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1	IN THE UNITED STATES DISTRICT COURT FOR THE	1	INDEX TO EXAMINATION
2	NORTHERN DISTRICT OF ILLINOIS	2	EXAMINATION PAGE
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	ABUBAKAR,)	4	Examination by Mr. Henderson 98
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	STATE UNIVERSITY Pursuant)	8	
6	to 28 U.S.C 1782)	9	
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7)	11	
8		12	
9		13	
10		14	
11	This is the discovery deposition OF CALEB	15	
12	WESTBERG taken in the above titled cause before	16	
13	GWENDOLYN BEDFORD, a Certified Shorthand Reporter	17	
14	within and for the County of Cook, State of Illinois,	18	
15	taken at the offices of DECHERT LLP, 35 West Wacker,	19	
16	Suite 3400, Chicago, Illinois held on the 3rd day of	20	
17	October, 2023 at 10:30 a.m. pursuant to notice.	21	
18		22	
19		23	
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10	120 South Riverside Plaza	15	Exhibit 13 Bola Tinubu - Biography 119
	Suite 2200	16	Exhibit 14 All Progressive Congresses 120
11	Chicago, Illinois 60606	17	Document
	312-341-9830	18	(Exhibits 1 through 14 were attached to the
12	michael.hayes@huschblackwell.com	19	original transcript.)
13	On behalf of the Intervenor, President Bola Tinubu:	20	
14		21	
	VICTOR P. HENDERSON, ESQ.	22	
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24			

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1 (WITNESS SWORN)
2 CARL WESTBERG,
3 called as a witness herein, after having been first duly
4 sworn was examined and testified as follows:
5 EXAMINATION
6 BY MS. LIU:
7 Q Hi, Mr. Westberg. I am Angela Liu with
8 Dechert on behalf of Applicant, Atiku Abubakar. I'm
9 present here today with my colleague Alexandre de
10 Gramont and Taylor Jaszewski, who are joining us
11 virtually as well as my colleague Nicole -- in the
12 room. Would Counsel likewise introduce yourselves?
13 MR. HAYES: Michael Hayes for Chicago State
14 University, the Respondent in this matter.
15 MR. HENDERSON: Good morning, my name is
16 Victor Henderson. I'm on behalf of the Intervenor.
17 President Bola Tinubu, T-I-N-U-B-U, as is my colleague,
18 Mr. Wole Afolabi W-O-L-E A-F-O-L-A-B-I. He's appearing
19 virtually and you can see him on the screen.
20 MS. LIU: Mr. Hayes, I believe you had
21 something that you would like to add to the record.
22 MR. HAYES: Yes. Thank you. Just as a
23 preliminary matter, we would like to note that
24 today's deposition is under Rule 30(b)(6) on five

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1 topics approved by the Court in this matter. And the
2 University's witness is prepared to address those
3 topics. The University's witness however, is not
4 prepared to speak on the University's behalf on any
5 other issues that are not related to those topics. And
6 we would urge Counsel for the Applicant and the
7 Intervenor in their questioning to stay with the topics
8 that have been approved by the Court.
9 Finally, I would note that by agreement
10 of the parties this deposition is not being video
11 recorded. We do have several persons participating
12 remotely, but it is our understanding, and someone
13 please speak up if this is not so, that no one who is
14 participating remotely is video recording today's
15 deposition. Thank you.
16 MS. LIU: Thank you, Mr. Hayes.
17 BY MS. LIU:
18 Q And Mr. Westberg, can you please state and
19 spell your full name for the record?
20 A Caleb Westberg.
21 Q And are you being represented by Mr. Hayes
22 today?
23 A Yes.
24 Q And are you being represented by anyone else

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1 in the room or on camera today?
2 A No.
3 Q Have you ever been deposed before?
4 A No.
5 Q With that, I would like to go over some
6 ground rules for the deposition. First, you are under
7 oath today. Do you understand?
8 A Yes.
9 Q And it is important that there be a clear
10 record of today's deposition. I'm going to be asking
11 you a series of questions. And to ensure that there is
12 a clear transcript of your answers, please respond
13 verbally to all of my questions. So there should be no
14 headshakes or head nods. Do you understand?
15 A Yes.
16 Q So that the Court Reporter can accurately
17 transcribe the deposition, let's try not to talk at the
18 same time. Please let me finish my question before you
19 answer and I'll let you finish your answer before I ask
20 my next question. Do you understand?
21 A Yes.
22 Q If you don't understand a question, just let
23 me know and I'll do my best to try to rephrase it. If
24 you don't say anything, I'll assume you understand the

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1 question. Do you understand?
2 A Yes.
3 Q And at times your Counsel may object to my
4 questions, but unless your Counsel instructs you
5 otherwise not to answer, you can answer the question
6 when he has finished stating his objections. Do you
7 understand that?
8 A Yes.
9 Q Finally, if at any point you would like to
10 take a break, just let your Counsel or me know and we
11 will accommodate you. The only exception is if there
12 is a question pending. In that instance, I'll ask you
13 to answer the question before we take a break. Do you
14 understand that?
15 A Yes.
16 Q And do you have any questions about the
17 procedures we will follow today?
18 A No.
19 Q Is there any reason you cannot testify
20 truthfully and accurately today?
21 A No.
22 Q And just to make sure we are on the same
23 page, when I say "CSU", I mean Chicago State
24 University, okay?

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1 A Yes.
2 Q And when I say "Mr. Tinubu", I mean Mr. Bola
3 Tinubu who is currently the President of Nigeria, okay?
4 A Okay.
5 Q And when I say "INEC", I mean the Independent
6 National Electoral Commission in Nigeria. Do you
7 understand that?
8 A Yes.
9 Q So I would like to borrow your LinkedIn. I'm
10 handing you what has been marked as Exhibit 1.
11 (WHEREUPON Exhibit 1 was marked for
12 identification)
13 BY MS. LIU:
14 Q Do you recognize this as your LinkedIn
15 profile?
16 A Yes.
17 Q And I understand you graduated from the
18 University of California at Berkeley in 2012, is that
19 correct?
20 A That's correct.
21 Q And then you received a Master's Degree in
22 Philosophy from the University of Chicago in 2013,
23 right?
24 A That's correct.

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1 Q You've been employed as the Registrar by
2 Chicago State University since November 2020, correct?
3 A October 2020.
4 Q Since October 2020. And CSU is a public
5 university?
6 A Correct.
7 Q Can you describe to me your job
8 responsibilities?
9 A The Registrar manages all policies and
10 procedures for the University. So we -- academic
11 affairs regulations and keep the day-to-day management
12 of the office functioning.
13 Q And that includes maintaining records?
14 A Correct.
15 Q And does CSU Registrar's office maintain a
16 physical office?
17 A Yes.
18 Q Do you work out of that office?
19 A I do.
20 Q And how many employees work in the
21 Registrar's office?
22 A We are a team of eight at present.
23 Q And do the seven other individuals report to
24 you?

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1 A Yes.
2 Q And you work with all seven of those
3 individuals?
4 A That's correct.
5 Q I'm going to hand you -- I'm going to mark
6 this as Exhibit 2.
7 (WHEREUPON Exhibit 2 was marked for
8 identification)
9 BY MS. LIU:
10 Q I'm handing you what has been marked as
11 Exhibit 2. Mr. Westberg, this is the subpoena for your
12 deposition which includes the topics for examination
13 today that Mr. Hayes referred to, is that correct?
14 A Yes.
15 Q And do you recognize this document?
16 A Yes.
17 Q Prior to today's deposition, did you review
18 the topics of the examination that are listed on Pages
19 4 and 5?
20 A Yes.
21 Q And are you appearing today as the corporate
22 designee as to all of the topics of examination on
23 Pages 4 and 5 of this company?
24 A Yes.

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1 Q Are you prepared to testify in your corporate
2 designee status as to each topic of examination on
3 Pages 4 and 5 of the subpoena?
4 A Yes.
5 Q And do you understand that as the designated
6 Corporate Representative for this deposition, my
7 questions are asking about CSU's knowledge, not your
8 personal knowledge, do you understand that?
9 A Yes.
10 Q And how did you prepare to testify on the
11 topic in the subpoena?
12 A We reviewed the student's file, conferred
13 with Legal Affairs at Chicago State as well as Michael
14 Hayes and reviewed the documents submitted.
15 Q You are concurring with Mr. Hayes. How many
16 times did you meet with Mr. Hayes?
17 A Somewhere between four or five times.
18 Q And when were these times?
19 A Within the last two months.
20 Q And how long was each meeting?
21 A At least an hour.
22 Q And were they in person?
23 A No. Today was in person. Most were virtual.
24 Q Did you meet with anyone else from Mr. Hayes'

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1 office?
2 A No.
3 Q Did you speak with any other attorneys in
4 this room?
5 A No.
6 Q Did you speak with other attorneys of
7 Mr. Tinubu?
8 A No.
9 Q Did you speak with any employees of CSU in
10 preparing for this deposition?
11 A Robin Hawkins in our Legal Affairs Office.
12 Q And what's Robin's position?
13 A I don't know her title.
14 Q And she's an attorney?
15 A Correct.
16 Q And when did you speak with Robin?
17 A Within the last two weeks.
18 Q And for how long?
19 A About an hour each time we've chatted.
20 Q And what were the general topic of
21 conversations?
22 MR. HAYES: I am going to object on the basis
23 of privilege. Mr. Westberg, you can answer that
24 question generally, but please do not disclose in that

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1 answer specific conversations with Miss Hawkins who is
2 an attorney for CSU. Generally, the subject matter,
3 answer that, but please don't go beyond that.
4 THE WITNESS: We discussed the case.
5 BY MS. LIU:
6 Q And did you speak with any formal employees
7 of CSU in preparation for this deposition?
8 Q Did you speak to Mr. Tinubu or any
9 representative of Mr. Tinubu?
10 A No.
11 Q And other than the individuals we've
12 discussed, did you speak with anyone else about
13 today's deposition?
14 A No.
15 Q And you said that you reviewed the
16 student's files. What are the documents that you
17 reviewed in preparation for the deposition?
18 A The ones in the exhibit that we submitted.
19 Q And so that document that you produced --
20 A Correct.
21 Q Yesterday?
22 A Yes.
23 Q Did you review any other documents in
24 preparation for your deposition?

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1 A No.
2 Q Did your Counsel provide any of the documents
3 that you reviewed for your deposition?
4 A What do you mean?
5 Q Mr. Hayes didn't give you the documents to
6 review for your deposition?
7 A No. We've provided all the documents.
8 Q And how did you select these documents?
9 A They were what were requested.
10 Q Who selected them?
11 A I did.
12 Q And how did you -- how did you search for
13 them?
14 A Physically?
15 Q Yes.
16 A In our office we keep student records.
17 Q And they are physical student records?
18 A During that time period, yes.
19 Q Any electronic copies of those records?
20 A Not from that time period.
21 Q And did you do anything else to prepare?
22 A No.
23 MS. LIU: I am going to mark this as
24 Exhibit 3.

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1 (WHEREUPON Exhibit 3 was marked for
2 identification)
3 BY MS. LIU:
4 Q Before I hand you this exhibit, do the
5 documents produced yesterday constitute all the
6 documents about Mr. Tinubu?
7 A Yes.
8 Q I'm handing you what has been marked as
9 Exhibit 3. This is -- these are the "Responses to
10 Applicant's Revised Subpoena to Produce Documents."
11 That includes the Applicant's request, document
12 request.
13 So have you reviewed the document
14 request?
15 A Yes.
16 Q Have you reviewed the responses?
17 A Yes.
18 Q So I have some questions to ask about the
19 requests. The first request, Number 1, states, "A true
20 and correct copy of any diploma for a Bachelor of
21 Science Degree issued by CSU in 1979."
22 And in response it looks like you have
23 been able to locate documents that have now been Bates
24 labeled CSU 0001 through CSU 0007. And so we'll show

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1 you those documents.
2 (WHEREUPON Exhibit 4 was marked for
3 identification)
4 BY MS. LIU:
5 Q I'm handing you what has been marked as
6 Exhibit 4, which are diplomas that CSU produced
7 yesterday in response to Request Number 1.
8 MR. HAYES: Actually, Angela, the exhibit
9 goes beyond the ones in Number 1. I would like to note
10 for the record that Exhibit 4 goes from CSU 1 to CSU 12
11 and the response to the one is referencing 1 through 7.
12 MS. LIU: That's correct. Thank you.
13 BY MS. LIU:
14 Q I'm handing you diplomas that CSU has
15 produced in response to Request Number 1 and CSU has
16 also produced some other documents in response to
17 Request Number 1. And are they true and correct copies
18 of the CSU diploma?
19 A Yes.
20 Q And what is the basis for that?
21 A We have them in our possession. We produced
22 these documents. They align with student records and
23 the official transcript.
24 Q And are these documents maintained in

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1 physical copy form?
2 A We have these physically.
3 Q And you don't have these documents
4 electronically?
5 A Correct.
6 Q And how did you determine that the diplomas
7 from 1979, which are CSU -- which are Bates stamped CSU
8 1 -- how did you determine that these diplomas were
9 issued by CSU in 1979?
10 A Because they say they were.
11 Q Any other reason?
12 A No.
13 Q And where were they found?
14 A In our records room.
15 Q Where is the records room?
16 A Cook Administration Building Room 128.
17 Q And if you don't have the record in
18 electronic form, what's the cut off for keeping
19 documents manually?
20 A Could you rephrase that?
21 Q So you said that these documents are not in
22 electronic form, correct?
23 A Correct.
24 Q So what is the date cut off for keeping the

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1 documents manually rather than digitally?
2 A Are you asking when did we start tracking
3 documents digitally?
4 Q Yes.
5 A We moved to Ellucian Banner in 1996.
6 Q And that is a software?
7 A It is our Student Information Center.
8 Q And once again, what date was that?
9 A 1996.
10 Q And so documents prior to 1996 you would
11 have -- you would not have an electronic form?
12 A Correct.
13 Q And for those diplomas after 1996, you have
14 those stored in electronic form?
15 A No.
16 Q So at what point do you store diplomas in
17 electronic form?
18 A We do not ever.
19 Q And did you, I guess, why were these records
20 available?
21 A While not able to determine that, the
22 speculation I have is that they were never picked up.
23 Q So you did not find Mr. Tinubu's diploma that
24 was issued in 1979?

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1 A Correct.
2 Q And turning to CSU 0001 through 0007, these
3 diplomas have dates in 1979, correct?
4 A Correct.
5 Q And they all have seals with two clasping
6 hands, correct?
7 A Correct.
8 Q They all have the same five signatures,
9 correct?
10 A Correct.
11 Q And it looks like one of the signatures is
12 from the Chairman of the Board of Governors, Leon
13 Davis?
14 A Correct.
15 Q And another signature from Donald E. Walters,
16 Secretary, correct?
17 A It appears so, yes.
18 Q And then Benjamin H. Alexander, President,
19 correct?
20 A Correct.
21 Q Looks like a Dean here, Andrew F. Skola?
22 A Something like that.
23 Q But it looks like Andrew --
24 A Yes.

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1 Q -- who was a Dean, yes?
2 A Yes.
3 Q And a signature for a Registrar, James J
4 Hruska?
5 A Yes. I would note that the Dean is going to
6 be different on these because some of them are
7 different colleges.
8 Q Understood. So this -- we're looking at CSU
9 0001 on that diploma the Dean is Andrew, because he is
10 the Dean of Business and Administration?
11 A Yes.
12 Q And is your understanding that the reason why
13 the Board of Governors is listed on the Diploma is
14 because there is no Board of Trustees in 1979?
15 A That's correct.
16 Q And it's pretty cool that the Registrar used
17 to be on the Diploma in 1979 as well?
18 A Sure.
19 Q Let's turn to CSU 8 through 10. Now these
20 diplomas were issued by CSU in the '90s, correct?
21 A That's correct.
22 Q And how do you know when they are were
23 issued?
24 A They say the year they were issued.

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1 Q And you say that because each document states
2 when the diploma is granted?
3 A Correct.
4 Q And each of those dates are in the '90s?
5 A Correct.
6 Q Could any of these diplomas be considered
7 drafts or exemplars?
8 A I'm not sure what the word "exemplar" means
9 there, but none of these would be drafts.
10 Q And how do you know that?
11 A Because these are original diplomas we had on
12 file.
13 Q And how can you be sure that they are
14 originals?
15 A They are in our possession and have never
16 left our possession.
17 Q And why does CSU maintain copies of those
18 diplomas and not others?
19 A As I mentioned before, we believe the
20 students did not pick them up.
21 Q And looking at these diplomas on the
22 left-hand side, you'll see a signature from the
23 Chairman of Board, correct?
24 A Correct.

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1 Q Do you know who that is?
2 A It's a little hard to read the signature,
3 I'll be honest.
4 Q And then on the right it looks like Elnora D.
5 Daniel signs the diploma?
6 A Yes.
7 Q And she's the President in the '90s?
8 A I believe so.
9 Q Then under that signature, a Herbert A.
10 Conley signs as Dean of the University?
11 A As Dean of the College of Business.
12 Q And we know he's Dean of the College Of
13 Business because there is Dean at the bottom of the
14 page here, right?
15 A Correct.
16 Q And the seal on the diploma, the seal is a
17 triangle with two lines through it, correct?
18 A That's correct.
19 Q And the seal has the verbiage 1867 under it?
20 A True.
21 Q It has Chicago State University on top of the
22 seal, correct?
23 A Yes.
24 Q And the seal has the word "responsibility"

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1 under that, correct?
2 A Yes.
3 Q And this seal is different than those that
4 were conferred and Bates stamped CSU 1 through 7,
5 correct?
6 A Yes.
7 Q When did the seal change?
8 A I'm not certain. At some point between 1979
9 and the '90s.
10 Q You think it changed in the '90s?
11 A Possibly.
12 Q And if you look at CSU 8 and then CSU 9, it
13 looks like the font is a little different between the
14 two. Do you see that?
15 A I don't see a difference to be honest?
16 Q If you look at the A.D. before 1989 and the
17 A.D. 1998?
18 A Okay.
19 Q Do they look slightly different to you?
20 A You know these are scanned copies. So it is
21 entirely possible that that difference is due to the
22 Xerox machine.
23 Q And if you go to those Bates stamped CSU 11
24 and 12 these are two diplomas from 2003?

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1 A Correct.
2 Q And they have two signatures on these
3 diplomas correct?
4 A Yes.
5 Q One from Niva Lubin, M.D. Board of Trustees
6 and the other from Elnora D. Daniel, President of the
7 University, correct?
8 A Correct.
9 Q And Dr. Lubin was the Chairperson in 2003?
10 A Yes.
11 Q Dr. Lubin -- was Dr. Lubin the Chairperson in
12 2022?
13 A I do not know that off the top of my head.
14 Q And Elnora Daniel was the President in 2003?
15 A Yes.
16 Q And Elnora Daniel is not the President in
17 2022, correct?
18 A Correct.
19 Q And you'll see the seal on these diplomas
20 from 2003. Are seals with a tree on them?
21 A Uh-uh, yes.
22 Q And that seal is different from the previous
23 set of diplomas, correct?
24 A That's correct.

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1 Q When did the seal change then?
2 A At some point between 1999 and 2003.
3 Q And you don't know which date?
4 A No, I'm not certain.
5 Q Is the seal the same today?
6 A No.
7 Q And what is the seal now?
8 A Our current seal is a book, but it looks a
9 little like a tree.
10 Q And when did that change?
11 A I don't know for certain. I believe that was
12 at some point in the 20 teens.
13 Q And going back to Exhibit 3, you looked at
14 the Request Number 2. The request is a true and
15 correct copy of any diploma issued by CSU in 1979 to
16 Mr. Tinubu. Do you see that?
17 A I do.
18 Q And CSU has determined that it does not have
19 a true and correct copy of the diploma issued to Bola
20 Tinubu in 1979, correct?
21 A That's correct.
22 Q And how did CSU determine that it did not
23 have a true and correct copy of this?
24 A We went through every diploma in our

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1 possession.
2 Q And you went through every diploma in your
3 possession, given the importance of this matter?
4 A Yes.
5 Q And so CSU, after going through every
6 diploma, was unable to find an authentic copy of any
7 diploma that CSU issued to Tinubu in 1979, is that
8 correct?
9 A We did not find any diploma issued by CSU in
10 1979 to Mr. Tinubu.
11 Q But you retained copies of the some diplomas
12 but not others, is that correct?
13 A When we have a copy of the diploma, it is
14 because a student didn't pick it up.
15 Q And you don't have a copy of Mr. Tinubu's
16 June 22, 1979 diploma or his June 27, 1979 diploma,
17 correct?
18 A We have the June 27, 1979 diploma. It is in
19 our possession.
20 Q The original June 27, 1979 diploma is in your
21 possession?
22 A It is a reordered copy. The one that you
23 have, it is in one of your exhibits.
24 Q And the reordered copy is a re-created copy

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1 that CSU re-created?
2 A It is a diploma reorder that matches what we
3 have in CSU 11 and 12.
4 Q And why did you not produce the June 27th
5 diploma yesterday?
6 A My impression was that you already had that.
7 MR. HAYES: Which request do you think it is
8 responsive to? I don't read it as being requested
9 yesterday.
10 MS. LIU: Request Number 1, a true and
11 correct copy of any diploma for a Bachelor of Science
12 Degree issued by CSU in 1979?
13 MR. HAYES: Please ask the witness. But the
14 June 27th diploma was not issued by CSU in 1979. We
15 all know that.
16 THE WITNESS: What he says is correct.
17 BY MS. LIU:
18 Q And so was June 27, 1979 diploma in
19 Mr. Tinubu's files at CSU?
20 A We don't keep diplomas in the student files.
21 We have a file cabinet that has diplomas.
22 Q And how long do you keep diplomas at CSU?
23 A At present until students pick them up.
24 Q So just to backing up, just so I understand

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1 it, say someone today graduated from 1979 and calls the
2 Registrar's office and wants a copy of their diploma,
3 you don't have like a template for a degree from CSU in
4 1979 in the Registrar's office that you use?
5 A Correct.
6 Q And that person requesting a diploma from
7 1079 doesn't receive then a copy of their diploma from
8 1979, correct?
9 A Correct.
10 Q Let's go to Tab 4. Before I hand you another
11 document. I believe you testified that you produced
12 the entire student file?
13 A Correct.
14 Q Are there any other documents from the file
15 that have been withheld because you thought they were
16 not responsive?
17 A No.
18 Q Only the June 27th diploma, correct?
19 MR. HAYES: I object. As he testified
20 before, that diploma is not part of Mr. Tinubu's file.
21 So when you say "other documents withheld from the
22 file" that is not accurate. Mr. Westberg, answer the
23 question, if you can.
24 MS. LIU: I would like to put on the record.

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1 I kindly ask Counsel to refrain from making speaking
2 objections and improperly coaching the witness.
3 THE WITNESS: What was your question again?
4 MR. HAYES: I objected to the form of the
5 question.
6 THE WITNESS: No.
7 BY MS. LIU:
8 Q But you did withhold the June 27th diploma
9 because you thought it was not responsive?
10 MR. HENDERSON: Objection. Mischaracterizes
11 his testimony.
12 THE WITNESS: We provided what was requested.
13 MS. LIU: But you did not provide the
14 June 27, 1979 diploma?
15 MR. HENDERSON: Same objection.
16 THE WITNESS: We did not provide that
17 yesterday.
18 MS. LIU: I'm going to hand you another
19 document.
20 (WHEREUPON Exhibit 5 was marked for
21 identification)
22 BY MS. LIU:
23 Q I am going to hand you what has been marked
24 as Exhibit 5 entitled "Undergraduate Diploma Order

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1 Replacement Form." And this is the form that is posted
2 on CSU's website, an undergraduate, diploma order or
3 replacement form?
4 A Yes.
5 Q And do you recognize this document?
6 A Yes.
7 Q And do you people fill out this form in order
8 to order a replacement diploma?
9 A Yes.
10 Q And does everyone have to fill out this form?
11 A If they want to order a replacement diploma.
12 Q And it says at the bottom "Full Legal Name At
13 Time of Graduation". Do you take steps to verify that
14 this person went to CSU?
15 A Correct, yes.
16 Q And what steps do you take?
17 A We locate their records.
18 Q And how do you do that?
19 A Using the confidential information provided
20 that allows you to verify their identity. We do a
21 record lookup and verify what is on the records before
22 we produce a diploma.
23 Q And how far back in time do these records go?
24 A What do you mean?

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1 Q Do you have records from every student from
2 the '70s?
3 A If they were a student with us, yes, we keep
4 a student file on them.
5 Q And how far back do the records go?
6 A I have seen records as early as the '30s.
7 Q Does CSU have a policy or practice on how
8 long they keep the student records?
9 A We keep the student records into perpetuity.
10 Q And what does CSU typically keep for students
11 who graduated in 1979?
12 A At the very least we maintain an official
13 transcript.
14 Q So every CSU student who graduated in 1979
15 would have an official transcript in their files?
16 A That's correct.
17 Q And where are these files kept?
18 A In our records room.
19 Q And are there any instances where records are
20 not maintained for a student?
21 A No.
22 Q Do you keep any record of when former
23 students asked for diplomas?
24 A No.

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1 Q Did you have a record of when Mr. Tinubu
2 asked for a diploma?
3 A No.
4 Q Why don't you keep a record of them?
5 A It's not consequential to the student file.
6 Q And how many requests for diplomas do you
7 typically get in a month?
8 A One, if one. Maybe none.
9 Q So it is pretty atypical if someone requests
10 a replacement diploma?
11 A It could be a handful more in a given month,
12 but it is atypical -- this is not a common -- it is not
13 that common.
14 Q And do you always verify that someone went to
15 the University before issuing a replacement diploma?
16 A Yes.
17 Q And by what means do you do this if we talk
18 about a student who attended 40 years ago?
19 MR. HENDERSON: Objection. Asked and
20 answered.
21 THE WITNESS: Yes, I did answer this. We
22 would look up their record.
23 BY MS. LIU:
24 Q And on Exhibit 5 at the top of the page,

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1 "Please note we only keep on file diplomas up to two
2 years."
3 A You are correct.
4 Q If someone graduated in 2021 and asked for a
5 copy of their diploma from CSU today, they would
6 receive a copy, correct?
7 A I would provide the diploma if we had it in
8 our possession. If not, I would place an order.
9 Q But if someone graduated from CSU in 1979,
10 you don't have a copy of that 1979 diploma, correct?
11 MR. HENDERSON: Objection. Asked and
12 answered.
13 THE WITNESS: The only event we have a copy
14 of a diploma is that the student didn't pick it up.
15 BY MS. LIU:
16 Q So do you keep documents that were reordered
17 only if they are not picked up?
18 A Correct.
19 Q So why do you have the June 27th diploma in
20 your files?
21 A While the University doesn't know that for
22 certain, my speculation would be that it was not picked
23 up.
24 Q And you're speculating, correct?

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1 A Correct.
2 Q You don't know that for certain?
3 A Correct.
4 Q And just process wise, you need to use a
5 different form diploma if someone reorders a diploma
6 from say 1979 to today?
7 A It would appear like the diplomas that we
8 issued in 2023.
9 Q So my understanding, and correct me if I am
10 wrong, is that all diplomas are signed by the current
11 President and Board Chair, correct?
12 A Correct.
13 Q And so if I graduated in 1979 and I fill out
14 this form for a replacement diploma, that placement
15 diploma will be signed by the current President and
16 Board Chair?
17 A Yes, correct.
18 Q And anyone else that you would expect to see
19 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 to let them know of the request?
24 A We would not do that. We would not process

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1 that diploma 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 -- strike that?
6 (WHEREUPON Exhibit 6 was marked for
7 identification)
8 BY MS. LIU:
9 Q I'm handing you what has been marked as
10 Exhibit 6. This purports to be a June 22, 1979 diploma
11 issued to Mr. Bola A. Tinubu. And you can see that it
12 is stamped by INEC on the diploma as well. Have you
13 seen this document before?
14 A In the proceedings of this case, yes.
15 Q You have never seen this document prior to
16 the proceedings in this case?
17 A Correct.
18 Q And I'll submit to you that this diploma is
19 the diploma that Mr. Tinubu reportedly submitted to
20 INEC. Do you have any reason to doubt that statement?
21 A No.
22 Q And this June 22, 1979 diploma, I will refer
23 to as "the INEC diploma" for simplicity sake. Do you
24 understand?

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1 A Yes.
2 Q And let's take a look at the INEC diploma.
3 The INEC diploma says that the diploma is granted on
4 this 22nd day of June 1979, correct?
5 A Yes.
6 Q And CSU didn't have a Board of Trustees in
7 1979, did it?
8 A True.
9 Q So let's look at the signatures on the INEC
10 diploma. On the right it looks like one of the
11 signatures says Elnora Daniel, correct?
12 A Yes.
13 Q And Elnora Daniel was not the Chair or
14 President of CSU in 1979, correct?
15 A Yes.
16 Q She was the President from 1998 to 2008,
17 correct?
18 A As far as I'm aware.
19 Q For the other two signatures, the one on the
20 right looks like Herbert A. Conley? It doesn't state
21 "Dean" under it, correct?
22 A It does appear that may be cut off from the
23 Xerox.
24 Q But it is not there, correct?

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1 A I do not see it on the paper.
2 Q And Herbert A. Conley was not Dean in 1979,
3 correct?
4 A As far as I'm aware.
5 Q And the signature on the left, who was that?
6 A Very hard to make out signatures. I'm not
7 sure what the name is.
8 Q You don't think this person was Chairman of
9 the Board in 1979, correct?
10 A I didn't say that.
11 Q Are you looking at a different document?
12 A I think this matches what we have for
13 Exhibit 10 and 11.
14 Q From the Bates stamp CSU 10 and CSU 11?
15 A Yes.
16 Q And those diplomas are from 1990 -- well, it
17 is not from CSU 11, correct?
18 A Apologies again, you are correct.
19 MR. HAYES: Keep your voice up, please.
20 THE WITNESS: 9 and 10.
21 BY MS. LIU:
22 Q And the date for -- included on the diplomas
23 for CSU 9 and 10, are 1998 and 1999 respectively,
24 correct?

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1 A Yes.
2 Q And so this person on the left-hand side of
3 Exhibit 6, that signature, he wasn't the Chairman of
4 the Board in 1979 then, correct?
5 A Correct.
6 Q And the seal on Exhibit 6 doesn't have -- it
7 is the triangle with the two lines through it?
8 A Yes.
9 Q And the seal doesn't have the word
10 "responsibility" under it, correct?
11 A Not on this copy, no.
12 Q And the seal does not have 1867 under it,
13 correct?
14 A Not on this copy.
15 Q And you are unaware of any diploma from 1979
16 that includes these three signatures having been issued
17 by CSU, correct?
18 A Correct.
19 Q And you are unaware from any diploma from
20 1979 that includes the triangle seal having been issued
21 by CSU, correct?
22 A Correct.
23 Q And you've never seen a diploma that cuts off
24 the triangle seal in this manner?

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1 A Correct.
2 Q You have never seen a diploma that cuts off
3 the signature of Herbert Conley's position like that,
4 correct?
5 A Correct.
6 Q And CSU doesn't have a 1979 diploma that
7 contains the same font, CL signatures, and wording
8 apart from the INEC diploma, correct?
9 A Correct.
10 Q And CSU doesn't know of any diplomas like the
11 INEC diploma having ever been issued, correct?
12 A I believe -- that's what we produced in the
13 request. Hold on. The ones that are like it are CSU
14 8, 9 and 10.
15 Q CSU 8, 9 and 10 are dated in 1999, correct?
16 A You're correct.
17 Q Or from the '90s, correct?
18 A Yes.
19 Q And Exhibit 6 is dated from 1979, correct?
20 A It's dated 1979.
21 Q So CSU doesn't know of any diplomas dated
22 1979 like the INEC diploma that has ever been issued,
23 correct? It is a simple "yes" or "no" answer?
24 A Sure.

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1 Q That's correct?
2 A Yes.
3 Q And CSU has no basis that the INEC diploma
4 was issued by CCSU, correct?
5 A The student in question graduated from the
6 University in June 22, 1979. We 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 be
10 from CSU, but was actually a forgery?
11 A Yes.
12 Q Are you aware of any entities that create
13 such fake diplomas?
14 A Yes.
15 Q Can you give me some examples of that?
16 A I cannot provide a name of an entity that
17 does such. However, you can Google this easily. There
18 are many companies that do this for folks.
19 Q And CSU has no record of issuing this INEC
20 diploma to President Tinubu in 1979?
21 MR. HENDERSON: Objection. Asked and
22 answered.
23 THE WITNESS: Correct.
24

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1 BY MS. LIU:
2 Q And CSU has no record of issuing the INEC
3 diploma to President Tinubu, correct?
4 MR. HENDERSON: Objection. Same question
5 answered for a third time.
6 THE WITNESS: Correct. We do not keep copies
7 of the reorder requests.
8 Q And CSU did not issue either the two diplomas
9 to President Tinubu in 1979, correct?
10 A Can you rephrase that?
11 Q So CSU did not issue the June 22, 1979
12 diploma as well as the June 27, 1979 diploma to
13 Mr. Tinubu in 1979?
14 MR. HENDERSON: Objection. Vague. Compound
15 question.
16 MS. LIU: I kindly ask counsel to refrain
17 from making speaking objections.
18 MR. HENDERSON: Vague and compound questions
19 is anything other than a speaking objection. Vague
20 and compound question is not a speaking objection.
21 MR. HAYES: You can answer the question,
22 Caleb, if you understand it.
23 THE WITNESS: We issue a diploma to every
24 student that graduates. I think I'm a little confused

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1 by the question, though.
2 BY MS. LIU:
3 Q I'll rephrase it. So CSU did not issue the
4 INEC diploma to President Tinubu in 1979, correct?
5 MR. HENDERSON: Objection. Asked and
6 answered.
7 THE WITNESS: No, not in 1979.
8 BY MS. LIU:
9 Q And CSU did not issue a diploma dated
10 June 27, 1979 to Mr. Tinubu in 1979, correct?
11 A Correct.
12 (WHEREUPON Exhibit 7 was marked for
13 identification)
14 BY MS. LIU:
15 Q Mr. Westberg, I'm handing you what has been
16 marked as Exhibit 7. It is a letter from CSU dated
17 June 27, 2022. Do you recognize that document?
18 A I do.
19 Q This is a stock letter for anyone who had
20 requested Mr. Tinubu's records?
21 A Yes.
22 Q Did you draft this letter?
23 A I did.
24 Q Did anyone else help to prepare you in

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1 drafting this letter?
2 A No.
3 Q And was CSU Counsel involved at this point?
4 A I don't recall.
5 Q Do you recall CSU's outside Counsel was
6 involved at this point?
7 A I don't think so.
8 Q And no one else was -- anyone else involved
9 in drafting this letter?
10 A No. About 20 years ago we received similar
11 requests and a past Registrar named Lois Davis looked
12 into the matter and drafted a more or less identical
13 letter at that time as well.
14 Q So 20 years ago you received similar requests
15 about Mr. Tinubu's records?
16 A That's correct.
17 Q And Lois Davis was the Registrar then?
18 A She was.
19 Q And she wrote a stock letter similar to this
20 in Exhibit 7?
21 A Yes.
22 Q And you don't have a record of that in your
23 possession?
24 A No.

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1 Q There is no record of Lois Davis' letter in
2 CSU's possession?
3 A Yes, we have a copy of the letter.
4 Q And that is in Mr. Tinubu's files?
5 A No.
6 Q Where would that be then?
7 A Somewhere in our office, probably in my
8 office at present.
9 Q Just like sitting on your desk or where?
10 A When these matters arise and we have to do --
11 checking on things, we look up what we have available
12 to us and this was found.
13 Q So where was it found?
14 A One of my staff members brought it to me.
15 Q Was that in electronic form?
16 A Yes, a scanned copy.
17 Q And so you took Miss Davis' letter and just
18 made an identical letter in 2022.
19 A After verification of the record to ensure
20 that it was accurate, yes.
21 Q And what did you do to verify?
22 A I looked up the student record.
23 Q Anything else?
24 A Nothing else.

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1 Q Did you call Miss Davis?
2 A No.
3 Q Was the letter that is Exhibit 7 drafted at
4 the request of Mr. Tinubu?
5 A No.
6 Q And do you know if the letter drafted by Lois
7 Davis was drafted at the request of Mr. Tinubu?
8 A I doubt it.
9 Q Why do you say that?
10 A I was not around when Lois Davis was
11 Registrar. So I can't 100 percent say that. We, as
12 Registrars don't generally do these kinds of things.
13 Typically the student would be requesting a letter like
14 this.
15 Q And so was a hyperfile situation 20 years
16 ago?
17 A My understanding is that yes. I believe Bola
18 Tinubu has been in politics for a long time.
19 Q And in drafting Exhibit 7, was there an
20 uptick in the number of inquiries for Mr. Tinubu's
21 records then?
22 A Yes.
23 Q And were you filling those inquiries?
24 A Yes.

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1 Q And were they inquiries into his diploma?
2 A Yes.
3 Q And about how many inquiries did you get?
4 A Five to 30 a day.
5 MR. HENDERSEN: I'm sorry. Would you read
6 that answer back, please?
7 (WHEREUPON the record was read as
8 follows:
9 "A Five to 30 a day.")
10 BY MS. LIU:
11 Q And how would those inquiries come to CSU?
12 A Via e-mail.
13 Q And for each of these inquiries you would
14 send this letter that is Exhibit 7?
15 A Correct.
16 Q And did you notify Mr. Tinubu each time?
17 A No.
18 Q And you knew it was a controversial matter,
19 but you did not notify him?
20 A The University was not under the impression
21 this was a controversial matter.
22 Q You knew it was an important matter, though,
23 and you didn't notify him then, correct?
24 A Correct.

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1 Q And the letter states, please be advised that
2 Bola A. Tinubu attended Chicago State University from
3 August 1977 to June 1979. He was awarded a Bachelor of
4 Science Degree in Business Administration with Honors
5 on June 22, 1979. His major was accounting.
6 Apart from copying the information from
7 Lois Davis' letter, what is the basis for the
8 assertions in this letter?
9 A The student transcript.
10 Q Anything else?
11 A No.
12 Q Your assertions aren't based on personal
13 knowledge, though, that Mr. Tinubu applied, correct?
14 A No.
15 Q And were you told by someone that Mr. Tinubu
16 applied?
17 A No.
18 Q So CSU has no basis to conclude with
19 certainty that the Bola Tinubu who attended CSU is the
20 same Bola Tinubu who is President, correct?
21 A No. We believe they are one in the same.
22 Q So CSU is simply assuming that Bola Tinubu is
23 the same person as the President?
24 MR. HENDERSON: Objection. Asked and

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1 answered.

2 THE WITNESS: That is correct.

3 BY MS. LIU:

4 Q And the "Whom it may concern" letter that CSU

5 produced yesterday doesn't have your signature, right?

6 A Can you show me what we are talking about?

7 Q Sure.

8 (WHEREUPON Exhibit 8 was marked for

9 identification)

10 BY MS. LIU:

11 Q I hand you what has been marked as Exhibit 8.

12 A You are correct. This letter does not have

13 my signature.

14 Q And I'll just put on the record that

15 Exhibit 8 are the documents that -- are some of the

16 documents that you produced, that CSU produced

17 yesterday?

18 A Yes.

19 Q And so the "to whom it may concern" letter

20 doesn't have your signature, right?

21 MR. HENDERSON: Can we talk about the Bates

22 stamp to make the record here?

23 MS. LIU: The "to whom it may concern"

24 letter, Bates stamped CSU 0015, doesn't have your

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1 Q. The to whom it may concern letter,

2 Bates-stamped CSU 0015 doesn't have your signature,

3 right?

4 A. The Bates stamp -- but yes, this -- this

5 letter here does not have -- or this one does have and

6 does not have. So 01 -- 0013 does not have my

7 signature.

8 UNIDENTIFIED MALE SPEAKER: Can we just stop

9 for a second, Angela. Can I ask you a question? So

10 the exhibit you just showed the witness, CSU 0015

11 is -- is not what we produced yesterday. It's missing

12 the Jamar Orr stamp up in the top corner.

13 THE REPORTER: The what stamps?

14 UNIDENTIFIED MALE SPEAKER: I'm sorry. Jamar

15 Orr, O-R-R. I'm just looking at what we produced

16 yesterday and what you've just handed the witness with

17 the CSU number on it, and the documents are different.

18 MS. LIU: These documents are what we received

19 yesterday. We can clear this up for the record later

20 on, maybe after the break, but it's not necessary at

21 this point.

22 MR. HENDERSON: Or object if you ask questions

23 about the documents, then I'd like you to refer to the

24 Bates page, and -- or if you're not going to ask him

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1 questions, that's fine. If you are going to ask some

2 questions, then let's be on the same page about which

3 document you're talking, either by exhibit or Bates

4 page.

5 UNIDENTIFIED MALE SPEAKER: Well, I'm happy to

6 talk with you during a break about the apparent

7 discrepancy and some of the markings on the documents,

8 but I agree we should move ahead. I apologize.

9 BY MS. LIU:

10 Q. And you're aware that -- are you aware that

11 the to-whom-it-may-concern letter that was submitted

12 in the Nigerian litigation has your signature on it?

13 UNIDENTIFIED MALE SPEAKER: Objection. Either

14 what exhibit or Bates page?

15 MS. LIU: I'm -- I'm asking him a question,

16 but --

17 UNIDENTIFIED MALE SPEAKER: You're referring

18 to a document.

19 MS. LIU: I can go to Exhibit 7.

20 BY MS. LIU:

21 Q. Exhibit 7, that -- Exhibit 7 has your

22 signature on it, correct?

23 A. Yes.

24 Q. And are you aware that this letter with your

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1 signature on it was submitted in the Nigerian

2 litigation?

3 A. I am now.

4 MS. LIU: Handing the witness, what has been

5 marked as Exhibit 9.

6 (Applicant's Exhibit 9 was marked for

7 identification.)

8 BY MS. LIU:

9 Q. This is a subpoena issued by Mike

10 Enahoro-Ebah's lawyer, Mr. Kowals.

11 THE REPORTER: Okay. You've got to spell that

12 for me now. I can't write that.

13 MS. LIU: By Mike, and then Enahoro is

14 E-N-A-H-O-R-O, dash, Ebah, which is E-B-A-H.

15 So this is a subpoena issued by Mike

16 Enahoro-Ebah's lawyer, Mr. Kowals, which is

17 K-O-W-A-L-S, and it's a subpoena for records

18 pertaining to the admission -- or pertaining to

19 records -- it's a subpoena for any and all records

20 pertaining to the admission of Bola Ahmed Tinubu.

21 BY MS. LIU:

22 Q. Do you recognize that?

23 A. Yes.

24 Q. And you've seen this subpoena before?

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1 A. Yes.

2 Q. Were you the one that gathered the information
3 for this subpoena?

4 MR. HAYES: I'm going to object to this line
5 of questioning. It's not related to any of the topics
6 of today's deposition, Topics 1 through 5. Mr.
7 Westberg is not here on the university's behalf to
8 address questions about that prior subpoena. I'm not
9 going to instruct him not to answer, but Mr. Westberg
10 can answer questions to the extent of his own personal
11 knowledge.

12 And Counsel, I would ask you to stick to the
13 topics for the deposition today. This isn't one of
14 them.

15 MS. LIU: I would also like to state for the
16 record that Topic Number 2 is CSU's position on the
17 authenticity of the eight documents that are included
18 in the exhibits to the complaint in Enahoro-Ebah vs.
19 Tinubu.

20 MR. HAYES: I agree. The request is as to the
21 authenticity of the documents that are attached to
22 the -- to the subpoena.

23 But please, go ahead. I've stated my
24 objection.

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1 BY MS. LIU:

2 Q. Were you the one that gathered the information
3 for the subpoena?

4 A. Yes.

5 Q. Did anyone else help you?

6 A. No.

7 Q. And let's -- let's turn back to the subpoena,
8 which is Exhibit 2, the subpoena in this matter.

9 A. Yeah.

10 Q. And attached to --

11 UNIDENTIFIED MALE SPEAKER: I'm sorry. We're
12 on Exhibit 2 now?

13 MS. LIU: Yes.

14 BY MS. LIU:

15 Q. And attached to that exhibit are additional
16 documents that were topics in the subpoena?

17 A. Mm-hmm. Yes.

18 Q. And if you can turn to the page with the
19 handwritten Exhibit 7 on it, it is a letter from you
20 to Mr. Kowals dated September 22, 2022.

21 Do you recognize this letter?

22 A. I do.

23 Q. This letter was sent by CSU, correct?

24 A. That is correct.

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1 Q. And you signed this letter?

2 A. I did.

3 Q. And it says: The enclosed documentation is
4 all the records we have for Bola A. Tinubu. We do not
5 have a record of any documentation for a passport,
6 visa, social security card, or driver's license.
7 Additionally, we do not have a record of how tuition
8 was paid during this time of attendance.

9 Before sending along these documents to Mr.
10 Kowals, did you contact Mr. Tinubu?

11 A. No.

12 Q. Why not?

13 A. I was not instructed to do so.

14 Q. And who would have instructed you to do so?

15 A. Orr Legal Affairs Department.

16 Q. Did the Legal Affairs Department tell you, you
17 could send along these documents without contacting
18 Mr. Tinubu?

19 A. I'm sorry. Would you repeat that question
20 back, a little slower?

21 Q. Strike that.

22 This letter has more information in it than
23 the stock letter of information that you sent before
24 in Exhibit --

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1 A. 7.

2 Q. -- 7. Thank you.

3 A. You are correct.

4 Q. And the remainder of the documents attached to
5 the subpoena that is Exhibit 2, these were included in
6 Mike Enahoro-Ebah's complaint with this letter?

7 A. What are we referring to?

8 Q. So the remainder of the document attached to
9 the subpoena, which is Exhibit 2?

10 A. Oh, I see. Yes.

11 Q. So the remainder of those documents -- did CSU
12 provide these documents to Mr. Enahoro-Ebah?

13 A. Yes.

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

19 A. We located them in the student file.

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

22 A. No. This is in a file cabinet with diplomas.

23 Q. So looking at these exhibits or these
24 documents, how is CSU sure that they all concern the

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1 same Bola A. Tinubu was now president?
2 A. Because of the transcript.
3 Q. And that's the only basis?
4 A. That is the official record of a student. A
5 diploma in the U.S. is considered a ceremonial
6 document.
7 Q. So let's look at the handwritten Exhibit 9,
8 which states Chicago State University Academic Record
9 at the top.
10 A. Yes.
11 Q. And you see in the upper right-hand corner
12 that the birth date appears to be 3-29-54 here?
13 A. That is correct.
14 Q. And you're aware that Mr. Tinubu also
15 submitted to INS that his birth date is 3-29-52?
16 A. I'm not aware of that.
17 Q. So, again, how can you be sure that this is
18 the same Bola A. Tinubu who is now president?
19 A. This is a part of the student's official
20 record. We don't have any reason to doubt the
21 authenticity of our student record.
22 Q. But there's nothing in this document that --
23 strike that.
24 Exhibit 12, the handwritten Exhibit 12 here,

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1 it says that Bola A. Tinubu is female. How are you --
2 MR. HENDERSON: I'm sorry. What document are
3 we looking at?
4 MS. LIU: Handwritten Exhibit 12.
5 MR. HAYES: At the back of Exhibit 2, Vic.
6 MR. HENDERSON: I want to make sure we're on
7 the second page.
8 MS. LIU: It has a heading of Southwest
9 College.
10 MR. HENDERSON: Okay.
11 BY MS. LIU:
12 Q. And this document is in the student files?
13 A. You are correct.
14 Q. And this document says, Bola A. Tinubu is
15 female, correct?
16 MR. HENDERSON: We're talking about the
17 Southwest College document?
18 MS. LIU: Yes.
19 THE WITNESS: It does indicate that.
20 BY MS. LIU:
21 Q. So how are you sure that Bola A. Tinubu listed
22 here as female is the same Bola A. Tinubu who is
23 president of Nigeria?
24 MR. HENDERSON: Objection. Foundation.

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1 THE WITNESS: We can attest that this is part
2 of the student record. This was received by the
3 university. This is what we have in connection with
4 the student record.
5 BY MS. LIU:
6 Q. So anything received by the university, you
7 just assume is correct?
8 A. No.
9 Q. So you're not really sure, then, that this
10 Bola A. Tinubu who is listed as female here is the
11 same as the Bola A. Tinubu who is president of
12 Nigeria, correct?
13 MR. HENDERSON: Objection. Asked and answer.
14 THE WITNESS: I'm not saying that.
15 BY MS. LIU:
16 Q. Because you're not sure?
17 A. No, I'm not saying that because we believe
18 this to be a part of the student record. So while,
19 you know, I can't attest to whether or not that was
20 caught at the time, this was submitted and received as
21 part of the student file.
22 Q. So everything that's a part of the student
23 file is, in your estimation, correct?
24 A. I'm saying these are accurate documents that

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1 part of the student file. These are accurately a part
2 of the student file.
3 Q. But you're not saying that the information
4 submitted in the documents is correct?
5 A. I'm saying I'm able to verify that this is
6 what is a part of the student file.
7 Q. So you're saying that the student -- this is a
8 part of the student file, correct?
9 A. Mm-hmm.
10 Q. But just because a record is a part of the
11 student file doesn't mean that the underlying
12 information is correct, right?
13 A. You are correct.
14 Q. So this document doesn't mean that this is the
15 same Bola A. Tinubu that is the president of Nigeria,
16 correct?
17 MR. HENDERSON: Objection. Asked and
18 answered.
19 THE WITNESS: Chicago State University doesn't
20 seek to answer what is on the Southwest College
21 transcript. That's -- what I can say is this is
22 received by Chicago State University and is a part of
23 the student file.
24 MS. LIU: Can you repeat -- or read back that

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1 answer?
2 (The previous answer was read back.)
3 MR. HAYES: We've been going for almost
4 two hours, so some time soon, you can finish on this
5 document if you want, Angela. I would just request a
6 five-minute break.
7 BY MS. LIU:
8 Q. So CSU doesn't know for certain what is in
9 these documents is true, correct?
10 MR. HENDERSON: Objection. Asked and
11 answered.
12 THE WITNESS: Nobody working at the university
13 was around in 197- -- currently working at the
14 university was around in 1979, so I don't have a way
15 to tell you what occurred with the Southwest College
16 terms at the time.
17 MS. LIU: Can you read back the question?
18 (The previous question was read back.)
19 MR. HENDERSON: And can you read back his
20 answer, please?
21 (The previous answer was read back.)
22 MS. LIU: And just a few more questions before
23 a break.
24 BY MS. LIU:

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1 Q. Just to make sure I'm clear, none of these
2 documents we just looked at state that the individual
3 is Bola Ahmed Tinubu, correct?
4 A. I'm not certain that we have his middle name
5 was spelled out on these documents, no.
6 MR. HENDERSON: Which document are you talking
7 about, the Southwest College one that we just went
8 over?
9 MS. LIU: Any of the documents attached to the
10 subpoena -- this subpoena.
11 MR. HENDERSON: Okay. So the Southwest
12 College one says Bola A. Tinubu.
13 BY MS. LIU:
14 Q. So let me ask the question again. None of
15 these documents?
16 A. They do not state his full middle name.
17 Q. Thank you.
18 MR. HENDERSON: For the record, then, the
19 Southwest College one says Bola A. Tinubu. The
20 document that's in the court file, and I'm not sure
21 what exhibit this is --
22 MS. LIU: Mr. Henderson, I'm kindly -- are you
23 making a speaking objection or what --
24 MR. HENDERSON: No, I'm going to clarify the

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1 record. So there's also Bola A. Tinubu on the
2 document that's maybe three or four pages ahead of
3 Exhibit 11 or two pages ahead of Exhibit 11. On
4 Exhibit 10, it says, Bola A. Tinubu.
5 THE REPORTER: H?
6 MR. HENDERSON: A.
7 THE REPORTER: A.
8 MR. HENDERSON: On Exhibit 10. On exhibit --
9 some of them say Bola A. Tinubu.
10 BY MS. LIU:
11 Q. But none of those documents state Bola Ahmed
12 Tinubu, correct?
13 A. You are correct.
14 MR. DE GRAMONT: This is Alex in Washington.
15 Can we take a comfort break? I don't want to miss a
16 word, and I need a break.
17 MS. LIU: Yeah. We can take a break.
18 MR. DE GRAMONT: Thank you.
19 MS. LIU: Thank you.
20 (A recess was taken.)
21 MS. LIU: We're back on the record.
22 BY MS. LIU:
23 Q. Mr. Westberg, I asked you previously, how do
24 you know that the Bola A. Tinubu in the -- in the

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1 record -- in the student records is the same Bola A.
2 Tinubu that is now present? And I believe your
3 testimony is that the record is correct. I guess, how
4 do you -- how do you know that it's the same person
5 who is -- who is president?
6 A. So when we do an analysis of the record, we're
7 looking at a lot of the documentation therein, right?
8 We're looking at the official trans --
9 MR. HAYES: Keep your voice up.
10 THE WITNESS: Yes. We're looking at the
11 official transcript. We're looking at things like,
12 for example, what's in here is the admissions letter
13 to the student. We're looking at the admissions
14 application. All of these things match that identity,
15 and so we have no reason to doubt that what's in the
16 student record is what we have.
17 BY MS. LIU:
18 Q. I guess I would ask you this question: So
19 using my name, for example, Angela Liu, if there's a
20 record of Angela Liu CSU's files, how do you know it's
21 the same Angela Liu that's sitting in front of you
22 right now?
23 MR. HENDERSON: Objection. Asked and
24 answered.

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1 THE WITNESS: So we would check your student
2 file against your personal information. In the case
3 of Bola Tinubu, it is an unusual name for us in the
4 U.S. This is not a hard one to verify.
5 BY MS. LIU:
6 Q. Do you know if Bola A. Tinubu is a common name
7 in Nigeria?
8 A. I'm not aware.
9 Q. And you're aware of the discrepancy in his
10 birth date in the documents appended to the subpoena
11 and what was submitted to INEC?
12 A. Can you reference where -- where we're looking
13 at the discrepancy?
14 Q. Handwritten Exhibit 9 says the date of birth
15 is 3-29-54?
16 A. Okay. And against which document?
17 Q. A -- I can submit to you that the document
18 that was submitted in the -- Mr. Tinubu's affidavit of
19 particular states that his birth date is March 29,
20 1952.
21 MR. HENDERSON: For the record, can you
22 identify that document for us, please?
23 MS. LIU: It is -- I can -- I can get that --
24 Exhibit 2.

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1 BY MS. LIU:
2 Q. But are you aware of any -- of the discrepancy
3 in his birth date in these documents that was
4 submitted to INEC?
5 MR. HENDERSON: Same objection.
6 THE WITNESS: According to the records we
7 have, I'm not aware of any discrepancies.
8 BY MS. LIU:
9 Q. And you're aware of the discrepancy in his
10 gender?
11 A. The university is not confused about that. We
12 issued an admissions letter to Mr. Bola Tinubu. He
13 applied as a male student. That is a part of the
14 record.
15 Q. So if you have a record of an Angela Liu in
16 CSU's files, you're certain it's the same one in front
17 of you now?
18 MR. HENDERSON: Objection. Calls for
19 speculation. Incomplete hypothetical.
20 THE WITNESS: I think I would need to look at
21 what you submitted to -- in order to verify your
22 identity. I would -- I would --
23 BY MS. LIU:
24 Q. So can you give me some examples of that?

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1 A. You know, we would -- when we seek to verify
2 identity, we're seeking to look at the legal name.
3 We're seeking to look at date of birth. We're seeking
4 to look at, you know, could be social security number.
5 There's a variety of personal identifying information
6 that we might look up.
7 Q. Okay. Let's go to -- and going back to that,
8 I guess, and did you verify -- strike that.
9 Turning to handwritten Exhibit 3 attached to
10 the subpoena, which is Exhibit 2 in this case, this is
11 a diploma that is -- excuse me. Sorry.
12 I'd ask that you turn to exhibit --
13 handwritten Exhibit 8, which is the diploma dated the
14 27th day of June '80 -- 1979.
15 A. Yes.
16 Q. Do you recognize this document?
17 A. I do.
18 Q. And this was one of the documents that were
19 included in the letter to Mr. Kowals?
20 A. Yes. Hold on. Oh, yes.
21 Q. And this is issued in response to the
22 Enahoro-Ebah subpoena?
23 A. Yes.
24 Q. This diploma is dated differently than the

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1 diploma that is dated June 22, 1979?
2 A. You are correct.
3 Q. And was this -- because this one's dated
4 July 27, 1979, correct?
5 A. Yes.
6 MR. HAYES: You meant to say June, Angela.
7 MS. LIU: Sorry. June, yes. Thank you.
8 June 27, 1979.
9 BY MS. LIU:
10 Q. And this document was already in Mr. Tinubu's
11 files when you were responding to Mr. Enahoro-Ebah's
12 subpoena?
13 A. We had this in our diploma file cabinet.
14 Q. But typically, you don't keep diplomas longer
15 than two years?
16 A. We don't -- we only have diplomas that
17 students do not pick up.
18 Q. Do you ever send diplomas out?
19 A. We do mail diplomas as a matter of our
20 business operations.
21 Q. So --
22 A. Some students request a pickup, some students
23 do not. At other points in time, this is not current,
24 but a diploma may be -- it used to be that the

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1 diplomas were sometimes withheld due to an outstanding
2 balance as well, so...

3 Q. So this diploma could've been withheld because
4 of an outstanding balance?

5 A. I doubt that, but I suppose it's possible.

6 Q. So why would you have this diploma dated
7 June 27, 1979, and not the INEC diploma?

8 A. I have this diploma because it was never
9 picked up. The INEC diploma, we do not have in our
10 possession, so we are -- I'm not able to comment on
11 that as it's not a current record of ours.

12 Q. And you didn't mail -- you didn't think to
13 mail this June 27, 1979, diploma?

14 A. No. We do not mail all of our diplomas.

15 Q. So how long has this diploma been in your
16 files?

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

20 Q. And are you referring to the documents
21 Bates-stamped CSU-11 and CSU-12 --

22 A. Correct.

23 MR. HENDERSON: Let her finish.

24 BY MS. LIU:

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1 Q. -- Exhibit 2?

2 A. I'm referring to Exhibit 4 --

3 Q. Sorry, 4?

4 A. -- 11, and 12.

5 Q. And if you could turn back to the document
6 requests that you -- that CSU responded to. I believe
7 it's Exhibit 3. And it states -- the response states,
8 CSU -- for the response to number -- Request Number 3
9 states: CSU is also producing Bates-labeled at -- as
10 CSU 11 and 12, diplomas prepared for other CSU
11 students which match the format of the Tinubu
12 replacement diploma dated June 27, 1997.
13 Is 1997 a typo?

14 A. Yes.

15 Q. Should it be 1979?

16 A. I believe so.

17 Q. And then -- and then you're saying the CSU --
18 the documents Bates-stamped CSU-11 and 12, match the
19 format of the Tinubu diploma dated June 27, 1979,
20 then, correct?

21 A. Yes.

22 Q. And if I go back to the CSU-11 and 12
23 documents, so the documents Bates-stamped 11 and 12,
24 which are --

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1 MR. HAYES: It's in Exhibit 4.

2 BY MS. LIU:

3 Q. -- part of Exhibit 4, these documents are from
4 2003, correct?

5 A. Correct.

6 Q. And just to make sure that it's clear for the
7 record, the response to Request Number 3, which states
8 that the students' name on these diplomas have been
9 redact -- oh, sorry. The -- which states CSU is also
10 producing Bates-labeled at CSU-11 and CSU-12, diplomas
11 prepared for other CSU students with their names
12 redacted for privacy which match the format of the
13 Tinubu replacement diploma dated June 27, 1997, that
14 you mean -- or CSU means June 27, 1979?

15 A. That is correct.

16 Q. That is correct? Okay.

17 MR. HAYES: And I'll state on the record that
18 it's the author of the response. That's my typo.

19 BY MS. LIU:

20 Q. And CSU-11 and 12, those Bates-stamped
21 documents are from 2003, correct?

22 A. Yes.

23 Q. And they're not from 1979, correct?

24 A. Correct.

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1 Q. And going back to the June 27, 1979, diploma
2 that is attached to Exhibit 2, you didn't prepare this
3 diploma?

4 A. No.

5 Q. Do you know who prepared this diploma?

6 A. No.

7 Q. And you're speculating that the diploma is in
8 the files because it wasn't picked up?

9 A. Correct.

10 Q. So why would Mr. Tinubu in Nigeria reorder a
11 diploma and not ask that it be sent to him?

12 MR. HENDERSON: Objection. Foundation. Calls
13 for speculation. You may want to ask him.

14 BY MS. LIU:

15 Q. Do you have any thoughts on that?

16 MR. HENDERSON: Same objection.

17 THE WITNESS: Students -- I can't speculate on
18 why students behave the way they behave.

19 BY MS. LIU:

20 Q. And does it sound plausible to you that Mr.
21 Tinubu in Nigeria would reorder a diploma and not ask
22 it to be sent to him?

23 MR. HENDERSON: Same objection.

24 THE WITNESS: Yes.

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1 BY MS. LIU:
2 Q. And this diploma dated June 27, 1979, looks
3 different from the INEC diploma, correct?
4 A. You are correct.
5 Q. The verbiage at the top is different, correct?
6 A. Yes.
7 Q. It has a seal with a tree on it, correct?
8 A. Correct. I believe we answered these.
9 Q. And it's signed by Eleanor Daniel, who's
10 president of the university, correct?
11 MR. HENDERSON: Objection. Asked and
12 answered.
13 THE WITNESS: Correct.
14 BY MS. LIU:
15 Q. And she wasn't the president of the university
16 in '79, correct?
17 MR. HENDERSON: Same objection. Asked and
18 answered.
19 THE WITNESS: She is correct, and that is
20 correct.
21 BY MS. LIU:
22 Q. And Ms. Daniel wasn't the president of the
23 university in 2022, correct?
24 A. Correct.

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1 Q. It's also signed by Niva Lubin, M.D., Chair of
2 the Board of Trustees, correct?
3 A. Correct.
4 Q. And Dr. Lubin wasn't chairman of the Board of
5 Trustees in 1979, correct?
6 MR. HENDERSON: Same objection. Asked and
7 answered.
8 THE WITNESS: Correct.
9 BY MS. LIU:
10 Q. Dr. Lubin wasn't chairman of the Board of
11 Trustees in 2022, correct?
12 A. Correct.
13 Q. Apart from the letter to Mr. Kowals, what
14 communications did you have with Mr. Enahoro-Ebah's
15 lawyers?
16 A. None.
17 Q. Now, let's move to the Orr documents. So
18 here's a copy.
19 UNIDENTIFIED FEMALE SPEAKER: You mean the new
20 ones? The ones that are here. I can see it.
21 MR. HAYES: Can we take a short break?
22 MS. LIU: Yeah. Can we take a short break?
23 MR. HAYES: Off the record.
24 MS. LIU: Off the record.

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1 (A recess was taken.)
2 MS. LIU: So I've just handed you an exhibit
3 marked as 10.
4 (Applicant's Exhibit 10 was marked for
5 identification.)
6 MS. LIU: And these are documents that I just
7 received as the official copy of the CSU's production
8 relating to Mr. Orr. Previously, I had put in the
9 record Exhibit 8, which is the copy that we received
10 yesterday from CSU. But Exhibit 10 is the official
11 copy from CSU.
12 MR. HAYES: Can you confirm that for her,
13 Caleb, please?
14 THE WITNESS: Yes, that is correct.
15 BY MS. LIU:
16 Q. So these documents in Exhibit 10 were
17 prepared -- or not prepared, were produced in response
18 to a document request asking for true and correct
19 copies of any CSU documents relating to Mr. Tinubu
20 that were certified by Jamar C. Orr, correct?
21 A. Correct.
22 Q. And Jamar Orr is Associate GC of CSU?
23 A. He was.
24 Q. Do Associate GCs typically certify documents?

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1 A. I'm not aware of that.
2 Q. Are you aware of any other instance when
3 associate -- or when any documents are certified by
4 CSU counsel?
5 A. No, I'm not.
6 Q. And what does certifying a document even mean?
7 A. My impression or recollection in this was that
8 he was requested to do this.
9 Q. And who requested him to do this?
10 A. I think the -- Woleafolabi.
11 THE REPORTER: Say that again.
12 THE WITNESS: W-O-L-E-A-F-O-L-A-B-I,
13 Woleafolabi.
14 BY MS. LIU:
15 Q. And Mr. Woleafolabi is Mr. Tinubu's lawyer
16 here, correct?
17 A. I believe so, yes.
18 Q. And did you speak with Mr. Woleafolabi?
19 A. No.
20 Q. Do you know if Mr. Orr spoke with Mr.
21 Woleafolabi?
22 A. I think they had an e-mail exchange.
23 Q. Was it prior to certifying these documents?
24 A. Yes.

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1 Q. And do you know what was discussed in that
2 e-mail exchange?
3 A. The request to certify the documents.
4 Q. Have you seen this e-mail before?
5 A. I don't recall.
6 Q. And did anyone at CSU approve their
7 certification?
8 A. What do you mean -- what -- I don't understand
9 the question.
10 Q. Is -- did anyone at CSU know that Mr. Orr was
11 certifying these documents?
12 MR. HENDERSON: Objection. Foundation.
13 Vague.
14 THE WITNESS: I believe Jason Carter was
15 aware, our general counsel.
16 BY MS. LIU:
17 Q. Do you know if Jason Carter then approved
18 their certification?
19 A. I'm not aware.
20 Q. And looking at CSU-13, the document
21 Bates-stamped CSU-13, it states that on June 28, 2023,
22 in compliance with the Family Education Rights and
23 Privacy Act, FERPA, and upon receipt of signed consent
24 from Mr. Bola A. Tinubu, Mr. Woleafolabi was provided

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1 the educational records of Mr. Tinubu.
2 Do you see that?
3 A. I do see that.
4 Q. And so your understanding is Mr. Woleafolabi,
5 e-mailed Mr. Orr asking for these documents, correct?
6 A. I'm uncertain how the request was made, what
7 format the request was made in, but I know it was made
8 via the form you have, which is CSU-14.
9 THE REPORTER: Sir, please. I don't
10 understand again.
11 THE WITNESS: Via the form -- via the form you
12 have, which is CSU-14.
13 BY MS. LIU:
14 Q. And apart from Jason Carter, do you know of
15 anyone else who was involved in certifying these
16 documents?
17 A. No.
18 Q. Did you help collect these documents for
19 certification?
20 A. Yes, they're from the student file.
21 Q. Did Mr. Orr ask you to collect the documents
22 for certification?
23 A. He asked me to provide them, which I did.
24 Q. And so you went to the student file and you

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1 provided the documents to Mr. Orr --
2 A. Yeah.
3 Q. -- so that he could respond to Mr.
4 Woleafolabi's request?
5 A. Yes.
6 Q. Did you know that Mr. Orr was going to certify
7 and provide them to Mr. Tinubu's lawyers?
8 A. I was where the request was made. I don't get
9 involved in legal affairs' business processes.
10 Q. So turning to CSU-14, the consent to release
11 student educational records, it looks like it's for
12 Bola Ahmed Tinubu from Lagos, Nigeria, correct?
13 A. That is correct.
14 Q. Asking for grades, academic progress, correct?
15 A. That's correct.
16 Q. Then the records should be released to Mr.
17 Woleafolabi, correct?
18 A. Correct.
19 Q. And they're being released for legal
20 proceedings; is that correct?
21 A. Correct.
22 Q. And then it has a signature dated 28-6-2023.
23 Is that Mr. Tinubu's signature?
24 MR. HENDERSON: Objection. Foundation. Calls

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1 for speculation.
2 THE WITNESS: It appears so, yes.
3 BY MS. LIU:
4 Q. And do you know what legal proceedings they
5 were being released for?
6 MR. HENDERSON: Same objection. Foundation.
7 Calls for speculation.
8 THE WITNESS: I believe it was the state court
9 case this summer.
10 BY MS. LIU:
11 Q. Can you be more specific?
12 A. I don't recall what the state court case was
13 called this summer. I think you all probably have
14 that, but...
15 Q. And then moving to CSU-15, which is the next
16 page, this is a June 27, 2022, to-whom-it-may-concern
17 letter. It does not have your signature included in
18 this document, correct?
19 A. Correct.
20 Q. And why does it not?
21 A. The university deemed it kind to me to take me
22 off the document because of how many inquiries we were
23 receiving and the amount of -- the amount that I was
24 coming into the press.

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1 Q. And looking at these documents provided to Mr.
2 Orr, there are more documents provided here than what
3 you had previously seen in response to Mr.
4 Enahoro-Ebah's subpoena, correct?
5 MR. HAYES: Objection. Foundation.
6 THE WITNESS: I'm not aware of any differences
7 in the documents.
8 BY MS. LIU:
9 Q. You would expect the same documents would be
10 produced here as in the Enahoro-Ebah's subpoena?
11 MR. HENDERSON: Objection. Foundation. Calls
12 for speculation.
13 THE WITNESS: I believe so.
14 BY MS. LIU:
15 Q. And all of these documents certified by Mr.
16 Orr came from the CSU files?
17 A. Correct.
18 Q. Did any of these documents come from Mr.
19 Tinubu in 2022 or 2023?
20 A. The FERPA form.
21 THE REPORTER: What was that?
22 THE WITNESS: The FERPA form, F-E-R-P-A,
23 FERPA.
24 BY MS. LIU:

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1 Q. Any anything else?
2 A. No.
3 Q. What's the process to certify documents?
4 A. That's a great question. I assumed that was a
5 legal thing. I suspect you all know more about that
6 than I do.
7 Q. Has CSU ever certified documents for anyone
8 else?
9 A. Not that I'm aware of.
10 Q. And so an exception was made for Mr. Tinubu?
11 MR. HENDERSON: Objection. Foundation. Calls
12 for speculation.
13 THE WITNESS: I don't know if it's an
14 exception, but we complied with the request.
15 BY MS. LIU:
16 Q. But you've never seen it -- a certification
17 process happen for someone else?
18 A. No. I believe this was made because it's more
19 of a Nigerian thing.
20 Q. So more of a Nigerian thing. So were these
21 documents pulled together for legal proceedings in
22 Nigeria?
23 MR. HENDERSON: Objection. Asked and
24 answered.

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1 THE WITNESS: I believe this was related to
2 the U.S. proceedings or -- oh, I'm sorry. I
3 apologize. You're talking about the FERPA. So no,
4 this was produced as a result of the FERPA request.
5 BY MS. LIU:
6 Q. And the FERPA request states that the records
7 are being released for purposes in legal
8 proceedings --
9 A. Correct.
10 Q. -- correct? So are you aware of whether these
11 documents were requested to be certified for the
12 Nigerian proceedings?
13 A. I believe they were requested by Mr.
14 Woleafolabi to be certified. I cannot say more than
15 that about why or how it for.
16 Q. And it looks like these stamps in the corner
17 here, in the upper left-hand corner of each of these
18 documents says, Certified True Copy, Certified By
19 Jamar Orr.
20 Is this stamp an official stamp?
21 A. I'm not aware if it's an official stamp. It
22 was what was requested.
23 Q. So as CSU's representative today, you don't
24 know if this is an official stamp of CSU?

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1 MR. HENDERSON: Objection. Asked and
2 answered.
3 THE WITNESS: I suppose in -- as a matter of
4 course, given that we were certifying the documents,
5 we could call it official.
6 BY MS. LIU:
7 Q. And why did Mr. Orr feel compelled to stamp
8 the document, Certified True Copy?
9 A. Because it was requested.
10 Q. This isn't a part of any CSU practice, though,
11 correct?
12 A. Correct.
13 Q. Mr. Orr later departed from CSU several weeks
14 after the certification of these documents, correct?
15 A. I believe so.
16 Q. Was it related to the certification?
17 A. Not that I'm aware.
18 Q. Do you know why Mr. Orr departed from CSU?
19 A. I have no clue.
20 MR. HAYES: I would state on the record, it's
21 not a topic for today's deposition.
22 MS. LIU: Turning to another exhibit.
23 THE WITNESS: Thank you.
24 MS. LIU: I'm handing you what has been marked

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1 as Exhibit 11, which is -- looks like your affidavit.
2 (Applicant's Exhibit 11 was marked for
3 identification.)
4 BY MS. LIU:
5 Q. This document is your affidavit that was
6 submitted to Mr. Tinubu's pleading in this matter.
7 Do you recognize it?
8 A. I do.
9 Q. And did Mr. Tinubu's counsel request it to be
10 prepared?
11 A. I don't -- I'm not aware of -- I mean, the
12 request to me came from our own legal counsel.
13 Q. And do you know if Mr. Tinubu's counsel
14 requested it to be prepared?
15 A. I am not aware. No.
16 Q. And your -- and you've signed this affidavit
17 at the bottom here?
18 A. I did.
19 Q. And this signature looks different from the
20 signature that is in Exhibit 7, which is the
21 to-whom-it-may-concern letter, correct?
22 A. Correct. This is a wet signature. I did it
23 in the moment. The other signature is from a, let's
24 say, more carefully composed signature that I am able

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1 to apply to documents as needed. They're both mine.
2 Q. And carefully composed, meaning you have an
3 electronic signature or --
4 A. I think we're all familiar, in a professional
5 setting, we -- we sometimes, you know, do a nicer --
6 you know, we might do a nicer signature. That is the
7 one I apply to more formal, you know, public things
8 like that.
9 Q. And did Mr. Tinubu's counsel prepare this
10 affidavit?
11 A. I don't believe so.
12 Q. Did CSU's counsel prepare it?
13 A. I think so.
14 Q. Did they draft it?
15 A. No. I mean, these were my statements.
16 Q. So you drafted this affidavit?
17 A. Well, I think they helped me put it in the
18 format you see in front of you with all this
19 formatting, but these -- the writing here is my own.
20 Q. And so let's go through the affidavit.
21 Paragraph 2, it states Bola Ahmed Tinubu graduated and
22 was awarded a degree from Chicago --
23 THE REPORTER: Wait. Wait.
24 MS. LIU: Sorry.

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1 THE REPORTER: You're going too fast and your
2 voice is down.
3 MS. LIU: Paragraph 2 states, Bola Ahmed
4 Tinubu graduated and was awarded a degree from Chicago
5 State University on June 22, 1979. What's the basis
6 for the assertion that Bola Ahmed Tinubu graduated and
7 was awarded a degree from Chicago State University on
8 June 22, 1979?
9 MR. HAYES: Objection. Asked and answered.
10 Go ahead and answer the question, sir.
11 THE WITNESS: Correct. To see if that's the
12 official transcript.
13 THE REPORTER: Say that again.
14 THE WITNESS: It's the official transcript.
15 BY MS. LIU:
16 Q. Any other basis?
17 A. No.
18 Q. So you're assuming from the official
19 transcript that it's the same -- how can you tell it's
20 the same Bola A. Tinubu who was president now?
21 MR. HENDERSON: Objection. Asked and
22 answered.
23 MR. HAYES: Same objection.
24 THE WITNESS: We did go over this. Given the

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1 holistic review of the record, we do believe it to be
2 the president of Nigeria.
3 BY MS. LIU:
4 Q. Have you ever met Mr. Tinubu?
5 A. No.
6 Q. Has he visited CSU's campus?
7 A. No.
8 Q. Does he donate to CSU?
9 A. Not that I'm aware of.
10 Q. So you've never seen Mr. Tinubu?
11 A. I don't see most of our students or a lot of
12 them.
13 Q. So apart from the official transcript, CSU has
14 no other basis for stating that Bola A. Tinubu who
15 attended CSU is the same Bola A. Tinubu that is now --
16 now president of Nigeria?
17 A. Chicago State University has the official
18 record of Bola A. Tinubu, and we believe that to be
19 true and authentic.
20 Q. So let me ask the question again. And it's a
21 simple yes or no. So apart from these documents that
22 we've just gone through, CSU has no other basis for
23 stating that Bola A. Tinubu who attended CSU is the
24 same Bola A. Tinubu that is now president of Nigeria,

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1 correct?

2 MR. HENDERSON: Objection. Asked and

3 answered. Harassing the witness argumentative.

4 MS. LIU: I would kindly ask counsel to

5 refrain from making speaking objections. I know you

6 know how to objection -- object under the federal

7 rules, but --

8 (Crosstalk)

9 MR. HENDERSON: But you're speaking right now.

10 But you're speaking.

11 Can we go off the record for a second?

12 (A recess was taken.)

13 MR. HAYES: Mr. Westberg, I -- I object that

14 that's asked and answered and mischaracterizes your

15 prior testimony. Answer her question again, sir, and

16 I'd ask that this is the last time it be asked.

17 THE WITNESS: I apologize. What was the

18 question again at this --

19 MS. LIU: Can the court reporter, please?

20 (The previous question was read back.)

21 THE WITNESS: Apart from these documents, we

22 have no other basis to comment on this student.

23 THE REPORTER: On this what?

24 THE WITNESS: Student.

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1 THE REPORTER: Okay.

2 MS. LIU: And in response to Mr. Henderson's

3 colloquy during the break, I'm more than entitled to

4 conduct this court-ordered deposition in compliance

5 with the Federal rules, and I'm not going to be

6 intimidated otherwise. I will continue.

7 MR. HENDERSON: And for the record --

8 MS. LIU: How --

9 MR. HENDERSON: For the record, in compliance

10 with the rules it doesn't allow you to ask the same

11 question nine times. That is not in compliance with

12 the rules.

13 MR. HAYES: Let's move on, please.

14 BY MS. LIU:

15 Q. Mr. Westberg, looking at Paragraph 2, how do

16 you know that Mr. Tinubu's middle name is Ahmed?

17 A. This was in the subpoena paperwork.

18 Q. So none of the CSU documents say what his

19 middle name is, correct?

20 A. Not that I'm aware of.

21 Q. So you have no basis for stating that the

22 middle name of the student who attended CSU is Ahmed

23 other than Tinubu's counsel told you?

24 MR. HENDERSON: Objection. Foundation.

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1 BY MS. LIU:

2 Q. So without clear documentation of a passport,

3 be Social Security number, driver's license, how can

4 CSU know exactly who Bola A. Tinubu is?

5 MR. HAYES: Objection. Asked and answered a

6 100 times now. Answer it one more time, Mr. Westberg.

7 And, Angela, I am going to instruct the

8 witness not to answer further questions that are

9 identical to those that you've asked before.

10 Please answer it again, sir.

11 THE WITNESS: The legal name for Bola A.

12 Tinubu is sufficient for the university to determine

13 the student identity. The middle name is -- is not

14 required for us to do that.

15 BY MS. LIU:

16 Q. Going to paragraph 3, it states, Chicago State

17 University provided a diploma to Bola Ahmed Tinubu and

18 subsequently provided a certified or official copy of

19 that diploma. Both are valid and authentic diplomas

20 of Chicago State University. Do you see that?

21 A. I do.

22 Q. Now is the diploma referred to as the one

23 provided to Bola Ahmed Tinubu the INEC diploma?

24 A. I'm not able to comment on that because the

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1 INEC diploma is not in our possession. The reason for

2 that statement is we provide a diploma to all students

3 when they graduate.

4 THE REPORTER: For all students --

5 THE WITNESS: For all students when they

6 graduate.

7 THE REPORTER: I need to hear those last words

8 too.

9 BY MS. LIU:

10 Q. Okay. And it says, and subsequently provided

11 a certified or official copy of that diploma. Which

12 diploma is that referencing? Is it the June 27th

13 diploma?

14 A. Yes. In Exhibit 2, the example number is

15 included.

16 THE REPORTER: Sorry.

17 THE WITNESS: The example number is included,

18 but it's an Exhibit 2. I think it's example eight,

19 handwritten example eight.

20 BY MS. LIU:

21 Q. And so when Chicago State University provided

22 a diploma to Bola Ahmed Tinubu you're assuming that

23 when a person named Bola A. Tinubu graduated from CSU

24 in 1979, that CSU provided a diploma to that student,

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1 correct.
2 A. Correct.
3 Q. And so the diploma you refer to as the one
4 that CSU provided to Tinubu was the one that was
5 provided to that student in 1979, correct?
6 A. I'm sorry. Can you rephrase that?
7 Q. And so that diploma that you refer to in
8 paragraph 3 that says Chicago State University
9 provided a diploma to Bola A. Tinubu, you're referring
10 to that diploma as the one that was provided to that
11 student in 1979, correct?
12 A. Correct.
13 Q. And the diploma that was provided to the
14 student Tinubu in 1979 can't be the one that President
15 Tinubu submitted to INEC because Dr. Daniel did not
16 arrive at CSU until later?
17 MR. HENDERSON: That objection calls for
18 speculation.
19 THE WITNESS: That that's correct.
20 BY MS. LIU:
21 Q. And then we just talked about how the
22 certified or official copy of the diploma is in
23 reference to the June 27th diploma in Exhibit 2,
24 correct?

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1 A. Correct.
2 Q. And going back to Exhibit 5, which is the
3 diploma order form. The order form doesn't say
4 anything about getting a certified or official copy,
5 does it?
6 A. Any diploma we issue is an official copy from
7 us.
8 Q. So the diploma that was provided as the
9 official copy has the wrong date of graduation,
10 though, right?
11 A. Correct.
12 Q. And it's signed by two people who did not
13 arrive at CSU until the late 1990s?
14 A. Correct.
15 Q. And they were gone by the early 2000s,
16 correct?
17 A. At some point in that time period, yes.
18 Q. Going to paragraph 4 of your affidavit, it
19 states there are certain differences between the
20 diploma and the certified copy because all diplomas
21 are signed by the current President/Board Chair.
22 There are also differences in the font and seal on the
23 diploma versus the certified copy because the
24 university updated its font and seal after the diploma

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1 was issued. And so you say that all the diplomas are
2 signed by the current president and board chair,
3 correct?
4 A. Correct.
5 Q. And going to paragraph 5, it states that the
6 difference in the date of award on the diploma versus
7 the certified copy is likely the result of human
8 error. Do you see that?
9 A. I do.
10 Q. And you used the term "likely." Are you
11 speculating here?
12 A. I have to. I was not around at the time it
13 was produced.
14 Q. So you don't really know, correct?
15 A. Correct.
16 Q. Who typed in the date on the June 27th
17 diploma?
18 A. We are not aware.
19 Q. And how is it that you -- you don't know or
20 CSU doesn't know?
21 A. I don't have a staff member in my office that
22 was working at the time in my office in 2003.
23 Q. So you're testifying that this is an official
24 copy or certified copy, but you don't know who

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1 prepared it, correct?
2 A. Correct.
3 Q. Going to paragraph 6, it says institution in
4 The United States of America, institutions of higher
5 education often consider the diploma to be a
6 ceremonial document. So some institutions in the US
7 do not consider diplomas to be merely ceremonial?
8 A. In general in the US, the diploma is a
9 ceremonial document. In other countries, it is a more
10 official document. For us, it is not.
11 Q. Do you know whether Nigerian law considers
12 diplomas to be mere merely ceremonial?
13 A. I'm not aware.
14 Q. And what's your understanding of Nigerian law
15 as to the submission of inauthentic documents with
16 affidavits submitted by candidates to Nigeria's
17 election authority?
18 A. I'm unaware.
19 MS. LIU: I'd like to take a five-minute
20 break.
21 MR. HAYES: Okay. Not holding you to it. Do
22 you think you're within an hour so being done, Angela?
23 MS. LIU: Without holding me to it, yeah.
24 MR. HAYES: I know. I got it. Okay. Great.

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1 I won't hold you to it, but it's helpful to know.
2 (A recess was taken.)
3 BY MS. LIU:
4 Q. Mr. Westberg, forgive me if I missed this.
5 Did you say you checked public records to conclude
6 that the Bola A. Tinubu, who you state went to CSU and
7 graduated in 1979 is the same Bola A. Tinubu, who is
8 now president?
9 A. I -- what do you mean with public records?
10 Q. Information available in the public.
11 A. No, I didn't.
12 Q. And do you know whether the FBI has ever
13 contacted CSU about whether Mr. Tinubu, in fact,
14 attended CSU?
15 A. Not that I'm aware of.
16 MS. LIU: I'd like to pass the witness and
17 leave the deposition open for further questions after
18 the other attorneys here are done. Thank you for your
19 time.
20 MR. HENDERSON: Mike, do you have questions?
21 MR. HAYES: Right now I don't, Vic. Why don't
22 you go ahead, please.
23 MR. HENDERSON: Okay.
24 EXAMINATION

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1 BY MR. HENDERSON:
2 Q. Mr. Westberg, my name is Victor Henderson.
3 I'm the attorney for President Tinubu. And I
4 apologize if I asked some questions that may overlap
5 some with some of the questions you've been asked
6 before, but I just like to give clarity. You said you
7 you never met Mr. Tinubu as far as you know; is that
8 accurate?
9 A. Yes.
10 Q. So so you've never seen him in the registrar's
11 office, correct?
12 A. Correct.
13 Q. You never heard about him being in the
14 registrar's office; is that connect -- correct?
15 A. Correct.
16 Q. You didn't personally prepare any diplomas or
17 copies, is that accurate?
18 A. Yes.
19 Q. Counsel asked you if you spoke with Lois Davis
20 (phonetic). She was a prior registrar, is that
21 accurate?
22 A. Yes.
23 Q. And do you know ballpark how many -- how many
24 registrars were there between '79 and you?

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1 A. I'd have to guess. I would say at least six,
2 but quite possibly more.
3 Q. And is it fair to say, as best you know as the
4 representative of CSU, that the -- some policies and
5 procedures have changed over time as the registrar's
6 have changed?
7 A. Oh, yes.
8 Q. And so that's one of the reasons why you're
9 not in a position to speak to what happened, for
10 example, in 1979?
11 A. Correct.
12 Q. And you did not speak to Ms. Davis on any
13 level, including as it relates to you using her letter
14 as a template, is that right?
15 A. Correct.
16 Q. Do you know whether she's still alive?
17 A. I believe she is.
18 Q. Counsel spent time with you as it relates to
19 Exhibit Number 6. Do you remember?
20 A. Yes.
21 Q. Okay. And so you didn't create Exhibit 6, is
22 that accurate?
23 A. That is accurate.
24 Q. And you don't know whether Ms. Davis created

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1 it, correct?
2 A. Correct.
3 Q. And did you tell us earlier that when there is
4 a replacement diploma made or any diploma, is that
5 done in house by CSU or is that sent offsite?
6 A. At present, it is sent offsite.
7 Q. Do you know in '79 whether it was sent offsite
8 or whether it was done in house?
9 A. I would have to speculate, but I suspect it
10 was done in house.
11 Q. But you're not certain?
12 A. I'm not certain.
13 Q. So my point is that you don't know who created
14 Exhibit Number 6; is that accurate?
15 A. That's accurate.
16 Q. And did you tell us earlier that there was a
17 letter that you didn't want to sign because you were
18 feeling harassed?
19 A. No. What I was referencing at that time was
20 that the institution met to discuss the situation
21 given how many inquiries we were receiving, and it was
22 deemed just better to not have my name tied to it
23 given the way that I was being pulled into the media
24 in -- in this instance.

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1 Q. I want to turn your attention to Exhibit 11,
2 and that's your affidavit in particular. I'd like to
3 turn your attention to paragraph 5. And it says, the
4 difference in the date of award or the diploma versus
5 the certified copy is likely the result of human
6 error. Do you see that sentence?
7 A. Yes.
8 Q. And then the following sentence says, the
9 graduation date on the certified copy is typed in
10 manually by a person and can be inaccurate. Do you
11 see that?
12 A. I do.
13 Q. Okay. So counsel spent quite a lot of time
14 with you asking you about the male-female issue that
15 was identified on the southwest, I guess, community
16 college transcript. Do you remember that?
17 A. I do.
18 Q. And when you went through your resume with
19 us -- you are currently at CSU, but before that, you
20 were at Ivy Tech it; is that accurate?
21 A. That is accurate.
22 Q. And then you also spent time at UC Berkeley as
23 a research assistant?
24 A. That is also accurate.

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1 Q. And you spent time at Emerson Elementary,?
2 A. That is also accurate.,
3 Q. And at Berkley City College?
4 A. I did.
5 Q. And there were human beings at all those
6 places, correct?
7 A. Yes.
8 Q. And so as far as you know, in all of those
9 various places, did you observe people make mistakes
10 from time to time in terms of data entry?
11 A. I -- I couldn't really comment on that. I --
12 I'm not -- I'm sure that happened from time to time.
13 Yes.
14 Q. And I'm asking you in a context of your
15 experience at CSU and Emmerson Elementary is that
16 people make mistakes, correct?
17 A. Human error happens.
18 Q. As as evidenced by what you said in your
19 affidavit, correct?
20 A. Correct.
21 Q. And prior to this lawsuit, did you know
22 anybody with the first name Bola, B-O-L-A?
23 A. No.
24 Q. So you don't know, for example, with the --

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1 the transcript from southwest, whether whoever did the
2 entry could have conceivably thought Bola was a woman
3 and -- when, in fact, he's a man, correct?
4 A. Correct.
5 MR. HENDERSON: All right. Let me hand you
6 what I'd like to mark as -- what number are on?
7 THE REPORTER: 12.
8 MR. HENDERSON: 12. We've already marked 12
9 or we --
10 THE REPORTER: That's the next number.
11 MR. HENDERSON: Okay.
12 (Intervenor's Exhibit 12 was marked for
13 identification.)
14 BY MR. HENDERSON:
15 Q. I'm going to hand you what the court reporter
16 has marked as Exhibit 12. This was something that was
17 filed in a lawsuit. It's an affidavit from a
18 gentleman, and I'm going to spell the name O-L-A, I
19 believe it's JIDE, and I'm going to spell the last
20 name as A-D-E-N-I-J-I, as best I know. You know, it's
21 typed, O-L-A-J-I-D-E, and last name A-D-E-N-I-J-I.
22 Why don't you take a minute to look at this
23 affidavit, and after you've had a chance to look at
24 it, let me know that you've done so.

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1 A. I am familiar with this.
2 Q. Okay. And so you've seen this affidavit prior
3 to today?
4 A. I have.
5 Q. Okay. And in this particular affidavit
6 there's a person so I can't -- do you know whether
7 this person is male or female?
8 A. I don't recall this person's sex or gender.
9 Q. Okay. So it's -- it's the first name and the
10 last name that's unfamiliar to you?
11 A. Yes.
12 Q. Similar to the way that Bola Tinubu is
13 unfamiliar to you?
14 A. Yes.
15 Q. And the in in the left-hand corner it says in
16 the application affection of Atiku, A-T-I-K-U,
17 A-B-U-B-A-K-A-R. do you see that?
18 A. I do.
19 Q. Have you met that person?
20 A. No.
21 Q. Do you know whether that person is male or
22 female?
23 A. I hear he's a man, but I -- I've not met him.
24 Q. But you don't know for certain?

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1 A. Correct.
2 Q. Okay. And so my question is this affidavit
3 indicates that this particular student was at CSU and
4 on campus at the same time Bola Tinubu was there. Do
5 you see that?
6 A. I do.
7 Q. Did you have an opportunity to check the
8 records to see whether or not this person
9 O-L-A-J-I-D-E, A-D-E-N-I-J-I actually went to CSU?
10 A. I did.
11 Q. And did that person go to CSU?
12 A. Yes.
13 Q. And was that person or campus at the same time
14 that, as best you know, that President Tinubu was
15 there?
16 MS. LIU: Objection.
17 THE WITNESS: Yes.
18 BY MR. HENDERSON:
19 Q. Based on the records?
20 A. Yes.
21 Q. The records have them being there at the same
22 time, correct?
23 A. That is correct.
24 Q. And this document also has the affiant saying

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1 that President Tinubu's a man, correct?
2 A. I do see that.
3 Q. Or at least it says I'm familiar with Bola A.
4 Tinubu, who is now the president of Nigeria. And you
5 understand the president of Nigeria to be a man,
6 correct?
7 A. Correct.
8 Q. It also says in paragraph 4 that I also ran in
9 closely contested race against Bola Tinubu for the
10 leadership of the accounting society. Do you see
11 that?
12 A. I do.
13 Q. Okay. And the major of Bola Tinubu at CSU
14 appeared to be accounting, correct?
15 A. Yes.
16 Q. And the document -- let me take you to CSU
17 0019. This is an Exhibit 10, and counsel went over
18 this with you. You see that?
19 A. I see it.
20 Q. Okay. And under -- it says Bola A. Tinubu.
21 This is towards the bottom, it says honor's list. Do
22 you see that?
23 A. Where -- oh, yes, I see that.
24 Q. And then below honor's list -- and honor's is

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1 for the -- as best you understand it, since you've
2 been in school and at the university for the students
3 who do well, correct?
4 A. Yes.
5 Q. And then underneath it says principles of
6 accounting. Do you see that?
7 A. I do.
8 Q. And then above it, four or five lines above it
9 it says fundamentals of accounting. Do you see that?
10 A. I do.
11 Q. And so at Southwest College, this particular
12 Bola A. Tinubu was an accounting major, correct?
13 A. Correct.
14 Q. And then the the Bola Tinubu at CSU is also an
15 accounting major, correct?
16 A. Correct.
17 Q. And you told counsel that there are any number
18 of things that you look at in a student's record to
19 verify that that, in fact, is the person that you
20 believe it to be, correct?
21 MS. LIU: Objection.
22 BY MR. HENDERSON:
23 Q. Isn't that what you told counsel?
24 A. I did.

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1 Q. Okay. So, for example, on the document that's
2 CSU 0019, Southwest College, it lists the address for
3 Bola Tinubu at 7741 South Shore Drive. Do you see
4 that?
5 A. I do.
6 Q. Are you familiar with the South Shore area?
7 A. Somewhat.
8 Q. You know it's not that far from CSU, correct?
9 A. Correct.
10 Q. And then let me turn your attention to page
11 CSU 0016 in that same document. Look up in the top
12 left-hand corner. Do you see an address that says
13 7424 South Shore Drive?
14 A. I do.
15 Q. So that's -- as based on your knowledge of
16 Chicago, just a few blocks away from the earlier
17 address, correct?
18 A. Correct.
19 Q. And so those are the types of things that
20 you'd be looking at to make sure that you're dealing
21 with the same person when you look through the entire
22 file, addresses, names, fields of study, those kinds
23 of things; is that correct?
24 A. The university would have reviewed all of

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1 these materials when we received them. Yes.
2 Q. And those are the types of things that you
3 looked at to draw the conclusion that the Bola Tinubu
4 who was at CSU is, in fact the Bola Tinubu who is the
5 president, correct?
6 MS. LIU: Objection.
7 THE WITNESS: That is the type of thing we
8 would look at, yes.
9 BY MR. HENDERSON:
10 Q. Okay. So you look at the whole record,
11 correct?
12 A. Correct.
13 Q. And then you draw a conclusion correct?
14 A. Yes.
15 Q. So when counsel asked you, for example, about
16 1954 versus 1952 in terms of the date of birth, that
17 is the type of information, for example, that could
18 have been susceptible to human error. Do you agree?
19 A. It could have been.
20 Q. You don't know?
21 A. I don't know.
22 Q. Let me turn your attention to CSU 025. You
23 with me?
24 A. Yes.

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1 Q. The very first paragraph in this letter -- the
2 very first paragraph says, I am pleased to inform you
3 that you had been accepted as a transfer student at
4 Chicago State University for the fall trimester 1977.
5 Do you see that?
6 A. I do.
7 Q. And so the fact that CSU is indicating in
8 this, you know, a certified to copy by Jamar or that
9 Bola Tinubu was being accepted as a transfer student,
10 that's also consistent with the fact that it appears
11 as if the Bola Tinubu who's referred to on CSU 0019
12 was a transfer student, correct?
13 MS. LIU: Objection.
14 THE WITNESS: Wait a second. Yes, the file
15 indicates that the student was a transfer student.
16 BY MR. HENDERSON:
17 Q. From a community college or some other place,
18 correct?
19 A. Correct.
20 Q. So that's yet another indicia to you that the
21 person who was at Southwest College is the person who
22 was then subsequently admitted to Chicago state,
23 correct.
24 A. Correct.

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1 Q. And then on page CSU 0026, look up at the top
2 left and it says Bola A. Tinubu. Do you see that?
3 A. I do.
4 Q. And then where it says major accounting, do
5 you see that?
6 A. I do.
7 Q. Again, consistent with what was on the
8 Southwest College records, correct?
9 A. Correct.
10 Q. Now, let me point you something else. Let me
11 get you to toggle back and forth between CSU 0019 and
12 CSU 0026.
13 A. Okay.
14 Q. On the Southwest College document that counsel
15 referred to that has this particular Bola Tinubu as a
16 female. Do you see that?
17 A. I do.
18 Q. But then right next to it is a Social Security
19 number. Do you see that?
20 A. Yes.
21 Q. And I don't want to talk about the Social
22 Security number on the record because I don't know a
23 way to wind up. But you see the numbers, the first
24 three numbers. Do you see that?

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1 A. I do.
2 Q. And those three numbers correspond. Let's go
3 to now page CSU 0026. Go to 0026 for me?
4 A. I'm there the.
5 Q. The first three numbers are the same, aren't
6 they?
7 A. All of the numbers are the same.
8 Q. Well, yes. And the middle three numbers, you
9 see that?
10 A. Yes.
11 Q. And then the last three numbers, do you see
12 that?
13 A. Yes.
14 Q. So the Social Security number -- and again, I
15 don't want to put it in the record on Southwest
16 College, which was typed in, is similar to or the --
17 I'm sorry, the same as the Social Security number
18 that's on the CSU document, correct?
19 A. Correct.
20 Q. That would be something else that you would
21 look at to -- to determine that you're dealing with
22 the same person, correct?
23 A. Yes.
24 Q. And in your experience as a college

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1 administrator, a Social Security number is a unique
2 identifier, isn't?
3 A. It is it.
4 Q. Now, let me turn your attention to --
5 MS. LIU: Sorry. Just for the record, the
6 transcript is CSU 0016.
7 MR. HENDERSON: Yeah, that's not the one that
8 I was looking at.
9 MS. LIU: Okay.
10 MR. HAYES: He was questioning the -- Angela,
11 he's questioning the witness on CSU 19 and CSU 26 that
12 have the same Social Security numbers, I believe.
13 MR. HENDERSON: Yes, 00 -- CSU 0019, which is
14 the Southwest College document, which is part of City
15 Colleges of Chicago, and then the CSU 0026, which has
16 that same Social Security number, which is the Chicago
17 State University document.
18 BY MR. HENDERSON:
19 Q. And, Mr. Westberg, do you understand City
20 Colleges of Chicago to be a separate educational
21 institution from Chicago State University, correct?
22 A. Yes.
23 Q. And you actually know the City Colleges of
24 Chicago in some respects to be a feeder school for

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1 CSU, correct?
2 A. It is.
3 Q. And for those who may read this transcript
4 later and don't know what a feeder school is, in the
5 United States, it's not uncommon for people to finish
6 at a community college and then to enroll in a
7 four-year institution like Chicago State, correct?
8 A. Correct.
9 Q. Now, let me turn your attention to Exhibit 7.
10 And this is a document that was signed by you,
11 correct?
12 A. One second. Yes.
13 Q. And you've got the information that's
14 contained in Exhibit 7 from the student files that
15 you've been telling us about, correct?
16 A. Yes.
17 Q. Let me focus on something that counsel did not
18 ask you about. And I want to go to the second full
19 sentence which says: He, being Bola Tinubu, was
20 awarded a bachelor of science degree in business
21 administration with honors.
22 Do you see that?
23 A. I do.
24 Q. Tell us what the significance of graduating

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1 with honors is, and at least INEC issued.
2 A. It's a GPA distinction.
3 Q. And so people who graduate with honors have
4 higher GPA's?
5 A. They do.
6 Q. So is it fair to say that those are the more
7 accomplished students?
8 A. I guess you could say that.
9 Q. And also based on your experience as both a
10 college administrator and student, is -- it's fair to
11 say that some majors are harder than others, is that
12 right?
13 A. I think all of our programs are -- are
14 challenging to students, but I'm sure that -- that
15 some present certain riggers that are unique to --
16 than others.
17 Q. And accounting is one of the more rigorous
18 majors, isn't it?
19 A. It is a rigorous major.
20 Q. So not only did this particular Bola A. Tinubu
21 have a rigorous major, he also graduated with honors,
22 didn't he?
23 A. He did, indeed.
24 Q. And it's fair to say that certain students are

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1 more motivated academically than others; is that
2 right, in your experience as a college administrator
3 and being in college?
4 A. Yes.
5 Q. And in your experience the students who are
6 more motivated oftentimes are going to be prominent
7 alumni, correct?
8 A. That's speculative, but sure.
9 Q. I'm just asking based on your experience as
10 both a student and college administrator, you've seen
11 that, correct?
12 A. I have.
13 Q. So this Bola Tinubu that you were referring
14 about in Exhibit 7, back in 1979, was graduating with
15 honors in a challenging major, correct?
16 A. Correct.
17 Q. And as far as you know, that's the person who
18 was now the president of Nigeria, correct?
19 A. Correct.
20 MR. HENDERSON: I don't have any further
21 questions.
22 MR. HAYES: Angela, before you take last
23 que -- I actually do have a couple focused questions
24 and I'll get out of your way.

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1 EXAMINATION

2 BY MR. HAYES:

3 Q. Mr. Westberg, you just reviewed the portion in

4 Exhibit 10 that is Bates numbered CSU 0019, the

5 Southwest College document, right?

6 A. Yes.

7 Q. Okay. And that's the document where whoever

8 filled it out at Southwest College designated the sex

9 as F for female, right?

10 A. Yes.

11 Q. Okay. Were -- were there materials submitted

12 to Chicago State in Mr. Tinubu's records that indicate

13 he was a male?

14 A. Yes.

15 Q. Turn -- turn, please to CSU 0023. Let me know

16 when you're there.

17 A. Okay.

18 Q. What is this document, sir?

19 A. This is the undergraduate admissions

20 application.

21 Q. And this -- is this the document that appears

22 to have been completed by Mr. Tinubu himself?

23 A. Ostensibly.

24 Q. And what on this document does Mr. Tinubu

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1 identify himself in terms of his sex?

2 A. A male.

3 Q. And when the university admitted Mr. Tinubu --

4 turn to CSU 0025. Is this the letter in Mr. Tinubu's

5 student file informing him of his admission?

6 A. Yes.

7 Q. And the salutation at the top, what does that

8 identify in terms of Mr. Tinubu's sex?

9 A. It says, Dear Mr. Tinubu, indicating male.

10 MR. HAYES: Okay. I don't have any other

11 questions. Thank you.

12 MS. LIU: I have a few questions.

13 FURTHER EXAMINATION

14 BY MS. LIU:

15 Q. You stated that you look at information like

16 South Shore Drive address, correct?

17 A. Address is one component, yes.

18 Q. And you don't know for a fact that President

19 Tinubu lived at South Shore Drive, correct?

20 A. Not personally.

21 Q. And you don't know President Tinubu's Social

22 Security number, correct?

23 A. Not -- what I have is -- is a submission in

24 the record, which I believe to be his Social Security

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1 number.

2 Q. But you don't know that for a fact, right?

3 A. I'm saying that the record here is an accurate

4 record.

5 Q. That -- that's not my question. You don't

6 know President Tinubu's Social Security number,

7 correct?

8 A. I believe we do.

9 Q. And what's the basis for that?

10 A. This documentation.

11 Q. That's based on the assumption that the Bola

12 Tinubu one in the documentation records is the same as

13 President Tinubu, correct?

14 A. Yes.

15 (Applicant's Exhibit Number 13 was marked for

16 identification.)

17 BY MS. LIU:

18 Q. I'm handing you an exhibit. I'm handing you

19 an exhibit marked 13. This is a biography from

20 Encyclopedia Britannica. And on the second page of

21 this document, do you see here that Bola Tinubu in

22 full --

23 THE REPORTER: I'm sorry?

24 MS. LIU: Oh, in full.

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1 THE REPORTER: In full.

2 BY MS. LIU:

3 Q. Bola Ahmed, and then I'll spell the next name,

4 A-D-E-K-U-N-L-E, Tinubu, born March 29, 1952.

5 Do you see that?

6 A. I do.

7 Q. And on the first page, it says in

8 highlighting: This is fact checked by the editors of

9 Encyclopedia Britannica.

10 Do you see that?

11 A. I do.

12 UNIDENTIFIED MALE SPEAKER: Was this marked as

13 an exhibit (indiscernible)?

14 MS. LIU: 13.

15 THE REPORTER: This is 13.

16 MR. HAYES: This one's 13. The one she just

17 handed out is going to be 14, I assume, right?

18 MS. LIU: Yes.

19 And I'm handing you exhibit that's been marked

20 Exhibit 14.

21 (Applicant's Exhibit 14 was marked for

22 identification.)

23 BY MS. LIU:

24 Q. This is a -- this is from the All

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1 Progressive -- All Progressive Congress official
2 website, which is Mr. -- or President Tinubu's
3 party-affiliated website.
4 If you go to Page 2, it states: President
5 Bola Ahmed and then, A-D-E-K-U-N-L-E, Tinubu, also
6 known as Jagaban, was born in Lagos on March 29 --
7 A. Lagos.
8 Q. Lagos. On March 29, 1952.
9 Do you see that?
10 A. I do.
11 THE REPORTER: If I may have the spelling,
12 Jaga (sic)?
13 MS. LIU: J-A-G-A-B-A-N.
14 BY MS. LIU:
15 Q. And you can see that there are discrepancies
16 in his birthday versus the birthday in his student
17 records, correct?
18 A. Those are different dates.
19 Q. And let's go to back to Exhibit 4. It should
20 be the -- oh, sorry, Exhibit 5. This is the CSU
21 diploma request form. And it requests the last four
22 digits of the social security number, correct?
23 A. It does.
24 Q. Did Mr. Tinubu ever provide this information

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1 when requesting records from CSU?
2 A. I don't have a copy of the diploma reorder
3 form, so I would not comment on this.
4 THE REPORTER: So I would not?
5 THE WITNESS: I can't comment on that.
6 BY MS. LIU:
7 Q. So you've never seen --
8 A. To state differently, you -- you're asking
9 about the June 27, 1979 diploma. I don't have a copy
10 of the diploma reorder form associated with that
11 diploma reorder.
12 Q. And so have you ever seen President Tinubu's
13 sworn submission to INEC?
14 A. No.
15 Q. So you're not aware about the discrepancies
16 between his birthday, nationality -- and nationality
17 in the INEC submission and the information in the CSU
18 documents, correct?
19 A. I can't comment on anything related to INEC.
20 Q. So you're not aware of --
21 A. I'm not aware.
22 MS. LIU: No further questions. Thank you.
23 MR. HENDERSON: One last question.
24 FURTHER EXAMINATION

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1 BY MR. HENDERSON:
2 Q. Let me take you to the two documents that
3 Counsel just gave you. Exhibit 13 says his date of
4 birth. And, again, you don't have any information on
5 way or the other to know whether 13 is accurate or
6 inaccurate, correct?
7 A. Correct.
8 Q. You didn't play any role in creating 13 one
9 way or the other, correct?
10 A. Correct.
11 Q. But it does say his -- he was born on
12 March 29, 1952, correct?
13 A. It does say that.
14 Q. And then Exhibit 14, again, the same
15 questions: You didn't have any role in creating
16 Exhibit 14, correct?
17 A. Correct.
18 Q. So you don't know whether 14 is accurate or
19 inaccurate, correct?
20 A. Correct.
21 Q. And simultaneously, on Page 204, it says that
22 he was born on March 29, 1952; do you see that?
23 A. I do.
24 Q. So 13 and 14 both have him as being born on


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1 March 29, 1952, correct?
2 A. Yes.
3 Q. Now, let me turn your attention to CSU-0016 in
4 Exhibit 10. Look up at the top right corner. See
5 date of birth?
6 A. Yes.
7 Q. That also says March 29th, correct?
8 A. It does.
9 Q. But it has 1954 as opposed to '52, correct?
10 A. Right.
11 Q. You you didn't play any role in creating this
12 document, did you?
13 A. No.
14 Q. Okay. And you told us earlier that you know
15 from time to time people make honest mistakes,
16 correct?
17 A. Correct.
18 Q. Okay.
19 MR. HENDERSON: No further questions.
20 Mike, thank you for your time.
21 MR. HAYES: It's been a pleasure.
22 We'll -- because we understand this needs to
23 be expedited, we will waive signature.
24 MS. LIU: Thank you very much.

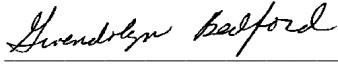
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1 MR. HENDERSON: Mr. Westberg, thank you for
 2 your time. It's your first deposition; you're now one
 3 of us.
 4 THE WITNESS: What a joy.
 5 MR. HENDERSON: For better or for worse.
 6 THE REPORTER: And stand in the mirror and
 7 talk loud.
 8 MR. HAYES: You tell him. You tell him, Gwen.
 9 MR. DE GRAMONT: We're off the record, right?
 10 MS. LIU: We're off the record.
 11 (The deposition ended at 5:00 p.m.)
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1 CERTIFICATE OF TRANSCRIPTIONIST
 2
 3 I, Stephanie Rambo, Legal Transcriptionist, do
 4 hereby certify:
 5 That the foregoing is a complete and true
 6 transcription of the testimony and proceedings
 7 captured in the above-entitled matter. As the
 8 transcriptionist, I have reviewed and transcribed the
 9 entirety of the proceeding to ensure a verbatim record
 10 to the best of my ability.
 11 I further certify that I am neither attorney
 12 for nor a relative or employee of any of the parties
 13 to the action; further, that I am not a relative or
 14 employee of any attorney employed by the parties
 15 hereto, nor financially or otherwise interested in the
 16 outcome of this matter.
 17 IN WITNESS THEREOF, I have hereunto set my
 18 hand this 4th day of October 2023.
 19
 20
 21 
 22 _____
 23 Stephanie Rambo
 24 Legal Transcriptionist

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1 CERTIFICATE OF REPORTER
 2
 3 I, Gwendolyn Bedford, a Certified Shorthand
 4 Reporter within and for the State of Illinois do
 5 hereby certify:
 6 That CALEB WESTBERG hereinbefore set forth,
 7 was first duly sworn to testify the whole truth
 8 concerning the matters herein and that said testimony
 9 was accurately captured by me during the proceeding;
 10 That the said deposition was taken before me
 11 at the time and place specified;
 12 That I am not related to nor employed by any
 13 of the parties to this action and that I am in no way
 14 interested in the outcome of this matter.
 15 IN WITNESS THEREOF, I have hereunto set my
 16 hand this 4th day of October 2023.
 17
 18 
 19 _____
 20 GWENDOLYN BEDFORD, CSR
 21 No. 084-003700
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