

EXHIBIT 2

IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI
FIRST JUDICIAL CIRCUIT

MISSISSIPPI DEPARTMENT OF)	
HUMAN SERVICES,)	
)	
Plaintiff,)	
)	No. 25CI1:22cv286-EFP
v.)	
)	
MISSISSIPPI COMMUNITY)	
EDUCATION CENTER, INC., ET AL,)	
)	
Defendants.)	
)	

VIDEO DEPOSITION OF RODNEY BENNETT

October 31, 2023

9:11 a.m.

Reporter: Jude Arndt, CSR, CCR, RPR

CSR No. 084-004847

CCR No. 1450

DIGITAL EVIDENCE GROUP
1730 M Street, NW, Suite 812
Washington, D.C. 20036
(202) 232-0646

1 marked as Exhibit 51.

2 [Exhibit 51 marked for identification.]

3 BY MR. STONE:

4 Q. And it's an e-mail from Brett Favre to
5 Stephen Palazzo, and that's the U.S. congressman at
6 least at the time from the Gulf Coast.

7 Do you recall him?

8 A. Yes, sir.

9 Q. And Mr. Favre writes, "Any help
10 donation-wise or materials we can certainly use.

11 Deanna and I are building this."

12 Do you see where he says that?

13 A. Yes, sir.

14 Q. And if you look below, you see this is in
15 response to John Gilbert forwarding Mr. Favre the press
16 release of the building on April 18th, 2017.

17 Do you see that?

18 A. Yes, sir. Yes, sir.

19 Q. So there at the end, when you were asked
20 about -- you didn't have any problem with Mr. Favre
21 raising money. Am I correct in understanding that it
22 was your understanding that this facility would be paid

1 for, whatever Mr. Favre could raise, and then the
2 difference would be made up by him?

3 MR. HERSCHMANN: Objection to form.

4 A. No, sir. No, sir, Mr. Stone. That's
5 not --

6 BY MR. STONE:

7 Q. What was your understanding?

8 A. My understanding, from my early January
9 meeting with Brett was that Brett was going to pay,
10 personally, for whatever the cost of the facility was,
11 and he and I discussed as part of that conversation an
12 undetermined amount, because we did not know -- you
13 know, in many regards, we were talking about it in
14 conceptual terms. We want a volleyball facility, these
15 are some of the things we want in the facility, we
16 don't know what that would yet cost.

17 But the agreement was, between Brett and me in
18 my office, that he would pay for the entire amount, in
19 an effort to have that facility able to move along the
20 continuum faster than it would if it were a state
21 capital project.

22 As part of that conversation, as with any donor

1 that I'm working with, they have a right to change
2 their mind. They have a right to say, I'm going to
3 fund it and then not fund it.

4 And while I was disappointed that what he and I
5 talked about did not happen the way he said it to me, I
6 also have an appreciation for the fact that it is his
7 right to say I'm no longer going to fund that entirely,
8 I'm going to go out and raise money, from multiple
9 people, in order to do that.

10 And so when that -- when we got off of the Track
11 A of you are going to pay for this, in total, and we
12 are now on the track of I'm going to raise money for
13 it, it became important to me as president of the
14 university that that be done in accordance with board
15 policy and state law, as I have walked through and had
16 to answer questions to all morning from Mr. Herschmann,
17 that we did that in accordance with board policy and
18 state law.

19 So a donor has a right to change their mind.
20 Even though they say to the president I'm going to do
21 X, Y, or Z, they have a right to go in a different
22 direction, and I have an appreciation for Brett and

1 Deanna changing their mind on how the project was going
2 to be paid for.

3 Q. But ultimately what happened was that any
4 amount that wasn't paid for by other donors or MCEC was
5 paid for by Mr. Favre?

6 MR. HERSCHMANN: Object to form.
7 Misstates the record.

8 BY MR. STONE:

9 Q. Is that correct?

10 A. Am I.

11 MR. MAYO: If you can answer.

12 A. Yeah, would be paid for by Brett or
13 anybody that he was able to get to contribute to the
14 project.

15 And in my mind, I'm going back to -- I'm taking
16 that from the original conversation that I had with him
17 in January, that I will pay for this project.

18 That's where I'm taking that from.

19 BY MR. STONE:

20 Q. And in that original conversation, which I
21 think is somewhat documented in your text message with
22 Governor Bryant -- and that's Exhibit 49?

1 outline.

2 MR. MAYO: You want about 10 minutes?

3 MR. HERSCHMANN: Give me 10 minutes.

4 MR. MAYO: Okay.

5 THE VIDEOGRAPHER: We are going off the
6 record at 3:29 PM.

7 [A recess was taken.]

8 THE VIDEOGRAPHER: We are back on the
9 record at 3:43 PM.

10 MR. STONE: I don't have any further
11 questions.

12 MR. HERSCHMANN: All right.

13 So Dr. Bennett, I just have some really quick
14 follow-ups.

15 MR. MAYO: Hang on one minute. Let's move
16 this back over.

17 MR. HERSCHMANN: Okay. Sorry.

18 EXAMINATION

19 BY MR. HERSCHMANN:

20 Q. You had indicated in response to Mr.
21 Stone's questions that Brett Favre did have the right
22 to change his mind; right?

1 MR. STONE: Object to the form of the
2 question.

3 BY MR. HERSCHMANN:

4 Q. Correct?

5 MR. MAYO: Go ahead.

6 A. Yes, sir. Yes, sir.

7 BY MR. HERSCHMANN:

8 Q. And in fact, he did change his mind,
9 didn't he?

10 A. Yes, sir.

11 MR. STONE: Object to the form of the
12 question.

13 BY MR. HERSCHMANN:

14 Q. And you gave the authorization to move the
15 project forward, but did that cost USM any money? Let
16 me clarify it differently.

17 Did USM as an entity pay any of its own money
18 for the volleyball facility, or was it raised from
19 third parties?

20 A. As far as I recall, Mr. Herschmann, it was
21 all raised by third parties.

22 Q. Okay. And at the end of the day, USM

1 benefitted because it got a volleyball facility; right?

2 MR. STONE: Object to the form of the
3 question.

4 MR. MAYO: You can answer.

5 A. Yes, sir.

6 BY MR. HERSCHMANN:

7 Q. And in between the time of January of 2017
8 and the documents that we saw starting in March, at
9 least from that point, in between that time period,
10 it's clear Brett Favre had changed his mind by then;
11 right?

12 MR. STONE: Object to the form of the
13 question.

14 A. Yes. Yes, sir.

15 BY MR. HERSCHMANN:

16 Q. All right.

17 While you were at USM, were you happy that Brett
18 Favre was an alumnus at USM?

19 A. Are you kidding? Yes.

20 MR. STONE: Object to the form of the
21 question.

22 A. Yes.

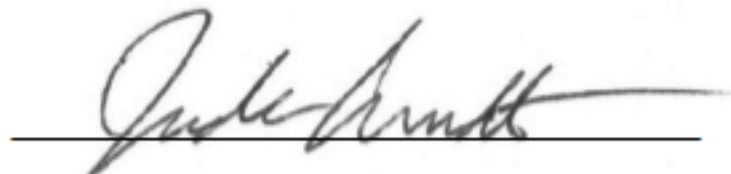
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C E R T I F I C A T E

I, Jude Arndt, a Certified Shorthand Reporter and Certified Court Reporter, do hereby certify that RODNEY BENNETT, prior to the commencement of the examination, was sworn by me to testify the truth, the whole truth and nothing but the truth.

I DO FURTHER CERTIFY that the foregoing is a true and accurate transcript of the proceedings as taken stenographically by and before me at the time, place and on the date hereinbefore set forth.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in this action.



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