel, normally we would rise for  
18 every juror to come in. I think given this process, I'm  
19 going to allow us not to do that, not out of respect, but  
20 simply out of efficiency.

21 How are you this morning?

22 PROSPECTIVE JUROR: Good.

23 THE COURT: Good. All right. This is Juror  
24 Number 2. How old are you?

25 PROSPECTIVE JUROR: 51.

1 THE COURT: And could you look at the Question 2  
2 on your questionnaire.

3 PROSPECTIVE JUROR: No.

4 THE COURT: And you've been able to look at that  
5 witness list?

6 PROSPECTIVE JUROR: Yes.

7 THE COURT: Okay. And Question Number 3.

8 PROSPECTIVE JUROR: Yes.

9 THE COURT: And so how have you heard of this  
10 case? Can you explain.

11 PROSPECTIVE JUROR: News prior to I know when the  
12 story broke and then since before being summoned, so but not  
13 since.

14 THE COURT: And what was the source of your news?

15 PROSPECTIVE JUROR: Local TV.

16 THE COURT: Was it TV or print or both?

17 PROSPECTIVE JUROR: Just TV.

18 THE COURT: Okay. You don't read the Star Tribune  
19 or any print media?

20 PROSPECTIVE JUROR: No. No.

21 THE COURT: Okay. And Question 3(b).

22 PROSPECTIVE JUROR: Yeah, I do have feelings one  
23 way or another.

24 THE COURT: Can you tell me about those?

25 PROSPECTIVE JUROR: Yeah, I -- I did food program.

1 I did -- I was a daycare provider for seven years, a long  
2 time ago, so I do think it's a really important piece for  
3 nutrition for young kids. So, you know, I feel if this  
4 was -- it's not a great thing, so I might be a little biased  
5 on the --

6 THE COURT: So I'm hearing that you think this is  
7 an important issue.

8 PROSPECTIVE JUROR: Correct, yes.

9 THE COURT: Okay. Fair.

10 So the question I'm going to ask is more specific  
11 than that, and, that is, the government has to prove its  
12 case against each one of the defendants --

13 PROSPECTIVE JUROR: Right.

14 THE COURT: -- beyond a reasonable doubt. You  
15 will hear that many times from me --

16 PROSPECTIVE JUROR: Okay. Yep.

17 THE COURT: -- throughout the trial.

18 Has anything that you have read brought you to an  
19 opinion that any one of these defendants are guilty or  
20 innocent?

21 PROSPECTIVE JUROR: No.

22 THE COURT: Can you follow my instructions  
23 throughout the trial?

24 PROSPECTIVE JUROR: Yes.

25 THE COURT: Can you hold the government to its

1 burden of proof?

2 PROSPECTIVE JUROR: Yes.

3 THE COURT: And if you are selected as a juror,  
4 will you be able to set aside what you've read and decide  
5 the case on the evidence presented during the trial?

6 PROSPECTIVE JUROR: Yes. Yeah.

7 THE COURT: And I see your hesitancy.

8 PROSPECTIVE JUROR: Yeah.

9 THE COURT: You have an opinion about how  
10 important this issue is?

11 PROSPECTIVE JUROR: Right.

12 THE COURT: Okay. Say a little bit more about  
13 that.

14 PROSPECTIVE JUROR: Doing the food program, you  
15 know, you realize how important that is for the little ones  
16 for nutrition for development. And, you know, I haven't  
17 been a daycare provider for a long time now, but I do think  
18 that's a really important piece. And if, you know -- it's  
19 hard to put into words, though. It's just -- it's kind of  
20 a -- close to my heart because I worked with kids. So it's  
21 hard if -- it's hard for me to kind of -- if kids were not  
22 getting what they were supposed to be getting, so.

23 THE COURT: All right. Thank you.

24 Question Number 4.

25 PROSPECTIVE JUROR: Yes, I've heard of the Child

1 and Adult Care Food Program and the Feeding Our Future.

2 THE COURT: All right. And Feeding Our Future you  
3 heard about through what?

4 PROSPECTIVE JUROR: Through the media, so.

5 THE COURT: And the Child and Adult Care Food  
6 Program, you've heard about?

7 PROSPECTIVE JUROR: Through the daycare.

8 THE COURT: So could you say more about your  
9 experience with that program while you worked in daycare.

10 PROSPECTIVE JUROR: Yep, I had an in-home daycare,  
11 and I was part of the program -- the food program for -- in  
12 which you had to make sure -- you had to document what you  
13 served, the kids' names. Everything was very -- there was a  
14 process you had to follow, and then they had people coming  
15 in and making sure you were following that program.

16 THE COURT: And what was the purpose of that? Was  
17 that for licensing or other reasons?

18 PROSPECTIVE JUROR: No. The licensing was  
19 separate. This was just for if you wanted -- it was to make  
20 sure that kids were getting healthy meals in daycare  
21 settings, so.

22 THE COURT: Do you know what organization oversaw  
23 that program?

24 PROSPECTIVE JUROR: I don't. It's been so long.

25 THE COURT: And how often did you submit

1 information for the program?

2 PROSPECTIVE JUROR: We submitted it monthly.

3 THE COURT: And you said you ran the in-home  
4 daycare?

5 PROSPECTIVE JUROR: Yeah.

6 THE COURT: How many kids?

7 PROSPECTIVE JUROR: I think at the most I had five  
8 or seven, and that was like 22 years ago. It was a long  
9 time ago.

10 THE COURT: All right. Question Number 5.

11 PROSPECTIVE JUROR: Okay. Yes.

12 THE COURT: And 5(b) and (c) has to do with your  
13 physical or mental ability to serve.

14 PROSPECTIVE JUROR: No.

15 THE COURT: Where did you grow up, Number 6?

16 PROSPECTIVE JUROR: Small town up north.

17 THE COURT: What was that?

18 PROSPECTIVE JUROR: Moose Lake, actually Sturgeon  
19 Lake.

20 THE COURT: And now?

21 PROSPECTIVE JUROR: Maple Grove.

22 THE COURT: And Question 7.

23 PROSPECTIVE JUROR: My educational background. I  
24 have a -- I'm a diagnostic medical sonographer at a small  
25 hospital, so I do ultrasound.

1 THE COURT: And how about in the past five years?

2 PROSPECTIVE JUROR: I've been doing this a long  
3 time.

4 THE COURT: Okay. And how about spouse or  
5 partner?

6 PROSPECTIVE JUROR: Machinist.

7 THE COURT: And for what company?

8 PROSPECTIVE JUROR: Entegris in Chaska.

9 THE COURT: And Question Number 8.

10 PROSPECTIVE JUROR: I have three; 25, 23 and 22.

11 THE COURT: And their occupations.

12 PROSPECTIVE JUROR: Let's see. They all -- one  
13 isn't employed right now, and the other two are -- have  
14 full-time jobs. One's at a factory up north and the other  
15 one Target, so.

16 THE COURT: And Target in the retail end?

17 PROSPECTIVE JUROR: Yes. Uh-huh.

18 THE COURT: Did any of them graduate college?

19 PROSPECTIVE JUROR: My oldest has a two-year in  
20 criminal justice, and my youngest is going for criminal  
21 justice.

22 THE COURT: And where's that?

23 PROSPECTIVE JUROR: North Hennepin Community.  
24 She's just doing it online and working full-time. Paying  
25 her way as she goes.

1 THE COURT: Say that again.

2 PROSPECTIVE JUROR: Paying her way as she goes.

3 THE COURT: And how about -- do you know what the  
4 youngest wants to do with the criminal justice degree?

5 PROSPECTIVE JUROR: I think she wants to be a beat  
6 cop.

7 THE COURT: And the oldest, that's the unemployed?

8 PROSPECTIVE JUROR: Yeah.

9 THE COURT: Has a criminal justice degree?

10 PROSPECTIVE JUROR: She has a criminal justice  
11 degree.

12 THE COURT: And what is she looking for?

13 PROSPECTIVE JUROR: She's not really looking for  
14 anything right now. She's got some mental health issues  
15 going on, so.

16 THE COURT: Got it. Okay. Question Number 9.

17 PROSPECTIVE JUROR: Pickleball.

18 THE COURT: Excellent. And how about other  
19 organizations that you belong to?

20 PROSPECTIVE JUROR: You know, I really don't  
21 belong to a lot of organizations right now. I work. I have  
22 to take call, so I work during the day, and I take call  
23 overnight. And then pickleball and traveling.

24 THE COURT: And Question 10.

25 PROSPECTIVE JUROR: No.

1 THE COURT: And Question 11.

2 PROSPECTIVE JUROR: No. Oh, Slow Travel on  
3 YouTube. We watch Slow Travel videos of people retiring  
4 early and then slow traveling, so that's -- yeah, so we kind  
5 of watch that for places we may want to live.

6 THE COURT: Okay. And in terms of how you get  
7 your news, I think you indicated earlier that you had --

8 PROSPECTIVE JUROR: Yeah.

9 THE COURT: -- viewed local news on television.

10 PROSPECTIVE JUROR: Right. That's about it, and I  
11 don't watch a lot of news because everything is always so  
12 negative, so I limit what I watch, so.

13 THE COURT: And Number 12.

14 PROSPECTIVE JUROR: Yes, I have.

15 THE COURT: When was that?

16 PROSPECTIVE JUROR: 25 years ago, when I was  
17 pregnant with my first, and I actually served on the jury.

18 THE COURT: Was that a federal or state jury?

19 PROSPECTIVE JUROR: State and a civil.

20 THE COURT: And what county?

21 PROSPECTIVE JUROR: For a protester.

22 THE COURT: Say that again.

23 PROSPECTIVE JUROR: It was about -- for a  
24 protester that got arrested outside of Neiman Marcus the day  
25 after Thanksgiving.

1 THE COURT: So was that Hennepin County?

2 PROSPECTIVE JUROR: Yeah.

3 THE COURT: And it was a civil case, not a  
4 criminal case?

5 PROSPECTIVE JUROR: Oh, it is -- yeah, it was a  
6 criminal case, yeah.

7 THE COURT: All right.

8 PROSPECTIVE JUROR: It was, yeah.

9 THE COURT: And did you reach a verdict? Did you  
10 go all the way to verdict?

11 PROSPECTIVE JUROR: Yes, we did.

12 THE COURT: What was the verdict?

13 PROSPECTIVE JUROR: Not guilty.

14 THE COURT: And were you the foreperson?

15 PROSPECTIVE JUROR: No.

16 THE COURT: And Question (h), anything about your  
17 experience that would lead you to have prejudices against  
18 either the United States or the defendants?

19 PROSPECTIVE JUROR: No.

20 THE COURT: And how about Question (i)?

21 PROSPECTIVE JUROR: No.

22 THE COURT: And Question 13, I don't usually get a  
23 "yes" to this but --

24 PROSPECTIVE JUROR: No.

25 THE COURT: Didn't recognize anyone?

1 And how about Question 14?

2 PROSPECTIVE JUROR: Yes.

3 THE COURT: Who is that?

4 PROSPECTIVE JUROR: My good friend Colleen, she's  
5 a lawyer.

6 THE COURT: What kind of lawyer?

7 PROSPECTIVE JUROR: She is a corporate lawyer.

8 THE COURT: For?

9 PROSPECTIVE JUROR: For Wells Fargo.

10 THE COURT: Anything about that relationship you  
11 think would affect your ability to be a fair or impartial  
12 juror?

13 PROSPECTIVE JUROR: No.

14 THE COURT: Okay. Question 15.

15 PROSPECTIVE JUROR: No.

16 THE COURT: And your educational background is  
17 what?

18 PROSPECTIVE JUROR: Medical. I have two degrees.  
19 One in physical therapy and one in sonography.

20 THE COURT: And where are those from?

21 PROSPECTIVE JUROR: St. Kate's and Argosy.

22 THE COURT: Is the St. Kate's a four-year degree?

23 PROSPECTIVE JUROR: No. That was a two-year.

24 THE COURT: Two-year, okay.

25 PROSPECTIVE JUROR: It's an associate of applied

1 science in physical therapy.

2 THE COURT: And did you do that after you ran the  
3 daycare?

4 PROSPECTIVE JUROR: No, before.

5 THE COURT: Before.

6 PROSPECTIVE JUROR: And then stayed home when I  
7 had my first.

8 THE COURT: And Question 16.

9 PROSPECTIVE JUROR: Yes.

10 THE COURT: And tell me about that.

11 PROSPECTIVE JUROR: I have a acquaintance I know  
12 that was accused of sexually assaulting a minor from her --  
13 but there was no evidence, but felt guilty or felt  
14 pressured into a plea even though they weren't guilty  
15 because of the color of their skin.

16 THE COURT: This was a -- tell me more about that  
17 in terms of the race or ethnicity of both victim and  
18 accused.

19 PROSPECTIVE JUROR: White juvenile female, black  
20 male.

21 THE COURT: And you know the male?

22 PROSPECTIVE JUROR: Yeah, fiance's daughter's  
23 boyfriend.

24 THE COURT: Say that again. Fiance's daughter's  
25 boyfriend.

1 PROSPECTIVE JUROR: Yeah.

2 THE COURT: Got it. All right.

3 PROSPECTIVE JUROR: Yeah.

4 THE COURT: And how long ago was this?

5 PROSPECTIVE JUROR: Three, four years ago.

6 THE COURT: And what was the plea to?

7 PROSPECTIVE JUROR: Sexual assault of a minor, I  
8 think.

9 THE COURT: And so that was in adult court.

10 PROSPECTIVE JUROR: I believe so, yeah.

11 THE COURT: It sounds to me like you don't  
12 necessarily believe it was handled fairly.

13 PROSPECTIVE JUROR: No.

14 THE COURT: Can you talk a little bit more about  
15 that.

16 PROSPECTIVE JUROR: From what we were told, the  
17 evidence, they had no evidence, but I only got to hear from  
18 what his daughter told us, so -- but the evidence collection  
19 kit that they did came back clean, but they still pursued it  
20 because -- and then come to find out later, she recanted,  
21 but because he'd already plead -- because he already pled,  
22 they -- because he felt pressured, it's either 12 years in  
23 prison or, you know, or this plea deal. And he felt because  
24 of the color of his skin, he wouldn't get a fair trial. So,  
25 you know, I think it was he didn't plead guilty, but -- I

1 can't remember how it was worded.

2 THE COURT: Did he end up serving time or no?

3 PROSPECTIVE JUROR: No. I think he was supposed  
4 to be workhouse, yeah. Yeah.

5 THE COURT: Okay.

6 PROSPECTIVE JUROR: It still has really  
7 affected --

8 THE COURT: Yes.

9 PROSPECTIVE JUROR: Yeah.

10 THE COURT: And so let's talk about that in terms  
11 of your service here. Does that -- do you think that will  
12 affect your ability to be fair and impartial to either side  
13 here?

14 PROSPECTIVE JUROR: It could.

15 THE COURT: Tell me how.

16 PROSPECTIVE JUROR: I just don't have a lot of  
17 faith in the -- in the justice system. You know, if there's  
18 evidence, there's evidence; and if there isn't, you would  
19 think that you are told because they spent time, they, you  
20 know, felt they had to pursue it, and it's like even though  
21 they didn't really have the evidence, so.

22 THE COURT: And --

23 PROSPECTIVE JUROR: Sorry. It's really --

24 THE COURT: Different -- so this is, right, a  
25 different --

1 PROSPECTIVE JUROR: Right. Yeah.

2 THE COURT: -- entity bringing the charges,  
3 federal government. It sounds to me like you would hold  
4 them to their burden of proof.

5 PROSPECTIVE JUROR: Mm-hmm.

6 THE COURT: If a law enforcement officer takes the  
7 stand, FBI agent, someone like that, again, different  
8 entity, I'm going to tell you that you are to treat every  
9 person who takes the stand with a clean slate. Can you do  
10 that?

11 PROSPECTIVE JUROR: I think so.

12 THE COURT: And can you look at Question 17, which  
13 has to do with if you know anyone who has worked in law  
14 enforcement.

15 PROSPECTIVE JUROR: No.

16 THE COURT: And let's go to 19.

17 PROSPECTIVE JUROR: No.

18 THE COURT: And other than what you've disclosed  
19 about your previous daycare center, Number 20. I guess this  
20 was during the pandemic is what we're focusing on in  
21 Number 20.

22 PROSPECTIVE JUROR: I mean, maybe. I have nieces  
23 and nephews that have kids and one that actually runs a  
24 daycare, so I don't know. I'm assuming, but I can't say  
25 yes.

1 THE COURT: You haven't had conversations --  
2 PROSPECTIVE JUROR: No.  
3 THE COURT: -- about that?  
4 PROSPECTIVE JUROR: No.  
5 THE COURT: Number 21.  
6 PROSPECTIVE JUROR: No.  
7 THE COURT: 22.  
8 PROSPECTIVE JUROR: No.  
9 THE COURT: 23.  
10 PROSPECTIVE JUROR: No.  
11 THE COURT: 24.  
12 PROSPECTIVE JUROR: No.  
13 THE COURT: And 25, which is -- they're long --  
14 PROSPECTIVE JUROR: Right.  
15 THE COURT: -- but has to do with unconscious  
16 biases.  
17 PROSPECTIVE JUROR: Yes.  
18 THE COURT: And then 25(b).  
19 PROSPECTIVE JUROR: Yes.  
20 THE COURT: 26(a).  
21 PROSPECTIVE JUROR: Yes.  
22 THE COURT: And 26(b).  
23 PROSPECTIVE JUROR: No.  
24 THE COURT: So 26(b) is no, and 26(a) is yes?  
25 PROSPECTIVE JUROR: Oh, wait. Yeah.

1 THE COURT: Okay. You also had been given in the  
2 letter that I sent to you, and I think at jury orientation  
3 as well, the opportunity to raise any extreme hardship  
4 application that you might have. Are you able to be here  
5 during trial?

6 PROSPECTIVE JUROR: Yep, but since then, we're  
7 supposed to be closing on a house on the 30th of May.

8 THE COURT: On April 30th?

9 PROSPECTIVE JUROR: May. That's a new  
10 development, so we were going to try to get married before  
11 that.

12 THE COURT: Okay. That's not happening or it  
13 might happen, we don't know? You know what, you don't have  
14 to answer that. It's really not relevant.

15 All right. On May 30th, you may have a conflict?

16 PROSPECTIVE JUROR: Yeah.

17 THE COURT: Okay. All right. Thank you.

18 Let me just talk with the attorneys for a minute,  
19 see if they have a follow-up for you.

20 PROSPECTIVE JUROR: Sure. Sure.

21 **(Sidebar discussion)**

22 THE COURT: Does anyone have a follow-up or a  
23 motion?

24 MR. GOETZ: Your Honor, I have three follow-up  
25 questions.

1 THE COURT: Yes.

2 MR. GOETZ: Number one, she said she's heard  
3 something about the case. I'd like to find out what have  
4 you heard about this case.

5 Number two, as a result of what she has heard, can  
6 she presume all the defendants innocent, or does she think  
7 that they might be or probably are guilty?

8 And, number three, she indicated she was a little  
9 biased. Could she explain a little more what she was  
10 thinking when she said that.

11 THE COURT: Are you talking about a little biased  
12 when she talked about the experience of her fiance's  
13 daughter's boyfriend, or are you thinking somewhere earlier  
14 than that?

15 MR. GOETZ: Earlier, Your Honor, in the context of  
16 Question Number 3.

17 THE COURT: With respect to the importance of the  
18 daycare?

19 MR. GOETZ: 3(b), yeah.

20 THE COURT: The importance of the children  
21 receiving meals. Yes, I can follow up on that one.

22 Anyone else?

23 MR. SCHLEICHER: Yes, Your Honor.

24 THE COURT: Mr. Thompson [sic].

25 MR. SCHLEICHER: Did you say Thompson? It's

1 Schleicher.

2 THE COURT: I was looking at Mr. Thompson, and I  
3 heard a voice, and I don't know why, but, hello,  
4 Mr. Schleicher, yes.

5 MR. SCHLEICHER: Thank you very much, Your Honor.

6 Follow-up on in response to your question, the  
7 prospective juror said "I think so," when you asked if  
8 specifically she could treat the witnesses equally and with  
9 a clean slate. I believe that that should be explored  
10 whether she thinks she can do it or she can commit to doing  
11 it.

12 I would also like some follow-up on Question  
13 Number 22. She responded "no" to the question, but she  
14 indicated that she was involved in a food program, and that  
15 probably would have meant some interaction with members of  
16 the Minnesota Department of Education. I'd like to follow  
17 up on that specifically and ask whether or not her  
18 experiences dealing with individuals from the Department of  
19 Education might impact her ability to treat those witnesses  
20 more favorably or less favorably than other witnesses in the  
21 case.

22 THE COURT: All right. Will do.

23 Anyone else?

24 MR. THOMPSON: Thank you, Your Honor. Joe  
25 Thompson on behalf of the United States.

1           The juror referenced a situation where an  
2           acquaintance in her mind was falsely accused and pled guilty  
3           to a case, and she said that based on that, she doesn't have  
4           a lot of faith in the system. And I think some follow up  
5           about whether or not she can set that aside or whether  
6           that's something that will color her view of the case is  
7           appropriate here. Specifically this is obviously a trial,  
8           it's part of the criminal justice system, and that's a  
9           system that she says she doesn't have a lot of faith in, and  
10          I think some follow up is appropriate.

11           THE COURT: I did some. I'll do a little more.

12           MR. THOMPSON: Thanks.

13           THE COURT: Anyone else?

14           Let me just, for the -- because I'm not reading  
15          lips particularly well in this large courtroom, when -- I  
16          see you, Mr. Sapone. If you could say your name first, I  
17          think that would be helpful. Go ahead.

18           MR. SAPONE: Can you hear me?

19           THE COURT: Yes.

20           MR. SAPONE: (Inaudible).

21           THE COURT: No. I'm going to have to have you  
22          turn it up a little bit. I'm sorry.

23           MR. SAPONE: Is that better?

24           Okay. Thank you. I'm not good with this stuff as  
25          you can see.

1 THE COURT: Neither me.

2 MR. SAPONE: She talked about, Your Honor, that  
3 she had seen this on the news and has feelings because she  
4 was a daycare provider. When Your Honor was questioning  
5 her, she said, and I wrote it down, "It's hard for me  
6 because kids were not getting what they were supposed to be  
7 getting." And I would like follow up on that, what's hard  
8 for her, and why has she formed an opinion based on the news  
9 that in this case, the kids were not getting what they were  
10 supposed to be getting.

11 THE COURT: Thank you.

12 Anyone else?

13 All right. Thank you.

14 **(In open court)**

15 THE COURT: Juror Number 2, you had indicated  
16 earlier that you had heard some things on the local news  
17 about the case. What have you heard?

18 PROSPECTIVE JUROR: Just that there was a lot of  
19 people indicted and, you know, just kind of, it was about  
20 feeding children, you know, kind of when the story first  
21 broke, and -- but it's been a while, so not -- probably not  
22 as much as there is out there now.

23 THE COURT: And is there -- nothing -- there's  
24 nothing about that that led you to any determination about  
25 whether anyone was guilty or innocent?

1 PROSPECTIVE JUROR: No, no, just the -- I guess  
2 it's just the content of why it -- you know, what's going  
3 on.

4 THE COURT: Okay. And that content we've explored  
5 hits at your heart because of the daycare. Am I saying that  
6 correctly?

7 PROSPECTIVE JUROR: Right.

8 THE COURT: And you, I think, had said something  
9 about that part of why it would hit at your heart is that --  
10 that the kids weren't getting what they were supposed to be  
11 getting. Have you formed an opinion on whether the children  
12 in Minnesota or some children in Minnesota were, in fact,  
13 getting what they were supposed to be getting?

14 PROSPECTIVE JUROR: You know, I -- I can't answer  
15 that because I don't know the whole story.

16 THE COURT: So you have not formed an opinion?

17 PROSPECTIVE JUROR: You know, other than hearing  
18 that, you know, that they didn't, I mean, supposedly, you  
19 know. It's hard to answer that question.

20 THE COURT: So one of the things that you heard  
21 was that they did not?

22 PROSPECTIVE JUROR: They did not, right.

23 THE COURT: And one of the things that I will tell  
24 you is you need to put that, whatever you have heard, out of  
25 your head.

1 PROSPECTIVE JUROR: Right.

2 THE COURT: And hold the government to its proof.

3 Can you do that?

4 PROSPECTIVE JUROR: Yes.

5 THE COURT: Can you follow my instruction that you  
6 must presume all of the defendants innocent unless the  
7 government makes its case?

8 PROSPECTIVE JUROR: Yes.

9 THE COURT: I think when you earliest talked about  
10 the in-home daycare and your experience with children and  
11 nutrition and meals, you might have used the phrase "a  
12 little biased," and I was taking that to mean what I said,  
13 which is it hits at your heart. I'm not sure what you meant  
14 by it, and I don't want to put words in your mouth. Tell me  
15 what you meant.

16 PROSPECTIVE JUROR: Okay. Say it again.

17 THE COURT: When you first said that, when you  
18 first said --

19 PROSPECTIVE JUROR: Right.

20 THE COURT: -- you know, I used to work in a  
21 daycare, and I think you said, "I might be a little biased."  
22 Can you tell me what you meant by that.

23 PROSPECTIVE JUROR: Well, just because I feel like  
24 nutrition is important for the kids for developing. You  
25 know, it is an important part in children's development to

1 be -- you know, to get the proper food and for growth and  
2 brain development and -- you know, so I do think that's an  
3 important piece. So that's kind of where if that was  
4 supposed to happen and didn't happen, that's, you know --

5 THE COURT: You're going to feel strongly about  
6 that?

7 PROSPECTIVE JUROR: Yeah.

8 THE COURT: And so then let me come back to that  
9 and ask you whether your feelings about the importance of  
10 nutrition can lead you to -- or despite your feelings  
11 about --

12 PROSPECTIVE JUROR: Right.

13 THE COURT: -- the importance of children and  
14 nutrition, can you hold the government to its proof?

15 PROSPECTIVE JUROR: I don't know honestly. Yeah,  
16 I can put that aside.

17 THE COURT: One of the things we talked about with  
18 respect to your acquaintance's treatment of the criminal  
19 justice system was whether you could treat all witnesses  
20 equally. Can you commit to doing that?

21 PROSPECTIVE JUROR: Yes.

22 THE COURT: And in your previous role with a  
23 daycare, did you have any experiences with the Minnesota  
24 Department of Education or their programs?

25 PROSPECTIVE JUROR: No.

1 THE COURT: All right. Counsel, sidebar.

2 **(Sidebar discussion)**

3 THE COURT: Does anyone have a motion?

4 MR. GOETZ: Frederick Goetz for Mr. Shariff,  
5 Your Honor.

6 Yes, I challenge the juror for cause based on her  
7 answer recently to the court. She said, "I don't know  
8 honestly." Then she said, "Yeah, I can put that aside," but  
9 it was qualified. So given that, Your Honor, I don't think  
10 she can be fair.

11 THE COURT: Mr. Thompson.

12 MR. THOMPSON: One moment, Your Honor.

13 We agree, Your Honor.

14 THE COURT: Thank you.

15 **(In open court)**

16 THE COURT: I'm going to excuse you.

17 PROSPECTIVE JUROR: Okay.

18 THE COURT: All right. Thank you for your candid  
19 answers to the court. Your service was important. Thank  
20 you.

21 **(Prospective Juror Number 2 exits courtroom)**

22 **(Prospective Juror Number 3 enters courtroom)**

23 THE COURT: Good morning. Come on forward. Good  
24 morning.

25 PROSPECTIVE JUROR: Good morning.

1 THE COURT: You are just going to come on up to  
2 the witness stand. And this is Juror Number 3.

3 PROSPECTIVE JUROR: Excuse me.

4 THE COURT: All right. Let me start by asking you  
5 how old you are.

6 PROSPECTIVE JUROR: 62.

7 THE COURT: And you, Question Number 2, looking at  
8 the list of witnesses, defendants and staff, do you know  
9 anyone?

10 PROSPECTIVE JUROR: No.

11 THE COURT: And Question Number 3.

12 PROSPECTIVE JUROR: Yes.

13 THE COURT: Can you talk about that? When did you  
14 hear about this case and how?

15 PROSPECTIVE JUROR: I guess it was right after  
16 COVID, just on the news, you know.

17 THE COURT: Was that TV news?

18 PROSPECTIVE JUROR: Yes.

19 THE COURT: How about any print media?

20 PROSPECTIVE JUROR: No, I haven't seen anything  
21 printed.

22 THE COURT: Do you read the Star Tribune?

23 PROSPECTIVE JUROR: No.

24 THE COURT: And when you saw information on TV,  
25 can you talk about what you saw?

1 PROSPECTIVE JUROR: Well, it was speaking of the  
2 Feeding Our Future and how they had embezzled the money and  
3 wasn't feeding the children, so --

4 THE COURT: And was it your understanding, when  
5 you saw that on the news, that that was a charge that had  
6 been brought or that that had actually happened?

7 PROSPECTIVE JUROR: It was a charge.

8 THE COURT: And can you answer Question 3(b).

9 PROSPECTIVE JUROR: Yes.

10 THE COURT: And what is that and why?

11 PROSPECTIVE JUROR: Well, I've developed my  
12 opinion. I just kind of feel that they're guilty for the  
13 fact that I've done childcare previously, and it just  
14 doesn't take that much, you know.

15 THE COURT: What do you mean?

16 PROSPECTIVE JUROR: I mean to feed children, you  
17 know, to take care of the community, to --

18 THE COURT: And what about your feelings about  
19 what it takes to feed children leads you to a determination  
20 that these defendants are guilty?

21 PROSPECTIVE JUROR: I mean, so much was taken. I  
22 mean, the dollar amounts that I've seen or heard of, you  
23 know, it was a lot of dollars. I don't know the exact  
24 amount, but it was a lot of dollars.

25 THE COURT: And you have formed that opinion

1 because why? Because you've seen it on TV?

2 PROSPECTIVE JUROR: Yes.

3 THE COURT: All right. Let me explore that a bit.  
4 I'm going to ask you -- I'm going to -- part of my  
5 instruction, so it's an order, is to put aside what you have  
6 learned --

7 PROSPECTIVE JUROR: Uh-huh.

8 THE COURT: -- or seen in the media and to make  
9 sure that you hold the government to its burden of proof.  
10 They must prove the case beyond a reasonable doubt --

11 PROSPECTIVE JUROR: Uh-huh.

12 THE COURT: -- and each of these defendants is  
13 presumed innocent when you start the case.

14 PROSPECTIVE JUROR: Right.

15 THE COURT: Can you do that or not?

16 PROSPECTIVE JUROR: Yes, I can. I can do that,  
17 but, I mean, what I've learned from the past, you know, I  
18 mean --

19 THE COURT: Tell me about -- more specifically  
20 about what you've learned.

21 PROSPECTIVE JUROR: I mean, just the rumors and  
22 the accusations and the news media. You know, that's  
23 basically it.

24 THE COURT: And so you said, yes, you can put it  
25 aside.

1 PROSPECTIVE JUROR: I can put it aside, but --

2 THE COURT: But I'm --

3 PROSPECTIVE JUROR: -- it's still there.

4 THE COURT: -- hearing a qualification there, and  
5 I want you to talk more about that.

6 PROSPECTIVE JUROR: I mean, we all have our  
7 biases, you know, and, I don't know. I'm not sure. I'm not  
8 sure. I would have to hear the evidence in order to be  
9 changed -- my mind to be changed.

10 THE COURT: So what that tells me is if you are  
11 needing to hear evidence for your mind to be changed, that  
12 you've sort of decided that they're guilty and you need to  
13 be convinced that they're innocent?

14 PROSPECTIVE JUROR: Correct.

15 THE COURT: Okay.

16 PROSPECTIVE JUROR: Mm-hmm.

17 THE COURT: Am I going to be able to talk you out  
18 of that?

19 PROSPECTIVE JUROR: I don't think so, no.

20 THE COURT: I'm going to excuse you. Thank you  
21 Juror Number 3.

22 PROSPECTIVE JUROR: Thank you.

23 **(Prospective Juror Number 3 exits courtroom)**

24 THE COURT: Juror Number 47 has also been excused  
25 for personal reasons, for hardship.

1                                   **(Prospective Juror Number 4 enters courtroom)**

2                                   THE COURT:    Good morning.

3                                   PROSPECTIVE JUROR:    Good morning.

4                                   THE COURT:    How are you?

5                                   PROSPECTIVE JUROR:    I'm good.    How are you?

6                                   THE COURT:    Good.    Thank you.

7                                   Juror Number 4, can you tell us your age.

8                                   PROSPECTIVE JUROR:    32.

9                                   THE COURT:    And can you answer number 2 for us.

10                                  PROSPECTIVE JUROR:    No.

11                                  THE COURT:    And how about number 3, hearing about  
12 this case before you got my letter?

13                                  PROSPECTIVE JUROR:    I had read an article however  
14 long it came out ago, but that's about it.

15                                  THE COURT:    When the case first came out?

16                                  PROSPECTIVE JUROR:    Yeah, when it first came out,  
17 yep.

18                                  THE COURT:    Do you know what media the article was  
19 in?

20                                  PROSPECTIVE JUROR:    I think it was WCCO News.

21                                  THE COURT:    Do you recall what the article said?

22                                  PROSPECTIVE JUROR:    Just about like money  
23 laundering.    Pretty much the same stuff that you had sent in  
24 your letter.

25                                  THE COURT:    Okay.    And how about Question 3(b)?

1 PROSPECTIVE JUROR: No.

2 THE COURT: And Question 3(c).

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: Question 4.

5 PROSPECTIVE JUROR: No.

6 THE COURT: And Question 5.

7 PROSPECTIVE JUROR: Yes.

8 THE COURT: So, yes, you will be able to --

9 PROSPECTIVE JUROR: Yes.

10 THE COURT: You have no difficulty reading,  
11 understanding --

12 PROSPECTIVE JUROR: Oh, yeah. No, no, sorry.

13 THE COURT: Okay. Any other physical/mental  
14 problems that would prevent you from serving?

15 PROSPECTIVE JUROR: No.

16 THE COURT: And Question 6.

17 PROSPECTIVE JUROR: Columbia Heights, and I still  
18 reside there.

19 THE COURT: And then can you talk about 7.

20 PROSPECTIVE JUROR: I graduated high school and  
21 have my associates in criminal justice. Yeah.

22 THE COURT: And what do you do now?

23 PROSPECTIVE JUROR: Oh, I am a warehouse worker  
24 and also work part-time at a restaurant.

25 THE COURT: And is that what you've done for the

1 last five years?

2 PROSPECTIVE JUROR: The sandwich shop, yes; and  
3 the warehouse, it's for about the past three years.

4 THE COURT: Okay. What did you do before that?

5 PROSPECTIVE JUROR: I was full-time at the  
6 sandwich shop that I am still currently at.

7 THE COURT: Have you ever worked in criminal  
8 justice?

9 PROSPECTIVE JUROR: No.

10 THE COURT: Do you have any aspirations to do  
11 that?

12 PROSPECTIVE JUROR: Maybe down the line.

13 THE COURT: What would you want to do?

14 PROSPECTIVE JUROR: Corrections.

15 THE COURT: And one of the things that I'll tell  
16 you, because you've had a little bit of legal training  
17 through criminal justice, maybe one of the things I'll say  
18 is you -- you are to follow my instructions. If you've  
19 learned something different in the past, my instructions are  
20 the law and what you follow. Can you do that?

21 PROSPECTIVE JUROR: Yes.

22 THE COURT: All right. And spouse or partner.

23 PROSPECTIVE JUROR: No.

24 THE COURT: And Question 8.

25 PROSPECTIVE JUROR: No children.

1 THE COURT: And Question 9.

2 PROSPECTIVE JUROR: I enjoy watching sports,  
3 trying new restaurants, playing pool. That's about it.

4 THE COURT: No organizations or churches?

5 PROSPECTIVE JUROR: No.

6 THE COURT: And Question 10.

7 PROSPECTIVE JUROR: No.

8 THE COURT: And Question 11.

9 PROSPECTIVE JUROR: Just like news websites like  
10 WCCO probably on a regular.

11 THE COURT: Okay. Have you -- once you got my  
12 letter, have you abided by my request not to look --

13 PROSPECTIVE JUROR: Yes.

14 THE COURT: -- at any media about the case?

15 PROSPECTIVE JUROR: Yes.

16 THE COURT: How about blogs or internet sites?

17 PROSPECTIVE JUROR: No.

18 THE COURT: And any prior jury service?

19 PROSPECTIVE JUROR: No.

20 THE COURT: Question 13.

21 PROSPECTIVE JUROR: No.

22 THE COURT: Question 14.

23 PROSPECTIVE JUROR: No.

24 THE COURT: And other than what I've asked,  
25 anything to Question 15.

1 PROSPECTIVE JUROR: I took an Intro to Law class.  
2 That was probably really like the only law-related.  
3 Everything else was pretty much like police-related, I  
4 guess.

5 THE COURT: And if you hear there are going to be  
6 law enforcement officers who testify in this case, if you  
7 hear them say something different than you might have heard  
8 in your law class or heard in any of your classes for  
9 criminal justice, can you put those experiences aside and  
10 judge the testimony of the law enforcement officers like  
11 you'd judge the testimony of anyone else?

12 PROSPECTIVE JUROR: Yes.

13 THE COURT: And then more generally, we'll get to  
14 this in a minute, but I'll ask it now, for law enforcement  
15 officers, I'm going to tell you that you need to treat each  
16 witness the same in terms of credibility. They start with a  
17 blank slate. Can you do that with law enforcement officers  
18 as well?

19 PROSPECTIVE JUROR: Yes.

20 THE COURT: Question 16.

21 PROSPECTIVE JUROR: No.

22 THE COURT: Question 17.

23 PROSPECTIVE JUROR: No.

24 THE COURT: And Question 18 is what I just asked  
25 you. Any prejudices in favor or against law enforcement

1 officers?

2 PROSPECTIVE JUROR: No.

3 THE COURT: Question 19, prior testimony.

4 PROSPECTIVE JUROR: No.

5 THE COURT: And Question 20.

6 PROSPECTIVE JUROR: No.

7 THE COURT: Question 21.

8 PROSPECTIVE JUROR: No.

9 THE COURT: And 22.

10 PROSPECTIVE JUROR: No.

11 THE COURT: 23.

12 PROSPECTIVE JUROR: No.

13 THE COURT: 24.

14 PROSPECTIVE JUROR: I work with a numerous amount  
15 of Somali people at my current job. I have a few friends  
16 that are from Ethiopia or have Somalian background.  
17 Otherwise, that's pretty much it.

18 THE COURT: And do you have -- well, read  
19 Question 25 and keep those friends in mind and answer that,  
20 if you would.

21 PROSPECTIVE JUROR: Yes.

22 THE COURT: And 25(b).

23 PROSPECTIVE JUROR: Yes.

24 THE COURT: And then just going back to the folks  
25 that you work with from a Somali background, have you talked

1 with any of those folks about this case?

2 PROSPECTIVE JUROR: No.

3 THE COURT: And have you searched yourself for any  
4 bias you've got there for or against?

5 PROSPECTIVE JUROR: No.

6 THE COURT: That question was have you searched  
7 yourself. That wasn't a great question.

8 Do you feel like you have any bias, unconscious or  
9 conscious, given your interactions and friendships with --

10 PROSPECTIVE JUROR: No.

11 THE COURT: Okay. And Question 26.

12 PROSPECTIVE JUROR: Yes.

13 THE COURT: And anything else you need to call to  
14 our attention?

15 PROSPECTIVE JUROR: No.

16 THE COURT: You are able to serve in this case?

17 PROSPECTIVE JUROR: Yes.

18 THE COURT: Let me just consult with the attorneys  
19 for one moment.

20 **(Sidebar discussion)**

21 THE COURT: Counsel? Anything?

22 MR. IAN BIRRELL: Your Honor, this is Ian Birrell  
23 on behalf of Abdi Farah.

24 THE COURT: Yes.

25 MR. IAN BIRRELL: We were wondering if you could

1 ask a couple follow-up questions regarding whether she  
2 attempted to get a job in law enforcement or corrections,  
3 and what appeals to her about working in corrections.

4 THE COURT: Sure.

5 Mr. Sapone.

6 MR. SAPONE: Can Your Honor hear me?

7 THE COURT: (Indicating).

8 MR. SAPONE: How about now?

9 THE COURT: (Indicating).

10 MR. SAPONE: Okay.

11 In the same vein, Your Honor, she said she would  
12 want to do corrections. My request is that Your Honor  
13 follow up: Can you tell us about that? Is there any life  
14 experience that has led you to want to do corrections? Why  
15 do you want to do corrections?

16 THE COURT: Thank you.

17 **(In open court)**

18 THE COURT: Did I miss anyone? I did. Sorry. I  
19 went too quickly.

20 **(Sidebar discussion)**

21 MR. GOETZ: My apologies, Your Honor. Frederick  
22 Goetz for Mr. Shariff.

23 Based on her answers to the question about working  
24 with people from Somalia and Ethiopia, I'd ask the court to  
25 follow up based on that experience, does she have any

1 general favorable or unfavorable impressions from -- or  
2 about people from Somalia or East Africa.

3 THE COURT: You think that's a different question?  
4 I asked the bias question. Do you think the impression  
5 question is different?

6 MR. GOETZ: It's a little slightly. Just what are  
7 her general feelings about people from that area, if she's  
8 formed any impressions.

9 THE COURT: Well, I'll ask whether she has any  
10 impressions. I'm not going to ask what her general ones are  
11 because I think that assumes a --

12 MR. GOETZ: That's fine.

13 THE COURT: -- generality, but okay.

14 MR. GOETZ: Thank you.

15 **(In open court)**

16 THE COURT: A couple questions about corrections  
17 and your education.

18 PROSPECTIVE JUROR: Sure.

19 THE COURT: When you first got out of school or  
20 any time since, have you applied for a job in law  
21 enforcement or corrections?

22 PROSPECTIVE JUROR: No.

23 THE COURT: Okay. And what about corrections  
24 appeals to you? Is there anything in your life experience  
25 that leads you to be drawn toward that occupation?

1 PROSPECTIVE JUROR: Not so much like life  
2 experiences, just being able to -- I guess I'm specifically  
3 interested in, like, juvenile, so I guess being able to  
4 help, you know, people change their lives around and that  
5 aspect.

6 THE COURT: And so that would lean more probation  
7 officer than corrections in a facility or either one?

8 PROSPECTIVE JUROR: More so in a facility, yeah.

9 THE COURT: And, again, anything in your life  
10 experience specifically that draws you to that?

11 PROSPECTIVE JUROR: No.

12 THE COURT: Okay. And a follow-up on your  
13 coworkers and friends who are from Somalia or Ethiopia.  
14 Have you formed a general impression, favorable or  
15 unfavorable, to either of those communities?

16 PROSPECTIVE JUROR: I guess neither.

17 THE COURT: Okay. Thank you.

18 All right. I am going to have you go back down to  
19 the jury assembly room and wait.

20 PROSPECTIVE JUROR: Okay.

21 THE COURT: Nope? Not doing that?

22 I'm not doing that. You are going to the  
23 courtroom next door.

24 PROSPECTIVE JUROR: Courtroom next door. Okay.

25 **(Prospective Juror Number 4 exits courtroom)**

1 THE COURT: I didn't do this by headset. Are  
2 there any motions for cause on Juror Number 4?

3 MR. THOMPSON: No, Your Honor.

4 THE COURT: Thank you.

5 **(Prospective Juror Number 5 enters courtroom)**

6 THE COURT: Good morning. So you can come around  
7 here.

8 During COVID we had literal like yellow footsteps  
9 on the floor leading you up.

10 Come on up here and sit in this seat.

11 Good morning. You are Juror Number 5. How old  
12 are you, sir?

13 PROSPECTIVE JUROR: 46.

14 THE COURT: And can you answer Question Number 2.

15 PROSPECTIVE JUROR: Yeah. No, I don't know any.

16 THE COURT: And Question Number 3, having heard of  
17 this case before today?

18 PROSPECTIVE JUROR: No.

19 THE COURT: Not at all?

20 PROSPECTIVE JUROR: No.

21 THE COURT: And Question Number 4.

22 PROSPECTIVE JUROR: I haven't heard any of those.

23 THE COURT: And Question Number 5, reading  
24 documents in English.

25 PROSPECTIVE JUROR: I have no problems.

1 THE COURT: And Questions 5(b) and (c) get to  
2 whether you have any physical or mental issues that might  
3 prevent you from serving.

4 PROSPECTIVE JUROR: No.

5 THE COURT: And Question Number 6.

6 PROSPECTIVE JUROR: Winona, Minnesota, for both.

7 THE COURT: So you grew up there and you live  
8 there now?

9 PROSPECTIVE JUROR: Yes.

10 THE COURT: And then can you go through  
11 Question 7, your educational background and occupation.

12 PROSPECTIVE JUROR: High school. I work at Hal  
13 Leonard Publishing, pressman.

14 THE COURT: Can you spell that for me?

15 PROSPECTIVE JUROR: Oh.

16 THE COURT REPORTER: And can you speak into the  
17 microphone a little bit?

18 PROSPECTIVE JUROR: Which one?

19 THE COURT REPORTER: You work where?

20 PROSPECTIVE JUROR: Hal Leonard Publishing.

21 THE COURT: Can you spell it for me?

22 PROSPECTIVE JUROR: H-A-L L-E-N-O-R-D [sic].

23 THE COURT: And what do you do there?

24 PROSPECTIVE JUROR: I'm a pressman. I run the  
25 printing press.

1 THE COURT: How long have you done that?

2 PROSPECTIVE JUROR: 20 years.

3 THE COURT: And how --

4 PROSPECTIVE JUROR: I work third shift there.

5 THE COURT: Third shift.

6 PROSPECTIVE JUROR: Yeah.

7 THE COURT: Okay. And if you serve on the jury,  
8 how is that going to be handled?

9 PROSPECTIVE JUROR: For?

10 THE COURT: Have you talked to your employer? You  
11 haven't applied for extreme hardship. I want to make sure  
12 you can be here.

13 PROSPECTIVE JUROR: Oh, yeah, they have jury duty.  
14 I don't understand what --

15 THE COURT: They will pay you through jury duty?

16 PROSPECTIVE JUROR: Yes.

17 THE COURT: That's fantastic. That is unusual  
18 and --

19 PROSPECTIVE JUROR: Well, isn't -- I thought  
20 that's what they usually do. I guess I don't --

21 THE COURT: Employers each have a different --

22 PROSPECTIVE JUROR: Oh, how you get paid from  
23 them?

24 THE COURT: So you will get paid from us as a  
25 juror, but how you get paid or whether you get paid from

1 your employer is employer dependent. Right? It depends on  
2 what their policy is.

3 PROSPECTIVE JUROR: Okay. I guess I'm not exactly  
4 sure how they handle it, but --

5 THE COURT: Okay. But you are able to be here?

6 PROSPECTIVE JUROR: Yes.

7 THE COURT: Okay.

8 PROSPECTIVE JUROR: Yes, I am able to be here.

9 THE COURT: Okay. How about spouse or partner?

10 PROSPECTIVE JUROR: She works HR at the hospital  
11 in Winona.

12 THE COURT: And how long has she done that?

13 PROSPECTIVE JUROR: Five years.

14 THE COURT: What did she do before that?

15 PROSPECTIVE JUROR: Manager at Fleet Farm.

16 THE COURT: Question Number 8.

17 PROSPECTIVE JUROR: Yeah, four children.

18 THE COURT: How old are they?

19 PROSPECTIVE JUROR: 23, 20, 11 and 9.

20 THE COURT: And those two older ones, what do they  
21 do?

22 PROSPECTIVE JUROR: My daughter 23 is -- works at  
23 a drug dependency clinic in Duluth. She's interning there  
24 for a counselor.

25 THE COURT: And does she go to school as well?

1 PROSPECTIVE JUROR: She's just finishing up school  
2 for the counseling dependency.

3 THE COURT: Where did she go?

4 PROSPECTIVE JUROR: She went to Duluth, Minnesota,  
5 Duluth. And then I think this dependency one is through  
6 something else, but I'm not sure where that one is.

7 THE COURT: Okay.

8 PROSPECTIVE JUROR: And then my 20-year-old son is  
9 maintenance at Fastenal in Winona.

10 THE COURT: And Question 9.

11 PROSPECTIVE JUROR: Camping and hunting, going on  
12 the river fishing and stuff. And I don't belong to any  
13 organizations really.

14 THE COURT: And no churches?

15 PROSPECTIVE JUROR: No. Well, Central Lutheran  
16 Church, I guess, but I don't attend.

17 THE COURT: And Number 10.

18 PROSPECTIVE JUROR: No, I do not have any.

19 THE COURT: And Number 11.

20 PROSPECTIVE JUROR: I listen to a podcast. That's  
21 about it.

22 THE COURT: And what podcast do you listen to?

23 PROSPECTIVE JUROR: It's a, yeah, Dan Cummins  
24 Timesuck. It's just a researched in pretty much anything.

25 THE COURT: Okay.

1 PROSPECTIVE JUROR: Mainly like serial killers and  
2 cults or anything.

3 THE COURT: Number 12. Have you previously  
4 served?

5 PROSPECTIVE JUROR: No, I haven't.

6 THE COURT: Number 13.

7 PROSPECTIVE JUROR: No, I did not.

8 THE COURT: Number 14.

9 PROSPECTIVE JUROR: No, I don't.

10 THE COURT: 15.

11 PROSPECTIVE JUROR: No, I do not.

12 THE COURT: And Number 16.

13 PROSPECTIVE JUROR: No, not that I know of.

14 THE COURT: Okay. Number 17.

15 PROSPECTIVE JUROR: No, they haven't, and I  
16 haven't.

17 THE COURT: All right. And Number 18, prejudices  
18 against or in favor of law enforcement officers.

19 PROSPECTIVE JUROR: I do not have any prejudices  
20 against them.

21 THE COURT: Okay. Or in favor of?

22 PROSPECTIVE JUROR: In favor of.

23 THE COURT: Okay. Number 19.

24 PROSPECTIVE JUROR: No, I have not.

25 THE COURT: 20.

1 PROSPECTIVE JUROR: My mom took my younger kids to  
2 meals for lunches over the summer through the school, I  
3 think, but that was about it for that.

4 THE COURT: Was your mom providing daycare over  
5 that summer?

6 PROSPECTIVE JUROR: She would just take them  
7 sometimes.

8 THE COURT: Okay. Were there any issues with  
9 that?

10 PROSPECTIVE JUROR: Not that I know of.

11 THE COURT: And have you heard of any issues with  
12 that program?

13 PROSPECTIVE JUROR: No.

14 THE COURT: Number 21.

15 PROSPECTIVE JUROR: No, I haven't.

16 THE COURT: 22.

17 PROSPECTIVE JUROR: No, I have not.

18 THE COURT: 23.

19 PROSPECTIVE JUROR: I do not have any feelings  
20 against it or in favor of.

21 THE COURT: Okay. And 24, any interactions with  
22 people whose backgrounds are in East Africa, in particular  
23 Somalia.

24 PROSPECTIVE JUROR: No, I don't.

25 THE COURT: And 25 has to do with unconscious

1 biases, which you watched a video about. Could you read  
2 that and tell me your answer to that.

3 PROSPECTIVE JUROR: Yeah, I'd feel comfortable  
4 making decisions.

5 THE COURT: Okay. And 27(b).

6 PROSPECTIVE JUROR: 27?

7 THE COURT: Sorry. There's no 27. 25(b).

8 PROSPECTIVE JUROR: Oh. I can commit myself to  
9 making careful evaluating.

10 THE COURT: All right. And then 26(a) and (b).

11 PROSPECTIVE JUROR: I am willing to apply the law  
12 as the court explains it.

13 THE COURT: Any other matter that you need to call  
14 to the court's attention that might impact your ability to  
15 be fair and impartial?

16 PROSPECTIVE JUROR: No.

17 THE COURT: Thank you. Just one moment. I'm  
18 going to talk to the attorneys for a moment.

19 **(Sidebar discussion)**

20 THE COURT: Anyone have any follow-up?

21 MR. GOETZ: Your Honor, Frederick Goetz for  
22 Mr. Shariff.

23 I'd like to learn a little bit more about the  
24 podcast. And he, on social media, reposted a story about a  
25 confrontation between Catholics and a Native American. I

1 don't know if that's related to the podcast or if there's  
2 anything to do with that.

3 And then, finally, the meals that his mother -- or  
4 his grandmother -- his mother took the younger kids to in  
5 Winona, if we could get just what site it was, if he  
6 remembers.

7 THE COURT: What social media was the repost?

8 MR. GOETZ: Let me check with my colleagues. Hold  
9 that.

10 (Counsel confer)

11 MR. GOETZ: That was a Facebook post, Your Honor.

12 THE COURT: What year?

13 MR. GOETZ: 2019.

14 THE COURT: Do you have it up on your computer?

15 MR. GOETZ: I believe my colleague does.

16 THE COURT: I'd like to see it, please.

17 MR. GOETZ: Would you like me to approach?

18 (Mr. Goetz approaches the bench)

19 THE COURT: Does anyone else -- while he's doing  
20 that, anyone else have any questions?

21 MR. THOMPSON: No, Your Honor.

22 THE COURT: Okay.

23 MR. THOMPSON: None from the government.

24 THE COURT: All right. Thank you.

25 (Court reviews computer)

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**(In open court)**

THE COURT: Okay. First of all, this is allowed. So you are a juror number, and your name is not being shared. Totally allowed for folks to be Googling you. All right?

There's a Facebook post from 2019 that they have a question about. So I'm just going to show it to you, and you can tell me what it's about, because it -- what the title is, is a "HOAX:" About a "Native American Activist Approached Chanting Covington Catholic Teens." Do you recognize that?

PROSPECTIVE JUROR: I think it's that one from Washington where -- where that -- yeah, that one teen was in trouble or -- yeah.

THE COURT: Okay. And why did you repost it?

PROSPECTIVE JUROR: Because they only showed just the little bit of it, and it made it look like the teen was all at fault for it. Where if you saw the whole video, it wasn't the case.

THE COURT: Okay. And where did you find that information about the -- do you remember?

PROSPECTIVE JUROR: I don't remember.

THE COURT: Was this a repost?

PROSPECTIVE JUROR: I'm not sure exactly.

THE COURT: Okay. It looks like it comes from

1 informationliberation.com?

2 PROSPECTIVE JUROR: It probably was a repost, yes.

3 THE COURT: Okay. And I don't remember that or  
4 never heard about it. Can you just explain a little bit  
5 more about it?

6 PROSPECTIVE JUROR: It was a while back. It  
7 was -- the teens were there for a Trump rally, I think, or  
8 something, and -- I don't remember the exact details. There  
9 was a -- a Native American man was doing something and ended  
10 up chasing him down. And it looked like he was trying to  
11 like face off to him, but he was -- it just wasn't the whole  
12 story is the main point of the --

13 THE COURT: Okay. Thank you.

14 Kristine.

15 And when your mother took your kids to the site  
16 for lunches, do you recall what site that was?

17 PROSPECTIVE JUROR: It was a bus I think that went  
18 around to a couple different places. They were at the  
19 middle school, and I think they were at the library, maybe.

20 THE COURT: A bus in Winona?

21 PROSPECTIVE JUROR: It was like a food -- a food  
22 bus or something that -- that was --

23 THE COURT: And then the podcast Timesuck, also  
24 one I'm not familiar with. Can you tell me a little bit  
25 more about -- about -- is it slanted either way or --

1 PROSPECTIVE JUROR: He actually tries to be pretty  
2 biased. He's a comedian, but he is always like researching  
3 stuff, so he'll research pretty much anything. And he  
4 does -- he does a well-researched thing. I mean, he'll do  
5 it on any topic he finds interesting pretty much or the  
6 people vote on to have him do. He'll do like World War II  
7 or just pretty much anything.

8 THE COURT: Okay. And is -- you'd said he tries  
9 to be biased. I think you might have meant he tries to be  
10 unbiased.

11 PROSPECTIVE JUROR: Yes.

12 THE COURT: Okay. All right. Just one moment.

13 **(Sidebar discussion)**

14 THE COURT: Anything else?

15 MR. GOETZ: (Moves head from side to side.)

16 THE COURT: Mr. Sapone.

17 MR. SAPONE: Yes, Your Honor. So I'm just  
18 concerned that if his mother took the children to get food  
19 and him saying that a bus was driving around to different  
20 places, I'd like to know whether there was any procedure in  
21 place in getting the food. For example, did his mother tell  
22 him that she had to provide any information. And then just  
23 remind him that whatever experience she relayed to him would  
24 have nothing to do with this case. Because, for example, if  
25 they had to give ID or what have you and he was told that,

1 he may think that that's required here. And if the evidence  
2 doesn't show it, it could hurt us in an unfair way.

3 THE COURT: I'll ask that. And then any --  
4 anything else?

5 MR. SCHLEICHER: Your Honor, Steve Schleicher.

6 Just following up to that, would you please ask  
7 him the specific time frame that the participation occurred.

8 THE COURT: He said summer, but you think either  
9 '20 or '21?

10 MR. SCHLEICHER: Yes, Your Honor.

11 THE COURT: Okay. And I'm going to ask now, based  
12 on what you know now, any motions for cause? If that  
13 changes, raise your hands so we don't do another sidebar.  
14 Thank you.

15 (In open court)

16 THE COURT: Two more.

17 PROSPECTIVE JUROR: Okay.

18 THE COURT: When your mom went to take the younger  
19 kids to get lunches, do you know -- first of all, you said  
20 summer. Was that '20 or '21, do you know?

21 PROSPECTIVE JUROR: Probably both. She's done it  
22 a long time.

23 THE COURT: Been daycare for a long time for them?

24 PROSPECTIVE JUROR: Not -- well, she just -- like  
25 I said, it's not like every day either. She'll just --

1 she'll have them here and there when she can take them.

2 THE COURT: Sure. Do you know -- and it could  
3 have been last summer too or do you know?

4 PROSPECTIVE JUROR: They would have last summer  
5 too, yeah.

6 THE COURT: Okay. All right.

7 PROSPECTIVE JUROR: Actually, I don't know if they  
8 had the meals last summer, though, around town.

9 THE COURT: You just don't know?

10 PROSPECTIVE JUROR: I don't remember.

11 THE COURT: Do you know whether there was any  
12 process that she went through? Did she have to show ID?  
13 Did you have to fill out a form? Any of --

14 PROSPECTIVE JUROR: I don't think she had to do  
15 anything.

16 THE COURT: Okay. Just take them?

17 PROSPECTIVE JUROR: Yeah, you just had to show up.

18 THE COURT: All right. Thank you.

19 All right. You may go to the courtroom next door.  
20 Thank you for your candid answers.

21 **(Prospective Juror Number 5 exits courtroom)**

22 **(Prospective Juror Number 6 enters courtroom)**

23 THE COURT: Good morning.

24 PROSPECTIVE JUROR: Good morning.

25 THE COURT: Come around here. You are going to

1       come up here to the witness stand.

2               Good morning. You are Juror Number 6?

3               PROSPECTIVE JUROR: I am, yes.

4               THE COURT: All right. And you don't have a  
5       questionnaire with you?

6               PROSPECTIVE JUROR: Oh, I do. No. It's in here.  
7       Sorry.

8               THE COURT: No, no worries. I've got extras if  
9       you don't.

10              Can you tell me your age, please.

11              PROSPECTIVE JUROR: I'm 73.

12              THE COURT: And then I'm just going to refer to  
13       that list of questions. Could you answer Number 2 for us?

14              PROSPECTIVE JUROR: No, I do not know anybody on  
15       this list.

16              THE COURT: And Question 3.

17              PROSPECTIVE JUROR: I've heard of the case before  
18       when I think things initially started happening. I don't  
19       even remember when that was. Just through headlines in the  
20       newspaper and on the news.

21              THE COURT: And what news do you regularly listen  
22       to or read?

23              PROSPECTIVE JUROR: If we listen to the news, it's  
24       the News Hour on MPR. I will sometimes listen to Minnesota  
25       Public Radio news on the radio, if I'm in the car.

1           We subscribe to the Star Trib electronically, the  
2           Washington Post and New York Times. I don't use social  
3           media for my news at all.

4           THE COURT: And what exactly do you remember  
5           hearing about the case when it initially occurred?

6           PROSPECTIVE JUROR: I don't remember details, just  
7           that possibly something had happened, some money had been  
8           used inappropriately.

9           THE COURT: And can you look at Question 3(b).

10          PROSPECTIVE JUROR: No. Maybe Feeding Our Future  
11          as a headline in the news, but other than the others, no.

12          THE COURT: Okay. So Question 3(b) is whether  
13          you --

14          PROSPECTIVE JUROR: Okay. I'm sorry.

15          THE COURT: That's okay.

16          -- whether you've developed an opinion on the  
17          guilt or innocence of these defendants.

18          PROSPECTIVE JUROR: No, I never followed it  
19          enough. I -- no.

20          THE COURT: And Question 3(c) is whether you will  
21          be able to set aside what you did learn and decide the case  
22          based only on what you hear in this courtroom.

23          PROSPECTIVE JUROR: Yes.

24          THE COURT: And I think you'd gone on to 4, you  
25          said.

1 PROSPECTIVE JUROR: Yes.

2 THE COURT: Was that the one you were answering?  
3 So you've heard of Feeding Our Future. Anything other than  
4 what you've just disclosed about the media?

5 PROSPECTIVE JUROR: No, I've heard nothing else  
6 about it.

7 THE COURT: Okay. And how about any of those  
8 other organizations?

9 PROSPECTIVE JUROR: No, none of those names struck  
10 me as anything I've heard before.

11 THE COURT: Okay. And 5(a) is -- you can read  
12 documents, understand and speak English?

13 PROSPECTIVE JUROR: Yes.

14 THE COURT: And then 5(b) and (c) address any  
15 other issues you may have physically or mentally serving as  
16 a juror.

17 PROSPECTIVE JUROR: I don't think so. I have a  
18 moderate hearing loss. I wear hearing aids. My right one  
19 is out for repairs at the moment. I've been able to hear  
20 everything clearly in the jury room earlier and then here as  
21 long as it is through the microphones.

22 THE COURT: Okay. Is there one ear that you hear  
23 better out of?

24 PROSPECTIVE JUROR: Right now my left because  
25 that's where the hearing aid is.

1 THE COURT: Okay.

2 PROSPECTIVE JUROR: And -- yeah.

3 THE COURT: All right. And you've been able to  
4 hear my questions, my address to you during the initial and  
5 during --

6 PROSPECTIVE JUROR: I've heard all that. The only  
7 thing I think there was somebody maybe introducing us early  
8 on, and I don't think she was at a microphone, and that I  
9 was able to hear parts of.

10 THE COURT: Okay. All right. That sounds like an  
11 issue we can manage in the courtroom.

12 Could you go to Number 6.

13 PROSPECTIVE JUROR: I grew up outside of Detroit,  
14 Michigan, and right now I am living in Plymouth.

15 THE COURT: And how long have you lived in  
16 Plymouth?

17 PROSPECTIVE JUROR: Maybe three years. Before  
18 that, we were Wayzata; before that, St. Paul.

19 THE COURT: Before that Wayzata, before that  
20 St. Paul.

21 PROSPECTIVE JUROR: Rochester for a little bit.  
22 And then we kind of did a circle around the East Coast kind  
23 of.

24 THE COURT: And what took you moving around?

25 PROSPECTIVE JUROR: Well, here it was -- well,

1 let's see. It was my husband's job that took us moving  
2 around kind of from where we grew up and then a little bit  
3 on the East Coast.

4 Rochester to St. Paul was a job change for him.  
5 St. Paul to Wayzata was our kids kicking us out of the house  
6 and getting us into a smaller unit.

7 THE COURT: And we'll get to your job and your  
8 husband's. So why don't we look at Number 7, your  
9 educational background.

10 PROSPECTIVE JUROR: I got a bachelor's of science  
11 in nursing, was a nurse, and that's why we were able to move  
12 because my job kind of could go around all over. And  
13 then -- and I've been retired for about seven years or so, I  
14 guess.

15 My husband started out as a journalist, and then  
16 he specialized more in teaching about reporting journalism  
17 in the medical field, and he taught at the U for a while.

18 THE COURT: In the medical school or the  
19 journalism school or some other school?

20 PROSPECTIVE JUROR: He was in the school of  
21 public -- no. He started out in the journalism school. He  
22 was in the journalism school.

23 THE COURT: Does he have your same last name?

24 PROSPECTIVE JUROR: Yes.

25 THE COURT: Did you have any specialty in nursing?

1 PROSPECTIVE JUROR: Probably in pediatric oncology  
2 is where I finished up at. It was always inpatient.

3 THE COURT: And is your husband retired as well?

4 PROSPECTIVE JUROR: Yes, he is.

5 THE COURT: How long has he been retired?

6 PROSPECTIVE JUROR: Maybe four years or so, five  
7 years.

8 THE COURT: Can you tell me a little bit more  
9 about journalism in the healthcare field, what kinds of  
10 subjects he taught.

11 PROSPECTIVE JUROR: When he started teaching, it  
12 was basic journalism, ethics of journalism.

13 To specialize more in the health field, I think it  
14 was teaching journalists how to look at statistics and how  
15 to look at the PR things that were sent out by companies,  
16 trying to evaluate them. It was trying to give new  
17 journalists more of an insight of really what to look at.

18 THE COURT: When you had seen headlines about this  
19 case when it first came out, did you have any discussion or  
20 have you since with your husband about those articles?

21 PROSPECTIVE JUROR: No.

22 THE COURT: You don't have discussions about  
23 journalism pieces and what he thinks generally?

24 PROSPECTIVE JUROR: No. Really probably more if  
25 it's related to the pharmaceuticals or if it's related to

1 new things that are being pushed at different institutions  
2 as far as in the medical field, but, no, nothing about this.

3 THE COURT: Question Number 8, your children.

4 PROSPECTIVE JUROR: We have four children. They  
5 are all -- I consider them young adults, 30s, 40s. Their  
6 occupations.

7 Our oldest is -- I think had a finance of a  
8 property management company out near Vail, Colorado. They  
9 managed different hotel properties and HOAs and things like  
10 that, I think.

11 Our second is a client partner for digital  
12 consulting dealing with websites, advising for that, web  
13 pages and platforms and advertising, I think.

14 Our third is working for a renewable energy  
15 company; solar, wind, battery, stuff like that.

16 And our fourth is executive director of a think  
17 tank, North Star Policy Action, trying to help advise the  
18 state on improving workers' conditions.

19 THE COURT: How long -- that's your youngest?

20 PROSPECTIVE JUROR: That's our youngest.

21 THE COURT: And how long has your youngest been  
22 working with that think tank?

23 PROSPECTIVE JUROR: A couple of years now.

24 THE COURT: And that -- does that have anything to  
25 do with the Department of Education or the Department of

1 Agriculture?

2 PROSPECTIVE JUROR: Not that I'm aware of. I  
3 think the -- what I'm aware of more is working with  
4 contractors in the building fields right now. I mean, I  
5 don't know where this plans on going.

6 THE COURT: Do you have any grandkids?

7 PROSPECTIVE JUROR: Grandkids, yes. We have six,  
8 I think.

9 THE COURT: Do you ever take care of them?

10 PROSPECTIVE JUROR: Yes.

11 THE COURT: Have you ever taken them to a program  
12 that provides meals?

13 PROSPECTIVE JUROR: No.

14 THE COURT: Are you aware of them taking advantage  
15 of any programs that provide meals either during COVID or  
16 not? So out of school.

17 PROSPECTIVE JUROR: No, nothing out of school, no.

18 THE COURT: Okay. They go to school; they get  
19 lunch?

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: Do you know what happened during COVID  
22 with those kids in terms of how they were fed?

23 PROSPECTIVE JUROR: No, not -- I mean, I just knew  
24 that there were programs, but I don't know what they were or  
25 how they worked.

1 THE COURT: Okay. Question Number 9.

2 PROSPECTIVE JUROR: My favorite hobbies or  
3 activities are probably taking care of the kids. We're  
4 involved in some HOA things, and we love to travel.

5 THE COURT: And any churches, mosques, temples?

6 PROSPECTIVE JUROR: No, no longer.

7 THE COURT: And Question -- Question 10.

8 PROSPECTIVE JUROR: No.

9 THE COURT: And you've answered Question 11. Any  
10 other magazines, newspapers, podcasts, blogs, sites that you  
11 read on a regular basis?

12 PROSPECTIVE JUROR: No. I mean, if I'm scrolling,  
13 I'll look at Huffington Post or, I mean, just some odd  
14 things that come up on -- I guess it's Apple News.

15 THE COURT: Okay.

16 PROSPECTIVE JUROR: I may look at a few things  
17 there, but not really.

18 THE COURT: And you said subscriptions were to  
19 Washington Post, New York Times and Star Tribune?

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: Question Number 12.

22 PROSPECTIVE JUROR: No, I've never been a juror on  
23 a case.

24 THE COURT: Question Number 13.

25 PROSPECTIVE JUROR: No, I don't know anybody here.

1 THE COURT: Question 14.

2 PROSPECTIVE JUROR: I have a brother-in-law who is  
3 an attorney in -- he was an attorney in Washington, D.C.

4 THE COURT: And what did he do? There's a lot of  
5 attorneys in Washington, D.C.

6 PROSPECTIVE JUROR: I know. I know. I don't know  
7 if he -- what do you call an attorney who comes into court  
8 and presents things?

9 THE COURT: A litigator.

10 PROSPECTIVE JUROR: He may have been that.

11 THE COURT: Do you know if it was criminal or  
12 civil?

13 PROSPECTIVE JUROR: No.

14 THE COURT: No?

15 PROSPECTIVE JUROR: No. The only thing I know  
16 that he ever worked on was -- afterwards worked on some of  
17 the Guantanamo Bay cases as a free service.

18 THE COURT: Do you know if he was representing the  
19 inmates at Guantanamo Bay or representing the government or  
20 something else?

21 PROSPECTIVE JUROR: An inmate.

22 THE COURT: An inmate?

23 PROSPECTIVE JUROR: Mm-hmm.

24 THE COURT: All right. Thank you.

25 Do you know how that case turned out?

1 PROSPECTIVE JUROR: No.

2 THE COURT: And is he -- this is your  
3 brother-in-law?

4 PROSPECTIVE JUROR: Brother-in-law.

5 THE COURT: Is he retired --

6 PROSPECTIVE JUROR: My husband's brother.

7 THE COURT: Is he retired now?

8 PROSPECTIVE JUROR: Yes, to my knowledge, yeah.

9 THE COURT: Any other close friends or relatives  
10 who were --

11 PROSPECTIVE JUROR: No.

12 THE COURT: -- employed in the legal profession?  
13 All right. How about 15?

14 PROSPECTIVE JUROR: Oh, wait. My daughter-in-law  
15 is to get her law degree, yes.

16 THE COURT: Where was that from?

17 PROSPECTIVE JUROR: In New York.

18 THE COURT: And does she work as an attorney?

19 PROSPECTIVE JUROR: No. Well, I don't think so.  
20 She's working for -- it's on University Avenue. They deal  
21 with art, and I think she's just kind of managing that  
22 company. I don't know if that's in a aspect of being an  
23 attorney for them. I don't think it is.

24 THE COURT: She's here?

25 PROSPECTIVE JUROR: She's here in the --

1 THE COURT: When you said University Avenue, you  
2 meant --

3 PROSPECTIVE JUROR: I'm sorry.

4 THE COURT: -- St. Paul?

5 PROSPECTIVE JUROR: Between University and  
6 St. Paul -- or Minneapolis on University Avenue.

7 THE COURT: All right.

8 PROSPECTIVE JUROR: But I don't think she's  
9 working for them as an attorney.

10 THE COURT: Any others for 14?

11 PROSPECTIVE JUROR: No.

12 THE COURT: And how about 15?

13 PROSPECTIVE JUROR: No.

14 THE COURT: How about 16?

15 PROSPECTIVE JUROR: Only as I've had kids in  
16 contact with police, but I don't think -- well, I did  
17 have -- my son was in middle school and was assaulted, was  
18 in the hospital. And then -- I did go to a meeting with a  
19 judge for the child who had assaulted him, but that was just  
20 for a couple of hours one day and --

21 THE COURT: And anything about that that would  
22 affect your ability to be fair and impartial here?

23 PROSPECTIVE JUROR: No.

24 THE COURT: When your children have had contact  
25 with the police, have they been charged with anything?

1 PROSPECTIVE JUROR: Not to my knowledge.

2 THE COURT: Okay. And that -- can you tell me the  
3 general nature. Was it sort of a DUI-related or something  
4 different?

5 PROSPECTIVE JUROR: Can I take a private?

6 THE COURT: Yes, you may.

7 PROSPECTIVE JUROR: Is that important enough  
8 that --

9 THE COURT: Sure. So I'm going to have you put on  
10 the headset.

11 **(Sidebar discussion)**

12 THE COURT: Can you hear me? Okay.

13 PROSPECTIVE JUROR: Can you hear me? Okay.

14 My son was in his young 20s, was married, and  
15 there was an assault charge against him, but I'm not sure it  
16 went any place other than the initial charges.

17 THE COURT: Do you know if he pled to anything?

18 PROSPECTIVE JUROR: I don't know.

19 THE COURT: Okay.

20 PROSPECTIVE JUROR: He was an adult at that time.  
21 I don't know what happened to that legally.

22 THE COURT: And to your knowledge or do you feel  
23 from what you know about it that he was treated fairly?

24 PROSPECTIVE JUROR: Yeah, I don't know really  
25 anything about it.

1 THE COURT: Anything about that that you think  
2 would be less than fair -- make you less than a fair or  
3 impartial juror?

4 PROSPECTIVE JUROR: No.

5 (In open court)

6 THE COURT: And Question 17.

7 PROSPECTIVE JUROR: No.

8 THE COURT: Question 18.

9 PROSPECTIVE JUROR: No prejudices either way.

10 THE COURT: Question 19, other than what you've  
11 previously disclosed.

12 PROSPECTIVE JUROR: I'm sorry.

13 THE COURT: Other than what you've previously  
14 disclosed, Question 19.

15 PROSPECTIVE JUROR: No, there's nothing else that  
16 would affect my approach.

17 THE COURT: And Question 20. We got at this a  
18 little bit, but Question 20.

19 PROSPECTIVE JUROR: Not to my knowledge that  
20 they've ever received any after-school programs, meals or  
21 anything like that, and I know not during the COVID time.

22 THE COURT: Question 21.

23 PROSPECTIVE JUROR: No.

24 THE COURT: Question 22.

25 PROSPECTIVE JUROR: No.

1 THE COURT: 23.

2 PROSPECTIVE JUROR: No feelings either way, no.

3 THE COURT: And 24.

4 PROSPECTIVE JUROR: Yes, I'm working in healthcare  
5 and working with children. I've had contact done at the  
6 Mayo Clinic and then here at the hospitals that I worked at  
7 here in the Cities.

8 THE COURT: And in your healthcare work coming in  
9 contact with people whose backgrounds are East African  
10 and/or Somalian, did you develop any views one way or  
11 another about your feelings about that community?

12 PROSPECTIVE JUROR: No. Respect for the people  
13 that I had contact with.

14 THE COURT: Question 25 goes to unconscious bias.  
15 Could you read that and answer that.

16 PROSPECTIVE JUROR: Yes, I think in my profession,  
17 I think we were always very aware of and trying to deal with  
18 our biases.

19 THE COURT: Question 25(b).

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: And 26(a).

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: And 26(b). Is there anything else  
24 that you need to call to the court's attention?

25 PROSPECTIVE JUROR: No.

1 THE COURT: Let me just consult with the attorneys  
2 for one moment.

3 **(Sidebar discussion)**

4 THE COURT: Counsel, any follow-up?  
5 Hearing none, is there any motion for cause?  
6 Hearing none, thank you.

7 **(In open court)**

8 THE COURT: Thank you very much. I am going to  
9 have you go to the courtroom that is next door --

10 PROSPECTIVE JUROR: Okay.

11 THE COURT: -- and await further -- further  
12 instruction, and I appreciate your patience.

13 PROSPECTIVE JUROR: Okay.

14 **(Prospective Juror Number 6 exits courtroom)**

15 THE COURT: Let's go off the record.  
16 (Recess taken at 11:21 a.m. till 11:37 a.m.)

17

18 **IN OPEN COURT**

19 **(JURY PANEL NOT PRESENT)**

20 THE COURT: We will call Juror Number 7 in.

21 **(Prospective Juror Number 7 enters courtroom)**

22 THE COURT: Good morning.

23 PROSPECTIVE JUROR: Good morning.

24 THE COURT: All right. This is Juror Number 7.

25 Could you state your age, please?

1 PROSPECTIVE JUROR: 43.

2 THE COURT: And you've got the questionnaire in  
3 front of you. I'm going to go through those questions.  
4 Could you answer Question Number 2.

5 PROSPECTIVE JUROR: No, I don't know anybody on  
6 the list.

7 THE COURT: And how about Question Number 3,  
8 hearing of this case before today?

9 PROSPECTIVE JUROR: Yep, when I got the summons, I  
10 recognized it, but didn't know much about it. And then two  
11 weeks ago I saw a post that the case was starting in two  
12 weeks.

13 THE COURT: Okay. And when you say you recognized  
14 it, but didn't know much about it, do you know how you  
15 recognized it?

16 PROSPECTIVE JUROR: I think I saw a headline in  
17 the newspaper.

18 THE COURT: And do you -- what information did you  
19 glean from that headline?

20 PROSPECTIVE JUROR: Something about embezzlement.

21 THE COURT: And which newspaper?

22 PROSPECTIVE JUROR: I don't remember. It was  
23 probably more of a Twitter post than a media newspaper.

24 THE COURT: Do you -- how do you get your news?

25 PROSPECTIVE JUROR: Sadly, typically, Facebook,

1 Twitter and The New York Times.

2 THE COURT: So you subscribe to The Times?

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: Okay. Do you subscribe to the Star  
5 Tribune?

6 PROSPECTIVE JUROR: No.

7 THE COURT: And any other local papers?

8 PROSPECTIVE JUROR: No.

9 THE COURT: And Question 3(b), based on what you  
10 have seen or otherwise.

11 PROSPECTIVE JUROR: No, I don't know enough about  
12 it.

13 THE COURT: And Question 3(c).

14 PROSPECTIVE JUROR: Yep, I certainly don't have  
15 enough information to have made any decisions.

16 THE COURT: And how about Question 4.

17 PROSPECTIVE JUROR: I had just heard of Feeding  
18 Our Future from the headline.

19 THE COURT: Do you know how long ago you saw that  
20 headline?

21 PROSPECTIVE JUROR: It was before the jury summons  
22 came.

23 THE COURT: Okay.

24 PROSPECTIVE JUROR: But I don't really remember  
25 much before that.

1 THE COURT: And Question 5.

2 PROSPECTIVE JUROR: Yes, I speak English and can  
3 communicate in English.

4 THE COURT: And then Questions 5(b) and (c) have  
5 to do with any mental or physical issues you may have that  
6 would interfere with jury service.

7 PROSPECTIVE JUROR: No, there's none.

8 THE COURT: And Question 6.

9 PROSPECTIVE JUROR: I grew up in New York, and  
10 I've lived here in Minnesota in West St. Paul for ten years.

11 THE COURT: And where in New York?

12 PROSPECTIVE JUROR: In West Nyack, Rockland  
13 County. It's the bottom part of the state just north of  
14 New York City.

15 THE COURT: What brought you here?

16 PROSPECTIVE JUROR: My husband.

17 THE COURT: And you said ten years St. Paul.

18 PROSPECTIVE JUROR: Ten years, yep.

19 THE COURT: Okay. And Question 7.

20 PROSPECTIVE JUROR: I have a bachelor's in  
21 environmental studies and economics, and a master's in  
22 religion, religious education. I'm an admin assistant for  
23 the Archdiocese of St. Paul/Minneapolis. Before that -- so  
24 I've been there for a year, and before that I taught in  
25 Catholic schools.

1 THE COURT: And what schools did you teach in?

2 PROSPECTIVE JUROR: Locally Visitation School in  
3 Mendota Heights.

4 THE COURT: What did you teach?

5 PROSPECTIVE JUROR: Theology, 10th grade.

6 THE COURT: And so you were -- you've been an  
7 admin assistant for the Archdiocese, remind me how long.

8 PROSPECTIVE JUROR: Since January of 2023.

9 THE COURT: Okay. So during -- you were a teacher  
10 at Visitation during COVID?

11 PROSPECTIVE JUROR: Yes.

12 THE COURT: Okay. And remind me, Visitation goes  
13 from what grade to what grade.

14 PROSPECTIVE JUROR: We're childcare all the way up  
15 through 12th.

16 THE COURT: Okay. Did you teach any other grades  
17 besides 10th?

18 PROSPECTIVE JUROR: That year -- or I'm sorry.  
19 I'm thinking COVID year. In my time there, I've taught 9th,  
20 10th and 12th.

21 THE COURT: And Question 8.

22 PROSPECTIVE JUROR: I have three children, 11, 8  
23 and 4.

24 THE COURT: And Question 9.

25 PROSPECTIVE JUROR: I like to knit. We belong to

1 the Church of St. Joseph in West St. Paul. It's Roman  
2 Catholic, and we are very involved with the church.

3 THE COURT: Okay. Let me just go back to your  
4 children. During the pandemic, were they out of school?

5 PROSPECTIVE JUROR: Just from -- what was it --  
6 March of 2020 to the end of the school year. They went back  
7 in August.

8 THE COURT: What school do they go to?

9 PROSPECTIVE JUROR: Saint Agnes in St. Paul.

10 THE COURT: Say it one more time.

11 PROSPECTIVE JUROR: Saint Agnes in St. Paul.

12 THE COURT: Agnes.

13 PROSPECTIVE JUROR: Yeah.

14 THE COURT: I just didn't hear you.

15 PROSPECTIVE JUROR: Sure.

16 THE COURT: And at any point did you take  
17 advantage of or have your children enrolled in any food  
18 programming or food programs that were administered through  
19 the state or schools or churches?

20 PROSPECTIVE JUROR: Lunches during their time back  
21 in school were at no cost to families.

22 THE COURT: And was that during COVID or always?

23 PROSPECTIVE JUROR: During -- so the year they  
24 went back in the fall of 2020, it was free that whole year  
25 and maybe the following year as well. I think all the way

1 up until now with the new law for school lunches.

2 THE COURT: And you know a little bit about this  
3 case has to do with child nutrition. Is there -- when you  
4 had the kids go and eat at school through that program or  
5 for free, was there any documentation that you had to  
6 complete?

7 PROSPECTIVE JUROR: I don't think so. I don't  
8 remember doing any.

9 THE COURT: And how about for Visitation? Were  
10 you involved in any documentation or filling out of forms  
11 that had to do with the way the kids were fed during COVID  
12 or the way the kids were fed for no cost?

13 PROSPECTIVE JUROR: I don't think so. I'm not  
14 sure how it worked at Visitation, because we weren't on the  
15 federal program, so I don't know if they had the same  
16 benefit of lunch being paid for.

17 THE COURT: Okay. Thank you.

18 Question 9.

19 PROSPECTIVE JUROR: The hobbies were knitting; and  
20 the Church of St. Joseph is our parish, and we're  
21 involved -- pretty heavily involved with the church.

22 THE COURT: Did I just have you repeat that one?

23 PROSPECTIVE JUROR: Yeah, but that's okay.

24 THE COURT: Thank you.

25 PROSPECTIVE JUROR: Yeah.

1 THE COURT: Question 10.

2 PROSPECTIVE JUROR: Roman Catholic.

3 THE COURT: And do you think that will impact your  
4 ability to render a fair and impartial verdict?

5 PROSPECTIVE JUROR: No.

6 THE COURT: And Question 11. I asked about  
7 newspapers. This is a little bit broader.

8 PROSPECTIVE JUROR: There's nothing that I  
9 really -- excuse me -- read on a regular basis other than  
10 scrolling through Facebook, Twitter and The Times.

11 THE COURT: Question 12.

12 PROSPECTIVE JUROR: No, I've never served as a  
13 juror on a case.

14 THE COURT: And Question 13.

15 PROSPECTIVE JUROR: No, I don't know any of the  
16 other jurors.

17 THE COURT: 14.

18 PROSPECTIVE JUROR: My son's godfather is a  
19 lawyer, not locally.

20 THE COURT: And what kind of law does he practice?

21 PROSPECTIVE JUROR: I couldn't even tell you.  
22 Maybe contract law. I'm not sure.

23 THE COURT: And where is that?

24 PROSPECTIVE JUROR: In Louisiana.

25 THE COURT: Anyone else?

1 PROSPECTIVE JUROR: My father was an attorney when  
2 I was growing up.

3 THE COURT: What kind?

4 PROSPECTIVE JUROR: General practice, divorce,  
5 that kind of --

6 THE COURT: Anything about his work as an attorney  
7 you think will affect your ability to be fair and impartial?

8 PROSPECTIVE JUROR: No.

9 THE COURT: 15.

10 PROSPECTIVE JUROR: No, I don't have any legal or  
11 law enforcement training. And I think I took a couple law  
12 classes in undergrad, tort law or something.

13 THE COURT: Anything about that that you think  
14 will impact your jury service?

15 PROSPECTIVE JUROR: (Moves head from side to  
16 side.)

17 THE COURT: Question 16.

18 PROSPECTIVE JUROR: Not that I'm aware of has  
19 anybody been involved in a crime.

20 THE COURT: And 17.

21 PROSPECTIVE JUROR: My brother-in-law is a police  
22 officer, my brother is a former police officer, and his new  
23 wife's father is a retired FBI agent, and his brother-in-law  
24 is FBI.

25 THE COURT: Your brother-in-law, where was he a

1 police officer?

2 PROSPECTIVE JUROR: He is currently a police  
3 officer with NYPD.

4 THE COURT: And what particular role, if you know?

5 PROSPECTIVE JUROR: Not sure what he -- last I'd  
6 heard he was a sergeant. I don't know if he's gone up past  
7 that.

8 THE COURT: Okay. Your brother's a former police  
9 officer. Where was that?

10 PROSPECTIVE JUROR: Fort Worth, Texas.

11 THE COURT: And what does he do now?

12 PROSPECTIVE JUROR: HVAC in Cleveland.

13 THE COURT: How long was he a police officer?

14 PROSPECTIVE JUROR: Probably eight years.

15 THE COURT: Okay. And your brother's wife's  
16 father, so your brother's father-in-law --

17 PROSPECTIVE JUROR: Correct.

18 THE COURT: -- is a retired FBI agent. And then  
19 there's a brother-in-law in the FBI there.

20 PROSPECTIVE JUROR: Mm-hmm.

21 THE COURT: Where are those two serving, do you  
22 know?

23 PROSPECTIVE JUROR: My brother's father-in-law is  
24 in Cleveland, and I think his brother-in-law is in Michigan.

25 THE COURT: Have you talked to either of those

1 individuals about your service or about this case?

2 PROSPECTIVE JUROR: No. I met them at the  
3 wedding, and that's the last time I talked to them.

4 THE COURT: And do you know in what capacity  
5 they're serving in the FBI?

6 PROSPECTIVE JUROR: I don't.

7 THE COURT: And so that leads to the natural  
8 question in 18.

9 PROSPECTIVE JUROR: I have not testified in court.

10 THE COURT: Sorry. Can you go back to 18?

11 PROSPECTIVE JUROR: Sure.

12 THE COURT: There are going to be witnesses in  
13 trial who are FBI agents, who are also law enforcement. Can  
14 you treat those witnesses as you would treat anyone else?

15 PROSPECTIVE JUROR: Yes. But the question do I  
16 have any prejudices for or against, I'd probably say I'm in  
17 favor of law enforcement because I'm related to them.

18 THE COURT: Okay. And so let me explore that a  
19 little bit.

20 As we sit here today and as will be the case all  
21 through trial, the defendants are presumed innocent. The  
22 government must prove its case against each defendant beyond  
23 a reasonable doubt. They will do that through witnesses.  
24 Some of those witnesses will be law enforcement. And you  
25 are expected to take each witness and start them with a

1 blank slate of credibility.

2           Knowing that you have law enforcement in your  
3 family, the question is, Can you put that aside and say,  
4 This law enforcement officer I am going to treat with a  
5 blank slate in terms of credibility? Can you do that?

6           PROSPECTIVE JUROR: Yes, I think I can do that.

7           THE COURT: Okay. So you have a general, yes, I  
8 like law enforcement, I've got brothers, I've got family  
9 members. But my question is specific in making sure that  
10 you can treat every person, including law enforcement, with  
11 a blank slate.

12           PROSPECTIVE JUROR: Yes, I can do that.

13           THE COURT: Okay. In other words, I'm asking you  
14 to keep your favorite -- your feelings, positive feelings  
15 about law enforcement confined to your family. Can you do  
16 that?

17           PROSPECTIVE JUROR: I can do that, yes.

18           THE COURT: Okay. And then Number 19 you said you  
19 have not testified in court?

20           PROSPECTIVE JUROR: Correct.

21           THE COURT: And Number 20.

22           PROSPECTIVE JUROR: For the meals for my children,  
23 I believe they -- I'm not sure how that worked, but at  
24 school we did not pay for them during COVID. And I think  
25 childcare might have had the same benefit.

1 THE COURT: And anything that you had to do to  
2 take advantage of that benefit? Fill out a form? Talk to  
3 anybody?

4 PROSPECTIVE JUROR: I don't -- I don't remember  
5 having to do that, but I might have signed a form to be a  
6 part of it. I don't think so, though. I think all the  
7 students just received that benefit.

8 THE COURT: 21.

9 PROSPECTIVE JUROR: I've volunteered with Catholic  
10 Charities, with Dorothy Day, Feed My Starving Children,  
11 those kind of programs.

12 THE COURT: Okay. Thank you.

13 22.

14 PROSPECTIVE JUROR: No, even the DoE, no, because  
15 we were a private school.

16 THE COURT: Any interactions with the DoE?

17 PROSPECTIVE JUROR: Not previously, but my current  
18 job has associations with the DoE, with like private schools  
19 matters.

20 THE COURT: And so tell me more about that.

21 PROSPECTIVE JUROR: I work for the Office for the  
22 Mission of Catholic Education, and one of our staff members  
23 is part of -- we're in the private school sector of  
24 education, so I'm not quite sure how it fits into the  
25 Department of Ed, but there's definitely some type of

1 relationship there between our office and them.

2 THE COURT: Do you have any feelings about how the  
3 DoE does its job based on your office's interaction with the  
4 DoE?

5 PROSPECTIVE JUROR: I don't personally interact  
6 with them enough to have an opinion, so, no.

7 THE COURT: Have you ever talked to your office  
8 mate or your colleagues about interactions with the DoE that  
9 you can recall?

10 PROSPECTIVE JUROR: I'm sure that we've talked  
11 about it, but nothing that's memorable as far as feelings  
12 one way or the other.

13 THE COURT: Question 23.

14 PROSPECTIVE JUROR: I don't interact with many  
15 Muslims to have an opinion.

16 THE COURT: And does your lack of interaction lead  
17 you to any unconscious bias or bias?

18 PROSPECTIVE JUROR: I don't think so.

19 THE COURT: 24.

20 PROSPECTIVE JUROR: No, I don't have a lot of, if  
21 any, interaction with anybody from East Africa.

22 THE COURT: And 25 has to do with that unconscious  
23 bias question. Could you just read 25(a) and answer that.

24 PROSPECTIVE JUROR: I think I could do that. The  
25 video talked about thinking of the person as different from

1 what they are just to make sure that that's not factoring  
2 in, and I could do that.

3 THE COURT: And 25(b).

4 PROSPECTIVE JUROR: Yeah, same, recognizing  
5 they're a person separate from any type of -- they're just a  
6 human person. That's what I'm looking at here.

7 THE COURT: And 26(a).

8 PROSPECTIVE JUROR: Yes, I can apply the law as  
9 the court explains it.

10 THE COURT: And can you think of anything else you  
11 need to call to our attention?

12 PROSPECTIVE JUROR: We were told, I'm sure  
13 everybody has this, that if we had any conflicts coming up,  
14 and I have a couple of things coming up with my family. My  
15 son's First Communion, family in town, and a trip to Bemidji  
16 for a conference that I was planning on attending, that  
17 would conflict, so --

18 THE COURT: What is the First Communion?

19 PROSPECTIVE JUROR: When or what?

20 THE COURT: I'm sorry. When.

21 PROSPECTIVE JUROR: It is May, the Saturday the --  
22 I think it's the 9th. No. 9th is the Thursday when friends  
23 are coming into town for it, and the actual event is the  
24 11th on Saturday. So we have family friends staying with us  
25 that whole week.

1 THE COURT: And are you saying you could not serve  
2 for part of that week?

3 PROSPECTIVE JUROR: I would, yeah. So we have  
4 family in town on the 9th and the 10th, which if I was here,  
5 I would be missing them, which I guess if I'm called, that's  
6 what I've got to do. And then the next weekend we were  
7 supposed to go up to Bemidji on Thursday for the whole  
8 weekend for a conference that, again, I would miss if I was  
9 here. If I'm honest, I would prefer not to miss those  
10 things.

11 THE COURT: Okay. Thank you. And that conference  
12 is Friday, Saturday, Sunday?

13 PROSPECTIVE JUROR: Yes.

14 THE COURT: And it's May -- that's going to be 15,  
15 or something like that?

16 PROSPECTIVE JUROR: 15, 17, 18, something like  
17 that, yeah.

18 THE COURT: Thank you.

19 PROSPECTIVE JUROR: You're welcome.

20 THE COURT: All right. Let me check with the  
21 attorneys for a moment.

22 **(Sidebar discussion)**

23 THE COURT: Any follow-up counsel?

24 MR. GOETZ: Your Honor, Frederick Goetz for  
25 Mr. Shariff.



1 THE COURT: Just a couple questions. The first is  
2 you talked about being a person of deep faith. And the  
3 question is whether that would inform how you approach and  
4 assess other people of different faiths.

5 PROSPECTIVE JUROR: I think only in that my faith  
6 teaches that every single person has dignity and should be  
7 treated as such; but as far as judging based on what they  
8 believe, no, it wouldn't affect that.

9 THE COURT: Okay. And then there were a couple  
10 questions about the law enforcement issue, and one was can  
11 you have each witness, including law enforcement witnesses,  
12 start with a blank slate. I think your answer might have  
13 been, I think so. I'm looking for something more  
14 affirmative than that.

15 PROSPECTIVE JUROR: Yes. I mean, I haven't done  
16 it, so -- but, yes, I believe I can listen to each person  
17 and take them as an individual.

18 THE COURT: And then, similarly, on the  
19 unconscious bias question, which was 25(a). You might have  
20 said I think so to that one, and I'm looking for  
21 something --

22 PROSPECTIVE JUROR: I'll make that a yes.

23 THE COURT: Okay. Thank you.

24 All right. I'm going to ask you to go to the  
25 courtroom next door and await further instruction, and I

1 appreciate your patience.

2 PROSPECTIVE JUROR: Thank you.

3 **(Prospective Juror Number 7 exits courtroom)**

4 **(Prospective Juror Number 8 enters courtroom)**

5 THE COURT: Good morning. So you are coming all  
6 the way up here just to the witness stand.

7 Hi.

8 PROSPECTIVE JUROR: Hi.

9 THE COURT: This is Juror Number 8. Can you tell  
10 us how old you are?

11 PROSPECTIVE JUROR: 58.

12 THE COURT: And can you answer -- you have that  
13 questionnaire with you.

14 PROSPECTIVE JUROR: Yes.

15 THE COURT: Can you answer Question Number 2.

16 PROSPECTIVE JUROR: No, I don't know of anybody on  
17 this list.

18 THE COURT: Okay. And then Number 3, if you've  
19 heard of the case before today.

20 PROSPECTIVE JUROR: No, I have not.

21 THE COURT: Not at all?

22 PROSPECTIVE JUROR: Hm-mm.

23 THE COURT: Okay. And then Question Number 4,  
24 whether you've heard of any of those organizations.

25 PROSPECTIVE JUROR: I have not.

1 THE COURT: And Question Number 5, your ability to  
2 read, speak and understand English.

3 PROSPECTIVE JUROR: Yes, but I do -- I am  
4 dyslexic, so I'm a very slow reader. Sometimes I have a  
5 hard time reading my own writing, and I do not read out  
6 loud.

7 THE COURT: You won't need to read out loud.

8 PROSPECTIVE JUROR: Okay.

9 THE COURT: And I think the issues that you raise  
10 will not be an issue.

11 PROSPECTIVE JUROR: Okay.

12 THE COURT: We'll give you plenty of time to read  
13 what you need and to -- even to interrupt if you -- if you  
14 need to.

15 PROSPECTIVE JUROR: Okay.

16 THE COURT: Okay? And would you prefer I read  
17 these to you, these questions?

18 PROSPECTIVE JUROR: No, no. That's okay.

19 THE COURT: You are okay? All right.

20 And Question (b) and (c) are really, do you have  
21 any physical or mental issues other than you've already  
22 disclosed that would prevent you from serving.

23 PROSPECTIVE JUROR: I do not have any others.

24 THE COURT: And then Question 6, where you grew  
25 up.

1 PROSPECTIVE JUROR: Byron, Minnesota, and I  
2 currently live in Roseville, Minnesota.

3 THE COURT: And how long have you lived in  
4 Roseville?

5 PROSPECTIVE JUROR: 28 years.

6 THE COURT: And Question 7.

7 PROSPECTIVE JUROR: I have a bachelor of science  
8 in social work, and I am currently a housewife and a  
9 part-time custodian.

10 THE COURT: Where did you get your social work  
11 degree?

12 PROSPECTIVE JUROR: Mankato State.

13 THE COURT: And where are you a custodian?

14 PROSPECTIVE JUROR: At a company called Park Tool.

15 THE COURT: And how long have you done that?

16 PROSPECTIVE JUROR: On and off for 32 years.

17 THE COURT: Okay. Did you ever work in social  
18 work?

19 PROSPECTIVE JUROR: No, I did not.

20 THE COURT: Okay. And spouse or partner?

21 PROSPECTIVE JUROR: My spouse is a project manager  
22 for -- he does restoration for insurance jobs.

23 THE COURT: So as in to restore after water  
24 damage?

25 PROSPECTIVE JUROR: Like water damage, yes, yes.

1 THE COURT: And how long has your spouse done  
2 that?

3 PROSPECTIVE JUROR: Just a little over a year.

4 THE COURT: And before that?

5 PROSPECTIVE JUROR: We owned a running shoe store  
6 in Blaine.

7 THE COURT: Thank you.

8 Question 8.

9 PROSPECTIVE JUROR: We have three children. The  
10 oldest is 32, and she is a stay-at-home mother, wife.

11 And I have a son who is 30, and he is a mechanical  
12 engineer. He does defense contracts.

13 And then I have another son who is 28, and he is a  
14 project manager with a company that handles fire  
15 apparatuses.

16 THE COURT: Are any of those folks local, any of  
17 your kids?

18 PROSPECTIVE JUROR: My daughter is local, the  
19 oldest.

20 THE COURT: Question 9.

21 PROSPECTIVE JUROR: I enjoy my grandchildren. I  
22 have number eight on the way. And I like to do hand work,  
23 crafting. I am involved at a church in Mounds View, The  
24 North Church, formerly Bethlehem Baptist North, and I do  
25 serve there.

1 THE COURT: Serve in what capacity?

2 PROSPECTIVE JUROR: On Wednesday nights we have  
3 classes, and we serve a meal, and I help in the kitchen.

4 THE COURT: Do you teach?

5 PROSPECTIVE JUROR: I do not.

6 THE COURT: When is your eighth grandchild due?

7 PROSPECTIVE JUROR: November.

8 THE COURT: And do you take care of the  
9 grandchildren?

10 PROSPECTIVE JUROR: Once a week for 8 1/2 years  
11 I've been going down to my daughter's in Lakeville, and I  
12 don't babysit. I get to be grammy.

13 THE COURT: Are you aware of whether the  
14 grandchildren either during COVID or now took advantage of  
15 or were served by programs aimed at feeding children during  
16 the pandemic?

17 PROSPECTIVE JUROR: They were not. They're --  
18 they stay at home pretty much, so --

19 THE COURT: And your involvement in your church,  
20 I'm assuming you have a faith --

21 PROSPECTIVE JUROR: Yes.

22 THE COURT: -- that you follow?

23 PROSPECTIVE JUROR: Mm-hmm.

24 THE COURT: Do you think that your faith would  
25 interfere at all with your ability to judge people of

1 different faiths?

2 PROSPECTIVE JUROR: Well, as a Christian -- I do  
3 think that's going like to Question Number 23 or something  
4 like that, that, as a Christian, I do believe that the Islam  
5 religion is a false religion.

6 THE COURT: Okay. Can you say more about that.

7 PROSPECTIVE JUROR: I believe that God created the  
8 world and that Jesus was born by Immaculate Conception and  
9 that he rose and died for us; and as believers, that is the  
10 only way to heaven.

11 THE COURT: And so in this case some of the  
12 witnesses and defendants are of Islam faith. Tell me how  
13 you think that would affect your ability to be fair and  
14 impartial, if it would.

15 PROSPECTIVE JUROR: That is a good question,  
16 because I guess I don't know what's going to be said.

17 THE COURT: And what could be said that would lead  
18 you to a bias one way or the other?

19 PROSPECTIVE JUROR: That -- I guess that's hard to  
20 know. I don't -- I don't really know.

21 THE COURT: All right. As we sit here today --

22 PROSPECTIVE JUROR: Mm-hmm.

23 THE COURT: -- do you think that because some of  
24 the defendants in this case may have an Islamic faith, that  
25 you are biased against them?

1 PROSPECTIVE JUROR: I want to say no.

2 THE COURT: Okay. I know you want to say no. I  
3 want to know what you think.

4 PROSPECTIVE JUROR: I -- no, I don't think it will  
5 affect the case.

6 THE COURT: If religion doesn't come into the  
7 case, you don't think it will affect the case?

8 PROSPECTIVE JUROR: Correct.

9 THE COURT: As the defendants sit here today, my  
10 instruction is, because this is the law, that they are  
11 presumed innocent. The burden is on the government --

12 PROSPECTIVE JUROR: Yeah.

13 THE COURT: -- to prove their guilt beyond a  
14 reasonable doubt.

15 PROSPECTIVE JUROR: Mm-hmm.

16 THE COURT: Can you follow that instruction?

17 THE DEFENDANT: Yes.

18 THE COURT: Do you presume them innocent?

19 PROSPECTIVE JUROR: They are innocent until proven  
20 guilty.

21 THE COURT: Yes. Do you believe that?

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: When you say it's a "false religion,"  
24 help me understand what you mean by "false religion."

25 PROSPECTIVE JUROR: Because I only believe in one

1 religion and that's Christianity. So there is no other  
2 religion.

3 THE COURT: And have you had instances in the past  
4 where you have interacted with people of different faiths  
5 that you don't believe in, that you believe may be false,  
6 and that have been contentious?

7 PROSPECTIVE JUROR: No.

8 THE COURT: I may have follow-up on that, but I'm  
9 going to leave it for now.

10 Go to Number 11.

11 PROSPECTIVE JUROR: Well, I do listen to podcasts.  
12 I don't read really any magazines or newspaper. I listen to  
13 Dennis Prager, The Morning Wire, Allie Beth Stuckey, Tucker  
14 Carlson.

15 THE COURT: Okay. Anybody else?

16 PROSPECTIVE JUROR: I guess I listen to -- well,  
17 no, that's probably about it.

18 THE COURT: And did you say Dennis Krager?

19 PROSPECTIVE JUROR: Prager.

20 THE COURT: Could you explain that one to me.

21 PROSPECTIVE JUROR: He just goes over topics, and  
22 he brings in religion, though I don't believe that he's an  
23 actual Christian. I believe that he's a Morman.

24 THE COURT: And I think there was a woman in there  
25 Allie Beth Stuckey.

1 PROSPECTIVE JUROR: Yes.

2 THE COURT: Can you tell me more about her?

3 PROSPECTIVE JUROR: She is a -- a reformer  
4 Christian and does topical talks on current topics.

5 THE COURT: Okay. Thank you.

6 Number 12.

7 PROSPECTIVE JUROR: I have never served on a jury  
8 case before.

9 THE COURT: And Number 13.

10 PROSPECTIVE JUROR: I do not know any of the  
11 fellow jurors.

12 THE COURT: Okay. And Number 14, relatives or  
13 close friends who are in the legal profession.

14 PROSPECTIVE JUROR: No, none.

15 THE COURT: And Number 15.

16 PROSPECTIVE JUROR: No, I do not have any training  
17 of that sort.

18 THE COURT: And how about Number 16?

19 PROSPECTIVE JUROR: No, I do not have anybody.

20 THE COURT: 17.

21 PROSPECTIVE JUROR: I have not worked with any law  
22 enforcement.

23 THE COURT: And no relatives, close friends who  
24 are in law enforcement?

25 PROSPECTIVE JUROR: No, not -- no.

1 THE COURT: And some of the witnesses in the trial  
2 are going to be law enforcement officers. Do you have any  
3 prejudices against or in favor of law enforcement?

4 PROSPECTIVE JUROR: No, I do not.

5 THE COURT: And 19, ever testified in court?

6 PROSPECTIVE JUROR: No, I have not.

7 THE COURT: And 20 I've covered a little bit, but  
8 do you know anyone who has received meals from childcare  
9 centers or programs during the pandemic?

10 PROSPECTIVE JUROR: I do not.

11 THE COURT: Number 21.

12 PROSPECTIVE JUROR: I guess 37 years ago I worked  
13 in Chicago at a homeless shelter. And not sure if this  
14 pertains, I worked at Faribault Regional Center also about  
15 37 years ago as -- for an internship for college.

16 THE COURT: And what did you do there?

17 PROSPECTIVE JUROR: I was under a social worker  
18 and just writing up progress reports on the mentally  
19 challenged.

20 THE COURT: 22.

21 PROSPECTIVE JUROR: No, I have not ever worked or  
22 volunteered.

23 THE COURT: And 23. This is where we were getting  
24 at earlier. Can you just answer that one how you were going  
25 to answer it.

1 PROSPECTIVE JUROR: As a Christian, I do believe  
2 that the Islam religion is the false religion.

3 THE COURT: Okay. And so that has to do with the  
4 religion itself. So then the question is, Do you have any  
5 feeling against or in favor of Muslims, the people?

6 PROSPECTIVE JUROR: I would say not.

7 THE COURT: No feeling one way or another?

8 PROSPECTIVE JUROR: No.

9 THE COURT: 24.

10 PROSPECTIVE JUROR: I will be honest the only  
11 contact I have with people of this background would probably  
12 be at Walmart. That's probably about it.

13 THE COURT: And have those interactions led you to  
14 any feelings for or against?

15 PROSPECTIVE JUROR: No, no.

16 THE COURT: 25, which is unconscious bias.

17 PROSPECTIVE JUROR: I know. I think I do have  
18 some bias, but I would -- I would -- I know that I need to  
19 set that aside if I were to become part of this -- this  
20 case.

21 THE COURT: Can you say more about that.

22 PROSPECTIVE JUROR: Well, I guess it's -- what's  
23 being presented is nothing to do with religion, or any of my  
24 feelings or fears or perceptions, those all need to be set  
25 aside, because we're dealing with people who are on a case

1 waiting to -- I mean, they're innocent until proven guilty.

2 THE COURT: I'm just going to come back to that  
3 one more time.

4 PROSPECTIVE JUROR: Okay.

5 THE COURT: Your feelings, fears, perceptions have  
6 to do with the religion itself, not the people who practice  
7 it. Is that a fair statement?

8 PROSPECTIVE JUROR: Can you repeat that again.

9 THE COURT: Your feelings, fears and prejudices  
10 have to do with the religion itself and not with the people  
11 who practice it.

12 PROSPECTIVE JUROR: Correct.

13 THE COURT: And I don't want to put words in your  
14 mouth. Is that a fair statement?

15 PROSPECTIVE JUROR: Yes, it is a fair statement.

16 THE COURT: And so then I'll ask you to read 25(b)  
17 and answer it.

18 PROSPECTIVE JUROR: I'm here to hear the evidence  
19 that is being put forth, so that way I have to set aside  
20 any -- I mean, I can't be biased.

21 THE COURT: And can you commit yourself to  
22 carefully evaluating the evidence and resisting any urge to  
23 reach a verdict influenced by any bias, either hidden or  
24 not? Can you commit yourself?

25 PROSPECTIVE JUROR: Yes, I can commit myself.

1 THE COURT: And 26(a). Are you able to apply the  
2 law as the court explains it to you?

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: And is there anything else you would  
5 like to call -- or you feel you need to call to the court's  
6 attention?

7 PROSPECTIVE JUROR: No.

8 THE COURT: Let me ask the attorneys if they have  
9 any follow-up.

10 **(Sidebar discussion)**

11 THE COURT: Any follow-up?

12 MR. SAPONE: Your Honor, I'm certainly not opposed  
13 to follow up, but I want to make a cause challenge. I don't  
14 think that follow up is necessary. I think that -- I can't  
15 even imagine being one of these defendants on trial and  
16 hearing the things that this prospective juror said.

17 One thing I will say right off the bat is that  
18 there's a recording that's going to come into evidence in  
19 this case where my client, Abdi Nur, and the government  
20 witness are speaking and my client says "Allah" more than  
21 once in the recording.

22 I could imagine if any of these defendants choose  
23 to testify, his religion is a very big part of his life and  
24 who he is, that will come into evidence as we talk about his  
25 background, and I think it's going to come into the case

1 anyway even if he doesn't testify. I think it's too  
2 dangerous to have this juror -- prospective juror sit in  
3 this case.

4 THE COURT: From the government?

5 MR. THOMPSON: Your Honor, this is, I think, a  
6 close call. She did say she judges the religion, not the  
7 people; and for better or worse, those beliefs are the  
8 tenets in many major world religions for those -- especially  
9 those who are devote, to believe that theirs is the one true  
10 religion. And I'm not sure that automatically precludes  
11 someone from serving on a jury.

12 THE COURT: I don't think that it does, but I  
13 think from my perception -- from a perception perspective  
14 and from the -- her mannerisms, she's working too hard to  
15 overcome, and, therefore, I'm going to grant the motion.

16 **(In open court)**

17 THE COURT: Thank you. I appreciate your candor  
18 and your time here. I'm going to excuse you.

19 PROSPECTIVE JUROR: Okay. Thank you.

20 THE COURT: Thank you.

21 So you've got -- do you have a -- you had two  
22 documents.

23 Is there someone she can hand those to?

24 COURTROOM DEPUTY: Right outside the door.

25 THE COURT: Right outside the door. You can hand

1 those to the person outside the door.

2 PROSPECTIVE JUROR: Thank you.

3 THE COURT: Thank you so much.

4 **(Prospective Juror Number 8 exits courtroom)**

5 THE COURT: And we're skipping Number 9 again. So  
6 the next one will be Number 10.

7 **(Prospective Juror Number 10 enters courtroom)**

8 THE COURT: Good afternoon. You are going to come  
9 around here and up to the witness stand.

10 You may have a seat there, and I'll have you speak  
11 into the microphone. This is Juror Number 10.

12 Can you tell us how old you are.

13 PROSPECTIVE JUROR: I am 39.

14 THE COURT: And you have that questionnaire in  
15 front of you, so I'm going to go down that list.

16 Question Number 2.

17 PROSPECTIVE JUROR: Just answer the question?

18 THE COURT: Yes, please.

19 PROSPECTIVE JUROR: No.

20 THE COURT: And Question Number 3, hearing of this  
21 case before today.

22 PROSPECTIVE JUROR: I have.

23 THE COURT: And can you tell us how?

24 PROSPECTIVE JUROR: Back when it was first  
25 announced months ago, whenever that was.

1 THE COURT: And what did you hear and how?

2 PROSPECTIVE JUROR: Like through the news, just  
3 that it was a case and things had happened, but I didn't  
4 read much or learn really much about it, kind of just moved  
5 on.

6 THE COURT: And do you recall what news outlet you  
7 heard that from?

8 PROSPECTIVE JUROR: That's a great question.  
9 Maybe the New York Times.

10 THE COURT: And where do you usually get your  
11 news?

12 PROSPECTIVE JUROR: Either MPR or NPR or the  
13 New York Times, maybe something on Instagram, and that's  
14 about it.

15 THE COURT: Star Tribune?

16 PROSPECTIVE JUROR: No.

17 THE COURT: And you heard that it was a case.  
18 What did you hear about the case?

19 PROSPECTIVE JUROR: I just heard that there had  
20 been -- and I could be wrong about this when I say this, so  
21 maybe I don't even know what I am talking about, but  
22 something about when the government was giving out lots of  
23 loans and that this organization here in the Twin Cities had  
24 taken a bunch of money, and there was some question of fraud  
25 and it shouldn't have happened. And that's, I guess, kind

1 of as far as I paid attention, to be honest.

2 THE COURT: And based on what you had heard, I'll  
3 ask you Question 3(b), whether you've developed an opinion  
4 on the guilt or innocence of these defendants.

5 PROSPECTIVE JUROR: I don't at all have enough  
6 information to have developed an opinion.

7 THE COURT: And so that may make 3(c) irrelevant.  
8 But can you set aside what you heard at the beginning of the  
9 case and decide the case only on what you hear in this  
10 courtroom?

11 PROSPECTIVE JUROR: Yes.

12 THE COURT: And then the Question 4 is a number of  
13 organizations and whether you've heard of them.

14 PROSPECTIVE JUROR: The only one that I think I've  
15 heard of was Feeding Our Future.

16 THE COURT: In what context?

17 PROSPECTIVE JUROR: I just recognize it. I  
18 honestly don't remember.

19 THE COURT: Question 5.

20 PROSPECTIVE JUROR: No to (a), no to (b), no to  
21 (c).

22 THE COURT: And Question 6.

23 PROSPECTIVE JUROR: I grew up mostly in St. Paul.  
24 And my parents were divorced, so one of them lived in  
25 Minneapolis, so I spent some time in Minneapolis as well.

1 And I currently live in Minneapolis.

2 THE COURT: And Question 7.

3 PROSPECTIVE JUROR: I have an undergrad degree  
4 from Drake University, and I have a master's of teaching  
5 from Hamline University. And I currently have a partner  
6 whose occupation, she is a lawyer.

7 THE COURT: And where is your partner a lawyer?

8 PROSPECTIVE JUROR: She works for the Minnesota  
9 Twins in the general counsel.

10 THE COURT: And is that -- how long has she done  
11 that?

12 PROSPECTIVE JUROR: She has been there going on  
13 three years.

14 THE COURT: And was she also a lawyer -- is that  
15 her first job out of law school, or has she done other  
16 things?

17 PROSPECTIVE JUROR: No. She's done other things  
18 prior to that.

19 THE COURT: What did she do?

20 PROSPECTIVE JUROR: She worked for Skadden for  
21 three years in M&A and --

22 THE COURT: Where was that?

23 PROSPECTIVE JUROR: In Chicago. She worked for  
24 another sports team prior in Memphis, Tennessee, before  
25 coming to the Twins.

1 THE COURT: So it sounds like she's a  
2 transactional lawyer, not a litigator?

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: And have you talked to her about your  
5 jury service or this case?

6 PROSPECTIVE JUROR: Just that I have jury duty.

7 THE COURT: Anything about what she does for a  
8 living that you think will impact your ability to be fair  
9 and impartial?

10 PROSPECTIVE JUROR: I think based on being advised  
11 that I'm not allowed to talk to her about it, then I think  
12 as long as I don't, there won't be a problem.

13 THE COURT: And can you follow that instruction?

14 PROSPECTIVE JUROR: I can.

15 THE COURT: Question 8.

16 PROSPECTIVE JUROR: No.

17 THE COURT: Question 9.

18 PROSPECTIVE JUROR: I am a sport climber. I like  
19 to walk. I ride my bike. I swim. I camp. I do not belong  
20 to any churches. Let's see. I like to read.

21 THE COURT: And what genre generally do you read?

22 PROSPECTIVE JUROR: Generally I like non-fiction,  
23 science stuff. I'm curious about that stuff.

24 THE COURT: Okay. And 10.

25 PROSPECTIVE JUROR: No.

1 THE COURT: 11, other than what we've talked about  
2 with respect to news, are there other things that you read  
3 on a regular basis; blogs, podcasts, et cetera?

4 PROSPECTIVE JUROR: No, not really, based on --  
5 other than what we've already talked about, no.

6 THE COURT: Number 12.

7 PROSPECTIVE JUROR: No.

8 THE COURT: Number 13.

9 PROSPECTIVE JUROR: Yes.

10 THE COURT: Who is that? Sorry. Do you know  
11 their number?

12 PROSPECTIVE JUROR: Yes. It's -- I think she's  
13 Juror 20.

14 THE COURT: And how do you know Juror 20?

15 PROSPECTIVE JUROR: Juror 20 was a mentor to me  
16 when I was a teacher approximately five years ago in a  
17 Minneapolis public school. I actually didn't recognize her  
18 at first. She came up to me and said, Oh, hey. And I was  
19 like, Oh, my God.

20 THE COURT: Okay. So let's pretend that you and  
21 Juror 20 are on a jury together. She was in a mentor  
22 relationship with you, so she'd been teaching longer than  
23 you?

24 PROSPECTIVE JUROR: No. She just was in a role  
25 that was supposed to help new teachers to the district.

1 THE COURT: Okay.

2 PROSPECTIVE JUROR: Yeah. So more like she was  
3 helping me understand how the district worked, rather than  
4 how teaching works.

5 THE COURT: And how long did she serve in that  
6 role for you?

7 PROSPECTIVE JUROR: Just a year.

8 THE COURT: Would serving on a jury with her lead  
9 you to -- lead her to have an undue influence on your  
10 opinions?

11 PROSPECTIVE JUROR: No.

12 THE COURT: And you said you didn't recognize her  
13 when you first saw her?

14 PROSPECTIVE JUROR: No, not at first.

15 THE COURT: Okay. So anything about that  
16 relationship you think that would prevent you both from  
17 serving on the jury?

18 PROSPECTIVE JUROR: No.

19 THE COURT: Anyone else that you recognized in the  
20 jury pool?

21 PROSPECTIVE JUROR: No.

22 THE COURT: Question 14, other than your partner  
23 who you've disclosed.

24 PROSPECTIVE JUROR: No.

25 THE COURT: Question 15.

1 PROSPECTIVE JUROR: No.

2 THE COURT: And Question 16.

3 PROSPECTIVE JUROR: No.

4 THE COURT: And 17.

5 PROSPECTIVE JUROR: Yes.

6 THE COURT: Who is that?

7 PROSPECTIVE JUROR: My mother's husband's son was  
8 a police officer.

9 THE COURT: Where?

10 PROSPECTIVE JUROR: In Florida.

11 THE COURT: For how long?

12 PROSPECTIVE JUROR: I want to say four years, four  
13 or five.

14 THE COURT: And what does he do now?

15 PROSPECTIVE JUROR: He works for NASA now.

16 THE COURT: Do you know for what organization he  
17 worked in Florida?

18 PROSPECTIVE JUROR: It would have been, I'm  
19 assuming, a local police department, I think.

20 THE COURT: Did you ever talk to him about his  
21 service?

22 PROSPECTIVE JUROR: Because he lives there and  
23 we're not friends, it was very -- like in passing.

24 THE COURT: Anything about that relationship that  
25 you think would lead you to be less than fair or impartial?

1 PROSPECTIVE JUROR: No.

2 THE COURT: And so then leading to that, would you  
3 read Question 18 and answer it.

4 PROSPECTIVE JUROR: No.

5 THE COURT: Question 19.

6 PROSPECTIVE JUROR: No.

7 THE COURT: And Question 20.

8 PROSPECTIVE JUROR: No.

9 THE COURT: 21.

10 PROSPECTIVE JUROR: I had an AmeriCorps grant that  
11 I got for two years. That's like the closest to government  
12 I would say I was ever. I was also an elementary teacher,  
13 so technically I suppose that makes me a government  
14 employee.

15 THE COURT: So let's go back to that. And when  
16 you answered Number 7, I was asking about your partner  
17 because she's a lawyer.

18 PROSPECTIVE JUROR: Mm-hmm.

19 THE COURT: We didn't talk about what you do and  
20 what you have done. Can you go through your employment  
21 history.

22 PROSPECTIVE JUROR: Sure. When I graduated  
23 college, I was an aquatics director at a swimming pool. So  
24 I ran programs, taught swimming lessons, swim team, things  
25 like that.

1           And then I joined Teach for America where I taught  
2           in two charter schools in St. Paul and then two Minneapolis  
3           public schools in Minneapolis for nine years.

4           And then after that, I became a business  
5           consultant where I led training sessions on change  
6           implementation in organizations. And currently I'm a  
7           facilitator at Wells Fargo.

8           THE COURT: So what does that role as a  
9           facilitator entail?

10          PROSPECTIVE JUROR: At Wells Fargo?

11          THE COURT: Yes.

12          PROSPECTIVE JUROR: So I am training -- if you  
13          walk into a Wells Fargo and you talk to a banker, I am the  
14          one who helps them understand how to do their jobs.

15          THE COURT: And can you say more about that.

16          PROSPECTIVE JUROR: I can kind of, because I  
17          started about two months ago, so I haven't like fully done  
18          it, but what I'm told I'm going to be doing and what I've  
19          learned about the curriculum is that I take them through how  
20          to use their systems, how to have conversations with  
21          incoming clients, how to file complaints, like just sort of  
22          their day-to-day work that they do.

23          THE COURT: When you worked -- how long did you  
24          work as a business consultant?

25          PROSPECTIVE JUROR: About seven years.

1 THE COURT: Okay. And what was that consultancy?

2 PROSPECTIVE JUROR: The organization's name was  
3 CultureRx.

4 THE COURT: And was it your company or somebody  
5 else's?

6 PROSPECTIVE JUROR: I was a 1099, and it's  
7 somebody else's.

8 THE COURT: Okay. How big a company is CultureRx?

9 PROSPECTIVE JUROR: Like seven people.

10 THE COURT: And you were a 1099 employee. What  
11 did you do for them?

12 PROSPECTIVE JUROR: I delivered their training  
13 sessions to organizations.

14 THE COURT: And what did the training sessions  
15 entail?

16 PROSPECTIVE JUROR: We took them through  
17 experiences to help them better understand their work  
18 environment and how they could be more productive, have  
19 better work/life balance, be more effective. So it was  
20 basically training to be better in the workplace, basically.

21 THE COURT: Did any of that training include bias  
22 training?

23 PROSPECTIVE JUROR: No.

24 THE COURT: More to do with  
25 effectiveness/efficiency?

1 PROSPECTIVE JUROR: We spent time unpacking  
2 beliefs about the work environment, not so much biases, but,  
3 for example, a belief about I owe my company time, rather  
4 than I owe them results of some kind. So we did training  
5 like that, so it's not so much bias, but we are examining  
6 mindsets around work.

7 THE COURT: Did that also have to do with  
8 consulting on how employees treat one another or interact  
9 with one another?

10 PROSPECTIVE JUROR: We talked about how to  
11 communicate between employees and how to be clear, but it  
12 wasn't the kind of communication where it's like  
13 anti-harassment training or that -- none of that.

14 THE COURT: And --

15 PROSPECTIVE JUROR: So not compliance stuff.

16 THE COURT: And why the switch from teaching to  
17 consultancy?

18 PROSPECTIVE JUROR: The opportunity presented  
19 itself for me to go do it, and teaching is broken and  
20 exhausting, and so I took the opportunity to try something  
21 new.

22 THE COURT: And then why the switch from the  
23 consultancy to Wells Fargo?

24 PROSPECTIVE JUROR: The consultancy is not doing  
25 well selling its product right now, and I need to pay my

1 bills.

2 THE COURT: Thank you.

3 Question Number 22.

4 PROSPECTIVE JUROR: So having been a teacher, my  
5 exposure to the Minnesota Department of Education was on a  
6 pretty like transactional basis.

7 THE COURT: So tell me about that.

8 PROSPECTIVE JUROR: So when I would renew my  
9 teaching license or I would need to attend a course, I would  
10 work through them to do those things.

11 THE COURT: Did you ever interact with the  
12 Minnesota Department of Education around the issue of school  
13 lunches, child nutrition, et cetera?

14 PROSPECTIVE JUROR: No.

15 THE COURT: And you did not work with the  
16 Minnesota Department of Education or in any teaching role  
17 during COVID?

18 PROSPECTIVE JUROR: During COVID for about three  
19 months, I was a long-term distance learning substitute for a  
20 Minneapolis public school teaching fifth grade.

21 THE COURT: In that role, did you have any  
22 interaction with the Minnesota Department of Education  
23 during COVID?

24 PROSPECTIVE JUROR: I think all of my interactions  
25 were actually just with the school in the district, because

1 there wasn't a need to interact with the department to be  
2 able to do the things they needed me to do.

3 THE COURT: And in working with the Minnesota  
4 Department of Education, have you formed any views about  
5 them as an organization?

6 PROSPECTIVE JUROR: Other than being frustrated by  
7 how slow the paperwork goes, no.

8 THE COURT: When you say teaching is broken, can  
9 you say a little bit about why you believe that.

10 PROSPECTIVE JUROR: Yes. I think this country  
11 struggles with a lot of our original sin in terms of how we  
12 see people, talking about bias and things like that. And I  
13 think that our system is continually underfunded with people  
14 who are underqualified to take care of the needs of the  
15 children that we serve. Our test scores show that  
16 constantly. Schools have a really hard time recruiting,  
17 et cetera, et cetera.

18 So it's unfortunately a very messy environment  
19 that a lot of people are trying to do good in, but the  
20 system seems to make things really difficult and  
21 challenging. Big class sizes, low pay. The teachers are  
22 about to go on strike again, so --

23 THE COURT: You talked about the country's  
24 original sin. Can you talk about how you think that weaves  
25 into education.

1 PROSPECTIVE JUROR: I think that when we think  
2 about our unconscious biases that we learned about in our  
3 training video when we came up here, I think we have  
4 predisposed beliefs about the genders or races or classes of  
5 the children that come into our classrooms, so kids  
6 empirically get treated differently based on those beliefs,  
7 and we have to work on those beliefs if we are going to  
8 change anything.

9 I think our schools do a fair job trying to  
10 mitigate that; but when I think about our larger society, I  
11 feel that we don't do a great job actually addressing some  
12 of the challenges that I mentioned in the school system.

13 THE COURT: Question Number 23.

14 PROSPECTIVE JUROR: I have -- no, no feelings in  
15 favor or against.

16 THE COURT: And 24.

17 PROSPECTIVE JUROR: My first three years as a  
18 teacher I worked in a charter school where my students were  
19 predominantly East African, almost all of them, so Somali  
20 and Oromo children.

21 THE COURT: And has that led you to any feelings  
22 for or against those folks as a community or generally?

23 PROSPECTIVE JUROR: No, other than I'm happy that  
24 they're here.

25 THE COURT: And you talked a little bit about

1 unconscious bias already. 25 gets at that. Could you just  
2 read 25(a) to yourself and answer that.

3 PROSPECTIVE JUROR: (a), yes.

4 THE COURT: And (b).

5 PROSPECTIVE JUROR: Yes.

6 THE COURT: And then 26.

7 PROSPECTIVE JUROR: Yes to (a). No to (b).

8 THE COURT: Thank you. Let me just consult with  
9 the attorneys for one moment.

10 **(Sidebar discussion)**

11 THE COURT: Any follow-up?

12 MR. SCHLEICHER: No, Your Honor.

13 THE COURT: Any motions for cause?

14 Thank you.

15 **(In open court)**

16 THE COURT: Thank you. I'm going to have you go  
17 to the courtroom next door. You will wait out the process.  
18 I appreciate your patience.

19 PROSPECTIVE JUROR: Okay. Sounds good.

20 THE COURT: Thank you.

21 **(Prospective Juror Number 10 exits courtroom)**

22 THE COURT: Let's go off the record.

23 **(Off-the-record discussion)**

24 THE COURT: All right. Thanks, everybody.

25 Have a good lunch. So that means 1:20-ish.

1 (Recess taken 12:37 p.m. till 1:25 p.m.)

2  
3 **IN OPEN COURT**

4 **(JURY PANEL NOT PRESENT)**

5 THE COURT: You may all be seated.

6 Before I call the next juror, I wanted to let you  
7 all know that the jurors for the most part are in a  
8 different -- who have been instructed to go to the next  
9 courtroom, some of them would prefer to be in the atrium  
10 where there is natural light. And given what we're imposing  
11 upon them, I okayed that.

12 So I will just ask you all to make sure that you  
13 are careful about what you say and where you say it so that  
14 you help our potential jurors to keep their oath not to hear  
15 anything about the case outside the courtroom.

16 Thank you.

17 MR. THOMPSON: Your Honor.

18 THE COURT: Yes.

19 MR. THOMPSON: If I may, I wonder if you, the  
20 court, would like to advise the potential jurors that we're  
21 not allowed to talk to them as the parties.

22 THE COURT: Did I not do that at the very  
23 beginning?

24 MR. THOMPSON: I don't remember whether you did or  
25 not, Your Honor, but we're seeing them all over and trying

1 not to be rude.

2 MR. ANDREW BIRRELL: I don't think you did. I was  
3 thinking the same thing.

4 THE COURT: Fair enough. I will do that. And  
5 then when the next group comes in, I will do that as a group  
6 as well.

7 Thank you.

8 MR. THOMPSON: Thank you, Your Honor.

9 THE COURT: Yes, thank you.

10 **(Prospective Juror Number 11 enters courtroom)**

11 THE COURT: Good afternoon. You may come forward,  
12 and I'll just have you come all the way up here to the  
13 witness stand.

14 PROSPECTIVE JUROR: Here?

15 THE COURT: Yes. You are Juror 11?

16 PROSPECTIVE JUROR: Yes.

17 THE COURT: All right. And you have the jury  
18 questionnaire in front of you?

19 PROSPECTIVE JUROR: Yes.

20 THE COURT: So I will ask you just to start by  
21 stating your age.

22 PROSPECTIVE JUROR: 48.

23 THE COURT: And Question Number 2.

24 PROSPECTIVE JUROR: I'm assuming it's a common  
25 name in Minnesota, but Susan Johnson is the name of my

1 mother's friend in North Dakota. She's in her 70s.

2 THE COURT: Not the same one I'm being informed.

3 All right.

4 PROSPECTIVE JUROR: I figured that would probably  
5 be the case.

6 THE COURT: There probably are a few of those  
7 around. Thank you.

8 And Number 3.

9 PROSPECTIVE JUROR: I have not heard of this case.

10 THE COURT: Not at all?

11 PROSPECTIVE JUROR: No.

12 THE COURT: And so then Number 4 asks about the  
13 organizations involved or that could be involved in the  
14 case.

15 PROSPECTIVE JUROR: And none of the names are  
16 familiar, no.

17 THE COURT: And Number 5.

18 PROSPECTIVE JUROR: English is great.

19 THE COURT: And Number 5(b) and (c) are whether  
20 you have any other physical or mental issues that might  
21 prevent or interfere with your jury service.

22 PROSPECTIVE JUROR: I don't believe so.

23 THE COURT: And Number 6.

24 PROSPECTIVE JUROR: I grew up in Stillwater,  
25 Minnesota, and I live in Lake City, Minnesota.

1 THE COURT: How long have you lived in Lake City?

2 PROSPECTIVE JUROR: Two years.

3 THE COURT: And where did you live before that?

4 PROSPECTIVE JUROR: Duluth.

5 THE COURT: And how long was that?

6 PROSPECTIVE JUROR: We were in Duluth for three  
7 years.

8 THE COURT: And then before that?

9 PROSPECTIVE JUROR: Hager City, Wisconsin.

10 THE COURT: And what had you moving around?

11 PROSPECTIVE JUROR: I took a job at the PBS  
12 affiliate in Duluth for a time.

13 THE COURT: And Number 7.

14 PROSPECTIVE JUROR: Okay. Oh, educational  
15 background and current occupation. So I am an independent  
16 documentary filmmaker. I make independent films, as well as  
17 I work with PBS stations as a producer and director and  
18 sometimes nonprofits for educational videos. And I've been  
19 doing this for over 20 years.

20 THE COURT: And your educational background.

21 PROSPECTIVE JUROR: A BA in political science and  
22 women's studies, minor in music.

23 THE COURT: Where did you go to school?

24 PROSPECTIVE JUROR: UMD.

25 THE COURT: And you've been doing this for

1 20 years. Ever worked with any of the news media outlets in  
2 the Twin Cities?

3 PROSPECTIVE JUROR: I have worked with PBS or TPT,  
4 as well as -- I haven't been an employee, but I have been in  
5 Our Town for MPR.

6 THE COURT: Okay. But fair to say, given that  
7 you've never heard of this case, that you've never worked on  
8 or talked with anyone from the media about this case?

9 PROSPECTIVE JUROR: Correct.

10 THE COURT: Okay. And how about spouse/partner?

11 PROSPECTIVE JUROR: My spouse is an IT consultant.  
12 He was laid off from a company called NetApp in December, so  
13 he is currently unemployed.

14 THE COURT: And how long did he work for that  
15 company?

16 PROSPECTIVE JUROR: Approximately 16 years.

17 THE COURT: Okay. And Question Number 8.

18 PROSPECTIVE JUROR: Yes, I have two children.  
19 They're 9 and 11 years old.

20 THE COURT: Question Number 9.

21 PROSPECTIVE JUROR: Hobbies and favorite  
22 activities. I'm in the -- well, besides filmmaking, which  
23 is a career, but also takes up a lot of my hobby time, I'm  
24 in a community choir. I'm on a couple of organizations,  
25 including the Documentary Producers Alliance. And I just

1 joined as an adviser for the advisory committee for Lake  
2 City Area Schools.

3 THE COURT: When did you join that committee for  
4 the schools?

5 PROSPECTIVE JUROR: I just sent -- just sent my  
6 letter to them accepting that I would do it last week. So  
7 we have not met yet.

8 THE COURT: And is that where your children go to  
9 school?

10 PROSPECTIVE JUROR: Correct.

11 THE COURT: Have you been involved with the  
12 schools before in a different role?

13 PROSPECTIVE JUROR: No. I have been involved in  
14 being an adjunct faculty for university-level training, but  
15 not with little kids.

16 THE COURT: And was your adjunct faculty, was that  
17 with documentary filmmaking?

18 PROSPECTIVE JUROR: Correct.

19 THE COURT: Okay. Any other organizations that  
20 I'm missing other than the Documentary Producers Alliance  
21 and the Lake City Area Schools committee?

22 PROSPECTIVE JUROR: I think that's pretty much it.

23 THE COURT: In your role as a parent of children  
24 in those schools, and then going forward perhaps or even in  
25 the past, have you had anything to do with programs that

1 have given children lunches or meals during COVID?

2 PROSPECTIVE JUROR: No.

3 THE COURT: Did your children during COVID receive  
4 meals through any different program other than their school?

5 PROSPECTIVE JUROR: No.

6 THE COURT: And Number 10.

7 PROSPECTIVE JUROR: Number 10. I do not believe I  
8 have any conflicts there.

9 THE COURT: Number 11.

10 PROSPECTIVE JUROR: I tend to monitor Minnesota  
11 Public Radio periodically, also a lot of film business  
12 blogs. This American Life; Death, Sex, Money, so I like the  
13 MPR podcasts.

14 THE COURT: And Number 12.

15 PROSPECTIVE JUROR: I have not served as a juror.

16 THE COURT: Number 13.

17 PROSPECTIVE JUROR: No, I don't know anybody out  
18 there.

19 THE COURT: And Number 14.

20 PROSPECTIVE JUROR: No, nobody in my family are  
21 lawyers, judges, or anything in the legal profession.

22 THE COURT: And how about Number 15.

23 PROSPECTIVE JUROR: In college I studied  
24 international and environmental law, just classes, and I was  
25 a member of the mock trial team.

1 THE COURT: Did you think you wanted to be a  
2 lawyer maybe?

3 PROSPECTIVE JUROR: Ever so briefly.

4 THE COURT: We're all going to refrain from  
5 commenting, all right?

6 In your international environmental law studies  
7 and in your mock trial team, you obviously learned things  
8 about how to act in a courtroom. Can you put those things  
9 aside and judge this case based solely on what you hear and  
10 see in this courtroom?

11 PROSPECTIVE JUROR: Absolutely.

12 THE COURT: And Question Number 16.

13 PROSPECTIVE JUROR: So I have been a defendant in  
14 a criminal case, and it was -- I was protesting land mine  
15 production before it was illegal -- or actually as it was  
16 illegal, and we were acquitted. This was '97. I was  
17 21 years old. And we were protesting land mine production,  
18 so -- but ultimately acquitted.

19 THE COURT: And where was that?

20 PROSPECTIVE JUROR: I think -- well, it was across  
21 the street.

22 THE COURT: Okay. So it was Hennepin County?

23 PROSPECTIVE JUROR: Yeah.

24 THE COURT: All right. Were you -- you were  
25 represented by an attorney or did you represent yourself?

1 PROSPECTIVE JUROR: It was a very large group of  
2 us. So there were attorneys. And I never testified or  
3 anything. There were other people in our group that  
4 testified.

5 THE COURT: And it went to trial?

6 PROSPECTIVE JUROR: It did go to trial. It was a  
7 jury trial.

8 THE COURT: Okay. Anything about that experience  
9 that you think will affect your ability to be fair and  
10 impartial here?

11 PROSPECTIVE JUROR: I don't believe so.

12 THE COURT: Okay. And if there were instructions  
13 given during that trial or things that you recall about that  
14 trial that are different from what happened here or what the  
15 procedures that are followed here, can you put those aside  
16 and follow the procedures here?

17 PROSPECTIVE JUROR: Absolutely.

18 THE COURT: Question 17.

19 PROSPECTIVE JUROR: Nobody in my family or  
20 close -- close world have been in law enforcement.

21 THE COURT: And Number 18, a related question.

22 PROSPECTIVE JUROR: I don't believe I hold any  
23 prejudices against law enforcement. I feel like they're  
24 humans and -- so I don't feel one way or another, really.

25 THE COURT: And so one way I like to put that is

1 that when they take the stand, they should begin with a  
2 blank slate in terms of credibility just like any other  
3 witness begins with a blank slate. Can you do that?

4 PROSPECTIVE JUROR: Absolutely.

5 THE COURT: Question 19.

6 PROSPECTIVE JUROR: I have not testified in court  
7 before.

8 THE COURT: And 20.

9 PROSPECTIVE JUROR: No, we didn't receive any  
10 meals during COVID.

11 THE COURT: And 21.

12 PROSPECTIVE JUROR: So I have a long history of  
13 working for nonprofits and government entities making  
14 videos. So the state contracts were with the Minnesota  
15 Department of Human Services and Wisconsin Department of  
16 Children and Families and -- yeah.

17 THE COURT: And those are contracts that you have  
18 individually as an independent filmmaker?

19 PROSPECTIVE JUROR: Through my production company,  
20 yes.

21 THE COURT: Do you own that company?

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: Are any of those nonprofits with the  
24 Minnesota Department of Education?

25 PROSPECTIVE JUROR: No.

1 THE COURT: Minnesota Department of Human  
2 Services, you've had interactions with them.

3 PROSPECTIVE JUROR: Correct. It was for  
4 disability employment.

5 THE COURT: And do you hold any particular view  
6 about any of those governmental entities that you think  
7 could affect your ability to judge government agencies here  
8 in this case?

9 PROSPECTIVE JUROR: I don't believe so.

10 THE COURT: And Question 23.

11 PROSPECTIVE JUROR: Department of Education or  
12 Department of Agriculture. No, I have not worked for  
13 either.

14 THE COURT: Okay. And that was 22. And not just  
15 working for them, but having exposure to those different  
16 agencies.

17 PROSPECTIVE JUROR: No.

18 THE COURT: Okay. And then Question Number 23.

19 PROSPECTIVE JUROR: No, I don't have any feelings  
20 in favor or against Islamic or Muslim folks. I feel like  
21 they're like everybody else.

22 THE COURT: And Number 24.

23 PROSPECTIVE JUROR: With my work with nonprofits,  
24 I have made a number of videos for organizations that work  
25 with the East African communities and Somali communities,

1 so -- and those have been very positive experiences.

2 THE COURT: Are there any particular nonprofits  
3 that you recall working with in that field or in that  
4 capacity?

5 PROSPECTIVE JUROR: Yeah, I was thinking about  
6 that outside because I figured that might get asked. The  
7 ones I can remember are CRF U.S.A., Community Reinvestment  
8 Fund; Wellshare International, Minnesota Council of  
9 Nonprofits, and the Sundance Family Foundation.

10 THE COURT: And question number 25 gets at  
11 unconscious bias. Could you answer 25(a) first.

12 PROSPECTIVE JUROR: I feel like this is a question  
13 I ask myself a lot, because I'm a documentary filmmaker, so  
14 it comes easily for me to kind of question where are my  
15 motivations and if it is tainted in some ways by my life  
16 experience. So I will -- I would do my best to go through  
17 that filter and remember that.

18 THE COURT: And you are comfortable committing  
19 yourself to thinking about that?

20 PROSPECTIVE JUROR: Absolutely.

21 THE COURT: And 25(b).

22 PROSPECTIVE JUROR: Yes, I can commit myself to  
23 evaluating the evidence and resisting any urge to reach a  
24 verdict influenced by hidden or unconscious bias.

25 THE COURT: And then 26(a).

1 PROSPECTIVE JUROR: Are you willing to apply the  
2 law as the court explains it to you? Yes.

3 THE COURT: And 26(b). Anything else you think  
4 ought to come to our attention?

5 PROSPECTIVE JUROR: I don't believe so.

6 THE COURT: Okay. Let me just consult with the  
7 attorneys for a moment.

8 **(Sidebar discussion)**

9 THE COURT: Any follow-up questions?

10 Okay. I'm hearing none.

11 Any motions for cause?

12 All right. Thank you.

13 **(In open court)**

14 THE COURT: So I'm going to ask you to go to the  
15 courtroom next door. You will wait out this process. I  
16 appreciate your patience.

17 And I'll let you know, if I didn't before, none of  
18 these folks can talk to you. They're restricted from doing  
19 so. They are not being rude. They just cannot talk to any  
20 jurors.

21 PROSPECTIVE JUROR: Okay.

22 THE COURT: All right. Thank you.

23 **(Prospective Juror Number 11 exits courtroom)**

24 **(Prospective Juror Number 12 enters courtroom)**

25 THE COURT: Good afternoon. You may come forward,

1 around the tables here and up to the witness stand, please.

2 You are Juror Number 12?

3 PROSPECTIVE JUROR: Juror Number 12.

4 THE COURT: All right. And you have that  
5 questionnaire in front of you?

6 PROSPECTIVE JUROR: I do.

7 THE COURT: All right. So I'll ask you first,  
8 sir, what is your age?

9 PROSPECTIVE JUROR: 63.

10 THE COURT: And then Question 2, whether you know  
11 anyone on that large list.

12 PROSPECTIVE JUROR: I do not.

13 THE COURT: And Question 3.

14 PROSPECTIVE JUROR: 3(a), I have read a little bit  
15 about it in the Star Tribune before the summons.

16 THE COURT: Okay. And is it just Star Tribune  
17 that you think you've read about it?

18 PROSPECTIVE JUROR: Yes.

19 THE COURT: Okay. And what do you remember  
20 reading?

21 PROSPECTIVE JUROR: It was a nonprofit that was  
22 allegedly sued by the government. That's all I -- all I  
23 remember.

24 THE COURT: Okay. And based on that, I'll have  
25 you answer 3(b), whether you've developed an opinion on the

1 guilt or innocence of these defendants.

2 PROSPECTIVE JUROR: I have not.

3 THE COURT: And if you are selected as a juror,  
4 will you be able to set aside anything that you've heard and  
5 judge this case only from what you hear and see in the  
6 courtroom?

7 PROSPECTIVE JUROR: Yes, I will.

8 THE COURT: And then Question 4 goes through a  
9 number of organizations.

10 PROSPECTIVE JUROR: I have not heard of any of  
11 these names until the jury summons.

12 THE COURT: And since the jury summons, have you  
13 been able to follow the instruction in there not to read the  
14 media?

15 PROSPECTIVE JUROR: I have not read anything after  
16 the jury summons.

17 THE COURT: And Question Number 5.

18 PROSPECTIVE JUROR: 5(a), I have no problem  
19 speaking or hearing English.

20 5(b), I have no problem reading or interfacing  
21 with or hearing English.

22 And (c), I have no physical or mental issues that  
23 would prevent me from serving.

24 THE COURT: Okay. And Question 6.

25 PROSPECTIVE JUROR: I grew up in Canyon, Texas,

1 and Ardmore, Oklahoma, and moved up here many years ago, and  
2 I live in Henderson, Minnesota, now.

3 THE COURT: And what precipitated your move up  
4 here?

5 PROSPECTIVE JUROR: I was going to graduate with a  
6 petroleum engineering degree into a big recession, and the  
7 college advisor advised me to switch careers, which I did,  
8 to electrical engineering and a job moved me up here.

9 THE COURT: And so that leads us to 7, which is  
10 your educational background and occupation.

11 PROSPECTIVE JUROR: A little bit of petroleum  
12 engineer, electrical engineering, software engineering. I  
13 recently graduated with a master's degree in cyber security.

14 THE COURT: And where did you do your undergrad?

15 PROSPECTIVE JUROR: Briefly at the University of  
16 Oklahoma, then Metro State here in St. Paul.

17 THE COURT: And right now are you in IT security?

18 PROSPECTIVE JUROR: I am.

19 THE COURT: And what are you doing?

20 PROSPECTIVE JUROR: I lead a team of cyber  
21 security engineers for a company or an organization called  
22 Campus Crusade for Christ or shorthanded Cru.

23 THE COURT: Okay. And is that organization based  
24 here?

25 PROSPECTIVE JUROR: They're based in Orlando,

1 Florida.

2 THE COURT: How big of an --

3 PROSPECTIVE JUROR: I work remotely. And how big  
4 is the organization? The U.S. size of the organization,  
5 which I'm primarily responsible for, is about 8,000 people,  
6 and then the worldwide organization is another approximately  
7 10,000 people.

8 THE COURT: And do you have a spouse or partner?

9 PROSPECTIVE JUROR: I'm married. I have three  
10 kids, which is a later question, I believe. My wife is  
11 retired. She retired four years ago from St. Louis Park  
12 Schools.

13 THE COURT: What did she do for St. Louis Park  
14 Schools?

15 PROSPECTIVE JUROR: She was the health aide for  
16 St. Louis Park Schools.

17 THE COURT: And what does that entail?

18 PROSPECTIVE JUROR: She would tell you it's -- she  
19 would jokingly say she was a school mom. She would patch  
20 skinned knees or call 911 if there was an emergency or  
21 respond to any medical emergencies on -- in the school.

22 THE COURT: Did she work out of a particular  
23 school?

24 PROSPECTIVE JUROR: The high school.

25 THE COURT: The high school. And was it always

1 with the high school?

2 PROSPECTIVE JUROR: She started or -- initially  
3 with Aquilla Elementary School, and at the request of her  
4 supervisor, moved to the high school, worked in the high  
5 school about ten years.

6 THE COURT: Thank you. All right. Question 8,  
7 your children.

8 PROSPECTIVE JUROR: I have three sons; ages 39, 38  
9 and 35. All three are married.

10 THE COURT. And what do they do?

11 PROSPECTIVE JUROR: My oldest son is in commercial  
12 real estate finance.

13 My middle son is currently unemployed, but he was  
14 the HR manager and HR manager for Hiniker snow plows.

15 And my youngest son -- my middle son is a  
16 manufacturing employee at Toro in southern Minnesota.

17 THE COURT: And what do their spouses do?

18 PROSPECTIVE JUROR: My oldest son's spouse works  
19 at the home. She is not employed outside the home.

20 My middle son's wife is a caregiver for an agency  
21 for adults with disabilities.

22 And then my youngest son's wife is a honors  
23 program teacher at Mankato State University.

24 THE COURT: And Question 9.

25 PROSPECTIVE JUROR: I do a lot of woodworking.

1 I'm growing an apple orchard in Henderson. I moved out to  
2 Henderson to grow apple trees. And I play a lot with  
3 computers being in the industry I'm in.

4 THE COURT: And do you belong to a church?

5 PROSPECTIVE JUROR: I do. Oxboro Evangelical Free  
6 Church. The organization I work for would also be  
7 considered a church.

8 THE COURT: And Question Number 10.

9 PROSPECTIVE JUROR: I have no religious,  
10 philosophical or other beliefs that would make me unfair or  
11 render me impartial. So I would say no.

12 THE COURT: Question 11.

13 PROSPECTIVE JUROR: I'm a news hog. I scan lots  
14 of news articles, headlines. I primarily scan the headlines  
15 of the Washington Post; Dallas Morning News; San Francisco  
16 Chronicle; Star Tribune; O'Reilly, which is a tech  
17 publication; and The Register, which is another tech  
18 publication.

19 THE COURT: Do you have subscriptions to all of  
20 those?

21 PROSPECTIVE JUROR: I do not.

22 THE COURT: Okay. So you are sort of scanning as  
23 you go through a social media feed, or how do you do that?

24 PROSPECTIVE JUROR: Most of those will all have  
25 free headline newsletters that they will send out, and then

1 they will give you one or two or three free articles a month  
2 to read, and so I just scan the headlines.

3 THE COURT: Okay. Question Number 12.

4 PROSPECTIVE JUROR: I have not served on a jury  
5 before.

6 THE COURT: And 13.

7 PROSPECTIVE JUROR: I do not know any of the  
8 fellow jurors I have met today.

9 THE COURT: And how about 14, anybody who are  
10 lawyers or employed in the legal profession.

11 PROSPECTIVE JUROR: My grandfather was an attorney  
12 all of his career. He's deceased and no longer with us.  
13 And I work closely with corporate attorneys in my role, so I  
14 wouldn't call them close friends, but I'm very acquainted  
15 with them.

16 THE COURT: What did your grandfather do as an  
17 attorney? What kind of law did he practice?

18 PROSPECTIVE JUROR: The end of his career he was a  
19 private attorney, but he was a district attorney for many of  
20 his years.

21 THE COURT. And where was that?

22 PROSPECTIVE JUROR: Canyon, Texas.

23 THE COURT: Canyon, Texas. Did you ever talk to  
24 him about being a district attorney?

25 PROSPECTIVE JUROR: Very briefly.

1 THE COURT: Okay. So district attorney is a  
2 prosecutor. This case is brought by federal prosecutors.  
3 Everyone is going to want to know, given your grandfather's  
4 occupation, whether you can be fair to both sides.

5 PROSPECTIVE JUROR: I believe so.

6 THE COURT: And so let me probe that a little bit,  
7 because that wasn't an unqualified yes.

8 You understand that all the defendants here are  
9 presumed innocent.

10 PROSPECTIVE JUROR: Yes, ma'am.

11 THE COURT: And can you presume that they are  
12 innocent?

13 PROSPECTIVE JUROR: Yes, ma'am.

14 THE COURT: And when I tell you that the burden is  
15 on the government to prove the case beyond a reasonable  
16 doubt as to each defendant, can you hold them to that  
17 burden?

18 PROSPECTIVE JUROR: Yes, ma'am.

19 THE COURT: Question 15.

20 PROSPECTIVE JUROR: I worked as a police  
21 dispatcher for the University of Oklahoma for two years  
22 while I was in college, so I went through various training  
23 programs there.

24 And as part of my cyber security training, there  
25 has been some evidence handling -- classes on how to handle

1 evidence.

2 And then in school, I've also taken ethics and law  
3 in cyber security a couple of different times.

4 THE COURT: Okay. You've learned things about  
5 handling evidence and learned things about police procedure  
6 during all those I'm taking? Is that about right?

7 PROSPECTIVE JUROR: Yes.

8 THE COURT: Okay. And so my question is whether  
9 you can put those things aside, what you've learned, if  
10 there's something here different? In other words, if I tell  
11 you that the law is one way and you think it might be  
12 another way because of what you learned, can you follow the  
13 law that I give you?

14 PROSPECTIVE JUROR: Yes, ma'am.

15 THE COURT: And Question 16.

16 PROSPECTIVE JUROR: When we first -- my wife and I  
17 were first married, our house was burglarized and that was  
18 reported to the police. That's the only answer I have  
19 there.

20 THE COURT: Okay.

21 PROSPECTIVE JUROR: And it was handled fairly.

22 THE COURT: And Question 17.

23 PROSPECTIVE JUROR: Let's see. My mom was briefly  
24 married to a highway patrolman in Oklahoma. My dad's  
25 brother worked for the secret service. My aunt's husband

1 was a New Mexico basically highway patrolman who went after  
2 cattle rustlers. And I have a friend who works at the Eden  
3 Prairie Police Department as a volunteer.

4 THE COURT: When your mother was married to the  
5 highway patrol officer, did you talk to him about his job?

6 PROSPECTIVE JUROR: I did not.

7 THE COURT: Okay.

8 PROSPECTIVE JUROR: I did not live in the home at  
9 the time.

10 THE COURT: And how about your uncle who worked  
11 for the secret service? Did you talk to him about his job?

12 PROSPECTIVE JUROR: Nope.

13 THE COURT: Aunt's husband?

14 PROSPECTIVE JUROR: I did, and I did some  
15 ridealongs with him.

16 THE COURT: Okay. Do you think that will -- what  
17 you -- anything dramatic that you saw during the ridealongs  
18 that you think might be relevant to jury service?

19 PROSPECTIVE JUROR: I do not.

20 THE COURT: What did you see?

21 PROSPECTIVE JUROR: It was a lot of boring driving  
22 around, inspecting cattle, and making sure there was a  
23 certificate for transport for the cattle he was -- he was  
24 stopping.

25 THE COURT: And your friend with Eden Prairie,

1 still with Eden Prairie?

2 PROSPECTIVE JUROR: He volunteers there, yes.

3 THE COURT: Volunteers. Okay. In what capacity  
4 does he volunteer?

5 PROSPECTIVE JUROR: He volunteers at community  
6 organizations when they need a uniform at a park or at an  
7 activity. We stop by and see him a lot of times.

8 THE COURT: Is he a prior -- was he a prior sworn  
9 officer?

10 PROSPECTIVE JUROR: No, he was not.

11 THE COURT: Okay. Do you know his training to be  
12 a volunteer?

13 PROSPECTIVE JUROR: I do not.

14 THE COURT: Okay. And so that's quite a few, you  
15 know, folks that you know who are in law enforcement or  
16 volunteer for it.

17 When a law enforcement officer takes the stand, do  
18 you have any prejudices either for or against those  
19 officers?

20 PROSPECTIVE JUROR: I do not.

21 THE COURT: Okay. So you can treat those like any  
22 other witnesses?

23 PROSPECTIVE JUROR: Yes, ma'am.

24 THE COURT: Question Number 19.

25 PROSPECTIVE JUROR: I have not testified in court.

1 THE COURT: And Number 20.

2 PROSPECTIVE JUROR: Nope to Number 20.

3 THE COURT: Do you know if when your wife was  
4 working for the St. Louis Park Schools, whether she had any  
5 role in nutrition programs for children?

6 PROSPECTIVE JUROR: She may have peripherally, but  
7 it wasn't directly part of her job.

8 THE COURT: Did she ever talk to you about any of  
9 that?

10 PROSPECTIVE JUROR: Not that I can remember.

11 THE COURT: Okay. And Question 21.

12 PROSPECTIVE JUROR: I have volunteered for an  
13 organization called Repowered, which used to be called Tech  
14 Dump. I was a board member there for eight years and  
15 chairman of the board for two years.

16 THE COURT: What does that organization do?

17 PROSPECTIVE JUROR: It recycles electronics and  
18 hires previously incarcerated people to work the assembly  
19 line and train them on how to transition from the  
20 incarceration to full-time employment. How to show up on  
21 time, how to take feedback on the workers line.

22 THE COURT: Is that a local organization?

23 PROSPECTIVE JUROR: It is, based in St. Paul.

24 THE COURT: Where -- St. Paul. And how long did  
25 you serve in -- as a volunteer there and on the board?

1 PROSPECTIVE JUROR: Eight years.

2 THE COURT: And when was that?

3 PROSPECTIVE JUROR: My last -- my last -- I ended  
4 it on December 31st of last year.

5 THE COURT: So 2023?

6 PROSPECTIVE JUROR: Yes.

7 THE COURT: Question 22.

8 PROSPECTIVE JUROR: I worked for Cargill for many  
9 years, and USDA was quite prevalent in many of our  
10 production facilities.

11 THE COURT: What did you do for Cargill?

12 PROSPECTIVE JUROR: I started out in software  
13 development, did network engineering, PC computer  
14 management, cyber security, architecture for their  
15 technologies.

16 THE COURT: Do you have any views about the USDA  
17 as an agency that you think would affect your ability to be  
18 fair and impartial here?

19 PROSPECTIVE JUROR: I do not.

20 THE COURT: And no contact with the Minnesota  
21 Department of Education?

22 PROSPECTIVE JUROR: Other than going to the  
23 university -- Metro State University and getting my college  
24 degree there.

25 THE COURT: Question 23.

1 PROSPECTIVE JUROR: I don't have against or favor  
2 Islam or Muslims.

3 THE COURT: And how about Question 24.

4 PROSPECTIVE JUROR: A limited exposure. My son  
5 played on the basketball team at St. Louis Park, and there  
6 was I believe some Somali kids on the basketball team.

7 THE COURT: Anything about that experience that  
8 leads you to any biases or feelings?

9 PROSPECTIVE JUROR: Nope.

10 THE COURT: And then Question 25 gets at  
11 unconscious biases. And could you answer 25(a) first.

12 PROSPECTIVE JUROR: Yes, if I'm selected as a  
13 juror, I'm comfortable committing myself to thinking  
14 unbiasedly as best I can.

15 THE COURT: And Question 25(b).

16 PROSPECTIVE JUROR: Once again, I feel like I can  
17 be unbiased and will check my hidden and unconscious biases.

18 THE COURT: And then Question 26(a). Are you  
19 willing to apply the law as I give it to you?

20 PROSPECTIVE JUROR: Yes, ma'am.

21 THE COURT: And can you think of anything else  
22 that you need to draw to the court's attention?

23 PROSPECTIVE JUROR: No, ma'am.

24 THE COURT: Okay. Let me just consult with the  
25 attorneys for a moment.

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**(Sidebar discussion)**

THE COURT: Any follow-up questions?

MR. SCHLEICHER: Your Honor, Steve Schleicher on behalf of Said Farah.

I would ask that you ask the potential juror if his job in cyber security has ever resulted in him having to work with law enforcement on a particular matter.

THE COURT: And, Mr. Sapone, you had one as well?

MR. SAPONE: Yes, Your Honor.

His wife's job involved responding to emergencies among school children. This case involves issues related to a food program and school-age children. Would you be able to sit on this case without thinking about how your wife may feel if she were to learn from news reports about allegations that involve the distribution of food to school-age children? Could you assure us that you won't discuss the case with your wife?

And I have another one.

THE COURT: Go ahead.

MR. SAPONE: You served as a volunteer that involved people who have had contact with the criminal justice system. Anything about that experience that might have shaped your opinions about people who have had such contact? Could your experiences have affected your ability to be fair and impartial here?

1 THE COURT: Thank you.

2 Anyone else?

3 And based on what we know now, any motions for  
4 cause?

5 I'll ask for a raise of hands then at the end of  
6 my questioning.

7 **(In open court)**

8 THE COURT: A few follow-ups from the attorneys.

9 Has your job in cyber security ever resulted in  
10 you having contact with law enforcement?

11 PROSPECTIVE JUROR: Yes.

12 THE COURT: And can you tell us about that?

13 PROSPECTIVE JUROR: I worked for SuperValu, which  
14 also owns Cub Foods, which processes credit cards. Our  
15 credit card terminals were often tampered with; and when  
16 those were tampered with, we would take them off the cash  
17 register, seal them up and then contact the FBI to see if  
18 they were interested in examining those devices or not.

19 THE COURT: Who was responsible for contacting the  
20 FBI?

21 PROSPECTIVE JUROR: I was. Well, our attorney --  
22 through our attorney. Everything worked through our company  
23 attorney.

24 THE COURT: So in terms of speaking with an FBI  
25 agent, did you ever do that personally?

1 PROSPECTIVE JUROR: I did.

2 THE COURT: Okay. Do you remember any FBI agents  
3 you spoke to personally?

4 PROSPECTIVE JUROR: I do not.

5 THE COURT: Okay. You didn't recognize any of the  
6 names that were on the witness list?

7 PROSPECTIVE JUROR: I did not. And I no longer  
8 have access to my notes at SuperValu since I no longer work  
9 there.

10 THE COURT: And do you have any generalized views  
11 about the way the FBI responded that would lead you to being  
12 in favor or against a law enforcement officer, particularly  
13 an FBI officer, who would take the stand?

14 PROSPECTIVE JUROR: I do not.

15 THE COURT: And this is going back to something we  
16 discussed earlier, but when you would take that terminal --  
17 or when your team would take that terminal and package it  
18 up, I assume that was related to or pursuant to evidentiary  
19 handling instructions that you had been given?

20 PROSPECTIVE JUROR: Correct.

21 THE COURT: All right. And so --

22 PROSPECTIVE JUROR: Under advice of our attorney.

23 THE COURT: Okay. And you worked closely with  
24 your attorney about that?

25 PROSPECTIVE JUROR: Correct.

1 THE COURT: Okay. And, again, if there are  
2 evidentiary handling issues in this case, can you treat them  
3 as according to what you learn in this courtroom and set  
4 aside your experiences or what your attorney may have told  
5 you is the law?

6 PROSPECTIVE JUROR: Yes, ma'am.

7 THE COURT: And you said that your wife was  
8 involved in dealing with emergencies with children, and  
9 obviously as a mom or as a school mom, as you described it,  
10 she feels strongly about the children or might.

11 The question here is this case involves issues  
12 related to a food program for children. And are you able to  
13 sit on this case without thinking about how your wife might  
14 respond emotionally or otherwise to the fact that children  
15 may have been affected?

16 PROSPECTIVE JUROR: Yes, ma'am.

17 THE COURT: And can you follow the court's  
18 instruction not to discuss the case with your wife?

19 PROSPECTIVE JUROR: Yes, ma'am.

20 THE COURT: And you also served on the board -- I  
21 want to just go back to the organization and the board that  
22 hires formerly incarcerated individuals.

23 PROSPECTIVE JUROR: Repowered and Tech Dump.

24 THE COURT: Yes. Thank you.

25 Is there anything about that experience that may

1 have shaped your opinions about people who have been  
2 affected by the criminal justice system that you think could  
3 affect your ability to be fair and impartial here?

4 PROSPECTIVE JUROR: I believe I could be fair and  
5 impartial. It is definitely a difficult transition for  
6 people to make from being previously incarcerated to not  
7 being, and so it's a tough transition. And everything we  
8 could do to help them was I think a good thing to do for  
9 them, but it would not prejudice me one way or another here.

10 THE COURT: Thank you.

11 One more.

12 **(Sidebar discussion)**

13 THE COURT: Mr. Birrell.

14 MR. IAN BIRRELL: Just a brief follow-up question,  
15 if the court permits.

16 I'm wondering whether Your Honor would consider  
17 asking whether he was in the military or otherwise had a  
18 security clearance; but barring an answer to that, we don't  
19 have a challenge for cause as it stands.

20 THE COURT: Okay. Any other challenges for cause?

21 **(In open court)**

22 THE COURT: Sir, were you ever in the military?

23 PROSPECTIVE JUROR: No, I was not.

24 THE COURT: Okay. And you otherwise had a  
25 security clearance?

1 PROSPECTIVE JUROR: In one of my jobs I went  
2 through the Department of Energy's security clearance  
3 program, but I left that job before it was issued.

4 THE COURT: Okay. And did one have anything to do  
5 with the other?

6 PROSPECTIVE JUROR: No.

7 THE COURT: In other words, you weren't concerned  
8 about getting the security clearance?

9 PROSPECTIVE JUROR: I was not.

10 THE COURT: Okay. You left that for other  
11 reasons?

12 PROSPECTIVE JUROR: I was traveling too much.

13 THE COURT: Okay. All right. That's all I have.

14 So I'm going to ask you to go to the next -- to  
15 the courtroom over. You're just going to wait. It's part  
16 of the process. And we really appreciate your answers and  
17 your patience. Thank you.

18 **(Prospective Juror Number 12 exits courtroom)**

19 **(Prospective Juror Number 13 enters courtroom)**

20 THE COURT: Good afternoon. Come on forward  
21 around the tables here.

22 PROSPECTIVE JUROR: Okay. Do I just --

23 THE COURT: Yeah, you're just going to come on up  
24 to the witness stand.

25 PROSPECTIVE JUROR: Okay.

1 THE COURT: It's just like you're a witness.

2 And you are Juror Number 13?

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: Okay. How old are you?

5 PROSPECTIVE JUROR: 20.

6 THE COURT: Nervous?

7 PROSPECTIVE JUROR: Yeah.

8 THE COURT: Okay. It's easier than you might  
9 think.

10 All right. Here's what we're going to do. I'm  
11 going to go through the questions that you have in front of  
12 you on the trial questionnaire.

13 PROSPECTIVE JUROR: Okay.

14 THE COURT: I'm probably not going to read all of  
15 them out loud. I'll just have you read them to yourself --

16 PROSPECTIVE JUROR: Okay.

17 THE COURT: -- and answer them, and then I'll have  
18 some follow-ups for you.

19 PROSPECTIVE JUROR: Okay.

20 THE COURT: All right. So Number 2.

21 PROSPECTIVE JUROR: Okay. I do not know any of  
22 the potential witnesses, defendants, or staff.

23 THE COURT: And how about Number 3?

24 PROSPECTIVE JUROR: I have not heard anything  
25 about this case outside of what was sent to me.

1 THE COURT: So you didn't read any media about the  
2 case before you got your jury summons?

3 PROSPECTIVE JUROR: No.

4 THE COURT: And Number 4 asks you about a number  
5 of organizations.

6 PROSPECTIVE JUROR: Mm-hmm.

7 THE COURT: Have you heard of any of those?

8 PROSPECTIVE JUROR: No, I have not.

9 THE COURT: And Number 5.

10 PROSPECTIVE JUROR: I do speak English, and I have  
11 no difficulty reading, understanding or speaking English.

12 THE COURT: And then 5(b) and (c) are whether you  
13 have any other problems, mental or physical, that might  
14 prevent you from serving.

15 PROSPECTIVE JUROR: Not that I'm aware of, no.

16 THE COURT: Okay. And Number 6.

17 PROSPECTIVE JUROR: I grew up in Becker,  
18 Minnesota, and I currently live in Becker, Minnesota.

19 THE COURT: And do you live still at home with  
20 your parents?

21 PROSPECTIVE JUROR: Yes.

22 THE COURT: Okay. And what do they do?

23 PROSPECTIVE JUROR: My dad is a parole officer,  
24 and my mom is a licensed practical nurse.

25 THE COURT: And where does -- what organization

1 does your dad work for?

2 PROSPECTIVE JUROR: He's a part of Hennepin  
3 County.

4 THE COURT: In county corrections?

5 PROSPECTIVE JUROR: I think so. I could be wrong.

6 THE COURT: Do you talk -- how long has he been a  
7 parole officer?

8 PROSPECTIVE JUROR: Probably like -- I would say  
9 at least ten years.

10 THE COURT: Okay. Do you know what he did before  
11 that?

12 PROSPECTIVE JUROR: Corrections.

13 THE COURT: And do you talk to him about his  
14 cases?

15 PROSPECTIVE JUROR: No. I -- I know what he does,  
16 and I know that sometimes it can affect, you know, him, just  
17 the type of clientele he works with, but we don't typically  
18 discuss his cases in-depth.

19 THE COURT: And does he have a specialty in terms  
20 of the type of clientele he works with?

21 PROSPECTIVE JUROR: Yes.

22 THE COURT: What is that?

23 PROSPECTIVE JUROR: Sex offenders.

24 THE COURT: And has that been a specialty of his  
25 for a while?

1 PROSPECTIVE JUROR: Since he started parole, yes.

2 THE COURT: Do you know whether he had a specialty  
3 when he was in corrections?

4 PROSPECTIVE JUROR: I'm not aware if he did or  
5 not.

6 THE COURT: And was he working in a facility or  
7 outside a facility when he worked in corrections?

8 PROSPECTIVE JUROR: Inside a facility.

9 THE COURT: Do you know which facility?

10 PROSPECTIVE JUROR: No, but I do know it was also  
11 affiliated with Hennepin County.

12 THE COURT: And as a part of his role, he works  
13 with individuals who have been incarcerated?

14 PROSPECTIVE JUROR: Mm-hmm.

15 THE COURT: Have you talked to him about how that  
16 affects him?

17 PROSPECTIVE JUROR: Yes.

18 THE COURT: Okay. Is there anything about his  
19 work with formerly incarcerated individuals that you think  
20 would lead you to be in favor of one side or another in a  
21 criminal case?

22 PROSPECTIVE JUROR: It is possible, yes.

23 THE COURT: So talk to me about that.

24 PROSPECTIVE JUROR: I guess I really haven't  
25 thought about it too much. I guess maybe more of like an

1 unconscious bias. Yeah, I --

2 THE COURT: And so unconscious bias in favor of  
3 what?

4 PROSPECTIVE JUROR: In -- in favor of like if  
5 someone does something wrong, there is usually some sort of,  
6 like, consequence to that.

7 THE COURT: Okay. All right. I'm going to take  
8 just a brief sidebar with just the juror. Okay?

9 Can we have a white noise?

10 **(Sidebar between the court and prospective juror)**

11 **(In open court)**

12 THE COURT: I'm excusing Juror Number 13.

13 Thank you so much for being here today.

14 PROSPECTIVE JUROR: Yes. Thank you.

15 **(Prospective Juror Number 13 exits courtroom)**

16 THE COURT: Can I have a sidebar with the  
17 attorneys, please?

18 **(Sidebar discussion)**

19 THE COURT: Juror Number 13 disclosed some  
20 significant mental health issues that would preclude her  
21 from -- I think, from being in a courtroom for an extended  
22 period of time. It wasn't just this today, but it was -- I  
23 think it was probably going to affect her throughout and  
24 therefore I excused her.

25 **(In open court)**

1                   **(Prospective Juror Number 14 enters courtroom)**

2                   THE COURT: Good afternoon. Come on forward and  
3 around the tables and up to the witness stand, if you would.

4                   Hi. You are Juror Number 14?

5                   PROSPECTIVE JUROR: Yep.

6                   THE COURT: All right. Could you say how old you  
7 are?

8                   PROSPECTIVE JUROR: I am 27 years old.

9                   THE COURT: And so you've got that jury trial  
10 questionnaire in front of you. I'm just going to ask you by  
11 number, the answers. I may follow up or paraphrase as we go  
12 through.

13                  But Number 2.

14                  PROSPECTIVE JUROR: I do not believe I am familiar  
15 with anybody on those lists.

16                  THE COURT: All right. And Number 3.

17                  PROSPECTIVE JUROR: No, I had no prior knowledge  
18 before receiving the letter in the mail.

19                  THE COURT: And then Number 4 lists a number of  
20 organizations.

21                  PROSPECTIVE JUROR: I'd heard of two, Summer Food  
22 Service Program and Child and Adult Care Food Program, but I  
23 don't know really anything about them.

24                  THE COURT: Okay. Where do you think you've heard  
25 of those?

1 PROSPECTIVE JUROR: Nowhere in particular. I -- I  
2 think just growing up in the community, things like that.

3 THE COURT: Okay. So having nothing to do with a  
4 case, but being aware of those programs as you grew up?

5 PROSPECTIVE JUROR: Yep.

6 THE COURT: Okay. And did you or anyone in your  
7 family take -- were recipients of those programs?

8 PROSPECTIVE JUROR: No.

9 THE COURT: And Question 5 is reading and writing  
10 in English and listening to English. Any problems with  
11 that?

12 PROSPECTIVE JUROR: Nope.

13 THE COURT: Okay. And (b) and (c) are whether you  
14 have any other physical or mental issues that would prevent  
15 you from serving.

16 PROSPECTIVE JUROR: Nope.

17 THE COURT: Question 6.

18 PROSPECTIVE JUROR: I was born and raised in  
19 Cottage Grove, Minnesota, and I currently live in Mendota  
20 Heights right now.

21 THE COURT: How long have you lived in Mendota  
22 Heights?

23 PROSPECTIVE JUROR: I've lived there about three  
24 years now. Three years.

25 THE COURT: Three years, okay.

1 PROSPECTIVE JUROR: Yep.

2 THE COURT: And where did you live before that?

3 PROSPECTIVE JUROR: West St. Paul.

4 THE COURT: And Question 7.

5 PROSPECTIVE JUROR: I have a high school diploma.  
6 I did go to community college, but I did not get my  
7 associate's. I'm currently -- I work for a trucking company  
8 in Eagan, Minnesota. The title is terminal manager, which  
9 is basically the general manager of the operation, and  
10 that's -- I've been there for about five years now.

11 THE COURT: And what did you do before that?

12 PROSPECTIVE JUROR: I worked at Target as a -- in  
13 our grocery department stocking food.

14 THE COURT: And you are able to be away from work  
15 to serve as a juror in this case?

16 PROSPECTIVE JUROR: Yep.

17 THE COURT: And how about spouse/partner?

18 PROSPECTIVE JUROR: I do not have any.

19 THE COURT: Okay. And Number 8, children?

20 PROSPECTIVE JUROR: Nope.

21 THE COURT: Number 9.

22 PROSPECTIVE JUROR: Mostly sports-related stuff.  
23 Growing up I played sports in high school, still follow  
24 pretty consistently.

25 THE COURT: Follow sports teams?

1 PROSPECTIVE JUROR: Yep, yep. So a lot of  
2 Minnesota sports teams; Timberwolves, Twins, Vikings. Yeah,  
3 and just playing sports in general.

4 THE COURT: Okay. And how about any organizations  
5 or groups or churches that you belong to now.

6 PROSPECTIVE JUROR: I was raised in a Christian  
7 household, but I do not currently attend church.

8 THE COURT: And any other organizations or groups?

9 PROSPECTIVE JUROR: Nope.

10 THE COURT: And what did your parents do?

11 PROSPECTIVE JUROR: Their occupation?

12 THE COURT: Yeah.

13 PROSPECTIVE JUROR: My dad is in IT, and my mom  
14 was a stay-at-home mom.

15 THE COURT: And how about Question Number 10?

16 PROSPECTIVE JUROR: No, no.

17 THE COURT: And Question 11. Where do you get  
18 your news?

19 PROSPECTIVE JUROR: I don't really see any local  
20 news at all. It's just anything -- maybe national  
21 headlines, but I don't tend to get a whole lot of news. I  
22 don't have any social media of any kind.

23 THE COURT: You listen to podcasts?

24 PROSPECTIVE JUROR: I do.

25 THE COURT: What are those?

1 PROSPECTIVE JUROR: Joe Rogan podcasts, primarily.

2 THE COURT: And blogs or internet sites you go to  
3 on a regular basis? I'm going to guess ESPN.

4 PROSPECTIVE JUROR: Yeah.

5 THE COURT: Okay.

6 PROSPECTIVE JUROR: Yeah, sports stuff, but pretty  
7 that's it. I don't really read the news too much.

8 THE COURT: And no subscriptions to any magazines  
9 or newspapers?

10 PROSPECTIVE JUROR: Nope.

11 THE COURT: And Number 12.

12 PROSPECTIVE JUROR: I have not.

13 THE COURT: Number 13.

14 PROSPECTIVE JUROR: No, I do not know of anybody.

15 THE COURT: Number 14.

16 PROSPECTIVE JUROR: Nope.

17 THE COURT: Number 15.

18 PROSPECTIVE JUROR: Nope.

19 THE COURT: And 16.

20 PROSPECTIVE JUROR: Nope.

21 THE COURT: 17.

22 PROSPECTIVE JUROR: Nope.

23 THE COURT: And 18. Can you treat law enforcement  
24 officers just as you treat any other witness?

25 PROSPECTIVE JUROR: Yep, absolutely.

1 THE COURT: And Number 19.

2 PROSPECTIVE JUROR: I have not.

3 THE COURT: And Number 20.

4 PROSPECTIVE JUROR: To the best of my knowledge,  
5 no, I do not believe anybody has.

6 THE COURT: Okay. 21.

7 PROSPECTIVE JUROR: I have not.

8 THE COURT: 22.

9 PROSPECTIVE JUROR: Nope.

10 THE COURT: 23.

11 PROSPECTIVE JUROR: Raised -- like I said, my  
12 parents, they taught me to treat everybody fairly and judge  
13 them off of their merits and character. And I don't have  
14 any biases in any way for any -- the Islamic faith or  
15 Muslims.

16 THE COURT: And 24.

17 PROSPECTIVE JUROR: Yeah, growing up there was --  
18 you know, didn't have the largest Somali community where I  
19 grew up, but we did have some classmates, so I had some  
20 friends growing up that were Somali.

21 And then in my job right now, I do work with a  
22 handful of East African gentlemen.

23 THE COURT: And how about at Target?

24 PROSPECTIVE JUROR: None that I can recall.

25 THE COURT: Okay. And anything about those

1 interactions that led you to a particular viewpoint about  
2 folks who are from East Africa or Somalia?

3 PROSPECTIVE JUROR: No, no. It's -- I have --  
4 like I said, with my parents, they taught me to treat  
5 everybody fairly and give them a fair shot at life, so I  
6 always judged them off their merits and character.

7 THE COURT: And then 25 tries to get at your  
8 unconscious biases.

9 PROSPECTIVE JUROR: Yes, I don't feel that there  
10 would be any issues. I feel that I could be comfortable  
11 making decisions that are -- and examining the biases of  
12 those decisions.

13 THE COURT: And 25(b) asks that question in a  
14 little bit different way. Can you answer that one too?

15 PROSPECTIVE JUROR: Yep, I feel that I can -- I  
16 can commit myself to evaluating the evidence fairly, and I  
17 feel that I can resist the urge to reach a verdict that's  
18 influenced by hidden or unconscious bias. I do feel like I  
19 can do that.

20 THE COURT: And then 26(a) is, Are you willing to  
21 apply the law as I explain it to you?

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: 26(b) is, Is there anything else that  
24 you need to call to the court's attention?

25 PROSPECTIVE JUROR: No.

1 THE COURT: Thank you. Let me just follow up with  
2 the attorneys for a moment.

3 (Sidebar discussion)

4 THE COURT: Follow-up?

5 MR. SCHLEICHER: Your Honor, Steve Schleicher on  
6 behalf of Said Farah.

7 The prospective juror has described himself as a  
8 general manager. I would request the court ask him how many  
9 individuals he directly supervises and whether any of those  
10 individuals include the East African gentlemen that he  
11 previously described that worked with him.

12 THE COURT: Anyone else?

13 MR. GOETZ: Your Honor, Fred Goetz for  
14 Mr. Shariff.

15 If he could describe in a just a little more  
16 detail his interactions with people from Somalia and whether  
17 or not that would at all impact how he views their or  
18 evaluating their credibility as a witness.

19 THE COURT: Okay. Anyone else?

20 MR. COTTER: Your Honor, Patrick Cotter.

21 I guess I wasn't real clear on his relationship  
22 with the two food programs. And maybe we could follow up,  
23 did he have close friends or family that took advantage of  
24 those programs, how did he become aware of them.

25 THE COURT: I'll try again. I don't think he

1 remembers, but I will try again.

2 MR. COTTER: Yeah.

3 THE COURT: Anyone else?

4 Based on what you know now, any motions for cause?

5 Then I'll look for hands at the end. Thank you.

6 **(In open court)**

7 THE COURT: Just a few follow-ups.

8 I'm going to go back to the fact that you had  
9 recognized a couple of programs, one was the Summer Food  
10 Service Program and the other was the Child and Adult Care  
11 Food Program.

12 Looking back on your memory, any memory of how you  
13 know or are aware of those programs?

14 PROSPECTIVE JUROR: I think it was just, you know,  
15 seeing anything in the community growing up, like, things  
16 that they would advertise in, like, the community  
17 newsletters for opportunities for students or in school,  
18 basically just saying that they offered it, but I really  
19 don't -- can't recall anything specifically.

20 THE COURT: Do you recall anyone specifically who  
21 was served by those programs, a friend of yours or anyone  
22 growing up?

23 PROSPECTIVE JUROR: Not -- not anyone I can  
24 remember, no.

25 THE COURT: Okay. And then I just want -- a

1 couple questions about your job right now. You said you  
2 were a general manager. How many people do you supervise?

3 PROSPECTIVE JUROR: Currently it's between 70 to  
4 75 individuals.

5 THE COURT: And what -- what do those individuals  
6 do?

7 PROSPECTIVE JUROR: So it's a trucking company, so  
8 it's drivers. We have about 35 to 40 drivers that are doing  
9 deliveries amongst the -- around the Twin Cities.

10 And then we also have drivers that are going from  
11 our -- what we call our MSP location to Fargo, North Dakota,  
12 or Sioux Falls, South Dakota.

13 And then we also have dispatchers, office  
14 personnel, and we have forklift operators.

15 It's kind of where I started at in this company,  
16 was as a forklift operator. I was in that role for two  
17 years, and then worked my way up through the management  
18 chain, and I've been in this position for a year now.

19 So I oversee pretty much all aspects of the  
20 operation in some capacity day-to-day, but I have  
21 supervisors and leads and so forth that I can delegate to.

22 THE COURT: Who is above you?

23 PROSPECTIVE JUROR: My regional director, and he's  
24 in-office too, so he's pretty involved day-to-day as well.

25 THE COURT: And what's the name of the company?

1 PROSPECTIVE JUROR: CrossCountry Freight  
2 Solutions.

3 THE COURT: And what kind of freight are you  
4 carrying?

5 PROSPECTIVE JUROR: LTL, so less-than-load, which  
6 basically means quite a variety of freight. Not -- there  
7 isn't very much that we don't. There are certain -- not  
8 tariffs, but certain freight that we won't accept, certain  
9 hazmat freights, you know, any type of human remains or  
10 nuclear-related stuff, anything like that. But, for the  
11 most part, it's going to our retail stores, office equipment  
12 going to businesses, some food product, a lot of  
13 agricultural equipment or manufacturing. That's definitely  
14 the biggest part of our business.

15 THE COURT: And you had said that some of the  
16 people that you work with are from East Africa. Am I right  
17 about that?

18 PROSPECTIVE JUROR: Yep. There are a couple --  
19 couple drivers currently that work for -- at our location.  
20 There's a couple that also work in our Fargo location that,  
21 you know, they will -- every night they will be within  
22 our -- at our terminal for sometimes as long as an hour, but  
23 it's, on average, like two to three people.

24 THE COURT: And can you talk a little bit more  
25 about how you might judge that -- a person with that

1 background while on the witness stand. Whether you would  
2 evaluate their credibility differently than anyone else,  
3 and, if so, how?

4 PROSPECTIVE JUROR: The -- with you said that,  
5 like, ethnic background? Is that what you are referring to?

6 THE COURT: Correct, given your experiences with  
7 the East African community.

8 PROSPECTIVE JUROR: The same as anybody else. You  
9 know, I have some friends who, like I say, growing up --  
10 they're, you know, like everybody else. They're -- if they  
11 are citizens of the United States or if they are living  
12 here, they're working with us, so I don't treat them any  
13 differently. I can make a fair and honest judgment whether  
14 or not they are from that -- they have that background or if  
15 they're similar to myself or anyone else.

16 THE COURT: And does it matter to you whether they  
17 are citizens or not?

18 PROSPECTIVE JUROR: No. In what way, I guess?

19 THE COURT: In evaluating their credibility or  
20 judging them in general.

21 PROSPECTIVE JUROR: No.

22 THE COURT: One more, please.

23 **(Sidebar discussion)**

24 MR. SAPONE: Your Honor, Ed Sapone for Abdi -- can  
25 you hear me -- Abdi Nur.



1 Do I hear anything? Okay.

2 You are going to go to the courtroom next door and  
3 wait there and wait out the process. I appreciate your  
4 answers.

5 PROSPECTIVE JUROR: Oh, got you. Thank you.

6 THE COURT: Did you want my attention? We can  
7 deal with it in a minute.

8 MR. SCHLEICHER: Thank you, Your Honor.

9 **(Prospective Juror Number 14 exits courtroom)**

10 THE COURT: Can you hold the next person, please?  
11 Thank you.

12 MR. SCHLEICHER: When you said "excused," you  
13 didn't mean excused. You meant --

14 THE COURT: No. I meant go to the next courtroom.  
15 I'm hoping he understood that.

16 MR. ANDREW BIRRELL: He did.

17 THE COURT: Thank you.

18 It's also possible that I forgot to tell him that  
19 you guys couldn't talk to him, so I apologize for that, but  
20 still don't talk to him. Thank you.

21 I didn't follow up on the information because I  
22 didn't have enough to really follow up. So I asked the one  
23 question, and we left it there. Thank you.

24 All right. Now we can bring in the next person.

25 **(Prospective Juror Number 15 enters courtroom)**

1 THE COURT: Good afternoon. Sorry. Come on  
2 forward. I'm going to have you come up to the witness  
3 stand.

4 Hi. You are Juror Number 15, correct?

5 PROSPECTIVE JUROR: Yep.

6 THE COURT: All right. And so can you state your  
7 age for the record, please.

8 PROSPECTIVE JUROR: 33.

9 THE COURT: And you've got that juror  
10 questionnaire in front of you. I'm going to just go through  
11 that with you and not read out every question, but go  
12 through by number.

13 So could you answer Number 2, please.

14 PROSPECTIVE JUROR: I did not recognize anybody on  
15 the potential witness, defendants or staff.

16 THE COURT: Thank you. And Question 3.

17 PROSPECTIVE JUROR: I had heard about the case  
18 before the letter from the court, just on the news, a few  
19 different news segments on it.

20 THE COURT: And what did you hear in particular?

21 PROSPECTIVE JUROR: Just kind of like the broad  
22 scope of the Feeding Our Future program and kind of the  
23 allegations against people in regards to that.

24 THE COURT: Do you remember what news outlet you  
25 were looking at or hearing?

1 PROSPECTIVE JUROR: I think I saw it on KARE 11.

2 THE COURT: And have you listened to any other  
3 coverage, including MPR or any of the other local channels  
4 or any national coverage?

5 PROSPECTIVE JUROR: I did see another recently  
6 kind of by accident, another segment on KARE 11 in regards  
7 to it.

8 THE COURT: Okay.

9 PROSPECTIVE JUROR: But it was unintentional.

10 THE COURT: And what did that segment say, if you  
11 can recall?

12 PROSPECTIVE JUROR: They talked about a -- someone  
13 in this trial pleading guilty.

14 THE COURT: And have you read anything from the  
15 Star Tribune?

16 PROSPECTIVE JUROR: No.

17 THE COURT: How about any other print media?

18 PROSPECTIVE JUROR: No.

19 THE COURT: Okay. And Question (b) is whether,  
20 given what you have heard, whether you've developed an  
21 opinion on the guilt or innocence of these defendants.

22 PROSPECTIVE JUROR: I would say no.

23 THE COURT: Okay. Why would you say no?

24 PROSPECTIVE JUROR: Because I feel like I don't  
25 have all the facts to kind of make that determination.

1 THE COURT: And will you be able to set aside what  
2 you may have learned through other sources and decide the  
3 case based only on the evidence presented during trial?

4 PROSPECTIVE JUROR: I would say yes.

5 THE COURT: The information that you saw  
6 accidentally about someone pleading guilty, do you know  
7 whether that was a person in this trial or simply part of  
8 the Feeding Our Future cases generally?

9 PROSPECTIVE JUROR: I think it was just part of  
10 the Feeding Our Future cases in general. I don't remember  
11 the name specifically or anything like that.

12 THE COURT: Okay. And knowing that information,  
13 does that change your opinion at all about deciding this  
14 case solely on what you hear here and not forming an opinion  
15 on guilt or innocence?

16 PROSPECTIVE JUROR: I mean, I would definitely say  
17 that knowing that kind of puts it in my mind that the -- you  
18 know, that it might lean that direction, but I -- I wouldn't  
19 say that that's a for sure thing that I would settle on.

20 THE COURT: And you know that -- well, first of  
21 all, that these eight defendants -- seven defendants are  
22 presumed innocent, right?

23 PROSPECTIVE JUROR: Mm-hmm.

24 THE COURT: And can you follow that presumption of  
25 innocence?

1 PROSPECTIVE JUROR: Yeah.

2 THE COURT: And the government is under a burden  
3 to prove each defendant's guilt beyond a reasonable doubt in  
4 order for anyone to be found guilty. Can you follow that  
5 instruction?

6 PROSPECTIVE JUROR: Yes.

7 THE COURT: Okay. And so you're aware that  
8 someone has pled guilty, but do you know what they've pled  
9 to or what it was about?

10 PROSPECTIVE JUROR: I believe that they pled  
11 guilty to wire fraud.

12 THE COURT: And do you know whether that was  
13 connected at all with any of these defendants?

14 PROSPECTIVE JUROR: I do not.

15 THE COURT: Okay. And so does that make you more  
16 confident to be able to follow my instructions and judge  
17 this case solely on what you hear in this courtroom?

18 PROSPECTIVE JUROR: I'd say yes.

19 THE COURT: Question 4 is a number of  
20 organizations.

21 PROSPECTIVE JUROR: The only one that I was aware  
22 of was the Feeding Our Future. I think I heard of it back  
23 during the pandemic, and then the next time I heard of it  
24 was in regards to this case.

25 THE COURT: Okay. And do you remember what you

1 heard during the pandemic?

2 PROSPECTIVE JUROR: I just remember it being  
3 talked about on the news as a program that was -- that was  
4 set up to make sure that kids get fed -- that provided money  
5 so that kids would get fed that didn't have the -- you know,  
6 the chance to get fed on their own or didn't have the means.

7 THE COURT: And do you know what news media outlet  
8 you listened to or heard that from?

9 PROSPECTIVE JUROR: I believe it was either WCCO  
10 or KARE 11.

11 THE COURT: And are you saying that because you  
12 know that or because those are the normal --

13 PROSPECTIVE JUROR: Those are the normal ones I  
14 watch. I don't know that for sure. It was so long ago.

15 THE COURT: And does that information, would that  
16 affect your ability to be a fair and impartial juror, the  
17 fact that you'd heard about that program during the  
18 pandemic?

19 PROSPECTIVE JUROR: I wouldn't think so, no.

20 THE COURT: Okay. Question 5.

21 PROSPECTIVE JUROR: I have -- yeah, I have no  
22 issues reading, writing or listening in English, so --

23 THE COURT: And Question 5(b).

24 PROSPECTIVE JUROR: No.

25 THE COURT: And 5(c).

1 PROSPECTIVE JUROR: No.

2 THE COURT: And Question 6.

3 PROSPECTIVE JUROR: I grew up in a town called  
4 Lester Prairie in Minnesota. I currently live in Waconia,  
5 yeah.

6 THE COURT: How long have you lived in Waconia?

7 PROSPECTIVE JUROR: About five years now.

8 THE COURT: And Question 7.

9 PROSPECTIVE JUROR: I just have a high school  
10 diploma, no college degree. My current occupation is an  
11 associate buyer at a pharmaceutical company in Chaska. I  
12 worked there for eight years. My wife is a registered nurse  
13 at the Waconia Ridgeview Hospital.

14 THE COURT: And how long has she been a nurse?

15 PROSPECTIVE JUROR: Probably 14 years.

16 THE COURT: And what department does she work in?

17 PROSPECTIVE JUROR: OB.

18 THE COURT: And Number 8.

19 PROSPECTIVE JUROR: I have one daughter. She's  
20 six years old.

21 THE COURT: And Number 9.

22 PROSPECTIVE JUROR: I like to spend time outside.  
23 I work in my yard, going biking. I belong to a church. I'm  
24 a Catholic, and I just go to church periodically, so that's  
25 the extent of my involvement.

1 THE COURT: And Question Number 10.

2 PROSPECTIVE JUROR: I would say no.

3 THE COURT: And 11, other than what we've  
4 discussed, sites that you go to, podcasts that you listen  
5 to.

6 PROSPECTIVE JUROR: Nothing, nothing really, no.

7 THE COURT: And Number 12.

8 PROSPECTIVE JUROR: I have not.

9 THE COURT: Number 13.

10 PROSPECTIVE JUROR: I have not.

11 THE COURT: And Number 14.

12 PROSPECTIVE JUROR: I do not.

13 THE COURT: Number 15.

14 PROSPECTIVE JUROR: I do not.

15 THE COURT: Number 16.

16 PROSPECTIVE JUROR: I do not.

17 THE COURT: 17.

18 PROSPECTIVE JUROR: I do have a close friend --  
19 high school friend that works in law enforcement. He's been  
20 a police officer for, I would say, about ten years now.

21 THE COURT: Where?

22 PROSPECTIVE JUROR: He works for the Deephaven  
23 Police Department.

24 THE COURT: And is he patrol or does he have  
25 another role in the department?

1 PROSPECTIVE JUROR: He's patrol.

2 THE COURT: Do you talk to him about being a  
3 police officer?

4 PROSPECTIVE JUROR: Periodically.

5 THE COURT: Does his role as a police officer lead  
6 you to have prejudices either against or in favor of law  
7 enforcement officers?

8 PROSPECTIVE JUROR: I would say no.

9 THE COURT: And so you can treat law enforcement  
10 officers just as you treat any other witness on the stand?

11 PROSPECTIVE JUROR: Yep.

12 THE COURT: Question 19.

13 PROSPECTIVE JUROR: I have not.

14 THE COURT: And 20.

15 PROSPECTIVE JUROR: I think -- during the  
16 pandemic, I think the -- when my daughter was in preschool,  
17 I think there was a program -- I don't remember what it  
18 was -- but that provided free lunches during that time that  
19 she took advantage of.

20 THE COURT: And you know a little bit about what  
21 this case is about. Is your daughter's experience going to  
22 affect your ability to be fair and impartial?

23 PROSPECTIVE JUROR: I would say no.

24 THE COURT: And Question 21.

25 PROSPECTIVE JUROR: I have not.

1 THE COURT: And Question 22.

2 PROSPECTIVE JUROR: I have not.

3 THE COURT: 23.

4 PROSPECTIVE JUROR: I have no feelings against or  
5 in favor.

6 THE COURT: And 24, interactions with people whose  
7 backgrounds are in East Africa.

8 PROSPECTIVE JUROR: I have not, no.

9 THE COURT: And 25 gets at your unconscious  
10 biases. And could you just answer 25(a) first.

11 PROSPECTIVE JUROR: I would say, yeah, I would  
12 feel comfortable.

13 THE COURT: Okay. And 25(b).

14 PROSPECTIVE JUROR: I would say yes.

15 THE COURT: And 26(a) is, Are you willing to apply  
16 the law as the court explains it to you?

17 PROSPECTIVE JUROR: Yes.

18 THE COURT: And 26(b) is whether there's anything  
19 else that you wish to call the court's attention.

20 PROSPECTIVE JUROR: I have nothing.

21 THE COURT: Okay. Just one moment. I'm going to  
22 follow-up with the attorneys.

23 **(Sidebar discussion)**

24 THE COURT: Any follow-ups?

25 MR. GOETZ: Your Honor, Frederick Goetz on behalf

1 of Defendant Shariff.

2 Two things. If he could just explain a little bit  
3 what he meant by -- in response to the questions about  
4 the hearing the person who had pled guilty, he said it "puts  
5 in my mind," "might lean that direction." If he could just  
6 explain what he meant by that.

7 And, second of all, he mentioned knowing about or  
8 hearing about the broad scope of Feeding Our Future  
9 allegations. If he could just, what allegations, if he can  
10 just tell us a bit more what he remembers.

11 THE COURT: Anyone else?

12 MR. IAN BIRRELL: Your Honor, Ian Birrell here.

13 Jumping off of that, one of the things he  
14 mentioned when he learned about the guilty plea is he said  
15 he didn't remember the name specifically. I wonder if  
16 Your Honor would probe a little bit into what he does  
17 remember about the person who pled guilty, if anything.

18 And then, second, on a different topic, I'm  
19 wondering if Your Honor would inquire into what process he  
20 did to sign up his daughter for free meals during the  
21 pandemic, as you did with other witnesses.

22 THE COURT: All right. Anybody else?

23 MR. BRANDT: Your Honor, Michael Brandt here on  
24 behalf of Hayat Nur.

25 To piggyback on Mr. Goetz's question regarding

1 when he heard someone plead guilty, I'm curious if you could  
2 ask him how that affected his thoughts of the rest of the  
3 people involved. I just think that there's something there.  
4 Thanks.

5 THE COURT: Thanks.

6 (In open court)

7 THE COURT: Thank you. Just a few follow-up  
8 questions.

9 You had said that you had heard or read through  
10 news media that there had been a guilty plea in this case.

11 First of all, you said you didn't remember the  
12 name of the person who pled. Do you remember anything about  
13 that person?

14 PROSPECTIVE JUROR: I don't.

15 THE COURT: Anything about the allegations?

16 PROSPECTIVE JUROR: No.

17 THE COURT: Okay. And then I had asked you  
18 whether you thought it was somebody in this case or somebody  
19 in a broader Feeding Our Future allegations, and you said  
20 something about the broad scope. What do you know about or  
21 what have you heard about the broad scope of those  
22 allegations?

23 PROSPECTIVE JUROR: I just -- the news article had  
24 just stated that -- well, they didn't specify that it was  
25 someone that was currently on trial. They said it was

1 someone that was related to the Feeding Our Future case. So  
2 I don't think it was actually somebody who was on trial.

3 THE COURT: And did that affect your thoughts  
4 about the rest of the people who may be on trial?

5 PROSPECTIVE JUROR: I would say maybe.

6 THE COURT: And tell me how.

7 PROSPECTIVE JUROR: I think once you get that  
8 notion that someone is pleading guilty in a case, that maybe  
9 that goes beyond that one person.

10 THE COURT: Okay. Why do you think that?

11 PROSPECTIVE JUROR: I guess that's just my --  
12 that's just my feeling. I don't know.

13 THE COURT: And so how does that affect how you  
14 feel about the seven people who are on trial here?

15 PROSPECTIVE JUROR: Well, I don't really know  
16 anything about the seven people on trial, so I don't know if  
17 it really affects that at all. I don't really know -- I  
18 don't know nothing -- I know nothing about them or any of  
19 the facts surrounding them.

20 THE COURT: But do you think that you are more  
21 likely to think that they're guilty because you've heard  
22 that someone else has pled guilty in relation to Feeding Our  
23 Future?

24 PROSPECTIVE JUROR: I don't -- I don't think so.  
25 That's just a thought that's in my head that, you know -- a

1 point that's in my head that someone else had -- that  
2 someone else had pled. So it's just something that's in the  
3 back of my mind like that would be.

4 THE COURT: And can you follow the court's  
5 instructions to put it aside? That's what I'm really  
6 getting at.

7 PROSPECTIVE JUROR: I would say I should be able  
8 to, yeah.

9 THE COURT: Okay. I need a better than a  
10 "should."

11 PROSPECTIVE JUROR: I can.

12 THE COURT: Okay. Just a minute.

13 **(Sidebar discussion)**

14 THE COURT: Anyone? Mr. Sapone.

15 MR. SAPONE: Yes. I'm going to ask that he be  
16 removed for cause because although, admittedly, he's  
17 ultimately answering all the questions in the way he ought  
18 to, the way he's pausing and struggling at what's, quote,  
19 unquote, in the back of his mind, and it's just there, and  
20 the other things that he said, I just don't think he's right  
21 for the case, because although he ultimately perhaps -- we  
22 should have each juror, you know, at the beginning point of  
23 the service, without those thoughts in their mind, and I  
24 just think it's too dangerous to risk it.

25 THE COURT: From the government?

1 MR. THOMPSON: Your Honor, the witness [sic]  
2 thoughtfully answered your question. He was candid about  
3 his exposure to the case. He explained fully what he  
4 remembered and what he didn't remember. He said, I think  
5 importantly, when asked about these defendants, that he  
6 knows nothing about them and so it wouldn't affect him, and  
7 that's ultimately what he said.

8 And I don't think he should be struck for cause  
9 because he was candid about his exposure to news coverage  
10 and the reality of hearing things and the effect that that  
11 might have. What he's saying is human nature, it's common  
12 sense. The important thing is he says he can and will  
13 follow your instruction.

14 THE COURT: My judgment on his credibility is that  
15 he can follow my instruction. He has, like probably many of  
16 these jurors, has heard that someone has pled guilty and has  
17 understood that these are seven different defendants.

18 I'm denying the motion.

19 **(In open court)**

20 THE COURT: All right. Sir, I'm going to have you  
21 go to the next courtroom over.

22 PROSPECTIVE JUROR: Okay.

23 THE COURT: And I'm just going to ask you to wait  
24 this process out. I appreciate your patience.

25 PROSPECTIVE JUROR: Yep.

1 THE COURT: All of these folks in the courtroom  
2 cannot talk to you. So if they don't talk to you, it's  
3 because I have told them that they can't and they are under  
4 instruction not to. So you are not to hear anything else  
5 about the case, and that means that they can't talk to you.  
6 Okay? Thank you.

7 **(Prospective Juror Number 15 exits courtroom)**

8 THE COURT: I'd like a sidebar, please.

9 **(Sidebar discussion)**

10 THE COURT: I have received a note from Juror  
11 Number 10 disclosing significant mental health issues and  
12 anxiety that was triggered from the questioning of him  
13 during voir dire, making it very difficult for him to focus  
14 and that this environment is triggering anxiety.

15 I am going to excuse Juror Number 10 for mental  
16 health reasons.

17 **(In open court)**

18 THE COURT: 16 can come in. I don't know who  
19 is -- who is running it now.

20 Thank you.

21 **(Prospective Juror Number 16 enters courtroom)**

22 THE COURT: Good afternoon. Come on forward. Hi.

23 PROSPECTIVE JUROR: Hi. How's it going?

24 THE COURT: Good. Thank you.

25 You are Juror Number 16?

1 PROSPECTIVE JUROR: Yep.

2 THE COURT: All right. I'm going to ask you the  
3 questions that are on that questionnaire, and I'll start by  
4 asking you what your age is.

5 PROSPECTIVE JUROR: 30 years old.

6 THE COURT: And Question Number 2.

7 PROSPECTIVE JUROR: No.

8 THE COURT: Question Number 3.

9 PROSPECTIVE JUROR: Yes, I have heard from  
10 coworkers when I was in the lunchroom a little bit about it.  
11 I try to block out as much as I could for (a) and (b).

12 THE COURT: Was that after you received the  
13 summons?

14 PROSPECTIVE JUROR: Yes.

15 THE COURT: Okay. And so you tried to block out  
16 what your coworkers said.

17 So let's talk about before you received the  
18 summons, had you heard of the case?

19 PROSPECTIVE JUROR: No.

20 THE COURT: Not at all?

21 PROSPECTIVE JUROR: No.

22 THE COURT: Okay.

23 PROSPECTIVE JUROR: No.

24 THE COURT: So what did you hear from coworkers?

25 PROSPECTIVE JUROR: The one thing I heard was more

1 about meals not being delivered, I guess. That's kind of  
2 the gist of what I got from it.

3 THE COURT: Okay.

4 PROSPECTIVE JUROR: Other than that, I don't know.

5 THE COURT: Okay. And do you remember anything  
6 more specific about who said what?

7 PROSPECTIVE JUROR: Um, no, no.

8 THE COURT: Okay. And do you know where their  
9 information was coming from?

10 PROSPECTIVE JUROR: I think the news, yeah.

11 THE COURT: Okay. And have you -- based on what  
12 you heard from coworkers, have you developed an opinion on  
13 the guilt or innocence of the defendants?

14 PROSPECTIVE JUROR: I would say partially; but,  
15 for me, I'm always a person that likes to do my research  
16 and, of course, not in this case, but, in general, I try to  
17 not make a decision until I know further facts.

18 THE COURT: Okay. So what do you mean by  
19 "partially"?

20 PROSPECTIVE JUROR: I don't know. I guess it kind  
21 of hits a little closer because my wife is a teacher a  
22 little bit and just kind of kids, I guess.

23 THE COURT: Because it affects kids?

24 PROSPECTIVE JUROR: Yeah.

25 THE COURT: Okay. Do you have kids?

1 PROSPECTIVE JUROR: Just got a one-month-old.

2 THE COURT: Okay.

3 PROSPECTIVE JUROR: Yeah.

4 THE COURT: And so the question is whether you've  
5 developed an opinion on the guilt or innocence of these  
6 seven folks. Have you?

7 PROSPECTIVE JUROR: Oh, no. Like as in general?

8 THE COURT: Yes.

9 PROSPECTIVE JUROR: No, I guess. I guess for what  
10 I heard per case, yes, I partially did.

11 THE COURT: Okay. So talk to me more about that?

12 PROSPECTIVE JUROR: Just based on what they talked  
13 about with not delivering meals, that is what I took as  
14 where I partially sided one way.

15 THE COURT: Okay.

16 PROSPECTIVE JUROR: If that makes sense.

17 THE COURT: And so does that mean you've made up  
18 your mind about whether meals were or were not delivered?

19 PROSPECTIVE JUROR: I guess that's my assumption,  
20 I guess.

21 THE COURT: Okay. Why is that your assumption?

22 PROSPECTIVE JUROR: Just what I heard, I guess.

23 THE COURT: Okay. So you know that the -- these  
24 seven defendants are presumed innocent?

25 PROSPECTIVE JUROR: Yep, yep.

1 THE COURT: Can you presume that they are  
2 innocent?

3 PROSPECTIVE JUROR: Yeah, I can. That's -- in  
4 that aspect, yes, that was my first thought, but, like I  
5 said, I'm somebody that will kind of figure out on my own  
6 after the fact. That was kind of like a prejudgment.

7 THE COURT: And so as a part of any case, I asked  
8 potential jurors to put prejudgments aside.

9 PROSPECTIVE JUROR: Mm-hmm.

10 THE COURT: Can you do that, and, if so, how are  
11 you going to do that?

12 PROSPECTIVE JUROR: I think I can. Yes, I can.  
13 And, for me, I just need to hear more facts on the case, and  
14 that's -- in general, yes, I can, but -- I guess I don't  
15 have all the information, so I -- I guess I can't make a  
16 decision right now, obviously.

17 THE COURT: True. What all these folks want to  
18 know is are they starting with a blank slate for you.

19 PROSPECTIVE JUROR: No. Well --

20 THE COURT: Are they starting with a presumption  
21 of innocence? And the government has to prove its case  
22 beyond a reasonable doubt. Are you going to treat them  
23 fairly?

24 PROSPECTIVE JUROR: Yes, I believe I will.

25 THE COURT: Okay.

1 PROSPECTIVE JUROR: Yes.

2 THE COURT: And so what we're concerned about is  
3 your statement that you have partially developed an opinion  
4 on the guilt or innocence of the defendants. If I'm a  
5 defendant, I'm concerned that you just said that. So talk  
6 to me more about that, because I'm trying to understand it.

7 PROSPECTIVE JUROR: Well, I guess what more can I  
8 say about it?

9 THE COURT: Are you able to put that partial  
10 decision aside?

11 PROSPECTIVE JUROR: Yes, I am.

12 THE COURT: Okay. And would you really say it's a  
13 partial decision or not?

14 PROSPECTIVE JUROR: I wouldn't say it's a  
15 decision. I would say it's an opinion right away. It was  
16 more of an opinion.

17 THE COURT: Okay. All right. And if I ask you to  
18 say, I'm not listening to what anybody else says, I'm going  
19 to come in, I'm going to apply a presumption of innocence  
20 and presume that they are innocent --

21 PROSPECTIVE JUROR: Mm-hmm.

22 THE COURT: -- and I'm going to require the  
23 government to prove their guilt beyond a reasonable doubt --

24 PROSPECTIVE JUROR: Mm-hmm.

25 THE COURT: -- can you do that?

1 PROSPECTIVE JUROR: I can.

2 THE COURT: Question Number 4.

3 PROSPECTIVE JUROR: I have not, besides in your  
4 letter with the Feeding Our Future. That's -- I have not  
5 heard of it.

6 THE COURT: And Question 5.

7 PROSPECTIVE JUROR: I can read English. I don't  
8 have any problems seeing or hearing and no physical or  
9 mental issues.

10 THE COURT: And Question 6.

11 PROSPECTIVE JUROR: I grew up in Andover,  
12 Minnesota, and then I live in Coon Rapids now.

13 THE COURT: And Question 7.

14 PROSPECTIVE JUROR: So I ended up getting a  
15 bachelor's degree in business from Concordia - St. Paul.  
16 Currently, I'm a manufacture rep for electrical products,  
17 sales. And then prior to that, I worked distribution for  
18 electrical products.

19 And my wife, she is a literacy specialist at an  
20 elementary school in Brooklyn Center.

21 THE COURT: And do you remember -- she's in the  
22 Brooklyn Center school system?

23 PROSPECTIVE JUROR: Anoka-Hennepin.

24 THE COURT: Okay.

25 PROSPECTIVE JUROR: Yeah.

1 THE COURT: And during the pandemic, was she  
2 involved in any of the programs that supplied meals to  
3 children?

4 PROSPECTIVE JUROR: No.

5 THE COURT: And have you and she talked about  
6 those programs or this case?

7 PROSPECTIVE JUROR: No, I have never heard of any  
8 of this.

9 THE COURT: And your children -- you said you  
10 have --

11 PROSPECTIVE JUROR: I have a -- yeah, a  
12 one-month-old.

13 THE COURT: So you are getting a lot of sleep?

14 PROSPECTIVE JUROR: Yeah, yeah.

15 THE COURT: Question 9.

16 PROSPECTIVE JUROR: Favorite hobbies are, I guess,  
17 golf, hockey, being outdoors, and now spending time with the  
18 little one.

19 THE COURT: And how about organizations or  
20 churches?

21 PROSPECTIVE JUROR: I go to church, Eagle Brook.  
22 Other than that, I'm not a member there. I just kind of go  
23 periodically currently.

24 THE COURT: What denomination or religion is Eagle  
25 Brook?

1 PROSPECTIVE JUROR: It's Christian  
2 non-denomination.

3 THE COURT: And Number 10.

4 PROSPECTIVE JUROR: I do not, no.

5 THE COURT: And Number 11. Things that you read  
6 or go to on a regular basis.

7 PROSPECTIVE JUROR: I'm not too current on that  
8 type of stuff. I don't --

9 THE COURT: How about podcasts?

10 PROSPECTIVE JUROR: Nope, I don't listen to any of  
11 those.

12 THE COURT: Any newspapers that you subscribe to?

13 PROSPECTIVE JUROR: No.

14 THE COURT: Okay. Any internet sites you go to  
15 regularly?

16 PROSPECTIVE JUROR: Just your typical social  
17 media, I guess.

18 THE COURT: And Number 12.

19 PROSPECTIVE JUROR: No on all those.

20 THE COURT: Number 13. Did you know any of the  
21 jurors?

22 PROSPECTIVE JUROR: I did not, no.

23 THE COURT: Number 14.

24 PROSPECTIVE JUROR: Nope.

25 THE COURT: Number 15.

1 PROSPECTIVE JUROR: I do not, no.

2 THE COURT: Number 16.

3 PROSPECTIVE JUROR: Nope.

4 THE COURT: And 17. People in law enforcement.

5 PROSPECTIVE JUROR: No.

6 THE COURT: And Number 18.

7 PROSPECTIVE JUROR: Nope.

8 THE COURT: 19.

9 PROSPECTIVE JUROR: No.

10 THE COURT: And Number 20. This gets a little bit  
11 at what your wife does as a teacher, but anybody else you  
12 knew receiving --

13 PROSPECTIVE JUROR: No, not that I can think of.

14 THE COURT: Okay.

15 PROSPECTIVE JUROR: No.

16 THE COURT: Number 21.

17 PROSPECTIVE JUROR: No.

18 THE COURT: 22.

19 PROSPECTIVE JUROR: Does this mean like even her  
20 school, like Minnesota --

21 THE COURT: Do you know if she interacts regularly  
22 with the Minnesota Department of Education?

23 PROSPECTIVE JUROR: No, she doesn't.

24 THE COURT: Okay. And you haven't had  
25 interactions with --

1 PROSPECTIVE JUROR: No, no. I was just thinking I  
2 volunteered at her school once, but I don't think that --

3 THE COURT: Okay. And Number 23.

4 PROSPECTIVE JUROR: I don't have any bad feeling.

5 THE COURT: Okay. How about Number 24?

6 PROSPECTIVE JUROR: No.

7 THE COURT: And 25 gets at your unconscious bias.

8 PROSPECTIVE JUROR: I feel comfortable being with  
9 whoever.

10 THE COURT: Okay. And 25(b).

11 PROSPECTIVE JUROR: I said yes -- yes, I can; is  
12 all in the facts on which my decision will be determined.

13 THE COURT: And are you willing to apply the law  
14 as the court explains it to you?

15 PROSPECTIVE JUROR: Yes, I am.

16 THE COURT: And is there anything else you think  
17 should be brought to the court's attention?

18 PROSPECTIVE JUROR: No, no.

19 THE COURT: Let me just talk to the attorneys for  
20 a moment.

21 **(Sidebar discussion)**

22 THE COURT: Does anyone want to raise any  
23 follow-up or motion?

24 MR. GOETZ: Your Honor, Fred Goetz for  
25 Mr. Shariff.

1           Just one follow-up question along the lines where  
2           the court inquired about his prejudgment. I'd ask the court  
3           if you could ask him, does he have any doubt that he can set  
4           aside his prejudgment that no meals were delivered.

5           THE COURT: I don't think he said no meals were  
6           delivered, but I'm not sure, but I can ask him if he has any  
7           doubt to set his prejudgment aside, whatever that  
8           prejudgment was.

9           MR. GOETZ: That's fine, Your Honor.

10          THE COURT: Is that sufficient?

11          MR. GOETZ: Yes.

12          THE COURT: Okay. Anyone else have a better way  
13          to get at this?

14          Mr. Sapone.

15          MR. SAPONE: Your Honor, I'm on LinkedIn right  
16          now, and I'm seeing pictures of him with boxes and crates of  
17          food behind him. And it looks like he has experience  
18          delivering bulk food, and I just would want to -- and I'm  
19          sorry I'm not answering Your Honor's question.

20          THE COURT: It's okay.

21          MR. SAPONE: But I would just want to get into  
22          that, because if he has experience doing the exact thing  
23          that we're on trial for and did it in a different way, we  
24          could be in trouble with someone like him.

25          THE COURT: Okay. All right. Thank you.

1 MR. IAN BIRRELL: Your Honor.

2 THE COURT: Oh, I'm sorry, Mr. Birrell.

3 MR. IAN BIRRELL: Thank you, Your Honor.

4 It seemed like this conversation left some impact  
5 on him, and I'm trying to figure out why.

6 I'm wondering if Your Honor would ask him whether  
7 it was an angry conversation amongst his coworkers, what was  
8 it that kind of give him this instinct that he seems -- like  
9 it's in his mind right now.

10 THE COURT: Okay.

11 MR. BRANDT: And if I may, Your Honor, Michael  
12 Brandt on behalf of Hayat Nur.

13 To that point as well, if the court could ask him  
14 when they were talking about this in the lunchroom, did any  
15 discussions come up about race, religion or culture in that  
16 context.

17 And then, again, to piggyback on Mr. Goetz's  
18 question, the potential juror said something to the effect  
19 of, I would need all the information before I would not  
20 prejudge it, if the court could perhaps follow up on that.

21 Thank you.

22 THE COURT: Nope, I don't understand that last  
23 one. I am sorry.

24 MR. BRANDT: He said something to the effect of  
25 he -- he was prejudging this, but in order to get rid of

1 that, he would need all the information.

2 THE COURT: Right, I think he's been clear that he  
3 needs information before he can make a decision, so I'm  
4 not -- I think he's answered that question. But I  
5 definitely will ask about race in the lunchroom.

6 All right. Thank you.

7 **(In open court)**

8 THE COURT: We're going to go back to the  
9 lunchroom conversation, okay?

10 PROSPECTIVE JUROR: Yep.

11 THE COURT: All right. Did that conversation  
12 leave some sort of an impact on you? I mean, was it angry?  
13 Were people angry? Was there some sort of conflict or  
14 something that sort of left an impression on you?

15 PROSPECTIVE JUROR: Nothing that hit home.

16 THE COURT: Why do you recall it? Is it because I  
17 had sent the letter?

18 PROSPECTIVE JUROR: That's kind of the one thing  
19 that I overheard, but I guess -- yeah, I didn't take it to  
20 heart, but I guess the assumption at that point was I came  
21 up with something on my own.

22 THE COURT: And what you had come up with was  
23 what?

24 PROSPECTIVE JUROR: The verdict, my verdict in my  
25 head.

1 THE COURT: Okay. And that verdict was?

2 PROSPECTIVE JUROR: It was guilty in my head,  
3 yeah, but, yeah, like I said, yeah, even the next question  
4 was, like, yes, at that point in time I usually get past  
5 that because I dig deeper into any sort of information that  
6 is provided to me, and I try and figure out more on my own  
7 so I can come with a more conclusion on my end, whether it's  
8 wrong or the other way or vice versa based on other  
9 information.

10 THE COURT: And during that lunchroom  
11 conversation, do you remember any discussion about race or  
12 religion on your coworkers' part?

13 PROSPECTIVE JUROR: No, no.

14 THE COURT: And is there any doubt in your mind  
15 that you can set aside the prejudgment that you had and base  
16 your decision only on what you hear in this courtroom?

17 PROSPECTIVE JUROR: Yes, there is.

18 THE COURT: Wait. My question was --

19 PROSPECTIVE JUROR: Oh.

20 THE COURT: -- is there any doubt in your mind.

21 PROSPECTIVE JUROR: There is no doubt in my mind  
22 that I can --

23 THE COURT: Okay. Thank you.

24 PROSPECTIVE JUROR: Yep.

25 THE COURT: All right. Let me just go back to

1 one -- can you talk a little bit more about what you do for  
2 a living.

3 PROSPECTIVE JUROR: I'm a manufacture rep, sales.

4 THE COURT: For pharmaceutical?

5 PROSPECTIVE JUROR: Electrical.

6 THE COURT: I don't know where I got  
7 pharmaceutical, but -- okay.

8 PROSPECTIVE JUROR: Yeah, that was the prior.

9 THE COURT: Okay. For electrical. All right.

10 PROSPECTIVE JUROR: Yeah.

11 THE COURT: Have you had any experience with bulk  
12 food handling?

13 PROSPECTIVE JUROR: No.

14 THE COURT: Okay.

15 PROSPECTIVE JUROR: Food handling?

16 THE COURT: Yes.

17 PROSPECTIVE JUROR: No.

18 THE COURT: Bulk food distribution?

19 PROSPECTIVE JUROR: No.

20 THE COURT: Nothing?

21 PROSPECTIVE JUROR: No. Strictly electrical,  
22 wire.

23 THE COURT: Okay. All right. All right. I'm  
24 going to let you go to the other courtroom.

25 PROSPECTIVE JUROR: Okay.

1 THE COURT: And none of these folks are allowed to  
2 talk to you; so if they don't, they are not being rude.  
3 Okay?

4 PROSPECTIVE JUROR: Okay.

5 THE COURT: Thank you for your patience as you  
6 wait out this process.

7 PROSPECTIVE JUROR: Yeah. Thanks.

8 **(Prospective Juror Number 16 exits courtroom)**

9 **(Prospective Juror Number 17 enters courtroom)**

10 THE COURT: Good afternoon. Come on forward. You  
11 can take the witness stand.

12 You are Juror Number 17?

13 PROSPECTIVE JUROR: Yes.

14 THE COURT: All right. And so you have that jury  
15 questionnaire in front of you?

16 PROSPECTIVE JUROR: I do.

17 THE COURT: Could you state your age, please.

18 PROSPECTIVE JUROR: 37.

19 THE COURT: Okay. And I'm just going to go down  
20 that list of questions for you.

21 Can you answer Question Number 2.

22 PROSPECTIVE JUROR: No.

23 THE COURT: And Question Number 3.

24 PROSPECTIVE JUROR: Yes, I've heard the case.

25 I've read two local news articles on the case, once when the

1 charges were announced, and then a few weeks later I think  
2 either charges were expanded or additional defendants and I  
3 read an article about that, but that's it.

4 THE COURT: Okay. And do you know where that was?

5 PROSPECTIVE JUROR: I think it was Minnesota  
6 Public Radio news.

7 THE COURT: Okay. And did you listen or read it?

8 PROSPECTIVE JUROR: I read it.

9 THE COURT: Okay. So you go to their website or  
10 their app and read?

11 PROSPECTIVE JUROR: Yeah.

12 THE COURT: Anything else in any print media?

13 PROSPECTIVE JUROR: No.

14 THE COURT: And how about any other media; TV,  
15 radio?

16 PROSPECTIVE JUROR: No.

17 THE COURT: And what is it that you read in those  
18 two articles?

19 PROSPECTIVE JUROR: Just that the number of  
20 organizations listed here on Number 4 were charged with --  
21 with potential crimes. I don't remember a lot of the  
22 details about what I read, but I do remember glancing at it  
23 at least in passing.

24 THE COURT: Okay. And then the second article was  
25 expansion, you said?

1 PROSPECTIVE JUROR: Yeah, it was -- it was a few  
2 weeks later, a few days later, I don't recall when, but it  
3 was about the extra people being charged or additional  
4 charges being levied.

5 THE COURT: And did you have an understanding of  
6 who was bringing the charges?

7 PROSPECTIVE JUROR: Just the federal government.  
8 I don't remember who exactly.

9 THE COURT: And did you understand it to be a  
10 criminal case?

11 PROSPECTIVE JUROR: Yes.

12 THE COURT: Okay. And based on what you read, did  
13 you develop an opinion on the guilt or innocence of these  
14 defendants?

15 PROSPECTIVE JUROR: No, I did not.

16 THE COURT: And if you are selected as a juror in  
17 this case, will you be able to set aside what you may have  
18 learned through other sources and decide the case based only  
19 on the evidence presented at trial?

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: And since you got my letter, have you  
22 not read anything about it?

23 PROSPECTIVE JUROR: Correct.

24 THE COURT: Okay. And then Question Number 4 is  
25 the organizations.

1 PROSPECTIVE JUROR: Yes, just, again, in the  
2 context of reading those two news articles, but before that,  
3 I have not heard of these organizations.

4 THE COURT: And which of these stick out from the  
5 news articles? Is it all of them or just a few?

6 PROSPECTIVE JUROR: No. It's just Feeding Our  
7 Future. That's the only one that comes to mind.

8 THE COURT: And then Question Number 5.

9 PROSPECTIVE JUROR: Yes, I can read and understand  
10 English and speak it.

11 THE COURT: And Question 5(b).

12 PROSPECTIVE JUROR: No, I do not.

13 THE COURT: Question 5(c).

14 PROSPECTIVE JUROR: No.

15 THE COURT: And Question 6.

16 PROSPECTIVE JUROR: I grew up on the East Coast,  
17 mostly in New York and Pennsylvania, and then did a short  
18 stint as a teenager living in Scotland, where my dad had a  
19 job and we moved there as a family.

20 THE COURT: Where in Scotland?

21 PROSPECTIVE JUROR: A little town called Troon on  
22 the west coast south of Glasgow.

23 THE COURT: And where do you live now?

24 PROSPECTIVE JUROR: Burnsville.

25 THE COURT: And what brought you to Burnsville?

1 PROSPECTIVE JUROR: My wife. We got married, and  
2 she's from here.

3 THE COURT: And Number 7.

4 PROSPECTIVE JUROR: I have a bachelor's degree. I  
5 work in IT. I've been working in the IT field for 10 or  
6 12 years now.

7 THE COURT: And where's your bachelor's degree  
8 from?

9 PROSPECTIVE JUROR: Maranatha Baptist University  
10 in Wisconsin.

11 THE COURT: Can you say that slower?

12 PROSPECTIVE JUROR: Maranatha Baptist University  
13 in Wisconsin.

14 THE COURT: Thank you.

15 PROSPECTIVE JUROR: Yeah.

16 THE COURT: And where do you work in IT, what  
17 company?

18 PROSPECTIVE JUROR: It's a company called Nations  
19 Roof. They do commercial roofing. I work from home.

20 THE COURT: And how long have you been with them?

21 PROSPECTIVE JUROR: Since November.

22 THE COURT: And where did you work before then?

23 PROSPECTIVE JUROR: A startup in the Cities called  
24 Saltbox Mgmt. They did IT consulting, and I was there for  
25 about a year and a half.

1 THE COURT: And before that?

2 PROSPECTIVE JUROR: Another IT consulting firm  
3 called Slalom here in the Cities, and I was there for three  
4 years.

5 THE COURT: Okay. Before that?

6 PROSPECTIVE JUROR: A larger IT company called  
7 Cray, C-R-A-Y. I did IT work for them --

8 THE COURT: Okay.

9 PROSPECTIVE JUROR: -- for about two years.

10 THE COURT: Okay. Different IT jobs all the way  
11 through?

12 PROSPECTIVE JUROR: Yes, yes.

13 THE COURT: And is your wife employed?

14 PROSPECTIVE JUROR: No.

15 THE COURT: And does she have a degree?

16 PROSPECTIVE JUROR: Yes.

17 THE COURT: What is that in?

18 PROSPECTIVE JUROR: I don't recall. Liberal arts  
19 of something. I don't recall though.

20 THE COURT: Okay. Where did she go to school?

21 PROSPECTIVE JUROR: Crown College.

22 THE COURT: And Number 8, children.

23 PROSPECTIVE JUROR: Yes. I have three children; a  
24 eight-year-old boy, a six-year-old boy and a seven-month-old  
25 daughter.

1 THE COURT: And where do the two older ones go to  
2 school?

3 PROSPECTIVE JUROR: Good Shepherd Lutheran in  
4 Burnsville.

5 THE COURT: And Number 9.

6 PROSPECTIVE JUROR: I enjoy the outdoors, so  
7 anything getting outside is great. I in particular enjoy  
8 mountain biking. I picked it up a couple years ago with  
9 some friends and enjoy that.

10 THE COURT: And churches?

11 PROSPECTIVE JUROR: Yes. My wife and I attend  
12 Resurrection Church in Burnsville.

13 THE COURT: And how about other organizations or  
14 groups?

15 PROSPECTIVE JUROR: No.

16 THE COURT: Okay. And Number 10.

17 PROSPECTIVE JUROR: No.

18 THE COURT: And how about what you read and listen  
19 to on a daily basis?

20 PROSPECTIVE JUROR: Yeah, I read the BBC news,  
21 mostly for international news; and then I read Minnesota  
22 Public Radio for local news; and maybe some other local  
23 channels, like KARE 11, but that's basically it.

24 THE COURT: How about blogs or internet sites?

25 PROSPECTIVE JUROR: No.

1 THE COURT: Podcasts?

2 PROSPECTIVE JUROR: No.

3 THE COURT: And have you ever previously served as  
4 a juror?

5 PROSPECTIVE JUROR: No.

6 THE COURT: And Question Number 13 on the next  
7 page.

8 PROSPECTIVE JUROR: No, I did not.

9 THE COURT: And how about Number 14?

10 PROSPECTIVE JUROR: My wife has a few relatives,  
11 uncles and aunts, who work as attorneys.

12 THE COURT: Do you know them well?

13 PROSPECTIVE JUROR: I see them like twice a year  
14 for family functions. I know them, but not overly well.

15 THE COURT: Any of them prosecutors or criminal  
16 defense attorneys?

17 PROSPECTIVE JUROR: No.

18 THE COURT: Okay. Anything about your  
19 conversations with them that you think would impact your  
20 ability to be fair and impartial?

21 PROSPECTIVE JUROR: No.

22 THE COURT: And how about Question Number 15?

23 PROSPECTIVE JUROR: No, I don't.

24 THE COURT: And Number 16.

25 PROSPECTIVE JUROR: No.

1 THE COURT: And 17.

2 PROSPECTIVE JUROR: No.

3 THE COURT: 18.

4 PROSPECTIVE JUROR: No.

5 THE COURT: 19. Have you ever testified?

6 PROSPECTIVE JUROR: No, I have not.

7 THE COURT: And 20.

8 PROSPECTIVE JUROR: No.

9 THE COURT: And when your kids were at school at  
10 Good Shepherd Lutheran, were there any programs for free  
11 meals during COVID?

12 PROSPECTIVE JUROR: No, there wasn't.

13 THE COURT: Okay. So private school so it didn't  
14 have any governmental programs?

15 PROSPECTIVE JUROR: Correct.

16 THE COURT: Question Number 21.

17 PROSPECTIVE JUROR: No, I have not.

18 THE COURT: And 22.

19 PROSPECTIVE JUROR: No.

20 THE COURT: And 23.

21 PROSPECTIVE JUROR: No.

22 THE COURT: And 24, interactions with folks whose  
23 backgrounds are in East Africa.

24 PROSPECTIVE JUROR: I did when I was in college.

25 That was, you know, 10, 12, 14 years ago. Graduated in

1 2014, so 10 years ago, I guess. I did then, but that was  
2 out of state and that was a while ago.

3 THE COURT: And so what was -- tell me about  
4 the interaction.

5 PROSPECTIVE JUROR: In college, I volunteered for  
6 a local nonprofit that did a lot of work with refugees who  
7 were coming from different countries, and a lot of them  
8 happened to be from the Middle East and from East Africa.

9 THE COURT: And so what did that organization do?

10 PROSPECTIVE JUROR: They did things like help find  
11 housing, help with food vouchers and things like that,  
12 finding work, helping with learning to speak English, things  
13 like that.

14 THE COURT: And what was your role? Did you  
15 interact directly with clients, or did you do something  
16 else, or what was your role?

17 PROSPECTIVE JUROR: I did a little bit of admin  
18 work and on the back end and IT work, but I also did a  
19 little bit of volunteering with helping people find jobs and  
20 kind of navigate through finding public transit and things  
21 like that.

22 THE COURT: And based on those experiences, did  
23 you come out of that with any positive/negative associations  
24 with folks who may have backgrounds from East Africa?

25 PROSPECTIVE JUROR: Not one way or the other. I

1 enjoyed meeting people and talking with them and learning  
2 their stories, but I think overall it was -- it was,  
3 contradicting myself, it was a positive experience overall.  
4 I learned a lot, but nothing that would prejudice me one way  
5 or the other.

6 THE COURT: And 25 tries to get at implicit or  
7 unconscious bias.

8 PROSPECTIVE JUROR: Mm-hmm.

9 THE COURT: Would you read 25(a) and answer that  
10 question.

11 PROSPECTIVE JUROR: Yes, I would feel comfortable  
12 doing that.

13 THE COURT: And then 25(b).

14 PROSPECTIVE JUROR: Yes, I can.

15 THE COURT: Okay. And 26(a) is, Are you willing  
16 to apply the law as I give it to you?

17 PROSPECTIVE JUROR: Yes.

18 THE COURT: And can you think of anything else  
19 that you need to call to the court's attention?

20 PROSPECTIVE JUROR: No.

21 THE COURT: Okay. Let me just ask the attorneys  
22 if they have follow-up.

23 **(Sidebar discussion)**

24 THE COURT: Any follow-up or motions?

25 MR. SCHLEICHER: Your Honor, I have --

1 MR. GOETZ: I have -- sorry.

2 MR. SCHLEICHER: Sorry.

3 MR. GOETZ: Go ahead, Steve.

4 MR. SCHLEICHER: Steve Schleicher on behalf of  
5 Said Farah.

6 Your Honor, if you would just ask him for a little  
7 bit of detail about what he does in IT specifically.

8 THE COURT: All right.

9 MR. COTTER: And, Your Honor, Patrick Cotter on  
10 behalf of Ismail.

11 Could you just follow up, when he was  
12 volunteering, did he have a specific role in submitting  
13 vouchers for food for the refugees. He indicated he did  
14 some IT and there was food vouchers and housing vouchers.  
15 What was his role, if any, in that?

16 THE COURT: Okay. Thank you.

17 And is there any motion for cause yet? Okay.  
18 I'll ask for hands at the end, except for Mr. Goetz has one,  
19 I think.

20 MR. GOETZ: No motion for cause, Your Honor.

21 THE COURT: Yeah.

22 MR. GOETZ: Mr. Shariff also worked for Slalom  
23 Consulting in the past. So I would ask if the court could  
24 ask him if he heard evidence that a witness also worked for  
25 that same company, Slalom Consulting, how would that impact

1 his view of that witness's testimony.

2 THE COURT: Thank you.

3 Anything else? Okay.

4 **(In open court)**

5 THE COURT: I know we've talked about the fact  
6 that you work in IT. It's a broad area.

7 PROSPECTIVE JUROR: Yes.

8 THE COURT: Can you talk a little bit more about  
9 what you do.

10 PROSPECTIVE JUROR: Yeah. Specifically, I work  
11 for a software -- on a software called Salesforce. They're  
12 a customer relationship management. I'm a system  
13 administrator at my company for that software.

14 THE COURT: And Salesforce, is it something that  
15 is -- you don't create, you've purchased?

16 PROSPECTIVE JUROR: Exactly. Yes. So I do the  
17 configuration and work with our vendors to make further  
18 configurations specific to our company.

19 THE COURT: One of your roles in IT was for -- did  
20 you say Slalom Consulting?

21 PROSPECTIVE JUROR: Yes, it was.

22 THE COURT: And how long did you work for Slalom?

23 PROSPECTIVE JUROR: Three years.

24 THE COURT: What did you do for them?

25 PROSPECTIVE JUROR: Same thing. So instead of

1 being in-house for one company, I would do -- they would  
2 contract out and do consulting. And so I would work with a  
3 number of local companies doing exactly what I'm doing only  
4 for them as a consultant.

5 THE COURT: And if a witness in this case took the  
6 stand and they also worked for Slalom Consulting, would you  
7 have any feelings one way or another about that witness?

8 PROSPECTIVE JUROR: No.

9 THE COURT: Any bad interactions that you can  
10 think of with individuals at Slalom?

11 PROSPECTIVE JUROR: No.

12 THE COURT: And you can treat that person with a  
13 blank slate in terms of credibility?

14 PROSPECTIVE JUROR: Yes.

15 THE COURT: Then let me just go back one moment to  
16 your volunteering in college --

17 PROSPECTIVE JUROR: Mm-hmm.

18 THE COURT: -- and the nonprofit that worked with  
19 refugees. One of the things that you had indicated they did  
20 was to -- I think it was to submit food vouchers? Am I  
21 right about that?

22 PROSPECTIVE JUROR: Yes, they did submit -- they  
23 helped people submit food vouchers and things like that. I  
24 didn't have any involvement with that side of it that I  
25 recall, but that was one of the programs. They helped

1 people get on SNAP and so on.

2 THE COURT: And you didn't have any involvement  
3 with that?

4 PROSPECTIVE JUROR: Not that I recall, no.

5 THE COURT: Do you recall any directions or  
6 information that you had about that portion of the service?

7 PROSPECTIVE JUROR: No.

8 THE COURT: Okay. Thank you.

9 I'm going to have you go to the courtroom next  
10 door. Await the process. It's a process.

11 PROSPECTIVE JUROR: Yes. Thank you.

12 THE COURT: I appreciate your patience. Thank  
13 you.

14 **(Prospective Juror Number 17 exits courtroom)**

15 THE COURT: Let's take a 15-minute break and come  
16 back at -- well, I guess 3:45.

17 THE CLERK: All rise.

18 (Recess taken at 3:23 p.m. till 3:45 p.m.)

19

20 **IN OPEN COURT**

21 **(JURY PANEL NOT PRESENT)**

22 THE COURT: You may be seated.

23 And I think Juror Number 18 is going to come in.

24 Thank you two for holding the door all day.

25 MR. GOETZ: I'm doing it for selfish reasons. I

1 get to stand.

2 THE COURT: Oh, okay. All right. I was going to  
3 make someone else take your place tomorrow, but no? No?  
4 All right.

5 Do they know, Kristine?

6 COURTROOM DEPUTY: Yes.

7 THE COURT: Yeah. Okay.

8 **(Prospective Juror Number 18 enters courtroom)**

9 THE COURT: Good afternoon. Come on forward. You  
10 are going to come around those tables, and then you are  
11 going to come up here to the witness chair.

12 You are Juror Number 18?

13 PROSPECTIVE JUROR: Yes.

14 THE COURT: All right. So I'll have you have a  
15 seat. And you're going to speak right into that microphone  
16 so that we can all hear you.

17 PROSPECTIVE JUROR: Okay.

18 THE COURT: You have the jury questionnaire in  
19 front of you?

20 PROSPECTIVE JUROR: Mm-hmm.

21 THE COURT: All right. So I'll ask you first what  
22 your age is.

23 PROSPECTIVE JUROR: I'm 45.

24 THE COURT: And then I'm going to go through all  
25 of these questions. I may or may not ask them out loud, but

1 you can read them?

2 PROSPECTIVE JUROR: Mm-hmm.

3 THE COURT: Yes. Okay.

4 I'm also going to have you pull that microphone a  
5 bit closer to you. The whole thing moves, the whole stand,  
6 yeah.

7 The answer to Question 2.

8 PROSPECTIVE JUROR: No, I don't.

9 THE COURT: And Question 3.

10 PROSPECTIVE JUROR: No, I haven't.

11 THE COURT: You haven't heard of this case at all?

12 PROSPECTIVE JUROR: (Moves head from side to  
13 side.)

14 THE COURT: And Question 4 is whether you've heard  
15 of any of those organizations listed there.

16 PROSPECTIVE JUROR: No, I haven't.

17 THE COURT: And any problems speaking, listening  
18 to or reading English?

19 PROSPECTIVE JUROR: No.

20 THE COURT: Okay. And then Question 5(b).

21 PROSPECTIVE JUROR: No, I don't have any problems  
22 hearing or seeing.

23 THE COURT: And Question 5(c).

24 PROSPECTIVE JUROR: No, I don't.

25 THE COURT: And you have -- you've not submitted a

1 case for hardship, so you can be with us through the trial?

2 PROSPECTIVE JUROR: (Moves head up and down.)

3 THE COURT: Yes?

4 PROSPECTIVE JUROR: Yes.

5 THE COURT: And Question 6.

6 PROSPECTIVE JUROR: I grew up in Trinidad and  
7 Tobago, and I live in Buffalo, Minnesota, now.

8 THE COURT: And when did you come to Buffalo?

9 PROSPECTIVE JUROR: About six years ago.

10 THE COURT: Okay. And what brought you there?

11 PROSPECTIVE JUROR: We bought a house.

12 THE COURT: Okay. All right. And Question 7.

13 PROSPECTIVE JUROR: I have an associate science  
14 degree in general nursing from Trinidad and Tobago, and I'm  
15 currently a health ESP in the school district for Buffalo.

16 THE COURT: What does an ESP do?

17 PROSPECTIVE JUROR: I work in the health office.

18 THE COURT: Doing what?

19 PROSPECTIVE JUROR: Taking care of the kids that  
20 are sick.

21 THE COURT: What does ESP stand for?

22 PROSPECTIVE JUROR: It's educational -- I can't  
23 think right now. Well, the other word for it is like a  
24 paraprofessional.

25 THE COURT: Okay. All right. And so you are

1 working in the school health office?

2 PROSPECTIVE JUROR: Mm-hmm.

3 THE COURT: Have you had any other occupations  
4 within the past five years?

5 PROSPECTIVE JUROR: Yes, because I've been doing  
6 the ESP for four years. So before that, I was a TMA CNA.

7 THE COURT: And what is that?

8 PROSPECTIVE JUROR: Certified nursing assistant  
9 and trained medication aide.

10 THE COURT: And where did you work?

11 PROSPECTIVE JUROR: In assisted living.

12 THE COURT: And as part of your duties working in  
13 the school office, do you have any responsibilities with  
14 their providing meals or providing nutritional information?

15 PROSPECTIVE JUROR: No.

16 THE COURT: Do you have any contact with the  
17 Minnesota Department of Education?

18 PROSPECTIVE JUROR: No.

19 THE COURT: Okay. And this case is about children  
20 receiving meals during COVID. Do you think that that  
21 subject matter, given that you work in a school with  
22 children, will impact your ability to be a fair juror?

23 PROSPECTIVE JUROR: No.

24 THE COURT: And do you have a spouse or partner?

25 PROSPECTIVE JUROR: I do.

1 THE COURT: And what is their occupation?

2 PROSPECTIVE JUROR: He's a machinist.

3 THE COURT: And where does he work?

4 PROSPECTIVE JUROR: Um.

5 THE COURT: It's okay. A company?

6 PROSPECTIVE JUROR: Yeah.

7 THE COURT: Okay. How long has he done that?

8 PROSPECTIVE JUROR: 20 something years.

9 THE COURT: Okay. And do you know what community  
10 the company is in?

11 PROSPECTIVE JUROR: It's in Fridley.

12 THE COURT: And Question Number 8.

13 PROSPECTIVE JUROR: I do have children; 2, 16 and  
14 15.

15 THE COURT: And do they go to the Buffalo schools?

16 PROSPECTIVE JUROR: They do.

17 THE COURT: Okay. And Question Number 9.

18 THE DEFENDANT: I like to do gardening and just  
19 relaxing. I do go to church. I go to Grace Church of  
20 Wright County, and I'm a Sunday school teacher.

21 THE COURT: Is Grace Church a Christian church?

22 PROSPECTIVE JUROR: It is.

23 THE COURT: And what denomination, if any?

24 PROSPECTIVE JUROR: We say full gospel.

25 THE COURT: And what age children do you teach?

1 PROSPECTIVE JUROR: The nursery.

2 THE COURT: Okay. So is that three,

3 four-year-olds or --

4 PROSPECTIVE JUROR: It's nursery to kindergarten,

5 so it's a mix of --

6 THE COURT: Okay. And Question 10.

7 PROSPECTIVE JUROR: No.

8 THE COURT: Question 11.

9 PROSPECTIVE JUROR: I'm on Facebook and Instagram.

10 THE COURT: Where do you get your news?

11 PROSPECTIVE JUROR: I don't really watch the news.

12 THE COURT: Okay. Any podcasts you listen to?

13 PROSPECTIVE JUROR: No.

14 THE COURT: And Question 12.

15 PROSPECTIVE JUROR: I have.

16 THE COURT: When was that?

17 PROSPECTIVE JUROR: 2022.

18 THE COURT: And where?

19 PROSPECTIVE JUROR: Wright County District.

20 THE COURT: In Wright County?

21 PROSPECTIVE JUROR: Mm-hmm.

22 THE COURT: And did you serve on a case all the  
23 way to verdict?

24 PROSPECTIVE JUROR: Yes.

25 THE COURT: Was it a criminal or a civil matter?

1 PROSPECTIVE JUROR: Criminal.

2 THE COURT: What kind of charge?

3 PROSPECTIVE JUROR: Murder.

4 THE COURT: And what was the verdict in that case?

5 PROSPECTIVE JUROR: Guilty.

6 THE COURT: Were you the foreperson of the jury?

7 PROSPECTIVE JUROR: I was not.

8 THE COURT: Is there anything about your previous  
9 jury experience that would lead you to feel that you may  
10 have some prejudices either for or against the United States  
11 or the defendants in this case?

12 PROSPECTIVE JUROR: No.

13 THE COURT: Is there anything about that  
14 experience that would affect your approach to this case?

15 PROSPECTIVE JUROR: No.

16 THE COURT: If there are instructions given by me  
17 in this case that are different from those that you might  
18 remember from your Wright County case, can you make sure  
19 that you are following the instructions from me and putting  
20 aside the instructions in the Wright County case?

21 PROSPECTIVE JUROR: Yes.

22 THE COURT: What was the -- can you just give a  
23 couple of sentences about what that murder was about, the  
24 victim or anything that you remember.

25 PROSPECTIVE JUROR: The person went into a clinic

1 and shot up some healthcare staff. One person died and  
2 several others were injured really bad.

3 THE COURT: Okay. All right. Question Number 13.

4 PROSPECTIVE JUROR: No, I do not.

5 THE COURT: Question Number 14.

6 PROSPECTIVE JUROR: No.

7 THE COURT: And 15.

8 PROSPECTIVE JUROR: No.

9 THE COURT: 16.

10 PROSPECTIVE JUROR: No.

11 THE COURT: 17.

12 PROSPECTIVE JUROR: No.

13 THE COURT: 18.

14 PROSPECTIVE JUROR: No.

15 THE COURT: Law enforcement officers probably  
16 testified in your previous case?

17 PROSPECTIVE JUROR: Yes.

18 THE COURT: Were you able to treat those officers  
19 the same way you treated every other witness?

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: Okay. 19.

22 PROSPECTIVE JUROR: No, I have not.

23 THE COURT: 20.

24 PROSPECTIVE JUROR: No.

25 THE COURT: 21, worked with social services

1 programs for the government.

2 PROSPECTIVE JUROR: No.

3 THE COURT: 22.

4 PROSPECTIVE JUROR: No.

5 THE COURT: In your work in the school office,  
6 have you ever had to call an emergency or law enforcement,  
7 ambulance, any of that?

8 PROSPECTIVE JUROR: Yes.

9 THE COURT: Okay. And did you interact with law  
10 enforcement at that time? Did you talk to the police  
11 officers or anyone?

12 PROSPECTIVE JUROR: Yep.

13 THE COURT: Okay. Anything about those  
14 interactions that you think would affect you here?

15 PROSPECTIVE JUROR: No.

16 THE COURT: Did you have any negative experience  
17 with the law enforcement?

18 PROSPECTIVE JUROR: (Moves head from side to  
19 side.)

20 THE COURT: How many times do you think you've  
21 interacted with law enforcement as they've come to the  
22 school?

23 PROSPECTIVE JUROR: Maybe twice.

24 THE COURT: Okay. And under what kind of  
25 circumstances?

1 PROSPECTIVE JUROR: One was an overdose for a  
2 student, and the other one was a seizure.

3 THE COURT: Question 23.

4 PROSPECTIVE JUROR: I do.

5 THE COURT: You do have feelings?

6 PROSPECTIVE JUROR: Yes.

7 THE COURT: Can you talk about those.

8 PROSPECTIVE JUROR: In 1990 in Trinidad and Tobago  
9 an Islamic group overthrew the government and created some  
10 turmoil in the country. And as recent as five years ago, I  
11 have a very close cousin that joined an Islamic group and  
12 now she's dead and so were her children.

13 THE COURT: And tell me what that leads you to  
14 believe in terms of your treatment of folks who are Islamic  
15 or Muslim.

16 PROSPECTIVE JUROR: I would still try to be fair,  
17 but, I mean, those experiences are still lingering in the  
18 back of my mind, so.

19 THE COURT: And when you were in Wright County on  
20 that jury --

21 PROSPECTIVE JUROR: Mm-hmm.

22 THE COURT: -- that sounds maybe like a traumatic  
23 experience.

24 PROSPECTIVE JUROR: It was.

25 THE COURT: You agree? Yeah. I'm going to excuse

1       you.

2                   PROSPECTIVE JUROR:   Okay.

3                   THE COURT:   Thank you very much for being here.

4                   **(Prospective Juror Number 18 exits courtroom)**

5                   **(Prospective Juror Number 19 enters courtroom)**

6                   THE COURT:   Good afternoon.   You may come forward.

7       And I'll have you come all the way around these tables, and  
8       then you are winding your way up to this witness chair here.

9                   This is Juror Number 19.   If you wish, you may  
10       remove your mask while you testify.   If you do not feel  
11       comfortable, that's fine too.

12                   Can you tell me your age.

13                   PROSPECTIVE JUROR:   Yes.   I am 21 years old.

14                   THE COURT:   And Question Number 2 on the jury  
15       questionnaire in front of you.

16                   PROSPECTIVE JUROR:   Question Number 2.   I do not  
17       know anyone on the list of potential witnesses, defendants  
18       or staff.

19                   THE COURT:   Okay.   And Question Number 3.

20                   PROSPECTIVE JUROR:   Question Number 3.   I've heard  
21       of one of the defendants on the case from my roommates  
22       previously before I was aware I was on jury duty, but I  
23       didn't hear any further information about it, so I was not  
24       able to develop an opinion on the guilt or innocence.

25                   THE COURT:   And you said you heard of one of the

1 defendants. Did you hear of a name?

2 PROSPECTIVE JUROR: No. It was the -- it was just  
3 Feeding Our Future.

4 THE COURT: Okay. So you heard the name of the  
5 organization?

6 PROSPECTIVE JUROR: Correct.

7 THE COURT: Okay. And so when you said "one of  
8 the defendants," is that what you meant Feeding Our Future?

9 PROSPECTIVE JUROR: Right, not one of the people  
10 individually.

11 THE COURT: Okay. And what is it that you heard  
12 from your roommates?

13 PROSPECTIVE JUROR: Yeah, I was made aware that  
14 there was a ongoing, like, fraud case. We had discussed  
15 about like our experience with food shelves and such and if  
16 we had experienced -- or if we had -- had any contact with  
17 anything in the case, and none of us knew anything. So the  
18 conversation kind of ended there.

19 THE COURT: And so have you developed an opinion  
20 on the guilt or innocence of the defendants?

21 PROSPECTIVE JUROR: No.

22 THE COURT: And when you talked with your  
23 roommates, was that them sharing information or how did it  
24 come about?

25 PROSPECTIVE JUROR: Yeah, this was them sharing

1 information from something they had seen online.

2 THE COURT: And what did they say?

3 PROSPECTIVE JUROR: They said it was a fraud case  
4 involving nonprofits -- like the online information they had  
5 read was about nonprofits pretending to -- were using their  
6 funds for real estate purchases.

7 THE COURT: Okay. And did you form a view, based  
8 on that, that nonprofits did indeed use funds for real  
9 estate purchases?

10 PROSPECTIVE JUROR: Well, that was what I had been  
11 told, but I didn't know anything further than that.

12 THE COURT: Okay. And if you are selected as a  
13 juror in this case, will you be able to set aside what you  
14 may have heard, including that information, and decide the  
15 case based only on the evidence presented during trial?

16 PROSPECTIVE JUROR: Yes.

17 THE COURT: When you discussed your experiences  
18 with food shelves, can you tell me a little bit more about  
19 that. What was that conversation about?

20 PROSPECTIVE JUROR: Yeah, I have five other  
21 roommates. I live with them. A lot of us have had  
22 experience going to like food shelves and stuff because  
23 we're all fairly low income, and a couple of the roommates  
24 have worked at co-ops, so it's like a -- sort of a topic of  
25 interest.

1           As far as my personal experience with food  
2 shelves, I have regularly used the one -- one -- a food  
3 shelf near where I live operated by Hamline University.

4           THE COURT: And does your use of that service give  
5 you a view as to this case?

6           PROSPECTIVE JUROR: I would say I don't know  
7 enough about the case necessarily to say, but I would say I  
8 have a positive view of food shelves, and I think they're,  
9 like, a very necessary service to have in a community.

10          THE COURT: Do you have any problem applying a  
11 presumption of innocence to the defendants here?

12          PROSPECTIVE JUROR: Sorry. Could you repeat that?

13          THE COURT: Sure. Do you have any problem  
14 applying a presumption of innocence to the defendants here?

15          PROSPECTIVE JUROR: No.

16          THE COURT: And how about Question 4? There's a  
17 number of organizations there. Have you heard of any of  
18 those?

19          PROSPECTIVE JUROR: Right. I have heard of  
20 Feeding Our Future, but I have not heard of the other listed  
21 organizations.

22          THE COURT: And how have you heard of Feeding Our  
23 Future?

24          PROSPECTIVE JUROR: Yeah, I heard of -- Feeding  
25 Our Future was the name brought up in the -- that discussion

1 with my roommates that I previously mentioned. I think at  
2 that point I was also under the impression that Feeding Our  
3 Future was the only organization involved in the case.

4 THE COURT: Was this prior to your jury summons or  
5 after?

6 PROSPECTIVE JUROR: Probably after the letter was  
7 sent, but the letter was sent to my parents' address, and I  
8 am no longer in contact with them.

9 THE COURT: Okay. But you got it somehow and were  
10 able to respond?

11 PROSPECTIVE JUROR: Yeah. Eventually they reached  
12 out to me, and my sister brought me the letter.

13 THE COURT: Okay. And so it was at that point  
14 that you had a discussion about -- with your roommates?

15 PROSPECTIVE JUROR: No. This would -- the  
16 discussion would have been prior.

17 THE COURT: Okay. Thank you. All right.

18 Since you have received the letter, have you been  
19 able to follow the instruction in the letter not to discuss  
20 the case with anyone or look at -- look at any articles  
21 about it?

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: All right. Question 5.

24 PROSPECTIVE JUROR: I have no problem reading,  
25 understanding or speaking English. And I do not have any

1 issues seeing or hearing or any physical or mental issues  
2 that would prevent me from serving.

3 THE COURT: And you have not applied for a  
4 hardship here, so you are able to be with us during trial?

5 PROSPECTIVE JUROR: Yes.

6 THE COURT: And Question 6.

7 PROSPECTIVE JUROR: I was -- or I grew up in the  
8 like Eden Prairie area sort of. Although I wasn't born in  
9 Minnesota, I spent pretty much all of my childhood here. I  
10 currently live in St. Paul in the Midway area sort of around  
11 Hamline.

12 THE COURT: And what's your educational  
13 background?

14 PROSPECTIVE JUROR: I graduated from high school  
15 and was accepted to the University of Minnesota and  
16 completed two years there, but I am currently on a leave of  
17 absence.

18 My current occupation is as a barista. I haven't  
19 had -- I had one other job in the past five years, and it  
20 was at Jersey Mike's, I believe.

21 THE COURT: What were you studying at the U?

22 PROSPECTIVE JUROR: I was a computer science  
23 major.

24 THE COURT: And what made you take a leave of  
25 absence?

1 PROSPECTIVE JUROR: I took my leave of absence due  
2 to being unhoused and being financially unable to pay  
3 tuition.

4 THE COURT: And do you have a spouse or partner?

5 PROSPECTIVE JUROR: No.

6 For Number 8, I do not have any children.

7 THE COURT: And Number 9.

8 PROSPECTIVE JUROR: Yeah, for Number 9, I still  
9 practice piano when I can. I borrowed a keyboard from --  
10 like a fold-down one from one of my roommates. Other than  
11 that, in my free time I mostly just either watch videos  
12 online or read.

13 I currently don't belong to any organizations,  
14 groups or churches.

15 THE COURT: And Number 10.

16 PROSPECTIVE JUROR: I do not have any religious,  
17 philosophical or other beliefs that would make me unable to  
18 render a fair and impartial verdict.

19 THE COURT: And how about Number 11?

20 PROSPECTIVE JUROR: Yeah, I did used to have a  
21 Popular Science subscription, but no longer.

22 And I would say the internet sites I read on a  
23 regular basis would be X, formerly known as Twitter.

24 THE COURT: Any podcasts?

25 PROSPECTIVE JUROR: No.

1 THE COURT: And have you previously served as a  
2 juror?

3 PROSPECTIVE JUROR: I have not.

4 THE COURT: And Question 13.

5 PROSPECTIVE JUROR: Nope, I did not recognize any  
6 of my fellow jurors.

7 THE COURT: And 14.

8 PROSPECTIVE JUROR: I do not have any relatives or  
9 close friends that are employed in the legal profession, to  
10 my knowledge.

11 THE COURT: And 15.

12 PROSPECTIVE JUROR: I have no legal or law  
13 enforcement training.

14 THE COURT: And 16, contacts with criminal justice  
15 system.

16 PROSPECTIVE JUROR: I would say my closest contact  
17 with the criminal justice system would be that I was using a  
18 service called Donut. This was like an app that you could  
19 put money into to get like a small amount of like interest.

20 THE COURT: Mm-hmm.

21 PROSPECTIVE JUROR: Donut was not directly  
22 involved in crypto, but one of its major investors was FTX.  
23 So when FTX collapsed, my money in Donut was frozen, and I  
24 think I lost access to around \$3,000. So that wasn't -- I  
25 was never, like, involved in that case beyond that, but that

1 would be kind of -- that would count as victim of a crime I  
2 think.

3 THE COURT: Did you interact with law enforcement  
4 over that loss?

5 PROSPECTIVE JUROR: No, never.

6 THE COURT: How about Number 17.

7 PROSPECTIVE JUROR: Nope.

8 THE COURT: And Number 18.

9 PROSPECTIVE JUROR: I would say I have some  
10 prejudice against law enforcement due to the fact that I  
11 feel that they do not protect those who are less well off  
12 and primarily serve the interests of those in power or who  
13 have large amounts of capital.

14 THE COURT: And how did you come to form that  
15 opinion?

16 PROSPECTIVE JUROR: Yeah, this would be from  
17 secondhand experience with friends and loved ones and from,  
18 like, news media I've consumed.

19 THE COURT: Okay. And what kind of secondhand  
20 experiences are you talking about?

21 PROSPECTIVE JUROR: Yeah, I've had other friends  
22 that were currently or formerly unhoused, and they've had  
23 some bad experiences with the police officers, and friends  
24 of ethnic minorities who have related bad experiences with  
25 law enforcement. And, otherwise, anything else was opinions

1 formed from, like, seeing news articles or seeing, like,  
2 reports online.

3 THE COURT: So the testimony of some of the  
4 witnesses here is going to come from law enforcement  
5 officers, including the FBI. And one of the instructions  
6 that I give is to treat all witnesses the same in terms of  
7 how they start with credibility.

8 Given what you know about the nature of this case,  
9 can you follow that instruction and treat law enforcement  
10 officers the same as anyone else?

11 PROSPECTIVE JUROR: I would say my prejudice  
12 against law enforcement is more about the system as it  
13 exists. I have no, like, qualms about trusting any  
14 particular officer of the law presenting evidence.

15 THE COURT: And do you think that -- I mean, you  
16 don't know much about this case yet, so this is a hard  
17 question to answer, but do you think that those qualms that  
18 you have about the system will affect your ability to be  
19 fair, impartial and judge this case only on what you see in  
20 the courtroom?

21 PROSPECTIVE JUROR: I would hope that my dislike  
22 for large organizations abusing their access to money would  
23 somewhat balance out my aforementioned prejudice against law  
24 enforcement in this case, specifically in the way that I  
25 don't view this case as an instance of law enforcement,

1 like, punching down, so to speak, which is the -- the avenue  
2 that I -- which is the perspective that I view law  
3 enforcement as from usually.

4 THE COURT: And when you say a "dislike for large  
5 organizations abusing access to money," explain what you  
6 mean by that.

7 PROSPECTIVE JUROR: Yeah, so, for example, with,  
8 like, my previous experience with that FTX case or with, for  
9 example, the University of Minnesota and their use of school  
10 funds or --

11 Sorry. Could you repeat what you are asking me to  
12 clarify.

13 THE COURT: Yeah. You had said that you had a  
14 dislike for large organizations abusing their access to  
15 money, and you thought that might balance your feelings  
16 about law enforcement as an organization.

17 And I'm trying to explore what prejudice or bias  
18 may come out of a statement like I don't like large  
19 organizations who abuse their access to money. Where does  
20 that come from?

21 And you gave the example of the FTX case, and then  
22 you were, I think, going to give an example of the  
23 University of Minnesota.

24 PROSPECTIVE JUROR: Right.

25 THE COURT: That's where we were.

1 PROSPECTIVE JUROR: Yeah, that prejudice would be  
2 that when I see, like, someone or a group of someones, so an  
3 organization, throwing around a lot of money, I don't  
4 generally view that as an entirely positive thing no matter  
5 how, like, altruistic the intent may be, because I don't  
6 believe that accruing that amount of wealth can be done in  
7 like a completely ethical way or without pushing other  
8 people down.

9 THE COURT: Okay. So I'm hearing you're a little  
10 bit anti-wealth. Fair?

11 PROSPECTIVE JUROR: Correct. Yes.

12 THE COURT: Okay. The evidence in this case may  
13 show individuals who have or have accrued wealth. The  
14 question that I have coming out of what you just said is,  
15 can you be fair to individuals who may have accrued wealth  
16 and follow my instructions on the law? In other words, no  
17 one is guilty because they accrued wealth. Can you accept  
18 that?

19 PROSPECTIVE JUROR: Yes, I can accept that just  
20 the act of accruing wealth is not inherently wrong for  
21 someone to do or like even to, like, want more wealth is not  
22 a bad thing.

23 THE COURT: And at the end of the day, whether  
24 these individuals who are on trial are found guilty is for  
25 the government to prove beyond a reasonable doubt and they

1 are presumed innocent. Can you apply that presumption of  
2 innocence?

3 PROSPECTIVE JUROR: I would be able to leave the  
4 decision of whether or not they are innocent or guilty  
5 entirely up to the government in this instance, yes, like as  
6 in my own -- not involving my own assumption about their  
7 intentions or guilt.

8 THE COURT: Okay. If you are seated as a juror on  
9 this case, it will be your determination whether individuals  
10 are guilty based on your review of the evidence and based on  
11 the law as I give it to you, and they are to start with a  
12 presumption of innocence. Can you apply all those things?

13 PROSPECTIVE JUROR: It's presumption of innocence  
14 and evidence only as presented by the court. There was one  
15 more thing, right?

16 THE COURT: Presumption of innocence. And you are  
17 to determine, not the government, whether each defendant is  
18 guilty based on what the evidence says and based on the law  
19 as I give it to you. Will you be able to do that?

20 PROSPECTIVE JUROR: Yes, I can determine their  
21 guilt or innocence based only on the law as it's given to me  
22 and not my own moral qualifications.

23 THE COURT: Thank you. I'm going to talk to the  
24 attorneys for a moment.

25 **(Sidebar discussion)**

1 THE COURT: Does anyone have a motion?

2 Mr. Sapone.

3 MR. SAPONE: Your Honor, I think that we should  
4 remove him for cause based just on the very, very, very long  
5 pauses to very, very serious and important questions by  
6 Your Honor. I think this is an easy one.

7 THE COURT: Any objection?

8 MR. THOMPSON: I agree, Your Honor.

9 THE COURT: Thank you.

10 **(In open court)**

11 THE COURT: Thank you so much for being here. I'm  
12 excusing you. So you are free to go. You are going to hand  
13 those papers to the person who is standing outside. Okay.  
14 Thank you very much.

15 PROSPECTIVE JUROR: Thank you.

16 **(Prospective Juror Number 19 exits courtroom)**

17 THE COURT: I'll remind you all that Number 20  
18 knows Number 10, but Number 10 is now gone.

19 **(Prospective Juror Number 20 enters courtroom)**

20 THE COURT: Good afternoon. Come on forward.  
21 I'll have you come up to the witness stand right up here.  
22 Hi.

23 PROSPECTIVE JUROR: Hi.

24 THE COURT: You are Juror Number 20?

25 PROSPECTIVE JUROR: Correct.

1 THE COURT: You have the questionnaire in front of  
2 you. I'd like to just go through the answers to those  
3 questions. What is your age?

4 PROSPECTIVE JUROR: 58.

5 THE COURT: And the answer to Number 2.

6 PROSPECTIVE JUROR: No.

7 THE COURT: The answer to Number 3.

8 PROSPECTIVE JUROR: Yes.

9 THE COURT: And how have you heard of this case?

10 PROSPECTIVE JUROR: I read about it when it first  
11 broke a couple of years ago.

12 THE COURT: And do you remember where you -- what  
13 you read or where you read it?

14 PROSPECTIVE JUROR: I think I read it on my news  
15 feed. And what I remember is I think I remember reading it  
16 in a national publication, maybe CNN. I'm not sure. And  
17 then probably going to a local publication to read more  
18 about it, but I don't remember which one.

19 THE COURT: Okay. And what do you remember  
20 reading?

21 PROSPECTIVE JUROR: I remember reading that some  
22 of the funds that were being given to organizations to feed  
23 children during the COVID pandemic had been misused, maybe  
24 used for personal reasons.

25 THE COURT: And have you continued -- until you

1 got the letter from me, have you continued to follow the  
2 story?

3 PROSPECTIVE JUROR: No.

4 THE COURT: Did you have a sense of how many --  
5 well, whether there was a criminal investigation or a civil  
6 case or what the -- what the scope of the investigation was  
7 about or was?

8 PROSPECTIVE JUROR: I think I had the sense that  
9 it was pretty serious. I knew that they were federal  
10 dollars.

11 THE COURT: And did you understand it to be a  
12 criminal case or a civil case?

13 PROSPECTIVE JUROR: I don't know that I thought  
14 about it, really.

15 THE COURT: And based on what you read, have you  
16 developed an opinion on the guilt or innocence of the  
17 defendants?

18 PROSPECTIVE JUROR: No.

19 THE COURT: And if you are selected as a juror in  
20 this case, will you be able to set aside what you might have  
21 read earlier and decide the case only on the evidence  
22 presented in trial?

23 PROSPECTIVE JUROR: I think so.

24 THE COURT: And I'm looking for better than "I  
25 think so."

1 PROSPECTIVE JUROR: Yes.

2 THE COURT: And I'm serious about that. Are you  
3 serious about that?

4 PROSPECTIVE JUROR: Yes, I am.

5 THE COURT: Okay.

6 PROSPECTIVE JUROR: Mm-hmm.

7 THE COURT: Number 4 lists a number of  
8 organizations. Have you heard of any of those?

9 PROSPECTIVE JUROR: Not before -- not before  
10 reading the news and -- a couple years ago, and what I  
11 remember is the name Feeding Our Future.

12 Summer Food Service Program, I don't know if  
13 that's the name of a program, but I am a teacher in a public  
14 school, so I have heard of programs that were providing food  
15 to children like in the summers.

16 THE COURT: And do you -- are you yourself as a  
17 teacher involved in any of those programs?

18 PROSPECTIVE JUROR: No, no.

19 THE COURT: Have you had to complete any forms for  
20 any of those programs?

21 PROSPECTIVE JUROR: No.

22 THE COURT: Do you know children who took  
23 advantage or who were served by those programs?

24 PROSPECTIVE JUROR: Yes.

25 THE COURT: And can you think of specific

1 children? And I'm not asking names, but I'm wondering how  
2 deep your knowledge is.

3 PROSPECTIVE JUROR: No, just children in my  
4 school. And I'm not sure if they were served specifically  
5 by these programs, but I know they were served food during  
6 the pandemic. And kids in my district are served food  
7 throughout the summer. Any child who comes to a public  
8 school and other locations in the summertime can get food,  
9 but I'm not a part of that. I just know about the program.

10 THE COURT: Okay. And does your knowledge of the  
11 program and your work in the public schools and your work  
12 with children affect the way that you look at this case such  
13 that you think you can't be fair and impartial?

14 PROSPECTIVE JUROR: I'm -- my interest is always  
15 around children getting their needs met. At the same time I  
16 think I do look at evidence. I would look at evidence  
17 before making any judgments.

18 THE COURT: And so one of the instructions that  
19 you will get from me many times throughout the trial is that  
20 these defendants are under a presumption of innocence. They  
21 are presumed innocent. The government must prove them  
22 guilty each one individually beyond a reasonable doubt. Can  
23 you apply that presumption?

24 PROSPECTIVE JUROR: Yes.

25 THE COURT: And you can do that even though you

1 have an interest in children, an occupation around children,  
2 and an interest in having children have their needs met?

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: Question Number 5.

5 PROSPECTIVE JUROR: I do not have any difficulty  
6 reading, understanding or speaking English. I do not have  
7 any problems seeing or hearing, and I do not have any other  
8 physical or mental issues that would prevent me serving.

9 THE COURT: And you have not submitted a hardship  
10 request. You can be here during trial?

11 PROSPECTIVE JUROR: Yes.

12 THE COURT: Question Number 6.

13 PROSPECTIVE JUROR: I grew up on the East Coast  
14 outside Washington, D.C., and Philadelphia, and I live in  
15 Minneapolis.

16 THE COURT: When did you move to Minneapolis?

17 PROSPECTIVE JUROR: After I graduated from college  
18 in 1987.

19 THE COURT: Where did you go to college?

20 PROSPECTIVE JUROR: Grinnell College in Iowa.

21 THE COURT: And so then let's go to your  
22 occupational -- your occupation and your educational  
23 background.

24 PROSPECTIVE JUROR: So I have a master's degree in  
25 teaching second languages and cultures. I am a lead teacher

1 for the English as a Second Language program for English  
2 learners in my school, which is a Minneapolis public school.

3 THE COURT: And how long have you been with your  
4 school?

5 PROSPECTIVE JUROR: I've been at my particular  
6 school, this is my sixth year.

7 THE COURT: And which school is that?

8 PROSPECTIVE JUROR: Green Central.

9 THE COURT: And where did you work before that?

10 PROSPECTIVE JUROR: I was a -- I had a district  
11 position called a PAR mentor, Peer and Assistance Review.  
12 So I worked at many different sites with nontenured teachers  
13 and sometimes tenured teachers who needed more support.

14 THE COURT: And what did you do with them?

15 PROSPECTIVE JUROR: With nontenured teachers, I --  
16 well, with all teachers, I provided instructional support,  
17 so support and coaching around their instruction.

18 I did classroom observations and gave feedback. I  
19 helped onboard new teachers to get them familiar with just  
20 being a teacher in the public schools.

21 THE COURT: Do you have a spouse or partner?

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: And what does that person do?

24 PROSPECTIVE JUROR: He is a -- he actually just  
25 finished today defending his MFA. So he's been a student

1 and a graduate teaching assistant at the college level.

2 THE COURT: In fine arts?

3 PROSPECTIVE JUROR: Mm-hmm.

4 THE COURT: And has he worked in any -- what has  
5 he done for employment? Teaching -- you say graduate  
6 teaching?

7 PROSPECTIVE JUROR: Yeah, that's what he's doing  
8 now. He's been self-employed. He's been a graphic  
9 designer. He's been a museum exhibit designer. And he's  
10 also work as an educational assistant in the public schools.

11 THE COURT: And Question Number 8.

12 PROSPECTIVE JUROR: I have two children. My  
13 daughter is 22. She's an interior designer. And my son is  
14 19. He's a sophomore at the University of Minnesota.

15 THE COURT: And Question 9.

16 PROSPECTIVE JUROR: Mostly I work. I like to  
17 read, knit, do things with my family, garden. I don't  
18 really belong to any of those other organizations.

19 THE COURT: And Question 10.

20 PROSPECTIVE JUROR: No.

21 THE COURT: And Question 11.

22 PROSPECTIVE JUROR: I read news that comes across  
23 my news feed primarily from -- do you want to know the --

24 THE COURT: Yes.

25 PROSPECTIVE JUROR: -- news sources? I would say

1 CNN, MSNBC, MPR, New York Times, sometimes the Sahan  
2 Journal, occasionally the Star and Tribune.

3 THE COURT: And have you ever previously served as  
4 a juror?

5 PROSPECTIVE JUROR: No.

6 THE COURT: And Question 13. I think you might  
7 have known Juror Number 10.

8 PROSPECTIVE JUROR: Correct.

9 THE COURT: Okay. Anything about that that would  
10 affect your ability to be fair and impartial?

11 PROSPECTIVE JUROR: No.

12 THE COURT: And Number 14.

13 PROSPECTIVE JUROR: I have a couple of friends who  
14 are paralegals.

15 THE COURT: With what organizations?

16 PROSPECTIVE JUROR: One of them is an immigration  
17 paralegal, and the other I think works with intellectual  
18 property rights or something.

19 THE COURT: Okay. Question 15.

20 PROSPECTIVE JUROR: No.

21 THE COURT: And Question 16.

22 PROSPECTIVE JUROR: I had a work friend whose  
23 husband was the victim of a homicide. That was in 2000.  
24 And, yes, I think that her experience in the courts was  
25 handled fairly.

1 THE COURT: What happened? Was anyone charged I  
2 guess is --

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: Okay. Question 17.

5 PROSPECTIVE JUROR: No.

6 THE COURT: Question 18.

7 PROSPECTIVE JUROR: Do I have any prejudices  
8 against or in favor of law enforcement? I do think that law  
9 enforcement has profiled people racially. I live fairly  
10 close to George Floyd Square, and so I think that I live  
11 kind of in a climate of some suspicion against law  
12 enforcement.

13 I'll also say that a number of years ago, my  
14 husband and I were block club leaders, and we were quite  
15 involved with our community policing and had very good  
16 relationships. That was a couple decades ago. And I think  
17 I've seen a shift towards law enforcement being less  
18 community-minded in my experience.

19 THE COURT: And the law enforcement officers who  
20 will testify -- who may testify in this case are FBI agents,  
21 for the most part, I believe.

22 And in this case do you think, given the nature of  
23 this case, that that general feeling that you have will  
24 impact your ability to be fair and impartial?

25 PROSPECTIVE JUROR: I don't -- I don't think so.

1 I don't really know much about how the FBI operates outside  
2 of movies I watch, so I would say no.

3 THE COURT: And when a law enforcement officer,  
4 either local or federal, takes the stand, can you treat that  
5 person like you would treat any other witness, in other  
6 words, a blank slate with regard to credibility?

7 PROSPECTIVE JUROR: Yes.

8 THE COURT: Question 19.

9 PROSPECTIVE JUROR: Have I ever testified in  
10 court? I was the plaintiff in a adverse possession lawsuit  
11 in -- that was settled I think in 2008.

12 THE COURT: And what was the property at issue?

13 PROSPECTIVE JUROR: It was called adverse -- yeah,  
14 it was property, boundary issue.

15 THE COURT: With your house?

16 PROSPECTIVE JUROR: Yes.

17 THE COURT: Okay. Anything about that experience  
18 that would affect your approach to this case?

19 PROSPECTIVE JUROR: It was -- I had a very  
20 positive experience. We -- what's the word -- forewent our  
21 right to a jury, so the judge adjudicated that case, and I  
22 felt she was very fair. The ruling was in my favor, so --

23 THE COURT: That helps.

24 PROSPECTIVE JUROR: I guess it helps but --

25 THE COURT: Was that Hennepin County?

1 PROSPECTIVE JUROR: What's that?

2 THE COURT: Was that Hennepin County?

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: Okay. And Question 20.

5 PROSPECTIVE JUROR: Yes, so I -- when we came back  
6 from lockdown or came back to teaching in person in schools,  
7 I think it was the spring of 2021, we were provided with  
8 breakfast and lunch at the school where I worked, and the  
9 Minneapolis public school staff were provided with meals, so  
10 I did receive meals at that time.

11 THE COURT: And so you ate at school?

12 PROSPECTIVE JUROR: Yes, sometimes.

13 THE COURT: Did you have to complete any forms,  
14 show any ID, anything like that, when you took advantage of  
15 that service?

16 PROSPECTIVE JUROR: No, not that I remember.

17 THE COURT: And you're aware of the kids and their  
18 programs, but you don't have involvement in those, is that  
19 my understanding?

20 PROSPECTIVE JUROR: Yeah.

21 THE COURT: 21.

22 PROSPECTIVE JUROR: No.

23 THE COURT: And 22.

24 PROSPECTIVE JUROR: I guess as a public  
25 schoolteacher, the Minnesota Department of Education does

1 set some guidelines for the work that I do. I do know the  
2 director of -- I'm not sure what her actual title is, but  
3 the director of multilingual programming for the Minnesota  
4 Department of Education.

5 THE COURT: Do you have any general feelings one  
6 way or another about how the Department of Education  
7 operates?

8 PROSPECTIVE JUROR: No, not really. It's a big  
9 bureaucracy, so it's kind of mysterious to me, but --

10 THE COURT: And can you treat witnesses from that  
11 organization the same as you would treat other witnesses?

12 PROSPECTIVE JUROR: Yes.

13 THE COURT: You have mentioned that you're  
14 involved in multilingual programming. What languages do you  
15 have?

16 PROSPECTIVE JUROR: My students or me?

17 THE COURT: What do you speak?

18 PROSPECTIVE JUROR: Oh, I speak English and  
19 Spanish and a little German.

20 THE COURT: And what are the languages that you  
21 oversee English as a second language for?

22 PROSPECTIVE JUROR: Currently all of our students  
23 are -- or most of our students are Spanish speaking. I'm  
24 teaching in a dual language school. I have worked with many  
25 other -- students who speak many other home languages,

1 including Somali, Oromo.

2 THE COURT: Okay. And 23 and 24. So 23 --

3 PROSPECTIVE JUROR: Mm-hmm.

4 THE COURT: -- Islam or Muslims.

5 PROSPECTIVE JUROR: I've had really favorable  
6 experiences with the families and the students that I've  
7 worked with -- with Muslim families and students that I've  
8 worked with.

9 THE COURT: And 24. You've worked with Somali  
10 families and children?

11 PROSPECTIVE JUROR: Yes.

12 THE COURT: And others from East Africa as well?

13 PROSPECTIVE JUROR: Mm-hmm.

14 THE COURT: And what countries?

15 PROSPECTIVE JUROR: Ethiopia, Eritrea, some from  
16 Kenya. Are you just asking about East African countries?

17 THE COURT: Yes.

18 PROSPECTIVE JUROR: Somalia.

19 THE COURT: And those experiences have been -- can  
20 you just give a little bit more information about those  
21 experiences and what nature they've taken.

22 PROSPECTIVE JUROR: Mostly professionally. So  
23 I've had students in my classes or students in our school  
24 who have arrived both as newcomers and not so much newcomers  
25 into our schools, and I've worked with their parents in my

1 capacity as a teacher.

2 THE COURT: Anything about that that you think  
3 would lead you to be less than fair and impartial here?

4 PROSPECTIVE JUROR: No.

5 THE COURT: And --

6 PROSPECTIVE JUROR: I've also worked with other  
7 teachers and educational assistants from those countries  
8 also, other professionals from those countries.

9 THE COURT: All right. And same question then.  
10 Do you have any generalized positive or negative views on  
11 folks from those countries based on your contacts with folks  
12 you have worked with?

13 PROSPECTIVE JUROR: Mostly positive from the folks  
14 I've worked with.

15 THE COURT: And fair to say that you're going to  
16 treat every individual as an individual?

17 PROSPECTIVE JUROR: Yes.

18 THE COURT: And 25 tries to get at your  
19 unconscious bias. Could you just read 25(a) and answer that  
20 question.

21 PROSPECTIVE JUROR: Would I feel comfortable  
22 committing myself to thinking about why I'm making a  
23 decision? Yes.

24 THE COURT: And 25(b).

25 PROSPECTIVE JUROR: Yes.

1 THE COURT: And 26(a) asks, Are you willing to  
2 apply the law as I give it to you?

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: And can you think of anything else  
5 that you should call to the court's attention?

6 PROSPECTIVE JUROR: No.

7 THE COURT: Okay. Let me ask the attorneys if  
8 they have any follow-up.

9 **(Sidebar discussion)**

10 THE COURT: Anyone?

11 MR. THOMPSON: If I may. Joe Thompson on behalf  
12 of the United States.

13 THE COURT: Yes.

14 MR. THOMPSON: The juror said that she lives in a  
15 climate of suspicion against law enforcement. And I'm  
16 curious if she was on this jury, as she went home every  
17 night and got up and came to court every morning, if she  
18 could set that aside and if that would affect her in any  
19 way.

20 THE COURT: Okay. Thank you.

21 **(In open court)**

22 THE COURT: We talked a little bit about the fact  
23 that you live near George Floyd Square. And we talked about  
24 your feelings about law enforcement in general. I think the  
25 phrase that you used was "cloud of suspicion" of law

1 enforcement. Can you explain --

2 PROSPECTIVE JUROR: What climate? I think I said  
3 "climate."

4 THE COURT: Oh, not "cloud"?

5 PROSPECTIVE JUROR: Yeah.

6 THE COURT: That's probably what you said.

7 PROSPECTIVE JUROR: I mean, I'm not sure what I  
8 said; but in thinking about it, I would now choose the word  
9 "climate."

10 THE COURT: I'm sure that you are right and I am  
11 wrong, but tell me more about that.

12 PROSPECTIVE JUROR: You know, actually, what I'd  
13 like to say has to do more with my court case, my boundary  
14 dispute case, because my husband is Afro-Latino. And during  
15 the course of that dispute, the neighbors at one point  
16 called the police to respond to what they said were -- was  
17 him making threatening statements to them when he was at  
18 home with our two-year-old.

19 I worked very closely -- very close to -- the  
20 school where I worked at the time was very close to our  
21 house. And my husband called me when the police came  
22 because they had asked him to put our two-year-old inside  
23 the house by himself so they could talk with him. And he  
24 said, I'm not going to do that. I'm not going to endanger  
25 my child.

1           And then he called me, and I came over. And as  
2           soon as I came over, the incident was over. I just felt  
3           like they saw me, and they said, Oh, there's nothing here.

4           So we had a couple of occasions like that during  
5           that court case. And that was all before the incident --  
6           the incident with George Floyd.

7           But being familiar with that neighborhood and just  
8           some of the -- just, I mean, racial profiling that I felt I  
9           had seen, that incident -- that incident fit with some of my  
10          previous experiences.

11          THE COURT: And do you think you're going to be  
12          able to judge law enforcement fairly in this trial when you  
13          have those experiences in your background?

14          PROSPECTIVE JUROR: Yes. I tend to be -- I am a  
15          fair person and evidence-based. And some of that I learned  
16          in my position as a PAR mentor, where I did observations of  
17          teachers and I really focused on, you know, what I actually  
18          saw happening in the classroom.

19          And so I did a lot of thinking about, you know,  
20          what I was seeing versus what I was feeling in a situation  
21          or how what I was feeling actually informed what I was  
22          seeing.

23          And also since -- since the incident with George  
24          Floyd, I've also been engaged in a lot of conversations in  
25          my school around implicit bias and looking at evidence

1 versus the person.

2 THE COURT: Thank you.

3 **(Sidebar discussion)**

4 THE COURT: Mr. Thompson.

5 MR. THOMPSON: Thank you, Your Honor.

6 I think this one is a close call, but I think we  
7 would challenge for cause.

8 Our concern is that was an awful long pause; and  
9 in answering your question about whether or not she could  
10 be -- she could fairly judge law enforcement testimony, she  
11 talked about all these grand issues in the world, which are  
12 exactly the things that a juror shouldn't be thinking about  
13 when they judge the testimony of an individual witness. It  
14 just seems unlikely to me that she's going to be able to set  
15 that aside.

16 THE COURT: I think based on -- well, first of  
17 all, does anyone want to respond?

18 MR. SCHLEICHER: Yes, Your Honor. Steve  
19 Schleicher on behalf of Said Farah.

20 THE COURT: Go ahead.

21 MR. SCHLEICHER: Your Honor, I think that the  
22 prospective juror was unequivocal in her answer. Now twice  
23 on the record when she was asked if she could be fair to law  
24 enforcement, she said yes. Although she did have somewhat  
25 of a pause, she just stepped back and gave a considered

1 answer to the court's question. I see nothing in this  
2 record at all that would support a cause challenge in this  
3 case.

4 I would also note that her discussion regarding  
5 being near George Floyd Square and having -- understanding  
6 that the community views police officers with suspicion  
7 really has absolutely nothing to do with this case. This  
8 isn't anywhere near that geographic area. It doesn't deal  
9 with the same issues. This isn't a law enforcement versus  
10 non-law enforcement case.

11 I think that on this record the challenge for  
12 cause should be denied.

13 THE COURT: This juror has given thoughtful  
14 answers and certainly pauses where she's thinking through  
15 her answers, but to me, her demeanor suggests that she can  
16 do what she says she is going to do, which is to judge the  
17 case on the evidence, and I'm denying the motion.

18 **(In open court)**

19 THE COURT: Thank you. I'm going to have you go  
20 to the next room and wait out the process. It's a process,  
21 so I appreciate your patience.

22 I'll also tell you that none of the folks in this  
23 room are allowed to talk to you; so if they don't, they are  
24 not being rude. Okay?

25 PROSPECTIVE JUROR: Yes.

1 THE COURT: All right. Thank you.

2 **(Prospective Juror Number 20 exits courtroom)**

3 **(Prospective Juror Number 21 enters courtroom)**

4 THE COURT: Good afternoon. Thanks for your  
5 patience here today. Come on up beyond the tables and up to  
6 the witness stand.

7 You are Juror Number 21?

8 PROSPECTIVE JUROR: I am.

9 THE COURT: All right. And so let's start -- you  
10 have the jury questionnaire in front of you?

11 PROSPECTIVE JUROR: I do.

12 THE COURT: Let's start by asking you your age.

13 PROSPECTIVE JUROR: Age 59.

14 THE COURT: And can you answer Question Number 2.

15 PROSPECTIVE JUROR: Yeah, Number 2, I do not know  
16 anybody on those lists.

17 THE COURT: And Number 3.

18 PROSPECTIVE JUROR: I do remember hearing about it  
19 a while back. I don't know if it was in the news or a  
20 newspaper clip, but I don't know any specifics on the case.

21 THE COURT: And what do you remember hearing?

22 PROSPECTIVE JUROR: I seem to remember hearing the  
23 Feeding Our Future in the next one and that it was  
24 COVID-related, as far as monetary funds.

25 THE COURT REPORTER: As far as what?

1 PROSPECTIVE JUROR: Monetary funds --

2 THE COURT REPORTER: Oh.

3 PROSPECTIVE JUROR: -- being questionable.

4 THE COURT: Anything else that you remember about  
5 what you read?

6 PROSPECTIVE JUROR: No.

7 THE COURT: And based on what you read, have you  
8 developed an opinion on the guilt or innocence of these  
9 defendants?

10 PROSPECTIVE JUROR: I have not.

11 THE COURT: And if you are selected as a juror in  
12 this case, will you be able to set aside whatever you have  
13 learned and decide it based only on the evidence presented  
14 during trial?

15 PROSPECTIVE JUROR: Yes, I'll just use the  
16 evidence for sure.

17 THE COURT: And Question Number 4, those  
18 organizations.

19 PROSPECTIVE JUROR: Yes, so Feeding Our Future is  
20 the only one that I had a recollection about.

21 THE COURT: And Question Number 5.

22 PROSPECTIVE JUROR: Yes, I speak English. I can  
23 read and write English. No problems.

24 THE COURT: And 5(b), seeing or hearing.

25 PROSPECTIVE JUROR: Seeing and hearing is good.

1 THE COURT: And physical or mental issues?

2 PROSPECTIVE JUROR: No, no issues there.

3 THE COURT: And you have not given an application  
4 for hardship. Can you be with us during trial?

5 PROSPECTIVE JUROR: I can.

6 THE COURT: And Question Number 6.

7 PROSPECTIVE JUROR: Yes. I grew up in  
8 Bloomington, Minnesota, and I currently live in Lakeville,  
9 Minnesota.

10 THE COURT: How long have you lived in Lakeville?

11 PROSPECTIVE JUROR: This go-around about seven  
12 years. I've moved around a little bit.

13 THE COURT: All in the Twin Cities?

14 PROSPECTIVE JUROR: No. I lived in Houston,  
15 Texas, for about four years. I lived up in Thief River  
16 Falls for four years in Minnesota -- excuse me -- a suburb  
17 of Chicago for a few months. Other than that, it's mostly  
18 Minnesota.

19 THE COURT: And what took you around to those  
20 different places?

21 PROSPECTIVE JUROR: My job.

22 THE COURT: And can you talk to us about your  
23 educational background and your occupation.

24 PROSPECTIVE JUROR: Sure. So I have a bachelor in  
25 science and management from the University of Minnesota, and

1 I am in the electronic distribution business. And my roles  
2 have really been sales and operational. And if I look back  
3 at the last five years, I've moved around a little bit, but  
4 typically it's always that sales and operational background.

5 THE COURT: What company do you work for?

6 PROSPECTIVE JUROR: DigiKey Electronics. Excuse  
7 me.

8 THE COURT: And how long have you been with  
9 DigiKey?

10 PROSPECTIVE JUROR: 18 years.

11 THE COURT: And do you have a spouse or partner?

12 PROSPECTIVE JUROR: Yes, I have a wife. I've been  
13 married for 31 years.

14 THE COURT: And does she have an occupation?

15 PROSPECTIVE JUROR: She works at Bachman's  
16 Nursery.

17 THE COURT: And how long has she done that?

18 PROSPECTIVE JUROR: Three years. This is her  
19 third year.

20 THE COURT: What did she do before that?

21 PROSPECTIVE JUROR: Before that, she worked in the  
22 electronics industry as well.

23 THE COURT: And Number 8, your kids -- any kids.

24 PROSPECTIVE JUROR: Sure. I have two -- two  
25 children. They are -- my son is 29. My daughter is 26.

1 And my son manages a grocery store up in St. Cloud, and my  
2 daughter is a retail participant, however you want to say  
3 it.

4 THE COURT: Like works in a retail store?

5 PROSPECTIVE JUROR: Yes.

6 THE COURT: And Question 9.

7 PROSPECTIVE JUROR: Hobbies. I'm mostly a couch  
8 kind of guy. So I watch the sports a lot, and then it's  
9 really get-togethers with friends and family.

10 THE COURT: Okay.

11 PROSPECTIVE JUROR: I don't belong to any  
12 organizations or groups or churches directly, and so I don't  
13 have the involvement.

14 THE COURT: Question 10.

15 PROSPECTIVE JUROR: I do not have any -- any  
16 religious, philosophical, or other beliefs that would hinder  
17 anything.

18 THE COURT: And Question 11.

19 PROSPECTIVE JUROR: As far as magazines,  
20 newspapers, internet sites, typically most of the stuff I'm  
21 looking at is stock -- stock market related, so like CNBC  
22 and Yahoo. And then for news, I'll look at CNN, I'll look  
23 at Fox News, and those are typically my go-tos every day.

24 THE COURT: How about any local news?

25 PROSPECTIVE JUROR: Occasionally the Star and

1 Tribune, but not too often.

2 THE COURT: And how about podcasts or other  
3 internet sites?

4 PROSPECTIVE JUROR: I will look at Facebook,  
5 Twitter, but I don't post anything, and I'm not on any real  
6 blogs.

7 THE COURT: ESPN?

8 PROSPECTIVE JUROR: I'll go on there occasionally,  
9 yeah.

10 THE COURT: All right. Have you ever previously  
11 served as a juror?

12 PROSPECTIVE JUROR: I have not.

13 THE COURT: And then let's go the next page to  
14 Question 13.

15 PROSPECTIVE JUROR: No, I do not know -- did not  
16 know any of the fellow jurors before today.

17 THE COURT: And Question 14.

18 PROSPECTIVE JUROR: I do not have any relatives  
19 that are lawyers, judges, et cetera.

20 THE COURT: Question 15.

21 PROSPECTIVE JUROR: No legal or law enforcement  
22 training.

23 THE COURT: Question 16.

24 PROSPECTIVE JUROR: Let's see. For that one my  
25 daughter was in a -- she had a criminal -- well, she filed a

1 complaint against her ex-boyfriend for hitting her at one  
2 time. This is like three or four years ago. So we did go  
3 through that a little bit, but she really kept us kind of  
4 out of the fray on that thing. She was handling it herself.  
5 So I didn't really attend any of it, so I don't really have  
6 a lot of feedback on how it was handled.

7 THE COURT: Do you know whether she feels that it  
8 was treated or she was treated fairly by the system?

9 PROSPECTIVE JUROR: I don't believe she feels she  
10 was because in the end some of the evidence was misplaced,  
11 and so she felt that that was not right.

12 THE COURT: And is that something you think will  
13 affect your ability to be fair and impartial here?

14 PROSPECTIVE JUROR: No, that won't affect my  
15 decision at all.

16 THE COURT: And Question 17.

17 PROSPECTIVE JUROR: The only one in my family was  
18 my uncle who was a deputy sheriff in Clinton, Iowa, growing  
19 up. So that was many years ago.

20 THE COURT: And then that leads to Question 18,  
21 which is whether you can treat law enforcement officers like  
22 any other witnesses.

23 PROSPECTIVE JUROR: I certainly can. I have a lot  
24 of respect for police officers.

25 THE COURT: Okay. And so on the flip side then,

1 would you be biased in favor of them?

2 PROSPECTIVE JUROR: I don't think I would be. I  
3 think I would look at both sides and make the decision based  
4 on the evidence.

5 THE COURT: And Question 19.

6 PROSPECTIVE JUROR: I have not ever testified in  
7 court.

8 THE COURT: Question 20.

9 PROSPECTIVE JUROR: Nope, don't know anybody that  
10 had that.

11 THE COURT: And 21.

12 PROSPECTIVE JUROR: No.

13 THE COURT: And 22.

14 PROSPECTIVE JUROR: I have not.

15 THE COURT: 23.

16 PROSPECTIVE JUROR: I don't have -- I'm  
17 indifferent to that. I guess I don't know a lot of Islam  
18 and Muslim, so.

19 THE COURT: Okay. And 24.

20 PROSPECTIVE JUROR: No, I do not have any close  
21 dealings with East Africa people, backgrounds there.

22 THE COURT: And is that true in your work as well,  
23 colleagues or clients or anyone who --

24 PROSPECTIVE JUROR: Yeah, in my business there  
25 aren't a lot of East Africa, like, Somalia people in the

1 business, for whatever reason.

2 THE COURT: And then 25 gets at, or tries to,  
3 unconscious bias. Can you read 25(a) and answer.

4 PROSPECTIVE JUROR: Sure. Yeah. And we watched  
5 that videotape this morning, obviously, but, you know, I  
6 think I can be aware of that. You know, I think as a  
7 manager in my business, we tend to look at that a lot and  
8 try to, again, stick to the facts and stick to the evidence  
9 versus, you know, what we might have had in our  
10 subconscious. And that might be the next question too, the  
11 subconscious, right?

12 THE COURT: Yes.

13 PROSPECTIVE JUROR: Okay. So same -- same answer,  
14 I guess.

15 THE COURT: And you're a manager. How many people  
16 do you manage?

17 PROSPECTIVE JUROR: Fourteen.

18 THE COURT: And then who do you report to? What's  
19 the title of the person you report to?

20 PROSPECTIVE JUROR: Executive vice president.

21 THE COURT: And then the last question is -- 26(a)  
22 is, Are you willing to apply the law as the court explains  
23 it to you?

24 PROSPECTIVE JUROR: Yes, I am.

25 THE COURT: And can you think of anything else

1 that you want to call to our attention that might have  
2 bearing on your ability to be fair and impartial?

3 PROSPECTIVE JUROR: No, I don't believe I have  
4 anything.

5 THE COURT: Let me just ask the attorneys if they  
6 have follow-up for you.

7 **(Sidebar discussion)**

8 MR. SCHLEICHER: Your Honor, Steve Schleicher on  
9 behalf of Said Farah.

10 If you would please just see how much information  
11 you can get from him regarding the grocery store that his  
12 son manages in St. Cloud, just the name of the store, what  
13 his role is, that would be helpful.

14 Thank you.

15 MR. ANDREW BIRRELL: Judge, this is Andy Birrell.  
16 Excuse me.

17 I want to disclose that I have represented a  
18 number of people from DigiKey in a DOJ investigation that's  
19 out of Washington, which has concluded. I've went to  
20 DigiKey. I went to Washington with some of the people. I  
21 don't recognize this man. So that's, that's what I can say  
22 right now, if you --

23 THE COURT: Is that an investigation that is  
24 public?

25 MR. ANDREW BIRRELL: I don't think so. It --

1 THE COURT: Why don't I ask him whether he's ever  
2 worked with any attorneys either inside or outside on  
3 DigiKey -- at DigiKey. Fair?

4 MR. ANDREW BIRRELL: Yeah.

5 THE COURT: Okay. Mr. Thompson, anything from you  
6 on that issue?

7 MR. THOMPSON: No, Your Honor. I'm not familiar  
8 with the investigation.

9 THE COURT: Okay. Thank you.

10 (In open court)

11 THE COURT: At DigiKey, have you ever worked with  
12 any attorney either inside the organization or outside?

13 PROSPECTIVE JUROR: Yes. I've worked with our --  
14 I guess our DigiKey attorneys -- they're in Minneapolis --  
15 quite -- quite often in my last role in writing contracts.  
16 Stinson was the name.

17 THE COURT: Can you say more about that.

18 PROSPECTIVE JUROR: So typically it would be we  
19 were working with a supplier, and we wanted to engage  
20 further on a program with them, so we would take either an  
21 existing contract and modify it or we would start a  
22 brand-new contract.

23 So that would be my really dealings with the  
24 lawyers, helping articulate and write that contract for us  
25 for the supplier.

1 THE COURT: And the in-house lawyers that you  
2 worked with --

3 PROSPECTIVE JUROR: These are all -- we don't have  
4 any in-house lawyers to speak of. We use the exterior -- we  
5 do have one person that was more of an intermediary in  
6 between the two.

7 THE COURT: And so who did you work with?

8 PROSPECTIVE JUROR: I would work directly with  
9 Stinson when I was doing things.

10 THE COURT: Okay.

11 PROSPECTIVE JUROR: And occasionally pull in a gal  
12 by the name of Kiki Anderson, was our in-house person, and  
13 she would help just facilitate the calls and get the calls  
14 going.

15 THE COURT: Okay. And do you remember the name of  
16 the person you worked with at Stinson?

17 PROSPECTIVE JUROR: Joel Stinson.

18 THE COURT: And did you work with any other  
19 attorneys outside, other than Stinson lawyers, on contracts?

20 PROSPECTIVE JUROR: Like in my personal life or  
21 just --

22 THE COURT: No. For DigiKey.

23 PROSPECTIVE JUROR: DigiKey, no.

24 THE COURT: Any investigations, anything like  
25 that?

1 PROSPECTIVE JUROR: No.

2 THE COURT: Okay. And your son, you said he  
3 manages a grocery store?

4 PROSPECTIVE JUROR: He does.

5 THE COURT: What grocery store is that?

6 PROSPECTIVE JUROR: Cub Foods.

7 THE COURT: In St. Cloud?

8 PROSPECTIVE JUROR: Yes.

9 THE COURT: Where in St. Cloud?

10 PROSPECTIVE JUROR: I don't know the exact  
11 location.

12 THE COURT: Okay. All right. Thank you. Let me  
13 just consult with the attorneys.

14 **(Sidebar discussion)**

15 MR. ANDREW BIRRELL: Yes.

16 THE COURT: Mr. Birrell, I don't think that got us  
17 to your issue, did it?

18 MR. ANDREW BIRRELL: I think that he worked with a  
19 lawyer named Joel Schwartz. Is that what he said?

20 THE COURT: Well, he said Joel Stinson. I don't  
21 think we're close enough to raise an issue here.

22 MR. ANDREW BIRRELL: Okay. I just wanted to let  
23 you know.

24 THE COURT: I'll also disclose that my husband is  
25 a Stinson partner, but I don't think that matters one way or

1 another, and he doesn't sound like he worked with DigiKey  
2 and he doesn't do contract work.

3 Anything follow-up on any of that?

4 MR. ANDREW BIRRELL: No, thank you.

5 THE COURT: All right. Any motions?

6 All right. Then thank you.

7 **(In open court)**

8 THE COURT: All right. I'm going to have you go  
9 next door in which -- and they will give you instructions on  
10 where you are going to go tomorrow, but you are staying  
11 around in the process. It is a process, so I appreciate  
12 your patience. We're going to need it.

13 And I'll also note for you that none of these  
14 folks are able to talk to you. So if they don't ride the  
15 elevator with you or they don't say hello, they are not  
16 being rude. They are following instructions.

17 PROSPECTIVE JUROR: Perfect. Thank you very much.

18 THE COURT: All right. Thank you, sir.

19 **(Prospective Juror Number 21 exits courtroom)**

20 THE COURT: I have informed the jurors and the  
21 jury office that we're to be done at 5:00, and so I'm going  
22 to stick by that. I don't want to waste their good will on  
23 our first day.

24 Let's go off the record just for a moment.

25 **(Off-the-record discussion)**

1 THE COURT: Is there anything anyone wants to  
2 raise on the record?

3 Mr. Goetz, sir.

4 MR. GOETZ: This can be off the record.

5 **(Off-the-record discussion)**

6 THE COURT: Given our time frame and the rate at  
7 which we are moving, I am unlikely to grant the relief that  
8 Mr. Mohring sought, but I'll certainly hear you out once we  
9 are done; but given our rate, that's where I am. And you  
10 can certainly bring it up again, but I wanted you to know  
11 that.

12 All right. Anything further for the record?

13 All right. Thank you, everyone. We're adjourned  
14 for today.

15 (Court adjourned at 5:06 p.m., 04-22-2024.)

16 \* \* \*

17 I, Renee A. Rogge, certify that the foregoing is a  
18 correct transcript from the record of proceedings in the  
19 above-entitled matter.

20 Certified by: /s/Renee A. Rogge  
21 Renee A. Rogge, RMR-CRR

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