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UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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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),	)	Friday, May 24, 2024
Said Shafii Farah(5),	)	9:00 a.m.
Abdiwahab Maalim Aftin(6),	)	
Mukhtar Mohamed Shariff(7),	)	
Hayat Mohamed Nur(8),	)	
	)	
Defendants.	)	
	)	

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

**JURY TRIAL PROCEEDINGS - VOLUME XXIII OF XXX**

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

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**IN OPEN COURT**

**(JURY PRESENT)**

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

Ms. Roase is on the stand and still under oath.

PAULINE ROASE,

called on behalf of the government, was previously sworn, was further examined and testified as follows:

THE COURT: And, Mr. Schleicher, you may cross-examine.

MR. SCHLEICHER: Thank you, Your Honor.

CROSS-EXAMINATION

BY MR. SCHLEICHER:

Q. Good morning.

A. Good morning.

Q. I want to pick up where we left off yesterday in your testimony and just for some clarification.

First and foremost, you would agree that you are not testifying as an expert witness in this case, correct?

A. That's right.

Q. Because any opinions that you offered are not based on any scientific or technical or specialized knowledge; is that right?

A. Right.

Q. Okay. I do need to ask, you used the term, it was

1 either yesterday or the day before, "claim."

2 A. Sure.

3 Q. As it relates to the nutrition program.

4 And can you please tell me what you mean by the  
5 term "claim"?

6 A. So -- so it could be claims meaning what the site  
7 submitted to the sponsor or -- and/or the sponsor, what they  
8 submitted to MDE for reimbursement.

9 Q. And so if a claim is what -- in the first -- or I'll  
10 take the second example first. What the sponsor submitted  
11 to MDE for reimbursement, that's between the sponsor and  
12 MDE, correct?

13 A. Yes.

14 Q. All right. And, to your knowledge, Bushra Wholesalers  
15 was not a sponsor, correct?

16 A. Right.

17 Q. Nor was Said Farah?

18 A. Right.

19 Q. And nor was Abdi Aftin, correct?

20 A. Right.

21 Q. Okay. And you also said that a claim could be between  
22 the site operator and the -- and the sponsor?

23 A. And the sponsor, right.

24 Q. And the sponsor.

25 A. Mm-hmm.

1 Q. And what form would that take, the claim between the  
2 site and the sponsor?

3 A. I would say it would take the form of the meal counts.

4 Q. The meal counts.

5 A. Yes.

6 Q. Because that's, you know, really at the heart of this,  
7 is the meal counts are subject to reimbursement. That's the  
8 claim, the submission of the meal counts, correct?

9 A. Right.

10 Q. And you would agree that Bushra Wholesalers was not a  
11 site operator?

12 A. Right.

13 Q. Nor was Said Farah?

14 A. Right.

15 Q. Or Abdi Aftin?

16 A. Right.

17 Q. Okay. And I ask this just to clarify. I think it was  
18 on direct examination you made the statement that the  
19 defendants made claims.

20 And so just to be very precise here, when you're  
21 talking about defendants, you're not talking about all  
22 defendants, correct?

23 A. Sure, right.

24 Q. Okay. And so you would agree with me that Said Farah,  
25 defendant number 5, did not make a claim?

1 A. I don't, I don't recall Said Farah sending email to the  
2 sponsor.

3 Q. No emails to the sponsor, to Partners in Nutrition or  
4 Feeding Our Future submitting claims, correct?

5 A. I believe that's correct.

6 Q. Okay. And then I want to clarify something else you  
7 said on I believe direct examination, although frankly the  
8 last couple of days I'm not sure what was said when.

9 But I think you made the statement to the effect  
10 of the defendants were operating under the sponsorship of  
11 Feeding Our Future. Do you recall making that statement?

12 A. Yes.

13 Q. And to be very precise, again, defendant number 5, Said  
14 Farah, was not operating under the sponsorship of Feeding  
15 Our Future, correct?

16 A. Correct.

17 Q. Okay. Nor was Abdi Aftin, his partner?

18 A. Right.

19 Q. And you talked about federal nutrition funds. And I'd  
20 like to understand just a little bit for clarification what  
21 are federal nutrition funds and, importantly, when do they  
22 stop being federal nutrition funds.

23 A. It's all the money that was paid out by MDE for the  
24 CACFP and the SFSP claims. I mean, as far as -- I don't  
25 know what you mean when it stops.

1 Q. Yeah, let's back up a little bit. The federal nutrition  
2 funds, when they go from the Department of Agriculture to  
3 MDE. Fair?

4 A. Right.

5 Q. And they're nutrition funds, federal nutrition funds  
6 when they go from MDE to the sponsor, correct?

7 A. Right.

8 Q. And because those are in reaction to the sponsor  
9 submitting the claims, correct?

10 A. Mm-hmm, right.

11 Q. Okay. And so when the funds then are transferred, when  
12 the federal nutrition funds are transferred from the sponsor  
13 to, say, the site operator, do those -- are those still  
14 federal nutrition funds?

15 A. Yes, they are.

16 Q. Okay. And why is that?

17 A. Well, the -- I mean, that's the purpose of the operation  
18 is to -- I mean, they're, you know, the ones that are  
19 distributing out the food for the program.

20 Q. Right. Well, so maybe to be a little bit more precise,  
21 the funds, the check that's cut to the site operators or --  
22 those aren't earmarked funds, right?

23 A. Sure, yes.

24 Q. Okay. So there's no requirement that those funds be  
25 used to pay for anything in the future because this is a

1 reimbursement program, correct?

2 A. Right.

3 Q. Okay. And so, you know, going again a little bit  
4 downstream then, if the site operator was procuring food  
5 from a supplier, for example --

6 A. Sure.

7 Q. -- the money from the site operator to the supplier  
8 wouldn't be considered any sort of earmarked or designated  
9 federal nutrition funds, true?

10 A. I guess I wouldn't necessarily agree with that.

11 Q. Well, you agreed that the funds aren't earmarked,  
12 correct?

13 A. It is not earmarked.

14 Q. And so maybe just to be very precise, you could say that  
15 they were derived from federal nutrition funds, correct?

16 A. Sure, yes.

17 Q. And would that be a more fair characterization?

18 A. Yes.

19 Q. Okay. You used a term when describing Hadith Ahmed's  
20 behavior in relation to this case, and you used the term  
21 "shell company."

22 Do you recall using the term "shell company"?

23 A. Yes.

24 Q. All right. Would you agree -- and just trying to  
25 establish what the meaning of the term "shell company" is.

1 Would you agree with the definition that the Securities and  
2 Exchange Commission uses when it defines a shell company as  
3 being a company with no or nominal operations, no or nominal  
4 assets or assets consisting solely of cash or just a few  
5 nominal assets and cash equivalents?

6 A. Sure.

7 Q. Is that a fair definition?

8 A. Yes.

9 Q. You testified yesterday on cross-examination a little  
10 bit about Bushra Wholesalers.

11 A. Yes.

12 Q. Correct?

13 A. Yes.

14 Q. And you acknowledge that Bushra Wholesalers had  
15 employees, 1099 employees?

16 A. Right, yes.

17 Q. Okay. And you also know now that Bushra Wholesalers had  
18 a warehouse on Pillsbury Avenue, correct?

19 A. Yes.

20 Q. And you've at least seen some indication that there was  
21 food at the warehouse, correct?

22 A. I don't know that I know that. I know that there's a  
23 door that's large enough for food to be, you know, large  
24 bulk food to be, you know, going in there.

25 Q. In fairness, you never visited the warehouse, correct?

1 A. I did not.

2 Q. Okay. And -- but you have acknowledged, based on your  
3 review of bank records and under questioning yesterday, that  
4 Bushra Wholesalers distributed food, correct?

5 A. Yes.

6 Q. And they had employees and they had a warehouse? All  
7 those things are true?

8 A. Yes.

9 Q. And so you would agree that, you know, using these  
10 definitions, Bushra Wholesalers was not a shell company.

11 Fair?

12 A. I would not categorize it as a shell company.

13 Q. All right. Thank you.

14 And we've established that you are not testifying  
15 as an expert witness. In terms of your background, you have  
16 an accounting background and you are a forensic accountant  
17 for the FBI, correct?

18 A. Yes.

19 Q. And ordinarily if you were going to be applying your  
20 expertise or forensic accounting methods, you would have to  
21 do a fairly deep dive into the company to understand the  
22 company's profitability, true?

23 A. I'm not -- I'm not sure about that.

24 Q. Well, let me use more precise terms than deep dive.

25 That's probably a terrible question.

1                   You would at least need to examine, if you're  
2                   looking at a company's profitability, you would have to take  
3                   a look at their books and records, correct?

4                   A.    Sure, yes.

5                   Q.    That could include bank account information, true?

6                   A.    Yes.

7                   Q.    But that would just be a part of it, correct?

8                   A.    Sure.

9                   Q.    You would also want to take a look at things like  
10                  accounts receivable, correct?

11                  A.    Sure, yes.

12                  Q.    Accounts payable, correct?

13                  A.    Yes.

14                  Q.    You might want to look at their tax records?

15                  A.    Yes.

16                  Q.    Okay.  And that would give you a more clear picture of  
17                  the profitability of the company, whether they're making a  
18                  profit?

19                  A.    Yes.

20                  Q.    Do you know -- I suppose you know the term EBITDA?

21                  A.    Yes.

22                  Q.    That stands for what?

23                  A.    Oh, my God.

24                  Q.    Let's try it together.  Earnings before interest,  
25                  depreciation and amortization?

1 A. And taxes, I think, is --

2 Q. And taxes. Okay. Great.

3 A. Yeah.

4 Q. But folks generally in your field use the term "EBITDA"  
5 because it's easier to say than --

6 A. Sure, right, yes.

7 Q. All right. And you did not calculate Bushra  
8 Wholesalers' EBITDA in this case, did you?

9 A. I did not.

10 Q. Or apply generally accepted accounting practices to  
11 examine their books and records and come up with a  
12 profitability statement?

13 A. I was not auditing their company.

14 Q. Okay. I talked about accounts receivable and accounts  
15 payable. Payroll would also be something important to  
16 evaluate; is that right?

17 A. Sure.

18 Q. I'll talk to you a little bit about the accounts  
19 payable.

20 If you're looking at a business that's procuring  
21 food, one way to do so might be to have the company order  
22 food from a supplier and pay them right away for the  
23 supplies, right?

24 A. Sure.

25 Q. But I noticed you'd also testified about some credit

1 agreements that were between, I believe, Bushra and was it  
2 Great Lakes, one of the food vendors?

3 A. I think it was Upper Lake Foods.

4 Q. Upper Lakes.

5 A. And -- yes, Upper Lake Foods.

6 Q. Okay. And so there's this thing called credit  
7 agreements. And that what we looked at was a formal written  
8 document, correct?

9 A. Yes.

10 Q. That would outline the terms and conditions under which  
11 a food supplier might provide products without advance  
12 payment?

13 A. Right.

14 Q. And you do acknowledge, though, and based on some of  
15 your testimony about your familiarity with business  
16 transactions in the Somali community, that sometimes things  
17 aren't written down. Fair?

18 A. Sure, yes.

19 Q. And so one business could have a credit agreement with  
20 another business that's not reduced to a formal contract.

21 A. Yes, that's possible.

22 Q. And you would not be able to know that, would you?

23 A. I -- right, I would not know that.

24 Q. Okay. Did you review any of Bushra Wholesalers'  
25 invoices in your analysis of this case?

1 A. Yes, I did.

2 Q. And how did you receive those documents?

3 A. I subpoenaed Upper Lake Foods and Afro Produce. I  
4 reviewed -- I subpoenaed the Sahal Wholesales' bank account.  
5 So, yeah, through a couple different methods.

6 Q. Okay. And with those entities, you've acknowledged that  
7 those are real entities that actually supply food?

8 A. Right, yes.

9 Q. Okay. If we can take a look at Government Exhibit M-10.

10 And this is the combined Bushra Wholesalers LLC  
11 bank accounts; is that right?

12 A. That's right.

13 Q. And I see that the combined period of review ends at  
14 January 24, 2022.

15 A. Yes.

16 Q. And just sort of relating to some of the other events in  
17 the case, the search warrants were executed January 20th?

18 A. 20th.

19 Q. 20th. Okay. And so if there were continued payments  
20 made to suppliers on this list, this M-10 would not reflect  
21 that, if those payments happened past this review period,  
22 correct?

23 A. Actually, I would say no because that is when --  
24 January 24th, 2022, is when the last Bushra Wholesales  
25 account was closed, so there were no more. This is the

1 entire period.

2 Q. Fair enough. Bushra Wholesalers LLC. But you don't  
3 know if anyone associated with Bushra Wholesalers, for  
4 example, Said Farah, has made payments to any suppliers past  
5 this review period? That wouldn't be reflected in M-10?

6 A. It would not be reflected in here, in this chart, right.

7 Q. Okay. There's some different categories, and I just  
8 want to understand the basis upon which you selected the  
9 categories in your preparation of this chart.

10 A. Sure.

11 Q. All right. So you have, for example, under Related  
12 Parties, you've included Manmabuyu LLC; is that right?

13 A. Yes, right.

14 Q. Why did you include that as a related party?

15 A. Because it appeared that -- well, they were receiving  
16 money from Bushra Wholesalers, and the check payments  
17 indicated that they were grocery payments. So I  
18 subpoenaed -- had subpoenaed these bank records. So that's  
19 why I put it under there.

20 Q. Okay. You understand that Manmabuyu LLC supplied food,  
21 correct?

22 A. No, they did not.

23 Q. You are testifying under oath that you -- you just  
24 testified under oath that Manmabuyu LLC did not supply food  
25 to Bushra Wholesalers? That's your testimony?

1 A. What do you mean they supplied food for Bushra  
2 Wholesalers? Do you mean they provided food for Bushra  
3 Wholesalers?

4 Q. Supplied food to Bushra Wholesalers.

5 A. Supplied food as in purchased food and -- for Bushra  
6 Wholesalers?

7 Q. Bushra Wholesalers would have purchased food from this  
8 entity, Manmabuyu.

9 A. Oh, that did not happen.

10 Q. Based on your review of their bank records?

11 A. Yes.

12 Q. Okay. What about Diis Transportation Inc.? You have  
13 that as a related party as well.

14 A. Yes.

15 Q. Why did you select Related Party as that category?

16 A. Because Abdirizak Diis was very integrated in the food  
17 distribution related to these defendants, so -- because I  
18 believe that he was also out of the As-Sunnah site, he was  
19 part of the Masjid As-Sunnah site. He got paid by various  
20 entities, including Bushra Wholesalers and Somali Community  
21 Resettlement Services, as well as I believe Empire had also  
22 paid him and his transportation company, Diis  
23 Transportation.

24 Q. Right. Diis Transportation is a transportation company,  
25 you understand that?

1 A. I -- that's what it says. I don't know.

2 Q. Okay. You don't know. And you also know that the same  
3 individual, Mr. Diis, is associated with the other group,  
4 Moonshine Investment Group, correct?

5 A. Yes, exactly, right.

6 Q. And, again, with respect to your analysis, to the extent  
7 that you did one, it consisted of looking at bank account  
8 information, correct?

9 A. Yes.

10 Q. And bank account information is not the same as sort of  
11 a ledger detail of how the money was used, correct?

12 A. Sure.

13 Q. It just shows where the money went.

14 A. Sure.

15 Q. You recall the testimony of FBI Special Agent Richard  
16 Frank when he testified that bank records are fine, they can  
17 show money going from point A to point B, but they don't  
18 provide context. Do you agree with that statement?

19 A. I would say it may not provide the whole picture, but it  
20 definitely tells a lot.

21 Q. It provides exactly what it provides, that the money  
22 went from this account to that account, correct?

23 A. It shows that; but if there's something written in the  
24 memo line, I would like to see if it was used for that  
25 purpose.

1 Q. You'd like to see it, but the bank records don't show  
2 that, correct?

3 A. It may.

4 Q. It shows what's written in the memo line.

5 A. If it says it's for grocery payments, I would expect  
6 then to see grocery payments out of that account.

7 Q. But, again, you don't know what was purchased with the  
8 money that was transferred from one account to the other, do  
9 you?

10 A. Yes, I do.

11 Q. Well, you know where the money went, correct?

12 A. Sure, yes.

13 Q. You know what's written in the memo line, correct?

14 A. Yes.

15 Q. But you can't tell from the bank records how the money  
16 was used.

17 A. Yes, I can.

18 Q. So, for example, and we talked about credit agreements  
19 and that credit agreements can be informal. If two  
20 businesses were sharing, for example, warehouse space or  
21 inventory, they may have an informal credit agreement,  
22 agreed?

23 A. Sure.

24 Q. And if the money went from one of those entities to  
25 another, it may or may not reflect the reason, correct? The

1 bank records.

2 A. Sure.

3 Q. And if the reason was for, for example, groceries or  
4 other expenses associated with running the business, you  
5 would just not know that based on reviewing the bank records  
6 because you don't have the context.

7 A. Sure.

8 Q. You're familiar with the concept of cash flow?

9 A. Sure.

10 Q. If we can take a look at page 4 of this exhibit. And  
11 these records are pretty tiny.

12 If you could please highlight I think from, what,  
13 5775 through -- oh, I'm sorry, I'm looking at the wrong --  
14 where it says consumer -- or counter credit all the way  
15 through check 1033.

16 Is that any better at all?

17 A. Yes.

18 Q. Okay. So if you can take a moment to review this  
19 document, you can take a look and see there's a \$246,383.05  
20 payment from Somali Resettlement Community Services on  
21 April 12, 2021; is that right?

22 A. I see that.

23 Q. Okay. And then after that in the next few days you see  
24 different expense payments following the receipt of that  
25 money; is that right?

1 A. Right.

2 Q. All right. So in what is -- and I think everyone  
3 understands by this point a reimbursement program, whereas  
4 the business is procuring the food prior to reimbursement.  
5 This is sort of a pattern you would expect, wouldn't you?

6 A. If you're referring to the loan repayments, I don't  
7 believe that's true.

8 Q. Well, you may not believe it's true, but, for example,  
9 if -- and we talked about credit agreements. If there was  
10 borrowing from one business to another, if there was some  
11 means of obtaining money to obtain the food that happened in  
12 advance of payment, one would expect those expenses to be  
13 paid back in some fashion after receiving a large check.

14 A. So I --

15 Q. Fair enough?

16 A. -- did look at Said Farah's personal account, and I  
17 looked at what was spent before this, and it would not be  
18 for food.

19 Q. Right. You're talking about --

20 A. So these are not loan payments for food.

21 Q. But you're talking about his personal account. You  
22 don't have information regarding informal credit agreements  
23 between Said Farah, Bushra Wholesalers, Empire or any of the  
24 other entities.

25 A. I don't need that.

1 Q. You just don't know.

2 A. I don't need that.

3 Q. Because you can make a conclusion based on glancing at  
4 the bank records?

5 A. It's not glancing. I did a very thorough analysis and  
6 review of all the bank accounts in this trial.

7 Q. But as you've testified, that only tells a portion of  
8 the picture, correct?

9 A. A very large portion of the picture.

10 Q. Well, it tells exactly what it tells, that money went  
11 from one account into another.

12 A. It shows that, and it may or may not be proper.

13 Q. May or may not. Understood.

14 And in terms of -- you can take that down.

15 In terms of Bushra Wholesalers, again, you have  
16 not reviewed tax records for Bushra Wholesalers; is that  
17 right?

18 A. I did not.

19 Q. And you're aware that Said Farah filed taxes in 2020,  
20 2021, 2022?

21 A. I don't know that.

22 Q. Okay. Do you recall discussing the St. Cloud Somali  
23 Athletic -- was it Athletic Center?

24 A. Club.

25 Q. Athletic site?

1 A. Yes.

2 Q. And I think you talked about Exhibit M-27; is that  
3 right?

4 If you could pull it up, that might help.

5 A. Yes.

6 Q. Do you recall testifying there was no food purchased out  
7 of this account, just transfers to Bushra and Afrique?

8 A. That's right.

9 Q. And that there was a small amount that the St. Cloud  
10 Somali Athletic Club kept, maybe 5 percent?

11 A. Right.

12 Q. But if the St. Cloud Somali Athletic Association was  
13 purchasing food from Bushra Wholesalers and the Afrique  
14 Hospitality Group, wouldn't that mean that 95 percent of the  
15 proceeds went to food?

16 A. No, it did not. I traced that money. It did not all go  
17 towards food.

18 Q. And 5 percent would be retained by the site; is that  
19 right?

20 A. That's right.

21 Q. And we know even from your summary charts and testimony  
22 that Bushra Wholesalers did spend money on food and sold it?

23 A. Yes.

24 Q. Correct?

25 A. Yes.

1 Q. You talked a little bit about wire activity. Do you  
2 recall that?

3 A. Yes.

4 Q. If we can take a look at Exhibit O-106.

5 Can you go to page 8, please? And if you can help  
6 us out, please highlight the 1/22/18?

7 All right. So this is a wire transfer. This  
8 is -- is this Said Farah's bank account?

9 A. Yes.

10 Q. All right. This is a wire transfer that happened,  
11 \$10,000; is that right?

12 A. Yes, in 2018, yes.

13 Q. In 2018. Well before the pandemic?

14 A. Right.

15 Q. And that was for \$10,000. And it says family support;  
16 is that right?

17 A. Right.

18 Q. If you go to page 64. If you could highlight the  
19 7/31/18 entry.

20 All right. This is July 31, 2018; is that right?

21 A. Yes.

22 Q. And what's the amount of the wire transfer?

23 A. It's \$50,000.

24 Q. Does it indicate what it's for?

25 A. It states that it's other business, capital loan.

1 Q. All right. Again, well before the pandemic.

2 And we can just agree that 2018 was well before  
3 the pandemic, so I can avoid repeating myself?

4 A. Yes.

5 Q. Okay. Page 72. If you could highlight the 9/10/18.  
6 \$65,000 wire?

7 A. I see that.

8 Q. For goods?

9 A. That's what that says.

10 Q. Page 80. 10/12/18. \$10,000 wire; is that right?

11 A. Yep.

12 Q. For family support?

13 A. Right.

14 Q. And page 149. 7/2/19, please.

15 A. Yeah, actually this looks like it was returned because  
16 it says -- beneficiary name differs, so then actually --

17 Q. Yeah, go to 7/11/19 or just highlight that section.

18 A. Yeah, so this is -- this is the wire out; but then the  
19 one that was previously highlighted, that was returned.

20 Q. That was returned. So it was returned, but then that  
21 same amount was rewired out; is that right?

22 A. Yes.

23 Q. Okay. And that indicates it's for the purchase of a  
24 home; is that right?

25 A. Yes, it looks to be, yes.

1 Q. Okay. And even though it's 2019, it's July, so that's  
2 before the pandemic as well, right?

3 A. Sure, yes.

4 Q. There's another on page 201. March 2. \$280,030 wire;  
5 is that right?

6 A. I see that, yes.

7 Q. And it's for JC Investment?

8 A. Yeah, that's what it says.

9 Q. All right. It wasn't uncommon activity to see wire  
10 transfers, some of them fairly large, out of Said Farah's  
11 bank account, was it?

12 A. Right.

13 Q. I'm going to pull up an exhibit that has not been  
14 admitted. D5-34. Just for the witness, please.

15 Ms. Roase, I'd like you to just take a look at  
16 D5-34.

17 If you could scroll to the next page. Scroll to  
18 the next page. Well, maybe a little slower.

19 Have you ever reviewed what's been marked for  
20 identification as D5-34 before?

21 A. Yes. Produced by the defendants, yes.

22 Q. Okay. And do you acknowledge that the documents that  
23 you just reviewed purport to be invoices from Manma --

24 A. These invoices for Manmabuyu.

25 Q. Let me finish, please, unless you can pronounce that

1 name.

2 A. Manmabuyu.

3 Q. Thank you. To Bushra Wholesalers for food from  
4 February 19, 2021, through June 8, 2021?

5 A. That's what these invoices say.

6 Q. All right. And these invoices -- you can take that  
7 down.

8 These invoices were not seized by law enforcement  
9 at Bushra Wholesalers; is that right?

10 A. I don't know that. I don't know.

11 Q. You don't know what was seized from Bushra Wholesalers?

12 A. There wouldn't have been anything seized.

13 Q. Because they didn't search it, right?

14 A. Didn't need to.

15 Q. Didn't need to search a warehouse full of food in a food  
16 investigation case?

17 A. Right.

18 Q. Okay. All right. Thank you.

19 THE COURT: Thank you, counsel.

20 Have all defense attorneys cross-examined? Just  
21 remind me. All right. Thank you.

22 Mr. Thompson, redirect?

23 MR. THOMPSON: Yes, Your Honor.

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REDIRECT EXAMINATION

BY MR. THOMPSON:

Q. Ms. Roase, why was there no need to search it?

A. Because the numbers don't lie. There was not enough food purchased.

Q. You were asked on cross-examination about a company called Diis Transportation; is that right?

A. That's right.

Q. I think the questions were asked, and you suggested it was a transportation company and may have had some role in the food program.

A. Yes.

Q. Did you examine Diis Transportation's bank records?

A. Yes, I did.

Q. Why did you do that?

A. Because I was following the money. I was looking for any food purchases.

Q. Did you do a summary chart of Diis Transportation's bank records?

A. Yes, I did.

Q. I would like to show you what's been marked, but not admitted, as Government Exhibit M-12. Do you recognize Government Exhibit M-12?

A. Yes, I do.

Q. What is it?

1 A. This is a summary chart similar to what I've been --  
2 what we've been shown so far with the sources and uses of  
3 the bank accounts.

4 Q. And does it accurately summarize the contents of the  
5 Diis Transportation bank account?

6 A. Yes, it does.

7 MR. THOMPSON: Your Honor, I move to admit  
8 Government Exhibit M-12.

9 THE COURT: Any objection?

10 MR. SCHLEICHER: No objection.

11 THE COURT: M-12 is admitted.

12 BY MR. THOMPSON:

13 Q. Ms. Roase, could you describe what you're looking at  
14 here?

15 A. Yeah, so this is the Diis Transportation account at  
16 U.S. Bank. And the review period starts with March 11th,  
17 2021, which is when the account opened, and the ending  
18 period is January 31st, 2022.

19 Q. So over that 9- or 10-month period, how much money was  
20 deposited into the Diis Transportation account?

21 A. \$486,961.97.

22 Q. What was the largest source of deposits into the  
23 account?

24 A. It was Empire Cuisine & Market.

25 Q. Whose company is that?

1 A. That's Abdiaziz Farah's and Mohamed Ismail's.

2 Q. What's the second largest source of deposits into the  
3 Diis Transportation account?

4 A. It's Bushra Wholesalers.

5 Q. Whose company is that?

6 A. That's Said Farah and Abdiwahab Aftin's.

7 Q. What's the third largest source of deposit into the Diis  
8 Transportation account over that 10-month period?

9 A. It's Great Lakes Inc., d/b/a Safari Express.

10 Q. Are you familiar with that entity?

11 A. Yes, I am.

12 Q. How so?

13 A. This entity also participated in the food program, and  
14 so this would be food nutrition money being deposited.

15 Q. The fourth largest source of deposits into the Diis  
16 Transportation account?

17 A. It's Abdimajid M. Nur.

18 Q. One of the defendants in this case?

19 A. Yes.

20 Q. What comes next?

21 A. It's As-Sunnah Islamic Center.

22 Q. Are you familiar with As-Sunnah Islamic Center?

23 A. Yes. It was a food distribution site.

24 Q. How about Nur Consulting?

25 A. Yes.

1 Q. Whose company is that?

2 A. That's Abdimajid Nur's.

3 Q. Did you look at how that \$486,000 that was deposited  
4 into Diis Transportation in 2021 was spent?

5 A. Yes.

6 Q. Was it spent on food?

7 A. It was not.

8 Q. How was it spent?

9 A. The account signer, Abdirizak Diis, transferred \$105,000  
10 to himself. And then the next largest expense is \$70,000 in  
11 vehicle expenses, and there's foreign transfers of \$61,000.

12 Q. So he transferred \$100,000 to his own personal account?

13 A. Yes.

14 Q. He bought a car for \$70,000?

15 A. Yes, he did.

16 Q. And he transferred \$61,000 abroad?

17 A. Yes.

18 Q. So based on your review, was there food purchased? Was  
19 this money that was sent to Diis Transportation used to  
20 purchase food to feed the children?

21 A. It was not.

22 Q. During your cross-examination you were shown various  
23 invoices for the purchase of food; is that right?

24 A. That's right.

25 Q. I'm going to direct your attention to Government

1 Exhibit L-5, which is some invoices that were submitted to  
2 Partners in Nutrition in August of 2021; is that right?

3 A. Yes.

4 Q. And directing your attention to page 18, I think this is  
5 one of the invoices you were shown; is that right?

6 A. I believe so.

7 Q. And it's the invoice from Upper Lakes Food to Empire  
8 Cuisine?

9 A. Yes.

10 Q. There's a series of them here?

11 A. Right, yes.

12 Q. That one is for \$14,000?

13 A. Right.

14 Q. How would you compare the invoices you saw to entities  
15 like Sysco and Upper Lake Foods with the checks you saw to  
16 the defendants and their entities?

17 A. The -- the check -- I should say the invoices for the  
18 food were significantly lower than the payments to  
19 themselves individually and their entities.

20 Q. Directing your attention to Government Exhibit O-11,  
21 which is the Empire Enterprises account. At page 40 there's  
22 a wire transaction from Empire Enterprises to Capital View  
23 Properties in Kenya?

24 A. Yes, that's right.

25 Q. In June of 2021?

1 A. Right.

2 Q. For \$206,000?

3 A. Yes.

4 Q. How would you compare that to those invoices, that  
5 transaction, foreign wire transfer, to the invoices you saw  
6 with, say, Sysco or Upper Lake Foods?

7 A. Well, this is significantly higher. This is six  
8 figures. The invoices at most was only five figures.

9 Q. And what were most of them?

10 A. Most of them were -- most of them were actually only  
11 four digits.

12 Q. I'm showing you now page 33 of Government Exhibit O-11,  
13 which is a cashier's check from Empire Enterprises to  
14 Trademark Title Services for \$1,041,000 and change; is that  
15 right?

16 A. That's right.

17 Q. Did you ever see a food invoice that came anywhere near  
18 that amount of money?

19 A. Not even close.

20 Q. I'm directing your attention now to Government  
21 Exhibit O-66, which is a bank account of Mohamed Ismail.  
22 And on page 431 there's a wire transfer out of his account;  
23 is that right?

24 A. That's right.

25 Q. On March 4th, 2021?

1 A. Yes.

2 Q. For \$199,785?

3 A. Yes.

4 Q. To China?

5 A. Yes.

6 Q. Did you ever see an invoice to Sysco or Upper Lake Foods  
7 that came anywhere near that amount of money?

8 A. Nowhere close.

9 Q. On the next page, 432, there's another wire transfer  
10 from Mohamed Ismail to China; is that right?

11 A. That's right.

12 Q. What's the amount of that wire transfer?

13 A. It's exactly \$100,000.

14 Q. Did you ever see a food invoice to Sysco or Upper Lake  
15 Foods that came anywhere near that amount of money?

16 A. No.

17 Q. You were asked yesterday, I think -- let's go back to  
18 Bushra Wholesalers just for a second.

19 This is Government Exhibit O-24. It's one of the  
20 Bushra Wholesalers accounts; is that right?

21 A. Yes, that's right.

22 Q. And this is the original account?

23 A. Yes.

24 Q. When was it opened?

25 A. Actually I think this might be the second page. I think

1 it might have -- oh, no, I'm sorry. It is. I'm sorry.

2 That's right. Yeah, it opened February 16th, 2021.

3 Q. And what happened one week later?

4 A. Well, the first deposit was \$200,000, and I think it  
5 was -- I believe it was 100,000 from ThinkTech, 100,000 from  
6 Empire, and then that money was then -- 80,000 of that money  
7 was then wired to China.

8 Q. Did you ever see a food invoice from Bushra  
9 Wholesalers -- or a purchase of food from Bushra Wholesalers  
10 for \$80,000?

11 A. No.

12 Q. Okay. You were asked some questions about whether  
13 Bushra Wholesalers was a shell company.

14 Understanding it had a warehouse at some point,  
15 how would you describe the early account activity the first  
16 few months of its creation?

17 A. Yeah, no -- there was no legitimate business operations.

18 MR. SCHLEICHER: Objection, Your Honor.

19 THE COURT: Overruled.

20 BY MR. THOMPSON:

21 Q. Directing your attention to page 22 of Government  
22 Exhibit O-24, there's another wire transaction out of the  
23 Bushra Wholesalers' account on April 6th of 2021; is that  
24 right?

25 A. That's right.

1 Q. Less than two months after it was formed?

2 A. Right.

3 Q. Can you describe this wire?

4 A. Yeah, this was \$190,000 to China to this entity called  
5 Jiangxi Enda Linen Company.

6 Q. Was that for the purchase of food?

7 A. It was not.

8 Q. Did you ever see a legitimate food invoice come anywhere  
9 near that amount?

10 A. No.

11 Q. You were asked about his personal account. Did you look  
12 at Said Farah's personal account?

13 A. Yes, I did.

14 Q. And I'm directing your attention to Government  
15 Exhibit O-106. Is this records of his personal account?

16 A. Yes.

17 Q. And these are from January and February of 2021?

18 A. Yes.

19 Q. And what do we see on February 16th of 2021 out of Said  
20 Farah's personal account?

21 A. Well, that's -- February 16th is the same day that the  
22 Bushra account was opened, and this is a wire transfer out  
23 of his personal account of \$200,000 to Hongtyer  
24 International Company.

25 Q. Was that for food?

1 A. That was not for food.

2 Q. Have you ever seen a legitimate food invoice come  
3 anywhere near \$200,000 in your investigation?

4 A. There were no six-figure food invoices.

5 Q. You were asked yesterday about your summary charts; is  
6 that right?

7 A. That's right.

8 Q. And there was, I think, a suggestion that you had --  
9 well, let's talk about the bank records first. You looked  
10 at lots of bank records in this case?

11 A. That's right.

12 Q. And there was some cross-examination about how you  
13 ordered them.

14 A. Right.

15 Q. Could you, again, remind the jury how the bank records  
16 were ordered -- organized before they were exhibited for the  
17 jury?

18 A. Yes. When it comes in, it's kind of a large mess, and  
19 it comes in different forms from each different bank. And  
20 so there could be thousands and thousands of pages for just  
21 a single bank account.

22 So in order to keep it somewhat organized where,  
23 you know, we can find things easily in the O exhibits, we  
24 organize it so that it was signature cards on top, then the  
25 bank statements, then checks, deposits, cashier's checks,

1 wires and then, again, the certificate of authenticity from  
2 the bank stating that these are true and accurate records.

3 Q. Okay. All the -- all the records are there, though,  
4 correct?

5 A. They're all there.

6 Q. Okay. There was also some questioning of the charts.  
7 You made the summary charts; is that right?

8 A. That's right.

9 Q. And hidden columns -- now, first off, those charts have  
10 been produced to the defense, correct?

11 A. That's right.

12 Q. As have all the underlying data?

13 A. Yes.

14 Q. When you used the phrase "hidden," what were you  
15 referring to? Excel spreadsheets; is that right?

16 A. Right, yes. It's a term to describe, you know, hiding a  
17 column, you know, when you're using Excel. It's nothing  
18 nefarious.

19 Q. Okay. The defense has all these records; is that right?

20 A. That's right.

21 Q. Okay. Ms. Roase, there was some questioning yesterday  
22 about Government Exhibit N-4, which is the sum of all the  
23 meals claimed; is that right?

24 A. Yes.

25 Q. And noticing here on the chart that there aren't claims

1 for January and February 2022; is that right?

2 A. There's just a couple. There were a couple late  
3 submissions down here, but, yeah, but otherwise there were  
4 no other submissions or claims for --

5 Q. And did something happen that caused there not to be  
6 submissions in January -- for the January of 2021 [sic]?

7 A. Yes, MDE issued a stop payment after our search warrants  
8 on January 20th.

9 Q. And directing your attention to Government Exhibit N-5,  
10 similarly there's no payouts for certain months at the end;  
11 is that right?

12 A. Right, there's no payouts. These amounts were claimed,  
13 but they were not paid out.

14 Q. Okay. And there was specifically questions, I believe,  
15 about Afrique Hospitality and the Dar Al-Farooq site; is  
16 that correct?

17 A. Right.

18 Q. And questions about whether or not there was claims  
19 submitted or paid out for December and January of 2021 and  
20 2022; is that right?

21 A. Right, right.

22 Q. Did the claims stop coming in?

23 A. No, they did not.

24 Q. Okay. I want to show you now what's been admitted as  
25 Government Exhibit C-367, which was obtained during a search

1 warrant of Feeding Our Future; is that right?

2 A. Yes.

3 Q. And is this an invoice from Afrique Hospitality Group?

4 A. Yes.

5 Q. For meals purportedly served at the Dar Al-Farooq site  
6 in September of 2021?

7 A. Yes. It doesn't say specifically that it's for  
8 December; however, you can see that it's submitted  
9 January 3rd, 2022, which means they're submitting for meals  
10 that were supposedly provided in December of '21.

11 Q. And how much did Afrique Hospitality claim to be  
12 entitled for that month?

13 A. \$434,822.85.

14 Q. And directing your attention to page 2 of that exhibit,  
15 are there meal counts for that month?

16 A. There are.

17 Q. That were submitted to Feeding Our Future?

18 A. Yes, they were.

19 Q. Showing you at the bottom of page 2 of Government  
20 Exhibit C-367, what are the nature of the meal counts for  
21 this week in December of 2021?

22 A. It looks like it's 3,501 every day from Sunday to  
23 Friday, and then Saturday is 3,464.

24 Q. And directing your attention -- if I page down here, was  
25 there also a roster submitted?

1 A. Yes. The dates are for December of '21.

2 Q. And if I direct your attention to page 39, what do we  
3 see -- or page 29 of Government Exhibit C-367, what kind of  
4 roster was submitted alongside the claims for the  
5 Dar Al-Farooq site in December of 2021?

6 A. Yeah, these are -- these are the names that the IRS  
7 Agent Josh Parks had testified about, and we see the same  
8 names being claimed here.

9 Q. Serious Problem, Unique Problem?

10 A. Right.

11 Q. These are the names that appeared on many, many rosters  
12 for various sites?

13 A. That's right.

14 Q. In support of claims?

15 A. That's right.

16 Q. Thank you.

17 MR. THOMPSON: No further questions, Your Honor.

18 THE COURT: Any recross?

19 Thank you, Ms. Roase, you may step down.

20 **(Witness steps down)**

21 THE COURT: And the government may call its next  
22 witness. Mr. Ebert.

23 MR. EBERT: Thank you, Your Honor. The government  
24 calls Lacra Blackwell.

25 THE COURT: Good morning. You're coming up and

1 aiming for this witness stand here, and you will stand to  
2 take the oath.

3 Raise your right hand.

4 LACRA BLACKWELL,  
5 called on behalf of the government, was duly sworn, was  
6 examined and testified as follows:

7 THE WITNESS: I do.

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

9 And when you are, please state and spell both your  
10 first and last name for the record.

11 THE WITNESS: My name is Lacramioara Blackwell.  
12 L-A-C-R-A-M-I-O-A-R-A. Blackwell, B-L-A-C-K-W-E-L-L.

13 THE COURT: Thank you.

14 Mr. Ebert, you may inquire.

15 MR. EBERT: All right. Thank you, Your Honor.

16 DIRECT EXAMINATION

17 BY MR. EBERT:

18 Q. Good morning, Ms. Blackwell.

19 A. Good morning.

20 Q. Can you explain to the jury where you work?

21 A. I'm a forensic accountant working for the FBI, the  
22 Minneapolis division.

23 Q. What is a forensic accountant?

24 A. A forensic accountant is someone who integrates  
25 investigative skills, auditing skills, accounting skills, in

1 order to provide financial information that is suitable for  
2 use in a court of law.

3 Q. How long have you been with the FBI?

4 A. About five years now.

5 Q. You've touched upon it, but can you explain a bit about  
6 your general duties and responsibilities?

7 A. Of course. As forensic accountant, I review financial  
8 information coming from a variety of sources, such as bank  
9 records, property records, county recorder offices,  
10 dealerships, you know, a variety of sources that touch upon  
11 the financial information of a subject or a target.

12 Q. Can you tell the jury a little bit about your training?

13 A. Of course. I'm a graduate of law school in Bucharest,  
14 Romania in 1999. Further on I completed some international  
15 studies related to international affairs. I also worked as  
16 an international affairs officer in Bucharest, Romania, for  
17 the Romania National Police.

18 Later on I, after I moved to the United States, I  
19 completed, after I got hired by the FBI, I completed a  
20 forensic accounting program at Quantico, Virginia.

21 Q. What did you do before you started with FBI?

22 A. Before I started with the FBI, I worked as a forensic  
23 accountant in Georgia, the State of Georgia, in Atlanta.

24 Q. And when did you come to the United States?

25 A. That was 2011.

1 Q. Ms. Blackwell, have you been involved in the  
2 investigation here into the Federal Child Nutrition Program?

3 A. I have.

4 Q. When did your work on the investigation begin?

5 A. I started at the end of December 2021.

6 Q. And can you tell the jury what your role has been?

7 A. My primary task in this investigation was to trace  
8 assets.

9 Q. And what do you mean by that?

10 A. Basically to determine the true nature of the source of  
11 funds used to acquire assets.

12 Q. And the source of funds from where, specifically?

13 A. Specifically, from the Child Nutrition Program.

14 Q. I'm showing you what is in evidence as Exhibit N-3. Can  
15 you remind the jury what this chart conveys?

16 A. This chart shows the flow of money from Minnesota  
17 Department of Education to site recipients.

18 Q. And on the left, how much money do we see?

19 A. Sponsor requests \$49 million, paid out by MDE  
20 \$47 million.

21 Q. And that 47 approximate million dollars, do you have an  
22 understanding of what that was for?

23 A. That was to pay for reimbursement claims filed.

24 Q. Reimbursement claims for what?

25 A. Reimbursement claims for Child Nutrition Program funds.

1 Q. And what do we see as the dollar amount on the right  
2 hand?

3 A. On the bottom right hand we see the grand total amount  
4 paid to site recipients over \$42 million.

5 Q. And looking on the second page of Exhibit N-3, there's  
6 another dollar figure in a blue oval. Do you see that?

7 A. I do.

8 Q. Can you explain what that is to the jury?

9 A. That is a total amount paid to the defendants,  
10 \$41 million.

11 Q. And do you have an understanding of where that  
12 \$41 million came from?

13 A. Yes. From claim -- from claim reimbursements.

14 Q. And you testified that your role has been to look at  
15 some of the assets; is that correct?

16 A. That is correct.

17 Q. And are you prepared today to testify about the use of  
18 some of this approximately \$41 million that went to the  
19 defendants?

20 A. Yes.

21 Q. On the screen what do we see?

22 A. We see photos of the defendants in this trial.

23 Q. As well as Exhibit P-3, do you know who that is?

24 A. Yes, this is Mr. Mahad Ibrahim.

25 Q. And the other individuals here are the defendants on

1 trial; is that correct?

2 A. Correct.

3 Q. I want to begin by directing your attention to Mohamed  
4 Ismail.

5 Is this a photo of Mr. Ismail here in Exhibit P-2?

6 A. It is.

7 Q. A defendant in this case, correct?

8 A. Yes.

9 Q. And now I want to show you two items that are not in  
10 evidence. I'm showing you Exhibit J-99. Do you recognize  
11 that?

12 A. This is actually J-98.

13 Q. I'm sorry. Thank you. I'm showing you Exhibit J-98.  
14 Do you recognize that?

15 A. I do.

16 Q. What is that?

17 A. This is a warranty deed.

18 Q. A warranty deed for what?

19 A. This is a warranty deed for the property conveyed to  
20 Mohamed Ismail in September 2014.

21 Q. And is this a true and accurate copy of that deed  
22 provided in this investigation?

23 A. Yes.

24 MR. EBERT: Your Honor, at this time the  
25 government offers Exhibit J-98.

1 MR. COTTER: No objection.

2 THE COURT: J-98 is admitted.

3 BY MR. EBERT:

4 Q. And now I'm showing you what has been marked, but not  
5 admitted, as Exhibit J-99. Do you recognize that?

6 A. I do.

7 Q. What is that?

8 A. This is the property belonging to Mr. Mohamed Ismail.

9 Q. True and accurate representation of that item of  
10 property?

11 A. Yes.

12 MR. EBERT: Government offers Exhibit J-99.

13 MR. COTTER: No objection.

14 THE COURT: J-99 is admitted.

15 BY MR. EBERT:

16 Q. Ms. Blackwell, before we turn to some of those items,  
17 have you prepared a demonstrative summary chart concerning a  
18 transaction involving Mr. Ismail's property?

19 A. Yes, I have.

20 Q. Can you explain to the jury how you went about creating  
21 a demonstrative chart?

22 A. Sure. I reviewed financial information consisting of  
23 bank records, as well as loan -- mortgage loan information  
24 related to Mr. Mohamed Ismail, and then I summarized it in  
25 this demonstrative.

1 Q. And is it a fair and accurate summary of the underlying  
2 information that you just testified about?

3 A. It is.

4 Q. I'm showing you a copy of that chart that you prepared,  
5 Demonstrative N-110.

6 Is that the chart that you prepared?

7 A. Yes.

8 Q. Starting at the top, can you explain what we see here?

9 A. So we see a series of transaction that result in the  
10 payoff of a mortgage loan for a townhome located at 13825  
11 Edgewood Avenue in Savage, Minnesota, that belongs to  
12 Mohamed Ismail.

13 Q. And beneath that, there's a reference to Feeding Our  
14 Future and Partners in Nutrition. Am I reading that  
15 correctly?

16 A. That is correct.

17 Q. Can you explain that, please?

18 A. Yes. These are the sponsors in the Child Nutrition  
19 Program. And we see the amounts corresponding under the  
20 Feeding Our Future box, text box, and Partners in Nutrition  
21 text box. That represents the amounts that these individual  
22 sponsors paid into Empire Cuisine & Market -- paid Empire  
23 Cuisine & Market and which were deposited into the account  
24 belonging to Empire Cuisine & Market ending in 9932  
25 maintained at U.S. Bank.

1           From that account an amount of \$250,000 was paid  
2           in the month of May 2021, actually two or three days later  
3           respectively, to Mohamed Ismail and was deposited in -- into  
4           his Wells Fargo account ending in 1586.

5           Q.   And now we'll enlarge the bottom portion.  You said that  
6           the 250,000 went from the Empire account to Mr. Ismail's  
7           personal account; is that correct?

8           A.   That is correct.

9           Q.   Okay.  Can you explain what we see now?

10          A.   We see now that on May 27th, 2021, Mohamed Ismail paid  
11          the amount of \$137,270 to U.S. Bank to pay off a mortgage  
12          loan that he maintained with U.S. Bank.

13          Q.   And what was the dollar amount?

14          A.   The dollar amount was \$137,270.

15          Q.   And beneath that do you see where it says Count 28?

16          A.   Yes.

17          Q.   Does that dollar amount that you just testified about  
18          concern a money laundering count in the indictment?

19          A.   Yes, it does.

20          Q.   Specifically, a payoff of this U.S. Bank mortgage by  
21          Mr. Ismail on or about May 27th, 2021?

22          A.   That is correct.

23          Q.   For the amount of \$137,270?

24          A.   Correct.

25          Q.   And could you read aloud the address at issue here for

1 Mr. Ismail's home?

2 A. The address is 13825 Edgewood Avenue in Savage,  
3 Minnesota.

4 Q. Next I'm showing you what's been marked, but not  
5 admitted, as Exhibit L-28. And do you recognize that?

6 A. I do.

7 Q. What is L-28?

8 A. L-28 represents a withdrawal slip filled by Mohamed  
9 Ismail. It also has the account -- sorry, I think I marked  
10 it, part of the account number -- account ending in 1586 on  
11 May 27, 2021, representing a withdrawal, as I said, made  
12 in -- made by Mohamed Ismail on this account. The amount,  
13 the total amount is \$197,270.41, of which \$137,270.41 is a  
14 withdrawal for the loan ending in 9945 with U.S. Bank and a  
15 separate withdrawal of \$60,000.

16 Q. And, Ms. Blackwell, before we get to the details, is  
17 this a true and accurate copy of a bank record provided by  
18 Wells Fargo?

19 A. That is correct.

20 MR. EBERT: Your Honor, at this time the  
21 government offers Exhibit L-28.

22 THE COURT: Any objection?

23 MR. COTTER: No objection.

24 THE COURT: L-28 is admitted.

25

1 BY MR. EBERT:

2 Q. Okay. Now that the jury can see this document, can you  
3 explain what we see here, Ms. Blackwell?

4 A. Okay. So this is, as I was explaining before, a  
5 withdrawal slip filled with the account number, the date and  
6 the total amount of the withdrawal. That amount of the  
7 withdrawal corresponds with \$137,270.41 for the mortgage  
8 loan ending in 9945 with U.S. Bank, as well as a separate  
9 transaction of \$60,000.

10 Q. And up on the screen do we see Mr. Ismail's photo in  
11 Exhibit P-2?

12 A. Yes, we do.

13 Q. On the right, Exhibit J-99, the photo of his residence?

14 A. Yes.

15 Q. And below, is that Exhibit L-28 that you just testified  
16 about?

17 A. Yes.

18 Q. And to be clear, does this form the basis of money  
19 laundering Count 28 in the indictment?

20 A. Yes, it does.

21 Q. You testified that you focused on looking at money that  
22 was used towards assets. Do I have that right?

23 A. Yes.

24 Q. Did you take those steps with respect to this dollar  
25 amount in Exhibit L-28?

1 A. Yes.

2 Q. What, if anything, did you find out?

3 A. I found that this -- this amount was traced. This  
4 amount represented the purchase -- the payoff of the  
5 mortgage loan. And the true source of funds to pay this  
6 amount towards the satisfaction of the mortgage was the  
7 Federal Child Nutrition Program funds.

8 MR. COTTER: Objection, Your Honor. That calls  
9 for a legal conclusion.

10 THE COURT: Overruled.

11 You may continue.

12 BY MR. EBERT:

13 Q. You found what?

14 A. I found that the true source of funds that was used to  
15 pay off this mortgage loan was Federal Child Nutrition  
16 Program funds.

17 Q. And those funds --

18 MR. COTTER: Objection. Foundation.

19 THE COURT: Overruled.

20 BY MR. EBERT:

21 Q. And those funds were meant for what purpose?

22 A. Child nutrition.

23 Q. Was it significant to the investigation that the funds  
24 were used to pay off Mr. Ismail's mortgage?

25 A. Yes, it was.

1 Q. How so?

2 A. Well, because in our work we wanted to review absolutely  
3 all of the transactions looking for purchases of food that  
4 are significant in the reimbursement program, and instead we  
5 found purchases of assets such as this one.

6 Q. Thank you.

7 I want to shift gears and direct your attention to  
8 Mr. Abdiaziz Farah. On the screen is Exhibit P-1. What is  
9 that?

10 A. That is a photo of Mr. Abdiaziz Farah.

11 Q. As part of your work on the case, did you look into  
12 purchases by Mr. Abdiaziz Farah?

13 A. Yes, I did.

14 Q. I want to show you a few exhibits that are not in  
15 evidence.

16 Prior to today, did you have an opportunity to  
17 review Exhibits J-75 through J-79?

18 A. Yes.

19 Q. Do you recognize those?

20 A. I do.

21 Q. Generally, what are those records?

22 A. Those records represent vehicle registration records for  
23 a vehicle.

24 Q. True and accurate copies of those records?

25 A. They are.

1 MR. EBERT: Your Honor, at this time the  
2 government offers Exhibits J-75 through J-79.

3 THE COURT: Any objection?

4 MR. ANDREW BIRRELL: No objection.

5 THE COURT: J-75 through J-79 are admitted.

6 BY MR. EBERT:

7 Q. And up on the screen for the jury to see is  
8 Exhibit J-79. Fair to say that's a picture of a vehicle?

9 A. Yes, it is.

10 Q. And is this a vehicle that you're about to testify about  
11 involving Mr. Farah?

12 A. Yes.

13 Q. Did you prepare another demonstrative chart like --  
14 similar to the one you testified about a moment ago  
15 involving Mr. Ismail?

16 A. I did.

17 Q. Up on the screen do we see Demonstrative N-107?

18 A. Yes, N-107.

19 Q. I'm sorry. Please go ahead.

20 A. N-107.

21 Q. Can you please explain to the jury what is conveyed in  
22 this exhibit?

23 A. This chart summarizes the transaction resulting --  
24 connecting the purchase of the vehicle with the source of  
25 funds used to purchase that vehicle.

1 Q. And does that transaction relate to a count in the  
2 indictment?

3 A. Yes, it does. It relates to Count 33 in the indictment.

4 Q. Account that involves Mr. Farah?

5 A. Correct.

6 Q. Up above the photo of the vehicle do we see a check?

7 A. Yes.

8 Q. Can you explain what that is?

9 A. The check, \$29,000 -- \$29,083 issued on July 31st, 2021,  
10 represents a payment to a dealership, Porsche in  
11 Minneapolis, for a car -- for a car purchase.

12 Q. And in the upper left corner of that check image, who is  
13 the payor?

14 A. The payor is Empire Cuisine & Market.

15 Q. Were you able to make a determination of the source of  
16 those funds to purchase this Porsche vehicle?

17 A. Yes.

18 Q. What was that?

19 A. The source of funds ultimately leads to reimbursement  
20 claims paid out by Partners in Nutrition and Feeding Our  
21 Future.

22 Q. Money that was supposed to go towards reimbursement?

23 A. Correct.

24 Q. For food?

25 A. For child food.

1 Q. And instead what happened?

2 A. And instead, as we can see, an asset was purchased, a  
3 Porsche was purchased with \$29,000, give or take, as well as  
4 a trade-in value for a prior vehicle also purchased with  
5 child nutrition funds.

6 Q. And to be clear, that asset is that vehicle photographed  
7 in the bottom, a 2021 Porsche Macan; is that right?

8 A. Yes, it is.

9 Q. And to be clear, it was purchased by whom?

10 A. This was purchased by Abdiaziz Farah.

11 Q. Showing you what's in evidence as Exhibit L-33, is L-33  
12 a copy of that check?

13 A. Yes, it is.

14 Q. And does L-33 correspond to a count in the indictment?

15 A. Yes, it does.

16 Q. Which one?

17 A. Count 33.

18 Q. And is that a money laundering count involving  
19 Mr. Farah?

20 A. It is a money laundering count involving from Abdiaziz  
21 Farah, yes.

22 Q. You anticipated my next question. Specifically,  
23 Abdiaziz Farah?

24 A. Correct.

25 Q. Did Mr. Farah purchase other vehicles besides that one?

1 A. Yes.

2 Q. I'm going to show you a few more items that are not in  
3 evidence. J-63, J-64. Do you recognize those?

4 A. I do.

5 Q. And, briefly, what do you recognize them to be?

6 A. They are sales records, as well as a photograph, of a  
7 vehicle purchased by Mr. Abdiaziz Farah.

8 MR. EBERT: Your Honor, at this time the  
9 government offers Exhibits J-63 and J-64.

10 MR. ANDREW BIRRELL: No objection, Your Honor.

11 THE COURT: J-63 and J-64 are admitted.

12 BY MR. EBERT:

13 Q. Can you explain to the jury what is depicted in J-64?

14 A. J-64 represents a photograph of a GMC Sierra purchased  
15 by Mr. Abdiaziz Farah.

16 Q. Did you prepare a demonstrative chart involving the  
17 purchase of this vehicle as well?

18 A. I did.

19 Q. Up on the screen is Demonstrative N-105. Can you  
20 explain what this is for the jury?

21 A. N-105 represents a depiction of the transactions,  
22 actually one transaction, the purchase of -- of the GMC  
23 Sierra. This was purchased with a check written from the  
24 account of Empire Cuisine & Market to Jim Lupient, which is  
25 a dealership in Minnesota.

1 Q. So just to break this down, at the top what is the first  
2 dollar amount that's cited on this demonstrative?

3 A. The first dollar amount is \$525,180, which was paid --  
4 or deposited into the account of Empire Cuisine & Market on  
5 August 16th, 2021.

6 Q. Child food money?

7 A. Correct.

8 Q. And where did it go?

9 A. It went towards the purchase of vehicle.

10 Q. And up on the screen beneath \$525,000, where was that  
11 amount deposited?

12 A. This was deposited in the U.S. Bank account ending in  
13 9932 belonging to Empire Cuisine & Market LLC.

14 Q. Do you have an understanding of who the owners are of  
15 Empire Cuisine & Market?

16 A. Yes.

17 Q. Who?

18 A. Abdiaziz Farah and Abdimajid Nur. Well, sorry,  
19 Abdimajid Nur was an account signer on it.

20 Q. And beneath that there's a dollar amount. Can you  
21 explain what that is?

22 A. Yes, it represents the amount of the transaction. The  
23 amount of the purchase of the vehicle is \$65,005, and it was  
24 paid on August 21st, 2021.

25 Q. Directly out of the Empire Cuisine bank account; is that

1 correct?

2 A. Directly.

3 THE COURT: Counsel, could I have a sidebar  
4 quickly?

5 MR. EBERT: Yes, Your Honor.

6 **(Sidebar discussion)**

7 THE COURT: Just given that some of these  
8 demonstrative summaries have exhibit numbers on them, but  
9 they're demonstrative, rather than 1006 summaries, I'd like  
10 to give the demonstrative summary jury instruction now so  
11 that the jury understands that these summaries will not be  
12 back in the jury room with them.

13 Any objection by anyone?

14 MR. SCHLEICHER: No objection to that, Your Honor.

15 If I may, this would be an opportune time for me  
16 to note an objection, put it on the record and have a  
17 continuing objection, if I may.

18 THE COURT: To what?

19 MR. SCHLEICHER: To the continued testimony from  
20 this witness pertaining to her tracing analysis. I think  
21 that this violates Rules 701, 702.

22 What this witness is testifying to is expert  
23 testimony. She's an undisclosed expert witness. And the  
24 nature of her tracing analysis, it has to be based on  
25 technical, scientific or specialized knowledge. She's

1 providing opinions. At one point she provided the opinion  
2 that the true nature and source of the funds were child  
3 nutrition money. That's an expert opinion, and it is an  
4 opinion.

5 And there's also -- I object to the continued  
6 questioning and soliciting of opinions from this undisclosed  
7 expert, which are coded in a way to mask the fact that  
8 they're opinions. And that is the quote, Was this  
9 significant to your investigation question, which has been  
10 used throughout the case to signal to the witness that  
11 they're free to give an opinion.

12 She can testify as to the accounts. She can  
13 testify as to transfers of monies from one account to the  
14 other; but in terms of a tracing analysis, this is expert  
15 testimony and it's undisclosed.

16 THE COURT: Mr. Ebert.

17 MR. EBERT: Can you hear me, Your Honor?

18 THE COURT: I can.

19 MR. EBERT: So respectfully I disagree. I think  
20 this very issue has already been addressed and aired and  
21 resolved in terms of the nature of the accountants in this  
22 case and their testimony.

23 She's not offering opinions. She's simply  
24 summarizing the data that the accountants reviewed in the  
25 records. I don't think I've asked her anything that comes

1 close to seeking an opinion, and I don't think she's offered  
2 anything that could be categorized as an opinion. She's  
3 simply summarizing the transactions, where those came from  
4 and nothing more.

5 MR. ANDREW BIRRELL: Your Honor, may I say  
6 something?

7 THE COURT: Actually what we're going to do is  
8 take our morning break so that we do this not by headset.

9 Thank you.

10 **(In open court)**

11 THE COURT: We have a couple of matters to clear  
12 up, so I'd like to just take our morning break at this time.  
13 We'll just take a little bit longer one. So we'll come back  
14 at 10:45. Thank you.

15 All rise for the jury.

16 **IN OPEN COURT**

17 **(JURY NOT PRESENT)**

18 THE COURT: You may all be seated, counsel.

19 Do you want to step down for this? Okay. Thank  
20 you.

21 **(Witness steps down)**

22 THE COURT: We have two issues to take up. One is  
23 a challenge to this witness as an undisclosed expert, and  
24 the other is the questioning of the witness with respect  
25 to I think the objectionable question, and there may be more

1 than one, is, Is this significant to your investigation.

2 So let me take the first first, which is an  
3 undisclosed -- this witness is an undisclosed expert and her  
4 analysis of the source of the funds as coming from the food  
5 investigation.

6 Let me understand first how she's able to do that  
7 without using scientific expertise. I'm not sure it comes  
8 in in the testimony.

9 So, Mr. Ebert, could you restate your position  
10 there?

11 MR. EBERT: Sure, Your Honor.

12 This is simply a matter of looking at the records  
13 and, similar to what we saw previously with the prior  
14 forensic accountant, simply summarizing transactions. It's  
15 data, Your Honor.

16 And I think this was sort of also aired prior to  
17 the trial even commencing, this issue of what the forensic  
18 accountants would be testifying about, not offering  
19 opinions, not offering expertise, but rather looking at the  
20 data, the transactions themselves, and tracing where it came  
21 from and then looking at how it was spent. And I think  
22 that's all she's doing, Your Honor.

23 There's no -- there's no expert testimony here.  
24 There's no opinions. And they're certainly free to  
25 cross-examine her on the nature of what she did or didn't

1 do. But I'm simply eliciting her review of the records and  
2 what those records on their face show, the sources and then  
3 how they were then used.

4 THE COURT: All right. Thank you.

5 Mr. Birrell, you wanted to weigh in on this issue?

6 MR. ANDREW BIRRELL: I did. Actually, there was  
7 three things. One was your suggestion about giving an  
8 instruction.

9 THE COURT: Yes. I didn't hear any objection to  
10 that.

11 MR. ANDREW BIRRELL: No, I wanted to endorse that.

12 THE COURT: Oh, all right. You're welcome to  
13 endorse my decisions anytime you want to.

14 MR. ANDREW BIRRELL: Thank you. And you mine. I  
15 appreciate that.

16 Your Honor, I don't know how anybody can conclude  
17 this is anything but expert testimony. They're asking for  
18 her opinion about where the source of the money is. This is  
19 not what was discussed at the pretrial hearing.

20 What was discussed at the pretrial hearing about  
21 the accountants was that, oh, they're just going to talk  
22 about adding up a column of numbers. And I remember the  
23 court saying, well, you're not saying adding up a column of  
24 numbers is expert testimony? And we said, of course not.

25 This is not adding up a column of numbers.

1 She's -- she's giving her opinion that the source of these  
2 funds is from this child nutrition program.

3 That's different than laying out the transaction,  
4 which is what they did. They laid out the transaction, then  
5 they solicited her opinion, and this is absolutely  
6 undisclosed expert testimony. I don't even think it's  
7 close. And it should have been disclosed, and she's not  
8 allowed to give it under 701 and 702.

9 THE COURT: All right.

10 MR. ANDREW BIRRELL: Thank you.

11 MR. GOETZ: Your Honor, may I just add to that?

12 THE COURT: Yes, Mr. Goetz.

13 MR. GOETZ: Your Honor, the difficulty is with  
14 this opinion that these assets -- and she's going to go on  
15 through each defendant, talk about specific assets and then  
16 say they were sourced with food program money. It's the  
17 fungibility of money.

18 When you have a pot of money, it comes from  
19 different sources. And for her to say that amongst all of  
20 that pot of money there is food program money that  
21 specifically went to that asset, what is the methodology  
22 that she applied to make that determination?

23 That's why we have 702. That's why the Supreme  
24 Court in *Daubert* was very careful to talk about not only the  
25 test that must be applied, but then, coming to 702, the

1 disclosure requirements.

2 And this court required the government to disclose  
3 this testimony so we can meet that testimony, so we can find  
4 out what her methodology is. But I didn't hear any kind of  
5 methodology that she's employing here, but there is one,  
6 Your Honor, because otherwise how is she able to tell from  
7 all this pot of money that it is food program money?

8 And I would point out to the court a couple of  
9 cases. *U.S. versus Mejia*, 545 F.3d 179, Second Circuit from  
10 2008.

11 THE COURT: Is it a money laundering case?

12 MR. GOETZ: I can't -- I'm just giving the general  
13 proposition, Your Honor.

14 THE COURT: Okay.

15 MR. GOETZ: So I can't say it's a money laundering  
16 case.

17 But that case stands for the proposition that when  
18 you have these what I'll call a hybrid witness where you  
19 have fact evidence, but then it also bleeds over into  
20 testimony, expert testimony, those kind of witnesses must be  
21 viewed with caution, because the court does have that  
22 gatekeeping function that the government here is clearly  
23 trying to avoid.

24 THE COURT: So the -- and what I'd like to focus  
25 in on -- and, Mr. Ebert, I'd like you to respond -- is the

1 money laundering count, because that's what this witness is  
2 offering. The elements of money laundering are that each  
3 defendant knew that the check involved proceeds of criminal  
4 offense. I'm not hearing her testify as to their knowledge.  
5 But she is saying involved the proceeds of child nutrition,  
6 which is an implication that it involved the proceeds of  
7 criminal offense.

8 So I just want to focus us in on expert testimony  
9 as it relates to these counts and the elements of this  
10 crime, which is money laundering, which is this is the  
11 proceeds of a criminal offense.

12 MR. EBERT: Right. And, Your Honor --

13 THE COURT: Okay.

14 MR. EBERT: -- on the note of proceeds, and I  
15 think that's precisely what she's doing, she's pointing out  
16 which -- these alleged illicit proceeds, where they came  
17 from, which is denoted in some of the defendants' own  
18 financial records, where -- where it presents itself in some  
19 of the defendants' records.

20 There may be other sources of funds, and that's  
21 actually exemplified up on the screen right now, Your Honor,  
22 which was my next question before the break, is do we see  
23 any sort of contribution of funds that are not part of the  
24 child food program.

25 So the concern of opinions I think is -- is not

1 well-founded because she has gone through and identified  
2 sources of money that come from the child food program; and  
3 to the extent that there is a showing of money from another  
4 source, that's reflected here.

5 That's not a source of opinion. She's just simply  
6 looking at the account and seeing what was in there to  
7 acquire these assets. And that's the purpose of her. Your  
8 Honor, it's akin to simply going check by check to show the  
9 transaction.

10 THE COURT: I think the concern I have is with the  
11 question "true source of the funds." It sounds like an  
12 opinion. And so I'm wondering if there's a remedy for that  
13 question and a different way to ask it that doesn't seem to  
14 illicit an opinion.

15 MR. EBERT: Well, certainly I can ask that in a  
16 different way or not at all, but rather -- what I'm -- what  
17 I'm trying to establish, Your Honor, is the funding source  
18 for the payment that then led in this transaction.

19 THE COURT: And I think that's not expert  
20 testimony.

21 MR. EBERT: Yeah.

22 THE COURT: It's her opinion -- I'm concerned  
23 about her opinion. I'm more concerned about it -- I don't  
24 think it's expert testimony because she's simply following  
25 money, as did Ms. Roase, but I am concerned about a

1 potential legal opinion here on an element of the crime.

2 MR. EBERT: And so, Your Honor, I think the  
3 suggestion of restating the question and not using it in  
4 those terms, I can certainly do.

5 THE COURT: Okay. Anyone else want to weigh in?  
6 Mr. Cotter, you do?

7 MR. COTTER: I just inartfully used the objection  
8 called for a legal conclusion and then lack of foundation.  
9 What I was really trying to say was this same thing  
10 regarding 701, 702 and 704, not regarding -- because mine  
11 was -- it was the most straightforward. There was a check.  
12 It didn't show anything about other sources of funds. But  
13 there was essentially an opinion elicited that the only  
14 possible source of that \$250,000 was then a few days later  
15 distributed in this different way.

16 But as Mr. Goetz just described, there's a pot of  
17 money, there's multiple accounts that had to be reviewed.  
18 It's not directly traced. Sure, the inference is very  
19 strong and they can make that argument, but they can't  
20 elicit that opinion, which is essentially what happened.

21 THE COURT: Okay. I don't see an expert testimony  
22 here. I do not see something that is more than simply  
23 tracing money, which is what the forensic accountants have  
24 done, and they're not using specialized knowledge to do it.  
25 They're looking at a check that comes in and a check that

1 goes out. Slightly more complex than that. But if I can  
2 understand it, it definitely is not expert testimony. And  
3 so this is not expert testimony.

4 I worry about the opinion part of it, and I don't  
5 want her to state her opinion. I want her to state the  
6 facts. And so I want the questioning to be directed there,  
7 and I think that suffices.

8 Mr. Goetz.

9 MR. GOETZ: Your Honor, just to drill down on the  
10 objection on behalf of Mukhtar Shariff. We're specifically  
11 objecting to the government displaying their Demonstratives  
12 N-135a and N-135b. Those demonstratives talk about funds  
13 going to -- to the Afrique project, specifically being food  
14 program money.

15 I think it's different, as I heard the court, if  
16 the question or the exhibit said the money came from the  
17 Afrique account. That would be different, because that's  
18 the source of the funds, but that Afrique account has funds  
19 from multiple sources.

20 The government may not like it, but those are the  
21 facts. There's investment income. There is landlord  
22 improvement budget. So they have a big pot of money, but  
23 the only source that those charts show is food program  
24 money. And that's misleading.

25 THE COURT: That -- this is a demonstrative, it's

1 not evidence, it's not in for 1006, and I'm about to remind  
2 the jury of that, and so that's an appropriate  
3 cross-examination.

4 MR. GOETZ: And just to drill down again, Your  
5 Honor, I would object to any testimony from the witness that  
6 it had to be food program money into that Afrique project,  
7 because she doesn't know that and she can't say that.

8 THE COURT: Well, if she's looked at the checks  
9 into the program, she may testify to that. What I'm  
10 concerned about is her opinion that it's only that.

11 MR. GOETZ: Thank you, Your Honor.

12 THE COURT: Okay. Mr. Sapone, is this the time  
13 you want to raise something that you've wanted to raise for  
14 a while, or are you weighing in on the expert testimony?

15 MR. SAPONE: I just want to join in all the  
16 defense motions and ask, Isn't that the case that we each  
17 join in each other's motions? Because that seemed to be the  
18 way we have always done it, but then yesterday it seemed  
19 like we had to make that clear when we really shouldn't have  
20 had to because that's already the rule.

21 THE COURT: You have all joined in this objection.  
22 The objections you all join in.

23 I think that the confusion yesterday was nobody --  
24 we didn't have an agreement on a motion for a mistrial, and  
25 that seems a bigger -- something different. And so I think

1 that was what we were doing yesterday, was it was a motion  
2 for a mistrial, and so I had everybody state their position.

3 MR. SAPONE: Sure. I join in that one too.

4 THE COURT: Okay. You did yesterday.

5 Mr. Sapone, while we're here, and I'll give you a  
6 few-minute break, sorry, but you had something that you  
7 wanted to address with the next witness that had to do with  
8 the evidence against your client.

9 Do you anticipate that coming in with this  
10 witness?

11 MR. SAPONE: I think I should talk to the  
12 government one more time before I raise it.

13 THE COURT: Okay. I just wanted to make sure we  
14 addressed it before the witness was on the stand.

15 Thanks, everybody.

16 Let's take a quick break, and we'll come back at  
17 10:45-ish.

18 THE CLERK: All rise.

19 (Recess taken at 10:37 a.m. till 10:51 a.m.)

20

21 **IN OPEN COURT**

22 **(JURY PRESENT)**

23 THE COURT: You may all be seated.

24 Members of the jury, I'll instruct you about this  
25 at the end, but I wanted you to know now there are two

1 different types of summary charts that you have seen in this  
2 case.

3 The summary charts that have been admitted into  
4 evidence were admitted in with the previous witness. I  
5 believe some of those were the M series. Those are admitted  
6 into evidence and you may use them as evidence, even though  
7 some of the underlying documents and records are not here.

8 The summary charts for this witness that you have  
9 just observed are shown to you in order to help explain the  
10 facts disclosed by the books, records or other underlying  
11 evidence in the case. These summary charts are used for  
12 convenience. They are not themselves evidence. They are  
13 not admitted into evidence, and they are not proof of any  
14 facts. If they do not correctly reflect the facts shown by  
15 the evidence in the case, you should disregard the charts  
16 and summaries and determine the facts from the books,  
17 records or other underlying evidence.

18 In addition, the difference with these  
19 demonstrative summaries that are used with this witness is  
20 that you won't have them back in the jury room. The other  
21 charts that have been admitted into the evidence, you will  
22 have back in the jury room, just like all of the other  
23 evidence.

24 Thank you.

25 Mr. Ebert, you may continue.

1 MR. EBERT: Thank you, Your Honor.

2 BY MR. EBERT:

3 Q. Ms. Blackwell, before we broke, we were taking a look at  
4 this Demonstrative N-105?

5 A. Yes.

6 Q. And what is the date of the check that's made out in the  
7 bottom half of this chart?

8 A. The date is August 21, 2021.

9 Q. And what is the amount listed on the check?

10 A. \$65,005.72.

11 Q. Made out to Lupient; is that correct?

12 A. Made out to Lupient.

13 Q. And that check is for the purchase of what?

14 A. This check is for the purchase of a 2021 GMC Sierra  
15 truck.

16 Q. And at the time of this transaction, did you trace the  
17 65,000 approximately at issue in this check?

18 A. I did.

19 Q. What was the result of that tracing?

20 A. The result was that I was able to determine the source  
21 of the funds was a reimbursement received from Partners in  
22 Nutrition.

23 Q. And now I'm showing you L-37, which is in evidence.

24 Is this just another copy of that check?

25 A. Yes, it is.

1 Q. And does this correspond to money laundering Count 37 in  
2 the indictment?

3 A. It does.

4 Q. All right. I want to direct your attention to another  
5 vehicle, two items that are in evidence.

6 On the left do we see Exhibit H-33?

7 A. Yes.

8 Q. Can you take a look at that for a moment and tell the  
9 jury what that is?

10 A. This document represents a title for a vehicle obtained  
11 by owner Empire Cuisine & Market.

12 Q. And up at the top, what vehicle is that?

13 A. This is a 2021 Nissan Murano.

14 Q. And on the right do we see page 129 of Exhibit O-9?

15 A. Yes, we do.

16 Q. Can you explain what that is?

17 A. This is a check payment made by Empire Cuisine & Market  
18 to Luther Nissan Kia.

19 Q. And at the -- what is the date of the check on the  
20 right?

21 A. The date of this check is October 30, 2021.

22 Q. And the dollar amount is what?

23 A. The dollar amount is \$47,019.69.

24 Q. And this is the title for the vehicle purchased on the  
25 left, correct?

1 A. Correct.

2 Q. As of the date of this check, October 30th, 2021, did  
3 you look at the source of the funds in the bank account for  
4 Empire Cuisine?

5 A. Yes, I did.

6 Q. What was the source of the funds to purchase this  
7 vehicle?

8 A. Overwhelmingly, it came from a sponsor in the child  
9 nutrition food program.

10 Q. All right. I'm going to show you a few other exhibits  
11 that have not been admitted into evidence, starting with  
12 J-155 and J-156.

13 Do you recognize those?

14 A. I do.

15 Q. What are those?

16 A. Those are purchase agreements and a photo of another  
17 vehicle purchased by Mr. Abdiaziz Farah.

18 Q. Your Honor -- and true and correct copies of those  
19 items?

20 A. They are.

21 MR. EBERT: Your Honor, at this time the  
22 government offers J-155 and J-156.

23 MR. ANDREW BIRRELL: No objection.

24 THE COURT: J-155 and 156 are admitted.

25

1 BY MR. EBERT:

2 Q. Up on the screen is J-156. Are there a series of  
3 photographs?

4 A. That's correct.

5 Q. And do you know what vehicle this is?

6 A. Yes. This is a Tesla. And the photographs are taken of  
7 this vehicle that is located presently in a storage facility  
8 that -- where we store vehicles that are seized.

9 Q. All right. Now, I'm going to show you Exhibit J-156.  
10 Whoops, excuse me. J-155, rather.

11 First of all, at the very bottom is there a dollar  
12 amount?

13 A. Yes, there is. It's \$75,440.

14 Q. At the top do we see a customer information?

15 A. The customer information corresponds with Mr. Abdiaziz  
16 S. Farah.

17 Q. With an address of 15418 Hampshire Lane?

18 A. Hampshire Lane, Savage, Minnesota, yes.

19 Q. And at the top does it read Tesla Motor Vehicle Purchase  
20 Agreement?

21 A. That is correct.

22 Q. And do we see a date?

23 A. Yes. The date that the customer accepted the order fee  
24 was October 20, 2021.

25 Q. And just -- and, to your knowledge, was there a payment

1 made for the purchase of this vehicle?

2 A. Yes, there was.

3 Q. Were you able to trace the source of the funding for the  
4 purchase of this Tesla vehicle?

5 A. Yes.

6 Q. And have you created a summary chart that's a  
7 demonstrative showing that?

8 A. That is correct.

9 Q. And is that shown here in Exhibit, Demonstrative, N-111?

10 A. Yes, this is the tracing.

11 Q. And what is the result of that tracing?

12 A. The end result of the tracing was a determination  
13 regarding the source of funds used to purchase this  
14 2022 Tesla Model Y.

15 Q. And what was the result?

16 A. The result was the source of funds was attributable  
17 to -- came from -- the funds came from reimbursement claims  
18 paid out by Partners in Nutrition.

19 Q. And so up on the screen we have four exhibits. P-1, the  
20 image of Mr. Abdiaziz Farah; is that correct?

21 A. Correct.

22 Q. And do we see images J-79 and J-156 and J-64, images of  
23 three of the vehicles you've testified about?

24 A. Yes, we do.

25 Q. And just so it's clear, in total, approximately how many

1 vehicles were purchased by Mr. Abdiaziz Farah that you've  
2 testified about today?

3 A. Four vehicles in about four months.

4 Q. In what year?

5 A. In 2021.

6 Q. And what was the approximate total spent by Mr. Abdiaziz  
7 Farah on these vehicles in this four-month span?

8 A. It's a little over \$300,000.

9 Q. And to be clear, the source of that money was what?

10 A. The source of the money was Federal Child Nutrition  
11 Program funds, overwhelmingly.

12 Q. Now I want to switch gears a little bit and direct your  
13 attention to some items of real estate involving  
14 Mr. Abdiaziz Farah.

15 I'm showing what you is marked, but is not  
16 admitted, Exhibits J-93 and J-94.

17 And prior to today, have you had an opportunity to  
18 look at J-93?

19 A. Yes.

20 Q. Do you recognize that?

21 A. I do.

22 Q. And what is that?

23 A. That is a record of deed. It's a warranty deed showing  
24 ownership of -- you keep scrolling.

25 Q. I'm sorry. I'll stop.

1 A. Showing that in April 2021 Mr. Abdiaziz Farah obtained  
2 ownership of a property.

3 Q. And is that a true and correct copy of that deed?

4 A. Yes.

5 MR. EBERT: Your Honor, at this time the  
6 government offers Exhibit J-93.

7 MR. ANDREW BIRRELL: No objection.

8 THE COURT: J-93 is admitted.

9 MR. EBERT: Thank you, Your Honor.

10 BY MR. EBERT:

11 Q. I'm going to show you a second item that has been  
12 marked, but not admitted, and have you take a look at that.

13 And do you recognize Exhibit J-94?

14 A. I do.

15 Q. What is that?

16 A. It's a photo of a house that was purchased by  
17 Mr. Abdiaziz Farah.

18 Q. The same home you just testified about in the deed  
19 document, J-93?

20 A. Correct.

21 Q. Is that a true and accurate copy -- or depiction of that  
22 home, rather?

23 A. Yes.

24 MR. EBERT: Your Honor, at this time the  
25 government offers J-94.

1 MR. ANDREW BIRRELL: No objection.

2 THE COURT: J-94 is admitted.

3 BY MR. EBERT:

4 Q. Once again, Ms. Blackwell, have you created a summary  
5 that concerns transactions involving this item now, the  
6 purchase of this home?

7 A. I have.

8 Q. Showing you Demonstrative N-109, can you explain this  
9 for the jury, please?

10 A. Yes. This chart represents the steps and the various  
11 transactions that resulted in the purchase of the home  
12 located at 15418 Hampshire Lane in Savage, Minnesota, by  
13 Abdiaziz Farah and determines the source of funds used to  
14 purchase that home.

15 Q. And at the top level, do we see Feeding Our Future and  
16 Partners in Nutrition?

17 A. Yes.

18 Q. And can you explain what happens below each of those?

19 A. Yes. Sums of money coming from Feeding Our Future and  
20 Partners in Nutrition are deposited into ThinkTechAct  
21 Foundation, the account maintained at U.S. Bank ending in  
22 3379. And then further on they move to other entities and  
23 ultimately result in the purchase of 15418 Hampshire Lane,  
24 Savage, Minnesota, by Mr. Abdiaziz Farah.

25 Q. And what are those dollar amounts?

1 A. Those dollar amounts represent claim reimbursements.

2 Q. And literally what are the dollar amounts on the screen?

3 A. They are federal funds meant to feed children.

4 Q. How much money on the chart came from Feeding Our  
5 Future?

6 A. \$766,752.

7 Q. Between which date range?

8 A. Between March 19th and March 26, 2021.

9 Q. And on the right-hand side, how much came from Partners  
10 in Nutrition?

11 A. \$817,432.

12 Q. And in what date range did those funds come from  
13 Partners in Nutrition?

14 A. Between March 11th and April 1st, 2021.

15 Q. And from there it went into this ThinkTechAct Foundation  
16 U.S. Bank account; is that right?

17 A. Correct.

18 Q. And from where -- and from there, where did those funds  
19 go?

20 A. From ThinkTechAct, \$334,121 between March 22 and  
21 March 29 go towards Empire Cuisine & Market at Old National  
22 Bank account ending in 229 and, respectfully, \$432,796 on  
23 April 6th goes directly into Empire Enterprises. From  
24 Cuisine Market, \$150,000 is deposited into Empire  
25 Enterprises LLC on April 13th. So altogether from Empire

1 Enterprises, a payment is made on April 15th in the amount  
2 of 575,000 to Trademark Title Services, which is a title  
3 company located in Minnesota.

4 Q. And does that dollar amount correspond to Count 23 in  
5 the indictment?

6 A. Yes, it does.

7 Q. Is that a money laundering count?

8 A. It is a money laundering count.

9 Q. Showing you what has been marked, but not admitted, as  
10 Exhibit L-23. And do you recognize that?

11 A. I do.

12 Q. What is that?

13 A. This is a printout of a wire transfer made from account  
14 ending in 6442, Empire Enterprises to Trademark Title  
15 Services.

16 Q. Bank record obtained in this investigation?

17 A. It is.

18 Q. A true and accurate copy?

19 A. It is.

20 MR. EBERT: Your Honor, at this time the  
21 government offers Exhibit L-23.

22 MR. ANDREW BIRRELL: No objection.

23 THE COURT: L-23 is admitted.

24 BY MR. EBERT:

25 Q. Okay. Now the jury can see it. Do we see the same

1 dollar amount that you just testified about a moment ago?

2 A. Yes, we do. We see it in the field that you just  
3 marked, \$575,000, and the date received is -- the account  
4 number is right below it, and the name of the account is  
5 Empire Enterprises LLC.

6 Q. And then credited to a -- we see a Wells Fargo account;  
7 is that correct?

8 A. Yes.

9 Q. And this is the transaction that resulted in the  
10 purchase of that home; is that correct?

11 A. Yes. We can see that in the OBY field, property address  
12 15418 Hampshire Lane, Savage, Minnesota, right here.

13 Q. And you reviewed the bank accounts that led to this  
14 transaction?

15 A. Yes, I did.

16 Q. In an effort to trace the \$575,000?

17 A. Correct.

18 Q. Were you able to determine the source of that fund?

19 A. Yes.

20 Q. What was it?

21 A. It was a combination of deposits from Feeding Our Future  
22 and Partners in Nutrition.

23 Q. Did Mr. Abdiaziz Farah purchase other items of property?

24 A. Yes.

25 Q. I'm going to show you a series of exhibits, J-83 through

1 J-89.

2 And prior to today, did you have an opportunity to  
3 look at J-83 through J-89?

4 A. Yes.

5 Q. Generally, what are they?

6 A. Closing records, closing documents and documents coming  
7 from -- property records, generally property records  
8 obtained from the County Recorder offices and -- yep.

9 Q. And do these concern the purchase of another item of  
10 property?

11 A. They do.

12 Q. Do you know which one?

13 A. Yes. The one located at 438 Stonewood Lane in  
14 Burnsville, Minnesota.

15 Q. Are these true and accurate copies of those records, as  
16 well as photos of the property at issue in J-89?

17 A. Yes.

18 MR. EBERT: Your Honor, at this time the  
19 government offers Exhibits J-83 through J-89.

20 MR. ANDREW BIRRELL: No objection, Your Honor.

21 THE COURT: J-83 through J-89 are admitted.

22 BY MR. EBERT:

23 Q. And, Ms. Blackwell, have you created a demonstrative  
24 summary involving transactions for this piece of real  
25 estate?

1 A. I have.

2 Q. I'm showing you Demonstrative N-108. Can you explain  
3 for the jury what this is?

4 A. So this chart represents a series of transactions that  
5 resulted in the purchase of a townhouse that is located at  
6 438 Stonewood Lane in Burnsville, Minnesota, by Mr. Abdiaziz  
7 Farah, as well as the source of funds used to purchase that  
8 real estate property.

9 Q. And at the top does it say Count 42?

10 A. Yes, it does.

11 Q. Does this concern a money laundering count, Number 42,  
12 in the indictment?

13 A. Yes, it does.

14 Q. Involving Mr. Abdiaziz Farah?

15 A. Correct.

16 Q. And what do we see at the top of the chart underneath  
17 Feeding Our Future and Partners in Nutrition?

18 A. We see that the funds flow in a similar manner to the  
19 previous demonstrative from sponsors Feeding Our Future and  
20 Partners in Nutrition to ThinkTechAct Foundation, account  
21 maintained at U.S. Bank ending in 3379.

22 Q. And from where -- from there where do those funds go?

23 A. And from there they follow either a path straight to  
24 Empire Enterprises LLC at JPMorgan Chase ending in 5953 or  
25 flows through Empire Enterprises LLC, but a different

1 account, Old National Bank ending in 6442.

2 Q. And is Mr. Abdiaziz Farah a signatory on those two bank  
3 accounts?

4 A. He is.

5 Q. And ultimately what happened with the funds from there?

6 A. Ultimately in October, on October 12th, 2021, a payment  
7 is made to Trademark Title Services for the purchase of that  
8 real estate property.

9 Q. And what's the dollar amount?

10 A. The dollar amount is \$334,632.

11 Q. Now, I'm showing you what's been marked, but not  
12 admitted, as Exhibit L-42. And do you recognize that?

13 A. I do.

14 Q. What is L-42?

15 A. L-42 is a wire transfer request for the payment of the  
16 amount \$334,670 -- 667.51 to Trademark Title Services.

17 MR. EBERT: Your Honor, at this time the  
18 government offers Exhibit L-42.

19 MR. ANDREW BIRRELL: No objection, Your Honor.

20 THE COURT: L-42 is admitted.

21 BY MR. EBERT:

22 Q. And so enlarged on the screen at the top, do we see the  
23 title of the document?

24 A. Yes, we do.

25 Q. What is that?

1 A. It's a wire transfer request.

2 Q. And who is the sender name?

3 A. The sender name is Abdiaziz S. Farah.

4 Q. With the account name of what?

5 A. Empire Enterprises LLC.

6 Q. And does this item correspond to the \$334,632 purchase

7 of this Burnsville property?

8 A. Yes, it does.

9 Q. Count 42 of the indictment?

10 A. Count 42 of the indictment.

11 Q. And did you review the transactions that led up to this

12 wire transfer?

13 A. I did.

14 Q. Were you able to determine the source of the funds?

15 A. Yes.

16 Q. What was the source?

17 A. It's Federal Child Nutrition funds.

18 Q. Did Mr. Abdiaziz Farah purchase additional real estate?

19 A. Yes.

20 Q. I'm going to show you a series of additional J exhibits,

21 J-50 through J-57. Do you recognize these?

22 A. I do.

23 Q. Generally, what are these exhibits, J-50 through J-57?

24 A. Title records and warranty deed records for property

25 obtained by Mr. -- purchased by Mr. Abdiaziz Farah in

1 July 2021.

2 Q. Including photographs?

3 A. Including photographs.

4 Q. True and accurate copies of those records and depictions  
5 in those photographs?

6 A. They are.

7 MR. EBERT: Your Honor, at this time the  
8 government offers Exhibits J-50 through J-57.

9 MR. ANDREW BIRRELL: Could I see 55 through 57?

10 MR. EBERT: Yes.

11 MR. ANDREW BIRRELL: No objection, Your Honor.

12 THE COURT: J-50 through 57 are admitted.

13 BY MR. EBERT:

14 Q. On the screen before you, Ms. Blackwell, is J-54. Do  
15 you see that?

16 A. Yes.

17 Q. Can you describe for the jury what's depicted there?

18 A. Here depicted is one of the lots that was purchased by  
19 Mr. Farah in July 2021. It is a lakefront lot property  
20 located in Prior Lake, Minnesota.

21 Q. What about in J-55?

22 A. This is the second lot purchased around -- on the same  
23 date in the same location.

24 Q. Now, did you testify about the purchase of a lot? Did I  
25 hear you correctly?

1 A. Two lots.

2 Q. How many?

3 A. Two.

4 Q. Have you prepared a summary chart that concerns the  
5 purchase of these two lots?

6 A. Yes.

7 Q. On the screen is Demonstrative N-104a; is that right?

8 A. Correct.

9 Q. We'll start at the top. What is the title of this  
10 demonstrative?

11 A. The title is Chart of Count 32, purchase of two  
12 lakefront lots in Prior Lake, Minnesota, by Mr. Abdiaziz  
13 Farah.

14 Q. And can you summarize the financial amounts that we see  
15 at the top?

16 A. Yes. Two payments from Feeding Our Future in May 2021,  
17 one of which goes to ThinkTechAct Foundation account  
18 maintained at U.S. Bank ending in 3379. That amount is  
19 \$911,218, between May 7th and May 24th. The second payment,  
20 \$382,450 on May 20th.

21 And then from Partners in Nutrition there are  
22 other two amounts. One, \$988,273 on May 6, 2021, goes  
23 straight into ThinkTechAct Foundation, U.S. Bank ending in  
24 3379. And then a second payment on May 13th, 2021 -- sorry,  
25 there's a zero missing for the year -- in the amount of

1 \$648,002.

2 Q. And now let's enlarge. And where does that money go?

3 A. That money goes ultimately into the Empire Enterprises  
4 LLC account at the Old National Bank ending in 6442, part of  
5 which flows through Empire Cuisine & Market.

6 Q. And are those the accounts you testified about  
7 previously?

8 A. Yes.

9 Q. Is Mr. Abdiaziz Farah a signatory on those accounts?

10 A. Yes, he is.

11 Q. At the bottom we see a dollar amount. What is that  
12 dollar amount?

13 A. The dollar amount is \$1,041,986.

14 Q. And there's a date beneath it. What is that?

15 A. July 7th, 2021.

16 Q. And do you know what occurred on that date?

17 A. Yes. Mr. Farah purchased two lakefront lots in  
18 Prior Lake, Minnesota.

19 Q. And that corresponds with Count 32, correct?

20 A. It does.

21 Q. And in evidence is Government Exhibit L-32.

22 Specifically, is this a copy of the check that forms the  
23 basis of that count in the indictment?

24 A. It is.

25 Q. And there's handwriting on the check. Do you see that?

1 A. I do.

2 Q. Can you read that aloud for the jury?

3 A. It is 5594 and 5604 Candy Cove Trail Southeast,  
4 Prior Lake, Minnesota.

5 Q. Now, I'm showing you page 21 of Government Exhibit J-53.  
6 Do you see that?

7 A. I do.

8 Q. What do we see in that exhibit on the screen?

9 A. We see images representing renditions of construction  
10 plans for a home to be built on those two lakefront lots  
11 that we just talked about.

12 Q. And now I'm showing you page 10 of that same exhibit.  
13 Can you summarize what we see here?

14 A. Yes. Here we see the signature page of -- of a  
15 construction contract and purchase agreement between  
16 homeowner Abdiaziz Farah and contractor Johnson-Reiland  
17 Builders & Remodelers, Inc.

18 Q. And what's the date?

19 A. The date is March 17th, 2021.

20 Q. And you said one of the signatories is whom?

21 A. Mr. Abdiaziz Farah.

22 Q. And beneath that what do we see?

23 A. The signature of Matthew Reiland of Johnson-Reiland  
24 Builders & Remodelers, Inc., the president of this company.

25 Q. And on the following page do we see more information

1 about the construction at issue in that contract?

2 A. Yes, we do.

3 Q. What do we see?

4 A. We see the Farah residence plans for 5604 Candy Cove  
5 Trail Southeast, Prior Lake, Minnesota.

6 Q. Just another image of the proposed construction, similar  
7 to the one we looked at a few moments ago?

8 A. Correct.

9 Q. Directing your attention to page 22 of Exhibit J-53,  
10 what do we see here, Ms. Blackwell?

11 A. Here we see a statement, a cost statement plan, cost  
12 statement for the custom plan from owner; and that is issued  
13 by Johnson-Reiland Builders & Remodelers for Abdiaziz Farah  
14 at 5604 Candy Cove Trail.

15 Q. And at the very bottom is there a total?

16 A. Yes, there is. We see the total preliminary  
17 construction cost which amounts to \$2.4 million.

18 Q. And just to clarify, initially you testified about the  
19 purchase of the two lots; is that correct?

20 A. Correct.

21 Q. And that was approximately how much?

22 A. A little over a million dollars.

23 Q. And now this 2.4 million figure is for what?

24 A. For the building of a home on those lots.

25 Q. In addition to that \$1 million?

1 A. That is correct.

2 Q. And based on your review of the records, are you aware  
3 of whether or not Mr. Abdiaziz Farah made payments toward  
4 this proposed construction?

5 A. Yes.

6 Q. I'm showing you what's in evidence as Exhibit L-22. Can  
7 you explain what that is?

8 A. That is one payment, a partial payment made by Mr. Farah  
9 to Johnson-Reiland Builders & Remodelers.

10 Q. What's the date?

11 A. The date is March 15th, 2021.

12 Q. And in the upper left, who is the payor listed on the  
13 check?

14 A. The payor is Empire Cuisine & Market LLC.

15 Q. Are you able to read what's written on the memo line?

16 A. Sure. Construction or -- and/or remodel.

17 Q. And does this check in L-22 correspond to a money  
18 laundering count in the indictment?

19 A. It does.

20 Q. Count 22 specifically?

21 A. Count 22 specifically.

22 Q. Next I'm showing you Exhibit L-26. What is this item?

23 A. This is another payment that was made to Johnson-Reiland  
24 Builders & Remodelers for construction.

25 Q. How much?

1 A. The amount is \$250,000.

2 Q. What's the date of the check?

3 A. The date is May 15th, 2021.

4 Q. And what does it read on the memo line?

5 A. Construction.

6 Q. Next I'm showing you Exhibit L-39. What's this?

7 A. This is yet another payment made to Johnson-Reiland

8 Builders & Remodelers.

9 Q. What's the date on this one?

10 A. The date is September 20, 2021.

11 Q. What is on the memo line?

12 A. Construction project.

13 Q. And could you please read the amount for the jury?

14 A. The amount is \$150,000.

15 Q. Have you also prepared a demonstrative concerning these

16 three checks, L-39, L-22 and L-26?

17 A. I have.

18 Q. And is that depicted here in N-104b?

19 A. It is.

20 Q. And what's the title of that summary?

21 A. The title is Chart of Counts 22, 26 and 39.

22 Q. And can you explain what we see in this chart?

23 A. What we see in this chart is the representation of how

24 the money flowed from Feeding Our Future and Partners in

25 Nutrition respectively to entities, several entities, but

1 ultimately resulting in multiple payments made towards the  
2 construction project made to Johnson-Reiland Builders &  
3 Remodelers for the construction project on the Candy Cove  
4 lots.

5 Q. And on the left, is one of those entities Mizal  
6 Consulting LLC?

7 A. Yes, it is.

8 Q. What is that?

9 A. Mizal Consulting LLC is a company owned by -- created  
10 and owned by Hadith Ahmed.

11 Q. And what was the amount that went from Hadith Ahmed's  
12 entity?

13 A. \$139,000 on May 4th, 2021.

14 Q. And at the very bottom, what is the total amount that  
15 went to Johnson-Reiland Builders & Remodelers?

16 A. This is \$1.5 million.

17 Q. And were you -- did you look at the source of that  
18 funding?

19 A. Yes, I did.

20 Q. Were you able to trace it?

21 A. Yes.

22 Q. What was the result of that tracing?

23 A. I determined that the funds came from Feeding Our Future  
24 and Partners in Nutrition in reimbursement claims.

25 Q. So we've looked at, is it three items of real estate

1 purchased by Mr. Abdiaziz Farah; is that correct?

2 A. Yes.

3 Q. Are there other items of property that Mr. Abdiaziz  
4 Farah purchased?

5 A. Yes.

6 Q. I'm showing you a series of exhibits that are marked,  
7 but not admitted into evidence, J-132 through J-138.

8 Have you had an opportunity to look at those items  
9 today and also prior to your testimony today?

10 A. Yes.

11 Q. Generally, can you summarize what those items are, J-132  
12 through J-138?

13 A. Yes. They are photographs, deed records and closing  
14 records relating to the purchase of two properties in the  
15 State of Kentucky.

16 Q. Are these true and accurate records obtained in the  
17 investigation?

18 A. Yes.

19 MR. EBERT: Your Honor, at this time the  
20 government offers J-132 through J-138.

21 THE COURT: Any objection?

22 MR. ANDREW BIRRELL: I have no objection.

23 THE COURT: J-132 through J-138 are admitted.

24 MR. EBERT: All right. Thank you, Your Honor.

25

1 BY MR. EBERT:

2 Q. Ms. Blackwell, now the jury is able to see the screen.

3 Can you describe what's depicted in J-138?

4 A. J-138 represents a photograph of a commercial building  
5 in Kentucky, in Louisville, Kentucky.

6 Q. Have you -- before I get there, next I want to show you  
7 an item, J-137, page 7, of that exhibit. Can you describe  
8 what that is?

9 A. This represents an official check obtained by company  
10 BBI LLC in the amount of \$204,666.16.

11 Q. And is there a date on this check?

12 A. Yes. May 5th, 2021.

13 Q. Now, we just looked a moment ago at a picture of a piece  
14 of property; is that right?

15 A. Correct.

16 Q. And in what state was that located?

17 A. In Kentucky.

18 Q. Okay. Is there a relationship between that piece of  
19 property and this check in Exhibit J-137?

20 A. Yes.

21 Q. Can you describe?

22 A. This official check was used as payment for the purchase  
23 of that property.

24 Q. Showing you Demonstrative N-113, can you describe what  
25 this is?

1 A. Yes. This is a chart that represents a series of  
2 transactions and ultimately the determination regarding the  
3 source of funds for the purchase of the property located at  
4 Cane Run Road.

5 Q. And approximately how much money do we see depicted on  
6 the top of the screen?

7 A. A series of four amounts. First, \$90,000 on March 18th,  
8 2021, paid by Feeding Our Future to Madina Grocery Inc.  
9 Then \$337,480 on March 19th, 2021, paid to ThinkTechAct  
10 Foundation. And then \$757,452 between March 11th and  
11 March 19th, 2021, paid by Partners in Nutrition to  
12 ThinkTechAct Foundation. And the fourth one, \$254,988 on  
13 March 22, 2021, paid directly to Empire Cuisine & Market at  
14 Old National Bank ending in 229.

15 Q. And you said it went into the account of Empire Cuisine  
16 & Market; is that right?

17 A. Ultimately, all of these funds were deposited into  
18 Empire Cuisine & Market at Old National Bank, yes.

19 Q. Okay. And from there where did that money go?

20 A. From there Empire Cuisine & Market paid 348 -- \$345,500  
21 to BBI LLC.

22 Q. And a moment ago you testified about a check in the  
23 approximate amount of \$204,000; is that right?

24 A. Correct.

25 Q. And what I have just highlighted, is that a summary of

1 that check?

2 A. It is.

3 Q. And ultimately that \$204,666 check purchased a piece of  
4 property?

5 A. Correct.

6 Q. Which address?

7 A. The address is 3847 on Cane Run Road in Louisville,  
8 Kentucky.

9 Q. And at the time of that May 5th, 2021, check to purchase  
10 that Kentucky property, did you review the funds that gave  
11 rise to that check?

12 A. Yes.

13 Q. And what -- did you make a determination of the source  
14 based on reviewing the records?

15 A. Yes. They were federal funds meant to feed children.

16 Q. Now I'm showing you a photo that's in Government  
17 Exhibit J-133. Can you explain what this is?

18 A. This is a property also located in -- in the State of  
19 Kentucky, Louisville, Kentucky as well.

20 Q. Have you prepared a summary involving this second  
21 Kentucky property?

22 A. Yes.

23 Q. Showing you Demonstrative N-114, does this relate to the  
24 purchase of that property?

25 A. Yes, it does.

1 Q. And at the very bottom, can you describe what was the  
2 sales price for that property in Kentucky?

3 A. The sales price for that property was \$800,000.

4 Q. And did you review records to determine the source of  
5 those funds?

6 A. I did.

7 Q. What was the source of those funds?

8 A. The source of the funds used to pay for part of that  
9 sales price was traced back to payments made for  
10 reimbursement claims and paid out by sponsors Feeding Our  
11 Future and Partners in Nutrition to a series of entities  
12 listed here, ThinkTechAct Foundation, directly to Empire  
13 Cuisine & Market, multiple accounts, U.S. Bank and JPMorgan  
14 Chase.

15 Q. Next I want to show you two more exhibits. And these  
16 are marked, but not admitted, as Exhibits J-126 and J-127.

17 And do you recognize those?

18 A. I do.

19 Q. What are those?

20 A. Those are property records obtained by -- by us from the  
21 office of the county registrar.

22 Q. And as a result of your work on the case, are you  
23 familiar with a location called the As-Sunnah Islamic  
24 Center?

25 A. Yes, I am.

1 Q. And can you describe what that is?

2 A. It is a property located at 373 Pedersen Street in  
3 St. Paul, Minnesota.

4 Q. And are these true and accurate property records, J-126,  
5 127?

6 A. They are.

7 MR. EBERT: Your Honor, at this time the  
8 government offers J-126 and J-127.

9 THE COURT: Any objection?  
10 J-126 and 127 are admitted.

11 MR. EBERT: Thank you, Your Honor.

12 BY MR. EBERT:

13 Q. Ms. Blackwell, I'm showing you another demonstrative,  
14 N-115. What does this summary concern?

15 A. This concerns the determination for source of funds used  
16 for a payment towards a contract for deed for the property  
17 located at 373 Pedersen Street in St. Paul, Minnesota.

18 Q. And at the bottom, specifically is that property the  
19 Al-Sunnah location you just testified about?

20 A. Yes, it is.

21 Q. Rather, the As-Sunnah; is that correct?

22 A. Yes.

23 Q. And can you describe for the jury the amounts of money  
24 that resulted in the purchase of that property?

25 A. Yes. The source of the funds was a series of payments

1 traced to Feeding Our Future and Partners in Nutrition.  
2 From Feeding Our Future, \$100,000 on April 28th, 2021. And  
3 from Partners in Nutrition, \$342,860 on May 4th, 2021. As  
4 well as a combined total of \$3.3 million between March 31st  
5 and May 13th, 2021. These funds flowed through ThinkTechAct  
6 Foundation and -- through ThinkTechAct Foundation to Empire  
7 Cuisine & Market account at Old National Bank ending in 229.  
8 And from there to Empire Enterprises LLC, also Old National,  
9 ending in 6442. And from those two Empire entities,  
10 \$77,000 -- \$77,800 from Empire Cuisine & Market, as well as  
11 \$68,800 from Empire Enterprises were deposited into  
12 As-Sunnah Islamic Center account at U.S. Bank ending in  
13 1489.

14 Q. And these Empire Cuisine accounts, is Mr. Abdiaziz Farah  
15 a signatory on those?

16 A. Yes, he is.

17 Q. And ultimately do we see a dollar amount for the  
18 purchase of 373 Pedersen Street in St. Paul?

19 A. Yes, we do.

20 Q. And what is that?

21 A. It's \$124,407 paid out on May 28th, 2021.

22 Q. And were you able to make a determination of the source  
23 of those funds?

24 A. Yes.

25 Q. And what was that?

1 A. It was federal child program money.

2 Q. And so we talked through a series of items of real  
3 estate, Ms. Blackwell, that concern Abdiaziz Farah; is that  
4 correct?

5 A. Correct.

6 Q. Including in the upper right an image from Exhibit J-53?  
7 Do we see that?

8 A. Yes.

9 Q. And down below do we see photos of two other properties  
10 in J, I believe, 94? As well as J-89 in the bottom right?

11 A. Yes.

12 Q. And these are some, but not all, of the properties  
13 you've testified about involving Mr. Farah? Is that fair to  
14 say?

15 A. Yes.

16 Q. In total, about how much in properties have you  
17 testified about involving Mr. Abdiaziz Farah?

18 A. In total, it would be over \$4.2 million.

19 Q. And can you remind the jury, what is the approximate  
20 time frame that this over \$4 million in property was  
21 purchased?

22 A. Six months.

23 Q. All right. I want to switch gears for a moment,  
24 Ms. Blackwell, and direct your attention to Exhibit P-3.

25 Can you remind the jury who we see here in

1 Exhibit P-3?

2 A. Yes.

3 Q. Who?

4 A. This is a photo of Mr. Mahad Ibrahim.

5 Q. And prior to today, have you had the opportunity to  
6 review a series of records involving Mr. Mahad Ibrahim?

7 A. Yes.

8 Q. Specifically, Exhibits J-1 through J-29 concerning a  
9 3 Pillars Home construction in Lewis Center, Ohio?

10 A. Yes.

11 Q. Are those true and correct copies of records involving  
12 the 3 Pillars company home?

13 A. Yes.

14 MR. EBERT: Your Honor, at this time the  
15 government offers Exhibit J-1 through J-29.

16 THE COURT: Any objection?

17 J-1 through J-29 are admitted.

18 MR. EBERT: Thank you, Your Honor.

19 BY MR. EBERT:

20 Q. On the screen do we see another demonstrative chart?

21 A. Yes, we do. It is a summary chart representing payments  
22 made towards the construction of a new single-family home in  
23 Lewis Center, Ohio.

24 Q. Specifically, one at 5657 Maple Drive?

25 A. Complete address is 5657 Maple Drive, yes.

1 Q. And for which person was this new home built?

2 A. For Mahad Ibrahim.

3 Q. And at the bottom there's an image; is that right?

4 A. Yes.

5 Q. What is that?

6 A. This is a representation of the home plans provided by  
7 3 Pillar Homes LLC, which was the builder for that  
8 particular home.

9 Q. And up above this image there's a dollar amount. Do you  
10 see that?

11 A. I do.

12 Q. What is that dollar amount?

13 A. It is \$684,983.

14 Q. Towards the building of that home?

15 A. This represents total payments made by Mr. Mahad Ibrahim  
16 towards the payment of that home, yes.

17 Q. Okay. And were you able to make a determination of the  
18 source of that approximate \$684,000 payment?

19 A. Yes.

20 Q. And what did you determine?

21 A. That overwhelmingly it came from federal funds meant to  
22 feed children.

23 Q. And is that reflected in the portion we see above?

24 A. Yes.

25 Q. Including a payment of approximately 5.7 million from

1 Partners in Nutrition?

2 A. Correct. Well, it's an aggregate, it's a total amount,  
3 it's a combined total.

4 Q. From what time frame?

5 A. From March -- March 11th all the way through June 11th,  
6 2021.

7 Q. And on the right what do we see?

8 A. Also combined total from -- of payments from Feeding Our  
9 Future between March 19th and March 7th, 2021, totaling  
10 \$1.2 million.

11 Q. And where does that money go?

12 A. Most of it goes through ThinkTechAct. All of it goes  
13 through ThinkTechAct Foundation.

14 Q. And do you know who -- which signatory was on the  
15 ThinkTechAct Foundation account that's listed here?

16 A. Yes. That is Mr. Mahad Ibrahim.

17 Q. And from the ThinkTechAct Foundation account, where does  
18 the money go?

19 A. It goes -- part of it goes to -- through to Empire  
20 Cuisine & Market at Old National Bank, as well as Empire  
21 Enterprises at Old National Bank.

22 Q. And on the left, once again, do we see transactions  
23 involving Mizal Consulting?

24 A. We do.

25 Q. And can you remind us what that is?

1 A. Mizal Consulting is an entity owned by -- created and  
2 owned by Hadith Ahmed.

3 Q. And, once again, do we see money going into Empire  
4 Cuisine & Market?

5 A. Yes, we do.

6 Q. As well as Empire Enterprises LLC?

7 A. Correct.

8 Q. And on the right there's another entity. Do you see  
9 that?

10 A. I do.

11 Q. What is that?

12 A. It is Bushra Wholesalers LLC.

13 Q. And do you know who the signatories are?

14 A. Yes, I do. The signatories are Said Farah and Abdiwahab  
15 Aftin.

16 Q. Defendants in this case?

17 A. Yes.

18 Q. And beneath Bushra Wholesalers, is there a date and a  
19 dollar amount?

20 A. Yes.

21 Q. What is that?

22 A. It's a total of \$189,000 that were paid out on July 6,  
23 2021, to Mahad Ibrahim's company MIB Holdings LLC account at  
24 Spire Credit Union.

25 Q. And who is the signatory on MIB Holdings LLC?

1 A. Also Mahad Ibrahim.

2 Q. And from these entities highlighted, where does the  
3 money go?

4 A. The money goes either -- either to the personal accounts  
5 of Mahad Ibrahim or MIB Holdings and ultimately paid out to  
6 the builder of the home, which is 3 Pillar Homes LLC, for  
7 the construction of the home in Lewis Center, Ohio.

8 Q. Next I'm going to show you a series of exhibits that are  
9 marked, but are not yet in evidence, J-142, J-143, J-145,  
10 J-146, J-148, J-149, and the last two are J-150 and J-151.

11 Do you recognize those?

12 A. I do.

13 Q. What are they?

14 A. Those represent communications between Mr. Mahad Ibrahim  
15 and Alexis Santos, which is the owner or representative of  
16 Make Real, Inc., a company called Make Real, Inc.

17 Q. And, generally, are these records that were obtained by  
18 an email service provider in response to a search warrant?

19 A. That's correct.

20 Q. Are these true and accurate copies of those records?

21 A. They are.

22 MR. EBERT: Your Honor, at this time the  
23 government offers J-142, J-143, as well as J-145, J-146 and  
24 J-148 through J159.

25 THE COURT: Any objection?

1                   Those exhibits are admitted.

2                   MR. SCHLEICHER:   Conditionally?

3                   THE COURT:   For now conditionally.   Thank you.

4                   MR. EBERT:   Thank you, Your Honor.

5                   BY MR. EBERT:

6                   Q.   I'm showing you page 3 of Exhibit J-145.   Do you  
7                   recognize that?

8                   A.   I do.

9                   Q.   Can you describe for the jury what we're seeing here?

10                  A.   This is -- this is an image of an escape room located in  
11                  Orlando, Florida.

12                  Q.   Okay.   And can you explain how it is that this image  
13                  relates to Mr. Mahad Ibrahim?

14                  A.   Well, the reason it relates to Mr. Mahad Ibrahim is  
15                  because Mr. Mahad Ibrahim made steps to make investments  
16                  into this company.

17                  Q.   This Make Real, Inc.?

18                  A.   Correct.

19                  Q.   And do these exhibits concern communications, among  
20                  other things, involving Mr. Mahad Ibrahim?

21                  A.   Yes.

22                  Q.   All right.   Now I'm showing you page 89 of Exhibit --  
23                  Government Exhibit O-33.   What do we see here,  
24                  Ms. Blackwell?

25                  A.   Here we see a check made to Make Real, Inc., in the

1 amount of \$90,666.43. The date of the check is  
2 September 1st, 2021, and it is paid out of the account of  
3 MIB Holdings LLC at Spire Credit Union.

4 Q. And is it paid to the order of Make Real, Inc.?

5 A. It is paid to the order of Make Real, Inc.

6 Q. And is that the same entity you just testified about  
7 concerning this escape room in Orlando, Florida?

8 A. Yes.

9 Q. Is there something written on the memo line?

10 A. There is.

11 Q. What does it say?

12 A. The memo line reads investment.

13 Q. And did you look at the source of the \$90,000 funds at  
14 issue in this check?

15 A. Yes.

16 Q. And what did you see when you looked at those records?

17 A. I determined that the source of funds was Federal Child  
18 Nutrition funds.

19 THE COURT: Mr. Ebert, I'm not sure that O-33 is  
20 in evidence.

21 Anyone else? We don't have O-33 in evidence.

22 MR. EBERT: I'm sorry, Your Honor.

23 BY MR. EBERT:

24 Q. As part of your work in this investigation, did  
25 investigators obtain bank account records from Spire Credit

1 Union?

2 A. Yes.

3 Q. Are those, in part, account records held in the name of  
4 MIB Holdings LLC?

5 A. Yes.

6 Q. Are those true and accurate copies of those records?

7 A. Yes.

8 MR. EBERT: Your Honor, at this time the  
9 government offers Exhibit O-33.

10 THE COURT: Any objection?

11 O-33 is admitted. Now it may be published.

12 MR. EBERT: My apologies, Your Honor. And I don't  
13 know if the jury was able to see that.

14 THE COURT: Were you seeing it earlier?

15 No, we don't usually. So, yes, you may publish it  
16 now.

17 MR. EBERT: Thank you, Your Honor.

18 BY MR. EBERT:

19 Q. And now that the jury is able to see this, can you just  
20 briefly summarize this \$90,000 check up on the screen?

21 A. Of course. This is a check written from the account of  
22 MIB Holdings LLC, a company that is owned by Mr. Mahad  
23 Ibrahim. The date of the check is September 1st, 2021, and  
24 it is made to the order of Make Real, Inc. The memo line  
25 reads investment, and the amount is \$90,666.43.

1 Q. And, once again, you've reviewed the financial records  
2 underlying this transaction?

3 A. Yes.

4 Q. Were you able to determine the source of this \$90,666  
5 check?

6 A. Yes.

7 Q. What was that?

8 A. It was Federal Child Nutrition Program.

9 Q. Thank you.

10 Shifting gears, I want to direct your attention to  
11 Exhibit P-5. Whom do we see in this photo?

12 A. This is a photo of Mr. Said Farah.

13 Q. A defendant in this case?

14 A. Yes.

15 Q. And a moment ago you talked about Bushra Wholesalers?

16 A. Correct.

17 Q. Can you explain how, if at all, Mr. Said Farah relates  
18 to Bushra Wholesalers?

19 A. Mr. Said Farah is an account signer on accounts  
20 maintained by Bushra Wholesalers.

21 Q. Now I'm showing you what's in evidence as Exhibit L-21.  
22 Do you recognize that?

23 A. I do.

24 Q. And what is it?

25 A. This is a check from Empire Cuisine paid to the order of

1 Bushra Wholesalers.

2 Q. And for how much money?

3 A. The amount is \$118,258.

4 Q. And what is the date?

5 A. The date is March 11, 2021.

6 Q. And what does it say on the memo line?

7 A. The memo line says groceries.

8 Q. Next I want to show you what's in evidence as

9 Exhibit L-40. Is this another check?

10 A. Yes.

11 Q. Okay. What is the date of this one?

12 A. The date is September 21st, 2021.

13 Q. And the dollar amount?

14 A. \$66,506.72.

15 Q. And what's written on the memo line?

16 A. The memo line reads groceries.

17 Q. And you've reviewed the Bushra account?

18 A. Yes.

19 Q. And what, if anything, were you able to determine with  
20 respect to these two checks?

21 A. After reviewing the Bushra accounts, I determined that  
22 they were not used -- the deposits from these checks were  
23 not used to purchase groceries.

24 Q. And do these two checks form the basis of money

25 laundering Counts 21 and 40 in the indictment?

1 A. They do.

2 MR. SCHLEICHER: Your Honor, may we have a  
3 sidebar?

4 THE COURT: You may.

5 **(Sidebar discussion)**

6 MR. SCHLEICHER: Can you hear me, Your Honor?

7 THE COURT: I can.

8 MR. SCHLEICHER: Your Honor, I guess I was late to  
9 object to that testimony, but it is my understanding that  
10 she said that she determined that the money was not used to  
11 purchase groceries. Is that her testimony?

12 THE COURT: That is what I heard as well.

13 MR. SCHLEICHER: I'll object to the lack of  
14 foundation.

15 THE COURT: You're not on, Mr. Ebert.

16 MR. EBERT: I'm sorry about that, Your Honor.

17 I had asked questions relating to her review of  
18 the Bushra records leading up to that question and then  
19 asked for that. So I think there was foundation.

20 THE COURT: All right. I'm going to overrule the  
21 objection and let it stand.

22 MR. EBERT: Thank you.

23 **(In open court)**

24 BY MR. EBERT:

25 Q. All right. Ms. Blackwell, I want to shift gears. In

1 your review of records, have you seen transactions related  
2 to purchases for travel?

3 A. Yes.

4 Q. Okay. I want to show you what's been marked, but not  
5 admitted, as Government J-172. Do you recognize that?

6 A. I do.

7 Q. What do you recognize it to be?

8 A. These are travel reservations that we obtained from a  
9 travel agent, and they relate to defendants in this trial.

10 Q. Are these true and accurate copies of those records from  
11 the travel agent?

12 A. Yes.

13 MR. EBERT: Your Honor, at this time the  
14 government offers Exhibit J-172.

15 THE COURT: Any objection?

16 J-172 is admitted.

17 BY MR. EBERT:

18 Q. And have you created summary charts, Ms. Blackwell, that  
19 involve some of these travel records?

20 A. Yes.

21 Q. So first I want to show you Demonstrative N-137.

22 Can you explain what this is, please?

23 A. Sure. This is a summary chart that determines the  
24 source of funds that were used to pay for travel to  
25 Istanbul, Turkey, by defendants Abdimajid Nur, Abdiaziz

1 Farah and Mohamed Ismail.

2 Q. Now, you've testified today about Mohamed Ismail and  
3 Abdiaziz Farah; is that right?

4 A. Yes.

5 Q. You just mentioned a third name?

6 A. Yes.

7 Q. Who is that?

8 A. That is Abdimajid Nur.

9 Q. Defendant in this case?

10 A. Yes.

11 Q. And what do we see with respect to travel purchase by  
12 those three defendants?

13 A. We see that the funds came overwhelmingly from payments  
14 made by Partners in Nutrition to Empire Cuisine & Market  
15 LLC.

16 Q. Specifically, a payment of approximately 74,000; is that  
17 right?

18 A. Correct.

19 Q. And is there a date associated with that payment?

20 A. Yes. October 27th, 2021.

21 Q. And where did that payment go?

22 A. It went to the U.S. Bank account maintained by Empire  
23 Cuisine & Market ending in 9932.

24 Q. And in the bottom half of this summary, can you explain  
25 what we see?

1 A. What we see is the itinerary for the three defendants,  
2 Mohamed Ismail, Abdimajid Nur and Abdiaziz Farah, between  
3 November 19th, 2021, and December 5, 2021, for Mohamed  
4 Ismail; and November 29th, 2021, for the other two,  
5 Abdimajid Nur and Abdiaziz Farah.

6 Q. And is there a dollar amount at issue with respect to  
7 this travel you're testifying about?

8 A. Yes.

9 Q. What is that?

10 A. The total amount paid for these three trips was \$6,682.

11 Q. And you reviewed the underlying bank records leading up  
12 to that transaction?

13 A. I did.

14 Q. Based on that, were you able to identify the source of  
15 the funding for this travel?

16 A. I did.

17 Q. What was that?

18 A. Federal Child Nutrition Program funds.

19 Q. And do we see here images of the three defendants who  
20 are involved in that travel?

21 A. We do.

22 Q. Mr. Mohamed Ismail in the upper right in P-2?

23 A. Correct.

24 Q. What about in the bottom right?

25 A. Bottom right is Mr. Abdiaziz Farah, P-1; and bottom

1 left, Abdimajid Nur, Mr. Abdimajid Nur, in P-4.

2 Q. And now I'm showing you another demonstrative. Is this  
3 one identified as N-138?

4 A. Yes.

5 Q. Can you describe for the jury what is summarized here?

6 A. This is a similar chart, but this time it summarizes  
7 payments made for travel to Nairobi, Kenya, by two of the  
8 defendants and a third individual.

9 Q. And which of the two defendants are at issue in this  
10 Nairobi, Kenya, travel?

11 A. Mr. Abdimajid Nur and Mr. Abdiaziz Farah.

12 Q. And at the very bottom, how much money went towards this  
13 Nairobi, Kenya, travel?

14 A. The total amount is \$30,185.

15 Q. And is there a date associated with that dollar amount?

16 A. Yes. The payment was made on December 14th, 2021.

17 Q. And you've reviewed the underlying records?

18 A. Yes.

19 Q. Including those of Empire Cuisine & Market; is that  
20 correct?

21 A. Correct.

22 Q. And based upon that, were you able to determine the  
23 source of this approximately \$30,000 spent at that time for  
24 travel to Nairobi, Kenya?

25 A. Yes.

1 Q. What was that?

2 A. The total amount was, if we add up the two amounts at  
3 the top, is over \$1.5 million.

4 Q. And the source of that was what? I'm sorry?

5 A. The source of that was Federal Child Nutrition Program  
6 funds.

7 Q. I'm going to direct your attention to Capital View  
8 Properties. Are you familiar with that?

9 A. I am.

10 Q. Showing you what's in evidence as Exhibit J-160. Do you  
11 recognize that image?

12 A. I do.

13 Q. What do you recognize that to be?

14 A. This represents rendering of a development project in  
15 Nairobi, Kenya.

16 Q. And have you reviewed transactions related to this  
17 Capital View Properties development in Nairobi, Kenya?

18 A. Yes, I have.

19 Q. And on the screen do we see J-160 in the upper left?

20 A. Yes.

21 Q. And there are images of three other people; is that  
22 right?

23 A. Yes.

24 Q. Who are they?

25 A. On the top right is Mr. Abdiwahab Aftin. Bottom right

1 Mr. Abdiaziz Farah in P-1. And bottom left, Mr. Abdimajid  
2 Nur, P-4.

3 Q. All defendants in this case?

4 A. Yes.

5 Q. Did these individuals cause payments towards the  
6 development of that property?

7 A. Yes.

8 Q. I'm showing you what's been marked, but not admitted, as  
9 Government Exhibit L-27. Do you recognize that?

10 A. Yes, I do.

11 Q. And what do you recognize that to be?

12 A. This is a wire transfer request dated May 26th, 2021.  
13 Thank you. In the amount of \$200,000 from the account of  
14 Bushra Wholesale to Capital View Properties in Nairobi,  
15 Kenya.

16 Q. And is this a copy of a portion of bank records gathered  
17 in this investigation?

18 A. Yes.

19 Q. True and correct copies?

20 A. Yes.

21 MR. EBERT: Your Honor, at this time the  
22 government offers Exhibit L-27.

23 THE COURT: Any objection?

24 MR. GARVIS: No objection.

25 THE COURT: L-27 is admitted.

1 BY MR. EBERT:

2 Q. Can you remind us who we see on the left, Ms. Blackwell?

3 A. Yes. This is a photo of Mr. Abdiwahab Aftin.

4 Q. And on the right do we see Exhibit L-27?

5 A. Yes, we do.

6 Q. And what does L-27 concern?

7 A. L-27 is a wire transfer request for the amount of  
8 \$200,000, with a date for the originator May 17th, 2021, and  
9 for the beneficiary May 26, 2021.

10 Q. So on the left originator, Mr. Abdiwahab Aftin; is that  
11 right?

12 A. That is correct.

13 Q. Beneficiary on the right is what?

14 A. The beneficiary is Capital View Properties in Nairobi,  
15 Kenya.

16 Q. The date?

17 A. May 17th, 2021, for the originator settlement  
18 information.

19 Q. And is there a dollar amount of \$200,000 USD?

20 A. That is correct.

21 Q. And you've reviewed the underlying records leading up to  
22 this transaction?

23 A. Yes.

24 Q. And based upon that, were you able to determine the  
25 source that gave rise to this wire transfer?

1 A. Yes.

2 MR. SCHLEICHER: Objection, Your Honor. 701, 702,  
3 703, 704 and Federal Rule of Criminal Procedure Rule 16, and  
4 wish a standing objection.

5 THE COURT: That objection is overruled.

6 BY MR. EBERT:

7 Q. And, Ms. Blackwell, what was the source of the funds for  
8 this wire transfer?

9 A. The source of the funds overwhelmingly was Federal Child  
10 Nutrition Program funds.

11 Q. And does that item we just looked at, does that  
12 correspond to -- does L-27 correspond to money laundering  
13 Count 27 in the indictment?

14 A. Yes, it does.

15 Q. Next I'm going to show you two other items that are  
16 marked, but not in evidence, L-24 and L-25.

17 Do you recognize those?

18 A. Yes, I do.

19 Q. What do you recognize those to be?

20 A. They are wire transfers from Empire Enterprises LLC also  
21 to Capital View Properties in Nairobi, Kenya.

22 Q. True and accurate copies of records provided by  
23 financial institutions in this case?

24 A. Yes.

25 MR. EBERT: Your Honor, at this time the

1 government offers L-24 and L-25.

2 THE COURT: Any objection?

3 L-24 and L-25 are admitted.

4 BY MR. EBERT:

5 Q. And so up on the screen, Ms. Blackwell, is Exhibit L-25.

6 Can you describe what this is?

7 A. Yes. This is a wire transfer from Empire Enterprises  
8 LLC in the amount of \$300,000. The amount is listed here.

9 Sorry, I think I covered it.

10 Q. And what is the amount that you've crossed off?

11 A. 300,000.

12 Q. And is there a party listed as the -- beneath that  
13 underneath where it reads "account"?

14 A. Yes. This is the company Empire Enterprises LLC.

15 Q. And do you know who the signatories were at the time of  
16 this transaction?

17 A. Yes, Mr. Abdiaziz Farah and Mr. Abdimajid Nur.

18 Q. And a credit goes to a Wells Fargo; is that correct?

19 A. Yes, but that is the correspondent bank, yes.

20 Q. And at the bottom do we see Barclays Bank of Kenya?

21 A. Correct.

22 Q. As well as Capital View Properties in Nairobi, Kenya; is  
23 that right?

24 A. Yes.

25 Q. Does L-25 concern a money laundering count in the

1 indictment?

2 A. Yes.

3 Q. Were you able to review the underlying records that gave  
4 rise to that wire transfer in the amount of \$300,000?

5 A. Yes.

6 Q. Were you able to determine the source of those funds?

7 A. Yes.

8 Q. What was the source?

9 A. It was overwhelmingly Federal Child Nutrition Program  
10 funds.

11 Q. Now I'm showing you Government Exhibit L-24. Is this  
12 another wire transfer?

13 A. Correct.

14 Q. And what's the dollar amount and the date for this wire  
15 transfer?

16 A. The dollar amount is \$204,795, and the date is May 4th,  
17 2021.

18 Q. And does this relate to money laundering Count 24 in the  
19 indictment?

20 A. Yes.

21 Q. Involving the same defendants, Abdimajid Nur and  
22 Abdiaziz Farah; is that right?

23 A. Correct.

24 Q. And were you also able to make a determination of the  
25 source of this approximate \$204,000 wire transfer?

1 A. Yes, I was. It was also Federal Child Nutrition Program  
2 funds.

3 Q. I want to shift gears and direct your attention,  
4 Ms. Blackwell, to a company by the name of A&E Logistics.

5 And I'm showing you what's in evidence as  
6 Exhibit B-14. Do you recognize that?

7 A. I do.

8 Q. What is this?

9 A. These are records from the Minnesota Secretary of State  
10 regarding the incorporation of A&E Logistics Inc.

11 Q. And does it list an address underneath the Article 2?

12 A. Yes.

13 Q. 400 South Fourth Street in Minneapolis. Did I read that  
14 correctly?

15 A. Yes.

16 Q. And there's an incorporator name beneath that. Do you  
17 see that?

18 A. I do.

19 Q. What name do you see?

20 A. The name is Mukhtar Shariff.

21 Q. And does his name appear once again at the bottom?

22 A. Yes.

23 Q. In fact, is it followed by the words "Signed By"?

24 A. Yes.

25 Q. Is there an email listed for Mr. Mukhtar Shariff?

1 A. Yes. The email listed for official notices is  
2 ceo@eatafrique.com.

3 Q. And this is a multi-page document; is that right?

4 A. Yes.

5 Q. And then moving on to the fifth page of these Minnesota  
6 Secretary of State records, what do we see here?

7 A. We see that there was an amendment to the incorporation  
8 records and additional people appear at this time.

9 Q. And so at the top, once again, we're talking about A&E  
10 Logistics Inc.; is that right?

11 A. The entity is A&E Logistics Inc., yes.

12 Q. And you said something about other individuals?

13 A. Yes.

14 Q. What other individuals?

15 A. In addition to Mr. Mukhtar Shariff, there was also  
16 Mr. Mahad Ibrahim and Mr. Abdiaziz Farah.

17 Q. Mr. Mukhtar Shariff, is he a defendant in this case?

18 A. Yes.

19 Q. And it says Signature of Authorized Person at the  
20 bottom. Do you see that?

21 A. I do.

22 Q. And what is listed?

23 A. The name is Mukhtar Shariff.

24 Q. What's the date?

25 A. The date is July 13th, 2021.

1 Q. And then does his name appear yet again?

2 A. Yes. For the person of contact.

3 Q. And on the screen do we see in the upper left of  
4 Exhibit B-14 those Minnesota Secretary of State records?

5 A. Yes.

6 Q. And who are the three individuals that we see?

7 A. The top right is -- on P-7 is Mr. Mukhtar Shariff.  
8 Top -- bottom right is Mr. Mahad Ibrahim on P-3. And then  
9 bottom left on P-1, Mr. Abdiaziz Farah.

10 Q. And are these the individuals that we see that were  
11 listed on the -- on the Minnesota Secretary of State  
12 records?

13 A. Yes.

14 Q. For A&E Logistics; is that right?

15 A. For A&E Logistics Inc., yes.

16 Q. I want to show you three exhibits that are marked, but  
17 are not in evidence, J-120, J-121 and J-122.

18 And do you recognize those?

19 A. Yes, I do.

20 Q. What are they?

21 A. They represent bills of sale from Boyer Trucks to A&E  
22 Logistics Inc.

23 Q. And are these true and accurate copies of records  
24 obtained from Boyer Trucks?

25 A. They are.

1 MR. EBERT: Your Honor, at this time the  
2 government offers J-120 through J-122.

3 MR. ANDREW BIRRELL: No objection.

4 THE COURT: J-120 through J-122 are admitted.

5 BY MR. EBERT:

6 Q. Up on the screen is J-122. Can you describe what this  
7 is for the jury?

8 A. Sure. This is a bill of sale from Boyer Trucks, as I  
9 said, to A&E Logistics Inc. for the sale of two used 2016  
10 Ford transit vehicles. And the total amount for these two  
11 vehicles is \$69,769.

12 Q. And at the top do we see a Bill To?

13 A. Yes, we do.

14 Q. And what's the party name?

15 A. The party name is A&E Logistics Inc.

16 Q. And is that the same one we just looked at a moment ago?

17 A. Yes.

18 Q. Involving Mr. Shariff?

19 A. Yes.

20 Q. And Mr. Mahad Ibrahim?

21 A. Yes.

22 Q. As well as who else?

23 A. Mr. Abdiaziz Farah.

24 Q. And is there a Ship To address listed?

25 A. Yes.

1 Q. What is that?

2 A. That's also for A&E Logistics Inc., the address of 13825  
3 Edgewood Avenue in Savage, Minnesota.

4 Q. And are you familiar with that address?

5 A. I am.

6 Q. Whose address is that in Savage, Minnesota?

7 A. This is the address of the personal residence of  
8 Mr. Mohamed Ismail.

9 Q. Defendant in this case?

10 A. Defendant in this case.

11 Q. And there are additional Boyer Trucks bills of sale; is  
12 that right?

13 A. Yes, two more.

14 Q. Showing you J-120. What do we see here?

15 A. J-120 represents a bill of sale from Boyer Trucks to A&E  
16 Logistics Inc. for the sale of a used 2015 International  
17 4300 vehicle. The total amount is \$41,453.

18 Q. And then do we see the same addresses listed on this  
19 one?

20 A. We do not.

21 Q. What address is here?

22 A. The addresses here are -- is -- the address here is 1701  
23 American Boulevard in Bloomington, Minnesota.

24 Q. And is it the same Bill To and Ship To party, however?

25 A. They correspond, yes.

1 Q. Which is what?

2 A. A&E Logistics Inc., 1701 American Boulevard,  
3 Bloomington, Minnesota.

4 Q. And J-121, is this another Boyer Trucks bill of sale?

5 A. Yes, this is a third one.

6 Q. What's the address on the Bill and Ship To lines?

7 A. Once again, it's 13825 Edgewood Avenue in Savage,  
8 Minnesota.

9 Q. And whose address is that?

10 A. Mr. Mohamed Ismail's address.

11 Q. Okay. And what purchases are reflected in this bill of  
12 sale in J-121?

13 A. It shows that two vehicles were purchased, two used 2018  
14 Freightliners. And the total amount is -- well, for one,  
15 \$79,000; for the second one, \$84,506; so a total amount of  
16 \$167,012.

17 Q. And do you know in which year these vehicles were  
18 purchased in Exhibits J-120 through J-122?

19 A. Yes. In 2021.

20 Q. Have you prepared a summary chart?

21 A. Yes.

22 Q. That involves the purchases of these vehicles?

23 A. Correct.

24 Q. And is that in Demonstrative N-136?

25 A. It is.

1 Q. Starting at the bottom here, what is the total dollar  
2 amount of these Boyer Trucks that you're testifying about?

3 A. The total amount is \$278,234.

4 Q. And for how many trucks in total?

5 A. For five trucks.

6 Q. And have you reviewed the transactions that give rise to  
7 this 278,000 purchase of these five trucks?

8 A. Yes.

9 Q. And is that reflected here up above in N-136?

10 A. Yes.

11 Q. And what do we see?

12 A. We see that ultimately the source of funds is traced to  
13 payments made by sponsors to entities such as Empire Cuisine  
14 & Market and ThinkTechAct Foundation.

15 MR. EBERT: Your Honor, may I have one moment?

16 THE COURT: You may.

17 (Counsel confers)

18 MR. EBERT: All right. Thank you, Your Honor.

19 BY MR. EBERT:

20 Q. Now I want to -- concerning A&E Logistics, I want to  
21 show you Exhibit O-49, which is in evidence.

22 Is this a Bank of America document?

23 A. Yes.

24 Q. And what's the account title?

25 A. The account title is A&E Logistics LLC.

1 Q. And is that the company you just testified about a  
2 moment ago concerning the purchase of these five trucks?

3 A. I think it's -- I think it's the same company, even  
4 though it says LLC here.

5 Q. Who is the account owner?

6 A. The account owner is also Mr. Mukhtar Mohamed Shariff.

7 Q. And are you aware of whether or not a search warrant was  
8 executed at Mr. Mohamed Ismail's home?

9 A. Yes.

10 Q. I'm showing you Exhibit H-63, as well as Exhibit H-64.  
11 Do you recognize those?

12 A. I do.

13 Q. What are they?

14 A. They are a bill of sale and vehicle receipt and delivery  
15 verification sheet.

16 Q. Concerning some of these Boyer Trucks you're testifying  
17 about?

18 A. That is correct.

19 Q. And do you know where H-63 and H-64 were located?

20 A. Yes.

21 Q. Where?

22 A. At Mohamed Ismail's house.

23 Q. When the search warrant was executed?

24 A. At the day of the search warrant, yes.

25 MR. EBERT: And, Your Honor, if acceptable to the

1 court, this might be a time to break.

2 THE COURT: It is acceptable. Let's return at  
3 1:30 after our lunch break.

4 Thanks, everyone.

5 (Recess taken at 12:28 p.m. till 1:33 p.m.)

6

7

**IN OPEN COURT**

8

**(JURY PRESENT)**

9

THE COURT: You may all be seated.

10

And, counsel, you may continue.

11

MR. EBERT: All right. Thank you, Your Honor.

12

BY MR. EBERT:

13

Q. Ms. Blackwell, I want to direct your attention to an

14

entity called Afrique. And I'm going to show you a series

15

of exhibits that are marked, but have not been entered into

16

evidence, starting with J-176, J-177.

17

And prior to today have you had an opportunity to

18

review these series of exhibits, J-176, 177, 178 and a

19

series of exhibits in 179?

20

A. Yes.

21

Q. Okay. And, generally speaking, what do these exhibits

22

concern?

23

A. These exhibits are various agreements entered into by

24

Afrigue Hospitality Group LLC.

25

Q. And are these copies of records obtained by third

1 parties in this investigation?

2 A. Yes.

3 Q. Showing you Exhibit 178 --

4 A. Yes.

5 Q. -- as well as Exhibit J-179a, J-179b. Do you recognize  
6 these?

7 A. I do.

8 Q. And, generally, what are these?

9 A. These are communications between Mukhtar Shariff as --  
10 on behalf of Afrique and various contractors with whom he  
11 had agreements with.

12 Q. As well as J-179d, is that an additional item --

13 A. Yes.

14 Q. -- obtained in the investigation?

15 A. Yes.

16 Q. Do you recognize it?

17 A. I do.

18 Q. What is that?

19 A. It is yet again a communication between the City of  
20 Bloomington and one of the contractors that I described  
21 above.

22 Q. Now I'm showing you J-179f. Do you recognize that?

23 A. I do.

24 Q. And what is that?

25 A. It's a communication between Mr. Mukhtar Shariff and

1 another contractor.

2 Q. And, lastly, J-179g. Do you recognize that?

3 A. I do.

4 Q. What is J-179g?

5 A. It is a breakdown of amounts owed by Afrique Hospitality  
6 to a contractor.

7 Q. And these items that you've reviewed, J-176, J-177,  
8 J-178, are those true and accurate copies of records  
9 provided to investigators in the course of the  
10 investigation?

11 A. Yes.

12 Q. As well as J-179a through J-179d?

13 A. Yes.

14 Q. As well as J-179f and J-179g?

15 A. Yes.

16 MR. EBERT: Your Honor, at this time the  
17 government offers those exhibits, and I can read them aloud  
18 if you'd like.

19 THE COURT: Let me see if there's any objection.

20 MR. GOETZ: Your Honor, may I just have a moment,  
21 please? There's another possible exhibit that I think we  
22 might be able to agree to that's part of this.

23 THE COURT: Sure. Why don't you confer.

24 MR. EBERT: Thank you, Your Honor.

25 (Counsel confer)

1 MR. EBERT: Thank you, Your Honor.

2 BY MR. EBERT:

3 Q. And one additional exhibit I would show to you that has  
4 not been entered into evidence, which is J-179e.

5 And is that an item obtained by investigators in  
6 the course of the investigation?

7 A. Yes.

8 Q. And you recognize the items contained in J-179e?

9 A. I do.

10 Q. Are those true and accurate copies of records provided?

11 A. Yes.

12 MR. EBERT: Your Honor, at this time the  
13 government offers the series of exhibits, and I'm happy to  
14 read them aloud for the record.

15 THE COURT: I think I have them.

16 Any objection?

17 MR. GOETZ: None, Your Honor.

18 THE COURT: Let me see if I have these right,  
19 J-176, 177, 178, 179a through g --

20 MR. EBERT: Yes, Your Honor.

21 THE COURT: -- are admitted and may be published.

22 MR. EBERT: Thank you.

23 BY MR. EBERT:

24 Q. Ms. Blackwell, have you created additional summaries  
25 that concern transactions that involve payments with

1 Afrique?

2 A. Yes.

3 Q. Okay. I'm showing you a demonstrative, N-135a. Can you  
4 describe what this is?

5 A. Yes. This is a representation -- a depiction of a  
6 payment made to West -- made towards the remodel of Afrique  
7 Event Center at 1701 American Boulevard East in Bloomington,  
8 Minnesota.

9 Q. And at the very top is there a dollar amount underneath  
10 the words "Partners in Nutrition"?

11 A. Yes, there is.

12 Q. Can you explain that and the date ranges?

13 A. Yes. It is a combined total of \$1.1 million between  
14 October 15th and November 10th, 2021.

15 Q. And beneath that did something happen with those funds?

16 A. Yes. They were transferred to ThinkTechAct Foundation  
17 and then from there \$484,060 were sent to Empire Cuisine &  
18 Market, JPMorgan Chase account ending in 0833, on  
19 November 18th, 2021. Of that amount, \$240,075 were paid on  
20 January 5th, 2022, to West Title, LLC, which is a  
21 construction -- a title company acting as a disbursement  
22 agent for the project, for the remodel project of Afrique  
23 Community Business Center.

24 Q. And have you looked at other financial transactions  
25 involving the construction and the remodeling of this

1 Afrique Community Business Center?

2 A. Yes, I have.

3 Q. And based upon that, is there an approximate dollar  
4 amount that you've seen in the financial records that show  
5 contributions towards that project?

6 A. Yes.

7 MR. GOETZ: Objection. Vague, Your Honor.

8 THE COURT: Overruled. The answer will stand.

9 BY MR. EBERT:

10 Q. And what is that total dollar amount, approximately?

11 A. Approximately, \$1.9 million going towards the total  
12 amount, towards the remodel of the Afrique Event Center.

13 Q. And the summary chart here, is that showing a portion of  
14 that approximately \$1.9 million?

15 A. Yes.

16 Q. And that portion is the dollar amount we see on the  
17 screen?

18 A. Yes.

19 Q. Have you been able to look at the records and determine  
20 the source of that approximately \$240,000?

21 A. Yes.

22 Q. What is that source?

23 MR. GOETZ: Objection, Your Honor. 702, 703. May  
24 I voir dire the witness? Also, due process, Rule 16 and the  
25 court's discovery trial order.

1 THE COURT: You may cross-examine the witness. Is  
2 the voir dire for foundation?

3 MR. GOETZ: It is, Your Honor.

4 THE COURT: Go ahead.

5 MR. GOETZ: Ms. Blackwell.

6 THE WITNESS: Counsel.

7 MR. GOETZ: You just were going to answer some  
8 questions about source.

9 When you conducted the source analysis with  
10 respect to N-135a, did you employ any particular  
11 methodology?

12 THE WITNESS: Sure.

13 MR. GOETZ: What is -- was that methodology  
14 something you acquired as a result of your training, your  
15 education, your experience and skill as a forensic  
16 accountant?

17 THE WITNESS: It's based on my training, yes.

18 MR. GOETZ: Your specialized training as a  
19 forensic accountant?

20 THE WITNESS: Yes.

21 MR. GOETZ: And does that methodology, without  
22 explaining it, does it have a name, an acronym, or how would  
23 you describe your methodology in a nutshell?

24 THE COURT: Counsel, I'm just going to interrupt  
25 you there. I'd like a sidebar.

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**(Sidebar discussion)**

THE COURT: So, Mr. Goetz, my understanding is you're asking these questions in order to establish that she's an expert?

MR. GOETZ: That she's employing an expert methodology to conduct the source analysis, yes, Your Honor.

THE COURT: And I agree that you should be able to ask those questions. I don't think it's appropriate, because it's the subject of an evidentiary objection, to do so in front of the jury. So --

MR. GOETZ: If the court wants to excuse the jury, that's fine.

THE COURT: That's my -- that's what I think I will do. If you want to make that challenge, I want to be able to analyze this under the rules, but I don't think it's appropriate for the jury.

MR. GOETZ: I agree.

THE COURT: Okay. Thank you.

**(In open court)**

THE COURT: Members of the jury, we're going to excuse you for about 10, 15 minutes, and we'll come get you when we are ready. All right?

All rise for the jury.

**IN OPEN COURT**

**(JURY NOT PRESENT)**

1 THE COURT: You may all be seated.

2 All right. What the court is considering is  
3 whether this witness's opinion as to source is expert  
4 testimony that was not disclosed, and that was the subject  
5 of Mr. Goetz's questions, which it's appropriate for him to  
6 ask to challenge the witness as providing undisclosed expert  
7 testimony, but I did not want to do that in front of the  
8 jury.

9 So, Mr. Goetz, you may continue.

10 MR. GOETZ: Thank you, Your Honor.

11 Your Honor, just because this might impact another  
12 exhibit, could I get -- and testimony, could I get the  
13 assistance of Ms. Falk?

14 THE COURT: Of course.

15 MR. GOETZ: Ms. Blackwell, you were just about to  
16 explain the methodology that you used to determine the  
17 source of the funds that went into the Afrique payment to  
18 West Title that underlies N-135a, correct?

19 THE WITNESS: Correct. But the screen just went  
20 blank.

21 MR. GOETZ: That's fine, but you remember the  
22 subject of your testimony, right?

23 THE WITNESS: I do.

24 MR. GOETZ: Can you describe for the court the  
25 methodology that you employed to make that source analysis?

1 THE WITNESS: Yes. Generally, it is known as a  
2 first-in, first-out method, which essentially means that you  
3 trace the payment of -- the one payment that you want to  
4 trace, you trace it to the earliest deposits in the account.

5 MR. GOETZ: Was there any other methodology that  
6 you employed in making your analysis, the source analysis in  
7 this case, other than the first-in, first-out methodology?

8 THE WITNESS: No.

9 MR. GOETZ: What training have you had on the  
10 first-in, first-out methodology? Where did you learn that  
11 that was an appropriate methodology to apply to a source  
12 analysis?

13 THE WITNESS: It was part of my training in  
14 forensic accountant training program in Quantico at the FBI  
15 Academy.

16 MR. GOETZ: And how long was that training at  
17 Quantico in this methodology and other methodologies?

18 THE WITNESS: The training, which consisted of  
19 multiple subjects, was approximately five weeks long at the  
20 time.

21 MR. GOETZ: And based upon that specialized  
22 training you've had in forensic accounting, including in the  
23 first-in and first-out methodology, you feel qualified to  
24 answer counsel's questions on the source of funds in this  
25 case; is that right?

1 THE WITNESS: This is the method I consistently  
2 use in my work, in my job, so yes.

3 MR. GOETZ: Okay. Based upon your training, skill  
4 and experience?

5 THE WITNESS: Correct.

6 MR. GOETZ: Your Honor, I object under 702, 703,  
7 as well as Rule 16 and the court's trial order, which  
8 required a deadline for expert discovery.

9 THE COURT: Mr. Ebert, you may question the  
10 witness and argue.

11 MR. EBERT: Thank you, Your Honor.

12 So, Ms. Blackwell, earlier this morning you were  
13 asked a series of questions about the steps you took with  
14 respect to looking at various accounts; is that right?

15 THE WITNESS: Correct.

16 MR. EBERT: Ultimately, are you making value  
17 judgments yourselves about the evidence?

18 THE WITNESS: No. They are based on the amounts  
19 that are scheduled out based on the underlying records of  
20 the case.

21 MR. EBERT: In other words, does it involve simply  
22 doing the math?

23 THE WITNESS: That's essentially what it is.

24 MR. EBERT: Looking at the source of a payment?

25 THE WITNESS: Yes.

1 MR. EBERT: And then doing what, after you take at  
2 that step?

3 THE WITNESS: Just additions and subtractions.

4 MR. EBERT: In other words, first in, first out?

5 THE WITNESS: First in, first out.

6 MR. EBERT: Could anyone with a calculator do  
7 that?

8 THE WITNESS: Yes.

9 MR. EBERT: Your Honor, in addition, I would point  
10 the court to *United States versus Blakstad*, this is 2023  
11 WL 2668477, the recent decision from the Second Circuit  
12 Court of Appeals that involves this very issue. And there  
13 it actually had to do with whether or not there's expert  
14 witness testimony rendered in the context of this very  
15 issue, and ultimately there the court concluded that that  
16 was not expert testimony.

17 THE COURT: That's Blakstad?

18 MR. EBERT: B-L-A-K-S-T-A-D.

19 THE COURT: Yes. One moment.

20 MR. GOETZ: Your Honor, if the court allows, I  
21 would have a couple follow-up questions.

22 THE COURT: One moment.

23 Mr. Goetz, you may ask additional questions.

24 MR. GOETZ: Ms. Blackwell, just to better  
25 understand your methodology, first in, first out, if you

1 have a pool of money --

2 THE WITNESS: Sure.

3 MR. GOETZ: -- commingled from different sources  
4 and that pool exists and it has recent funds, as well as  
5 older funds, how do you determine when a payment is made out  
6 from that collective pool the source of the funds for that  
7 payment?

8 THE WITNESS: I'll be happy to explain.

9 So as I said, first in, first out is based on  
10 tracing a certain payment to the earliest deposits in the  
11 account, if need be, going all the way to the opening -- the  
12 opening deposits from the -- from the opening date.

13 And then from then on, you determine the total  
14 withdrawals that have been made from that account right  
15 before the one of interest, the one that you are tracing.

16 And then you determine the total deposits that go  
17 into that account until you find the one without which the  
18 payment could not have been made because there would not  
19 have been sufficient funds in the account. That may be one  
20 source or that may be multiple sources. Because as we all  
21 know, multiple deposits can go into one account in one day.

22 And this is how I determine the source.

23 MR. GOETZ: Sure, but if you have a pool of funds  
24 that never get to a point where an ultimate payment --  
25 there's insufficient funds to make that ultimate payment,

1           how do you determine from which of the sources that payment  
2           came from?

3                   THE WITNESS:  You just show all of the sources  
4           that need to be shown.

5                   MR. GOETZ:  So in that case you can't determine  
6           what source?  Is that what you're saying?

7                   THE WITNESS:  Yes, you can.  You just have two or  
8           three sources that combined.

9                   MR. GOETZ:  So if I have money from source one,  
10          two, three, four, five, commingled pot of funds, and I have  
11          a payment, the amount of which is less than all of the  
12          sources individually, how do you determine what source that  
13          payment came from?

14                   THE WITNESS:  Again, you just show all of the  
15          sources.  You just show all of the deposits that hit the  
16          account in that particular time frame until you get --

17                   MR. GOETZ:  So in that case you could not  
18          determine the source?  Is that what I understand?

19                   THE WITNESS:  Yes, you can; you just have to show  
20          all of them.

21                   MR. GOETZ:  Okay.  So in that case the payment  
22          came from all of the sources?

23                   THE WITNESS:  Money is fungible.

24                   MR. GOETZ:  Exactly.

25                   THE WITNESS:  So.

1 MR. GOETZ: Your Honor, given the complexity of  
2 this issue, we persist in our objection.

3 THE COURT: Understood.

4 I have read *Blakstad*, and it also cites *Lebedev*,  
5 which is 932 F.3d at 40, sorry, which is a Second Circuit  
6 2019 case.

7 And I think the confusion here is whether this is  
8 an expert witness undisclosed providing scientific,  
9 technical or other specialized knowledge as opposed to a  
10 summary witness who is testifying using a summary chart or  
11 calculation to prove the content of voluminous writings that  
12 cannot be conveniently examined in court.

13 In my opinion, Ms. Blackwell falls within the  
14 latter rather than the former. She is certainly using her  
15 knowledge as an accountant, but this falls within lay  
16 opinion testimony, not expert testimony undisclosed.

17 I've heard no case law to the contrary, and  
18 *Blakstad* appears to be exactly on point. And while it isn't  
19 controlling, it is persuasive to the court and, therefore,  
20 I'm overruling the objection.

21 And we'll call the jury back in.

22 MR. SAPONE: Your Honor, I'm sorry. Could I just  
23 have one brief moment with Mr. Goetz?

24 THE COURT: Very briefly.

25 MR. GOETZ: And just for our record, may I please

1 have a standing objection?

2 THE COURT: Your objection is noted, and it can be  
3 shared with all defendants.

4 MR. GOETZ: On the source questions.

5 THE COURT: Understood.

6 (Mr. Sapone and Mr. Goetz confer)

7 THE COURT: Mr. Sapone, I've ruled.

8 MR. SAPONE: Okay. And one other thing, Your  
9 Honor, and I'm sorry for this, but we were going to talk to  
10 you about another quick issue. Could I just put it on the  
11 record now --

12 THE COURT: You may.

13 MR. SAPONE: -- before they come back? So  
14 regarding the Do My Homework.

15 THE COURT: Yes.

16 MR. SAPONE: My understanding of the court's  
17 ruling was that the government could introduce evidence of  
18 it as -- as some of the subject money was used to pay for  
19 it, but not get into or call witnesses or otherwise explain  
20 what it is. It was just the money was used to employ Do My  
21 Homework, but not explain it.

22 And is that the court's ruling?

23 THE COURT: Well, it's coming in through this  
24 witness? What I didn't want is a mini-trial on that issue.  
25 So I think I'll see how far Mr. Ebert goes with it. You can

1 object when you think we get into 403 grounds.

2 MR. SAPONE: Thank you.

3 THE COURT: Understanding that you already  
4 objected to the introduction itself as 403 and that's  
5 preserved.

6 MR. SAPONE: Thank you.

7 THE COURT: Call the jury.

8 **IN OPEN COURT**

9 **(JURY PRESENT)**

10 THE COURT: You may all be seated.

11 Thank you for your patience, members of the jury.

12 Mr. Ebert, you may continue.

13 MR. EBERT: Thank you, Your Honor.

14 BY MR. EBERT:

15 Q. Ms. Blackwell, before we broke, I was asking you a  
16 series of questions about this \$240,000 payment. Do you  
17 recall that?

18 A. I do.

19 Q. And were you able to, from looking at the records, make  
20 a determination of the source of that \$240,000 payment?

21 A. Yes, I was.

22 Q. What was the source?

23 A. The source was Federal Child Nutrition Program funds.

24 Q. Have you created an additional demonstrative summary  
25 involving the Afrique Event Center?

1 A. Yes.

2 Q. And is that reflected in this Demonstrative N-135b?

3 A. It is.

4 Q. And at the bottom do we see a dollar amount,  
5 Ms. Blackwell?

6 A. Yes, we do. It is \$732,195.

7 Q. And before that, what is the language that precedes the  
8 dollar amount?

9 A. Yes, which represents project expenses that are traced  
10 to the food program, project expenses which include the  
11 totality -- a multitude of payments towards contractors that  
12 performed work at Afrique Event Center at 1701 American  
13 Boulevard East.

14 Q. As part of that renovation and construction?

15 A. Correct.

16 Q. And are those parties summarized beneath?

17 A. They are.

18 Q. And with respect to this dollar amount, approximately  
19 \$732,000, did you review the records that preceded that  
20 transaction?

21 A. Yes.

22 Q. Were you able to determine the source of the funds that  
23 gave rise to that transaction?

24 A. Yes.

25 Q. And what was it?

1 A. Overwhelmingly, it was Federal Child Nutrition funds.

2 Q. I'm showing you what's in evidence as Government  
3 Exhibit L-31. Is this a copy of a check?

4 A. Yes.

5 Q. What is the amount of the check?

6 A. The amount of this cashier's check is \$250,000.

7 Q. And in the upper right is there a date?

8 A. Yes. It is June 9th, 2021.

9 Q. Do you see a remitter for this check?

10 A. Yes. The remitter is Mukhtar Mohamed Shariff.

11 Q. And this check is paid to the order of which party?

12 A. It's paid to the order of Ikram Mohamed.

13 Q. And did you review the records that -- the bank account  
14 records that gave rise to this check?

15 A. Yes.

16 Q. Were you able to make a determination of the source of  
17 those funds?

18 A. Yes.

19 Q. What was that source?

20 A. Federal Child Nutrition funds.

21 Q. Next I'm showing you what's been marked, but not entered  
22 into evidence, as Exhibit L-15. Do you recognize that?

23 A. Yes.

24 Q. What is it?

25 A. It is a copy of the same cashier's check.

1 MR. EBERT: Your Honor, at this time the  
2 government offers Exhibit L-15.

3 THE COURT: Any objection?

4 MR. GOETZ: No, Your Honor.

5 THE COURT: Thank you.

6 L-15 is admitted.

7 MR. EBERT: Thank you, Your Honor.

8 BY MR. EBERT:

9 Q. On the left do we see Exhibit L-31?

10 A. Yes.

11 Q. And what exhibit is on the right?

12 A. L-15.

13 Q. And on the left, does that check form the basis of  
14 Count 31 in the indictment?

15 A. Yes, it does.

16 Q. And on the right, does that form the basis of a count in  
17 the indictment?

18 A. Yes.

19 Q. Count 15?

20 A. 31.

21 Q. On the right, L-15, does that form the basis of  
22 Count 15?

23 A. Yes.

24 Q. Thank you.

25 All right. Ms. Blackwell, I want to switch gears

1 for a moment. On the left is P-4. Who is that?

2 A. This is Mr. Abdimajid Nur.

3 Q. On the right we see another image?

4 A. Yes.

5 Q. Who is in P-8 on the right-hand side?

6 A. This is Ms. Hayat Nur.

7 Q. Both defendants in this case?

8 A. Yes.

9 Q. I'm showing you Exhibit L-34, which is in evidence. Is  
10 this a copy of another check?

11 A. Yes, it is.

12 Q. In the upper left, do you see a printed name?

13 A. I do.

14 Q. What is that?

15 A. It is Nur Consulting LLC.

16 Q. And is there handwriting above it?

17 A. There is.

18 Q. What does that say?

19 A. It says Abdimajid Nur, Wings and a number.

20 Q. Okay. What is the date of this check?

21 A. The date of this check is August 9th, 2021.

22 Q. And do you see something on the memo line?

23 A. I do.

24 Q. What does it say?

25 A. The memo line reads car payoff.

1 Q. And this is paid to the order of which party?

2 A. Wings Financial Credit Union.

3 Q. And what's the dollar amount of the check?

4 A. The dollar amount is \$11,504.

5 Q. And does this Exhibit L-34 correspond to a money  
6 laundering Count 34 in the indictment?

7 A. It does.

8 Q. I'm going to show you a series of exhibits, J-103,  
9 J-104, J-105, J-106 and J-107.

10 Do you recognize those items, Ms. Blackwell?

11 A. I do.

12 Q. What do you recognize them to be?

13 A. They are motor vehicle records, as well as application  
14 for a title, as well as a photo of a vehicle.

15 Q. And are these true and accurate copies of records  
16 obtained in the investigation?

17 A. They are.

18 MR. EBERT: Your Honor, at this time the  
19 government offers Exhibit J-103 through J-107.

20 MR. SAPONE: No objection.

21 THE COURT: J-103 through 107 are admitted.

22 MR. EBERT: Thank you, Your Honor.

23 BY MR. EBERT:

24 Q. Ms. Blackwell, now the jury is able to see on the screen  
25 the image in J-107. Can you describe what that is?

1 A. This is a picture of a 2019 Nissan Altima.

2 Q. Have you prepared a summary concerning transactions  
3 involving this vehicle?

4 A. Yes.

5 Q. On the screen do we see Demonstrative N-132?

6 A. Yes.

7 Q. And can you describe what it is?

8 A. This chart summarizes the amounts that went into a  
9 series of transactions that culminated in -- with the  
10 purchase of a 2019 Nissan Altima by Abdimajid Nur and Hayat  
11 Nur.

12 Q. And at the top, is there a dollar amount on the left  
13 from Feeding Our Future?

14 A. Yes, from Feeding Our Future, \$396,924 were deposited --  
15 was deposited into account ending in 229 maintained by  
16 Empire Cuisine & Market at Old National Bank, as well as  
17 \$463,078 on May 7th, 2021, deposited into account U.S. Bank  
18 ending in 3379 maintained by ThinkTechAct Foundation.

19 Q. And is there a dollar amount on the right from Partners  
20 in Nutrition?

21 A. Yes. From Partners in Nutrition between May 6th and  
22 June 11th, \$3.7 million altogether was deposited into  
23 ThinkTechAct, the U.S. Bank account ending in 3379.

24 Q. And from there where did those funds go?

25 A. From there some of them went directly to Nur Consulting

1 LLC account at Old National Bank ending in 1997, and some of  
2 them flowed through Empire Enterprises, but ultimately  
3 \$24,980 of those was deposited into Nur Consulting LLC  
4 account at Old National Bank as well.

5 Q. Is there a signatory on this Nur Consulting LLC bank  
6 account?

7 A. Yes.

8 Q. Who is that signatory?

9 A. Mr. Abdimajid Nur.

10 Q. And at the very bottom, is there a dollar amount that we  
11 see above Count 24?

12 A. Yes.

13 Q. What is that?

14 A. It's \$11,504.

15 Q. And does that correspond to the check that we just  
16 looked at in L-34?

17 A. It does.

18 Q. And you've reviewed the records that gave rise to that  
19 transaction?

20 A. I did.

21 Q. Were you able to determine the source of those funds?

22 A. Yes.

23 Q. What is the source?

24 A. It is Federal Child Nutrition funds.

25 Q. And that check in L-34 on the screen is to which party

1 again?

2 A. To Wings Financial Credit Union.

3 Q. Now I'm showing you page 5 of Exhibit J-106. And are  
4 these part of the records of Wings Financial Credit Union?

5 A. Yes.

6 Q. And does this concern a promissory note or a loan  
7 involving the vehicle?

8 A. Yes, it does.

9 Q. And do we see who the two signers were on the loan for  
10 the vehicle?

11 A. Yes. The two signers are Abdimajid Mohamed Nur and  
12 Hayat Nur.

13 Q. Defendants in this case?

14 A. Defendants in this case.

15 Q. And that loan was paid off by this check L-34; is that  
16 correct?

17 A. Yes.

18 Q. Are there other vehicles purchased by Abdimajid Nur that  
19 you have reviewed?

20 A. Yes, there are.

21 Q. Directing your attention to exhibits that are marked,  
22 but not in evidence, J-33, J-34, J-35, J-36, J-37, as well  
23 as J-38, J-39.

24 And you've had an opportunity to review these  
25 prior to today?

1 A. Yes.

2 Q. Generally, what do these exhibits concern?

3 A. They concern purchase and application for a title and  
4 motor vehicle records for a vehicle purchased by  
5 Mr. Abdimajid Nur.

6 Q. And does that include J-40 on the screen before you?

7 A. Yes.

8 Q. And, lastly, J-41?

9 A. Yes.

10 Q. Are those exhibits true and accurate copies of records  
11 provided to investigators concerning that vehicle?

12 A. Yes.

13 MR. EBERT: Your Honor, at this time the  
14 government offers J-33 through J-41.

15 THE COURT: Any objection?

16 MR. SAPONE: No objection.

17 THE COURT: J-33 through J-41 are admitted.

18 BY MR. EBERT:

19 Q. J-37. What do we see depicted in this image,  
20 Ms. Blackwell?

21 A. This is a photograph or a series of photographs of a  
22 2021 RAM 1500 vehicle.

23 Q. Did you prepare yet another demonstrative summary  
24 concerning this vehicle?

25 A. I did.

1 Q. Showing you Demonstrative N-103. At the bottom is there  
2 a dollar amount?

3 A. Yes. The dollar amount is \$64,406.

4 Q. And is there a date?

5 A. Yes. The date of the payment is 8 -- is August 17th,  
6 2021.

7 Q. And the payment concerned what?

8 A. The payment concerned the -- the purchase of a Dodge  
9 2021 Dodge Ram vehicle from Dodge of Burnsville, which is a  
10 dealership located in Minnesota.

11 Q. And does that payment, does that concern Count 35 in the  
12 indictment?

13 A. Yes.

14 Q. Were you able to review the records and determine the  
15 source of that 64,000 approximate payment for that truck?

16 A. Yes.

17 Q. And what was the source?

18 A. The source is Federal Child Nutrition Program funds.

19 Q. And is L-45 [sic] a copy of a check?

20 A. L-35 is a copy of the check, yes.

21 Q. And what is the date of the check in L-35?

22 A. August 17th, 2021.

23 Q. Made out to which party?

24 A. Dodge of Burnsville.

25 Q. And who signed that check? Do you see that?

1 A. Yes. The signature belongs to Mr. Abdimajid Nur.

2 Q. And what's on the memo line?

3 A. The memo line reads car payment.

4 Q. And I apologize if I already asked this, but what's the  
5 dollar amount?

6 A. The dollar amount is \$64,406.65.

7 Q. And does this check in L-35 correspond with Count 35 in  
8 the indictment?

9 A. Yes, it does.

10 Q. Were there other purchases made by Abdimajid Nur that  
11 you reviewed in the financial records?

12 A. Yes.

13 Q. I'm directing your attention to what's been marked, but  
14 not admitted, as Exhibit L-38. And I will enlarge this so  
15 you can see it.

16 And do you recognize that?

17 A. I do.

18 Q. What do you recognize that to be?

19 A. It's a little blurry, but I recognize it to be a wire  
20 transfer.

21 Q. And are you able to see the dollar amount?

22 A. Yes. \$30,000.

23 Q. And who was the party that received that money?

24 A. It is a -- it is an entity called Farhia Jewelery LLC in  
25 Dubai.

1 Q. And would it be helpful if I showed you the original  
2 bank account record that corresponds to L-38?

3 A. I think that will help, yes.

4 Q. Is that a little clearer, Ms. Blackwell?

5 A. Yes, it is.

6 Q. Showing you what I believe has been admitted as  
7 Government Exhibit O-30, and this is page 13 of that  
8 exhibit, is there a dollar amount on the right?

9 A. Yes. \$30,000.

10 Q. And do we see a date on the left-hand column?

11 A. Yes, we do. September 1st, 2021.

12 Q. And you said that there was a wire transfer; is that  
13 right?

14 A. Yes. It says international wire transfer.

15 Q. And are you able to make out the recipient of that  
16 transfer?

17 A. Farhia Jewellery LLC Dubai.

18 Q. And does this item that we see on the screen, page 13 of  
19 Exhibit O-30, does that correspond to the exhibit that you  
20 looked at a moment ago, Exhibit L-38?

21 A. Yes.

22 MR. EBERT: Your Honor, at this time the  
23 government offers Exhibit L-38.

24 THE COURT: Any objection?

25 MR. SAPONE: No objection.

1 THE COURT: L-38 is admitted.

2 BY MR. EBERT:

3 Q. And have you made a summary chart that concerns this  
4 \$30,000 transaction involving Farhia Jewellery from Dubai?

5 A. Yes.

6 Q. Showing you N-131. At the bottom can you point out the  
7 dollar amount?

8 A. Yes. \$30,000 paid on September 1st, 2021, to Farhia  
9 Jewellery LLC Dubai.

10 Q. On September 1st, 2021?

11 A. Yes.

12 Q. And which count is listed here?

13 A. Count 38.

14 Q. And the spelling of Farhia Jewellery, where does that  
15 spelling come from?

16 A. The bank statement.

17 Q. And were you able to review the records that led up to  
18 this \$30,000 transaction out of the Nur Consulting account?

19 A. Yes.

20 Q. The signatory on that account is which party?

21 A. Mr. Abdimajid Nur.

22 Q. And based on your review of the transactions leading up  
23 to this payment, were you able to determine the source?

24 A. Yes.

25 Q. What was the source?

1 A. Overwhelmingly, it was Federal Child Nutrition Program  
2 funds.

3 Q. Directing your attention to Demonstrative N-106. Is  
4 this another summary chart that you created?

5 A. Yes.

6 Q. And what is the title of it?

7 A. It is Summary Chart of Count 41, purchase of a 2021  
8 Hyundai Santa Fe by Abdimajid Nur.

9 Q. Another vehicle purchased by Mr. Nur; is that correct?

10 A. Another vehicle.

11 Q. And at the very bottom, do we see a dollar amount?

12 A. Yes, we do.

13 Q. What is that?

14 A. It's \$34,777.

15 Q. And that came from which account?

16 A. That came from Mr. Abdimajid Nur's personal account at  
17 Chase ending in 1616.

18 Q. And what was the date of that payment, according to your  
19 chart?

20 A. September 30, 2021.

21 Q. And were you able to review the account to look at the  
22 transactions prior to this check?

23 A. Yes.

24 Q. And based on that, were you able to determine the source  
25 of the funds that gave rise here?

1 A. Yes.

2 Q. What was the source?

3 A. Overwhelmingly, it was Federal Child Nutrition Program  
4 funds.

5 Q. Showing you Government Exhibit L-41. Is this the check  
6 that was summarized in the previous summary?

7 A. Yes.

8 Q. What's the dollar amount?

9 A. \$34,777.52.

10 Q. And who was the remitter of this check?

11 A. It was Mr. Abdimajid Nur.

12 Q. And it was paid to the order of which party?

13 A. The party is Morrie's Hyundai.

14 Q. And the date of the check?

15 A. September 30, 2021.

16 Q. And does this check correspond to Count 41, an  
17 underlying count in the indictment?

18 A. It does.

19 Q. I'm showing you three exhibits, J-68, J-69 -- these are  
20 not in evidence -- J-69 and J-70. Do you recognize those?

21 A. I do.

22 Q. What are those?

23 A. These are generally application for -- for title for the  
24 vehicle that we just talked about, the 2021 Hyundai  
25 Santa Fe.

1 Q. And are those true and accurate copies of records  
2 provided to the investigators?

3 A. They are.

4 MR. EBERT: At this time the government offers  
5 Exhibit J-68 through J-70.

6 MR. SAPONE: No objection.

7 THE COURT: J-68 through 70 are admitted.

8 MR. EBERT: All right. Thank you, Your Honor.

9 BY MR. EBERT:

10 Q. Now I'm showing you what's been marked as  
11 Demonstrative N-134. Can you explain what this is?

12 A. Sure. This summarizes the source of funds for a down  
13 payment that was made on a single-family residence in  
14 Savage, Minnesota, by Mr. Abdimajid Nur.

15 Q. And have you reviewed records involving this  
16 single-family residence and Mr. Abdimajid Nur?

17 A. Yes.

18 Q. And are those marked as Government Exhibits J-111  
19 through J-117?

20 A. Yes.

21 Q. I'm showing you what's been marked, but not entered into  
22 evidence, as J-111 through J-117.

23 And you've reviewed these records?

24 A. Yes.

25 Q. Generally, what are they?

1 A. They are a series of records, including the purchase  
2 agreement, as well as communications with Pulte Homes  
3 regarding the purchase of a single -- of a residence in --  
4 by Mr. Abdimajid Nur from Pulte Homes.

5 Q. What is Pulte Homes?

6 A. Pulte Homes is a construction company, a home builder.

7 Q. And are these true and accurate copies of records  
8 provided by Pulte Homes?

9 A. Yes.

10 MR. EBERT: Your Honor, at this time the  
11 government offers Exhibits J-111 through J-117.

12 MR. SAPONE: No objection.

13 THE COURT: J-111 through J-117 are admitted.

14 MR. EBERT: Thank you.

15 BY MR. EBERT:

16 Q. Now I want to go back to the summary chart we looked at  
17 a moment ago. N-134. Does this concern transactions  
18 involving a Pulte Homes construction project?

19 A. Yes.

20 Q. Okay. Going to the very bottom, what do we see here?

21 A. We see the amount of the down payment that was made for  
22 6414 156th Street in Savage, Minnesota.

23 Q. And that down payment is for how much?

24 A. The down payment is for \$45,000.

25 Q. And it came from which account?

1 A. It came from Nur Consulting LLC account at Old National  
2 Bank ending in 1997.

3 Q. Who is the signatory on that account?

4 A. It's Mr. Abdimajid Nur.

5 Q. And did you review the account records that gave rise to  
6 this \$45,000 payment to Pulte Homes?

7 A. Yes.

8 Q. Based on that review, were you able to determine the  
9 source of the funds for this payment?

10 A. Yes.

11 Q. What was the source?

12 A. Overwhelmingly, it was Federal Child Nutrition Program  
13 funds.

14 Q. Next I want to direct your attention to exhibits that  
15 are marked, but not in evidence, as G-328, G-330 and G-331.

16 Showing you G-328, do you recognize that?

17 A. I do.

18 Q. As well as G-330, do you recognize that?

19 A. Yes.

20 Q. And finally G-331. Do you recognize G-331?

21 A. I do.

22 Q. Are these copies of email messages obtained by Google in  
23 response to a search warrant?

24 A. They are.

25 Q. True and accurate copies of those records?

1 A. Yes.

2 MR. EBERT: Your Honor, at this time the  
3 government offers G-328, as well as G-330 and G-331.

4 MR. SAPONE: No objection.

5 THE COURT: 328, 330 and 331 are admitted.

6 BY MR. EBERT:

7 Q. All right. Up on the screen is Exhibit G-331. Let's  
8 start at the top. This is a copy of an email message; is  
9 that right?

10 A. Correct.

11 Q. And who is the recipient of this email message?

12 A. The email address or the person?

13 Q. Who received this email?

14 A. Mr. Abdimajid Nur.

15 Q. And what's the email address that you see listed for  
16 Mr. Abdimajid Nur?

17 A. 19anur@gmail.com.

18 Q. And what's the subject?

19 A. The subject reads, "Thank you for purchasing tickets for  
20 2021-22 Timberwolves Flex Plan."

21 Q. What's the date of this message?

22 A. January 7th, 2022.

23 Q. And below, what's contained in the body of this email  
24 message?

25 A. An amount that was charged to the credit card for ticket

1 details.

2 Q. And what's the amount that we see here?

3 A. \$4,330.

4 Q. And to be clear, this is a payment for the -- not for  
5 the current season of the Timberwolves; is that right?

6 A. No.

7 Q. Is this the only transaction you've seen involving  
8 payments from Mr. Abdimajid Nur to Timberwolves?

9 A. No.

10 Q. Do you know approximately how much you see in payments  
11 from Abdimajid Nur for Timberwolves tickets?

12 A. If my recollection is correct, I think about just over  
13 \$7,000.

14 Q. And were you able to determine the source of the funds  
15 of those payments?

16 A. Yes.

17 Q. What was the source?

18 A. Federal Child Nutrition Program funds.

19 Q. I want to show you a series of exhibits that are marked,  
20 but are not in evidence. And to start, I want to show you  
21 on the screen Exhibit G-334. Do you recognize that?

22 A. I do.

23 Q. And does it involve a payment in the approximate amount  
24 of \$6,316?

25 A. It does.

1 Q. And, first of all, is this an email message?

2 A. It is an email message, yes.

3 Q. Sent to which party?

4 A. Sent to Mr. Abdimajid Nur.

5 Q. And on which date?

6 A. It was sent on January 13th, 2022.

7 Q. And is this one in a series of email messages involving  
8 the same party that we see here in Exhibit G-334?

9 A. Yes.

10 Q. And prior to today, have you reviewed a series of  
11 exhibits that are in the G series, Ms. Blackwell?

12 A. Yes.

13 Q. Specifically, G-316 through G-327?

14 A. Yes.

15 Q. As well as G-329?

16 A. Yes.

17 Q. As well as G-332 through 335?

18 A. Yes.

19 Q. And are those true and accurate copies of email messages  
20 obtained in this investigation in response to a search  
21 warrant?

22 A. They are.

23 MR. EBERT: Your Honor, at this time the  
24 government offers those exhibits into evidence.

25 MR. SAPONE: No objection.

1 THE COURT: G-316 through G-327, G-329 and G-332  
2 through 335 are admitted.

3 BY MR. EBERT:

4 Q. Up on the screen, Ms. Blackwell, is Exhibit G-334. Do  
5 you see -- who is on the To line of this email message?

6 A. It is Mr. Abdimajid Nur.

7 Q. With a 19anur@gmail.com email?

8 A. That is correct.

9 Q. What is the subject of this email message?

10 A. The subject line reads, "Transaction receipt from Pay Me  
11 To Do Your Homework for \$6,316."

12 Q. And there's something in parenthesis after that; is that  
13 right?

14 A. There is.

15 Q. What is that?

16 A. USD.

17 Q. What's the date of this message?

18 A. The date is January 13th, 2022.

19 Q. And beneath that, do we see order information?

20 A. We do.

21 Q. What do we see?

22 A. We see a description and an invoice number and billing  
23 information and payment information.

24 Q. And what's the description under order information?

25 A. The description reads, "Pay Me To Do Your Homework LLC -

1 Abdi Nur, 2022 spring courses."

2 Q. And then is there a reference to an invoice number  
3 beneath that?

4 A. Yes, there is. It's Abdi Nur, 2022, spring.

5 Q. And beneath that do we see contact information for the  
6 billing?

7 A. We do.

8 Q. What is there?

9 A. Abdimajid Nur, Abdi Nur, with an address of 2606  
10 Vierling Drive East, Shakopee, Minnesota, and the email  
11 address 19anur@gmail.com.

12 Q. And what's the total amount that's shown here?

13 A. The total amount is \$6,316.

14 Q. And then showing you Government Exhibit G-333. Is this  
15 an email message sent by Mr. Abdimajid Nur?

16 A. Yes, it is.

17 Q. And is there a series of items listed here in the  
18 subject?

19 A. Yes.

20 Q. And what's the date of Mr. Abdimajid Nur's message?

21 A. It is January 12th, 2022.

22 Q. Is this -- I'm sorry. Is this the day before the email  
23 we just looked at?

24 A. It is.

25 Q. And what did Mr. Abdimajid Nur write in his email?

1 A. The text reads, "I will pay the 6316, please send me the  
2 link, I have assignments due tonight."

3 Q. And that 6316, does that correspond to the dollar amount  
4 we saw on the previous exhibit?

5 A. It does.

6 Q. Have you reviewed other transactions and other evidence  
7 in the G series in evidence involving Mr. Abdimajid Nur and  
8 this entity called Pay Me To Do Your Homework?

9 A. Yes, I have.

10 Q. Is this the only payment you saw?

11 A. No.

12 Q. Approximately, how much in money did you see go from  
13 Mr. Nur to Pay Me To Do Your Homework?

14 A. Over \$12,000.

15 Q. Were you able to determine the source of those funds?

16 A. Yes.

17 Q. What was the source?

18 A. Federal Child Nutrition Program funds.

19 Q. Ms. Blackwell, at any point did you identify payment  
20 records involving travel and Mr. Abdimajid Nur?

21 A. Yes.

22 Q. Showing you what has been marked, but not entered into  
23 evidence, as Government Exhibits G-308, G-310, G-311, G-312.

24 Do you recognize those?

25 A. I do.

1 Q. Generally, what are they?

2 A. They are communications regarding travel information and  
3 reservation information exchanged by Mr. Abdimajid Nur.

4 Q. And are these records that were obtained in response to  
5 a search warrant from Google?

6 A. Yes.

7 Q. True and correct copies of those records?

8 A. They are.

9 MR. EBERT: Your Honor, at this time the  
10 government offers Exhibits G-308 and then G-310 through  
11 G-312.

12 MR. SAPONE: No objection.

13 THE COURT: G-308, 310, 311 and 312 are admitted.

14 MR. EBERT: Thank you, Your Honor.

15 BY MR. EBERT:

16 Q. And next I'm showing you what's been marked, but not  
17 entered into evidence, as Exhibit G-314. Do you recognize  
18 those?

19 A. I do.

20 Q. And are these a series of photographs concerning the  
21 travel that is at issue in the previous batch of G exhibits?

22 A. Yes.

23 Q. Are these true and accurate depictions in these exhibits  
24 G-314?

25 A. Yes.

1 MR. EBERT: Your Honor, at this time the  
2 government offers G-314.

3 MR. SAPONE: No objection.

4 THE COURT: G-314 is admitted.

5 BY MR. EBERT:

6 Q. And then, lastly, prior to today, Ms. Blackwell, did you  
7 have the opportunity to review recordings that are marked as  
8 Exhibits G-313-1 through G-313-5?

9 A. Yes.

10 Q. And are those recordings that were produced by Google  
11 that were found on the Google Drive of Mr. Abdimajid Nur?

12 A. Yes.

13 MR. EBERT: Your Honor, at this time the  
14 government offers G-313-1 through G-313-5.

15 MR. SAPONE: No objection.

16 THE COURT: G-313-1 through G-313-5 are admitted.

17 BY MR. EBERT:

18 Q. Up on the screen, Ms. Blackwell, are photographs in  
19 Exhibit 314; is that right?

20 A. Yes.

21 Q. Can you describe for the jury what we see here?

22 A. We are looking at an image that represents the Radisson  
23 Blu Hotel Resort in the Maldives.

24 Q. And why are we looking at that?

25 A. We are looking at that because Mr. Abdimajid Nur

1 traveled there and booked a hotel there, and that is the  
2 reason.

3 Q. Do you know where the Maldives is located?

4 A. I have a general idea.

5 Q. What's your general idea?

6 A. Southeast India, Indian Ocean, South Indian Ocean,  
7 something like that.

8 Q. And this is a 14-page series of photographs of where  
9 Mr. Abdimajid Nur stayed; is that right?

10 A. Yes.

11 Q. Showing you Government Exhibit G-311. Is this an email  
12 message?

13 A. Yes, it is.

14 Q. Who is it from?

15 A. It is from Mr. Abdimajid Nur.

16 Q. And is it to reservations.maldives@radisson.com?

17 A. It is.

18 Q. And what's the subject and date of this message?

19 A. The subject line reads, Re: Radisson Blu Resort  
20 Maldives, Mr. Abdimajid Nur, and Number 40810. And the date  
21 was July 21st, 2021.

22 Q. And is there booking information?

23 A. There is.

24 Q. First of all, what are the booking dates that we see  
25 here?

1 A. The booking dates are July 22nd through July 28th, 2021.

2 Q. And there are two parties listed; is that right?

3 A. Yes.

4 Q. And is one of them Abdimajid Mohamed Nur?

5 A. Yes.

6 Q. Defendant in this case?

7 A. Yes.

8 Q. And among other things, did Mr. Abdimajid Nur book a  
9 villa type that reads, "Overwater Villa with Private Pool"?

10 A. Yes.

11 Q. Do you see Mode of Transfers?

12 A. Yes.

13 Q. What does it say?

14 A. It says "Seaplane."

15 Q. A moment ago you testified about a series of items that  
16 were found on Mr. Abdimajid Nur's Google Drive; is that  
17 right?

18 A. Yes.

19 Q. And did those include videos?

20 A. They did.

21 Q. Showing you what is G-313-4, is that one of the videos  
22 recovered from Mr. Abdimajid Nur's Google Drive?

23 A. That is.

24 (Video recording played)

25

1 BY MR. EBERT:

2 Q. What did we just see?

3 A. We just saw a bottle being opened and the cork flew  
4 right into the pool.

5 Q. Ocean in the background?

6 A. Ocean in the background.

7 Q. Did you prepare a summary chart concerning Mr. Abdimajid  
8 Nur's travel to the Maldives?

9 A. I did.

10 Q. Showing you Demonstrative N-133. What do we see here,  
11 Ms. Blackwell?

12 A. We see the flow of funds through various accounts until  
13 the moment of spending for the trip to Maldives.

14 Q. Beginning on the left and on the right with funds from  
15 two parties; is that correct?

16 A. Yes, it is.

17 Q. Feeding Our Future and Partners in Nutrition?

18 A. That is correct.

19 Q. At the very bottom, do we see a dollar amount?

20 A. Yes. \$11,573.

21 Q. And beneath that there are three arrows; is that right?

22 A. Correct.

23 Q. And those point to which three items?

24 A. To American Airlines for airline tickets; to Radisson  
25 Blu resort in Maldives for the overwater villa; and to an

1 entity called Al Sulaiman Jewellery in Doha, Qatar.

2 Q. And did you look at the transactions that gave rise to  
3 this \$11,573 payment for this Maldives travel?

4 A. I did.

5 Q. What was the source of the funding?

6 A. Overwhelmingly was Federal Child Nutrition Program  
7 funds.

8 Q. All right. Ms. Blackwell, let's wrap up. Let's end  
9 where we began. Before you is Exhibit N-3. Do you recall  
10 this?

11 A. I do.

12 Q. And on the second page is there a dollar amount that we  
13 see in blue?

14 A. Yes.

15 Q. What is that dollar amount?

16 A. \$41 million, give or take.

17 Q. And where did that \$41 million come from?

18 A. From Federal Child Nutrition Program funds.

19 Q. And today have you testified about a portion of that  
20 \$41 million in child nutrition funds?

21 A. Yes.

22 Q. Specifically, portions that went or otherwise used by  
23 the individuals we see here?

24 A. Yes.

25 Q. And there are eight of them, right?

1 A. Yes.

2 Q. The seven defendants on trial, correct?

3 A. Yes.

4 Q. As well as Mohamed -- Mahad Ibrahim; is that right?

5 A. As well as Mahad Ibrahim, yes.

6 Q. For the various items you have testified about today, do  
7 you know what the approximate total amount and value is  
8 involving these items?

9 A. For all of the items we talked about today, the total  
10 amount is \$8.2 million.

11 Q. Again, a subset of that \$41 million figure we looked at  
12 that went to the defendants?

13 A. That is correct.

14 Q. And of that approximately 8.2 million subset that you've  
15 testified about today, approximately what percentage of that  
16 is derived from the Federal Child Nutrition Program?

17 A. Over 97 percent.

18 MR. EBERT: Thank you, Your Honor. I have no  
19 further questions.

20 THE COURT: All right. Let's wrap it up there for  
21 today, and we will return on Tuesday morning.

22 And I'll ask you, Ms. Blackwell, to be here  
23 Tuesday morning as well and on the stand.

24 All right, everyone. Have a good Memorial Day  
25 weekend.

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All rise for the jury.

So Tuesday morning 9:00.

(Court adjourned at 2:48 p.m., 05-24-2024.)

\* \* \*

I, Renee A. Rogge, certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter.

Certified by: /s/Renee A. Rogge  
Renee A. Rogge, RMR-CRR