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UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,)	
)	File No. 22-cr-124
Plaintiff,)	(NEB/DTS)
)	
v.)	
)	
Abdiaziz Shafii Farah(1),)	Courtroom 13W
Mohamed Jama Ismail(2),)	Minneapolis, Minnesota
Abdimajid Mohamed Nur(4),)	Tuesday, April 23, 2024
Said Shafii Farah(5),)	8:56 a.m.
Abdiwahab Maalim Aftin(6),)	
Mukhtar Mohamed Shariff(7),)	
Hayat Mohamed Nur(8),)	
)	
Defendants.)	

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

SEALED - JURY VOIR DIRE PROCEEDINGS - VOLUME II OF XXX

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

* * *

Proceedings recorded by mechanical stenography;
transcript produced by computer.

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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 All right. We're on the record out of the
6 presence of any prospective jurors. My understanding is
7 that there are a couple of issues that the attorneys wanted
8 to raise this morning.

9 Mr. Goetz.

10 MR. GOETZ: Thank you, Your Honor. I'll be brief
11 and get right to it. Two issues, Your Honor.

12 One, to underscore the motion that Mr. Mohring
13 made yesterday, we received additional discovery just last
14 night, so I would ask the court to seriously consider
15 granting some relief given that we have not -- at least
16 personally speaking, not even had a chance to look at what
17 we have.

18 I've had a chance to confer with the government
19 trying to make sense of what exactly was disclosed in terms
20 of data files, TIFF files, native image files, so I've
21 narrowed it down a bit, but there's still a fair amount of
22 discovery given just last night that we're going to need
23 time to review.

24 The other issue, Your Honor, is one for
25 scheduling. I asked the court, and Kristine has been very

1 helpful just acknowledging that there's now been a prayer
2 room set up, so that's something we're very grateful for.

3 The one prayer that will conflict with the court's
4 schedule or be in the middle of the court's schedule
5 throughout the duration of the trial is the midday prayer,
6 Dhuhr. That's at 1:20 p.m. pretty much every day throughout
7 the trial.

8 So I would ask the court, if you could, consider
9 that prayer in the court's scheduling. It's short, about
10 five minutes, but it is at 1:20 every day.

11 Thank you, Your Honor.

12 THE COURT: Would it work with everyone's schedule
13 if we took a lunch break every day from 12:30 to 1:30?
14 Would that --

15 MR. GOETZ: That would be perfect. That would
16 accommodate the Dhuhr prayer. Yes.

17 THE COURT: I think that's probably the best way
18 to address that. I will check with my staff and make sure;
19 but if we have that as our schedule, then the government
20 knows for its witnesses that that's what we will be doing.
21 So let's plan on that unless something goes awry.

22 As to the first issue, I need more information
23 before I can grant a continuance. I need you all to confer
24 and have a chance to at least get a handle on what items
25 were disclosed last night. I don't need to hear it now. We

1 have another day at least of jury selection, and so I will
2 want to hear more about that and what relief is necessary
3 after we have a jury selected, but I appreciate the heads
4 up.

5 Anything else to come before the court at this
6 time?

7 All right. We are ready to continue with voir
8 dire. There were a number of potential jurors who requested
9 hardship excusals this morning. I granted those. I don't
10 think we have the numbers for those yet, so we were just
11 given names and so we're trying to figure out what the
12 numbers are. I'll give those to you as soon as we have
13 them.

14 And then I think we're ready. Are they up to be
15 called in?

16 COURTROOM DEPUTY: They are.

17 THE COURT: Okay. And then let's be off the
18 record then.

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

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

21 THE COURT: Good morning. Good morning. Come on
22 forward. I'll have you go around the tables.

23 PROSPECTIVE JUROR: This way?

24 THE COURT: Yeah. All the way up here into the
25 witness stand. Thank you.

1 How are you?

2 PROSPECTIVE JUROR: Good.

3 THE COURT: Good. You are Juror Number 22?

4 PROSPECTIVE JUROR: Yes.

5 THE COURT: And do you have the questionnaire in
6 front of you?

7 PROSPECTIVE JUROR: I do.

8 THE COURT: So I'll just have you answer those
9 questions, and I may have follow-ups. I may just prompt you
10 or summarize them, if necessary, but let's start with
11 Number 1, how old you are.

12 PROSPECTIVE JUROR: I am 25.

13 THE COURT: Okay.

14 PROSPECTIVE JUROR: Just go down the list and
15 answer them?

16 THE COURT: Yes. Number 2.

17 PROSPECTIVE JUROR: I did not recognize anyone's
18 names on the list.

19 I have not heard of this case prior to today or
20 yesterday.

21 THE COURT: Not at all?

22 PROSPECTIVE JUROR: Nope.

23 THE COURT: I did not hear of or recognize any of
24 the places on Question 4.

25 I can speak and read English, so I am good there.

1 I grew up in Savage, Minnesota, and I still live
2 there now.

3 I graduated from the University of St. Thomas in
4 2021 with a bachelor's degree. I currently work at C.H.
5 Robinson, the logistics company. I've been there two and a
6 half years. And my job before this was a server at Tiffany
7 Sports Lounge in St. Paul.

8 THE COURT: What was your degree in?

9 PROSPECTIVE JUROR: Business communications.

10 I do not have a spouse. I do have a boyfriend,
11 and they work at Emerson in Eden Prairie.

12 I do not have any children.

13 Hobbies, activities, I like to read. I take quite
14 a few workout classes.

15 I don't belong to any organizations or groups or
16 churches.

17 THE COURT: What genres do you like to read?

18 PROSPECTIVE JUROR: Mystery thrillers, fantasy,
19 that kind of book.

20 For 10, I don't have any religious or
21 philosophical beliefs that I think would be able -- or would
22 impact my judgment.

23 For the magazines, podcasts, sometimes I listen to
24 podcasts, but they're not any news related ones.

25 THE COURT: Okay. What do you listen to?

1 PROSPECTIVE JUROR: I like true crime podcasts.

2 I have not served on a case, but I was summoned to
3 county -- the Scott County jury three years ago in 2021. I
4 didn't end up serving on any of the two cases, but I was
5 called.

6 THE COURT: And you went through questioning?

7 PROSPECTIVE JUROR: Yep.

8 THE COURT: Do you remember whether those were
9 criminal or civil cases?

10 PROSPECTIVE JUROR: Both were criminal.

11 THE COURT: Okay.

12 PROSPECTIVE JUROR: Yeah.

13 THE COURT: And what was the nature of those?

14 PROSPECTIVE JUROR: The first one was a possession
15 of illegal firearms, and the second was I believe a sexual
16 assault of a minor.

17 THE COURT: And do you know if you were excused
18 for cause or just didn't make it through the process?

19 PROSPECTIVE JUROR: The first one I think I didn't
20 make it through the process. The second one they didn't
21 have any of the jury come back, so I don't know if there was
22 some type of plea deal potentially. So I'm not really sure
23 if -- or they had another jury come in, so that one, not
24 entirely sure about, but --

25 THE COURT: All right. Thank you.

1 PROSPECTIVE JUROR: Yeah.

2 THE COURT: Question 13.

3 PROSPECTIVE JUROR: Yep, I do not know any of the
4 fellow jurors before coming here today or yesterday.

5 I do not have any relatives or close friends who
6 are lawyers, judges, or that are within the legal
7 profession.

8 I don't have any legal or law enforcement
9 training.

10 For 16, I do not recall any criminal justice or
11 any victim of a crime that any of my family members or
12 friends have gone through recently.

13 I have a cousin that's a police officer in
14 Florida -- or Orlando, Florida, but I haven't seen him in a
15 few years, but that's all I can think of for 17.

16 18, no, I don't have any prejudices.

17 THE COURT: And does the fact that your cousin is
18 a police officer, would that lead you to be more favorable
19 to law enforcement or less?

20 PROSPECTIVE JUROR: I would say no.

21 THE COURT: Neither one? You are even?

22 PROSPECTIVE JUROR: Yeah.

23 THE COURT: Okay.

24 PROSPECTIVE JUROR: I have not testified in court.

25 I have not had any relatives or friends that I've

1 received meals from any of those places.

2 I have not worked with any government or social
3 service programs.

4 I have not been exposed to or worked with any of
5 the places in 22.

6 I don't have any feelings against for 23.

7 I -- from what I recall, I haven't had any
8 interactions with anybody from East Africa recently for 24.

9 THE COURT: How about in school? Did you have
10 either professors or staff or students who were Somalian or
11 East African that you interacted with, friends, any of that?

12 PROSPECTIVE JUROR: Maybe students in college, but
13 I don't recall interacting too much.

14 THE COURT: So none in your friend group?

15 PROSPECTIVE JUROR: Huh-uh.

16 THE COURT: Okay. Or anywhere where you've work?

17 PROSPECTIVE JUROR: No, not where I work.

18 THE COURT: Okay. And given that lack of contact,
19 do you have any feelings or biases for or against that
20 community, a Somali community or East African community?

21 PROSPECTIVE JUROR: I would say no.

22 THE COURT: And then 25 tries to get at your
23 unconscious biases.

24 PROSPECTIVE JUROR: Yeah, I think that video
25 explained it pretty well, but I don't think that I would

1 have any issues being a fair juror.

2 THE COURT: And can you commit to really thinking
3 about that as you are making your decisions?

4 PROSPECTIVE JUROR: Mm-hmm.

5 THE COURT: All right. And then 25(b) asks it a
6 little bit different way, that question I asked about the
7 Somali community.

8 PROSPECTIVE JUROR: I don't think my verdict would
9 be rendered by anything from that question.

10 THE COURT: Okay. And then 26(a) is, Are you
11 willing to apply the law as the court explains it to you?

12 PROSPECTIVE JUROR: Yep.

13 THE COURT: And can you think of anything else you
14 should call to the court's attention?

15 PROSPECTIVE JUROR: No.

16 THE COURT: Okay. Let me just check with the
17 attorneys for one moment, see if they have follow-up.

18 PROSPECTIVE JUROR: Oh, of course.

19 **(Sidebar discussion)**

20 THE COURT: Can you all hear me okay? All right.
21 Any questions for follow-up?

22 Okay. Thank you.

23 MR. GOETZ: I'm sorry. I was just waiting.

24 THE COURT: Oh, Mr. Goetz. Sorry.

25 MR. GOETZ: Just two quick things.

1 THE COURT: Can you -- I can't hear you.

2 MR. GOETZ: Two quick things.

3 If she could describe a little more just as a
4 practical matter what she does in the field of logistics.
5 She says she works in that area.

6 And then if she could just give us maybe her top
7 social media sites.

8 THE COURT: All right. Thank you.

9 Oh, can we go back?

10 MR. IAN BIRRELL: This is Ian Birrell. One more
11 thing. Just a quick maybe follow-up on her -- she said she
12 listens to some true crime podcasts, I believe, and maybe
13 just talk about whether that would impact here feelings in
14 this case or her perception of evidence in the case.

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

16 **(In open court)**

17 THE COURT: Got a few follow-ups for you.

18 PROSPECTIVE JUROR: Oh, sure. Sure.

19 THE COURT: What do you do in the logistics field?
20 Can you describe a little bit more about your job.

21 PROSPECTIVE JUROR: Yeah, I'm a customer account
22 specialist. So I work with certain accounts and clients to
23 essentially get their stuff from A to B. That's the best
24 way to describe it.

25 THE COURT: And what type of clients are you

1 working with? What kind of things are they moving?

2 PROSPECTIVE JUROR: Yeah, it's -- typically I've
3 worked with grocery retailers a lot. It kind of is a
4 hodge-podge of stuff that -- I'm on like 12 different
5 accounts, so one is like cereal, one is soap, drawing a
6 blank right now.

7 THE COURT: But -- but specific items rather
8 than --

9 PROSPECTIVE JUROR: Yeah.

10 THE COURT: -- bulk food?

11 PROSPECTIVE JUROR: Yeah, yeah, just like specific
12 items to the client and what their business is, so it's a
13 lot of different materials that I help ship. And a lot of
14 it is sometimes I'm meeting with the customers, but it can
15 be a lot of emails, so I'm not talking to too many people on
16 a day-to-day basis. I don't know if that helps at all.

17 THE COURT: Are any of those governmental
18 entities?

19 PROSPECTIVE JUROR: No.

20 THE COURT: And as a part of what you do in
21 logistics, are you dealing with any governmental
22 regulations?

23 PROSPECTIVE JUROR: Yes -- yes and no. It kind of
24 depends, you know. With trucking, there's, you know, limits
25 and certain rules and -- for shipping, so, yes, I'd say so,

1 but I'm not always -- I don't know how to describe it.
2 Typically it's ran pretty smoothly so I'm not having to,
3 like, double-check everything too much. It's not -- I'm not
4 the one that's making sure that everything is legal when
5 it's shipping, if that makes sense. There's someone else
6 that does it.

7 THE COURT: And who would you talk to if you had
8 an issue about regulations in or legality of moving
9 different items?

10 PROSPECTIVE JUROR: My manager or the account
11 manager. So I essentially -- I kind of do more of the
12 day-to-day, and then there's an account manager that handles
13 all of, like, the pricing and contracts when it comes to the
14 accounts, so I just kind of handle like ETA and operations
15 base. So anything that's kind of like bigger picture,
16 legal, with the account, it would be the account manager and
17 not me.

18 THE COURT: Okay. You said you didn't really go
19 to any news sites and that you listen to podcasts. What
20 about social media? Are you on social media?

21 PROSPECTIVE JUROR: I am, yes.

22 THE COURT: Yeah. What's your top social media
23 sites that you go to?

24 PROSPECTIVE JUROR: Food and recipes I'd say is at
25 the top. A lot of workout accounts I follow. But I don't

1 really look at any news websites. And the podcasts I listen
2 to, true crime, are from previous crime cases. They're not
3 like current.

4 THE COURT: And are you on -- is it Instagram?
5 TikTok? Both? All?

6 PROSPECTIVE JUROR: Instagram, Snapchat. I'm not
7 on TikTok. I don't have a Facebook anymore. I deleted
8 that. Twitter. I think that's about it.

9 THE COURT: Okay. And in your true crime podcast,
10 so can you give me an example. Do you listen to My Favorite
11 Murder?

12 PROSPECTIVE JUROR: Yeah. There's also one it's
13 called Morbid, but that's also about like ghost stories and
14 stuff like that, so -- but, yeah, that one too.

15 THE COURT: Okay. And so when you listen to
16 those, are -- most of those that I'm aware of are murders,
17 sort of violent crimes. Have you listened to any that are
18 more white color crimes that are fraud related?

19 PROSPECTIVE JUROR: No.

20 THE COURT: Okay. And so sometimes when you
21 listen to those podcasts, you get an idea of things like
22 evidence collection or the rule of law or rules of evidence,
23 et cetera.

24 Is there anything that sticks in your mind that
25 you've learned about the legal process and criminal

1 prosecution from those podcasts?

2 PROSPECTIVE JUROR: Potentially. I understand,
3 you know, that listening to those would be bias to the
4 victim and per se, so I understand that. I am aware,
5 though, that I am no expert in how the legal system works,
6 so whatever I think, I would move past that. I don't --
7 wouldn't consider that in an actual case that I'm a part of.

8 THE COURT: Okay. And when you say you think
9 those -- some of those podcasts are victim bias, can you
10 just explain that --

11 PROSPECTIVE JUROR: Yeah.

12 THE COURT: -- a little bit more.

13 PROSPECTIVE JUROR: Yeah, it's, you know --
14 typically it's, you know, talking about the, you know,
15 criminal or the killer and, you know, what they did. And
16 it's -- you know, it's kind of hard to describe, but it's --
17 most of it is in favor of telling the victim's story and
18 making sure that, you know, their side is heard. And, you
19 know, you typically find out what happens to the criminal at
20 that point, but it's -- they're never shed in a good light
21 on those podcasts I guess is the best way I can put it.

22 THE COURT: And you've answer this -- I'm just
23 going to confirm it -- to the extent you have learned
24 anything, rule of law, rules of evidence, rules of criminal
25 prosecution, evidence collection, to the extent you've heard

1 or learned anything through those podcasts, you can put
2 those aside and judge this case based only on what you hear
3 in the courtroom?

4 PROSPECTIVE JUROR: Yeah.

5 THE COURT: Okay.

6 Thank you. I'm going to ask you to go -- we're
7 done.

8 PROSPECTIVE JUROR: Oh, okay.

9 THE COURT: Okay. I'm going to ask you to go to
10 the next courtroom.

11 PROSPECTIVE JUROR: Okay.

12 THE COURT: And you will wait there. It's a
13 process. I appreciate your patience. We'll keep you
14 posted. Thank you.

15 In addition, these folks can't talk to you. So if
16 they see you and don't talk to you, they are not being rude.
17 They are just following the law.

18 PROSPECTIVE JUROR: Noted. Thank you.

19 THE COURT: Okay.

20 **(Prospective Juror Number 22 exits courtroom)**

21 THE COURT: Counsel, the numbers that are not
22 available or that I have excused today won't come up for a
23 while. They are 80, 83, 88 -- 80, 83, 88, 102, 109, 137,
24 and 147. Again, 80, 83, 88, 102, 109, 137 and 147. I can
25 repeat those later if you need it.

1 **(Prospective Juror Number 23 enters courtroom)**

2 THE COURT: Good morning.

3 PROSPECTIVE JUROR: Good morning.

4 THE COURT: You are Juror Number 23.

5 PROSPECTIVE JUROR: Yes.

6 THE COURT: Okay. And you have that criminal jury
7 questionnaire in front of you?

8 PROSPECTIVE JUROR: I do.

9 THE COURT: All right. And so I'll have you speak
10 into the microphone, and we'll go down the row on the
11 questions and have you answer. I may have some follow-up.

12 PROSPECTIVE JUROR: Okay.

13 THE COURT: So let's start with Number 1, your
14 age.

15 PROSPECTIVE JUROR: 37.

16 THE COURT: And Question Number 2.

17 PROSPECTIVE JUROR: No.

18 THE COURT: Question Number 3.

19 PROSPECTIVE JUROR: Yes.

20 THE COURT: And can you tell us what you have
21 heard about this case and from where.

22 PROSPECTIVE JUROR: I heard when it initially
23 happened, but I don't have any other information. I think I
24 saw it on the news and that was it.

25 THE COURT: And would that have been television

1 news?

2 PROSPECTIVE JUROR: Yeah.

3 THE COURT: You didn't read anything in print?

4 PROSPECTIVE JUROR: No.

5 THE COURT: And what do you remember hearing and
6 seeing on the television news when it first came out?

7 PROSPECTIVE JUROR: Just that there was some type
8 of like scandal or fraud that happened, but I don't really
9 remember any details.

10 THE COURT: Did you form an opinion based on what
11 you saw and heard that a fraud actually had happened?

12 PROSPECTIVE JUROR: No.

13 THE COURT: And based on what you heard, have you
14 developed an opinion on the guilt or innocence of the
15 defendants?

16 PROSPECTIVE JUROR: No.

17 THE COURT: And whatever limited -- and you've,
18 since then, not seen any follow-up?

19 PROSPECTIVE JUROR: No.

20 THE COURT: Okay. And not read any follow-up?

21 PROSPECTIVE JUROR: No.

22 THE COURT: And if you are selected as a juror in
23 this case, can you set aside that initial news report that
24 you heard and decide the case based only on what you hear
25 and see in this courtroom?

1 PROSPECTIVE JUROR: Yes.

2 THE COURT: All right. And then Question 4.

3 PROSPECTIVE JUROR: No.

4 THE COURT: Question 5.

5 PROSPECTIVE JUROR: No.

6 THE COURT: No problem?

7 PROSPECTIVE JUROR: No problem, yeah.

8 THE COURT: Okay. And Question 5(b).

9 PROSPECTIVE JUROR: No.

10 THE COURT: Question 5(c).

11 PROSPECTIVE JUROR: No.

12 THE COURT: And Question 6.

13 PROSPECTIVE JUROR: I grew up in Albert Lea,
14 Minnesota, and I live in St. Louis Park now.

15 THE COURT: How long have you lived in St. Louis
16 Park?

17 PROSPECTIVE JUROR: Four years.

18 THE COURT: Okay. Where did you live before that?

19 PROSPECTIVE JUROR: I lived in Minneapolis for 6
20 or 7 years. And then I went to college in Mankato.

21 THE COURT: And that leads us to Number 7, your
22 educational background and --

23 PROSPECTIVE JUROR: Oh, sure.

24 THE COURT: -- your occupation.

25 PROSPECTIVE JUROR: Yeah, I have a bachelor's

1 degree in mathematics from Mankato, and I have a master's in
2 analytics from Augsburg. I currently work for -- do I say
3 the company or --

4 THE COURT: Yes, you can.

5 PROSPECTIVE JUROR: I work for Wells Fargo. I
6 work in risk management. I do scenario analysis for them.

7 THE COURT: What does that mean?

8 PROSPECTIVE JUROR: That means I look at
9 1-in-25-year events, and I see how much it's going to cost
10 Wells Fargo if one of those scenarios were to happen.

11 THE COURT: Do you work with attorneys in what you
12 do?

13 PROSPECTIVE JUROR: Yes.

14 THE COURT: Okay. And are those attorneys who
15 work inside of Wells Fargo or outside?

16 PROSPECTIVE JUROR: Only in Wells Fargo.

17 THE COURT: Okay. And can you give an example of
18 what a 1-in-25-year event is.

19 PROSPECTIVE JUROR: Yeah, it can be like India
20 shuts down for a year because of a war and we have to pull
21 all of our employees or move all of the work back to the
22 United States. Or it could be like someone gets caught
23 doing insider trading, any -- yeah, any type of bank fraud.

24 THE COURT: And how -- this case includes
25 allegations of fraud.

1 PROSPECTIVE JUROR: Right.

2 THE COURT: How, if at all, do you think the
3 allegations of fraud generally weave into what you do?

4 PROSPECTIVE JUROR: I mean, just not knowing a lot
5 about the case --

6 THE COURT: Understood.

7 PROSPECTIVE JUROR: -- I would say it could. I
8 mean, I -- we -- what I do is, like, put on by regulators,
9 and they make us do, like, four scenarios a year. And so,
10 like, the two scenarios -- we do two scenarios in two cycles
11 and our current one is anti-tying, which is just tying
12 products together illegally, which wouldn't be relative at
13 all.

14 And the other one is check kiting, which is -- or,
15 like, kind of inflating your bank account to make it look
16 like you have more money so you get, like, bigger credit
17 lines. And -- I don't know. A lot of people do it to try
18 to, like, save their company. Like they are not doing it
19 with, like, ill intent, but, like, it's kind of like a house
20 of cards. Once -- you know, if we put a hold on a check and
21 it bounces, then, like, it could, you know, like, just all
22 come down. And then that's when, like, you realize a big
23 loss.

24 THE COURT: And in your training, are you looking
25 at determining whether something occurred or are you focused

1 more on the aftermath when it does occur or something
2 totally different?

3 PROSPECTIVE JUROR: What I do -- what I do is a
4 hypothetical scenario. And so what we do is we look at -- I
5 mean, we look at, like, what the worse case -- like, we'll
6 look at, like, historical cases if we have any. You know a
7 lot of times we don't. Like, you know, India has never shut
8 down for a year, so we just kind of look at what the cost
9 would be.

10 Like the big part is, like, looking at how much it
11 could cost Wells Fargo and making sure that we have enough,
12 like, funds to cover that, but also to seeing if we have any
13 gaps, like if we need to create controls to try to prevent
14 this from happening.

15 THE COURT: And are you working with regulators in
16 what you do?

17 PROSPECTIVE JUROR: I don't. Yeah, I send it to
18 people who talk to regulators, but I don't -- I've never
19 talked to a regulator.

20 THE COURT: Can you give us some examples of some
21 gaps that you might identify to try to present to --
22 sorry -- to prevent one of these situations from happening?

23 PROSPECTIVE JUROR: Sure. So like check kiting,
24 currently we don't have any controls in place, and we
25 realized like a \$12 million loss earlier this year. So

1 we're trying to put controls in place that would, like, look
2 at bank accounts that are, like, transferring money of,
3 like, you know, similar sizes where they're, like -- because
4 what you are doing when you are kiting is you are using the
5 time that it takes for a -- like when you deposit a check,
6 like that time when, like, it hasn't actually processed. So
7 it's kind of like the -- like, one, it's like a floating
8 kind of amount.

9 So, yeah, you're kind of looking for -- because
10 it's usually like a big circle, where it's, like, they
11 transfer from their account to, like, their corporate
12 account to, like, another account. And they just, like,
13 keep going and trying to, like, build up, like, more and
14 more. So we would be looking for, like, similar sizes like
15 coming in and out on, like, a regular basis. Where then you
16 are also looking if, like, they do have checks bouncing or,
17 you know, they're not, like, clearing, just like any type of
18 unusual behavior.

19 THE COURT: When you are looking at the scenarios,
20 are you looking at financial documents from Wells Fargo and
21 other banks?

22 PROSPECTIVE JUROR: No, I don't -- I mean, I'll
23 see, like, the loss, but I won't see any detailed
24 information. I'm just a facilitator, so I don't actually --
25 I'm not, like, a subject matter expert in, like, any of this

1 stuff. I kind of just, like, try to ask the right questions
2 to get us to, like, a correct loss estimation and to see if
3 we have any gaps.

4 THE COURT: And when you say you are just a
5 facilitator, can you expand on that a bit more?

6 PROSPECTIVE JUROR: Sure. So, like, I just try to
7 get the experts -- all the experts in the right room
8 together, so, like, I would make sure we have our legal team
9 there, I would make sure we have, like, a scenario champion
10 who is an expert in the matter. I would make sure we have,
11 like, a compliance person. I try to make sure they have
12 good discussion around what a loss or a loss or a gap would
13 be.

14 THE COURT: And you know how to read bank and
15 financial documents writ large?

16 PROSPECTIVE JUROR: No. I mean, like, I can,
17 like, read my checking account, but, like, I don't look at,
18 like, banking documents.

19 THE COURT: Regularly.

20 PROSPECTIVE JUROR: Never. I mean, I don't think
21 I ever have.

22 THE COURT: Okay. To the extent that you would
23 hear or see evidence in this case that -- where the language
24 might be familiar to you around banking, for example --

25 PROSPECTIVE JUROR: Sure.

1 THE COURT: -- can you put what you -- you think
2 you might know or have heard at work aside and judge this
3 case based on the evidence that you see and hear in the
4 courtroom?

5 PROSPECTIVE JUROR: Yes, yes.

6 THE COURT: And is that also the case if banking
7 experts or financial experts were to testify?

8 PROSPECTIVE JUROR: Yes, yeah.

9 THE COURT: All right. Number 8.

10 I'm sorry. We missed do you have a spouse or
11 partner and their occupation.

12 PROSPECTIVE JUROR: Oh. Yes, I am married, and my
13 wife is a Spanish immersion second grade elementary
14 schoolteacher.

15 THE COURT: And in what school?

16 PROSPECTIVE JUROR: Park Spanish Immersion in
17 St. Louis Park.

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

19 PROSPECTIVE JUROR: She was -- this is her second
20 year. And prior to that, she was at Emerson Elementary for
21 four years.

22 THE COURT: And at Emerson what --

23 PROSPECTIVE JUROR: In Minneapolis. Sorry.

24 THE COURT: -- what grade did she teach?

25 PROSPECTIVE JUROR: I think she was second -- or

1 first. Actually, she teaches first grade. I'm sorry.

2 THE COURT: That's all right. I won't tell her.

3 PROSPECTIVE JUROR: Yeah. Yeah. She gets upset
4 about me.

5 THE COURT: And so she was a teacher during COVID?

6 PROSPECTIVE JUROR: Correct.

7 THE COURT: Are you aware of whether the children
8 that she taught were recipients of programs that allowed --
9 or that provided food and meals to children during COVID?

10 PROSPECTIVE JUROR: Yes, she helped deliver them
11 at times.

12 THE COURT: She helped deliver them?

13 And, you know, the general nature of this case.
14 Did you ever talk to her about it?

15 PROSPECTIVE JUROR: About the case?

16 THE COURT: Yes.

17 PROSPECTIVE JUROR: No.

18 THE COURT: And did you talk to her about the
19 delivery of food to the students?

20 PROSPECTIVE JUROR: I mean, like, just what she --
21 that she was bringing -- I mean, she was at Emerson, and it
22 was a lot of students where their parents wouldn't have cars
23 or wouldn't be able to get to the school to pick up food, so
24 she was mostly delivering food to, like, her students.

25 THE COURT: Do you know where she went to pick up

1 the food?

2 PROSPECTIVE JUROR: I think it was Emerson, but
3 I -- I couldn't tell you. I never went with her.

4 THE COURT: You never went with her.

5 PROSPECTIVE JUROR: Yeah.

6 THE COURT: Do you know whether she interacted at
7 all with regulators who were doing any of the checking on
8 those meals?

9 PROSPECTIVE JUROR: No, I mean, I wouldn't think
10 so, but I couldn't be sure. Like --

11 THE COURT: And she, as a teacher, I'm going to
12 assume she's sort of an advocate for children?

13 PROSPECTIVE JUROR: Yeah.

14 THE COURT: Is there anything about her role that
15 you think would bias or prejudice you in any way in this
16 case?

17 PROSPECTIVE JUROR: No.

18 THE COURT: And have you thought about that given
19 the subject matter of the case?

20 PROSPECTIVE JUROR: Yeah, I mean, I have. I --
21 yeah, I don't think about that -- or, I mean, like, it
22 wouldn't come into play. Like, I would care more about
23 getting it right than policing her.

24 THE COURT: Okay. And your -- you can follow my
25 instruction not to talk to her about the case?

1 PROSPECTIVE JUROR: Yes.

2 THE COURT: All right. Question Number 8.

3 PROSPECTIVE JUROR: Yes, I have a 2 and a
4 12-year-old.

5 THE COURT: 2 and 12?

6 PROSPECTIVE JUROR: 2 and 12, or my 12-year-old is
7 my stepson.

8 THE COURT: And Question 9.

9 PROSPECTIVE JUROR: I do a lot of, like, outdoor
10 activities. I rock climb, golf, and do endurance sports
11 like running and like cross-country skiing.

12 I do belong to a church. I may be go once a
13 month.

14 THE COURT: And what church is that?

15 PROSPECTIVE JUROR: Sojourn Campus Church on the U
16 of M campus.

17 THE COURT: And any other organizations or groups?

18 PROSPECTIVE JUROR: No.

19 THE COURT: Okay. And Question 10.

20 PROSPECTIVE JUROR: No.

21 THE COURT: Question 11.

22 PROSPECTIVE JUROR: I -- Outdoor magazine,
23 podcasts. They are all climbing podcasts.

24 I will look at Yahoo. That's probably the only
25 internet site that would have news, and that's -- yeah,

1 that's probably about it.

2 THE COURT: Okay. Are you on social media?

3 PROSPECTIVE JUROR: Yes, but I -- I mean, like,
4 very infrequently. Like, I don't have it on my phone, and
5 it's only on my personal computer, which I don't use every
6 day.

7 THE COURT: Question 12.

8 PROSPECTIVE JUROR: No.

9 THE COURT: Question 13.

10 PROSPECTIVE JUROR: No.

11 THE COURT: Question 14.

12 PROSPECTIVE JUROR: My father-in-law was a lawyer.
13 He worked for Anoka County. I don't really know what he
14 did. He was retired before I met him.

15 THE COURT: Do you know whether he was a
16 prosecutor?

17 PROSPECTIVE JUROR: No, he was not.

18 THE COURT: He was not?

19 PROSPECTIVE JUROR: He was not, no.

20 THE COURT: He did something else related to the
21 county?

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: Question 15.

24 PROSPECTIVE JUROR: No.

25 THE COURT: Question 16.

1 PROSPECTIVE JUROR: I have a cousin who had
2 some -- has been in trouble with, like, drugs and different
3 stuff like that, but, I mean, he doesn't live around here
4 and I don't really see him, but that would be the only
5 relative or friend.

6 THE COURT: Is there anything about -- so he's had
7 criminal cases?

8 PROSPECTIVE JUROR: I mean, he's had -- he had
9 one, like, where he was on something and had a high-speed
10 chase, so I assume it was criminal, but I couldn't be for
11 sure. I just know it was pretty bad, but I -- it was long
12 enough ago I don't really remember, but that's the only
13 thing.

14 THE COURT: And anything about that you think
15 would affect your ability to be fair and impartial?

16 PROSPECTIVE JUROR: No, no.

17 THE COURT: Question 17.

18 PROSPECTIVE JUROR: No.

19 THE COURT: And Question 18.

20 PROSPECTIVE JUROR: No.

21 THE COURT: Question 19.

22 PROSPECTIVE JUROR: No.

23 THE COURT: And 20.

24 PROSPECTIVE JUROR: Yes. We were living in
25 South Minneapolis, and my -- whatever age he was during

1 COVID, he was at Barton Elementary School, and we would pick
2 up lunches at his school for him.

3 THE COURT: This is your stepson?

4 PROSPECTIVE JUROR: Yes.

5 THE COURT: Okay.

6 PROSPECTIVE JUROR: And I believe we just went to
7 Barton Elementary School.

8 THE COURT: When you did that, did you have to
9 show an ID or fill out any forms?

10 PROSPECTIVE JUROR: No, no.

11 THE COURT: Did you just say his name or even
12 that?

13 PROSPECTIVE JUROR: I couldn't tell you, but I
14 don't think so.

15 THE COURT: And that was during COVID?

16 PROSPECTIVE JUROR: Yes.

17 THE COURT: And how often do you think that
18 happened?

19 PROSPECTIVE JUROR: I mean, I think we got -- it
20 was like a box of food for a week, and I couldn't tell you
21 how long we did it for. We -- we didn't need the food, but
22 I think my wife thought that if, like, we don't use it, it
23 either just goes to waste or else, like, they just -- I
24 don't know. My wife was an advocate of taking the food.

25 THE COURT: Okay. And was that -- what time --

1 what time frame? I mean, I know it was COVID, but is there
2 any more specifics that you can put on that?

3 PROSPECTIVE JUROR: I don't know if I could. I
4 mean, it was maybe a couple months. I really -- yeah, I
5 don't think we did it for even a full year. I think it was
6 just for a couple months.

7 THE COURT: And was your stepson at the time a
8 student at Barton Elementary?

9 PROSPECTIVE JUROR: Yes.

10 THE COURT: Question 21.

11 PROSPECTIVE JUROR: Would social service programs
12 be like Habitat for Humanity?

13 THE COURT: You've worked for Habitat for
14 Humanity?

15 PROSPECTIVE JUROR: Well, volunteered.

16 THE COURT: Yeah.

17 PROSPECTIVE JUROR: And I've done like Feed My
18 Starving Children, and that's just been through, like, work
19 events.

20 THE COURT: Mm-hmm. And Question 22.

21 PROSPECTIVE JUROR: I mean, I think my exposure to
22 the Minnesota Department of Education would come from my
23 wife, but I couldn't tell you if she's talking about, like,
24 the United States Department of Education or St. Louis Park
25 or, like, her school, but she does talk about the Department

1 of Education. I just don't know the -- I should pay
2 attention more, but I don't always.

3 THE COURT: When she does talk about the
4 Department of Education, are there particular views that she
5 espouses?

6 PROSPECTIVE JUROR: I think mostly it's, like, how
7 they could do better or things that she wishes they would do
8 better. Sometimes I think it's things that they do well.
9 Like I think she likes that they have the free lunches at
10 school and break -- yeah, I couldn't tell you probably any
11 more than that.

12 THE COURT: When she's focusing on how they could
13 do better, is there an area of focus? Is it
14 curriculum-based? Is it something else?

15 PROSPECTIVE JUROR: I would say curriculum-based,
16 like how she has to teach, or I guess, like, getting the
17 support she needs. Like, she has, like, some troubled
18 students that, like, could use -- she could use more help in
19 the classroom.

20 THE COURT: And if there are witnesses here who
21 may testify to the -- who are from the Department of
22 Education -- the Minnesota Department of Education, in
23 addition you may hear evidence about the Minnesota
24 Department of Education, can you put aside your wife's
25 comments?

1 PROSPECTIVE JUROR: Yes.

2 THE COURT: Okay.

3 PROSPECTIVE JUROR: Yeah.

4 THE COURT: Question 23.

5 PROSPECTIVE JUROR: No.

6 THE COURT: Question 24.

7 PROSPECTIVE JUROR: No.

8 THE COURT: Question 25.

9 PROSPECTIVE JUROR: Yes.

10 THE COURT: And 25(b).

11 PROSPECTIVE JUROR: Yes.

12 THE COURT: And -- so let me just go back to 24.

13 In your attending church or your work with Wells Fargo or
14 your volunteer activities, have you had contact with the
15 Somali community?

16 PROSPECTIVE JUROR: Oh, sorry. I don't know -- I
17 wouldn't know. I mean, I work with a lot of people, but I
18 don't -- that are of other races. I just don't know the
19 difference between, like, East and West or South Africa. So
20 I would -- I guess I would probably say yes to that, but I
21 just -- like, I wouldn't actually know. Like, I couldn't be
22 for sure.

23 THE COURT: Then no feelings one way or another?

24 PROSPECTIVE JUROR: No -- I, no, no.

25 THE COURT: Toward a community?

1 PROSPECTIVE JUROR: No, no.

2 THE COURT: And did you answer 25(b), or did I
3 make you go back before we did that?

4 PROSPECTIVE JUROR: I think I said yes.

5 THE COURT: Okay. And 26(a) is, Are you willing
6 to apply the law as the court explains it to you?

7 PROSPECTIVE JUROR: Yes.

8 THE COURT: And can you think of anything else
9 that you should call to the court's attention?

10 PROSPECTIVE JUROR: No.

11 THE COURT: Okay. Let me see if the attorneys
12 have anything for you. Just one moment.

13 **(Sidebar discussion)**

14 MR. GARVIS: Judge, this is Andrew Garvis.

15 I want to know -- there's -- on MNCIS, there's a
16 Beau James Larson that had a DUI that was dismissed, and he
17 was convicted of careless driving. It's not that, Your
18 Honor, but it says you were the judicial officer. So I want
19 to make sure that it's not him, and that it does match
20 roughly the time frame, though, his age.

21 THE COURT: Was that from Ridgedale? Can you
22 tell?

23 MR. GARVIS: It was.

24 THE COURT: Probably.

25 Does it say who he was represented by?

1 MR. GARVIS: I'm getting kicked off here, if you
2 give me a minute. I'm having internet problems.

3 THE COURT: That's all right. I can ask.
4 Anyone else?

5 Mr. Sapone.

6 MR. SAPONE: Yes. This is Ed Sapone, Your Honor.
7 So when you were asking him if he thinks that his
8 employment and what he does for a living could pose a
9 problem, he started to answer it this way. He said, "It
10 could," and then he paused and said, "I mean, what I do is I
11 go through scenarios, example, inflating your bank account
12 to make it look like you have more money." So I just want
13 to make sure that he won't have a problem following Your
14 Honor's presumption of innocence instruction and actually
15 presume innocence in light of the fact that what he does for
16 a living is he routinely assumes the opposite. He assumes
17 that the 1-in-125-year [sic] events actually have happened
18 and how that might affect his employer.

19 THE COURT: Anyone else? Okay. Thank you.

20 **(In open court)**

21 THE COURT: Sir, have you ever had a DUI?

22 PROSPECTIVE JUROR: No.

23 THE COURT: And no -- no careless driving?

24 PROSPECTIVE JUROR: Yes.

25 THE COURT: Okay. And where was that?

1 PROSPECTIVE JUROR: Like Maple Grove.

2 THE COURT: Okay. Do you know if it was charged
3 as a DUI and then was --

4 PROSPECTIVE JUROR: (Moves head up and down.)

5 THE COURT: It was charged as a DUI?

6 PROSPECTIVE JUROR: Yeah.

7 THE COURT: Okay. And where did you go for court?

8 PROSPECTIVE JUROR: I think it was next to
9 Ridgedale.

10 THE COURT: Okay. And did you hire an attorney?

11 PROSPECTIVE JUROR: No.

12 THE COURT: You represented yourself?

13 PROSPECTIVE JUROR: Yeah.

14 THE COURT: And do you remember who you worked
15 with, like as the prosecutor?

16 PROSPECTIVE JUROR: I don't.

17 THE COURT: Okay. Did you have to appear before a
18 judge?

19 PROSPECTIVE JUROR: Yes.

20 THE COURT: Do you remember who that was?

21 PROSPECTIVE JUROR: (Moves head from side to
22 side.)

23 THE COURT: You don't think it was me? It might
24 have been --

25 PROSPECTIVE JUROR: Oh, no, it was not, no.

1 THE COURT: Are you sure?

2 PROSPECTIVE JUROR: It was a man.

3 THE COURT: It was a man?

4 PROSPECTIVE JUROR: Yeah.

5 THE COURT: Okay. Okay. Anything about that
6 experience, getting pulled over, having to talk to a
7 prosecutor, and looks like you came to a deal, anything
8 about that experience that leads you to any feelings one way
9 or another toward law enforcement?

10 PROSPECTIVE JUROR: No, no. I think it was done
11 correctly. Like, I -- I, like, blew over the limit on the
12 road, and then I got to the court -- or the jail and blew
13 under, so that's why they dropped the DWI charge. So then
14 it, yeah, seemed like it was handled correctly.

15 THE COURT: Did you have to stay overnight?

16 PROSPECTIVE JUROR: No.

17 THE COURT: Okay. Were you -- do you remember
18 what the outcome was? Were you on some sort of terms that
19 you had to follow?

20 PROSPECTIVE JUROR: No, all I had to do was go to
21 a DWI class and then pay a fine and that was it.

22 THE COURT: Okay. Given what you do at Wells
23 Fargo, and you're sort of -- once you get to the analysis of
24 the scenario, you are assuming the scenario happened, right,
25 you are assuming the fraud happened assuming the -- right?

1 PROSPECTIVE JUROR: Sure. Yeah.

2 THE COURT: Given that, do you have any problem
3 applying the presumption of innocence to these defendants?

4 PROSPECTIVE JUROR: No. I would -- yeah, I would
5 be able to do that, yeah.

6 THE COURT: All right. Thank you.

7 PROSPECTIVE JUROR: All right.

8 THE COURT: I'm going to ask you to go to the
9 courtroom next door. This is a process. It's more waiting.
10 So I appreciate your patience.

11 PROSPECTIVE JUROR: Okay.

12 THE COURT: These folks are not allowed to talk to
13 you. So if they don't, they're not being rude. Okay?

14 PROSPECTIVE JUROR: The people next door?

15 THE COURT: No, the people next door can talk to
16 you. These folks all in the courtroom cannot.

17 PROSPECTIVE JUROR: Oh, okay. Got it.

18 THE COURT: Okay?

19 PROSPECTIVE JUROR: Okay.

20 THE COURT: Thank you.

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

22 THE COURT: Could you just hold the next one for
23 one moment, please?

24 Kristine, can you -- I realize it's not
25 necessarily your role, but --

1 I'm happy to look at the MNCIS, but based on my
2 experience in Ridgedale, it is not surprising to me that he
3 would appear before one judge and another judge would
4 actually sign the order. That happened all the time. I was
5 there for a number of years. And also not surprising to me
6 that he would not -- I would not recall it if -- even if he
7 did appear before me, but I'm happy to look at any printout
8 or anything further on that issue.

9 Do you have anything else, Mr. Garvis?

10 MR. GARVIS: Your Honor, I did actually get it up
11 and it looked like it was Judge Wahl who actually did the
12 sentencing. I just --

13 THE COURT: And that is a male.

14 MR. GARVIS: Yes, it is.

15 THE COURT: All right. Thank you.

16 **(Prospective Juror Number 24 enters courtroom)**

17 THE COURT: Good morning. You may come forward
18 around these tables and then up to the witness chair, if you
19 would.

20 PROSPECTIVE JUROR: Which is?

21 THE COURT: Which is this one right here
22 (indicating). All the way up.

23 You are Juror Number 24?

24 PROSPECTIVE JUROR: Yes.

25 THE COURT: And you have the jury trial

1 questionnaire in front of you?

2 PROSPECTIVE JUROR: Yes.

3 THE COURT: All right. And so what I'll do is
4 have you go through the answers to those questions. I may
5 prompt you or have follow-up for you.

6 Let's begin with Number 1, which is what your age
7 is.

8 PROSPECTIVE JUROR: I am 60 years old.

9 THE COURT: Okay. And Question Number 2. Did you
10 get to look at that list?

11 PROSPECTIVE JUROR: Yes. They said that, you
12 know, if you really are not interested in doing this, to say
13 ahead of time instead of like waiting until the end. So is
14 this the time to say that I really don't believe that I want
15 to do this?

16 THE COURT: And so -- understood. There may be
17 other folks who don't want to do this. Can you explain --
18 I'm -- well, let me put it this way. I am allowed to
19 release people for extreme hardship, and that isn't just
20 inconvenience or not wanting to do it. It is extreme
21 hardship such that it puts you in a different category. Can
22 you explain your question.

23 PROSPECTIVE JUROR: I just don't believe that you
24 guys are working for justice. I don't believe in your
25 system.

1 THE COURT: Okay.

2 PROSPECTIVE JUROR: I -- I've heard pretty briefly
3 I think it's Heather MacDonald from the Diversity Delusion
4 says that every human being aspires to be judged by neutral
5 laws, neutral principles in the hopes that if they end up in
6 front of a tribunal of the law, they have a neutral arbiter.
7 So everything is neutral, neutral, neutral.

8 It's not about restorative justice. It's not
9 about am I black, am I African, am I Somali, am I poor?
10 What are my circumstances? It's what is the crime.

11 We have hundreds and hundreds of black kids who
12 are running around destroying their neighborhoods because
13 they're not being charged with what they are doing. They're
14 being arrested, they're not being charged. They're let out.
15 They're doing violent things, and you guys are not doing --
16 you guys are pathetic.

17 My ancestors came over many, many, many years ago.
18 They fled Germany. We were Lutheran and reformed. My one
19 denomination, they hid the Liberty Bell. The other ones
20 they were at the Muhlenberg Brigade. They volunteered with
21 George Washington. But other Pennsylvania Dutch were men
22 like the Amish.

23 THE COURT: Okay. And --

24 PROSPECTIVE JUROR: They did not believe in the
25 system.

1 THE COURT: And so --

2 PROSPECTIVE JUROR: They did not believe --

3 THE COURT: Hang on. I'm going to just interrupt
4 you for a --

5 PROSPECTIVE JUROR: -- in any of this --

6 THE COURT: Hang on. Hang on -- no.

7 PROSPECTIVE JUROR: And I'm starting to feel I
8 don't believe in your system.

9 THE COURT: Understood. It doesn't sound to me
10 like you are able to put those feelings aside and do your
11 job as a juror. Does that sound about right?

12 PROSPECTIVE JUROR: I am so fed up with the
13 justice system in Minnesota.

14 THE COURT: Okay.

15 PROSPECTIVE JUROR: I realize you guys are
16 federal.

17 THE COURT: We are indeed.

18 PROSPECTIVE JUROR: I am so fed up with it.
19 You're -- by the time I'm done wasting my time, you are not
20 going to charge these people to the full extent of the law.
21 I am telling you ahead of time.

22 THE COURT: So --

23 PROSPECTIVE JUROR: You're not --

24 THE COURT: Hang on. Hang on. Hang on. So it
25 sounds to me like you can't put these feelings aside, am I

1 right?

2 PROSPECTIVE JUROR: I cannot.

3 THE COURT: Okay. Thank you. You are excused.

4 PROSPECTIVE JUROR: Thank you.

5 THE COURT: You are welcome.

6 **(Prospective Juror Number 24 exits/re-enters courtroom)**

7 PROSPECTIVE JUROR: I forgot my glasses.

8 THE COURT: Okay. Yes, you did indeed.

9 **(Prospective Juror Number 24 exits courtroom)**

10 **(Prospective Juror Number 25 enters courtroom)**

11 THE COURT: Good morning.

12 PROSPECTIVE JUROR: Good morning.

13 THE COURT: Come on forward. I'm going to have
14 you have come around those tables and up to the witness
15 seat.

16 They even put your juror number on your water
17 bottle?

18 PROSPECTIVE JUROR: You know, it's from yesterday
19 in case I had to reuse it, so --

20 THE COURT: Got it. I like it.

21 PROSPECTIVE JUROR: -- everybody will know.

22 THE COURT: You are Juror Number 25?

23 PROSPECTIVE JUROR: That is correct.

24 THE COURT: All right. And so you have that
25 questionnaire in front of you?

1 PROSPECTIVE JUROR: I do.

2 THE COURT: So I'm going to go through those
3 questions with you. I'll have you just read them to
4 yourselves -- to yourself and answer them. And I may have
5 follow-up as we go. Okay?

6 PROSPECTIVE JUROR: No problem.

7 THE COURT: What is your age?

8 PROSPECTIVE JUROR: 48.

9 THE COURT: All right. And Question Number 2.

10 PROSPECTIVE JUROR: Indirectly. I think there is
11 an individual, 348, who is the wife of a former coworker who
12 I haven't worked with for about five years, but that's the
13 extent of it.

14 THE COURT: Thank you.

15 Kristine?

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

17 THE COURT: And 347 and 348 is actually a name
18 repeated, but that person is the person who is your
19 coworker's -- or was your coworker's wife?

20 PROSPECTIVE JUROR: I believe so.

21 THE COURT: Okay.

22 PROSPECTIVE JUROR: Yeah. And it was spelled as
23 348, the last name was, when I worked with --

24 THE COURT: Okay. I want to make sure I --

25 (The court shows document to prospective juror)

1 PROSPECTIVE JUROR: Yes.

2 THE COURT: Okay. And how long ago have you had
3 contact with her?

4 PROSPECTIVE JUROR: Probably not for six years.

5 THE COURT: And did you socialize with her?

6 PROSPECTIVE JUROR: No, I did not, other than work
7 events that she may have attended.

8 THE COURT: Okay. Any opinion about her?

9 PROSPECTIVE JUROR: None.

10 THE COURT: And if she took the stand, can you
11 treat her like any other witness, that is, credibility as a
12 blank slate?

13 PROSPECTIVE JUROR: Yeah. Yeah.

14 THE COURT: Okay. Let me just check with the
15 attorneys for one moment.

16 **(Sidebar discussion)**

17 THE COURT: Counsel, are 347 and 348 two different
18 people?

19 MR. THOMPSON: Your Honor, I don't know who 347
20 is. I assume it's the same person.

21 THE COURT: Okay.

22 MR. THOMPSON: But 348 is the correct spelling,
23 and that is the executive director of Partners in Nutrition,
24 former executive director.

25 THE COURT: And is there follow-up that you want

1 me to ask? We may get to it when we get to Number 3.

2 MR. THOMPSON: I think we should probably just go
3 through it and let it play out, and we may have follow-up.
4 Obviously whether or not she takes the stand, Kara Lomen's
5 name will come up a lot.

6 THE COURT: Understood. Thank you.

7 **(In open court)**

8 THE COURT: Were you aware of what she did for a
9 living at that time?

10 PROSPECTIVE JUROR: I knew that she had worked at
11 daycare facilities.

12 THE COURT: And other than that, did you know
13 anything about her occupation?

14 PROSPECTIVE JUROR: No.

15 THE COURT: Are you still in touch with your
16 coworker who is married to her?

17 PROSPECTIVE JUROR: No, I am not, other than I
18 follow him on Twitter, but -- or X, whatever it is.

19 THE COURT: And are they still married, do you
20 know?

21 PROSPECTIVE JUROR: I don't know the answer to
22 that.

23 THE COURT: Okay.

24 PROSPECTIVE JUROR: It's been a while.

25 THE COURT: Okay. And answer to Number 3.

1 PROSPECTIVE JUROR: Yes.

2 THE COURT: You have. And how?

3 PROSPECTIVE JUROR: Just through the news, the
4 media, general media articles and so forth.

5 THE COURT: Okay. And when you reviewed the media
6 about the case, were you aware of witness 348's involvement
7 or alleged involvement?

8 PROSPECTIVE JUROR: No.

9 THE COURT: Are you now?

10 PROSPECTIVE JUROR: Only because of the list.

11 THE COURT: Only because of the list and what I
12 just said?

13 PROSPECTIVE JUROR: Correct.

14 THE COURT: So you have had no communication or
15 identification of her as someone who may have been involved
16 in this case?

17 PROSPECTIVE JUROR: Correct.

18 THE COURT: Okay. So when you -- let's get more
19 specific about what you heard about the case and through
20 what media.

21 PROSPECTIVE JUROR: Well, just I watch the news
22 daily. I tend to observe a lot of different tweets and
23 stuff through X. Other than that, social media I tend to
24 avoid.

25 Mostly through news, though.

1 THE COURT: What kinds of news do you tend to
2 avoid or what kinds of news outlets do you tend to avoid?

3 PROSPECTIVE JUROR: Social media.

4 THE COURT: Oh, I see. Okay.

5 PROSPECTIVE JUROR: Yes.

6 THE COURT: And what news outlets do you typically
7 read or watch?

8 PROSPECTIVE JUROR: I watch the national news. I
9 watch the daily news. Daily local.

10 THE COURT: And what channels or outlets?

11 PROSPECTIVE JUROR: Typically KSTP, ABC.

12 THE COURT: And how about print media?

13 PROSPECTIVE JUROR: Just on the phone.

14 THE COURT: Okay. And do you read the Star
15 Tribune on the phone or any other print media?

16 PROSPECTIVE JUROR: I do not have an account with
17 them.

18 THE COURT: Okay.

19 PROSPECTIVE JUROR: I read the titles, but I do
20 not.

21 THE COURT: Okay. And what is it that you recall
22 reading or seeing about this case?

23 PROSPECTIVE JUROR: Just that through the haste of
24 rolling out some of these programs, there may have been
25 advantage taken of that and some things overlooked.

1 THE COURT: And have you developed an opinion
2 based on what you've read and heard on the guilt or
3 innocence of the defendants?

4 PROSPECTIVE JUROR: No. I'm able to separate that
5 as need be.

6 THE COURT: And what do you mean by that? And
7 does it mean that you formed one and you can separate it?

8 PROSPECTIVE JUROR: No.

9 THE COURT: Or that you really haven't formed one?

10 PROSPECTIVE JUROR: I haven't formed one. I -- I
11 mean, I'm always at the end of the day until you know all
12 the facts, it really doesn't -- it's just a waste of time to
13 form too many opinions.

14 THE COURT: And you're aware that the presumption
15 of innocence applies to these defendants. Can you apply it
16 to them?

17 PROSPECTIVE JUROR: Yes.

18 THE COURT: And if you're selected as a juror on
19 this case, can you set aside what you may have heard or read
20 through other sources and decide this case based only on the
21 evidence presented at trial?

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: Okay. Is that true even if during
24 this trial you hear a lot about -- whether you hear from her
25 or not, you hear a lot about Witness 348?

1 PROSPECTIVE JUROR: Yeah, my -- my connection was
2 very limited to her in particular. I mean, I -- her husband
3 was our payroll -- our company payroll person, so I dealt
4 with him quite a bit and --

5 THE COURT: Was he in a supervisory relation to
6 you?

7 PROSPECTIVE JUROR: Yeah, he -- he worked not
8 directly underneath me, but I was high enough in the
9 organization that indirectly.

10 THE COURT: All right. And so Question Number 4.

11 PROSPECTIVE JUROR: Yes. No much more than just
12 seeing those terms -- those titles thrown out there. I'm
13 not aware of the actual groups or companies or structure of
14 any one of those.

15 THE COURT: Which in particular do you recall
16 seeing in news media?

17 PROSPECTIVE JUROR: Now you are really pressing
18 me. You know, Feeding Our Future is probably the most
19 likely, and honestly I'm probably only about 80 percent sure
20 of that.

21 THE COURT: Okay. Do any of the rest of them
22 stand out as ones that you have read about?

23 PROSPECTIVE JUROR: No, they do not.

24 THE COURT: Or heard about?

25 PROSPECTIVE JUROR: No.

1 THE COURT: Okay. And Question 5.

2 PROSPECTIVE JUROR: No challenges.

3 THE COURT: Okay. Question 5(b).

4 PROSPECTIVE JUROR: No challenges there either.

5 THE COURT: 5(c).

6 PROSPECTIVE JUROR: No challenges.

7 THE COURT: And where did you grow up, and where
8 do you live?

9 PROSPECTIVE JUROR: I grew up in a small town in
10 Western Wisconsin. I'm out in rural area. And currently I
11 live in Woodbury, Minnesota.

12 THE COURT: How long have you lived in Woodbury?

13 PROSPECTIVE JUROR: Twelve years now or --

14 THE COURT: Okay.

15 PROSPECTIVE JUROR: -- just under 11 and a half.

16 THE COURT: And where did you live before that?

17 PROSPECTIVE JUROR: Hudson, Wisconsin.

18 THE COURT: And how long was that?

19 PROSPECTIVE JUROR: For 12 years --

20 THE COURT: Okay.

21 PROSPECTIVE JUROR: -- prior to that.

22 THE COURT: And can you go on to Number 7.

23 PROSPECTIVE JUROR: Sure. So I have a marketing
24 education degree.

25 THE COURT: Where's that from?

1 PROSPECTIVE JUROR: University of Wisconsin-Stout.

2 My current occupation is EVP of sales and
3 marketing for a OEM, original equipment manufacturer. I
4 work on the sales and marketing for a family-owned business,
5 and essentially run a special branch of that company.

6 THE COURT: What is the business?

7 PROSPECTIVE JUROR: So the parent company is
8 ProForm Fabrication. The subsidiary that I really manage is
9 Parker Freeze Dry.

10 THE COURT: And what do they do?

11 PROSPECTIVE JUROR: We build large processing
12 equipment.

13 THE COURT: For what product or products?

14 PROSPECTIVE JUROR: It varies greatly. It's a
15 dryer.

16 THE COURT: Okay.

17 PROSPECTIVE JUROR: So it's an alternative to
18 dehydrating.

19 THE COURT: And you build the equipment?

20 PROSPECTIVE JUROR: That is correct.

21 THE COURT: Okay. And so as EVP of sales, you are
22 selling the equipment?

23 PROSPECTIVE JUROR: Selling it, maintaining it,
24 but, yeah, it's -- my role entails managing that side of our
25 company.

1 THE COURT: How long have you been in this role?

2 PROSPECTIVE JUROR: Three and a half years.

3 THE COURT: And what did you do before that?

4 PROSPECTIVE JUROR: Prior to that I worked for a
5 different family-owned business. I was in -- we had a
6 number of different franchised restaurants. We had as many
7 as 65. My primary focus was on the real estate. I am a --
8 still a licensed broker, so I managed the family's
9 portfolio. We had about 75, 80 properties, but we had a
10 couple thousand employees. And ultimately the patriarch of
11 the family passed away, the matriarch took over, determined
12 that the risk was at such a level that it didn't make sense,
13 so I assisted with the sale of that. At which time there
14 were essentially five people left, and I needed to find
15 something a bit more challenging.

16 THE COURT: And what was that previous company?

17 PROSPECTIVE JUROR: FourCrown, Inc.

18 THE COURT: What kind of -- restaurants in
19 Wisconsin or Minnesota or elsewhere?

20 PROSPECTIVE JUROR: Well, both.

21 THE COURT: Okay.

22 PROSPECTIVE JUROR: We had as many as 63 Wendy's
23 restaurants, and then we had other investments in different
24 companies.

25 Prior to that, I taught high school for five

1 years -- taught and coached high school for five years. A
2 couple of my students were the children of the entrepreneur
3 that hired me and brought me on to work with that group.

4 THE COURT: And was that in Hudson or where was
5 that?

6 PROSPECTIVE JUROR: It was in Hudson.

7 THE COURT: Okay. And what did you coach?

8 PROSPECTIVE JUROR: Oh, football, basketball,
9 baseball, yeah. I taught marketing and business classes at
10 the high school level and accounting.

11 THE COURT: All right. Thank you.

12 And do you have a spouse or partner and what --

13 PROSPECTIVE JUROR: I do have a spouse. My wife.

14 THE COURT: And what does she do?

15 PROSPECTIVE JUROR: She's a teacher at a charter
16 school over in Stillwater.

17 THE COURT: What is the charter school?

18 PROSPECTIVE JUROR: St. Croix Prep Academy.

19 THE COURT: And what does it specialize in or who
20 are her students?

21 PROSPECTIVE JUROR: It's a public school, but it's
22 charter, so it's run a little different. But it --
23 people -- the students and families apply to get in, so it's
24 capped. It's really a combination of a public school and a
25 private school.

1 THE COURT: And what does she teach?

2 PROSPECTIVE JUROR: She's in special ed. She
3 teaches at the high school level. She's done that for
4 26 years.

5 THE COURT: And Question 8.

6 PROSPECTIVE JUROR: I do have two children; 23 and
7 19. And the 19-year-old goes to the University of Kansas;
8 23-year-old is a biomedical engineer for Boston Scientific.

9 THE COURT: All right. And Question 9.

10 PROSPECTIVE JUROR: You know, favorite activities
11 is spending time with the family, and we've got a property
12 over in Wisconsin that we tend to go over there and spend
13 time with the family at.

14 THE COURT: And any other organizations, groups,
15 churches that you belong to?

16 PROSPECTIVE JUROR: Nothing at such a level that
17 needs to be shared.

18 THE COURT: What does that mean?

19 PROSPECTIVE JUROR: It's just we're not active.

20 THE COURT: Okay.

21 PROSPECTIVE JUROR: In the churches, we belong to
22 them, but we are not active.

23 THE COURT: Okay. Did you grow up with a
24 particular religion?

25 PROSPECTIVE JUROR: Yeah. I grew up Catholic.

1 THE COURT: Okay.

2 PROSPECTIVE JUROR: Did the whole CCD process. As
3 I got older, my wife was Lutheran. We were married in a
4 Lutheran church, and so that evolved.

5 THE COURT: Okay. And how about any other
6 organizations; outdoor organizations, volunteer
7 organizations, anything like that?

8 PROSPECTIVE JUROR: Nothing in particular.

9 THE COURT: All right. Question 10.

10 PROSPECTIVE JUROR: The answer is no.

11 THE COURT: And Question 11.

12 PROSPECTIVE JUROR: As I've described, I spend
13 time on X. I do go on Facebook once in a while, but mostly
14 for Marketplace. And then watch the news. I do listen to
15 podcasts a lot on financial and personal growth and those
16 types of --

17 THE COURT: Okay. And when you are watching the
18 news, you were saying local and ABC News. Any other news
19 outlet that you watch, CNN, FOX News, MSNBC, any of those?

20 PROSPECTIVE JUROR: No, I'm not consistent on any
21 of those. ABC national or ABC local daily. Mostly weather
22 and traffic.

23 THE COURT: And who do you follow on Twitter?
24 What kinds of people or organizations?

25 PROSPECTIVE JUROR: Oh, again, a lot of it is

1 motivational, self help, but a lot of sports and, you know,
2 of course you throw out some of the business leaders, Elon
3 Musk, you know, the Buffets, stuff like that.

4 THE COURT: Okay. Question 12.

5 PROSPECTIVE JUROR: I was a juror on a case over
6 in St. Croix County in Hudson, Wisconsin.

7 THE COURT: And what year?

8 PROSPECTIVE JUROR: Oh, I would have to guess, but
9 I would say it was probably right around 2008, 2009.

10 THE COURT: Okay. What kind of a case?

11 PROSPECTIVE JUROR: It was a DUI case.

12 THE COURT: And you served all the way to verdict?

13 PROSPECTIVE JUROR: Yes.

14 THE COURT: Did you reach a verdict?

15 PROSPECTIVE JUROR: Yes, we did.

16 THE COURT: And what was that verdict?

17 PROSPECTIVE JUROR: Not guilty.

18 THE COURT: And were you the foreperson?

19 PROSPECTIVE JUROR: I was not.

20 THE COURT: And you are going to hear
21 instructions. If you are selected as a juror in this case,
22 you will hear instructions from me that may be different
23 from what you heard, if you remember them, from your
24 previous jury instructions. Can you put what you remember,
25 if you do, in that state court case aside and follow my

1 instructions?

2 PROSPECTIVE JUROR: Yes.

3 THE COURT: Do you think that your prior jury
4 service and the verdict that you reached would affect you
5 and your jury service here?

6 PROSPECTIVE JUROR: I don't think it would affect
7 me in the manner of leaning one way or the other, but I do
8 feel that it helped me to understand the process.

9 THE COURT: How so?

10 PROSPECTIVE JUROR: As you have different jurors
11 look to take different roles and just understanding how that
12 all plays out.

13 THE COURT: So are you talking about what happens
14 in the jury room?

15 PROSPECTIVE JUROR: Yes.

16 THE COURT: Okay.

17 PROSPECTIVE JUROR: Yeah.

18 THE COURT: Say a little bit more about that.

19 PROSPECTIVE JUROR: It's just different
20 personalities and different -- you know, as you discuss and
21 you try to come to a consensus and understanding that and
22 being able to work your way through that, it's no different
23 than what I do on a daily basis, so...

24 THE COURT: Okay. And anything about your
25 previous jury service that would lead you to have prejudices

1 or feelings toward, in favor of, or against either the
2 United States or the defendants in this case?

3 PROSPECTIVE JUROR: No.

4 THE COURT: Can you apply the presumption of
5 innocence that applies to the defendants?

6 PROSPECTIVE JUROR: Yes.

7 THE COURT: Okay. Question 13.

8 PROSPECTIVE JUROR: No, I do not.

9 THE COURT: And Question 14.

10 PROSPECTIVE JUROR: We have -- my company has
11 in-house counsel. One of my close friends is an attorney.
12 I work with attorneys frequently.

13 THE COURT: The close friend who is an attorney,
14 where is that person an attorney?

15 PROSPECTIVE JUROR: He's in-house counsel for our
16 company.

17 THE COURT: Oh, he's the same person?

18 PROSPECTIVE JUROR: Yes.

19 THE COURT: Okay. Sorry.

20 PROSPECTIVE JUROR: Yes. Yes.

21 THE COURT: I thought those were two different
22 people.

23 PROSPECTIVE JUROR: No.

24 THE COURT: I apologize. Okay. The attorneys
25 that you work with frequently are?

1 PROSPECTIVE JUROR: Typically corporate.

2 THE COURT: Corporate.

3 PROSPECTIVE JUROR: Various, whether it be, you
4 know, contract -- like IT contract management. It's -- we
5 use third-party outsource as well, but primarily we use our
6 in-house counsel.

7 THE COURT: Do you remember any firms that you
8 work with when you use outside counsel?

9 PROSPECTIVE JUROR: I'm not usually managing that,
10 but -- no, I -- I can't -- if they are in front of me, I
11 would recall.

12 THE COURT: Okay. Ever been involved in a
13 corporate investigation?

14 PROSPECTIVE JUROR: No.

15 THE COURT: Okay. Ever testified in a deposition?

16 PROSPECTIVE JUROR: Yes.

17 THE COURT: Okay. And can you tell us about that.

18 PROSPECTIVE JUROR: Yeah. As the -- one of the
19 leaders in the franchising company, we had a case against
20 Ramsey County, and it was -- they had a taking -- a
21 condemnation hearing, and it went much further beyond just
22 the condemnation due to some inconsistencies on the front
23 end that as a company we countersued.

24 THE COURT: Okay.

25 PROSPECTIVE JUROR: Or we sued them and then were

1 able to retain our legal costs and a lot of different things
2 successfully.

3 THE COURT: All right. So tell me just a little
4 bit more about that when you say inconsistencies on the
5 front end. What was the subject of the suit?

6 PROSPECTIVE JUROR: They offered far too little on
7 the front end.

8 THE COURT: And the county was taking some of the
9 property?

10 PROSPECTIVE JUROR: That is correct.

11 THE COURT: Okay.

12 PROSPECTIVE JUROR: And we lost our business and
13 so we were able to prove that they were so far off that we
14 were able to retain legal fees and a number of different
15 things.

16 THE COURT: Okay.

17 PROSPECTIVE JUROR: But most of the interactions
18 by the county during the condemnation were with me, so I was
19 a critical component in that.

20 THE COURT: Did you testify both at deposition and
21 at a hearing or trial?

22 PROSPECTIVE JUROR: It was not a trial, but it was
23 a hearing, yes.

24 THE COURT: Do you know if that was before a judge
25 or a hearing panel, an arbitrator?

1 PROSPECTIVE JUROR: I don't know for sure.

2 THE COURT: Was it in the courthouse?

3 PROSPECTIVE JUROR: It was in the basement of the
4 courthouse.

5 THE COURT: How long did the proceeding take?

6 PROSPECTIVE JUROR: Weeks. I'm not sure exactly
7 the length of it, but it would have been.

8 THE COURT: How long did you testify?

9 PROSPECTIVE JUROR: I don't believe -- I might
10 have been recalled, but not more than a day.

11 THE COURT: And were you cross-examined?

12 PROSPECTIVE JUROR: Yes.

13 THE COURT: And was that by an assistant county
14 attorney, or do you know?

15 PROSPECTIVE JUROR: Yes, that was -- that changed
16 multiple times during our process, though.

17 THE COURT: The governmental attorney?

18 PROSPECTIVE JUROR: Yeah. They had -- the county
19 attorneys had changed, and there were some challenges along
20 the way on their side.

21 THE COURT: Meaning what?

22 PROSPECTIVE JUROR: That they kept changing
23 attorneys, and then they would have to bring them up to
24 speed and there would be delays and there were a number
25 of --

1 THE COURT: What year did this case take place?

2 PROSPECTIVE JUROR: I don't recall exactly.

3 Obviously it's a public -- it's public information.

4 Probably around 2010.

5 THE COURT: And any anti-government sentiments you
6 have based on your experience there?

7 PROSPECTIVE JUROR: No. I mean, there's -- at the
8 end of the day it was a decision made by an individual, not
9 by an organization.

10 THE COURT: Any anti-lawyer sentiments that you
11 have based on your experience there?

12 PROSPECTIVE JUROR: No. As I stated, I -- we all
13 just do a job.

14 THE COURT: Question 15.

15 PROSPECTIVE JUROR: In college, obviously you take
16 a general business law course. And, you know, that's
17 25 years ago.

18 Other than that, given my proximity to a number of
19 different attorneys as I was working with both family-owned
20 businesses for the last 20 years, you know, you learn
21 organically some things, I guess.

22 THE COURT: Okay. Anything that you think would
23 affect your ability to be fair and impartial here?

24 PROSPECTIVE JUROR: No.

25 THE COURT: Question 16.

1 PROSPECTIVE JUROR: No, not that I'm aware of.

2 THE COURT: Question 17.

3 PROSPECTIVE JUROR: No.

4 THE COURT: Question 18.

5 PROSPECTIVE JUROR: No.

6 THE COURT: Question 19, other than what we just
7 discussed?

8 PROSPECTIVE JUROR: Yeah, no, that's the extent of
9 it.

10 THE COURT: Okay. And Question 20.

11 PROSPECTIVE JUROR: My youngest daughter was in
12 school at the time. However, she has a gluten allergy so
13 she never had the meals.

14 THE COURT: Okay. So there were meals offered and
15 she didn't take advantage of them because of her allergy?

16 PROSPECTIVE JUROR: Yeah.

17 THE COURT: And how about your wife's work in the
18 charter school? Do you recall your wife having interaction
19 with food programs at the school?

20 PROSPECTIVE JUROR: In her role, she really didn't
21 interact with that segment of the school.

22 THE COURT: And Question 21.

23 PROSPECTIVE JUROR: Currently I'm working with a
24 lot of food pantries, more for work as we are providing --
25 or have the opportunity to provide them with some processing

1 equipment to provide extended shelf life through some of
2 their product and --

3 THE COURT: And what are the food pantries that
4 you work with and food shelves?

5 PROSPECTIVE JUROR: Right now we're focusing more
6 so out in South Dakota. However, my sales team is working
7 throughout the United States with different groups and grant
8 opportunities and so forth.

9 THE COURT: And anything about that that you think
10 would intersect -- based on the little that you know about
11 this case and what you've read, anything about those -- that
12 work that you think would intersect with the issues in this
13 case?

14 PROSPECTIVE JUROR: I can't see how they would.

15 THE COURT: Question 22.

16 PROSPECTIVE JUROR: You know, as I talked about,
17 we work with different groups on the grants and so forth
18 for -- the primary one that we were focusing on, although
19 the deadline has now passed, was with the U.S. Department of
20 Agriculture, but, however, we're contracting all the grant
21 writers and so forth with that. You know, Minnesota
22 Department of Education, the extent that my wife is a
23 teacher.

24 THE COURT: Okay. The Department of Agriculture
25 grant, you applied for one?

1 PROSPECTIVE JUROR: No, I did not. What we were
2 trying to do is as a -- I pushed our team as they tried to
3 sell this equipment, and there's these opportunities out
4 here in trying to create shelf stability and, you know, just
5 product that's going to last for them. We were actually
6 paying the grant writers to write for our prospects or our
7 customers, our future customers, to help them purchase this
8 equipment. And in particular with -- with this particular
9 group, with the food pantries, we saw an opportunity. I'm
10 giving away all my secrets.

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

12 Question 23.

13 PROSPECTIVE JUROR: Yeah. No.

14 THE COURT: And Question 24.

15 PROSPECTIVE JUROR: So as a real estate agent and
16 working in that industry, we had a number of restaurants
17 that we would have closed. And so I had significant
18 interactions with -- with people of the background from
19 either Somalia or East Africa. In particular there are a
20 couple different locations that it seemed to happen more
21 frequently. In St. Cloud we had a property that I had
22 listed, as well as on West Lake in Minneapolis.

23 THE COURT: And what were the interactions that
24 you had? What was the nature of the interactions?

25 PROSPECTIVE JUROR: I was listing the property,

1 and they were trying to either lease or buy it.

2 THE COURT: Were they successful?

3 PROSPECTIVE JUROR: No, they were not. We were
4 close, but it did not occur.

5 THE COURT: So you were in negotiations with
6 individuals who were of East African background?

7 PROSPECTIVE JUROR: That is correct.

8 THE COURT: Okay. And based on those
9 interactions, did you come away with any negative or
10 positive feelings about people whose backgrounds are in East
11 Africa as a group?

12 PROSPECTIVE JUROR: No. There were no positive or
13 negative feelings. I will say that the interactions were
14 different. And what I mean by that is typically I would go
15 out as a broker and meet with different people to show them
16 different properties. In that particular case, it was
17 rather than just being me and 1 or 2 people, it was me and 6
18 or 7 people. And there was a misunderstanding that I was
19 not the property owner, and I could not make the decision.
20 And it was a bit uncomfortable at that time.

21 THE COURT: Why?

22 PROSPECTIVE JUROR: Because of the lack of
23 knowledge in who was doing what in the process, I guess.

24 THE COURT: Your lack of knowledge or theirs?

25 PROSPECTIVE JUROR: Theirs.

1 THE COURT: Were you working through an
2 interpreter or not?

3 PROSPECTIVE JUROR: No.

4 THE COURT: Does that experience -- do you think
5 that experience will affect your ability to be fair and
6 impartial to witnesses or defendants who have a background
7 in East Africa, particularly Somalia?

8 PROSPECTIVE JUROR: No. It was just a
9 misunderstanding of the process.

10 THE COURT: Okay. And 25 tries to get at your
11 unconscious bias.

12 PROSPECTIVE JUROR: Yeah, I don't have any.

13 THE COURT: And are you comfortable committing
14 yourself to thinking about why you are making the decision
15 you are making and examining that decision for bias?

16 PROSPECTIVE JUROR: Yes.

17 THE COURT: Okay. And Question 25(b) gets at a
18 little bit of what I was asking before. People in this case
19 may be different racially or ethnically from you. Can you
20 commit yourself to carefully evaluating the evidence and
21 resisting any urge to reach a verdict based on a hidden or
22 unconscious bias?

23 PROSPECTIVE JUROR: Yes.

24 THE COURT: And 26(a) is, Are you willing to apply
25 the law as the court explains it to you?

1 PROSPECTIVE JUROR: Yes.

2 THE COURT: Can you think of anything else you
3 need to call to the court's attention?

4 PROSPECTIVE JUROR: I don't believe so.

5 THE COURT: Okay. Let me check with the attorneys
6 for a moment.

7 **(Sidebar discussion)**

8 THE COURT: Anyone have follow-up?

9 MR. GOETZ: Your Honor, Fred Goetz for
10 Mr. Shariff.

11 Just one question. If he could just explain a bit
12 more about that lack of knowledge or misunderstanding that
13 the East Africans had in that encounter.

14 THE COURT: Okay. Anyone else?

15 MR. IAN BIRRELL: This is Ian Birrell.

16 I'm wondering about a little bit of this
17 interaction on Lake Street. Was it the tenor that -- did he
18 feel disrespect for them, was it just a lack of knowledge,
19 lack of communication? Maybe just a little bit more inquiry
20 there.

21 THE COURT: Anyone else? Okay.

22 **(In open court)**

23 THE COURT: The interactions that you had over the
24 negotiations of property with people who were from East
25 Africa or Somalia, a couple questions there.

1 What exactly was the lack of understanding that
2 they had?

3 PROSPECTIVE JUROR: The process itself in that I
4 was the broker. I wasn't the property owner. And I believe
5 they felt that they were going to show up, a decision was
6 going to be made that day, and they were going to be signing
7 a contract. And when -- when I was questioned whether or
8 not we could agree that day, and I said, I have to take it
9 to the ownership, the response wasn't favorable at that
10 point.

11 THE COURT: What do you mean? Was it yelling?
12 Was it just tense?

13 PROSPECTIVE JUROR: It wasn't yelling. It was
14 just awkward and I would say a little bit tense and, you
15 know, there was frustration, I think, on their part, and so,
16 therefore, it was -- it was awkward.

17 THE COURT: And when we talk about -- I think you
18 mentioned two different properties. One was on Lake Street
19 and one was somewhere else?

20 PROSPECTIVE JUROR: St. Cloud.

21 THE COURT: St. Cloud. Okay.

22 PROSPECTIVE JUROR: Yeah.

23 THE COURT: And did that situation that you just
24 described happen in both of those negotiations or just one?

25 PROSPECTIVE JUROR: It happened in just one, but

1 I -- I also understood -- as a broker, you're constantly
2 learning different cultural backgrounds and how to make sure
3 that you address it before, so moving forward, I learned
4 from it a little bit, and our interactions were different as
5 I progressed because I just got better at it.

6 THE COURT: And that first one where it was
7 uncomfortable, was that Lake Street or was that --

8 PROSPECTIVE JUROR: No.

9 THE COURT: That was St. Cloud.

10 PROSPECTIVE JUROR: That was in St. Cloud.

11 THE COURT: Okay.

12 PROSPECTIVE JUROR: Yeah.

13 THE COURT: And did you end up feeling either
14 disrespect for the people you were negotiating with or
15 disrespected by? Was there any issue of disrespect there?

16 PROSPECTIVE JUROR: No. Again, it was just a
17 misunderstanding of the process and who was playing what
18 role in the process at the time.

19 THE COURT: Thank you. One moment.

20 **(Sidebar discussion)**

21 THE COURT: Any motions for cause? Motions for
22 cause?

23 MR. COTTER: Your Honor, I am going to make a
24 motion for cause. This is Patrick Cotter. It's a
25 combination of three things.

1 And I get that it wasn't fleshed out probably
2 entirely, but as he's now becoming aware that Kara Lomen may
3 become a very significant name in this trial, and as
4 Mr. Thompson pointed out, her name is going to be
5 potentially bantered around quite a bit, he worked with her
6 husband for quite a long time. I get it's been a while.

7 In conjunction with some of his, you know,
8 exposure to the media, he specifically said, in describing a
9 haste in rolling out the program, certain advantages were
10 taken up -- taken advantage of and some training or other
11 things overlooked. I think that's going to directly
12 correlate to things that might be brought up about Kara
13 Lomen.

14 And, lastly, in conjunction with some of his
15 negative experiences with the Somali community. All those
16 things combined, I think, make him a -- I guess a bit of a
17 dangerous juror in my opinion.

18 Thank you.

19 MR. SCHLEICHER: Your Honor, Steve Schleicher on
20 behalf of Said Farah.

21 I join that motion and also add that he indicated
22 that he still follows the -- Ms. Lomen's husband on social
23 media as well. Given the number of prospective jurors that
24 we have on the list who would be otherwise ostensibly
25 qualified to serve, I think a cause strike here is well

1 advised.

2 THE COURT: Anyone else want to weigh in? I'm
3 assuming you all join in. You don't need to join; but if
4 you have more to say, you can.

5 Mr. Goetz, I can't hear you. Sorry.

6 MR. GOETZ: Sorry. Respectfully, Defendant
7 Shariff does not join that motion and opposes that motion.

8 THE COURT: Thank you.

9 Anything the government wishes to add?

10 MR. THOMPSON: Just with respect to Ms. Lomen, my
11 understanding and belief is she is now divorced from that
12 person because she was dating someone else during the events
13 in question in this case.

14 I think probably that -- the Lomen issue, if you
15 are inclined to strike, it may be further inquiry is worth
16 it.

17 THE COURT: Thank you.

18 I don't hear any bias here. I hear a thoughtful
19 individual who has had experiences and experiences are not
20 bias. I don't see anything close enough to the witness at
21 issue, but I am going to ask him not -- to not follow the
22 ex-husband any more. I have not put a ban on social media,
23 just on events about this case. But in the event that
24 anything should be posted, I'm going to, out of an abundance
25 of caution, ask that. The motion is denied.

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(In open court)

THE COURT: A couple of things.

I'm going to retain you and have you go over to the next courtroom and just wait out this process. It's a process. We appreciate your patience. Okay?

Number two is that these individuals in the courtroom are not allowed to talk to you, so if they don't talk to you, they aren't being rude. They're just not allowed to.

And the third is while you are being retained through the process, I'm going to ask you not to look at -- and whether that means unfollow or something else -- witness 348's -- your ex -- your ex-coworker's feed. I'm going to ask you not to look at that just out of an abundance of caution. I don't have any reason to think anything will be inappropriate, but I'm going to ask you to do that. Okay?

PROSPECTIVE JUROR: Sounds good.

THE COURT: Okay. Thank you.

(Prospective Juror Number 25 exits courtroom)

(Prospective Juror Number 26 enters courtroom)

THE COURT: Good morning. I will have you come forward around the tables, and then you are going to come sit up right here by me.

You are Juror Number 26?

PROSPECTIVE JUROR: Correct.

1 THE COURT: Okay. And you have that questionnaire
2 in front of you?

3 PROSPECTIVE JUROR: I do.

4 THE COURT: So I am going to ask you to answer
5 those questions. We don't need to say all of them out loud.
6 I may do that, summarize, and follow up as we go.

7 So let's begin with Number 1. How old are you?

8 PROSPECTIVE JUROR: I am 55.

9 THE COURT: And Question Number 2.

10 PROSPECTIVE JUROR: I did not see any names on the
11 list that I knew.

12 THE COURT: And Question Number 3.

13 PROSPECTIVE JUROR: I have heard of this case
14 before when it was first on the news. Other than that, I
15 haven't really followed it.

16 THE COURT: Do you remember what you heard when it
17 was first on the news?

18 PROSPECTIVE JUROR: I remember hearing about the
19 Feeding Our Future and that there was money stolen, used to
20 buy properties, things like that, that were not intended for
21 the use of that money.

22 THE COURT: And did you understand at that time
23 that those were allegations being made or that there was
24 actually money stolen?

25 PROSPECTIVE JUROR: These were allegations.

1 THE COURT: And did you have an awareness when you
2 saw that first news report whether it was a criminal or a
3 civil case or what the status was?

4 PROSPECTIVE JUROR: I did not.

5 THE COURT: Do you remember where you saw it?

6 PROSPECTIVE JUROR: FOX 9 Morning News probably.
7 It's the only news station I watch.

8 THE COURT: And based on what you saw, have you
9 developed an opinion on the guilt or innocence of the
10 defendants?

11 PROSPECTIVE JUROR: No, I have not.

12 THE COURT: Do you understand that they are under
13 a presumption of innocence and they are to be presumed
14 innocent and the government's responsibility would be to
15 prove its case beyond a reasonable doubt to the jurors?

16 PROSPECTIVE JUROR: Yes.

17 THE COURT: Okay. Can you apply that presumption?

18 PROSPECTIVE JUROR: Yes.

19 THE COURT: And if you are selected as a juror in
20 this case, are you able to set aside what you might have
21 heard in those first news reports or learned about other
22 sources and -- or through other sources and decide this case
23 based just on the evidence at trial?

24 PROSPECTIVE JUROR: Yes.

25 THE COURT: And any other thing that you can

1 recall that you've heard about this case other than that
2 first news report?

3 PROSPECTIVE JUROR: No, not really. I don't pay
4 much attention to the news to be honest.

5 THE COURT: And Question 4.

6 PROSPECTIVE JUROR: Just the Feeding Our Future.

7 THE COURT: And Question 5.

8 PROSPECTIVE JUROR: I am fluid in English. I have
9 no problems reading, hearing, or -- seeing/hearing English.
10 That's fine.

11 I don't have any disabilities that would prevent
12 me from seeing or hearing.

13 And no physical or mental issues.

14 THE COURT: And you are able to be here during
15 trial?

16 PROSPECTIVE JUROR: Yes, I would be able to be
17 here.

18 THE COURT: Okay. Question 6.

19 PROSPECTIVE JUROR: I grew up in Napa Valley,
20 California. I currently live in Blue Earth, Minnesota.

21 THE COURT: How long have you lived in Blue Earth?

22 PROSPECTIVE JUROR: I've only lived in Blue Earth
23 for two years. Prior to that, I lived in Rochester.

24 THE COURT: And for how long?

25 PROSPECTIVE JUROR: 14 years.

1 THE COURT: Okay. Did you come from California to
2 Rochester?

3 PROSPECTIVE JUROR: No. Prior to that I lived in
4 northern Minnesota for 15 years.

5 THE COURT: Okay. And what brought you to
6 northern Minnesota?

7 PROSPECTIVE JUROR: I inherited my grandma's
8 house.

9 THE COURT: Okay. And that was in northern
10 Minnesota?

11 PROSPECTIVE JUROR: Mm-hmm.

12 THE COURT: And so you moved from Napa Valley --
13 from Napa to northern Minnesota?

14 PROSPECTIVE JUROR: Actually, I lived in Tucson
15 for a minute.

16 THE COURT: Okay. Okay.

17 PROSPECTIVE JUROR: So Napa, Tucson, northern
18 Minnesota.

19 THE COURT: Okay.

20 PROSPECTIVE JUROR: Rochester, Blue Earth.

21 THE COURT: And then can you describe your
22 educational background and your occupation.

23 PROSPECTIVE JUROR: Yes. I have a master's degree
24 in nursing. I'm a nurse practitioner. I work in a cancer
25 center -- rural cancer center for Mayo Clinic Health System

1 in Fairmont, Minnesota. I'm the only full-time provider
2 there. We have visiting providers that come from Mankato.

3 I haven't had any other occupation for the past
4 five years.

5 Prior to being a nurse practitioner, I was an RN
6 for 25 years.

7 My husband is retired due to a disability from
8 bone cancer, and he is unable to work any more.

9 THE COURT: What is he retired from?

10 PROSPECTIVE JUROR: He worked in construction.

11 THE COURT: And Number 8.

12 PROSPECTIVE JUROR: Yes. I have three sons. They
13 are all grown. My oldest is 36, married, with two children.
14 He works nights at Walmart as the overnight manager.

15 My second oldest is 33. He works for an arborist
16 as a tree trimmer.

17 And my youngest is 22. He works part-time at a
18 grocery store, lives with us, and takes part-time college
19 classes online.

20 THE COURT: Okay. Where is the Walmart where
21 your --

22 PROSPECTIVE JUROR: Rochester.

23 THE COURT: In Rochester.

24 PROSPECTIVE JUROR: Mm-hmm.

25 THE COURT: And Question 9.

1 PROSPECTIVE JUROR: Hobbies, activities; I read, I
2 garden, I can -- canning.

3 And then I belong to the Lutheran church, and I
4 pretty much just go to church on Sundays.

5 THE COURT: And what kind of things do you read,
6 genres or --

7 PROSPECTIVE JUROR: Murder mysteries, sci-fi
8 fantasies, period dramas, Bridgerton, things like that.

9 THE COURT: And Question 10.

10 PROSPECTIVE JUROR: I do not have any religious,
11 philosophical or other beliefs that would hinder my opinion
12 on this.

13 THE COURT: Okay. And Question 11.

14 PROSPECTIVE JUROR: I subscribe online to the
15 Washington Post and the Star Tribune.

16 THE COURT: And do you read those regularly?

17 PROSPECTIVE JUROR: No, I don't have a lot of time
18 to do that.

19 THE COURT: And how about Number 12, previous
20 service as a juror.

21 PROSPECTIVE JUROR: No, I have never been called
22 for jury service.

23 THE COURT: And Question 13.

24 PROSPECTIVE JUROR: No, I did not know any of the
25 jurors before meeting them.

1 THE COURT: And Number 14.

2 PROSPECTIVE JUROR: My brother's wife is a
3 corporate lawyer here in Minneapolis. Other than that,
4 nobody else.

5 THE COURT: Where does she work?

6 PROSPECTIVE JUROR: DORN Companies.

7 THE COURT: And Number 15.

8 PROSPECTIVE JUROR: I do not have any legal or law
9 enforcement training. However, for my nurse practitioner
10 degree, I did have to take a course in law as it pertains to
11 my profession.

12 THE COURT: And 16.

13 PROSPECTIVE JUROR: My husband was actually the
14 victim of an assault when we lived in Rochester. He was at
15 the time working at the Gates of Rochester, which is a large
16 apartment complex, lower income, and Catholic Charities had
17 a lot of Somalians living in the area, in that particular
18 complex. And he was assaulted by one of them. He was
19 threatened on multiple occasions and then assaulted.

20 THE COURT: And threatened on multiple occasions
21 by the same person who assaulted him?

22 PROSPECTIVE JUROR: Correct.

23 THE COURT: So this was one person?

24 PROSPECTIVE JUROR: One person.

25 THE COURT: Okay. And did that person get charged

1 with a crime?

2 PROSPECTIVE JUROR: He fled the state before he
3 was able to be arrested and charged. He has since been
4 arrested, and my husband received a phone call stating that
5 he had been arrested and was now in jail on an assault
6 charge in Georgia.

7 THE COURT: How long ago was the assault in
8 Rochester?

9 PROSPECTIVE JUROR: I believe it was 2016, around
10 there.

11 THE COURT: And the assault charge in Georgia,
12 it's your understanding that is a different assault.

13 PROSPECTIVE JUROR: It was a separate case.

14 THE COURT: Separate crime.

15 PROSPECTIVE JUROR: Yes, separate crime.

16 THE COURT: Okay. Based on -- you know the
17 question I'm going to ask now. Based on your husband's
18 involvement in that crime and the fact that he was a victim
19 and the fact that the perpetrator of that crime you think
20 was Somalian?

21 PROSPECTIVE JUROR: He was Somalian, yes.

22 THE COURT: He was. Okay. And he was identified?

23 PROSPECTIVE JUROR: He was identified by witnesses
24 and other staff --

25 THE COURT: And so --

1 PROSPECTIVE JUROR: -- who worked there.

2 THE COURT: -- has that led you to any biases
3 against other folks who are of East African descent or come
4 from Somalia?

5 PROSPECTIVE JUROR: No. I try not to make
6 assumptions about a race based on one incident. That's part
7 of my training with Mayo Clinic in our diversity and
8 inclusion policies and things like that. And I have also
9 been to Africa. I've been on mission trips to Kenya and
10 Tanzania, so I have a lot of Somalian friends. And I also
11 work with a doctor that's from Somalia.

12 THE COURT: Thank you.

13 Question 17.

14 PROSPECTIVE JUROR: Okay.

15 THE COURT: Or do you have anything else on
16 Question 16 besides that incident?

17 PROSPECTIVE JUROR: Well, I do feel everything was
18 handled as fairly as they could possibly -- you know, the
19 police in Rochester weren't able to apprehend the suspect.
20 But once he was apprehended, they were able to reassure my
21 husband that it had been -- he had been taken out of
22 population, I guess.

23 THE COURT: Okay.

24 PROSPECTIVE JUROR: Made him feel safer.

25 THE COURT: Okay.

1 PROSPECTIVE JUROR: So the fact that they followed
2 up with him I thought was really nice that they did that so
3 he didn't have to continue wondering.

4 THE COURT: All right. Thank you.

5 PROSPECTIVE JUROR: Yeah.

6 Number 17, my sister's husband is retired FBI.
7 Other than that, I don't have any other law enforcement in
8 the family.

9 THE COURT: Where did he work?

10 PROSPECTIVE JUROR: Out of New Mexico,
11 Albuquerque.

12 THE COURT: And do you know what his role in the
13 FBI was?

14 PROSPECTIVE JUROR: Not really, no. He was not
15 very talkative about it.

16 THE COURT: And did you have any conversations
17 with him about any of his cases?

18 PROSPECTIVE JUROR: No, never.

19 THE COURT: And does the fact -- do you like him?

20 PROSPECTIVE JUROR: Yeah.

21 THE COURT: Okay. Does the fact that he is an FBI
22 agent mean that you will treat FBI agents when they are
23 witnesses more favorably, less favorably, or can you treat
24 them evenly?

25 PROSPECTIVE JUROR: I would think I would treat

1 them the same as anybody else.

2 THE COURT: And that leads to Question 18, which
3 is that there are some witnesses in the trial are likely to
4 be law enforcement officers. And do you have prejudices
5 either against or in favor?

6 PROSPECTIVE JUROR: I do not. I don't feel like I
7 have prejudice either way. I am definitely supportive of
8 our law enforcement, though.

9 THE COURT: Can you treat law enforcement
10 officers -- you're supportive in general it sounds like.

11 PROSPECTIVE JUROR: Mm-hmm.

12 THE COURT: Can you treat law enforcement officers
13 when they are on the stand just like you treat anybody else?

14 PROSPECTIVE JUROR: Yes.

15 THE COURT: Question 19.

16 PROSPECTIVE JUROR: Okay. No, I've never
17 testified in court.

18 THE COURT: And Question 20.

19 PROSPECTIVE JUROR: I do not believe anyone in my
20 friends or relatives had anything to do with the programs in
21 question.

22 THE COURT: And do you know anybody who did
23 receive meals during COVID, even if they weren't the
24 programs that were -- are at issue in this case?

25 PROSPECTIVE JUROR: Not personally, no.

1 THE COURT: And Question 21.

2 PROSPECTIVE JUROR: No, I have not.

3 THE COURT: When you said you were -- had traveled
4 to Africa on mission trips, can you say a little bit more
5 about that.

6 PROSPECTIVE JUROR: I had a cultural immersion
7 program through my graduate program, so we were required to
8 go on a trip. And we had several options. I chose Africa.

9 And while we were there, we treated many children
10 in the slums in Nairobi. We were setting up tents and doing
11 medical camps during that time, bringing -- they would bus
12 people to us. There was probably, I think, eight students,
13 five faculty, and then a bunch of volunteers with us.

14 We did that in Kenya, and then we also did the
15 same thing in Tanzania.

16 THE COURT: And what was the educational program
17 you were a part of that was when you were --

18 PROSPECTIVE JUROR: Concordia University in
19 Wisconsin. The agency that we went with was called Hope
20 Without Borders. They are based out of Mequon, Wisconsin.

21 THE COURT: And that was when you were studying to
22 be a nurse practitioner or what?

23 PROSPECTIVE JUROR: Correct.

24 THE COURT: How about other volunteer programs?

25 PROSPECTIVE JUROR: I have given an in-service for

1 REMs on medication safety. Other than that, I haven't
2 really done anything else with any of the programs locally.

3 THE COURT: And REMs is?

4 PROSPECTIVE JUROR: Mental health homes where they
5 live and have services.

6 THE COURT: And Question 22.

7 PROSPECTIVE JUROR: Mm-hmm. When my oldest son
8 was in first grade, he was determined to have a learning
9 disability, and I was sent to Minneapolis to the Minnesota
10 Department of Education to test him.

11 Other than that you know, he had IEPs and things
12 like that through school, but, otherwise, nothing else,
13 nothing with the USDA.

14 THE COURT: How was your interaction with the
15 Department of Education?

16 PROSPECTIVE JUROR: It was very good.

17 THE COURT: And Question 23.

18 PROSPECTIVE JUROR: I am neutral on Islam or
19 Muslim.

20 THE COURT: And Question 24.

21 PROSPECTIVE JUROR: Let's see. I think I already
22 mentioned that I work with a doctor from Somalia. Other
23 people that I worked with in Rochester were from Somalia.
24 And, again, with my husband, yeah. I didn't have any
25 interaction or ever meet that person, but just from my

1 husband's interaction.

2 THE COURT: And anything about your interactions
3 with coworkers in Rochester or now that lead you to feeling
4 for or against that community as a whole or individuals
5 within it?

6 PROSPECTIVE JUROR: No, I have utmost respect for
7 her and the others.

8 THE COURT: The doctor?

9 PROSPECTIVE JUROR: The doctor, of course, yes.

10 THE COURT: And 25 tries to get at unconscious
11 bias. Let me start by asking you, it sounds like you've
12 done unconscious bias training at the Mayo Clinic?

13 PROSPECTIVE JUROR: Mm-hmm.

14 THE COURT: Yes. And so 25(a) is, If you are
15 selected as a juror, do you feel comfortable committing
16 yourself to thinking about why you are making the decision
17 you are and examining yourself for bias?

18 PROSPECTIVE JUROR: Yes, I do.

19 THE COURT: And Question 25(b) gets at I think
20 what we've already addressed, but I'll have you read it to
21 yourself and answer it.

22 PROSPECTIVE JUROR: Yes, I can.

23 THE COURT: And are you willing to apply the law
24 as the court explains it to you?

25 PROSPECTIVE JUROR: Yes.

1 THE COURT: And can you think of anything else you
2 need to call to the court's attention?

3 PROSPECTIVE JUROR: No.

4 THE COURT: Okay. Let me just ask the attorneys
5 if they have anything for you.

6 **(Sidebar discussion)**

7 THE COURT: Any questions, Counsel?

8 Okay. Any motions for cause?

9 All right. Thank you.

10 **(In open court)**

11 THE COURT: I'm going to retain you and have you
12 go to the next courtroom.

13 PROSPECTIVE JUROR: Okay.

14 THE COURT: This is a process, and I appreciate
15 your patience. We all do.

16 The folks in the courtroom, all the parties in the
17 case and the attorneys, can't talk to you. So when they
18 don't, they are not being rude. They are just following
19 instructions.

20 PROSPECTIVE JUROR: Okay. Thank you.

21 THE COURT: Thank you.

22 **(Prospective Juror Number 26 exits courtroom)**

23 THE COURT: We're going to take a 15-minute break,
24 and we'll come back -- well, let's make it 20 and come back
25 at 11:10. And then we'll go probably to 12:40 or so and

1 then take a break to allow for prayer. Okay?

2 MR. MORHING: Just a question.

3 THE COURT: On the record or off?

4 MR. MORHING: In the early questions exposure to
5 the case, many people say I saw something when -- the first
6 news stories. I'm wondering if the court would consider
7 trying to dial in on when that was, because there were kind
8 of two bouts of coverage separated by about six months, so
9 I'd appreciate that.

10 THE COURT: Can you remind me --

11 MR. MORHING: Yes.

12 THE COURT: -- what time frame -- you are more
13 dialed into the news stories than I am. What time frame are
14 you -- do you have in mind for the first and the second?

15 MR. MORHING: So the first was when -- is it -- am
16 I okay talking about it? The first time frame -- without
17 context, the first time frame was in the winter of '21, '22.
18 The second time frame was September '22-ish. There was
19 significant publicity in each of those periods.

20 THE COURT: Okay. Was that first indictment,
21 second indictment?

22 MR. MOHRING: That was -- that was search
23 warrants, first round of indictments.

24 THE COURT: Search warrant, first rounds of
25 indictments.

1 MR. MOHRING: Right.

2 THE COURT: Okay. Yes, I will try to dial in on
3 that.

4 MR. MOHRING: Thank you. Appreciate it.

5 THE COURT: All right. Thanks, everybody.

6 THE CLERK: All rise.

7 (Recess taken at 10:53 a.m. till 11:12 a.m.)

8

9

IN OPEN COURT

10

(JURY PANEL NOT PRESENT)

11

THE COURT: You may be seated. Thank you.

12

(Prospective Juror Number 27 enters courtroom)

13

14 THE COURT: Good morning. You can come forward
15 around the tables, and you will come up to the witness chair
that's right by me.

16

You are Juror Number 27.

17

PROSPECTIVE JUROR: Yes.

18

19

THE COURT: All right. And you have the
questionnaire in front of you?

20

PROSPECTIVE JUROR: Yes.

21

22

THE COURT: All right. So I'll just have you go
down the line starting with Number 1, what your age is.

23

PROSPECTIVE JUROR: 30 years old.

24

THE COURT: Question 2.

25

PROSPECTIVE JUROR: I do not.

1 THE COURT: And Question 3.

2 PROSPECTIVE JUROR: I have not.

3 THE COURT: Not at all.

4 PROSPECTIVE JUROR: Not at all.

5 THE COURT: And Question 4.

6 PROSPECTIVE JUROR: I have not.

7 THE COURT: And 5.

8 PROSPECTIVE JUROR: Yes.

9 THE COURT: And 5(b).

10 PROSPECTIVE JUROR: No.

11 THE COURT: 5(c).

12 PROSPECTIVE JUROR: I am diagnosed with bipolar
13 disorder.

14 THE COURT: And is that managed through
15 medication?

16 PROSPECTIVE JUROR: Yes.

17 THE COURT: And have you thought about how, with
18 that diagnosis, you'd be able to serve on a jury?

19 PROSPECTIVE JUROR: Yes.

20 THE COURT: Do you think that you will?

21 PROSPECTIVE JUROR: Yes.

22 THE COURT: Okay. How long have you had that
23 diagnosis?

24 PROSPECTIVE JUROR: Eight years.

25 THE COURT: Okay. And does the medication

1 interfere with your ability to think clearly?

2 PROSPECTIVE JUROR: No.

3 THE COURT: You are able to think clearly and make
4 good decisions?

5 PROSPECTIVE JUROR: Yes.

6 THE COURT: Okay. And Question 6.

7 PROSPECTIVE JUROR: I grew up in White Bear Lake.
8 Then I moved to Lino Lakes, where I spent my childhood until
9 I graduated high school. Then I had moved to Duluth for
10 college, was up there for a couple years, and then moved
11 back down to the Cities and finished college in St. Paul at
12 Concordia University. And now I live in Shoreview,
13 Minnesota.

14 THE COURT: And what is your degree in?

15 PROSPECTIVE JUROR: My degree is in marketing with
16 a minor in business management.

17 THE COURT: And when did you get that degree?

18 PROSPECTIVE JUROR: I graduated in spring of 2017.

19 THE COURT: Okay. And that was from Concordia?

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: And what's your current occupation?

22 PROSPECTIVE JUROR: I am currently a customer
23 operations senior representative at Securian Financial.

24 THE COURT: And what do you do in that role?

25 PROSPECTIVE JUROR: I work on the home office

1 billing team. So we reconcile premium for customers with
2 life insurance to make sure that when they call in and
3 verify if their contract is paid, we're able to see that in
4 our systems.

5 THE COURT: How long have you worked for Securian?

6 PROSPECTIVE JUROR: For four years.

7 THE COURT: Okay. And what did you do before
8 that?

9 PROSPECTIVE JUROR: I was a team leader at Target.

10 THE COURT: And can you explain more about that
11 role.

12 PROSPECTIVE JUROR: Sure. So I oversaw a group of
13 20 to 30 people. First on the sales floor, I oversaw the
14 electronics department, toys, sports, seasonal, that side of
15 the store for two years. And then for another year, I was
16 the team leader of the meat/dairy/frozen department in
17 grocery, until I decided to leave and go to Securian.

18 THE COURT: Are you in a supervisory role at
19 Securian?

20 PROSPECTIVE JUROR: No.

21 THE COURT: And do you have a spouse or partner?

22 PROSPECTIVE JUROR: I'm sorry?

23 THE COURT: Do you have a spouse or partner?

24 PROSPECTIVE JUROR: No, I don't.

25 THE COURT: Okay. And then Question 8.

1 PROSPECTIVE JUROR: I don't.

2 THE COURT: And Question 9.

3 PROSPECTIVE JUROR: My favorite hobbies are video
4 games, listening to music and hanging out with my friends.
5 I -- I belong to the Catholic church. I was baptized when I
6 was younger, but I do not regularly attend.

7 THE COURT: How about any other organizations or
8 groups?

9 PROSPECTIVE JUROR: No, no other organizations or
10 groups.

11 THE COURT: Okay. Question 10.

12 PROSPECTIVE JUROR: No.

13 THE COURT: And Question 11.

14 PROSPECTIVE JUROR: The only podcast or show that
15 I keep up with is called On Cinema at the Cinema. It's a
16 comedy.

17 THE COURT: Okay. And a comedy about?

18 PROSPECTIVE JUROR: It's a satirical show about
19 movie reviews, which quickly divulges into other subject
20 matter not about movies.

21 THE COURT: Okay. And how about news? Do you
22 get -- do you watch news or get news from any particular
23 source?

24 PROSPECTIVE JUROR: I don't regularly watch the
25 news, but if I do, it's on YouTube, and I would watch NBC.

1 THE COURT: And how about social media? Are you
2 on social media?

3 PROSPECTIVE JUROR: Yes. I have Instagram, but
4 I've deleted the other accounts at this point.

5 THE COURT: And when you watch YouTube, what do
6 you usually watch besides news?

7 PROSPECTIVE JUROR: Video game-related news.
8 Sometimes I watch videos of law enforcement when people get
9 arrested, and sometimes I just put on ambiance for me or for
10 my cat to relax when we are going to sleep.

11 THE COURT: Can you say more about the law
12 enforcement videos that you watch?

13 PROSPECTIVE JUROR: Sure. So they come from a
14 variety of channels, but one I subscribe to is called Code
15 Blue Cam. I think it's based in Wisconsin, and they upload
16 videos of body cam footage of the officers interacting with
17 civilians.

18 THE COURT: And is there any commentary that goes
19 along with that?

20 PROSPECTIVE JUROR: Yes, there is.

21 THE COURT: Who does the commentary?

22 PROSPECTIVE JUROR: It would be the -- I suppose
23 the narrator of the video. I'm not sure what their name is,
24 but there's a narrator.

25 THE COURT: And is there some sort of slant or

1 something that that commentator takes, either comic or pro-
2 or anti-law enforcement, something like that?

3 PROSPECTIVE JUROR: No comedy, but it would be
4 pro-law enforcement for sure.

5 THE COURT: And can you tell me why you are
6 interested in that particular genre of video?

7 PROSPECTIVE JUROR: Sure. I just find it
8 interesting and kind of exciting, I guess. It's not
9 something I've experienced, so I just find it kind of funny
10 sometimes.

11 THE COURT: And are the arrests typically -- well
12 do they fall into any one category that is pursuant to a
13 warrant or roadside or anything else?

14 PROSPECTIVE JUROR: It could -- has a variety
15 definitely between those two extremes where sometimes there
16 is a warrant and it could lead to violence. Sometimes it is
17 just someone getting pulled over for speeding.

18 THE COURT: And you said it's called Code Blue
19 Cam?

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: All right. Anything else on YouTube?
22 You said video game-related news, and then we got into the
23 law enforcement videos.

24 PROSPECTIVE JUROR: Not specifically that I watch
25 regularly.

1 THE COURT: Okay. And Question Number 12.

2 PROSPECTIVE JUROR: I have not.

3 THE COURT: Question Number 13.

4 PROSPECTIVE JUROR: No.

5 THE COURT: Question 14.

6 PROSPECTIVE JUROR: I do have a cousin-in-law who
7 is not currently a lawyer, but is in school to become a
8 lawyer.

9 THE COURT: Where are they a lawyer -- or where
10 are they in school, sorry?

11 PROSPECTIVE JUROR: I believe they're actually
12 back home now in Minnesota.

13 THE COURT: Are you in contact with them?

14 PROSPECTIVE JUROR: Like at family gatherings.

15 THE COURT: And do you know what your
16 cousin-in-law wants to do after graduating law school?

17 PROSPECTIVE JUROR: I'm sorry. I don't. I would
18 assume to be a lawyer, but not much beyond that.

19 THE COURT: Okay. Question 15.

20 PROSPECTIVE JUROR: I do not have any training at
21 all.

22 THE COURT: Okay. Question 16. Contacts with the
23 criminal justice system.

24 PROSPECTIVE JUROR: My best friend's father used
25 to be a police officer and is now retired.

1 THE COURT: Where?

2 PROSPECTIVE JUROR: I believe Sauk Rapids,
3 St. Cloud area.

4 THE COURT: And did you talk to him about his job?

5 PROSPECTIVE JUROR: No.

6 THE COURT: And how about other contacts that you,
7 relatives or close friends may have had as a victim of a
8 crime, witness, defendant?

9 PROSPECTIVE JUROR: A few years ago my sister's
10 house was broken into in Minneapolis, and then a separate
11 occasion I had my license plates stolen out of the Target
12 parking lot one time. That's about it.

13 THE COURT: Was any -- did you make a police
14 report when your plates were stolen?

15 PROSPECTIVE JUROR: Yes.

16 THE COURT: How were your interactions with
17 police?

18 PROSPECTIVE JUROR: Good. They, of course,
19 weren't able to return the plates because they had been
20 stolen, but they did follow up and let me know that they
21 were used at a gas station to steal gas, but that's all that
22 I learned.

23 THE COURT: Your license plates were used to steal
24 gas?

25 PROSPECTIVE JUROR: Yes. That's what they let me

1 know. They found the license plates, and that they had been
2 used to steal gas from a gas station on another car.

3 THE COURT: Was anyone ever identified as the
4 perpetrator of that crime?

5 PROSPECTIVE JUROR: Not that I know of.

6 THE COURT: And what city were you in?

7 PROSPECTIVE JUROR: Lino Lakes.

8 THE COURT: And when your sister's house was
9 broken into in Minneapolis, did she make a police report?

10 PROSPECTIVE JUROR: Yes.

11 THE COURT: Do you know how she believes her
12 experience -- what -- if it was handled fairly?

13 PROSPECTIVE JUROR: I don't know.

14 THE COURT: Do you know whether anyone was ever
15 caught?

16 PROSPECTIVE JUROR: Yes, they were caught.

17 THE COURT: Okay. And did you follow that case?
18 Was there a criminal case?

19 PROSPECTIVE JUROR: I did not follow it, but there
20 was a case.

21 THE COURT: Okay. Do you know who the defendant
22 was?

23 PROSPECTIVE JUROR: No.

24 THE COURT: Anything about either of those
25 interactions that you think would affect your ability to be

1 fair and impartial here?

2 PROSPECTIVE JUROR: No.

3 THE COURT: And 17, I think you answered that in
4 terms of people who you know worked in law enforcement, your
5 best friend's father worked in Sauk Rapids in St. Cloud.
6 Anybody else who you know in law enforcement?

7 PROSPECTIVE JUROR: No.

8 THE COURT: And anything about your relationship
9 with your best friend or his or her dad that would affect
10 your approach to this case?

11 PROSPECTIVE JUROR: No.

12 THE COURT: And some witnesses in the trial are
13 likely to be law enforcement. Do you have any prejudices in
14 favor of or against law enforcement officers?

15 PROSPECTIVE JUROR: I would say in favor of.

16 THE COURT: Okay. And why do you say that?

17 PROSPECTIVE JUROR: Just how I feel, I suppose. I
18 feel they keep us safe.

19 THE COURT: And there are going to be witnesses
20 who testify who are going to be law enforcement officers, I
21 think more federal officers than state, but, nonetheless,
22 are you able to treat those witnesses as individuals and
23 treat them exactly as you would any other witness?

24 PROSPECTIVE JUROR: Yes.

25 THE COURT: In other words, understanding that you

1 have favorable feelings toward law enforcement, can you
2 nonetheless make sure that you're treating everybody as an
3 individual and they don't start out with some sort of extra
4 points for you?

5 PROSPECTIVE JUROR: Yes.

6 THE COURT: Okay. And have you thought about that
7 given your favorable feels towards law enforcement? Have
8 you sort of examined yourself and made sure that you can be
9 fair?

10 PROSPECTIVE JUROR: Yes.

11 THE COURT: Question 19.

12 PROSPECTIVE JUROR: No, I have not.

13 THE COURT: And Question 20.

14 PROSPECTIVE JUROR: No.

15 THE COURT: Question 21.

16 PROSPECTIVE JUROR: I have worked with a social
17 service program. It's not through the government. When I
18 was in high school, I volunteered at two organizations. One
19 is called Feed My Starving Children, and that's in
20 Coon Rapids. And the other one is called Sharing and Caring
21 Hands, and that, I believe, is in Minneapolis.

22 THE COURT: What did you do for those
23 organizations?

24 PROSPECTIVE JUROR: For Feed My Starving Children,
25 we packed dry food, kind of as a group, and then we also

1 packaged the boxes and palletized them so that they can be
2 delivered overseas.

3 And then at Sharing and Caring Hands, we did food
4 prep for the people who needed it in the area.

5 THE COURT: Okay. And you did this in high
6 school?

7 PROSPECTIVE JUROR: Yes.

8 THE COURT: And were you part of a service
9 organization or how did that come about?

10 PROSPECTIVE JUROR: Not part of an organization.
11 It was just my friends were doing it. Our sports teams, we
12 kind of did it as a team.

13 THE COURT: And how about 21 -- or I'm sorry --
14 22?

15 PROSPECTIVE JUROR: No, I have not.

16 THE COURT: 23.

17 PROSPECTIVE JUROR: No.

18 THE COURT: And 24.

19 PROSPECTIVE JUROR: No.

20 THE COURT: When you were -- where did you go to
21 high school?

22 PROSPECTIVE JUROR: Totino-Grace.

23 THE COURT: And any students or staff or faculty
24 there who were, that you knew of, of East African descent or
25 Somali?

1 PROSPECTIVE JUROR: Not that I know of.

2 THE COURT: Okay. And how about folks you work
3 with now or that you worked with at Target?

4 PROSPECTIVE JUROR: Not that I know of.

5 THE COURT: And any feelings about that community
6 or about individuals in that community, either positive or
7 negative?

8 PROSPECTIVE JUROR: No.

9 THE COURT: Okay. Have you ever taken any
10 unconscious bias training?

11 PROSPECTIVE JUROR: No.

12 THE COURT: Okay. When you were at Totino-Grace,
13 did you have any bias training or programming?

14 PROSPECTIVE JUROR: I don't believe so.

15 THE COURT: Okay. And so 25(a) gets at that issue
16 of implicit or unconscious bias. So if you are selected as
17 a juror, would you feel comfortable committing yourself to
18 thinking about why you make the decision and examining your
19 decision for bias? Are you comfortable doing that?

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: And Question 25(b) is that people
22 involved in this case might be from racial -- different
23 racial or ethnic backgrounds from yourself or practice a
24 different religion from yourself. Can you commit yourself
25 to carefully evaluating the evidence and resisting any urge

1 to reach a verdict influenced by a hidden or unconscious
2 bias?

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: Do you have any problem whatsoever
5 applying the presumption of innocence to these defendants?

6 PROSPECTIVE JUROR: No.

7 THE COURT: And are you willing to apply the law
8 as I explain it to you?

9 PROSPECTIVE JUROR: Yes.

10 THE COURT: Can you think of any other matter that
11 you should call to the court's attention that might have
12 some bearing on your service?

13 PROSPECTIVE JUROR: No.

14 THE COURT: All right. Let me ask the lawyers if
15 they have any questions for you.

16 **(Sidebar discussion)**

17 THE COURT: Anyone?

18 MR. IAN BIRRELL: Your Honor, Ian Birrell here.

19 The juror talked about how he has some moderate
20 positive feelings towards law enforcement and kind of the
21 physical but safe street crime area. I'm wondering if you
22 would inquire a little bit as to whether those feelings
23 extend towards financial investigations as well.

24 THE COURT: Okay. Anyone else?

25 MR. SCHLEICHER: Your Honor, Steve Schleicher on

1 behalf of Said Farah.

2 I would ask that the court inquire a little bit
3 further about his specific duties when he was overseeing in
4 Target what would have included the grocery department.
5 Just inquiring as to whether or not he was involved in
6 procurement stocking or if it was just part of the
7 high-level supervisory role.

8 THE COURT: What are we trying to get at if we
9 get -- I'm imagining he is involved perhaps in stocking, not
10 necessarily procurement, based on what he has said so far.
11 What are we trying to get at there?

12 MR. SCHLEICHER: Your Honor, I'm trying to just
13 learn the familiarity he would have --

14 THE COURT: I can't hear you. Sorry. We're
15 having trouble.

16 MR. SCHLEICHER: I'm trying to learn the depth of
17 his familiarity with the industry.

18 THE COURT: Okay. Okay. Thank you.

19 Anyone else?

20 MR. GOETZ: Yes, Your Honor. Fred Goetz for
21 Mr. Shariff.

22 Two areas. One, following up on the law
23 enforcement bias question for testimony, could the court ask
24 him specifically if a law enforcement officer were to
25 testify on a subject differently from a law enforcement --

1 from a non-law enforcement officer, would he tend to believe
2 the law enforcement officer just because of their position?

3 And then, second, he indicated he had some
4 training in business. Did any of that involve foreign
5 nationals?

6 THE COURT: Okay.

7 MR. GOETZ: Thank you.

8 THE COURT: Thank you.

9 **(In open court)**

10 THE COURT: When you worked at Target, and you --
11 there was some period of time that you were overseeing the
12 grocery department, am I right?

13 PROSPECTIVE JUROR: Yes.

14 THE COURT: Okay. When you did that, did you have
15 any experience or responsibility for either procurement,
16 buying the groceries, or stocking?

17 PROSPECTIVE JUROR: Yes, I did. And I'm sorry. I
18 should clarify. I didn't oversee the entire grocery
19 department, but at times I helped oversee it in case there's
20 someone absent, I can fill in.

21 But, yes, I did participate in product ordering of
22 meat -- the meat department and the produce department.

23 THE COURT: Okay. And tell me a little bit more
24 about that process.

25 PROSPECTIVE JUROR: Sure. So basically we're

1 first starting by taking a tally of the inventory that we
2 have every day. Then we're placing an order of how much of
3 each product we need using our devices, and then entering
4 the amount that we'd like to order. Then those are
5 delivered via the food delivery truck, which would arrive
6 the next day with our order. And then from there, we would
7 first fill our stock room, and then from there fill the
8 floor as normal.

9 THE COURT: And when you took a tally of what you
10 needed, how did you do that?

11 PROSPECTIVE JUROR: In writing with a pen or a
12 pencil on paper, yeah.

13 THE COURT: Okay. And are you visually looking at
14 what you need, or is there an inventory system that you are
15 looking at?

16 PROSPECTIVE JUROR: We are visually looking at it.

17 THE COURT: Okay. And when you are ordering the
18 food, is that coming internally within Target or are you
19 also then going outside of Target to do their ordering?

20 PROSPECTIVE JUROR: Oh, it would come from the
21 Target's food distribution network.

22 THE COURT: Okay.

23 PROSPECTIVE JUROR: Yeah.

24 THE COURT: And just a little bit more about your
25 feelings about law enforcement. So you had said that one of

1 the reasons for your positive general feelings toward law
2 enforcement was that they help keep us safe.

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: Were you referring to physical safety?

5 PROSPECTIVE JUROR: Sure.

6 THE COURT: And does that also extend toward
7 financial investigations, financial safety fraud?

8 PROSPECTIVE JUROR: I guess that's not what I had
9 in mind. I was thinking of physically safe, but I suppose,
10 yes, that too.

11 THE COURT: And if in this case, assuming
12 everything else is equal, if someone testified and they were
13 a law enforcement officer and someone testified differently
14 and they weren't a law enforcement officer, would the fact
15 that the one -- that the one is a law enforcement officer
16 lead you to believe that testimony more?

17 PROSPECTIVE JUROR: Probably, yeah.

18 THE COURT: Okay. And so let me go back to the
19 question that I asked you, which is, Can you treat all
20 witnesses equally? And so in order to do that, you'd have
21 to start everybody with a blank slate. And so the question
22 that you just answered is, yeah, probably I would give a
23 little bit more countenance to law enforcement if there was
24 testimony difference. Can you -- different.

25 Can you reevaluate that if I instruct you you've

1 got to treat every witness the same?

2 PROSPECTIVE JUROR: Yes.

3 THE COURT: Okay. And so what I'd ask you to do
4 then is to put aside your general feelings about law
5 enforcement and treat every individual witness the same.
6 Can you do that?

7 PROSPECTIVE JUROR: Yes.

8 THE COURT: Okay. Anyone? Okay.

9 **(Sidebar discussion)**

10 THE COURT: Anyone from the defense?

11 MR. SAPONE: Yes, Your Honor. This is Ed Sapone
12 for Abdi Nur. Can you hear me?

13 THE COURT: Yes.

14 MR. SAPONE: Okay.

15 THE COURT: Yeah, if you can turn it up. Try.

16 MR. SAPONE: Is that better?

17 THE COURT: Yes. So part of it is, I think for
18 all of you, to get it as close to your mouth as possible,
19 and the other part is to not mess with it once it's there.

20 MR. SAPONE: Okay. Thank you, Your Honor.

21 Your Honor, I want to make a motion to challenge
22 this prospective juror for cause. And he just said that
23 he'd probably tend to believe the law enforcement officer
24 more than the lay witness if they had differing testimony.
25 And although Your Honor asked him questions after that, and

1 he said yes to your questions, I just don't see how that can
2 be cured.

3 This is a case involving -- it will involve lots
4 of law enforcement testimony on the government's side versus
5 lay testimony on the defense side. He clearly has that bent
6 towards law enforcement and he gave the reasons, and so
7 although Your Honor asked him the follow-up questions, he
8 agreed with you, I just don't think it's cured. I'm asking
9 you to challenge -- to remove him for cause.

10 THE COURT: Government.

11 MR. THOMPSON: Your Honor, I think that he said he
12 can and would follow your instructions not to do that. I
13 don't think this is a case where there's going to be that
14 kind of he said/she said testimony, but in any event, the
15 witness said -- or the juror -- potential juror said
16 emphatically that he could set aside any pro-law enforcement
17 views he has, which are just sort of general in the
18 background, and treat all witness testimony the same and
19 that he could and will follow your instructions, and I think
20 that's all we can ask of a juror.

21 THE COURT: This juror has presented as thoughtful
22 and willing to examine his own biases. He's highly educated
23 and has gone through a number of roles in his life where
24 he's had to interact with a number of people. I thought his
25 answers were thoughtful, and I think he has been

1 rehabilitated, so I'm denying the motion.

2 **(In open court)**

3 THE COURT: All right. Sir, I'm going to retain
4 you and have you go to the courtroom next door. While you
5 are waiting, I ask you to be patient.

6 In addition, the folks in this courtroom, the
7 parties, the lawyers, cannot talk to you. So if they don't,
8 they're not being rude.

9 And then I'll just again ask you for your patience
10 through this process. Thank you.

11 PROSPECTIVE JUROR: Thank you, Your Honor.

12 **(Prospective Juror Number 27 exits courtroom)**

13 **(Prospective Juror Number 28 enters courtroom)**

14 THE COURT: Hi. Come on up around and have you
15 sit in the witness chair. I just have to do one thing
16 before I question you.

17 Good morning.

18 PROSPECTIVE JUROR: Good morning.

19 THE COURT: You are Juror Number 28?

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: Okay. And I'll have you look at that
22 questionnaire in front of you, and we'll just go down the
23 row and ask the questions beginning with how old you are.

24 PROSPECTIVE JUROR: I am 53 years old.

25 THE COURT: And Question Number 2.

1 PROSPECTIVE JUROR: No.

2 THE COURT: Question Number 3.

3 PROSPECTIVE JUROR: Just on the news.

4 THE COURT: Can you get more specific about that?

5 PROSPECTIVE JUROR: Last fall when it first came
6 out. That's all I know about it.

7 THE COURT: And so last fall meaning 2023?

8 PROSPECTIVE JUROR: Pardon?

9 THE COURT: Last fall meaning --

10 PROSPECTIVE JUROR: Like when it first came out,
11 when it first aired on the news, that was the only time I
12 heard anything about it.

13 THE COURT: Okay. And do you remember when it --
14 you first heard something?

15 PROSPECTIVE JUROR: That was the only time.

16 THE COURT: Okay. And you don't have a sense of
17 that was fall, that was winter, that was '21, '22?

18 PROSPECTIVE JUROR: Yeah, I just know it was in
19 the fall and in -- nothing else until you spoke about it
20 yesterday.

21 THE COURT: Okay. And when you heard about it
22 that fall, what did you hear?

23 PROSPECTIVE JUROR: Just that it was some stuff
24 going on with the money that was given for -- was it grants,
25 or something? I'm not a hundred percent sure.

1 THE COURT: Okay. And when you say "stuff going
2 on," what did you hear specifically?

3 PROSPECTIVE JUROR: The money laundering and it
4 wasn't used for what the purpose was.

5 THE COURT: Do you know what the purpose was?

6 PROSPECTIVE JUROR: It was supposed to be for
7 feeding my children or something or for the daycare or
8 something, I think.

9 THE COURT: And when you heard the news, did you
10 have an understanding of whether there was a case in court?

11 PROSPECTIVE JUROR: No.

12 THE COURT: So you don't know whether it was a
13 criminal investigation, a civil case, just news, don't know?

14 PROSPECTIVE JUROR: I don't watch much news.

15 THE COURT: Do you know where you would have seen
16 this?

17 PROSPECTIVE JUROR: I believe it was KARE 11.

18 THE COURT: Is that the news that you usually
19 watch?

20 PROSPECTIVE JUROR: Yep, if I do watch it.

21 THE COURT: Based on what you saw, have you
22 developed an opinion on the guilt or innocence of these
23 defendants?

24 PROSPECTIVE JUROR: No.

25 THE COURT: And if you are selected as a juror in

1 this case, will you be able to set aside what you may have
2 learned through other sources and decide the case based only
3 on what you hear and see in this courtroom?

4 PROSPECTIVE JUROR: Yes.

5 THE COURT: Yes?

6 PROSPECTIVE JUROR: Yep.

7 THE COURT: And Question Number 4.

8 PROSPECTIVE JUROR: The only one I heard of was
9 the Feeding Our Future. That's the only one that pops in my
10 head from seeing it on the news.

11 THE COURT: Question Number 5.

12 PROSPECTIVE JUROR: Yes.

13 THE COURT: Question Number 5(b).

14 PROSPECTIVE JUROR: No.

15 THE COURT: Question 5(c).

16 PROSPECTIVE JUROR: No.

17 THE COURT: And Question 6.

18 PROSPECTIVE JUROR: I grew up in St. Michael,
19 Albertville area. I graduated high school, one year of
20 college, and I'm a golf course mechanic. Been there for
21 30 years.

22 THE COURT: And do you live in St. Michael now?

23 PROSPECTIVE JUROR: Albertville.

24 THE COURT: Albertville.

25 What does a golf course mechanic do?

1 PROSPECTIVE JUROR: I repair all the equipment,
2 take care of whatever comes up.

3 THE COURT: And at one particular golf course or
4 many?

5 PROSPECTIVE JUROR: One.

6 THE COURT: What is that golf course?

7 PROSPECTIVE JUROR: Rush Creek Golf Club.

8 THE COURT: And you've done that for 30 years?

9 PROSPECTIVE JUROR: (Moves head up and down.)
10 30 years this year.

11 THE COURT: And do you have a spouse or partner?

12 PROSPECTIVE JUROR: Sponsor partner?

13 THE COURT: Spouse or partner.

14 PROSPECTIVE JUROR: Oh, spouse. Yes, I have a
15 wife of 30 years.

16 THE COURT: Okay.

17 PROSPECTIVE JUROR: And then I have two children;
18 one's 24, one's 28. And then I have a daughter-in-law and
19 two grandchildren.

20 THE COURT: Is your wife employed outside the
21 home?

22 PROSPECTIVE JUROR: Yes, she is.

23 THE COURT: What does she do?

24 PROSPECTIVE JUROR: She's a daycare provider.

25 THE COURT: How long has she done that?

1 PROSPECTIVE JUROR: 21 years.

2 THE COURT: Where does she do that?

3 PROSPECTIVE JUROR: Out of our house.

4 THE COURT: How many kids do you typically have in
5 the home?

6 PROSPECTIVE JUROR: Seven.

7 THE COURT: Is she licensed through the state to
8 do that?

9 PROSPECTIVE JUROR: Yes.

10 THE COURT: And does she also employ people?

11 PROSPECTIVE JUROR: No.

12 THE COURT: Just her?

13 PROSPECTIVE JUROR: Just her.

14 THE COURT: Your 24-year-old, what does the
15 24-year-old do?

16 PROSPECTIVE JUROR: He's a welder-fabricator for
17 Linco.

18 THE COURT: And how about the 28-year-old?

19 PROSPECTIVE JUROR: He's an owner operator of his
20 own trucking company.

21 THE COURT: And how about the daughter-in-law?

22 PROSPECTIVE JUROR: She's -- Top -- is it Topgolf?

23 THE COURT: That's a place, yes.

24 PROSPECTIVE JUROR: Yeah. She works there, and
25 then does a couple odd and end jobs for her aunt.

1 THE COURT: The place where you go to practice
2 your driving, I think.

3 PROSPECTIVE JUROR: Yes, yeah, that place.

4 THE COURT: Question Number 9.

5 PROSPECTIVE JUROR: I like collecting old
6 snowmobiles and I hunt, fish. I belong to -- we have a Crow
7 River Sportsman's Club that I belong to. That's about it.

8 THE COURT: Any church involvement?

9 PROSPECTIVE JUROR: Yes. I'm Catholic.

10 THE COURT: Okay. And do you participate in the
11 church?

12 PROSPECTIVE JUROR: Yes.

13 THE COURT: And Question 10.

14 PROSPECTIVE JUROR: No.

15 THE COURT: Question 11. You said you sometimes
16 watch KARE 11.

17 PROSPECTIVE JUROR: Yeah.

18 THE COURT: Okay. How about other news sites or
19 magazines, podcasts, blogs, internet sites?

20 PROSPECTIVE JUROR: No.

21 THE COURT: None?

22 PROSPECTIVE JUROR: No.

23 THE COURT: No podcasts?

24 PROSPECTIVE JUROR: No.

25 THE COURT: And do you list to music when you are

1 working?

2 PROSPECTIVE JUROR: Yeah.

3 THE COURT: What do you listen to?

4 PROSPECTIVE JUROR: K102 Country.

5 THE COURT: How about social media?

6 PROSPECTIVE JUROR: Just Twitter.

7 THE COURT: Okay. And any particular types of
8 folks you follow on Twitter?

9 PROSPECTIVE JUROR: Like farmers, all of our,
10 like, other golf course mechanics, stuff like that.

11 THE COURT: And do you follow the sport of golf as
12 well?

13 PROSPECTIVE JUROR: No.

14 THE COURT: Question 12.

15 PROSPECTIVE JUROR: No.

16 THE COURT: Question 13.

17 PROSPECTIVE JUROR: No.

18 THE COURT: Question 14.

19 PROSPECTIVE JUROR: No.

20 THE COURT: And 15.

21 PROSPECTIVE JUROR: No.

22 THE COURT: And 16.

23 PROSPECTIVE JUROR: No.

24 17, no.

25 And 18 was a no.

1 THE COURT: Okay. Question 19.

2 PROSPECTIVE JUROR: Was a no.

3 THE COURT: Question 20.

4 PROSPECTIVE JUROR: Is a no.

5 THE COURT: So let me just talk about that for a
6 moment. As part of her daycare, does your wife receive any
7 state sponsored or social service sponsored meals?

8 PROSPECTIVE JUROR: I have no idea.

9 THE COURT: Okay. Do you know if during COVID she
10 took advantage or was a recipient of any programs through
11 the state to feed the kids?

12 PROSPECTIVE JUROR: I don't do nothing with her
13 daycare.

14 THE COURT: Okay.

15 PROSPECTIVE JUROR: I -- that's her deal. I have
16 no idea.

17 THE COURT: Do you know how old approximately the
18 kids are?

19 PROSPECTIVE JUROR: The youngest right now is a
20 year and a half. And the oldest is I think 11.

21 THE COURT: Did her responsibilities for those
22 kids change throughout COVID?

23 PROSPECTIVE JUROR: No.

24 THE COURT: Do you recall?

25 PROSPECTIVE JUROR: She worked every day.

1 THE COURT: Okay. Did she have more kids or for
2 more hours due to COVID.

3 PROSPECTIVE JUROR: Some of the time, yes.

4 THE COURT: Because they weren't in school.

5 PROSPECTIVE JUROR: Yep.

6 THE COURT: And you don't know anything about how
7 she feeds them or what programs she might --

8 PROSPECTIVE JUROR: I know she has a food program
9 where the gal comes out and they do stuff. That's all I
10 know. I'm never around when she does all that. I'm at
11 work.

12 THE COURT: Okay. Who is the person who comes
13 out? Do you know where they're from?

14 PROSPECTIVE JUROR: Wright County -- well, through
15 the government center, I think. I'm not a hundred percent
16 sure. I know the gal that she has right now comes from down
17 in Mankato.

18 THE COURT: Okay. And what does that person do?

19 PROSPECTIVE JUROR: Checks all of her logs and
20 everything for her food, what she feeds, what they can feed.
21 I've only seen it happen once.

22 THE COURT: Okay.

23 PROSPECTIVE JUROR: So I'm not a hundred percent
24 sure.

25 THE COURT: You are aware that your wife makes

1 logs about what she feeds to the kids?

2 PROSPECTIVE JUROR: Yeah. She has it on the
3 counter every day so then she has to write down what she
4 feeds them, how much, and then pick-up and drop-off times.
5 It's all written down. I see the sheet on the counter once
6 in a while.

7 THE COURT: And do you know if that has too do
8 with her licensure or with some other program?

9 PROSPECTIVE JUROR: I don't know.

10 THE COURT: Okay. Do you know whether -- what the
11 checks -- the person who is coming out is checking the log?

12 PROSPECTIVE JUROR: Yeah.

13 THE COURT: Do you know what that check involves
14 and whether it involves asking anything of the children or
15 identification of the children, anything like that?

16 PROSPECTIVE JUROR: I don't know.

17 THE COURT: Do you know whether the children's
18 names are on that log?

19 PROSPECTIVE JUROR: Yes.

20 THE COURT: They are.

21 PROSPECTIVE JUROR: Yeah. Because she has to put
22 each individual one in.

23 THE COURT: And do you know whether the person who
24 comes out, you know, anything about what they check?

25 PROSPECTIVE JUROR: Just what they're being fed

1 and times and I think that's about it. I just know that's
2 what is logged on there.

3 THE COURT: Has there ever been a time that you
4 can recall where something went awry in that process, there
5 was a check that didn't go well or something like that?

6 PROSPECTIVE JUROR: No.

7 THE COURT: And, to your knowledge, are the names
8 that are on that sheet the kids that are in the daycare?

9 PROSPECTIVE JUROR: Yep.

10 THE COURT: Have those kids changed over the
11 years?

12 PROSPECTIVE JUROR: Yes. It's all like people she
13 knows. No outsiders or anything. It's families that she's
14 done for years. She keeps the same ones.

15 THE COURT: And seven -- always around seven kids?

16 PROSPECTIVE JUROR: Yeah.

17 THE COURT: Question Number 21.

18 PROSPECTIVE JUROR: The only question I had was I
19 am an FFL holder, and that's the only time I worked with the
20 ATF, if that mattered or not.

21 THE COURT: And tell me about that.

22 PROSPECTIVE JUROR: I just received my FFL, so I
23 can buy and sell guns, and I just completed it January, I
24 believe it is.

25 THE COURT: And where do you buy and sell guns?

1 PROSPECTIVE JUROR: I haven't done it yet.

2 THE COURT: Okay.

3 PROSPECTIVE JUROR: I just got the license.

4 THE COURT: Where are you anticipating doing that?

5 PROSPECTIVE JUROR: Out of my home.

6 THE COURT: What kind of firearms?

7 PROSPECTIVE JUROR: Shotguns and pistols, rifles.

8 THE COURT: And what did it entail to get the
9 license?

10 PROSPECTIVE JUROR: About -- about eight months'
11 worth of paperwork and everything, background checks. ATF
12 came out, checked everything. City came out, checked
13 everything. I had to notify my police department,
14 everything.

15 THE COURT: And how were all of those interactions
16 with those agencies? Did you find them to be positive or
17 negative?

18 PROSPECTIVE JUROR: Everything was positive.

19 THE COURT: Okay. And Question 22.

20 PROSPECTIVE JUROR: No.

21 THE COURT: Question 23.

22 PROSPECTIVE JUROR: No feelings.

23 THE COURT: 24.

24 PROSPECTIVE JUROR: No.

25 THE COURT: And Question 25. So you and your --

1 so high school, your year of college, and then working at
2 the golf course and throughout the -- your -- your church,
3 et cetera, you are not interacting with people whose
4 backgrounds are from East Africa or Somalia?

5 PROSPECTIVE JUROR: No.

6 THE COURT: And 25 tries to get at your
7 unconscious bias. Are you comfortable committing yourself
8 to thinking about why you are making a decision and
9 examining that decision for bias?

10 PROSPECTIVE JUROR: Yes.

11 THE COURT: And can you read 25(b) and answer it.

12 PROSPECTIVE JUROR: I answered yes for that.

13 THE COURT: And are you willing to apply the law
14 as the court explains it to you?

15 PROSPECTIVE JUROR: Yes.

16 THE COURT: Okay. And can you think of anything
17 else that you should call to the court's attention?

18 PROSPECTIVE JUROR: Not that I can think of.

19 THE COURT: Understanding that you've worked with
20 the ATF to get your FFL, and that those interactions were
21 positive, can you -- do you think that you would be biased
22 towards a law enforcement officer if they took the stand?
23 We've asked you earlier about that, but --

24 PROSPECTIVE JUROR: Like being non- -- or being
25 okay with it or --

1 THE COURT: Treating them more favorably because
2 they're a law enforcement officer.

3 PROSPECTIVE JUROR: Oh, no. No.

4 THE COURT: Okay. All right. Thank you. Let me
5 just see if the attorneys have anything for you.

6 **(Sidebar discussion)**

7 THE COURT: Anyone?

8 All right. Any motions for cause?

9 MR. GOETZ: Your Honor -- I'm sorry -- Fred Goetz.
10 Just one question for Mr. Shariff. Is his wife reimbursed
11 by any government agency for the meals she provides?

12 THE COURT: I tried to ask that. I think the
13 answer is no, but I will ask it again.

14 MR. GOETZ: Okay. Sorry if I missed it.

15 THE COURT: No, no worries.

16 Any motions for cause based on what we know?

17 Okay. Thank you.

18 **(In open court)**

19 THE COURT: Okay. I think I covered this but I
20 just want to make sure. Do you know whether your wife is
21 reimbursed by any government agency for the meals?

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: Okay. Tell me about that.

24 PROSPECTIVE JUROR: She receives a check for what
25 she spends or something, gets reimbursed.

1 THE COURT: Do you know where that check is from?

2 PROSPECTIVE JUROR: I'm not a hundred percent
3 sure. It comes from the state or the county.

4 THE COURT: And was there a difference in the
5 payment during COVID?

6 PROSPECTIVE JUROR: I'm not sure.

7 THE COURT: Has there ever been any issues with
8 that payment that you are aware of?

9 PROSPECTIVE JUROR: Not that I know of. I just
10 know she tells me I have to get the mail on certain days
11 because that's when it comes.

12 THE COURT: And your wife obviously cares about
13 the kids she takes care of.

14 PROSPECTIVE JUROR: Yep.

15 THE COURT: There is going to be testimony in this
16 case about children. Can you make sure that you are
17 unbiased given your wife's -- what she does and the fact
18 that she feeds kids in her daycare?

19 PROSPECTIVE JUROR: Yes.

20 THE COURT: Okay. Can you also commit not to talk
21 to her about this case?

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: All right. Thank you.

24 All right. I'm going to have you go to the
25 courtroom next door, and you are going to just wait the

1 process out. I appreciate your patience.

2 PROSPECTIVE JUROR: All right.

3 THE COURT: These folks can't talk to you. So
4 when they don't, they're not being rude. They're just
5 following the law. Thank you.

6 PROSPECTIVE JUROR: Thank you.

7 **(Prospective Juror Number 28 exits courtroom)**

8 THE COURT: Two things really quick off the
9 record.

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

11 **(Prospective Juror Number 29 enters courtroom)**

12 THE COURT: Hi. Come on forward. I'll have you
13 come around these tables, and then you're going to come up
14 to the witness chair right by me.

15 Good morning.

16 PROSPECTIVE JUROR: Good morning. I'm really
17 nervous.

18 THE COURT: Okay. So I'm going to just talk off
19 record just for a moment.

20 **(Off-the-record discussion between the court and
21 prospective juror)**

22 THE COURT: All right. This is Juror Number 29.
23 So I'm just going to take you through the questions on the
24 questionnaire one by one.

25 How old are you?

1 PROSPECTIVE JUROR: I'm 59 years old.

2 THE COURT: And Question 2. Do you know anybody
3 on the list of witnesses, defendants and staff?

4 PROSPECTIVE JUROR: No, I don't.

5 THE COURT REPORTER: Can you get closer to the
6 microphone? Thank you.

7 THE COURT: Yeah, I'll just have you -- and that
8 stand pulls toward you as well.

9 PROSPECTIVE JUROR: No, I don't.

10 THE COURT: Have you heard about this case before
11 today?

12 PROSPECTIVE JUROR: Yes, I did.

13 THE COURT: And how?

14 PROSPECTIVE JUROR: Like two years ago I think on
15 the news.

16 THE COURT: Do you think -- two years ago, do you
17 think that was in the winter? Well, tell me what you heard
18 on the news first. Let's go there.

19 PROSPECTIVE JUROR: Very, very -- you know, like,
20 I was cleaning my home, and then I heard, you know, the --
21 what they did. And that was it.

22 THE COURT: Okay.

23 PROSPECTIVE JUROR: But I did not sit down and
24 watch it or -- just heard of it.

25 THE COURT: Okay. And when you say you heard what

1 they did, what did you hear?

2 PROSPECTIVE JUROR: Oh, I heard that they use
3 funds from COVID money and they use it illegally.

4 THE COURT: Do you know what the COVID funds were
5 from?

6 PROSPECTIVE JUROR: No. No.

7 THE COURT: Okay. And do you know where they were
8 intended to go?

9 PROSPECTIVE JUROR: No, no.

10 THE COURT: What news site do you think you heard
11 it from, like a TV station?

12 PROSPECTIVE JUROR: Yeah, TV station.

13 THE COURT: What do you usually listen to?

14 PROSPECTIVE JUROR: WCCO.

15 THE COURT: Do you remember whether it was the
16 fall or the winter when you were -- when you heard this?

17 PROSPECTIVE JUROR: I'm going to say probably the
18 fall.

19 THE COURT: Okay.

20 And you think it was a couple years ago, so 2022,
21 or do you know?

22 PROSPECTIVE JUROR: No, I don't. I'm so sorry.

23 THE COURT: Do you remember hearing whether anyone
24 was arrested?

25 PROSPECTIVE JUROR: No. No.

1 THE COURT: Did you hear anything about search
2 warrants?

3 PROSPECTIVE JUROR: No.

4 THE COURT: Do you know whether the news report
5 talked about a court case?

6 PROSPECTIVE JUROR: No.

7 THE COURT: Okay. And after you first heard about
8 it a couple years ago on the news, have you heard anything
9 about it since?

10 PROSPECTIVE JUROR: No.

11 THE COURT: Do you regularly follow the news?

12 PROSPECTIVE JUROR: No, not really.

13 THE COURT: Okay.

14 PROSPECTIVE JUROR: Unless it's fashion.

15 THE COURT: Say that again.

16 PROSPECTIVE JUROR: Unless it's fashion.

17 THE COURT: Fashion.

18 PROSPECTIVE JUROR: Yeah.

19 THE COURT: And can you read Question 3(b).

20 PROSPECTIVE JUROR: Have you developed an opinion
21 of the guilt or innocence of the defendants?

22 THE COURT: Have you?

23 PROSPECTIVE JUROR: Yes.

24 THE COURT: Okay. Tell me about that.

25 PROSPECTIVE JUROR: I'm sorry?

1 THE COURT: Can you tell me about that. What's
2 your opinion?

3 PROSPECTIVE JUROR: That they're guilty.

4 THE COURT: Why do you think that?

5 PROSPECTIVE JUROR: Well, if you are in the news
6 that you do something illegal --

7 THE COURT: You're inclined to believe that?

8 PROSPECTIVE JUROR: Yes.

9 THE COURT: And you know that there's a
10 presumption of innocence on these defendants, right?

11 PROSPECTIVE JUROR: Yes, yes, I do know that too.

12 THE COURT: Okay. So how do you come to terms
13 then with the fact that you think they're guilty because it
14 was on the news, and the fact that they have a presumption
15 of innocence?

16 PROSPECTIVE JUROR: When I heard the news, they
17 stole the -- misused the money, so I -- you know, I right
18 away thought, you know, or think that it's wrong.

19 THE COURT: And that's what you still think?

20 PROSPECTIVE JUROR: I don't know. I don't know a
21 lot about the case. I don't know. But that's what I think
22 they're guilty.

23 THE COURT: Just a minute. I'm going to talk with
24 the attorneys for just a moment.

25 **(Sidebar discussion)**

1 THE COURT: Anyone?

2 MR. COTTER: Your Honor, Patrick Cotter.

3 I'd move for cause. Let's take her at her word.
4 I mean, she made it pretty clear.

5 THE COURT: Any objection from the government?

6 MR. THOMPSON: I mean, I like her personally, but
7 I think he's got a good point.

8 THE COURT: Yeah. All right. Thank you.

9 **(In open court)**

10 THE COURT: You are done. That was short. I'm
11 going to excuse you. Thank you very much.

12 PROSPECTIVE JUROR: Thank you. Thank you.

13 THE COURT: You are going to hand those papers to
14 the person who is outside, okay, before you go. Thank you.

15 PROSPECTIVE JUROR: Thank you very much.

16 **(Prospective Juror Number 29 exits courtroom)**

17 **(Prospective Juror Number 30 enters courtroom)**

18 THE COURT: Good afternoon. Come on forward. I'm
19 going to have you go around the tables. You can -- would
20 you bring the questionnaire with you, if you have a copy of
21 it?

22 PROSPECTIVE JUROR: A what?

23 THE COURT: The questionnaire.

24 PROSPECTIVE JUROR: Oh, sure.

25 THE COURT: And you are going to come up here to

1 the witness stand and sit by me.

2 All right. You are Juror Number 30?

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: All right. And you have that
5 questionnaire in front of you. So we're just going to go
6 down the row and ask those questions.

7 Number 1 is what your age is.

8 PROSPECTIVE JUROR: What's that?

9 THE COURT: What is your age?

10 PROSPECTIVE JUROR: Oh, 61.

11 THE COURT: And how are you feeling today?

12 PROSPECTIVE JUROR: About like every day. Not
13 good.

14 THE COURT: Okay. So tell me about that.

15 PROSPECTIVE JUROR: I had had trauma when I was
16 young, and my skull got cracked open.

17 THE COURT: Okay.

18 PROSPECTIVE JUROR: And it was by a family member,
19 pushed me off some heavy equipment there.

20 THE COURT: Okay. How is your ability to
21 concentrate given that injury?

22 PROSPECTIVE JUROR: Not good.

23 THE COURT: Okay. And is this -- is today a worse
24 day than usual or this is kind of usual for you?

25 PROSPECTIVE JUROR: What's this?

1 THE COURT: Is this a worse day than usual for
2 you?

3 PROSPECTIVE JUROR: They're all about the same.

4 THE COURT: Okay.

5 PROSPECTIVE JUROR: I've got high-pitched sounds
6 going through all the time.

7 THE COURT: Okay. So you are having trouble
8 hearing me?

9 PROSPECTIVE JUROR: Yeah, I can't sleep good.

10 THE COURT: Okay.

11 PROSPECTIVE JUROR: It's annoying.

12 THE COURT: I bet. Thank you for being here.
13 You've sat through 2 days?

14 PROSPECTIVE JUROR: Yep.

15 THE COURT: Yeah, all right. I'm going to excuse
16 you now, sir.

17 PROSPECTIVE JUROR: Okay.

18 THE COURT: Thank you. You are done.

19 PROSPECTIVE JUROR: I don't -- doctor even said I
20 belonged in a grave site, not walking around.

21 THE COURT: I'm sorry about that.

22 PROSPECTIVE JUROR: Thank you, though.

23 THE COURT: You are welcome.

24 **(Prospective Juror Number 30 exits courtroom)**

25 **(Prospective Juror Number 31 enters courtroom)**

1 THE COURT: Good afternoon.

2 PROSPECTIVE JUROR: Hello.

3 THE COURT: Hi. Come on forward around the tables
4 here, and then you will come up to the witness chair by me.

5 PROSPECTIVE JUROR: Okay. All right. Lots of
6 people.

7 THE COURT: Mm-hmm. You are Juror Number 31?

8 PROSPECTIVE JUROR: Correct.

9 THE COURT: Okay. You have that questionnaire in
10 front of you?

11 PROSPECTIVE JUROR: Yes, Your Honor.

12 THE COURT: So I'm just going to go through the
13 questions and not necessarily read them, but have you answer
14 them.

15 PROSPECTIVE JUROR: Sure.

16 THE COURT: And you will speak right into that
17 microphone so that folks can hear you. And we'll begin with
18 the first one, which is what your age is.

19 PROSPECTIVE JUROR: 43.

20 THE COURT: All right. And Question Number 2.

21 PROSPECTIVE JUROR: Number 2 the answer is no.

22 THE COURT: How about Question 3?

23 PROSPECTIVE JUROR: 3, the answer is no.

24 THE COURT: You've never heard of this case?

25 PROSPECTIVE JUROR: Correct.

1 THE COURT: Okay. And how about Number 4?

2 PROSPECTIVE JUROR: Number 4 also no, never heard
3 of it.

4 THE COURT: Number 5.

5 PROSPECTIVE JUROR: 5 I put okay. No problem
6 there.

7 THE COURT: And 5(b).

8 PROSPECTIVE JUROR: 5(b), let me take my paperclip
9 off. Sorry. No.

10 THE COURT: And 5(c).

11 PROSPECTIVE JUROR: No.

12 THE COURT: And how about Question 6.

13 PROSPECTIVE JUROR: 6. Born in Rice, St. Cloud.
14 Now live in Champlin, Minnesota, all my life.

15 THE COURT: And Question 7.

16 PROSPECTIVE JUROR: 7. High school and currently
17 right now unemployed.

18 THE COURT: And how long have you not -- have you
19 been unemployed?

20 PROSPECTIVE JUROR: It's been roughly ten years.
21 I'm on disability for certain issues, but my fiance, he
22 works full-time.

23 THE COURT: What did you do before you took
24 disability?

25 PROSPECTIVE JUROR: I was the manager of a hotel

1 chain -- not a chain, but one of the hotels.

2 THE COURT: Okay.

3 PROSPECTIVE JUROR: Otherwise customer service
4 throughout different businesses. Cub Foods I was a manager.
5 Yeah, there was a lot of -- not a lot of places, but
6 customer service.

7 THE COURT: Okay. And I'm going to ask you what
8 you're on disability for. Would you rather do that
9 privately?

10 PROSPECTIVE JUROR: No, that's fine.

11 THE COURT: Okay.

12 PROSPECTIVE JUROR: I just didn't know if I should
13 mention that or not, but I'm on it for fibromyalgia and also
14 I have Lynch syndrome.

15 THE COURT: What is that?

16 PROSPECTIVE JUROR: It's a hereditary condition
17 where you are more predisposed to certain cancers, so I have
18 to get screenings every six months. So far everything has
19 been fine, though. And then also my arthritis.

20 THE COURT: How does the fibromyalgia affect your
21 day-to-day life?

22 PROSPECTIVE JUROR: It's not so bad unless I have
23 a flare-up, but I haven't had one of those in a couple years
24 now, been managing it pretty well.

25 THE COURT: And have you thought about -- and

1 arthritis too, right?

2 PROSPECTIVE JUROR: Yes.

3 THE COURT: And that's where?

4 PROSPECTIVE JUROR: Mostly my knees. If I'm
5 standing too long --

6 THE COURT: Okay.

7 PROSPECTIVE JUROR: -- it really hurts.

8 THE COURT: So I was just going to ask you how
9 you'd feel about sitting in that box for six weeks.

10 PROSPECTIVE JUROR: Oh, yeah, sitting is fine.
11 It's the long-time standing that I have a problem with.

12 THE COURT: Okay.

13 PROSPECTIVE JUROR: Yeah.

14 THE COURT: And so you've thought about how it
15 would be, given your medical conditions, to sit and -- sit
16 on a jury for a number of weeks, and you are okay?

17 PROSPECTIVE JUROR: Yes. Absolutely.

18 THE COURT: Okay.

19 PROSPECTIVE JUROR: Yep.

20 THE COURT: You said your fiance works. What does
21 your fiance do?

22 PROSPECTIVE JUROR: He's a technician at -- sorry,
23 can't think of the word -- Wally McCarthy's. Auto shop,
24 there you go. I couldn't think of it. Sorry.

25 THE COURT: And how long has he done that?

1 PROSPECTIVE JUROR: 16 years now, I believe. He's
2 been in that line of work since he was a teenager.

3 THE COURT: And Question 8.

4 PROSPECTIVE JUROR: 8. I have two children. One
5 is 17 and one is 20. And 20-year-old is in college. Also
6 he just started his first semester at -- or he started his
7 work at Target. Now he's in his first semester at college.

8 THE COURT: Okay. Where does he go to college?

9 PROSPECTIVE JUROR: Anoka-Hennepin-Ramsey.

10 THE COURT: And the 17-year-old is in high school?

11 PROSPECTIVE JUROR: Yes.

12 THE COURT: And at what school?

13 PROSPECTIVE JUROR: At Champlin Park, taking his
14 ACTs today.

15 THE COURT: Good luck.

16 Question 9.

17 PROSPECTIVE JUROR: 9. Not much for me. I just
18 put down arts and crafts. I don't really have a lot of
19 groups, or I don't really have any groups actually. It's
20 just family stuff.

21 So I don't go to churches. I'm not involved in
22 any church.

23 THE COURT: And Question 10.

24 PROSPECTIVE JUROR: 10 is no.

25 THE COURT: And Question 11.

1 PROSPECTIVE JUROR: 11 also no. Just I put down
2 the local newspaper for coupons usually. Just look at
3 anything that, you know, might be a big thing going on
4 usually political, if -- I'll take a look at it, but I don't
5 seek out anything to read, really.

6 THE COURT: And what local newspaper?

7 PROSPECTIVE JUROR: That's the Star Tribune.

8 THE COURT: Are you active on social media?

9 PROSPECTIVE JUROR: I am not. I did post a couple
10 pictures on Facebook maybe ten years ago of my kids. Other
11 than that, no.

12 THE COURT: How about podcasts or internet sites
13 that you might go to?

14 PROSPECTIVE JUROR: I do watch the Office Ladies
15 podcast. It's about the people who used to be on The
16 Office.

17 THE COURT: Okay.

18 PROSPECTIVE JUROR: I do love that show.

19 THE COURT: Any others you can think of?

20 PROSPECTIVE JUROR: Not that I can think of, no.

21 THE COURT: And Question 12.

22 PROSPECTIVE JUROR: 12 is no.

23 THE COURT: Question 13.

24 PROSPECTIVE JUROR: Let's see. 13. Also no.

25 THE COURT: Question 14.

1 PROSPECTIVE JUROR: No.

2 THE COURT: 15.

3 PROSPECTIVE JUROR: No.

4 THE COURT: And 16, contacts with the criminal
5 justice system.

6 PROSPECTIVE JUROR: Nope. However, my son was
7 once hit -- or not hit -- bit by a dog, so the other person
8 who owned the dog, they had to go through a trial, whatnot.
9 I don't -- I wasn't a party to it. I just --

10 THE COURT: Did your son have to testify?

11 PROSPECTIVE JUROR: He did not, no.

12 THE COURT: Was there a lawsuit afterwards or
13 anything?

14 PROSPECTIVE JUROR: There was. I honestly
15 couldn't even tell you how much -- he was like five years
16 old. He's 17 now. It was very long ago.

17 THE COURT: Did he get any money as a result of --

18 PROSPECTIVE JUROR: Oh, no, no, sorry.

19 THE COURT: And is he -- was he injured
20 permanently as a part of the --

21 PROSPECTIVE JUROR: No, he just has a little scar,
22 but because the dog had bitten a person previous to my son,
23 they just had to put my name in or my son's name in the
24 case, whatever.

25 THE COURT: Okay. Anything else on 16?

1 PROSPECTIVE JUROR: No, nothing else.

2 THE COURT: And how about 17.

3 PROSPECTIVE JUROR: 17 was no.

4 THE COURT: And 18.

5 PROSPECTIVE JUROR: 18, no. And I put that I
6 haven't had any real contact with police officers to sway me
7 either way, so I don't have a -- really a point on it.

8 THE COURT: Okay. How about 19.

9 PROSPECTIVE JUROR: 19 is no.

10 THE COURT: And 20.

11 PROSPECTIVE JUROR: 20 is also no.

12 THE COURT: When you're -- when COVID occurred,
13 were both your kids in high school?

14 PROSPECTIVE JUROR: Yes. Yep.

15 THE COURT: Did they receive any meals at school
16 that were free or no cost or -- as a result of a program
17 because of COVID, do you recall?

18 PROSPECTIVE JUROR: No, they did not. We did -- I
19 believe we received like a -- it was a white card. It said
20 PEBT. I'm not real familiar with what that was, but it was
21 food money that we -- that my kids got on a card, but no
22 cash money or anything like that.

23 THE COURT: Okay. And was that just during COVID?

24 PROSPECTIVE JUROR: Correct. And it was just for
25 a few months actually during COVID.

1 THE COURT: Do you remember when other than during
2 COVID?

3 PROSPECTIVE JUROR: I don't know. It was when the
4 schools were doing distance learning only. I don't know the
5 exact time frame. Sorry.

6 THE COURT: Do you know what they had to do in
7 order to get that card?

8 PROSPECTIVE JUROR: I believe it was because my
9 husband and I were not married, so they're considered me low
10 income, I think is what it was.

11 THE COURT: Did you have to fill out any forms?

12 PROSPECTIVE JUROR: I did not.

13 THE COURT: Did the kids have to show an ID or
14 anything?

15 PROSPECTIVE JUROR: No.

16 THE COURT: Do you know anything more about that
17 program at all?

18 PROSPECTIVE JUROR: I do not. I didn't even get
19 notified that they were going to stop doing it. I just one
20 day no more money was on the card.

21 THE COURT: Okay. That was a card that when you
22 went to the grocery store, you could use it to buy
23 groceries?

24 PROSPECTIVE JUROR: Correct. Food only. Yep,
25 yep. Excuse me.

1 THE COURT: And did you have any contact with any
2 organization or the government about that program?

3 PROSPECTIVE JUROR: I did not.

4 THE COURT: All right. Question 21.

5 PROSPECTIVE JUROR: 21 was no.

6 THE COURT: And 22.

7 PROSPECTIVE JUROR: 22 also no.

8 THE COURT: And Question 23.

9 PROSPECTIVE JUROR: 23, no, I have no feelings one
10 way or another. I think it's all about the person
11 individually, so I don't -- I don't really have a favor or
12 against.

13 THE COURT: How about 24?

14 PROSPECTIVE JUROR: 24, no, not that I do. My
15 husband may. He has quite a few friends at work, outside of
16 work. Don't really know where everybody is from.

17 THE COURT: And any feelings based on any of --
18 anything he might have said about folks at work or his
19 friends that would lead you to feelings in favor of or
20 against community -- the Somali community, East African
21 community, or individuals within it?

22 PROSPECTIVE JUROR: No.

23 THE COURT: And 25 tries to get at your
24 unconscious biases.

25 PROSPECTIVE JUROR: Correct.

1 THE COURT: You watched a video on that.

2 PROSPECTIVE JUROR: Yes.

3 THE COURT: If you are selected as a juror, do you
4 feel comfortable committing yourself to thinking about why
5 you are making a decision and examining it for bias?

6 PROSPECTIVE JUROR: Yes.

7 THE COURT: And then Question 25(b).

8 PROSPECTIVE JUROR: Yes. 100 percent absolutely.

9 THE COURT: And 26(a).

10 PROSPECTIVE JUROR: 26(a) is yes.

11 THE COURT: And can you think of anything else you
12 need to call to our attention?

13 PROSPECTIVE JUROR: No, nothing really.

14 I did put on here that not watching the media
15 would not be an issue for me because I don't watch the news,
16 and I have a weather app so I don't even watch it for that.

17 THE COURT: Okay. And are you all right also not
18 talking with your fiance about the case?

19 PROSPECTIVE JUROR: Correct.

20 THE COURT: Okay.

21 PROSPECTIVE JUROR: Yep.

22 THE COURT: Just a minute. Let me see if the
23 attorneys have anything for you.

24 PROSPECTIVE JUROR: No problem.

25 **(Sidebar discussion)**

1 THE COURT: Anyone? Motions for cause?

2 (In open court)

3 THE COURT: Thank you very much. I'm going to
4 retain you and have you go to the next courtroom over.

5 PROSPECTIVE JUROR: Okay.

6 THE COURT: And you will kind of wait the process
7 out. It's a wait.

8 PROSPECTIVE JUROR: No problem.

9 THE COURT: And thanks for your patience.

10 PROSPECTIVE JUROR: Absolutely.

11 THE COURT: These folks can't talk to you, so --

12 PROSPECTIVE JUROR: Okay.

13 THE COURT: -- if they don't, it's not that they
14 are being rude.

15 PROSPECTIVE JUROR: No problem. Got it. Thank
16 you so much.

17 (Prospective Juror Number 31 exits courtroom)

18 (Prospective Juror Number 32 enters courtroom)

19 THE COURT: Good afternoon. Come on forward.

20 You are Juror Number 32.

21 PROSPECTIVE JUROR: 32.

22 THE COURT: Okay. And you have that questionnaire
23 in front of you. We're just going to go down the row and
24 ask those questions. I may have some follow-up.

25 PROSPECTIVE JUROR: Okay.

1 THE COURT: What is your age?

2 PROSPECTIVE JUROR: 54.

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

4 PROSPECTIVE JUROR: To the best of my knowledge,
5 no.

6 THE COURT: Question Number 3.

7 PROSPECTIVE JUROR: Yes.

8 THE COURT: And tell me what you have heard and
9 when.

10 PROSPECTIVE JUROR: There were two instances with
11 my Saturday morning running group. One of the gals I run
12 with, her sister lives next to somebody in one of our small
13 communities that was arrested for this particular thing.

14 The second time I heard of it was at work because
15 with my job, we take yearly courses that are mandatory, and
16 we do a fraud one, so it was brought up with that. And this
17 was all about a year ago, I'd say, roughly.

18 THE COURT: And so this is -- it's your friend's
19 sister who lives next to someone who was arrested?

20 PROSPECTIVE JUROR: Correct. And it was just
21 brought up in conversation, and so then from there, we
22 just -- I don't know details. It was just discussed. Oh,
23 that was this and this. And I don't honestly remember
24 details because we're out running, we're at mile ten, we're
25 just babbling at that point, but I do know that was

1 discussed.

2 THE COURT: And so what is your understanding of
3 what the arrest was for, what the case is about?

4 PROSPECTIVE JUROR: What my understanding is at
5 this point, and this may totally not be correct, was that
6 during COVID, there were a bunch of, shall I say,
7 restaurants or food businesses that were providing meals for
8 children and that perhaps they were given money and not
9 providing meals. And that my questioning then was like, why
10 are people getting -- why are these kids getting meals
11 during COVID? I -- that's where my brain went with it,
12 so --

13 THE COURT: Was a question as to why the programs
14 existed?

15 PROSPECTIVE JUROR: Kind of somewhat, yes, because
16 I don't have kids, so I don't understand why -- I understand
17 why certain families may be getting food assistance or
18 whatever or if they had paid for lunches previously and then
19 school was called off, that they should still be getting
20 their lunches because they paid for them in advance.

21 THE COURT: And did the friend in the running
22 group express an opinion on whether any of the defendants
23 were guilty or not?

24 PROSPECTIVE JUROR: No.

25 THE COURT: Based on what you heard in the running

1 group, did you develop an opinion about whether any of these
2 defendants are guilty?

3 PROSPECTIVE JUROR: Not really.

4 THE COURT: All right. What do you mean by not
5 really? Do you mean no or sort of?

6 PROSPECTIVE JUROR: You know, when somebody is
7 arrested, I believe that a lot of people initially assume
8 that they were arrested for a reason, so your mind initially
9 goes to, Wow, they did it. And then you think of what it
10 might have been and that there is such an electronic paper
11 trail, so then just, okay, that happened.

12 But at that point, I wasn't -- I guess I didn't
13 care enough to think into it much further to think, are they
14 guilty or are they not. It was just like, wow, that was a
15 lot of money and how unfair with all of the COVID things and
16 the government handouts and things that were going on during
17 COVID, there was just a lot of things going on, and you just
18 thought, oh, this was somebody else that took advantage of
19 the COVID pandemic.

20 THE COURT: And what do you -- and are those
21 thoughts that you had at the time or now?

22 PROSPECTIVE JUROR: I believe that I still have
23 those thoughts, thoughts that a lot of people took advantage
24 of the COVID pandemic, as you'd see it in the workplace,
25 and, you know, people applying for COVID assistance that

1 clearly were still working and didn't need it.

2 THE COURT: Okay. What do you think about these
3 defendants? Have you formed an opinion about these
4 defendants?

5 PROSPECTIVE JUROR: I have not. I am not like yes
6 or no. From what I do with my job, I know that if there is
7 transactions, there is usually a really good electronic
8 paper trail.

9 THE COURT: And do you have a view that when that
10 paper trail -- that when somebody is arrested, that paper
11 trail must exist? That's kind of what I'm hearing you say.

12 PROSPECTIVE JUROR: I do believe that just because
13 I've seen that within my workplace. No matter what you do,
14 there's an electronic chart, an electronic file, your name
15 is stamped on that if you did look at something, do
16 something. That's just the way of our world right now with
17 electronics and tracking.

18 THE COURT: Thank you. Just a minute. I'm going
19 to talk with the attorneys.

20 **(Sidebar discussion)**

21 THE COURT: Based on this potential juror's
22 answers to these questions, it's my belief she cannot be
23 fair, and I'm not going to go further unless someone is
24 going to object. Anyone?

25 MR. GOETZ: No objection. I so move, Your Honor.

1 THE COURT: All right. I'll grant a motion for
2 cause.

3 (In open court)

4 THE COURT: Thank you very much. I actually don't
5 need you to answer any more questions. I'm going to excuse
6 you. And so you are going to give the piece of paper to the
7 people outside the door, and you are excused.

8 PROSPECTIVE JUROR: Okay. Thank you very much.

9 THE COURT: Thank you. Thank you.

10 (Prospective Juror Number 32 exits courtroom)

11 (Prospective Juror Number 33 enters courtroom)

12 THE COURT: Good afternoon.

13 PROSPECTIVE JUROR: Good afternoon.

14 THE COURT: You are Juror Number 33?

15 PROSPECTIVE JUROR: Correct.

16 THE COURT: All right. And so you've got that
17 questionnaire in front of you. I'll just have you answer
18 the questions there beginning with Number 1, which is, What
19 is your age?

20 PROSPECTIVE JUROR: 27.

21 THE COURT: And Question 2.

22 PROSPECTIVE JUROR: No.

23 THE COURT: And Question 3.

24 PROSPECTIVE JUROR: Nope.

25 THE COURT: Not at all?

1 PROSPECTIVE JUROR: Nope.

2 THE COURT: Question 4.

3 PROSPECTIVE JUROR: Nope.

4 THE COURT: Question 5.

5 PROSPECTIVE JUROR: Yes.

6 THE COURT: And Question 5(b).

7 PROSPECTIVE JUROR: No.

8 THE COURT: And Question 5(c).

9 PROSPECTIVE JUROR: No.

10 THE COURT: And I note that you are a pilot. Are
11 you able to be here during trial?

12 PROSPECTIVE JUROR: Yes.

13 THE COURT: Okay. Question 6.

14 PROSPECTIVE JUROR: I grew up in Eagan, Minnesota,
15 and I live in West St. Paul.

16 THE COURT: And how about your educational
17 background?

18 PROSPECTIVE JUROR: I have a bachelor's degree
19 from the University of North Dakota, and I'm an airline
20 pilot with Delta Airlines. Prior to that, airline pilot
21 with SkyWest Airlines, and then a flight instructor at the
22 University of North Dakota prior to that.

23 My spouse -- well, my fiance is a chemical
24 engineer in a small company here in Minneapolis.

25 THE COURT: And what company is that?

1 PROSPECTIVE JUROR: Bepex.

2 THE COURT: How long has she done that?

3 PROSPECTIVE JUROR: At least a couple years. I
4 can't remember exactly.

5 THE COURT: And children?

6 PROSPECTIVE JUROR: No children.

7 THE COURT: How about Number 9.

8 PROSPECTIVE JUROR: Well, my job is also my hobby.
9 I like airplanes a lot. I go to a lot of air shows, things
10 like that. I enjoy studying the weather and sports as well,
11 go to a lot of sporting events.

12 THE COURT: And how about organizations or
13 churches that you belong to?

14 PROSPECTIVE JUROR: I'm not really a part of any
15 organizations currently.

16 THE COURT: Okay. And Question 10.

17 PROSPECTIVE JUROR: Nope.

18 THE COURT: And Question 11.

19 PROSPECTIVE JUROR: I listen to a lot of sports
20 podcasts, watch a lot of sports-related shows, TV. I do
21 watch an attorney on YouTube that I follow pretty regularly
22 when he puts out videos.

23 THE COURT: Who is that?

24 PROSPECTIVE JUROR: His name is Attorney Tom.

25 He's an -- I think he's a civil lawyer, but he covers all

1 kinds of different cases.

2 THE COURT: Does he cover civil cases or criminal
3 cases?

4 PROSPECTIVE JUROR: Both. Yeah.

5 THE COURT: You are going to forgive my ignorance
6 here. So I've never heard of Attorney Tom.

7 PROSPECTIVE JUROR: Okay. That's fine.

8 THE COURT: All right. Both civil and criminal.

9 PROSPECTIVE JUROR: Yeah, he just -- he gives his
10 opinions sometimes on some criminal trials.

11 THE COURT: Okay. And has he ever, to your
12 knowledge, opined on this case?

13 PROSPECTIVE JUROR: No.

14 THE COURT: Okay. And so can you give me an
15 example of some of the criminal trials that he's commented
16 on.

17 PROSPECTIVE JUROR: The one I remember recently,
18 it was like a murder trial for a famous rapper, and his
19 friends, I guess, were accused of committing a murder of
20 some sort. And he was kind of covering the just specific
21 parts of the case, not the whole case in general, but
22 certain things he found interesting about it.

23 THE COURT: Okay. And so as a part of that, is he
24 also talking about courtroom procedure, evidence, things
25 like that?

1 PROSPECTIVE JUROR: Yeah, it's usually something
2 specific about an aspect of that that he found interesting.

3 THE COURT: And would you describe him as
4 pro-anything, pro-law enforcement, pro-victim, pro- --

5 PROSPECTIVE JUROR: I think he is a wrongful
6 injury attorney, and so he's generally pro -- I'm not sure
7 what the -- for his clients, he's pro in favor of his
8 clients.

9 THE COURT: Okay.

10 PROSPECTIVE JUROR: So against usually larger
11 corporations and things like that.

12 THE COURT: All right. And how about other
13 podcasts or anything like that that are of that same ilk.

14 PROSPECTIVE JUROR: That's kind of the only one.
15 For a while there I watched -- he has -- he has another
16 channel that he kind of runs that -- a bunch of other
17 lawyers, and it's mostly watching, like, police videos and
18 responding to how people should interact with police and
19 things like that.

20 THE COURT: And as a part of listening to those
21 and watching those, you're learning somebody's opinion on
22 evidence, the law, procedure, et cetera, right?

23 PROSPECTIVE JUROR: Right.

24 THE COURT: All right. And so what I would ask
25 you to do, if you were a juror on this case, and order you,

1 really, to is to put aside what you learned from those types
2 of shows and follow the law as I give it to you and judge
3 this case only on the evidence that you see and hear in this
4 courtroom. Can you do that?

5 PROSPECTIVE JUROR: Mm-hmm. Yes, I think so.

6 THE COURT: Do you have any doubts about that?

7 PROSPECTIVE JUROR: No.

8 THE COURT: And how about news sites?

9 PROSPECTIVE JUROR: I try not to read the news
10 very much.

11 THE COURT: And let me just go back to the YouTube
12 site for a minute.

13 Do you recall any financial fraud cases or
14 financial crime cases that that attorney or that site
15 covered?

16 PROSPECTIVE JUROR: Not that I can recall.

17 THE COURT: All right. Question 12.

18 PROSPECTIVE JUROR: No.

19 THE COURT: Question 13.

20 PROSPECTIVE JUROR: No.

21 THE COURT: Question 14.

22 PROSPECTIVE JUROR: Nope.

23 THE COURT: Question 15.

24 PROSPECTIVE JUROR: Nope.

25 THE COURT: Question 16.

1 PROSPECTIVE JUROR: No.

2 THE COURT: Do you have -- in your work as a
3 pilot, do you have interactions with law enforcement or
4 first responders?

5 PROSPECTIVE JUROR: Not really, no.

6 THE COURT: Do you have first responder training
7 as a pilot?

8 PROSPECTIVE JUROR: No.

9 THE COURT: Okay.

10 PROSPECTIVE JUROR: No, we just take like some
11 safety courses and things like that, but nothing related to
12 law enforcement.

13 THE COURT: Okay. And 16 was no?

14 PROSPECTIVE JUROR: No.

15 THE COURT: Okay. And how about 17.

16 PROSPECTIVE JUROR: No.

17 THE COURT: And 18.

18 PROSPECTIVE JUROR: No.

19 THE COURT: All right. And some of the sites that
20 you were describing covered -- Attorney Tom covers cases,
21 but also covering police encounters?

22 PROSPECTIVE JUROR: Mm-hmm.

23 THE COURT: Right? So are those usually stops
24 alongside of the road, arrests, SWAT team? What kind of --

25 PROSPECTIVE JUROR: Yeah, generally, it's like

1 traffic stop kind of -- kind of stuff.

2 THE COURT: And have you, based on watching those
3 videos, come away with any pro- or anti-law enforcement
4 views generally?

5 PROSPECTIVE JUROR: No, I wouldn't say so. I've
6 maybe learned some things that I wouldn't have otherwise
7 known about how a traffic stop works, but I don't think I
8 have any predisposed ideas about -- that that's changed my
9 mind in any way.

10 THE COURT: And if a law enforcement takes the
11 stand, can you treat that witness like anybody else, blank
12 slate in terms of credibility?

13 PROSPECTIVE JUROR: Yeah.

14 THE COURT: So would you give them any sort of
15 advantage just because they are a law enforcement officer?

16 PROSPECTIVE JUROR: No, I don't think so.

17 THE COURT: And so my order to you is going to be
18 that you don't do that. Can you follow that?

19 PROSPECTIVE JUROR: Yeah.

20 THE COURT: Do you have any doubt about that?

21 PROSPECTIVE JUROR: No.

22 THE COURT: Okay. Question 19.

23 PROSPECTIVE JUROR: Nope.

24 THE COURT: And Question 20.

25 PROSPECTIVE JUROR: No.

1 THE COURT: 21.

2 PROSPECTIVE JUROR: No.

3 THE COURT: As a pilot, you're licensed how?

4 PROSPECTIVE JUROR: Well, we're licensed through
5 the FAA, but all of my licenses have been through either a
6 university or my company. So the FAA hasn't actually -- the
7 government agency, the FAA has not actually been involved
8 other than sending me my certificates, like my ID or
9 anything else.

10 THE COURT: So there's somebody at Delta or a
11 department that --

12 PROSPECTIVE JUROR: Exactly. Yeah. Their job is
13 to give out the checkrides and things like that.

14 THE COURT: Have you ever had any issues with your
15 license?

16 PROSPECTIVE JUROR: No.

17 THE COURT: And Question 22.

18 PROSPECTIVE JUROR: No.

19 THE COURT: Question 23.

20 PROSPECTIVE JUROR: No.

21 THE COURT: 24.

22 PROSPECTIVE JUROR: Not really, no. I've played
23 some pick-up sports with people from that area, as there's a
24 fairly large population in Eagan, but other than that, no,
25 like, close personal relationships or anything like that.

1 THE COURT: And based on the contacts you have
2 had, any feelings one way or another toward that community
3 or the people in it?

4 PROSPECTIVE JUROR: I've generally had positive
5 experiences with them.

6 THE COURT: Okay. And 25 tries to get at your
7 unconscious biases. What is the answer to 25(a)?

8 PROSPECTIVE JUROR: Yes.

9 THE COURT: 25(b).

10 PROSPECTIVE JUROR: Yes.

11 THE COURT: Question 26(a), Are you willing to
12 apply the law as the court explains it to you?

13 PROSPECTIVE JUROR: Yes.

14 THE COURT: And can you think of anything else you
15 need to call to the court's attention?

16 PROSPECTIVE JUROR: The only thing I might say is
17 because of my job, and I have some recency requirements, I
18 don't think that should apply in this case, but if it goes
19 more than eight weeks, I have to requalify on my aircraft,
20 which would potentially cause like a month of training,
21 which I will have to be away from home. It would not be an
22 ideal situation, obviously, but it can be something that may
23 arise.

24 THE COURT: It goes more than eight weeks from
25 what date?

1 PROSPECTIVE JUROR: I guess today -- or yesterday,
2 because that's when I started my jury duty.

3 THE COURT: Okay.

4 PROSPECTIVE JUROR: Or the last time I flew a
5 plane, which was Sunday.

6 THE COURT: Do you have any ability to -- if you
7 are here serving, to fly on the weekends?

8 PROSPECTIVE JUROR: I have the ability to pick up
9 trips, but I'm not sure if -- that doesn't always -- there's
10 not always trips available to pick up.

11 THE COURT: And you don't know whether they would
12 count?

13 PROSPECTIVE JUROR: They would count, yeah.

14 THE COURT: Okay.

15 PROSPECTIVE JUROR: I have to have a certain
16 amount of landings and takeoffs in a certain amount of time,
17 which is generally around 2 months, 3 months. And then --
18 so if I can get those landings over weekends, but there's
19 not always a trip that will be available, and I'm not sure
20 how the company would -- if they would work with me to get
21 those -- those time.

22 THE COURT: All right. And where do you usually
23 fly?

24 PROSPECTIVE JUROR: All over.

25 Last week I was in Oakland and Salt Lake City, and

1 the week before that I was in New York and Florida, so.

2 THE COURT: All right. Thank you.

3 Just one moment.

4 **(Sidebar discussion)**

5 THE COURT: Any further questions?

6 MR. GOETZ: Your Honor.

7 THE COURT: Any motions for cause?

8 MR. GOETZ: Your Honor, Fred Goetz for

9 Mr. Shariff.

10 Just one follow-up question. Why does he tend to
11 not read the news?

12 THE COURT: Sure.

13 **(In open court)**

14 THE COURT: You said you don't read the news much?

15 PROSPECTIVE JUROR: Not really, only what I see
16 occasionally on, like, scrolling Twitter or something like
17 that, but I tend to just try not to read the news. I don't
18 really enjoy it.

19 THE COURT: And why not?

20 PROSPECTIVE JUROR: I don't know. It's just kind
21 of divisive and not really something I, like, you know,
22 enjoy thinking about, yeah.

23 THE COURT: All right. Thank you.

24 I am going to retain you and have you go to the
25 courtroom next door, and please be patient as you wait out

1 our process.

2 These folks in the courtroom can't talk to you, so
3 they're not being rude, they just can't talk to you.

4 PROSPECTIVE JUROR: All right.

5 THE COURT: All right. Thank you very much.

6 **(Prospective Juror Number 33 exits courtroom)**

7 THE COURT: We're off the record.

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

9 THE COURT: We're going to take a lunch break at
10 this time. Let's come back at 12:35. That should give
11 everybody enough time to do everything they need to do.

12 MR. THOMPSON: 1:35, Your Honor?

13 THE COURT: I'm sorry? 1:35, yep. That would be
14 better. Thank you.

15 THE CLERK: All rise.

16 (Recess taken at 12:42 p.m. till 1:36 p.m.)

17

18 **IN OPEN COURT**

19 **(JURY PANEL NOT PRESENT)**

20 THE COURT: You may be seated.

21 **(Prospective Juror Number 34 enters courtroom)**

22 THE COURT: Good afternoon. You may come forward
23 all the way up to the witness chair by me, please.

24 You are Juror Number 34.

25 PROSPECTIVE JUROR: Correct.

1 THE COURT: All right.

2 So I am going to ask you the questions on the
3 juror questionnaire in front of you. I will actually just
4 have you go down and answer those beginning with Number 1,
5 which is, What is your age?

6 PROSPECTIVE JUROR: Okay. 48.

7 THE COURT: And Question Number 2.

8 PROSPECTIVE JUROR: No.

9 THE COURT: Question Number 3.

10 PROSPECTIVE JUROR: Yes.

11 THE COURT: And how have you heard of the case?

12 PROSPECTIVE JUROR: Two different ways. One was a
13 news report when it broke. And then also my husband is on
14 the board of another nonprofit that works to feed children.
15 And so it was also discussed from the CEO to my husband and
16 with the board, and then we had a discussion after that.

17 THE COURT: What is the nonprofit that your
18 husband works on?

19 PROSPECTIVE JUROR: Every Meal.

20 THE COURT: And what is that?

21 PROSPECTIVE JUROR: They fight child hunger, so
22 they basically, like, try to meet the food gap over the
23 weekend by placing meals in kids' backpacks in schools on a
24 Friday.

25 THE COURT: How long has he been involved with

1 that organization?

2 PROSPECTIVE JUROR: He's been involved -- it's
3 probably been -- well, it's at least five years. I would
4 say closer to 7 or 8. I also have volunteered quite a bit
5 with the organization myself, and we're also financial
6 donors.

7 THE COURT: Can you talk about what the discussion
8 was with your husband surrounding this case given --

9 PROSPECTIVE JUROR: Yeah.

10 THE COURT: -- your involvement with Every Meal.

11 PROSPECTIVE JUROR: Yeah, we actually did talk a
12 little bit about the negative impact that that would have on
13 the Every Meal organization, just because of the publicity
14 of the case.

15 THE COURT: And have you seen that play out?

16 PROSPECTIVE JUROR: There was a decrease in
17 donations and a decrease in trust.

18 THE COURT: And has that led you to have
19 particular views about this case?

20 PROSPECTIVE JUROR: Not necessarily, no. I was
21 disappointed in the impact of that for that organization.

22 THE COURT: And does Every Meal have to -- does it
23 report to government organizations about the work that it
24 does, give tallies, any of that?

25 PROSPECTIVE JUROR: I am not certain.

1 THE COURT: And can you talk more about your view
2 of this case and whether you think that what was reported in
3 the news actually happened, and what your view of these
4 defendants are.

5 PROSPECTIVE JUROR: My view personally -- it's
6 honestly a bit difficult to remember the specifics of the
7 case other than I just -- I personally felt disappointed
8 that an organization that was being charged with feeding
9 children maybe wasn't doing so.

10 THE COURT: Have you formed an opinion about the
11 guilt or innocence of these defendants?

12 PROSPECTIVE JUROR: No.

13 THE COURT: And when you said you heard of the new
14 report, when it broke --

15 PROSPECTIVE JUROR: Mm-hmm.

16 THE COURT: -- when was that?

17 PROSPECTIVE JUROR: I believe it was over COVID.

18 THE COURT: And do you recall what the news was?

19 PROSPECTIVE JUROR: It was -- I think it was MPR.
20 I mean, I typically listen to MPR, so it was probably a
21 radio broadcast of MPR.

22 THE COURT: And do you recall what the reporting
23 was?

24 PROSPECTIVE JUROR: No.

25 THE COURT: Do you recall whether there was a

1 court case going on at the time?

2 PROSPECTIVE JUROR: No, I believe just that
3 charges had been brought.

4 THE COURT: So it was charges. Did you hear
5 anything about search warrants?

6 PROSPECTIVE JUROR: No.

7 THE COURT: And I think one of the questions that
8 we want to get at given your -- given your work with an
9 organization that also tries to feed children, is can you be
10 fair. And I can ask that a lot of different ways.

11 PROSPECTIVE JUROR: Right.

12 THE COURT: But that's what I want to get at, and
13 I want to hear you talk about whether you think you can.

14 PROSPECTIVE JUROR: I do believe I can be fair. I
15 mean, listening to the case, you decide depending on what
16 the evidence is, and so I will do that and listen.

17 THE COURT: The defendants in this case are -- are
18 entitled to a presumption of innocence, they sit here with a
19 presumption of innocence.

20 PROSPECTIVE JUROR: Correct.

21 THE COURT: The burden is always on the government
22 to prove the case against each defendant beyond a reasonable
23 doubt before a guilty verdict can be returned.

24 PROSPECTIVE JUROR: Mm-hmm.

25 THE COURT: Can you apply that presumption of

1 innocence?

2 PROSPECTIVE JUROR: I can.

3 THE COURT: Do you have any doubt about your
4 ability to do that given your husband's work with every
5 meal?

6 PROSPECTIVE JUROR: No.

7 THE COURT: Do you think the fact that the
8 publicity over this case -- or that you've seen a decrease
9 in donations for whatever reason, do you think that will
10 weigh on you in your work as a juror?

11 PROSPECTIVE JUROR: No.

12 THE COURT: Why not?

13 PROSPECTIVE JUROR: Well, this case is -- I mean,
14 it's not Every Meal that's on, right? Like, this is a
15 different thing. And so listening to this case, I can
16 separate that out from the impact that it has had on Every
17 Meal.

18 THE COURT: Do you have a view about whether
19 fraud, in fact, occurred in this case?

20 PROSPECTIVE JUROR: No.

21 THE COURT: And if you are selected as a juror in
22 this case, will you be able to set aside what you may have
23 learned through other sources and decide this case based
24 only on the evidence presented at trial?

25 PROSPECTIVE JUROR: Yes.

1 THE COURT: You said that your husband had a
2 discussion with -- was it the executive director?

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: Okay.

5 PROSPECTIVE JUROR: Mm-hmm.

6 THE COURT: What do you recall about his report of
7 that discussion?

8 PROSPECTIVE JUROR: I think just that they kind of
9 had discussed what -- I mean, not being in the room myself,
10 what the news report had been, what had broken. And then
11 that there were implications because every meal was also
12 Minnesota-based and also worked to feed children, that there
13 would be some difficulty in just public's perception of
14 Every Meal.

15 THE COURT: And you said that donations have
16 decreased?

17 PROSPECTIVE JUROR: Yes, they had.

18 THE COURT: And when was that?

19 PROSPECTIVE JUROR: That was kind of during that
20 season or shortly thereafter.

21 THE COURT: And did you have any idea whether the
22 donation decreases had to do with this case or it was --

23 PROSPECTIVE JUROR: Right. I don't have an idea.

24 THE COURT: You don't know that it was causal?

25 PROSPECTIVE JUROR: No.

1 THE COURT: Have donations since increased?

2 PROSPECTIVE JUROR: They are currently struggling.

3 I mean, for a while, yes. Now they are struggling again.

4 THE COURT: And any reason as to why?

5 PROSPECTIVE JUROR: I think it's just the downturn
6 of the economy.

7 THE COURT: And did Every Meal's services change
8 during COVID?

9 PROSPECTIVE JUROR: The way that they distributed
10 food changed, yes.

11 THE COURT: And can you talk a little bit about
12 that.

13 PROSPECTIVE JUROR: Yeah, so instead of
14 individuals going -- so individuals, volunteers, like
15 myself, would go into schools, take the meals that Every
16 Meal had donated, place them in individual backpacks of
17 students who needed them.

18 During COVID, that then changed to either drive-up
19 distribution, so parents would come up and there would be,
20 you know, staff either from that school or from Every Meal
21 that would help put meals in cars.

22 Also, I believe that the YMCA was a site or there
23 were a number of YMCAs that were sites that offered to
24 basically, you know, be that central spot where individuals
25 needing food could come, and they would take the Every Meal

1 meals and bring them home from those locations.

2 THE COURT: During COVID or otherwise, was Every
3 Meal reimbursed by any government program?

4 PROSPECTIVE JUROR: I am not aware of that.

5 THE COURT: You just don't know.

6 PROSPECTIVE JUROR: I don't know.

7 THE COURT: And how did Every Meal or does Every
8 Meal know that a child is in need? How does the Every Meal
9 chose those backpacks?

10 PROSPECTIVE JUROR: Yeah, so schools basically are
11 on a waiting list saying we have this much need within our
12 building. And then depending on if they can -- basically,
13 you need enough individuals who want to volunteer and who
14 will help support financially to feed those children, then
15 they are basically, like, you know, taken off the list and
16 people distribute meals, and, you know, kids are given their
17 food.

18 However, each school then will individually send
19 out some sort of advertisement or flier at school that
20 inform parents of the service, and then those parents can
21 opt to sign up for it if they would like to or not.

22 THE COURT: And do you know whether when the
23 parents sign up, whether they're completing any form to
24 establish need or otherwise?

25 PROSPECTIVE JUROR: I am not aware of that.

1 THE COURT: Are you -- does the organization Every
2 Meal, to your knowledge, do any checks to determine who the
3 children are, what their need might be, whether a name on a
4 backpack matches the name you've been given, any of those
5 things?

6 PROSPECTIVE JUROR: Not that I know of with Every
7 Meal, but I also know that there is a close relationship
8 with school social workers, and so that they are the ones
9 who kind of are that, you know, intermediary sort of way of
10 actually establishing whether the child has a need or not.

11 THE COURT: And does the work -- does Every Meal
12 have any interaction with or reporting mechanism to any
13 governmental organization?

14 PROSPECTIVE JUROR: I know that they've recently
15 received funding from the government within the past year or
16 so. I don't know the details that around that. I believe
17 there is reporting, but to who that goes, I am unaware.

18 THE COURT: Do you know any of the details of the
19 reporting?

20 PROSPECTIVE JUROR: I don't.

21 THE COURT: Do you know the agency from which the
22 money was received?

23 PROSPECTIVE JUROR: I also don't know that.

24 THE COURT: What are the forms of money that comes
25 to Every Meal besides private donations?

1 PROSPECTIVE JUROR: I think there's grants as
2 well.

3 THE COURT: Are you involved in that at all?

4 PROSPECTIVE JUROR: I do just the personal
5 financial donation, but I don't have anything to do with the
6 grants or anything like that, no.

7 THE COURT: When you say you do the personal --

8 PROSPECTIVE JUROR: Just not do personal. I have
9 donated personally.

10 THE COURT: You donate?

11 PROSPECTIVE JUROR: Yeah.

12 THE COURT: And your husband is on the board or
13 chair of the board?

14 PROSPECTIVE JUROR: Yes. He was chair of the
15 board. He is now -- is no longer chair, but he is still on
16 the board.

17 THE COURT: And that's a volunteer position,
18 correct?

19 PROSPECTIVE JUROR: Yes.

20 THE COURT: Okay. And Question 3(c), could you
21 answer that.

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: Question 4.

24 PROSPECTIVE JUROR: Well, I had heard of Feeding
25 Our Future I believe from the news report.

1 THE COURT: How about any of the other
2 organizations?

3 PROSPECTIVE JUROR: None of the others, no.

4 THE COURT: And was it just that one news report?

5 PROSPECTIVE JUROR: Yes, and that discussion with
6 my husband.

7 THE COURT: And you didn't continue to follow the
8 reporting?

9 PROSPECTIVE JUROR: No.

10 THE COURT: Question 5(a).

11 PROSPECTIVE JUROR: I -- no, I do not have
12 difficulty.

13 THE COURT: And Question 5(b).

14 PROSPECTIVE JUROR: No.

15 THE COURT: Question 5(c).

16 PROSPECTIVE JUROR: I do have a chronic illness
17 that has seasons of flaring. Currently I am fine, but it's
18 fairly unpredictable.

19 THE COURT: Okay. And what's your thought on
20 whether you can sit as a juror for six weeks?

21 PROSPECTIVE JUROR: I can do that. I am well.

22 THE COURT: Okay. All right. And Question 6.

23 PROSPECTIVE JUROR: I grew up in Appleton,
24 Wisconsin. Currently live in Apple Valley, Minnesota.

25 THE COURT: Question 7.

1 PROSPECTIVE JUROR: My educational background, I
2 have a master's degree in curriculum and instruction and am
3 currently a student in obtaining a second master's degree
4 from Pillar Seminary in contextual leadership.

5 THE COURT: What is the religion of the seminary?

6 PROSPECTIVE JUROR: It's Christian.

7 THE COURT: And any denomination?

8 PROSPECTIVE JUROR: Denominational.

9 THE COURT: And what does contextual leadership
10 mean?

11 PROSPECTIVE JUROR: It's basically a master's of
12 divinity without the Greek and Hebrew.

13 THE COURT: And what's the goal for after you
14 complete the master's?

15 PROSPECTIVE JUROR: I would like to possibly be an
16 associate pastor.

17 THE COURT: And what did you do before -- are you
18 a full-time student now?

19 PROSPECTIVE JUROR: I am currently, yes.

20 THE COURT: And what did you do before that?

21 PROSPECTIVE JUROR: I was an elementary
22 schoolteacher.

23 THE COURT: And where and when?

24 PROSPECTIVE JUROR: I was at Pinewood Elementary,
25 and I taught last in -- gosh, I should probably know this --

1 2000 -- sorry, let me just do a little math -- 2017 or '18.

2 THE COURT: And what did you teach?

3 PROSPECTIVE JUROR: The last position that I held
4 was a reading specialist.

5 THE COURT: And how long did you teach?

6 PROSPECTIVE JUROR: I taught initially, when I was
7 first hired, for five years. Then I took a break, then I
8 went back for one year.

9 THE COURT: And during that five-year stint, was
10 that a reading specialist or classroom?

11 PROSPECTIVE JUROR: No, that was a classroom,
12 second grade.

13 THE COURT: What does your spouse do?

14 PROSPECTIVE JUROR: He works for Target
15 Corporation.

16 THE COURT: What does he do?

17 PROSPECTIVE JUROR: He is a vice president.

18 THE COURT: Over what division?

19 PROSPECTIVE JUROR: He is over the health
20 division.

21 THE COURT: And how long has he been with Target?

22 PROSPECTIVE JUROR: 20 -- almost 25 years.

23 THE COURT: And Question 8.

24 PROSPECTIVE JUROR: Yes, I have two children. I
25 have a 20-year-old daughter at St. Olaf College, and a

1 17-year-old son who is a junior in high school.

2 THE COURT: And Question 9.

3 PROSPECTIVE JUROR: I enjoy spending time with
4 friends and family. I love helping others and being
5 outside. And then I am a very active member at my church,
6 which is Chapel Hill Church in Eagan, Minnesota, where I
7 serve as a nonpaid ministry leader.

8 THE COURT: And the religion or denomination
9 there?

10 PROSPECTIVE JUROR: That is baptist general
11 conference.

12 THE COURT: And Question 10.

13 PROSPECTIVE JUROR: No.

14 THE COURT: Question 11.

15 PROSPECTIVE JUROR: I listen or read MPR online,
16 and then also read a weekly periodical called The Week.

17 THE COURT: General news is The Week?

18 PROSPECTIVE JUROR: Yeah. Mm-hmm.

19 THE COURT: And how about internet sites you go
20 to?

21 PROSPECTIVE JUROR: Just for news sources?

22 THE COURT: Or just generally.

23 PROSPECTIVE JUROR: Oh, like MPR typically.

24 THE COURT: Okay.

25 PROSPECTIVE JUROR: I'm not on social media.

1 THE COURT: Not on social media. How about
2 podcasts?

3 PROSPECTIVE JUROR: Podcasts I listen to quite
4 regularly.

5 THE COURT: What kinds?

6 PROSPECTIVE JUROR: Actually, a lot of them have
7 to -- like, Christian podcasts about stuff I'm studying, so.

8 THE COURT: How about YouTube or any of that?

9 PROSPECTIVE JUROR: No, other than working out.

10 THE COURT: Question 12.

11 PROSPECTIVE JUROR: No.

12 THE COURT: And Question 13.

13 PROSPECTIVE JUROR: No.

14 THE COURT: Question 14.

15 PROSPECTIVE JUROR: No.

16 THE COURT: 15.

17 PROSPECTIVE JUROR: No.

18 THE COURT: And 16, contacts with the criminal
19 justice system.

20 PROSPECTIVE JUROR: No.

21 THE COURT: 17.

22 PROSPECTIVE JUROR: No.

23 THE COURT: 18.

24 PROSPECTIVE JUROR: No, I just have not had a
25 great deal of contact with law enforcement.

1 THE COURT: Can you treat witnesses who are from
2 law enforcement as you would treat any other witness?

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: Question 19.

5 PROSPECTIVE JUROR: No.

6 THE COURT: And Question 20, other than what we've
7 just -- we've already discussed about Every Meal?

8 PROSPECTIVE JUROR: No.

9 THE COURT: Question 21.

10 PROSPECTIVE JUROR: Yes.

11 THE COURT: And what was that?

12 PROSPECTIVE JUROR: So, you know, social services
13 programs, I've volunteered in quite a few of them, as long
14 as nonprofits are included in social services programs.

15 THE COURT: And what nonprofits have you
16 volunteered?

17 PROSPECTIVE JUROR: So Every Meal foundation, Feed
18 My Starving Children, Arrive Ministries, Minnesota Adult and
19 Teen Challenge, and then also some international charity
20 organizations as well, like Compassion International and an
21 organization called Brittany's Hope.

22 THE COURT: Brittany's Hope is? Remind me.

23 PROSPECTIVE JUROR: Brittany's Hope is an
24 organization based in Pennsylvania, and it works with
25 orphanages and orphans in Vietnam, and also in -- I believe

1 they have another site in Ethiopia.

2 THE COURT: Have you ever gone on a mission trip?

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: Where?

5 PROSPECTIVE JUROR: Well, not necessarily a
6 mission trip, but just our last trip we went to Vietnam this
7 past -- well, we go every five years. I have a son who is
8 adopted from Vietnam. And so with Brittany's Hope, which is
9 the organization we go with, we have gone a number of times
10 to Vietnam to go back and not only visit the care center,
11 but also do some kind of humanitarian work while we're
12 there. So this past time we built houses and distributed
13 food and bikes to individuals in need.

14 THE COURT: And how about any other governmental
15 programs?

16 PROSPECTIVE JUROR: Governmental programs, no.

17 THE COURT: Question 22.

18 PROSPECTIVE JUROR: The only exposure I've had
19 with the Minnesota Department of Education has been just
20 through my getting licensed as a teacher.

21 THE COURT: When you were teaching in an
22 elementary school, did you have anything to do with the
23 school lunches or the lunch program?

24 PROSPECTIVE JUROR: No.

25 THE COURT: Question 23.

1 PROSPECTIVE JUROR: No.

2 THE COURT: Question 24, your contact with people
3 whose backgrounds --

4 PROSPECTIVE JUROR: Yeah.

5 THE COURT: -- are in East Africa.

6 PROSPECTIVE JUROR: Yes. A number of years ago, I
7 won't be able to tell you what year, our church worked with
8 Arrive Ministries, which helps to resettle refugees in the
9 Twin Cities area. And we worked personally, myself and a
10 number of others, there were probably about ten of us,
11 helped to resettle a Somali family in St. Paul.

12 And then also just as an elementary schoolteacher,
13 I have had students from Somalia as well.

14 THE COURT: And based on those experiences, any
15 general feelings, negative or positive, toward the Somali
16 community or individuals within it?

17 PROSPECTIVE JUROR: Neutral. Yeah, no.

18 THE COURT: And Question 25 tries to get at your
19 unconscious biases. As an educator, have you had
20 unconscious bias training?

21 PROSPECTIVE JUROR: Yes. It's been a while. I
22 haven't, you know, been in the classroom for quite a bit.

23 THE COURT: And can you read Question 25(a) and
24 answer it.

25 PROSPECTIVE JUROR: Yes.

1 THE COURT: And Question 25(b).

2 PROSPECTIVE JUROR: Yes.

3 THE COURT: And 26(a), Are you willing to apply
4 the law as the court explains it to you?

5 PROSPECTIVE JUROR: Yes.

6 THE COURT: And can you think of any other matter
7 you should call to the court's attention?

8 PROSPECTIVE JUROR: No.

9 THE COURT: All right. Let me see if the
10 attorneys have any questions for you.

11 PROSPECTIVE JUROR: Sounds good.

12 **(Sidebar discussion)**

13 THE COURT: Questions or follow-up, Counsel?

14 MR. GOETZ: Your Honor, Frederick Goetz for
15 Mr. Shariff.

16 I have one question to follow up. She has
17 acknowledged impressions about how a meal program, Every
18 Meal, is run. In assessing how other food programs should
19 be run, will she be able to set that knowledge aside and
20 just render her verdict based upon the evidence presented in
21 court?

22 THE COURT: Okay. Anyone else?

23 MR. SAPONE: Yes, Your Honor. Edward Sapone for
24 Abdi Nur.

25 If Your Honor asked this, I apologize, but my

1 question is, When food was distributed by the nonprofit in
2 which your husband is involved, was any information taken
3 from the folks to whom the food was distributed? And any
4 thoughts on whether you think a conviction or acquittal in
5 this case might impact the nonprofit in which your husband
6 is involved?

7 THE COURT: Okay. What is -- when you say
8 information taken from the people to whom the food was
9 distributed, names?

10 MR. SAPONE: Names, things like that, yes, or was
11 it just delivered.

12 THE COURT: And she has said that there were
13 sign-ups for it. You want more than that?

14 MR. SAPONE: Names is I think enough to ask.

15 THE COURT: Okay. All right.

16 And any motions for cause at this time based on
17 what you know? I'll ask for hands after I'm done.

18 **(In open court)**

19 THE COURT: All right. You are aware of how one
20 food program is run, Every Meal.

21 PROSPECTIVE JUROR: Yes.

22 THE COURT: Or at least have some information
23 there.

24 PROSPECTIVE JUROR: Sort of, mm-hmm.

25 THE COURT: And you will hear, if you are a juror

1 in this case, about other food programs --

2 PROSPECTIVE JUROR: Okay.

3 THE COURT: -- and how they are run. They are
4 different.

5 PROSPECTIVE JUROR: Mm-hmm.

6 THE COURT: Will you be able to judge what
7 occurred in this case based solely on the evidence in this
8 courtroom, which is what I'll instruct you to do?

9 PROSPECTIVE JUROR: Yes.

10 THE COURT: And in your work with Every Meal, I
11 think you said that the way in which Every Meal could tell
12 who received the food was through a sign-up sheet, and that
13 that went through the -- that the social worker was
14 responsible?

15 PROSPECTIVE JUROR: Mm-hmm.

16 THE COURT: Is that right?

17 PROSPECTIVE JUROR: I believe, yes. Mm-hmm.

18 THE COURT: Okay. Do you know whether the folks
19 who signed up for the meals had to give any information
20 besides their names?

21 PROSPECTIVE JUROR: They did give like food
22 preference choices.

23 THE COURT: Okay.

24 PROSPECTIVE JUROR: So there were different bags
25 that were -- they were basically like geared towards, you

1 know, different cultural preferences. And so they did also
2 kind of select which types of bags that they would want to
3 receive.

4 THE COURT: How about any information with respect
5 to their income, family circumstance?

6 PROSPECTIVE JUROR: No, I don't believe so.

7 THE COURT: Okay. And going back to the concern
8 that you and your husband discussed about the impact of this
9 case potentially on other nonprofits, do you have a concern
10 about what a conviction in this case might mean in terms of
11 impact on other nonprofits and would it affect your jury
12 service?

13 PROSPECTIVE JUROR: I do have a concern.

14 THE COURT: And understanding that, so then the
15 second part is would it affect your ability to be fair and
16 impartial and to judge this case solely on the evidence in
17 front of you?

18 PROSPECTIVE JUROR: I would like to say yes. I
19 know that's not the right answer.

20 THE COURT: There's no right answer. The right
21 answer is the truth.

22 PROSPECTIVE JUROR: It would require work.

23 THE COURT: For you to do that.

24 PROSPECTIVE JUROR: Yes.

25 THE COURT: All right. Just one moment.

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(Sidebar discussion)

THE COURT: Counsel.

MR. SAPONE: Motion for cause.

THE COURT: Any objection?

MR. THOMPSON: No, Your Honor.

(Interruption by the court reporter)

THE COURT: That was Mr. Sapone.

MR. SAPONE: Sorry.

THE COURT: Granted. Thank you.

(In open court)

THE COURT: I am going to excuse you.

PROSPECTIVE JUROR: Okay. Yep. Thanks.

THE COURT: Thank you so much for your candor here today.

PROSPECTIVE JUROR: Mm-hmm, yep. Thank you.

THE COURT: So you will hand your papers to whoever is out there. Okay?

PROSPECTIVE JUROR: Okay.

THE COURT: Thank you.

(Prospective Juror Number 34 exits courtroom)

(Prospective Juror Number 35 enters courtroom)

THE COURT: Good afternoon. You are going to come straight through there, and then up to the witness chair that's besides me.

PROSPECTIVE JUROR: Hi.

1 THE COURT: Yeah, you can just take that chair.

2 All right. You are Number 35, correct?

3 PROSPECTIVE JUROR: Yep.

4 THE COURT: All right. And so you've got that
5 questionnaire in front of you. I'm just going to have you
6 answer the questions on that questionnaire starting with
7 Number 1, which is, What is your age?

8 PROSPECTIVE JUROR: Just turned 29.

9 THE COURT: And then answer to Question 2.

10 PROSPECTIVE JUROR: No.

11 THE COURT: And how about Question 3.

12 PROSPECTIVE JUROR: No, I have not.

13 THE COURT: Not at all.

14 PROSPECTIVE JUROR: Nope.

15 THE COURT: And Question 4.

16 PROSPECTIVE JUROR: No.

17 THE COURT: And Question 5.

18 PROSPECTIVE JUROR: No to 5(a).

19 THE COURT: All right. And how about 5(b).

20 PROSPECTIVE JUROR: No.

21 THE COURT: And 5(c).

22 PROSPECTIVE JUROR: Nope.

23 THE COURT: And you are able to be with us during
24 trial?

25 PROSPECTIVE JUROR: I have something in June, a

1 trip --

2 THE COURT: Okay.

3 PROSPECTIVE JUROR: -- planned.

4 THE COURT: When is it in June?

5 PROSPECTIVE JUROR: June 5th through 17th.

6 THE COURT: That's close. So let me -- let me
7 look.

8 Let me confer with counsel for a moment.

9 **(Sidebar discussion)**

10 THE COURT: So I'd have to promise this woman that
11 she will be done by June 3rd. And I'll let counsel know
12 that June 4, 5, 6 and 7 we're not going to have trial no
13 matter what, but if it's still going, we will continue that
14 to that next trial. And I'd rather -- if we're not sure,
15 I'd rather just cut it now.

16 MR. IAN BIRRELL: This is Ian Birrell. I would be
17 concerned about making sure the jury has enough time to
18 deliberate too without feeling that pressure to reach a
19 verdict before --

20 THE COURT: That's my guess as well.

21 Mr. Thompson, do you have any input?

22 MR. THOMPSON: Your Honor, I would like to think
23 we'll be done by then. I do think we'll be done by then,
24 but I agree it's a little close, and there's just no reason
25 to keep her on.

1 THE COURT: Yes, I agree. Thank you.

2 (In open court)

3 THE COURT: I can't guarantee it, so that means
4 I'm going to let you go.

5 PROSPECTIVE JUROR: Okay. Sounds good.

6 THE COURT: All right. Thank you very much.

7 PROSPECTIVE JUROR: Thanks.

8 (Prospective Juror Number 35 exits courtroom)

9 (Prospective Juror Number 36 enters courtroom)

10 THE COURT: Good afternoon. I'll have you come
11 forward around this table and then up to the witness chair
12 that's right by me.

13 You are Juror Number 36.

14 PROSPECTIVE JUROR: Yes.

15 THE COURT: All right. Have a seat.

16 PROSPECTIVE JUROR: Thank you.

17 THE COURT: So you have that questionnaire in
18 front of you?

19 PROSPECTIVE JUROR: I do.

20 THE COURT: All right. I'm going to have you go
21 through the answers to those questions beginning with
22 Question 1, which is, How old are you?

23 PROSPECTIVE JUROR: I am 57.

24 THE COURT: And can you answer Question 2.

25 PROSPECTIVE JUROR: That answer would be no.

1 THE COURT: How about 3?

2 PROSPECTIVE JUROR: 3 would be yes, when it first
3 aired a year and a half ago.

4 And, yes, I have developed an opinion.

5 THE COURT: And what is that opinion?

6 PROSPECTIVE JUROR: Guilty.

7 THE COURT: And why have you developed that
8 opinion?

9 PROSPECTIVE JUROR: I just -- from seeing that
10 kind of news and just I could just feel that when you mess
11 around with children involved in, you know, doing something
12 for them and it not work right, you know, or not going the
13 right way, no, I just -- I don't go for that kind of stuff.

14 THE COURT: And do you have an opinion on whether
15 this actually happened based on the news reports?

16 PROSPECTIVE JUROR: Yes, I believe it did happen.
17 I mean, I just -- it just seemed so strong. I mean, it just
18 seemed that they were really, really talking about it, and,
19 like I said, that's all I can say, I guess.

20 THE COURT: All right. Thank you. Just one
21 moment.

22 **(Sidebar discussion)**

23 THE COURT: Mr. Sapone.

24 MR. SAPONE: Challenge for cause.

25 THE COURT: Any objection?

1 MR. THOMPSON: No, Your Honor.

2 (In open court)

3 THE COURT: Thank you for being candid with us.
4 I'm going to excuse you. And I'll have you give the
5 questionnaire to the folks who are outside the courtroom.

6 PROSPECTIVE JUROR: Thank you so much.

7 THE COURT: Thank you.

8 (Prospective Juror Number 36 exits courtroom).

9 (Prospective Juror Number 37 enters courtroom)

10 THE COURT: Good afternoon. I'm going to have you
11 go around the tables and come up to the chair, the witness
12 chair by me.

13 You are Juror Number 37?

14 PROSPECTIVE JUROR: Yeah.

15 THE COURT: All right. You have the questionnaire
16 in front of you. I'm going to ask you your answers to those
17 questions. Let's begin with Number 1, which is, How old are
18 you?

19 PROSPECTIVE JUROR: I'm 37.

20 THE COURT: And Question Number 2.

21 PROSPECTIVE JUROR: I did recognize Number 460,
22 Deb Ross-Coen. We both worked in the same school district,
23 so I would get emails from her, but I don't know her that
24 well.

25 THE COURT: Did you ever socialize with her?

1 PROSPECTIVE JUROR: No.

2 THE COURT: Do you know her by reputation?

3 PROSPECTIVE JUROR: I don't know that much about
4 her, just emails that I would get from her.

5 THE COURT: And do you know what her role was?

6 PROSPECTIVE JUROR: Yeah, in the food service.

7 THE COURT: Okay. If she took the stand in this
8 case, could you judge her credibility as you would anyone
9 else's --

10 PROSPECTIVE JUROR: Yes.

11 THE COURT: -- in other words, with a blank slate?

12 PROSPECTIVE JUROR: (Moves head up and down.)

13 THE COURT: Yes?

14 PROSPECTIVE JUROR: Yes.

15 THE COURT: And so no feelings favorable or
16 unfavorable to her based on your experience with her over
17 email?

18 PROSPECTIVE JUROR: No.

19 THE COURT: Okay. Thank you.

20 Anyone else that you recognized?

21 PROSPECTIVE JUROR: No.

22 THE COURT: All right. And Question Number 3.

23 PROSPECTIVE JUROR: I have heard of this case
24 before. Some coworkers and I had discussed it when it was
25 in the news, I would guess it was last May or June. And one

1 of my coworkers knew a lot about it since one of her
2 neighbors was involved, and so I heard her perspective of
3 what was happening.

4 THE COURT: How was one of her neighbors involved?

5 PROSPECTIVE JUROR: Can I answer that without
6 everyone hearing it?

7 THE COURT: You can answer that without the
8 gallery hearing it, but the attorneys have to listen.

9 PROSPECTIVE JUROR: That's fine.

10 THE COURT: Okay. Just a minute. I'm going to
11 have you put on that microphone. So it goes on like this,
12 and this guy kind of comes down here. And then you are
13 going to turn it on with the big button.

14 PROSPECTIVE JUROR: The microphone button?

15 THE COURT: Correct. And then I'm going to ask
16 for the white noise.

17 **(Sidebar discussion with prospective juror)**

18 THE COURT: Okay. Can you pull that right by your
19 mouth? All right. Go ahead.

20 PROSPECTIVE JUROR: So my coworker was neighbors
21 with one of the families. I don't know if it's one of these
22 defendants or not, but she told us a lot about how she was
23 taking care of the kids in this family because a lot of
24 things were happening and their car was repossessed for this
25 family and she ended up doing a lot of the childcare for

1 this family.

2 THE COURT: Okay. And you do not know whether
3 that family --

4 PROSPECTIVE JUROR: No.

5 THE COURT: -- is one of the folks who are in
6 front of you here?

7 PROSPECTIVE JUROR: No.

8 THE COURT: And so was the neighbor of your
9 coworker arrested?

10 PROSPECTIVE JUROR: The husband was.

11 THE COURT: Okay. And have you followed the case
12 since then?

13 PROSPECTIVE JUROR: Not since I got your letter in
14 back in about February, but I work in a school district and
15 it was talked about.

16 THE COURT: Okay. Are you comfortable answering
17 questions about how that affected you publicly? Can we do
18 that?

19 PROSPECTIVE JUROR: Sure.

20 THE COURT: Okay.

21 **(In open court)**

22 THE COURT: And so your knowledge of the case
23 leads me to ask that 3(b) question, which is, Have you
24 developed an opinion on the guilt or innocence of the
25 defendants?

1 PROSPECTIVE JUROR: I don't know anything about
2 these specific defendants, but I could see myself having a
3 hard time being unbiased in a program that's taking money
4 from children in public schools.

5 THE COURT: How long have you worked in public
6 schools?

7 PROSPECTIVE JUROR: 15 years.

8 THE COURT: All right. Just one moment.

9 **(Sidebar discussion)**

10 THE COURT: Counsel.

11 MR. COTTER: Your Honor, Patrick Cotter.

12 I'd move for cause. Again, I'm just going to
13 leave it at take it at her word.

14 THE COURT: Mr. Thompson, any objection?

15 MR. THOMPSON: No, Your Honor. There's multiple
16 reasons here.

17 THE COURT: Any other objection?

18 There are multiple reasons, so I'm going to excuse
19 her for cause.

20 **(In open court)**

21 THE COURT: Thank you for your candor with us. I
22 am going to excuse you.

23 PROSPECTIVE JUROR: Okay.

24 THE COURT: I really appreciate your answers and
25 your patience here. You are going to give those papers to

1 the person out the door. Okay?

2 PROSPECTIVE JUROR: Okay. Thank you.

3 THE COURT: Thank you.

4 **(Prospective Juror Number 37 exits courtroom)**

5 **(Prospective Juror Number 38 enters courtroom)**

6 THE COURT: Good afternoon. I'm going to have you
7 come up and take the witness stand next to me.

8 You are Juror Number 38?

9 PROSPECTIVE JUROR: Yes.

10 THE COURT: All right. Do you have that
11 questionnaire in front of you?

12 PROSPECTIVE JUROR: I do.

13 THE COURT: All right. I'm going to have you
14 answer the questions on that questionnaire starting with
15 Number 1, which is, What is your age?

16 PROSPECTIVE JUROR: 69.

17 THE COURT: And Question 2.

18 PROSPECTIVE JUROR: No.

19 THE COURT: Question 3.

20 PROSPECTIVE JUROR: Yeah, several months ago I
21 listened to MPR news and I heard about the case in a general
22 way.

23 THE COURT: That microphone moves up to your
24 height, if you wish.

25 PROSPECTIVE JUROR: Okay. I don't have an

1 opinion.

2 And yes, (c), if selected, I will be able to set
3 aside my biases.

4 THE COURT: All right. Let me just follow up
5 about what you heard about the case from MPR. This was
6 several months ago. Do you remember what the content of the
7 news report was?

8 PROSPECTIVE JUROR: It was about an organization
9 called Feeding Our Future taking funds for COVID or
10 something like that that were supposed to be going to
11 feeding kids and not getting to the kids.

12 THE COURT: Do you remember whether that report
13 concentrated on or talked about a court case or not?

14 PROSPECTIVE JUROR: I do not remember a court
15 case.

16 THE COURT: Do you remember whether it talked
17 about arrests or search warrants?

18 PROSPECTIVE JUROR: I believe it did talk about
19 search warrants. I don't know about arrests.

20 THE COURT: All right. And was it just that one
21 piece that you heard?

22 PROSPECTIVE JUROR: Well, there were several
23 pieces over a period of, you know, some time.

24 THE COURT: Okay. And did you hear all of those?

25 PROSPECTIVE JUROR: Well, I don't know how many

1 there were.

2 THE COURT: Okay.

3 PROSPECTIVE JUROR: I'm just --

4 THE COURT: That was a bad question.

5 PROSPECTIVE JUROR: Yeah.

6 THE COURT: Did you hear more than one?

7 PROSPECTIVE JUROR: Yes.

8 THE COURT: Do you regularly listen to MPR?

9 PROSPECTIVE JUROR: I read MPR on the internet
10 and -- yeah.

11 THE COURT: And so you recall an article that
12 mentioned search warrants?

13 PROSPECTIVE JUROR: I can't be certain about
14 search warrants.

15 THE COURT: And do you recall whether you heard or
16 read that a number of individuals were indicted or arrested
17 in this case?

18 PROSPECTIVE JUROR: I know there were a number of
19 individuals involved with the case. I do not recall whether
20 they were indicted or arrested.

21 THE COURT: And you said you have not developed an
22 opinion on the guilt or innocence of these defendants. Are
23 you impacted in any way on the articles that you read and --
24 read?

25 PROSPECTIVE JUROR: I mean, it's impacted in the

1 sense of I felt that it was -- if that was what was going
2 on, I was not very happy to hear that. You know, that's our
3 taxpayer money going, you know, to fraud.

4 THE COURT: And did you develop any opinion on
5 whether that fraud did actually occur?

6 PROSPECTIVE JUROR: No.

7 THE COURT: And so your opinion -- I'm just trying
8 to make -- be clear -- is if it happened, it's not good, but
9 you don't have an opinion on whether it happened?

10 PROSPECTIVE JUROR: Well, now that you are asking
11 the question differently, I think my opinion, it felt like
12 the kids were not served. It felt like that was what I
13 gleaned from the articles. So in that sense.

14 THE COURT: And one of the issues in this case is
15 going to be whether the kids were served and in trying to
16 establish -- well, that's going to be one of the issues in
17 the case.

18 These defendants are entitled to a presumption of
19 innocence. They have the presumption of innocence with them
20 right now. And the government has to prove the case beyond
21 a reasonable doubt.

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: Do you understand that?

24 PROSPECTIVE JUROR: Yes.

25 THE COURT: Do you have any problems at all

1 applying the presumption of innocence to these defendants?

2 PROSPECTIVE JUROR: No.

3 THE COURT: And can you accept that the -- whether
4 the kids were served is an open question?

5 PROSPECTIVE JUROR: Yes.

6 THE COURT: Okay. And so another way to say that
7 is the way that we say it in 3(b), which is, Will you be
8 able to set aside what you may have learned from other
9 sources and decide the case based only on the evidence
10 presented during trial?

11 PROSPECTIVE JUROR: Yes.

12 THE COURT: And then Question Number 4.

13 PROSPECTIVE JUROR: I have heard of Feeding Our
14 Future. That's the only organization.

15 THE COURT: And Question Number 5.

16 PROSPECTIVE JUROR: Yes, I read and speak English.

17 THE COURT: Question 5(b).

18 PROSPECTIVE JUROR: No.

19 THE COURT: Question 5(c).

20 PROSPECTIVE JUROR: No.

21 THE COURT: And Question 6.

22 PROSPECTIVE JUROR: I grew up in New Jersey,
23 northern New Jersey. I live in Minneapolis.

24 THE COURT: And what brought you to Minneapolis?

25 PROSPECTIVE JUROR: 19 -- a long time ago, I came

1 here because I was a musician, and I was looking for a city
2 that supported the arts.

3 THE COURT: What kind of musician?

4 PROSPECTIVE JUROR: I did folk music at the time.

5 THE COURT: And can you go through Number 7.

6 PROSPECTIVE JUROR: My educational background, I
7 have an associate's degree in forestry, a bachelor's degree
8 in forest products, a business management from the
9 University of Idaho, a master's degree in recreation park
10 and leisure from the University of Minnesota.

11 I have worked as a therapeutic recreation
12 specialist for many years working with older adults and
13 other people with disabilities.

14 I've been retired for about four years. I have a
15 small part-time business. My -- the business is called
16 Madhatter Press. It sells and publishes one book that my
17 wife wrote many years ago on hat making.

18 THE COURT: On hat making?

19 PROSPECTIVE JUROR: Making hats, millinery, yeah.
20 My wife is a retired computer programmer.

21 THE COURT: Where did your wife work as a computer
22 programmer?

23 PROSPECTIVE JUROR: Her last job was at
24 Macalester.

25 THE COURT: When you were working with older

1 adults and individuals with disabilities, what organization
2 did you work with or for?

3 PROSPECTIVE JUROR: My last job was with Bethesda
4 Hospital for -- I worked there for about 20 years until
5 COVID.

6 THE COURT: And at that point what happened? Did
7 you retire at that point?

8 PROSPECTIVE JUROR: I retired, yeah.

9 THE COURT: Yeah. Okay.

10 And Question Number 8.

11 PROSPECTIVE JUROR: I don't have any children.

12 THE COURT: Question Number 9.

13 PROSPECTIVE JUROR: I'm a musician. I play the
14 Celtic harp.

15 I enjoy nature. I do a lot of nature photography
16 with native plants.

17 I'm volunteering -- right now I'm volunteering as
18 an ombudsman for the State of Minnesota in long-term care.
19 I also volunteer with hospice, playing the harp for folks in
20 hospice.

21 Organizations; Minnesota Native Plant Society,
22 Multiple Sclerosis Society.

23 And I'm not super involved in those. I do some
24 advocacy for the Multiple Sclerosis Society.

25 THE COURT: Can you tell me what's involved in

1 being an ombudsman for the State of Minnesota in long-term
2 care.

3 PROSPECTIVE JUROR: I just started it this year.
4 It's about 36 hours of training, and I'm most of the way
5 through that. And then the job itself involves being an
6 advocate for patients and their families in either long-term
7 care settings or assisted living settings.

8 THE COURT: And what types -- who are you
9 advocating to and for what types of services?

10 PROSPECTIVE JUROR: You are taking the state and
11 federal resident rights and you are working with the
12 residents and helping them -- empowering them and helping
13 them assert their rights in whatever way is -- that they
14 want to, so you are listening to people voice complaints and
15 things that they might not be satisfied with and then
16 helping them address that.

17 THE COURT: Does that role also then lead to
18 resolution of conflict and trying to navigate through a
19 bureaucracy? Those are two different things, but I will ask
20 that question.

21 PROSPECTIVE JUROR: Well, as a volunteer, you
22 report to the regular ombudsman. So if it gets to that
23 level, then you would report to that person.

24 There may be some things you can do in-house, so
25 if somebody is not satisfied with their -- with the meal

1 that they are getting or something, you might be able to
2 talk to the dietary department. You may also be able to
3 empower the person themselves, and, you know, giving them
4 education about how they can do whatever they want to do,
5 and you are like a counselor.

6 THE COURT: Question Number 10.

7 PROSPECTIVE JUROR: No.

8 THE COURT: And Question Number 11, what do you
9 read or go to on a regular basis?

10 PROSPECTIVE JUROR: I look at the internet. I
11 read the Washington Post. I read Politico, and then I look
12 at the local MPR news, Minnesota news, some of those types
13 of sites.

14 THE COURT: How about podcasts?

15 PROSPECTIVE JUROR: Not really. There's a
16 Washington Post live broadcast podcast that they have, but
17 not -- what question are we on?

18 THE COURT: 11.

19 PROSPECTIVE JUROR: 11. I mean, I read some --
20 they're not related to this. I do listen to some science
21 and some nature podcasts.

22 THE COURT: Any social media?

23 PROSPECTIVE JUROR: No.

24 THE COURT: And Question Number 12.

25 PROSPECTIVE JUROR: I previously, a few years ago,

1 maybe 10, 15 years ago, Hennepin County had a case and I was
2 called. And I got to the point where they were selecting a
3 jury, and then they settled out of court. So that's the
4 only case I've been on.

5 THE COURT: And Question 13.

6 PROSPECTIVE JUROR: No.

7 THE COURT: And Question 14.

8 PROSPECTIVE JUROR: No.

9 THE COURT: 15.

10 PROSPECTIVE JUROR: No.

11 THE COURT: 16, contacts with the criminal justice
12 system.

13 PROSPECTIVE JUROR: No.

14 THE COURT: And 17.

15 PROSPECTIVE JUROR: No.

16 THE COURT: 18.

17 PROSPECTIVE JUROR: I don't have any prejudices.

18 THE COURT: And Number 19.

19 PROSPECTIVE JUROR: No.

20 THE COURT: And 20.

21 PROSPECTIVE JUROR: No.

22 THE COURT: 21.

23 PROSPECTIVE JUROR: If working for a healthcare
24 organization qualify, I'll say yes, but I haven't worked in
25 other social service kinds of or government kinds of

1 programs.

2 THE COURT: And the working for the healthcare
3 organization is what you've already talked about?

4 PROSPECTIVE JUROR: Yes.

5 THE COURT: Okay. 22.

6 PROSPECTIVE JUROR: No.

7 THE COURT: 23.

8 PROSPECTIVE JUROR: No.

9 THE COURT: And 24.

10 PROSPECTIVE JUROR: Yes.

11 THE COURT: Can you describe that.

12 PROSPECTIVE JUROR: Working at Bethesda Hospital,
13 I developed some relationships with some of the staff there
14 that were from Ethiopia, Eritrea. I also worked with
15 patients that were from Somalia. I also have a neighbor
16 about four houses down, a family that's from Somalia that my
17 wife has befriended. And we did have them over to the house
18 one time. So I have some relationships.

19 THE COURT: And based on those relationships, any
20 feelings positive or negative about the East African
21 community here or individual members of it?

22 PROSPECTIVE JUROR: You know, it's hard being an
23 immigrant, I think. So my feeling is, you know, I guess I
24 am in sympathy with that community, but, you know, I'm not
25 real close with them, so.

1 THE COURT: And do you think any of those feelings
2 would impact your ability to be a fair and impartial juror?

3 PROSPECTIVE JUROR: No.

4 THE COURT: And 25 tries to get at unconscious
5 bias. As a part of your education or training, have you
6 done unconscious bias training?

7 PROSPECTIVE JUROR: It's been -- it's been there.
8 You know, I don't know formally that I've had any, but I'm
9 aware of what it is, and I'm aware that I have it.

10 THE COURT: Okay. And if you are selected as a
11 juror, are you comfortable committing yourself to examining
12 that and thinking about why you are making a decision and
13 avoiding unconscious bias?

14 PROSPECTIVE JUROR: Yep, of course.

15 THE COURT: And can you read 25(b) and answer that
16 one as well.

17 PROSPECTIVE JUROR: 25(b). Yes, I can.

18 THE COURT: And 26(a).

19 PROSPECTIVE JUROR: Yes.

20 THE COURT: 26(b). Can you think of anything else
21 that you need to call to our attention?

22 PROSPECTIVE JUROR: I wear hearing aids.

23 THE COURT: How have you done so far today?

24 PROSPECTIVE JUROR: Great. Accents are an issue.

25 THE COURT: Okay.

1 PROSPECTIVE JUROR: So, I mean, with -- you know,
2 I mean, even without the hearing aids, but it sounds to me
3 when I look at this -- the witnesses in this case that that
4 will be --

5 THE COURT: That it may be.

6 PROSPECTIVE JUROR: -- that may be an issue.

7 THE COURT: All right.

8 PROSPECTIVE JUROR: I can -- I can hear fine, but,
9 you know, if there was -- I don't know how you are going to
10 deal with that, but there may be that --

11 THE COURT: When you say they are an issue, can
12 you talk about how significant that issue is?

13 It depends?

14 PROSPECTIVE JUROR: It depends on the person
15 speaking.

16 THE COURT: Of course. All right. Thank you.
17 Just a minute.

18 **(Sidebar discussion)**

19 THE COURT: Any follow-up?

20 All right. Any motions for cause?

21 My assessment on the hearing is that we will
22 address it if it needs an issue.

23 Mr. Thompson, are you aware of any strong accents
24 from any witnesses that you are anticipating?

25 MR. THOMPSON: I think strong is in the ears of

1 the beholder, but no one strikes me as particularly
2 difficult to understand.

3 THE COURT: All right. I'm not going to ask the
4 defendants. I don't think I need to. I think we'll address
5 that as we go along. And if anything needs to be
6 re-treated, we can have that done. He can also sit at the
7 closest to the -- which is what I usually do with folks with
8 hearing aids, is put them closest to the witness stand.

9 Okay. Thank you, everybody.

10 (In open court)

11 THE COURT: All right. I am going to retain you
12 and ask you to wait in the next courtroom. The waiting
13 process is a waiting process. I appreciate your patience
14 here.

15 PROSPECTIVE JUROR: Okay.

16 THE COURT: Thank you very much.

17 PROSPECTIVE JUROR: Thank you.

18 THE COURT: You will hand those -- well, I think
19 you hang on to the papers. I'm not sure. They will tell
20 you what to do with them outside.

21 PROSPECTIVE JUROR: Okay.

22 (Prospective Juror Number 38 exits courtroom)

23 (Prospective Juror Number 39 enters courtroom)

24 THE COURT: Good afternoon. You are going to come
25 on up here, and then you will have a seat in the witness

1 chair next to me.

2 You are Juror Number 39?

3 PROSPECTIVE JUROR: Yep.

4 THE COURT: All right. And so you have that
5 questionnaire in front of you?

6 PROSPECTIVE JUROR: Yes.

7 THE COURT: I'm going to ask you to go through it,
8 and we'll take each question one by one.

9 The first question is what your age is.

10 PROSPECTIVE JUROR: 61.

11 THE COURT: And then can you answer Question 2.

12 Do you wear reading glasses?

13 PROSPECTIVE JUROR: Well, I wear bifocals at work.

14 THE COURT: Okay.

15 PROSPECTIVE JUROR: That's all.

16 THE COURT: Okay. Do you know anyone on the list
17 of potential witnesses?

18 PROSPECTIVE JUROR: No.

19 THE COURT: Okay. And have you heard of this case
20 before today?

21 PROSPECTIVE JUROR: Nope.

22 THE COURT: Not at all?

23 PROSPECTIVE JUROR: I -- just a little bit on the
24 news. I -- it came on the day. I stopped watching it right
25 away when it came on.

1 THE COURT: Because that was after you got my
2 letter?

3 PROSPECTIVE JUROR: It was just yesterday morning
4 before I came in here. And I just -- it started playing on
5 the TV, and I just quit watching.

6 THE COURT: And before you were summoned as a
7 juror, had you heard about the case?

8 PROSPECTIVE JUROR: No.

9 THE COURT: And have you heard of any of the
10 organizations in Question 4?

11 PROSPECTIVE JUROR: Nope.

12 THE COURT: And Question 5. Do you have any
13 difficulty reading, understanding or speaking English?

14 PROSPECTIVE JUROR: No.

15 THE COURT: Any problems seeing or hearing?

16 PROSPECTIVE JUROR: Nope.

17 THE COURT: And how about any other physical or
18 mental issues that would prevent your service?

19 PROSPECTIVE JUROR: No.

20 THE COURT: And you can be here for trial?

21 PROSPECTIVE JUROR: Yeah.

22 THE COURT: And Question 6 is where did you grow
23 up and where did you -- do you live now.

24 PROSPECTIVE JUROR: I grew up in Rogers,
25 Minnesota, and I live in Osseo, Minnesota, now.

1 THE COURT: And Question 7, your educational
2 background and your occupation.

3 PROSPECTIVE JUROR: Just high school.

4 THE COURT: And what do you do?

5 PROSPECTIVE JUROR: I work in a corrugated factory
6 in Lakeville, Menasha Corporation.

7 THE COURT REPORTER: Wait.

8 PROSPECTIVE JUROR: Huh?

9 THE COURT REPORTER: Could you use the microphone.

10 PROSPECTIVE JUROR: Oh.

11 THE COURT REPORTER: Where do you work?

12 PROSPECTIVE JUROR: A corrugated factory in
13 Lakeville, and they are called Menasha Corporation.

14 THE COURT: A corrugated factory?

15 PROSPECTIVE JUROR: It's like cardboard, making
16 boxes.

17 THE COURT: Okay. How long have you done that?

18 PROSPECTIVE JUROR: 43 years almost, come June.

19 THE COURT: For the same organization? Same
20 company?

21 PROSPECTIVE JUROR: Yeah, for the last -- well, it
22 was called North Star Container, and then we got bought out
23 by Menasha in 1990. And I've been working there, like I
24 say, for 42, 43 years.

25 THE COURT: And how about your -- do you have a

1 spouse or partner?

2 PROSPECTIVE JUROR: Yeah.

3 THE COURT: What do they do?

4 PROSPECTIVE JUROR: She's a retiree now, but she
5 used to work for the State Hospital in Anoka. I think it's
6 called Anoka Hennepin County Correctional Region Center.

7 THE COURT: Correctional Region Center?

8 PROSPECTIVE JUROR: I think so, what they call it
9 now, but she's retired from there.

10 THE COURT: What kind of hospital is that?

11 PROSPECTIVE JUROR: For mentally ill, and I guess
12 they got some corrections there, I guess, too.

13 THE COURT: And what did she do for the hospital?

14 PROSPECTIVE JUROR: HST.

15 THE COURT: What is that?

16 PROSPECTIVE JUROR: That's human tech -- or
17 service technician.

18 THE COURT: What does that mean?

19 PROSPECTIVE JUROR: I guess like a nurse kind of.
20 I don't know exactly.

21 THE COURT: How long did she do that?

22 PROSPECTIVE JUROR: About 39 years I think it was.

23 THE COURT: In her work, did she come across or
24 work with people who were under the corrections system in
25 Minnesota?

1 PROSPECTIVE JUROR: I'm sure it was people from
2 Minnesota, I think, anyway.

3 THE COURT: And were they incarcerated or
4 otherwise under the corrections system?

5 PROSPECTIVE JUROR: I think some were through the
6 corrections system, yeah.

7 THE COURT: And did you have any discussions with
8 her about that?

9 PROSPECTIVE JUROR: Not very much, no. I don't
10 care for the correctional -- I mean, not the correctional,
11 but get involved in her work, you know --

12 THE COURT: And --

13 PROSPECTIVE JUROR: -- as far as that goes.

14 THE COURT: -- based on your conversations with
15 her about her work, does that lead you to have any feelings
16 one way or another toward criminal defendants who are on
17 trial?

18 PROSPECTIVE JUROR: No.

19 THE COURT: And do you have any children?

20 PROSPECTIVE JUROR: I got three children, yeah.

21 THE COURT: What do they do?

22 PROSPECTIVE JUROR: My oldest daughter is a
23 home -- is a home mom. She's got like seven kids, so --

24 And then my son does, he works for Honda --
25 technician for a Honda dealership.

1 And the youngest daughter works for New Horizon.

2 THE COURT REPORTER: And what?

3 PROSPECTIVE JUROR: Horizon.

4 THE COURT REPORTER: Your youngest daughter?

5 PROSPECTIVE JUROR: Yeah, my youngest daughter
6 works for New Horizon.

7 THE COURT: And what does she do for New Horizon?

8 PROSPECTIVE JUROR: I think she kind of teaches
9 certain age groups.

10 THE COURT: That's a daycare facility or school?

11 PROSPECTIVE JUROR: It's a daycare center.

12 THE COURT: Okay. Where is it?

13 PROSPECTIVE JUROR: Maple Grove.

14 THE COURT: Do you ever talk to her about her
15 work?

16 PROSPECTIVE JUROR: She mentions a little bit
17 about it here and there. I don't know much about it.

18 THE COURT: Does she talk about how the kids get
19 fed at all?

20 PROSPECTIVE JUROR: Not really, no, I don't
21 believe so.

22 THE COURT: Okay. You've never talked to her
23 about the system of providing breakfast or lunches?

24 PROSPECTIVE JUROR: No.

25 THE COURT: Okay. And what about Question 9, your

1 favorite hobbies or activities.

2 PROSPECTIVE JUROR: I just go up to my cab --
3 camper up north and go fishing or whatever up there, or
4 boating or whatever.

5 THE COURT: Okay.

6 PROSPECTIVE JUROR: Four-wheeling, just activities
7 like that up there.

8 THE COURT: Do you snowmobile?

9 PROSPECTIVE JUROR: I've got a couple, but I
10 haven't rode them in over 15 years probably. They've been
11 just sitting in the garage at home.

12 THE COURT: Question 10 is whether you have any
13 religious, philosophical, or other beliefs that would make
14 you unable to render a fair and impartial verdict.

15 PROSPECTIVE JUROR: No.

16 THE COURT: And do you read any magazines or
17 newspapers on a regular basis?

18 PROSPECTIVE JUROR: No.

19 THE COURT: And do you listen to any particular TV
20 shows or watch any TV shows?

21 PROSPECTIVE JUROR: Just -- I got regular TV, so I
22 just watch, you know, whatever is on the channels, you know.

23 THE COURT: Okay.

24 PROSPECTIVE JUROR: In the morning, I might watch
25 a little bit of news just to see the weather --

1 THE COURT: Okay.

2 PROSPECTIVE JUROR: -- or traffic because I drive
3 43 miles one way to work.

4 THE COURT: That's a lot.

5 How about any podcasts? Do you listen to
6 podcasts?

7 PROSPECTIVE JUROR: Not really. I mean, I --
8 there's some shows on, like, Storage Wars or something I
9 watch once in a while. There's some other shows like that.

10 THE COURT: What do you listen to when you drive
11 to work?

12 PROSPECTIVE JUROR: Just classic rock. I got
13 satellite radio, so I just put it to the classic rock
14 station usually.

15 THE COURT: Have you ever previously been on a
16 jury or served as a juror?

17 PROSPECTIVE JUROR: No.

18 THE COURT: And did you know any of the folks who
19 you met on your jury pool?

20 PROSPECTIVE JUROR: Nope. No, I don't know nobody
21 here.

22 THE COURT: Do you have any relatives or close
23 friends who are lawyers, judges or in the legal profession?

24 PROSPECTIVE JUROR: Nope.

25 THE COURT: How about, do you have any legal or

1 law enforcement training?

2 PROSPECTIVE JUROR: No.

3 THE COURT: And do you have relatives, close
4 friends or you who have had contact with the criminal
5 justice system?

6 PROSPECTIVE JUROR: No.

7 THE COURT: Been arrested?

8 PROSPECTIVE JUROR: No. Well, I -- I guess my
9 wife had a DWI years ago.

10 THE COURT: Anything about that experience that
11 you think would impact your service as a juror?

12 PROSPECTIVE JUROR: No.

13 THE COURT: Do you have any -- do you or your
14 relatives or close friends, have you ever worked in law
15 enforcement?

16 PROSPECTIVE JUROR: No.

17 THE COURT: Some of the witnesses in the trial are
18 going to be law enforcement. Do you have any prejudices
19 against or in favor of law enforcement?

20 PROSPECTIVE JUROR: No.

21 THE COURT: Have you ever testified in court?

22 PROSPECTIVE JUROR: Testified in court? No.

23 THE COURT: Do you, your relatives or close
24 friends receive meals from childcare centers or daycares or
25 after-school programs during COVID-19?

1 PROSPECTIVE JUROR: No, not that I'm aware of, no.

2 THE COURT: Have you ever worked with the
3 government or any other social service programs?

4 PROSPECTIVE JUROR: Nope.

5 THE COURT: Not as a volunteer or anything?

6 PROSPECTIVE JUROR: No.

7 THE COURT: Have you ever worked with or had
8 exposure to the United States Department of Agriculture?

9 PROSPECTIVE JUROR: No.

10 THE COURT: How about the Minnesota Department of
11 Education?

12 PROSPECTIVE JUROR: No.

13 THE COURT: Do you have any feeling in favor of or
14 against Islam or Muslims?

15 PROSPECTIVE JUROR: No.

16 THE COURT: And have you, in all of your
17 activities, been brought into contact with people whose
18 backgrounds are in East Africa, particularly Somali?

19 PROSPECTIVE JUROR: No.

20 THE COURT: Any contacts with the Somali
21 community?

22 PROSPECTIVE JUROR: Just maybe someone I work with
23 maybe. That's about it.

24 THE COURT: And --

25 PROSPECTIVE JUROR: I don't --

1 THE COURT: Do you know for sure?

2 PROSPECTIVE JUROR: I don't really communicate too
3 much with them, but, I mean, I've worked with them and
4 talked a little bit because I was lead at my company for a
5 while.

6 THE COURT: Because you were a lead at your
7 company?

8 PROSPECTIVE JUROR: Yeah, yeah.

9 THE COURT: And based --

10 PROSPECTIVE JUROR: So I'd talk to them. I mean,
11 tell them how to do things.

12 THE COURT: Based on your interactions, do you
13 have any feels against or in favor of the Somali community,
14 East African community or anyone within it?

15 PROSPECTIVE JUROR: No.

16 THE COURT: And you saw that video that we showed
17 you on unconscious bias?

18 PROSPECTIVE JUROR: Yeah.

19 THE COURT: Can you -- are you comfortable
20 committing yourself to thinking about unconscious bias,
21 thinking about why you are making a decision, and examining
22 yourself for bias?

23 PROSPECTIVE JUROR: No, I guess I don't really
24 understand that.

25 THE COURT: Can you commit to making sure that

1 your decision isn't based on an unconscious bias?

2 PROSPECTIVE JUROR: I guess, yeah. I mean, I
3 don't know. I guess I don't really understand that.

4 THE COURT: So sometimes -- that video went
5 through, there are times when we might think a certain way
6 and we don't even know it, right?

7 PROSPECTIVE JUROR: Yeah.

8 THE COURT: We can't even recognize it. And the
9 point I am trying to get at is can you examine yourself, can
10 you, you know, check within yourself and check and make sure
11 that you are not being biased when you make a decision?

12 PROSPECTIVE JUROR: Yes.

13 THE COURT: You can do that?

14 PROSPECTIVE JUROR: (Moves head up and down.)

15 THE COURT: Okay. And there are people in this
16 case that might be from a different racial and ethnic
17 background or practice a different religion than you do.
18 Can you carefully evaluate the evidence and give a verdict
19 only on the evidence?

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: And can you resist an urge to reach a
22 verdict influenced by some hidden bias?

23 PROSPECTIVE JUROR: No.

24 THE COURT: You wouldn't -- you wouldn't reach a
25 verdict on that?

1 PROSPECTIVE JUROR: No.

2 THE COURT: Are you willing to apply the law as
3 the court gives it to you?

4 PROSPECTIVE JUROR: Yes.

5 THE COURT: And can you think of anything else you
6 need to bring to the court's attention?

7 PROSPECTIVE JUROR: Nothing I can think of, no.

8 THE COURT: All right. Let me just talk with the
9 attorneys for a moment.

10 **(Sidebar discussion)**

11 THE COURT: Any follow-up?

12 Any motions for cause?

13 MR. SAPONE: Your Honor --

14 THE COURT: Thank you.

15 MR. SAPONE: Your Honor. Your Honor.

16 THE COURT: I missed you, Mr. Sapone. I'm sorry.
17 Go ahead.

18 MR. SAPONE: That's okay. This is Ed Sapone for
19 Abdi Nur.

20 So when he was discussing the fact that his wife's
21 job of 39 years had to do with corrections, he said he never
22 wanted to get involved with that. And I would just wonder
23 if we could just get a little bit more of an explanation of
24 why not, and does he have any views or feelings about people
25 who are in the custody of corrections.

1 My concern is that why didn't he want to know
2 about that. The subject was corrections, but he says, I
3 didn't want to get involved with that.

4 THE COURT: Okay. Let me follow up.

5 (In open court)

6 THE COURT: Just go back to your wife's job for a
7 moment. She was a HSP at -- what?

8 PROSPECTIVE JUROR: HST.

9 THE COURT: Sorry. HST at a hospital that your
10 understanding is it served both folks who might be in the
11 corrections facility -- or system and people who weren't?

12 PROSPECTIVE JUROR: Yes, I think so, yeah.

13 THE COURT: Okay.

14 PROSPECTIVE JUROR: I mean, she was working with
15 some chemically dependent mentally ill people. And then she
16 was working with some correctionals at the end. Towards the
17 end they switched buildings and went to another -- she went
18 to another place, you know, in the hospital.

19 THE COURT: Okay. And at the end was the time
20 that she was working with the folks that were in
21 corrections?

22 PROSPECTIVE JUROR: Right. Yes.

23 THE COURT: And you had said you didn't want to --

24 PROSPECTIVE JUROR: Well --

25 THE COURT: -- get involved in the corrections,

1 and I'm wondering can you explain that further.

2 PROSPECTIVE JUROR: Well, I just -- I wasn't
3 interested, I guess, in that particular, you know, part of
4 her job, I guess. I don't know. I --

5 THE COURT: And do you have any particular views
6 or feelings about people who are in the custody of
7 corrections?

8 PROSPECTIVE JUROR: No, I have no problem with
9 nobody, I mean, as far as people go.

10 THE COURT: As far as?

11 PROSPECTIVE JUROR: People go. They all --

12 THE COURT: All right. Thank you.

13 I am going to retain you, which means you are
14 going to go to the courtroom next door --

15 PROSPECTIVE JUROR: Okay.

16 THE COURT: -- and wait out the process.

17 PROSPECTIVE JUROR: All right.

18 THE COURT: And it takes patience, and we
19 appreciate it.

20 PROSPECTIVE JUROR: All right.

21 THE COURT: And also these folks can't talk to
22 you, so if they don't talk to you, they aren't being rude,
23 they just can't. Okay?

24 PROSPECTIVE JUROR: All right. Thank you.

25 THE COURT: All right. Thank you.

1 **(Prospective Juror Number 39 exits courtroom)**

2 **(Prospective Juror Number 40 enters courtroom)**

3 THE COURT: Good afternoon. I'm going to have you
4 come through these by the tables and then up to the witness
5 chair by me.

6 You have the questionnaire in front of you?

7 PROSPECTIVE JUROR: Correct. Yeah.

8 THE COURT: And you are Juror 40?

9 PROSPECTIVE JUROR: Correct. Yeah.

10 THE COURT: All right. So I am going to go
11 through the questionnaire with you and have you answer the
12 questions. We'll begin with Number 1, which is, How old are
13 you?

14 PROSPECTIVE JUROR: 33.

15 THE COURT: And Question Number 2.

16 PROSPECTIVE JUROR: No.

17 THE COURT: Question Number 3.

18 PROSPECTIVE JUROR: Yeah, I read some of the news
19 articles when they came out, and my wife and I talked a
20 little bit about it and how it kind of impacted her job.
21 She works for the Minnesota Council of Nonprofits, so kind
22 of dealing with some of the, I don't know, difficulties that
23 the news stories might have created for nonprofits in The
24 Cities.

25 I don't think I've really developed an opinion. I

1 think generally when I read news articles, it seems like
2 there's something that happened, but I'd kind of withheld a
3 final opinion on it. I feel like I really didn't think
4 about it too much.

5 But I would set aside -- yeah, set aside what I
6 may have learned through those sources and decide the case
7 based on evidence, yes.

8 THE COURT: What does your wife do for the
9 Minnesota Council of Nonprofits?

10 PROSPECTIVE JUROR: She's the manager of public
11 policy. So she kind of works between nonprofits and some
12 law parties, legal parties.

13 THE COURT: In that capacity, do you know whether
14 she has worked with the Minnesota Department of Education
15 in -- as part of the fall-out from this investigation?

16 PROSPECTIVE JUROR: I don't believe so.

17 THE COURT: What was your discussion with her
18 around her work and how this case might impact it?

19 PROSPECTIVE JUROR: She briefly mentioned that it
20 might make it harder for nonprofits to get funding, but I
21 don't think the conversation was longer than ten minutes.
22 It was just kind of mentioned in reflection from the news
23 that came out.

24 THE COURT: And was there just one conversation
25 about that?

1 PROSPECTIVE JUROR: There may have been a couple,
2 but I don't remember any more particulars beyond that.

3 THE COURT: And when you said you read the news
4 articles, can you remember how far back or when you first
5 learned of the case?

6 PROSPECTIVE JUROR: It felt like several months
7 whenever the news would have first broke. I don't remember
8 reading anything like since then. I -- yeah, two or
9 three months maybe.

10 THE COURT: Ago?

11 PROSPECTIVE JUROR: Yes, unless that's longer than
12 when it first came out. I'm not sure.

13 THE COURT: There's no right answer. It's what
14 you remember.

15 Do you remember whether the news articles talked
16 about an indictment or arrests?

17 PROSPECTIVE JUROR: I don't remember any
18 particulars about that, no.

19 THE COURT: And how about search warrants?

20 PROSPECTIVE JUROR: I don't remember offhand, no.

21 THE COURT: Where do you -- where did you read or
22 see these articles?

23 PROSPECTIVE JUROR: I don't remember the news
24 source. Probably Star Tribune or MPR or something like
25 that.

1 THE COURT: Are those your typical sources for
2 local news?

3 PROSPECTIVE JUROR: That and Bring Me the News,
4 yeah, I think is the name of it.

5 THE COURT: TV program?

6 PROSPECTIVE JUROR: Sorry. One more time?

7 THE COURT: TV program and website?

8 PROSPECTIVE JUROR: I don't really watch live TV.

9 THE COURT: So Bring Me the News would have been
10 through a website?

11 PROSPECTIVE JUROR: Correct, yeah.

12 THE COURT: And you had said that when you hear
13 something, you think something has happened, right? You had
14 an initial reaction to those news articles?

15 Can you say more about that and what -- and how
16 that might affect your approach to this case as a juror?

17 PROSPECTIVE JUROR: Yeah, I don't know. As I'm
18 reading through news stories that pop up and I hear about,
19 you know, accusations of something that would have happened
20 or allegedly could have happened, and I guess I just
21 generally assume that there's some truth or something that
22 happened, even though I would also readily admit that I
23 don't know all the particulars or haven't, you know, decided
24 in my mind for sure that something did or didn't happen, but
25 that feels like it's not very much more specific, but, yeah.

1 THE COURT: So as you sit here today, are you
2 thinking that something -- some sort of fraud happened or
3 not?

4 PROSPECTIVE JUROR: I would say I am undecided
5 today. I'm not sure.

6 THE COURT: The defendants in this case are
7 entitled and have a presumption of innocence. Can you apply
8 that presumption of innocence?

9 PROSPECTIVE JUROR: Yes, yeah.

10 THE COURT: And so that means that everything that
11 you hear about this case has to be -- or that you consider
12 has to be what you hear in this courtroom. Can you do that?

13 PROSPECTIVE JUROR: Yes, yeah.

14 THE COURT: Can you set aside the news articles
15 that you've read?

16 PROSPECTIVE JUROR: Yes.

17 THE COURT: Do you have any doubt that you would
18 be able to apply a presumption of innocence to these
19 defendants?

20 PROSPECTIVE JUROR: I don't believe so, no.

21 THE COURT: No doubt?

22 Can you answer Question 4.

23 PROSPECTIVE JUROR: I have only heard of Feeding
24 Our Future. I haven't heard of any of the other ones. And
25 I've only heard of Feeding Our Future in the context of the

1 news stories.

2 THE COURT: And Question 5.

3 PROSPECTIVE JUROR: I don't have any difficulty
4 reading or understanding or speaking English. No problems
5 with seeing or hearing. And no physical or mental issues,
6 no.

7 THE COURT: Let me go back for a moment to your
8 wife's job as manager of public policy for Minnesota Council
9 of Nonprofits. How would you describe that job?

10 PROSPECTIVE JUROR: As far as her kind of daily
11 duties?

12 THE COURT: Right.

13 PROSPECTIVE JUROR: Yeah, so she works in between
14 nonprofits around the state kind of communicating what
15 different laws might mean for them and how those laws might
16 be applied or changes that might be coming. And I think she
17 also maybe does a little bit of work with kind of public
18 policymakers as well. I know she's kind of leading a
19 training on some policy for nonprofits the next couple
20 weeks.

21 THE COURT: What is that policy? Do you know?

22 PROSPECTIVE JUROR: It's something about lobbying.
23 It's not I think directly related to funding.

24 THE COURT: All right. Thank you. I'm going to
25 talk with the attorneys for one moment.

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(Sidebar discussion)

THE COURT: I going to ask the government whether the Minnesota Council of Nonprofits has been contacted in this case or received a subpoena?

MR. THOMPSON: It has not, Your Honor. It has not.

THE COURT: Do you see any crossover based on what you're hearing?

MR. THOMPSON: Your Honor, I'm not sure. I think I would want to know more about who, if anyone, his wife interacts with in Minnesota state government. Obviously there are witnesses and potential witnesses in this case that are in the state government. There are also people -- names of political figures, people that work for the state government, even elected officials, whose names could come up in this, and I don't know whether his wife has interactions with those people, but, if so, that could be an issue.

THE COURT: My feeling is this is just too close, and I prefer to move on. She's got a number of overlaps that -- or he has a number of overlaps that might trip us up.

Any objection to that?

All right. On my own motion for cause, I am going to excuse him.

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(In open court)

THE COURT: I'm going to thank you for your participation and your candor here today and tell you you are excused and ask you to just give your papers to the person outside the door. Okay? Thank you for your service.

PROSPECTIVE JUROR: Thank you.

(Prospective Juror Number 40 exits courtroom)

(Prospective Juror Number 41 enters courtroom)

THE COURT: Hello. Come on forward. I will have you come around the tables and up to the witness chair right by me.

You are Juror Number 41?

PROSPECTIVE JUROR: Correct.

THE COURT: All right. Have a seat, please.

I'm going to have you answer the questions on that questionnaire. They're beginning with how old you are.

PROSPECTIVE JUROR: I'm 58.

THE COURT: And let me ask you first, your -- I just want to get right away to a question that's later on but it is what you do for a living. It says you are in nutrition services. Can you talk about what that is.

PROSPECTIVE JUROR: Yes, so I'm a lunch lady essentially. I work in an elementary school.

THE COURT: And where?

PROSPECTIVE JUROR: In District 196.

1 THE COURT: Where is that?

2 PROSPECTIVE JUROR: That is in Apple Valley,
3 Eagan -- or my school is actually in Burnsville, but
4 Rosemount is part of it too.

5 THE COURT: Okay. And so we're going to come to
6 that in a moment. Answer Question 2, whether you know any
7 of the or heard any of the witnesses or defendants and
8 staff.

9 PROSPECTIVE JUROR: I have not.

10 THE COURT: Okay. And have you heard of this
11 case?

12 PROSPECTIVE JUROR: I have.

13 THE COURT: Okay.

14 PROSPECTIVE JUROR: Yes.

15 THE COURT: So can you talk about that, in
16 particular hearing about it as it relates to your job.

17 PROSPECTIVE JUROR: Well, I mean, I heard about --
18 I listen to public radio, so I just have heard about it on
19 the radio and --

20 THE COURT: And how --

21 PROSPECTIVE JUROR: As far as --

22 THE COURT: Okay. Go ahead.

23 PROSPECTIVE JUROR: I mean, as far as it relates
24 to my job, I mean, I feel like feeding children is an
25 important job, and so I take that -- my job very seriously

1 and -- I don't know.

2 THE COURT: Were any of the programs that are
3 involved in this case, are you familiar with any of them?

4 PROSPECTIVE JUROR: Yes, being -- working in food
5 service at an elementary school, I'm familiar with the
6 summer feeding program.

7 THE COURT: And so are you familiar with the rules
8 by which it operates?

9 PROSPECTIVE JUROR: Somewhat, yes.

10 THE COURT: Have you developed an opinion on the
11 guilt or innocence of these defendants?

12 PROSPECTIVE JUROR: No. I mean, I think everybody
13 deserves a fair trial. They deserve the -- their case to be
14 heard. They -- you know, evidence to be presented. And so,
15 you know, based on what I have heard already, it is
16 difficult. It's -- but, again, I believe in our judicial
17 system, and I think everyone does have the right to be heard
18 and their evidence to be heard and to be judged on that, so,
19 news is limited and not always completely accurate and so.

20 THE COURT: Based on what you've heard so far in
21 the news, have you made a determination in your own mind
22 about whether any fraud occurred?

23 PROSPECTIVE JUROR: Again, that's hard to say.
24 Well, I mean, it does seem like there has been some fraud
25 that has occurred.

1 THE COURT: And why do you say that?

2 PROSPECTIVE JUROR: I guess just the magnitude of
3 it.

4 THE COURT: Okay. All right. Just a minute. I'm
5 going to talk with the attorneys for a moment. Okay?

6 PROSPECTIVE JUROR: Okay.

7 **(Sidebar discussion)**

8 THE COURT: Counsel.

9 MR. SCHLEICHER: Your Honor, on behalf of Said
10 Farah, this is Steve Schleicher, I move for cause.

11 THE COURT: Any objection?

12 MR. THOMPSON: Your Honor, even if we could
13 rehabilitate her, I wouldn't want to. Having someone so
14 close to the program on the jury seems problematic.

15 THE COURT: That was my view as well. Thank you.

16 **(In open court)**

17 THE COURT: I am going to thank you for your
18 patience and your service and your candor here today, and I
19 am going to excuse you.

20 PROSPECTIVE JUROR: Okay.

21 THE COURT: So you're going to walk out the door
22 and hand those papers to the person who is on the other side
23 of it, okay?

24 PROSPECTIVE JUROR: Thank you.

25 **(Prospective Juror Number 41 exits courtroom)**

1 THE COURT: Counsel, we're going to take a break
2 at this time.

3 We're off the record.

4 (Recess taken at 3:06 p.m. till 3:31 p.m.)

5

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IN OPEN COURT

7

(JURY PANEL NOT PRESENT)

8

THE COURT: You may be seated. Thank you.

9

(Prospective Juror Number 42 enters courtroom)

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THE COURT: Good afternoon. I'm going to have you
come all the way up past the tables and up to the witness
chair by me.

13

You are Juror 42.

14

PROSPECTIVE JUROR: Yes.

15

16

17

THE COURT: I'm going to have you answer the
questions on the questionnaire before you. We will start
with the first one, which is, What is your age?

18

PROSPECTIVE JUROR: 40.

19

THE COURT: And Question 2.

20

21

PROSPECTIVE JUROR: Potentially I am familiar with
a name on page 7, but it might just be a common name.

22

THE COURT: What's the name?

23

PROSPECTIVE JUROR: Susan Johnson.

24

25

THE COURT: And there are a lot of those around I
think.

1 PROSPECTIVE JUROR: Yep.

2 THE COURT: The one you know is about how old?

3 PROSPECTIVE JUROR: Maybe 50s or 60s.

4 THE COURT: And do you know where she works?

5 PROSPECTIVE JUROR: I think she retired, but she
6 used to work in finance.

7 THE COURT: And where did she work in finance?

8 PROSPECTIVE JUROR: At a design firm.

9 THE COURT: Okay. I think we're fine. Thank you.
10 And Question Number 3.

11 PROSPECTIVE JUROR: I have heard rumblings of it
12 on the news maybe in the fall or a year ago.

13 THE COURT: Do you know what news source?

14 PROSPECTIVE JUROR: Probably would have been
15 KARE 11, whatever they had said, but it was definitely
16 months ago.

17 THE COURT: And do you remember what was said?

18 PROSPECTIVE JUROR: Something about like a charity
19 and that there was potential fraud involved.

20 THE COURT: Do you remember whether anything was
21 said regarding either search warrants or indictments?

22 PROSPECTIVE JUROR: No.

23 THE COURT: Do you remember knowing or forming an
24 opinion about whether there was a case in court?

25 PROSPECTIVE JUROR: I did not know there would be

1 a case.

2 THE COURT: And based on what you heard, have you
3 developed an opinion on the guilt or innocence of the
4 defendants?

5 PROSPECTIVE JUROR: I have not.

6 THE COURT: Okay. And can you set aside whatever
7 you did hear and decide the case based only on the evidence
8 presented during trial?

9 PROSPECTIVE JUROR: Yes.

10 THE COURT: Okay. And so when you say rumblings,
11 can you just explain a bit more about that?

12 PROSPECTIVE JUROR: I think the news was on, I was
13 in the same room as it, and so I remember hearing a headline
14 about something that sounded like what this case was going
15 to be about.

16 THE COURT: All right. And you think that was
17 months ago?

18 PROSPECTIVE JUROR: Mm-hmm.

19 THE COURT: And do you think that happened once or
20 more than once?

21 PROSPECTIVE JUROR: Once.

22 THE COURT: Okay. And Question Number 4.

23 PROSPECTIVE JUROR: I have not other than the
24 summons.

25 THE COURT: And Question Number 5.

1 PROSPECTIVE JUROR: I am good speaking in English.
2 THE COURT: Question Number 6.
3 PROSPECTIVE JUROR: I grew up in Colorado and
4 Texas, and I live in Minneapolis now.
5 THE COURT: Great. I skipped 5(b). Any problems
6 seeing or hearing?
7 PROSPECTIVE JUROR: No.
8 THE COURT: And Question 5(c).
9 PROSPECTIVE JUROR: No.
10 THE COURT: And are you able to be here during
11 trial?
12 PROSPECTIVE JUROR: I think so.
13 THE COURT: Okay. And you said you grew up in
14 Colorado?
15 PROSPECTIVE JUROR: And Texas.
16 THE COURT: And Texas. Okay. When did you come
17 to Minneapolis?
18 PROSPECTIVE JUROR: 2007.
19 THE COURT: All right. What brought you here?
20 PROSPECTIVE JUROR: I chose to move here after
21 college.
22 THE COURT: Where did you go to college?
23 PROSPECTIVE JUROR: In Texas.
24 THE COURT: Where in Texas?
25 PROSPECTIVE JUROR: Texas State University.

1 THE COURT: And did you get a degree there?

2 PROSPECTIVE JUROR: I did. A BFA in communication
3 design.

4 THE COURT: And what do you do now?

5 PROSPECTIVE JUROR: I am a basically graphic
6 designer, associate creative director.

7 THE COURT: Where?

8 PROSPECTIVE JUROR: United Healthcare.

9 THE COURT: Okay. So when you say you think you
10 are able to be here, you know how long this trial will take?

11 PROSPECTIVE JUROR: Mm-hmm.

12 THE COURT: Is that a yes? I just have to have
13 you say it for the record.

14 PROSPECTIVE JUROR: Yes.

15 THE COURT: You are fine. So the question is
16 whether you have talked to your employer and you are
17 cleared?

18 PROSPECTIVE JUROR: Yes. Yeah.

19 THE COURT: Okay. And tell us a little bit more
20 about what you do for United Healthcare.

21 PROSPECTIVE JUROR: I work on designing
22 experiences to make communicating with healthcare providers
23 easier to understand our plans.

24 THE COURT: What kind of experiences are you
25 designing?

1 PROSPECTIVE JUROR: Mostly digital tools and
2 websites to help explain member plans.

3 THE COURT: How long have you done that?

4 PROSPECTIVE JUROR: Almost two and a half years.

5 THE COURT: Did you have a job before that?

6 PROSPECTIVE JUROR: Yes.

7 THE COURT: What did you do?

8 PROSPECTIVE JUROR: I worked in advertising.

9 THE COURT: Where?

10 PROSPECTIVE JUROR: A company called Public Works.

11 THE COURT: And what kind of advertising campaigns
12 did you work on?

13 PROSPECTIVE JUROR: Basically consumer food
14 companies.

15 THE COURT: And can you give us an example.

16 PROSPECTIVE JUROR: I mean, specifically Truvia.

17 THE COURT: Truvia the --

18 PROSPECTIVE JUROR: Sweetener.

19 THE COURT: Okay. And how long were you in
20 advertising?

21 PROSPECTIVE JUROR: I did that for only a few
22 months.

23 THE COURT: And you went straight from there to
24 United Health?

25 PROSPECTIVE JUROR: I did.

1 THE COURT: And before the advertising job, what
2 did you do?

3 PROSPECTIVE JUROR: I worked at Starkey Hearing
4 Technologies.

5 THE COURT: What did you do there?

6 PROSPECTIVE JUROR: I was an art director.

7 THE COURT: How long did you do that?

8 PROSPECTIVE JUROR: Three years.

9 THE COURT: And before that?

10 PROSPECTIVE JUROR: I freelanced.

11 THE COURT: Okay. And did you freelance right out
12 of college?

13 PROSPECTIVE JUROR: No, I had a job in
14 advertising.

15 THE COURT: Okay. Where was that?

16 PROSPECTIVE JUROR: My first job, it was a company
17 called Wolfmotell. It's --

18 THE COURT: Wolf?

19 PROSPECTIVE JUROR: Yeah. Funny name.

20 THE COURT: Okay. And where was that?

21 PROSPECTIVE JUROR: That was in Minneapolis.

22 THE COURT: And all of those jobs, the
23 freelancing, the Wolfmotell, Starkey Hearing, that was all
24 advertising and graphics?

25 PROSPECTIVE JUROR: Mm-hmm.

1 THE COURT: And do you have a spouse or partner?

2 PROSPECTIVE JUROR: No.

3 THE COURT: And Question Number 8.

4 PROSPECTIVE JUROR: No.

5 THE COURT: And Question Number 9.

6 PROSPECTIVE JUROR: Dance, gardening, pottery,
7 fixing up my house. And, I mean, I guess I don't currently
8 belong to any organizations, but I have in the past.

9 THE COURT: Okay. What are those?

10 PROSPECTIVE JUROR: I was a member of Junior
11 League of Minneapolis.

12 THE COURT: And how long was that?

13 PROSPECTIVE JUROR: I did that for three years.

14 THE COURT: And how about other organizations?

15 PROSPECTIVE JUROR: I was also a board member of a
16 tap festival.

17 THE COURT REPORTER: Tap?

18 PROSPECTIVE JUROR: Tap, tap dance festival.

19 THE COURT: Where -- and is tap the kind of dance
20 that you do?

21 PROSPECTIVE JUROR: One of them, yes.

22 THE COURT: Okay. And where was the tap festival?

23 PROSPECTIVE JUROR: It was in Minneapolis.

24 THE COURT: All right.

25 PROSPECTIVE JUROR: Nonprofit.

1 THE COURT: And when was that?

2 PROSPECTIVE JUROR: I did that for four or
3 five years. I think I ended in 2018, so whatever back.

4 THE COURT: Okay.

5 PROSPECTIVE JUROR: Math.

6 THE COURT: Any other organizations?

7 PROSPECTIVE JUROR: Not that I can think of.

8 THE COURT: Question Number 10.

9 PROSPECTIVE JUROR: No.

10 THE COURT: And Question 11.

11 PROSPECTIVE JUROR: I occasionally check out the
12 news app on my phone, and I listen to a podcast called The
13 Minimalist.

14 THE COURT: What's the nature of that podcast?

15 PROSPECTIVE JUROR: How to live with less.

16 THE COURT: How about any other internet sites
17 that you go to on a regular basis?

18 PROSPECTIVE JUROR: I use apps more than the
19 internet, but I guess YouTube.

20 THE COURT: And what do you good to on YouTube, or
21 what do you look at?

22 PROSPECTIVE JUROR: A lot of home improvement,
23 life-style.

24 THE COURT: Any social media?

25 PROSPECTIVE JUROR: Yes, Instagram. I have

1 Facebook, but I'm never on it.

2 THE COURT: And what kinds of -- what kinds of
3 topics do you follow on Instagram?

4 PROSPECTIVE JUROR: Life-style, home, food, my
5 friends.

6 THE COURT: And in terms of news, where does that
7 mainly come from?

8 PROSPECTIVE JUROR: Probably the headlines on my
9 news app on the phone.

10 THE COURT: And do you know what they curate to,
11 where they come from?

12 PROSPECTIVE JUROR: I think it's national news.

13 THE COURT: Question 12.

14 PROSPECTIVE JUROR: No.

15 THE COURT: Question 13.

16 PROSPECTIVE JUROR: No.

17 THE COURT: Question 14.

18 PROSPECTIVE JUROR: I have some second cousins
19 that are lawyers and a friend that is a paralegal.

20 THE COURT: And the cousins are lawyers where?

21 PROSPECTIVE JUROR: Out of state.

22 THE COURT: And do any of them do work in the
23 criminal field?

24 PROSPECTIVE JUROR: I don't know what kind of
25 lawyer they are.

1 THE COURT: Okay. And your friend who is a
2 paralegal, where does that person work?

3 PROSPECTIVE JUROR: She works for Hennepin County.

4 THE COURT: Do you know what kind of work she does
5 or what kind of cases?

6 PROSPECTIVE JUROR: A lot of child protection
7 stuff.

8 THE COURT: Is there anything about your
9 interactions with her that you think would make you less
10 than fair and impartial?

11 PROSPECTIVE JUROR: No.

12 THE COURT: Question 15.

13 PROSPECTIVE JUROR: No.

14 THE COURT: And 16, interactions with the criminal
15 justice system.

16 PROSPECTIVE JUROR: No.

17 THE COURT: And 17.

18 PROSPECTIVE JUROR: No.

19 THE COURT: And 18.

20 PROSPECTIVE JUROR: No.

21 THE COURT: Question 19, Have you ever testified
22 in court?

23 PROSPECTIVE JUROR: No.

24 THE COURT: And how about Question 20.

25 PROSPECTIVE JUROR: No.

1 THE COURT: On 21, working with government or
2 social services programs.

3 PROSPECTIVE JUROR: Potentially when I was a
4 member of Junior League.

5 THE COURT: Okay. And what kind of work did you
6 do with the Junior League?

7 PROSPECTIVE JUROR: One of our programs was to put
8 food in backpacks for school children on the weekends. And
9 I also volunteered in a prison.

10 THE COURT: And do you remember what the name of
11 the organization was that put food in the backpacks?

12 PROSPECTIVE JUROR: We did -- it was Backpack
13 Buddies was what we called it. I don't know if we worked
14 with someone else.

15 THE COURT: And what was your participation?

16 PROSPECTIVE JUROR: Truly loading food into the
17 backpack.

18 THE COURT: Okay. And did you go to sites to do
19 that?

20 PROSPECTIVE JUROR: We had someone who picked it
21 up and took it to an elementary school.

22 THE COURT: So you were not -- giving not only
23 food, but a backpack?

24 PROSPECTIVE JUROR: Yes. The backpacks were
25 reused.

1 THE COURT: Do you know what elementary school was
2 the destination for the food?

3 PROSPECTIVE JUROR: Maybe if I heard the name I
4 would, but not off the top of my head.

5 THE COURT: Do you know how the individuals were
6 chosen who received the food?

7 PROSPECTIVE JUROR: It was an elementary school
8 that had, I think, just a high population of kids that
9 didn't have food.

10 THE COURT: And do you know how that elementary
11 school chose which individuals there got the food?

12 PROSPECTIVE JUROR: No.

13 THE COURT: Do you know whether the school or
14 anyone was reimbursed for the food?

15 PROSPECTIVE JUROR: I don't.

16 THE COURT: Was the Junior League?

17 PROSPECTIVE JUROR: I think we probably used our
18 funds to purchase the food.

19 THE COURT: And do you know for sure?

20 PROSPECTIVE JUROR: I don't know for sure.

21 THE COURT: Do you know whether the Junior League
22 applied to any organization for a grant or for money?

23 PROSPECTIVE JUROR: I believe everything came from
24 within the organization.

25 THE COURT: And funded mostly privately?

1 PROSPECTIVE JUROR: I think so.

2 THE COURT: Did the Backpack Buddies work occur
3 during COVID or was that --

4 PROSPECTIVE JUROR: It was well before.

5 THE COURT: Well before.

6 Can you talk about your work in a prison.

7 PROSPECTIVE JUROR: I was part of a program that
8 went to a women's prison, and the inmates were allowed to
9 read a storybook, and we recorded it, and then we sent the
10 storybook with the parent's recording to the child at home.

11 THE COURT: And did you partner with a nonprofit
12 for that?

13 PROSPECTIVE JUROR: I think again it was -- it was
14 us as Junior League who'd created the program.

15 THE COURT: Was the prison that you went to in
16 Shakopee?

17 PROSPECTIVE JUROR: Mm-hmm.

18 THE COURT: How many times do you think you did
19 that?

20 PROSPECTIVE JUROR: Over the course of a year, so
21 I don't know, maybe six to eight times we went.

22 THE COURT: And how many individuals would you
23 meet with each time?

24 PROSPECTIVE JUROR: Me personally or -- probably
25 about four or five.

1 THE COURT: And was the idea that they were
2 reading a story so that their voices could be recorded for
3 the kids?

4 PROSPECTIVE JUROR: Mm-hmm.

5 THE COURT: Okay. Anything about your interaction
6 with women who were incarcerated that you think would affect
7 your ability to be fair and impartial here?

8 PROSPECTIVE JUROR: No.

9 THE COURT: Do you think it would affect your
10 approach to this case at all?

11 PROSPECTIVE JUROR: No.

12 THE COURT: And was it -- it was only women that
13 you worked with, correct?

14 PROSPECTIVE JUROR: Mm-hmm.

15 THE COURT: All right. How about Question 22.

16 PROSPECTIVE JUROR: Not that I'm aware of.

17 THE COURT: Question 23.

18 PROSPECTIVE JUROR: Neutral.

19 THE COURT: Question 24.

20 PROSPECTIVE JUROR: I mean, daily interactions, I
21 suppose. I don't have any people in my immediate friend
22 group.

23 THE COURT: But daily interactions just out and
24 about with folks who are from --

25 PROSPECTIVE JUROR: Yep, or people you work with.

1 THE COURT: -- Somali community.

2 PROSPECTIVE JUROR: Yeah.

3 THE COURT: How about folks you work with?

4 PROSPECTIVE JUROR: I mean, I am not super aware,
5 but I don't -- I don't think I work with anyone.

6 THE COURT: Anything about any of those
7 interactions that leads to a positive or negative view of
8 the East African or Somalian community or anyone in it?

9 PROSPECTIVE JUROR: No.

10 THE COURT: And Question 25 gets at your
11 unconscious biases. Have you had training in unconscious --

12 PROSPECTIVE JUROR: I have with my job, my current
13 job.

14 THE COURT: And Question 25(a).

15 PROSPECTIVE JUROR: I would be comfortable to
16 being unbiased.

17 THE COURT: And Question 25(b).

18 PROSPECTIVE JUROR: Yes, I can be.

19 THE COURT: And Question 26(a).

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: And 26(b), anything else you think you
22 should call to the court's attention?

23 PROSPECTIVE JUROR: Not that I can think of.

24 THE COURT: Okay. Thank you. Just let me check
25 with the attorneys for a moment.

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(Sidebar discussion)

THE COURT: Any follow-up?

Any motions for cause?

All right. Thank you.

(In open court)

THE COURT: Are you sure? Okay.

I'm going to retain you, and I'm going to have you go to the courtroom next door.

PROSPECTIVE JUROR: Okay.

THE COURT: And so you will wait out the process there. I appreciate your patience.

These folks aren't allowed to talk to you, so if you see them and they don't, they are not being rude. All right.

PROSPECTIVE JUROR: All right.

THE COURT: Thank you.

(Prospective Juror Number 42 exits courtroom)

(Prospective Juror Number 43 enters courtroom)

THE COURT: Hello.

PROSPECTIVE JUROR: Hello.

THE COURT: Come on up and have a seat in the witness chair there.

You are Juror Number 43?

PROSPECTIVE JUROR: Correct.

THE COURT: And you have that questionnaire in

1 front of you. I will have you answer the questions on that
2 questionnaire, starting with the first one, What is your
3 age.

4 PROSPECTIVE JUROR: 57 years old.

5 THE COURT: And Question 2.

6 PROSPECTIVE JUROR: No.

7 THE COURT: Question 3.

8 PROSPECTIVE JUROR: Yes, the TV news when it was
9 first started, I guess, how many months ago.

10 THE COURT: On which TV news, do you know?

11 PROSPECTIVE JUROR: Probably be WCCO. That's
12 normally what I would watch.

13 THE COURT: And how many segments on this case do
14 you think you've seen?

15 PROSPECTIVE JUROR: Probably just the first one.
16 I mean --

17 THE COURT: Do you remember when that first one
18 was?

19 PROSPECTIVE JUROR: When the news first broke
20 about it. Months ago. I --

21 THE COURT: Do you remember whether they were --
22 well, first of all, do you remember what season that was in?

23 PROSPECTIVE JUROR: To tell you the truth, I don't
24 remember. I mean, to -- I mean, I didn't think about this
25 until all of a sudden I got the information, so.

1 THE COURT: Okay. I'm going to have you scoot
2 closer to that microphone as you talk.

3 PROSPECTIVE JUROR: Sorry about that.

4 THE COURT: No worries.

5 Do you remember whether the news piece talked
6 about a arrest, an indictment, or a search warrant?

7 PROSPECTIVE JUROR: They may have said something.
8 I didn't pay that much attention to it. I just -- it was
9 more so somebody was -- or a group of people was taken
10 advantage of the situation, I guess.

11 THE COURT: And what -- and say more about that.
12 What did the piece say or what was your understanding of
13 what the issue was?

14 PROSPECTIVE JUROR: My understanding they were
15 being charged for overcharging or not using the money for
16 what it was supposed to be used for. That was the
17 impression I got anyways.

18 THE COURT: And your understanding was that people
19 were being charged criminally?

20 PROSPECTIVE JUROR: Yes, yes.

21 THE COURT: Okay. And based on what you heard,
22 have you developed an opinion on the guilt or innocence of
23 these defendants.

24 PROSPECTIVE JUROR: No. I mean, it -- they're
25 charged for a reason, but I guess I would have to hear all

1 the evidence to start out with. I mean, the news media can
2 spin things a lot of different ways.

3 THE COURT: When you say they are charged for a
4 reason, what do you mean by that?

5 PROSPECTIVE JUROR: Well, they're not just going
6 to come and -- you know, there's probably evidence
7 somewheres that there was something done wrong and they were
8 tied to it, I guess. They are not going to just, you know,
9 pick anybody. They're not going to pick you for no good
10 reason and say you did this.

11 THE COURT: And one of the central tenets of our
12 system, one of the things that I will tell you, is that the
13 defendants are entitled and they have a presumption of
14 innocence. So even -- just because they've been arrested
15 does not mean that there's anything wrong, or just because
16 they've been charged doesn't mean that they did anything
17 wrong.

18 PROSPECTIVE JUROR: Mm-hmm.

19 THE COURT: And they start with a presumption of
20 evidence -- or of innocence.

21 PROSPECTIVE JUROR: Of innocence, yes.

22 THE COURT: Sorry. Can you apply that presumption
23 of innocence?

24 PROSPECTIVE JUROR: Yes.

25 THE COURT: Okay. How do I square that with,

1 well, I think they're charged for a reason? Help me
2 understand that.

3 PROSPECTIVE JUROR: Well, somebody, government,
4 whoever, whoever keeps track of this, must have noticed
5 something wasn't right, and so they investigated it. And
6 they had to -- or they investigated enough where they
7 figured that there's probably something maybe not right or
8 there's something that needs to be checked out, okayed,
9 corrected, whatever, so.

10 THE COURT: And are you comfortable with the
11 defendants starting out with a clean slate and a presumption
12 of innocence?

13 PROSPECTIVE JUROR: Yes, I am comfortable with
14 that.

15 THE COURT: Are you comfortable -- can you hold
16 the government to its proof, which means that in order for
17 any defendant to be found guilty, the government must prove
18 the case against that defendant beyond a reasonable doubt?

19 PROSPECTIVE JUROR: Yes. I agree with that.

20 THE COURT: Can you hold the government to its
21 proof?

22 PROSPECTIVE JUROR: Yes, I can.

23 THE COURT: Any doubt about that?

24 PROSPECTIVE JUROR: No.

25 THE COURT: If you are selected as a juror in this

1 case, will you be able to set aside what you may have
2 learned in the news and decide the case based only on the
3 evidence presented at trial?

4 PROSPECTIVE JUROR: I can, yes.

5 THE COURT: Can you answer Question Number 4.

6 PROSPECTIVE JUROR: I have never heard of any of
7 the -- these names or these businesses.

8 THE COURT: And Question Number 5.

9 PROSPECTIVE JUROR: No, I can read and write
10 English just fine.

11 THE COURT: And Question 5(b).

12 PROSPECTIVE JUROR: No, I have no problems seeing.
13 I have readers, but that's about it, so.

14 THE COURT: Okay. Question 5(c).

15 PROSPECTIVE JUROR: No, there's no other issues.

16 THE COURT: Question 6.

17 PROSPECTIVE JUROR: 6. I grew up in Circle Pines,
18 and I live in Coon Rapids now.

19 THE COURT: And Question 7.

20 PROSPECTIVE JUROR: My occupation is I'm an
21 electrician. Two years of technical school to do that.
22 I've done that since '87. My spouse is a paraprofessional
23 for the Anoka-Hennepin School District.

24 THE COURT: What does your spouse do as a
25 paraprofessional?

1 PROSPECTIVE JUROR: She helps the under -- well,
2 kids with needs -- special needs type of thing. Some of it
3 might be reading tests to them, it might be getting them on
4 and off the bus, bringing them to lunch, that type of stuff.

5 THE COURT: And you said how long she'd done that.

6 PROSPECTIVE JUROR: She's been that particular --
7 she's been in the district for about 27 years. That
8 particular school for probably 15 years.

9 THE COURT: What age are the kids she works with?

10 PROSPECTIVE JUROR: They're middle school, so 6th,
11 7th and 8th grade.

12 THE COURT: And in that role are you aware of,
13 other than taking them to the lunchroom, whether she has any
14 role in their nutrition that they get, the way that the
15 lunch is served?

16 PROSPECTIVE JUROR: It's more of a supervisory. A
17 lot of times these kids are nonverbal, physically can't walk
18 type of thing, so it's really more of a physical assistance
19 than anything.

20 THE COURT: During COVID, did she still work in
21 the school, was she distance or --

22 PROSPECTIVE JUROR: Yeah, distance learning, yep.

23 THE COURT: Okay. And so how was her job impacted
24 then?

25 PROSPECTIVE JUROR: Personally mine was not

1 impacted at all.

2 THE COURT: How about hers?

3 PROSPECTIVE JUROR: Hers, she did the Zoom call
4 type of thing. That's about it.

5 THE COURT: Are you aware of any way that the
6 district changed it's -- the way in which it gave lunches or
7 other food to kids during COVID?

8 PROSPECTIVE JUROR: Not that I know of. I mean, I
9 had no reason to look at that.

10 THE COURT: Okay. And Question 8.

11 PROSPECTIVE JUROR: Do you have any children?
12 Yes. I have a 27-year-old son, and he is currently going to
13 college, Luther Seminary, to be a deacon. He should be done
14 with that within the year.

15 THE COURT: And Question 9.

16 PROSPECTIVE JUROR: Favorite hobbies and
17 activities. Downhill skiing, hunting, fishing, I love
18 camping, hiking, a lot of outdoor stuff like that, so.

19 THE COURT: How about any organizations that you
20 belong to.

21 PROSPECTIVE JUROR: I belong to a Lutheran church,
22 the International Brotherhood of Electrical Workers.
23 Outside of that, nothing that I can really think of.

24 THE COURT: And Question 10.

25 PROSPECTIVE JUROR: No.

1 THE COURT: And Question 11.

2 PROSPECTIVE JUROR: Magazines, podcasts.
3 Facebook, Instagram, that's about it. I don't any pod --
4 podcasts or anything like that that I listen to.

5 THE COURT: Do you listen to music while you work
6 or talk radio?

7 PROSPECTIVE JUROR: Most times I cannot. It's not
8 permitted, but driving to and from work, yeah, I'll listen
9 to like news radio or music stations type of thing.

10 THE COURT: And what types of subjects do you
11 follow on Facebook and Instagram?

12 PROSPECTIVE JUROR: It's just more seeing what my
13 friends are doing type of thing.

14 THE COURT: How about where do you get your news?

15 PROSPECTIVE JUROR: News, mostly is I watch the
16 morning news on WCCO. I might listen -- if I'm sick of
17 listening to music, I'll listen to WCCO whatever radio
18 program it is that happens to be on at that point.

19 THE COURT: Question 12.

20 PROSPECTIVE JUROR: No.

21 THE COURT: And Question 13 on the next page.

22 PROSPECTIVE JUROR: No.

23 THE COURT: Question 14.

24 PROSPECTIVE JUROR: No.

25 THE COURT: And Question 15.

1 PROSPECTIVE JUROR: No.

2 THE COURT: 16.

3 PROSPECTIVE JUROR: No.

4 THE COURT: 17.

5 PROSPECTIVE JUROR: Would be yes. My brother is a
6 security officer at Moose Lake state prison. And a
7 coworker, he's a retired Minneapolis policeman.

8 THE COURT: Okay. Let's start with your brother.
9 How long has he been at Moose Lake state prison?

10 PROSPECTIVE JUROR: Oh, I would say ten-plus years
11 for sure.

12 THE COURT: Has he always been in corrections or
13 did he do something before that?

14 PROSPECTIVE JUROR: He used to work -- he was a
15 security officer for I think it was United Hospital down in
16 St. Paul.

17 THE COURT: Do you talk to him about his job?

18 PROSPECTIVE JUROR: Once in a while. I mean, he
19 doesn't say particulars about it, but it -- he finds his job
20 somewhat boring I guess I would have to say.

21 THE COURT: Do you think that your interactions
22 with him over his job would affect your approach to this
23 case?

24 PROSPECTIVE JUROR: No.

25 THE COURT: And how about your friend who was a

1 Minneapolis police officer?

2 PROSPECTIVE JUROR: He's more of a coworker. He's
3 actually a delivery driver, so, I mean, I don't talk with
4 him a bunch. He -- it's more so, you know, just work talk,
5 you know.

6 THE COURT: Anything about your discussions with
7 him that you think would affect your approach to this case?

8 PROSPECTIVE JUROR: No.

9 THE COURT: And some of the witnesses in the trial
10 are likely to be law enforcement officers. Do you have any
11 feelings in favor or against law enforcement officers?

12 PROSPECTIVE JUROR: No.

13 THE COURT: Question 19.

14 PROSPECTIVE JUROR: No, I have never testified in
15 court.

16 THE COURT: Question 20.

17 PROSPECTIVE JUROR: No.

18 THE COURT: Question 21.

19 PROSPECTIVE JUROR: No.

20 THE COURT: 22.

21 PROSPECTIVE JUROR: No.

22 THE COURT: And 23.

23 PROSPECTIVE JUROR: No.

24 THE COURT: 24.

25 PROSPECTIVE JUROR: No.

1 THE COURT: And 25 gets at your unconscious
2 biases. You listened to or watched a video on that.

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: Can you commit to thinking about why
5 you are making a particular decision and examining that
6 decision for bias?

7 PROSPECTIVE JUROR: Yes.

8 THE COURT: And then 25(b), there's people
9 involved in the case maybe different in race and ethnic
10 background than yourself. Can you commit to carefully
11 evaluating the evidence and deciding it only on the evidence
12 in the courtroom and not by any unconscious bias?

13 PROSPECTIVE JUROR: Yes.

14 THE COURT: Question 26(a) is, Are you willing to
15 apply the law as I give it to you?

16 PROSPECTIVE JUROR: Yes.

17 THE COURT: And anything else that you can think
18 of that should come to the court's attention?

19 PROSPECTIVE JUROR: No.

20 THE COURT: Okay. Just one moment.

21 **(Sidebar discussion)**

22 THE COURT: Any follow-up. Follow-up?
23 Motions for cause?

24 MR. SAPONE: Your Honor, this is Ed Sapone for
25 Abdi Nur. I do have some concerns and I want to share that

1 with the court now.

2 So I know that he said he could be fair and
3 impartial and he answered all the questions positively in
4 terms of being rehabilitated apparently. He said, yes, I'll
5 put, I'll put the government to its burden. I know he said
6 all that, but he also said that -- one moment please.

7 THE COURT: Anyone else on the cause motion?

8 MR. SAPONE: It just went off my screen for a
9 moment. I'm sorry. Could I continue, Your Honor?

10 THE COURT: You can. I'm not hearing you, is the
11 issue, which is why I unintentionally cut you off.

12 MR. SAPONE: I know.

13 THE COURT: Are others hearing?

14 MR. SAPONE: Is that better?

15 THE COURT: That is better for me.

16 MR. SAPONE: Okay. I don't know why it keeps
17 going in and out.

18 THE COURT: Maybe it's my issue and not yours. Go
19 ahead.

20 MR. SAPONE: I feel like it's mine, but okay.

21 But he heard on the news that people were being
22 charged criminally, they are charged for a reason. They are
23 not just going to come and, pause, they are not just going
24 to pick you up for no good reason and say you did this. The
25 government keeps track of this and sees something not right.

1 They investigate it and see something is not right.

2 And so even though he then said "yes" to the
3 follow-up questions that he could be fair and impartial,
4 this is his belief. And, you know, it's in connection with
5 Question 3 where we're asking, Have you developed an opinion
6 on the guilt or innocence of the defendants. It's the
7 opposite of presuming them innocent. He's presuming that
8 they did something, so that's a concern I have.

9 I went on the internet and I see that there -- on
10 his Facebook account he has -- he shared a post that was put
11 out by the Lutheran church, and it has to do with the
12 subject matter, it says -- the post says that he shared from
13 the Lutheran church, the Harbor Food Shelf's monthly
14 drive-through distribution is this Wednesday, July 27th --
15 and this is a couple years ago -- from 2:30 to 4:30. All
16 are welcome at the church. And then follow the signs and
17 we'll greet you.

18 So he clearly has an involvement or at least an
19 interest in the distribution of food. When you put it all
20 together, I just think he's too dangerous, and I am
21 respectfully moving for a cause challenge.

22 THE COURT: Did you -- the word before on the
23 post, you said the Lutheran church, what, food shelf's
24 monthly drive?

25 MR. SAPONE: Just the Lutheran church put out a

1 post on Facebook, and the post was alerting the public to
2 Harbor Food Shelf's monthly food drive-through.

3 THE COURT: "Harbor" was the word I didn't get.

4 MR. SAPONE: Harbor. Yeah, sorry.

5 THE COURT: Thank you.

6 MR. SAPONE: It's my New York accent.

7 THE COURT: Anyone else on that issue?

8 My view is that he shared what his initial thought
9 was, and I asked him a lot of questions about whether he
10 still had that belief, whether he could hold the government
11 to its proof, and I'm going to take him at his word that he
12 can. He was candid and credible to me, and so I'm going to
13 deny the motion for cause.

14 **(In open court)**

15 THE COURT: Sir, thank you.

16 PROSPECTIVE JUROR: Okay.

17 THE COURT: I'm going to have you go to the --
18 sorry, go to the courtroom next door, and so you will be
19 retained.

20 PROSPECTIVE JUROR: Okay.

21 THE COURT: And you will wait out the process, and
22 I appreciate your patience.

23 PROSPECTIVE JUROR: Thank you for having me in
24 your courtroom.

25 THE COURT: I'm sorry?

1 PROSPECTIVE JUROR: Thank you for having me in
2 your courtroom.

3 THE COURT: Oh, you are welcome. Thank you.

4 **(Prospective Juror Number 43 exits courtroom)**

5 **(Prospective Juror Number 44 enters courtroom)**

6 THE COURT: Hello. Come on forward.

7 All right. So I'm going to have you go this way
8 around the tables, and you are coming up to the witness
9 chair that's next to me.

10 You can go ahead and have a seat there.

11 PROSPECTIVE JUROR: Thank you.

12 THE COURT: You are Juror Number 44?

13 PROSPECTIVE JUROR: Yes, please.

14 THE COURT: All right. And so I'll have you speak
15 right into that microphone, if you would.

16 PROSPECTIVE JUROR: Okay.

17 THE COURT: And I'm going to have you answer the
18 questions on the questionnaire that's in front of you. And
19 I'm going to start with Number 1, which is, What is your
20 age?

21 PROSPECTIVE JUROR: My age is 53.

22 THE COURT: And can you answer Question 2.

23 PROSPECTIVE JUROR: Question 2 is no.

24 THE COURT: Question 3.

25 PROSPECTIVE JUROR: No.

1 THE COURT: You have not heard of this case?

2 PROSPECTIVE JUROR: No, I did not.

3 THE COURT: And how about Question 4, any of those
4 organizations?

5 PROSPECTIVE JUROR: No.

6 THE COURT: Question 5.

7 PROSPECTIVE JUROR: Yes.

8 THE COURT: Yes to what part?

9 So 5(a) is, Do you have any difficulty reading,
10 understanding or speaking English?

11 PROSPECTIVE JUROR: Oh, no.

12 THE COURT: Okay.

13 PROSPECTIVE JUROR: I'm sorry.

14 THE COURT: That's all right.

15 Question 5(b), any problems seeing or hearing?

16 PROSPECTIVE JUROR: No. No problem.

17 THE COURT: And how about other physical or mental
18 issues?

19 PROSPECTIVE JUROR: No.

20 THE COURT: And you can be with us during trial?

21 PROSPECTIVE JUROR: Yes, for -- I'm writing my
22 board exam very soon, so I don't know when you want me to be
23 there, because I have to write my nursing board exam I think
24 three months from now, which I am preparing for.

25 THE COURT: You are preparing for a nursing board

1 exam?

2 PROSPECTIVE JUROR: Yes, please.

3 THE COURT: And when do you take that exam?

4 PROSPECTIVE JUROR: June.

5 THE COURT: When in June?

6 PROSPECTIVE JUROR: I think ending of June.

7 THE COURT: The end of June?

8 PROSPECTIVE JUROR: Yes, please.

9 THE COURT: Do you have a specific date?

10 PROSPECTIVE JUROR: Not yet. I have not fixed the
11 date yet.

12 THE COURT: And if you are in a trial that's six
13 or more weeks, that puts us at mid-June, maybe, or early
14 June at the latest. What's your thought on that?

15 PROSPECTIVE JUROR: It's going to affect my
16 reading for my exams.

17 THE COURT: Are you working right now?

18 PROSPECTIVE JUROR: Yeah, I'm working, but I'm
19 working only weekend because I'm preparing for the exam. I
20 only work Saturday and Sundays for the --

21 THE COURT: And so you are going to be -- the plan
22 was study during the week, work on the weekends?

23 PROSPECTIVE JUROR: Yeah, I do it online. I study
24 online for the exam, and I work weekends Saturdays and
25 Sundays.

1 THE COURT: And where are you working?

2 PROSPECTIVE JUROR: Maplewood Care Center as a
3 nursing assistant.

4 THE COURT: And how does that date get set? Is --
5 the date for the exam.

6 PROSPECTIVE JUROR: It depends on how prepared I
7 am. That's when I -- they give me three months.

8 THE COURT: And three months from what date?

9 PROSPECTIVE JUROR: From maybe May. So they have
10 to count three month May before I can fix the date, but I
11 want to fix it when I'm fully prepared for the exams.

12 THE COURT: All right. Just one moment.

13 **(Sidebar discussion)**

14 THE COURT: I'm inclined to grant for hardship.
15 Does anyone have any feelings on one way or another?

16 MR. GOETZ: No objection on behalf of Defendant
17 Shariff, Your Honor.

18 THE COURT: Anyone else?

19 Okay. Thank you.

20 **(In open court)**

21 THE COURT: I'm concerned about the effect this is
22 going to have on your studying, and so I'm going to excuse
23 you from service.

24 PROSPECTIVE JUROR: Okay.

25 THE COURT: Thank you for being here and for your

1 patience during the process.

2 PROSPECTIVE JUROR: Okay. Thank you so much. I'm
3 grateful. Thank you.

4 THE COURT: You're welcome. You can give the
5 papers to the person outside the door.

6 PROSPECTIVE JUROR: Okay. Thank you.

7 THE COURT: Thank you.

8 **(Prospective Juror Number 44 exits courtroom)**

9 **(Prospective Juror Number 46 enters courtroom)**

10 THE COURT: Good afternoon. Come on forward.
11 I'll have you come around these tables. You are going to
12 aim for this witness chair up by me.

13 All right. I'll have you have a seat, and you
14 will speak right into that microphone so we can all hear
15 you.

16 You are Juror Number 46?

17 PROSPECTIVE JUROR: Mm-hmm.

18 THE COURT: Okay. And we're going to go through
19 that questionnaire that you've got in front of you. We'll
20 begin with the first question, which is, What is your age?

21 PROSPECTIVE JUROR: I am 22.

22 THE COURT: And can you answer Question 2.

23 PROSPECTIVE JUROR: I did not recognize anyone on
24 the list, no.

25 THE COURT: How about Question 3.

1 PROSPECTIVE JUROR: I have very briefly from my
2 mother, but nothing outside of that, no.

3 THE COURT: And what did your mother tell you?

4 PROSPECTIVE JUROR: Just that she had been
5 interviewed by a reporter because we have been getting food
6 from Feeding Our Future, and so the reporter interviewed her
7 about, like, how long we had been getting food and stuff
8 like that. And she had briefly mentioned it to me.

9 THE COURT: When you say we'd been getting food
10 from Feeding Our Future, tell me what you mean by that.

11 PROSPECTIVE JUROR: It was my family after my
12 parents had lost their jobs during COVID, so it was my
13 entire family.

14 THE COURT: And so including you?

15 PROSPECTIVE JUROR: I was at university at this
16 time, but I would still come back and I would be eating the
17 food with my family.

18 THE COURT: Okay. And that came from what
19 organization?

20 PROSPECTIVE JUROR: Feeding Our Future is what my
21 mom told me.

22 THE COURT: Okay. And do you know where they --
23 did they go pick up the food?

24 PROSPECTIVE JUROR: I think so. In Burnsville I
25 think it was.

1 THE COURT: Do you know where in Burnsville?

2 PROSPECTIVE JUROR: I do not.

3 THE COURT: Did your mom give an interview to the
4 paper?

5 PROSPECTIVE JUROR: I -- she said that she didn't
6 think it'd been used, but it was a reporter that talked to
7 her.

8 THE COURT: And do you know who the reporter was?

9 PROSPECTIVE JUROR: (Moves head from side to
10 side.)

11 THE COURT: Do you know the organization?

12 PROSPECTIVE JUROR: No, I'm sorry.

13 THE COURT: Okay. And what did your mom tell you
14 in particular about Feeding Our Future?

15 PROSPECTIVE JUROR: Just that she had done the
16 interview. She hadn't told me anything in particular.

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

19 **(Sidebar discussion)**

20 THE COURT: Counsel.

21 MR. THOMPSON: This is Joe Thompson on behalf of
22 the United States.

23 We would move to strike for cause. It seems like
24 she has -- her family has some sort of personal involvement
25 in the case, which way it cuts isn't even immediately clear

1 since this was food for kids, not food for adults, but in
2 any event, it's not prudent to have her on the jury.

3 THE COURT: Any thoughts from the defense counsel?

4 No one joins or objects?

5 All right. I'm going to grant.

6 **(In open court)**

7 THE COURT: I'm going to thank you for your
8 patience here, your patience throughout the process, and I'm
9 going to excuse you from service.

10 PROSPECTIVE JUROR: Okay. Thank you.

11 THE COURT: All right. Thank you. I'm going to
12 have you give your papers to the person who is outside the
13 door.

14 PROSPECTIVE JUROR: Okay.

15 THE COURT: Thank you.

16 **(Prospective Juror Number 46 exits courtroom).**

17 **(Prospective Juror Number 48 enters courtroom)**

18 THE COURT: Good afternoon.

19 PROSPECTIVE JUROR: Hi.

20 THE COURT: I'll have you come up to the witness
21 stand.

22 You are Juror Number 48?

23 PROSPECTIVE JUROR: Yes.

24 THE COURT: Okay. And you have that questionnaire
25 right in front of you, so I'm just going to have you answer

1 the questions on that questionnaire starting with the first
2 one, which is, What is your age?

3 PROSPECTIVE JUROR: 35.

4 THE COURT: And the answer to Question 2.

5 PROSPECTIVE JUROR: No.

6 THE COURT: How about Question 3.

7 PROSPECTIVE JUROR: No.

8 THE COURT: Not at all?

9 PROSPECTIVE JUROR: No.

10 THE COURT: And Question 4.

11 PROSPECTIVE JUROR: No.

12 THE COURT: Question 5.

13 PROSPECTIVE JUROR: No.

14 THE COURT: And 5(b).

15 PROSPECTIVE JUROR: No.

16 THE COURT: And 5(c).

17 PROSPECTIVE JUROR: No.

18 THE COURT: And Question 6.

19 PROSPECTIVE JUROR: I grew up in Mahtomedi,
20 Minnesota, and I live in -- currently live in Crystal.

21 THE COURT: When did you move to Crystal?

22 PROSPECTIVE JUROR: 2018.

23 THE COURT: And where did you live before Crystal?

24 PROSPECTIVE JUROR: St. Louis Park.

25 THE COURT: And can you go through the questions

1 on Number 7?

2 PROSPECTIVE JUROR: My educational background, I
3 have a bachelor's in psychology. My current occupation, I
4 work for Target Corporation. I'm a senior product
5 development specialist.

6 THE COURT: And where does your bachelor's in
7 psychology come from?

8 PROSPECTIVE JUROR: University of Minnesota -
9 Duluth.

10 THE COURT: And what do you do as a senior product
11 development specialist?

12 PROSPECTIVE JUROR: It's more of a project
13 management role. So I work with the home fragrance and
14 decorative accessories. And so I help develop all brand-new
15 owned brand product for Target.

16 THE COURT: You work with a team to do that?

17 PROSPECTIVE JUROR: I do.

18 THE COURT: Are you in a supervisory role?

19 PROSPECTIVE JUROR: No.

20 THE COURT: How long have you worked for Target?

21 PROSPECTIVE JUROR: For about a year and a half.

22 THE COURT: And what did you do before that?

23 PROSPECTIVE JUROR: I worked as an enrollment
24 counselor for an online university.

25 THE COURT: What was the university?

1 PROSPECTIVE JUROR: Capella University.

2 THE COURT: And how long did you do that?

3 PROSPECTIVE JUROR: I worked there for seven
4 years.

5 THE COURT: Okay. And how about before that?

6 PROSPECTIVE JUROR: I was a recruiter.

7 THE COURT: Okay. For what organization?

8 PROSPECTIVE JUROR: Randstad.

9 THE COURT: Does that pretty much take us back to
10 college?

11 PROSPECTIVE JUROR: Before that, I worked for
12 Enterprise.

13 THE COURT: The rent-a-car?

14 PROSPECTIVE JUROR: Yep.

15 THE COURT: Okay.

16 PROSPECTIVE JUROR: Before that was college.

17 THE COURT: And how about do you have a spouse or
18 partner?

19 PROSPECTIVE JUROR: Yes, I have a spouse, a
20 husband.

21 THE COURT: And what does he do?

22 PROSPECTIVE JUROR: He's a director of recruiting.

23 THE COURT: For what company?

24 PROSPECTIVE JUROR: For Randstad.

25 THE COURT: How long has he done that?

1 PROSPECTIVE JUROR: I believe 10 years, 10-plus
2 years.

3 THE COURT: And how about Question Number 8.

4 PROSPECTIVE JUROR: I do.

5 THE COURT: How many?

6 PROSPECTIVE JUROR: I have a little boy. He's a
7 year and a half.

8 THE COURT: And Question 9.

9 PROSPECTIVE JUROR: My favorite hobbies, I like to
10 hang out with family and friends, garden, do yoga, paint,
11 walk my dog.

12 THE COURT: And do you belong to any
13 organizations?

14 PROSPECTIVE JUROR: The only organization that I
15 belong to is at Target. It's the Mental Health and
16 Disability Council.

17 THE COURT: Tell me about that.

18 PROSPECTIVE JUROR: We advocate for Target
19 employees that are disabled and who struggle with mental
20 health.

21 THE COURT: And are you advocating to outside
22 organizations or within Target or both?

23 PROSPECTIVE JUROR: So I specifically work on the
24 collaborations team, so I collaborate within Target with
25 other councils.

1 THE COURT: Question 10.

2 PROSPECTIVE JUROR: No.

3 THE COURT: Question 11.

4 PROSPECTIVE JUROR: No, not on a regular basis.

5 THE COURT: And how about, do you listen to any
6 podcasts?

7 PROSPECTIVE JUROR: I do, but not on a regular
8 basis.

9 THE COURT: Okay. And if you were to listen to a
10 podcast, what kind of podcast are you listening to?

11 PROSPECTIVE JUROR: Self-help.

12 THE COURT: How about social media?

13 PROSPECTIVE JUROR: I am on social media.

14 THE COURT: Okay. And what kind of things do you
15 follow on social media other than friends?

16 PROSPECTIVE JUROR: Gardening groups, a lot of
17 gardening groups right now.

18 THE COURT: And where do you get your news?

19 PROSPECTIVE JUROR: Social media. My favorite
20 news station is KARE 11. I am not an avid news watcher, but
21 if it's on -- the TV is on in the background while I'm
22 making dinner, I will listen to it.

23 THE COURT: And Question Number 12.

24 PROSPECTIVE JUROR: I have not.

25 THE COURT: Question 13 on the next page.

1 PROSPECTIVE JUROR: I did not.

2 THE COURT: And how about 14.

3 PROSPECTIVE JUROR: I do not.

4 THE COURT: 15.

5 PROSPECTIVE JUROR: No.

6 THE COURT: And 16, interactions with the criminal
7 justice system.

8 PROSPECTIVE JUROR: No.

9 THE COURT: And 17.

10 PROSPECTIVE JUROR: No.

11 THE COURT: 18, any prejudices or feelings in
12 favor of or against law enforcement?

13 PROSPECTIVE JUROR: No.

14 THE COURT: And 19.

15 PROSPECTIVE JUROR: No.

16 THE COURT: And 20.

17 PROSPECTIVE JUROR: No.

18 THE COURT: Does your one-and-a-half-year-old go
19 to daycare?

20 PROSPECTIVE JUROR: Yes, but I actually had him in
21 2021, and he didn't start daycare -- or I had him in 2022, I
22 should know that, and he didn't start daycare for a year,
23 so.

24 THE COURT: Okay. And do you know where he goes
25 to daycare, are there free lunches available for some

1 children and not others? Is it different for some kids and
2 not others? How is that handled?

3 PROSPECTIVE JUROR: I am not exactly sure.

4 THE COURT: How does he eat?

5 PROSPECTIVE JUROR: I pack his lunch and they give
6 him breakfast.

7 THE COURT: And do you pay for the breakfast
8 separately or is it included?

9 PROSPECTIVE JUROR: It's included.

10 THE COURT: Question 21.

11 PROSPECTIVE JUROR: No.

12 THE COURT: And Question 22.

13 PROSPECTIVE JUROR: I have exposure to the
14 Department of Education when I worked at Capella University.
15 If I was ever talking about, like, financial aid, there were
16 specific regulations around that and what we could say.

17 THE COURT: Do you have any views, positive or
18 negative, based on -- about the department based on your
19 interactions with them?

20 PROSPECTIVE JUROR: No.

21 THE COURT: Okay.

22 PROSPECTIVE JUROR: I never worked with anyone
23 from the Department of Education directly.

24 THE COURT: Okay. Worked under their regulations?

25 PROSPECTIVE JUROR: Yeah.

1 THE COURT: And can we go back. I know you
2 volunteer. I'm assuming your work for the disability
3 council in Target is a volunteer opportunity.

4 PROSPECTIVE JUROR: Yeah.

5 THE COURT: Are you doing any other volunteer work
6 either through Target or otherwise?

7 PROSPECTIVE JUROR: No, not at the moment.

8 THE COURT: Okay. Have you in the past?

9 PROSPECTIVE JUROR: Volunteer? I -- back in 2016,
10 I was the Lupus ambassador of Minnesota.

11 THE COURT: And what did that entail?

12 PROSPECTIVE JUROR: I worked for the Lupus
13 Foundation of Minnesota, which is no longer around, but I
14 went to events and advocated for more awareness around the
15 disease.

16 THE COURT: Thank you. All right. Let's skip to
17 23.

18 PROSPECTIVE JUROR: I do not.

19 THE COURT: And how about 24.

20 PROSPECTIVE JUROR: I have Somalian coworkers as
21 well as neighbors.

22 THE COURT: Any of those interactions led you to
23 any feelings, favorable or negative, towards the Somali
24 community or any individuals in that community?

25 PROSPECTIVE JUROR: No.

1 THE COURT: And have you gone through implicit
2 bias training or something similar at Target?

3 PROSPECTIVE JUROR: I believe so.

4 THE COURT: And question 25(a) is, Are you
5 comfortable committing yourself to when you are making a
6 decision, thinking about that decision and whether you are
7 making it out of bias, sort of examining yourself for bias?
8 Can you commit to that?

9 PROSPECTIVE JUROR: Yes.

10 THE COURT: And then Question 25(b) is that people
11 involved in this case might be from different racial and
12 ethnic backgrounds or practice a different religion than
13 you, can you commit yourself to carefully evaluating the
14 evidence and resisting any urge to reach a verdict
15 influenced by bias?

16 PROSPECTIVE JUROR: Can you commit carefully.
17 Yes.

18 THE COURT: And 26(a), are you willing to apply
19 the law as the Court explains it to you?

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: Can you think of anything else you
22 need to call to the Court's attention?

23 PROSPECTIVE JUROR: No.

24 THE COURT: Okay. Just one moment.

25 **(Sidebar discussion)**

1 THE COURT: Any follow-up?

2 MR. GOETZ: Your Honor, Fred Goetz for Defendant
3 Shariff.

4 She went through the questions so quickly, I don't
5 feel I have a lot of information about her, and I'd ask the
6 Court to therefore ask two questions.

7 Number One, how does she feel about the prospect
8 of being a juror in this particular case; and, Number Two,
9 how would she go about the job of being a juror if she was
10 selected as a juror.

11 THE COURT: That last one is hard to answer
12 without some more context around it. Do you want me to ask
13 her something about how she makes decisions?

14 MR. GOETZ: Sure. In the most important decisions
15 she's made in her life, how does she go about that?

16 THE COURT: Okay. All right.

17 Anyone else?

18 **(In open court)**

19 THE COURT: How do you feel about the potential
20 for being a juror on this case?

21 PROSPECTIVE JUROR: Fine.

22 THE COURT: You are ready to do it?

23 PROSPECTIVE JUROR: Yeah.

24 THE COURT: Okay. Do you think it would be
25 difficult?

1 PROSPECTIVE JUROR: Yeah.

2 THE COURT: And for what reason?

3 PROSPECTIVE JUROR: There's a lot to take into
4 consideration.

5 THE COURT: And when you make decisions, most
6 important decisions you make, how do you go about that
7 process, generally?

8 PROSPECTIVE JUROR: I do a lot of weighing of
9 options. I'm trying to think of an example, but I like to
10 really, like, look at all perspectives, I guess.

11 THE COURT: And how do you do that? What's the
12 best way for you to do that?

13 PROSPECTIVE JUROR: Putting myself in someone
14 else's shoes.

15 THE COURT: Are there examples of times that you
16 exercised that in your job?

17 PROSPECTIVE JUROR: Yeah, I do it all the time.

18 THE COURT: Okay. Tell me about that.

19 PROSPECTIVE JUROR: If there's ever a conflict
20 that comes up at work, I think one of my strengths at work
21 is to step back before reacting, assess the situation, why
22 that person's feeling the way that they're feeling and then
23 approach.

24 THE COURT: And do you think that comes partly
25 from training and partly from experience or just your

1 personality, or where do you say you get that?

2 PROSPECTIVE JUROR: All of the above.

3 THE COURT: Okay. All right.

4 Thank you. I am going to retain you, have you go
5 to the next courtroom. I'll ask you to be patient through
6 our process.

7 I'll tell you that the folks in this courtroom
8 can't talk to you, so they're not being rude. They just
9 can't talk to you.

10 PROSPECTIVE JUROR: Okay.

11 THE COURT: But I thank you for your patience.

12 **(Prospective Juror Number 48 exits courtroom)**

13 **(Prospective Juror Number 49 enters courtroom)**

14 THE COURT: Yes, come on up. Good afternoon. I
15 will have you aim toward this witness chair up here by me.

16 All right. So I'm going to have you speak into
17 the microphone as you speak.

18 You are Juror Number 49?

19 PROSPECTIVE JUROR: Yes.

20 THE COURT: And so I'm going to ask you the
21 questions that are on the questionnaire before you.

22 Beginning with the first one, How old are you?

23 PROSPECTIVE JUROR: 61.

24 THE COURT: And Question 2, what's the answer to
25 that one?

1 PROSPECTIVE JUROR: Yes.

2 THE COURT: And Question 3.

3 PROSPECTIVE JUROR: Probably two years ago I heard
4 a local news story on it.

5 THE COURT: And is that the only story that you've
6 heard?

7 PROSPECTIVE JUROR: That I remember, yes.

8 THE COURT: Do you remember what that news story
9 said?

10 PROSPECTIVE JUROR: Oh, it was so long ago, just
11 that there was suspected fraud.

12 THE COURT: Do you remember whether it talked
13 about search warrants or not?

14 PROSPECTIVE JUROR: I do not.

15 THE COURT: Do you remember whether it talked
16 about whether there were charges brought against
17 individuals?

18 PROSPECTIVE JUROR: I do not.

19 THE COURT: Do you remember learning of the
20 subject of the fraud?

21 PROSPECTIVE JUROR: Not anything specific.

22 THE COURT: Like where the money came from.

23 PROSPECTIVE JUROR: No, I do not.

24 THE COURT: And based on what -- oh, and do you
25 know where -- what news outlets do you usually listen to?

1 PROSPECTIVE JUROR: KSTP, TV.

2 THE COURT: And do you think that's where you
3 heard?

4 PROSPECTIVE JUROR: More than likely.

5 THE COURT: Based on what you heard, have you
6 developed an opinion on the guilt or innocence of the
7 defendants here?

8 PROSPECTIVE JUROR: No.

9 THE COURT: And if you are selected as a juror in
10 this case, will you be able to set aside what you may have
11 learned through other sources and decide the case based only
12 on the evidence presented during trial?

13 PROSPECTIVE JUROR: Yes.

14 THE COURT: And can you answer Question 4.

15 PROSPECTIVE JUROR: No, I have not.

16 THE COURT: I'm sorry. I'm going to go back to
17 Question 2. I may have missed that. Do you know someone
18 who is on the witness list?

19 PROSPECTIVE JUROR: I know the family of one --
20 not on the witness list, no.

21 THE COURT: Oh, all right. On -- of one of the
22 defendants or staff or attorneys?

23 PROSPECTIVE JUROR: I know the family of one of
24 the defense lawyers.

25 THE COURT: Ah. Well, let's go ahead and call

1 that person out. Who is that?

2 PROSPECTIVE JUROR: Alex Hertogs.

3 THE COURT: And how do you know -- his? How do
4 you know --

5 PROSPECTIVE JUROR: Yes, his.

6 THE COURT: -- his family?

7 PROSPECTIVE JUROR: I used to work for his
8 grandfather, and his father worked at the same law firm, and
9 then subsequently I worked in a business that the family
10 owned.

11 THE COURT: Okay. Did you work in the law firm?

12 PROSPECTIVE JUROR: I worked in the law firm for
13 15 years.

14 THE COURT: And what was that law firm?

15 PROSPECTIVE JUROR: At the time it was called
16 Hertogs -- Hertogs, Fluegel, Sieben, Pope, Jones &
17 Laverdiere.

18 THE COURT: That was good. You must have answered
19 the phone a few times that way.

20 PROSPECTIVE JUROR: I answered the phone that way,
21 yes.

22 THE COURT: All right. Okay. And so for working
23 for that law firm, you knew Alex's family?

24 PROSPECTIVE JUROR: Yes.

25 THE COURT: Okay. What did you do for the law

1 firm?

2 PROSPECTIVE JUROR: I was a paralegal.

3 THE COURT: And that was for 15 years?

4 PROSPECTIVE JUROR: Yes.

5 THE COURT: What kind of law did the firm
6 practice?

7 PROSPECTIVE JUROR: The attorney I worked for
8 practiced business, estate planning, some real estate.

9 THE COURT: Who was the attorney that you worked
10 for?

11 PROSPECTIVE JUROR: Sam Hertogs.

12 THE COURT: Just one moment.

13 **(Sidebar discussion)**

14 THE COURT: Mr. Cotter, will he be taking an
15 active role in the case?

16 MR. COTTER: No. At most, he'll help me display
17 exhibits, Your Honor, but he's not even co-counsel. He's
18 just like a paralegal for me. I mean, he's a lawyer at my
19 firm, but I don't have him as co-counsel on the case.

20 THE COURT: So he may appear in the case --

21 MR. COTTER: If he does, it would be to assist,
22 like, with exhibits at the most.

23 THE COURT: Okay. Okay.

24 MR. COTTER: Yes. It's a well-known firm, and
25 we're, you know, in Hastings. So is my partner's name

1 Sieben, so.

2 THE COURT: Okay.

3 MR. COTTER: Yeah.

4 THE COURT: Thank you.

5 **(In open court)**

6 THE COURT: It doesn't sound like Alex is going to
7 have an active role in the case, but he may appear in the
8 courtroom. Would that affect your jury service in any way?

9 PROSPECTIVE JUROR: No.

10 THE COURT: Okay. I'm going to get back in a
11 moment to your work as a paralegal, okay, but first we're
12 going to go through this and then that helps me keep on
13 track.

14 And I think we're on Question 5. You answered
15 that you hadn't heard of any of these organizations in
16 Question 4; is that correct?

17 PROSPECTIVE JUROR: Correct.

18 THE COURT: Okay. And Question 5.

19 PROSPECTIVE JUROR: Yes, I understand and can
20 speak English.

21 THE COURT: And Question 5(b).

22 PROSPECTIVE JUROR: No, I do not.

23 THE COURT: And Question 5(c).

24 PROSPECTIVE JUROR: No.

25 THE COURT: Question 6.

1 PROSPECTIVE JUROR: Hastings, Minnesota, and I
2 still live there.

3 THE COURT: And Question 7. We'll get at more of
4 your education and occupation, please.

5 PROSPECTIVE JUROR: I have a bachelor's degree
6 from Winona State University. I'm currently retired for
7 about two months now. Prior to that, I worked at a private
8 golf club as the general manager.

9 I am married and my spouse is an HVAC technician.

10 THE COURT: All right. And so the private golf
11 club, what golf club is that?

12 PROSPECTIVE JUROR: Bent Creek Golf Club.

13 THE COURT: And how long were you the general
14 manager?

15 PROSPECTIVE JUROR: 25 years.

16 THE COURT: And was it right before that that you
17 were a paralegal?

18 PROSPECTIVE JUROR: Yes.

19 THE COURT: And part of what that firm does -- or
20 are there attorneys there who practice criminal defense, do
21 you know?

22 PROSPECTIVE JUROR: Attorneys at Bent Creek?

23 THE COURT: No.

24 PROSPECTIVE JUROR: Oh, at the old law firm?

25 THE COURT: Yeah.

1 PROSPECTIVE JUROR: No, it did not do any criminal
2 law that I'm aware of.

3 THE COURT: And what generally were your duties as
4 a paralegal?

5 PROSPECTIVE JUROR: Attended client meetings, took
6 notes, reviewed contracts, did court filings, business
7 incorporations. The last few years I did some estate
8 planning with the attorney. Will witnessing, generally
9 those sorts of things.

10 THE COURT: Do you have any knowledge of criminal
11 law?

12 PROSPECTIVE JUROR: No.

13 THE COURT: And I am going to instruct you that
14 you need to follow the law that I give you whether you think
15 it is or should be different. Can you do that?

16 PROSPECTIVE JUROR: Yes.

17 THE COURT: Can you -- if I give you an
18 instruction and you think, wow, when I was a paralegal, that
19 was different, or that's different from what I remember, can
20 you put aside your previous experience and follow the law as
21 I give it to you?

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: Do you think your work as a paralegal
24 would interfere in any way with your jury service?

25 PROSPECTIVE JUROR: No. As I said, we never did

1 anything in the criminal area.

2 THE COURT: Do you think it would affect your
3 approach to the case?

4 PROSPECTIVE JUROR: No, just other than we were
5 taught how to analyze information.

6 THE COURT: And so how do you do that?

7 PROSPECTIVE JUROR: Well, the biggest thing is
8 listening. You listen to all sides and you form an opinion
9 based on what's presented to you.

10 THE COURT: Thank you. All right. Question 8.

11 PROSPECTIVE JUROR: I have three children; 36, 34
12 and 31.

13 My oldest is -- how to describe it. He works for
14 a nonprofit doing childcare scholarships and grants.

15 My middle child is a healthcare professional.

16 And my youngest works at the DMV.

17 THE COURT: Can you say more about what your
18 oldest does.

19 PROSPECTIVE JUROR: I don't really understand it
20 myself, but I believe they process grants from the state,
21 and they allocate that to childcare professionals -- or
22 providers, not professionals.

23 THE COURT: What kind of childcare providers? Is
24 it centers or individuals or do you know?

25 PROSPECTIVE JUROR: I think both, but I honestly

1 am not real sure.

2 THE COURT: Does your oldest work for a foundation
3 to process grants or a governmental organization?

4 PROSPECTIVE JUROR: No, it's a private nonprofit,
5 I believe.

6 THE COURT: Do you know the name of it?

7 PROSPECTIVE JUROR: Think Small.

8 THE COURT: And how long have they done that?

9 PROSPECTIVE JUROR: Oh, about 10 years, maybe 11.

10 THE COURT: Do you know whether the grants from
11 Think Small or that Think Small processes have anything to
12 do with child nutrition or child lunches or meals?

13 PROSPECTIVE JUROR: I don't know.

14 THE COURT: The middle child who is a healthcare
15 professional, what kind of healthcare professional?

16 PROSPECTIVE JUROR: She's a therapist. She
17 specializes in autistic adults.

18 THE COURT: Thank you.

19 Number 9.

20 PROSPECTIVE JUROR: I like to golf and read;
21 hockey, not play, watch. I belong.

22 THE COURT: Do you have grandkids who play?

23 PROSPECTIVE JUROR: Not yet, unfortunately.

24 THE COURT: We're on the way, though.

25 PROSPECTIVE JUROR: I hope so.

1 THE COURT: We're going to talk them into it?

2 PROSPECTIVE JUROR: I hope so.

3 I'm a member of Our Savior's Lutheran Church, just
4 a member of the congregation.

5 THE COURT: Any other organizations that you
6 belong to?

7 PROSPECTIVE JUROR: No, not formal.

8 THE COURT: How about informal?

9 PROSPECTIVE JUROR: Well, book club, golf league.

10 THE COURT: And what genre of books do you like?

11 PROSPECTIVE JUROR: Oh, all kinds. Right now I'm
12 reading a World War II story. I like mysteries. I hate to
13 add admit it, but I like romance novels.

14 THE COURT: No judgment.

15 All right. Question 10.

16 PROSPECTIVE JUROR: No, I do not.

17 THE COURT: Question 11.

18 PROSPECTIVE JUROR: Not on a regular basis, no.

19 THE COURT: Are you on social media?

20 PROSPECTIVE JUROR: No, I am not.

21 THE COURT: And how about any podcasts that you
22 listen to?

23 PROSPECTIVE JUROR: No.

24 THE COURT: Okay. And where do you get your news?

25 You said KSTP typically?

1 PROSPECTIVE JUROR: Yeah, local news station KSTP.
2 If something big is happening on the news, sometimes CNN.

3 THE COURT: Do you subscribe to any magazines or
4 newspapers?

5 PROSPECTIVE JUROR: No.

6 THE COURT: And Question 12.

7 PROSPECTIVE JUROR: I have never served on a jury
8 before.

9 THE COURT: Question 13.

10 PROSPECTIVE JUROR: No, I did not.

11 THE COURT: Question 14.

12 PROSPECTIVE JUROR: No.

13 THE COURT: And Question 15.

14 PROSPECTIVE JUROR: Yes, my degree was as a
15 paralegal, so we did have law-related courses then.

16 THE COURT: And same question with those
17 courses -- your degree was how long ago, ish?

18 PROSPECTIVE JUROR: 40 some, 41 years.

19 THE COURT: And so the same question with the
20 courses that you took there, are you able to set aside
21 something that you think you might have remembered if I tell
22 you something different?

23 PROSPECTIVE JUROR: Yes.

24 THE COURT: And how about Question 16, contacts
25 with the criminal justice system.

1 PROSPECTIVE JUROR: No.

2 THE COURT: And Question 17.

3 PROSPECTIVE JUROR: No.

4 THE COURT: Question 18.

5 PROSPECTIVE JUROR: I do not have any prejudices
6 either way.

7 THE COURT: And Question 19.

8 PROSPECTIVE JUROR: Yes, once.

9 THE COURT: When was that?

10 PROSPECTIVE JUROR: Oh, probably 1987, '88. It
11 was just a confirmation of my signature as a witness on a
12 will.

13 THE COURT: And was that a court hearing?

14 PROSPECTIVE JUROR: It was a court hearing.

15 THE COURT: Was the will contested?

16 PROSPECTIVE JUROR: I don't think so.

17 THE COURT: Why was the hearing necessary?

18 PROSPECTIVE JUROR: I don't remember. I think
19 they were -- he was a much older gentleman. I think they
20 were just trying to show that he was competent to sign the
21 will, but it was so long ago, I don't remember any details.

22 THE COURT: Were you a witness through your work?

23 PROSPECTIVE JUROR: Yes.

24 THE COURT: Question 20.

25 PROSPECTIVE JUROR: No.

1 THE COURT: And 21.

2 PROSPECTIVE JUROR: No.

3 THE COURT: And 22.

4 PROSPECTIVE JUROR: No.

5 THE COURT: 23.

6 PROSPECTIVE JUROR: No, I don't have any feelings
7 for or against.

8 THE COURT: And how about 24, interactions with
9 people whose backgrounds are in East Africa, particularly
10 Somalia.

11 PROSPECTIVE JUROR: No.

12 THE COURT: And Question 25 gets at unconscious
13 bias. Have you ever had any unconscious bias training?

14 PROSPECTIVE JUROR: Through work, we had
15 sensitivity training, diversity training.

16 THE COURT: And so the unconscious bias tries to
17 get at, you know, an implicit bias that you might have that
18 you don't realize that you have.

19 PROSPECTIVE JUROR: Mm-hmm.

20 THE COURT: If you are selected as a juror, would
21 you feel comfortable committing yourself to thinking about
22 why you are making a decision and examining that decision
23 for any bias?

24 PROSPECTIVE JUROR: I would.

25 THE COURT: Okay. And then if you could read

1 25(b) and answer that.

2 PROSPECTIVE JUROR: Yes, I can.

3 THE COURT: And 26(a), are you willing to apply
4 the law as the Court gives it to you?

5 PROSPECTIVE JUROR: Yes.

6 THE COURT: And can you think of anything else you
7 need to call to the Court's attention?

8 PROSPECTIVE JUROR: No.

9 THE COURT: Okay. Let me ask the lawyers if they
10 have any follow-up for you.

11 PROSPECTIVE JUROR: Sure.

12 **(Sidebar discussion)**

13 THE COURT: Any follow-up?

14 MR. GOETZ: Your Honor, Fred Goetz for Mukhtar
15 Shariff.

16 Going from paralegal to a golf club manager was a
17 big switch. Just want to know if that was a negative
18 reaction to something in the legal profession or why she
19 made that switch.

20 THE COURT: Okay. Anything else?

21 MR. THOMPSON: Your Honor, Joe Thompson on behalf
22 of the United States.

23 We think that this juror should be struck for
24 cause. She has a personal relationship with one of the
25 lawyers on the case. I understand Mr. Hertogs is not

1 primary counsel, but it does sound like he will be present
2 at the trial. I'm struck by the fact that she didn't
3 hesitate for a moment. She immediately knew him, even
4 though he's not in the courtroom, recognized the name.
5 Clearly has a long-standing connection with the family. And
6 I worry we're going to create an awkward situation at trial
7 if he's here more often and it becomes an issue. And I
8 think in light of a state of 5 million people and jury -- a
9 sizeable jury pool and a long trial, I think it would be
10 best to be prudent not to create that possibility.

11 THE COURT: Mr. Cotter, could you please speak
12 again to often he's going to be here?

13 MR. COTTER: A couple things. One, depending
14 on -- I'm not certain he'll be here at all. And if he is,
15 it would be during the timeframe of me presenting my case,
16 if I need someone to run the exhibits. That's the extent of
17 his involvement. The person she worked for passed away
18 probably 10 or 15 years ago, Sam Hertogs.

19 THE COURT: Is Sam the father?

20 MR. COTTER: That's the grandfather. Obviously
21 then my client -- or my associate's father also worked in
22 the same firm, but the person she clerked -- or, excuse me,
23 was a paralegal for passed away a long time ago, and it was
24 my associate's grandfather.

25 THE COURT: Do you know the name of Alex's father?

1 MR. COTTER: Scott Hertogs. And she'll know who
2 he is. I mean, it was a iteration of the same law firm that
3 changed names over time.

4 THE COURT: Did Alex ever work there?

5 MR. COTTER: No, he did not, to my knowledge.

6 THE COURT: And how old a person is Alex
7 approximately?

8 PROSPECTIVE JUROR: He's probably 36, 37.

9 THE COURT: And been to law school, but not
10 working as a lawyer on this case?

11 MR. COTTER: He's worked very little on this case.
12 He has gone to some of our -- like a meeting or two, but
13 that's about it.

14 THE COURT: Okay. Thank you. I'm going to follow
15 up.

16 **(In open court)**

17 THE COURT: When you switched from being a
18 paralegal to your work at the golf club, why was that?

19 PROSPECTIVE JUROR: It was the general -- prior
20 general manager had died very unexpectedly, and the attorney
21 I worked for was trying to retire, so it seemed like a good
22 opportunity to make a career change.

23 THE COURT: Was there anything -- any reaction to
24 either the firm or something in the legal profession that
25 had -- that created that career change?

1 PROSPECTIVE JUROR: Well, the golf course was a
2 lot more fun than the legal profession, but --

3 THE COURT: I'm shocked.

4 PROSPECTIVE JUROR: Hard to imagine. But, no, it
5 was -- even in the law business, my concentration was in
6 business. That was always the area I was most interested
7 in.

8 THE COURT: And you recognize the name of Alex
9 Hertogs. Have you ever met him before?

10 PROSPECTIVE JUROR: Not that I recall. Maybe at
11 his grandfather's funeral, but -- and I could be mistaken,
12 he may have played like squirts or bantam hockey with my
13 son. That was a long time ago. I'm not sure, though.

14 THE COURT: Okay. How long ago did his
15 grandfather die -- did the person -- and that's the person
16 you worked for, right?

17 PROSPECTIVE JUROR: Yeah, 10, 11 years. 10 years,
18 I think.

19 THE COURT: You think you'd recognize him if you
20 came across him?

21 PROSPECTIVE JUROR: Alex?

22 THE COURT: (Moves head up and down.)

23 PROSPECTIVE JUROR: Well, there's definitely a
24 family resemblance because I see him sitting here now, but,
25 no, if I'd seen him on the street, I would not have

1 recognized him.

2 THE COURT: All right. And can you be fair to all
3 of the parties in this case, the government and all of the
4 defendants, if you happen to recognize one of the attorneys
5 in this case?

6 PROSPECTIVE JUROR: Yes, I believe I can.

7 THE COURT: Okay. You obviously had a positive
8 relationship with his grandfather?

9 PROSPECTIVE JUROR: Yes, I did.

10 THE COURT: Okay. Can you -- is there anything
11 about those feelings that are going to sway you one way or
12 another on this case?

13 PROSPECTIVE JUROR: I don't see why they would.

14 THE COURT: All right. Thank you just one moment.

15 **(Sidebar discussion)**

16 THE COURT: I'll just note that the juror said
17 that she recognized him in the courtroom.

18 He's not in the courtroom, correct, Mr. Cotter?

19 MR. COTTER: He's not. I'm assuming she might
20 think that I'm him, and we should probably clarify that.

21 THE COURT: Well, I'm not going to do that unless
22 she's chosen.

23 MR. COTTER: I understand. Judge, I did want to
24 say -- I wanted to make sure I'm -- Mr. Hertogs has sat in
25 on multiple meetings, not just one or two, but he's not been

1 super actively involved in the discovery and so on. But he
2 sat in on multiple meetings.

3 THE COURT: Okay. I'm denying the motion for
4 cause.

5 **(In open court)**

6 THE COURT: All right. I'm going to retain you
7 and have you go to the courtroom next door and continue to
8 be patient with us as we go through this process.

9 And these folks in the courtroom can't talk to
10 you. So they're not allowed to. They're not being rude
11 when they don't talk to you. Thank you.

12 PROSPECTIVE JUROR: Thank you.

13 **(Prospective Juror Number 49 exits courtroom)**

14 **(Prospective Juror Number 50 enters courtroom)**

15 THE COURT: Good afternoon. Come on forward. And
16 I'll have you sit in the witness chair there, sir.

17 PROSPECTIVE JUROR: Okay.

18 THE COURT: And you have the jury questionnaire in
19 front of you?

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: So I'm going to just ask you to go
22 through the answers to those questions starting with
23 Number 1, which is, What is your age?

24 PROSPECTIVE JUROR: 61.

25 THE COURT: And Question 2.

1 PROSPECTIVE JUROR: No, I don't.

2 THE COURT: And Question 3.

3 PROSPECTIVE JUROR: No.

4 THE COURT: Not at all?

5 PROSPECTIVE JUROR: I caught a little something
6 when I had the TV on yesterday morning, but I turned the TV
7 off right away, so that's all I know. Whether it was this
8 case or not, I don't know.

9 THE COURT: Question 4.

10 PROSPECTIVE JUROR: No, I haven't heard of any of
11 those.

12 THE COURT: And Question 5(a).

13 PROSPECTIVE JUROR: Nope, none of those.

14 THE COURT: Question 5(b).

15 PROSPECTIVE JUROR: I think it turns. I'm sorry.
16 Sometimes I have problems hearing because when I
17 sit too long, my ears ring; although seeing, I'm fine.

18 THE COURT: Define "too long."

19 PROSPECTIVE JUROR: Sometimes it can be a half
20 hour, sometimes it could be several hours. Right now they
21 are ringing a little bit because I've been sitting so much.

22 THE COURT: All right. And how distracting is
23 that to you?

24 PROSPECTIVE JUROR: Quite distracting.

25 THE COURT: Are you able to concentrate or hear

1 despite that?

2 PROSPECTIVE JUROR: Somewhat.

3 THE COURT: What do you do to remedy it?

4 PROSPECTIVE JUROR: Get up and move around, or
5 like my job, I'm on my feet all day long, so I don't usually
6 have the problem.

7 THE COURT: What do you think about the prospect
8 of sitting for six weeks as a juror?

9 PROSPECTIVE JUROR: I would think it would be
10 rather difficult.

11 THE COURT: And can you just say a little bit more
12 about that, how -- how the hearing impacts you or how the
13 sitting impacts you.

14 PROSPECTIVE JUROR: Well, it sounds like locusts
15 in my ear is what it sounds like. And since I've had a back
16 problem, that seemed to have brought it on many years ago.

17 THE COURT: And the remedy is really to move
18 around?

19 PROSPECTIVE JUROR: Mm-hmm.

20 THE COURT: And in your job, you move regularly?

21 PROSPECTIVE JUROR: All day long.

22 THE COURT: Okay. Thank you. Just a moment.

23 **(Sidebar discussion)**

24 THE COURT: Counsel, I'm inclined to let this
25 juror go for hardship. Any objection?

1 Okay. Thank you.

2 **(In open court)**

3 THE COURT: Sir, I think it would be too hard for
4 you to serve given the sitting that we are about to do.

5 So I appreciate your patience through this process
6 and your participation, and I'll let you go.

7 PROSPECTIVE JUROR: Fair enough. Thank you.

8 THE COURT: Thank you.

9 **(Prospective Juror Number 50 exits courtroom)**

10 THE COURT: Kristine, let's just do one more, this
11 one.

12 **(Prospective Juror Number 51 enters courtroom)**

13 THE COURT: Hi. Come on forward.

14 Hi. You are Juror Number 51, am I right?

15 PROSPECTIVE JUROR: Yes, that's correct.

16 THE COURT: Okay. And I'm going to ask you the
17 questions that you have on the questionnaire before you
18 starting with the first one, which is, What is your age?

19 PROSPECTIVE JUROR: 35.

20 THE COURT: And Question 2, what is the answer to
21 that?

22 PROSPECTIVE JUROR: No.

23 THE COURT: And Question 3.

24 PROSPECTIVE JUROR: Not really. I think I heard
25 there was some money moved around after COVID relief funds,

1 but I really didn't know the context of any of it.

2 THE COURT: And was that a news report, or what
3 did you hear -- where did you hear that?

4 PROSPECTIVE JUROR: It's vague enough that I don't
5 remember where I would have heard it from.

6 THE COURT: Do you remember what the source of the
7 COVID funds was?

8 PROSPECTIVE JUROR: No.

9 THE COURT: Do you remember what they were
10 intended for?

11 PROSPECTIVE JUROR: No.

12 THE COURT: Do you remember any of the
13 organizations?

14 PROSPECTIVE JUROR: No.

15 THE COURT: Have you developed an opinion on the
16 guilt or innocence of the defendants based on that
17 information?

18 PROSPECTIVE JUROR: No.

19 THE COURT: And can you put aside what you've
20 heard and decide the case based only on the evidence
21 presented during trial?

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: All right. And the answer to
24 Question 4.

25 PROSPECTIVE JUROR: No, not until I received the

1 summons describing this case.

2 THE COURT: Okay. Question 5, any difficulty
3 reading, understanding, or speaking English?

4 PROSPECTIVE JUROR: No.

5 THE COURT: How about 5(b).

6 PROSPECTIVE JUROR: Nope.

7 THE COURT: And 5(c).

8 PROSPECTIVE JUROR: No.

9 THE COURT: And Question Number 6.

10 PROSPECTIVE JUROR: Born in Wisconsin, lived in
11 the Twin Cities since I was nine. Currently live in Lake
12 Elmo, Minnesota.

13 THE COURT: And can you talk about your
14 educational background and what you do now.

15 PROSPECTIVE JUROR: Yeah, I have an undergrad in
16 mechanical engineering. I work at 3M Company in St. Paul.
17 I'm an assistant developer for robotic tooling for abrasive
18 applications.

19 THE COURT: Where did you get your undergrad?

20 PROSPECTIVE JUROR: University of Minnesota -
21 Duluth.

22 THE COURT: Can you talk a little bit more about
23 your job as a mechanical engineer.

24 PROSPECTIVE JUROR: Yeah, so I'm the technical
25 lead right now for a project where we are developing an

1 automated system for paint repair in automotive production,
2 so I lead the technical team. I, myself, as I said, I have
3 a mechanical background, but I lead team members that do
4 software and systems, electrical integration. We, as 3M,
5 install kind of a full application system to the end
6 customer, you know, the GMs, the Fords, the BMWs of the
7 world, to then install that system, to have the full paint
8 repair process that 3M designed kind of work, you know,
9 right off the bat. So we make the software as well that
10 operates the robots to make those automated cells.

11 THE COURT: Have you work as an engineer since you
12 graduated college?

13 PROSPECTIVE JUROR: Yes. I started in 2011.

14 THE COURT: Was that for 3M or someone else?

15 PROSPECTIVE JUROR: Yes, for 3M.

16 THE COURT: 3M. So you've been with 3M your whole
17 career?

18 PROSPECTIVE JUROR: Yes, that's correct.

19 THE COURT: And you've talk with them about your
20 potential jury service in this case?

21 PROSPECTIVE JUROR: Yes.

22 THE COURT: And you can be here?

23 PROSPECTIVE JUROR: Yeah.

24 THE COURT: Okay. And do you have a spouse or
25 partner?

1 PROSPECTIVE JUROR: Yep, I'm married.

2 THE COURT: And what does your spouse do?

3 PROSPECTIVE JUROR: She stays at home with the
4 kids. We got ages 8, 6 and 3; 3 kids at home.

5 THE COURT: And Question 9.

6 PROSPECTIVE JUROR: Yeah, best hobby is fishing.
7 I also play drums in a band. I also play drums for our
8 worship team at my church.

9 THE COURT: And what's your church?

10 PROSPECTIVE JUROR: It's called Hope Church. It's
11 an evangelical free church in Oakdale, Minnesota.

12 THE COURT: And what other organizations do you --
13 are you involved in, if any?

14 PROSPECTIVE JUROR: I mean, outside of work, I
15 think church commitments are probably the primary
16 organization I'm involved with.

17 THE COURT: Okay. And is that musical or also
18 otherwise?

19 PROSPECTIVE JUROR: It's also otherwise. I lead a
20 small group of about five other families, and I also lead a
21 Wednesday morning Bible study with just men.

22 THE COURT: What is the small group that you lead?
23 What kind of studying?

24 PROSPECTIVE JUROR: Yeah, so it's just -- it's a
25 Bible study. It's, you know, the whole families come over

1 so we kind of -- the kids play in one room. The adults
2 attempt to have, you know, real discussion on either a Bible
3 passage or a video or things of that sort.

4 THE COURT: And Question 10.

5 PROSPECTIVE JUROR: Nope.

6 THE COURT: And Question 11.

7 PROSPECTIVE JUROR: Nope.

8 THE COURT: Are you on social media?

9 PROSPECTIVE JUROR: I mean, I haven't done any
10 posts since 2020, but I still, you know, have Facebook.

11 THE COURT: Do you follow any subjects in
12 particular?

13 PROSPECTIVE JUROR: I'm on a rare bourbon group.

14 THE COURT: Okay. And how about any podcasts that
15 you listen to?

16 PROSPECTIVE JUROR: This one called Planet Money,
17 it's probably the only podcast I listen to.

18 THE COURT: Where do you get your news?

19 PROSPECTIVE JUROR: Just Google news primarily,
20 just app.

21 THE COURT: Any other internet sites you go to
22 regularly?

23 PROSPECTIVE JUROR: For news?

24 THE COURT: For anything.

25 PROSPECTIVE JUROR: Oh, I mean, just, you know,

1 YouTube for all kinds of fix-it or whatever, instructional
2 videos. Yeah, I mean other than that, browsing Facebook
3 occasionally. Nothing regular.

4 THE COURT: And Question Number 12.

5 PROSPECTIVE JUROR: No.

6 THE COURT: Question Number 13.

7 PROSPECTIVE JUROR: Nope.

8 THE COURT: How about 14.

9 PROSPECTIVE JUROR: I just -- well, I just work on
10 the patent side of legal quite a bit. I just have a lot of
11 filed patents with 3M.

12 THE COURT: So you work with 3M's patent lawyers?

13 PROSPECTIVE JUROR: Yes, yes, I know several of
14 them quite closely.

15 THE COURT: Did you talk to them about your jury
16 summons?

17 PROSPECTIVE JUROR: No.

18 THE COURT: And have you worked with outside
19 counsel on the patent side as well?

20 PROSPECTIVE JUROR: Just outside patent -- well,
21 outside counsel as in we've had non-3M attorneys write
22 patents I'm an inventor on, if that's what you mean.

23 THE COURT: All right. How about any lawsuits,
24 have you had to testify in any lawsuits or any products
25 you've worked on been involved in lawsuits?

1 PROSPECTIVE JUROR: No, I've been -- I got asked
2 once if I would, not in corporate, just do a meeting with
3 somebody reviewing a patent. After my attorney proposed
4 that, then that person declined, and I didn't have to do
5 anything further on that.

6 THE COURT: And Question 15.

7 PROSPECTIVE JUROR: Nope. Just, you know, high
8 school level stuff.

9 THE COURT: Question 16.

10 PROSPECTIVE JUROR: Nope.

11 THE COURT: Question 17.

12 PROSPECTIVE JUROR: Nope.

13 THE COURT: And 18.

14 PROSPECTIVE JUROR: No.

15 THE COURT: Question 19.

16 PROSPECTIVE JUROR: No.

17 THE COURT: And 20.

18 PROSPECTIVE JUROR: Yeah, just I -- I mean, at
19 first when they offered meals, my family didn't need them,
20 but they especially insisted, so eventually we went to the
21 elementary school to pick up meals.

22 THE COURT: So your kids were in elementary school
23 during the COVID pandemic?

24 PROSPECTIVE JUROR: Yeah, one was in kindergarten.

25 THE COURT: And so the elementary school was

1 offering meals?

2 PROSPECTIVE JUROR: Yes, at least as a pickup
3 location. They were advertising the pickups.

4 THE COURT: Okay. And you said you didn't want
5 to, but they insisted. Can you say more about that?

6 PROSPECTIVE JUROR: Yeah, I just didn't feel like
7 my family needed it. I didn't want people that did need it
8 to not have access to it, but eventually they insisted that
9 it's going to get thrown away if we don't come and get it.

10 THE COURT: When you went to pick up those meals,
11 did you have to show any ID or any proof that your child
12 went to the school?

13 PROSPECTIVE JUROR: No, I don't think so.

14 THE COURT: And was it the oldest who is in
15 elementary school at that time?

16 PROSPECTIVE JUROR: Yes.

17 THE COURT: The rest were younger?

18 PROSPECTIVE JUROR: Correct.

19 THE COURT: Were the rest in daycare?

20 PROSPECTIVE JUROR: Well, my wife stays at home
21 just once a day -- one day a week was all.

22 THE COURT: Are you aware of the daycares
23 providing any meals during COVID?

24 PROSPECTIVE JUROR: I don't believe mine did. It
25 was just through -- the church I go to had it kind of one

1 day a week, so it may not have been as formal of a daycare
2 program.

3 THE COURT: Do you know, when you went to the
4 elementary school to get those -- the meals, whether the
5 elementary school was receiving those from any particular
6 organization?

7 PROSPECTIVE JUROR: I don't have any awareness
8 beyond that I assumed it was from government dollars.

9 THE COURT: Okay. And Question Number 21.

10 PROSPECTIVE JUROR: Yeah, I mean, not super often,
11 but I've done, you know, Habitat for Humanity build days,
12 even week-long trips with that organization. Just last week
13 I did a Feed My Starving Children packing meals. It's kind
14 of the extent of those types of activities.

15 THE COURT: How about 22.

16 PROSPECTIVE JUROR: No.

17 THE COURT: And 23.

18 PROSPECTIVE JUROR: No.

19 THE COURT: How about 24.

20 PROSPECTIVE JUROR: Yeah, so the church I go to
21 does have a couple specific Somalia outreaches. For four
22 years, I did a program called SALT, Small Adult Literacy
23 Training. Obviously aimed at kind of helping recent
24 immigrants learn English, also help them with, you know,
25 things like trying to get citizenship.

1 My wife did the other kind of part of that
2 ministry which was like a sewing ministry where Somalian
3 women would get brought to the church where they would have
4 sewing machines. They'd kind of teach them that as a skill
5 so they could use that.

6 And then we have kind of -- my wife more so at
7 this point still has a Somali friend who is a single gal
8 with, you know, four kids, so we still occasionally help
9 her. We've had them over at our house and just spend time
10 with them.

11 THE COURT: And based on that -- those
12 experiences, any particular feelings negative or positive
13 toward that community or anyone in it?

14 PROSPECTIVE JUROR: Nope, I don't think so.

15 THE COURT: And have you ever had any implicit
16 bias training?

17 PROSPECTIVE JUROR: No.

18 THE COURT: And you watch the video that we
19 provided for you?

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: Okay. So Question 25(a), are you
22 comfortable committing yourself to thinking about why you
23 make a decision and examining it for bias?

24 PROSPECTIVE JUROR: Yes.

25 THE COURT: And Question 25(b).

1 PROSPECTIVE JUROR: I wrote yes. I'll have to
2 re-read that again. Yeah, yep.

3 THE COURT: And are you willing to apply the law
4 as the Court explains it to you?

5 PROSPECTIVE JUROR: Yes.

6 THE COURT: Can you think of anything else that
7 you need to call to the Court's attention?

8 PROSPECTIVE JUROR: No. I think the couple things
9 I shared were the ones I thought were important that you've
10 already asked about.

11 THE COURT: Thank you. Just one moment.

12 **(Sidebar discussion)**

13 THE COURT: Any follow-up?

14 MR. IAN BIRRELL: Your Honor, Ian Birrell here.

15 Briefly, he mentioned, when you were talking about
16 social media, he hadn't posted on Facebook since 2020. I
17 don't know if he was just throwing that out as a -- about
18 four years ago or if there was some reaction to one of the
19 events that happened in 2020; COVID, election, George Floyd,
20 something like that.

21 THE COURT: Okay. I'll ask that. Anybody else?

22 MR. SAPONE: Your Honor, this is Ed Sapone.

23 Speaking of throwing, I just -- a fun fact, a
24 little-known fact. He holds the Guinness World Record for
25 throwing the farthest tortilla. He threw it 113 feet and

1 3 inches.

2 THE COURT: The farthest what?

3 MR. SAPONE: Tortilla, a food, a tortilla. He
4 just happens to hold the record, tortilla throwing record.

5 THE COURT: Okay. Mr. Sapone just became my
6 favorite attorney.

7 MR. SAPONE: Thank you.

8 THE COURT: You are welcome.

9 **(In open court)**

10 THE COURT: Just follow up. You stated that you
11 hadn't posted on Facebook since 2020?

12 PROSPECTIVE JUROR: Correct.

13 THE COURT: You were I think specific in that
14 year. Was there an event that said -- you said, No, I'm not
15 posting anymore or what's the reasoning there?

16 PROSPECTIVE JUROR: Yeah, good question. I just
17 felt any attempts at, you know, convincing anybody or
18 changing anybody's minds, it was not the platform. It was
19 only a platform that would just cause more turmoil and
20 anger.

21 THE COURT: And was that in response to some of
22 the events that occurred in 2020?

23 PROSPECTIVE JUROR: Yeah.

24 THE COURT: George Floyd, anything else?

25 PROSPECTIVE JUROR: I don't know if I'd say

1 specifically George Floyd, but, I mean, I guess I would
2 admit everything was kind of related at that point in time.
3 Yeah, I could say in adjacency to that. I mean, I think
4 some of the posts, even among friends of mine who were
5 talking about, you know, George Floyd events, you know, I
6 think I just saw so much anxiety and anger forming, I just
7 wanted to not even try getting in those debates or
8 discussions.

9 THE COURT: Did you have anxiety and anger forming
10 yourself?

11 PROSPECTIVE JUROR: Not internally, but I think I
12 felt sad for just society and culture, the state of things.

13 THE COURT: Okay. Thank you.

14 All right. I am going to retain you and have you
15 go to the courtroom next door briefly, and then you will
16 come back here tomorrow and wait out our process. I
17 appreciate your patience.

18 PROSPECTIVE JUROR: Yeah. Thank you.

19 THE COURT: Thank you.

20 **(Prospective Juror Number 51 exits courtroom)**

21 THE COURT: Before we end for the day, a couple of
22 things for the record.

23 One is I wanted to emphasize again, based on a few
24 comments I have made throughout the day, and that is
25 something that I said to you all at the pretrial, which is

1 that any time I'm maybe more casual than you would expect a
2 judge to be or try to make a joke, I do that in order to
3 make folks feel comfortable in a really uncomfortable
4 situation for them and not in any way to be less serious
5 than one should be about this case and to in any way
6 denigrate the seriousness of the case to all of you. So I
7 wanted to just reemphasize that at the end of a long day.
8 And thank you for your indulgence there.

9 We'll pick up tomorrow morning.

10 Kim, what's our number?

11 THE CLERK: 27.

12 THE COURT: 27.

13 So given where we are, wherever we are on
14 Wednesday or Thursday, I will not have openings before the
15 weekend. So if we end tomorrow at 5:00 and we have 46 and
16 we are swearing a jury, I will give you Thursday and Friday
17 off and prepare for openings on Monday so that the jury can
18 hear them fresh on Monday. If we go into Thursday for the
19 jury selection, then the same will be the case with the
20 exception that I will again at the time that we are done,
21 hear any motions that you have for continuances based on
22 discovery then at that time. But in no event, based on our
23 pace, will we have openings before Monday morning.

24 Anything other thing that we need to -- anyone
25 wants to raise for the record?

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I'll see you tomorrow morning at 9:00. Thank you,
everyone.

THE CLERK: All rise.

(Court adjourned at 5:13 p.m., 04-23-2024.)

* * *

I, Renee A. Rogge, certify that the foregoing is a
correct transcript from the record of proceedings in the
above-entitled matter.

Certified by: /s/Renee A. Rogge
Renee A. Rogge, RMR-CRR