AFFIDAVIT OF ALEXANDRE de GRAMONT

I, Alexandre de Gramont, deposes and says:

1. My name is Alexandre de Gramont. I am a partner in the law firm of Dechert LLP, resident in its Washington, D.C. office. I am a member of the Bar of the District of Columbia as well as numerous federal courts around the United States. I understand that this Affidavit may be submitted on behalf of former Vice President Atiku Abubakar ("Mr. Abubakar" or "Applicant") in litigation pending in the Supreme Court of Nigeria. This Affidavit is made upon my personal knowledge, information, and belief.

2. My law firm and I (referred to herein as "we") are counsel of record for Mr. Abubakar in the action brought in the U.S. District Court for the Northern District of Illinois (the "U.S. District Court") styled *In re Application of Atiku Abubakar for an Order Directing Discovery from Chicago State University Pursuant to 28 U.S.C. § 1782*, Case No. 23-cv-05099 (the "1782 Action"). The statute codified at 28 U.S. § 1782 provides, *inter alia*, that a U.S. District Court may order the production of documents and testimony "for use in a proceeding in a foreign or international tribunal …."

3. We commenced the 1782 Action on behalf of Mr. Abubakar by filing an Application and supporting documents in the U.S. District Court on August 2, 2023. The Application sought documents and testimony from Chicago State University ("CSU") concerning the authenticity and origin of certain documents purporting to be the educational records of Bola A. Tinubu. The Respondent in the case was therefore CSU. We consented to the participation of President Tinubu, represented by U.S. counsel, as Intervenor. The case was assigned to U.S.

District Judge Nancy L. Maldonado, who referred the Application for consideration by U.S. Magistrate Judge Jeffrey T. Gilbert on August 3, 2023.

4. After briefing on the Application from Applicant, Respondent, and Intervenor, Judge Gilbert held a hearing on the matter on September 12, 2023, at which counsel for Applicant, Respondent, and Intervenor presented oral argument. A true and correct copy of the transcript of the hearing on September 12, 2023, as certified by the Official Court Reporter, is attached hereto as Exhibit 1.

5. On September 19, 2023, Judge Gilbert issued his Memorandum Opinion and Order ("Judge Gilbert's Order") granting the Application (albeit limiting one of the document requests). A true and correct copy of Judge Gilbert's Order, which is publicly and electronically available on the official District Court Docket of the case, is attached hereto as Exhibit 2.

6. Intervenor submitted Objections to Judge Gilbert's Order to Judge Maldanado and also applied to Judge Maldanado for an emergency stay of Judge Gilbert's Order. Judge Maldanado held an emergency hearing on the matter on September 21, 2023. A true and correct copy of the transcript of the hearing on September 21, 2023, as certified by the Official Court Reporter, is attached hereto as Exhibit 3. Judge Maldonado granted Intervenor's request to stay Judge Gilbert's Order and scheduled expedited briefing on the Objections, in which both Applicant and Intervenor submitted briefs.

7. On September 30, 2023, Judge Maldonado issued a Memorandum and Order ("Judge Maldonado's Order"), which affirmed Judge Gilbert's Order and overruled Intervenor's Objections. A true and correct copy of Judge Maldonado's Order, which is publicly and electronically available on the official District Court Docket of the case, is attached hereto as

Exhibit 4. Judge Maldonado ordered CSU to produce documents on October 2, 2023, and to produce a witness for deposition on October 3, 2023.

8. On October 2, 2023, CSU produced documents (in PDF format) pursuant to Judge Maldanado's Order. True and correct copies of the documents produced by CSU are attached hereto as Exhibit 5.

9. On October 3, 2023, pursuant to Judge Maldanado's Order, CSU provided a witness to give deposition testimony under Rule 30(b)(6) of the Federal Rules of Civil Procedure. Under Rule 30(b)(6), an organization such as CSU designates one or more officials of the organization to testify on its behalf as its designated representative. The person or persons so designated "must testify about information known or reasonably available to the organization." Fed. R. Civ. P. 30(b)(6). CSU designated Mr. Caleb Westberg, the Registrar of CSU, as its designated representative to testify on CSU's behalf. Mr. Westberg was deposed, under oath, in a deposition that began and ended on October 3, 2023. A true and correct copy of the transcript of the deposition and exhibits thereto, as certified by the Court Reporter, is attached hereto as Exhibit 6.

I declare, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct to the best of my knowledge, information, and belief.

BRINDA L. ROTHWELL NOTARY PUBLIC MY COMMISSION EXPIRES 5/31/2027 DISTRICT OF COLUMBIA

District of Columbia
Signed and sworn to (or affirmed) before me
on Oct 4 2023 by Alexandre de Gramont
Date Name(s) of Individual(s) making Statement

Brinda L. Rothwell
Signature of Notarial Officer

Brinda L. Rothwell - Notary Public, District of Columbia
My commission expires May 31, 2027

Alexandre de Gramont
Alexandre de Gramont