

EXHIBIT 1

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

MICAH FIALKA-FELDMAN

October 8, 2009

Prepared for you by



Bingham Farms | Ann Arbor | Detroit | Flint | Grand Rapids | Jackson | Lansing | Mt. Clemens

PHONE: 248.644.8888 FAX: 248.644.1120

www.bienenstock.com

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.