

1 IN THE MATTER OF
2 PLT.
3 V.
4 DFT.

5

6 DEPOSITION OF (CARL WESTBERG)

7 -----

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1 CARL WESTBERG

2 BY MS. LIU:

3 Q And hi, Mr. Westberg. I'm Angela Liu with
4 Dechert on behalf of applicants Atiku Abu car. I'm
5 present here today with my colleague, Alex Jermont and
6 Taylor sue Jewssky, who are joining us virtually as
7 well as my colleague nicole Carla a doe adieu in the
8 room. Would counsel likewise introduce yourselves.?

9 MR. HAYES: Michael Hayes for Chicago State
10 University the Respondent in this matter.

11 MR. HENDERSON: Good morning, Victor
12 Henderson, I'm on behalf of the Intervenor. Period of
13 time Bola Tinubu T-I-N-U-B-U. As is my colleague,
14 Mr. R O W EF A FO L A B I and he's appearing virtual
15 and you see him on the screen.

16 Q Mr. Hayes, I believe you had something that
17 you would like to add to the record.

18 MR. HAYES: Yes. Thank you. Just as a
19 preliminary matter, we would like to note that
20 today's deposition is under Rule 30(b)(6), on five
21 topics approved by the Court in this matter. And the
22 University witnesses prepared to address those topics
23 the University witness is not prepared to speak on the
24 University behalf on any other issues that is not

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1 related to the topics and we would urge for the
2 applicant and the intervenor to stay with the topics
3 that have been approved by the Court. Finally, I would
4 note by the agreement of the parties this deposition is
5 not being video recorded. We do have several persons
6 participating remotely, but it is our understanding and
7 I someone please speak up if this is not so, that no
8 one that is participating remotely is video recording
9 today's deposition. Thank you.

10 MS. LIU: Thank you Mr. Hayes, and
11 Mr. Westberg, can you please state and spell your full
12 name for the record?

13 A Caleb Westberg.

14 Q And are you being represented by Mr. Hayes
15 today?

16 A Yes.

17 Q And are you being represented by any one else
18 in the room or on camera today?

19 A No.

20 Q Have you ever been deposed before?

21 A No.

22 Q With that I would like to go over some ground
23 rules for the deposition. First, you are under oath
24 today, do you understand?

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1 A Yes.

2 Q And it is important that there be a clear
3 record of today's deposition. I'm going to be asking
4 you a series of questions and to ensure that there is a
5 clear transcript of your answer, please respond
6 verbally to all of my questions. And so there should
7 be no headshakes or head nods. Do you understand?

8 A Yes.

9 Q And so that the Court Reporter, can
10 accurately transcribe the deposition and let's try not
11 to talk at the same time. Please let me finish my
12 question before you answer and I'll let you finish your
13 answer before I ask my next question. Do you
14 understand?

15 A Yes.

16 Q If you don't understand a question, let me
17 know and I'll try to rephrase it. If you don't say
18 anything, I'll assume you understood the question. Do
19 you understand?

20 A Yes.

21 Q And at times, Counsel may object to my
22 questions but unless, your counsel instruct you
23 otherwise, not to answer, you can answer the question,
24 when he has finished stating his objections download

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1 that.

2 A Yes.

3 Q Finally, if at any point you would like to
4 take a break, just let your counsel or me no and we
5 will accommodate you. The only exception if there is a
6 question pending and in instance, I'll ask you to
7 answer the question before we take a break, do you
8 understand that?

9 A Yes.

10 Q And do you have any questions about the
11 procedures we will follow today?

12 A No.

13 Q Is there any reason you cannot testify
14 truthfully and accurately today everyone, no.

15 Q And just to make sure we are on the same
16 page, when I say CSU, I mean Chicago State University.

17 A Yes.

18 Q And when I say Mr. Tinubu, Mr. Bola Tinubu,
19 who is presently the President of Nigeria?

20 A Okay.

21 Q And when I say INEC, Independent National
22 Electoral Commission in the Nigeria, do you understand
23 that?

24 A Yes.

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1 Q So I would like to borrow your LinkedIn. I'm
2 handing what is marked as Exhibit 1.

3 (WHEREUPON Exhibit 1 was marked for
4 identification).

5 Q Do you recognize this as your LinkedIn
6 profile?

7 A Yes.

8 Q And I understand you graduated from the
9 University of California at Berkeley in 2012, is that
10 correct?

11 A That is correct.

12 Q And then you received a Master Degree in the
13 philosophy from the University of Chicago in 2013
14 right?

15 A That is correct.

16 Q You've been employed as the registrar by the
17 Chicago State University since November 2020, correct?

18 A October 2020.

19 Q Since October 2020.

20 Q And CSU is a public university?

21 A Correct.

22 Q And can you describe to me your job
23 responsibilities?

24 A The registrar managing all policies and

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1 procedures for the University so we oppose academic
2 affairs regulations and keep the day-to-day management
3 of the office functioning.

4 Q And that include maintaining record?

5 A Correct.

6 Q And does CSU registrar office maintain a
7 physical office?

8 A Yes.

9 Q And do you work out of that office?

10 A I do.

11 Q And how many employees work in the
12 registrar's office.

13 A We are a team of eight at present.

14 Q And do the seven other individual report to
15 you.

16 A Yes.

17 Q And you work with all seven of those
18 individuals?

19 A That's correct.

20 Q I'm going to hand you I'm going to mark this
21 as Exhibit 2.

22 (WHEREUPON Exhibit # was marked for
23 identification). Two.

24 Q I'm handing you what has been marked as

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1 Exhibit 2.

2 Q Mr. West bigger this is the subpoena for the
3 deposition which includes the topics of examinations
4 that Mr. Hayes refers to, is that correct?

5 A Yes.

6 Q And do you recognize this document?

7 A Yes.

8 Q Prior to today's deposition did you review
9 the topics of the examination that are listed on the
10 pages four and five.

11 A Yes.

12 Q And are you appearing today as the corporate
13 designee as all of the topics on Pages 4 and 5 Of this
14 company?

15 A Yes.

16 Q And are you prepared to each topic of
17 examination on Pages 4 and 5 of the subpoena?

18 A Yes.

19 Q And do you understand as the designated
20 corporate representative of this deposition, my
21 questions are asking for the CSU knowledge and not your
22 percentage knowledge, do you understand that?

23 A Yes.

24 Q And how did you prepare to testify on the

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1 topics in the subpoena?

2 A We reviewed the student file, conferred with
3 legal affairs at the Chicago State as well as Michael
4 Hayes and reviewed the topic submitted.

5 Q You are concurring with Mr. Haze, how many

6 times did you meet with Mr. Haze?
7 A Somewhere between four or five times.
8 Q And when were these times?
9 A Within the last two months.
10 Q And how long was each meeting.
11 A At least an hour.
12 Q And were they in person?
13 A No, most today was in person most were
14 virtual.
15 Q Did you pleat with anyone else from
16 Mr. Haze's office?
17 A No.
18 Q Did you speak with any other attorneys in
19 this room?
20 A No.
21 Q Did you speak with other attorneys of
22 Mr. Tinubu?
23 A No.
24 Q Did you speak with any employees of CSU in

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1 preparing for this deposition.
2 A Robin Hawkins in our legal affairs office.
3 Q And what Robin title?
4 A I don't know her title --
5 Q And she is an attorney?
6 A Yes.

7 Q And when did you speak with the Robin?

8 A Within the last two weeks.

9 Q And for how long.

10 A About an hour each time. We've casted.

11 Q And what were the general topics of
12 conversations?

13 MR. HAYES: I would object on the basis of
14 privilege, Mr. Westberg, you can answer that question
15 generally, but do not disclose in that answer specific
16 conversations with Miss Hawkins who is an attorney for
17 the CSU. Generally, the subject matter, answer that
18 but, please don't go beyond that.

19 A We discussed the case.

20 Q And did you speak with any formal employees
21 of the CSU in preparation for this deposition.

22 Q Did you speak to Mr. Tinubu or any
23 representatives of the Tinubu?

24 A no.

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1 Q And other than the individual that we spoke,
2 did you speak with any one else about today's
3 deposition?

4 A no.

5 Q And you said that you reviewed the
6 student's files. What are the document that you
7 reviewed in the preparation for the deposition?

8 A The once in the exhibit that we submitted.
9 Q And so that the document that you produced?
10 A Correct.
11 Q Did you review any other documents in
12 preparation for your deposition?
13 A No.
14 Q And did your counsel provide any of the
15 documents that you reviewed for your deposition?
16 A What do you mean?
17 Q Mr. Hayes didn't give you the documents to
18 review for your deposition?
19 A No we've provided all the documents.
20 Q And how did you select these documents?
21 A They were what were requested.
22 Q Who selected them?
23 A I did.
24 Q And how did you, how did you search for them?

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1 A Physically in our office we keep student
2 record.
3 Q And they are physical student record?
4 A During that time period yes.
5 Q And electronic copies of those record?
6 A Not from that time period.
7 Q And did you do anything else to prepare?
8 A No.

9 Q I am going to mark this as Exhibit 3.
10 (WHEREUPON Exhibit # was marked for
11 identification). 3.
12 Q Before I hand you this exhibit, did do the
13 document produced yesterday constitute all the
14 documents about Mr. Tinubu.
15 A Yes.
16 Q I'm handing you what has been marked as
17 Exhibit 3, this is these are the responses to applicant
18 revised subpoena to produce documents. That include
19 the applicant's request document requests. So have
20 you reviewed the document requests?
21 A Yes.
22 Q Have you reviewed the responses?
23 A Yes.
24 Q So I have some questions to ask about the

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1 requests. 1st request Number 1 state, a true and
2 correct copy of any diploma for the Bachelor of
3 Science, degree issued by the CSU in 1979. And in
4 response it looks like you have's been able to locate
5 documents that have now been Bates labeled, CSU, 0001
6 through CSU 0007. And so we'll show outhouse
7 documents. Mr. Tinubu.
8 Q I'm handing what has been marked as
9 Exhibit 4.

10 Q Are diplomas that CSU produced yesterday in
11 response to the Number 1.

12 MR. HAYES: Angela, the exhibit goes beyond
13 the one in the Number 1, I would like to note for the
14 record that the Exhibit 4, knows from the SCS1, to.
15 CSU12 and the response to the one is referencing one
16 through seven.

17 MS. LIU: That is correct. I'm handing you
18 diploma that the CSU produced in response to request
19 Number 1 that and CSU have produced some other
20 documents in the response to request Number 1. And are
21 they true and correct copies of the CSU diploma?

22 A Yes.

23 Q And what is the basis for that?

24 A We have them in our possession. We produced

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1 these documents. They align with the student record
2 and the official transcript.

3 Q And are these documents maintained in the
4 physical copy form.

5 A We have those physically.

6 Q And you don't have these document
7 electronically?

8 A Correct.

9 Q And how did you determine that the diplomas
10 from 1979, which are CSU which are Bates stamped CSU1,

11 allow did you determine that these were issued by the
12 CSU in 1979.

13 A Because they say they were.

14 Q Any other reason?

15 A No.

16 Q And where were they found?

17 A In our record room.

18 Q Where is the record room?

19 A Cook administration, building, building 128.

20 Q And if you don't have the record in the
21 electronic form, what is the put off for keeping
22 documents manually.

23 Q Could?

24 A Could you rephrase that.

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1 Q So you said that these documents are not in
2 electronic form correct?

3 A Correct.

4 Q So what is the date cut off for the keeping
5 the documents manually rather than digitally?

6 A Are you asking when did we start tracking
7 document digitally?

8 Q Yes?

9 A We moved to Elecian Banner in 1996.

10 Q And that is a software.

11 A Stupid Information Center. ELECIAN Banner.

12 Q And once again. What date was that?

13 A 1996.

14 Q And so documents prior to 1996, you would
15 have, you would not have an electronic form?

16 A Correct.

17 Q And four the diplomas after 1996, you have
18 those stored in the electronic form?

19 A No.

20 Q So at what point do you store diplomas in the
21 electronic form?

22 A We do not ever.

23 Q And did you I guess, why were these records
24 available?

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1 A While not able to determine that, the
2 speculation I have is that they were never picked up.

3 Q So you did not find Mr. Tinubu diploma that
4 was issued in 1979?

5 A Correct.

6 Q And turning to CSU, 0001 through 0007. These
7 diplomas have date in the 1979, correct.

8 A Correct.

9 Q And they all have seal with the Class B hand.

10 A Correct.

11 Q They all have the same five signatures,
12 correct?

13 A Correct.

14 Q And it looks like one of the signatures it is
15 from the Chairman of Board of Governors Leon Davis?

16 A Correct.

17 Q And another signature from Donald E. Walters
18 Secretary, correct?

19 A It appears so, yes.

20 Q And then Benjamin, Alexander President,
21 correct?

22 A Correct.

23 Q Looks like a Dean leer, Andrew F. Skull la?

24 A Something like that.

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1 Q But look like Andrew who was a Dean, yes?

2 A Yes.

3 Q And a signature for a registrar James J her
4 reviews sa?

5 A Yes.

6 A I would note that the Dean is going to be
7 different on those because some of them are different
8 colleges.

9 Q So this we're looking at CSU, 001 diploma, is
10 the Andrew because he is the Dean of Business and
11 Administration?

12 A Yes.

13 Q And is your understanding that the reason why

14 the Board of Govenors, sir is listed on the Diploma,
15 because there is no Board of Trustee in 1979?

16 A That's correct.

17 Q And it is pretty school that the registrar
18 used to be on the diploma in 1979 as well?

19 A Sure.

20 Q Let's turn to CSU8 through 10.

21 Q Now, these diplomas were issued by CSU in the
22 '90s, correct?

23 A That is correct.

24 Q And how do you know when they are were

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1 issued?

2 A They say the year they were issued.

3 Q And you say that because each document states
4 when the diploma is granted.

5 A Correct.

6 Q And each of those date are in the 90s.

7 A Correct.

8 Q Could any of these diploma, considered drafts
9 or exemplar?

10 A I'm not sure what the word exemplar means,
11 but none of those would be drafts.

12 Q And how do you know that?

13 A Because these are original diploma we had on
14 file.

15 Q And how can you be sure that they are
16 original?

17 A They are in H our possession, and have never
18 left our possession.

19 Q And why does CSU maintain copies of those di
20 memo mass and not others?

21 A As I mentioned before, we believe the student
22 did not pick them up.

23 Q And looking at these diplomas on the
24 left-hand side, you'll see a signature from the chair

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1 of the Board, correct.

2 A Correct.

3 Q Do you know who that is.

4 A A little hard to read the signature to be
5 honest.

6 Q And then on the right it looks like Elenora,
7 D Daniel signs the diploma?

8 A Yes.

9 Q And she is the President in the '90s.

10 A I believe so.

11 Q And under that signature, a Herbert Kwonly,
12 Science as the Dean of the university?

13 A As Dean of the college?

14 Q And we know he's Dean of the College Of
15 business because there is Dean at the bottom of the

16 page here?

17 A Correct.

18 Q And the seal on the diploma the seal is a
19 triangle with two lines through, correct?

20 A That's correct.

21 Q And the seal has the verbiage, 1867 under it?

22 A True.

23 Q And it has Chicago State University on top of
24 the seal, correct?

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1 A Yes.

2 Q And the seal has the word "responsibility"
3 under that?

4 A Yes.

5 Q And this seal is different than those that
6 were conferred in the Bates stamp CSU1 through seven
7 correct.

8 A Yes.

9 Q When did the seal change?

10 A I'm not certain. Some point between 1979 and
11 the 90s.

12 Q You think it changed in the 90s?

13 A Possibly.

14 Q And if you look at CSU8 and then CSU9, it
15 looks like the font is a little different between the
16 two. Do you see that?

17 A I don't see a difference to be honest?

18 Q If you look at the AD before 1989 and the AD
19 1998?

20 A Okay.

21 Q Do they look slightly different to you.

22 A You know necessary are scanned copies and it
23 is entirely possible that that difference is due to the
24 Xerox machine.

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1 Q And if you go to the Bates stardom CSU11.

2 And 12 these are two diplomas from 2003?

3 A Correct.

4 Q And they have two signature on those diploma
5 plas?

6 A Yes.

7 Q And one from the Luban chairperson and the
8 other Elnora D Daniel president of the university
9 correct?

10 A Correct.

11 Q And Dr. Lubin was the chairperson in the
12 2003?

13 A Yes.

14 Q Doctor Lubin, was Dr. Lubin the Chairman man
15 in the 2022.

16 A I do not know that off the top of my head.

17 Q And Elenora, Daniel the president in the

18 2003?

19 A Yes.

20 Q And Elenora Daniel is not the president in
21 the 2022 correct?

22 A Correct.

23 Q And you'll see the seal on these diplomas
24 from 2003, are seals with a tree on them?

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1 A Uh-uh, yes.

2 Q And that seal is different from the previous
3 set of diplomas?

4 A That is correct.

5 Q So when did the seal change then?

6 A At some point between 1999 and 2,003.

7 Q And you don't know which date?

8 A No I'm not certain.

9 Q Is the seal the same today?

10 A No.

11 Q And what is the seal now?

12 A Our current seal. It is a book, but it looks
13 a little like a tree.

14 Q And when did that change?

15 A I don't know for certain, I believe that was
16 at some point in the 20 teens.

17 Q And going back to the Exhibit 3, you look at
18 the Request Number 2, the request is a true and correct

19 copy of the any diploma issued by the CSU in the 1979
20 to Mr. Tinubu. Do you see that?

21 A I do.

22 Q And CSU has determined that it does not have
23 a true and correct copy of too Bola Tinbuti in 1979?

24 A That is correct.

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1 Q And how did the CSU determined that it did
2 not have a true and correct copy of this?

3 A We went through every diploma in our
4 possession.

5 Q And you went through every diploma in your
6 possession, given the importance of this matter.

7 A Yes.

8 Q And so CSU after going through every diplomas
9 was unable to find and authentic copy of any diploma
10 matured to Tinubu in the 1979?

11 A We did not find any diploma issued by 1979 to
12 Mr. Tinubu.

13 Q But you retained copies of the some diplomas
14 of some and not others?

15 A When we have a copy of the diploma, it is
16 because a student didn't pick it up.

17 Q And you don't have a copy of the
18 Mr. Tinubu's, June 22, 1979 diploma or his June 27,
19 1979 diploma, correct.

20 A We have the June 27, 1979 diploma, is in our
21 possession.

22 Q The original June 27, 1978, diploma, is in
23 your possession it is a reordered copy.

24 A The one that you have, it is in one of your

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1 exhibits.

2 Q And the reordered copy is a re-created copy
3 that CSU re-created?

4 A It is a diploma reorder that matches what we
5 have in CSU11 and 12.

6 Q And why did you not produce the June 27
7 diploma yesterday.

8 A My impression was that you already had that.

9 MR. HAYES: Which request do you think it is
10 responsive to. I don't read it as being requested
11 yesterday.

12 MS. LIU: True and correct. Copy of any
13 diploma for a Bachelor of Science Degree issued by the
14 CSU in 1979?

15 MR. HAYES: Please ask the witness, but the
16 June 27, diploma was not issued by the CSU in 1979. We
17 all know that.

18 THE WITNESS: What he says is correct.

19 MS. LIU: And she was June 27, 1979 diploma
20 in Mr. Tinubu's files at CSU?

21 A We don't keep diploma that in the student
22 files. We have a file cabinet that has diplomas.

23 Q And how long do you keep diplomas, please let
24 me know at CSU?

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1 A At present until student pick them up. .

2 Q So just to backing up, just so I understand
3 it, say someone today graduated from the 1979 and calls
4 the registrars office and want a copy of their diploma
5 you don't have like a template for a degree from the
6 CSU in the 1979 in the registrar's office that you
7 use?

8 A Correct.

9 Q And that person requesting a gloam from 1979
10 department receive a copy of the diploma from 1979,
11 correct?

12 A Correct.

13 Q Diploma.

14 Q Let's go to Tab 4.

15 MS. LIU: Before I hand you another document.
16 I believe you testified that you produced the entire
17 student file?

18 A Correct.

19 Q Are there any other documents from the file
20 that have been withheld because you thought they were
21 not responsive?

22 A No.

23 Q Only the June 27th please let me know that,
24 correct?

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1 MR. HAYES: I object. As he testified
2 before, that diploma is not part of the Mr. Tinubu
3 file, when you say other documents with held from the
4 file that is not accurate, Mr. Westberg answer the
5 question if you can.

6 MS. LIU: I kindly ask Counsel from making
7 speaking objections and improperly coaching the
8 witness.

9 THE WITNESS: What was the question again?

10 MR. HAYES: I objected to the form of the
11 question.

12 A No.

13 Q But you did with located the June 27, please
14 let me know because you thought it was not responsive?

15 MR. HENDERSON: Objection, miss character
16 rises his testimony.

17 THE WITNESS: We provided what was requested.

18 Q But you did not provide the June 27, 1979
19 diploma?

20 MR. HENDERSON: Same objection.

21 THE WITNESS: We did not provide that
22 yesterday.

23 MS. LIU: No, no, I'm going to hand you
24 another document. 5.

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1 (WHEREUPON Exhibit # was marked for
2 identification), five.

3 Q I am going to hand you what is marked as
4 Exhibit 5, entitled Undergrad rate, please let me know
5 that order replace placement form. And this is the
6 form that is posted on the CSU website for an undergrad
7 order or replacement form.

8 A Yes.

9 Q And do you recognize this document?

10 A Yes.

11 Q And do you people fill out this form in order
12 to order a replacement diploma?

13 A Yes.

14 Q And does everyone has to fill out this form?

15 A If they want to order a replacement diploma.

16 Q And it says full legal name at time of the
17 graduation, you take steps to verify that this person
18 went to CSU?

19 A Correct, yes.

20 Q And what steps do you take?

21 A We locate their record.

22 Q And how do you do that?

23 A Using the confidential information provided

24 that allows you to identify their identity and we do a

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1 record look up and verify what is on the record before
2 we produce a diploma reorder.

3 Q And how far back in time do those records go.

4 A What do you mean.

5 Q Do you have record from the every student in
6 the 70 be?

7 A If they were ha student with us, we keep a
8 student file on them.

9 Q And how far back do the records go?

10 A I have seen record as early as the 30s.

11 Q Does CSU have a policy or practice after how
12 long they keep the student record?

13 A We keep the student record into perpetuity.

14 Q And what does CSU keep for the student who
15 graduated in the 1979?

16 A At the very least we maintain an official
17 transcript.

18 Q So every, CSU student who graduate waded in
19 the 1979 would have an official transcript in their
20 files?

21 A That's correct.

22 Q And where are these files kept?

23 A In our records room.

24 Q And are there any instance are record are not

1 maintained for a student.

2 A No.

3 Q Do you keep any record of when former
4 students ask for the diplomas?

5 A No.

6 Q Did you have a record of when Mr. Tinubu
7 asked for the diploma?

8 A No.

9 Q Why don't you keep a record?

10 A It is not consequential to the student file.

11 Q And how many questions for the diploma do you
12 get typically, in a month.

13 A 1. If one. Maybe none.

14 Q It is pretty, A typical, if someone request a
15 replacement dim please let me know?

16 A It could be a handful in a -- this is not a
17 common, it is not that common.

18 Q And do you always verify that the someone
19 went to the University before I cannerring a
20 replacement diploma?

21 A Yes.

22 Q And by what mean base, do you do this, if we
23 talk about a student who attend 40 years ago.

24 MR. HENDERSON: Objection. Asked and

1 answered.

2 THE WITNESS: I do answer this, we would look
3 up there record.

4 MR. HENDERSEN: On Exhibit 5, at the top of
5 the page, please note we only keep on file diploma up
6 to the two years. Please let me know you are correct?

7 A You are correct.

8 Q If someone graduated in the 2021, and asked
9 for the copy of their diploma from CSU, they would
10 receive a copy. Correct.

11 A I would provide the diploma if we had in our
12 possession, if not I would place an order.

13 Q But if someone graduated from the CSU in the
14 1979 you don't have a copy of that 1979 diploma?

15 MR. HENDERSON: Objection asked and answered?

16 THE WITNESS: The only event that we have a
17 copy is if a student didn't pick it up.

18 Q So do you keep documents that were reordered
19 only if they are not picked up?

20 A Correct.

21 Q So why do you have the June 27, diploma in
22 your files?

23 A While the University know that for certain,
24 my speculation, it was not picked up.

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1 Q And you're speculating correct.

2 A Correct.

3 Q You don't know that for certain?

4 A Correct.

5 Q And just process wise, you need to use a
6 different form diploma, if someone reorders a di memo
7 ma from the 1979 to today?

8 A It would appear like the di memo mass that we
9 issued in the 2023.

10 Q So correct me if I am wrong, all diploma are
11 signed by the current President and Board Chair?

12 A Correct.

13 Q And so if I graduated in the 1979 and I fill
14 out this form for a replacement diploma that placement
15 diploma, would be signed by the current president and
16 board Saturday are chair?

17 A Yes, correct.

18 Q And any one else that you would see to expect
19 to see on the diploma as a signature?

20 A No.

21 Q And if it is a third party requesting a
22 diploma of a CSU graduate, do you always call the CSU
23 graduate of --

24 A We would not do that, we would not process

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1 that D if it was not from the student.

2 Q Every time?

3 A We would verify it is the student who is
4 requesting.

5 Q So you have never --

6 (WHEREUPON Exhibit # was marked for
7 identification), six.

8 Q I'm handing you what has been marked as
9 Exhibit 6, this purports to be a June 22, 1979 issued
10 to Mr. Bola Tinubu, and you can see it is stamped by
11 INEC on the diploma as well. Have you seen this
12 document before.

13 A In the proceedings of this case, yes.

14 Q You have never seen this document prior to
15 the proceedings in this case?

16 A Correct.

17 Q And I'll submit to you that this diploma is
18 the diploma that Mr. Tinubu reported to the INEC, do
19 you have any reason to doubt that statement?

20 A No.

21 Q And this June 22, 1979 diploma I will refer
22 to as the INEC diploma for the simplicity sake for do
23 you understand?

24 A Yes.

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1 Q And let's take a look at the INEC diploma.

2 INEC diploma says that the diploma is granted on this
3 22nd day of June 1979. Correct.

4 A Yes.

5 Q And CSU didn't have a Board of Trustees in
6 the 1979, did it.

7 A True.

8 Q So let's look at the signature on the INEC
9 diploma. On the right it looks like one of the
10 signatures says Elenora Daniel, correct.

11 A Yes.

12 Q And Elenora Daniel was not the share or the
13 President of CSU in 1979, correct?

14 A Yes.

15 Q And she was the President from 1998 to the
16 2008, correct.

17 A As far as I'm aware.

18 Q For the other two signatures, the one on the
19 right, looks like her Herbert A Conley.

20 A It doesn't state Dean under it, correct.

21 A It does appear that may be cut off from the
22 Xerox.

23 Q But it is not there?

24 A I do not see it on the paper.

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1 Q And Herbert A Conley, was not Dean in 1979,
2 correct?

3 A As far as I'm aware.

4 Q And the signature on the left who was that?

5 A Very hard to make out signatures I'm not sure
6 what the name is.

7 Q You don't think this person was the Chairman
8 of the board in 1979?

9 A I didn't say that.

10 Q Are you looking at a different document?

11 A I think this matches what we have for
12 Exhibit 10 and 11.

13 Q From the Bates stamp CSU so and CSU11.

14 Q And those diploma plas are from 1990, well,
15 it is not from CSU11. Correct.

16 A Pops you are correct.

17 MR. HAYES: Keep your voice up please.

18 THE WITNESS: 9 and 10.

19 Q So.

20 MS. LIU: And the date for included on the
21 diploma for CSU9 and 10, are 1998 and 1999
22 respectively, correct.

23 A Yes.

24 Q And so this person on the left-hand side of

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1 Exhibit 6 that signature he wasn't the Chairman of the
2 Board in the 1979, correct.

3 A Correct.

4 Q And the seal on the Exhibit 6 doesn't have,
5 it is the triangle with it lines through it?

6 A Yes.

7 Q And the seal doesn't have the word
8 responsibility under it?

9 A Correct.

10 A Not on this copy, no.

11 Q And the seal does not have 1867 under it?

12 A Not on this copy.

13 Q And you are unaware of any diploma that
14 includes these three signature being issued by the CSU
15 correct.

16 A Correct.

17 Q And you are unaware from any diploma from
18 1979 that includes the triangle, seal having been
19 issued by the CSU, correct.

20 A Correct.

21 Q And you have's never seen a diploma that
22 cut off the triangle seal in this manner?

23 A Correct.

24 Q You have never seen a diploma that cut off

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1 the signature of Herbert Conley, position like that?

2 A Correct.

3 Q And CSU doesn't have a 1979 diploma that
4 contains the font CL signatures and wording apart from

5 the INEC diploma, correct.

6 A Correct.

7 Q And CSU doesn't know of any diploma like the
8 INEC diploma being issued, correct.

9 A I believe that is what we produced that in
10 the request. Hold on. The once that are like it, are
11 CSU, eight, nine and 10.

12 MS. LIU: CSU8, 9 and 10, are dated in the
13 1999?

14 A You are correct.

15 Q Or from the 90s?

16 A Correct.

17 Q And Exhibit 6 is dated from 1979 crescent?

18 A It is dated 1979.

19 Q So CSU doesn't know of any diplomas dated
20 1979 like the INEC diploma that has ever been issued
21 correct.

22 MS. LIU: It is a simple yes or no answer.

23 A Sure.

24 Q That's correct.

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1 A Yes.

2 Q And has hoe bases so that it was issued by
3 the CCSU?

4 A Check audio.

5 A The student in the question graduated from

6 the university June 22, 1979, were not qualified to
7 verify whether this document is authentic, given that
8 it is not in our possession.

9 Q Have you ever seen a diploma purporting to
10 the be from the CSU but was actually a forgery?

11 A Yes.

12 Q Are you aware of any entities, create such
13 fake diplomas?

14 A Yes.

15 Q Can you give me some examples of that --

16 A Not I cannot provide a name of an entity,
17 that does such, however, you can Google this easily,
18 there are many companies that do this for folks.

19 Q And CSU has no record of issuing this INEC
20 diploma to the President Tinubu in 1979?

21 MR. HENDERSON: Objection. Asked and
22 answered?

23 A Correct.

24 Q And CSU has no record of I's cannerring, INEC

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1 to President Tinubu?

2 MR. HENDERSON: Objection. Asked and
3 answered for a third time.

4 A Correct, we do not keep copies of the reorder
5 requests.

6 Q And CSU did not issue either the two diploma

7 to the President Tinubu in the 1979, correct?

8 A Can you rephrase that.

9 Q So CSU did not issue June 22, 1979 diploma as
10 well as the June 27, 1979 diploma to Mr. Tinubu in
11 1979?

12 MR. HENDERSON: Objection. Compound
13 question.

14 MS. LIU: Reframe from making.

15 MR. HENDERSON: Other than a speaking
16 objection, vague. And -- question is not a speaking
17 objection.

18 MR. HAYES: You can answer the question Caleb
19 if you understand it.

20 A We issued a diploma to every. Students that
21 graduates. I think I'm a little confused by the
22 question, though.

23 Q I'll rephrase it. So CSU did not the INEC
24 diploma to President Tinubu in 1979?

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1 MR. HENDERSON: Objection. Asked and
2 answered?

3 THE WITNESS: Not in 1979.

4 Q And did not issue a diploma dated June 27,
5 1979 to Mr. Tinubu in 1979?

6 A Correct.

7 Q Mr. Westberg, I'm hand you can you what is a

8 has been marked as Exhibit 7. It is a letter from CSU
9 dated June 27, 2022, do you recognize that document.

10 A I do.

11 Q This is a stock letter for anyone who
12 requested Mr. Tinubu's record?

13 A Yes.

14 Q Did you draft this letter?

15 A I did.

16 Q Did anyone else help to prepare you in
17 drafting this letter?

18 A No.

19 Q And was CSU counsel involved at this point.

20 A I don't recall.

21 Q Do you recall CSU outside counsel was
22 involved at this point?

23 A I don't think so.

24 Q And no one else was anyone else involved in

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1 drafting this letter?

2 A no. in about 20 years ago we received similar
3 requests and a past registrar named Lois Davis looked
4 into the matter and drafted a more or less, identical
5 letter at that time as well.

6 Q So 20 years ago, you received similar
7 requests about Mr. Tinubu's record?

8 A That's correct.

9 Q And Lois Davis was the registrar then?
10 A She was.
11 Q And she wrote a stock letter similar to this
12 in Exhibit 7?
13 A Yes.
14 Q And you don't have a record of that in your
15 possession?
16 A Not no.
17 Q There is no record of Lois Davis' letter in
18 the CSU's possession?
19 A Yes, we have a copy of the letter.
20 Q And that is in Mr. Tinubu's files?
21 A No.
22 Q Where would that be then?
23 A Somewhere in our office, probably in my
24 office at present.

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1 Q University like sitting on your desk or
2 where?
3 A When these matters arise and we have to do
4 checking on thing, we look up what we have available to
5 us and this was found.
6 Q So where was it found?
7 A 1 of my staff members brought it to me.
8 Q Was that in electronic form?
9 A Yes. A scanned copy.

10 Q And so you took miss Davis' letter and just
11 made and identical letter in 2,022.

12 A After verification of the record to ensure
13 that was accurate.

14 Q And what did you do to verify?

15 A I looked up the student record.

16 Q Anything else.

17 A Nothing else.

18 Q Did you call Miss Davis?

19 A No.

20 Q Was the letter that is Exhibit 7 drafted at
21 the request of the Mr. Tinubu?

22 A No..

23 Q And do you know if the letter drafted by Lois
24 Davis was drafted at request of Mr. Tinubu?

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1 A I doubt it.

2 Q Why do you say that?

3 A I was not around when Lois Davis was
4 registrar so I can't 100 percent say that, we as
5 registrar don't usually, issue letters of student.

6 A We don't generally do these kind of
7 typically, the student without being requesting a
8 letter like this.

9 Q And so was a hyperfile situation 20 years
10 ago.

11 A My understanding is that yes, I believe
12 bulletin who has been in the politics for a long time.

13 Q And in drafting Exhibit 7, was there and
14 uptick in the number of inquiry for Mr. Tinubu's
15 record then?

16 A Yes.

17 Q And were you balding those inquiries?

18 A Yes.

19 Q Building.

20 Q And were they in to his diploma?

21 A Yes.

22 Q And about how many inquiries, did you get?

23 A 5 to 30 a day.

24 MR. HENDERSEN: Would you read that answer

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1 back.

2 Q And how would those inquires come to CSU?

3 A Via, e-mail.

4 Q And for each of necessary inquiries, you
5 would send this letter that is Exhibit 7?

6 A Correct.

7 Q And did you notify Mr. Tinubu each time?

8 A No.

9 Q And you knew it was a controversial matter,
10 but you did not notify him?

11 A The university was not under the impression

12 this was a controversial matter.

13 Q You knew it was an important matter though,
14 and you didn't notify him then?

15 A Correct.

16 Q And the letter state please be advised that
17 the bola Tinubu attended Chicago State University from
18 the August 1977 to June 1979. He was awarded a
19 Bachelor of Science Degree in the Business
20 Administration with honor on June 22 terms and
21 conditions 1979. His major was accounting. Apart from
22 coping the information from Lois Davis' letter, what
23 is the basis for the assertions in this letter.

24 A The student transcript.

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1 Q Anything else.

2 A no.

3 Q Your assertions are rather than the are
4 aren't based on personal knowledge though that
5 Mr. Tinubu applied, correct.

6 A No.

7 Q And were you told by someone that Mr. Tinubu
8 applied.

9 A No.

10 Q So CSU has no basis to conclude with the
11 certainty that the Bola Tinubu is the same Bola Tinubu
12 who is president, correct?

13 A We believe they are one in the same.

14 Q So CSU is simply, assuming that the Bola
15 Tinubu is the same person as the President?

16 MR. HENDERSON: Objection asked and answered?

17 THE WITNESS: That is correct.

18 Q And whom it may concern that CSU produced
19 yesterday doesn't have your signature right?

20 A Can you show me what we are talking about.

21 Q Sure.

22 (WHEREUPON Exhibit # was marked for
23 identification) Exhibit 8.

24 Q I hand you what has been marked as the

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1 Exhibit 8.

2 A You are correct, their letter does not have
3 my signature.

4 Q And I'll just put on the record that the
5 Exhibit 8 are the documents that are some of the
6 document that you produced that CSU produced yesterday.

7 A Yes.

8 Q And so to the to whom it may corn letter
9 doesn't have yourating.

10 MR. HENDERSON: Can we talk about the Bates
11 stamp to make the record here?

12 A Would you let me know, Bates stamp CSU0015,
13 doesn't have your signature right.

14 THE WITNESS: I don't see the Bates stamp but
15 this letter here or this one does have and this one
16 does not have the signature. 0013 does not have my
17 signature.

18 MR. HAYES: Can we stop for a second. Can I
19 ask a question, the exhibit that you showed the witness
20 CSU0015, is not what we produced yesterday. It is
21 missing the Jamar or attached up in the corner. J Arc O
22 R R. I'm looking at what we've produced yesterday and
23 what we just handed the witness with the CSU number on
24 it and the documents are different.

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1 Q These document were what we received
2 yesterday, we can clear up from the maybe after the
3 break, but it is not necessary at this point?

4 MR. HENDERSON: I would object, if you are
5 going to ask questions about the document, I would be
6 like to refer to the Bates stamp or if you are not going
7 to ask him question that is fine, if you are going to
8 ask let's be on the same page either by exhibit or
9 Bates page.

10 MR. HAYES: I'm happy to talk to you during
11 the break about the parent discrepancy in the some of
12 the markings on the documents I agree we should move
13 ahead, I apologize.

14 Q And you are aware. That are you oh, you

15 aware that to whom it may concern, that was Nigerian has
16 your signature.

17 MR. HENDERSON: Either, what exhibit or Bates
18 page.

19 MS. LIU: I'm asking him a question you.

20 MR. HENDERSON: You are referring to a
21 document.

22 MS. LIU: I can depo to the Exhibit 7.
23 Exhibit 7 has your signature on it, correct.

24 A Yes.

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1 Q Are you aware that this letter with your
2 signature on it, was submitted in the Nigerian
3 litigation.

4 A I am now.

5 (WHEREUPON Exhibit # was marked for
6 identification), Exhibit 9.

7 Q Landing the witness what has been marked as
8 Exhibit 9. This is a subpoena issued by Mike
9 ENAHORO-EBAH. This is the subpoena issued by Mike
10 Enahoro-Ebah lawyer Mr. Kowals, K-O-W-A-L-S. And it is
11 a subpoena for the record pertaining to the admission
12 or pertaining to record, it is a subpoena for any and
13 all record pertaining to the admission of bola Ahmed
14 Tinubu. Do you recognize that.

15 A Yes.

16 Q You have seen this subpoena before?

17 A Yes.

18 Q Were you the one that gathered the
19 information for this subpoena?

20 MR. HAYES: I would object to this line of
21 questioning as not related to today's topics of
22 today's deposition, topic, one through five,
23 Mr. Westberg is not here on the University's behalf
24 to address questions about that prior subpoena. I'm

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1 not going to instruct you not to answer, but
2 Mr. Westberg can answer question to the extent of his
3 personal knowledge and I ask you to stick to the topic
4 of the deposition today, this isn't one of them.

5 MS. LIU: Topic Number 2, is CSU positions on
6 the authenticity of the eight document that are
7 included in the exhibits to the complaint in
8 Enahoro-Ebah versus, Tinubu.

9 MR. HAYES: I agree it is the authenticity of
10 the document that are attached to the subpoena. But
11 please go ahead I have stated my objection.

12 MS. LIU: Were you the one that gathered the
13 information for this subpoena.

14 A Yes.

15 Q Did anyone else help you?

16 A No.

17 Q And let's turn back to the subpoena which is
18 Exhibit 2. The subpoena in this matter.

19 A Yes.

20 Q And attached to?

21 MR. HENDERSON: I am sorry. We are on
22 Exhibit 2 now.

23 MS. LIU: Yes, attached to that exhibit are
24 additional documents that were topics in the subpoena..

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1 A Yes.

2 Q And if you can turn to the page with the
3 handwritten Exhibit 7 on it, it is a letter from you to
4 Mr. Kowals dated September 22, 2022. Do you recognize
5 this letter?

6 A I do.

7 Q This letter was sent by CSU, that is correct.

8 A That is correct.

9 Q And you signed this letter?

10 A I did.

11 Q And it says, the enclosed documentation, is
12 all the record we have for Bola Tinubu. We do not have
13 the record of any documentation for a passport visa,
14 Social Security Card or driver's license, initially, we
15 don't have a record of how much tuition was paid during
16 their time of attendance.

17 Q Before sending along these documents to

18 Mr. Kowals, did you contact Mr. Tinubu?

19 A No.

20 Q Why not?

21 A I was not instructed to do so.

22 Q And who would have instructed you to do so?

23 A Our Legal Affairs Department.

24 Q Did the Legal Affairs Department tell you you

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1 could send one of these documents without contacting
2 Mr. Tinubu. Strike that. Par par this letter has more
3 information in it than the stock letter of information
4 that you sent before in Exhibit 7.

5 A You are correct.

6 Q And the remainder of the document attached to
7 this subpoena that is Exhibit 2, these were included in
8 the Enahoro-Ebah complaint with this letter.

9 A What are we referring to.

10 Q So the remainder of the documents attached to
11 the subpoena which is Exhibit 2?

12 A Oh, I see, yes.

13 Q And the remainder, did Mr. Enahoro-Ebah?

14 A Yes.

15 Q And looking at the documents with the written
16 Exhibit 9, the written Exhibit 10. And written
17 Exhibit 11, and written Exhibit 12 how did CSU
18 authenticate these documents before sending them to

19 Mr. Enahoro-Ebah.

20 A We located them in the student file.

21 Q And the written Exhibit 8, was that also in
22 the student file.

23 A no. this is in the file cabinet with
24 diplomas.

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1 Q So looking at these exhibits or at least
2 document, how is CSU cellular that they all concern the
3 same Bola Tinubu who is now president?

4 A Because of the transcript.

5 Q And that the only basis?

6 A That is the official record of the a student,
7 a diploma in the U.S. is considered a ceremonial
8 document.

9 Q Let's look@ment handwritten nine which state
10 Chicago State University academic record at the top?

11 A Yes.

12 Q And you see in the upper right hand corner,
13 that the bitter date appearance to be 3/29/54 here.

14 A That is correct.

15 Q And you are aware that Mr. Tinubu also
16 submitted to the INEC that his H birthday is 3/29/52?

17 A I'm not aware of that.

18 Q How can you be sure that this is the same
19 Bola Tinubu who is now president?

20 A This is the part of the student official
21 record, we don't have any reason to authenticate of our
22 student record. Authenticity of our student record.

23 Q But there is nothing in this document that
24 strike that.

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1 Q Exhibit 12, the handwritten Exhibit 12. Leer
2 it says, that the Bola A Tinubu is female.

3 MR. HENDERSON: What document are we looking
4 at?

5 MS. LIU: Handwritten Exhibit 12,.

6 MR. HAYES: At the back of Exhibit 2. Vic.

7 MR. HENDERSON: I want to make cellular we
8 are on the same page.

9 Q (By Ms. Liu) It has a heading of southwest
10 college.

11 Q And this document is in the student files?

12 A You are correct.

13 Q And this document says, Bola A Tinubu is
14 female?

15 MR. HENDERSON: We are talking about the
16 southwest college document?

17 THE WITNESS: It does indicate that.

18 Q So how are?

19 MS. LIU: So how did you sure that the Bola A
20 Tinubu who is female is the Bola Tinubu of Nigeria.

21 MR. HENDERSON: Objection foundation?

22 A We can attest this is part of the student
23 record, there was received by the just, this is what we
24 have in connection with the student record.

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1 Q So anything received by the university you
2 just awe assume is correct.

3 A no.

4 Q So you are notarial sure then that this Bola
5 Tinubu listed at female is the same Bola A Tinubu is
6 the president R president of my engineer ra?

7 MR. HENDERSON: Objection. Asked and
8 answered?

9 THE WITNESS: I'm not saying that.

10 Q (By Ms. Liu) Because you are not
11 cellular,?

12 A I'm not saying that, because we believe there
13 to be part of the student record, so while you know, I
14 can't detest whether or not that was caught at the
15 time, this was submitted and received as part of the
16 student file.

17 Q So everything that is a part of the student
18 file is in your estimation, correct.

19 A I'm saying these are accurate document that
20 that are a part of the -- they are accurately part of
21 the student file.

22 Q But you are not saying that the information
23 submitted in the documents is correct.

24 A I'm saying I'm able to verify that this is

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1 what is a part of the student file.

2 Q So you are saying that the student, this is
3 part of the student file correct but just because a
4 record is a part of the student file doesn't mean that
5 the underlying information is correct right.

6 A You are correct.

7 Q So this document doesn't mean that this is
8 the same Bola Tinubu that is the President of my
9 Nigeria?

10 MR. HENDERSON: Objection. Asked and
11 answered.

12 THE WITNESS: Chicago University doesn't seek
13 to what is on the transcript, what I can say is this is
14 received by the Chicago State University and is a part
15 of the student file.

16 Q (By Mr. Hayes) We have been going for the
17 two hours, sometime soon, you can finish on that
18 document, I would request a five minute break.

19 Q (By Ms. Liu) So CSU doesn't know for
20 certain what is in these documents is true correct.

21 MR. HENDERSON: Objection. Asked and
22 answered?

23 THE WITNESS: Nobody working at the
24 university was currently working at the university was

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1 around in the 1979, so I don't have a way to tell you
2 what occurred with the southwest college transcript at
3 the time.

4 Q Can you read back the question.

5 MR. HENDERSON: Would you read back lis
6 answer please. Read back.

7 Q (By Ms. Liu) And just a few employer
8 questions before a break, just to make sure I'm
9 clear, none of these documents we just looked at
10 state that the individual is Bola Ahmed Tinubu
11 correct.

12 A I'm not certain that we have his middle name
13 spelled out on those documents no.

14 Q (By Mr. Henderson) Which document are you
15 talking about. The Southwest College one that we
16 went over.

17 Q (By Ms. Liu) Any of the documents attached
18 to the subpoena?

19 MR. HENDERSON: Okay. The Southwest College
20 Sabo la A Tinubu.

21 MS. LIU: Let me ask the question again, none
22 of these documents --

23 THE WITNESS: They do not state his full

24 middle name.

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1 Q (By Ms. Liu) Thank you.

2 MR. HENDERSON: For the record the Southwest
3 College one says Bola HTinubu and the document in the
4 court file and I'm not sure what this is,?

5 MS. LIU: Mr. Henderson, kennelly, are you
6 speaking a speaking objection.

7 MR. HENDERSEN: I'm going to clarify the
8 record. Less are Bola H on the document that is three
9 or four pages ahead of the Exhibit 11 and ahead of the
10 Exhibit 11. On Exhibit 10, it says Bola A Tinubu. On
11 Exhibit 10. On Exhibit and another one --

12 Q But none of those documents state Bola Ahmed
13 Tinubu.

14 A You are correct.

15 Q Awe 10, bore, can we take a comfort break.
16 Austin --

17 MS. LIU: Back on the record, Mr. Westburg, I
18 asked you previously how do you know that the Bola
19 Tinubu and in the student record is the same B Tinubu
20 that is now president. And I believe your testimony is
21 that the record is correct.

22 A I guess how do you know that it is the the
23 same person who is president.

24 A So when we do an analysis of the record we

1 are looking at a lot of the documentation in, we are
 2 looking at the official transcript. We're looking at
 3 thing like for example what is in here is the admission
 4 to the student and the admissions application, all of
 5 outhears things match that identity and so we have no
 6 reason to doubt that what's in the student record is
 7 what we have.

8 Q I guess I would ask you this question. So
 9 using my name, Angela Liu if there is a record of Angie
 10 Liu in CSU files, how do you know this is the same
 11 Angie Liu that is iting in the front of you right now.

12 MR. HENDERSON: Objection asked and answered.

13 A We would check your student file against your
 14 personal information in the case of Bola Tinubu it is
 15 the unusual name in the U.S. It is not a hard one to
 16 verify.

17 Q Do you know if Bola Tinubu is a common name
 18 in the fly engineer yeah?

19 A I'm not aware.

20 Q Nigeria.

21 Q And your aware of the discrepancy of his
 22 birth date in the document appended to the subpoena and
 23 what was submitted to the INEC?

24 A Can you reference where we're looking at

1 discrepancy, .

2 Q Handwritten Exhibit 9 says the date of birth
3 is 3/29/54?

4 A Against which document.

5 Q I can submit to you that the document that
6 was submitted to in the Mr. Tinubu's affidavit of
7 particulars state that hi birthday is March 29, 1952. .

8 MR. HENDERSON: For the record can you
9 identity that document for us please.

10 MS. LIU: It is I can get that exhibit, are
11 you aware of any of the discrepancy in his bitter date
12 in in these document that were submitted to the INEC.

13 MR. HENDERSON: Same objection.

14 THE WITNESS: According to the record, I'm
15 not aware of any discrepancies.

16 MS. LIU: And you are aware of the
17 discrepancy in his gender?

18 A The university is not confused by this, we
19 issued a to Bola Tinubu and he applied as a male
20 student that is a part of the record.

21 Q So if you have a record of and Angela Liu in
22 CSU's files, you are certain it is the same one in
23 front of you now?

24 MR. HENDERSON: Objection. Calls for

1 speculation and complete hypothetical.

2 THE WITNESS: I would need to look at what
3 you submitted to me, to identify your identity.

4 Q Can you give me some examples of that?

5 A When we seek to verify identity, we are
6 seeking to the look at legal name, we are looking at
7 date of birth, we are looking to look at you know,
8 could be social security number -- you know, there is a
9 variety of personal identification information that we
10 might look up.

11 Q Identifying information.

12 Q Okay, let's go to and going back to that, I
13 guess did you verify strike that. Turning to
14 handwritten exhibit approximate, attached to the
15 subpoena which is Exhibit 2 in this case. This is a
16 diploma that is I'm sorry I ask that you turn to the
17 exhibit handwritten Exhibit 8. Which is the diploma
18 dated the 27th day of June, 1979.

19 A Yes.

20 Q Do you recognize this document.

21 A I do.

22 Q And this was one of the documents that were
23 included in the letter to Mr. Kowals?

24 A Yes. K O W A L S. Hold on. Oh, yes. .

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1 Q And there is issued with the Enahoro-Ebah
2 subpoena?
3 A This is date.
4 A Yes.
5 Q This is dated differently than the diploma
6 that is dated June 22, 1979?
7 A You are correct.
8 Q And was this because this one is dated
9 July 27, 1979, correct.
10 A Yes.
11 MR. HAYES: You meant to say June, Angela.
12 MS. LIU: Yeah, June 1979.
13 A Above that was the Mr. Hayes.
14 Q And this document was already in
15 Mr. Tinubu's files when you were responding to the
16 Mr. Enahoro-Ebah for a subpoena?
17 A We had this in our diploma file cabinet.
18 Q Typically, you don't keep diplomas longer
19 than it years?
20 A We only mail diplomas that students do not
21 pick up.
22 Q Do you ever send di memo mass out?
23 A We do mail diplomas as part of our business
24 operations. Some student request a pick up and some

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1 student do not. At other point in time, this is not
2 current, but a diploma may be, it used o be that the
3 diploma were sometimes held due to an outstanding
4 balance as well.

5 Q So this diploma could have been held because
6 of an outstanding balance?

7 A I doubt that, but I suppose it is possible.

8 Q So why would you have this diploma dated
9 June 27, 1979 and not the INEC diploma.

10 A I have this diploma because it was never pick
11 up, the INEC diploma we don't have in our possession,
12 as it is not a current record of ours.

13 Q And you didn't mail you think think to mail
14 that June 27, 1979 diploma?

15 A no. we do not mail any of our diplomas.

16 Q How long has this diploma been in your file?

17 A We would have to speculate around the same
18 time as the ones that match the signature and the seal.

19 Q And are you referring to the documents Bates
20 stamp CSU11 and CSU12?

21 A Correct.

22 MR. HAYES: Let her finish.

23 Q -- Exhibit 2.

24 A I was referring to the Exhibit 4, 11 and 12.

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1 Q And if you could turn back to the document

2 requests that CSU responded to. Through the Exhibit 3.

3 Q And it state, CSU for the response to Number
4 request Number 3, CSU is also producing bait labeled at
5 CS11 and 12, prepared for the other student which match
6 the format of the Tinubu replacement diploma dated
7 June 1997. Is 1997 a typo.

8 A Yes.

9 Q Should it be the 1979?

10 A I believe so.

11 Q And then you are saying the CSU document
12 Bates stamped, CSU11 and 12, match the format of the
13 Tinubu diploma dated June 27, 1979 then correct.

14 A Yes.

15 Q And if I go back to the CSU11 and 12
16 documents so the documents Bates attached 11 and 12,
17 which are?

18 MR. HAYES: Exhibit 4.

19 MS. LIU: Part of Exhibit 4. These documents
20 are from 2,003 correct.

21 A Correct.

22 Q And just to make sure that it is clear for
23 the record, the response to request Number 3, which
24 state that the students' name on this has been --

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1 sorry, which states, CSU is also producing Bates
2 labeled at CSU11 and CSU12, diplomas prepared foreother

3 students with their names redacted for the privacy,
4 which match the format of the Tinubu replacement
5 diploma dated June 27, 1997 that you means June 271979.

6 A That is correct.

7 MR. HAYES: I'll state on the record as the
8 author that is my typo.

9 Q And CSU11 and 12, those Bates stamp document
10 are from 2,003 correct.

11 A Yes.

12 Q And there is not from 1979 correct.

13 A Correct.

14 Q And going back to the June 27, 1979 diploma
15 that is attached to Exhibit 2, you didn't prepare this
16 diploma?

17 A No.

18 Q Do you know who prepared this diploma?

19 A No.

20 Q And your speculating that the diploma is in
21 the files because it wasn't picked up.

22 A Correct.

23 Q So why would Mr. Tinubu in Nigeria row order
24 a diploma and not asked that it be sent to him.

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1 MR. HENDERSON: Objection. Foundation.
2 Calls for speculation.

3 A You may want to ask him.

4 Q (By Ms. Liu) You have any thought on that?

5 MR. HENDERSON: Same objection,.

6 A I can't speculate on why a student behaves
7 the way they behave.

8 Q Does it sound plausible to you that
9 Mr. Tinubu in Nigeria would reorder a diploma and not
10 asked that it be sent to him.

11 MR. HENDERSON: Same objection?

12 THE WITNESS: Yes.

13 Q (By Ms. Liu) Liu this diploma dated
14 June 27, 1979 looks different than the INEC
15 diploma?

16 A You are correct.

17 Q The verbiage of top is different. Correct.

18 A Yes.

19 Q Because the seal with a tree on it, correct.

20 A Correct. I believe we answered these.

21 Q And it is signed by Eleanor Daniel who is
22 president of the University, correct.

23 MR. HENDERSON: Objection. Asked and
24 answered.

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1 THE WITNESS: Yes.

2 Q (By Ms. Liu) Liu she wasn't the president
3 of the university in 79?

4 MR. HENDERSON: Same objection. Asked and

5 answered.

6 THE WITNESS: She is correct and that is
7 correct.

8 Q And she wasn't the President in 2022,
9 correct?

10 A Correct.

11 Q Also signed by Niva Lubin by the Board of
12 Trustee, correct.

13 A Correct.

14 Q And Dr. Lubin wasn't the Board of Trustee in
15 1979 hen-same objection, asked and answered?

16 THE WITNESS: Yes.

17 Q Dr. Lubin wasn't chairman of the board of
18 trustees in 2022, correct?

19 A Correct.

20 Q Apart from the letter to Mr. Kowals. What
21 communications did you have with Mr. Enahoro-Ebah
22 lawyers?

23 A None.

24 Q Now, let's move to some more documents.

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1 MR. HAYES: Can we take a slotter break and
2 get the right one.

3 (WHEREUPON Exhibit # was marked for
4 identification). 10..

5 MR. HENDERSON: This is being marked as 10.

6 MR. HAYES: Yes.

7 Q (By Ms. Liu) Liu I've just handed you
8 exhibit marked as 10 and these are documents that I
9 just received as the official copy of the CSU
10 produces relating to Mr. Orr. Previously I had put
11 many the record Exhibit 8 which is the copy that we
12 received yesterday from CSU but Exhibit 10 is the
13 official copy from the CSU.

14 MR. HAYES: Can you confirm that for her
15 Caleb.

16 A Yes, that is correct.

17 Q So these documents in the Exhibit 10 were
18 produced in response to a document request asking for
19 true and correct copies of any CSU documents relating
20 to Mr. Tinubu that were certified by the Jamar C. Orr,
21 correct?

22 A Correct.

23 Q And Lamar or his associate, GC of CSU?

24 A He was.

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1 Q And does associate, GC -- document?

2 A I'm not aware of that.

3 Q Are you aware of any other instance when
4 associate or when any documents are certified by CSU
5 counsel?

6 A No I'm not.

7 Q And what does certifying a document even
8 mean?

9 A My impression the recollection in this was
10 that he was request requested to do this.

11 Q And who requested him to do this.

12 A I think the W O L E A F O L B I.

13 Q Mr. Obvious Mr. Woleafolbi is Mr. Tinubu
14 lawyer here, correct?

15 A I believe so, yes.

16 Q And did you speak with Mr. Woleafolbi?

17 A No.

18 Q Do you know if Mr. Orr spoke with
19 Mr. Woleafolbi?

20 A I think they had an e-mail exchange.

21 Q Was it prior to certifying these documents?

22 A Yes.

23 Q And do you know what was discussed in that
24 e-mail exchange?

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1 A The request to certify the documents.

2 Q Have you seen their e-mail before?

3 A I don't recall.

4 Q And did anyone at CSU certify the
5 certification?

6 A I don't understand the question.

7 Q Did anyone at CSU know that Mr. Orr was

8 certifying those documents?

9 MR. HENDERSON: Objection. Foundation.

10 Vague.

11 A I believe Jason Carter was aware. Part of
12 General Counsel.

13 Q Do you know Jason Carter then approved their
14 certification.

15 A I'm not aware.

16 Q And looking at CSU13, the document Bates
17 stamped, C SU13. It's states that on June 28, 2023, in
18 compliance with the family education right and prive va
19 act, on receipt of sign consent from Mr. Bola A. tinubu
20 diploma, Mr. Woleafolbi was provided the educational
21 record of Mr. Tinubu. Do you see that?

22 A I do see that.

23 Q And so your understanding is that
24 Mr. Woleafolbi e-mailed Mr. Orr asking for these

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1 documents, correct?

2 A I don't know the question was made, it was
3 played, via, the form you have which is CSU14. .

4 Q (By Ms. Liu) Liu apart from the Jason
5 Carter, do you know of anyone else who was involved
6 in certifying these documents?

7 A No.

8 Q Did you help correctness document for

9 certification. Collect?

10 A Yes, they were from the student file.

11 Q Did Mr. Orr ask you to collect the document
12 for certification.

13 A He asked me to provide them which I did.

14 Q And so you went to the student file and you
15 provided the documents to Mr. Orr?

16 A Yes.

17 Q So that he could respond to
18 Mr. Woleafolbi's request?

19 A Yes.

20 Q Did you know that Mr. Orr was going to
21 certify and provide them to Mr. Tinubu's lawyers?

22 A I was aware that the request was made. I
23 don't get involved in the legal affair to say, business
24 processes.

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1 Q So turning to the CSU14 the content to
2 release student educational record it looks like it is
3 for Bola, Ahmed Tinubu from Lagos Nigeria, correct.

4 A That is correct.

5 Q Asking for the grades, kick process?

6 A That is correct.

7 Q And Lagos, Nigeria.

8 Q And the record should be released to
9 Mr. Woleafolbi correct.

10 A Correct.

11 Q And there being released for legal
12 proceedings, is that correct.

13 A Correct.

14 Q And then it has a signature dated
15 286-20-23##, is that Mr. Tinubu signature?

16 MR. HENDERSON: Objection. Foundation.
17 Calls for speculation.

18 A It appears so yes.

19 Q And do you know what legal proceedings they
20 were being released for.

21 MR. HENDERSON: Same objection. Foundation.
22 Calls for speculation.

23 A I believe it was the state court case this
24 summer.

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1 Q Can you be more specific?

2 A I don't recall what the state case was called
3 this summer, you probably have that.

4 Q And then moving to the CSU, 15, which is the
5 next page, this is a June 27, 2022, to whom it may
6 concern letter, it does not have your signature
7 included in this document correct.

8 A Correct.

9 Q And why does it not.

10 A The university deemed it kind to me to take

11 me off the document because of how many inquiries, we
12 were receiving and the amount of that I was coming into
13 the press.

14 Q And looking at these documents provided to
15 Mr. Orr, there are more documents provided here than
16 what you had previously seen in response to
17 Mr. Enahoro-Ebah subpoena correct.

18 MR. HAYES: Objection. Foundation.

19 THE WITNESS: I'm not aware of any
20 differences in the documents.

21 Q You would expect the same documents would be
22 produced here as in the Enahoro-Ebah spen that?

23 MR. HENDERSON: Objection. Foundation.

24 Calls for speculation.

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1 THE WITNESS: I believe so.

2 Q And all of these document certified by
3 Mr. Orr came from the CSU files.

4 A Correct.

5 Q Did any of those document come from the
6 Mr. Tinubu in the 2022, or 23?

7 THE WITNESS: The FERPA form. F ER PA.

8 Q And anything else.

9 A No.

10 Q FERPA.

11 Q What's process to certify documents?

12 A That is a great question. I assume that was
13 a legal thing, I suspect you although about that than I
14 do.

15 Q Has CSU ever certified documents for anyone
16 else.

17 A Not that I'm aware.

18 Q And so and compensation was made for
19 Mr. Tinubu?

20 MR. HENDERSON: Objection. Foundation.
21 Calls for speculation,.

22 A I don't know if it is an exception, but we
23 complied with the request.

24 Q But you have never seen it a certification

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1 process happen for someone else?

2 A No I believe this was made because it is more
3 of a Nigerian thing.

4 Q Employer of a Nigerian thing. So were these
5 documents pulled together for legal proceedings in the
6 fly engineer yeah?

7 MR. HENDERSON: Objection. Asked and
8 answered.

9 A I believe this was related to the west
10 pressing case. Oh I'm sorry, I apologize you are
11 talking about the FERPA, this was produced as a rul of
12 the FERPA request.

13 Q And the FERPA request state that the record
14 are being released for the purposes in legal
15 proceedings?

16 A Correct.

17 Q So are you aware of whether these documents
18 were requested to be certified for the Nigerian
19 proceedings.

20 A I believe they were requested by
21 Mr. Woleafolbi to be certified. I cannot say more than
22 that about why or why or for what.

23 Q And looks like these stamps in the corner
24 here, upper corner, of each of these documents says

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1 certify certified true copy, certified by the Jamar
2 Orr. Is this stamp and o-Fish stamp?

3 A I'm not aware if it is an official stamp. It
4 was what was requested.

5 Q So CSU representative today, you don't know
6 if this is an official stamp of?

7 MR. HENDERSON: Objection, asked and
8 answered.

9 A I suppose as a matter of course given that we
10 were certifying the document, we could call it
11 official.

12 Q And why did Mr. Orr feel compel to stamp the
13 documents certified true copy?

14 A Because it was requested.
15 Q This isn't part of any CSU practice correct?
16 A Correct.
17 Q Did Mr. Orr later departed from the CSU
18 several weeks after the certificate if I take of these
19 documents correct?
20 A I believe so.
21 Q Was it related to the certification?
22 A Not that I'm aware of.
23 Q Do you know why Mr. Orr departed from the
24 CSU?

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1 A I have no clue.
2 MR. HAYES: State on the record it is not a
3 topic for the today's deposition.
4 Q Turning to another exhibit. Is.
5 (WHEREUPON Exhibit # was marked for
6 identification) 11.
7 Q I'm handing you what has been marked as
8 Exhibit 11, which is look like your affidavit.
9 Q This document is your affidavit that was
10 submitted to Mr. Tinubu's pleadings in this matter.
11 Do you recognize it?
12 A I do.
13 Q And did Mr. Tinubu's counsel request for it
14 to be prepared?

15 A I don't I'm not aware, I mean the request to
16 me came from our own legal counsel.

17 Q And do you know if Mr. Requested for it toen
18 prepared.

19 A I'm not aware Woleafolbi.

20 THE COURT: Mr. Tinubu counsel.

21 Q And you have's signed their affidavit at
22 the bottom leer.

23 A I did.

24 Q And this signature looks different from the

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1 signature that is in H the Exhibit 7 which is the to
2 would you let me know it may concern letter?

3 A Correct. This is a wet signature, I did it in
4 the moment, the other signature is from a let's say
5 more carefully composed signature that I'm able to
6 apply to the document the. They are both mine.

7 Q And carefully, composed, you have an
8 electronic signature?

9 A We are familiar with the professional you
10 might do a nicer signature that is the one I applied in
11 a more formal things like that. .

12 Q Mr. Tinubu counsel prepare this affidavit?

13 A I don't believe so.

14 Q Diploma CSU counsel prepare it?

15 A I think so.

16 Q Did they draft it?

17 A I mean these were my statements.

18 Q So you drafted this affidavit?

19 A I think they helped me put in the format that
20 you see in front of you, with the writing here is my
21 own.

22 Q And so let's go through the affidavit.

23 Paragraph 2, it state, Bola, Ahmed Tinubu and

24 paragraph, state, Bola Amed Tinubu graduated and was

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1 awarded a degree from the Chicago State University on
2 June 22, 1979. Awarded. What is the basis for the
3 assertion Bola Ahmed Tinubu graduated and was awarded a
4 degree from the Chicago State University on June 22,
5 1979.

6 MR. HAYES: Objection. Asked and answered.
7 Go ahead and answer the question, sir.

8 THE WITNESS: That is the official
9 transcript.

10 Q Any other basis?

11 A No.

12 Q So you are assuming from the official
13 transcript, how can you tell it is the same Bola Tinubu
14 president now?

15 MR. HENDERSON: Objection asked and answered.

16 MR. HAYES: Objection.

17 THE WITNESS: We did do that, giving the
18 wholistic review of the record, we believe it is the
19 president of my Nigeria.

20 Q Have you ever met Mr. Tinubu?

21 A no.

22 Q Has he visited CSU campus?

23 A no.

24 Q Does he donate to the CSU?

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1 A Not that I'm aware of.

2 Q Do so you have not seen Mr. Tinubu?

3 A I don't see most of our student alumni.

4 Q Apart from the official transcript, they have
5 no other basis that the Bola Tinubu is the same Bola
6 that is now president of Nigeria?

7 A Chicago State University has the original
8 record of Bola Tinubu and we believe that to be true.

9 Q So let plea ask the question again, and it is
10 a simple yes or no, apart from these document that
11 we've just gone through, CSU has no other basis for
12 stating that the Bola A Tinubu that attended KCS. Is
13 the same?

14 MR. HENDERSON: Objection and answered,
15 harassing the student. Argumentative.

16 MS. LIU: I would Kindlily, ask counsel from
17 making speaking objections. I know you know how to.

18 MR. HENDERSON: You are speaking right now, .

19 Q (By Ms. Liu) Under the federal rules.

20 MR. HENDERSON: We go off the record for a
21 second. Argument.

22 MR. HAYES: Let's go back on the record
23 please. Mr. Westburg, I object that asked and answered
24 and miss character rises your prior testimony, answer

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1 her question again, and I ask that it be the last time
2 it be asked.

3 A I apologize for what was the question again
4 at this stage.

5 A Apart from these document, we have no other
6 basis to comment on this student.

7 Q (By Ms. Liu) Liu response to
8 Mr. Henderson, colloquy during the bake, I'm more
9 than entitled to conduct this court order in
10 compliance with the federal rules and I'm not going
11 to be inTim dated other wise. I will continue?

12 MR. HENDERSON: For the record, in compliance
13 with the rules does are doesn't allow you to ask the
14 question nine times, that is not in compliance with the
15 rules.

16 MR. HAYES: Let's move along please.

17 Q Mr. Westberg, looking at Paragraph 2, how do
18 you know that Mr. Tinubu middle name is Ahmed. . It

19 was in the subpoena paperwork.

20 Q So none of the CSU documents say what his
21 middle name is correct.

22 A Not that I'm aware of.

23 Q So you have throw basis for stating that the
24 middle name of the student who attended CSU is Ahmed

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1 other than the Tinubu's counsel told you.

2 MR. HENDERSON: Objection. Foundation.

3 MS. LIU: Without clear documentation of a
4 passport, I have is a, Social Security Number,
5 driver's license, how can CSU no exactly, who Bola A
6 tin no.

7 MR. HAYES: Answer it one more time and I'll
8 instruct to not answer further questions that are
9 identical that you asked before, please answer again
10 sir.

11 A The legal name Tinubu is sufficient for the
12 university to determine the student identity, the
13 middle name is not required for us to do that.

14 Q Going to the Paragraph 3 it state, Chicago
15 State University provided a diploma to Bola Ahmed
16 Tinubu and subsequently provided a certified or
17 official copy of that diploma both are valid and
18 authentic diploma of Chicago State University do you
19 see that?

20 A I do.

21 Q Now, is the diploma referred to as the one
22 provided to Bola, Ahmed Tinubu the INEC diploma?

23 A I'm not able to comment on that, because the
24 INEC diploma is not in our possession, the reason for

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1 that statement is we provided a did them for all
2 student loans when they graduate.

3 Q Okay. And it says, and subsequently provided
4 a certified or official copy of that diploma. Which
5 diploma is that referencing. Is it the June 27
6 diploma.

7 A Yes.

8 Q In Exhibit 2 the example number is included
9 but it is in Exhibit 2. I think is example eight,
10 handwritten example eight.

11 Q And so when Chicago State University provided
12 a diploma to Bola Ahmed Tinubu you are say assuming
13 that when a person named bull Bola, Tinubu graduated in
14 the 1979 that CSU provided a diploma to that student
15 correct?

16 A Correct.

17 Q And so the diploma you refer to as the one
18 that the CSU provide to the Tinubu was the one that was
19 provided to that student in the 1979 correct.

20 A I'm sorry could you rephrase that.

21 Q So that diploma that you refer to in
22 Paragraph 3 that says, Chicago State University
23 provided a diploma to Bola Ahmed Tinubu you are
24 referring to that diploma asks at one that was provided

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1 to that student in the 1979?

2 A Correct.

3 Q Will.

4 Q And the diploma that was provided to the
5 student Tinubu in 1979 Kane be the one that president
6 submitted to the INEC because Dr. Daniel did not arrive
7 at CSU until later?

8 MR. HENDERSON: Objection. Calls for
9 speculation.

10 A That's correct.

11 Q And then we just talked about the certified
12 or the official copy of the diploma is in reference to
13 the June 27 diploma in the Exhibit 2 correct.

14 A Correct.

15 Q And going back to Exhibit 5, which is the
16 diploma order form. The order form doesn't say
17 anything about getting a certified or o-Fish copy does
18 it?

19 A Any diploma we issue is an official copy from
20 us.

21 Q So the diploma that was provided as the

22 official has the wrong date of graduation, correct?

23 A Correct.

24 Q And it is signed by two people who did not

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1 arrived at CSU until the late 1990s correct.

2 A Correct.

3 Q Auntly were gone by the early, 2,000's?

4 A Some point in that time period yes. .

5 Q Going to the Paragraph four of your
6 affidavit. It states there are certain differences
7 between the diploma and the certified copy because all
8 the diploma are signed by the current president slash
9 co-chair, there is also differences in the font and
10 seal on the diploma versus the certified copy because
11 the university updated its font and seal after the
12 diploma was issued. So you say that all on the diploma
13 are sign by the current president and board chair,