

Your Honor, at this time United States would call Madga Metwally.

MAGDA METWALLY,

called as a witness for the plaintiff, having been duly sworn, was examined and testified as follows:

**THE CLERK:** Please speak clearly and directly into the microphone.

Would you state your full name and spell your last name, please?

**THE WITNESS:** Okay. My name is Magda, and my last name is Metwally, M-e-t-w-a-l-l-y.

DIRECT EXAMINATION

**BY MR. WALDINGER:**

Q. Good afternoon, Ms. Metwally.

A. Good afternoon.

Q. Is it true that you are the defendant, Amr Mohsen's, sister?

A. Yes.

Q. Are you his older or younger sister?

A. Older.

Q. Do you also -- do you and Mr. Mohsen have a brother named Aly?

A. Yes.

Q. Do you have any other siblings?

A. Yes, I have a sister in Egypt.

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1 Q. Were you and all your siblings born in Egypt?

2 A. Yes.

3 Q. And did you -- do you now live in the United States?

4 A. Yes.

5 Q. Did you immigrate to the United States as an adult?

6 A. Yes.

7 Q. What do you do for a living?

8 A. Well, I'm a part-time professor in electric engineering  
9 department at Santa Clara University.

10 Q. Do you also have a Ph.D. from Santa Clara University?

11 A. Yes.

12 Q. How long have you been teaching at Santa Clara University?

13 A. About 16 years now.

14 Q. Ms. Metwally, are you represented by an attorney today with  
15 regard to your testimony?

16 A. Yes.

17 Q. What is your attorney's name?

18 A. Mr. Doren Weinberg.

19 Q. And is Mr. Weinberg associated with another attorney who is  
20 representing you?

21 A. Yes.

22 Q. And is that Nina Wilder?

23 A. Nina, yes.

24 Q. Is Ms. Wilder in the courtroom today?

25 A. Yes.

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Q. Are you paying for your own attorney's fees?

A. Yes.

Q. Is it true that you're testifying today pursuant to what's called a grant of immunity?

A. Yes.

Q. What do you understand that to mean? In other words, what do you understand it to mean that you are testifying under a grant of immunity?

A. Which means my -- I'm not going to be hurt with anything I say today.

Q. Did you ask to be given that grant of immunity?

A. Yes.

Q. Would you testify today without a grant of immunity?

A. No.

Q. In other words, you would have invoked your Fifth Amendment right not to self-incriminate yourself without that grant of immunity, correct?

A. Yes.

Q. Is that because you thought you might have been helping your brother?

**MR. BALAZS:** Objection.

**THE COURT:** I don't know what the question is yet. What's your objection?

**MR. BALAZS:** Why she would invoke the Fifth Amendment right.

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1 **THE COURT:** Overruled.

2 **BY MR. WALDINGER:**

3 **Q.** Did you invoke your Fifth Amendment right not to  
4 incriminate yourself because you thought you might have been  
5 helping your brother commit a crime with respect to your  
6 testimony in this case?

7 **A.** No.

8 **Q.** Then why are you asserting your Fifth Amendment rights  
9 today?

10 **A.** I think it's my right. And I wanted to practice my rights.  
11 That's all.

12 **Q.** But you don't think that you did anything wrong today is  
13 what you are saying?

14 **A.** No, I don't think so.

15 **Q.** So you don't really think that you need a grant of  
16 immunity?

17 **A.** If this is my right, why not practicing.

18 **Q.** But I'm asking you, do you -- do you think that you did  
19 anything wrong that would --

20 **MR. BALAZS:** Objection.

21 Repeating it again.

22 **THE COURT:** Well, I'll allow it.

23 One more attempt, go ahead.

24 **BY MR. WALDINGER:**

25 **Q.** Do you think that you did anything wrong that would get you

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in trouble?

A. Coming here? I don't understand the question exactly.

Q. Let me ask it in a different way.

A. Okay.

Q. You just testified that you are asserting your Fifth Amendment right just because you can; is that what you said?

A. Yes.

Q. Do you think that you have any criminal liability in this matter?

A. No.

Q. Do you -- is it your understanding that by the Government giving you a grant of immunity, your brother will get a favorable jury instruction --

MR. BALAZS: Objection.

BY MR. WALDINGER:

Q. -- from the Court?

THE COURT: I think that goes beyond her ability to answer, so I'm going to sustain the objection.

MR. WALDINGER: Your Honor, may I inquire as to whether Ms. Metwally has talked with her attorney about the effect of the grant of immunity?

THE COURT: You are probably going to get into attorney-client privilege if you do that.

MR. WALDINGER: All right. I'll move on.

BY MR. WALDINGER: