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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),)	Wednesday, May 8, 2024
Said Shafii Farah(5),)	9:00 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

JURY TRIAL PROCEEDINGS - VOLUME XII OF XXX

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

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Proceedings recorded by mechanical stenography;
Transcript produced by computer.

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

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

5 We are on the record out of the presence of the
6 jury. My understanding is that there's something to be
7 placed on the record before the jury comes in.

8 Mr. Thompson?

9 MR. THOMPSON: Yes, Your Honor. Mr. Sapone and I
10 had a continuation of a conversation we've been having for
11 some months late last night, and it relates to the witness
12 this morning and specifically a recording that was made --

13 THE COURT: Okay.

14 MR. THOMPSON: -- between the witness and
15 Abdimajid Nur, Mr. Sapone's client. During that
16 conversation there is discussions of the scheme. Some of
17 those discussions reference the hiring of lawyers and things
18 that were told to lawyers.

19 Mr. Sapone raised that a couple months ago, maybe,
20 with me about whether or not that's admissible and there's
21 issues there. And I think we concluded that it is
22 admissible, but we're willing to forego the admission of it
23 in light of those issues just as a matter of fundamental
24 fairness and just staying clear of any attorney-client
25 potential issues. And then he's agreeing not to -- we're

1 just not going to discuss this recording at all just as a
2 way to keep this thing out of the trial.

3 THE COURT: All right. Mr. Sapone, is that right?

4 MR. SAPONE: Yes, it is, Your Honor. Good
5 morning.

6 THE COURT: All right. Good morning.

7 And so that means that all the other defense
8 attorneys are not going to reference this recording as well.
9 Am I correct?

10 MR. ANDREW BIRRELL: Well, I'm not, but I don't
11 agree that it's admissible.

12 THE COURT: Well, it doesn't seem to matter.

13 MR. ANDREW BIRRELL: Well, assuming that nobody
14 claims there's some breach of an agreement, I agree with
15 Your Honor. But I do not agree that it's admissible. I
16 believe it violates my client's confrontation rights. I
17 believe it's hearsay. I believe it's outside the scope of
18 the conspiracy. So I'm very glad the United States is not
19 going to put it in, but I don't want to sit here and
20 acquiesce in an agreement that it's admissible, because I
21 believe it is not.

22 THE COURT: All right. All right. I think we
23 have -- what we have at least is -- an agreement on is that
24 no one is going to reference it and that it's not coming in.
25 All right. Thank you.

1 I'm ready to bring the jury in.

2 MR. MOHRING: If I may quickly?

3 THE COURT: Sure.

4 MR. MOHRING: A quick request, Your Honor, and
5 changing the subject.

6 In light of the testimony to come and also the
7 testimony that's been, I would ask the Court to consider
8 giving again, at some point, not -- at the Court's
9 discretion, what was Jury Instruction 10 in the Court's
10 preliminary instructions, which talks about just individual
11 consideration and the importance of considering evidence
12 against -- and charges against individuals individually.

13 THE COURT: You want that in the middle of the
14 trial?

15 MR. MOHRING: I would ask that the Court consider
16 finding a place, yeah, in light of -- I mean, the testimony
17 we're about to hear --

18 THE COURT: Let me see what is to come, but that
19 may make sense to me, given what's to come. I just need to
20 hear the testimony first, but thank you.

21 MR. MOHRING: And it's your Instruction 10.

22 THE COURT: Yes, got it. Thank you.

23 Mr. Garvis.

24 MR. GARVIS: Yes, Your Honor. Sorry, this
25 morning, actually, I was going to address that as well.

1 What Mr. Mohring wanted, I was going to ask this Court,
2 because I believe the witness that's going to get on the
3 stand now is a cooperator that I wanted to maybe have the
4 Court consider giving that instruction.

5 THE COURT: Instruction 10? Okay.

6 MR. GARVIS: Oh, Your Honor, I apologize.

7 THE COURT: You want a different instruction?

8 MR. GARVIS: Your Honor, I'm wondering if the
9 Court would be willing to give Judge Rosenbaum's old snitch
10 instruction, Your Honor, that this Court might be well aware
11 of.

12 THE COURT: I'm well aware of it generally, but I
13 will need to reference it or have it cited to me.

14 MR. GARVIS: Your Honor --

15 THE COURT: I'm not sure if it's in the -- I just
16 need to look.

17 So let's do this: Let's have this testimony that
18 we're about to have, and then we'll take a break. I'll look
19 at instructions. Okay?

20 MR. GARVIS: Thank you, Your Honor.

21 THE COURT: Is that fair? All right.

22 So let's bring the jury in.

23 9:03 a.m.

24 **IN OPEN COURT**

25 **(JURY PRESENT)**

1 THE COURT: All right. You may all be seated, and
2 good morning.

3 And the Government may call its next witness.
4 Mr. Jacobs.

5 MR. JACOBS: Thank you, Your Honor. The United
6 States calls Hadith Ahmed.

7 THE COURT: Good morning, sir. I will have you
8 come forward, past the jury, and you are aiming towards the
9 witness stand here. And I'll have you stay standing to take
10 the oath.

11 HADITH AHMED,
12 called on behalf of the Government, was duly sworn, was
13 examined and testified as follows:

14 THE WITNESS: Yes.

15 THE COURT: Thank you. You may have a seat.

16 And I'll have you speak right into that
17 microphone. Are you comfortable taking off your mask or
18 would you rather leave it on?

19 THE WITNESS: I would rather leave it on.

20 THE COURT: All right. You may do so. And just
21 speak right into that microphone. I'll have you state and
22 spell both your first and last name for the record.

23 THE WITNESS: My first name is Hadith Ahmed,
24 H-A-D-I-T-H, last name, A-H-M-E-D.

25 THE COURT: Thank you.

1 Mr. Jacobs, you may inquire.

2 MR. ANDREW BIRRELL: Your Honor, may we have a
3 brief sidebar?

4 THE COURT: You may.

5 **(Sidebar discussion)**

6 MR. ANDREW BIRRELL: Okay.

7 THE COURT: Mr. Birrell?

8 MR. ANDREW BIRRELL: Your Honor, I object to him
9 testifying with a mask on. I believe it impedes on my
10 client's right of confrontation. I believe absence some
11 compelling reason, which has not been advanced, the Court
12 should instruct him to remove his mask so the jury can see
13 him when he testifies and fully evaluate his credibility as
14 a witness.

15 THE COURT: Mr. Jacobs?

16 MR. JACOBS: Your Honor, I don't think there's a
17 confrontation clause issue. I don't have a problem with an
18 instruction, but I'd ask that we do it outside the presence
19 of the jury.

20 THE COURT: All right. Thank you.

21 **(In open court)**

22 THE COURT: Members of the jury, I'm going to have
23 you go outside, wait in the hallway for just a couple
24 minutes. We'll bring you right back in.

25 All rise.

1 9:06 a.m.

2 **IN OPEN COURT**

3 **(JURY NOT PRESENT)**

4 THE COURT: You may all be seated.

5 Mr. Birrell, do you have any case law to cite on
6 the proposition that you raise?

7 MR. ANDREW BIRRELL: I don't, Your Honor, but I
8 think that his Sixth Amendment right to confrontation is
9 founded on the jury being able to look at the witness while
10 the witness testifies. And this man is sitting there hiding
11 behind a mask, which is unfair. So no, I don't have any
12 case law.

13 THE COURT: I don't think "hiding" is the correct
14 terminology, given health concerns that might be
15 appropriate, but I will inquire.

16 Mr. Goetz, you're standing. Do you wish to say
17 anything?

18 MR. GOETZ: I would only add in addition to
19 confrontation, I think there's really -- in terms of the way
20 this would present the evidence, 403 concerns, particularly
21 because this might imply that the witness is in fear somehow
22 of these defendants and is therefore hiding his identity,
23 which would be unfairly prejudicial.

24 THE COURT: Thank you.

25 Do you mind testifying without your mask, sir?

1 THE WITNESS: I don't mind.

2 THE COURT: All right. Thank you. Then that's
3 what we'll do.

4 We'll bring the jury back in.

5 All rise.

6 9:07 a.m.

7 **IN OPEN COURT**

8 **(JURY PRESENT)**

9 THE COURT: You may all be seated.
10 Thank you for your patience.

11 And, Mr. Jacobs, you may inquire.

12 MR. JACOBS: Thank you, Your Honor.

13 DIRECT EXAMINATION

14 BY MR. JACOBS:

15 Q. Good morning, Mr. Ahmed.

16 A. Good morning.

17 Q. Did you participate in a fraud scheme involving the
18 federal food program?

19 A. Yes.

20 Q. How did you participate in that scheme?

21 A. I lied about the number of the meal count that we
22 served, and I lied about the invoices that we submitted to
23 Feeding Our Future. And I help some people to participate
24 in their fraud scheme.

25 Q. Were you charged with a crime?

1 A. Yes.

2 Q. Did you plead guilty?

3 A. Yes.

4 Q. Why did you plead guilty?

5 A. To tell the truth.

6 Q. Did you agree to cooperate with the Government?

7 A. Yes.

8 Q. Why did you agree to cooperate with the Government?

9 A. Because the paper trail that the Government found was
10 clear that -- that I stole the government -- that I stole
11 money from the government.

12 Q. So why did you agree to cooperate with the Government?

13 A. To tell the truth.

14 Q. To get a break?

15 A. Yes.

16 Q. Sitting here today, are you hoping to get a break?

17 A. Yes.

18 Q. How much time is the Government going to request to take
19 off your sentence?

20 THE COURT: Can't hear him?

21 Excuse me just a moment.

22 Mr. Jacobs, I'm going to have you come closer to
23 the microphone and speak up a bit.

24 MR. JACOBS: Thank you, Your Honor.

25 THE COURT: Thank you.

1 BY MR. JACOBS:

2 Q. How much time has the Government told you it will take
3 off your sentence?

4 A. They didn't tell me anything.

5 Q. Who decides what your sentence will be?

6 A. The judge.

7 Q. This judge, Judge Brasel?

8 A. Yes.

9 Q. Has anybody promised you anything?

10 A. No.

11 Q. Has anybody hinted at anything?

12 A. No.

13 Q. Who did you agree to cooperate against?

14 A. Anyone that is involved in Feeding Our Future fraud.

15 Q. And what kind of sentence are you looking at?

16 A. Between five to -- four to five years.

17 Q. What happens if you lie on the stand today?

18 A. Probably I will -- for sure I will lose the -- the break
19 and I'll go to prison.

20 Q. Do we decide if you lie on the stand?

21 A. No.

22 Q. Who decides that?

23 A. The judge.

24 Q. Judge Brasel?

25 A. Yes.

1 Q. Mr. Ahmed, I want to start at the beginning. Okay?

2 A. Okay.

3 Q. Where were you born?

4 A. I was born in Ethiopia.

5 Q. Did you grow up in Ethiopia?

6 A. I grew up in Kenya.

7 Q. Tell the jury about your childhood, please.

8 A. I was born in Ethiopia, and I left when I was 15, 16. I
9 came to Kenya -- no, I left when I was maybe 14, 15. I came
10 to Kenya and I lived there until I was 17 years old. Then I
11 came to the United States.

12 Q. How old were you when you first came to the
13 United States?

14 A. 17, between 16 to 17 years old.

15 Q. And where did you move when you came to the
16 United States?

17 A. Burnsville.

18 Q. Here in Minnesota?

19 A. In Minnesota, Burnsville.

20 Q. Who did you come to the United States with?

21 A. My siblings.

22 Q. Can you tell the jury a little bit about your life when
23 you moved to the United States.

24 A. When I moved to Minnesota, United States, I came with my
25 siblings. We were total of 12, 11 for all my siblings, and

1 we were living in Burnsville with my aunt that sponsored us
2 from Kenya.

3 Q. You were 17 at the time?

4 A. Correct.

5 Q. Did you go to school?

6 A. I went to Burnsville High School.

7 Q. Did you graduate from Burnsville?

8 A. I did.

9 Q. What year?

10 A. 2007, I think.

11 Q. Were you working when you were in school?

12 A. Yes, I was working at Cub Food and Walmart overnight,
13 and I was going to Burnsville High School.

14 Q. What did you do after you graduated from high school?

15 A. I attended Hennepin Technical College in Eden Prairie.

16 Q. Did you graduate from Hennepin Technical?

17 A. No. That was -- I took a couple general classes, and
18 then I transition into St. Mary's University of Minnesota,
19 and I get my surgical technology certificate.

20 Q. What did you do after that?

21 A. I worked hospitals in the OR as a surgical tech for a
22 couple years, and then I went to medical school.

23 Q. Why did you go to medical school?

24 A. I wanted to be in the health care field, and as a
25 surgical tech, when I do -- when I assist surgeons, a lot of

1 cases, it was -- I thought I could do it because it was easy
2 for me, so that's why I went to medical school.

3 Q. Where did you go to medical school?

4 A. I applied here in Minnesota in the United States. I
5 couldn't get into it, and then I went to the Caribbean.

6 Q. Did you ever graduate?

7 A. No.

8 Q. What happened?

9 A. When I came back -- the Caribbean schools, you pay out
10 of your pocket. The government will not help you. There's
11 no financial aid. I come back and I started working at an
12 Abbott hospital to save some money and then go back, but at
13 that time I had family issues. I was separated with my
14 wife, and I was paying the child support. And then I
15 decided not to go to medical school, but apply -- maybe PA
16 school or go to a different medical field.

17 Q. So what did you do after that?

18 A. After that I continued my education, got my bachelor
19 degree as a health care and human service management from
20 St. Mary's while I was still working as a surgical tech at
21 hospitals. And then after that, COVID hit when I was about
22 to apply PA school. My chemistry classes expired, and I
23 didn't want to go back and take those chemistry class.

24 Q. Mr. Ahmed, how old are you?

25 A. At that time?

1 Q. Right now.

2 A. I think I'm 33, 34.

3 Q. You say you think?

4 A. Yeah, I don't keep track on my age.

5 Q. Why not?

6 A. It's not something that big deal in my culture.

7 Q. Eventually did you leave the medical field and start in
8 a different industry?

9 A. Yes. When I applied to PA school, I found out that my
10 chemistry class expired and did not want to take those hard
11 chemistry classes. Then I started working as a childcare
12 director in Eden Prairie.

13 Q. What does it mean to be a childcare director?

14 A. I was in charge of day-to-day management, enrolling
15 families, training the staff. I was running day-to-day
16 management for the childcare.

17 Q. And what time frame was this when you started?

18 A. I started on May 2018.

19 Q. And what was the name of the childcare center in Eden
20 Prairie?

21 A. Delta Learning & Child Care Center.

22 Q. Can you tell the jury a little bit about what you would
23 do for Delta.

24 A. I was a director. I was running day-to-day management.
25 I was in charge of enrolling families that need their kids

1 to be taken care of, hire staff, qualify staff, in charge of
2 sending billing to the government, just managing the whole
3 program.

4 Q. You mentioned sending billing to the government. What
5 was that billing for?

6 A. The attendance of the children, how many that they came,
7 how many hours that they stayed. And if there was any
8 document that they need from us, I was in charge of all
9 those.

10 Q. When you started working at this childcare center in
11 2018, was that your first introduction to the federal food
12 program?

13 A. Yes.

14 Q. And when I say "the federal food program," what's your
15 understanding of the federal food program?

16 A. When I started as a director at childcare, we didn't
17 have -- the capacity of the childcare was, I think, 40 to 42
18 by shift. Then I heard about the food -- the amount on the
19 food that we spend to give the childrens, that we can get a
20 reimbursement from the government. I was introduced to --
21 to Partners in Quality, Kara Lomen, and I met her at the
22 Eden Prairie childcare center. And then she told me how the
23 process works.

24 Q. Okay. So let me unpack that a little bit. You said the
25 capacity was 40. And are you talking about children?

1 A. The capacity of the center, the capacity was 40. So at
2 that time we had 20, 25, between 20 to 30 kids at the
3 childcare center.

4 Q. And at the childcare center, you would feed some meals
5 and snacks?

6 A. Correct.

7 Q. And you would get reimbursed for serving those?

8 A. Correct.

9 Q. At that time you said you were working with Partners in
10 Quality Care?

11 A. Yes.

12 Q. What was your introduction to Partners in Quality Care?

13 A. I met Laura -- I met Laura and she was helping me about
14 enrolling as a sponsor -- as a site to childcare under
15 Partners in Quality, but also she was helping me -- the
16 childcare to be qualified, high-quality childcare.

17 When I was enrolled -- when I got enrolled with
18 Partners in Quality, they never came to the childcare. They
19 never trained me. They never tell us what food that we need
20 to buy. Right after that, I switched to a different
21 company.

22 Q. What company was that?

23 A. Feeding Our Future.

24 Q. At this time, and we're talking 2018 and 2019, how many
25 meals were you submitting for reimbursement?

1 A. By day I would say between 20 to 40 kids for snacks, for
2 lunch or supper with the snacks.

3 Q. And how much were you being reimbursed per month from
4 Feeding Our Future?

5 A. Between 3- to 5,000 a month.

6 Q. Were you getting rich?

7 A. No.

8 Q. Were you making a ton of money?

9 A. No.

10 Q. I want to now talk about COVID and when that started.
11 Okay?

12 A. Okay.

13 Q. Where were you working in 2020 when COVID started?

14 A. I was still at the childcare, and then at that time the
15 kids just stayed home because of the families are staying
16 home and the kids are not coming to the childcare. And I
17 didn't have any income. Then I started working -- at the
18 end of 2020, I started working for Feeding Our Future.

19 Q. Okay. So at some point in 2020, you left the childcare
20 business?

21 A. Yes.

22 Q. Why was that?

23 A. Because there was no income. There was no kids.
24 Nothing was going on.

25 Q. I want to talk about how you first started working at

1 Feeding Our Future. Okay?

2 A. Okay.

3 Q. Can you tell the jury about how you went from working at
4 the childcare center to working at Feeding Our Future.

5 A. At the end -- in the middle of -- at the end of 2019, I
6 wanted the staff that were taking care of the children to be
7 qualified teachers, and I wanted them to be certified as a
8 childcare CDA, childcare developmental-something.

9 And I was told there is someone that can train the
10 staff to be qualified. I was introduced to Aimee Bock. I
11 contacted Aimee Bock and we talked about how many
12 students -- how many parents or teachers are going to be
13 trained, and we talked about that she will be training at
14 the childcare center.

15 Q. So at this point, was Feeding Our Future the sponsor of
16 the childcare center?

17 A. Yes. They were sponsor for Delta.

18 Q. And what does it mean to be a sponsor in the federal
19 food program?

20 A. You will submit the whole month, the total of the kids
21 that -- that you served, ate supper or breakfast, depending
22 on the shift that that children is coming in, because some
23 kids, young kids, they will be early childcare in the
24 morning, so we give them breakfast, snack, and then lunch.
25 And then after school, we would give them supper and a

1 snack. And then we will send invoices and the receipts from
2 when we bought the food by an envelope to Feeding Our
3 Future.

4 Q. After -- after the onset of COVID, how did you come to
5 work at Feeding Our Future?

6 A. Sometime between May, June, July, I was offered the job,
7 Aimee Bock, and I told her at that time I was in charge of
8 the childcare center and I couldn't work for her, but I will
9 introduce to her someone that knows the committee and the
10 childcare and all this food program better than me.

11 Q. Okay. So you said you initially didn't want to work for
12 her?

13 A. Yes.

14 Q. Why was that?

15 A. Because I was in charge the Delta childcare center.

16 Q. The center was still open at this point?

17 A. It was open, but there was no kids coming in.

18 Q. You mentioned that you would introduce her to somebody.
19 Who was that person?

20 A. It was Abdikerm Eidleh.

21 Q. And why did you introduce her to Mr. Eidleh?

22 A. At that time I didn't -- I didn't want to work for
23 Feeding Our Future because I was responsible of Delta, and
24 until I find someone that can take over all the -- owners
25 can take over, I didn't want to leave. And I didn't

1 understand anything about being a site supervisor or going
2 to the childcare at that time.

3 Q. Did Mr. Eidleh start working at Feeding Our Future?

4 A. Yes.

5 Q. When was that?

6 A. Right around that time, June, July.

7 Q. In the summer of 2020, did you ultimately get an offer
8 to work for Feeding Our Future?

9 A. Yes.

10 Q. And what was that offer to do?

11 A. Right after that, I talked to Aimee and I said -- and
12 asked if the -- still offer is available and she said that,
13 yes, we still need you. Then I told her that I wouldn't be
14 able to start working at this moment. I'm going to Kenya to
15 see my family. Can I go and come back and start working for
16 you? And we -- she agreed.

17 Q. Okay. So you said "Aimee." Who's Aimee?

18 A. Aimee Bock. She's the director of Feeding Our Future.

19 Q. Now, what changed in between not wanting to work at
20 Feeding Our Future and taking the job at Feeding Our Future?

21 A. I'm sorry?

22 Q. What changed to make you want to take the job at Feeding
23 Our Future?

24 A. There was no income. I didn't have any income. I
25 wasn't working the Delta, because there was no children

1 coming in and I wanted income.

2 Q. Needed the money?

3 A. I needed money, yep.

4 Q. Needed the job?

5 A. I needed the job.

6 Q. Did you start at Feeding Our Future immediately?

7 A. I started when I came back from Kenya, sometime at the
8 end of September or the beginning of October.

9 Q. So you started at Feeding Our Future in the fall of
10 2020?

11 A. Yes.

12 Q. And what was your job title when you started at Feeding
13 Our Future?

14 A. I was, when I came back from Kenya -- when I was in
15 Kenya, I was getting paid from Feeding Our Future.

16 Q. What do you mean you were getting paid when you were in
17 Kenya?

18 A. When I got the job offer and I told that I'm leaving to
19 Kenya to see my family, I started. I saw -- Salah came to
20 Feeding Our Future while I was in Kenya. And then when I
21 came back, I told her that -- what would be my
22 responsibility? She said at that time Feeding Our Future
23 was crazy, was booming. It was a lot of people.

24 Q. What do you mean it was "crazy"?

25 A. It was a lot of people that was submitting meal

1 counts -- not meal counts, applications, and everybody
2 wanted to get involved with the Feeding Our Future.

3 Q. Why did people want to get involved with Feeding Our
4 Future at this point?

5 MR. SCHLEICHER: Objection. Foundation.

6 THE COURT: It's sustained.

7 Can you lay foundation?

8 BY MR. JACOBS:

9 Q. In the fall of 20- -- in the fall of 2020 when you
10 started at Feeding Our Future, what was it like there?

11 A. When I started -- when I came back from Kenya, there was
12 a lot of people that were opening sites every single day,
13 20, 30 application.

14 Q. Was that a lot?

15 A. Yeah, it was a lot, yeah. At that time I didn't realize
16 how a lot it would be, but all I know was everybody was just
17 submitting application to Feeding Our Future.

18 Q. What was the type of person who was submitting
19 applications to open food sites under Feeding Our Future?

20 A. At that time, I think it was the summer -- it was the
21 summer -- summertime or summer program was going on. Anyone
22 from childcare, Delta daycare owners, nonprofits, residents,
23 owners, grocery owners, truck drivers.

24 Q. You said truck drivers?

25 A. Anybody. Yes.

1 Q. Anybody?

2 A. Yes.

3 Q. Was there any connection to actually feeding kids at
4 this point?

5 A. At that time anyone was submitting application at
6 Feeding Our Future, whether they work with childrens or
7 whether they never work with childrens.

8 Q. What was your reaction when you saw someone like a truck
9 driver apply to run a site under Feeding Our Future?

10 A. At that time I was -- I was -- I think at that time I
11 worked couple months at Feeding Our Future, and I had a good
12 understanding of what the program was, who was -- who was
13 qualified, who can submit application, but I got a call from
14 someone and he said that --

15 MR. GOETZ: Objection. Hearsay, Your Honor.

16 MR. JACOBS: Your Honor, it's a non -- it's not
17 for the truth of the matter asserted, I believe, at this
18 point.

19 THE COURT: Overruled.

20 You may answer.

21 THE WITNESS: Sorry?

22 THE COURT: You may answer. You may continue your
23 answer.

24 THE WITNESS: And then I will ask people when they
25 call me -- because at that time I was the right hand for

1 Aimee Bock. People would call me and then they would say,
2 Hey, I want to open application. And I will ask them, What
3 do you have? Do you have a nonprofit? Are you a childcare
4 provider? A Delta daycare provider? Then he said, No, I'm
5 a truck driver. And I told him you need to have a
6 nonprofit. When you get a nonprofit, come.

7 BY MR. JACOBS:

8 Q. You said that things were going crazy at Feeding Our
9 Future?

10 A. Yes.

11 Q. Can you explain to the jury what you meant by that.

12 A. At that time I think we had over 200 sites and the
13 Feeding Our Future people would submit the meal counts that
14 they served or some people will submit an application that
15 they want to open a site. And the only person who can
16 submit the application to MDE -- or submit the meal count to
17 MDE was Aimee Bock.

18 But as of the staff, we were facilitating people
19 who are submitting application or who are submitting meal
20 counts.

21 Q. At that point why was everybody trying to open a
22 nonprofit to enroll in the food program?

23 MR. SCHLEICHER: Objection. Foundation.

24 THE COURT: Overruled.

25 You may answer if you can.

1 THE WITNESS: What was the question?

2 BY MR. JACOBS:

3 Q. At that point why was everyone trying to open nonprofits
4 to participate in the food program?

5 A. At that time everybody was involved in the food program.
6 There was food everywhere, sites everywhere, and there was
7 no -- there was no check and balance at Feeding Our Future.
8 We just get application and hand it out to Aimee Bock and
9 then she would send to MDE.

10 Q. You said there was no check and balance at Feeding Our
11 Future?

12 A. Yes.

13 Q. What do you mean by that?

14 A. Like, there was no -- we were not told these are the
15 people -- like the childcare providers are the only people
16 that you can take from application. Everybody could submit
17 an application.

18 Q. And what was the problem with that?

19 A. Everybody was submitting whatever they wanted it.

20 Q. You say people were submitting "whatever they wanted."
21 What do you mean by that?

22 A. I meant that a lot of people are submitting
23 applications, a lots of people are submitting meal counts;
24 and the staff, we were not going to the sites to see what
25 they submitted, if it was correct or not, at Feeding Our

1 Future.

2 Q. So when you say no checks and balances, what do you mean
3 by that?

4 A. We were not checking. When they submit application and
5 they write an address, we were not going there to verify if
6 it is -- it was set up as a childcare center or it was a
7 setup as a food site.

8 Q. And when you're not checking, what was the problem with
9 that?

10 A. Anybody can submit whatever they wanted.

11 Q. And what did that ultimately turn into?

12 A. People submitting meal counts or submitting the number
13 of the kids that didn't serve -- they did not serve.

14 Q. Committing fraud?

15 A. Yes.

16 Q. And to be clear, at this point you knew what they were
17 doing?

18 A. At that time, yes.

19 Q. Did you eventually start a different role at Feeding Our
20 Future?

21 A. Correct.

22 Q. What was that role?

23 A. I became a supervisor for site supervisors.

24 Q. Okay. Supervisor for site supervisors?

25 A. Yes.

1 Q. Can you explain to me what that means.

2 A. We were --

3 Q. First of all, can you explain what a site supervisor is.

4 A. A site supervisor will be a person who goes to the
5 sites, let's say childcare center or a food distribution
6 site. You will go and see if they have the actual -- if
7 they're giving out the food that they're supposed to give
8 out, if they are taking the attendance, or if they are using
9 the actual clicker to take the number of the meals that they
10 were giving out.

11 Q. So at this time frame of the end of 2020 and into 2021,
12 what were site supervisors actually doing at Feeding Our
13 Future?

14 A. Say that again.

15 MR. GOETZ: Object to the form of the question,
16 Your Honor. Vague.

17 THE COURT: Overruled.

18 You may answer.

19 BY MR. JACOBS:

20 Q. In this time frame of the end of 2020 and into 2021,
21 what were site supervisors actually doing for Feeding Our
22 Future?

23 A. We were not doing anything. We were not going sites.

24 Q. When you say "not doing anything," can you tell the jury
25 what you mean.

1 A. We were not visiting sites. We were not inspecting. We
2 were just doing our own thing.

3 Q. Is that what you mean by no checks and balances?

4 A. Yes.

5 Q. Why were site supervisors not visiting sites?

6 A. Because the site supervisors knew the site owners, and
7 we were all taking our kickbacks at that time.

8 Q. And what would happen if you or other site supervisors
9 visited these sites?

10 A. What will happen if we visit those sites?

11 Q. Yes.

12 A. Those are our friends' sites, the people that is giving
13 us kickbacks, but if we actually go and do our jobs proper,
14 we will not see what they were claiming was true.

15 Q. And as the supervisor of site supervisors, what did you
16 do?

17 A. I didn't do anything. I just started getting the
18 kickbacks.

19 Q. You said you were Aimee Bock's right-hand man; is that
20 right?

21 A. Yep.

22 Q. What -- I assume that wasn't your real job title?

23 A. Yes.

24 Q. What did you do as Aimee Bock's right-hand man?

25 A. I will take the meetings that she didn't want to take.

1 I will talk to the people that she didn't want to talk. I
2 will take application and meal counts and put Aimee's
3 desk -- on top of Aimee's desk to process right away.

4 Q. Did you have conversations with other site supervisors
5 about going and visiting sites?

6 A. I'm sorry?

7 Q. Did you have conversations with other site supervisors
8 about going out and visiting sites?

9 A. Me personally?

10 Q. Yeah.

11 A. No.

12 Q. Did you ever tell site supervisors to go out and visit
13 sites?

14 A. I did.

15 Q. Did you know if they would go and visit those sites?

16 A. I didn't know if they will go and see, but there was a
17 couple sites that I told and I'd get a pushback that I was
18 targeting those sites.

19 Q. Who did you get pushback from?

20 A. From the staff at Feeding Our Future.

21 Q. And why? What's your understanding of why you got
22 pushback?

23 A. They said that I was targeting specifically those sites.

24 Q. So you testified that site supervisors wouldn't actually
25 visit sites. Can you explain why not?

1 MR. GOETZ: Objection. Repetitive, Your Honor.

2 THE COURT: Overruled.

3 You may answer.

4 THE WITNESS: Say that question again.

5 BY MR. JACOBS:

6 Q. You testified that site supervisors at Feeding Our
7 Future didn't go out and visit sites. Why not?

8 A. Because the site supervisors and the people that we
9 assign to them knew each other. All of us, we knew each
10 other.

11 Q. What do you mean you all knew each other?

12 A. The people that are -- have the sites are people that we
13 knew or giving us kickbacks.

14 Q. And what was the result of you all knowing each other?

15 A. We were sharing the profit.

16 Q. What benefit did you get from knowing each other?

17 A. I would get a kickback.

18 Q. So I want to focus in that same time frame of the end of
19 2020 and into 2021. How big was Feeding Our Future?

20 A. Between '20 to 2021?

21 Q. Yes.

22 A. It was huge. It was crazy. At that time we had over
23 200 sites, over 60, 70, or 100 employees.

24 Q. You said a couple times now that Feeding Our Future was
25 crazy around this time. Can you paint a picture for the

1 jury of what you mean by that.

2 A. I think the best way to put that is Feeding Our Future
3 was a bank. You come and you get money.

4 Q. The bank of Feeding Our Future?

5 A. Yes.

6 Q. How would you get money from the bank of Feeding Our
7 Future?

8 A. You submit claims, invoices. We'll process. You get
9 paid.

10 Q. How many people were submitting claims to the bank of
11 Feeding Our Future?

12 A. Over 200 sites.

13 Q. So at this time I want to talk about a couple other
14 employees of Feeding Our Future. Okay?

15 A. Okay.

16 Q. You familiar with another employee there named Abdikerm
17 Eidleh?

18 A. Yes.

19 Q. Who is Mr. Eidleh?

20 A. It was a friend and a business partner.

21 THE COURT: Could you spell that, please.

22 THE WITNESS: Sorry?

23 THE COURT: Could you spell it, if you can?

24 THE WITNESS: A-B-D-I-K-E-R-M. E-I-D-L-E-H.

25 THE COURT: Thank you.

1 BY MR. JACOBS:

2 Q. How did you know Mr. Eidleh?

3 A. When I was at the Delta, the Eden Prairie childcare
4 center, there was a childcare next to me, so I reached out
5 to him and he was helping me. And he was also part of the
6 group that Aimee Bock was training to be qualified teachers.

7 Q. Did he encourage you to get involved in the food
8 program?

9 A. Yes.

10 Q. And what was his role at Feeding Our Future?

11 A. At that time he was in charge of enrolling sites and
12 restaurants.

13 Q. Did you work with Mr. Eidleh?

14 A. Yes, I did.

15 Q. Did you commit fraud with Mr. Eidleh?

16 A. Yes.

17 Q. I want to talk about another Feeding Our Future employee
18 named Ikram Mohamed, I-K-R-A-M, M-O-H-A-M-E-D.

19 Are you familiar with Ikram?

20 A. Yes.

21 Q. How so?

22 A. I met her at Feeding Our Future. She was a client at
23 the beginning, but later on she became staff of Feeding Our
24 Future.

25 Q. What was her role at Feeding Our Future?

1 A. She took --

2 MR. GOETZ: Objection to the form of the question.

3 Could we have a time frame, please, Your Honor?

4 THE COURT: Please rephrase.

5 BY MR. JACOBS:

6 Q. When did Ikram start working at Feeding Our Future?

7 A. At the beginning of 2021.

8 Q. And at that time, did she have a formal role at Feeding
9 Our Future?

10 A. At that time she was just a client.

11 Q. Okay. Did she eventually start working for Feeding Our
12 Future?

13 A. Yes.

14 Q. When was that?

15 A. At the beginning of 2021.

16 Q. And what did she do for Feeding Our Future then?

17 A. She took my spot to be a supervisor for site
18 supervisors.

19 Q. Was she doing the same thing that you were doing?

20 A. Yes.

21 Q. Committing fraud?

22 A. Yes.

23 Q. Now, you testified that you were involved in submitting
24 false claims in the food program; is that right?

25 A. Say that again.

1 Q. You testified that you were involved in submitting false
2 claims in the federal food program; is that right?

3 A. Correct.

4 Q. Okay. I want to talk about that. At some point did you
5 submit an application to participate in the food program
6 with your own site?

7 A. Yes.

8 Q. Why did you submit an application?

9 A. At that time we were involved with bringing youth to get
10 an Eden Prairie park, and we'd buy snacks and drinks for
11 them, and we will help them play soccer and basketball. And
12 then -- and I was employed at Feeding Our Future.

13 Mr. Eidleh was there a couple times at the park
14 where we would play basketball and soccer, and he asked me
15 since I'm already involved with -- with the kids and doing
16 some activities, I should get -- I should open a nonprofit
17 and get reimbursed from the government.

18 Q. Mr. Ahmed, why did you want to participate in the
19 federal food program?

20 A. I wanted to get rich, make money.

21 Q. Take out a withdrawal from the bank of Feeding Our
22 Future?

23 A. Yes.

24 Q. Were you seeing this all around you?

25 A. I'm sorry?

1 Q. Were you seeing this all around you?

2 A. Yeah.

3 Q. You wanted to do it too?

4 A. Correct.

5 Q. What was the name of the company that you applied to
6 participate in the federal food program?

7 A. Southwest Metro Youth.

8 Q. And was Southwest Metro Youth committing fraud?

9 A. Correct.

10 Q. Were you committing fraud using Southwest Metro Youth?

11 A. Correct.

12 Q. Can you explain to the jury you how you started up a
13 food site to participate in the federal food program.

14 A. We opened the Southwest Metro Youth nonprofit, me and
15 Abdikerm did, applied application to -- from Minnesota State
16 of Secretary. And then I would look -- before we did that,
17 I would look for an area that is eligible to be easily
18 approved under MDE, and then we submitted application to
19 Minnesota Secretary of State and we started serving,
20 claiming food.

21 Q. Okay. So you said "we" a moment ago. Who is "we"?

22 A. Me and Abdikerm Eidleh.

23 Q. You and Mr. Eidleh created the site together?

24 A. Yes.

25 Q. And you said you found an area or you found a site that

1 met the area eligibility requirement?

2 A. An address that is an eligibility under MDE guidelines.

3 Q. What does that mean?

4 A. MDE had guidelines that when you open the site, it has
5 to be an area that is eligible where around 50 kids that are
6 living in that area are low-income or go to public school.

7 So we looked for an area that is eligible at MDE
8 under websites, just going to websites, and they will give
9 you a pink map.

10 Q. A what map?

11 A. Pink.

12 Q. Pink map. To be clear, did you care about the area
13 eligibility or the kids that you just mentioned in that
14 area?

15 A. I'm sorry?

16 Q. To be clear, did you care about which area your site was
17 located in?

18 A. At that time we cared because we couldn't pick any site.
19 It has to be an address or an area that is area eligible.

20 Q. Any site that was area eligible was --

21 A. Area eligible, yep.

22 Q. Because what was the purpose of this site?

23 A. You will get approved quickly and you will start serving
24 meal counts.

25 Q. What was the purpose of the site for you?

1 A. To steal government -- money from the government.

2 Q. You were opening up this site to commit fraud?

3 A. Correct.

4 Q. I want to show you a document that has not been admitted
5 into evidence. It's Government Exhibit Q-1. Do you
6 recognize this document?

7 A. It is an email from -- it's an email from Abdikerm
8 Eidleh to my email, hadith@gmail.com for Southwest Metro
9 Youth. Attachment is an EIN PDF.

10 MR. JACOBS: Your Honor, I'd offer Government
11 Exhibit Q-1.

12 THE COURT: Any objection?

13 MR. SCHLEICHER: No objection, Your Honor.

14 THE COURT: Q-1 is admitted and may be published.

15 BY MR. JACOBS:

16 Q. Okay. Mr. Eidleh, we're going to walk -- excuse me.
17 Mr. Ahmed, we're going to walk through this email. Can you
18 tell the jury who it's from here.

19 A. It is from Abdikerm Eidleh, Mr. Eidleh, at gmail.com to
20 hadithay@gmail.com.

21 Q. That's your email address?

22 A. That's my personal email.

23 Q. The subject line here is?

24 A. "Southwest Metro Youth."

25 Q. And what was the date of this email?

1 A. October 20th, 2020.

2 Q. Attached to this email is a PDF called EIN. I'm going
3 down to the second page. What's the attachment to this
4 email?

5 A. It's an IRS Department of Treasury for EIN number for
6 Southwest Metro Youth.

7 Q. Okay. And what is the date of that letter?

8 A. October 8, 2020.

9 Q. This is around the same time you were opening up
10 Southwest Metro Youth?

11 A. Correct.

12 Q. What was the purpose of getting an EIN number from the
13 IRS?

14 A. Any company that you open, you will -- you have to have
15 an EIN number, and also nonprofit.

16 Q. To make it look legitimate?

17 A. Yes.

18 Q. Was Southwest Metro Youth a legitimate company?

19 A. (No response.)

20 Q. Was Southwest Metro Youth a legitimate company?

21 A. What do you mean?

22 Q. Was it a legitimate company?

23 A. We started that time just for the purpose of -- to
24 participate in the Feeding Our Future fraud scheme.

25 Q. Mr. Eidleh is sending you this EIN document. Why is he

1 sending it to you?

2 A. Because he was in charge of opening the company. I
3 didn't know anything about it.

4 Q. You didn't know anything about what?

5 A. How to open.

6 Q. How to file --

7 A. How to file to IRS or State of Secretary.

8 Q. I'm showing you another document that is not in
9 evidence, and it's Government's Q-3.

10 Mr. Ahmed, do you recognize this email?

11 A. Yes.

12 Q. What is it?

13 A. It's from Mr. Eidleh at gmail.com to hadithay@gmail.com.

14 MR. JACOBS: Your Honor, I'd offer Government
15 Exhibit Q-3.

16 MR. SCHLEICHER: No objection.

17 THE COURT: Q-3 is admitted and may be published.

18 BY MR. JACOBS:

19 Q. Mr. Eidleh -- or excuse me -- Mr. Hadith, can you
20 explain to the jury what we're seeing in this email.

21 A. It's an email from Abdikerm Eidleh to my personal email.
22 It is an Article of Incorporation attached to it.

23 Q. Okay. So this is one day after the EIN email we just
24 saw?

25 A. Yes.

1 Q. And going to the second page, which is the actual --
2 what is on the second page?

3 A. Article of Incorporation of Southwest Metro Youth.

4 Q. I'm going to the registered office address. What is
5 this office that you listed as a principal office of the
6 corporation?

7 A. That is the 1200 Singletree Lane, Suite 194, Eden
8 Prairie, Minnesota 55344. It is the address for Southwest
9 Metro Youth.

10 Q. And what is at that address?

11 A. It's a small office.

12 Q. And why did you -- did you lease that office?

13 A. Yes.

14 Q. Why did you lease the office?

15 A. That area was the area eligibility to get approved at
16 MDE.

17 Q. But why did you lease an office?

18 A. Because you couldn't file any Article of Incorporation
19 without an address.

20 Q. You needed an address to enroll in the food program?

21 A. You need an address to participate in the Feeding Our
22 Future fraud scheme.

23 Q. Down under Article III is the purpose of the
24 corporation. And these Articles of Incorporation says the
25 purpose of the incorporation is to provide social and

1 educational after-school programs.

2 Do you see that?

3 A. Yes.

4 Q. To provide social, indoor and outdoor activities.

5 Do you see that?

6 A. Yes.

7 Q. Bring families and youth together?

8 A. Correct.

9 Q. Combat youth crime? Do you see that?

10 A. Correct.

11 Q. Prevent community deterioration?

12 A. Correct.

13 Q. Was that the purpose of Southwest Metro Youth?

14 A. No. We were doing this, but this has nothing to do with
15 opening the Southwest Metro Youth.

16 Q. What was the purpose of Southwest Metro Youth?

17 A. To participate in the Feeding Our Future fraud scheme.

18 Q. Okay. Finally, this Articles of Incorporation,
19 incorporator name, what does that say?

20 A. Hadith Ahmed.

21 Q. And signature, whose is that?

22 A. That's my signature.

23 Q. When did you start submitting claims for Southwest Metro
24 Youth?

25 A. I think it was the end of 2020, November, December.

1 Q. Shortly after filing for an EIN number?

2 A. Yes.

3 Q. Shortly after filing Articles of Incorporation?

4 A. Correct.

5 Q. At the very outset, how many meals were you claiming to
6 serve a week under Southwest Metro Youth?

7 A. I think the first week or the first month we give out
8 150 to 200 of cooked meal count, cooked meals.

9 Q. Was that a lot of food to give out?

10 A. Yes.

11 Q. Was it hard to give that much food out?

12 A. Yeah, we were not a restaurant. We were just going to a
13 restaurant and buying hot food, so it was a lot for us.

14 Q. After that first week, what happened to the claims that
15 you submitted under Southwest Metro Youth?

16 A. The number changed. We switching to dry grocery and
17 then the number increased by a lot.

18 Q. How much did it increase by?

19 A. We were claiming that we served 2,500 and we were not
20 actually giving out anywhere close to that.

21 Q. Nowhere close to that?

22 A. No.

23 Q. How inflated were the meal counts that you were
24 submitting?

25 A. By a thousand.

1 Q. So I want to talk about meal counts. Can you explain to
2 the jury what we're talking about when we say a "meal
3 count."

4 A. Yes. A meal count is a piece of paper that has the name
5 of the sponsor, the name of the site that is giving out the
6 food, if it is breakfast and snack or supper or snack or
7 lunch, and how many it is that you're giving out.

8 Q. And who fills out the meal count?

9 A. I'm sorry?

10 Q. Who fills out the meal count?

11 A. I was filling out.

12 Q. The site operator?

13 A. The site operators or the site owner or whoever is in
14 charge of the organization.

15 Q. And then what do you do with the meal count after it's
16 filled out?

17 A. We submit that to Feeding Our Future.

18 Q. At this point when you're operating Southwest Metro
19 Youth, are you also working at Feeding Our Future?

20 A. Correct.

21 Q. And what was the benefit to you of being an employee of
22 Feeding Our Future at that point?

23 A. So there was no issue working as an employee and having
24 a site, because I get that okay from Aimee, but the benefit
25 was I was getting paid from Feeding Our Future, but also I

1 was getting money from Southwest and no site supervisor will
2 go to Southwest Metro Youth.

3 Q. Why would no site supervisor go to Southwest?

4 A. Because I was the right hand to Aimee Bock.

5 Q. And what would happen if a site supervisor visited
6 Southwest?

7 A. They will not go, but if they go and do their jobs, they
8 will find out that the number that I was claiming was not
9 true.

10 Q. Let's take a look at a couple meal counts. Okay?

11 I'm showing you what's been marked for
12 identification as Government's Exhibit Q-38. Do you
13 recognize this email?

14 A. It's pretty small. It's an email from Southwest Metro
15 Youth to claims@feedingourfuture, CC'd to
16 hadith@feedingourfuturemn.

17 MR. JACOBS: Your Honor, I'd offer Government
18 Exhibit Q-38.

19 MR. SCHLEICHER: Your Honor, could I ask that it
20 be scrolled forward to the next page, please?

21 (Document reviewed.)

22 MR. SCHLEICHER: No objection.

23 THE COURT: Q-38 is admitted and may be published.

24 BY MR. JACOBS:

25 Q. What are we looking at in Government Exhibit Q-38?

1 What's this email?

2 A. It's an email from Southwest Metro Youth to
3 claims@feedingourfuturemn.org, CC'd to
4 hadith@feedingourfuturemn.org.

5 Q. Okay. I want to break down the three email addresses
6 you just mentioned. Southwestmetro youth@gmail.com, whose
7 email address is that?

8 A. That's the Southwest -- that's the company's email.

9 Q. Who uses that email address?

10 A. Me and Abdikarim.

11 Q. The next email address under the "to" column is
12 claims@feedingourfuture.org. What is that email address?

13 A. That is the claims department for Feeding Our Future or
14 claims email for Feeding Our Future.

15 Q. And when you worked for Feeding Our Future, did you have
16 access to those claims at Feeding Our Future emails?

17 A. Yes.

18 Q. And what was the purpose of that email address?

19 A. That's where everyone will send the claims to. People
20 that will send claims to claims@feedingourfuture or they
21 will send to me, and then I will forward to claims
22 department.

23 Q. That's how you would submit a claim to get paid?

24 A. You will submit claims and then it will be processed and
25 then submitted to MDE.

1 Q. And then in the CC line, there's
2 hadith@feedingourfuturemn.org. What's that email address?

3 A. That's my Feeding Our Future email.

4 Q. Okay. So the subject of this email is "Southwest Metro
5 Youth February Claims."

6 A. Correct.

7 Q. And what's the date of this email?

8 A. March 5th, 2021.

9 Q. Let's look at the meal count or claim form.

10 So we've talked about claims and meal counts. Is
11 there a difference between those two things?

12 A. No. It is interchangeable.

13 Q. I'm going to pull up this meal count sheet. And can you
14 explain to the jury generally what we're seeing in this meal
15 count form.

16 A. You are looking at a paper for meal counts. It says,
17 "After-School Meal Count - Clicker." Our sponsor is Feeding
18 Our Future. The site is Southwest Metro Youth. It has a
19 supper and a snack. And then the days that we give it out.

20 Q. Okay. So this particular meal count is for the week of
21 January 31st?

22 A. Correct.

23 Q. And under number of meals received and prepared, what's
24 that number?

25 A. 1,642.

1 Q. And during that week, did you distribute anywhere near
2 1,642 meals?

3 A. No.

4 Q. This number was inflated?

5 A. Correct.

6 Q. It was a lie?

7 A. It was a lie.

8 Q. What was the purpose of this lie?

9 A. To steal, to participate in the fraud scheme.

10 Q. To get a bigger reimbursement?

11 A. Correct.

12 Q. To get a big check?

13 A. Yes.

14 Q. All right. Moving on to the next week, here we're
15 seeing the week of February 7th. Do you see that under
16 "Week of"?

17 A. Yes.

18 Q. And again, it's for the site SWMY?

19 A. Yep, Southwest Metro Youth.

20 Q. Okay. How many meals are on this meal count being
21 claimed under meals received/prepared?

22 A. 1,500.

23 Q. A total of 10,500 that week?

24 A. For the whole week.

25 Q. Did you distribute anywhere near --

1 A. No.

2 Q. -- that much food?

3 A. No.

4 Q. Moving on to the next week, this is the week of

5 February 14th?

6 A. Yes.

7 Q. You're claiming 1,562 meals?

8 A. Correct.

9 Q. Again, how much food are you serving?

10 A. We -- we -- smaller than that.

11 Q. Way smaller than that?

12 A. Correct.

13 Q. Now, with -- the numbers every week are changing. It

14 started out in that first week as 1,642?

15 A. Correct.

16 Q. The week after that is 1,500?

17 A. Correct.

18 Q. The week after that is 1,562?

19 A. Correct.

20 Q. Why are the numbers changing every week?

21 A. The more number that you claim, the more money that you

22 get from the government.

23 Q. Well, the numbers are close, but they're not identical,

24 right? Each week?

25 A. Each week, yeah.

1 Q. Why are you changing the number of meals you're
2 submitting every week?

3 A. Not to look the same every week, that we're giving out
4 the same number of the kids.

5 Q. Well, when you say "not to look the same," what's the
6 concern if the meal counts all look the same?

7 A. It will become suspicious.

8 Q. Why would that be suspicious?

9 A. Because there is no way that every week the same
10 families are coming to the site and getting the food. We
11 live in Minnesota.

12 Q. Well, this may be an obvious question, but what does
13 that mean?

14 A. It was the wintertime. Anything can happen.

15 Q. When you say "anything could happen," what do you mean?

16 A. People may not able to drive a site, get stuck in the
17 traffic.

18 Q. I'd like to pull up what has been marked for
19 identification as Government's Q-39.

20 Mr. Ahmed, do you recognize this email?

21 A. It is our Feeding Our Future email accounts.

22 Q. I'm showing you the next page, which are the meal
23 counts. Do you recognize those?

24 A. Yes.

25 MR. JACOBS: Your Honor, I'd offer

1 Government Q-39.

2 MR. SCHLEICHER: No objection.

3 THE COURT: Q-39 is admitted and may be published.

4 I don't know if there's a way to rotate it, if
5 you're going to show the second page.

6 MR. JACOBS: That may be above my pay grade, Your
7 Honor, but I'll try and work through it.

8 (Technological concerns addressed.)

9 THE COURT: Thank you.

10 BY MR. JACOBS:

11 Q. All right. Mr. Ahmed, what are we looking at here in
12 Government's Q-39?

13 A. Looking at the meal counts. Sponsor is Feeding Our
14 Future. Site is Southwest Metro Youth. They were claiming
15 2,500 a week.

16 Q. Okay. You said "they" were claiming 2,500 a week. What
17 do you mean?

18 A. We were.

19 Q. Okay. And this is for the week of?

20 A. March 7, 2021.

21 Q. Okay. So the following -- one month after the meal
22 counts we just looked at?

23 A. Yep.

24 Q. And here the meal type is selected. Do you see that?

25 A. Supper and a snack.

1 Q. In this weekly meal count, what are the numbers that
2 you're claiming to serve?

3 A. 2,500 a week.

4 Q. So it's about a thousand higher than last month?

5 A. Yep.

6 Q. Are you serving 2,500 meals?

7 A. No. This is the amount of the meal count that we are
8 claiming.

9 Q. And why are you claiming 2,500?

10 A. More money.

11 Q. Why did you increase it 1,000 from the last month?

12 A. To get more money.

13 Q. Now, in this meal count, the food column has a number of
14 leftover meals filled in. Do you see that down there?

15 A. Yes.

16 Q. It says 83 leftover meals.

17 A. Yes.

18 Q. And if you go up to "number of firsts served to
19 children," it says 2,417 meals.

20 A. Yes.

21 Q. Why is there a difference between the number of meals
22 served and the number of leftover meals?

23 A. We are saying here that we prepare 2,500, but we give
24 out 2,417.

25 Q. Was that true?

1 A. No.

2 Q. So why put this additional information in the meal
3 count?

4 A. To make it look like that 25 people didn't show up, only
5 2,417 food that we give out. And then we will write down
6 the remaining or the leftover.

7 Q. I'd like to show you what has been marked for
8 identification as Government Q-42.

9 Mr. Ahmed, do you recognize this email?

10 A. It is from Southwest Metro Youth to hadithay@gmail.com.

11 Q. I'm showing you the second page. What's that?

12 A. I'm sorry?

13 Q. I'm showing you the second page of this email. What is
14 that?

15 A. Same meal count.

16 MR. JACOBS: Your Honor, I'd offer
17 Government Q-42.

18 MR. SCHLEICHER: No objection, Your Honor.

19 THE COURT: Q-42 is admitted and may be published.

20 BY MR. JACOBS:

21 Q. Mr. Ahmed, what are we seeing in this email here?

22 A. An email from Southwest Metro Youth to Hadithay, subject
23 line is "Southwest Metro Youth Meal Count for July and
24 August."

25 Q. And why are you sending it to your personal Gmail

1 account?

2 A. Abdikarim Eidleh sent it to me, to my personal email.

3 Q. Why did he send it to your personal email?

4 A. Me and him were both -- had access to the Southwest
5 Metro Youth email, and I believe at this time, I think,
6 he -- he wasn't at Feeding Our Future, I think.

7 Q. Okay. So moving on to the second page, do you see
8 another meal count?

9 A. Correct.

10 Q. And this one is for the week of July 25th, 2021.

11 A. Correct.

12 Q. So several months after the last one we saw?

13 A. Correct.

14 Q. To be clear, in that intervening time, are you
15 submitting meal counts every week or month?

16 A. I'm sorry?

17 Q. In the time in between the March invoices we just saw
18 and this July invoice, are you submitting meal counts for
19 Southwest Metro Youth every month?

20 A. Yes. This time I left Feeding Our Future, but, yes, we
21 were -- we were operating the site.

22 Q. You said you "were operating the site." What do you
23 mean by that?

24 A. We were printing that we give out the meal count, the
25 food.

1 Q. Okay. And this meal count, again, it says "Number of
2 meals prepared." How many?

3 A. 1,000.

4 Q. Were you serving 1,000 meals?

5 A. No.

6 Q. Anywhere close to that?

7 A. No.

8 Q. Again here, there's a different number under "Number of
9 firsts served to children." What number is that?

10 A. 7,778.

11 Q. And again, why are you doing a different number in those
12 two boxes?

13 A. To not look suspicious.

14 Q. Who's filling out these meal counts?

15 A. I think this time is Eidleh, because I left at Feeding
16 Our Future.

17 Q. Did you fill out meal counts yourself?

18 A. I did.

19 Q. How many times?

20 A. A lot of times.

21 Q. You put the numbers in there a lot of times?

22 A. Yep.

23 Q. You knew the numbers were a lie a lot of times?

24 A. Yep. It was between me and Abdikerm Eidleh, because we
25 have the access.

1 Q. One or the other of you would fill out --

2 A. Yep.

3 Q. -- the meal counts?

4 A. Yep.

5 Q. I'd like to show you what has been marked for
6 identification as Government's Exhibit Q-4.

7 Mr. Ahmed, do you recognize this email?

8 A. It's an email from eidleh.inc@gmail.com to
9 hadithay@gmail.com, invoice for February 16, 2021.

10 MR. JACOBS: Your Honor, I'd offer Government Q-4.

11 MR. SCHLEICHER: No objection.

12 THE COURT: Q-4 is admitted and may be published.

13 BY MR. JACOBS:

14 Q. All right. So this is not a meal count. Let's talk
15 about what we're seeing in this email.

16 Mr. Ahmed, can you explain to the jury what this
17 email is.

18 A. It's an email from Abdikerm Eidleh to
19 hadithay@gmail.com, invoice for February -- the day it was
20 sent was February 16, '21. Subject line is "December 17."
21 There's an attachment.

22 Q. Let's look at the attachment. Okay?

23 What is -- so attached here it says, "Invoice,"
24 right?

25 A. Yes.

1 Q. And this invoice is from a company called Hope
2 Suppliers. What's Hope Suppliers?

3 A. It's a shell company that Abdikerm Eidleh created.

4 Q. And what was the purpose of this shell company?

5 A. To pretend that Hope Supplier was buying the food for
6 Southwest Metro Youth.

7 Q. You said "pretend" they were buying. Was Hope Suppliers
8 actually buying any food?

9 A. No.

10 Q. So what was the purpose of the invoice?

11 A. To steal money.

12 Q. And how would you use this invoice to steal money?

13 A. You would match the amount of food that you bought -- or
14 the amount of food that you're giving out, you will match
15 that month with the meal count that you submitted.

16 Q. So if we zoom in on some of the items here, the first
17 one is Roma tomatoes, 25 pounds.

18 A. Correct.

19 Q. Did you buy 25 pounds of Roma tomatoes from Hope
20 Suppliers?

21 A. We didn't buy anything from Hope Supply.

22 Q. No potatoes?

23 A. We did not buy anything from Hope Supply.

24 Q. No green peppers?

25 A. We did not buy anything from Hope Supply.

1 Q. The "ship to" address for Hope Suppliers is a location
2 in Columbus, Ohio. Do you see that?

3 A. Yeah.

4 Q. Does Hope Suppliers have any business connection to
5 Ohio?

6 A. I don't know, but Hope Supply never supplied any food
7 for Southwest Metro Youth.

8 Q. Is it a real company?

9 A. I don't think so, because Abdikerm created it as a fake.

10 Q. I'd like to show you what has been marked for
11 identification as Government Q-40.

12 What's this email?

13 A. An email from Bridge Logistics to
14 claims@feedingourfuture. Subject line is "Southwest Metro
15 Youth Invoices."

16 Q. Okay. And there are several invoices attached to that
17 email?

18 A. Correct.

19 MR. JACOBS: Your Honor, I'd offer Government
20 Q-40.

21 MR. SCHLEICHER: No objection.

22 THE COURT: Q-40 is admitted and may be published.

23 BY MR. JACOBS:

24 Q. Okay. Mr. Ahmed, this is an email from Bridge
25 Logistics. Are you familiar with Bridge Logistics?

- 1 A. Yeah, so owned by Abdikerm Eidleh.
- 2 Q. And what is it?
- 3 A. Just like the Hope Supply, it's a fake company.
- 4 Q. Shell company?
- 5 A. Yep.
- 6 Q. And the -- this is a May 10, 2021, email?
- 7 A. Correct.
- 8 Q. And it's attaching a bunch of invoices, right?
- 9 A. Correct.
- 10 Q. Let's take a look at this invoice. What is the company
- 11 actually called?
- 12 A. Bridge Consulting and Logistics.
- 13 Q. And what did Mr. Eidleh use Bridge Consulting and
- 14 Logistics to do?
- 15 A. To create a fake invoice for Southwest Metro Youth.
- 16 Q. So this particular invoice is dated March 31, 2021?
- 17 A. Correct.
- 18 Q. And the amount due is about \$18,000?
- 19 A. Correct.
- 20 Q. How much food did you buy from Bridge Logistics?
- 21 A. Nothing.
- 22 Q. The invoice is just fabricated and made up?
- 23 A. Correct.
- 24 Q. Didn't buy thousands of pounds of goat meat?
- 25 A. We didn't buy anything, any grocery from Bridge

1 Consulting.

2 Q. Why is Mr. Eidleh sending fake invoices? What do you do
3 with those fake invoices?

4 A. In order not to -- to pretend -- in order to pretend
5 that we are buying food. Abdikerm was in charge of creating
6 fake invoices, and he was in charge of delivering food to
7 match the amount of the meal count that we were serving.

8 Q. What would he do with the fake invoices?

9 A. We'd submit that to Feeding Our Future.

10 Q. And what was the purpose of submitting them to Feeding
11 Our Future?

12 A. To look like that we're buying food.

13 Q. When in reality you weren't buying any food?

14 A. We didn't buy anything from Bridge or Hope Supply.

15 Q. Make it look like you were serving the quantities of
16 food --

17 A. Yes.

18 Q. -- that you were claiming?

19 A. Yes.

20 Q. I'd like to show you what's already in evidence as
21 Government Exhibit O-227.

22 Mr. Ahmed, you recognize this document?

23 A. It's a Wells Fargo -- it's a Wells Fargo Bank account
24 for Southwest Metro Youth.

25 Q. Okay. And you see on there the customer name is

1 Southwest Metro Youth?

2 A. Yes.

3 Q. And the Customer 2 name is Hadith Ahmed?

4 A. Yes.

5 Q. You're the signer on that account?

6 A. Yes.

7 Q. And under "Statement Mailing Address," what's that
8 location?

9 A. 12100 Singletree Lane.

10 Q. And what is the date that this account was opened on?

11 A. October 23rd, 2020.

12 Q. Right around the time that you incorporated Southwest
13 Metro Youth?

14 A. Around that time.

15 Q. To be clear, what was the point of opening this business
16 checking account?

17 A. To deposit the money that we get from Feeding Our
18 Future.

19 Q. To deposit the fraud proceeds?

20 A. Yes.

21 Q. So I'm jumping down to page 6 here, and it's the
22 transaction history for the month of October. There's just
23 one deposit here. \$25 deposit?

24 A. Correct.

25 Q. Is that the money you deposited when you opened the

1 account?

2 A. Yes.

3 Q. Okay. Let's jump ahead to January of 2021. There are a
4 few transactions here. Do you see these?

5 A. Yes.

6 Q. And to be clear, this is for the month of January when
7 you first started submitting claims for Southwest Metro
8 Youth?

9 A. Correct.

10 Q. At the top here you see a deposit of a hundred thousand
11 dollars. Do you see that?

12 A. Correct.

13 Q. Do you see that?

14 A. Yes.

15 Q. Okay. And then there are two purchases made in January
16 of 2025. Do you see those?

17 A. Yes.

18 Q. Sam's Club in Shakopee, Minnesota?

19 A. Yes.

20 Q. What are those purchases for?

21 A. It was food that we bought from Sam's Club.

22 Q. Okay. So \$387 purchase?

23 A. Correct.

24 Q. And a \$343 purchase?

25 A. Correct.

1 Q. All right. Moving down to page 20, and this is for
2 January -- or excuse me, for February of 2021?

3 A. Yes.

4 Q. We see more Sam's Club purchases?

5 A. Yep. I see Sam's Club, yep.

6 Q. What are those purchases for?

7 A. For food that we bought from Sam's Club.

8 Q. Also see some purchases -- like this February 2nd
9 Chipotle purchase?

10 A. Correct.

11 Q. What's that?

12 A. Personal use.

13 Q. Okay. Let's jump ahead to page 87. Mr. Ahmed, this is
14 a check from February 12th of 2021, right?

15 A. Yes.

16 Q. Who is the check made out to?

17 A. Southwest Metro Youth.

18 Q. And who is it from?

19 A. Feeding Our Future.

20 Q. And what is this check for?

21 A. It's the claims for January 2021.

22 Q. And when you say the claims from January 2021, what do
23 you mean?

24 A. The fake meal count that we submitted to Feeding Our
25 Future.

1 Q. So in January of 2021, you received about \$230,000 from
2 Feeding Our Future?

3 A. Correct.

4 Q. For those fake claims?

5 A. Correct.

6 Q. All right. Moving down to page 89, another check. This
7 one is from March 8th of 2021. Do you see that?

8 A. Yep.

9 Q. What's this check for?

10 A. It's a check for Southwest Metro for the fake claims
11 that we submitted for February 21st.

12 Q. And who's the check from?

13 A. Feeding Our Future.

14 Q. \$188,000?

15 A. Correct.

16 Q. Let's look at one more. Okay?

17 Going down to page 91, check dated May 5th, 2021.

18 Tell the jury what we're looking at.

19 A. We're looking at a check from Feeding Our Future to
20 Southwest Metro Youth. Amount is \$305,819.27.

21 Q. So the money essentially flows in from Feeding Our
22 Future?

23 A. Correct.

24 Q. And what's that money for?

25 A. Submitting the fake claims to Feeding Our Future.

1 Q. And where does the money flow out to?

2 A. To Southwest Metro Youth.

3 Q. What do you do with the money once it's in the Southwest
4 Metro Youth account?

5 A. Abdikarim will take out the invoice that he send me, the
6 amount, he will calculate, and then he will take it out.

7 Then he will give me a check. He will write a check for me.

8 Q. In total, how long did you operate Southwest Metro Youth
9 as a fraudulent site in the federal food program?

10 A. Four to six months, less than a year.

11 Q. And during that time frame, how many meals did you claim
12 to serve?

13 A. A lot.

14 Q. Hundreds of thousands?

15 A. Yeah, when you added the numbers, whatever the -- the
16 number that comes out.

17 Q. And how many meals have you claimed to serve that you
18 didn't actually serve?

19 A. To the food claims weekly, 2,500, we were actually --
20 5,000 was fake.

21 Q. In total, how much fraud proceeds did you get from
22 operating Southwest Metro Youth?

23 A. A lot.

24 Q. What do you mean by "a lot"?

25 A. We were not -- we were not serving actual -- the exact

1 amount of meals that we claimed that we were -- submitted.

2 Q. How much money in fraud proceeds did you get from doing
3 that?

4 A. Over a million.

5 Q. Over a million dollars?

6 A. Yep.

7 Q. In fraud proceeds?

8 A. Yep. That's the whole amount that come into Southwest
9 Metro.

10 Q. Okay. I want to shift gears here and talk about
11 kickbacks. Okay?

12 A. Okay.

13 THE COURT: Let's just break here, and then we
14 will go to that topic.

15 So let's return at 10:45.

16 All rise for the jury.

17 10:25 a.m.

18 **IN OPEN COURT**

19 **(JURY NOT PRESENT)**

20 THE COURT: Mr. Ahmed, sir, when you return --
21 when they return, I'll have you on the stand before they
22 come in.

23 THE WITNESS: Okay.

24 THE COURT: All right.

25 Counsel, you may be seated.

1 Future?

2 A. Someone would submit a meal count, an invoice. You put
3 that on Aimee's desk, and when they get paid -- you will
4 facilitate for them to get paid right away, and then they
5 will give me a portion of what they got.

6 Q. Why did you take kickbacks?

7 A. I'm sorry?

8 Q. Why did you take kickbacks?

9 A. I was offered and I wanted the money, because I was
10 already involved at that time. Southwest Metro Youth was
11 already involved in the fraud scheme.

12 Q. And why did people participating in the federal food
13 program pay kickbacks to Feeding Our Future employees?

14 A. Number one, you -- when they submit meal counts --
15 because at that time over 200 people will submit meal
16 counts. Then people that's paying me kickbacks, I will put
17 their meal count on top of Aimee's desk to be processed or
18 to be submitted to MDE right away. And when money comes in,
19 I will make sure they get paid first.

20 Q. Okay. I want to start at the beginning and talk about a
21 company called Mizal Consulting.

22 A. Correct.

23 Q. Are you familiar with that company?

24 A. Yes.

25 Q. And how are you familiar with that company?

1 A. It's my -- it's my company.

2 Q. You founded it?

3 A. Yes, I did.

4 Q. And what was the purpose of Mizal Consulting?

5 A. At the beginning, it was to get paid my salary from
6 Feeding Our Future.

7 Q. You said "at the beginning"?

8 A. At the beginning.

9 Q. What did it turn into?

10 A. Concealing the fraud, the kickbacks that I get from
11 people.

12 Q. I'd like to look at what has not been admitted into
13 evidence as Government Exhibit Q-23.

14 Mr. Ahmed, you recognize this exhibit?

15 A. Yes. It is an email from Eidleh to my email, subject
16 line is "Mizal Consulting." Attached is the company -- the
17 incorporation document.

18 MR. JACOBS: Your Honor, I'd offer Q-23.

19 MR. SCHLEICHER: May we see page 2, please?

20 (Indicating.)

21 MR. SCHLEICHER: No objection, Your Honor.

22 THE COURT: Q-23 is admitted and may be published.

23 BY MR. JACOBS:

24 Q. Mr. Ahmed, can you tell the jury who this email is from
25 and to.

1 A. It is from Abdikerm Eidleh to my personal email,
2 hadithay@gmail.com.

3 Q. And the subject here is "Mizal Consulting"?

4 A. Correct.

5 Q. And there's several attachments to this email, right?

6 A. Yes.

7 Q. First of all, why is Mr. Eidleh sending you these
8 documents?

9 A. At the end of 2020, we get paid from Aimee. She give me
10 a W-4, W-2, and for that short of time period, the month
11 that I worked, my salary was higher than what Aimee gave to
12 me. And Eidleh has the same issue, and he talk to her. She
13 took it out, the month that she added. And he told me that,
14 why don't you just open a consulting company. That way she
15 can pay you as a consulting company and 1099.

16 Q. What was the other purpose of opening Mizal Consulting?

17 A. Right after that, I started using, depositing the
18 kickbacks that I got from people.

19 Q. To be clear, was Mizal Consulting a real company?

20 A. No. That was the whole purpose that opened.

21 Q. What was it?

22 A. To get paid from Feeding Our Future and to deposit the
23 kickbacks that I got from people.

24 Q. I'd like to show you what's already in evidence as
25 Government's Exhibit 224.

1 Mr. Ahmed, do you recognize what this document is?

2 A. Yes.

3 Q. What is it?

4 A. It's Mizal Consulting, LLC, and the owner is Hadith
5 Ahmed.

6 Q. This is a bank account that you opened for Mizal
7 Consulting?

8 A. Correct.

9 Q. And what is the date that you opened it?

10 A. December 23rd, 2020.

11 Q. Okay. I want to jump down to page 78, and here I want
12 to start with the checks that start coming in to Mizal
13 Consulting. Okay?

14 This is a check dated March 16th of 2021?

15 A. Correct.

16 Q. And what is this check?

17 A. It's a check from -- the cashier check from Eidleh, Inc.
18 to Hadith Ahmed.

19 Q. So this is about two months after you open the account?

20 A. Yes.

21 Q. And whose company is Eidleh, Inc.?

22 A. It's owned by Abdikerm Eidleh.

23 THE COURT: Could I have you speak into the
24 microphone? Thank you.

25 THE WITNESS: It's owned by Abdikerm Eidleh.

1 BY MR. JACOBS:

2 Q. And this \$12,000 check from Mr. Eidleh, what is it for?

3 A. When money comes into Southwest, he has access to it.

4 All the invoice that he sent -- if we get 200,000, he will
5 send me invoice, 180- or 170,000. I will -- and then Eidleh
6 will take it out, and then he will give me a portion, a
7 profit share of the money that he took out from the account.

8 Q. You said "profit share," but what do you mean by that?

9 Are these profits?

10 A. No, it wasn't profit. It was the money that we stole.

11 It was took out, and then he will share with me.

12 Q. It's your share of the money that you stole?

13 A. Correct.

14 Q. Okay. Going down to page 80, I want to take a look at
15 this check. This is a check dated March 27th of 2021?

16 A. Correct.

17 Q. And it's paid to the order of what?

18 A. Mizal Consulting.

19 Q. And who is this check from?

20 A. Actioncare.

21 Q. What is Actioncare?

22 A. It's a company owned by someone who was involved in the
23 Feeding Our Future fraud scheme.

24 Q. Okay. This is a check for how much?

25 A. 127,000.

1 Q. And in the memo it says, "Consulting Contractor."

2 A. Correct.

3 Q. Was this a payment for consulting contracting?

4 A. No.

5 Q. What was this a payment for?

6 A. It was a kickback for helping her submit a fake meal
7 count to Feeding Our Future.

8 Q. What is she paying you \$127,000 to do?

9 A. To not -- make sure nobody comes to my site. At this
10 time I was Aimee's right hand, so I will make sure that -- I
11 will not assign someone to go to her site to supervise, and
12 the amount that she got is a portion of what I help her out.

13 Q. You testified earlier about the bank of Feeding Our
14 Future?

15 A. Yes.

16 Q. Is this to make sure that she gets a withdrawal from the
17 bank of Feeding Our Future?

18 A. Yeah. If she was submitting a meal count, she will get
19 maybe 500,000, and then she will give me a portion of that.

20 Q. A kickback?

21 A. Kickbacks.

22 Q. Okay. Moving down to page 82, let's take a look at this
23 check. This is a check from May 20th of 2021?

24 A. Correct.

25 Q. And who is this check paid out to?

1 A. Mizal Consulting.

2 Q. And who is this check from?

3 A. Liban Y. Alishir.

4 Q. Who is Mr. Alishir?

5 A. It was someone that also involved in the food fraud
6 scheme.

7 Q. Okay. And this check has a memo line, and it says,
8 "Consultation." Do you see that?

9 A. Correct, I see.

10 Q. Was this \$45,000 payment for consultation?

11 A. It was a kickback.

12 Q. What did he get for \$45,000?

13 A. I help him submit -- when he submits meal counts, I will
14 not take a look at it. I will just straightly forward it to
15 claims, Feeding Our Future claims, or put Aimee's desk, on
16 top of it, and then I will help her submit to MDE.

17 Q. Would you send a site supervisor out to that location?

18 A. No.

19 Q. Would you scrutinize the meal count claims?

20 A. No.

21 Q. Would you put those claim sheets on the top of the stack
22 for Aimee Bock?

23 A. Yep.

24 Q. What was important about that?

25 A. To be processed right away, to get paid right away.

1 Q. Here's another check, this time from Hope Suppliers,
2 LLC. Can you remind the jury what Hope Suppliers is.

3 A. Hope Suppliers was the -- a fake company that my partner
4 Abdikerm Eidleh created that we submitted to Feeding Our
5 Future, claiming that they provided food for Southwest. And
6 I will pay the amount back to Hope Supplier, and then he
7 will share the money that we stole.

8 Q. So this check is for 64,000-some-odd dollars. Do you
9 see that?

10 A. Yes.

11 Q. And the memo line says, "Equipment Purchase." Do you
12 see that?

13 A. Yep.

14 Q. Did you purchase any equipment?

15 A. We did, but we didn't buy from Hope Suppliers.

16 Q. What was the \$64,000 check for?

17 A. It's my portion of the money that we stole from -- for
18 Southwest.

19 Q. Another check here from May 30th?

20 A. Yes.

21 Q. How much is this one for?

22 A. 26,000.

23 Q. And who is this check from?

24 A. Northside Wellness Center Corporation.

25 Q. And who is this paid to?

- 1 A. Mizal Consulting.
- 2 Q. And the memo line here says, "Delivery Consultation"?
- 3 A. Correct.
- 4 Q. Was this a consulting check?
- 5 A. No.
- 6 Q. What was this check for?
- 7 A. This was -- there were a couple people that were using
- 8 the same address for couple companies, and I help her kick
- 9 out the rest of the people and only for our company -- only
- 10 for our company to use that address.
- 11 Q. What was the benefit of kicking out the other people
- 12 from using that address?
- 13 A. So only that person can use -- can claim for food site.
- 14 Q. One person per address?
- 15 A. One person per address.
- 16 Q. So you guaranteed that person would be her?
- 17 A. Correct.
- 18 Q. Kickback?
- 19 A. Yes.
- 20 Q. We just looked at a handful of checks, but fair to say
- 21 there are plenty more in your account?
- 22 A. Yeah.
- 23 Q. How many kickbacks did you take in total?
- 24 A. Little over a million.
- 25 Q. A million dollars?

1 A. Yep.

2 Q. And what were those kickbacks for?

3 A. Helping out, submitting fake claims, facility sites,
4 make sure they get prepaid from Feeding Our Future.

5 Q. So we just walked through a number of checks you got
6 from people who were participating in the federal food
7 program. How were these people able to pay you these large
8 kickback checks?

9 A. That was a small portion of what they -- what they got.

10 Q. What do you mean by that?

11 A. Someone who is paying me 127,000 is nothing to -- that
12 month she got -- she got, maybe, 800-, 600,000.

13 Q. She's paying you a small percentage of that?

14 A. Correct.

15 Q. Did other people who worked at Feeding Our Future take
16 kickbacks?

17 A. All of us were.

18 Q. Everyone at Feeding Our Future?

19 A. Yep.

20 Q. I want to talk about a couple people in particular.

21 Okay?

22 A. Okay.

23 Q. We've talked about Mr. Eidleh several times before. Did
24 he take kickbacks?

25 A. Yes.

1 Q. How do you know that?

2 A. He shared with me.

3 Q. Can you tell me about that?

4 A. At the beginning Eidleh came to me and he gave me a
5 blank check, there was no name on it, and he told me to
6 deposit, to cash it out. And I asked him where this came
7 from. And then he explained to me that was a portion of
8 helping someone.

9 And then another time he gave me 3,000, 5,000 cash
10 of money that he got.

11 Q. Now, you said that first payment was for helping
12 someone. What do you mean by helping someone?

13 A. Just like what I did, send an application to Feeding Our
14 Future, getting paid quickly, assembling claims to Feeding
15 Our Future.

16 Q. Was your share of the kickback?

17 A. At that time I wasn't doing it, but it was -- I was
18 getting exposed to it.

19 Q. Did Mr. Eidleh ever tell you something when you opened
20 up the Mizal Consulting account?

21 A. I'm sorry?

22 Q. Did Mr. Eidleh tell you anything when you opened your
23 Mizal Consulting account?

24 A. Say one more time, please.

25 Q. Did Mr. Eidleh ever tell you anything when you opened

1 your Mizal Consulting account?

2 A. He told me a lot of things, but I don't know exactly
3 what you're asking.

4 Q. Did he tell you anything about kickbacks?

5 A. Oh, at that time I was the right hand to Aimee Bock.
6 Application was going through me, and he told me not to
7 submit an application for -- if I don't have any profit in
8 it.

9 Q. What was your understanding of what he meant by don't
10 submit an application unless there's profit in it for you?

11 A. That I'm getting -- so at that time at Feeding Our
12 Future, it was crazy. There's a lot of people coming in, a
13 lot of people submitting application, a lot of people
14 submitting the claims. And it was all about who was close
15 to Aimee, who can help you process application right away,
16 and who can help you get paid quickly when money comes in,
17 who can help you and not send someone to your sites to --

18 Q. You testified -- go ahead.

19 A. -- to supervise.

20 Q. You testified that at that time you were Aimee Bock's
21 right-hand man. What do you mean by that?

22 A. At that time everything was going through me. If
23 anybody wants to open application or sites, it will come to
24 me directly because Aimee was busy. She was going through
25 legal issue with MDE, fighting with MDE, so I was in charge

1 of meeting with people. If anyone want to submit
2 application, I will talk to them and ask them question, why
3 they want to do that or why they want to open it. So --
4 yeah, everything was going through me at that time.

5 Q. Did being Aimee's right-hand man allow you to take
6 kickbacks?

7 A. Yeah.

8 Q. How so?

9 A. All those people that paid me the cash, the money, I
10 will make sure when they submit the meal counts or invoices
11 that it will directly forward it to the claims department,
12 that they will process right away. And then I'll take it
13 and then put it on Aimee's desk to process right away and
14 send it to MDE.

15 Q. Were they paying for special treatment?

16 A. Correct.

17 Q. That others weren't getting?

18 A. Yes.

19 Q. And what was that special treatment?

20 A. That no one is going to go to these sites. No one is
21 going to look into it deeply.

22 Q. You testified a minute ago that at this time Feeding Our
23 Future was crazy.

24 A. Correct.

25 Q. What do you mean by "crazy"?

1 A. Everybody was opening sites. Everybody was claiming a
2 high number of meals counts. Someone that open an
3 application a day before is going to claim the next day that
4 they served a thousand meals.

5 It's where you -- to get money from. There was
6 money everywhere, and Feeding Our Future was the place to go
7 to.

8 Q. You said, "There was money everywhere." What do you
9 mean?

10 A. Everyone who opened sites would get paid right away.

11 Q. You see big checks?

12 A. Big checks, million dollar checks, yep.

13 Q. See cash?

14 A. What do you mean?

15 Q. You see cash around the Feeding Our Future offices?

16 A. Yes.

17 Q. Fancy cars in the parking lots?

18 A. A lot of people use the parking lot, so I didn't know
19 which cars were which.

20 Q. People come and pick up these million dollar checks you
21 just testified about?

22 A. I'm sorry?

23 Q. Did people keep coming to the office to pick up the
24 million dollar checks?

25 A. Correct.

1 Q. What was their reaction?

2 A. At that time there was people bragging around the amount
3 of money that they got from both Feeding Our Future and
4 Partners in Quality. They will brag around in social media,
5 Snapchat, and they will show, like, a million dollars, like
6 I get paid million dollar. This how much that I got it. So
7 it was just -- there was money floating around everywhere.

8 Q. You said that they would brag about getting a check.
9 Why were they bragging?

10 MR. SCHLEICHER: Objection. Foundation.

11 THE COURT: Overruled.

12 You may answer if you can.

13 THE WITNESS: Because sites submitted meal counts,
14 and they get like a lot of money that they never seen. Like
15 Southwest, a million dollar -- I never got a million dollar
16 in my whole life. If I was in social media, I would brag
17 around and say, This how much money that I got.

18 BY MR. JACOBS:

19 Q. Would you brag about the hard work that you did to earn
20 that money?

21 A. It wasn't hard work.

22 Q. What would you brag about?

23 A. The money that I stole.

24 Q. Easy money?

25 A. Easy money that came to me.

1 Q. What did you see on social media?

2 A. Same thing, people buying houses, cars, showing their
3 checks on social media.

4 Q. All people connected to the federal food program?

5 A. Connected to Feeding Our Future, yes.

6 Q. I want to talk about another Feeding Our Future employee
7 named Ikram Mohamed. We talked about her earlier, right?

8 A. Yes.

9 Q. Did Ikram take kickbacks?

10 A. Yes.

11 Q. How do you know?

12 A. Aimee told me about it.

13 Q. Can you tell me about that conversation.

14 A. It was early 2021. Aimee called me into her office, and
15 she handed out to me a bag, plastic bag. And I asked her,
16 What is this? And she said, Just take it. And I asked her,
17 What is this? And -- Just take, just take it. I looked at
18 it. It was cash. I asked where she got it from. And she
19 said, Ikram gave it to me. And I said, Why you getting, why
20 are you taking money from -- and then she said, She forced
21 me. I didn't have a choice. If you don't take it, I will
22 not be your friend.

23 Q. What'd you do?

24 A. I took it.

25 Q. What was it? How much?

1 A. It was \$5,000 cash.

2 Q. How did Ikram get paid kickbacks?

3 A. Ikram was -- she was in charge of -- she was a vendor
4 for a couple sites, close friends, and the -- there was a
5 conversation that me and Ikram and Aimee had. At that time
6 was when --

7 MR. GOETZ: Objection. Could we have a time
8 reference, Your Honor?

9 THE COURT: Mr. Jacobs, would you clarify time?

10 MR. JACOBS: Yes, Your Honor.

11 BY MR. JACOBS:

12 Q. Mr. Ahmed, before you continue, can you tell us when
13 this conversation took place.

14 A. It was around April, May, when MDE put a stop pay on
15 Feeding Our Future.

16 Q. What was the conversation that you had?

17 A. At that time MDE requested all the claims that we
18 submitted to feeding -- to MDE submitted by Feeding Our
19 Future to justify our sending invoices and receipts from the
20 meal count that was submitted.

21 Then we started asking people to submit invoices,
22 receipts. We didn't care where it came from, how they
23 created it. But then there was a couple people that the
24 month of the receipt or the invoice that they submitted
25 didn't match the amount of money that they were getting from

1 MDE.

2 Then it was me, Aimee, and Ikram, and Aimee was
3 frustrated why these people not submitting enough invoices
4 or enough receipts. And Ikram said that I created all those
5 people for an invoice, but they still -- they not bring in
6 more.

7 Q. What was Aimee Bock's reaction?

8 A. Nothing.

9 Q. You just mentioned that as part of that conversation you
10 said you didn't care where the invoices or the receipts came
11 from. Why didn't you care?

12 A. Feeding Our Future didn't care. Aimee didn't care. We
13 didn't care. It was all about submit that to MDE.

14 Q. Did you know where some of the receipts and invoices
15 came from?

16 A. Yeah. Just like -- it was similar to Southwest invoices
17 that we had from Abdikerm Eidleh. Ikram created fake
18 invoices. And people will open an invoice -- will create a
19 company, get a software and create invoice, and submit to
20 Feeding Our Future.

21 Q. And get paid out on those claims?

22 A. And get paid, yep.

23 Q. Get the million dollar checks for those claims?

24 MR. GOETZ: Objection. Leading, Your Honor.

25 THE COURT: Sustained.

1 BY MR. JACOBS:

2 Q. Mr. Ahmed, we've heard some testimony about consulting
3 and consulting fees, right?

4 A. Mm-hmm.

5 Q. Many of the kickback payments that you took were checks
6 with that subject line, "consulting"?

7 A. Mm-hmm.

8 Q. Why did the checks say "consulting"?

9 A. Number one, my company name was consulting company.

10 Number two, the people that are paying me, I don't
11 think there was another way to pay me, other than saying
12 that I provided consultation for you.

13 Q. Why was there no other way to pay you other than
14 consulting?

15 A. I'm sorry?

16 Q. Why was there no other way to pay you except for a check
17 with a memo line saying "consulting"?

18 A. I don't think there was any other way, because I was an
19 employee at Feeding Our Future. And I will tell them a
20 short, like, maybe ten-minute of what kind of food that they
21 want to buy, how to fill out the meal counts, what area that
22 they want to use for sites to submit for MDE. They will
23 just provide a check for me saying "consultation."

24 Q. Put another way, what were those consultation checks
25 really for?

1 A. It was a kickback.

2 Q. For what?

3 A. It was part of helping them out, participating in the
4 fraud scheme.

5 Q. How did you help them out?

6 A. I helped them submit fake meal count, fake invoices,
7 help them get -- tell them what area to -- to use for the
8 site for their application.

9 Q. Look the other way?

10 MR. COTTER: Objection. Leading.

11 THE COURT: Sustained.

12 The objection was leading by Mr. Schleicher -- no,
13 by Mr. Cotter.

14 BY MR. JACOBS:

15 Q. What else were they paying for?

16 A. Make sure I don't send anybody on their site to
17 supervise.

18 Q. Did people other than you take kickbacks disguised as
19 consulting payments?

20 A. I don't know if they use as "consultation," but all of
21 our -- all the staff at Feeding Our Future were getting paid
22 kickbacks.

23 Q. Did other people have consulting shell companies?

24 A. Abdikerm and Ikram had it.

25 Q. I want to talk about a company called Empire. Are you

1 familiar with that company?

2 A. Yes.

3 Q. How are you familiar with Empire?

4 A. At the beginning, Aimee told me about Empire.

5 Q. What did she tell you about Empire?

6 A. She told me there was a gentleman called Abdiaziz that
7 was spreading rumor for Feeding Our Future and Aimee Bock,
8 and she wanted to confront with him.

9 Q. When you say "Abdiaziz," do you mean Abdiaziz Farah?

10 A. Correct.

11 Q. What were the rumors that were spreading?

12 A. That Abdiaziz say that Feeding Our Future are not paying
13 people on time and some other -- that made Aimee pissed off.

14 Q. Why was she pissed off?

15 A. It was something that she didn't like to hear from -- in
16 the community or from our clients.

17 Q. After you had that conversation with Aimee Bock, what
18 did you do next?

19 A. She wanted to confront with him and tell -- tell him
20 about her lawyer. And I told her that -- that before you do
21 that, let's just make sure that what he's saying is true or
22 not.

23 Q. So what happened next?

24 A. I asked who's Abdiaziz, where can we get his number.

25 Then me and Abdikerm Eidleh visited Abdiaziz at his school.

1 Q. Can you tell the jury about that meeting.

2 A. It was evening. I don't know the timing. We went to
3 Abdiaziz, to his office at his school. We sat down with
4 him. We asked about -- that we came from -- that we came
5 from Feeding Our Future on behalf of Aimee, and what we
6 heard, is it true or not.

7 And Abdiaziz reminded us that it's a rumor, that
8 all he said was -- or what we heard was false. And he said
9 good thing about Aimee Bock.

10 Q. At this time what did you know about Empire?

11 A. All I know that he's -- nothing about Empire, but at
12 that time was Abdiaziz, that -- that he was a businessman,
13 same -- with -- and he was a vendor for a lot of sites at
14 Partners in Quality.

15 Q. At this time did they have any sites under Feeding Our
16 Future?

17 A. No.

18 Q. Showing you what has already been admitted into evidence
19 as Government's C-320. Mr. Ahmed, this is an email from
20 Mukhtar Shariff?

21 A. Correct.

22 Q. To Aimee Bock?

23 A. Correct.

24 Q. And what is the subject line?

25 A. "Site Transfer Request Form - Dar Al-Farooq Center."

1 Q. And the date on this is December 18th of 2020, right?

2 A. Yes.

3 Q. How does that date compare to when you had that
4 conversation with Abdiaziz Farah?

5 A. It was before -- this is after that we met with Abdiaziz
6 Farah.

7 Q. Okay. The email from Mr. Shariff says, "This is Mukhtar
8 Shariff, assistant director at Dar Al-Farooq Center."

9 First of all, Mr. Ahmed, are you familiar with
10 Dar Al-Farooq Center?

11 A. Yep. It's a mosque in Bloomington.

12 Q. Have you been there?

13 A. I've been there.

14 Q. He goes on to say, "It's a pleasure to e-meet you. I've
15 attached the site transfer request form for your reference."

16 What is a site transfer request form?

17 A. It's a piece of form that you will write it down the
18 sponsor that you are with and the sponsor that you wanted to
19 transfer to.

20 Q. The email continues, "When do you think you will have a
21 chance to get this complete on your end? I'd love to get
22 this completed today."

23 Right?

24 A. Correct.

25 Q. So at this point did the Dar Al-Farooq Center, were they

1 involved in the food program?

2 A. Yes, at that time, but it was not -- it wasn't from --
3 it wasn't from that Mukhtar site, it wasn't Mukhtar site.

4 Q. And what is your understanding of why they wanted to
5 transfer the site under Feeding Our Future?

6 MR. GOETZ: Objection. Foundation, Your Honor.
7 602.

8 THE COURT: Can you lay more foundation?

9 BY MR. JACOBS:

10 Q. At this point did you know if they wanted to transfer
11 the site?

12 A. I knew they wanted to transfer sites, because a
13 gentleman called Mahad was meeting with me and Aimee and we
14 were talking about transferring all the sites under
15 ThinkTechAct, including Dar Al-Farooq.

16 Q. And at this point in December of 2020, do you know who
17 was running the Dar Al-Farooq site?

18 A. At this time someone else was running.

19 Q. And when you say "someone else," what do you mean?

20 A. Someone else was using the Dar Al-Farooq sites for
21 after-school program. I don't remember who that person was.

22 Q. And I just want to be clear, someone else other than
23 who?

24 A. Other than Mukhtar or Abdiaziz or ThinkTechAct.

25 Q. I'm scrolling down to the site transfer request form.

1 The name of the center here, Dar Al-Farooq?

2 A. Correct.

3 Q. And the current CACFP sponsor is what?

4 A. Feeding Our Future.

5 Q. Were they the current sponsor?

6 A. I don't think so.

7 Q. If you go down -- or if you go down two lines, it says,
8 "Name of Site Authorized Representative." Who's listed
9 there?

10 A. Mukhtar Shariff.

11 MR. GOETZ: Objection, Your Honor. Misstates the
12 evidence.

13 BY MR. JACOBS:

14 Q. If you go down one line where it says, "Printed Name of
15 Site Authorized Representative," what is the name listed
16 there?

17 A. Partners in Quality.

18 Q. Under the printed name that I'm blowing up here of site
19 authorized representative, signatory below, whose name is
20 printed there?

21 A. Mukhtar Shariff.

22 Q. And on this form it says, "Reason for Transfer." What's
23 that reason?

24 A. "New provider desired."

25 Q. At this time do you have an understanding of why they

1 were seeking a new provider?

2 A. Can you enlarge the whole paper? No, just like that.

3 Just like that. Can you make it large? Yep, just leave it
4 like that.

5 So if I -- just by looking at this paper --

6 MR. GOETZ: Objection. 602, Your Honor. Lack of
7 foundation. Lack of personal knowledge.

8 THE COURT: Sustained.

9 Can you re-ask the question?

10 BY MR. JACOBS:

11 Q. At this time did you have an understanding of why
12 Dar Al-Farooq was seeking a new provider?

13 A. All I know about Dar Al-Farooq is that they wanted a
14 site --

15 MR. GOETZ: Objection. 602.

16 THE COURT: Overruled.

17 BY MR. JACOBS:

18 Q. You can answer.

19 THE COURT: You may continue.

20 THE WITNESS: -- that they wanted a site that was
21 under Feeding Our Future to transfer to under ThinkTechAct.
22 But this paper shows that it is already a site under
23 Partners in Quality.

24 MR. GOETZ: Objection, Your Honor. Nonresponsive.

25 THE COURT: Overruled. The answer will stand.

1 BY MR. JACOBS:

2 Q. Was Dar Al-Farooq an important site to Feeding Our
3 Future?

4 A. Any nonprofit mosque, doxey, is a good site.

5 Q. So you said any mosque is a good site?

6 A. Doxey, nonprofit locations, all of them are good sites.

7 Q. What do you mean when you say "a good site"?

8 A. You don't have to open a nonprofit company. You just
9 use that as an address and submit -- start claiming the food
10 site.

11 Q. What about that makes it a good site for Feeding Our
12 Future?

13 A. Number one, is already preexisting nonprofit. Number
14 two, it has a high traffic.

15 Q. And what is important about it being high traffic?

16 A. That you will submit claims.

17 Q. What kind of claims can you submit for a high-traffic
18 site?

19 A. Whatever number that you wanted, that you want to claim.

20 Q. You say whatever number that you want to claim?

21 A. Correct.

22 Q. Why can you submit whatever number you want to claim for
23 a high-traffic site?

24 A. The high-traffic site, you can say -- you can exaggerate
25 the number.

1 Q. Why?

2 A. Because it's high traffic. You exaggerate the number,
3 you will say that you submitted -- that you served a lot of
4 meal count.

5 Q. Nobody knows the difference?

6 MR. GOETZ: Objection. Leading, Your Honor.

7 THE WITNESS: No, no one can tell the difference.

8 THE COURT: Sustained. The answer will be
9 stricken.

10 MR. GOETZ: Ask the jury to be instructed to
11 disregard, please, Your Honor.

12 THE COURT: I said it would be stricken, so you
13 are to disregard if I strike. Thank you.

14 BY MR. JACOBS:

15 Q. Mr. Ahmed, I want to show you what has not been admitted
16 into evidence as Government Exhibit Q-28.

17 Do you recognize this check?

18 A. Yes.

19 Q. And what is it?

20 A. It's a check from Empire Cuisine to Hadith Ahmed.

21 MR. JACOBS: Your Honor, I'd offer Government
22 Q-28.

23 THE COURT: Any objection?

24 MR. ANDREW BIRRELL: No objection.

25 THE COURT: Q-28 is admitted and may be published.

1 BY MR. JACOBS:

2 Q. Mr. Ahmed, can you explain to the jury what we're seeing
3 here in this check? First of all, what's the date on the
4 check?

5 A. February 1st, 2021.

6 Q. And who is this check paid to?

7 A. Hadith Ahmed.

8 Q. And who is the check from?

9 A. Empire Cuisine & Market.

10 Q. And when we've been talking about Empire generally, is
11 that the same entity?

12 A. I'm sorry?

13 Q. When we've been talking about Empire for the past few
14 minutes, is that the same entity?

15 A. Yes.

16 Q. How much is this check for?

17 A. 10,000.

18 Q. \$10,000?

19 A. Correct.

20 Q. And what is the memo line on this check?

21 A. "Consulting."

22 Q. Was this a \$10,000 payment for consulting?

23 A. At this time I was involved, bringing -- making sure
24 that all ThinkTechAct sites are under Empire vendor to
25 transfer to Aimee and under Feeding Our Future. That was my

1 whole job. And --

2 Q. What was this \$10,000 payment for?

3 A. Making sure that all the transfer will go smoothly, and
4 then that once we transfer, if the payment goes, MDE would
5 take 30 days or -- 30 to 45 days to get approved, that --
6 that they will make sure that Feeding Our Future pays --
7 prepay ahead of time.

8 Q. Was it a consulting payment?

9 MR. SCHLEICHER: Objection. Leading.

10 THE COURT: Overruled. You may answer.

11 THE WITNESS: Kickback.

12 BY MR. JACOBS:

13 Q. Was it a consulting payment?

14 A. It was a kickback.

15 Q. And in exchange for this \$10,000, what were you giving
16 Empire Cuisine & Market?

17 A. At this time to make sure that the transfer will go
18 smoothly and they will get paid right away, that we will not
19 wait until they get approved.

20 Q. I'm showing you what's been admitted into evidence as
21 Government Exhibit O-106 and I'm going to go ahead to
22 page 2390.

23 Mr. Ahmed, do you recognize this check?

24 A. It is a check from -- yes, I do.

25 Q. What's the date of this check?

1 A. February 15, 2021.

2 Q. And who is the check made out to?

3 A. Hadith Ahmed.

4 Q. And who is the check from?

5 A. Said Farah.

6 Q. Who is Said Farah?

7 A. Abdiaziz uncle or brother.

8 Q. Does he have a connection to Empire?

9 A. I'm not sure.

10 Q. Was he involved in the federal food program?

11 A. His sites were not under Feeding Our Future.

12 Q. And the subject line of this check is what?

13 A. "Loan."

14 Q. Was that "loan"?

15 A. No.

16 Q. No, but did you say "loan"?

17 A. That's what it says on here.

18 Q. Where did you get this check?

19 A. I was told to go and get it from Bushra grocery store.

20 Q. Okay. Who told you to go get that check?

21 A. I'm not sure if it was Abdiaziz or Ahmed.

22 Q. And you just mentioned a company called Bushra. What is

23 Bushra?

24 A. It's a grocery store.

25 Q. Do you know who owns Bushra?

1 A. I think Said, Said does.

2 Q. Why did -- why were you told to go pick up this check?

3 A. I was in charge of bringing all ThinkTechAct sites under
4 Feeding Our Future, and because of that, I was told to get a
5 check from Said Farah.

6 Q. Was this a loan payment?

7 A. No.

8 Q. What was it for?

9 A. It was the kickback, helping them make sure that I
10 transfer their sites under Feeding Our Future.

11 Q. And what were you going to do in exchange for this
12 \$12,000 check?

13 A. Make sure that all the sites would be transferred
14 smoothly and they will get paid, they will get prepaid.

15 Q. You said "they." When you're talking about "they" and
16 "their" sites, who are you talking about?

17 A. Talking about ThinkTechAct and Empire sites.

18 Q. What is ThinkTechAct?

19 A. It's a nonprofit that -- that had a bunch of sites
20 underneath.

21 Q. You said "a bunch of sites." How many sites did they
22 have underneath them?

23 A. I don't know exactly how many that they have, but they
24 had a lot of sites.

25 Q. When you say "a lot," do you mean three or four?

1 A. No, over ten.

2 Q. Now, we've talked a little bit about transferring sites,
3 and I want to talk about that a little more. Okay?

4 A. Mm-hmm.

5 Q. When we talk about a transfer, can you explain to the
6 jury what you mean by "transfer."

7 A. Yes. A site will be -- will be under Partners in
8 Quality, that they are already serving -- claiming foods,
9 and then they will transfer from Partners in Quality to
10 Feeding Our Future sponsor. So it's just a piece of paper
11 that says the organization that they're with to an
12 organization that they wanted to transfer.

13 Q. Were the sponsors competitive between each other for
14 sites?

15 A. Yes.

16 Q. Why?

17 A. Because they had -- they had a grudge on each other.

18 Q. Can you explain that?

19 A. Aimee and Laura had -- they weren't on good terms. That
20 we wanted as Feeding Our Future, all the sites to come under
21 us and we were targeting specifically childcare centers,
22 adult daycares, and nonprofit sites.

23 Q. Apart from the grudge that you're talking about, was
24 there another reason that sponsors wanted sites under their
25 sponsorship?

1 A. Yes.

2 Q. What's that reason?

3 A. Number one, the most sites that comes under Feeding Our
4 Future will be more money flowing around Feeding Our Future.

5 Number two, we'll target childcare centers and
6 adult daycare centers because when that -- the COVID food
7 program ends, the childcare and adult daycare will not end;
8 it will continue. So we'll make sure it will stay under
9 Feeding Our Future.

10 Q. Can you explain that last point that you just made.

11 A. So during this time, this whole food program was just
12 extended because of COVID, and at that time, everybody was
13 involved. Any company can -- can apply an application and
14 say that we are giving out food.

15 But when the extension ends and there is no COVID,
16 who can participate in the food program? Childcare and
17 adult daycares, because it was already existing companies
18 that are working with childrens. So our goal was
19 restaurants, grocery stores, the stores will end, but adult
20 daycare center and the childcare center will be staying
21 forever, so that was our target.

22 Q. People concerned about the end of the food program?

23 A. What do you mean?

24 Q. Were people concerned what effect the end of COVID would
25 have on the food program?

1 A. Yeah. When -- when that ends, there will be no money.
2 It will be only childcare center and adult daycares, small
3 numbers.

4 Q. Why would the end of COVID mean that there was no more
5 money in the food program?

6 A. Because people that were involved were a mix of
7 childcare owners and adult daycare owners and people that
8 never work with kids, like restaurant owners. When that
9 ends, the restaurant owners will not be participating in the
10 food program.

11 Q. So we talked about the benefit of a transfer to a
12 sponsor, but what was the benefit of a transfer to an
13 individual site or nonprofit?

14 A. Say that again?

15 Q. You just talked about the benefit of transferring
16 sponsors?

17 A. Mm-hmm.

18 Q. And what that benefit was for the sponsor, right?

19 A. Mm-hmm.

20 Q. Was there a benefit to transferring sites for the actual
21 site or nonprofit that it was under?

22 A. Or it could be that you have friends at -- sponsor that
23 you want to transfer that can help you submit claims.

24 Q. When you say "friend," what do you mean?

25 A. Like someone who knows me may transfer from a different

1 sponsor, like Partners in Quality, and come to Partners in
2 Quality -- Feeding Our Future, and I will help them get paid
3 right away or not assign a site supervisor.

4 Q. Were there other ways to get that same benefit other
5 than being your friend?

6 A. At that time the idea was -- Feeding Our Future was
7 crazy. People are submitting a lot of meal counts, over 200
8 people like within two days. If you have a friend at the
9 company, they will make sure that your sites will be on top.

10 Q. What was the benefit of being on top?

11 A. They get paid right away.

12 Q. We talked earlier about the Dar Al-Farooq site and that
13 transfer, right?

14 A. Yes.

15 Q. Eventually did Dar Al-Farooq come under the sponsorship
16 of Feeding Our Future?

17 A. Yes.

18 Q. I'd like to show you what's already in evidence as
19 Government's E-28.

20 Can you tell us who this email is from and to.

21 A. This email is from mahad@mindfoundry.co, that's C-O, to
22 aimeebock@feedingourfuturemn, hadith@feedingourfuturemn.
23 Subject line is "Dar Al-Farooq Counts and Attendance."

24 Q. Okay. And Mind Foundry, do you know what that company
25 is?

1 A. Yes.

2 Q. What's Mind Foundry?

3 A. It's owned by Mahad. It's nonprofit owned by Mahad.

4 Q. Is there a connection between Mind Foundry and
5 ThinkTechAct?

6 A. Yes.

7 Q. What's that connection?

8 A. I think one of them is the d/b/a of ThinkTechAct, d/b/a
9 Mind Foundry. That's what I think it is.

10 Q. When you say "d/b/a," are you saying doing business as?

11 A. Yes.

12 Q. And what's the date of this email?

13 A. March 4th, 2021.

14 Q. So let's walk through this email. It says, "Hi, Aimee
15 and Hadith. Thanks for helping us with this unfortunate
16 situation."

17 Do you remember what the unfortunate situation
18 they're talking about is?

19 A. I think it is making sure -- making sure that the
20 transfer goes under them.

21 Q. And when you say "the transfer goes under them," can you
22 explain that.

23 A. Someone else, another company was using a site under
24 Feeding Our Future at that location, Dar Al-Farooq location,
25 and we wanted the site to transfer to under ThinkTechAct.

1 Q. The email goes on, "Please find attached the meal counts
2 and attendance for the site. Hadith, please send the
3 application when you get a chance. I'd like to submit for
4 our other sites as soon as possible."

5 Why would Dar Al-Farooq submit a meal count if
6 they haven't submitted an application yet?

7 A. Because we wanted ThinkTechAct sites. They have a lot
8 of sites under Partners in Quality and our goal was to
9 transfer all the sites under Feeding Our Future, and we
10 didn't send application. It was just treat them as a VIP,
11 all ThinkTechAct sites.

12 Q. When you said treat them like a VIP, what does it mean
13 to treat someone like a VIP at Feeding Our Future?

14 A. For any -- for any organization that had a lot of sites,
15 claiming a lot of numbers, that we'll make sure that we
16 treat them well. When they submit application, we'll make
17 sure it will be the first one that we process. When money
18 comes in, we'll make sure they get paid right away. We're
19 not going to focus on their sites a lot. It will be either
20 a site under me or under Aimee Bock.

21 Q. And how did sites get VIP treatment?

22 A. So if they see sites that are under the supervisors
23 Aimee Bock or Hadith, no one is going to go there.

24 Q. But how does a site ensure that it gets VIP treatment?

25 A. Make sure that they have a lot of sites under them and

1 get kickbacks.

2 Q. Get kickbacks?

3 A. Yep.

4 Q. How does a kickback ensure VIP treatment?

5 A. I will assign their sites under me or under Aimee Bock.

6 Q. And once those sites are under you or Aimee Bock, what
7 do you do with respect to those sites?

8 A. We will never go and -- go to the sites.

9 Q. And in this email, are you going to give Dar Al-Farooq
10 the VIP treatment you're just talking about?

11 A. Yes, under ThinkTechActs, all under ThinkTechActs sites.

12 Q. The entire -- excuse me -- the entire umbrella of
13 ThinkTechAct?

14 A. Correct.

15 Q. For this -- for Dar Al-Farooq and the other ThinkTechAct
16 sites, what was your responsibility going to be over them at
17 Feeding Our Future?

18 A. Just like what I said before, that I will make sure the
19 application process right away, that they will get prepaid
20 right away, that we will assign under myself, that if the
21 site is not approved right away, we will make sure that we
22 prepay them ahead of time.

23 Q. I'm showing you what's marked for identification as
24 Government's Exhibit Q-45.

25 Do you recognize this email?

1 A. It's an email from Hadith to
2 aimeebock@feedingourfuturemn.org. It is an email that I
3 forwarded from abdinur@gmail.com to Aimee Bock.

4 MR. JACOBS: Your Honor, I'd offer
5 Government Q-45.

6 MR. SAPONE: No objection.

7 THE COURT: Q-45 is admitted and may be published.

8 BY MR. JACOBS:

9 Q. Okay. You were just talking a little bit about this,
10 but on the top line, this is an email from you to Aimee Bock
11 in that claims email address, right?

12 A. Correct.

13 Q. And can you remind us what that claims email address at
14 Feeding Our Future is.

15 A. Claims@feedingourfuturemn.org.

16 Q. What was the purpose of that email address?

17 A. People will send their claims, their invoices and meal
18 counts to the claims@feedingourfuture or they will send it
19 to me or to Aimee or whatever site supervisor that they're
20 working with.

21 Q. Okay. And the date of this email is April 4, 2021?

22 A. Correct.

23 Q. Where is that date in relation to the two checks that we
24 just looked at? Is it before or after?

25 A. I don't remember the dates that I get the checks.

- 1 Q. I'm showing you what's in evidence as Government's Q-28.
2 What's the date of that check?
- 3 A. February 1st.
- 4 Q. And remind us, what was this check for?
- 5 A. The kickback.
- 6 Q. Okay. Pulling back up what's already in evidence as
7 Q-45. What's the date of this email?
- 8 A. April 4th, 2021.
- 9 Q. Okay. And this email is forwarding an email below,
10 right?
- 11 A. Yes.
- 12 Q. What's the email below? Who's that from and who's that
13 to?
- 14 A. From abdinur@gmail.com to hadith@feedingourfuturemn.org,
15 CC'd to Abdiaziz Farah and Mahad at Mind Foundry.
- 16 Q. Subject "Dar Al-Farooq"?
- 17 A. Yes.
- 18 Q. And what's attached or included in this email?
- 19 A. It is attendance and invoices for Dar Al-Farooq's.
- 20 Q. For what month?
- 21 A. March 1st to March 13th and March 14th to March 27th,
22 March 28th to March 31st.
- 23 Q. Okay. So these are Dar Al-Farooq claims for the month
24 of March?
- 25 A. Correct.

1 Q. And you received these from who?

2 A. From Abdi Nur.

3 Q. Okay. And after that what do you do?

4 A. I forward it to Aimee and claims.

5 Q. Is this the VIP treatment you were talking about?

6 A. Yes.

7 Q. I'm pulling up what has been marked for identification
8 as Government C-331.

9 Mr. Ahmed, do you recognize this email?

10 A. Abdi Nur to Hadith Ahmed at Feeding Our Future, CC'd to
11 Abdiaziz Farah.

12 MR. JACOBS: Your Honor, I'd offer Government
13 C-331.

14 MR. SAPONE: No objection.

15 THE COURT: C-331 is admitted.

16 BY MR. JACOBS:

17 Q. Mr. Ahmed, can you explain to the jury who this email is
18 from and to.

19 A. This email is from Abdi -- Abdi Nur, 19anur@gmail.com to
20 Hadith Ahmed, hadith@feedingourfuturemn.org, CC'd to
21 aazizfarah@gmail.com. Subject line is "Feeding Our Future."

22 Q. And attached to this email is an Excel file called
23 Feeding Our Future Invoice?

24 A. Correct.

25 Q. Let's look at that.

1 Can you tell the jury what we're looking at here
2 on this attachment to the email.

3 A. We're looking at an invoice from ThinkTechAct
4 Foundation, an invoice for Dar Al-Farooq, Al-Madinah and
5 Southcross site, 1506 Southcross.

6 Q. Okay. And on the invoice under "Description," what are
7 those three?

8 A. Those are sites.

9 Q. Those are sites?

10 A. Yeah.

11 Q. And then under "QTY," quantity, what are those numbers?

12 A. The amount of the food that they distribute.

13 Q. Meals that they're claiming?

14 A. Yep.

15 Q. And for this one-month invoice for those three sites,
16 what's the total number?

17 A. Total? 801,750.

18 Q. After you received this email, what do you do with it?

19 A. I will forward it to claims department, and I will let
20 Aimee know that they submitted the meal counts and invoices.

21 Q. Why would you let Aimee know that?

22 A. Because we wanted to treat them well because they have a
23 lot of sites.

24 Q. Is there another reason you wanted to treat them well?

25 A. I also was getting paid.

1 Q. Is this the VIP treatment you're talking about?

2 A. Correct.

3 Q. Pulling up what's already in evidence as Government's
4 Exhibit D-28.

5 Another email from Abdi Nur to you?

6 A. Correct.

7 Q. Subject line, "Feeding Our Future Meal Counts,
8 Attendance, and Invoice"?

9 A. Correct.

10 Q. And the date of this email is May 31, 2021?

11 A. Correct.

12 Q. Where is that date relative to the two checks that we
13 looked at earlier?

14 A. It's after I get the checks.

15 Q. Okay. And is there an attachment to this email?

16 A. Feeding Our Future May invoice.

17 Q. Similar to the one we just looked at? Can you explain
18 to the jury what we're seeing here.

19 A. We're looking at an invoice from ThinkTechAct
20 Foundation, description is Dar Al-Farooq, Al-Madinah, 1506
21 Southcross, and amount is 1,040,825, like a million
22 40 dollar and 825.

23 Q. Over a million dollars?

24 A. Over a million dollar.

25 Q. And when you get that invoice from Mr. Nur, what do you

1 do with it?

2 A. I forward it to claims and make Aimee aware of it.

3 Q. Why do you make Aimee aware of it?

4 A. To treat them as a VIP.

5 Q. VIP treatment?

6 A. Correct.

7 Q. What does that mean?

8 A. I was getting paid.

9 Q. Why were they VIPs, getting VIP treatment?

10 A. Because they have a lot of sites. It was a lot of money

11 for Feeding Our Future, and we make sure that we're not

12 going to assign them to nobody else other than me or Aimee.

13 Q. Why is it only under you and Aimee?

14 A. We were -- we make sure we're not going to go to the

15 sites, assign nobody.

16 Q. Why would you -- why are you not going to their sites?

17 A. So that way nobody can bother them.

18 Q. And why didn't you want anybody to bother them?

19 A. Because they were VIPs. They had a lot of sites under

20 Feeding Our Future. That is more money for Feeding Our

21 Future, and I was getting paid.

22 Q. You were getting paid?

23 A. Yes.

24 Q. What do you mean?

25 A. I was getting kickbacks.

1 Q. Those two checks that we just saw --

2 A. Yes.

3 Q. -- is that what you mean by "getting paid"?

4 A. Yep.

5 Q. In addition to the Dar Al-Farooq site, did you assist
6 with transferring other sites into Feeding Our Future?

7 A. I think so.

8 Q. I'm showing you what's not -- what's marked for
9 identification as Government Q-44.

10 Do you recognize this email?

11 A. It's email from hadith@feedingourfuturemn.org to Aimee
12 Bock at Feeding Our Future, site transfers.

13 MR. JACOBS: Your Honor, I'd offer Q-44.

14 MR. SAPONE: No objection.

15 THE COURT: Q-44 is admitted and may be published.

16 BY MR. JACOBS:

17 Q. Mr. Ahmed, this top email is an email from you to Aimee
18 Bock?

19 A. Correct.

20 Q. What's the date of the email?

21 A. April 2nd, 2021.

22 Q. And what's the subject line?

23 A. "Transfer forms."

24 Q. I want to go down to the email that you're forwarding,
25 and can you tell the jury who this email is to -- or who

1 it's from and who it's to.

2 A. It's an email from mahad@mindfoundry.co, to Aimee
3 Bock -- to aimee@feedingourfuturemn and
4 hadith@feedingourfuturemn, CC'd to Abdiaziz Farah.

5 Q. Okay. And the email says, "Hi, Aimee and Hadith.
6 Please find attached all the transfer forms." And then
7 there's a long list of sites.

8 Do you see that?

9 A. Yes.

10 Q. I'm going to the second page. That list continues?

11 A. Correct.

12 Q. And in the middle here it says, "Here's a list of sites
13 that we have site IDs for that are not active." There's a
14 list under there.

15 Can you explain this email to the jury, please.

16 A. It's an email from Mahad to me and Aimee. Those are
17 sites that they want to transfer from Partners in Quality to
18 Feeding Our Future.

19 Q. And what was going to happen? What were you going to do
20 at Feeding Our Future once these sites were transferred
21 under you?

22 A. Once all the sites are transferred under Feeding Our
23 Future, we'll assign under me or Aimee and we'll treat them
24 as FPI -- as they're VIP.

25 Q. VIP treatment for these sites?

1 A. VIP treatment, yep, but --

2 Q. So we looked at two checks a moment ago. In addition to
3 those checks, did you get other checks from people connected
4 to Empire?

5 A. Yes.

6 Q. I'm showing you what has been marked for identification
7 as Government Q-31.

8 Mr. Ahmed, do you recognize this check?

9 A. Yes.

10 MR. JACOBS: Your Honor, I'd offer Government
11 Q-31.

12 THE COURT: Any objection?

13 MR. SCHLEICHER: I object as to foundation. Your
14 Honor, if I may have a sidebar?

15 THE COURT: You may.

16 **(Sidebar discussion)**

17 THE COURT: Mr. Schleicher.

18 MR. SCHLEICHER: Are you able to hear me, Your
19 Honor? How about now? I couldn't tell if that was a
20 thumbs-up of approval or a --

21 THE COURT: It was a trying to raise the volume.
22 I can hear you now. Thank you.

23 MR. SCHLEICHER: All right. Thank you very much,
24 Your Honor.

25 Your Honor, the basis of my objection here is the

1 prior testimony of this witness when he specifically was
2 talking about Said Farah and, of course, this check, Bushra
3 Wholesalers, is connected to that business. He said that
4 when asked if Said Farah had a connection to Empire, the
5 witness testified that he wasn't sure.

6 The way this check has been framed in the
7 questioning is: Did you get checks from other people you
8 know to be connected to Empire Foods? And I think that with
9 that preamble, I have to object as to foundation for this
10 particular check. If it's just a generic "Did you receive a
11 check," without that portion, I would withdraw the
12 objection.

13 THE COURT: Mr. Jacobs, can you lay more
14 foundation or otherwise limit the foundation to not connect
15 it to Empire?

16 MR. JACOBS: Your Honor, I don't know if this
17 clarifies the objection, but this actually is a page from a
18 financial statement that's already in evidence. So this is
19 just a one-page extract. Obviously, on cross-examination
20 counsel can inquire into the relationship and the purpose of
21 it, but from a foundational perspective, it's just a page of
22 a document already in evidence.

23 THE COURT: All right. Then --

24 MR. SCHLEICHER: That's right, but, Your Honor,
25 the way this document was introduced was very misleading

1 when he asked about getting checks from other people
2 connected to Empire. And so I maintain my objection without
3 some sort of clarification.

4 THE COURT: Understood. I think the clarification
5 will have to come from cross.

6 (In open court)

7 BY MR. JACOBS:

8 Q. All right. Mr. Ahmed, can you tell the jury what this
9 check is. What's the date of this check?

10 A. 7/25/2021.

11 Q. And who is this check made out to?

12 A. Mizal Consulting.

13 Q. And remind the jury, what is Mizal Consulting?

14 A. That was my shell company.

15 Q. And this check is from who?

16 A. Bushra Wholesalers.

17 Q. And the amount of this check is how much?

18 A. 65,250.

19 Q. And the memo line is what?

20 A. "Consulting."

21 Q. Okay. And, finally, can you make out the name that this
22 check is signed by?

23 A. Said.

24 Q. Okay. Where did you get this check?

25 A. I went to Bushra Wholesalers and I got the check from --

1 I was handed out to.

2 Q. Okay. Who told you to go to Bushra Wholesalers to pick
3 up this check?

4 A. I think it was either Abdiaziz or Mahad.

5 Q. Okay. And what did they tell you to do?

6 A. There's a check for you at Bushra; go get it.

7 Q. Did you go to Bushra to get it?

8 A. Yes.

9 Q. And who did you get it from?

10 A. I don't remember who handed it out to me.

11 Q. The check says that it's for consulting. Was this check
12 actually for consulting?

13 A. This check was for helping them transfer the sites under
14 Dar Al-Farooq and make sure that they get prepaid from
15 Feeding Our Future. So that was a portion of helping them
16 get prepaid.

17 Q. Okay. Was it for consulting?

18 A. No.

19 Q. What was it?

20 A. I helped them get prepaid from Feeding Our Future. It
21 was my share, kickback share.

22 THE COURT: Document Number Q-31 is now admitted.

23 I didn't think I admitted it right after the sidebar, so it
24 should be shown to the jury.

25 I admit it with the understanding that it is a

1 standalone portion of another exhibit that is already in
2 evidence.

3 MR. JACOBS: Thank you, Your Honor.

4 BY MR. JACOBS:

5 Q. Okay. Mr. Ahmed, we're going to do this one more time
6 because now the check is in front of the jury. Okay?

7 A. Okay.

8 Q. So this is a check to Mizal Consulting?

9 A. Correct.

10 Q. That's your company?

11 A. Yes.

12 Q. And it's from Bushra Wholesale?

13 A. Correct.

14 Q. The date is July 25th --

15 A. Yes.

16 Q. -- 2021?

17 A. Yes.

18 Q. And the amount is \$65,000?

19 A. Correct.

20 Q. Approximately?

21 A. Yep.

22 Q. Okay. And what's the memo line for this check?

23 A. "Consulting."

24 Q. Okay. And just to close the loop, was this a consulting
25 payment?

1 A. No.

2 Q. What was it?

3 A. I helped ThinkTechAct transfer the sites and get them
4 prepaid. So that was my share of helping them get the money
5 to them.

6 Q. Okay. I want to show you another document that's not
7 yet in evidence, and it's Q-33.

8 Again, do you recognize this check?

9 A. Yes.

10 Q. And how do you recognize it?

11 A. My company is on there.

12 MR. JACOBS: Your Honor, I'd offer Government
13 Q-33.

14 THE COURT: Is this document also part of another
15 document in evidence and this is a standalone?

16 MR. JACOBS: It is, Your Honor. It's part of
17 Government 0240, I believe.

18 MR. SCHLEICHER: No objection, Your Honor.

19 THE COURT: Q-33 is admitted and may be published.

20 BY MR. JACOBS:

21 Q. Okay. Mr. Ahmed, I want to do the same thing and walk
22 through this check. Can you tell me the date of this check.

23 A. September 9, 2021.

24 Q. So about six weeks after the check we just looked at?

25 A. I'm sorry?

1 Q. About six weeks after the check we just looked at?

2 A. Correct.

3 Q. Okay. And who is this check made out to?

4 A. Mizal Consulting.

5 Q. And again --

6 A. And that's my company.

7 Q. And who is the check from?

8 A. Bushra Wholesalers.

9 Q. Same company as the last check we looked at?

10 A. I'm sorry?

11 Q. Same company as the last check that we look at?

12 A. Yes.

13 Q. And what is the amount of this check?

14 A. 35,000.

15 Q. Moving down to the memo line, what is the -- what's the

16 memo line of this check?

17 A. "Consulting."

18 Q. And, again, was this a consulting payment?

19 A. No.

20 Q. What was it?

21 A. This goes with the last check that -- the prepayment

22 that I helped them with was my share of getting -- help them

23 paid ahead of time.

24 Q. Part of the VIP treatment?

25 A. Correct.

1 Q. The date of this check is what?

2 A. September 9, 2021.

3 Q. I'd like to show you what has not been admitted as
4 Government's 339.

5 You recognize this email?

6 A. It's an email from Abdimajid to Mahad.

7 Q. Okay. And do you recognize the invoice attached to it?

8 A. Dar Al-Farooq site.

9 MR. JACOBS: Your Honor, I'd offer Government
10 C-339.

11 MR. SAPONE: No objection.

12 THE COURT: C-339 is admitted and may be
13 published.

14 BY MR. JACOBS:

15 Q. Okay. What is the date of this email?

16 A. September 9, 2021.

17 Q. And subject line is "Dar Al-Farooq"?

18 A. Correct.

19 Q. There's an attachment of an invoice, right?

20 A. Correct.

21 Q. Can you explain to the jury what we're seeing in this
22 invoice.

23 A. We're looking at a ThinkTechAct Foundation invoice to
24 Feeding Our Future. Description is Dar Al-Farooq, amount of
25 \$532,918.40.

1 Q. When invoices like that are submitted to Feeding Our
2 Future from Dar Al-Farooq, what would you do?

3 A. I'm sorry?

4 Q. When invoices like that one are submitted from
5 Dar Al-Farooq to Feeding Our Future, what would you do?

6 MR. GOETZ: Your Honor, I have an objection on
7 foundation grounds. May I voir dire the witness to lay the
8 basis for that objection?

9 THE COURT: What's the foundation objection?

10 MR. GOETZ: Sidebar, please, Your Honor.

11 **(Sidebar discussion)**

12 THE COURT: Sorry. There we go. All right.

13 MR. GOETZ: Two things. First, he's not on this
14 email chain at all. He's not the recipient. He's not the
15 sender. He's not involved in any documents.

16 Number two, he was fired from Feeding Our Future
17 at this time in September of 2021. So he can't testify to
18 the submission of documents at this time, what they mean,
19 what they're -- the whole process. He's gone.

20 THE COURT: Mr. Jacobs?

21 MR. JACOBS: Your Honor, the question was: When
22 you would receive invoices like this at Feeding Our Future,
23 what would you do? It's a general question about receiving
24 invoices similar to that one. I think there's plenty of
25 foundation that he received invoices like that one at

1 Feeding Our Future.

2 THE COURT: All right. Then I'll ask you to
3 clarify as to timing and whether he's still there. Okay?

4 Mr. Goetz, you may cross later.

5 MR. GOETZ: Thank you.

6 (In open court)

7 BY MR. JACOBS:

8 Q. Mr. Ahmed, at this time are you still working for
9 Feeding Our Future?

10 A. September? No, I left.

11 Q. Okay. When you were working at Feeding Our Future and
12 you received invoices from Dar Al-Farooq, what would you do?

13 A. I will make sure that Aimee is aware of it.

14 Q. What do you mean by "make sure Aimee is aware of it"?

15 A. That we submit right away to MDE and we process right
16 away.

17 Q. Now, you just mentioned that you were no longer at
18 Feeding Our Future at that point. Why'd you leave Feeding
19 Our Future?

20 A. I'm sorry?

21 Q. You just testified that at that point in time you were
22 no longer at Feeding Our Future. Why did you leave Feeding
23 Our Future?

24 A. Aimee fired me at that time.

25 Q. Why?

1 A. There was a couple people that submitted -- that time
2 was -- that time was when MDE approve all the application
3 that was in process for almost a year, and everybody was
4 submitting meal counts, claiming that they were serving food
5 for the last year.

6 And there was a lady that I talk -- a lady that I
7 told her that we never saw your sites, we never been to the
8 sites, and that we will not submit your application to MDE.
9 And she said that everyone is doing the same thing. Why are
10 you not letting me? Help me out with this. And then she
11 said, If you don't help me out, I'm going to talk to Ikram
12 to help me process the application. The day after, I was
13 fired.

14 Q. Okay. You mentioned that everyone was doing it. What
15 was everybody doing?

16 A. There was -- we had an application over 100 sites that
17 we submitted to MDE that MDE did not approve almost for a
18 year. When Feeding Our Future one from MDE and they approve
19 all the sites, that everyone that submitted those
20 applications a year ago will submit meal counts and invoices
21 saying that they were giving out food for the last year.

22 Q. Were they?

23 A. 90 percent they were not.

24 Q. What were they doing?

25 A. What were they doing?

1 Q. What were they doing?

2 A. It was just Aimee's sites. Nobody went there. No one
3 was approved. No one went there. It wasn't approved.

4 Q. Were those sites paid out?

5 A. Eventually, lastly, yes.

6 Q. Did people at Feeding Our Future know it at the time?

7 A. Yeah, we all knew. Yes, we all knew.

8 Q. When you say "we all knew," what do you mean?

9 A. All the staff, me, Feeding Our Future, Ikram, we all
10 knew that all the sites that we submitted at that time when
11 the stop pay was lifted, that all the sites that we
12 submitted were fake, that were never being -- that never
13 give out food.

14 Q. How did you know that?

15 A. Because the client told me that Ikram is helping all
16 these people. If you don't help me, I'm going to go to
17 Ikram.

18 Q. And just to be clear, when you say "helping," what do
19 you mean by "helping"?

20 A. Meaning all the sites that were under that company that
21 never operated, last one was approved by MDE, make sure you
22 help me submit and tell everybody that it was -- that we
23 were serving and you visited my sites.

24 Q. And what were they actually doing?

25 A. They never -- they never served.

1 Q. Did they ever visit?

2 A. No.

3 Q. Part of the VIP treatment?

4 A. Yes.

5 MR. GOETZ: Objection. Leading, Your Honor.

6 THE COURT: Sustained. The answer will be
7 stricken. The jury will disregard.

8 BY MR. JACOBS:

9 Q. Why were all these claims submitted by Feeding Our
10 Future?

11 A. So, for example -- not example, but for sure that Ayan
12 Abukar could pay me a lot of money kickbacks. At that time
13 she had maybe two or three sites that were operating, that
14 she would send that were operating.

15 When the stop pay was lifted, she brought a whole
16 box of meal counts and rosters and invoices to Feeding Our
17 Future. Aimee and the staff didn't know anything about all
18 the sites. She called me. She said, None of my staff have
19 been to the sites. Were you aware that Ikram -- Ayan was
20 operating these sites? Because she said that you were
21 being. I said, Nope. She never operated. Even if she did,
22 we were not aware of it. She never told us. And I told her
23 that you should not process.

24 And then Ayan told me that: Everyone is doing it.
25 Ikram is helping all the sites. Why are you blocking me? I

1 told her that, you know, Feeding Our Future is fighting with
2 MDE. Don't put us in trouble. Don't put yourself in
3 trouble. Now just concentrate after-school program. If
4 it's already approved, just concentrate after-school
5 program, because you have so many sites and if you add them
6 together, it would be the same number that you serving, that
7 you were claiming.

8 And then she said, You're the one who's blocking
9 me. I will go to Ikram. She went to Ikram. She helped
10 out. The day after I was blocked, the company's emails, and
11 Aimee called me to talk to her lawyer.

12 THE COURT: I'm sorry, sir. The person that you
13 were talking to in that last paragraph, I did not get her
14 name, and I think you said it.

15 THE WITNESS: Ayan Abukar.

16 THE COURT: Can you spell?

17 THE WITNESS: A-Y-A-N. A-B-U-K-A-R.

18 THE COURT: Thank you.

19 BY MR. JACOBS:

20 Q. Okay. Mr. Ahmed, there was a lot there, and I want to
21 try and unpack that a little bit. Okay?

22 A. Yeah.

23 Q. You said that someone came to the Feeding Our Future
24 office with a box of receipts. Can you explain that to me?

25 A. It's very hard to explain because --

1 MR. GOETZ: Your Honor, object to the form of the
2 question. Can we get an identification who is "someone"?

3 MR. JACOBS: I'm trying to lay a foundation at
4 this point, Your Honor.

5 THE COURT: I'm going to overrule for now. I'm
6 assuming that it is coming.

7 BY MR. JACOBS:

8 Q. You testified that someone brought a box of invoices and
9 receipts?

10 A. Yes.

11 Q. Who was that person?

12 A. Ayan Abukar.

13 Q. And can you explain what happened with this box of
14 invoices and receipts.

15 A. Ayan Abukar had a lot of sites under her company. It
16 was only two or three that was approved that was operating
17 that she was claiming that she give out food.

18 When MDE lifted the stop pay from Feeding Our
19 Future, she brought under the six or seven sites that she's
20 claiming that she was serving for the last year.

21 Aimee talked to other sites -- site staff. They
22 all said that they never went to the sites. They said
23 Hadith was -- knew about it. I was called. I said I never
24 been to the sites, and I wasn't aware that they were
25 operating.

1 Q. Now, we've heard you say this name Ayan Abukar a couple
2 times. I want to show you what's already admitted into
3 evidence as Government's 0224.

4 We talked about this check earlier. What is
5 Actioncare?

6 A. It's owned by Ayan Abukar.

7 Q. And what was this \$127,000 payment for?

8 A. It was a kickback of helping her submit fake meal counts
9 and claims.

10 Q. After -- at the time you were leaving Feeding Our
11 Future, did people make accusations or start rumors about
12 you?

13 A. There was a rumor everywhere that -- that I was only
14 targeting for specific sites, I was blocking everybody's --
15 Aimee, they wanted me to get out of there.

16 Q. Who wanted you to get out of there?

17 A. Site owners.

18 Q. Why?

19 A. Because they thought I was blocking them get access to
20 Aimee Bock.

21 Q. Were you blocking them from Aimee Bock?

22 A. I was.

23 Q. Why?

24 A. Because Aimee was dealing with MDE, to fight with MDE,
25 approve all the sites. She didn't have the time to talk to

1 any clients about application or receipts or payment.

2 Q. At the time or right before the time you left Feeding
3 Our Future, did you have a conversation with Aimee Bock and
4 her lawyer?

5 A. Yes.

6 Q. What was that conversation?

7 A. It was the day after that I told Ayan and Aimee that --
8 that I never been to the sites, that they were not
9 operating, that she will go to Ikram to help her out.

10 The day after in the morning, I looked at my email
11 and I got a notification that I was blocked from the
12 companies. And Aimee sent me a text message saying that,
13 You need to talk to my lawyer -- or come in and talk to my
14 lawyer. And I didn't go.

15 Then Aimee called me, and her lawyer was on the
16 line and he threatened me that -- that if I go to the
17 Government and say anything about Feeding Our Future, that
18 they will go after me, they know about the kickback that I
19 got, everything will be under me, that I will take the whole
20 fault.

21 Q. What happened after that?

22 A. It was a couple --

23 MR. GOETZ: Objection. Could we get a time
24 reference, please? Objection to the form.

25 THE COURT: Overruled. You may answer.

1 THE WITNESS: It was around June, July.

2 BY MR. JACOBS:

3 Q. What happened after that conversation?

4 A. Around that time when I had the conversation, there was
5 a couple email -- a couple meeting that I was called that
6 Aimee was involved. It was same thing, don't say anything
7 about Feeding Our Future. And I told her that I'm not going
8 to say anything about Feeding Our Future, just I want you
9 guys just leave me alone. I will leave you alone.

10 Q. And why didn't you want to say anything about Feeding
11 Our Future?

12 A. Because I knew a lot about what was happening at Feeding
13 Our Future.

14 Q. And what was happening at Feeding Our Future?

15 A. It was chaos.

16 Q. What do you mean by "chaos"?

17 A. People was submitting a lot of high numbers that they
18 never served, fake invoices, sites were moving around,
19 switching, transferring from someone to someone else. Yeah,
20 it was just crazy.

21 Q. Crazy?

22 A. It was crazy.

23 THE COURT: Mr. Jacobs, we're going to stop right
24 here.

25 MR. JACOBS: Thank you, Your Honor.

1 THE COURT: And we're going to take our lunch
2 break. And we'll be back at 1:30.

3 THE CLERK: All rise.

4 **OPEN COURT**

5 **(JURY NOT PRESENT)**

6 THE COURT: 1:30, everyone. We're in recess.

7 (Recess taken at 12:25 p.m. till 1:32 p.m.)

8 **IN OPEN COURT**

9 **(JURY PRESENT)**

10 THE COURT: You may all be seated.

11 Mr. Jacobs, you may inquire.

12 MR. JACOBS: Thank you, Your Honor.

13 BY MR. JACOBS:

14 Q. Mr. Ahmed, I want to start by going back to a question
15 that you were asked before about Southwest Metro Youth.

16 Okay?

17 A. Okay.

18 Q. And I'm going to pull up what's been admitted into
19 evidence as Government C-331. And do you remember this
20 email?

21 A. Yes.

22 Q. Oh, excuse me. I'm actually going to pull up
23 Government Q-039. And do you remember this email?

24 A. Yes.

25 Q. And attached to this email were some claim forms for

1 Southwest. Do you remember?

2 A. Correct.

3 Q. And this one is for the week of March 7th, 2021?

4 A. Correct.

5 Q. And we were talking about how many meals you were
6 claiming during that time period.

7 A. Correct.

8 Q. And how many meals were you claiming during that time
9 period? How many meals did you claim to be serving?

10 A. We claimed that we prepare 2,500, but we served -- we
11 were claiming that we served 2,417.

12 Q. And during this time period, just to clarify, how many
13 of those meals were you fraudulently claiming?

14 A. Almost 1,417 is fake.

15 Q. Okay. Just to be clear, is English your first language?

16 A. My tenth language.

17 Q. Tenth. What's your first language?

18 A. Somali.

19 Q. Okay. So I want to pick back up where we left off,
20 which is after you left Feeding Our Future.

21 After you left Feeding Our Future, did you leave
22 the food program?

23 A. No.

24 Q. What did you do?

25 A. I -- I worked with Free Mind at Partners in Quality.

1 Q. Okay. You said "Free Mind." Is that The Free Minded
2 Institute?

3 A. Yes.

4 Q. And what is The Free Minded Institute?

5 A. It's a nonprofit owned by Julius.

6 Q. Julius Scarver?

7 A. I don't know his last name, but, yeah, he's the right
8 hand for Kara Lomen at Partners in Quality.

9 Q. Okay. Who is Kara Lomen at Partners in Quality Care?

10 A. She's the executive director of Partners in Quality.

11 Q. And what is the relationship between Julius and Kara
12 Lomen?

13 A. They were a couple.

14 Q. What do you mean by that?

15 A. Boyfriend/girlfriend.

16 Q. And you said he was her right-hand man?

17 A. Yep.

18 Q. What do you mean by that?

19 A. Just like how I was with Aimee Bock at Feeding Our
20 Future, he was the same thing for Kara Lomen.

21 Q. So you said that Julius was in charge of The Free Minded
22 Institute?

23 A. Yes.

24 Q. Who else was connected to The Free Minded Institute?

25 A. ThinkTechAct and the Empire Cuisine.

1 Q. Under what sponsor did The Free Minded Institute work?

2 A. Sorry?

3 Q. Under what sponsor did The Free Minded Institute submit
4 their claims?

5 A. Partners in Quality.

6 Q. To be clear, was The Free Minded Institute doing the
7 same thing that Southwest Metro Youth was doing?

8 A. Yes.

9 Q. What do you mean by that?

10 A. Because they never -- they never come to me, they never
11 did a site supervision. They just sent me -- I just use
12 their -- their document to submit meal counts.

13 Q. When did you get involved with Free Minded Institute
14 sites?

15 A. At the end of 2021, September, October, November.

16 Q. And, generally speaking, what was your involvement with
17 The Free Minded Institute and sites under -- sites under The
18 Free Minded Institute?

19 A. I was deliver mobile homes to a -- grocery food and
20 distribute and then submit the meal count to Partners in
21 Quality.

22 Q. And were those meal counts inflated?

23 A. We had -- we had a Latino guy who was in charge of
24 writing down the names. I don't know how many were infla-
25 -- exaggerated, but I will say maybe -- if we claim 200,

1 probably some were fake.

2 (Court reporter asks for clarification.)

3 THE WITNESS: Fake names, fake meal count.

4 BY MR. JACOBS:

5 Q. Okay. I'm showing you what has been marked for
6 identification as Government's Q-34.

7 Do you recognize this check?

8 A. Yes.

9 MR. JACOBS: Your Honor, I'd offer Government
10 Q-34.

11 MR. SCHLEICHER: No objection.

12 THE COURT: Q-34 is admitted and may be published.

13 BY MR. JACOBS:

14 Q. Okay. Mr. Ahmed, we're all looking at this check now.
15 What is the date of this check?

16 A. October 11, 2021.

17 Q. And who is the check addressed to?

18 A. Mizal Consulting.

19 Q. And who is the check from?

20 A. Bushra Wholesales.

21 Q. Checks for \$20,000?

22 A. Correct.

23 Q. Subject line is "Consulting"?

24 A. Correct.

25 Q. Was this a check for consulting?

1 A. No.

2 Q. What was it for?

3 A. It was my personal of -- working Free Mind with the
4 mobile homes park.

5 Q. I want to go back and talk about vendor invoices, and I
6 want to focus on the time frame that you were at Feeding Our
7 Future. Okay?

8 A. Okay.

9 Q. When I say "vendor invoice," do you know what I mean?

10 A. Yes.

11 Q. What's a vendor invoice?

12 A. Like Hope Supplier, Bridge Logistics.

13 Q. But what is contained in a vendor invoice?

14 A. The grocery that they bought.

15 Q. That they actually bought?

16 A. No.

17 Q. What role did vendor invoices play in the federal food
18 program?

19 A. They will create a fake invoice to justify that they
20 were actually buying food.

21 Q. Let me take a step back. At some point did the
22 requirement change about submitting vendor invoices?

23 A. Yes. At some point, I don't know if MDE decided, but
24 Feeding Our Future decided that the payments will go to --
25 instead of going to the sites, we will pay the vendors, and

1 the vendors will submit the meal counts.

2 Q. When was that?

3 A. In the middle of 2021, right before I left.

4 Q. So at that point, what did the requirement change to in
5 terms of vendor invoices?

6 A. Say that again?

7 Q. Let me take a step back.

8 Why did their requirement about submitting vendor
9 invoices change at that time?

10 A. I don't know if MDE decided or we decided it, but we
11 decided at that time that we will pay directly to the
12 vendors instead of the sites.

13 Q. But why was there a requirement for vendor invoices that
14 detailed what was purportedly purchased?

15 A. I don't understand the question.

16 Q. Well, let me ask it a different way.

17 What was the reaction of people involved in the
18 food program to the invoice requirement?

19 A. They didn't like it.

20 Q. Why not?

21 A. They didn't like paying to the vendors, because most of
22 the vendors -- most of the vendors' invoices were fake.

23 Q. How do you know that?

24 A. I was part of it. I created fake invoices, Southwest
25 was involved with fake invoices, and I was aware Feeding Our

1 Future created fake invoices.

2 Q. I want to look at what has been marked for
3 identification as Government Q-47.

4 Do you recognize this email?

5 A. Yes.

6 Q. Can you tell the jury who it's from and who it's to --
7 or excuse me. Can you -- who is this email from and who is
8 it to?

9 A. It's from Abdiaziz Farah to hadith@feedingourfuture and
10 Mahad.

11 MR. JACOBS: Your Honor, I'd offer
12 Government Q-47.

13 THE COURT: Any objection?

14 MR. ANDREW BIRRELL: No objection.

15 THE COURT: Q-47 is admitted.

16 BY MR. JACOBS:

17 Q. Okay. So this is an email from Abdiaziz Farah?

18 A. Correct.

19 Q. And it's to you and Mahad Ibrahim?

20 A. Correct.

21 Q. Email is dated April 26, 2021?

22 A. Correct.

23 Q. And the subject line is "Fwd: Empire Invoice 2021
24 Invoices," right?

25 A. Yes.

1 Q. So is this the time frame that the -- there was a switch
2 in the invoice requirements?

3 A. This is the time that MDE requested all the sites shall
4 submit invoices and receipts.

5 Q. So put another way, do you know why Mr. Farah is sending
6 you invoices here?

7 A. MDE requested from Feeding Our Future and we requested
8 all the sites to submit invoices and receipts.

9 Q. And at this time, what kind of invoices are you getting
10 in from people?

11 A. Fake invoices, fake receipts.

12 Q. Now, I'm going down through these invoices, but at the
13 time, did you even look at these invoices?

14 A. No, we never did.

15 Q. Why not?

16 A. At that time everybody was submitting invoices. We
17 didn't have a chance to look at it. And it was Aimee who
18 was in charge to look at it and justify.

19 Q. Did you care what the invoices said?

20 A. Nobody cared at Feeding Our Future.

21 Q. I'm showing you another email marked for identification
22 as Government Exhibit Q-46.

23 Do you recognize this email?

24 A. Yes.

25 Q. How do you recognize it?

1 A. It's from Abdiaziz to me, CC'd to Mahad Ibrahim.

2 MR. JACOBS: Your Honor, I'd offer Government
3 Exhibit Q-46.

4 MR. ANDREW BIRRELL: No objection.

5 THE COURT: Q-46 is admitted and may be published.

6 BY MR. JACOBS:

7 Q. So here we have another email from Abdiaziz Farah to
8 you?

9 A. Yes.

10 Q. Mahad Ibrahim copied on that?

11 A. Correct.

12 Q. Subject line: "Capital Invoice"?

13 A. Correct.

14 Q. And again from April 26th of 2021?

15 A. Correct.

16 Q. Did you look at invoices like these when they came in?

17 A. Never.

18 Q. Why not?

19 A. Then everybody was submitting it. We didn't care. All
20 we care was submit receipts and invoices to MDE.

21 Q. And to be clear, why did you want them submitted? To
22 look at them?

23 A. No, no. We never looked at it. MDE requested that all
24 the sites that they didn't pay to be submitted and receipts
25 and invoices, and we ask everyone to send receipts and

1 invoices. And at that time everybody was just writing down
2 invoice, bringing invoices and receipts. We didn't care
3 where it come from. We didn't care how we made it. We just
4 file them together and submit it in to MDE.

5 Q. And were claims being paid out based on the invoices
6 that you're talking about?

7 A. Correct.

8 Q. All right. I want to pivot a little bit and talk about
9 rosters. Okay?

10 A. Okay.

11 Q. When I say "roster" in the context of the federal food
12 program, do you understand what I'm talking about?

13 A. Yes.

14 Q. What's a roster?

15 A. The list, the names of the children that you served.

16 Q. Okay. And around the same time period in 2021, was
17 there a change in the requirements as to rosters?

18 A. Yes.

19 Q. What was that change?

20 A. I think at that time the summer program ended and MDE
21 approved after-school program, and in order to participate
22 in the after-school program, you have to take attendance and
23 attendance was required.

24 Q. What was the reaction amongst people participating in
25 the food program when this requirement came down?

1 A. People didn't like it because it was -- it was hard to
2 come up with a list of names if you've not been working with
3 childrens.

4 Q. Well, why would it be hard to come up with a list of
5 names of kids you were serving?

6 A. Like Southwest, I never worked with childrens. I never
7 had a lot of childcare. I never worked with schools. It
8 would be hard for me to come up with actual real names, kids
9 that I served. So I will just write fake names.

10 Q. When you were working at Feeding Our Future, in that
11 time frame, did you come across fake rosters?

12 A. Yeah, we did.

13 Q. How did you know they were fake rosters?

14 A. Me and Aimee would compare couple sites that -- that
15 knew each other. We compare the names that they submitted,
16 and they were all the same.

17 Q. When you say "they were all the same" --

18 A. Same.

19 Q. -- what do you mean?

20 A. Same list, same name, same last name.

21 Q. At different sites?

22 A. At different -- two different sites.

23 Q. Can you tell the jury about that conversation you had
24 with Aimee Bock after making that realization.

25 A. At that time she didn't care. I mean, we -- we knew

1 that the names were fake because they all matched, and every
2 week it was the same list of names and checks, pre-checked
3 every week.

4 So we compared -- many were compared, and we
5 noticed they were all the same. We didn't say anything. We
6 just let it go.

7 Q. Why didn't you say anything?

8 A. I mean, if Aimee said let it go, who can say anything
9 about it?

10 Q. I want to pull back up an email I showed you previously
11 that's in evidence as Government E-28.

12 Do you remember this email?

13 A. Yes.

14 Q. It's from Mahad Ibrahim to Aimee Bock and you at Feeding
15 Our Future?

16 A. Correct.

17 Q. Subject line: "Dar Al-Farooq Counts Plus Attendance"?

18 A. Correct.

19 Q. And this is from March of 2021?

20 A. Correct.

21 Q. I'm scrolling down to the roster, and I'm going to
22 highlight or enlarge part of that.

23 And can you tell me what is notable to you about
24 this roster that was submitted?

25 A. That the same kids was checkmarked every week.

1 Q. And why is that significant to you?

2 A. There was -- Dar Al-Farooq sites was under someone else
3 before Dar Al-Farooq took over. And when Dar Al-Farooq
4 submitted -- ThinkTechAct submitted the attendance, Aimee
5 Bock right away told me that what they are submitting is
6 fake names and fake invoices.

7 Q. Aimee Bock said that she thought they were fake names
8 and invoices?

9 A. Yes.

10 Q. What was your response?

11 A. Just don't go into deep lists. Let's just continue.
12 Let's overlook.

13 Q. Why were you overlooking it?

14 A. Because both of us, we wanted all the sites to be under
15 Feeding Our Future. More money for Feeding Our Future.
16 Number two, I already get paid.

17 Q. What do you mean you already got paid?

18 A. I already got kickbacked.

19 Q. This is the VIP treatment you were talking about?

20 A. Yep.

21 Q. Showing you another -- I'm showing you what has been
22 marked for identification as Government's C-390.

23 Do you see that email?

24 A. Yes.

25 Q. Do you recognize that email?

1 A. Yep.

2 MR. JACOBS: Your Honor, I'd offer
3 Government C-390.

4 THE COURT: Any objection?

5 MR. SAPONE: No objection.

6 THE COURT: C-390 is admitted and may be
7 published.

8 BY MR. JACOBS:

9 Q. Okay. Mr. Ahmed, we're going to look through this
10 email. Okay?

11 This is an email from you?

12 A. Correct.

13 Q. To the CACFP claims email at Feeding Our Future?

14 A. Yes.

15 Q. Can you remind the jury what that email address is used
16 for.

17 A. That is where all the claims were submitted.

18 Q. And Aimee Bock is also on this email?

19 A. Correct.

20 Q. And the subject line is "Fwd: Faribault," right?

21 A. Correct.

22 Q. Email is from April 7th of 2021?

23 A. Yes.

24 Q. And what's the attachment name of this -- what's the
25 name of the document attached to this email?

1 A. "Faribault Attendance March CACFP."

2 Q. And that email was forwarded, and I want to pull up the
3 email that you forwarded below.

4 And who's this email from?

5 A. From Abdiaziz Farah.

6 Q. To?

7 A. To me.

8 Q. The email says, "Hadith, please see attached attendance
9 sheets from Faribault for March. You should have already
10 received the meal counts and invoices in a separate email."

11 Do you see that?

12 A. Yes.

13 Q. Why was Mr. Farah sending you the meal counts, invoices,
14 and attendance sheets for Faribault?

15 A. I think it was a vendor for Faribault site.

16 Q. Were these being submitted to Feeding Our Future?

17 A. Yes.

18 Q. I want to go down to the attachment, which is that
19 attendance roster. Do you recall the name of the site in
20 Faribault that this corresponds to?

21 A. No.

22 Q. Have you ever been to that site?

23 A. No.

24 Q. Did you have responsibility over that site?

25 A. No.

1 Q. Did you submit claims for that site?

2 A. I'm sorry?

3 Q. Did you submit claims for that site?

4 A. Yes.

5 Q. What do you notice about this roster that was sent to
6 you by Mr. Farah?

7 A. That the whole month the same kids are marked,
8 checkmarked.

9 Q. Same on this page?

10 A. All checkmarked.

11 Q. Same on this page?

12 A. All checkmarked.

13 Q. And to be clear, what did you do with the claims for the
14 Faribault site for March?

15 A. I'm sorry?

16 Q. What did you do with the Faribault site claims for the
17 month of March?

18 A. I forwarded to claims and Aimee Bock.

19 Q. Submitted them?

20 A. Submitted them.

21 Q. Okay. I want to change gears and talk about consulting
22 agreements. Okay?

23 A. Okay.

24 Q. You testified earlier about checks you received from
25 Bushra?

1 A. Correct.

2 Q. And several of those checks listed "consulting" in the
3 memo line?

4 A. Correct.

5 Q. Did you do any consulting work for Bushra?

6 A. Nope.

7 Q. Did you do any consulting work for Said Farah?

8 A. No.

9 Q. Did you do any consulting work for Empire?

10 A. No, other than bringing the sites, making sure that he
11 transferred all the sites, but no actual consultation.

12 Q. Before the search warrants were executed in this case,
13 did you ever enter into a consulting contract with anybody?

14 A. No.

15 Q. I want to talk about the search warrants in this case.
16 You understand I'm talking about January of 2022 --

17 A. Correct.

18 Q. -- to put a time frame on it?

19 A. Correct.

20 Q. After that took place, did you enter into a consulting
21 agreement?

22 A. Yes.

23 Q. Was that a real consulting agreement?

24 A. No.

25 Q. What was it?

1 A. It was a fake consultation agreement.

2 Q. And what was the purpose of entering into a fake
3 consultation agreement, consulting agreement?

4 A. To justify the amount that I got prior to that, to
5 pretend that I did a consultation.

6 Q. So, again, I want to focus on that time period after the
7 search warrants in January of 2022. Okay?

8 A. Okay.

9 Q. After that happened, did someone reach out to you to
10 discuss a consulting agreement?

11 A. Yes.

12 Q. Who was that?

13 A. Abdiwahab.

14 Q. Do you know his last name?

15 A. No.

16 Q. How did he reach out to you?

17 A. He called me from a number that I didn't know, and he
18 wanted to meet with me.

19 Q. Did he tell you why he wanted to meet with you?

20 A. Over the phone, no.

21 Q. Did you end up meeting with him?

22 A. Yes.

23 Q. Where did you meet with him?

24 A. At Eden Prairie childcare center parking lot.

25 Q. Can you tell the jury about that meeting?

1 A. Yes. Abdiwahab called me, and I said, Who is this? He
2 said, Abdiwahab. Can we meet? I said, Yes, let's meet at
3 the childcare center. I met with him, and we talked about
4 the payment that I got from Bushra on the -- we talked
5 about -- to write an invoice, to send an invoice to Bushra
6 and then -- and also created a contract.

7 Q. During that meeting, can you clarify what Abdiwahab
8 asked you to do?

9 A. Yeah. He asked me to create -- to send him an invoice
10 that matched the same amount that I got from Bushra, and
11 also come up with a contract. I said, I don't know how to
12 do the contract. And a day after, I was emailed a contract
13 agreement.

14 Q. What was your reaction to this request?

15 A. Let's do it.

16 Q. Why?

17 A. Because I wanted to look like that money that I got was
18 actually a contract that I had with him.

19 Q. Well, why did you want it to look like that after the
20 fact?

21 A. To justify, to hide it.

22 Q. To hide it from who?

23 A. Government.

24 Q. Why did you want to hide it from the Government?

25 A. The search warrant happened at that time.

1 Q. Well, why did you want to hide it from them?

2 A. Because it wasn't real.

3 Q. The payments weren't real?

4 A. No, the invoices, the contract wasn't real.

5 Q. And what was your understanding of the purpose of
6 entering into this fake consulting agreement or signing the
7 fake consulting agreement?

8 A. What was what?

9 Q. What was your understanding of the purpose of signing
10 the consulting agreement?

11 A. I got paid 2011, and when we are trying to come up with
12 invoices and write a contract agreement, it is after the
13 search warrant. I was scared and I think everybody was
14 scared. We just wanted to hide it and looks like -- make it
15 look like that we had a contract before I got paid.

16 Q. You testified you were scared.

17 A. Yeah.

18 Q. Why were you scared?

19 A. Because I was stealing money from the Government.

20 Q. You testified you wanted to hide it. Why did you want
21 to hide it?

22 A. Because I stole money from the Government.

23 Q. You testified that there was a conversation about
24 providing an example of a consulting agreement?

25 A. Yeah.

1 Q. Can you explain that.

2 A. I said, I don't know how to write a contract. And I
3 think we had a conversation about someone is going to send
4 me a sample. I got an email and I just put Bushra company
5 and Mizal company.

6 Q. I'm showing you what has been marked for identification
7 as Q-15. Do you recognize this email?

8 A. Yes.

9 Q. How do you recognize it?

10 A. It is to my email, hadithay@gmail.com.

11 MR. JACOBS: Your Honor, I offer Government Q-15.

12 THE COURT: Any objection?

13 MR. SCHLEICHER: Could you scroll through the
14 exhibit, please?

15 (Indicating.)

16 MR. SCHLEICHER: No objection, Your Honor.

17 THE COURT: Q-15 is admitted and may be published.

18 BY MR. JACOBS:

19 Q. Okay. Mr. Ahmed, let's take a look at this email.

20 Okay?

21 A. Okay.

22 Q. This email is from Akram Elmi?

23 A. Yes.

24 Q. Do you know who Akram Elmi is?

25 A. No.

1 Q. And it's to hadithay@gmail?

2 A. Yes.

3 Q. Your personal email account?

4 A. Yes.

5 Q. And what is the subject line of this email?

6 A. "Agreement."

7 Q. Okay. And the date of this is February 8th, 2022?

8 A. Correct.

9 Q. When did this email come, relative to the meeting that
10 you just described with a gentleman named Abdiwahab?

11 A. Around the same time.

12 Q. Did this email come afterwards?

13 A. I believe, yep.

14 Q. So the title of this agreement is "Consulting
15 Agreement." Do you see that?

16 A. Yes.

17 Q. At this point in time, were you expecting to receive a
18 consulting agreement?

19 A. Yes.

20 Q. And why was that?

21 A. Because me and Abdiwahab talked about it.

22 Q. Okay. So this contract says it's a consulting agreement
23 dated the first day of June, 2021, between Bushra Wholesale
24 and Mizal Consulting.

25 Did you ever have a consulting agreement with

1 Bushra Wholesale?

2 A. No.

3 Q. Down here under "Services Provided," it says, "The
4 client" -- that's you?

5 A. Yep.

6 Q. "The client" -- that's Bushra -- "agrees to engage the
7 contractor" -- that's you?

8 A. Correct.

9 Q. -- "with the services consisting of invoicing, site
10 management, site supervision, training, staff coordination
11 for sites in Minneapolis, St. Cloud, Willmar, Rochester,
12 Faribault, Marshall."

13 Did you ever do any of that?

14 A. No.

15 Q. Did you end up signing this consulting agreement?

16 A. I believe I did deliver a copy.

17 Q. Why did you sign it?

18 A. To match the date that I got paid from Bushra.

19 Q. But why did you agree to sign the consulting agreement?

20 A. Why?

21 Q. Why?

22 A. Because we talked -- me and Abdiwahab, we talked about
23 the date that I got the check should match -- or should be
24 before the contract.

25 Q. And when you say the date that you got the check or the

1 checks, what checks are you referring to?

2 A. Checks that I got from Bushra Wholesales.

3 Q. When you signed the consulting agreement, did you change
4 the date on the consulting agreement?

5 A. Yes.

6 Q. Up here it's dated June of 2021?

7 A. Correct.

8 Q. What date did you change it to?

9 A. Right about when I got the first check from Bushra
10 co- -- Bushra.

11 Q. And why did you want that date to line up with the date
12 of the check?

13 A. Not to look suspicious.

14 Q. You also testified that during your conversation with
15 Abdiwahab, you talked about creating invoices?

16 A. Yeah.

17 Q. What were those invoices for?

18 A. For the checks that I got from Bushra.

19 Q. For purported consulting work?

20 A. Yeah, the consultation that I did, description of what I
21 did for Bushra Wholesales.

22 Q. What was your understanding of why he was asking you to
23 make those fake invoices?

24 A. That was after search warrant. We were all scared.

25 Q. What were you scared of?

1 A. That the Government already investigating about the food
2 program, that they will find out that a lot of fake
3 invoices, fake names, fake payment. So we wanted to correct
4 sooner than later.

5 Q. When you say "correct," what do you mean?

6 A. Example, like the contract I backdated. I created
7 invoice after the search warrant happened, even though I got
8 paid before that.

9 Q. So by "correct," you mean making fake invoices and
10 documents?

11 A. Yes.

12 Q. Did Abdiwahab ask you to make these invoices for any
13 specific dates or amounts?

14 A. Me and him, we agreed that it would be the -- it should
15 be right about the time that I got the check, because they
16 have to match, the date that I get the check and the date
17 that I sent the invoice.

18 Q. I'm showing what you has been marked for identification
19 as Government's Q-16.

20 Do you recognize this email?

21 A. Yes.

22 Q. How do you recognize it?

23 A. It's from me to Bushra Wholesales.

24 MR. JACOBS: Your Honor, I would offer
25 Government Q-16.

1 MR. SCHLEICHER: No objection, Your Honor.

2 THE COURT: Q-16 is admitted and may be published.

3 BY MR. JACOBS:

4 Q. Okay. Mr. Ahmed, I want to walk through this email.

5 Did you send this email?

6 A. Yes.

7 Q. From your personal gmail account?

8 A. Yes.

9 Q. And who did you send it to?

10 A. To Bushra Wholesalers.

11 Q. Okay. And how did you know what email address to send
12 this to?

13 A. Abdiwahab give it to me.

14 Q. The subject is "Invoices"?

15 A. Yes.

16 Q. And the date is February 13th of 2022?

17 A. Correct.

18 Q. And that's a couple days after you received that --

19 A. Contract.

20 Q. Scrolling down to the attachments, can you explain to
21 the jury what we're looking at here.

22 A. Fake invoice from Mizal Consulting to Bushra Wholesales;
23 description, staff training, site management; amount of
24 35,000.

25 Q. So this invoice is dated around April of '21?

1 A. Correct.

2 Q. When was this invoice made?

3 A. After the search warrant happened.

4 Q. After your conversation with Abdiwahab?

5 A. Yes, yep.

6 Q. And the subtotal here is \$35,000?

7 A. Correct.

8 Q. Where did that number come from?

9 A. It matched the check that I got from Bushra, 35,000.

10 Q. Going to the next page, this is another fake invoice?

11 A. Correct.

12 Q. This one is dated May of '21. When was this invoice

13 made?

14 A. After we had a conversation.

15 Q. And when you say "we" --

16 A. Me and Abdiwahab.

17 Q. Okay. And how did you even know how to make a fake

18 invoice?

19 A. Just go to Google, invoice template, and you just write

20 down the company to company.

21 Q. Going down to this last page, again, invoice?

22 A. Yes.

23 Q. Dated February and March of '21?

24 A. Correct.

25 Q. When was this invoice made?

1 A. After me and Abdiwahab have a conversation.

2 Q. The description is "Training and staff site management"?

3 A. Correct.

4 Q. Did you ever provide any training and staffing site
5 management to Bushra Wholesalers?

6 A. No.

7 Q. The subtotal in this invoice is \$65,250. Where did that
8 number come from?

9 A. It will match the check that I got from Bushra.

10 Q. And just to be clear, what was that check from Bushra
11 for?

12 A. Kickback.

13 Q. In September of 2022, did you have a meeting where you
14 again discussed consulting contracts?

15 A. With who?

16 Q. Did you have a meeting were you discussed consulting
17 contracts in September of 2022?

18 A. I think I met with Said, Abdimajid, and somebody else.

19 Q. Okay. And when you say "Said," who do you mean?

20 A. Said Farah from Bushra.

21 Q. And when you say "Abdimajid," who do you mean?

22 A. Abdimajid Nur, an employee for ThinkTechAct or Empire.

23 Q. How did that meeting come about?

24 A. I got a call, I don't know if it was Said or Abdimajid,
25 to meet. They come to my apartment. I met them in the

1 parking lot, and we had a conversation. I don't remember
2 exactly the details.

3 Q. Well, what did you talk about?

4 A. About matching the -- we talked about the checks, the
5 payments.

6 Q. And when you say "the checks," what checks are you
7 talking about?

8 A. The checks that I got from Bushra.

9 Q. And when you say "the payment," what are you talking
10 about payments for?

11 A. The kickbacks that I got from Bushra.

12 Q. And what was the substance of the conversation that you
13 had with them? What did they want from you?

14 A. To stick with whatever the contracts that we had -- that
15 we described that I provided consultation and site
16 management and training for them.

17 Q. When you are talking about the contracts, you mean the
18 fake consulting agreements we just saw?

19 A. Correct.

20 Q. And when you say stick with it, why did they want you to
21 stick with it?

22 A. To make sure that -- that I did actually what was
23 contrac- -- what was on the contract.

24 Q. Why would they want you to stick with the fake
25 consulting agreement?

1 A. Because it was fake contract. It was fake. I never
2 went to Bushra sites.

3 Q. During that conversation, was there a concern that you
4 would say that the contracts were not real?

5 MR. SAPONE: Objection to leading.

6 THE COURT: Overruled.

7 You may answer.

8 THE WITNESS: I mean, if we did not meet and we
9 did not talk about it and the bank trail was already there,
10 I will have said I never did anything.

11 BY MR. JACOBS:

12 Q. Can you repeat that again?

13 A. If I did not -- if me -- if we did not talk about that,
14 about the contract and get our story together, that I will
15 say I never provided any consultation or site supervision
16 for Bushra's sites.

17 Q. And what was the concern if you said that?

18 A. That I will lie, that I will tell the truth and I will
19 say I never did anything for them.

20 Q. And why were they concerned if you would tell the truth?

21 A. Because I got paid from Bushra's.

22 Q. Paid what?

23 A. Kickbacks.

24 Q. Mr. Ahmed, I want to talk a little bit about the money
25 that you made in the course of this fraud scheme. You made

1 a lot of money?

2 A. Yep.

3 Q. How much money?

4 A. All together, little over 2 million.

5 Q. How much did you make from Southwest Metro Youth?

6 A. Little over a million.

7 Q. How much did you make in kickbacks?

8 A. Little over a million.

9 Q. All fraud proceeds?

10 A. Correct.

11 Q. Did you buy stuff?

12 A. Yeah.

13 Q. Luxury stuff?

14 A. I'm sorry?

15 Q. Luxury items?

16 A. Yeah.

17 Q. Items you never thought you could have bought before?

18 A. Yep.

19 Q. Did you buy a house?

20 A. I did.

21 Q. Tell the jury about it.

22 A. There was a lot of money coming to my accounts,

23 kickbacks, money from Southwest Metro Youth. Everybody was

24 buying houses at Feeding Our Future. I was talked to about

25 buying a house, and then I ended up buying a house at

1 Savage.

2 Q. How expensive was the house?

3 A. At the beginning, the price was -- I think it was
4 between 300- to 400,000, but it jump all the way to 600- to
5 700,000.

6 Q. Did you purchase property in Kenya?

7 A. I did.

8 Q. What money did you use to purchase that property?

9 A. The kickback that I got from Feeding Our Future
10 employees, staff.

11 Q. Showing you what's been marked for identification as
12 Q-029.

13 Do you recognize this check?

14 A. Yes.

15 Q. How do you recognize it?

16 A. It's a cashier's check from my account.

17 MR. JACOBS: Your Honor, I'd offer
18 Government Q-29.

19 MR. ANDREW BIRRELL: No objection.

20 THE COURT: Q-29 is admitted and may be published.

21 BY MR. JACOBS:

22 Q. All right. Mr. Ahmed, what are we looking at here? A
23 cashier's check?

24 A. Correct.

25 Q. And what's the date of this cashier's check?

1 A. May 3rd, '21.

2 Q. And where -- from what account was this cashier's check
3 drawn on?

4 A. From what account?

5 Q. Yeah, whose -- whose cashier's check is it?

6 A. This is my cashier check account to Empire Enterprise.

7 Q. And the amount on it is how much?

8 A. 139,000.

9 Q. What was this check for?

10 A. For buying lands in Kenya.

11 Q. Why did you want to buy land in Kenya?

12 A. I was getting a lot of money for kickbacks.

13 Q. So what did you want to do with it?

14 A. Buy land.

15 Q. In Kenya?

16 A. In Kenya.

17 Q. What did you do with this cashier's check?

18 A. I asked Abdiaziz if he can take it and give me cash in
19 Kenya.

20 Q. When you say "Abdiaziz," you mean Abdiaziz Farah?

21 A. Correct.

22 Q. Why did you go to Abdiaziz Farah to make that request?

23 A. He was a close friend, and he was a businessman that was
24 involved in Minnesota businesses and Kenya businesses.

25 Q. So after you gave Abdiaziz Farah this check, what

1 happened?

2 A. We got -- I got the cash in Kenya and I bought the land.

3 Q. Did you get the cash?

4 A. Yes. Somebody got it.

5 Q. When you say "somebody," what do you mean?

6 A. Someone who was selling lands in Kenya.

7 Q. And what'd they do with it?

8 A. They bought a land for me.

9 Q. Did you travel on fancy vacations?

10 A. Yeah.

11 Q. What money did you use to do that?

12 A. Feeding Our Future money.

13 Q. I'm showing you what's already been admitted into
14 evidence as Government's O-224.

15 This is a September invoice of your Wells Fargo
16 account?

17 A. Can I see it? It's too small.

18 Q. Let me go to the first page. Do you recognize what we
19 are looking at here?

20 A. Yes.

21 Q. What is it?

22 A. Mizal Consulting bank accounts, checking account.

23 Q. I'm going to jump down to the September statements. Let
24 me blow this up for you.

25 September 22nd, do you see charges on there?

1 A. Yes.

2 Q. What are they charges for?

3 A. Ritz-Carlton in Miami.

4 Q. Fort Lauderdale?

5 A. Fort Lauderdale.

6 Q. A \$1,900 charge?

7 A. Yes.

8 Q. A \$500 charge?

9 A. Correct.

10 Q. What trip was that?

11 A. It was a trip with me and my wife.

12 Q. Have you ever stayed at a hotel that nice before that

13 trip?

14 A. One time. One time before this.

15 Q. What was that?

16 A. It was a business meeting between me and Abdiaziz.

17 Q. Abdiaziz Farah?

18 A. Yep.

19 Q. And where was that?

20 A. In Miami, Ritz-Carlton.

21 Q. Stayed at the Ritz-Carlton Miami?

22 A. Yep.

23 Q. Who paid for that trip?

24 A. Abdiaziz.

25 Q. Did you transfer other money overseas?

1 A. Yep.

2 Q. Same Wells Fargo account but going down to December, you
3 see these entries on December 17th?

4 A. Yes.

5 Q. Can you read, what are these entries?

6 A. It's a shell company that I was -- I transferred money
7 to buy dump trucks.

8 Q. So there are two wires, one for 60,000 and one for
9 53,000?

10 A. Correct.

11 Q. The first one is Zhejiang Tailoring. What was that
12 company?

13 A. It's a shell company that -- owned by the people that I
14 was buying the truck from.

15 Q. And the second company, Hodan Engineering, what was that
16 company?

17 A. It was a shell company that owned by people that I was
18 buying the truck.

19 Q. And what was the purpose of wiring this money to these
20 two foreign companies?

21 A. The whole purpose was to buy trucks. I couldn't send
22 the money right away, and we did a wire transfer to these
23 fake companies.

24 Q. Mr. Ahmed, I want to finish where we started. Why are
25 you testifying here today?

1 A. To tell the truth.

2 Q. Why else are you testifying?

3 A. To get a break from the Government.

4 Q. Do you regret what you did?

5 A. Yep.

6 Q. Why?

7 A. Because I stole money from the Government.

8 Q. You testified that Feeding Our Future was crazy. What
9 did you mean by that?

10 A. A lot of fraud going on at Feeding Our Future.

11 Q. How do you feel about what you did?

12 A. Ashamed.

13 MR. JACOBS: No further questions, Your Honor.

14 THE COURT: Cross-examination, Mr. Schleicher?

15 MR. SCHLEICHER: Yes, Your Honor. If I might have
16 a moment, please.

17 THE COURT: You may.

18 Before you get started, I'll just note that we are
19 stopping at 3:00 today, so everyone has that in mind. Thank
20 you.

21 Go ahead.

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

23 CROSS-EXAMINATION

24 BY MR. SCHLEICHER:

25 Q. Good afternoon, sir. My name is Steve Schleicher, and I

1 represent Said Farah.

2 A. Good afternoon.

3 Q. Okay. And you and I have never met before; is that
4 right?

5 A. Correct.

6 Q. But you have met with the prosecutors, the government
7 lawyers on the other side, you've met with them a few times;
8 is that right?

9 A. Correct.

10 Q. And you've also met with a number of federal agents; is
11 that right?

12 A. Correct.

13 Q. And I did hear you indicate that English is not your
14 first language, but I think you said you know ten languages?

15 A. Four language.

16 Q. All right.

17 A. Yeah.

18 Q. If I ask you a question in a way you don't understand,
19 please ask me to rephrase it or ask it in a different way.

20 Okay?

21 A. Okay.

22 Q. Because the important thing here is that the jury
23 understands exactly what you're saying and exactly what you
24 mean to say. Is that fair?

25 A. That's fair.

1 Q. Okay. So when I say you've had contact with a number of
2 government agents, I mean law enforcement officers. Is that
3 correct?

4 A. FBIs.

5 Q. FBI?

6 A. Yep.

7 Q. Agents -- you've met with agents from the FBI; is that
8 right?

9 A. Yes.

10 Q. And you also met with agents from the United States
11 Postal Inspector Service; is that correct?

12 A. I think so, yep.

13 Q. And you've also met with the agents from the
14 United States Internal Revenue Service; is that right?

15 A. I met a lot of government officials.

16 Q. And I'm just trying to identify the different agencies.
17 I think that the different agencies would have identified
18 themselves to you at the beginning of these meetings.

19 And so I'm just asking you: Do you know as you
20 sit here today whether you were interviewed by agents from
21 the IRS? Do you know that?

22 A. I don't remember.

23 Q. Okay. You did say there were a lot of federal agents,
24 however; is that right?

25 A. Correct.

1 Q. And when we say "a lot of federal agents," we're talking
2 about the number of people both from law enforcement and
3 from the prosecutor's office who would be sitting in these
4 very meetings; is that right?

5 A. I met an FBI agents, there was IRS people included, Post
6 Office people included. Those are the people that I met.

7 Q. Okay. Now, I know that you have had significant contact
8 with the Government. And I guess it would be fair to say,
9 however, that you did not contact the FBI when you first
10 realized that Feeding Our Future was committing fraud, did
11 you?

12 A. Say that again.

13 Q. You did not contact the FBI when you first believed that
14 Feeding Our Future was committing fraud, did you?

15 A. I did not.

16 Q. And you did not contact the United States Attorney's
17 Office when you realized or believed that Feeding Our Future
18 was committing fraud; is that right?

19 A. I did not.

20 Q. And I'd like to just be able to get some timeline
21 established here, if we can, in the time that we have
22 remaining.

23 You began working for Feeding Our Future
24 approximately -- was it July?

25 A. September -- at the end of September or the beginning of

1 October, but I was getting paid June or July.

2 Q. So -- but -- yeah, so let's just explain that to the
3 jury.

4 You first approached Aimee Bock, you talk to Aimee
5 Bock about becoming employed at Feeding Our Future, I think
6 your testimony was, April or May. Is that right?

7 A. Yeah.

8 Q. Okay. And then you actually became an employee of
9 Feeding Our Future in -- was it June or July, somewhere in
10 there?

11 A. I started getting paid June or July, but I actually
12 started working when I came back from Kenya.

13 Q. And let's just explain that. You began your employment
14 in June or July and then you traveled to Kenya?

15 A. Correct.

16 Q. And you were in Kenya for the rest of June; is that
17 right?

18 A. Rest of August -- I was there for a month.

19 Q. You were there for a month?

20 A. Yep, a month, yeah.

21 Q. Can you, as you sit here today, remember approximately
22 the day you returned from Kenya, the date, sorry?

23 A. I don't remember the exact date.

24 Q. Can you give me an approximate date or week?

25 A. September 28th. At the end of September.

1 Q. End of September?

2 A. Yeah.

3 Q. Okay. So end of September. Would it be fair to say,
4 then, you first really began working for Feeding Our Future
5 in October of 2021?

6 A. Yeah, at the beginning. Right after -- when I come back
7 Kenya, I started working for Feeding Our Future.

8 Q. Okay. October of 2021.

9 A. It was right after, after I came back. So I don't
10 remember the exact date.

11 Q. But, you know, you're saying that it was probably the
12 end of September when you came back. You probably began
13 around the first week of October actually going into the
14 office; is that right?

15 A. The first week -- it's either the first week of October
16 or the end of September. I don't remember the exact date
17 that I started for Feeding Our Future.

18 Q. Okay. Well, let's see what you can remember about, you
19 know, how you began at Feeding Our Future.

20 And you would go to the office. Where is this
21 office located?

22 A. St. Anthony.

23 Q. Okay. Do you remember the address?

24 A. Not in my head right now.

25 Q. Okay. But in St. Anthony?

1 A. In St. Anthony.

2 Q. Okay. And when you began working at Feeding Our Future,
3 did you physically go into the office? Did you work
4 remotely from home? Or was it some combination?

5 A. At the office.

6 Q. At the office.

7 A. Yep.

8 Q. All right. Can you please describe the office.

9 A. It is between 6- -- 5- to 6,000 square feet. I think it
10 was on third floor. We had a bunch of offices, a break
11 room, and reception that we created that we built later.

12 Q. All right. Now, at that point -- so 6,000 square feet,
13 it's fairly large, but would it also be fair to say that it
14 was small enough that you could see what was going on and
15 what people were doing?

16 A. Yeah, I would know what was happening.

17 Q. Now, I believe you indicated that you at some point
18 realized that there was some sort of fraud activity going on
19 at Feeding Our Future; is that right?

20 A. Mm-hmm.

21 Q. Yes?

22 A. Yes.

23 Q. And you would have realized that, I guess, right around
24 October, when you started; is that right?

25 A. No.

1 Q. You didn't know that there was fraud going on in
2 October?

3 A. No, not first weeks. Not right after when I started.

4 Q. Okay. What about November?

5 A. I can't remember when I find out there was a fraud going
6 at Feeding Our Future, but it was --

7 Q. You can't remember at all?

8 A. I can't remember, but it was -- I don't remember if it
9 was at the beginning when I started working at Feeding Our
10 Future. It was a couple month when I took over to become a
11 site supervisor. That's when I realized.

12 Q. Okay. Now, when you realized there was fraud going on,
13 I think we've already established you never contacted any
14 law enforcement. Not the United States Department of
15 Agriculture, correct?

16 A. No.

17 Q. Not the Minnesota Department of Education?

18 A. I did. I sent an email to MDE.

19 Q. You sent an email to MDE letting them know that there
20 was fraud going on?

21 A. Yeah, they show -- I did not say fraud, but I told them
22 that they should take a look at what is happening at Feeding
23 Our Future.

24 Q. Do you recall who you sent that email to?

25 A. Amy -- Amy Homer and a CC to another lady that was her

1 supervisor.

2 Q. So it's your testimony that you alerted -- is it Emily
3 Honer?

4 A. Emily Honer.

5 Q. From the Minnesota Department of Education soon after
6 you began working at Feeding Our Future that there was some
7 sort of fraud activity going on?

8 A. I would say it would be at the end of December, at the
9 end of 2020 when I did that.

10 Q. Okay. Now, you indicated that you started committing
11 fraud yourself once you realized there was fraud going on;
12 is that right?

13 A. Yes.

14 Q. Okay. And you started committing fraud. In order to do
15 that, you had to set a few things up first; is that right?

16 A. Like what?

17 Q. Well, why don't you tell me. What did you have to set
18 up? What was the structure?

19 A. I created a fake company.

20 Q. You created a fake company?

21 A. Yeah.

22 Q. And you indicated that the fake company that you created
23 was for the purpose of committing fraud; is that right?

24 A. Correct.

25 Q. And that was Southwest Metro Youth; is that right? Yes?

1 A. Yes, correct.

2 Q. And you also then received an EIN number from the IRS;
3 is that right?

4 A. We did.

5 Q. And that was done in order to be able to prepare to
6 commit fraud, true?

7 A. Correct.

8 Q. And you also set up bank accounts; is that right?

9 A. We did.

10 Q. And those bank accounts, by your testimony, was to
11 deposit the proceeds of fraud. True?

12 A. For Southwest?

13 Q. That's correct.

14 A. Yeah, to participate in the fraud scheme.

15 Q. Okay. And I believe we looked at some documents --
16 well, if we can take a look at Q-3.

17 If you would pull up Q-3, please, which has been
18 admitted into evidence, and if you can go, first of all --
19 I'm sorry. Could you back up to the email?

20 And it says the date of this is October 21, 2020;
21 is that right?

22 A. Yes.

23 Q. Okay. And these are Articles of Incorporation that
24 Abdikerm Eidleh -- and I know I'm butchering the
25 pronunciation of the last name, at least, but is it -- how

1 do you pronounce it, please?

2 A. Eidleh.

3 Q. Eidleh?

4 A. Yeah.

5 Q. Sent to you with the Articles of Incorporation, correct?

6 A. Yes.

7 Q. This is in preparation for your participation in the
8 fraud scheme?

9 A. Correct.

10 MR. SCHLEICHER: Would you please go to the next
11 page.

12 BY MR. SCHLEICHER:

13 Q. And this indicates Articles of Incorporation, Southwest
14 Metro Youth; is that right?

15 A. Yes.

16 MR. SCHLEICHER: You can go to the last page,
17 please.

18 BY MR. SCHLEICHER:

19 Q. And you can see that you have, in fact, placed your name
20 on this document and signed it; is that right?

21 A. Correct.

22 Q. And that's your signature; is that right?

23 A. Correct.

24 Q. And this document was filed with the Secretary of State
25 for the purpose of facilitating your fraud scheme; is that

1 right?

2 A. Mm-hmm.

3 MR. SCHLEICHER: If you can go to the second page
4 of the document, please.

5 BY MR. SCHLEICHER:

6 Q. All right. And as indicated, you said that this was set
7 up -- it was a corporation that was set up under a nonprofit
8 status, a 501(c)(3) corporation, true?

9 A. Yes.

10 Q. And your knowledge based -- I guess, based on your
11 knowledge of working with this and in business, you
12 understand that this was to have a tax-free status, correct?

13 A. No, at that time I wasn't aware of anything to do with
14 tax.

15 Q. All right. So you didn't know that setting up a
16 501(c)(3) eliminated the need to pay taxes on this nonprofit
17 organization?

18 A. No, it would be tax exempt.

19 Q. Right, tax exempt. I'm sorry.

20 A. And the whole purpose was to participate in the Feeding
21 Our Future fraud scheme.

22 MR. SCHLEICHER: And if we can go to the first
23 page again.

24 BY MR. SCHLEICHER:

25 Q. You can see this document had been emailed back to you

1 October 21, 2020.

2 And so my understanding is that you started in
3 Feeding -- actually working at Feeding Our Future some time
4 end of September, early October; is that right?

5 A. Yep.

6 Q. And we see that within just a few weeks you've already
7 decided to start participating in fraud?

8 A. Correct.

9 Q. Within two weeks of working for this organization; is
10 that fair?

11 A. Correct.

12 Q. That's what you're doing?

13 A. Correct.

14 MR. SCHLEICHER: If you go to the second page,
15 please.

16 BY MR. SCHLEICHER:

17 Q. And you placed your name on a document that said that
18 the purpose of the corporation -- if you'd please highlight
19 the bolded portion -- is to provide social and educational
20 after-school programs, to provide social indoor and outdoor
21 activities, to bring families and youth together through
22 sports and other indoor and social activities, to combat
23 youth crime within the neighborhoods and to prevent
24 community deterioration.

25 Is that right?

1 A. This was nothing to do with Southwest.

2 Q. Okay.

3 MR. SCHLEICHER: If you would go to the first
4 part --

5 THE WITNESS: It's fake.

6 MR. SCHLEICHER: Excuse me. Make that not big.

7 All right. Could you please highlight Articles of
8 Incorporation, just the title here.

9 BY MR. SCHLEICHER:

10 Q. Is that not Southwest Metro Youth?

11 A. Correct.

12 Q. And these Articles of Incorporation were filed for
13 Southwest Metro Youth, correct?

14 A. Correct.

15 Q. Is that right?

16 A. Correct.

17 Q. And is this, in fact, the entity that you were using to
18 further your fraud scheme?

19 A. We created this to participate in the fraud scheme.

20 Q. Okay. And so the language of that I just showed you,
21 about the stated purposes of the corporation, did not
22 include "to participate in a fraud scheme," did it?

23 A. Say that again.

24 Q. You did not include the true purpose of the entity,
25 which was to participate in a fraud scheme, did you?

1 A. I did not include here the whole reason that I opened
2 was, me and Abdikerm opened, was to participate in the fraud
3 scheme.

4 Q. Right. So the stated purpose, which you have listed in
5 the Articles of Incorporation, in fact, was a lie?

6 A. Yes.

7 Q. Is that right?

8 A. Yes, this is a lie.

9 Q. That is a lie that you signed your name to?

10 A. Yeah.

11 Q. All right. Thank you.

12 MR. SCHLEICHER: If you would please take that
13 down.

14 BY MR. SCHLEICHER:

15 Q. Now, to try to understand a little bit about the fraud
16 scheme involving Southwest Metro Youth, I just want to break
17 down into very simple terms how it would happen. Okay?

18 And so the essence of your fraud scheme was that
19 you would cause claims to be submitted to the Minnesota
20 Department of Education, which would eventually go to the
21 United States Department of Agriculture; is that right?

22 A. No.

23 Q. You submitted false claims. Is that much true?

24 A. I submitted fake claims to Feeding Our Future.

25 Q. Yeah, you submitted fake claims to Feeding Our Future,

1 which was the sponsor, right?

2 A. Yes.

3 Q. And then based on your knowledge and your experience and
4 training serving as Aimee Bock's right-hand man -- which I
5 think was your testimony; is that right?

6 A. Mm-hmm, yes.

7 Q. Yes?

8 A. Yes.

9 Q. You know that then those claims to Feeding Our Future
10 would be submitted to the Minnesota Department of
11 Agriculture -- I'm sorry, Minnesota Department of Education,
12 true?

13 A. Correct.

14 Q. And then the Minnesota Department of Education would
15 cause those claims to be paid by the Department of
16 Agriculture. Is that fair? Or at least these were
17 Department of Agriculture funds?

18 A. No, this was MDE funds.

19 Q. Okay. Did you know where MDE got their money?

20 A. USDA.

21 Q. The United States Department of Agriculture?

22 A. Correct.

23 Q. Okay. So we can at least agree that you were submitting
24 false claims that were used to get a benefit from the
25 United States Department of Agriculture; is that right?

1 A. Department of Education, Minnesota Department of
2 Education.

3 Q. Okay. Minnesota Department of -- you did understand
4 that this was government money, correct?

5 A. Correct.

6 Q. That this was taxpayer money?

7 A. Correct.

8 Q. That came from the United States Government?

9 A. I don't know where it came from, but I know that --

10 Q. Okay.

11 A. -- USDA was overseeing MDE. That's all I knew.

12 Q. And so just again in very simple terms, you would submit
13 false claims, and those false claims, those are lies, right?

14 A. Well, yeah, fake claims.

15 Q. Fake claims, lies, in order to get a benefit from the
16 government. True?

17 A. No.

18 Q. Okay. From the Department of Education?

19 A. No. To submit fake claims to Feeding Our Future to
20 participate in the fraud scheme.

21 Q. But for what purpose? To what purpose?

22 A. To get rich.

23 Q. To get money; is that right?

24 A. Yeah.

25 Q. All right. So you -- so the benefit you were looking to

1 get was to get money; is that right? And you were willing
2 to tell a lie to get money. True?

3 A. Yes, submit fake claims in order to get money.

4 Q. Well, fake claims are lies, but if you'd prefer I call
5 them fake claims, I'll call them anything you want. What do
6 you want me to call them, fake claims or lies?

7 A. Fake claims.

8 Q. Fake claims. So you were submitting fake claims in
9 order to get money from the government.

10 And if we can break this down just a little bit,
11 do you know -- if you claim to serve one meal that you did
12 not serve and you get payment for that, you understand that
13 you are submitting a fake claim or telling a lie to get
14 money; is that right?

15 A. That's right.

16 Q. Okay. That's just one. So to tell one lie in this
17 context, how much money would you get if the lie was
18 about -- for example, say you're lying about lunch. How
19 much would you get paid to lie about lunch?

20 A. I don't understand what you're talking about. I don't
21 understand.

22 Q. What was the value of a single reimbursement claim for
23 lunch when you were submitting claims for Southwest Metro?

24 A. How much was the lunch reimbursement?

25 Q. What per meal, I think, is the --

1 A. I don't remember the exact amount, how much it was for
2 lunch or supper, but it was less than -- summertime it was
3 maybe less than \$5, after-school maybe less than \$3.

4 Q. Okay. And so would it be fair to put a range that
5 anywhere from 3 to 5 dollars, approximately, would be the
6 value of a single false claim?

7 A. I wouldn't put it that way.

8 Q. You wouldn't put it that way, that it could be anywhere
9 between \$3 at the low end and \$5 at the high end for a
10 single false claim?

11 A. I wouldn't think that way.

12 Q. What would you say the low end would be? Like, let's
13 say it was just a snack.

14 A. Question again, please?

15 Q. What would you say the low end, what's the lowest
16 amount, the least amount of money you would be reimbursed?

17 A. A snack.

18 Q. Okay. And what's the approximate amount that you would
19 get reimbursed for a snack?

20 A. Between \$0.60 to a dollar.

21 Q. \$0.60 to a dollar?

22 A. To a dollar.

23 Q. Okay. And then what's the most you would receive for
24 reimbursement?

25 A. For just a snack?

1 Q. No, no. Not --

2 A. One snack?

3 Q. -- for a snack. Just for a -- let's say the highest

4 value meal, supper.

5 A. I don't understand how you're asking me a question, sir.

6 You're asking me --

7 Q. I'm asking -- I'm trying to --

8 A. -- in a way that --

9 Q. I'm trying to explain.

10 A. Yep.

11 Q. Okay. So what I'm asking you is the -- in terms of your

12 reimbursement, what category of meals would have the highest

13 reimbursement?

14 A. The amount of number that you're claiming for.

15 Q. No, category of meals. So I'm talking about breakfast,

16 lunch, supper, snack. Which of those four categories had

17 the highest reimbursement?

18 A. Lunch and supper.

19 Q. Lunch and supper. Okay.

20 Now, we talk about lunch and supper. What's the

21 most -- what's the most dollar amount reimbursement you

22 could receive for a lunch or a supper?

23 A. I don't remember the exact amount, but between 4 to 5

24 dollars summertime.

25 Q. Okay.

1 A. And after-school it would be different.

2 Q. So then to restate, you know, to go back to my question,
3 a single claim, you could receive as little as \$0.60 or as
4 much as approximately \$5, depending on what category. True?

5 A. No. A snack -- this was all the rate that MDE or USDA
6 already billed and defined. They would say snack would be
7 .60 to .99 or a dollar. Breakfast, \$3 or \$4. Summer lunch,
8 \$5. Depends on summertime or after-school program.

9 Q. So depending upon the time of the year and the meal, you
10 can get \$0.60 for lying about a snack, you could get more
11 for lying about breakfast, maybe a little bit more for lying
12 about lunch, and more for lying about supper; is that right?

13 A. I do not understand how you're putting the question.

14 Q. Okay. Fair enough.

15 So then let's talk about the number of meals that
16 you're claiming, because it would be fair to say that if you
17 lied or submitted false claims about, say, ten meals, you'd
18 receive enough money to be reimbursed for ten meals; is that
19 right?

20 A. If we claimed that we serve ten childrens, it would be
21 the amount of what MDE would pay for it.

22 Q. You're reimbursed per meal, not per child, right?

23 A. By meal, but also by childrens.

24 Q. All right. And if you were to lie about ten of those
25 meals to ten children, you'd receive a certain dollar

1 amount. If you're being reimbursed \$4 a meal, it would be
2 \$40, right?

3 A. No.

4 Q. Okay.

5 A. It would be how many kids that I am claiming and how
6 many meals we're claiming.

7 Q. And if that number were ten?

8 A. Ten children.

9 Q. Okay. And you were getting \$4 per child reimbursement,
10 that would be \$40 to you, correct?

11 A. I wouldn't -- I wouldn't put it that way.

12 Q. Okay.

13 A. Ten kids --

14 Q. You wouldn't put it that 10 times 4 is 40?

15 A. I mean, that's your calculation, but in food program we
16 would calculate how many kids for how many days and was it a
17 snack and a lunch or was it supper and breakfast.

18 Q. And, sir, I'm just asking you a simple question. If you
19 submitted a claim that you had served ten children ten meals
20 total at \$4 a meal, that would be \$40; is that right?

21 A. For how many days? For how many times?

22 Q. Just the full number, just that one number, ten, that
23 quantity.

24 A. If I'm saying that I give ten kids each one a supper and
25 each one that I'm getting \$4, I would multiply 4 times 40 --

1 or 4 times 10, that would be 40.

2 Q. Okay. Thank you. And the more that you report, the
3 more money you get; is that right?

4 A. The more meal counts, claims that you submit, the more
5 money.

6 Q. And the more false claims you submit, the more money you
7 get; is that right?

8 A. The more fake claims you submit, the more money you get.

9 Q. So the bigger the lie you tell, the bigger the benefit
10 you receive; is that right?

11 A. The more number that -- the more meal count that you
12 submit, the more money that you get.

13 Q. Okay. But you would agree that the bigger the lie that
14 you told, the better the benefit you would receive, the more
15 money you would receive. Isn't that true?

16 A. I would say the amount of the fake meal count that we
17 submit will be equals the amount of money that we'll get
18 from the government.

19 Q. And the more you inflate the number, the more money you
20 get back; is that right?

21 A. That's correct.

22 Q. Okay. Now, you're aware that the search warrant here
23 was executed. Were you aware that the search warrant in
24 this case was executed on January 20, 2022?

25 A. Around that time, yes.

1 Q. But you didn't contact the Government prior to that; is
2 that right?

3 A. No.

4 Q. We've established that.

5 And you didn't contact the Government afterwards
6 either, did you?

7 A. No.

8 Q. You didn't contact them when you found out about the
9 raid in January, and you didn't contact them in February
10 either, did you?

11 A. Contact the FBI? No.

12 Q. Contact the FBI, contact the United States Attorney's
13 Office, contact the United States Department of Agriculture,
14 anybody. Is that right?

15 A. Why will I?

16 Q. What's that?

17 A. Why will I?

18 Q. To tell the truth. Isn't that what you testified that
19 you're here to do today, is to tell the truth?

20 A. Yes, yes.

21 Q. And that's your motivation here, is to tell the truth?

22 A. Yes.

23 Q. But you weren't interested in telling the Government the
24 truth in January. You certainly weren't interested in
25 telling the Government the truth before the search warrants

1 were executed, were you?

2 A. At that time I did not contact the Government until --

3 Q. Because you weren't interested in telling the truth,
4 were you?

5 A. No.

6 Q. And you weren't interested in telling the truth in
7 January or February or March or April or May either, were
8 you?

9 A. That's not true. When the Government comes to me and I
10 see the paper trail, what is right in front of me, I will
11 tell the truth.

12 Q. In June, right. And you never contacted the Government
13 on your own until they contacted you in June; is that right?

14 A. I contacted -- when the Government contacted me and I
15 was shown to the paper trails and what I did, it was obvious
16 that --

17 Q. My question -- and we'll get to the obviousness of your
18 criminal activity at a later point, probably tomorrow, okay?
19 But my question to you is: Isn't it true that you did not
20 initiate contact with the Government at all, did you?

21 A. I did not contact the FBI after the search warrant.

22 Q. So the answer is "yes"?

23 A. I did not contact the FBI after the search warrant.

24 Q. Okay. I understand if you don't want to say "yes," but
25 that is the answer, is, yes, that the Government first

1 contacted you and they did that on June 1, 2022. Fair?

2 A. Around that time, yep.

3 Q. Okay. So that's five to six months after the warrants
4 were executed. True?

5 A. Correct.

6 Q. And that's about eight months after you started
7 personally committing fraud, right?

8 A. January until -- yes, that's correct. The FBI came to
9 me.

10 Q. Which would probably be about eight and a half months
11 after you realized that fraud was happening at Feeding Our
12 Future. True?

13 A. Not true. I don't remember the exact.

14 Q. You started working for them at the end of September.
15 You're submitting documents to facilitate the fraud, you
16 know, at the end of October. Right? So eight to nine
17 months after you started committing fraud, that's when
18 you --

19 A. No, no.

20 Q. -- had contact with the Government?

21 A. No. I started working for Feeding Our Future at the end
22 of September or the beginning of October. A month or a
23 couple weeks later, I was part of the fraud scheme.

24 Q. It only took you two weeks to learn enough about the
25 fraud scheme to know that you wanted in, in other words?

1 A. Yeah. Mm-hmm, right away.

2 Q. Right away?

3 A. Yeah.

4 Q. I'd like to talk to you a little bit, in the time that
5 we have remaining, about the number of times you've spoken
6 with the Government.

7 You had a first contact where they initiated with
8 you on June 1, 2022.

9 On June 22, 2022, that's when you had a second
10 meeting with them; is that right? Or, I'm sorry, your
11 actual first sit-down meeting. Is that right?

12 A. I don't remember the exact time that we -- I sat down
13 with the Government.

14 Q. Would it refresh your recollection if I showed you a
15 proffer letter agreement that you entered into with the
16 United States Government that's dated June 22, 2022? Would
17 you like to see that?

18 A. I would love to.

19 MR. SCHLEICHER: Just for the witness, please.

20 BY MR. SCHLEICHER:

21 Q. You can see this is a letter dated June 22, 2022; is
22 that right?

23 MR. SCHLEICHER: If you could highlight the date.

24 THE WITNESS: I see the date. I'm trying just to
25 read. I see the date.

1 BY MR. SCHLEICHER:

2 Q. Before you read, I need to introduce or at least to put
3 into the record what this document is.

4 So the date is June 22, 2022, correct?

5 A. The date is June 22, '22.

6 Q. Thank you. Now, sir, if you'd just read the paragraph
7 that the letter is to, and you see a C/O.

8 MR. SCHLEICHER: If you'd highlight that, please.

9 THE WITNESS: Yep, Hadith Ahmed, C/O Richard
10 Dansoh.

11 BY MR. SCHLEICHER:

12 Q. Okay. Now that you've had a chance to take a look at
13 the address and the date, does that refresh your memory as
14 to the first time you met with the Government?

15 A. I don't remember the exact date that I met with the
16 Government.

17 Q. And this letter does not refresh your recollection about
18 that first meeting with the Government, the date?

19 A. I can't remember the exact date with me and my lawyer
20 and the FBI talk over the phone, and then after that, a week
21 or maybe later, we met at the office.

22 Q. At which office?

23 A. The Government's office.

24 Q. All right. In this courtroom -- or courthouse, I should
25 say?

1 A. No. Sixth floor.

2 Q. Right. This courthouse on the sixth floor; is that
3 right?

4 A. Correct.

5 Q. And you said your lawyer. You hired a lawyer after the
6 Government contacted you; is that right?

7 A. Correct.

8 Q. And your lawyer's name is Richard Dansoh; is that right?

9 A. Correct.

10 Q. And he accompanied you to this meeting, correct?

11 A. The first meeting with the Government.

12 Q. The first meeting with the Government. All right.

13 And the government lawyers were there, is that
14 right, the prosecutors?

15 A. A lot of people were there, yeah.

16 Q. And do you recognize the people who were there in the
17 courtroom today at that meeting?

18 A. Yes.

19 Q. Do you recognize Mr. Thompson?

20 A. I do.

21 Q. Do you recognize Harry Jacobs?

22 A. I don't remember if he was in the first meeting.

23 Q. Okay. Matt Ebert? Do you recognize him?

24 A. I don't know who that is.

25 Q. Don't know him.

1 What about Chelsea Walcker? Do you recognize her?

2 A. I met her a few times.

3 Q. Okay. Was she in that first meeting?

4 A. I don't remember.

5 Q. And there was a postal inspector there; is that right?

6 A. They were.

7 Q. The IRS was there?

8 A. Correct.

9 Q. There were three FBI agents present at that meeting,

10 correct?

11 A. I don't remember.

12 Q. Do you remember Jared Kary, Special Agent Jared Kary,

13 being there?

14 A. I do. I don't remember if he was in that meeting, but I

15 know who Jared Kary is.

16 Q. You know you met Jared Kary at that meeting and have had

17 contact with him since; isn't that right?

18 A. I don't remember if he was in that meeting.

19 Q. All right. Travis Wilmer? Do you remember him, another

20 FBI agent?

21 A. I don't remember if he was in that meeting.

22 Q. And before you started that meeting, you, in fact, were

23 provided a proffer letter, proffer agreement -- and I've

24 shown you this agreement -- that indicates the rules under

25 which you were going to be providing information to the

1 Government; is that right?

2 A. I don't know if it was the same document, but I know
3 they told me that there was an affidavit later that I
4 signed.

5 MR. SCHLEICHER: If we can go to the second page.

6 BY MR. SCHLEICHER:

7 Q. Do you see this letter is signed by Assistant United
8 States Attorney Joseph Thompson; isn't that right?

9 A. Yep.

10 Q. And this sets up the conditions under which the
11 Government would receive information from you; is that
12 right?

13 A. No. This first meeting was all about me telling the
14 truth.

15 Q. The first meeting was about you providing information to
16 the Government under conditions under which the Government
17 agreed that they would not prosecute you based on your
18 statements, and they would not share the information about
19 your statements to anyone, even the Court at sentencing.
20 Isn't that true?

21 A. That's not true.

22 Q. That's not what the letter says?

23 A. But what you said is not true.

24 Q. Okay. Well, I think we'll come back to that tomorrow.

25 MR. SCHLEICHER: Your Honor, this would be an

1 opportune time to stop for the day.

2 THE COURT: All right. Thank you, Mr. Schleicher.

3 We'll return at 9:00 tomorrow morning. So have a
4 good evening, everyone, and we'll see you then.

5 All rise for the jury.

6 3:01 p.m.

7 **IN OPEN COURT**

8 **(JURY NOT PRESENT)**

9 THE COURT: All right. Everyone, have a good
10 evening. We'll see you tomorrow morning.

11 We're in recess.

12 (Court adjourned at 3:01 p.m., 05-08-2024.)

13 * * *

14 I, Renee A. Rogge, certify that the foregoing is a
15 correct transcript from the record of proceedings in the
16 above-entitled matter.

17 Certified by: /s/Renee A. Rogge
18 Renee A. Rogge, RMR-CRR

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