

## Lionel Maten

1 that has a stamp on it of November 1st that we've used  
 2 before. But in regards to this application, marked as  
 3 Exhibit 2, do you know how the, who accepted the  
 4 application at the housing department?  
 5 A. Define to me acceptance?  
 6 Q. Just took the application. I'm not talking about approving  
 7 the application, I'm just talking about physically taking  
 8 the application from him for review.  
 9 A. No.  
 10 Q. When did you first learn of the fact that Micah had  
 11 submitted an application?  
 12 A. I do not recall the date and time.  
 13 Q. Did it ever, did you ever learn that the housing department  
 14 staff were discussing with Micah a move-in date for a  
 15 dormitory room?  
 16 A. Define, can you just clarify your question?  
 17 Q. Did you ever learn that a housing staff member, any house  
 18 staff member, was discussing with Micah a move-in date for  
 19 a dormitory room on campus?  
 20 A. Again, I need to understand what the discussion is.  
 21 Q. When did you learn, did you ever learn of an e-mail from  
 22 Roxanne, who works in your housing department, correct?  
 23 A. Yes.  
 24 Q. Roxanne works in the housing department?  
 25 A. Uh-huh.

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1 Q. Drawing on blank on Roxanne's last name at the moment.  
 2 A. Fisher.  
 3 Q. Ms. Fisher. Did you ever see an e-mail from her to Micah  
 4 discussing a move-in date for a dormitory room for Micah?  
 5 MR. BOONIN: Prior to the lawsuit or ever?  
 6 MR. DAVIS: Prior to the lawsuit.  
 7 A. Did I ever see the e-mail?  
 8 Q. (Continuing by Mr. Davis:) My question is isn't did you  
 9 see the e-mail, let me rephrase that.  
 10 Did you ever learn that someone was processing an  
 11 application, or did you ever learn of an e-mail from  
 12 Roxanne to Micah concerning housing, moving into the  
 13 housing dormitory room?  
 14 A. Micah moving into the dormitory room, yes.  
 15 Q. Do you recall when you learned of that?  
 16 A. I do not at this current time do I recall the date and  
 17 time.  
 18 Q. Was it prior to you sending out the rejection letter of  
 19 November the 29th, 2007?  
 20 A. Yes.  
 21 Q. And what did you do when you learned of that communication?  
 22 A. I, when I learned of the communication, what did I do. I  
 23 informed Rebecca Wickham to, to take that communication to  
 24 a committee that she sat on addressing students who were  
 25 matriculating students, who were on a program where we were

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1 doing with students with Asperger's, and to get further  
 2 clarification as to if, if Micah in fact met the enrollment  
 3 requires of the university to reside in the residence.  
 4 Q. You asked for further clarification on Micah's enrollment  
 5 status?  
 6 A. On Micah's, on whether or not Micah had made satisfactory,  
 7 had gone through the satisfactory process of being accepted  
 8 as an enrolled student at the university.  
 9 Q. Did you discuss it with vice-president Snyder at all?  
 10 A. Did I discuss?  
 11 Q. Did you discuss the situation with vice-president Snyder at  
 12 all, I'm talking about while this application was pending,  
 13 before your rejection letter?  
 14 A. Yes.  
 15 Q. You recall when you had the discussions with vice-president  
 16 Snyder?  
 17 A. Date and actual time, I do not, I cannot recall.  
 18 Q. Do you recall what the nature of the conversation was?  
 19 A. It was, it was, had conversation was, yes.  
 20 Q. And what did the two of you discuss in this conversation?  
 21 A. Did Micah's application, or had, did Micah complete the  
 22 necessary requirements of the university to going through  
 23 the admissions process to qualify himself as a  
 24 matriculating student pursuing a college degree.  
 25 Q. At this time, did you understand that OPTIONS students were

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1 not matriculating students?  
 2 MR. BOONIN: Prior to the meeting?  
 3 Q. (Continuing by Mr. Davis:) At the time you met with  
 4 doctor, or with vice-president Snyder, did you know that  
 5 the OPTIONS students were not matriculating students?  
 6 A. Yes.  
 7 Q. And it was a firm policy of the university, of the housing  
 8 department, that matriculating students, nonmatriculating  
 9 students were not eligible for housing, correct?  
 10 A. During the time I was employed, I embody those policies of  
 11 the institution, of the institution, yeah.  
 12 Q. So that was a firm policy of the university?  
 13 A. Yes.  
 14 Q. So why was there a need to have a conversation with  
 15 vice-president Snyder?  
 16 A. There was, because, because for the first time, I mean our  
 17 process for admission into housing was to when we got the  
 18 contract, was to go in and see of the student had a G  
 19 number, and, and Micah showed that he had a G number.  
 20 Q. So you now were questioning whether OPTIONS students were  
 21 matriculating students?  
 22 A. Yes.  
 23 Q. And how do you know Micah had a G number?  
 24 A. It was included on his contract.  
 25 Q. Was --

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1 A. And it was included on his contract, and in addition  
2 Roxanne Fisher was able to see it in the student data base.  
3 Q. So you went and talked with vice-president Snyder, and did  
4 she, is this the first she heard, let me rephrase.  
5 Did she indicate to you that this was the first that  
6 she learned of the OPTIONS Program?  
7 A. I can't, I can't confirm as I went and talked to her, I  
8 can't remember if that conversation was over the phone or  
9 actually visited her office, and I do not recall if she  
10 said it was the first time.  
11 Q. Did she know of the OPTIONS Program, was this the first  
12 time she was --  
13 A. That will be a question she would have to answer.  
14 Q. Did she ask you to explain what the OPTIONS Program was?  
15 A. At this current time I do not recall.  
16 Q. Did she say that she needed to check into what the OPTIONS  
17 Program was and get back to you, or did she give you an  
18 answer regarding the OPTIONS Program and their eligibility  
19 at that time?  
20 A. She, she needed to do some research into it and to, and I  
21 don't recall if it was into what the OPTIONS Program was,  
22 or if the students were, met satisfactory eligibility, you  
23 know, admissions back on going through their admission  
24 process. I don't recall which part of that process that  
25 she needed to do further research.

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1 Q. And then she, did she get back in touch with you prior to  
2 sending out the rejection letter to Micah?  
3 A. Yes.  
4 Q. And what did she tell you?  
5 A. We discussed his, Micah's eligibility as to whether or not  
6 he went through the admissions process and was fully  
7 admitted to the university matriculating towards an  
8 academic degree. We determined that he was not and, and  
9 that was the discussion.  
10 Q. And what was the conclusion of that?  
11 A. It was, it was concluded, we resorted back to our policy  
12 that he was not a student and in turn that was our  
13 conclusion.  
14 Q. So after Micah submitted his application, you said Roxanne  
15 Fisher checked the G number in the, I forgot what it is?  
16 A. The banner system is our operating system.  
17 Q. Who administers the banner system, do you know?  
18 A. At this current time I do not.  
19 Q. That would not be Adam, your systems specialist?  
20 A. Adam is, no.  
21 Q. What is Adam responsible for?  
22 A. ResNet system.  
23 Q. What's the ResNet system?  
24 A. The wireless internet for students to go into the system.  
25 Q. Is the banner system then administered by the university as

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1 a whole outside of the housing department?  
2 A. Yes.  
3 Q. So an application, this application came in and Ms. Fisher  
4 checked the G number?  
5 A. Uh-huh.  
6 Q. How do you check a G number on the banner system?  
7 A. No, I've never, have never done it myself.  
8 Q. Do you know if there's a sign-on to get into the banner  
9 system?  
10 A. Yes.  
11 Q. Has a password?  
12 A. Yes.  
13 Q. Is every application that comes in, to your knowledge, are  
14 those G numbers checked by housing department staff?  
15 A. They're, yes, they're checked by, yes.  
16 Q. After the G number is checked, do the applications go to  
17 somebody to send out approval letters, or what happens  
18 after that G number is checked?  
19 A. There's a letter that goes out that says, that says when  
20 the move-in dates are and that we're processing the  
21 application, or the intent is that we're processing the  
22 application.  
23 Q. How soon after the G number has been checked do these  
24 letters go out?  
25 A. It varies as to when the letter came in.

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1 Q. You're aware that an e-mail went out from Roxanne Fisher to  
2 Micah regarding a move-in date, are you not?  
3 A. Is there a particular time line?  
4 Q. I'm not asking for a particular time. You're aware that  
5 there was one?  
6 A. Yes.  
7 Q. Now, my question would be, when did you become aware of  
8 that?  
9 A. Is there a particular e-mail that you're discussing?  
10 Q. About the e-mail of November, November the 14th of '07 and  
11 it mentioned a move-in date for Micah.  
12 MR. BOONIN: You don't want to show the witness the  
13 e-mail, make sure you're talk about the same e-mail.  
14 Q. (Continuing by Mr. Davis:) When did you become aware of  
15 that e-mail?  
16 A. I'm not for certain exactly what e-mail you're discussing.  
17 (BREAK HAD AT 11:45 A.M. TO 11:51 A.M.)  
18 MR. DAVIS: Back on the record.  
19 Q. (Continuing by Mr. Davis:) I'm going to show you what's  
20 been marked as Exhibit No. 3 in the Snyder deposition.  
21 Take a look at that. Do you agree that this appears to be  
22 an e-mail from Roxanne Fisher to Rick Feldman?  
23 A. Yes.  
24 Q. Dated November 14th, 2007?  
25 A. Yes, November, yes.

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