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10 Attorneys for Defendant Board of Trustees
 11 of the California State University

12 UNITED STATES DISTRICT COURT
 13 CENTRAL DISTRICT OF CALIFORNIA

14 TARIKH DEMEKPE,

15 Plaintiff,

16 vs.

17 BOARD OF TRUSTEES OF THE
 18 CALIFORNIA STATE
 19 UNIVERSITY,

20 Defendant.

Case No. CV11-1177 DDP (MLG)

Date: November 21, 2011

Time: 10:00 a.m.

Courtroom: 3

Judge: Hon. Dean D. Pregerson

**DECLARATION OF DR. MIGUEL
 DOMINGUEZ IN SUPPORT OF
 DEFENDANT CSU'S MOTION FOR
 SUMMARY JUDGMENT**

Date of Filing: February 23, 2011

Trial Date: Not Set

21 I, Dr. Miguel Dominguez, declare as follows:

22 1. I am a Professor in the Modern Languages Department at California State
 23 University, Dominguez Hills.

24 2. I served as Chair of the Student Grade Appeals Board after Dr. Whetstone
 25 stepped down from that role during the 2010/2011 academic year.

26 3. In January of 2011, Dr. Gus Martin brought to my attention that Tarikh
 27 Demekpe raised a procedural concern over the handling of his grade appeal in HUS 460.
 28 Dr. Martin explained that Mr. Demekpe was threatening to file a lawsuit, so he had
 offered to have the newly constituted Student Grade Appeals Board re-review the prior

1 Board's decision.

2 4. A quorum of the members of the Appeals Board met on January 24, 2011,
3 and agreed to re-read the file and review the prior Board's decision. I confirmed this
4 agreement in an email dated January 27, 2011.

5 5. Dr. Sheela Pawar responded on January 28, 2011, stating that she
6 concurred with the previous decision of the Board. A true and correct copy of her
7 responsive email is submitted as CSU Exhibit No. 49.

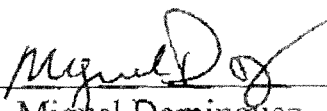
8 6. Dr. Kirti Celly, who also sat on the prior Board, indicated concurrence in
9 the prior Board's decision.

10 7. On February 2, 2011, Dr. Gus Martin sent me an email stating that Mr.
11 Demekpe had again threatened to file a lawsuit. I forwarded that email to Wei Ma and
12 the two students on the Board (Ms. Gray and Ms. Bradshaw) reminding them I needed
13 their input. Professor Ma responded on February 3, 2011, finding that the case should
14 be dropped. A true and correct copy of that email exchange is submitted as CSU
15 Exhibit No. 50.

16 8. With a quorum consisting of the Board faculty members and by majority
17 vote, the Board determined to affirm the prior decision of the Appeals Board and to
18 deny the grade appeal, finding "no cause" existed for such an appeal.

19 9. On February 15, 2011, I prepared the decision and circulated it to Mr.
20 Demekpe and Professor Escamilla, with a copy to Dean Joshi, Ginger Wilson, and Dr.
21 Martin. A true and correct copy is submitted as CSU Exhibit No. 51.

22 I declare under penalty of perjury under the laws of the State of California that
23 this declaration is true and correct. Signed on October 14, 2011, at Carson, California.

24 
25 _____
26 Dr. Miguel Dominguez
27
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1 **PROOF OF SERVICE**
2 **Demekpe v. Board of Trustees of the California State University**
3 **U.S. District Court Case No.: CV11-1177 DDP (MLG)**
4 **OGC No.: 11-0186**

5 I, Jason T. Taylor, declare as follows:

6 I am employed in the County of Los Angeles, State of California. I am at least 18 years
7 old, and not a party to this action. I am an employee of California State University,
8 Office of General Counsel, whose business address is 401 Golden Shore, 4th Floor,
9 Long Beach, CA 90802-4210.

10 On **October 17, 2011**, I served the document described as **DECLARATION OF DR.**
MIGUEL DOMINGUEZ IN SUPPORT OF DEFENDANT CSU’S MOTION FOR
SUMMARY JUDGMENT on the interested parties in this action as follows:


11 Tarikh Demekpe
12 688 Caliburn Drive, #24
13 Los Angeles, CA 90001

Plaintiff *In Pro Per*
tdemekpe@toromail.csudh.edu
Tel: (323) 572-1774

14 **BY MAIL—COLLECTION BOX:** I placed each document in a sealed envelope
15 with postage fully prepaid, in the California State University Office of General
16 Counsel’s mail collection box in Long Beach, California, so that following
17 ordinary business practices, the envelope would be collected and mailed on this
18 date. I am readily familiar with this office’s business practice for collection and
19 processing of mail. In the ordinary course of business, each document would be
20 deposited with the United States Postal Service on that same day.

21 **BY E-MAIL:** I served each document on the parties by emailing each document
22 in PDF format to each email address listed above. Each e-mail was successfully
23 sent via CSU’s email server.

24 Signed on October 17, 2011, at Long Beach, California. I declare under penalty of
25 perjury under the laws of the State of California that this declaration is true and correct.

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Jason T. Taylor