

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

MICAH FIALKA-FELDMAN

Case Number 08-CV-14922

Plaintiff,

Hon. Patrick J. Duggan

v.

OAKLAND UNIVERSITY BOARD
OF TRUSTEES, GARY D. RUSSI, MARY BETH
SNYDER, and LIONEL MATEN, in their
official capacity,

Defendants.

_____ /

AFFIDAVIT OF HEATHER STERNER

STATE OF MICHIGAN)
)ss
COUNTY OF WAYNE)

I, Heather Sterner, being duly sworn, deposes and says as follows:

1. I am Heather Sterner and Micah and I first met in the winter of 2008, in our Theatre Class. However, we didn't actually talk until about the 2nd or 3rd class. It was then that Micah stood up and asked if there was anyone interested and available to help him with his studies and I happily volunteered. Micah and I stayed after class to discuss what it was he needed and what was expected of me. Micah was great at explaining to me what it meant to be a peer tutor. He

proceeded to explain that what he needed was a little help with note taking and various other school related tasks.

2. What I found to be most intriguing about Micah and being in a class with him, is that his level of participation and interest far exceeds that of most of his peers, including myself. Always engaged and asking questions, Micah makes it clear to everyone in class that he is clearly there to learn. I have never seen Micah be disruptive in class. He is fully committed to his studies and doing well. I have observed that Micah is smart in utilizing the resources around him, to ensure that he does well.

3. As a result of knowing Micah, I too have become more proactive with regard to my studies and my commitment to do well. On several occasions Micah and I have studied together outside of the classroom and again all I can say is that he remains focused and committed.

4. There was a project in our Theatre Class where we were broken into groups. Each group had to write, direct and put on a play. With this particular project Micah has several responsibilities. He was stage manager, he was an actor and he was in charge of all the music that was to be played throughout the play. I was very grateful to be in a group with Micah, because not only did he do well, we all did and ended up receiving a very good grade on the project, a grade that would not have been possible without the leadership that Micah displayed as stage manager.

5. Micah also took tests and quizzes just like any other student in the class. Anything I did, Micah had to do and vice versa. He works hard and is always eager and ready to learn. Micah has taught me to be diligent in my efforts to do well in school and to set high expectations for myself.

5. I know of no reason why Micah would not do well in a dorm setting. Micah is friendly and always respectful. Micah is a leader and a wonderful student. In fact from what I have observed Micah would serve as a positive influence to his fellow roommates. I have never seen Micah be loud, rude, crude or disrespectful. Micah and I have attended various events, we have gone out on the town and Micah has always conducted himself with pride and dignity.

6. I've lived in the dorms, not at Oakland University, but at another major University and from my experience Micah would fit in just fine. I have met a lot of people at Oakland University and have yet to come across anyone who doesn't like Micah. Everyone I know has something kind and unique to say about him. Most of the people I know who live in the dorms are very eager to have Micah join them in their full college experience. I can tell you that without a doubt while living in the dorms at another University, I would have given anything to have a student like Micah as a roommate. He has kept me focused on always doing the right thing and always focused on my studies.

7. Micah has taught me that anything worth having is worth fighting for. He has taught me that a good fight doesn't have to be done with violence or by being disrespectful, but with facts and our words. Micah has taught me about diligence, hard work and dedication. He has taught me to look at a situation with open eyes and to not force my personal opinion upon others. He has taught me to maintain my integrity no matter what. Most of all, Micah has taught me to be a better friend.

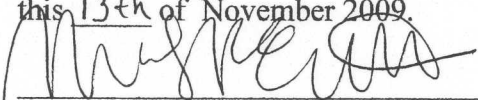
If called as a witness and sworn, I am competent and fully able to testify to the matters stated herein.

I declare under penalty of perjury that the foregoing is true and correct.



Heather Sterner

Subscribed and sworn to before me
this 13th of November 2009.



_____, Notary Public

~~OAKLAND~~ Wayne County, State of Michigan

My Commission expires:

MICHELLE L. R. EVERETT
Notary Public, State of Michigan
County of Oakland
My Commission Expires 11-02-2013
Acting In the County of Oakland