

STATE OF MICHIGAN
IN THE 31st DISTRICT COURT

GINNAH MUHAMMAD d/b/a SISTERS OF SECOND CHANCE

Plaintiff/Counter Defendant,

v

District Court No.
06-41896-GC

ENTERPRISE RENT-A-CAR,

Defendant/Counter Plaintiff.

SMALL CLAIMS HEARING

BEFORE THE HONORABLE PAUL J. PARUK, DISTRICT JUDGE

Hamtramck, Michigan - Wednesday, October 11, 2006

APPEARANCES:

For the Plaintiff and
Counter Defendant:

GINNNAH MUHAMMED
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(248) 968-4561

For Defendant and
Counter Plaintiff:

ENTERPRISE RENT-A-CAR
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RECORDED BY:

Constance Sacco/CER-7564
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Hamtramck, Michigan

Wednesday, October 11, 2006 - 8:48 a.m.

THE COURT: Hi, good morning, everybody.

I am going to handle a small claims matter first and then I'll do a couple of landlord-tenant cases.

Is it Ginnah Muhammad and Enterprise Rent-A-Car? Who is who? I need one person from Enterprise. Come on up and stand over here on the right-hand side, please, for me.

Are you Ginnah Muhammad?

GINNNAH MUHAMMAD: Yes, sir.

THE COURT: You need to stand over there.

Ms. Muhammad, did my court officer talk with you about taking your veil off?

GINNNAH MUHAMMAD: Yes, sir.

THE COURT: Okay, and what is your suggestion or what are your thoughts on that?

GINNNAH MUHAMMAD: I said, "No, I can't."

THE COURT: Well, let me explain to you why I think you have to do it and then you tell me why you don't have to do it and then we'll try and make a decision as to how to proceed.

GINNNAH MUHAMMAD: Yes, sir.

THE COURT: One of the things that I need to do as I am listening to testimony is I need to see your face

1 and I need to see what's going on and unless you take that
2 off, I can't see your face and I can't tell whether you're
3 telling me the truth or not and I can't see certain things
4 about your demeanor and temperament that I need to see in
5 a court of law, okay, so you tell me why is it that you
6 don't want to take your veil off.

7 GINNNAH MUHAMMAD: Well, first of all, I'm a
8 practicing Muslim and this is my way of life and I believe
9 in the Holy Koran and God is first in my life. I don't
10 have a problem with taking my veil off if it's a female
11 judge, so I want to know do you have a female that I could
12 be in front of then I have no problem but otherwise, I
13 can't follow that order.

14 THE COURT: Okay. Well, no, I don't have a
15 female judge. I'm the Judge that's here, okay, and second
16 of all and I mean no disrespect to your religion, but
17 wearing a veil I don't think is a religious thing -

18 GINNNAH MUHAMMAD: Well, that's your preference,
19 sir.

20 THE COURT: -- I think it's a custom thing and --

21 GINNNAH MUHAMMAD: That's your preference.

22 THE COURT: First of all, hold on. Hold on.
23 It's not my preference. I have no clue about any of this
24 information, okay --

25 GINNAH MUHAMMAD: That's what I'm saying.

1 THE COURT: -- but this has come up in my
2 courtroom before, and in my courtroom before I have asked
3 practicing Muslims and the practicing Muslims have told me
4 that, "No, Judge, what I wear on top of my head is a
5 religious thing and what I wear across my face is a non-
6 religious thing. It's a custom thing."

7 GINNNAH MUHAMMAD: Well, that's not correct.

8 THE COURT: Well, this is what they have told me
9 and so that's the way that I am running my courtroom and
10 that's how I have to proceed.

11 GINNNAH MUHAMMAD: And I respect you, Your
12 Honor, and --

13 THE COURT: Fantastic.

14 GINNNAH MUHAMMAD: -- I would like to ask for a
15 change of venue.

16 THE COURT: Well, you can't have a change of
17 venue. You're the one who decided to file the lawsuit,
18 okay --

19 GINNNAH MUHAMMAD: Yes, sir.

20 THE COURT: -- and so that's where we are today.

21 So you have a couple of options today as far as
22 I am concerned. You can either take it off and you can
23 give me the testimony and after the hearing is all done
24 and over with and if you want to put it back on, I don't
25 have any problems with that but if, in fact, you do not

1 wish to do it, then I cannot go forward with your case and
2 I have to dismiss your case.

3 GINNNAH MUHAMMAD: Thank you, sir. You have a
4 great day.

5 THE COURT: Okay. Well, first of all tell me
6 what you wish to do.

7 GINNNAH MUHAMMAD: I wish to respect my religion
8 and so I will not take off my clothes.

9 THE COURT: Well, it's not taking off your
10 clothes. All I am trying to do is ask you to take off the
11 part that's covering your face so I can see your face and
12 I can hear you and listen to you when you testify, and
13 then you can put the veil back on. That's all I am asking
14 to do, ma'am.

15 GINNNAH MUHAMMAD: Well, Your Honor, with all
16 due respect, this is part of my clothes, so I can't remove
17 my clothing when I'm in court.

18 THE COURT: Okay.

19 GINNNAH MUHAMMAD: Thank you.

20 THE COURT: You're welcome, ma'am.

21 Okay. Enterprise, case is dismissed.

22 (Proceeding Concluded at 8:52 a.m.)

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STATE OF MICHIGAN]
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COUNTY OF WAYNE]

I certify that that this transcript, consisting of 7 pages, is a complete, true, and correct transcript of the proceedings and testimony taken in this case on October 11, 2006.

November 17, 2006

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