

1 DORNUBARI ANSLEM JOHN-MILLER

2 the exact date, but I know that on one of the  
3 trips to the witnesses there, that's it. To  
4 Benin. That's all I know.

5 Q Are you saying that on one trip in  
6 2003, you took witnesses to Benin?

7 A To Benin, yes.

8 Q For what purpose?

9 A To give them a place. To put them at  
10 the place, that's it.

11 Q Are you saying that you brought them to  
12 the refugee camp?

13 A Not to the refugee camp, to Benin.

14 Q Where in Benin did you bring them?

15 A To a place to stay in Benin.

16 Q Which witnesses did you bring to Benin  
17 in 2003?

18 A Two persons. Two witnesses.

19 Q Who were they?

20 A I think that was Boniface and Prince.

21 Q To the best of your recollection, when  
22 was this that you brought Boniface and Prince to  
23 Benin?

24 A I can't recall the exact date anymore.

25 Q Do you believe it was prior to

1 DORNUBARI ANSLEM JOHN-MILLER

2 September of 2003?

3 A I know it was before September of 2003.

4 Q Do you know whether it was before June  
5 of 2003?

6 A I don't know. I don't know the exact  
7 date.

8 Q You believe at some point in 2003 --

9 A Yes. I know at some point.

10 Q So did someone ask you to bring  
11 Boniface and Prince to Benin?

12 MR. WHINSTON: "Yes" or  
13 "no" question.

14 THE WITNESS: Yes.

15 BY MR. REYNOLDS:

16 Q Who asked you to bring them to Benin?

17 A I don't know whether Steve or Carey,  
18 but I know someone asked me to move them to  
19 Benin.

20 Q Do you know why Steve or Carey asked  
21 you to bring Boniface and Prince to Benin?

22 MR. WHINSTON: "Yes" or  
23 "no" question.

24 THE WITNESS: No. I don't  
25 know why.

1 DORNUBARI ANSLEM JOHN-MILLER

2 BY MR. REYNOLDS:

3 Q Prior to your bringing Boniface and  
4 Prince to Benin, do you know whether Boniface and  
5 Prince had ever left Nigeria?

6 MR. WHINSTON: In their  
7 entire lives?

8 MR. REYNOLDS: Just asking  
9 if he knows whether they have.

10 THE WITNESS: Can you  
11 repeat that question? I don't understand  
12 what you mean.

13 BY MR. REYNOLDS:

14 Q Do you know whether Boniface and Prince  
15 had been to Benin prior to the time that you  
16 brought them there?

17 A I don't know that. I don't know.

18 Q Were Boniface and Prince living in  
19 Nigeria when you brought them to Benin?

20 A Yeah. From Nigeria to Benin, yes.

21 Q Whose location or building in Benin did  
22 you bring Boniface Egiogwu and Prince Osaror to?

23 A In Benin particularly, when they went  
24 to -- where I took to them was in Come and in  
25 Come the streets are not numbered. It's a

1 DORNUBARI ANSLEM JOHN-MILLER

2 MR. WHINSTON: You can ask  
3 the question any way you want, but it will  
4 be more productive if you ask them  
5 individually.

6 MR. REYNOLDS: That's fine.

7 BY MR. REYNOLDS:

8 Q To your knowledge, does Prince Osaror  
9 live in Benin, but not in a refugee camp?

10 A Yes.

11 Q To your knowledge, does Boniface  
12 Egiogwu live in Benin, but not in a refugee camp?

13 A Yes.

14 Q To your knowledge, does Jackson Ebu  
15 Nwiyon live in Benin, but not in a refugee camp?

16 A Yes.

17 Q To your knowledge, does Vincent Nwidoh  
18 live in Benin, but not in a refugee camp?

19 A Yes.

20 Q To your knowledge, does Raphael Kponee  
21 live in Benin, but not in a refugee camp?

22 A Yes.

23 Q To your knowledge, does Lete Gbarale  
24 live in Benin, but not in a refugee camp?

25 A Yes.

1 DORNUBARI ANSLEM JOHN-MILLER

2 Q To your knowledge, does Blessing Israel  
3 live in Benin, but not in a refugee camp?

4 A Yes.

5 Q When you brought Boniface Egiogwu and  
6 Prince Osaror to Benin in 2003, did you cross the  
7 border into Benin at a checkpoint?

8 A We did.

9 Q Did Prince Osaror and Boniface Egiogwu  
10 provide any kind of documentation to the border  
11 guards?

12 A No. They did not because when we went  
13 through the border, I specifically went there and  
14 met with an officer and explained and said,  
15 "Look, I want you to do me a special favor. Send  
16 us through the border."

17 I met one of the officers.  
18 I don't know whether it's immigration or custom,  
19 but I met one of the officers, and I told him  
20 specifically I wanted him to do us a favor in  
21 particular. He said, "What is that?"

22 I told him, "I want to  
23 cross the border, and I don't want to go through  
24 all the processes because it's a tough border  
25 even when you have all the documentation. You

1 DORNUBARI ANSLEM JOHN-MILLER

2 cannot just easily go through." He brought his  
3 car and drove us through the border.

4 Q Did you provide this border official  
5 with any money?

6 A No.

7 Q Did you provide the border official  
8 with anything at all?

9 A No.

10 Q Did you know this border official prior  
11 to meeting him this time?

12 A I didn't know him. All I did was  
13 introduced myself. I told him I had a cousin who  
14 was there, a relative who died in active service  
15 who served on the border. I mentioned his name.  
16 He's very popular. He was very sympathetic, and  
17 he immediately took me.

18 Q Who was this relative of yours?

19 A That's Charles Wiwa's senior brother.  
20 His name is Idam Wiebe (ph). He was a top  
21 officer of the National Drug Law Enforcement  
22 Agency, and he died in 2002.

23 Q How did he die?

24 A He was shot. He was south of the  
25 border, was transferred to Onicha from the border

1 DORNUBARI ANSLEM JOHN-MILLER  
2 location in Lagos to Onicha. When he got there,  
3 he has already posted back to Lagos, but he had a  
4 faulty car problem. While he was fixing his car  
5 in Lagos, he had his office employee come to meet  
6 him and said we will give him security detail,  
7 he's a senior officer, and he was assassinated on  
8 the way.

9 Q Does anyone know assassinated him?

10 A Not to this day. As soon as I  
11 mentioned that, he was very sympathetic. That's  
12 how I was able to cross freely.

13 Q You're saying that Boniface Egiogwu and  
14 Prince Osaror crossed the border from Nigeria to  
15 Benin without going through the usual protocols?

16 A Yes. The officer drove us in his  
17 vehicle through the border, and they didn't even  
18 go through the official route. They went through  
19 the bush tract because at the border, you have  
20 official route and then you have border roads  
21 within the border area where the locals have to  
22 go through there.

23 Q Did Boniface Egiogwu give you any  
24 reason why he was going from Nigeria to Benin?

25 A I know they are witnesses in this case,

1 DORNUBARI ANSLEM JOHN-MILLER

2 that's why they were leaving.

3 Q Why is that?

4 A Because it would not be safe to testify  
5 in Nigeria considering their positions. That's  
6 what they told me.

7 Q Did Boniface Egiogwu tell you anyone  
8 had threatened him in any way?

9 A All he told me was that it was not just  
10 Boniface. Both of them said it is impossible for  
11 them to testify in Nigeria in this case as long  
12 as they have been in the military or have been  
13 military officers. As soon as they said that, I  
14 knew what they meant.

15 Q Are you saying that it's your  
16 understanding that both Boniface Egiogwu and  
17 Prince Osaror had served in the military?

18 A That's what they told me. When I  
19 compare the information they provided, I saw that  
20 their argument was genuine. That to go by what  
21 is said is true, if they served in the military,  
22 then there's no way they can testify in this  
23 case. I had to weigh what they said, and I knew  
24 it was true.

25 Q Are they in hiding in Benin?



1 DORNUBARI ANSLEM JOHN-MILLER

2 A Yes.

3 Q To your knowledge and understanding,  
4 are Boniface Egiogwu and Prince Osaror legally  
5 entitled to be in Benin?

6 A The way it works is this. It is  
7 similar to the way I lived in Benin. Within the  
8 ECOWAS territory, you have about 90 days, or  
9 whatever, people from Nigeria go to Benin, you  
10 have a lot of people staying in Benin without  
11 documentation. As long as you keep low profile  
12 and don't make trouble, you can stay there no  
13 matter whether you have paper to stay there or  
14 not.

15 MR. WHINSTON: He said  
16 "ECOWAS," E-C-O-W-A-S, all caps.

17 BY MR. REYNOLDS:

18 Q What is ECOWAS?

19 A The Economic Community of West African  
20 States. You are free to move about within the  
21 territory, within the countries within a  
22 specified time.

23 Q Ninety days?

24 A I think so. I think about 90 days or  
25 more.

1 DORNUBARI ANSLEM JOHN-MILLER

2 Montague by telephone about your meeting with  
3 Mr. Egiogwu?

4 A I did. I'm sure I reported to Steve  
5 and Carey.

6 Q While you were still in Nigeria?

7 A No. When I came back, I told them. I  
8 might have also mentioned it while I was in  
9 Nigeria because once or twice, we had phone  
10 calls, but I don't recall that I specifically  
11 said. I know when I got to the U.S., I did tell  
12 them about my trip.

13 Q Did Mr. Egiogwu provide you any  
14 documents to look at?

15 A No.

16 Q Did you show Mr. Egiogwu any documents?

17 A No.

18 Q Did Mr. Egiogwu mention the Afam  
19 warehouse?

20 MR. WHINSTON: Objection.

21 Hold on a minute. Objection. I'll instruct  
22 the witness not to answer. Same basis.

23 BY MR. REYNOLDS:

24 Q Did you discuss with Mr. Egiogwu the  
25 possibility of him testifying at trial in the

1 DORNUBARI ANSLEM JOHN-MILLER

2 United States?

3 A I indicated previously that he said he  
4 would be willing and able to testify. That's all  
5 he said.

6 Q Did you discuss where the testimony  
7 would be given?

8 A He just give me that information. I  
9 didn't ask him to tell me. He just said he would  
10 be willing and able to testify in this case if  
11 his services is needed, and I shared that with  
12 the lawyers. I didn't go into where and so on.

13 Q Did he say he refused to testify in  
14 Nigeria?

15 A I testified to that earlier that he  
16 said if he has to testify in this case, he will  
17 be killed in the next minute by the military in  
18 Ogoni.

19 Q I didn't ask that, though. I'm asking  
20 you, did Mr. Egiogwu refuse to testify in Nigeria  
21 for any reason?

22 A Yes.

23 Q Did he say where he would be willing to  
24 testify?

25 A He didn't specify any particular place,

1 DORNUBARI ANSLEM JOHN-MILLER

2 but he said I cannot testify in this case in  
3 Nigeria.

4 Q But it was clear to you that if  
5 Mr. Egiogwu was going to testify in this matter,  
6 it would have to be outside of Nigeria?

7 A Right. Yes.

8 Q And you, yourself, actually brought him  
9 to Benin so that he could testify. Is that  
10 right?

11 A Yes.

12 Q Did your friend Legborsi Esaen ever  
13 provide you with any additional names of  
14 potential witnesses in this litigation other than  
15 Boniface Egiogwu and potentially this colleague  
16 of Boniface's whom you spoke with on the phone?

17 MR. WHINSTON: Objection to  
18 the form.

19 You can answer.

20 THE WITNESS: I know he  
21 mentioned some names, but I was particularly  
22 interested in Boniface. I know he had  
23 mentioned some names.

24 BY MR. REYNOLDS:

25 Q Do you recall any names he mentioned

1 DORNUBARI ANSLEM JOHN-MILLER

2 amongst them for taking care of the witnesses.

3 That's what I know. I know that was something  
4 they decided and have been doing.

5 Q How much money have you contributed?

6 A I contributed at least \$100. \$100 each  
7 time I paid.

8 Q Each time you paid?

9 A Each time I paid, yes.

10 Q How many times have you paid?

11 A At least more than once. I can't  
12 recall the number of times, but more than once.

13 Q How often are these payments made?

14 A I think it's about monthly. Something  
15 like that.

16 Q How long has this been going on?

17 A Since last year.

18 Q Since you first met Boniface Egiogwu?

19 A Since 2003.

20 Q Since the time you met Boniface or  
21 before that time?

22 A It should be after that. After I met  
23 Boniface.

24 Q So at some point in 2003 after you met  
25 Boniface Egiogwu, the plaintiffs --

1 DORNUBARI ANSLEM JOHN-MILLER

2 MR. WHINSTON: Can you hold  
3 that thought?

4 MR. REYNOLDS: Yes.  
5 Someone's interrupting us. We need to take  
6 a break. If you could remain here. I'd  
7 rather you not leave if there's a pending  
8 question.

9 MR. WHINSTON: Yeah.

10 (Off the record.)

11 MR. WHINSTON: You may  
12 continue.

13 BY MR. REYNOLDS:

14 Q At some point in 2003 after you met  
15 Boniface Egiogwu in Nigeria, did the plaintiffs  
16 and their counsel at Berger & Montague start  
17 making regular payments to the seven witnesses  
18 living illegally in Benin that we've been  
19 discussing?

20 MR. WHINSTON: Objection to  
21 the form.

22 You can answer.

23 THE WITNESS: I know that  
24 before I arrived in the U.S., the plaintiffs  
25 have agreed to contribute certain amount of

1 DORNUBARI ANSLEM JOHN-MILLER

2 money for the welfare of the witnesses. I  
3 wasn't aware at that moment that Berger &  
4 Montague was making any contribution. It's  
5 of recent that I know that they've made a  
6 contribution towards that by passing the  
7 funds through me. I know that for sure.

8 But I know that apart from  
9 Berger & Montague, the plaintiffs -- I'm  
10 sorry to say witnesses -- the plaintiffs  
11 have been making regular contributions  
12 towards the upkeep of the individuals in  
13 Benin.

14 BY MR. REYNOLDS:

15 Q Did you attend any meetings of the  
16 plaintiffs at which it was decided that the  
17 plaintiffs would provide funds to the Benin  
18 witnesses?

19 A I did not attend any meeting. That  
20 decision, from what I was told, was something  
21 they discussed on the phone. And once agreement  
22 was reached, they began implementing it.

23 Q Were you involved in the telephone  
24 conversation?

25 A I was not in the country as of that

1 DORNUBARI ANSLEM JOHN-MILLER

2 moment. I was in Nigeria. By the time I came  
3 back, they told me, "Look, this is the share of  
4 the funds."

5 Q Who told you that?

6 A I know Pius Nwinee was the one who  
7 called me and told me look the plaintiffs have  
8 agreed to contribute a certain amount for the  
9 upkeep of the witnesses, so this is your share.  
10 I said, "Okay. Since it's a collective effort, I  
11 have to give my funds for general purposes."

12 Q Do you know how that first payment to  
13 the Benin witnesses was made?

14 A I don't know.

15 Q Did you make it yourself?

16 A Not myself.

17 Q Do you have any idea who made it?

18 A I guess Pius because he was the one who  
19 called me and told me, "Look, we've agreed to do  
20 this," and he is the one who is always calling  
21 people to say look -- others call as well, but he  
22 basically was calling the people. So I believe  
23 he must also have knowledge of other funds sent  
24 to the witnesses.

25 Q You said earlier each time you



1 DORNUBARI ANSLEM JOHN-MILLER

2 contributed to this process, it was a \$100?

3 A Yes.

4 Q Was it your understanding that each of  
5 the plaintiffs also contributed a \$100?

6 A I believe so.

7 Q Do you know how many plaintiffs there  
8 are?

9 A I know my father contributed, also.

10 Q Bishop John-Miller?

11 A Yes.

12 Q If I told you that there were  
13 approximately 14 plaintiffs, would that sound  
14 right to you?

15 A Yes. I know that.

16 Q So your understanding is that that  
17 first payment to the Benin witnesses in 2003 was  
18 approximately \$1,400 or more?

19 A Yes.

20 Q When did you personally start making  
21 these regular payments to the Benin witnesses?

22 A As soon as I came back from Benin, from  
23 the Nigeria/Benin trip, they told me, "Look, this  
24 is what you have to" --

25 Q I'm sorry. I understand. Remember you

1 DORNUBARI ANSLEM JOHN-MILLER

2 said earlier when there came a time when you  
3 wired money to Benin?

4 A Yes.

5 Q I'm asking, when did you start doing  
6 that?

7 A I wired money to them recently.

8 Q Is that the first time you did, you  
9 personally?

10 A Let me see. Yes, that was the first  
11 time I sent money there.

12 Q To your knowledge, payments were being  
13 made to the Benin witnesses prior to when you  
14 first arranged for that payment recently. Right?

15 A Payments have been made from 2003 from  
16 the plaintiffs.

17 Q And so Pius Nwinee you believe or  
18 someone else was involved in actually making the  
19 direct transfers to Benin?

20 A Yes.

21 Q Were these payments made monthly?

22 A I believe it's monthly because every  
23 month, they were always calling me for my own  
24 share.

25 Q Did you write a check each month and

1 DORNUBARI ANSLEM JOHN-MILLER

2 send it to someone?

3 A I don't know how the money was sent,  
4 but I do know that I used to send my money to  
5 Pius.

6 Q Do you know how much money Berger &  
7 Montague contributes?

8 A I don't know.

9 Q We talked about the first payment as  
10 being approximately \$1,400 or more, to your  
11 knowledge. What was the payment that you made  
12 recently?

13 MR. WHINSTON: Objection to  
14 the form.

15 You can answer.

16 THE WITNESS: The payment I  
17 made was also for their feeding and welfare.

18 BY MR. REYNOLDS:

19 Q How much money was that?

20 A I don't know the exact amount, but it  
21 was partly funds from the plaintiff and also  
22 Berger & Montague.

23 Q Was it more than \$2,000?

24 A I don't know. I can't recall if it was  
25 more than \$2,000. I specifically know the

1 DORNUBARI ANSLEM JOHN-MILLER

2 purpose was for the feeding and welfare of the  
3 witnesses.

4 Q Did someone give you a check that you  
5 brought to Western Union and cashed in order to  
6 make a wire transfer for that --

7 A Money was sent to me by Pius, the one I  
8 wired was sent to me by Pius. And then I had the  
9 funds from Berger & Montague, and then sent it by  
10 Western Union.

11 Q Are you saying you had a check from  
12 Berger & Montague and a check from Pius?

13 A Yes. Two separate checks.

14 Q Was the check from Pius a check that  
15 was in Pius' name?

16 A Yes, a personal check.

17 Q Was it your understanding that Pius had  
18 collected the money from the other plaintiffs and  
19 put it in an account and then sent one check to  
20 you?

21 A He told me specifically.

22 Q Are you aware of payments being made by  
23 the plaintiffs in this litigation to anyone else  
24 other than the Benin witnesses?

25 MR. WHINSTON: When you're

1 DORNUBARI ANSLEM JOHN-MILLER

2 talking about the Benin witnesses, you're  
3 talking about the people not in the refugee  
4 camp that he has identified before?

5 MR. REYNOLDS: I'm talking  
6 about the seven persons who are, per the  
7 witness's testimony, illegally resident in  
8 Benin now; Prince Osaror, Boniface Egiogwu,  
9 Jackson Ebu Nwiyon, Vincent Nwidoh, Raphael  
10 Kponee, Lete Gbarale and Blessing Israel.

11 THE WITNESS: Barika Fomsi  
12 is still there.

13 BY MR. REYNOLDS:

14 Q I didn't mention him?

15 A He's one of them.

16 Q Is he one who's illegally resident in  
17 Benin?

18 A Yes. I know they are making payments  
19 mainly for the witnesses in Benin. That's all I  
20 know.

21 Q Are any payments being made by the  
22 plaintiffs, to your knowledge, to any residents  
23 of the refugee camp or camps in Benin?

24 A I don't know how the funds are being  
25 shared, but I know when the money is sent, it is

1 DORNUBARI ANSLEM JOHN-MILLER

2 sent for witnesses. I know specifically it is  
3 sent for witnesses. I don't know how it is being  
4 split.

5 Q Do you have any idea how much that  
6 check was from Berger & Montague that you put  
7 together in the check for Pius Nwinee and sent to  
8 the witnesses in Benin?

9 A I think I said that I don't recall the  
10 exact amount, but I know that the purpose for the  
11 funds --

12 Q I didn't ask that. Just asking, do you  
13 have any idea how much that check was for from  
14 Berger & Montague?

15 A I don't know the exact amount, but if I  
16 remember, I'll let you know.

17 Q Is it possible that you kept some kind  
18 of documentation from Western Union that recorded  
19 how much money you sent?

20 A It is possible.

21 Q Can you think of a place in your house  
22 where you have that information?

23 A I don't know because I have so many  
24 papers in my house. Once I'm done with that, I  
25 destroy it. Once I confirmed the funds were

1 DORNUBARI ANSLEM JOHN-MILLER

2 received, I destroy it.

3 Q Weren't you concerned that somebody  
4 might think that you forgot to send the money or  
5 there was some mistake in sending it?

6 A Because I have confirmed that the money  
7 has been received. As soon as I confirm that, I  
8 don't need to keep those documents.

9 Q How did you confirm that?

10 A Because I call -- I got -- I made a  
11 call and not just a call, I confirmed via a call  
12 that the funds have been received.

13 Q Who did you call?

14 A I called Lete Gbarale. I went to use  
15 the tracking number of Western Union to make a  
16 call to find out from Western Union whether the  
17 funds have been paid. And I got the message  
18 clearly from Western Union that that fund had  
19 been received by so-and-so date.

20 So I didn't even bother  
21 myself to keep anything because I knew that thing  
22 has gone to the right destination. One of the  
23 witnesses called me and said, "Look, there's  
24 confirmation that they received the funds," that  
25 they received funding. I said, "Okay. I'm

1 DORNUBARI ANSLEM JOHN-MILLER

2 Q Did you ever ask for a picture to be  
3 taken plaintiff are Mr. Osunde?

4 A No.

5 Q Do you have any pictures of Mr. Osunde?

6 A No.

7 Q Have you personally ever seen anyone  
8 employed by SPDC being involved in the theft of  
9 SPDC property?

10 A No.

11 Q What type of equipment do you -- did  
12 you hear that an SPDC employee was involved in  
13 stealing?

14 A All I know is equipment.

15 Q Do you have any idea what type of  
16 equipment?

17 A All I know is equipment.

18 Q Other than the SPDC person whom you've  
19 just mentioned, do you recall Mr. Egiogwu  
20 providing you with the name of any other SPDC  
21 individual?

22 A No.

23 Q Have you ever met with Jackson Ebu  
24 Nwiyon?

25 A Yes.



1 DORNUBARI ANSLEM JOHN-MILLER

2 Q Where did you meet with him?

3 A I met him in Nigeria.

4 Q When was that?

5 A I can't recall the exact day, but I  
6 know it's 2004.

7 Q Was that the first time you had ever  
8 had any contact with Mr. Nwiyon?

9 A Yes.

10 Q Where in Nigeria did you meet him in  
11 2004?

12 A I met him at U.S.T., University of  
13 Science and Technology campus, my uncle's house.

14 Q What is your uncle's name?

15 A Dr. George Emma. He's a lecturer  
16 there. Staff.

17 Q What does Mr. Nwiyon do, to your  
18 knowledge, currently?

19 A Can you repeat that?

20 Q Do you know what Mr. Nwiyon's current  
21 occupation is, if any?

22 A I don't know.

23 Q He's living in Benin now that you  
24 believe. Right?

25 A Yes.

1 DORNUBARI ANSLEM JOHN-MILLER

2 Q Do you have any idea when he moved to  
3 Benin?

4 A I don't know the exact time when he  
5 moved, but I know he's in Benin now.

6 Q Do you know whether Mr. Nwiyon had been  
7 living in Benin prior to the time when you met  
8 him in 2004 in Nigeria?

9 A I don't think so. No.

10 Q You believe that Mr. Nwiyon moved to  
11 Benin after meeting with you in 2004?

12 A Yes.

13 Q Do you have any idea how Mr. Nwiyon got  
14 to Benin in 2004?

15 A I don't know.

16 Q Did you make any arrangements for him  
17 to get there?

18 A No.

19 Q Is there any other occasion when you've  
20 met Mr. Nwiyon besides this time in Nigeria 2004?

21 MR. WHINSTON: Other than  
22 what he's already testified about?

23 THE WITNESS: Not March --  
24 before March 2004. That's what I said.

25

1 DORNUBARI ANSLEM JOHN-MILLER

2 BY MR. REYNOLDS:

3 Q Did you meet him in March 2004 when  
4 you --

5 A I met him in Benin.

6 Q I'm asking if there's any time you've  
7 met him in Nigeria other than this time in 2004?

8 A Yes.

9 Q When was that?

10 A That was when -- that was in September.

11 Q September 2003?

12 A 2003, yes.

13 Q Was Mr. --

14 A Yes. 2003, yes.

15 Q Was Mr. Jackson Ebu Nwiyon someone you  
16 met at the Eko Hotel in Lagos in September 2003?

17 A No. I didn't meet him there.

18 Q Did you meet him during that trip in  
19 September 2003?

20 A I met him --

21 MR. WHINSTON: "Yes" or  
22 "no" question.

23 THE WITNESS: Repeat that  
24 question.

25

1 DORNUBARI ANSLEM JOHN-MILLER

2 BY MR. REYNOLDS:

3 Q Did you meet Mr. Jackson Ebu Nwiyon in  
4 Nigeria in September 2003?

5 A Yes.

6 Q Where was that that you met him?

7 A In Port Harcourt.

8 Q Was that at the Presidential Hotel?

9 A No. That was at La Meridian Hotel.

10 Q Was that the first time you ever had  
11 contact with Mr. Nwiyon?

12 A That was the second time.

13 Q When was the first time?

14 A I can't recall the exact time I saw him  
15 first, but I know that was the second time. That  
16 was the second time, yes.

17 Q Was the first time in 2003?

18 A Yes. 2003, yeah.

19 Q Was it in the early part of 2003?

20 A Late 2003. That's the time I saw him  
21 at my uncle's place.

22 Q Wait a minute. You told me earlier  
23 that you met Mr. Nwiyon in 2004 at the U.S.T.  
24 Campus.

25 A I'm sorry. I met him in 2003 at the

1 DORNUBARI ANSLEM JOHN-MILLER

2 A I was not there.

3 Q How much of the meeting were you  
4 present for?

5 A I just stepped in, and then I left.

6 Q Do you have any idea how long  
7 Mr. D'Avino spent meeting with Mr. Nwiyon in  
8 September of 2003?

9 A I don't know.

10 Q Did you have your own conversation  
11 separate and apart from Mr. D'Avino and  
12 Mr. Nwiyon in September 2003?

13 A No.

14 Q Did you ever overhear Mr. Nwiyon say  
15 anything to Mr. D'Avino in September of 2003?

16 A I wasn't there. I brought him to where  
17 Carey was, and then I left.

18 Q Did you ever come to learn what  
19 Mr. Nwiyon told Mr. D'Avino in this meeting in  
20 September of 2003?

21 A Yes.

22 Q What did you learn?

23 MR. WHINSTON: Objection.

24 I instruct the witness not to answer based  
25 on the attorney-client and work-product

1 DORNUBARI ANSLEM JOHN-MILLER

2 privileges.

3 BY MR. REYNOLDS:

4 Q Did Mr. D'Avino ever tell you what he  
5 learned from Mr. Nwiyon during this meeting?

6 MR. WHINSTON: "Yes" or  
7 "no" question.

8 THE WITNESS: Yes.

9 BY MR. REYNOLDS:

10 Q What did he tell you?

11 MR. WHINSTON: Objection.

12 I instruct the witness not to answer based  
13 on the attorney work-product privilege.

14 BY MR. REYNOLDS:

15 Q Do you know whether Mr. Nwiyon provided  
16 Mr. D'Avino with any documents?

17 A I don't know.

18 Q Did you see Mr. D'Avino carrying any  
19 documents when you saw him in September of 2003?

20 A I don't know.

21 Q At some point after this meeting in  
22 September of 2003, Mr. Nwiyon went to Benin to  
23 live. Is that right?

24 A I believe he went there in 2004 after  
25 this.

1 DORNUBARI ANSLEM JOHN-MILLER

2 Q Do you have any idea how Mr. Nwiyon got  
3 into Benin?

4 A I don't have any idea.

5 Q Have you had any contact with  
6 Mr. Nwiyon after September 2003?

7 MR. WHINSTON: Other than  
8 what he's already testified about?

9 BY MR. REYNOLDS:

10 Q Is the only other contact you've had  
11 with Mr. Nwiyon after September 2003 the time  
12 when you were visiting Benin in March of 2004?

13 A Yes.

14 Q Did you speak with Mr. Nwiyon in  
15 March 2004 regarding this litigation?

16 A Yes.

17 Q What did Mr. Nwiyon say to you about  
18 this litigation?

19 MR. WHINSTON: Objection to  
20 the form. He didn't say Mr. Nwiyon said  
21 anything to him. Your question was did he  
22 say anything to Mr. Nwiyon.

23 BY MR. REYNOLDS:

24 Q Did Mr. Nwiyon say anything to you  
25 about this litigation in March 2004? That