

# EXHIBIT 13

FIALKA-FELDMAN v. OAKLAND UNIVERSITY BOARD OF  
TRUSTEES, ET AL

MICAH FIALKA-FELDMAN

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*Prepared for you by*



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1 Q. Okay. Just a class at the school there?  
 2 A. Yeah.  
 3 Q. Okay. Did you talk about the lawsuit there?  
 4 A. Yes.  
 5 Q. What did you talk about?  
 6 A. The same stuff I talked about as I -- at, like, any --  
 7 any -- any other conference I have gone.  
 8 Q. In Reno?  
 9 A. Yeah.  
 10 Q. Okay. But you didn't do that in Rochester?  
 11 A. No.  
 12 Q. Did you get paid to do the -- that presentation at  
 13 Eastern?  
 14 A. Yeah.  
 15 Q. Okay. What did they pay you?  
 16 A. I'm not sure.  
 17 Q. Did they reimburse you for mileage or anything like  
 18 that?  
 19 A. Yeah. I think so.  
 20 Q. Do you -- who was your contact there?  
 21 A. I forgot her name.  
 22 Q. Do you recall any other presentation you made in 2009?  
 23 A. No, I don't.  
 24 Q. Do you recall making a presentation in Clinton  
 25 Township, the Disability Network of --

1 A. Oh, yes.  
 2 Q. -- Oakland and Macomb?  
 3 A. Yes. And my friend -- my friend came there too, and  
 4 he -- he spoke there too.  
 5 Q. Who's that?  
 6 A. His name is -- his name is -- his name is -- his name  
 7 is Andrew Bashi.  
 8 Q. Okay. Is he in the Options program?  
 9 A. No, no. He's just, like, a regular student that  
 10 graduated last -- last -- last May.  
 11 Q. From Oakland University?  
 12 A. Yeah.  
 13 Q. From Oakland?  
 14 A. Yeah.  
 15 Q. And so he graduated in May of 2009?  
 16 A. Yeah.  
 17 Q. Is he still in the area?  
 18 A. No. He's in Chicago right now, trying -- trying to  
 19 become a lawyer.  
 20 Q. What did you mean by regular student?  
 21 A. That it -- it -- to me, he's, like, me. Like a --  
 22 like a regular student is that he, like -- he, like --  
 23 he, like, paid the college tuition and -- and, like --  
 24 like, he -- a student. He's, like, a -- he's, like,  
 25 a -- he's, like, a -- he's, like, a regular student

1 that goes to classes and does what college -- college  
 2 students do.  
 3 Q. Toward a degree?  
 4 A. Oh, yeah.  
 5 Q. So he's enrolled toward a degree program?  
 6 A. Yeah.  
 7 Q. And he's taking classes for credit toward that degree?  
 8 A. Yeah.  
 9 Q. And he applied through the process that students have  
 10 to go through to get into that program?  
 11 A. Yeah.  
 12 Q. Okay. And that's different from what Options  
 13 participants do; is that correct?  
 14 A. Yeah. Yeah, like -- like -- like, how the Options  
 15 program -- I did -- I did fill out an application  
 16 that -- that had, like, the OU symbol on it and it  
 17 clicked that I am a student.  
 18 Q. Right. But that was an -- that was an application to  
 19 participate in the Options program, right?  
 20 A. Yeah.  
 21 Q. That wasn't an application to be a regular student  
 22 like your friend, correct?  
 23 A. Yeah, but I -- but I --  
 24 Q. Is that correct?  
 25 A. Yeah.

1 Q. It's a different application that he filled out, as  
 2 far as you know?  
 3 A. Yeah.  
 4 Q. Because he was applying to become a regular student,  
 5 correct?  
 6 A. Yeah.  
 7 Q. And you were applying to be an Options participant.  
 8 MR. DAVIS: Can you define what you mean by  
 9 regular student?  
 10 MR. BOONIN: Just what he -- as he defined  
 11 it. I'm using his definition.  
 12 BY MR. BOONIN:  
 13 Q. Correct?  
 14 A. He, like, applied because he -- like -- like, he  
 15 applied because he, like -- he, like, could apply  
 16 to -- apply to the college. Like, I -- I, like, can't  
 17 apply to. Like, but -- but I, like, see myself as a  
 18 student that -- I don't see myself as a person, like,  
 19 the words that you used, like a par -- par --  
 20 Q. Participant?  
 21 A. Yeah. Like I -- I see myself as -- as -- as a  
 22 student.  
 23 Q. Okay. You're an Options student in your view?  
 24 A. I -- I -- I, like, see myself as a -- like, I'm in the  
 25 Options program, but I see myself as a student of --

1 of OU.  
 2 Q. Okay. But you know you're not a regular student of  
 3 OU?  
 4 A. Yeah. But I -- I, like -- I don't tell people I'm a  
 5 student of the Options program. I tell people that  
 6 I'm a student that -- I am a -- I am a student that  
 7 goes to OU.  
 8 Q. But you do know that your status as a student is  
 9 different than Andrew's status as a student?  
 10 A. Yeah.  
 11 Q. Okay. And do you know that regular students such as  
 12 Andrew have to take certain tests in order to be  
 13 admitted?  
 14 A. Yeah.  
 15 Q. You never took those tests, did you?  
 16 A. No.  
 17 Q. You never tried to become admitted as a regular  
 18 student, did you?  
 19 A. No.  
 20 Q. Is that correct?  
 21 A. Yeah.  
 22 Q. All right. Going back to your presentations, in 2009,  
 23 did you also speak in Crystal City, Virginia, at the  
 24 Hyatt Regency in January, end of January?  
 25 A. I--

1 Q. Your web site calls it as the High Expectations,  
 2 Endless Possibility, OSEP National Parent Center  
 3 Conference at the Hyatt Regency.  
 4 A. Oh, yeah. Yeah. I spoke there with -- my friend  
 5 Andrew came with me.  
 6 Q. Okay. Did anyone else go with you?  
 7 A. Yeah, my mom.  
 8 Q. Okay. And how did you get there?  
 9 A. By a plane.  
 10 Q. Did Andrew fly with you?  
 11 A. Yeah.  
 12 Q. Okay. What was that conference about?  
 13 A. It was about -- it was about -- it was about parents  
 14 and parents that came and heard my story and stuff.  
 15 Q. Did you stay overnight there?  
 16 A. Yeah.  
 17 Q. How many nights?  
 18 A. I'm not sure.  
 19 Q. Who paid for your flight?  
 20 A. I think -- I think, like, the conference did.  
 21 Q. Okay. Did they pay for your mother's as well?  
 22 A. I think so.  
 23 Q. How about Andrew?  
 24 A. Yeah. I -- I'm not sure.  
 25 Q. Did Andrew speak at the conference?

1 A. Yes.  
 2 Q. Did he speak with you?  
 3 A. Yes.  
 4 Q. Were just the two of you speaking at this session?  
 5 A. Like, my mom spoke before we came, and then he and I  
 6 spoke.  
 7 Q. How long did the three of you in total speak?  
 8 A. I'm not sure.  
 9 Q. Did you show PowerPoint?  
 10 A. Yes.  
 11 Q. The same type of PowerPoint you talked about so far?  
 12 A. Some of the slides were changed, but I talked about my  
 13 housing stuff.  
 14 Q. What did Andrew talk about?  
 15 A. Just about -- just about how -- how, like, the  
 16 students have been a great supporter of this cause  
 17 behind me and he -- he, like, doesn't get why -- why  
 18 the colleges didn't even take a chance to have, like,  
 19 a pilot program and try it out and, like, they --  
 20 they, like -- it's a -- he just talked about how it's  
 21 a great opportunity for the college to move, like,  
 22 one -- one, like, small step closer to having dorm  
 23 living and, like -- and, like, this -- like, this --  
 24 like, the -- like, every student that has been  
 25 helped -- every student that has been behind me has --

1 has, like -- has -- they have changed, like, they --  
 2 like, the OU campus has been -- has changed many, many  
 3 friends and many students because of what I have  
 4 brought to -- like, what I have changed on -- what I'm  
 5 trying to change on the college campus.  
 6 Q. Did you start the Options program?  
 7 A. No, but -- but --  
 8 Q. Didn't OU decide to start the Options program?  
 9 A. Yeah.  
 10 Q. Didn't that change the campus?  
 11 A. Yeah. That's -- that's, like, one -- yeah. Yeah.  
 12 They have -- they have changed the -- they -- that's  
 13 one great thing they have done, that they could have,  
 14 like, done us -- they could have -- they could have  
 15 moved a very quick thing, like, a very thing that I  
 16 asked for when -- when I became a student at OU,  
 17 and...  
 18 Q. Now, you -- would you agree that OU had no obligation  
 19 to even create the Options program?  
 20 MR. DAVIS: I'll object to that. You're  
 21 asking him for a legal conclusion?  
 22 MR. BOONIN: No. I'm asking if he would  
 23 agree with that statement.  
 24 MR. DAVIS: You can answer that if you  
 25 know.