

GOODFELLAS WEAR, LLC, ET AL v. WAYNE  
COUNTY, ET AL

WISSAM AOUN

April 6, 2009

*Prepared for you by*



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Page 1

1 STATE OF MICHIGAN  
 2 IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE  
 3  
 4 GOODFELLAS WEAR, LLC, a  
 5 Michigan limited liability  
 6 company and WISSAM AOUN,  
 7 Plaintiffs,  
 8 vs. Case No. 08-018235 CZ  
 9 Hon. Kathleen MacDonald  
 10 WAYNE COUNTY, WAYNE COUNTY  
 11 SHERIFF'S DEPARTMENT, WARREN  
 12 C. EVANS, WAYNE COUNTY SHERIFF,  
 13 MACY'S RETAIL HOLDINGS, INC., a  
 14 New York Corporation and DOUGLAS  
 15 BUCHER,  
 16 Defendants.  
 17 \_\_\_\_\_  
 18  
 19  
 20 The Deposition of WISSAM AOUN,  
 21 Taken at 149 Franklin,  
 22 Pontiac, Michigan,  
 23 Commencing at 10:32 a.m.,  
 24 Monday, April 6, 2009,  
 25 Before Nora Morrissy, CSR-2642.

Page 2

1 APPEARANCES:  
 2  
 3 TIM YOUSIF  
 4 Cyril Hall, P.C.  
 5 149 Franklin Boulevard  
 6 Pontiac, Michigan 48341  
 7 248.333.7880  
 8 Appearing on behalf of the Plaintiff.  
 9  
 10 JENNIFER G. DAMICO  
 11 Plunkett Cooney, P.C.  
 12 535 Griswold, Suite 2400  
 13 Detroit, Michigan 48226  
 14 (313) 965-3900  
 15 Appearing on behalf of the Defendant Macy's and  
 16 Bucher.  
 17  
 18 MARGARET M. FLANAGAN  
 19 Wayne County Corporate Counsel  
 20 600 Randolph Street, Suite 253  
 21 Detroit, Michigan 48226  
 22 313.224.5402  
 23 Appearing on behalf of Wayne County and Sheriff Evans.  
 24  
 25

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1 Pontiac, Michigan  
 2 Monday, April 6, 2009  
 3 10:32 a.m.  
 4  
 5 WISSAM AOUN,  
 6 was thereupon called as a witness herein, and after  
 7 having first been duly sworn to testify to the truth,  
 8 the whole truth and nothing but the truth, was  
 9 examined and testified as follows:  
 10 MS. DAMICO: Let the record reflect that  
 11 this is the deposition of Wissam Aoun to be taken in  
 12 the case Goodfellas versus Wayne County and Macy's.  
 13 Am I pronouncing your last name correctly?  
 14 THE WITNESS: Aoun.  
 15 MS. DAMICO: Mr. Aoun, my name is Jennifer  
 16 Damico and I represent Macy's and Mr. Bucher in this  
 17 lawsuit filed by you and by Goodfellas. I'm going to  
 18 be asking you questions today about the allegations in  
 19 your complaint.  
 20 Have you ever had your deposition taken  
 21 before?  
 22 THE WITNESS: Yes.  
 23 MS. DAMICO: A few ground rules. You have  
 24 to answer out loud because the court reporter is  
 25 taking down everything that's said in this room. She

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1 can't take down uh-huh, uh-uh, head shakes. Please  
2 wait for me to finish my question before you answer  
3 and I'll do the same so we don't talk on top of each  
4 other and if you don't understand my question, let me  
5 know and I will rephrase it. Okay?  
6 THE WITNESS: Okay.  
7 EXAMINATION  
8 BY MS. DAMICO:  
9 Q. How many times have you been deposed?  
10 A. Once.  
11 Q. When was that deposition?  
12 A. Around about two years ago.  
13 Q. And what was that in connection with?  
14 A. A car accident.  
15 Q. Were you a victim, a witness, a defendant?  
16 MR. YOUSIF: I'm going to object to  
17 relevance.  
18 BY MS. DAMICO:  
19 Q. Okay. Go ahead.  
20 MR. YOUSIF: You can answer.  
21 A. I was a victim.  
22 BY MS. DAMICO:  
23 Q. Okay. So, did you file a lawsuit?  
24 A. Yes, I did.  
25 Q. And did you sustain personal injuries in that lawsuit?

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1 A. Yes, I did.  
2 Q. Who was your attorney?  
3 A. Gordon — David Martin from Gordon Punt (phonetic).  
4 Q. Did that case go to trial?  
5 A. No, it didn't.  
6 Q. Did it settle?  
7 A. Yes.  
8 Q. How much did you receive in the settlement?  
9 MR. YOUSIF: I'm going to object to  
10 relevance. I haven't seen the settlement agreement  
11 but there may be a confidential clause in the  
12 settlement agreement.  
13 BY MS. DAMICO:  
14 Q. Just briefly tell me what kind of injuries you  
15 sustained.  
16 A. Back injuries.  
17 Q. Other than that lawsuit where you gave a deposition  
18 and the lawsuit we are here for today, have you ever  
19 been involved in any other civil lawsuits?  
20 A. No.  
21 Q. What's your current address?  
22 A. 1201 Marie Street, Dearborn Heights, Michigan 48127.  
23 Q. How long have you lived at that address?  
24 A. About three years.  
25 Q. Is that a home, a condo, an apartment?

Page 7

1 A. It's a home.  
2 Q. Do you own that home?  
3 A. Yes, I do.  
4 Q. Do you own that alone or do you own it with a wife or  
5 anyone else?  
6 A. Alone.  
7 Q. Are you married?  
8 A. Yes.  
9 Q. What's your wife's name?  
10 A. Marwa, M A R W A, Aoun.  
11 Q. Does anyone else reside at that home on Marie Street  
12 with you?  
13 A. Yes, my children.  
14 Q. How many children do you have?  
15 A. Four.  
16 Q. Just give me their age ranges.  
17 A. Okay. Oldest daughter 12.  
18 Q. Uh-huh.  
19 A. My son ten, my other daughter five and my son two and  
20 a half.  
21 Q. Okay. Prior to living on Marie Street, where did you  
22 live before that?  
23 A. 4831 Helen Street, Dearborn, Michigan 48126.  
24 Q. Do you still own — did you own that home at the time?  
25 A. Yes, I did.

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1 Q. Do you still own the home?  
2 A. No, I don't.  
3 Q. Who did you sell it to?  
4 A. My dad.  
5 Q. Who is that?  
6 A. Ali Aoun.  
7 Q. Spell it.  
8 A. A L I.  
9 Q. Is his middle initial H?  
10 A. Yes.  
11 Q. How many years did you live on Helen Street?  
12 A. From '99 to '06, six years.  
13 Q. Just one more, where did you live before that?  
14 A. On Kingsley.  
15 Q. Okay.  
16 A. Can't remember the number. It was a rented house.  
17 Probably — the number is probably 7038 Kingsley.  
18 Q. What city is that?  
19 A. Dearborn, Michigan 48126.  
20 Q. Just going to ask you a little bit about your  
21 background. Where were you born?  
22 A. In Lebanon.  
23 Q. And we got your father's Ali. Is your mother alive?  
24 A. Yes.  
25 Q. What's her name?

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1 A. **MUNTAHA.**  
2 Q. Does she live with your father?  
3 A. **Yes.**  
4 Q. Do you have any brothers or sisters?  
5 A. **Yes.**  
6 Q. Tell me what you have.  
7 A. **I have three brothers and three sisters.**  
8 Q. Do all of your siblings live in the metro Detroit  
9 area?  
10 A. **No.**  
11 Q. Who lives here, who lives in the metro Detroit area?  
12 A. **In Detroit I have two sisters and two brothers.**  
13 Q. Tell me the brothers' names.  
14 A. **NITHAL.**  
15 Q. Okay. How old is he?  
16 A. **He's 32.**  
17 Q. Okay.  
18 A. **Mohammed Aoun is 23, he lives in Dearborn and my**  
19 **married sisters, first one is Juliette and another --**  
20 Q. What's Juliette's last name?  
21 A. **A O U N.**  
22 Q. Does she have a married name?  
23 A. **That's her married name.**  
24 Q. Okay.  
25 A. **And Zeinab, Z E I N A B.**

Page 10

1 Q. And what's her last name?  
2 A. **A O U N.**  
3 Q. Are they sisters or are they sister-in-laws?  
4 A. **They are my sisters.**  
5 Q. Are you any relationship to an Ibrahim Aoun?  
6 A. **Yes.**  
7 Q. Who is Ibrahim?  
8 A. **He's married to Juliette.**  
9 Q. So, he's a brother-in-law?  
10 A. **Yeah, a brother-in-law.**  
11 Q. How about a Hassan, H A S S A N, Aoun?  
12 A. **That's my uncle.**  
13 Q. Who is Hassan brother with, your mom or your dad?  
14 A. **My mom.**  
15 Q. So, mom's brother?  
16 A. **Uh-huh.**  
17 Q. And it's my understanding that in December of 2007  
18 Mohammed resided with your parents on Helen Street?  
19 A. **Yes.**  
20 Q. What's your date of birth?  
21 A. **7-10-72.**  
22 Q. So, we went over your brothers, your sisters. Do you  
23 have one brother not living in the Detroit area and  
24 one sister not living in the Detroit area?  
25 A. **Yes.**

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1 Q. Where do they live?  
2 A. **My sister lives in -- I got a -- the youngest one**  
3 **lives in Lebanon, and my brother, he's married in New**  
4 **York.**  
5 Q. When did you move to the United States?  
6 A. **1976.**  
7 Q. So, you were four years old?  
8 A. **Yeah.**  
9 Q. Are you a US citizen?  
10 A. **Yes.**  
11 Q. Where did you go to high school?  
12 A. **Fort Hamilton High School in Brooklyn, New York.**  
13 Q. When did you move to the Dearborn area?  
14 A. **May of '95.**  
15 Q. From the time your family moved from Lebanon to the  
16 United States doctor or to May of 1995, did you live  
17 in the New York area?  
18 A. **Yes, I did.**  
19 Q. Since May of 1995 have you always resided in Dearborn  
20 or Dearborn Heights?  
21 A. **Dearborn, Dearborn Heights, yeah.**  
22 Q. What year did you graduate from high school?  
23 A. **1991.**  
24 Q. Do you have any education after high school?  
25 A. **Yes, I went to college for about a year, couple of**

Page 12

1 months.  
2 Q. Where you go to college?  
3 A. **Brooklyn, New York, It's Kingsborough College.**  
4 Q. What did you study?  
5 A. **Liberal arts. Little of everything.**  
6 Q. Did you receive any kind of degree or certificate?  
7 A. **No, not from college.**  
8 Q. Any other type of degrees or certificates that you  
9 hold?  
10 A. **No.**  
11 Q. Any other education after high school, and that can be  
12 trade school, vocational school?  
13 A. **No.**  
14 Q. By way of employment, what is the first full time job  
15 you held after high school?  
16 A. **Worked for a limo company in New York called NYC Limo.**  
17 Q. After that what did you do?  
18 A. **After that I came here in 1995 and worked for my uncle**  
19 **at a gas station.**  
20 Q. Would that be Hassan or different --  
21 A. **Yeah, different uncle.**  
22 Q. How long did you work at the different uncle?  
23 A. **For about a year, '96, and from '96 to '97 I worked at**  
24 **a restaurant.**  
25 Q. What restaurant?

<p style="text-align: right;">Page 13</p> <p>1 A. It was called Lafendi. It's in Southfield, Michigan. 2 Q. Okay. 3 A. Be '97 I got hired at American Axle Manufacturing. 4 Q. What did you do for American Axle? 5 A. I worked as a job setter, start up machines. 6 Q. Were you a union worker? 7 A. Yes, I was. 8 Q. What union was that? 9 A. Local 235. 10 Q. Is that like a machinist union or what union was it? 11 A. It was just a union. 12 Q. How long did you work at American Axle? 13 A. Nine-and-a-half years. 14 Q. So, until 2008? 15 A. No, end of 2006, November, 2006. 16 Q. That was a full-time job for nine-and-a-half years? 17 A. Yes. 18 Q. Why did you leave or what happened after the 19 nine-and-a-half years? 20 A. I took the buyout. 21 Q. What was your buyout? 22 A. It was about 70 thousand. 23 Q. After -- in November of 2006 after that what did you 24 do next? 25 A. I -- my dad had an old building on -- he purchased in</p>	<p style="text-align: right;">Page 15</p> <p>1 Q. Evergreen and Warren, what city is that, is that 2 Detroit? 3 A. Detroit, yes. 4 Q. Sam's Sportswear? 5 A. Uh-huh. 6 Q. Did you say you leased the building? 7 A. Yes. 8 Q. Is that still in existence, that business? 9 A. No, that was changed, the names changed about ten 10 times. 11 Q. Tell me the address for that store. 12 A. 20040 West Warren Avenue. 13 Q. What's it currently operating -- under what name? 14 A. Sam's Sportswear. 15 Q. Is it still operational now? 16 A. No. 17 Q. What is in that building? 18 A. Probably a hair salon. 19 Q. Nothing you have any ownership interest in? 20 A. No. 21 Q. Were you an owner of Sam's Sportswear? 22 A. Yes. 23 Q. Were you the sole owner? 24 A. Yes. 25 Q. Was that company incorporated?</p>
<p style="text-align: right;">Page 14</p> <p>1 2005 on Warren. 2 Q. What was the address? 3 A. It's 18334 West Warren Avenue. 4 Q. Okay. 5 A. We demolished it, the old building we demolished it 6 and decided to build a big store so I could run it. 7 Q. And that store turned out to be Goodfellas? 8 A. Goodfellas, yes. The building was done the end of -- 9 that's one of the reasons I took the buyout so I could 10 be in there to run it. 11 Q. Okay. 12 A. It was complete December -- the -- towards the end of 13 December, around December 20th of '06. 14 Q. Okay. We'll get to that in a minute. At any time 15 prior to the existence of Goodfellas, prior to let's 16 say December '06, did you ever own any type of 17 business? 18 A. Yes, I did. 19 Q. So, this would have been concurrent or at the same 20 time you're working at American Axle? 21 A. Both at the same time. 22 Q. Tell me what businesses you owned. 23 A. In 2000 I decided to open a clothing store on 24 Evergreen and Warren Avenue. It was a small building 25 I leased was called Sam's Sportswear.</p>	<p style="text-align: right;">Page 16</p> <p>1 A. Yes, it was. 2 Q. Or was it a d/b/a? 3 A. Yeah, it was incorporated I believe. 4 Q. And how long was Sam's Sportswear in existence? 5 A. Around three years. 6 Q. So, 2000 to 2003? 7 A. About -- you know what, 2002. 8 Q. To 2002? 9 A. Yeah, I changed the name. 10 Q. What did you change the name to? 11 A. To Off Da Hook Gear. 12 Q. And that's Off Da, D A? 13 A. D A. 14 Q. Did you add any type of business partners or any other 15 owners to Off Da Hook? 16 A. No. 17 Q. You were the sole owner? 18 A. Sole owner. 19 Q. What's the reason you changed the name? 20 A. That was when I moved to the new location. 21 Q. Okay. Where did you move to? 22 A. To 18334 West Warren Avenue. 23 Q. So, was that -- did that happen in 2002? 24 A. From 2002 to 2005 I had Off Da Hook Gear. 25 Q. To 2005. Now, was that the building you ultimately</p>

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1 demolished?  
2 A. Off Da Hook Gear, that was that location, 20014 --  
3 Q. 20040?  
4 A. Yeah, 40.  
5 Q. Let me get this right. Sam's Sportswear operated in  
6 this leased building from 2000 to 2002, you changed  
7 the name but stayed in the same building?  
8 A. Same building.  
9 Q. You said -- I just asked you why you changed the name  
10 and you said because you moved to 18344 West Warren.  
11 That's where Goodfellas is?  
12 A. Yes.  
13 Q. So, did Off Da Hook ever operate out of 18344 --  
14 A. No, never.  
15 Q. Is Off Da Hook Gear still in business?  
16 A. No, I transferred that name -- my brother-in-law  
17 wanted to open up a store on Seven Mile. I  
18 transferred it to his name. I had it as a d/b/a,  
19 Wayne County building.  
20 Q. Right.  
21 A. So, I had to go down there for him to get that name, I  
22 had to go down there and sign it off that I didn't  
23 want it no more.  
24 Q. Did you transfer it to Mohammed or Ibrahim?  
25 A. Ibrahim.

Page 18

1 Q. And that operates -- is that 19334 West Seven Mile?  
2 A. I'm not sure. It's on Seven Mile. I'm not sure of  
3 the address.  
4 Q. We've got two businesses that you owned prior to  
5 Goodfellas Wear, that's Sam's Sportswear and Off Da  
6 Hook Gear?  
7 A. Uh-huh.  
8 Q. Any other businesses that you owned prior to 2006,  
9 prior to Goodfellas?  
10 A. No, I had assumed names.  
11 Q. Uh-huh.  
12 A. So, nobody would get the name around my business name.  
13 Q. But you didn't operate --  
14 A. I didn't operate.  
15 Q. I'm going to ask you some questions about some  
16 entities that I found and you tell me what they were  
17 if they are operating.  
18 A. Okay.  
19 Q. Ghetto Fabulous. Is that an assumed name or --  
20 A. That was an assumed name. I got that name and as soon  
21 as I put the name up, some neighbors were complaining  
22 about that name in the neighborhood so I had to change  
23 it. I'm not sure if I filed -- I did a d/b/a, went  
24 downtown and got that name and put a sign up.  
25 Q. Where did you put the sign up?

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1 A. On the old building, 18334 West Warren.  
2 Q. Did Ghetto Fabulous ever do business?  
3 A. The business was at that location but under that name  
4 I probably took down the sign about a month after I  
5 put it up.  
6 Q. Because the neighbors complained?  
7 A. Yeah, some neighbors complained and I didn't want no  
8 problems in the neighborhood.  
9 Q. Do you own any business operating under the name  
10 Ghetto Fabulous at this time?  
11 A. No.  
12 Q. Ghetto Fabulous only existed for a short period of  
13 time?  
14 A. Yes, the name.  
15 Q. We talked about Off Da Hook Gear, and that is -- that  
16 was your d/b/a that you transferred to your brother?  
17 A. Correct, brother-in-law.  
18 Q. Did you transfer to Ibrahim?  
19 A. Yes.  
20 Q. He's your brother-in-law?  
21 A. Uh-huh.  
22 Q. Detroit Fabulous Wear?  
23 A. Same thing, assumed name because I was thinking of the  
24 right name to put on the building so I probably  
25 purchased about five names from downtown, paid for.

Page 20

1 Q. Do you know when you did this, purchased this name or  
2 the d/b/a Detroit Fabulous Wear?  
3 A. It was all in the same time whenever Ghetto Fabulous  
4 was probably purchased.  
5 Q. I have Ghetto Fabulous purchased at a different time.  
6 A. '04?  
7 Q. '04? I had '06. As far as Detroit Fabulous and Off  
8 Da Hook I have October 2007. Does that sound right?  
9 A. Which one was that again?  
10 Q. Off Da Hook Gear and Detroit Fabulous Wear.  
11 A. No, Off Da Hook Gear -- under my name that was all --  
12 I believe that was in '02, '03.  
13 Q. With respect to -- let's try this again. Goodfellas  
14 Wear we are going to talk about, that was the business  
15 that was in existence when this whole incident  
16 occurred, correct?  
17 A. Yes.  
18 Q. Detroit Fabulous Wear, d/b/a, and you claim you never  
19 operated -- sold clothing or any other merchandise out  
20 of that location?  
21 A. No.  
22 Q. Okay. What about Jazz Sportswear, Inc.?  
23 A. That's my dad's business in New York.  
24 Q. Do you know if your father, you or your father ever  
25 got an assumed name in Wayne County --

Page 21

1 A. No, none of my family here in Michigan.  
2 Q. What about Hip-Hop Fabulous Wear?  
3 A. That was an assumed name too.  
4 Q. Assumed under your name?  
5 A. Yes.  
6 Q. Do you know when you got that name?  
7 A. I think I said it was about four or five names I paid  
8 for.  
9 Q. Okay.  
10 A. And I'm not sure the exact dates.  
11 Q. Okay. Did you ever operate any type of business with  
12 the name Hip-Hop Fabulous Wear?  
13 A. That was when I was at 18334 West Warren. It probably  
14 changed from that to Goodfellas Wear. I think that  
15 was the last name before I changed to Goodfellas Wear.  
16 Q. Did anyone else have any ownership interest in Hip-Hop  
17 Fabulous Wear than you?  
18 A. No.  
19 Q. Do you know when you incorporated Goodfellas Wear,  
20 LLC?  
21 A. I'd say the end of 2005 probably.  
22 Q. And this was an LLC as opposed to a d/b/a, is that  
23 correct?  
24 A. Yes.  
25 Q. In the LLC, what was your position, were you an

Page 22

1 officer?  
2 A. Officer, a hundred percent.  
3 Q. Were you the sole owner?  
4 A. Yes.  
5 Q. Did anyone have any ownership interest besides you?  
6 A. No.  
7 Q. Have any business partners?  
8 A. No.  
9 Q. Did you incorporate yourself or did you hire someone  
10 to do that for you?  
11 A. I hired someone.  
12 Q. Who did you hire?  
13 A. Income Tax Place.  
14 Q. Someplace that does your taxes?  
15 A. It's called Income Tax Place.  
16 Q. Where is it located?  
17 A. It's Three Fairlane Boulevard, Dearborn, Michigan  
18 48126.  
19 Q. Do you know who did the actual paperwork for you?  
20 A. Trudy WITHUN.  
21 Q. Is she related to you?  
22 A. No.  
23 Q. Do you know if you were listed as the resident agent  
24 -- do you know what a resident agent is for a  
25 business, for a corporation?

Page 23

1 A. Resident agent is where I'm the sole owner, is that  
2 it?  
3 Q. I'm asking you.  
4 A. I'm not sure exactly.  
5 Q. Do you know if you were the resident agent for  
6 Goodfellas Wear, LLC?  
7 A. Yes, I was.  
8 Q. Has Goodfellas Wear always operated out of 18334 West  
9 Warren?  
10 A. Yes.  
11 Q. Do you have a business address other than the West  
12 Warren, an office?  
13 A. No.  
14 Q. Do you operate any type of business or conduct or  
15 transact any business at Three Parklane Boulevard,  
16 Suite 107, Dearborn?  
17 A. No.  
18 Q. Do you know what that business is?  
19 A. That's where my statements went.  
20 Q. Who did they go to?  
21 A. To Trudy.  
22 Q. Because you told me it was Three Fairlane Boulevard.  
23 A. Parklane, that's what I meant, Parklane Boulevard.  
24 Q. That's Trudy's office?  
25 A. Yeah, so you can change the top one to Parklane

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1 Boulevard. It's in the Fairlane Towers. That's why I  
2 keep saying Fairlane.  
3 Q. Has Trudy or Income Tax Place ever had any ownership  
4 interest in Goodfellas Wear?  
5 A. No.  
6 Q. Any ownership in any of the businesses you operated?  
7 A. No.  
8 Q. Was Income Tax Place or did Income Tax Place do your  
9 taxes for Goodfellas Wear?  
10 A. Yes, they did.  
11 Q. Did they do your personal taxes as well?  
12 A. Yes.  
13 Q. Did you file income tax returns on behalf of  
14 Goodfellas Wear for the years 2005 through 2008?  
15 A. I have -- I believe I filed for '05, but '06, '07, '08  
16 is an extension. I didn't file that.  
17 Q. What's the reason you haven't filed?  
18 A. Haven't caught up.  
19 Q. Do you currently still have an extension from 2006?  
20 A. Yes. As soon as she's done with this deadline on the  
21 15th, we're planning on doing all that. It's going to  
22 be probably after April 15th when she's done with all  
23 this backup that she has.  
24 Q. Do you have a bookkeeper for Goodfellas Wear?  
25 A. No, Trudy does all my tax-related --

Page 25

1 Q. For the year 2006 what was Goodfellas Wear's gross  
2 income?  
3 A. **I still -- I don't have that information right now.**  
4 Q. Do you have the gross income from Goodfellas Wear from  
5 any year that it's been in existence to the current  
6 time?  
7 A. **No, it's all at her office.**  
8 Q. As the president and owner of Goodfellas, how do you  
9 get paid?  
10 A. **By check.**  
11 Q. Do you get a salary?  
12 A. **Yes, I do.**  
13 Q. What's your salary currently?  
14 A. **Three thousand every two weeks.**  
15 Q. Three thousand gross?  
16 A. **Yes.**  
17 Q. Has that been the same since Goodfellas has been in  
18 existence?  
19 A. **Yes.**  
20 Q. I just want to talk about Goodfellas in the beginning.  
21 When did the store open for business?  
22 A. **It opened -- you mean after I built the --**  
23 Q. You started -- your dad bought the old building,  
24 correct?  
25 A. **Yes.**

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1 Q. Did you ever operate Goodfellas Wear before it was  
2 remodeled?  
3 A. **Yes.**  
4 Q. How long did it operate before?  
5 A. **For about I'd say about seven to eight months maybe.**  
6 Q. You said your dad purchased it sometime in 2005?  
7 A. **2005.**  
8 Q. Okay. So, 2005, operated for seven or eight months?  
9 A. **Yeah, he leased it before he purchased it, he leased**  
10 **it around 2004.**  
11 Q. Okay. And then you started operating Goodfellas Wear  
12 when, out of that building?  
13 A. **Say about 2005.**  
14 Q. Okay. And then when did the building go into remodel?  
15 You guys actually knocked it down, right?  
16 A. **Knocked it down in '06. That was probably February.**  
17 Q. 2-06 and then it took until when before you had your  
18 re-opening?  
19 A. **December 20th.**  
20 Q. Okay. For that eight-month or ten-month period during  
21 the rebuilding, did Goodfellas Wear operate out of any  
22 location?  
23 A. **Yes.**  
24 Q. Where?  
25 A. **On 19420 West Warren.**

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1 Q. So, down the street?  
2 A. **Yes.**  
3 Q. Did you lease a space or did you own it?  
4 A. **I owned it.**  
5 Q. What kind of building -- is that a commercial  
6 building?  
7 A. **It was a commercial building.**  
8 Q. Do you still own it?  
9 A. **Yes, I do, but it's knocked down.**  
10 Q. Did you knock it down?  
11 A. **It was like a warehouse.**  
12 Q. Do you have any plans for that space?  
13 A. **Nah, not right now.**  
14 Q. Do you currently own any other commercial buildings  
15 that we haven't talked about?  
16 A. **Yes, I do.**  
17 Q. What buildings do you own?  
18 A. **I own a building on Joy Road.**  
19 Q. What's that?  
20 A. **194 -- 19316 West Joy Road.**  
21 Q. And what's that building?  
22 A. **It's a commercial building. It's leased to my**  
23 **brother.**  
24 Q. Which brother?  
25 A. **N I T H A L.**

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1 Q. What does he do out of that?  
2 A. **Clothing.**  
3 Q. What's the name of it?  
4 A. **The Jump Ball -- not the Jump Ball.**  
5 Q. It's a clothing store?  
6 A. **Yes.**  
7 Q. Owned by your brother?  
8 A. **By Nithal.**  
9 Q. Do you have any ownership interest in that building?  
10 A. **No.**  
11 Q. You just own the building?  
12 A. **I own the building.**  
13 MR. YOUSIF: I'm sorry. You asked him if  
14 he had any ownership interest in the building.  
15 MS. DAMICO: Oh, sorry, that's right.  
16 BY MS. DAMICO:  
17 Q. In the business that operates out of the building.  
18 A. **No, not the business, just the building.**  
19 Q. Does he pay you rent?  
20 A. **Yes.**  
21 Q. What does he pay?  
22 A. **Two thousand a month.**  
23 Q. Two thousand?  
24 A. **Uh-huh.**  
25 Q. How long have you owned that building?



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1 A. About two years. A little over two years.  
2 Q. So, you purchased that sometime in what year, 2007?  
3 A. No, I purchased it before that. '06. I'm sorry.  
4 Q. Okay.  
5 A. Da Hook Up, that's the name of it.  
6 Q. Anyone else own Da Hook Up other than Nithal?  
7 A. I don't believe so, no.  
8 Q. Do you own any other commercial buildings?  
9 A. No, that's it.  
10 Q. With respect to the building that's located at --  
11 business that's located at 19334 West Seven Mile, is  
12 that Mohammed's business or Ibrahim's business?  
13 A. It was. I think he closed it about a year -- little  
14 over a year ago.  
15 Q. And was that -- what was the name of that business?  
16 A. That was Off Da Hook Gear. That's the name I  
17 transferred to him.  
18 Q. When you say him, I forgot which brother it was.  
19 A. Ibrahim.  
20 Q. The brother-in-law?  
21 A. Yeah.  
22 Q. Did you own the building or have any ownership  
23 interest --  
24 A. No.  
25 Q. Let me finish. -- in 19334 West Seven Mile?

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1 A. No.  
2 Q. What does Mohammed do or what's his business?  
3 A. Mohammed works for Nithal.  
4 Q. He worked for Nithal at Off Da Hook?  
5 A. Not Off Da Hook.  
6 Q. The other one, Da Hook Up?  
7 A. Yeah.  
8 Q. Is Da Hook Up still operating?  
9 A. Yes.  
10 Q. Still owned by Nithal?  
11 A. Yes.  
12 Q. Mohammed still work there?  
13 A. Yes.  
14 Q. Do you know what Mohammed's position is?  
15 A. I think he's the manager.  
16 Q. Back to Goodfellas, we had you operating out of 19420  
17 for ten months while the renovation remodel rebuilding  
18 was being done, correct?  
19 A. Yes.  
20 Q. And then it opened in December, December 20th?  
21 A. Yep.  
22 Q. Tell me what kind of clothing you sold at Goodfellas  
23 Wear. Is it male clothing or --  
24 A. Male and female.  
25 Q. How would you describe it?

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1 A. Say urban wear.  
2 Q. And how did you first get into the clothing business,  
3 retail clothing?  
4 A. Like I grew up in New York and I had a lot of family  
5 members that have stores and they are successful. I  
6 always had that in mind to open up a hip-hop clothing  
7 store.  
8 Q. In order to -- strike that.  
9 In order to get Goodfellas Wear up and  
10 running, did you have to take out any type of business  
11 loans, any type of commercial loans?  
12 A. Yes.  
13 Q. Where did you take a loan out of, what bank?  
14 A. Took one out of Chase. Took one out of -- it was  
15 LaSalle before Bank of America. I used credit cards.  
16 Did I say Comerica?  
17 Q. No.  
18 A. Comerica, I took one out of Comerica and Fifth Third  
19 Bank.  
20 Q. Do you currently owe on any type of commercial loans  
21 with any of those institutions we just talked about?  
22 A. Yes.  
23 Q. So, you have some outstanding loans?  
24 A. Yes.  
25 Q. Who do you have an outstanding loan with?

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1 A. With Fifth Third Bank and Bank of America.  
2 Q. Do you have lines of credit with them or what kind of  
3 loans --  
4 A. Lines of credit.  
5 Q. With respect to the day-to-day operations of the  
6 business, and I'm talking about Goodfellas Wear and  
7 deposits, withdrawals, banking, where do you do your  
8 banking?  
9 A. Fifth Third Banking.  
10 Q. Any particular branch?  
11 A. Yes, Telegraph in Dearborn.  
12 Q. Okay. With respect to your line of credit with Fifth  
13 Third Bank, where does that stand, how much is  
14 outstanding?  
15 MR. YOUSIF: Object to relevance.  
16 BY MS. DAMICO:  
17 Q. You can answer.  
18 A. Not sure of the exact amount, but it's over 250.  
19 Q. Two hundred fifty thousand?  
20 A. Yes.  
21 Q. Same thing with Bank of America?  
22 A. Bank of America about 55 thousand.  
23 Q. When you applied for these lines of credit, did you  
24 have any type of co-owner or co-signer -- Bank of  
25 America, how much did you say?

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1 A. Bank of America about 55 thousand.  
2 Q. Did you have any type of co-signer to obtain those  
3 lines of credit?  
4 A. No.  
5 Q. You were the sole person?  
6 A. Yes.  
7 Q. Did you ever file for bankruptcy?  
8 A. Yes.  
9 MR. YOUSIF: Object to relevance.  
10 BY MS. DAMICO:  
11 Q. What year did you do that?  
12 A. '98.  
13 Q. Was that in Michigan?  
14 A. Yes.  
15 Q. Federal court in Michigan?  
16 A. Yes.  
17 Q. Do you know what kind of bankruptcy that was?  
18 A. I didn't --  
19 Q. Like what chapter? Was it a reorganization?  
20 A. Chapter 7.  
21 Q. And were your credit obligations forgiven as a result  
22 of that bankruptcy?  
23 A. Yes.  
24 Q. Were these loans from Fifth Third Bank and Bank of  
25 America taken out under your name, were you the one

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1 who signed for these loans?  
2 A. Yes.  
3 Q. Back to Goodfellas when you opened up and you started  
4 selling, did you have any employees?  
5 A. Yes.  
6 Q. In 2006 how many employees did you have?  
7 A. About five.  
8 Q. Full-time employees?  
9 A. Yes.  
10 Q. Did you have a manager?  
11 A. I was manager.  
12 Q. You were manager?  
13 A. Yes.  
14 Q. Did you have any assistant manager or anyone that  
15 would be in charge of the store when you weren't  
16 there?  
17 A. The girl that worked in my office.  
18 Q. Okay. What's her name?  
19 A. Isabel Roman.  
20 Q. R O M A N?  
21 A. Yes.  
22 Q. When you say worked in your office, did you have an  
23 office within the building?  
24 A. Yes, within the building.  
25 Q. What was her title if she had one, assistant manager?

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1 A. Yeah, my assistant, if I wasn't around, she'd answer  
2 phone calls.  
3 Q. If you weren't there at the end of the day when it was  
4 time to empty out the cash register and put things  
5 away in the safe, would Isabel be responsible for  
6 that?  
7 A. No, I was the only one that locked up.  
8 Q. You were the only one? So, you were the only one in  
9 charge?  
10 A. Yes.  
11 Q. Did anyone else have keys to the building besides you  
12 in let's say December of 2006 to December 2007?  
13 A. No.  
14 Q. Did your office have a separate lock?  
15 A. Yes, it did.  
16 Q. Anyone else have keys to your office?  
17 A. No.  
18 Q. Describe the building on West Warren. Obviously you  
19 have the retail space where you sell the merchandise,  
20 correct?  
21 A. Right.  
22 Q. Is there a back room for storage?  
23 A. Yes.  
24 Q. Other than the storage and the retail space, what else  
25 is in that building, offices?

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1 A. Yep, two offices upstairs, one where we keep all the  
2 files in and one that I use.  
3 Q. Anyone else have an office in that building?  
4 A. No.  
5 Q. Your five employees that you had, tell me what they  
6 did. Probably some were salespeople? Did you have  
7 some warehouse people? Tell me how that worked.  
8 A. I have an upstairs and a downstairs I needed -- they  
9 all knew the cashier, how to use the cashier, and they  
10 would separate from upstairs and downstairs, they'll  
11 take turns.  
12 Q. You had a selling floor upstairs and downstairs?  
13 A. Yes, women's clothing is upstairs.  
14 Q. Got it.  
15 A. The office didn't have -- it had --  
16 Q. A code?  
17 A. A code.  
18 Q. Anyone else have the code besides you?  
19 A. My brothers did.  
20 Q. When you say your brothers, that would be who?  
21 A. Well, Nithal had the code.  
22 Q. Okay.  
23 A. And probably Mohammed, I'm not sure if he's got the  
24 code or not.  
25 Q. When you'd have merchandise brought into the store

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1 before you put it on to the sales floor, would you --  
2 is there a back door to the building?  
3 A. Yes, there is a back door but we don't use it for  
4 receiving. UPS pulls up up front.  
5 Q. Receiving is through the front door?  
6 A. Yes.  
7 Q. The back door to this building, there's front door,  
8 back door, that's it?  
9 A. Front door and back door.  
10 Q. Back door open with a key or with a code?  
11 A. With a key.  
12 Q. Same with the front door?  
13 A. Yes, it has locks on it.  
14 (Recess taken at 11:14 a.m.)  
15 (Back on the record at 11:16 a.m.)  
16 BY MS. DAMICO:  
17 Q. I'm not familiar with how the whole clothing thing  
18 operates, I just buy stuff. It's my understanding  
19 some of the brands you sold out of your store were  
20 Akademiks, Coogi, Roca Wear, Sean John, just some of  
21 them.  
22 Now, in order to get those brand name  
23 merchandise, to be able to sell them, do you have to  
24 get licensing agreements or distributor agreements  
25 from the manufacturer?

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1 A. No. I went to Vegas to the show, and opened accounts  
2 right there on the spot. They look at the pictures,  
3 the store looks good, they give me accounts.  
4 Q. When you say give you accounts, do you have to sign  
5 any type of paperwork for them?  
6 A. No. Some of them yes, I did. Some brands sent me an  
7 agreement, and I did that. I'm not sure which ones.  
8 Q. I'll asking for like Akademiks, did you sign any type  
9 of agreement?  
10 A. I don't remember. They probably opened it right on  
11 the spot.  
12 Q. At a trade show in Vegas?  
13 A. Yes.  
14 Q. When was this trade show?  
15 A. I went to the first one was in '06 while the building  
16 was getting built.  
17 Q. Do you place orders right there at the trade show?  
18 A. Yes.  
19 Q. Do you go to this trade show on a yearly basis?  
20 A. Yes, I do.  
21 Q. Did you go in 2007?  
22 A. Yes.  
23 Q. Do you know what type of year this trade show is, what  
24 month?  
25 A. It's in February and in August.

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1 Q. Do you go two times a year?  
2 A. Yes.  
3 Q. What percentage of your inventory per year do you  
4 purchase at these trade shows?  
5 A. At the trade shows about, say, a hundred percent.  
6 Q. Okay. So, you buy all of your merchandise at the  
7 trade shows and sell it throughout the year?  
8 A. Yes.  
9 Q. What if you have a real good month and sell out of  
10 everything, do you have an ongoing order with them or  
11 what do you do?  
12 A. They just don't go to Vegas, they come to Michigan  
13 too.  
14 Q. You have someone that --  
15 A. Most of the sales reps are from Chicago and they come  
16 to Michigan, they got the whole -- they come to the  
17 whole midwest.  
18 Q. So, you're just part of their regular route, they come  
19 see you?  
20 A. Yes.  
21 Q. Bring you samples?  
22 A. Yes.  
23 Q. And then you make orders?  
24 A. Uh-huh.  
25 Q. Are you a hundred percent responsible for making

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1 orders for --  
2 A. Yes, sometimes I have the girls help me.  
3 MR. YOUSIF: Wait until she finishes.  
4 BY MS. DAMICO:  
5 Q. You are the one who actually places the order, it  
6 can't be done without your permission?  
7 A. Right.  
8 Q. The girls can't go place orders without you?  
9 A. Sometimes if I'm busy or if I want them to pick out  
10 the girls' merchandise, I'll send a girl.  
11 Q. When you say send them, where do you send them to?  
12 A. I send them to Livonia when they come to Michigan.  
13 Q. They don't come directly to your store, they go to  
14 Livonia?  
15 A. No, they go to a hotel, the Embassy Suites in Livonia.  
16 They set up the whole floor.  
17 Q. When you say you send a girl, would that be Isabel, is  
18 that the one who would go?  
19 A. No, I never sent Isabel.  
20 Q. What girls would you send?  
21 A. I sent Kiara Webster probably twice and Ashley young  
22 couple of times too.  
23 Q. Are Kiara or Ashley still employed by Goodfellas?  
24 A. No, none of them are.  
25 Q. And why aren't they employed with you anymore?

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1 A. Kiara found another job at a mall, Oakland Mall  
2 probably.  
3 Q. And what about Ashley?  
4 A. Ashley also found another job with JC Penney.  
5 Q. So, when you say you have five employees, they turn  
6 over --  
7 A. Yes. If one leaves, I have a book where people come  
8 in and write their names interested in working.  
9 Q. When they go to -- go to Livonia to the hotel to pick  
10 out the clothing, they are allowed to place orders on  
11 your behalf while they are there?  
12 A. Yes.  
13 Q. Do they have to get permission from you or do they  
14 know the guidelines before they go?  
15 A. Well, the sales rep sends me an e-mail to confirm it.  
16 Q. Okay.  
17 A. And included in the e-mail is the pictures or the  
18 styles that they picked out and the amount of money  
19 they spent on each --  
20 Q. And then you okay the order?  
21 A. Yes, I have to okay it.  
22 Q. Do you have to prepay for these orders or how does  
23 that work?  
24 A. I had a couple of factor companies.  
25 Q. Couple what?

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1 A. Factors. They were CIT and Wells Fargo.  
2 Q. And what would they do?  
3 A. They were -- they are called a factor company where  
4 they give me like a line based on my purchases and the  
5 amounts. I had to pay them and they paid whoever the  
6 merchant was.  
7 Q. Okay. And then once you sold the merchandise, you'd  
8 pay back the lines?  
9 A. They'd give me 30 days net.  
10 Q. I got it. With respect to the clothing lines I talked  
11 about, Akademik, Coogi, Roca Wear, did you have a  
12 specific salesperson you'd deal with with those  
13 companies?  
14 A. Yes.  
15 Q. Do you know the name of the salesperson for Akademiks,  
16 your contact person with Akademiks?  
17 A. Yes, Greg McGowen for Akademiks.  
18 Q. Is that someone you still deal with?  
19 A. Yes.  
20 Q. Is he located in Chicago?  
21 A. In Chicago.  
22 Q. How about for Coogi?  
23 A. Coogi was Melissa Butrum.  
24 Q. Can you spell her last name?  
25 A. B U T R U M.

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1 Q. Where is she out of, what city?  
2 A. Probably Indiana, it's an 817 area code. I think it's  
3 Indiana.  
4 Q. And Roca Wear?  
5 A. Roca Wear was David Kraft.  
6 Q. K R A F T?  
7 A. Yes.  
8 Q. Located where?  
9 A. Chicago.  
10 Q. When you say at the time, is there someone else new?  
11 A. The new person is Larry Mondragon, M O N dragon.  
12 Q. Okay. Chicago?  
13 A. Chicago.  
14 Q. How about -- I don't know how to pronounce this En --  
15 A. Enyce.  
16 Q. Could you spell that?  
17 A. E N Y C E.  
18 Q. Do you have a salesperson or contact person at Enyce?  
19 A. It was Julie Wiess, W I E S S or W E --  
20 Q. Where is she located?  
21 A. Probably at Chicago.  
22 Q. Anybody else you dealt with at Enyce?  
23 A. No.  
24 Q. How about Sean John?  
25 A. Sean John was Cheryl McGowen.

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1 Q. Any relationship to Greg McGowen?  
2 A. That's her husband.  
3 Q. And Chicago as well?  
4 A. Yes.  
5 Q. Do you sell merchandise by the name of Gino Green?  
6 A. Yeah, that was one time.  
7 Q. Do you sell merchandise from any other manufacturers?  
8 A. Yes.  
9 Q. Give me the names of manufacturers.  
10 A. Pelle Pelle.  
11 Q. Is that clothing?  
12 A. Clothing and outer wear.  
13 Q. Who is your contact for Pelle Pelle?  
14 A. Pelle Pelle was Chris -- what's his last name? Can't  
15 remember his last name right now.  
16 Q. Located?  
17 A. He's here in Michigan, St. Clair Shores.  
18 Q. Okay. Any other manufacturers?  
19 A. New Era Cap Company.  
20 Q. Who is your contact?  
21 A. Tim Rogers.  
22 Q. Located --  
23 A. Michigan. Miskeen, M I S K E E N.  
24 Q. Contact?  
25 A. A Z Johnson.

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1 Q. And where is AZ located?  
2 A. He's in New Jersey. LRG which stands for Lifted  
3 Research Group.  
4 Q. Who is your contact?  
5 A. My contact is Larry Mondragon.  
6 Q. Same guy for Roca?  
7 A. Uh-huh.  
8 Q. Any other brand names that you sell, any other  
9 manufacturers?  
10 A. Men's -- I'm dealing with men right now. I have a lot  
11 -- oh, Azure, A Z Z U R E, and that was Jerry, I  
12 don't know his last name.  
13 Q. Okay. What state or city?  
14 A. I believe Chicago too. He also does Akoo, A K O O,  
15 same person. Did we say Sean John?  
16 Q. Yes. I'll send you a follow-up so you can think of  
17 some other things.  
18 A. I have a lot of brands.  
19 Q. With respect to the items that were seized in the raid  
20 in December of 2007, have we covered all of the brands  
21 that were included in merchandise seized or was there  
22 any other manufacturers that we haven't covered?  
23 A. Did you put down Gino Green?  
24 Q. Yeah.  
25 A. I purchased from them one time only.

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1 Q. Do you know who your person was, your contact?  
2 A. Yes, his name is Clint McClintock (phonetic),  
3 something like that.  
4 Q. Located?  
5 A. Texas. Oh, Parish.  
6 Q. P A R --  
7 A. R I S H, and her name was Jackie, I don't have her  
8 last name, New York.  
9 Q. Okay. If you think of any more --  
10 A. Cezer, C E Z E R.  
11 Q. Okay.  
12 A. His location was Indiana. His name was William Salam  
13 (phonetic). That's it for now.  
14 Q. Okay. With respect to any of these manufacturers  
15 we've talked about, did you have any type of minimum  
16 purchases that you had to make in order to be able to  
17 sell these items in your store, sell these brands?  
18 A. No. I just remembered another brand.  
19 Q. Okay.  
20 A. Ed Hardy.  
21 Q. Who was your contact with Ed Hardy?  
22 A. Guy named I believe it was Ed, E D. They called him  
23 Ed in California. I don't know his last name.  
24 Q. Do you have phone numbers for all these people that  
25 we've talked about? Could you go back to your office

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1 and find them if I asked for them?  
2 A. Yes, I can.  
3 Q. And no minimums from any of these manufacturers?  
4 A. No, no minimums, no.  
5 Q. How do you operate -- do you have a filing system for  
6 Goodfellas where like, you know, invoices, accounts  
7 receivable, all that type of stuff?  
8 A. Yeah. I'm getting better on that because I just  
9 started with these companies from Vegas, and I was  
10 putting them in like files by names and putting them  
11 in the drawers. I have invoices.  
12 Q. Okay. When the incident, raid, happened in 2007, were  
13 those files taken?  
14 A. Yes.  
15 Q. Did you keep anything on a computer with regard to  
16 accounting, did you have QuickBooks or anything like  
17 --  
18 A. No.  
19 Q. Did you use any kind of computer system?  
20 A. For contacts. I wasn't that good with computers. I  
21 just had Isabel do the contact list on the computer.  
22 Q. When merchandise comes to Goodfellas and before you  
23 put it on a sales floor, you obviously put some  
24 pricing on it?  
25 A. Pricing and sensors.

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1 Q. Who prices the merchandise?  
2 A. The employees. Some of them were -- most of them are  
3 prices from the manufacturer on it.  
4 Q. Already on the tag that comes with it?  
5 A. Yes. We can't change the pricing.  
6 Q. Do you put -- other than the sensor, do you put any  
7 type of Goodfellas tags or markings on the  
8 merchandise?  
9 A. Yes.  
10 Q. What do you put on it?  
11 A. Stickers that say Goodfellas and it's got a SKU  
12 number.  
13 Q. And it's a sticker that goes on what?  
14 A. On the labels, on the tags from the manufacturer.  
15 Q. And what's the SKU number?  
16 A. What's the --  
17 Q. Is it your SKU number that's made up by Goodfellas or  
18 is it a manufacturer's SKU number?  
19 A. Yes, by Goodfellas.  
20 Q. What's the purpose of the SKU number, why do you do  
21 it?  
22 A. Inventory.  
23 Q. What does that number tell you?  
24 A. It shows the name of the item and the description of  
25 the item purchased.

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1 Q. Does the SKU number correspond with an invoice or a  
2 purchase order?  
3 A. What do you mean correspond?  
4 Q. Is there a number contained in the SKU number that  
5 would match up with a number on a purchase order or an  
6 invoice from the manufacturer?  
7 A. No.  
8 Q. By looking at that SKU number, can you tell what  
9 shipment it came on, when it came?  
10 A. No, but on the item we still have the tags from the  
11 company on there. So, no, not really, it's not on the  
12 invoice, they don't put the SKU numbers on the  
13 invoice. They put the brand, they put the brand and  
14 they put the -- yeah, they probably do put a number on  
15 there. I never noticed that.  
16 Q. But your system doesn't match up with the number on  
17 the manufacturer's tags?  
18 A. No.  
19 Q. And what's contained in your number -- describe a  
20 typical SKU number for me, how many numbers, does it  
21 have letters in it, what is it?  
22 A. It has a bar code.  
23 Q. Okay. Do you have some kind of machine that produces  
24 the bar code stickers?  
25 A. Yes, I do.

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1 Q. How does the information get put into this bar code  
2 machine?  
3 A. They enter it -- it probably matches the same number  
4 as the manufacturer because they enter numbers. I'm  
5 not familiar with that, I've got to ask one of the  
6 employees. They enter the number from the tag into  
7 the computer and it prints our own. So, it might be  
8 the same bar code, same numbers on there.  
9 Q. Okay. But the information contained on your SKU  
10 number, why do you do that, why do you put it on there  
11 if there is already a number on the tag from the  
12 manufacturer?  
13 A. So it could show our Goodfellas sticker on the items.  
14 Q. Other than purchasing from these manufacturers'  
15 representatives, do you purchase merchandise for  
16 Goodfellas by any other means?  
17 A. Yes.  
18 Q. Okay, tell me.  
19 A. Plain T-shirts.  
20 Q. Okay.  
21 A. From a company called Roochi Traders, R O O C H I.  
22 Q. I guess my question was other than -- you purchase it  
23 from an actual manufacturer?  
24 A. Uh-huh.  
25 Q. Do you purchase merchandise from any other means other

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1 than directly from a manufacturer sales rep?  
2 A. No.  
3 Q. Do you ever in your experience of operating Goodfellas  
4 have people come into the store and say look, I've got  
5 some merchandise, some Roca Wear or Sean John, do you  
6 want to buy it?  
7 A. Yes.  
8 Q. What do you do when that happens?  
9 A. Why buy it when I can buy from the manufacturer?  
10 Q. Other than clothing, do you sell anything else at  
11 Goodfellas?  
12 A. Shoes.  
13 Q. Okay. Fragrances?  
14 A. Yes.  
15 Q. Anything else? Hand bags, jewelry?  
16 A. Yes, I do. Same companies that I buy from.  
17 Q. Anything else?  
18 A. Nah.  
19 Q. When you go to like the trade shows or go over to the  
20 hotels in Novi, do you ever go with Mohammed or  
21 Ibrahim?  
22 A. Nah, never.  
23 Q. Have you ever had merchandise -- have you ever sold  
24 merchandise or purchased merchandise from Off Da Hook  
25 or Hook Up and say you are running low on something

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1 and you call up Mo and say look, I need this, do you  
2 have any of that?  
3 A. No.  
4 Q. So, it's your testimony that there's never any  
5 purchasing or selling of merchandise between the two  
6 stores?  
7 A. No.  
8 Q. Did you ever go to Vegas to the trade show with your  
9 brother or brother-in-law?  
10 A. No.  
11 Q. Have you ever been convicted of a crime in the past  
12 ten years involving any elements of truth or  
13 dishonesty?  
14 A. No.  
15 Q. Have you ever been convicted of a crime in the past  
16 ten years?  
17 MR. YOUSIF: I'm going to object to  
18 relevance.  
19 MS. DAMICO: That's okay.  
20 BY MS. DAMICO:  
21 Q. Go ahead. Have you ever been arrested for a crime in  
22 the past 15 years?  
23 MR. YOUSIF: Again object to relevance.  
24 BY MS. DAMICO:  
25 Q. You can answer.

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1 A. No.  
2 Q. In the past ten years have you ever been arrested for  
3 any crimes?  
4 MR. YOUSIF: Object to relevance.  
5 A. No.  
6 BY MS. DAMICO:  
7 Q. Other than putting the Goodfellas tag on the clothing  
8 with your SKU number, any other type of markings you  
9 do to identify the merchandise is yours?  
10 A. No other markings. I just put sensors.  
11 Q. Okay, the sensors?  
12 A. Yeah.  
13 Q. I want to ask you about the incident on I believe it  
14 was December 12th, 2007.  
15 A. Yes.  
16 Q. You had been in operation for approximately one year?  
17 A. Yes.  
18 Q. Out of this new location?  
19 A. Right.  
20 Q. Do you know what your gross sales were for Goodfellas  
21 within this one-year period? You can give me an  
22 approximation.  
23 A. I don't know the exact number. It was probably over  
24 one million, but --  
25 Q. Were you working on that day?

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1 A. I wasn't in the store yet, no.  
2 Q. What time -- what are the store hours?  
3 A. Ten to eight.  
4 Q. Every day but Sunday?  
5 A. Sunday was 11 to 7.  
6 Q. But Monday through Saturday ten to eight?  
7 A. Oh, no. Thursday until nine, ten to nine, Friday ten  
8 to ten, Saturday ten to ten.  
9 Q. Okay. So, just Monday and Tuesday were ten to eight?  
10 A. Monday, Tuesday and Wednesday.  
11 Q. How did you first learn that something was going on at  
12 the Goodfellas store?  
13 MR. YOUSIF: I'm going to object to the  
14 form of the question.  
15 BY MS. DAMICO:  
16 Q. Did something unusual or out of the ordinary happen on  
17 12-12-07 at the Goodfellas store?  
18 A. Yes, I believe my wife called me. She was watching  
19 the cameras at home.  
20 Q. You have surveillance cameras in the store --  
21 A. Yes.  
22 Q. And you have feedback at your house?  
23 A. Yes.  
24 Q. Tell me where the cameras are located on the store.  
25 A. All over the store.

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1 Q. Is that through some kind of security system? Is  
2 there a brand name?  
3 A. Yes.  
4 Q. What is it?  
5 A. Called Web Cam.  
6 Q. Okay. And tell me at your home is Marie Street?  
7 A. Yes.  
8 Q. Do you have an office where these monitors are  
9 located?  
10 A. No office. It was just on the computer in the room.  
11 Q. And when you get this web feedback to the home  
12 computer, is it like split up on screens or you just  
13 get one image?  
14 A. Yeah, it's split up on screens.  
15 Q. How many camera views can you watch at a time?  
16 A. Fifteen.  
17 Q. And are they still pictures or are they actual live --  
18 A. Live.  
19 Q. Do you have any type of alarm or monitor at home so if  
20 something is going on, you get some movement, it  
21 alerts you or do you just keep it periodically?  
22 A. I used to keep the screen up when I'm not at the  
23 store, I used to keep the screen up. It was around  
24 December we got busy, every year around December I  
25 keep the monitor.

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1 Q. Where is the monitor located in your home?  
2 A. Downstairs in one of the rooms.  
3 Q. In a bedroom?  
4 A. Yes.  
5 Q. When the cameras are going and you are getting the  
6 feed at your house, is it being recorded on any type  
7 of machine?  
8 A. Yes.  
9 Q. What is it recorded on, like a VCR or CD-ROM?  
10 A. CD-ROM.  
11 Q. And does that CD-ROM loop over at some period of time?  
12 A. Yes, it does.  
13 Q. What's the looping cycle?  
14 A. I'd say about seven days.  
15 Q. Every seven days?  
16 A. Yes.  
17 Q. If you saw something going on on your monitors and you  
18 know it was being recorded, you could save that  
19 portion and like show it to the police or whatever you  
20 had to do?  
21 A. Yes, I can.  
22 Q. Okay. Do you do anything after seven days, do you  
23 put a new CD in and save everything or do you let it  
24 loop over?  
25 A. I only save when an incident happens.

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1 Q. Okay.  
2 A. Because it takes space on my hard drive.  
3 Q. Okay. Did you save the video recording from this day?  
4 A. Yes, I did.  
5 Q. And was that turned over to the police?  
6 A. What do you mean turned over to the police?  
7 Q. Did you give it to anyone?  
8 A. No.  
9 Q. Do you still have it?  
10 A. Yes.  
11 Q. And that's where, at your house on Marie Street?  
12 A. It's on a flash drive.  
13 Q. If I wanted to obtain that, would I call it video  
14 surveillance CD-ROM from 12-12-07, would you know what  
15 I'm talking about?  
16 A. Yes.  
17 Q. Have you had an opportunity since this incident to  
18 look at it?  
19 A. Yes, I did.  
20 Q. And how long of a period of time is recorded on this  
21 CD-ROM?  
22 A. From the time they went in the store until they  
23 unplugged the plug out of the computer at the store.  
24 Q. Okay. Can you tell me approximately how much footage  
25 that is?

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1 A. That was, say, from 2:20 p.m. 'til probably military  
2 time it recorded 17:50.  
3 Q. So, at 5:50?  
4 A. Yes.  
5 Q. So, a little more than three hours?  
6 A. Yes.  
7 Q. Okay. So, your wife happens to be watching the  
8 monitor and says what to you?  
9 A. Says what's going on in your store, you've got a lot  
10 of police at the store.  
11 Q. Okay. So, what did you do?  
12 A. I tried to call the store and nobody answered. I  
13 called next door, there is a party store right next  
14 door to us. Nobody was answering there. None of the  
15 employees were answering their cell phones or the  
16 store phones. So, I called the party store next door  
17 to us to find out what was going on.  
18 Q. And what did they tell you, if anything?  
19 A. They said that they're not letting anybody in and I  
20 can't find out what's going on for you because they  
21 got the door locked and they're inside.  
22 So, what I did, yeah, I went to a friend's  
23 shop on Warren by the store to look at the cameras.  
24 Q. You can upload your footage --  
25 A. Anywhere.

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1 Q. Why didn't you go to the store?  
2 A. Because I wanted to find out what was going on first  
3 before I went. I had to call my attorney because  
4 everybody said they are tearing up the store like a  
5 drug raid.  
6 Q. Who was your attorney that you called?  
7 A. At the time it was Jim Feinberg.  
8 Q. So, you called Mr. Feinberg?  
9 A. Yes, and he advised me not to go there without him. I  
10 said I'm right by, I'm about two blocks away.  
11 MR. YOUSIF: Let me object to anything, any  
12 conversation you had with Mr. Feinberg as protected by  
13 the attorney-client privilege.  
14 MS. DAMICO: That's fine.  
15 BY MS. DAMICO:  
16 Q. So, you went to a friend's place, what was it called?  
17 A. Italia Collision.  
18 Q. And is that located on Warren?  
19 A. Yes.  
20 Q. And you know the owner?  
21 A. Yes.  
22 Q. What's his name?  
23 A. John -- I don't know, Cassar probably, C A S S A R.  
24 Q. Okay. Did you punch up your cameras on his computer?  
25 A. Yes.

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1 Q. And did Mr. Feinberg meet you at Italia at some point  
2 or what happened?  
3 A. No, he met me at outside of the store.  
4 Q. Okay. Did anyone else accompany you and Mr. Feinberg  
5 to Goodfellas the first time -- when you went over  
6 there in the afternoon?  
7 A. There was another attorney from Alex & Associates.  
8 His name was Philip -- his last name is hard to  
9 pronounce. It starts with a K. Philip K.  
10 Q. Did you know him?  
11 A. Yes, I did.  
12 Q. Did you contact Phillip?  
13 A. Yes, I did.  
14 Q. Okay. Have there ever been any type of incident like  
15 this at Goodfellas or any other store you operated  
16 prior to this?  
17 A. No.  
18 Q. Had you ever been involved in a police seizure or  
19 search with a search warrant prior to this?  
20 A. No.  
21 Q. So, you get to the store with these two gentlemen.  
22 Anyone else accompany you?  
23 A. No.  
24 Q. What did you do when you got there?  
25 A. We walked in with the attorney.



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1 Q. Okay. Did you speak with anyone that was in the  
2 store?  
3 A. Yes, Officer Montgomery.  
4 Q. Okay. Is that a male or a female?  
5 A. Female.  
6 Q. And what did she tell you?  
7 A. My attorney tried to speak to her, ask her what was  
8 going on. She advised that she talked to the  
9 supervisor which was -- what was his name, trying to  
10 remember. Sam, his name was Sam -- I don't know his  
11 last name. He's a Wayne County sheriff guy.  
12 Q. Did you ask what the heck's going on in here?  
13 A. Yes.  
14 Q. Okay. And did anyone give you any information as to  
15 why Wayne County sheriffs were in your store?  
16 A. Yes, they said that they have -- they had some Macy's  
17 clothing in the store that was stolen and -- at my  
18 store at the time and counterfeit merchandise.  
19 Q. Okay. Were you arrested at the scene?  
20 A. No.  
21 Q. Were you ever arrested in conjunction with this  
22 incident?  
23 A. No.  
24 Q. Other than Wayne County sheriffs being in your store,  
25 were there any other people that you identified as

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1 either Macy's employees or people from other  
2 businesses?  
3 A. Yes, it was Macy's.  
4 Q. How did you know that?  
5 A. My employees told me because they heard them speaking  
6 to the Wayne County sheriff guys.  
7 Q. Did you talk to anyone from Macy's?  
8 A. No, I didn't.  
9 Q. Other than talking to this Sheriff Montgomery, did you  
10 talk to anyone else?  
11 A. To my employees.  
12 Q. Okay. When you say -- what employees were present?  
13 A. It was Virginia Smith.  
14 Q. Okay.  
15 A. Ashley Young and David Burton.  
16 Q. Okay. Did the sheriffs let you talk to them in  
17 private or did they separate you or --  
18 A. No.  
19 Q. You were allowed to talk to them?  
20 A. Yes.  
21 Q. What did these employees tell you?  
22 MR. YOUSIF: Object to hearsay.  
23 BY MS. DAMICO:  
24 Q. You can answer.  
25 A. They told me that they pointed out the Macy's people.

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1 I said how did you know it was Macy's, because they  
2 had a conversation in the store they were taking down  
3 stuff that didn't belong there and one of the Macy's  
4 employees said oh, we don't sell that at the store,  
5 don't take that. It was the Ed Harding clothing line  
6 they were about to take, and one of the girls  
7 responded said don't take that, we don't sell that at  
8 the store.  
9 Q. Were you ever presented with a copy of the search  
10 warrant?  
11 A. Yes.  
12 Q. Were you presented with it at the store on that day?  
13 A. Yes.  
14 Q. And what's the search warrant -- do you recall what  
15 was listed in the search warrant?  
16 A. It had some brand names. I think it was Coogi. I  
17 recall it was Coogi brand names and I'm not sure what  
18 else.  
19 Q. Did you have an opportunity to or did you stay and  
20 watch the sheriff and other people actually take the  
21 merchandise out of your store?  
22 A. Yes, I did.  
23 Q. Did you notice any one person that you deemed to be in  
24 charge of the operation?  
25 A. Yes.

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1 Q. Who was that?  
2 A. Sam.  
3 Q. Sam the Wayne County supervisor?  
4 A. Yes. Milanovich. I just remembered his last name.  
5 Q. I know that you've alleged about three hundred  
6 thousand dollars worth of merchandise was seized.  
7 With respect to the merchandise that you had in the  
8 store, in your opinion what percentage of merchandise  
9 was taken in this raid?  
10 A. About 70 percent.  
11 Q. And were these people who were taking the merchandise,  
12 were they -- in your opinion were they taking it in  
13 any type of organized fashion or were they just taking  
14 it?  
15 A. No organized fashion. They were just throwing it in  
16 boxes, on the floors, stepped on. It appeared like  
17 they were taking it and it was never going to come  
18 back. That's how they treated it.  
19 Q. With respect to these people identified as Macy's  
20 employees, did your employees point out to you which  
21 people they thought were from Macy's?  
22 A. Yes.  
23 Q. How many were there?  
24 A. I believe it was about four people, but they pointed  
25 out two for sure.

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1 Q. Male, female?  
2 A. Female, one male, one female.  
3 Q. Did you get the names of these people?  
4 A. No.  
5 Q. So, in your opinion did you believe there were two  
6 definitely people there at the raid from Macy's?  
7 A. Yes. If they need to find out more, I have them on  
8 camera.  
9 Q. And if we took a look at this camera, you can point  
10 out which people you are talking about?  
11 A. Yes.  
12 Q. How long were you -- what time did you get to the  
13 store?  
14 A. Say about 4, between 4 to 4:30.  
15 Q. And your wife alerted you to what was going on about  
16 2:00?  
17 A. About 2:30.  
18 Q. You are alerted at about 2:30. You get there about an  
19 hour and a half to two hours later?  
20 A. Yes.  
21 Q. This one-and-a-half to two hours was spent at Italia  
22 Collision?  
23 A. Yes. I spent about 45 minutes at Italia.  
24 Q. Okay. Where was the rest of your time spent?  
25 A. Up and down the street waiting for my attorney at the

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1 time to show up.  
2 Q. Did you watch the cameras during that 45 minutes at  
3 Italia?  
4 A. Yes, I did.  
5 Q. When you were driving up and down the street I take it  
6 you weren't watching?  
7 A. No.  
8 Q. So, you spent about -- for the one-and-a-half to two  
9 hours before you got to the store, you spent about  
10 half that time at Italia watching the cameras and  
11 about another half of that time walking around  
12 waiting?  
13 A. Yes.  
14 Q. With respect to these two people that you identified  
15 as Macy's employees, were they at all directing what  
16 was going on during the raid? When you say directing,  
17 were they telling the other people what merchandise to  
18 put in boxes, where to put it, anything like that that  
19 you noticed?  
20 A. When they first started I believe they started writing  
21 descriptions of the merchandise they were taking.  
22 Q. Is this something you viewed from the cameras or when  
23 you got to the store?  
24 A. When I got to the store.  
25 Q. We are talking about once you got to the store?

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1 A. Uh-huh.  
2 Q. What did you observe these Macy's people doing?  
3 A. I observed them taking random clothing off the walls  
4 and putting them in boxes. They weren't looking at  
5 SKU numbers, they weren't looking at anything, they  
6 were just taking merchandise down with the poles and  
7 putting them in boxes.  
8 Q. And they were doing this along with --  
9 A. Wayne County.  
10 Q. How many Wayne County sheriff deputies or people with  
11 Wayne County do you believe were there?  
12 A. They were in and out. I don't remember.  
13 Q. More than ten?  
14 A. More than -- I'd say more than ten, yes.  
15 Q. More than 20?  
16 A. No.  
17 Q. Does your video take down sound or is it just visual?  
18 A. Just visual.  
19 Q. Is there any way that you can record the sound as  
20 well?  
21 A. Yes, there is a way.  
22 Q. And with respect to the CD-ROM you are going to give  
23 me, does it have any sound on it?  
24 A. No, it doesn't.  
25 Q. How do you activate the sound?

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1 A. I didn't have it at the time.  
2 Q. Okay. But you can do that now?  
3 A. Yes.  
4 Q. How do you do it?  
5 A. It's a microphone that goes in the DVR which is in the  
6 computer.  
7 Q. Okay. When you were at the store, where did -- did  
8 you move around or did they tell you to stay in one  
9 place?  
10 A. Yes, I moved around.  
11 Q. At any time during the time your property was being  
12 seized and you were there, these two people that you  
13 identified as Macy's employees, did they ever direct  
14 Wayne County sheriff what to do during this raid, what  
15 property to take, where to put it?  
16 A. I don't remember.  
17 Q. This --  
18 A. Right now.  
19 Q. This Sam who you say was in charge --  
20 A. Milanovich.  
21 Q. Milanovich, was he telling people what to do?  
22 A. No, he was -- most of the time he was in the office.  
23 Q. Okay. Was there anyone that you thought to be or that  
24 you in your opinion was in charge of telling the  
25 deputies and the other Macy's employees what to do

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1 during this raid.  
2 A. I don't remember.  
3 Q. Okay.  
4 A. They were all -- they were all acting, they were all  
5 busy taking merchandise and putting it in boxes.  
6 Q. Okay.  
7 A. I believe one of the Wayne County sheriff guys called  
8 a group of people to take my New Era hats. I'm not  
9 sure if they were with Macy's or who they were.  
10 Q. They came sometime after?  
11 A. It was sometime during the raid.  
12 Q. While you were there?  
13 A. While I was there.  
14 Q. And you don't know who these people were with?  
15 A. No.  
16 Q. You don't know if they were sheriff department  
17 employees or private --  
18 A. Probably private company that works for New Era, the  
19 hat company.  
20 Q. Do you have any facts or evidence that these people  
21 who came to take the New Era caps were agents,  
22 employees or representatives of Macy's?  
23 A. I really don't know who they were with. They were all  
24 together. Everybody was together.  
25 Q. Okay. Other than these New Era people who came in

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1 later being the people who you thought were Macy's  
2 employees and Wayne County sheriff deputies, did you  
3 identify any other people there being with any other  
4 company or entity?  
5 A. No.  
6 Q. Was your home searched in conjunction with this whole  
7 operation?  
8 A. No.  
9 Q. Did you call either Ibrahim or Mohammed during this  
10 seizure?  
11 A. I believe I called Mohammed because Sam Milanovich  
12 talked to my attorney about what was going on and why  
13 this was going on. I tried to call him. He wouldn't  
14 answer.  
15 Q. Okay. You obviously were questioned during this raid?  
16 A. Yes.  
17 Q. Okay. In the presence of your attorneys?  
18 A. Yes.  
19 Q. Did you answer the questions or were you instructed by  
20 your attorneys not to answer?  
21 A. I'm not sure if I was questioned -- I think I was.  
22 They asked me if I knew what was going on. I said I  
23 didn't know what was going on.  
24 Q. Did they ask you directly were you selling stolen or  
25 counterfeit merchandise?

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1 A. Yes, they did.  
2 Q. What did you respond?  
3 A. No, I responded no.  
4 Q. Do you know -- after -- they left which was about  
5 what, 5:30ish?  
6 A. About 6:00.  
7 Q. About 6:00? What did you do after that?  
8 A. We -- I had all employees stay over to put the store  
9 back together because the store was tore up and that's  
10 it. That was it.  
11 Q. Did you ever find out what happened to Ibrahim and  
12 Mohammed as a result of this incident?  
13 A. I found out during that time. Sam Milanovich informed  
14 me.  
15 Q. And what did you find out?  
16 A. That they were arrested.  
17 Q. Arrested for selling counterfeit merchandise?  
18 A. No, Sam Milanovich just told me that -- he asked me  
19 who was Mohammed, I said that's my brother and I  
20 believe he asked about Ibrahim, I said that's my  
21 brother-in-law. He said they both got arrested. He  
22 didn't tell me why they were arrested but I believe it  
23 was in connection with this.  
24 Q. While Goodfellas was operating from December 2006 to  
25 December 2007, did you ever purchase any merchandise

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1 to sell in your store from Mohammed, your brother?  
2 A. No.  
3 Q. During that same time period did Mohammed ever bring  
4 you merchandise and say here, you can sell this in  
5 your store?  
6 A. No.  
7 Q. Whether or not you bought it from him or not?  
8 A. No.  
9 Q. Did you ever -- from December 2006 to December 2007,  
10 did you ever receive any type of merchandise from  
11 Mohammed to place in the Goodfellas store?  
12 A. No.  
13 Q. Same question with Ibrahim from 2006 to 2007 did you  
14 ever purchase merchandise from Ibrahim to sell at the  
15 Goodfellas store?  
16 A. No.  
17 Q. Did you ever receive merchandise from Ibrahim during  
18 this same period to purchase merchandise to sell in  
19 the Goodfellas store?  
20 A. No.  
21 Q. After your merchandise -- or after when the cops were  
22 leaving, did they say look, call us at this number, we  
23 can talk, did they give you any kind of contact  
24 information about your merchandise?  
25 A. No. My attorney advised them, Jim Feinberg, he had

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1 contact with Sam Milanovich I believe, and he wanted  
2 all the invoices of the property. I said they have it  
3 all. At the time Jim Feinberg said I can save you a  
4 lot of trouble. The guy's saying he has all the files  
5 for this merchandise in his folders you are taking  
6 right now, just open them up and look at them.  
7 Q. Right.  
8 A. Sam Milanovich just ignored him and went ahead, kept  
9 doing what he was doing.  
10 Q. Okay. At some point your merchandise was returned to  
11 you, correct?  
12 A. Yes.  
13 Q. Are you contending any of the merchandise that was  
14 taken was not returned to you?  
15 A. I didn't count it. I didn't count it at the time. I  
16 just went with what they said they took, but I noticed  
17 a lot of missing stuff.  
18 Q. Did you make a list or write anything down? If you  
19 had to figure out how much was missing, how would you  
20 do it? Is there any way to do it?  
21 A. There was certain brands of hats that were missing.  
22 Q. Okay.  
23 A. That's one. There was about six leather jackets,  
24 expensive jackets, Pelle Pelle, that I'm sure a  
25 hundred percent were missing.

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1 Q. How much do those things retail for?  
2 A. The Pelle jackets were retailing about a thousand  
3 dollars or a little over.  
4 Q. Okay. How many hats did you think were missing?  
5 A. It was about six style of hats that were missing.  
6 Q. Six styles --  
7 A. I'd say anywhere between 10 to 30 hats were missing.  
8 Q. How much did you retail sell those for? You can give  
9 me approximate.  
10 A. Retail was about 35 dollars.  
11 Q. Anything else missing?  
12 A. No.  
13 Q. When did you get this merchandise back?  
14 A. I believe it was May of '08, May or June, I'm not  
15 sure.  
16 Q. Okay.  
17 A. It's over six months after they raided.  
18 Q. It's my understanding that you filed an action in the  
19 courts to get the merchandise back?  
20 A. Yes, I did.  
21 Q. And in that action that you filed with the courts, you  
22 just brought that against Wayne County?  
23 A. I'm not sure about that.  
24 Q. If you know. Did you bring it just against Wayne  
25 County if you know?

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1 A. Yes, I believe so.  
2 Q. Did you bring any type of action against Macy's to get  
3 your product back?  
4 A. I don't think -- no, I don't think so.  
5 Q. When this action was filed with the court to get your  
6 merchandise back, did you believe at that time that  
7 Macy's did anything wrong?  
8 A. Yes, I did.  
9 Q. What do you believe Macy's did wrong?  
10 A. I believe that Macy's -- that's what I believe, I  
11 believe they did it because I'm their competition.  
12 Q. So, you believe that this -- okay. You believe Macy's  
13 thought you were their competition and they were  
14 trying to put you out of business?  
15 A. Yes, because the way they did it, they just took  
16 everything randomly.  
17 Q. Do you know if it was Macy's decided what to take or  
18 --  
19 A. Yes.  
20 Q. What proof do you have, what facts or evidence do you  
21 have that Macy's decided which merchandise to take  
22 during the raid?  
23 A. Because after this was over, I went to one of the  
24 sides that I believed Macy's employees were and I saw  
25 a lot of tags popped off my clothing.

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1 Q. What are you talking about, where did you go?  
2 A. One of the spots in the store, certain area where they  
3 popped tags off my clothing.  
4 Q. This is before the raid or --  
5 A. After the raid.  
6 Q. Did you see them pop the tags off your clothing?  
7 A. I viewed the cameras and I believe one of the people  
8 there that I think it was Macy's were popping -- one  
9 of the girls ripping the tags off the clothing.  
10 Q. But they left that clothing?  
11 A. They took the clothing and they left the tags under  
12 the shelving.  
13 Q. Why do you believe that they popped the tags, what was  
14 the purpose?  
15 A. So they could probably put their own tags -- I'm not  
16 sure. So, they could put their own tags on. They  
17 could say well, this was Macy's. That's what I  
18 believe.  
19 Q. You believe they were setting you up, popping off your  
20 tags, putting on Macy's tags later to say it was  
21 stolen?  
22 A. Yes, and the tags that were popped off were put in an  
23 envelope and I gave them to my attorney.  
24 Q. You have these tags -- what do we call, these tags  
25 that were popped off?

1 A. Yes, tags with the stickers on them, with my  
2 Goodfellas stickers on them.  
3 Q. Did you actually see anyone pop off these tags?  
4 A. I viewed the camera. It was blurry, but I kept  
5 noticing that girl in the same spot, I couldn't see  
6 the tag in her hand but she was going like this.  
7 (Indicating)  
8 Q. This girl you believe to be a Macy's girl?  
9 A. Yes, dark tan, heavy set girl.  
10 Q. Black or white?  
11 A. She looked Latino.  
12 Q. Latino, heavy set. Give me her age approximately.  
13 A. Say over 25.  
14 Q. You just believe she was with Macy's, you're not  
15 certain?  
16 A. Yes.  
17 Q. Okay. So, I asked you what facts and evidence you  
18 have that you believe -- first I asked you if you  
19 believed it was Macy's who was directing the raid and  
20 you said yes, and I asked you what facts and evidence  
21 you had, and you just told me because Macy's directed  
22 the raid because they went to the store and Macy's  
23 popped off the clothing tags. So, that's the facts  
24 you have that you believe Macy's was in charge of this  
25 raid?

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1 Goodfellas out of business other than a feeling and  
2 this lady's comment?  
3 A. I had a friend of mine that used to shop at  
4 Goodfellas, he's with the Wayne County Sheriff  
5 Department. They called -- I knew him by the name of  
6 -- he hasn't been to my store after the incident  
7 because he didn't want to get involved. He was upset.  
8 His name was Big Greg I believe.  
9 Q. He was a Wayne County sheriff?  
10 A. He was a Wayne County sheriff, undercover. He came to  
11 the store the next day. After talking to his friends  
12 at the Wayne County Sheriff Department, he was telling  
13 me I think they made a big mistake at your store, they  
14 took a lot of stuff they shouldn't have took and they  
15 are saying -- I'm not sure who was they, he said the  
16 people that came in here are saying that Macy's got  
17 them in this mess.  
18 That's another reason that I believe Macy's  
19 had something to do with it.  
20 Q. Okay. Any other facts or evidence you plan to  
21 introduce at trial to prove your allegation that  
22 Macy's was trying to put Goodfellas out of business  
23 and that's why they started this whole business, the  
24 raid?  
25 A. Not at this time.

1 A. I had -- well, after -- a day after the incident or a  
2 couple days when they had it on the news, one lady  
3 that said she worked for Macy's customer service, I  
4 believe I still have her name and number, I wrote it  
5 down, she made a comment saying that every time a  
6 customer came and returned something to Macy's,  
7 they'll ask them like -- they'll ask the customers why  
8 are they returning it. They responded I could get a  
9 better deal at Goodfellas, and that probably piled up  
10 and --  
11 Q. That was one of the reasons --  
12 A. One of the reasons I believe that Macy's had something  
13 to do with it.  
14 Q. Now, when you say you believe that Macy's is trying to  
15 put you out of business, do you believe it's Macy's  
16 corporate or just a certain Macy's store?  
17 A. Certain Macy's store.  
18 Q. What certain Macy's store are you talking about?  
19 A. Fairlane Mall.  
20 Q. Is that where this lady, this customer service lady  
21 was from?  
22 A. Yes.  
23 Q. Do you have any other facts or evidence that you plan  
24 to introduce at the trial of this matter to  
25 substantiate your claim that Macy's was trying to put

1 Q. Other than Goodfellas, do you know if Macy's was  
2 trying to put your brother's and brother-in-law's  
3 business out of business?  
4 A. I'm not sure of their business. I'm not thinking  
5 anything what happened with them.  
6 Q. Do you know if Macy's -- do you know if the Wayne  
7 County sheriff found any stolen or counterfeit  
8 merchandise at Mohammed's store or Ibrahim's store?  
9 MR. YOUSIF: I'm going to object.  
10 MS. DAMICO: I'm asking if he knows.  
11 A. I don't know what they found. I believe they did.  
12 BY MS. DAMICO:  
13 Q. Okay.  
14 A. They tried to tie Goodfellas with their business.  
15 Q. Okay. Do you know if that stolen merchandise that  
16 they found was Macy's merchandise?  
17 A. I don't know if they found any stolen merchandise at  
18 their businesses.  
19 Q. Of all the items that were seized from your store, do  
20 you know if any of the items seized were stolen  
21 merchandise from Macy's?  
22 A. Well, according to Wayne County sheriffs, that's how I  
23 found out.  
24 Q. What did they tell you?  
25 A. They found some merchandise in the store that belonged

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1 to Macy's.  
2 Q. Did they tell you what items they found that they  
3 believed was stolen merchandise from Macy's?  
4 A. They didn't tell me at the time, no.  
5 Q. Do you know now?  
6 A. I believe so, yes.  
7 Q. What do you believe?  
8 A. Coogi items that were the same exact ones that I sold  
9 at Goodfellas. I think it was some jeans and about  
10 three shirts, three, four shirts.  
11 Q. If these items were proven to be Macy's merchandise at  
12 your store, do you know how it got to your store?  
13 A. Right now I do, yes.  
14 Q. Tell me.  
15 A. By Mohammed bringing it inside, he had it in a plastic  
16 bag, he brought it to the back room with a 15-inch TV  
17 that was still in the box at the time, put it in the  
18 back room of Goodfellas.  
19 Q. How did you find this out?  
20 A. Afterwards.  
21 Q. Who told you?  
22 A. Mohammed.  
23 Q. Did you ask Mohammed how the H he did that?  
24 A. He said he was around the area, he left them in the  
25 back. He said the TV was for -- he brought it so I

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1 could put it -- to give it to one of my kids, but I  
2 never knew about it until the day they took it. It  
3 was still in the back room.  
4 Q. And with respect to the clothing, did you ask him why  
5 he brought that to your store?  
6 A. Afterwards.  
7 Q. What did he tell you?  
8 A. He said they were his and then he never came back and  
9 took them.  
10 Q. Did you ask him where he got the clothing that was in  
11 those bags?  
12 A. Afterwards?  
13 Q. What did he tell you?  
14 MR. YOUSIF: Object to hearsay.  
15 BY MS. DAMICO:  
16 Q. You can tell me.  
17 A. He said he got them from -- after he got caught he  
18 said that he got them from a guy that was offering him  
19 low prices and it was the same stuff that was a  
20 hundred something at my store, so, he was getting  
21 them.  
22 Q. Getting them?  
23 A. For his -- for him.  
24 Q. For his store?  
25 A. For his own use.

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1 Q. And he left them in your store?  
2 A. Left them in my store.  
3 Q. Why did he bring them to your store?  
4 A. Because he told me he was around the area. He doesn't  
5 come to my store that much.  
6 Q. How did he get in your store?  
7 A. Through the front door.  
8 Q. Were you there when he came in?  
9 A. No, I wasn't.  
10 Q. Do you know what day he brought those items to your  
11 store?  
12 A. I don't know.  
13 Q. Did you ask him?  
14 A. No, I didn't ask him the date. I just knew he came  
15 and brought them to my store.  
16 Q. Did you find out after the raid that the items in the  
17 bags and the TV were stolen merchandise?  
18 A. Yes, I did.  
19 Q. And who told you that?  
20 A. Wayne County when they took the TV and all they took  
21 from the back room was the TV.  
22 Q. Okay.  
23 A. It was still in the box laying.  
24 Q. In the box?  
25 A. Yeah.

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1 Q. Did you ask Mohammed where he got the TV?  
2 A. No, I didn't. I'm not sure if Macy's sells TVs, I'm  
3 not sure.  
4 Q. Did you ask him where he got the clothing?  
5 A. Yes, I did.  
6 Q. And he told you Macy's?  
7 A. From a guy that was --  
8 MR. YOUSIF: I'm going to object to  
9 hearsay.  
10 A. He didn't tell me Macy's, he just said from a guy that  
11 was selling it.  
12 BY MS. DAMICO:  
13 Q. Those clothes that were in those bags, were those on  
14 the floor for sale at your store?  
15 A. I don't believe so.  
16 Q. Do you know if those clothes that were in the bags  
17 dropped off by Mohammed were on the floor for sale at  
18 your store?  
19 A. After the raid I did.  
20 Q. Okay. What did you learn?  
21 A. I learned that they were tagged by Goodfellas, by the  
22 employees, that the employees go in there like twice  
23 to the back two or three times a week and organize the  
24 back, and if there is any merchandise in the back room  
25 that should be on the floor, they put it out.

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1 They were put out by Ashley, and when I  
2 asked Ashley why did you put them out if you knew they  
3 weren't -- she said I didn't know, they were just  
4 sitting there in the bag and they didn't have nothing  
5 on it. I thought they were on hold for customers or  
6 some customers put them on hold and she put them on  
7 the floor.  
8 Q. What's Ashley's last name?  
9 A. Young.  
10 Q. Now, Ashley no longer works for you?  
11 A. No.  
12 Q. Do you have a last known address and telephone number  
13 for Ashley?  
14 A. Not right now. I have it at the store.  
15 Q. You can get that for me?  
16 A. Yes, I have it. Because one of the girls at the store  
17 still talks to her.  
18 Q. Who is that?  
19 A. Virginia Smith.  
20 Q. She was also there on the day?  
21 A. Yes, she was.  
22 (Recess taken at 12:23 p.m.)  
23 (Back on the record at 12:36 p.m.)  
24 BY MS. DAMICO:  
25 Q. We were talking before about your two employees,

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1 specifically it was Ashley who took the clothes out of  
2 the bags that were put there by Mo and put out there  
3 on the sales floor?  
4 A. Yes.  
5 Q. Because she thought they were on hold for someone?  
6 A. Yes.  
7 Q. Do you know how many items were in that bag that were  
8 put on the floor, is that the jeans and the shirts we  
9 already talked about?  
10 A. Yes, she said about three jeans and two tops.  
11 Q. All Coogi?  
12 A. Coogi, matching items, the tops matched the bottoms.  
13 Q. After the raid you talked to Mohammed and said they  
14 were stolen items from Macy's?  
15 A. He didn't say it was stolen items, he just said he  
16 bought them off a guy.  
17 Q. So, sometime after the raid did you find out that  
18 those three jeans and two tops were actually Macy's  
19 items that were stolen?  
20 A. Yes, I did.  
21 Q. How did you find that out?  
22 A. By Mohammed after he went -- I think he went to court  
23 for it.  
24 Q. Okay.  
25 A. And I believe they told him it was a setup, they were

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1 stolen merchandise from Macy's for this purpose.  
2 Q. Someone sold them --  
3 A. Yes.  
4 Q. And Mohammed bought them from this guy?  
5 A. Right. I don't know his name.  
6 Q. You believe this guy was selling them to set up  
7 Mohammed?  
8 A. That was the same guy -- that same guy came to my  
9 store the day before the raid and tried to sell the  
10 girls cologne and asked if the boss was there. One of  
11 the girls came upstairs, I was in the office. It was  
12 Ashley, she came upstairs. That's how she identified  
13 that guy, said that's the same guy.  
14 She pointed him out, said that's the same  
15 guy that was here yesterday. She came to my office,  
16 knocked on the door and said there is a guy downstairs  
17 that has cologne for sale, fragrances and said he got  
18 a good deal, they are from Macy's, he got them from  
19 Macy's.  
20 I told her exactly, I said you go down  
21 there and tell that guy if he doesn't leave my store  
22 right now I'm going to go down and break his neck.  
23 That's exactly what I told her. She went down there.  
24 I started yelling at her. So, she went down there, I  
25 believe she told him and he left.

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1 I didn't look at cameras, I was probably on  
2 the phone busy and she came in talking to me about  
3 that, knocking on my door to bother me about it. I  
4 didn't notice, I didn't look at the camera or  
5 anything. I didn't know if it was -- I didn't know it  
6 was him until they told me. They pointed him out the  
7 day of the raid and said that's the guy that tried to  
8 sell us cologne.  
9 Q. He was in the store participating in the raid?  
10 A. Yes.  
11 Q. He was Wayne County?  
12 A. He was Wayne County, tall older guy with glasses.  
13 Q. African-American or what?  
14 A. Yes.  
15 Q. Sometime later Mohammed identified this man he bought  
16 Macy's stuff from?  
17 A. Yes.  
18 Q. So, you were not denying that you had this Macy's  
19 merchandise on the sales floor the day of the raid,  
20 correct?  
21 MR. YOUSIF: Let me object to the form of  
22 the question. I believe this is what he was told. I  
23 don't believe he's in a position to answer that.  
24 A. That's what I was going to say. I was going to say  
25 exactly the same thing he said.

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1 **BY MS. DAMICO:**  
2 Q. So, what you've been told since the accident -- since  
3 the incident is that these Macy's items that were in  
4 this bag were on your sales floor the day of the raid?  
5 A. **That's what I was told, yes.**  
6 Q. Did you know this information before you brought the  
7 action to get your property back or is it something  
8 you learned after that lawsuit?  
9 A. **I learned it after the raid. I'm not sure how many**  
10 **days after the raid.**  
11 Q. But before you brought the action to have your items  
12 returned?  
13 A. **What do you mean? Can you repeat that?**  
14 Q. Before you went to court to get your items returned to  
15 you from Wayne County, you learned about the Macy's  
16 clothes in the bag that were left by Mohammed, you  
17 knew about that?  
18 A. **Yes, I did.**  
19 Q. In fact you were at this hearing, correct, it was in  
20 Wayne County Circuit Court?  
21 A. **No, I wasn't.**  
22 Q. You didn't go to the hearing?  
23 A. **No. The hearing of Mohammed?**  
24 Q. No, your hearing to get your items back.  
25 A. **Yes, I was.**

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1 Q. Did you go to that hearing?  
2 A. **Yes.**  
3 Q. Did anyone from Macy's testify at that hearing?  
4 A. **Not that I know of.**  
5 Q. Did you ever see any affidavits or any sworn documents  
6 by anyone from Macy's at that hearing or prior to that  
7 hearing with respect to your items?  
8 A. **I didn't see any.**  
9 Q. Did you know a person or do you know a person named  
10 Douglas Bucher?  
11 A. **No, I don't.**  
12 Q. Do you know why he's named in your lawsuit against  
13 Macy's?  
14 A. **I asked my attorney who was Douglas Bucher and he said**  
15 **that's one of the people from Macy's that was at your**  
16 **store.**  
17 Q. How come you didn't file against -- or file a lawsuit  
18 against Macy's when you filed a lawsuit against Wayne  
19 County to get your items back?  
20 A. **Because the people with the badges were Wayne County.**  
21 **They are the ones who took the stuff. I knew that**  
22 **Wayne County had the merchandise.**  
23 Q. But at that point you thought that Macy's had done  
24 something wrong, correct?  
25 A. **Yes.**

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1 Q. And you could have sued Macy's at that time but you  
2 elected not to?  
3 A. **I think I wanted to get the merchandise first.**  
4 Q. Okay. When you got that merchandise back, you said --  
5 we talked about you got back everything except the  
6 items you could remember that we just talked about,  
7 the hats and the leather jackets, correct?  
8 A. **Yes.**  
9 Q. What happened to that merchandise?  
10 A. **It's seasonal stuff. In hip-hop clothing almost every**  
11 **month you get something new and it goes out of style,**  
12 **and most of it was winter stuff for Christmas. I had**  
13 **my store loaded with merchandise for the first**  
14 **Christmas at Goodfellas and advertising and all that**  
15 **for winter clothes. When I got it back it was**  
16 **summertime and it was all old, stained, stepped on,**  
17 **wrinkled.**  
18 Q. Where is the clothing now?  
19 A. **I gave a lot away. I gave -- like when customers**  
20 **purchased -- I got a lot of good customers that come**  
21 **to the store and spend money. I gave a lot away. I**  
22 **gave some at 60 percent off. Most of it at 70 percent**  
23 **off just to get some money back.**  
24 Q. Do you have records of how much this merchandise, the  
25 seized merchandise you sold at 60 to 70 percent off?

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1 A. **I could probably get records, yes, because the invoice**  
2 **that I had were mostly Sean John at the time and the**  
3 **main ones were Coogi, purchased a lot of Coogi at the**  
4 **time. I had two walls or three walls full of Coogi.**  
5 Q. Okay. So, these items that you sold at 60 to 70  
6 percent off, you can get me some records or documents  
7 showing me how much of that merchandise you sold at a  
8 discount?  
9 A. **I could probably get some. Because like I said, some**  
10 **of it we gave away.**  
11 Q. And that's my other question. Have you kept track of  
12 what you gave away?  
13 A. **No. I gave an okay to the employees to give customers**  
14 **that spend over a number like over 150 like an item**  
15 **off the racks. We had about eight or ten racks at the**  
16 **time for those merchandise in the store and we told**  
17 **the customers, just go pick yourself -- after the**  
18 **purchase go pick yourself something off the rack.**  
19 Q. Do you have a list of all the merchandise that was  
20 returned to you, an inventory?  
21 A. **No.**  
22 Q. When you got it back, did you take an inventory?  
23 A. **No, I didn't, because I didn't know what went out.**  
24 Q. But when you got it back, you had it all there and you  
25 could have inventoried it?



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1 A. I could have inventoried it but I wasn't that good  
2 with the computer system yet.  
3 Q. You could have -- I'm sorry? I didn't mean to  
4 interrupt you.  
5 A. I wasn't good with the computer system yet because I  
6 didn't know if I re inventoried it, it's still in the  
7 system at Goodfellas.  
8 Q. You could have had an employee or someone count up all  
9 the merchandise you got back and put it into  
10 categories like Coogi, Roca Wear and Sean John, you  
11 could have done that without any computers?  
12 A. I could have did that.  
13 Q. And you didn't do that?  
14 A. I didn't do that, no.  
15 Q. You are claiming in your lawsuit about three hundred  
16 thousand dollars worth of items that were seized and  
17 returned to you either in a condition that you  
18 couldn't sell or were not returned, is that correct?  
19 A. Yes.  
20 Q. Okay. We've already discussed about 90 percent of the  
21 stuff was returned to you, correct?  
22 A. Yes.  
23 Q. But in your opinion it was not sellable because it was  
24 outdated or it was past season?  
25 A. Right.

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1 Q. Or it was wrinkled or stained, correct?  
2 A. Yes.  
3 Q. And in this lawsuit you've got to prove that you  
4 sustained this three hundred thousand dollars worth of  
5 damages. So, I'm asking you these questions as to  
6 what amount you sold what amount so we can figure out  
7 how much of this three hundred thousand you actually  
8 recouped already. Do you understand why I'm asking  
9 you that?  
10 A. Very little. I'm not sure of the number.  
11 Q. Okay. And is there any way other than -- any way you  
12 can figure out how much of that three hundred thousand  
13 dollars worth of merchandise you actually sold, can  
14 you figure that out?  
15 A. I can get with the employees. I could probably get  
16 with the employees to see -- the majority of it was  
17 give-aways. Even at 60 or 70 percent people weren't  
18 buying it.  
19 Q. What do you do when you purchase merchandise at the  
20 trade show, let's say you purchase a bunch of winter  
21 merchandise and at the end of winter you don't sell  
22 it, do you send it back to the manufacturer for any  
23 kind of discount on your order?  
24 A. No, I can't. If it's over 30 days -- I don't order --  
25 I don't over-order -- if I know I need a dozen for my

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1 store, I don't order two dozen.  
2 Q. There are situations where you don't sell everything  
3 you buy?  
4 A. Right.  
5 Q. What do you do?  
6 A. I start out at like 10 percent and then go down to 20  
7 percent and then at the most 30 percent.  
8 Q. What if it doesn't sell at all, do you write it off?  
9 A. Fifty percent.  
10 Q. Is there any items that don't get sold and --  
11 A. Barely. Let's say out of ten thousand dollars worth  
12 of merchandise that I purchase, I probably get left  
13 with about two to three hundred dollars worth.  
14 Q. And what do you do with that?  
15 A. Like if something doesn't match, if they buy all the  
16 pants and there is about two shirts left, I put the  
17 shirts on the rack or if they buy the shirts and there  
18 is pants left, put those in the racks.  
19 Q. What's that called in the retail world when you have  
20 merchandise that you don't sell? It's not called  
21 shrinkage, there's like a term for it.  
22 A. I don't know. The only way I know is put it on the  
23 racks and sell it.  
24 Q. Okay. And there is no -- you don't have any  
25 agreements with any of the manufacturers that if you

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1 don't sell the items, you can give them back to the  
2 manufacturer?  
3 A. No, I don't.  
4 Q. Okay. With respect to the items that you claim were  
5 stained or wrinkled, what happened to those items?  
6 A. Same, they were all put on the racks.  
7 Q. Did you get rid of everything?  
8 A. I'm not sure if there is still any in the back room in  
9 boxes. I'm not sure yet.  
10 Q. Of the 90 percent of the items that you got back that  
11 were seized, how much do you have left do you think?  
12 A. I really don't know.  
13 Q. So, you did make some money off the resale of these  
14 items, you just don't know how much at this point?  
15 A. Yes.  
16 Q. What do you have to prove that three hundred thousand  
17 dollars worth of merchandise was taken? Do you have  
18 invoices? What evidence do you have?  
19 A. I've got invoices of purchases and when I took  
20 pictures, I got pictures before the raid and I got  
21 pictures after bare walls, just like this, bare,  
22 nothing on it.  
23 Q. How did you calculate the three hundred thousand  
24 dollars, how did you come up with that number?  
25 A. I said around three hundred. It wasn't exactly three

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1 hundred.  
2 Q. I understand.  
3 A. It was between two and three hundred.  
4 Q. Okay. Between two and three hundred. How did you  
5 come up with that number?  
6 A. Since I've been in the business, I just estimated, I  
7 estimated the merchandise that were on the walls.  
8 Q. And you do have invoices -- I know you don't know  
9 exactly which ones were taken and which ones weren't,  
10 but you have invoices showing the purchase?  
11 A. I've got invoices from the companies that the  
12 merchandise was taken from.  
13 Q. And if I ask for those invoices, what should I ask for  
14 so we are on the same page?  
15 A. What manufacturer?  
16 Q. Yes.  
17 A. Sean John, Akademiks, Enyce, Pelle Pelle, Coogi, New  
18 Era, Gino Green.  
19 Q. Okay. And if I ask for those invoices -- I just want  
20 to make sure we are clear when I ask for them. So  
21 invoices from these manufacturers that show property  
22 -- show merchandise that was in your store on the day  
23 of the raid?  
24 A. Yes.  
25 Q. Is there a time period I should ask for?

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1 A. Probably for invoices for November and December.  
2 Q. Did you have an opportunity to look at your complaint  
3 that was filed on your behalf? It's the document that  
4 actually starts the whole lawsuit. I've got it.  
5 A. Kind of.  
6 Q. I'm going to hand you -- here's a copy here so we can  
7 each look at one. You can take a second to look at  
8 that.  
9 A. Yes, I looked at this one.  
10 Q. Okay. Can you look at paragraph 18 and 19? Nineteen  
11 specifically. Nineteen says that all defendants knew  
12 or should have known that none of the items seized  
13 were stolen or were of counterfeit nature.  
14 We've already talked about that now and  
15 actually even though you didn't know until after,  
16 there was stolen merchandise in your store seized in  
17 the raid, correct, and you learned about that  
18 afterwards?  
19 MR. YOUSIF: I'm going to object. I don't  
20 think he's answered that he knew the merchandise was  
21 stolen from Macy's, it's what he learned or what he  
22 heard after that items were stolen. Again it's just  
23 to say that he didn't know that they were stolen.  
24 MS. DAMICO: It's his allegations.  
25 BY MS. DAMICO:

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1 Q. Defendants knew or should have known that none of the  
2 items seized were stolen and/or counterfeit in nature.  
3 That's not true, correct?  
4 A. I believe in a way I believe it's true because they  
5 should have had a list of items that they were coming  
6 to seize if there was any, not take the whole store  
7 down.  
8 Q. And do you know if they had a list?  
9 A. I don't believe they had a list. If they would have  
10 had a list, they wouldn't have taken anything.  
11 Q. Number 24 finally upon return of the inventory all  
12 inventory were virtually unsellable.  
13 We talked about that. Unsellable because  
14 they were out of style, wrinkled or stained?  
15 A. Damaged, yes.  
16 Q. Can you estimate that of the property that was  
17 returned to you what percentage was wrinkled or  
18 stained and what percentage was just outdated?  
19 A. Wrinkled, stained, outdated a hundred percent.  
20 Q. The wrinkles, do you have a steamer?  
21 A. No, I don't.  
22 Q. When you get merchandise from a manufacturer, it often  
23 comes wrinkled?  
24 A. No, it comes in plastic on hangers.  
25 Q. Have you ever used a steamer to get wrinkles out?

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1 A. No, because all my merchandise are hung on hangers or  
2 folded up.  
3 Q. Do you know you can get wrinkles out with a steamer?  
4 A. At the dry cleaner, yeah. When I say wrinkled, it  
5 wasn't just like somebody bent a shirt or an item, it  
6 was like how you throw paper in the garbage, that's  
7 how it was, like balled.  
8 Q. As part of your damages your attorneys by way of this  
9 lawsuit are claiming that you had contracts with  
10 third-parties, and I'm assuming namely these  
11 manufacturers that we talked about, and these  
12 contracts were ruined or damaged somehow because of  
13 this raid.  
14 Can you explain that to me?  
15 A. Yes. CIT is the factoring company that factors my --  
16 that is my bread and butter to the business. Without  
17 them it's very difficult to operate. I've got to have  
18 money on hand without them or CODs and most companies  
19 don't do CODs.  
20 They were contacted by somebody.  
21 Q. What does CIT stand for?  
22 A. I don't know. It's a big factoring company. And if  
23 you're not factored with CIT, that's 80 percent of the  
24 business done in the store is through CIT.  
25 Q. So, someone contacted CIT?

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1 A. Yes.  
2 Q. Okay. And did what?  
3 A. CIT informed a couple of my merchants, the big ones  
4 that we're involved in counterfeit merchandise, those  
5 sales reps from those merchants contacted me either by  
6 phone or text message said what happened to your  
7 store, is that true what we heard, they caught over  
8 three hundred thousand worth of stolen or counterfeit  
9 merchandise at your store, kept denying, it's not  
10 true.  
11 They said at this time we cannot do  
12 anything, we cannot sell you any more merchandise  
13 because corporate is very strict about counterfeit and  
14 until you're proven not guilty or until this is over  
15 with, we can't do any more business with you.  
16 Q. Okay. I just want to back this up a little bit. So,  
17 do you have a contract with CIT?  
18 A. Yes, I do.  
19 Q. Is it a written contract?  
20 A. I believe so, yes.  
21 Q. Do you have a copy of it?  
22 A. I could get it.  
23 Q. What do I ask for, just written contract between  
24 Goodfellas and CIT?  
25 A. Yes.

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1 Q. You said before besides CIT there was another  
2 factoring company?  
3 A. There are about eight factors but the people -- CIT is  
4 like the main one and it branches off to little  
5 factors that factor like five thousand or four  
6 thousand, you know, all of them get tied with CIT.  
7 Q. Your contract was through CIT?  
8 A. Yes, and Wells Fargo.  
9 Q. And Wells Fargo. If I ask for both of those, they are  
10 two separate contracts?  
11 A. I believe I could find them, yes.  
12 Q. Is it a contract that you issue each year or stays in  
13 existence?  
14 A. Stays in existence.  
15 Q. Are you still able to use the factoring services now?  
16 A. No.  
17 Q. How do you purchase items?  
18 A. COD or credit card.  
19 Q. Do you use your line of credit through the banks that  
20 you have?  
21 A. No. That was all taken out.  
22 Q. You said that you currently owed 250 to Citibank and  
23 another 55 to Bank of America?  
24 A. Yes.  
25 Q. Have you maxed out those lines of credit?

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1 A. Yes.  
2 Q. So, you had this contract with CIT and you said CIT  
3 was contacted by someone. Do you know who contacted  
4 CIT?  
5 A. No, I don't.  
6 Q. Who told you that -- how did you learn that CIT was  
7 contacted by someone?  
8 A. From Cheryl McGowen from Sean John.  
9 Q. Cheryl McGowen said she was contacted by CIT?  
10 A. She was contacted by corporate that she worked for  
11 Sean John to stop all orders or do any business at the  
12 time with Goodfellas.  
13 Q. I'm just trying to go through the line of how this  
14 happened. So, you first learn about this issue with  
15 CIT when you are contacted by Cheryl McGowen?  
16 A. Yes.  
17 Q. When was that?  
18 A. That was the next day of the raid.  
19 Q. So, 12-13-07?  
20 A. Yes.  
21 Q. She hears about it already?  
22 A. Right.  
23 Q. And she's already contacted by corporate saying don't  
24 -- that corporate tells her not to sell to you  
25 anymore?

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1 A. Right.  
2 Q. Do you know who at corporate contacted her?  
3 A. No, I don't.  
4 Q. She just said someone at corporate?  
5 A. Yes, she said it came from -- said the orders are not  
6 from me, Sam, I know, I've been to your store, I know  
7 you have everything legit, but I cannot do anything  
8 because it's corporate and they are very strict about  
9 counterfeit.  
10 Q. I know this is hearsay within hearsay within hearsay,  
11 but I've got to know, did she tell you how corporate  
12 got contacted, who contacted corporate?  
13 A. She said either -- at the time she said I believe  
14 Macy's -- she said either Macy's or CIT did. She  
15 wasn't sure at the time.  
16 Q. Have you talked to her since?  
17 A. Yes, because the account is open again.  
18 Q. When did it become open?  
19 A. It became open after I received the merchandise I  
20 believe and that I had proof that I went to court and  
21 got all my stuff back.  
22 Q. Have you talked to her since to determine who  
23 contacted corporate, whether it was Macy's or CIT?  
24 A. No.  
25 Q. So, sitting here today you have no facts or evidence

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1 that it was someone specifically from Macy's who  
2 contacted Cheryl's corporate office with respect to  
3 this raid?  
4 **A. I don't know exactly who called, no.**  
5 **Q. You have no facts that prove that Macy's did this?**  
6 **A. No.**  
7 **Q. And in fact you don't know if it was Macy's or someone**  
8 **from CIT that contacted Cheryl's corporate office?**  
9 **A. She just told me it was probably Macy's or CIT.**  
10 **Q. But you don't know?**  
11 **A. No.**  
12 **Q. You don't know who the person was at corporate that**  
13 **told her this?**  
14 **A. No, I don't.**  
15 **Q. And you don't know what was exactly said by this**  
16 **person to this corporate person?**  
17 **A. No, I don't.**  
18 **Q. Other than this conversation you have with Cheryl, did**  
19 **you hear from any other manufacturers regarding your**  
20 **dealings with CIT or dealings with -- future dealings**  
21 **with that company?**  
22 **A. Yes.**  
23 **Q. Who did you hear from?**  
24 **A. Melissa Butrum from Coogi.**  
25 **Q. When did you hear from her?**

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1 **A. I heard from her the same thing, the day after.**  
2 **Q. On 12-13-07?**  
3 **A. Yes.**  
4 **Q. She called you?**  
5 **A. It was another person from Coogi named Trevor.**  
6 **Q. Trevor called you?**  
7 **A. I don't know his last name. He's at the office in**  
8 **Coogi.**  
9 **Q. In Chicago?**  
10 **A. New York, the main office in New York.**  
11 **Q. Did you call Trevor?**  
12 **A. I called Trevor to find out what should I do to open**  
13 **this account and all this is a lie.**  
14 **Q. Because your account was closed down immediately?**  
15 **A. It was closed down immediately.**  
16 **Q. So, you called Trevor the next day?**  
17 **A. Right, because it was around Christmas time, I needed**  
18 **to reload while the stuff was confiscated, I needed to**  
19 **do something before Christmas to try to save my**  
20 **business.**  
21 **Q. What did Trevor tell you?**  
22 **A. Said we can't do nothing at the time, I can't help**  
23 **you, you have to prove that all this was wasn't true,**  
24 **that you didn't have any counterfeit merchandise in**  
25 **your store and they are also very strict about**

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1 counterfeit merchandise.  
2 **Q. Did you ask him how he knew about this incident or**  
3 **were you the one who told him --**  
4 **A. I asked him how they knew. He said somebody from**  
5 **Macy's contacted Bruce. Bruce is one of the owners at**  
6 **Coogi and Bruce contacted his sales rep which is**  
7 **Melissa and told her to stop.**  
8 **Q. What's Bruce's last name?**  
9 **A. Bruce -- I don't know his last name.**  
10 **Q. Bruce contacted Melissa. Do you know who from Macy's**  
11 **contacted Bruce and when?**  
12 **A. I'm sorry. There was another person at -- under --**  
13 **that worked under Bruce where her name was Pam. She**  
14 **is one of the people that told Melissa not to sell us**  
15 **anymore.**  
16 **Q. Do you know who contacted Bruce from Macy's?**  
17 **A. He didn't tell -- he just said we got contacted by**  
18 **Macy's and said that you were involved in selling**  
19 **counterfeit and stolen merchandise.**  
20 **Q. Do you know the reason someone from Macy's made this**  
21 **call to Bruce?**  
22 **A. I believe it was to verify if we did buy merchandise**  
23 **-- because they took the whole filing -- all the files**  
24 **from my office and they wanted -- because they**  
25 **contacted every sales rep from every company they had**

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1 files from contacted me and said they were contacted  
2 by Macy's to prove that we sold their merchandise.  
3 **Q. Because Macy's wanted to figure out if you actually**  
4 **sold it?**  
5 **A. Yes.**  
6 **Q. Right.**  
7 **A. If we were allowed to sell it in the store.**  
8 **Q. Because it would help their case if you weren't**  
9 **allowed to sell it, right?**  
10 **A. No, I believe -- they contacted even merchants that**  
11 **weren't -- that weren't in the boxes when they raided**  
12 **-- let's say they contacted LRG. Their stuff was in**  
13 **the boxes. Their stuff wasn't confiscated. They just**  
14 **had the files.**  
15 **Q. Do you know the reason why Macy's did that?**  
16 **A. To me to make my business look bad.**  
17 **Q. Do you have any proof that that's the reason Macy's**  
18 **contacted -- that was the reason Macy's contacted**  
19 **those manufacturers?**  
20 **A. I don't believe there is any other reason why wouldn't**  
21 **they call them.**  
22 **Q. What other manufacturers were you contacted by?**  
23 **You've got Coogi. Who did Cheryl work for?**  
24 **A. Sean John.**  
25 **Q. Okay. Anyone from Akademiks contact you?**

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1 A. Greg.  
2 Q. Greg?  
3 A. Yes.  
4 Q. I just want to go through again. Enyce?  
5 A. Enyce, nobody from Enyce contacted --  
6 Q. How about Pelle Pelle?  
7 A. Pelle Pelle, yes, Ken. I contacted him and asked him  
8 what's going on, why you guys send police to take my  
9 stuff for Pelle Pelle and I buy from you. He said  
10 well, we didn't send nobody. I said I was raided and  
11 they took Pelle Pelle along with Macy's. He said we  
12 don't sell Macy's Pelle Pelle. Why did they take your  
13 stuff. That's what I'm trying to ask you.  
14 Q. Was that the first he learned of it when you called  
15 him?  
16 A. Yes.  
17 Q. Okay.  
18 A. That was the next day after the raid I contacted him  
19 after I started finding out from all these companies,  
20 I contacted him and I believe he e-mailed me and said  
21 if there is any help that you need from me to try to  
22 prove that your merchandise was legit, let me know.  
23 Q. So, Macy's did nothing to interfere with your business  
24 relationship with Ken at Pelle Pelle?  
25 A. Yes, they did.

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1 Q. What did they do?  
2 A. Well, I'm not sure who ordered the taking of the Pelle  
3 Pelle, that's the only -- my relation with him isn't  
4 as good as it was before. I got mad at him. I  
5 figured out later it wasn't his fault.  
6 Q. Did Ken still sell you Pelle Pelle merchandise after  
7 this incident?  
8 A. Yes, he did.  
9 Q. You still have a business relationship with Ken, in  
10 fact it's better than it was before?  
11 A. It's not better.  
12 Q. Has he sold you less?  
13 A. Me and him got into a couple words because of this and  
14 I e-mailed him saying I'm not going to do business  
15 with you no more because you don't want to send me a  
16 letter saying that Macy's shouldn't have took this  
17 item that they don't sell at the store.  
18 Q. Do you believe that Macy's contacted any of these  
19 manufacturers prior to the raid, do you know?  
20 A. No.  
21 Q. Do you believe that Macy's contacted all of these  
22 manufacturers the day after the raid? Because you  
23 keep saying 12-13.  
24 A. That's when I got contacted. That's how I found out  
25 that they were -- that they knew.

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1 Q. New Era caps, did you get contacted by anyone from New  
2 Era?  
3 A. Yes, I did.  
4 Q. From whom?  
5 A. Tim Rogers.  
6 Q. When did Tim contact you?  
7 A. He contacted me the day after.  
8 Q. Now, did you contact him or -- It just seems odd to me  
9 that everybody contacts you the next day.  
10 A. I believe he contacted me too to ask me what's going  
11 on at Goodfellas.  
12 Q. Right. Did he say he had been contacted by anyone?  
13 A. I didn't ask him how he found out because I had a lot  
14 of phone calls from a lot of reps.  
15 Q. Do you know if anyone from Macy's contacted Mr. Rogers  
16 after the raid?  
17 A. See, they all know each other, the clothing reps. I  
18 don't know if they told each other about it but some  
19 of them that I knew that were contacted by Macy's  
20 told me they got contacted by Macy's.  
21 Q. Who are these -- Cheryl doesn't know. Trevor says he  
22 was contacted specifically from --  
23 A. Yes.  
24 Q. Who from Macy's contacted Trevor?  
25 A. I don't know. I didn't ask him the name of the

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1 person. He just said Macy's. When he says Macy's, I  
2 don't know --  
3 Q. Did he tell you what Macy's, the person from Macy's  
4 said, the purpose of their call?  
5 A. Yes, that we have -- they found counterfeit  
6 merchandise at Goodfellas.  
7 Q. Did they -- is that the only reason they called or  
8 were they checking for UPC codes, product  
9 identification numbers, do you know the reason the  
10 Macy's person called Trevor?  
11 A. At that time, no, they were just contacted to let them  
12 know we got involved in counterfeit but they called  
13 them around a couple months afterwards, Trevor  
14 contacted me and said someone from -- someone that did  
15 the raid, I'm not sure if he meant Wayne County or  
16 Macy's contacted them to get codes or invoices or  
17 something like that.  
18 Q. The purpose of that -- and do you believe that the  
19 purpose of that call was to verify and get codes was  
20 to mess up your business relationship with Trevor?  
21 A. That was two months after the raid. It was already  
22 messed up.  
23 Q. Do you believe that they called that second time  
24 either Macy's or Wayne County to further damage your  
25 relationship with Trevor?

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1 A. No.  
2 Q. Okay.  
3 A. They probably wanted to match the invoices that I had.  
4 Q. Anyone from Gino Green call you?  
5 A. No.  
6 Q. Anyone from Roca Wear?  
7 A. No.  
8 Q. So, I just want to make sure we've got everyone.  
9 Cheryl contacted you?  
10 A. Uh-huh.  
11 Q. Melissa -- oh, Trevor, Trevor --  
12 A. And Melissa. Melissa is the sales rep for Coogi.  
13 Q. Ken from Pelle Pelle you talked to?  
14 A. Yes.  
15 Q. Did you talk to anyone else after this raid that told  
16 you they had been contacted by Macy's or another party  
17 about this incident?  
18 A. No.  
19 Q. And sitting here today you have no idea who the person  
20 was at Macy's that contacted Ken because he's the only  
21 one that said he was specifically contacted by someone  
22 from Macy's, correct?  
23 A. He didn't say he was contacted by Macy's, he said he  
24 heard about it or he got contacted. I'm not sure how  
25 he heard about it.

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1 Q. Right.  
2 A. I don't remember how he heard about it.  
3 Q. Did Cheryl, Melissa, Trevor or Ken tell you  
4 specifically they were contacted by anyone from  
5 Macy's?  
6 A. Melissa -- I'm sorry. Melissa heard from her  
7 corporate office that they were contacted. Okay.  
8 Trevor, yes, he did.  
9 Q. Trevor was specifically contacted by Macy's?  
10 A. He works in the corporate office.  
11 Q. So, Trevor --  
12 A. When he said we, that means corporate office we got  
13 contacted by Macy's.  
14 Q. And that was through Bruce you believe?  
15 A. I believe it was Bruce or Pam.  
16 Q. Or Pam. Anyone else say they were contacted by  
17 Macy's after the raid?  
18 A. After the raid, yes, it was a couple months that they  
19 called Larry from LRG, he's a sales rep, Larry.  
20 Q. You say they. Who is they?  
21 A. He didn't tell me who contacted him. He just said  
22 they called to verify that we do business with you.  
23 Q. You don't know if it was Wayne County or Macy's?  
24 A. I'm not sure. I could probably ask him.  
25 Q. What's Larry's last name?

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1 A. Mondragon, M O N D R --  
2 Q. Right. Anyone else?  
3 A. Another guy named Jerry was contacted because his  
4 number was on the invoices.  
5 Q. Who was Jerry contacted by?  
6 A. He didn't tell me who.  
7 Q. Wayne County or Macy's or --  
8 A. He didn't tell me who contacted him. They just asked  
9 if they did business with Goodfellas.  
10 Q. Do you know what the purpose of that phone call was?  
11 A. To verify that we do business with them and if we did,  
12 if we had invoices.  
13 Q. Do you know of anyone from Macy's -- do you have any  
14 facts or evidence that anyone from Macy's called up  
15 any of your manufacturers and told them don't do  
16 business with Goodfellas? I'm asking for facts.  
17 A. No, I don't have any facts.  
18 Q. What facts do you have that Macy's acted or caused any  
19 of these manufacturers to stop doing business with  
20 you?  
21 A. How they acted?  
22 Q. What facts do you have that Macy's did something to  
23 cause these parties, these manufacturers to not do  
24 business with you?  
25 A. The only facts I got right now is through the sales

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1 rep -- it could be at least one, one sales rep that  
2 knew that Macy's contacted them, their corporate  
3 office.  
4 That's how I found out, and then from  
5 there, and another thing is through that -- through  
6 the Wayne County sheriff guy that I knew back then  
7 that told me that Macy's got them in this mess.  
8 Q. When you say that sales rep, who are you talking  
9 about?  
10 A. Sales rep from Melissa, Melissa Butrum.  
11 Q. You don't know if Macy's was contacting Coogi to match  
12 up UPC codes or to see if -- you don't know the  
13 purpose of that phone call?  
14 A. I don't know the purpose. The only purpose I know is  
15 that Macy's gave them information that we were selling  
16 counterfeit merchandise.  
17 Q. And you know that because that's what Melissa told  
18 you?  
19 A. Trevor, Melissa, yeah.  
20 Q. Do you know what investigation Macy's conducted to  
21 identify the products seized, whether they were their  
22 products or products you purchased?  
23 A. I don't know what kind of investigation.  
24 Q. You don't know if it was part of Macy's investigation  
25 to actually contact these manufacturers to see if they

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1 can mark up the – identify the UPC codes with the UPC  
2 codes on your products?  
3 A. I don't know about that.  
4 Q. Do you know if Macy's ever contacted any of the  
5 manufacturers to do that to try to match up the  
6 manufacturer's UPC codes with your UPC codes?  
7 A. I don't know if they did that.  
8 Q. Do you know if anyone from Macy's kept any of the  
9 property that was seized during the raid?  
10 A. I don't know if they kept anything.  
11 Q. Do you know where the property was taken after the  
12 raid?  
13 A. I know where I picked it up from.  
14 Q. Where did you pick it up from?  
15 A. I picked it up from a Home Depot warehouse on I think  
16 it was Inkster Road.  
17 Q. Do you know – who opened the door and let you have  
18 it? Was it someone from Home Depot?  
19 A. Officer Montgomery.  
20 Q. A sheriff was in charge of giving you the product  
21 back?  
22 A. Yes.  
23 Q. Do you have any facts or evidence that Macy's kept  
24 this property, your property for its own use?  
25 A. No.

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1 MS. DAMICO: I'm going to pass to  
2 Miss Flanagan right now. I may come back. Thank you.  
3 THE WITNESS: You're welcome.  
4 (Recess taken at 1:18 p.m.)  
5 (Back on the record at 1:21 p.m.)  
6 EXAMINATION  
7 BY MS. FLANAGAN:  
8 Q. Mr. Aoun, my name is Margaret Flanagan. We met for  
9 the first time this morning, correct?  
10 A. Not for the first time.  
11 Q. Did you meet me on a previous occasion?  
12 A. Yes, downtown.  
13 Q. Was that at your hearing on the previous lawsuit –  
14 A. Yes.  
15 Q. Again, same rules apply, if you could let me finish my  
16 talking before you answer so the court reporter isn't  
17 stepping over both of us.  
18 A. Okay.  
19 Q. You believe we met at the court hearing on your civil  
20 case to get your items back, correct?  
21 A. Yes, ma'am.  
22 Q. And did your attorney introduce us to each other?  
23 A. I believe it was my attorney outside in the hall  
24 outside court.  
25 Q. That would be Mr. Cyril Hall?

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1 A. Cyril Hall.  
2 Q. I don't have a firm recollection of that. That's why  
3 I ask. During that hearing, you didn't give any live  
4 testimony from the stand?  
5 A. No, I didn't.  
6 Q. Actually no witness came forward and gave live  
7 testimony from the stand?  
8 A. No.  
9 Q. That was a separate civil action that your same  
10 attorney now, Mr. Hall, filed against Wayne County,  
11 and specifically Deputy Montgomery and Lieutenant  
12 Milanovich?  
13 A. Yes.  
14 Q. You reviewed that with him before that was filed,  
15 correct?  
16 A. Yes.  
17 Q. You came down because it's possible the court could  
18 have held a full hearing on your motion to get your  
19 items back before the case went forward, correct?  
20 A. Yes.  
21 Q. Okay. And in fact several of your family members came  
22 down to that hearing, isn't that true?  
23 A. Yes.  
24 Q. Do you remember any of your brothers being there in  
25 the court or in the hallway of the courthouse?

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1 MR. YOUSIF: Object to relevance.  
2 BY MS. FLANAGAN:  
3 Q. Go ahead.  
4 A. One of my brothers, yes, he was visiting from New  
5 York.  
6 Q. Which brother?  
7 A. His name is Jihad Aoun, G I H A D.  
8 (Discussion held off the record at  
9 1:23 p.m.)  
10 (Back on the record at 1:23 p.m.)  
11 BY MS. FLANAGAN:  
12 Q. Was Mohammed at court with you on that civil matter at  
13 all?  
14 A. I don't remember if he was there or he wasn't.  
15 Q. Could have been then if you don't have a firm  
16 recollection?  
17 A. Could have been.  
18 Q. Was Ibrahim in the courthouse?  
19 A. No, he wasn't.  
20 Q. Once again let's try and not step on each other for  
21 her sake. I tend to talk fast so if you need me to  
22 repeat anything or slow down, just let me know.  
23 Let's talk first about that previous action  
24 a little bit. My sister counsel from Macy's has  
25 covered quite a bit already today so our intention is

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1 not to unduly drag this on but I do have areas I want  
2 to get back to but right now let's talk about the  
3 previous action that was filed by yourself and your  
4 attorney against Wayne County, specifically Deputy  
5 Montgomery and Lieutenant Milanovich.  
6 You personally appeared at court on that  
7 motion, did you not?  
8 A. Yes, I did.  
9 Q. And you had discussions with your attorney about that  
10 case and how it was going to proceed, didn't you?  
11 A. Yes.  
12 MR. YOUSIF: I'm going to object to the  
13 attorney-client privilege.  
14 MS. FLANAGAN: I didn't ask him the  
15 substance of the conversation.  
16 BY MS. FLANAGAN:  
17 Q. I asked if you had a conversation with him about how  
18 the case was going to proceed.  
19 A. Yes.  
20 Q. And at some point after that hearing it was agreed  
21 upon that an inventory needed to take place to  
22 determine what items the sheriff's department and  
23 Macy's personnel took away from your store, correct?  
24 A. Yes.  
25 Q. And you were aware of that, correct?

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1 A. Yes.  
2 Q. Did you also have -- let me back up for a minute.  
3 There were a couple court hearings we had before that  
4 inventory was ordered, isn't that true?  
5 A. Yes.  
6 Q. You came down the first time and the county's attorney  
7 in fact myself were there asking for copies of  
8 invoices, isn't that true?  
9 A. Yes.  
10 Q. Did you have the invoices there and ready with you in  
11 the first court hearing in front of Judge Wendy  
12 Baxter?  
13 A. I don't remember if I had them at the first one.  
14 Q. Do you remember having employees come, specifically  
15 female employees come to the second court hearing in  
16 front of Judge Wendy Baxter a few weeks later with  
17 invoices of the property that was allegedly taken in  
18 the raid?  
19 A. Yes.  
20 Q. Do you remember what the names of the employees that  
21 showed up with documentation to support your claim?  
22 A. I think it was Sarah Elhusselny.  
23 Q. Can you spell that?  
24 A. S A R A H, and Elhusselny, I don't know how to spell  
25 that one, E L H U S S E I N Y probably.

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1 Q. She was an employee with you at the time of this court  
2 hearing in early 2008, correct?  
3 A. Yes.  
4 Q. Is she an employee with you today?  
5 A. No, she's not.  
6 Q. Is there any family relationship between yourself,  
7 your wife or Sarah?  
8 A. No.  
9 Q. Okay. When is it she stopped working with you?  
10 A. Sometime in May, May or June of 2008.  
11 Q. Why is it she stopped working for you?  
12 A. Her mother got sick. She wanted days off and I  
13 couldn't keep up with her. She wanted to be with her  
14 mother at the hospital. She had cancer.  
15 Q. Okay. So, did you terminate her or did she leave --  
16 A. No, she told me she had to be with her mom and she  
17 can't take it.  
18 Q. Did she resign from her position and quit?  
19 A. Yeah, she let me know.  
20 Q. Okay. Do you still have contact information for her,  
21 a phone number, address?  
22 A. I haven't contacted her since she left but I believe  
23 -- I don't know if she still has the same number that  
24 I have.  
25 Q. Okay. Did you have an address for Sarah when she

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1 worked for you?  
2 A. It's on the records in the store.  
3 Q. Okay. And did you have to send a last paycheck out to  
4 her after she quit?  
5 A. She got it before she left.  
6 Q. But you would have a last known address at least for  
7 her in your records you believe?  
8 A. Yes.  
9 Q. Who else appeared at court with you on the first civil  
10 lawsuit that was filed in early 2008 on this matter?  
11 A. Isabel Roman.  
12 Q. Is she of any family relationship to you?  
13 A. No.  
14 Q. Is she still working for you?  
15 A. No.  
16 Q. When did she leave?  
17 A. She left January I'd say -- after January -- after  
18 January 20th of '08.  
19 Q. Okay. And what's the reason for her leaving?  
20 A. She got another job, I believe it was Comcast. I  
21 think it's Comcast.  
22 Q. Doing what?  
23 A. I don't know. She just makes more money.  
24 Q. Do you still have contact information for her?  
25 A. I haven't contacted her since. So, the only number I



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1 have is the number she had at the time.  
2 Q. You didn't have to contact her about this new lawsuit  
3 being filed?  
4 A. No.  
5 Q. Okay. And do you still have a copy of her phone  
6 number in your records?  
7 A. Yes, I do, and I have her address that was sent out on  
8 a W2.  
9 Q. Would you have sent an address out to Sarah Elhousseiny  
10 on a W2?  
11 A. Yes, same thing.  
12 Q. Is there any other employees that appeared with you at  
13 the court hearing in early 2008 on the first lawsuit  
14 regarding this raid?  
15 A. I don't recall.  
16 Q. Do you remember any other members of your family that  
17 you haven't already described specifically being there  
18 with you?  
19 A. No.  
20 Q. With regard to the first lawsuit, that case was  
21 dismissed in early 2008, specifically in March of  
22 2008, I'm talking about the civil case that you  
23 brought, isn't that true?  
24 A. Is it the case for return of merchandise?  
25 Q. Correct.

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1 A. Yes.  
2 Q. And did you ever review an order dismissing that case?  
3 A. I don't remember. All I know it was dismissed.  
4 Q. And you were aware that the case was going to be  
5 dismissed?  
6 A. Yes.  
7 Q. And you never did have to testify in person on that  
8 first civil lawsuit, did you?  
9 A. No, I didn't.  
10 Q. Never had a deposition?  
11 A. No.  
12 Q. You did review -- did you review pleadings, though,  
13 that were exchanged between our office and Mr. Hall?  
14 MR. YOUSIF: Object to relevance.  
15 BY MS. FLANAGAN:  
16 Q. You can answer.  
17 A. I don't remember. I don't remember. I was just  
18 concentrating on getting the merchandise back and  
19 whatever told me you getting it back, that's all I  
20 remember.  
21 Q. Okay. Do you remember reviewing an affidavit from a  
22 Macy's employee by the name of Douglas Bucher that was  
23 submitted as part of Wayne County's responsive papers  
24 to the court?  
25 A. I don't remember.

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1 Q. Do you remember anything about the pleadings or legal  
2 papers that were filed by Wayne County?  
3 MR. YOUSIF: Going to object to the form of  
4 the question. It's overbroad.  
5 BY MS. FLANAGAN:  
6 Q. Do you remember --  
7 A. Like I just said, I'm sorry, that all I was  
8 concentrating on was mostly it was by phone, you know,  
9 I didn't look at the paperwork because once I saw it  
10 was dismissed and getting the merchandise back, I  
11 didn't look at anything else.  
12 Q. Okay. Did you sit in court in the gallery area when  
13 your attorney and myself argued in front of Judge  
14 Baxter on the record? Were you sitting inside the  
15 courtroom?  
16 A. I believe so.  
17 Q. And did you hear the arguments raised by ourself and  
18 Mr. Hall with regard to taking an inventory on this  
19 case?  
20 A. Yes.  
21 Q. Do you remember the judge ordering the county to  
22 conduct an inventory within a certain period of time  
23 so that this would be expedited in some fashion?  
24 A. Yes.  
25 Q. And do you remember hearing Mr. Hall and myself pick a

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1 date on the calendar as to when that inventory would  
2 occur?  
3 A. Yes, I remember that.  
4 Q. And do you remember that date being a couple weeks off  
5 of the time that we were in court that day?  
6 A. Yes.  
7 Q. Do you remember Mr. Hall and myself making arguments  
8 to the judge about the necessity for that inventory?  
9 A. Yes.  
10 Q. Do you remember Wayne County stating that as of that  
11 date it was impossible to determine whether or not you  
12 owned or Macy's owned the merchandise?  
13 A. I don't remember that.  
14 Q. Do you remember any statements I made to the judge on  
15 the record since you were in the courtroom?  
16 A. Yes.  
17 Q. Do you remember anything I stated about the necessity  
18 for the inventory?  
19 A. I remember you said you're going to need some Macy's  
20 employee to identify their merchandise -- you didn't  
21 let us go through the merchandise, said we can't touch  
22 it.  
23 Q. Right.  
24 A. And I wanted to -- I believe I suggested that Isabel  
25 would go through the invoices and go through it but

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1 you objected to that.  
2 Q. Do you remember anything else?  
3 A. That you requested Macy's employees to look at their  
4 merchandise first, to identify their merchandise.  
5 Q. Do you remember anything else?  
6 A. That's it.  
7 Q. I appreciate that summary. Do you remember any of the  
8 statements that the judge made about some of this  
9 possibly being evidence in an ongoing criminal case  
10 against your brother Mohammed?  
11 A. I don't remember that. I'm sorry. Yes, he did  
12 mention something like that.  
13 Q. And do you remember the judge being an  
14 African-American female judge, Judge Baxter?  
15 A. Yes, I do.  
16 Q. Do you remember her making statements to your attorney  
17 about whether or not you ever challenged the search  
18 warrant at the time the search warrant was issued?  
19 A. I don't remember about that, I don't remember that.  
20 Q. Do you remember any statements the judge made about  
21 this is not properly in front of me and you need to go  
22 back to criminal court?  
23 A. Yes, I remember that.  
24 Q. And she said that more than once, didn't she?  
25 A. Yes, ma'am.

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1 Q. Okay. And during this time perhaps you can help me  
2 recall, we didn't take a break and go out in the  
3 hallway and come back on the record, did we?  
4 A. No.  
5 Q. The whole time we were on the record with the judge we  
6 were up there with the judge and everything should be  
7 on the record, correct?  
8 A. Yes.  
9 Q. And at the conclusion of that hearing we were ordered  
10 by the judge to contact Macy's personnel and  
11 facilitate an inventory of your products?  
12 A. With a limited time that the judge assigned, yes.  
13 Q. And do you remember the judge specifically ordering  
14 that a member of your staff or yourself not be there  
15 because she did not want to jeopardize an ongoing  
16 criminal investigation?  
17 A. Yes, I remember that.  
18 Q. You remember those statements by the judge?  
19 A. Yes, I do.  
20 Q. After that court hearing is it your understanding that  
21 the inventory took place on the date and time that was  
22 agreed to between the attorneys?  
23 A. I believe it was within that time.  
24 Q. Okay. So, you don't have any -- do you have any  
25 concerns or complaints that there was an undue delay

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1 in the time that the inventory took place that was  
2 ordered by the court?  
3 A. I don't remember. All I know it took a long time to  
4 do that.  
5 Q. Could it have been a couple weeks?  
6 A. Could have been more. I don't remember.  
7 Q. Okay.  
8 A. Got to look at the paperwork.  
9 Q. Fair enough. Do you have a recollection or do you  
10 have a complaint as you sit here today that Wayne  
11 County took longer than ordered by the court to  
12 conduct that post-raid inventory?  
13 A. Yes.  
14 Q. You believe we took longer than ordered by the judge?  
15 A. Yes.  
16 Q. Okay. What facts do you have that you believe we took  
17 longer than ordered by Judge Baxter to conduct that  
18 second inventory? This is post your first lawsuit?  
19 A. I'm sorry. I recall -- the reason I said it took  
20 longer because the raid happened in December and I  
21 didn't get my merchandise until five, six months.  
22 That's what I thought you were talking about. After  
23 it was order, I don't remember how long you took after  
24 it was ordered by the judge.  
25 Q. Okay. And we'll get to all that other area. I was

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1 referring to the period of time after the filing of  
2 your first civil lawsuit in late or early January of  
3 2008. Does that sound about right, the first civil  
4 lawsuit against the county was filed --  
5 A. I believe it was January 17th.  
6 Q. Okay. That sounds about right. And again the date of  
7 the raid was December 12th, 2007, correct?  
8 A. Yes.  
9 Q. So, your lawsuit wasn't filed until mid-January, 2008,  
10 correct, about four weeks after the raid, is that  
11 right?  
12 A. Yes.  
13 Q. Okay. And so do you remember the date that first  
14 lawsuit was dismissed, that order?  
15 A. I don't remember.  
16 Q. Could it have been March 2008?  
17 A. Could have been around March.  
18 Q. Around 60 days after the first lawsuit was filed it  
19 was dismissed by the court?  
20 A. Probably. I don't recall.  
21 Q. No reason to deny that if the records show that?  
22 A. No.  
23 Q. Now, in the raid there were several items taken  
24 pursuant to a search warrant, correct, sir?  
25 A. Yes.

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1 Q. And you personally never did anything, contacted an  
2 attorney to challenge the search warrant right after  
3 the raid, did you?  
4 A. It was -- I first had Jim Feinberg working for me.  
5 Q. Did you file any papers that you know of challenging  
6 the adequacy of the search warrant in criminal court,  
7 that would have been in 36th District Court?  
8 A. No.  
9 Q. In fact Judge Baxter brought that up at the hearing of  
10 your civil lawsuit in January of 2008, right?  
11 A. I believe so, yes.  
12 Q. Do you know why you never challenged the search  
13 warrant if you thought it covered items that shouldn't  
14 have been taken?  
15 A. I talked to my attorney. It was around -- because  
16 like I say, it was around Christmas time for me in  
17 December, I think that was most of the delay, and I  
18 was concentrating on keeping my business going. I  
19 believe that's why we delayed it for a week or two.  
20 Q. So, after the inventory took place following this  
21 first lawsuit, is it your understanding that a time  
22 and date was set for Mr. Hall and yourself or someone  
23 to come and get the merchandise that we were turning  
24 back over to you?  
25 A. Yes.

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1 Q. Did you have to sign for the merchandise when you came  
2 to pick it up?  
3 A. Yes.  
4 Q. Do you remember what date you came to pick it up?  
5 A. I have paperwork. I don't remember exact date.  
6 Q. You picked it up from Deputy Montgomery?  
7 A. Yes.  
8 Q. Incidentally, do you remember if your attorney sat in  
9 on the inventory when it occurred at the -- between  
10 the Macy's personnel, the Wayne County personnel and  
11 pursuant to court order?  
12 A. I don't think my attorney was there.  
13 Q. You're not sure?  
14 A. I'm not sure.  
15 Q. Do you know if any representative on your behalf would  
16 have been there to observe the inventory when it took  
17 place?  
18 A. I'm not aware of it.  
19 Q. Do you remember hearing in court that Mr. Hall was  
20 invited to attend and participate in the entire  
21 inventory from the time it began until it concluded?  
22 A. I believe so, yes.  
23 Q. After you picked up the merchandise, how much  
24 merchandise did you pick up? You quantified it as 90  
25 percent. Do you know how many boxes were received

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1 from the Home Depot warehouse?  
2 A. It was around 72 or 73 boxes.  
3 Q. Was it all clothing within the boxes, if you know?  
4 A. Clothing and hats.  
5 Q. Was there any perfumes in the boxes?  
6 A. No, none.  
7 Q. Anything else besides clothing and hats?  
8 A. No.  
9 Q. Who picked up the merchandise, sir?  
10 A. I did.  
11 Q. In what vehicle?  
12 A. I believe I rented a U-Haul.  
13 Q. Would you have records of that?  
14 A. I probably could get it from the U-Haul place. I'm  
15 not sure what place I got it from.  
16 Q. Do you have a U-Haul that you use on a regular basis?  
17 A. A couple.  
18 Q. Where are those located?  
19 A. One in Detroit on Joy Road and one by Schaefer  
20 Rentals, they have U-Hauls too.  
21 Q. What city is that?  
22 A. That's in Detroit on Schaefer and Tireman, around that  
23 location.  
24 Q. Do you have an account with either of them?  
25 A. No, they just know that I -- they just know me.

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1 Q. So you go in there like any other member of the public  
2 and rent a truck?  
3 A. Yes.  
4 Q. You don't remember on this particular day when you  
5 picked up all your merchandise what type of vehicle  
6 you were driving?  
7 A. It was a U-Haul truck. It was a truck. I'm not sure  
8 what size or what name it was.  
9 Q. Did anyone assist you on the day you picked up your  
10 merchandise?  
11 A. Yes.  
12 Q. And who was there with you?  
13 A. John Taylor.  
14 Q. Who is that?  
15 A. John was working for my brother back then.  
16 Q. Who is that?  
17 A. For Nithal.  
18 Q. Working for Nithal?  
19 A. Uh-huh.  
20 Q. At his store or some other --  
21 A. Yes, at his store.  
22 Q. What store is that is that again?  
23 A. On Joy Road.  
24 Q. What was the name of it? Is that Da Hook Up?  
25 A. Da Hook Up.

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1 Q. John Taylor accompanied you to pick up the merchandise  
2 that was taken from Goodfellas?  
3 A. Yes.  
4 Q. Who else accompanied you that day?  
5 A. Nobody else.  
6 Q. Did Mohammed accompany you to pick up the  
7 merchandise?  
8 A. No, ma'am.  
9 Q. Once you got the merchandise back, we've already had  
10 testimony regarding some of what you did with the  
11 merchandise. Did you take any steps to identify or  
12 photograph the material that you took from the boxes?  
13 A. Yes.  
14 Q. What steps did you take?  
15 A. When I backed up the truck to the door, I took photos  
16 of the merchandise being in boxes. When we opened the  
17 boxes in the store, I took photos of some merchandise.  
18 I believe that was it, just photos of merchandise and  
19 boxes being brought.  
20 Q. And what was the purpose of you taking those photos?  
21 A. To prove to some companies that I dealt with that  
22 look, here's my merchandise coming back and just, you  
23 know, if they wanted e-mails here, I got all the  
24 merchandise back and that's it.  
25 Q. Is it your testimony that merchandise was taken out of

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1 your store on hangers but returned in boxes?  
2 A. I'm not sure if they left the hangers in the clothing  
3 or they took it out when they raided.  
4 Q. But you viewed video --  
5 A. I have pictures of it. It shows if it was on hangers  
6 or without hangers.  
7 Q. Let me ask this question. You've reviewed video of  
8 the raid, correct?  
9 A. Yes.  
10 Q. And do you know from that if when they were taking  
11 items during the raid and putting them in boxes, do  
12 you know or have a recollection of whether they took  
13 the hangers with them?  
14 A. I could go over it again but I wasn't paying attention  
15 to the hangers. Now that you talked about it, I could  
16 go back and identify.  
17 Q. What about with regard to when you were taking them  
18 out of the boxes, do you remember taking hangers out  
19 of the boxes?  
20 A. I don't remember if they were on hangers or without  
21 hangers.  
22 Q. Did you actually take the items out of the box or did  
23 you have employees do it?  
24 A. I had employees do it.  
25 Q. And did you take the items back to your store on the

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1 same day that you picked them up from the Home Depot  
2 warehouse?  
3 A. Yes, I did.  
4 Q. What time of day was that?  
5 A. About 11:00 in the morning, around that time.  
6 Q. And what employees were there when you got back, if  
7 you recall?  
8 A. I don't remember.  
9 Q. Do you have some type of time sheet or wage records  
10 which employees were working that day?  
11 A. Yes.  
12 Q. If we asked for that, you could supply that?  
13 A. Yes.  
14 Q. And from the time of the raid forward has Mohammed  
15 ever worked and received a paycheck from Goodfellas  
16 out of that store?  
17 A. Never did before or after.  
18 Q. Has Ibrahim ever worked out of the Goodfellas store  
19 and received a paycheck?  
20 A. Never did.  
21 Q. Did you ever have to call either one of your brothers  
22 to fill in when you had staff that called in sick or  
23 unexpectedly?  
24 A. Never did.  
25 Q. Did you ever have any other family members that would

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1 help out in a pinch for staff in your Goodfellas  
2 store?  
3 A. I had my Uncle Hussein Aoun.  
4 Q. How often would you say Hussein Aoun had to help you  
5 out?  
6 A. Once in a blue -- like once if I was like going to  
7 Vegas or out of town, I'd give him the keys to open up  
8 for me and close and put the alarm, and that was it.  
9 Q. And do you know when he did step in sort of in this  
10 manager role for you, would he come and open up, leave  
11 for the day and come back at night time to close it  
12 all up?  
13 A. Yes.  
14 Q. Did you ever expect him or have a discussion with him  
15 being on the premises the entire time you were in  
16 Vegas?  
17 A. No.  
18 Q. It didn't work that way?  
19 A. No, it didn't.  
20 Q. Did you have your uncle helping you out in late 2007,  
21 during that year?  
22 A. Could have been. Some days like I can't make it or I  
23 knew I wasn't going to be there, I'll have him come  
24 pick up the keys.  
25 Q. And how about still today, does he help you out on

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1 occasion if you are detained?  
2 A. I have a manager now.  
3 Q. Who is your manager now?  
4 A. Joseph Lawton, L A W T O N.  
5 Q. How long has Joseph worked for you?  
6 A. He's been there since September '08.  
7 Q. And, so, if you are out of the store for any given  
8 time like today giving your deposition, would  
9 Mr. Lawton be in charge of your store?  
10 A. I put him in charge of everything, employees, opening  
11 up right now, closing.  
12 Q. So, since he's been there in September of '08, do you  
13 still go there on a daily basis?  
14 A. Yes, I do.  
15 Q. Does he still serve as the backup or does he serve as  
16 the primary manager of the store?  
17 A. He's primary manager.  
18 Q. He's got keys to everything?  
19 A. Yes.  
20 Q. Including your office?  
21 A. Yes.  
22 Q. You were handed a copy of the search warrant at the  
23 time of the raid, isn't that true?  
24 A. Yes.  
25 Q. And during the raid they also took some weapons from

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1 your store, didn't they?  
2 MR. YOUSIF: Object to relevance.  
3 BY MS. FLANAGAN:  
4 Q. You can answer.  
5 A. That's what I was told. I didn't see them take any  
6 weapons.  
7 Q. They handed you a document indicating some of the  
8 things they took from your store, is that correct?  
9 A. Yes.  
10 Q. And that was right at the same day of the raid while  
11 they were still there on the premises, correct?  
12 A. Yes.  
13 Q. And some of the items indicated was a nine millimeter  
14 Luger Tech DC9 with 30-clip magazine and it was black  
15 and identified as being found upstairs, do you  
16 remember that?  
17 A. I remember that, yes.  
18 Q. And another item they identified was one black nine  
19 millimeter Smith & Wesson with a serial number MPE  
20 5386 with 16-clip magazine which was behind the  
21 register.  
22 Do you remember being handed a piece of  
23 paper that indicated they took that?  
24 A. Yes.  
25 Q. Sir, did you have knowledge prior to the raid that

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1 those weapons were being kept at your premises?  
2 MR. YOUSIF: Object to relevance.  
3 BY MS. FLANAGAN:  
4 Q. You can answer. Just for the record I think your  
5 attorney might have instructed you, I can't remember  
6 the instructions at the beginning of the dep, unless  
7 you are instructed not to answer, we will be putting  
8 objections on the record and you can go ahead and  
9 answer those.  
10 A. I found out the weapon in the office I didn't know  
11 anything about but I found out afterwards it was put  
12 up there by my brother.  
13 Q. Which brother?  
14 A. Nithal.  
15 Q. What about the weapon behind the register?  
16 A. Behind the register I found that out from one of the  
17 employees saying that they found it in the fitting  
18 room or around the fitting room and they just put it  
19 there that day — either it happened the day before or  
20 that same day, I'm not sure when, they just said  
21 somebody dropped it and they waited for somebody to  
22 come pick it back up.  
23 Q. So, is it your testimony you had no knowledge that  
24 either of those weapons were on your premises?  
25 A. No knowledge.

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1 Q. And which employee said they found it in the fitting  
2 room, the nine millimeter?  
3 A. It was David Burton.  
4 Q. Is David still working for you?  
5 A. No.  
6 Q. Do you have contact information for David?  
7 A. I still have his old number.  
8 Q. And why is it that David is no longer working for you?  
9 A. Because he was at a halfway housing and whoever I  
10 think Sam Milanovich contacted that place and told him  
11 that we were involved in criminal activity and he  
12 couldn't work there anymore.  
13 So, he was instructed by the place that he  
14 could no longer work at Goodfellas.  
15 Q. Okay. They also took a safe and papers out of your  
16 store, correct?  
17 A. Yes.  
18 Q. And they took your computer and your computer tower  
19 out of your store, correct?  
20 A. Yes.  
21 Q. And do you know when you received back specifically  
22 your papers and your safe with regard to this raid?  
23 A. I received the computers and the paperwork probably a  
24 month or two after the merchandise was brought back.  
25 That took longer than the merchandise.

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1 Q. Do you know where you picked that stuff up from?  
2 A. Around a place called Dickerson. I'm not sure. It's  
3 in Hamtramck.  
4 Q. The Dickerson Wayne County Jail?  
5 A. Yes, from Officer Montgomery.  
6 Q. And that was --  
7 A. I'm sorry. I'm not sure if it was Sam Milanovich or  
8 Montgomery.  
9 Q. Okay. That was at some time after the civil case was  
10 dismissed, you had gotten the clothes back in boxes at  
11 least?  
12 A. Right.  
13 Q. You got the computers and paperwork back?  
14 A. Yes.  
15 Q. Okay. Sir, I asked you a moment ago if you remembered  
16 employees coming to court during the civil, first  
17 civil case to try and assist us in identifying some of  
18 the merchandise that was taken, correct?  
19 A. Uh-huh, yes.  
20 Q. And do you remember them having stacks of papers with  
21 sticky notes and file folders representing each and  
22 every one of your manufacturers that you purported you  
23 did business with?  
24 A. Yes.  
25 Q. Okay. And so my question is in indicating -- in your

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1 earlier testimony that the county officers and  
2 possibly Macy's personnel took all your paperwork that  
3 could have proved your authentic identification and  
4 relationship with these items, isn't it true you had  
5 extra copies to bring to court with you when the civil  
6 lawsuit was filed?  
7 A. I had copies similar from the merchants to prove that  
8 I deal with those companies. It wasn't those actual  
9 invoices that were taken. I had invoices from the  
10 same manufacturers.  
11 Q. Okay. So, the employees that testified that they  
12 brought papers to court the first time to establish  
13 your legitimate business dealings with these  
14 manufacturers, you are telling me today that those  
15 would not have corroborated your ownership interest in  
16 the items taken during the raid?  
17 A. Probably some of them did. There was a whole stack  
18 about five hundred pages. I'm not sure.  
19 Q. And where would those copies have come from if the  
20 deputies and/or Macy's personnel took all of your  
21 documentation on the day of the raid?  
22 A. They didn't take all of the documentation, they took  
23 most of the documentation. They were picking between  
24 files what to take out of the filing tables.  
25 Q. Okay. And you weren't in the office at the time that

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1 they were going through your office, were you?  
2 A. I was outside the office by the front door, by the  
3 door.  
4 Q. Were you denied access into your office at the time  
5 that they were searching it?  
6 A. Yes, I was.  
7 Q. Let me go back to this as well. During the time  
8 period I think you said almost an hour and a half to  
9 two hours that you were aware the officers were inside  
10 your store conducting the raid but before you showed  
11 up on the scene, you remember counsel asking you about  
12 that time period?  
13 A. Yes.  
14 Q. When you were at the Italia Collision?  
15 A. Yes.  
16 Q. Did you make any other phone calls to other attorneys  
17 to go in the store on your behalf to find out what was  
18 going on?  
19 A. Yes.  
20 Q. How many attorneys did you call to go in there on your  
21 behalf?  
22 MR. YOUSIF: I'm going to object to the  
23 attorney-client privilege. I believe you are asking  
24 the substance of the conversation.  
25 MS. FLANAGAN: I'm not. I'm asking how

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1 many attorneys he contacted, a number. I will ask  
2 names of the attorneys.  
3 MR. YOUSIF: Right, but then you asked to  
4 go inside the store. That's the substance of the  
5 conversation, to go inside the store.  
6 BY MS. FLANAGAN:  
7 Q. Did you contact any attorneys that you haven't already  
8 discussed about what was going on in your store?  
9 MR. YOUSIF: I think that still goes to the  
10 substance.  
11 BY MS. FLANAGAN:  
12 Q. Did you contact any other attorneys that we haven't  
13 already talked about this morning?  
14 A. I contacted as I recall Jim Feinberg, Philip. There  
15 was one more. I forgot who it was.  
16 Q. Do you know if any other attorneys before you got  
17 there went into the store on your behalf?  
18 A. They wouldn't let them.  
19 Q. Do you know if any attempted to come into the store on  
20 your behalf?  
21 A. Yes, they attempted.  
22 Q. Do you know who attempted and was denied access into  
23 the store?  
24 A. Philip and another attorney, I don't have his exact  
25 name right now.

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1 Q. Is that something you could get to us?  
2 A. Yes.  
3 Q. Do you know what reasons were given for why these  
4 attorneys couldn't come into the store?  
5 A. They said I had to be there.  
6 Q. Did your store close at any time during this day while  
7 the raid was going on?  
8 A. Yes.  
9 Q. It did? Who closed it?  
10 A. Wayne County.  
11 Q. Who from Wayne County, if you know?  
12 A. Whoever locked the door, who was securing the door.  
13 Q. How long was the door locked before people could come  
14 in and move freely through the store?  
15 A. At about 7:00 when Wayne County was done.  
16 Q. And what did your employees do while the raid was  
17 going on?  
18 A. Standing on the corner.  
19 Q. They were outside --  
20 A. Inside the store.  
21 Q. Let me clarify that again. Were they inside the store  
22 or outside the store?  
23 A. Inside the store.  
24 Q. Do you know if they were free to leave at any time?  
25 A. They weren't free to leave, no.

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1 Q. And how do you know that?  
2 A. By them telling me, the employees telling me they  
3 weren't free to leave.  
4 Q. Do you know if you were free to leave at the time you  
5 showed up with your attorney?  
6 A. Yes.  
7 Q. You said you walked in the front door, didn't you?  
8 A. Yes.  
9 Q. It was unlocked --  
10 A. They unlocked it when they asked me -- I identified  
11 myself and they asked me if you give your attorney  
12 permission to come to you, they said is this your  
13 attorney, and I said yes.  
14 Q. Did anyone make statements to you as to how many  
15 attorneys tried to talk to them while this raid was  
16 going on?  
17 A. Yes.  
18 Q. What did they say?  
19 A. They said you could only bring in one attorney, they  
20 made me choose between two attorneys and I chose Jim  
21 Feinberg.  
22 Q. Did anyone make any other statements about how many  
23 other attorneys had approached them while this raid  
24 was going on to get information on this raid?  
25 A. Yes.

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1 Q. What do you remember them saying?  
2 A. They said, well, how many attorneys do you have, who  
3 are all these attorneys coming up here, and make up  
4 your mind, which one do you want.  
5 Q. Who said that?  
6 A. A tall guy that was securing the door.  
7 Q. Do you know if he was a Wayne County sheriff?  
8 A. He was a Wayne County sheriff wearing the sheriff  
9 jacket.  
10 Q. Do you remember his race?  
11 A. White.  
12 Q. Do you remember anything else about him?  
13 A. No.  
14 Q. Was he -- did he have any facial hair?  
15 A. I don't remember if he had facial hair.  
16 Q. So, do you remember any of the Wayne County sheriff  
17 personnel or Macy's personnel touching any of your  
18 employees or yourself when you came in to the store?  
19 A. I was told they were searched and after viewing the  
20 cameras, yes, they were searched.  
21 Q. Were you searched?  
22 A. No, I don't think so, no.  
23 Q. Were you touched in any way by any of these people?  
24 A. No.  
25 Q. Was your wife there on this day?

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1 A. No, she wasn't.  
2 Q. Any of your children in the store at the time?  
3 A. No.  
4 Q. Were either of your brothers in the store at the time  
5 of the raid?  
6 A. None.  
7 Q. Did any of them come up to the store during this  
8 several hours that the raid was occurring?  
9 A. No, none.  
10 Q. Okay. And so were any charges ever brought against  
11 you with regard to the weapons that were on your  
12 premises?  
13 A. No.  
14 Q. Do you own a gun, sir?  
15 A. Yes.  
16 MR. YOUSIF: Objection to relevance.  
17 BY MS. FLANAGAN:  
18 Q. Are you licensed to carry that gun?  
19 A. Yes.  
20 Q. Where did you obtain that license?  
21 A. Wayne County building.  
22 Q. When did you obtain that license?  
23 A. I don't remember the exact date, but --  
24 Q. Do you remember the year?  
25 A. '08.

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1 Q. 2008?  
2 A. Yeah.  
3 Q. And what type of weapon is it?  
4 A. It's a 45.  
5 Q. Where do you keep that?  
6 MR. YOUSIF: Objection. Relevance.  
7 BY MS. FLANAGAN:  
8 Q. Go ahead.  
9 A. Where do I keep it?  
10 Q. Yes.  
11 A. In my store in the office when I'm at the business.  
12 Q. Just to clarify do you own a CCW permit where you are  
13 allowed to carry a gun concealed on your person --  
14 A. Yes, I do.  
15 Q. Any other type of license you had to obtain to own or  
16 possess a firearm?  
17 A. No.  
18 Q. And is it your testimony you only had one gun that you  
19 were licensed to carry?  
20 A. I have another one I bought from a Dearborn Heights  
21 sergeant, I forgot the exact make. It was a 32.  
22 Q. Do you still own that gun?  
23 A. Yes, I do.  
24 Q. Where do you keep that?  
25 A. That's in the office as well.

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1 Q. Other than the two guns we talked about, are there any  
2 other guns that you own?  
3 A. A shotgun.  
4 Q. Where is that kept?  
5 A. That's at same thing, in the store.  
6 Q. Whereabouts in the store?  
7 A. In the office too.  
8 Q. Did you have to obtain a license to have that shotgun?  
9 A. No.  
10 Q. What about with regard to the gun that you bought from  
11 the Dearborn Heights sergeant?  
12 A. I had to register it that same day at the Dearborn  
13 Heights police station.  
14 Q. Do you know if it's a weapon that he was able to use  
15 as a police officer?  
16 A. Yes.  
17 Q. Okay. That's why the transaction occurred at the  
18 police department?  
19 A. Yes.  
20 Q. Any other weapons that you owned -- that you own  
21 today?  
22 A. No.  
23 Q. Any other weapons that you are licensed to own today  
24 that maybe for some reason you don't have?  
25 A. No.

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1 Q. Did you have to fire any employee as a result of this  
2 raid?  
3 A. No.  
4 Q. Did you take any adverse action at all against any of  
5 your employees after the raid?  
6 A. No.  
7 Q. Did you believe that any of the actions of any of your  
8 employees contributed to the raid?  
9 A. No.  
10 Q. Where are the pictures stored that you took of the  
11 items returned to you as a result of the last lawsuit?  
12 A. I believe they are on one of my computers, either  
13 copied on a CD or in a flash drive.  
14 Q. Is there a date and time stamped with them or  
15 associated with them that would clarify or qualify  
16 when they were taken?  
17 A. Yes, I believe so.  
18 Q. And that's the computer at your home?  
19 A. Either at my office or at home. I'm not sure.  
20 Q. Can you describe the types of clothing, not the  
21 manufacturer, but the types of clothing that were in  
22 these boxes returned to you?  
23 A. Jackets, hats, Polo shirts, T-shirts with printed  
24 names on them, jeans.  
25 Q. When you say hat, are you referring to a baseball-type

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1 cap?  
2 A. Yes, baseball cap.  
3 Q. Not a winter hat that you wear over your ears?  
4 A. Some of them were winter hats.  
5 Q. How many?  
6 A. I'm not sure. It was with the inventory. I'm not  
7 sure how many. I didn't count because they weren't  
8 counted at the time they were taken.  
9 Q. Okay. So, when you were contacting these  
10 manufacturers and indicated you got all of your stuff  
11 back, you weren't sure if you got all your items back,  
12 correct?  
13 A. I wasn't sure.  
14 Q. Even as you sit here today, you're not sure that you  
15 got every one of your items back, right?  
16 A. I'm sure there was stuff missing.  
17 Q. Okay. Other than the jackets we discussed and some of  
18 the caps, is there anything else you are absolutely  
19 sure you did not get back?  
20 A. I'm not sure.  
21 Q. Okay. And is it true that some of the Coogi items  
22 were T-shirts that were returned to you?  
23 A. I believe so, yes.  
24 Q. Some of the Coogi items were jeans that were returned  
25 to you?



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1 A. Yes.  
2 Q. And some of the Polo shirts were Coogi that were  
3 returned to you?  
4 A. Yes.  
5 Q. And there were hoodies that were returned to you?  
6 A. Hoodies, yes.  
7 Q. And you got those items back you said sometime after  
8 the case was dismissed in March of 2008?  
9 A. Yes.  
10 Q. That was about little more than 60 days after the  
11 lawsuit was filed, right?  
12 A. I believe so.  
13 Q. Give or take a couple weeks?  
14 A. I'm not sure if it was March or April. I can't -- I  
15 Got to look at the paperwork when I got it back or if  
16 you have it.  
17 Q. With regard to the items that were returned to you,  
18 can you describe for us since we are not in the  
19 manufacturing clothing industry what about a T-shirt  
20 would be -- not be able to be sold in May when it's  
21 returned to you?  
22 A. Of a T-shirt?  
23 Q. Correct.  
24 A. It could be long sleeved. We have long sleeved and  
25 short sleeved T-shirts.

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1 Q. Do you know how many shirts were returned to you that  
2 were long sleeved?  
3 A. I don't remember.  
4 Q. Do you know what percentage of all of these boxes  
5 contained jeans?  
6 A. Jeans. I don't know, about, say, somewhere between 40  
7 to 50 percent.  
8 Q. And what about like these hoodies that you described?  
9 A. There was a lot of hoodies.  
10 Q. What about the Polo shirts, percentage-wise?  
11 A. I don't remember.  
12 Q. Okay. And if the search warrant said about 70 boxes  
13 of merchandise were taken pursuant to the search  
14 warrant, do you have any reason to disagree with that  
15 number?  
16 MR. YOUSIF: I'm going to object to the  
17 form of the question. Disagree with the number that's  
18 written or disagree with the number of boxes that were  
19 actually taken?  
20 BY MS. FLANAGAN:  
21 Q. Do you have any reason to disagree that 70 boxes of  
22 merchandise were taken pursuant to what was written on  
23 the search warrant?  
24 A. Of merchandise?  
25 Q. Correct.

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1 A. According to the search warrant it was a little over  
2 70. They said 73.  
3 Q. I'm going to have this marked as Exhibit 1 then.  
4 MARKED FOR IDENTIFICATION:  
5 DEPOSITION EXHIBIT 1  
6 2:09 p.m.  
7 BY MS. FLANAGAN:  
8 Q. I'm going to hand you Exhibit 1, sir, the return to  
9 search warrant and ask if this is the document that  
10 you remember receiving in connection with the raid on  
11 December 12th of 2007.  
12 A. Seventy boxes of merchandise.  
13 Q. Do you remember that being similar to the document  
14 that was handed to you at the raid while you there  
15 with your attorney?  
16 A. Yes.  
17 Q. That document also indicated the nine millimeter  
18 weapon and the Luger -- if you could just hand that  
19 back, sorry -- the black nine millimeter and the Luger  
20 that were taken from your store as well, correct?  
21 A. Yes.  
22 Q. It also indicates that two thousand dollars in cash  
23 was taken on the day of the raid?  
24 A. Yes.  
25 Q. Did you ever get that cash back?

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1 A. With the money in the safe, yes, I did.  
2 Q. How much money if you know was in the safe that you  
3 eventually got returned?  
4 A. I had -- it was supposed to be 65 in the safe and two  
5 thousand dollars in the office drawer. I didn't get  
6 the exact number. I didn't get that back.  
7 Q. Do you know why you didn't get -- first of all let me  
8 back up. Do you know why as you sit here today or  
9 from a record the exact amount of money that was taken  
10 on the day of the raid?  
11 A. I know the exact number, yes.  
12 Q. What was it?  
13 A. Sixty-seven thousand.  
14 Q. Even?  
15 A. Yes.  
16 Q. And in what denominations or location was that money  
17 located before it was taken?  
18 A. I don't know the denominations, but the location was  
19 65 in the safe, two thousand in the drawer.  
20 Q. Did you get the 65 thousand dollars from the safe  
21 back?  
22 A. I got -- it wasn't an even number that I got back. I  
23 think I told Cyril, I told my attorney there was a  
24 couple thousand dollars missing.  
25 Q. Okay. Is that your testimony still today you believe

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1 there is a couple thousand dollars missing?  
2 **A. Yes.**  
3 **MS. FLANAGAN:** Then I'm going to have this  
4 marked as Exhibit 2 which is a copy of a check for 63  
5 thousand 845 dollars issued on October 23rd, 2008.  
6 (Discussion held off the record at  
7 2:11 p.m.)  
8 (Back on the record at 2:12 p.m.)  
9 **MARKED FOR IDENTIFICATION:**  
10 **DEPOSITION EXHIBIT 2**  
11 2:12 p.m.  
12 **BY MS. FLANAGAN:**  
13 **Q.** I'm going to hand you what's been marked as Exhibit 2  
14 which is a sheriff's department property receipt, and  
15 draw your attention to the second page.  
16 Do you see the copy of the check on the  
17 second page there, sir?  
18 **A. Yes.**  
19 **Q.** Does that refresh your recollection as the amount of  
20 money that was returned to you by the sheriff's  
21 department after this raid?  
22 **A. Yes.**  
23 **Q.** What is the amount there?  
24 **A. Sixty-three thousand eight hundred forty-five dollars.**  
25 **Q.** And that was returned to your attorney or his agent on

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1 his behalf, correct?  
2 **A. Yes.**  
3 **Q.** Did anyone ever explain to you, sir, that in order to  
4 get your money back that was taken in connection with  
5 this raid, that you had to challenge the search  
6 warrant itself?  
7 **A. Yes.**  
8 **Q.** Okay. Did you hear in court any testimony or  
9 arguments between attorneys about whether money could  
10 be returned in your civil lawsuit?  
11 **A. I don't remember.**  
12 **Q.** Okay. So, no one ever explained to you that a motion  
13 for return of items pending judgment could only be for  
14 items, not money, do you remember that?  
15 **A. I believe my attorney explained that to me.**  
16 **Q.** I don't want to know what he said. Okay. So, you at  
17 least understand that as part of that first lawsuit,  
18 that lawsuit in and of itself could not return your  
19 money to you, do you understand my question?  
20 **A. I don't remember.**  
21 **Q.** You don't know.  
22 **A. I was fighting for everything that was taken out. I**  
23 **didn't know -- when I found out I could pick up the**  
24 **merchandise, I was surprised not to get the money.**  
25 **Q.** Let's go back to the merchandise. We were talking

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1 about the jeans and the Polo shirts.  
2 Can you tell us for the record what makes  
3 jeans marketable in the wintertime as opposed to the  
4 summertime?  
5 **A. The styles, different styles, old styles that were**  
6 **already out and purchased and shorts. We started**  
7 **getting shorts and we order shorts in February for**  
8 **spring. We stop getting jeans in around March. We**  
9 **start getting shorts.**  
10 **Q.** What about -- we talked about short-sleeved shirts  
11 versus long-sleeved shirts. Is it your testimony you  
12 don't sell long-sleeved shirts in the spring?  
13 **A. After March, it's hard to sell long sleeved.**  
14 **Everybody wants short sleeved.**  
15 **Q.** What about the Polo shirts, were those long or short  
16 sleeved?  
17 **A. Some of them were long sleeves. Some of them were**  
18 **short sleeves too.**  
19 **Q.** So, those could be sold in the spring and the winter,  
20 right?  
21 **A. If the style is up to date, yes.**  
22 **Q.** Same thing with the hoodies, they could be sold in the  
23 winter or the summer, right?  
24 **A. No, hoodies can't be sold in the summer.**  
25 **Q.** Why not?

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1 **A. Would you wear a hoodie in the summer, long-sleeve**  
2 **hoodie?**  
3 **Q.** I'm asking you.  
4 **MR. YOUSIF:** Just answer the question.  
5 **MS. DAMICO:** It's Michigan.  
6 **A. Because you can't sell hoodies in Michigan in the**  
7 **summertime.**  
8 **BY MS. FLANAGAN:**  
9 **Q.** For the record, we are sitting here on April 6th and  
10 there was about four inches of snow on our roads this  
11 morning, wasn't there, sir?  
12 **A. Yes.**  
13 **Q.** With regard to the hats, you said that some of them  
14 were regular baseball hats, baseball caps?  
15 **A. Yes.**  
16 **Q.** And anything specific about those that couldn't be  
17 sold in the summer but only in the winter?  
18 **A. Some of them were the ones with fur on them and**  
19 **Skully, some of them were Skully caps like cotton.**  
20 **Q.** What's a Skully cap?  
21 **A. Skully is the one that goes over the head and ears.**  
22 **Q.** What about that style makes it sellable only when --  
23 **A. Because they are made for winter, winter hats.**  
24 **Q.** So, is it your testimony that a style in and of itself  
25 could go out of style between January and April?

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1 A. It could go out of style.  
2 Q. And what's your experience in how quickly jean styles  
3 go out of style in this type of product?  
4 A. The colors and name brand. You've got winter colors  
5 and spring colors.  
6 Q. What's a winter color of a jean?  
7 A. You got green and yellow probably and orange colors  
8 all over the jeans. That's for spring and in the  
9 wintertime it's darker colors that are designed on  
10 there.  
11 Q. Like what colors?  
12 A. I don't know. It's different colors for each season.  
13 Now in April we are starting to get orange, lime  
14 colors, orange and lighter colors.  
15 Q. And when would you have had to order the stuff that  
16 you are getting in right now?  
17 A. February.  
18 Q. So, with regard to this raid having occurred at the  
19 end of the winter, it didn't impinge upon your spring  
20 order, did it, in any way?  
21 A. I had -- I had spring orders coming in, so, all that  
22 was just extras.  
23 Q. Let me back up. The raid occurred in December of '07,  
24 correct?  
25 A. Right.

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1 Q. You place your spring order in February of '08, is  
2 that correct?  
3 A. Some of it is I believe January when they come to  
4 Detroit, I believe they came in January in Detroit.  
5 In February I order for back to school.  
6 Q. When would you order your spring stock for 2008 to be  
7 able to sell them in April and May of 2008?  
8 A. I'd say sometime in November, sometime in November.  
9 So, in November of '07 we start ordering because it  
10 takes three or four months you got to put your orders  
11 in.  
12 Q. Takes three or four months to get your stuff in?  
13 A. Yeah, because they got to order it. Whatever you  
14 order, companies don't want to overbook,  
15 overmanufacture. So, they go by the orders that  
16 customers make and then they call in.  
17 Q. Okay. So, is it your testimony that there was some of  
18 your spring stock that was seized by the deputies or  
19 was it mostly the winter stock?  
20 A. It was most of it winter stock. We order in November  
21 but we don't get it until like -- we start getting it  
22 in March.  
23 Q. Okay. So, with regard to having these items that are  
24 mostly winter returned to you in March or April, my  
25 question was was -- were your spring orders affected

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1 at all by this raid?  
2 A. In a way, yes.  
3 Q. Why?  
4 A. The store was cluttered at the time.  
5 Q. What time?  
6 A. At the time I got the merchandise back. I had a lot  
7 of merchandise to put up, they were covering the spots  
8 where I was supposed to put the spring stuff on the  
9 walls, extra merchandise.  
10 Q. And isn't that your choice as a manager as to what  
11 merchandise to put out to sell the fastest?  
12 A. Yes.  
13 Q. Other than being cluttered at the store at the time  
14 you took this approximately 70 boxes of merchandise  
15 back, did you take them back into your back room when  
16 you got back with them?  
17 A. I put them all in the back room first.  
18 Q. And how many days would you say they were in the back  
19 room?  
20 A. A couple of days.  
21 (Recess taken at 2:20 p.m.)  
22 (Back on the record at 2:26 p.m.)  
23 BY MS. FLANAGAN:  
24 Q. Sir, I want to ask you about the merchandise that you  
25 got back from the sheriff's department after the first

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1 civil lawsuit was filed. You said you took pictures  
2 of it and you had to discount it significantly in  
3 order to move it out of your store, is that right?  
4 A. Yes.  
5 Q. You indicated your standard practice was to start at  
6 10 percent and go down to 50 percent on normal  
7 merchandise that you wanted to move out of the store.  
8 Did you do that in this case of the merchandise that  
9 was returned to you?  
10 A. No, I didn't.  
11 Q. Why not?  
12 A. Because it was old. It was old merchandise that were  
13 already sold at other stores similar to my store and  
14 they were out of style. So, I knew right away if I  
15 put it at 10, 20, 30, I'm going to waste my time.  
16 Even at 50 percent I had a hard time moving it.  
17 Q. How much of it were you able to move at 50 percent, if  
18 you know?  
19 A. Like I told you before, I don't remember.  
20 Q. And you don't have records that would corroborate of  
21 this merchandise that was returned to you, what was  
22 discounted, what was given away?  
23 A. I started off with it at 50 percent and the employees  
24 suggested I drop it more because it's not selling so I  
25 went down to 60 and 70. Again the employees don't pay

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1 for merchandise, I paid for it so I know how it hurts.  
2 They could say any number, they could say 80 percent,  
3 they don't care, they are just employees. So, I tried  
4 50 and then they had to suggest that I drop it way  
5 more than that like 60, 70 percent.  
6 Q. And how long did you try and sell it at 50 percent  
7 before you dropped it to 60 or 70 percent?  
8 A. Couple of months.  
9 Q. So, this would have taken us somewhere into the summer  
10 of 2008, correct?  
11 A. Yes, and that's where I got stuck with most of it  
12 because it went into summer.  
13 Q. When you say stuck with most of it, you said almost  
14 all of it is gone now, right?  
15 A. I got stuck with most of it when I started giving it  
16 away. I suggested that I give away to good customers  
17 who spend over an amount.  
18 Q. What amount was that?  
19 A. Could have been over a hundred dollars, 150 dollars.  
20 Q. You said over a hundred or 150 dollars?  
21 A. Yes, something like that.  
22 Q. And what percentage do you think of the items that  
23 were returned to you did you end up giving away for  
24 nothing?  
25 A. A big number. I don't know the percentage. I'd say

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1 about half or over half of it.  
2 Q. And did you empower your employees to be able to give  
3 this away on your behalf or did you have to come down  
4 from the office and authorize whether someone was an  
5 important enough customer to give a free item?  
6 A. I empowered my employees to give it away.  
7 Q. At the time who were the employees that were there?  
8 A. I have employees almost every month changing or every  
9 two months I get different employees. I've got to  
10 look at the sheets see who was working at the time,  
11 but --  
12 Q. You have a lot of turnover with your employees?  
13 A. What do you mean?  
14 Q. A lot of turnover, a lot of different employees coming  
15 in to work for you?  
16 A. Yes, a lot that have to go back to school, some that  
17 find different jobs.  
18 Q. Would you have wage records or tax receipts for the  
19 employees that were working for you in the summer of  
20 2008?  
21 A. Yes.  
22 Q. Is it your testimony that you didn't employ anyone and  
23 pay them under the table cash?  
24 A. No.  
25 Q. You had nobody that was sort of off the books, if you

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1 will, working in your store?  
2 A. No, everybody got paid.  
3 Q. I didn't hear that.  
4 A. Everybody got paid by checks.  
5 Q. Did you consider donating any of the unsellable items  
6 to charity for a tax write-off for your business?  
7 A. I didn't donate, no, I didn't consider that.  
8 Q. Did you ever donate any of your merchandise for -- to  
9 charity?  
10 A. No.  
11 Q. Do you ever have any significant charitable  
12 contributions that you try and write off on your taxes  
13 every year?  
14 A. No.  
15 (Discussion held off the record at  
16 2:31 p.m.)  
17 (Back on the record at 2:31 p.m.).  
18 A. I give out turkeys and coats. Right before that  
19 incident in November I gave out turkeys, about five  
20 hundred turkeys to the neighborhood. They had it  
21 through the radio station. I thought she was talking  
22 just merchandise.  
23 BY MS. FLANAGAN:  
24 Q. For the record I asked you and explained the ground  
25 rules if you have any questions you can ask of me.

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1 Mr. Hall's got many more years than me. He  
2 understands this is not a time to have a dialogue with  
3 your attorney unless he instructs you not to answer  
4 something.  
5 If you don't understand a question, I  
6 expect you to tell me. If you've given me an answer,  
7 I'm going to consider that's your well thought out  
8 complete answer. Fair enough?  
9 A. Okay.  
10 Q. So, you didn't donate any of the items to any  
11 charities that you got -- any of the merchandise back?  
12 A. No, I didn't.  
13 Q. I need to go back to the raid, specifically to some of  
14 the answers you had given earlier this morning: You  
15 indicated that you couldn't tell the Macy's personnel  
16 from the Wayne County sheriff personnel during the  
17 raid, is that right?  
18 A. Correct.  
19 Q. Couldn't you tell some of them by virtue that they  
20 were wearing badges?  
21 A. The ones that were wearing badges -- some of them were  
22 wearing jackets that said sheriff but the way they  
23 were freely going from office to office and some of  
24 them appeared to me as Macy's, I didn't know who was  
25 who at the time.

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1 Q. Okay. As you sit here today other than the testimony  
2 you've already given, you don't know who was in charge  
3 of this raid, do you?  
4 A. I don't know, no. You mean an officer that was in  
5 there, one of the officers? He identified himself as  
6 Sam Milanovich. He was in charge of the group.  
7 Q. I understand he was there on behalf of the sheriff's  
8 department, but as a whole you don't know who was in  
9 charge of the raid?  
10 A. No, I don't.  
11 Q. Did he ever indicate that Wayne County Sheriff's  
12 Department is in charge of this raid?  
13 A. No, I don't remember.  
14 Q. Did you ever see any Wayne County sheriff personnel  
15 pulling tags off of your clothing as they were putting  
16 it in boxes?  
17 A. I don't know if they were -- like I said, I don't want  
18 to say they were Wayne County or Macy's, but the  
19 person I identified, the heavy set girl earlier was  
20 the one I saw on cameras pulling off tags.  
21 Q. You indicated before you went into the store for that  
22 two-hour period you were either driving around or at  
23 that collision shop?  
24 A. Yes.  
25 Q. Did you ever walk up and down the street? I'm not

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1 familiar with the area.  
2 A. No, I didn't.  
3 Q. You could have gone in the store up to two hours  
4 before you did, couldn't you?  
5 A. Yes.  
6 Q. You could have gone in the store the moment you found  
7 out they were there from your wife?  
8 A. Yes.  
9 Q. Did anybody order you to leave when you did arrive  
10 with your attorney about two hours later?  
11 A. No.  
12 Q. Were you able to sit there and observe the rest of the  
13 raid or inventory, however we want to term it from the  
14 time you arrived until it ended?  
15 A. Yes.  
16 Q. And it's your testimony that the store was not open  
17 for business during this time?  
18 A. It wasn't open for business, no.  
19 Q. Was it open for business the following day?  
20 A. Yes.  
21 Q. And who opened it for business the following day?  
22 A. I believe I did.  
23 Q. Okay. And you testified earlier that your employees  
24 -- had your employees stayed around later that evening  
25 to get the store back in shape because of how the

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1 deputies and possibly Macy's personnel left it after  
2 the raid?  
3 A. Yes.  
4 Q. You were open for business the next day to sell  
5 merchandise, right?  
6 A. Yes.  
7 Q. That's when you started receiving calls from vendors  
8 that you deal with about what had happened at your  
9 store?  
10 A. Yes.  
11 Q. Did you, sir, send out any e-mail communications to  
12 any of your manufacturers about what had just gone  
13 down at your store?  
14 A. I don't remember. I think I received e-mail. I  
15 didn't send out.  
16 Q. You talked about one e-mail earlier from one of your  
17 vendors. My question to you is did you send out any  
18 to several of them either asking for extra copies of  
19 invoices or for any reason?  
20 A. I believe I did.  
21 Q. And what do you remember?  
22 A. I remember asking them if they had extra copies of  
23 invoices of the stuff that was taken.  
24 Q. And did you have to explain to them what had happened?  
25 A. Yes.

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1 Q. For the reason for why you were asking for extra  
2 invoices?  
3 A. Yes.  
4 Q. And did your attorney advise you to do that or is that  
5 just something --  
6 A. No, something I did to keep my business going.  
7 Q. So, isn't it possible, sir, that they found out from  
8 the activities from you trying to track down your  
9 invoices through e-mail?  
10 A. I didn't e-mail them the same day or the next day. I  
11 e-mailed them after I found out that I needed  
12 invoices. That was around the court time.  
13 Q. A couple months later?  
14 A. Whenever we went to court when you requested you  
15 needed invoices.  
16 Q. Let's -- just for the record we established that the  
17 raid was December 12th, 2007, correct?  
18 A. Correct.  
19 Q. Filed your lawsuit in and around January of 2008,  
20 correct?  
21 A. Correct.  
22 Q. Mr. Hall and myself had a couple hearings at court and  
23 the case was dismissed around March of 2008, correct?  
24 A. Correct.  
25 Q. So, you are indicating in and around March of 2008,

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1 we'll even say February is when your e-mails were  
2 going out to your vendors?  
3 **A. Yes.**  
4 **Q. Do you have copies of those e-mails, sir?**  
5 **A. I don't know if it stays recorded on AOL, I'm not**  
6 **sure.**  
7 **Q. You have an AOL account?**  
8 **A. Yes.**  
9 **Q. We could be provided with your AOL user name and your**  
10 **account activity if we needed to for this case?**  
11 **A. Yes.**  
12 **Q. What is your user name, sir?**  
13 **A. Goodfellaswear@aol.com.**  
14 **Q. Similarly you indicated some vendors had contacted you**  
15 **by text when they had heard the news about the raid,**  
16 **right?**  
17 **A. Yes.**  
18 **Q. And do you have a separate message or number**  
19 **associated with someone being able to text you?**  
20 **A. No, it was the same cell phone number.**  
21 **Q. What's your cell phone number?**  
22 **A. 313-903-8178.**  
23 **Q. Is that number owned and operated by you exclusively?**  
24 **A. Yes.**  
25 **Q. Is it paid for by you personally or the business?**

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1 **A. Personally.**  
2 **Q. Anybody else on that specific number with you?**  
3 **A. No.**  
4 **Q. Does your wife have a separate cell phone number?**  
5 **A. Yes.**  
6 **Q. What company is that cell phone with?**  
7 **A. T-Mobile.**  
8 **Q. Same cell phone that was in use on the day of the**  
9 **raid, December 12th, 2007?**  
10 **A. What do you mean?**  
11 **Q. You haven't changed your number in the last year?**  
12 **A. No, I have the same number.**  
13 **Q. So, when you testified that vendors were contacting**  
14 **you the day after the raid about what had happened, my**  
15 **question for you is what communication did you give to**  
16 **them outgoing regarding the raid?**  
17 **A. Could have been the day after the raid but it was that**  
18 **time, a day or two or three after the raid. I know it**  
19 **was the same -- that same time frame. What was said,**  
20 **they were asking me what was going on, is that true**  
21 **what we heard. I kept explaining to them.**  
22 **Q. Did any of the vendors that contacted you, and you**  
23 **went through them at length with Counsel Damico, did**  
24 **any of them indicate that the Wayne County Sheriff's**  
25 **Department contacted them about the raid?**

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1 **A. No.**  
2 **Q. Do you have any facts or evidence indicating that the**  
3 **Wayne County Sheriff's Department contacted your**  
4 **vendors immediately before or after the raid to inform**  
5 **them of what had happened at the raid?**  
6 **A. I have no facts.**  
7 **Q. Do you believe that any Wayne County Sheriff**  
8 **Department personnel made those phone calls to your**  
9 **vendors?**  
10 **A. I don't know who made them. According to them, some**  
11 **of them were made by Macy's.**  
12 **Q. And none of them indicated that Wayne County sheriffs**  
13 **had called you, correct -- called them?**  
14 **A. No, none of them indicated Wayne County sheriff.**  
15 **Q. So, why do you believe -- is there anything you have**  
16 **in your possession or your evidence that indicates**  
17 **Wayne County participated in calls to your vendors?**  
18 **A. Well, the files out of my office were taken by Wayne**  
19 **County Sheriff Department. They had the numbers. I**  
20 **figured out the way they got the numbers are from my**  
21 **files. So, that's why I'm not sure who called them.**  
22 **Q. And again I'm talking about within 24 hours of the**  
23 **raid, you had vendors calling you back saying they**  
24 **knew about something happening at your store, correct?**  
25 **A. That's correct.**

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1 **Q. And you said the deputies were at your place until**  
2 **seven or eight at night, correct?**  
3 **A. That's correct.**  
4 **Q. And the very next business day individuals were**  
5 **calling you saying they knew about the raid?**  
6 **A. Yeah, that's correct.**  
7 **Q. Do you have any facts or evidence that indicates Wayne**  
8 **County sheriff personnel called your vendors that day?**  
9 **A. No, no facts.**  
10 **Q. Let me clarify. Do you have any facts or evidence**  
11 **that indicate that Wayne County sheriff's personnel**  
12 **that they called your vendors the day following the**  
13 **incident?**  
14 **A. No facts.**  
15 **Q. And in fact two months later the court ordered you to**  
16 **give contact numbers, names and information to the**  
17 **sheriff's department and/or Macy's personnel in**  
18 **connection with your first lawsuit to assist in the**  
19 **inventory, isn't that correct?**  
20 **A. That's correct.**  
21 **Q. So, any calls or communication made two months after**  
22 **this raid or in fact after the filing of the first**  
23 **civil lawsuit, you testified earlier did not interfere**  
24 **with your contractual relationships, correct?**  
25 **A. Can you repeat that?**

1 Q. Sure. Any calls that were made pursuant to court  
2 order in February or March of 2008, you are fine with  
3 those calls, correct?  
4 A. Yes, because they already knew about it.  
5 Q. And they were ordered by the court to make those  
6 calls, correct?  
7 A. Yes.  
8 Q. It would be any calls that happened in and around the  
9 time of the raid that you have some concern with?  
10 A. Yes.  
11 Q. And you believe those calls may have interfered with  
12 your business relationships?  
13 A. That's correct.  
14 Q. You also sued the sheriff's department for defamation,  
15 are you aware of that?  
16 A. Yes.  
17 Q. Are you aware of what defamation is?  
18 A. Kind of.  
19 Q. What's your understanding of what a defamation claim  
20 is?  
21 A. Making someone look bad or a business look bad.  
22 Q. What do you believe you have in terms of facts or  
23 evidence against Sheriff Evans to support your  
24 defamation claim against him?  
25 A. What was said on the news that Goodfellas was involved

1 In stolen and counterfeit and the amount that he gave.  
2 Q. What was said?  
3 A. Stores like this.  
4 MR. HALL: Hold on one second. Can we go  
5 off?  
6 (Discussion held off the record at  
7 2:43 p.m.)  
8 (Back on the record at 2:43 p.m.)  
9 BY MS. FLANAGAN:  
10 Q. We will get back into that. What evidence do you have  
11 to support your defamation claim as far as what  
12 testimony or statements the sheriff might have made  
13 about this?  
14 A. I recorded the news from Channel 4 and Channel 7 from  
15 where Warren Evans was on TV talking about the  
16 incident.  
17 Q. What specifically about what he said?  
18 A. I don't remember the exact -- I don't want to quote.  
19 I can't memorize exact words he said but some of them  
20 were false.  
21 Q. Do you remember anything specific that was false?  
22 A. I got to listen to it again and try to be exact.  
23 Q. And that's something that if we requested that of you  
24 in a request for production, you would have no problem  
25 turning that videotape to us?

1 A. Yes.  
2 Q. You have no problem?  
3 A. No problem. It's still on the website if you go to  
4 WXYZ.com.  
5 Q. Sir, wouldn't you agree because of the lengthy  
6 testimony you had about Mohammed, the charges brought  
7 against your brother Mohammed, you don't disagree that  
8 stolen merchandise was retrieved in your store on the  
9 date of this raid, correct?  
10 A. First you said would you agree --  
11 Q. Let me rephrase. Would you agree that stolen  
12 merchandise was retrieved from your store on the date  
13 of the raid?  
14 A. I found out afterwards, so, according to -- I didn't  
15 see the items that were taken --  
16 Q. I understand that, sir, that's not my question. But  
17 as we look back to the raid and what was found or  
18 wasn't found or statements that might have been made,  
19 I think it's very important that you and I understand  
20 what you understand happened on that day. Do you know  
21 that stolen items were retrieved from your store  
22 Goodfellas during the course of this December 12th  
23 raid?  
24 A. I'd say I agree.  
25 Q. And didn't you attend a court hearing for your brother

1 Mohammed on his criminal case where he was charged  
2 with receiving and concealing stolen property?  
3 A. I didn't appear. I wasn't there.  
4 Q. You were aware it was going on?  
5 A. Yes.  
6 Q. Did you have to give any testimony at that hearing?  
7 A. No, I didn't.  
8 Q. Your brother Mohammed pled guilty to those charges,  
9 isn't that correct?  
10 A. Yes.  
11 Q. And he was put on probation for those charges?  
12 A. That's correct.  
13 Q. And that was specifically in connection with stolen  
14 items that he admitted to putting in your store in  
15 Goodfellas before the date of this raid, correct?  
16 A. Yes.  
17 Q. We'll get the videotapes from you, but what  
18 specifically, if you know, is false about someone  
19 indicating your store was involved with stolen  
20 merchandise, is there anything false about that  
21 statement?  
22 A. Yes.  
23 Q. What is false about it?  
24 A. Eighty thousand dollars worth of stolen merchandise.  
25 Q. That was the statement that you believe was false?

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1 A. Yes. They said over 80 thousand dollars.  
2 Q. Sir, we've already talked about the search warrant,  
3 the return to search warrant that was handed to you at  
4 the time of the raid?  
5 A. Yes.  
6 Q. You understood that search warrant was approved by the  
7 court before it was presented to you, right?  
8 A. Yes.  
9 Q. And has to be approved by a judge before they are even  
10 allowed on to your premises, correct?  
11 A. Okay. Yes.  
12 Q. And do you have any knowledge as to the value of -- in  
13 your complaint you allege about three hundred thousand  
14 dollars worth of merchandise was taken in the 70  
15 boxes, correct?  
16 A. Yes. Is that including the money?  
17 Q. That wasn't my question, sir. My question is when you  
18 filed your complaint seeking damages for three hundred  
19 thousand dollars, were you considering only the  
20 merchandise or the cash as well?  
21 A. I think I submitted just the merchandise.  
22 Q. Okay. Earlier you testified it was somewhere between  
23 two and three?  
24 A. Two to three.  
25 Q. Could have been two hundred, correct?

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1 A. It's over two hundred.  
2 Q. Somewhere between two and three?  
3 A. Yes.  
4 Q. And that could have included upwards of 70 thousand  
5 dollars in cash that was returned to you?  
6 A. Yes.  
7 Q. So, now we are somewhere closer to two hundred  
8 thousand dollars worth of pure merchandise, right?  
9 A. Yes.  
10 Q. So, my question to you is if the officers went in with  
11 an authorized search warrant from the court seeking to  
12 gather with court approval certain merchandise that  
13 was listed on the return to search warrant, wouldn't  
14 you agree that if they had listed two hundred thousand  
15 dollars worth of suspected stolen merchandise was  
16 obtained, that that would be factually correct?  
17 MR. HALL: I'm going to object. That  
18 assumes facts that are not in evidence.  
19 BY MS. FLANAGAN:  
20 Q. Okay. Let me rephrase.  
21 A. You are confusing me.  
22 Q. Would you agree that the 70 boxes of merchandise that  
23 were taken pursuant to search warrant could have a  
24 value anywhere in excess of two hundred thousand  
25 dollars?

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1 A. Yes.  
2 Q. So, if the testimony from the sheriff's department was  
3 that 80 thousand dollars worth of suspected stolen  
4 merchandise was taken --  
5 A. And over three hundred thousand dollars worth of  
6 counterfeit merchandise.  
7 Q. That's what you believe the statement was?  
8 A. Yeah, on TV.  
9 Q. Let me ask you this since I haven't seen the video.  
10 You understand that your brother store, Da Hook Up,  
11 was raided on the same day, correct?  
12 A. Correct.  
13 Q. Do you have an understanding that counterfeit  
14 merchandise was obtained from Da Hook Up on the same  
15 day?  
16 A. Yes.  
17 Q. Specifically Nike shoes?  
18 A. Yes.  
19 Q. Specifically over a hundred thousand dollars worth of  
20 Nike shoes, is that correct?  
21 A. I don't know the number.  
22 Q. Hundreds of pairs, is that fair?  
23 A. Yes.  
24 Q. And do you know from your review of the video and  
25 we'll see it when we get a copy whether the sheriff's

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1 statement was attributed solely to your store or your  
2 store and Da Hook Up?  
3 A. Both stores.  
4 Q. So, when he was making his statements about 80  
5 thousand dollars worth of stolen merchandise and you  
6 said what about the counterfeit merchandise?  
7 A. Something like 80 thousand dollars worth of stolen  
8 merchandise and over two hundred thousand worth of  
9 counterfeit merchandise.  
10 Q. Do you have a firm recollection of whether he was  
11 talking about both stores together or solely  
12 Goodfellas?  
13 A. He was talking about both stores together because when  
14 they showed the video, they showed the counterfeit  
15 shoes on the table and they pointed the videos to  
16 Goodfellas and that's when he was talking about it.  
17 Q. But you would agree as you sit here today and we'll  
18 look at the video that there was stolen merchandise  
19 retrieved from your store that day, correct, we've  
20 already agreed to it?  
21 A. I don't know if the ones they showed on TV --  
22 Q. That's not my question. You would agree that stolen  
23 merchandise was retrieved pursuant to search warrant  
24 from your store on December 12th, right?  
25 A. Yes.



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1 Q. And counterfeit merchandise was retrieved or obtained  
2 from Da Hook Up on the same day, correct?  
3 A. That's correct.  
4 Q. Did you ever go to court for any of Ibrahim's hearing  
5 on his counterfeit case?  
6 A. No.  
7 Q. What was he charged with?  
8 A. I don't know. He was charged with my brother for  
9 concealing and receiving.  
10 Q. Your brother Mohammed?  
11 A. Yes.  
12 Q. Do you remember what charges were brought against  
13 Ibrahim?  
14 A. I don't know. I think they were dismissed because he  
15 was just -- he just provided the van I believe back  
16 then.  
17 Q. What was that van used for?  
18 A. To help Mohammed.  
19 Q. To help Mohammed do what?  
20 A. Oh, I don't know. Mohammed called him to come help  
21 him get some TVs I believe, and that's when they  
22 raided him while they were in the van together.  
23 Q. Where were the TVs?  
24 A. I don't know.  
25 Q. Do you know if the TVs were still in the van when they

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1 raided him?  
2 A. I don't know anything about it. I didn't ask him.  
3 Q. Was that van ever forfeited or taken by the police?  
4 A. I don't know. I think he still has it. I'm not sure.  
5 Q. Do you have any ownership interest in that van?  
6 A. No.  
7 Q. Was your vehicle ever seized or forfeited in  
8 connection with this?  
9 A. No.  
10 Q. How about Mohammed's in connection with his charges of  
11 receiving and concealing?  
12 A. Yes.  
13 Q. What vehicle was taken?  
14 A. I think he had a Mercedes.  
15 Q. Do you remember what make -- what year?  
16 A. No, I don't.  
17 Q. And you already agreed that Mohammed pled guilty to  
18 his charges, correct?  
19 A. Yes.  
20 Q. He never got his vehicle back, did he?  
21 A. No, he didn't.  
22 Q. You indicated you thought another group came in to get  
23 the caps. Any reason why you think it's another group  
24 as opposed to additional sheriff's deputies or Macy's  
25 personnel?

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1 A. I don't know who it was but it was a group after they  
2 were taking down the merchandise, that is when another  
3 set of people came in to take the caps.  
4 Q. And the sheriff's personnel were still there?  
5 A. Yes.  
6 Q. Did you ever ask your brothers about the incident  
7 surrounding their arrest?  
8 A. Afterwards, yes.  
9 Q. Okay. And what did you ask them?  
10 A. I asked Mohammed about why you would do some stupid  
11 stuff like this that could get us in trouble, and he  
12 said that he brought me that little TV that was in the  
13 back to give my kids. He never told me about it,  
14 about the TV until the day that it was taken out of my  
15 back room. I didn't even know anything about that or  
16 the clothes.  
17 So -- I said what about the bag. He said  
18 that I was in the area, I brought it and had somewhere  
19 to go so I dropped it off in the back room and never  
20 came back to pick it up. I don't know how long it was  
21 there, I don't know when he dropped it there.  
22 Q. Did he ever tell you what he intended to do with that  
23 merchandise?  
24 A. He says he buys it and keeps it for himself.  
25 Q. Was it his size?

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1 A. I don't know.  
2 Q. Do you even know if it was men's clothing in the bag?  
3 A. I believe it was men's clothing, yes.  
4 Q. Do you remember him making any other statements to you  
5 after his case was over?  
6 A. No.  
7 Q. Is he still working at Da Hook Up?  
8 A. Yes.  
9 Q. Does he still own it?  
10 A. No, he doesn't own it.  
11 Q. Who owns it now?  
12 A. He never owned it.  
13 Q. Ibrahim still own it?  
14 A. No.  
15 Q. Who owns it?  
16 A. Nithal.  
17 Q. Who is he again?  
18 A. My brother.  
19 Q. Your other brother owns it and Mohammed is still  
20 working for him?  
21 A. Yes.  
22 Q. Is there any conditions with regard to his probation  
23 that he not work at the store?  
24 A. I believe it was probably six months. I'm not sure  
25 how long it was.

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1 Q. He's still on probation today?  
2 A. I don't think so.  
3 Q. Did you testify in any of their criminal actions that  
4 were brought against Nithal, Mohammed or Ibrahim?  
5 A. No.  
6 Q. Did you ever sit through court while they testified?  
7 A. No.  
8 Q. You indicated you had a friend from the Wayne County  
9 Sheriff's Department that gave you some information  
10 about the raid and suggesting that somehow we had  
11 screwed up in doing our raid, right?  
12 A. Yes.  
13 Q. You said it was Big Greg?  
14 A. I'm not sure of the name right now. I called him Big  
15 Greg or Big Ed, something like that.  
16 Q. And you said he was a friend of yours, right?  
17 A. He was a friend like as a customer that was coming in  
18 to Goodfellas.  
19 Q. What does he look like?  
20 A. Big stocky guy.  
21 Q. Black or white?  
22 A. Wore glasses, black.  
23 Q. What kind of glasses if you can describe them?  
24 A. Clear glasses.  
25 Q. Any facial hair?

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1 A. No.  
2 Q. Did he wear a uniform or plainclothes?  
3 A. Plainclothes.  
4 Q. Did you have any idea where he worked within the  
5 department?  
6 A. I don't know, no.  
7 Q. Do you have a number for him?  
8 A. Probably had his old number. It's been about a year  
9 ago. I haven't seen him ever since.  
10 Q. Is that something you can provide to me if you are  
11 able to find it in your records?  
12 A. Yes.  
13 Q. He gave you some information that would be important  
14 to your case, wouldn't you agree, if it turned out to  
15 be true?  
16 A. He gave me some information that said that they are  
17 saying in the department that Macy's got them into  
18 this mess.  
19 Q. Right. Wouldn't you agree if you could have him as a  
20 witness, that would be important to --  
21 A. If I could find him, yes.  
22 Q. So, if we asked you for his last number that you had,  
23 you'd be able to try and find that for us?  
24 A. Yes.  
25 Q. Did you ever have any understanding of what type of

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1 work he did for the sheriff's department whether it be  
2 on a task force --  
3 A. He was in a plain car all the time, came with -- his  
4 badge was sticking out at all times and he had a black  
5 vest with sheriff on the back of it.  
6 Q. How tall would you say he was?  
7 A. Say about five eleven, five twelve, five eleven.  
8 Q. You said he was a little --  
9 A. Stocky.  
10 Q. Do you have any idea how much he would weigh?  
11 A. About three hundred pounds.  
12 Q. You haven't seen him since before the raid?  
13 A. Well, after the raid --  
14 Q. I'm sorry. Since the day he came in after to tell you  
15 what he had heard --  
16 A. Yes, I haven't heard him since.  
17 Q. Did he ever call you on the phone before while he was  
18 a customer?  
19 A. He probably called the store and asked for me. I  
20 don't know if he had my cell phone number or not.  
21 He'd call the store. He wanted deals.  
22 Q. Did he want deals because he was a police officer?  
23 A. No, just as a customer.  
24 Q. Specifically what do you think Deputy Montgomery or  
25 Lieutenant Milanovich did wrong in connection with

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1 this raid?  
2 A. I don't know at this time. I think they could have  
3 prevented taking all the merchandise. They could have  
4 looked at the invoices, they could have asked Macy's  
5 what do you believe that was in the store that we  
6 could take right now and find it. I didn't care if it  
7 would have took them two weeks to look for the  
8 merchandise, I would have shut my doors down and have  
9 them in the store looking for it and identifying it  
10 right there. I think that's the proper procedure too  
11 to go in and locate the items that they allege --  
12 Q. Okay. You're not a police officer, are you?  
13 A. I'm not a police officer.  
14 Q. You don't have any law enforcement training.  
15 A. No, I don't, but I heard from a lot of friends that  
16 are police officers that that's what they should have  
17 done.  
18 Q. Specifically what police officer told you --  
19 A. I don't know their names.  
20 Q. No names?  
21 A. No names.  
22 Q. With regard to the clothing industry, though, wouldn't  
23 you agree that all of these multiple lawsuits would  
24 have been resolved a lot easier if you had better  
25 documentation of your items in your store?

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1 A. I had documentation. You guys had them.  
2 Q. Okay. All of that has since been returned, isn't that  
3 right?  
4 A. Yes.  
5 Q. All your paperwork is back to you?  
6 A. I believe so. I don't know if you guys kept any.  
7 Q. But at least from the copies that you believe you  
8 should have in the ordinary course of business, all of  
9 that was returned to you, right? There isn't like a  
10 file for Gino Green missing or a file from Pelle Pelle  
11 missing, you are able to continue to do business,  
12 aren't you?  
13 A. Yes.  
14 Q. Is there any file that you know of specifically that's  
15 missing from the time that it was taken pursuant to  
16 warrant by the police department?  
17 A. No.  
18 Q. Isn't it true, sir, as a result of the first lawsuit  
19 that we came to find out you couldn't prove every  
20 single item of clothing was yours because your  
21 manufacturers don't mark them per item, they just send  
22 them in shipments, do you know that to be true?  
23 A. What do you mean by that?  
24 Q. Isn't it true after you filed the first lawsuit and we  
25 did the inventory that we found out it was impossible

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1 to decipher where a pair of jeans originated from?  
2 A. I would know where it originated from by the name of  
3 the company on the jeans.  
4 Q. My point, sir, for those of us that aren't in the  
5 industry, if we took 70 boxes of merchandise, let's  
6 take one pair of Coogi jeans that were inside there.  
7 You testified at length about how you marked clothing  
8 when it was brought into your store.  
9 A. Right.  
10 Q. My point is isn't it true as a result of the first  
11 lawsuit and the inventory that took place that we were  
12 unable to identify whether that was your pair of jeans  
13 or Macy's pair of jeans and the case was dismissed,  
14 isn't that correct?  
15 A. Yes.  
16 Q. And isn't it true for the bulk majority of the 70  
17 boxes of merchandise, you didn't have records that  
18 proved unequivocally they were your pairs of jeans and  
19 Macy's didn't have records that unequivocally  
20 determined that they were their jeans, isn't that  
21 correct?  
22 A. I don't remember.  
23 Q. You at least remember you didn't have the records to  
24 show that this pair of jeans, there's no markings on  
25 it that specifically match up with an invoice that

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1 came in to your company, right?  
2 A. Yeah, because the merchandise weren't at court at the  
3 time. How am --  
4 Q. Even at you sit here today, though, sir, had you not  
5 done away with the merchandise, isn't it true that  
6 after the inventory took place, you couldn't hold up a  
7 piece of merchandise and match it up directly with an  
8 invoice, specifically per item?  
9 A. I didn't say with invoice at the time. We said you  
10 couldn't match because of the same merchandise.  
11 That's when we couldn't match it. We didn't say  
12 anything about the invoices. If I see a pair of jeans  
13 with my label, I could identify that it was on that  
14 invoice.  
15 Q. Okay. But if you bought two crates of jeans from  
16 Coogi Wear, isn't it true that you don't label those  
17 jeans one to two thousand or one to two hundred for  
18 two hundred pairs of jeans and then put them on your  
19 rack, isn't that true, sir? You don't mark them per  
20 item that comes in the crate, isn't that true?  
21 A. No, we mark them -- we mark 12 jeans, 12 tops at the  
22 same number. That's how we mark them.  
23 Q. Okay. So, if you got 12 shirts back, my point is you  
24 would have no way of knowing whether those 12 shirts  
25 came from your store or came from Macy's, isn't that

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1 correct?  
2 A. That's correct.  
3 Q. Okay. So, at the end of the first lawsuit and at the  
4 end of two days of inventorying the products where  
5 your attorney had an opportunity to be there and I had  
6 an opportunity to be there and the deputies were there  
7 going through boxes as well as some Macy's personnel,  
8 do you have knowledge that we were unable to determine  
9 whether Macy's had exclusive ownership of those  
10 specific items or you did?  
11 A. I didn't have knowledge, no.  
12 Q. Okay. Let me rephrase. Did you have knowledge at the  
13 end of the inventory that Macy's could not prove  
14 ownership of those items?  
15 A. Yes, I did.  
16 Q. Let me phrase it this way again. Did you have  
17 knowledge as to the majority of the items taken in the  
18 inventory that Macy's could not establish exclusive  
19 ownership of those items?  
20 A. That's correct.  
21 Q. And what is your knowledge as to the reason they could  
22 not establish exclusive ownership of those items?  
23 A. I don't know because they said that the way they had  
24 -- they had special sensors on their merchandise I  
25 believe and they couldn't find them in between the

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1 merchandise. I think that's what I was told by  
2 Montgomery, by Officer Montgomery when I went and  
3 picked up the stuff that they couldn't find their tags  
4 or sensors on them.  
5 Q. Okay. But you couldn't specifically if someone held  
6 up a pair of Coogi jeans tell me that was a pair of  
7 jeans out of your store versus Macy's, could you,  
8 based specifically --  
9 A. I wouldn't be able to tell, no.  
10 Q. As you sit here today with some 70 boxes of  
11 merchandise being returned to you, in truth you can't  
12 even identify whether those were the shirts taken out  
13 of your store and brought back into your store, can  
14 you?  
15 A. I can identify by the tags on them.  
16 Q. Some of them had Goodfellas tags on them?  
17 A. Yes.  
18 Q. But you don't have any independent paperwork that  
19 corroborates that those were the items that went out  
20 on the day, do you?  
21 A. No, I don't.  
22 Q. Now, separate and apart from that, the sheriff's  
23 department made a list of all the items that were in  
24 the boxes in the Home Depot warehouse and that was  
25 provided to your attorney at the time of the first

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1 civil lawsuit, correct, if you know?  
2 A. They didn't have every item on that list.  
3 Q. Would you say they had 90 percent of the items in  
4 there?  
5 A. I'd say less.  
6 Q. Okay. What wasn't on the list of inventory that you  
7 believe should have been when it was returned to you?  
8 You talked about leather jackets and you talked about  
9 some New Era caps.  
10 Is there anything else that specifically  
11 was not on the Wayne County inventory list that was  
12 returned to your attorney before we dismissed the  
13 first case with prejudice?  
14 A. Okay. I thought you were talking about when they  
15 started inventorying at the store when they took the  
16 merchandise, but I believe you are asking after they  
17 made the inventory at the Home Depot warehouse, that  
18 inventory list I didn't go through it every one  
19 specifically, I didn't go through it, but I went  
20 through the merchandise. That's how I found out there  
21 was merchandise missing.  
22 Q. Anything else you remembered since Miss Damico has  
23 questioned you?  
24 A. No.  
25 Q. So, let's go back to then there was some type of

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1 inventory taken at the store before they took the  
2 boxes out of the store, right, by the people -- they  
3 weren't your people, they were either Macy's or Wayne  
4 County sheriffs, there was some type of markings going  
5 on?  
6 A. Right.  
7 Q. And that would be captured on the videotape as well,  
8 right?  
9 A. Yes, but remember they disconnected the videos while  
10 they were still in the store.  
11 Q. But you have over two hours of footage --  
12 A. Yes.  
13 Q. And anything materially different happen after the  
14 videotape was turned off than you see on it in terms  
15 of general movements of people in the store and taking  
16 down of information?  
17 A. I don't remember.  
18 Q. You were there --  
19 A. Yeah.  
20 Q. -- at the time that the video was turned off, let's  
21 establish that, right?  
22 A. Right.  
23 Q. Because you know now what time the video was turned  
24 off, right?  
25 A. Right.

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1 Q. By that you mean unplugged because your computer was  
2 taken as part of the raid, correct?  
3 A. Right.  
4 Q. So you don't think there is anything wrong with them  
5 taking the computer that was authorized for in the  
6 warrant at the time of the raid, right?  
7 A. Well, Officer Milanovich came outside the office and  
8 said that you better come shut these cameras off while  
9 we are in the store.  
10 So, I was told by Feinberg that was there,  
11 Attorney Feinberg, don't do anything at this time.  
12 These are your cameras, let them deal with it.  
13 Q. Okay.  
14 A. So, I believe he told them that he's not going to shut  
15 them off. He said fine, he just went and started  
16 unplugging plugs out of the wall.  
17 Q. Did you have any knowledge as to whether any officers  
18 on this raid were undercover officers?  
19 A. They were all undercover.  
20 Q. And they might work in other sensitive areas for the  
21 department, if you know?  
22 A. I don't know.  
23 (Recess taken at 3:10 p.m.)  
24 (Back on the record at 3:13 p.m.)  
25 BY MS. FLANAGAN:

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1 Q. We talked about the complaint with regard to the  
2 statements of the sheriff's department. Do you have  
3 any evidence or facts that Sheriff Evans did anything  
4 wrong other than the statements on television that  
5 support your defamation claim?  
6 A. There was a statement on the Internet from the Wayne  
7 County Sheriff Department on the Internet.  
8 Q. Was that the press release?  
9 A. I think it was the press release. I'm not sure.  
10 Q. And you believe that that was false in some way, the  
11 press release or defamatory?  
12 A. Yes. I think through that there was a lady that works  
13 with Fox that took advantage of that and started  
14 putting pictures of terrorist groups and my brother's  
15 pictures and my brother-in-law pictures on there that  
16 Goodfellas was selling counterfeit merchandise to send  
17 money to a terrorist group. All of that stuff led --  
18 whatever they heard on the news she posted. I forgot  
19 her name.  
20 MS. DAMICO: Debbie Schlusel (phonetic).  
21 I read the same thing you read.  
22 BY MS. FLANAGAN:  
23 Q. You don't have any evidence that shows any Wayne  
24 County employee made any statement connecting you with  
25 a terrorist group or funding terrorist activities, do

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1 you?  
2 A. No.  
3 Q. And in fact you don't have any evidence that shows we  
4 control what the media puts out on television,  
5 correct?  
6 A. No.  
7 Q. And in fact we've given a copy of our press release to  
8 your attorneys in connection with this case. Have you  
9 had a chance to review that?  
10 A. I believe so, yes.  
11 Q. I'm going to hand you and we'll mark this eventually  
12 but the press release that was sent to your attorney  
13 in connection with the request for admissions and ask  
14 if you could just review the heading in that, please,  
15 the bolded heading, two lines. You see that there,  
16 sir, the title of the press release?  
17 A. Yes.  
18 Q. Okay. And for the record it indicates undercover  
19 sting nets three hundred thousand dollars in suspected  
20 stolen and counterfeit merchandise, did I read that  
21 correctly?  
22 A. That's true.  
23 Q. I'm going to direct you to the second paragraph  
24 beginning with last week and ask you to review that  
25 and let me know when you're finished just reading that

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1 second paragraph.  
2 A. Yeah, it said it clear, stolen and counterfeit items.  
3 Q. And the second paragraph indicates last week deputies  
4 raided Da Hook Up and Goodfellas, two clothing stores  
5 where they recovered more than three hundred thousand  
6 dollars worth of stolen and counterfeit items.  
7 Did I read that correctly?  
8 A. Yes.  
9 Q. And is that the part of the press release that you  
10 think is false?  
11 A. Yes.  
12 Q. Is it false because you are putting you together with  
13 Da Hook Up or is there something else that's false  
14 about that statement?  
15 A. One of the reasons is that they put me together with  
16 Da Hook Up and the other reason is I believe Warren  
17 Evans was -- should have been more clear or found out  
18 more about the activity at Goodfellas before he said  
19 anything that damaged my business.  
20 MARKED FOR IDENTIFICATION:  
21 DEPOSITION EXHIBIT 3  
22 3:18 p.m.  
23 BY MS. FLANAGAN:  
24 Q. Okay.  
25 A. His statement on TV damaged the reputation of

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1 Goodfellas.  
2 Q. Did he indicate whether it was suspected stolen  
3 merchandise on TV or not?  
4 A. I don't remember what he said on TV. Even the word  
5 suspected people -- I had over a thousand phone calls  
6 at the store saying so, we've been shopping with you  
7 all this time and now we've been buying counterfeit  
8 material at Goodfellas, and there were phone calls  
9 like that answered by my employees. So, I believe  
10 that's one of the reasons.  
11 Q. So, the fact that you were put together with someone,  
12 your brother, who -- or brother-in-law?  
13 A. Brother.  
14 Q. Who sold counterfeit merchandise, you feel that was  
15 inappropriate and damaged your business reputation?  
16 A. That's true.  
17 Q. Okay. Do you currently have any contracts where you  
18 and your brother are both contracting parties?  
19 A. No, no contract.  
20 Q. No subcontracts or leases?  
21 A. I have -- I believe I have a lease that he's renting a  
22 building for me on Joy Road.  
23 Q. Anything else? We talked about that earlier.  
24 Anything else?  
25 A. No.

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1 Q. Do you lease any residential property together?  
2 A. No.  
3 Q. Are you part of any other plea agreement or  
4 arrangement together on criminal charges?  
5 A. No.  
6 Q. Have you reached any other plea agreements with any  
7 member of the prosecutor's office?  
8 A. No.  
9 Q. Do you have any current charges for which you are  
10 facing in state or federal court?  
11 A. No.  
12 Q. Criminal charges?  
13 A. No.  
14 Q. Give me a minute. I think we are almost done here.  
15 MS. DAMICO: Can I ask a couple questions  
16 while --  
17  
18 MS. FLANAGAN: Yes.  
19 RE-EXAMINATION  
20 BY MS. DAMICO:  
21 Q. Your bank accounts that we talked about, with Fifth  
22 Third and Bank of America, are those under the name of  
23 Goodfellas Wear or your name?  
24 A. Goodfellas Wear.  
25 Q. Do you have a tax ID number for Goodfellas Wear?

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1 A. I don't have it on me. Yes, I do have it at the  
2 store.  
3 Q. And the branch for Fifth Third you said Telegraph?  
4 A. In Dearborn.  
5 Q. And then Bank of America branch --  
6 A. Is on Warren Avenue in Dearborn.  
7 Q. And the CIT and Wells Fargo, what do you call them?  
8 A. Factor companies.  
9 Q. Are those under your name or Goodfellas?  
10 A. Goodfellas.  
11 Q. Is CIT located in another state?  
12 A. I believe in New York.  
13 Q. Okay. And if I wanted to get information, do I call  
14 it a factors account or does it have a different --  
15 A. It's a factor company.  
16 Q. Factor company.  
17 A. They make the decisions who gets approved for net 30s.  
18 Q. Okay.  
19 EXAMINATION  
20 BY MR. HALL:  
21 Q. Did you see any stolen property taken from the store  
22 on the night of the raid?  
23 A. No, I didn't.  
24 Q. So, how do you know it was stolen property there?  
25 A. Mohammed told me afterwards.

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1 MS. FLANAGAN: I'm sorry, are we on the  
2 record? I didn't surrender the witness yet, Cyril.  
3 MR. HALL: Oh, well --  
4 MS. DAMICO: I was just doing some  
5 follow-up questions.  
6 MS. FLANAGAN: I'm almost done. I just  
7 wanted to make sure we were still on the record. I  
8 was a little confused there.  
9 RE-EXAMINATION  
10 BY MS. FLANAGAN:  
11 Q. With regard to the Wayne County Sheriff Department  
12 employees that were there on the day of the raid, did  
13 any one of them other than what you've testified to do  
14 anything inappropriately that you thought was outside  
15 the scope of their duties as a police officer?  
16 A. Kind of.  
17 Q. What would that be?  
18 A. They were -- I have a VIP room upstairs on the second  
19 level. They were -- they brought boxes of McDonald's  
20 food and they just ate up there, ate up in the room  
21 and threw it all over the floor and they didn't care  
22 about the furniture, they just --  
23 Q. They cluttered your VIP room?  
24 A. Yeah. Besides that --  
25 Q. Was there any furniture damaged, broken, ripped, torn?

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1 A. Well, they tore up the furniture in my office.  
2 Q. What furniture was that?  
3 A. Flipped the tables upside down. I have pictures of  
4 that and Jim Feinberg was there at the time.  
5 Q. Was there any upholstered furniture that was ripped or  
6 torn by the deputies?  
7 A. No.  
8 Q. Was there any upholstered furniture in your VIP room  
9 that was ripped or tore up by the deputies?  
10 A. No.  
11 Q. What is your VIP room used for?  
12 A. It's used for customers that come shop with their --  
13 let's say if a woman is shopping and -- mostly it's  
14 for rappers. I have a lot of artists that come to my  
15 store.  
16 Q. What do they do in the VIP room?  
17 A. They just sit down and take pictures. There is a fish  
18 tank, a TV they sit down and watch.  
19 Q. Is it also called a smoking room?  
20 A. There is no smoking in that room.  
21 Q. It's not meant for --  
22 A. It's not closed up.  
23 Q. It's not a smoking room?  
24 A. No.  
25 Q. And can you see the activities of the store from the

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1 VIP room through camera or playback?  
2 A. Yes.  
3 Q. So, is there any other place -- you can see the  
4 playback of the videos in your office as well,  
5 correct?  
6 A. That's correct.  
7 Q. And the VIP room?  
8 A. Yes.  
9 Q. Is there any other places where they actually have the  
10 monitors where you can see the videos?  
11 A. All over the store, the back room, you could see the  
12 back room.  
13 Q. I know the cameras are all over the stores. Are the  
14 video screens where you can see where --  
15 A. I can see wherever there is Internet.  
16 Q. From a computer module?  
17 A. Yes.  
18 Q. Got it. You talked about the other deposition that  
19 you gave with David Martin I think. Do you remember  
20 the name of that case?  
21 A. I don't know.  
22 Q. What year was it?  
23 A. It was in -- I believe it ended in '06.  
24 Q. Do you know what court it was in?  
25 A. It wasn't a court. It was Wayne County.

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1 Q. Who was the defendant that you were suing?  
2 A. Farm Bureau Insurance.  
3 Q. Okay. And did you say you received a settlement  
4 payment in that case?  
5 A. Yes.  
6 Q. What was that amount?  
7 A. Around 22 thousand.  
8 Q. Any other litigation of any kind that you were a party  
9 to or witness to?  
10 A. No.  
11 Q. Ever file any litigation against police officers  
12 before?  
13 A. No.  
14 MS. FLANAGAN: I have nothing further at  
15 this time.  
16 MS. DAMICO: I don't have anything.  
17 RE-EXAMINATION  
18 BY MR. HALL:  
19 Q. As indicated you didn't have any personal knowledge of  
20 any stolen merchandise or alleged stolen merchandise  
21 found in your stores, is that correct?  
22 A. At the time, no, I didn't.  
23 Q. Nithal, your brother, you don't know whether or not he  
24 stole -- sold counterfeit merchandise, do you?  
25 A. No.

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1 MR. HALL: I don't have any further  
2 questions.  
3 (The deposition was concluded at 3:27 p.m,  
4 Signature of the witness was not requested by  
5 counsel for the respective parties hereto.)  
6  
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1 CERTIFICATE OF NOTARY  
2 STATE OF MICHIGAN )  
3 ) SS  
4 COUNTY OF WAYNE )  
5  
6 I, NORA MORRISSY, a Notary Public in  
7 and for the above county and state, do hereby  
8 certify that the above deposition was taken before  
9 me at the time and place hereinbefore set forth;  
10 that the witness was by me first duly sworn to  
11 testify to the truth, and nothing but the truth;  
12 that the foregoing questions asked and answers made  
13 by the witness were duly recorded by me  
14 stenographically and reduced to computer  
15 transcription; that this is a true, full and correct  
16 transcript of my stenographic notes so taken; and  
17 that I am not related to, nor of counsel to either  
18 party nor interested in the event of this cause.  
19  
20  
21  
22 \_\_\_\_\_  
23 NORA MORRISSY, CSR-2642  
24 Notary Public,  
25 Wayne, County, Michigan  
My Commission expires: 9-13-13

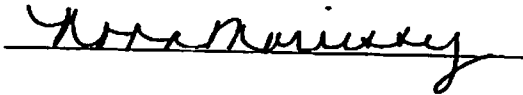
CERTIFICATE OF NOTARY

STATE OF MICHIGAN )

) SS

COUNTY OF WAYNE )

I, NORA MORRISSY, a Notary Public in  
and for the above county and state, do hereby  
certify that the above deposition was taken before  
me at the time and place hereinbefore set forth;  
that the witness was by me first duly sworn to  
testify to the truth, and nothing but the truth;  
that the foregoing questions asked and answers made  
by the witness were duly recorded by me  
stenographically and reduced to computer  
transcription; that this is a true, full and correct  
transcript of my stenographic notes so taken; and  
that I am not related to, nor of counsel to either  
party nor interested in the event of this cause.



NORA MORRISSY, CSR-2642

Notary Public,

Wayne County, Michigan

My Commission expires: September 13, 2013

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