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Attorneys for Plaintiffs and the Proposed Class

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF CALIFORNIA

TARLA MAKAEFF, et al., on Behalf of  
 Themselves and All Others Similarly  
 Situated,

Plaintiffs,

vs.

TRUMP UNIVERSITY, LLC, et al.,  
 Defendants.

Case No.: 3:10-CV-00940-CAB(WVG)

CLASS ACTION

**DECLARATION OF JASON NICHOLAS  
 IN SUPPORT OF PLAINTIFFS' MOTION  
 FOR CLASS CERTIFICATION**

District Judge: Hon. Cathy Ann Bencivengo  
 Magistrate Judge: Hon. William V. Gallo

1 I Jason Nicholas, hereby declare and state as follows:

2 1. I am a resident of New York, New York. If called as a witness, I could and  
3 would competently testify as to all facts within my personal knowledge.

4 2. I worked for Trump University from approximately May 2007 through October  
5 2007. I worked in the sales department as a Sales Executive. I worked at Trump University's  
6 headquarters located at 40 Wall Street, New York, New York. My job duties included talking  
7 to all consumers who called in to Trump University, and trying to persuade them to buy the  
8 courses.

9 3. In addition to trying to sell courses to consumers who called in to Trump  
10 University, Trump University also provided me with a database of leads and I would call them  
11 and try to sell them the courses.

12 4. Whenever I tried to sell Trump University courses to consumers (regardless of  
13 whether they called in to Trump University or whether I called them) I was trained to use a  
14 script Trump University prepared and gave to me. All of the sales people, including me, were  
15 given this script. Trump University required that we stick to the script, word-for-word.

16 5. I had a copy of the script that Trump University gave me and I copied the script  
17 word-for-word so that I could increase the font size, so it would be easier to read while I was  
18 on the phone, but otherwise it is essentially the same as the script they gave to me to use. We  
19 used this script to sell various Trump University products, including the live seminars.

20 6. Trump University salespeople, including me, uniformly told consumers, from  
21 the script that they would "work with Donald Trump's real estate experts" and that these  
22 instructors were "experts in today's real estate world and will teach all of the non-traditional or  
23 unconventional ways of buying and selling real estate." This was not true. The Trump  
24 University instructors and mentors were a joke. Most of them were not experts in real estate  
25 and did not experience in the real estate techniques they were teaching.

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1           7.       They were unqualified people posing as Donald Trump's "right-hand men."  
 2 They were teaching methods that were unethical, and they had had little to no experience  
 3 flipping properties or doing real estate deals. It was a façade, a total lie.

4           8.       Many of the managers were not qualified, or were not who they said they were,  
 5 either. For example, Manager Paul Quintal, who was in charge of the entire Trump University  
 6 sales team and live events, said he had an MBA, when actually he did not have an MBA.

7           9.       As another example, Trump University claimed that its representative Mark  
 8 Covais was a real estate expert, but he was not. Covais had no experience buying real estate,  
 9 other than maybe as a first time home-buyer. He would also tell consumers anything  
 10 (including flat out lies) to get consumers to purchase a seminar.

11          10.      Trump University salespeople, including me, uniformly told consumers, from  
 12 the script, that "We don't offer this to just anyone," and that we "don't want to work w/ just  
 13 anyone...we only want to work w/ people who have certain qualities." This was totally  
 14 untrue. Trump University would "work with" anyone and take money from anyone who was  
 15 willing to pay it.

16          11.      Trump University salespeople, including me, uniformly told consumers, from  
 17 the script, that Trump University was "looking to select a few people to work with one on  
 18 one," and that "Donald Trump created Trump University where we ONLY invite a select  
 19 group of people that have been hand-picked by his Program Director." This was false. We  
 20 didn't select only a few people. We would take money from anyone who would pay it.

21          12.      Trump University salespeople, including me, uniformly told consumers, from  
 22 the script that consumers would learn "how Mr. Trump finds properties, how Mr. Trump  
 23 evaluates properties," and how Donald Trump "uses creative financing to buy properties with  
 24 little or preferably NO MONEY DOWN." This was not true. Trump University did not teach  
 25 Donald Trump's real estate investment secrets or how Donald Trump found, evaluated and  
 26 purchased properties. There were no big secrets. The entire course was just about  
 27  
 28

1 generalizations -- highlighting the points they would present, but never actually getting to the  
2 point

3 13. Trump University salespeople, including me, uniformly told consumers, from  
4 the script, that they would be working with Donald Trump's "right-hand" man, or someone  
5 "hand-picked by Donald Trump" to help them look at properties, pick them and buy them.  
6 This was not true. The mentors and instructors were not Donald Trump's "right-hand men" or  
7 hand-picked by Donald Trump.

8 14. Trump University told consumers that Donald Trump would be actively  
9 involved in Trump University. This was not true. Donald Trump was not actively in Trump  
10 University as far as I could tell. In the time that I worked at Trump University, I only saw  
11 Donald Trump come in one time, for five to ten minutes, to see Michael Sexton; he didn't talk  
12 with or interact with anyone else, as far as I could see, and his body guard wouldn't even  
13 permit Trump University employees to try to shake his hand.

14 15. Trump University salespeople, including me, uniformly told consumers, from  
15 the script, that: "Instructors will be holding your hand, showing you the way." This was not  
16 true. The instructors and mentors ignored students and stopped returning calls shortly after  
17 they were paid.

18 16. During a team meeting at Trump University, Michael Sexton and Paul Quintal  
19 told me and the sales team that the script had been psychologically designed and tested to  
20 convince consumers to agree to sign up for the courses. The script was designed to play on  
21 people's emotions, needs and desires. Sales people asked whether they could use their own  
22 words, and Michael Sexton and Paul Quintal said "no." They insisted that the sales team stick  
23 to the script. We even did practice exercises demonstrating how to stick to the script.

24 17. The scripts were used to sell everything, including the live seminars.

25 18. Trump University was not accredited and did not provide a legitimate real  
26 estate education. In my opinion it was just selling false hopes and lies.

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1           19. I heard numerous complaints from customers after they attended seminars or  
2 live events. They complained it was just a big marketing scam and that they never got the  
3 information or training they had paid for – the seminars were just an “up-sell” or “big tease.”  
4 It was all about the up-sell.

5           20. As part of Trump University’s upsell campaign, Trump University had a policy  
6 and practice that if a student gave high ratings on an evaluation form, we were supposed to  
7 immediately call them back and try to up-sell them – to get them to sign up and pay for more  
8 seminars.

9           21. Trump University used testimonials that were false, misleading and fabricated.  
10 Testimonials were not expected results and were not realistic.

11           22. Trump University did not provide one year of mentoring as promised. In fact,  
12 there was so much fluctuation in mentors, people would come and go like revolving door, that  
13 most mentors were not around long, and Trump University didn’t even attempt to assign  
14 students new mentors unless they complained.

15           23. Trump University instructors told students that they were guaranteed to make  
16 their money back in their first deal or two, even though this rarely, if ever, happened.  
17 Instructors told consumers to do whatever it took to come up with the money to pay for the  
18 course – raise your credit card limits, put it on multiple credit cards, borrow it from an uncle or  
19 cousin. They told students that if they paid for the \$35,000 course, they would have the skills  
20 and information necessary to make money in real estate, and a mentor to walk them through it  
21 step by step. That was a bunch of baloney, because you were on your own. The mentor didn’t  
22 take you through deals step by step, you didn’t have the skills or knowledge to do it, and –  
23 after paying \$35,000 for the course -- you didn’t have the finances to invest either.

24           24. The whole focus of Trump University was on selling, not on teaching  
25 information. For example, there was a live seminar in Phoenix one weekend, and by Monday  
26 morning, there was a stack of leads that were divided into stacks for all the salespeople – they  
27 told us that these leads were a priority – we should set our other leads aside, because these  
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1 people just participated in the seminar, and now it's time to strike them while the iron's hot.  
2 This happened after every live seminar.

3 25. Every month, Trump University pounded the sales team about making goals. It  
4 was all about the sales.

5 I declare under penalty of perjury under the laws of the United States of America that  
6 the foregoing is true and correct. Executed this 20 day of September, 2012, at New York, New  
7 York.

8   
JASON NICHOLAS