



June 21, 2011

CONFIDENTIAL/VIA UPS

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Indianapolis, Indiana 46202

www.ncaa.org

Chancellor H. Holden Thorp
University of North Carolina, Chapel Hill
103 South Building
CB #9100
Chapel Hill, North Carolina 27599

RE: Notice of allegations, University of North Carolina, Chapel Hill;
Case No. M357.

Dear Chancellor Thorp:

This letter (and enclosure) is the result of an inquiry that has been conducted by the NCAA into the athletics policies and practices of the University of North Carolina, Chapel Hill. This inquiry was initiated in accordance with Bylaw 32.2 of the 2010-11 NCAA Division I Manual and described in my June 7, 2011, letter.

The available information appears to be of sufficient substance and reliability to warrant a notice of allegations. Accordingly, this letter (and enclosure) constitutes a notice of allegations as described in Bylaw 32.6.1 and includes specific allegations. In order that complete information may be presented for the record, several questions are submitted to obtain the facts of these matters, and also to determine the policies and practices of the University of North Carolina, Chapel Hill, in certain areas of athletics administration.

The institution is requested to thoroughly review these allegations and requests for information and submit a written response. You will note that the statement immediately following each allegation requests that the institution indicate whether the information is substantially correct and submit evidence to support its response. The committee's interest is for the NCAA enforcement staff, institution and involved individuals to collect, where possible, all relevant information for consideration in order for the committee to determine the validity of the allegations. If you believe that additional interviews are warranted, please ensure that the enforcement staff is given the opportunity to participate in those interviews if possible.

If the institution does not believe that the allegation is substantially correct, it should support its position with any evidence upon which the conclusion is based. Further, if the institution concludes that the allegation is substantially correct, but not complete or accurate in all respects, it should submit additional information to clarify or adjust the allegation as written.

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In the interest of clarity and in accordance with the general procedures established by the NCAA Committee on Infractions, the institution is requested to copy each numbered item and the subparagraphs of each item contained in the notice of allegations. The institution's response, as well as the reasons for this position, should immediately follow each numbered item or subparagraph to which the information submitted is directly responsive. [Note: See attached suggested guidelines for submission of responses.]

Four copies of your response should be forwarded to me at the NCAA national office, and one copy should be forwarded to each member of the Committee on Infractions and its administrator, Shepard C. Cooper, at the following addresses. In addition, please email a copy of your response in Microsoft Word or Word Perfect format to Mr. Cooper (scooper@ncaa.org) and Amy Walker, executive assistant to the vice president of enforcement (ajwalker@ncaa.org).

Mr. Britton Banowsky
Commissioner
Conference USA
5201 N. O'Connor Boulevard, Suite 300
Irving, TX 75039

Mr. John S. Black
Polsinelli & Shughart P.C
700 West 47th Street, Suite 1000
Kansas City, MO 64112

Ms. Melissa Conboy
Deputy Athletic Director
University of Notre Dame
C113 Joyce Center
Notre Dame, IN 46556

Mr. Brian P. Halloran
Halloran Law Office
7036 Grasswood Avenue
Malibu, CA 90265

Mr. Roscoe C. Howard Jr.
Partner
Andrews Kurth LLP
1350 I Street NW
Suite 1100
Washington, DC 20005

Ms. Eleanor W. Myers
Professor of Law
Temple University School of Law
1719 North Broad Street
Klein Hall, Room 624
Philadelphia, PA 19122

Mr. James O'Fallon
University of Oregon School of Law
1515 Agate Street
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Eugene, OR 97403-1221

Mr. Gregory Sankey
Associate Commissioner
Southeastern Conference
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Mr. Dennis Thomas (Chair)
Commissioner
Mid-Eastern Conference
2730 Ellsmere Avenue
Norfolk, VA 23513

Mr. Rodney Uphoff
Law Professor
University of Missouri-Columbia
School of Law
213 Hulston Hall
Columbia, MO 65211

Ms. Julie Roe Lach (four copies)
Vice President of Enforcement
NCAA Distribution Center
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Mr. Shep Cooper
Director of the Committees
on Infractions
NCAA Distribution Center
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In addition, a copy of the institution's response must be provided to the following involved individuals and/or their respective counsel: former assistant football coach John Blake and former academic support center tutor Jennifer Wiley.

As indicated in my June 7 letter, the Committee on Infractions reviews information concerning possible major violations either through the summary disposition process or an in-person hearing. It is my understanding that the enforcement staff has discussed the possibility of processing this case through the summary disposition process and that currently this process does not appear appropriate.

Responses from the institution and all involved parties should be on file with these individuals, including the writer, by September 19, 2011. It is anticipated that the Committee on Infractions will consider your response during its October 28, 2011, meeting in Indianapolis and would welcome an appearance by representatives of the institution at that time. You will be notified of the actual time, date and location well in advance of the institution's appearance. In keeping with the premise of presidential control of athletics, the committee expects that you, as the chancellor of an institution involved in potential major violations of NCAA legislation, will want to attend the hearing to personally present your views on presidential control and the institution's commitment to compliance. As the chancellor, the committee is most interested in your presentation. Additionally, the committee requests that at a minimum, the following individuals be included among the university representatives: Richard Baddour, director of athletics; Lissa Broome, faculty athletics representative; Butch Davis, head football coach; and Amy Herman, director of compliance. Please inform me at your earliest convenience if there are any anticipated difficulties in having the aforementioned individuals attend.

In the event the institution determines that additional time is required to prepare a response, the institution may request a delay in responding and submit the reasons the delay is necessary. The request should be forwarded to Shep Cooper, director of the Committees on Infractions, at the NCAA national office. The Committee on Infractions then will consider the request. It should

be noted that a delay in responding could postpone the hearing date stated above.

Under the provisions of Bylaw 32.6.4, in preparation for submitting a written response to a notice of allegations or making an in-person appearance before the Committee on Infractions, the enforcement staff will provide reasonable access to all pertinent materials maintained by the staff that corroborate or refute the allegations. These materials may include recordings of interviews and documents that were obtained during the inquiry. Requests for access to such materials should be made to the enforcement staff, which also is responsible for maintaining custody of these materials. Therefore, upon request, the staff will provide access at the NCAA national office or on a secured website in the near future for authorized individuals.

In accordance with the procedures adopted by the Committee on Infractions, the enforcement staff shall notify in writing all present or former institutional staff members named in an allegation, and all prospective, present or former student-athletes whose eligibility could be affected based on involvement in an allegation of their opportunity to respond to any allegation involving them and participate in a hearing before the Committee on Infractions. A copy of these letters also has been included with the notice of allegations. Although these parties may be represented by personal legal counsel or plan to represent themselves, the institution is requested to provide any involved individuals with the opportunity to submit in writing any information they believe is relevant to the committee.] Please note that under the provisions of Bylaw 32.8.6.1, the Committee on Infractions may subject the institution to a show-cause order as described in the provision of Bylaw 19.5.2.2 if any current staff member named for involvement in a major violation fails to attend a hearing. The enforcement staff also will notify certain individuals, and copies of those letters are enclosed.

Your institution should understand that all of the alleged violations set forth in the document attached to this letter are considered to be potential major violations of NCAA legislation, unless designated as secondary. If the institution believes that any alleged violation should be considered a secondary violation, including any specifically identified as a secondary violation by the enforcement staff, the response should indicate why the alleged violation should be considered a secondary violation, and it should present information to support that conclusion. Also, if the institution believes that the enforcement staff has acted contrary to the provisions of the enforcement procedures (Bylaw 32), it is requested to advise the Committee on Infractions of this concern in its response; otherwise, it may forfeit the opportunity to raise this issue on appeal.

Following the hearing, the committee will determine if violations of NCAA legislation have occurred and whether those violations are major or secondary violations. If the committee finds that violations have occurred, then it will determine what penalties are appropriate as provided in Bylaws 19.5.1 and 19.5.2.1 of the online version of the 2010-11 NCAA Division I Manual.

In making its decision in this case, the Committee on Infractions will consider information submitted by the enforcement staff, institution and all involved parties, and the testimony presented at the infractions hearing. It should be understood that at this juncture, the committee has not received any of the information gathered by the enforcement staff to substantiate that a

violation occurred. The only information provided to the committee by the enforcement staff regarding this case will be the allegations (attached), the NCAA enforcement staff case summary per Bylaw 32.6.7 and its hearing presentation per Bylaw 32.8.7.2. If the institution wishes the committee to consider any specific evidence, that information must be included in the institution's response to the notice of allegations. If any additional evidence should come to the institution's attention that was not previously available to it or that was not previously relevant that it believes the Committee on Infractions should consider, that information should be provided to the enforcement staff and the committee at least 10 days prior to the infractions hearing.

Your attention also is directed to Bylaw 32.8, which describes the procedures to be followed during the institution's appearance before the committee. In addition, you may wish to review the policies and guidelines set forth in Bylaw 19.4 of the enforcement procedures. Should you have additional questions concerning these procedures, please contact Mr. Cooper. Also, in the event members of the NCAA staff who have been involved in the investigation of this case can be of assistance to the institution in developing its response, please contact Stephanie Hannah, NCAA director of enforcement, for such assistance.

The enforcement program of the NCAA is a cooperative undertaking involving individual member institutions and allied conferences working together through the NCAA -- a unified effort designed to improve the administration of intercollegiate athletics. You are called upon as the chancellor of the University of North Carolina, Chapel Hill, for your cooperation and assistance to the end that complete information related to this matter may be developed.

Sincerely,



Julie Roe Lach
Vice President of Enforcement

JRL:dkm

Enclosures

cc: Mr. Richard Baddour
Ms. Lissa Broome
Mr. Shep Cooper
Mr. William King
Mr. John D. Swofford
NCAA Division I Committee on Infractions

NCAA COMMITTEE ON INFRACTIONS

Suggested Guidelines for Submission of Responses

This memorandum is the committee's suggested format for submitting responses to the notice of allegations. The following suggestions are made:

- The response should be contained in either three-ring loose-leaf or "comb" style binders ("comb" style preferred).
- Responses to the allegations should be separated by numbered tabs corresponding to the allegation numbers in the notice of allegations so as to be easily referenced by the reader.
- Responses should be paginated. It is suggested that each allegation have its own set of page numbers; e.g., page one of the section on allegation 1 would be page 1-1, page 6 of the section on Allegation No. 4 would be page 4-6, etc.
- Each allegation response should contain the allegation itself, the position of the responding party to the allegation (agree or disagree) and the rationale/supporting evidence for the position.
- If there is a large number of supporting attachments/exhibits, they should be placed in a binder separate from the actual response and divided by numbered tabs referenced to the application allegation. Multiple exhibits/attachments in support of individual allegations should be separated, labeled by number and indexed to the respective allegation (e.g., exhibit 1-1 would be the first exhibit in support of Allegation 1). In addition, and for ease of reference at hearings, all pages in exhibits should have page numbers running sequentially. The page numbers may be in sequence throughout all exhibits without regard to a particular exhibit number (e.g., 1 to 10 in exhibit 1, 11 to 17 in exhibit 2) or the page numbers may be in sequence within each exhibit (e.g., 1-1, 1-2, etc.; 2-1, 2-2, etc.). In the interest of limiting the size of responses and to avoid providing multiple copies of the same documents, only one copy of each exhibit/attachment is required. Any reference to exhibits/attachments throughout the response can be made to the appropriate exhibit number.



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Mr. John Blake
c/o Mr. William H. Beaver
Gray Robinson Attorneys at Law
301 East Pine Street, Suite 1400
Orlando, Florida 32801

RE: Notice of allegations, University of North Carolina, Chapel Hill;
Case No. M357.

Dear Mr. Blake:

As you know, the NCAA enforcement staff has been reviewing information concerning possible violations of NCAA legislation in the football program at the University of North Carolina, Chapel Hill. It is my understanding that Chance Miller, NCAA assistant director of agent, gambling and amateurism activities, interviewed you August 3 and 31, 2010, concerning these possible violations. As a result of the enforcement staff's review of all information gathered, a notice of allegations that includes specific allegations in the sport of football has been forwarded to the University of North Carolina, Chapel Hill.

You were named in Allegation Nos. 6, 7 and 8. The purposes of this letter are to (a) provide a copy of these allegations to you, (b) notify you of your opportunities to respond to and participate in the consideration of these allegations, and (c) explain possible punitive actions that could be taken if such allegations are found by the NCAA Division I Committee on Infractions or the NCAA Infractions Appeals Committee.

The institution currently is preparing a response to these allegations, and I anticipate that an institutional representative will contact you for information. If you desire, you may submit information directly to the Committee on Infractions, and responses from all parties should be on file by September 19, 2011. Per NCAA Bylaw 32.6.2, failure to respond to an allegation may be construed by the Committee on Infractions as an admission that the alleged violations occurred. For further information about submitting a written response to the Committee on Infractions, please contact Shepard C. Cooper, director of the Committees on Infractions. [Note: See attached suggested guidelines for submission of responses.]

Four copies of your response should be forwarded to the writer at the NCAA national office, and one copy should be forwarded to each member of the Committee on Infractions and its administrator, Shep Cooper, at the following

N a t i o n a l C o l l e g i a t e A t h l e t i c A s s o c i a t i o n

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addresses. In addition, please email a copy of your response in Microsoft Word or Word Perfect format to Mr. Cooper (scooper@ncaa.org) and Amy Walker, executive assistant to the vice president of enforcement (ajwalker@ncaa.org).

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You (accompanied by personal legal counsel, if desired) have the opportunity to appear before the Committee on Infractions at the time this case is considered. A failure to attend the hearing may result in a violation of Bylaw 32.8.6.1 and result in a show-cause order by the committee, as described in Bylaw 19.5.2.2-(1), that could affect your athletically related duties (at your current institution or any NCAA member institution at which you are later employed). If you elect not to attend, you must advise the committee in writing at least two weeks prior to the date the hearing will occur. It is anticipated that this matter will be considered by the committee during its October 28, 2011, meeting in Indianapolis. You will be notified of the actual appearance time, date and location well in advance of this meeting.

Under the provisions of NCAA legislation, if the committee finds that you were involved in significant violations of NCAA legislation, disciplinary action could be considered and imposed upon you by a member institution for a designated period. Please refer to Bylaws 18.4.2.1.1.2, and 19.01.4 and 19.5.2.2 of the online version of the 2010-11 NCAA Division I Manual. The Manual is available on www.ncaa.org under legislation and governance/rules and bylaws.

You should understand that all of the allegations charged in the notice of allegations are considered to be potential major violations of NCAA legislation, unless designated as secondary violations. If you believe that any alleged violation should be considered a secondary violation, including any specifically identified as a secondary violation by the enforcement staff, the response should indicate why the alleged violation should be considered a secondary violation and you should present information to support that conclusion. Also, if you believe that the enforcement staff has acted contrary to the provisions of the enforcement procedures (Bylaw 32), you are requested to advise the Committee on Infractions of this concern in your response; otherwise, you may forfeit the opportunity to raise this issue on appeal.

Following the hearing, the committee will determine if violations of NCAA legislation have occurred and whether those violations are major or secondary violations. If the committee finds that violations have occurred, then it will determine what penalties are appropriate as provided for in Bylaw 19.5.2.1.

In making its decision in this case, the Committee on Infractions will consider all of the information submitted by you, the enforcement staff, the institution and all involved parties, and the testimony presented at the infractions hearing. It should be understood that at this juncture, the committee has not received any of the information gathered by the enforcement staff to substantiate that a violation occurred. The only information provided to the committee by the enforcement staff regarding this case will be the allegations (attached), the NCAA enforcement staff case summary per Bylaw 32.6.7 and its hearing presentation per Bylaw 32.8.7.2. If you wish the committee to consider any specific evidence, that information must be included in your response to the notice of allegations. If any additional evidence should come to your attention that was not previously available to you or that was not previously relevant that you believe the Committee on Infractions should consider, that information should be provided to the enforcement staff and the committee at least 10 days prior to the infractions hearing.

Your attention also is directed to Bylaws 32.6 and 32.8, which describe the notice of allegations and the procedures to be followed during an appearance before the committee. In addition, you may wish to review the policies and guidelines set forth in Bylaw 19.4 of the enforcement procedures. Should you have additional questions concerning these procedures, please contact Mr. Cooper. Also, in the event members of the NCAA staff who have been involved in the investigation of this case can be of assistance to you in developing a response, please contact this office for such assistance.

Under the provisions of Bylaw 32.6.4, in preparation for submitting a written response to the notice of allegations or making an in-person appearance before the Committee on Infractions, the enforcement staff will provide reasonable access to all pertinent materials maintained by the staff that corroborate or refute the allegations. These materials may include recordings of interviews and documents that were obtained during the inquiry. Requests for access to such materials should be made to the enforcement staff, which also is responsible for maintaining custody of these materials. Therefore, the staff will provide access at the NCAA national office or on a secured website in the near future. If information is developed subsequent to the notice of allegations concerning you, the staff also will notify you of the availability of this information.

Please note that NCAA enforcement policies and procedures prohibit this office from releasing information concerning this case prior to its conclusion, except to correct erroneous information that is released by others. Accordingly, the NCAA will not release this notice of allegations to the public. Also, please note that an NCAA infractions report concerning this case, which sets forth the Committee on Infractions' findings, conclusions and penalties, if any, will be prepared following the hearing in this case. That document will be released (with names deleted) after the institution and other principals who participate in the hearing have been notified of relevant contents.

Please contact Stephanie Hannah, NCAA director of enforcement (who has supervised the handling of this case), if you have any questions.

Sincerely,



Julie Roe Lach
Vice President of Enforcement

JRL:dkm

Enclosures

cc: Mr. Shep Cooper
Chancellor H. Holden Thorp
NCAA Division I Committee on Infractions

NCAA COMMITTEE ON INFRACTIONS

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- Responses should be paginated. It is suggested that each allegation have its own set of page numbers; e.g., page one of the section on allegation 1 would be page 1-1, page 6 of the section on Allegation No. 4 would be page 4-6, etc.
- Each allegation response should contain the allegation itself, the position of the responding party to the allegation (agree or disagree) and the rationale/supporting evidence for the position.
- If there is a large number of supporting attachments/exhibits, they should be placed in a binder separate from the actual response and divided by numbered tabs referenced to the application allegation. Multiple exhibits/attachments in support of individual allegations should be separated, labeled by number and indexed to the respective allegation (e.g., exhibit 1-1 would be the first exhibit in support of Allegation 1). In addition, and for ease of reference at hearings, all pages in exhibits should have page numbers running sequentially. The page numbers may be in sequence throughout all exhibits without regard to a particular exhibit number (e.g., 1 to 10 in exhibit 1, 11 to 17 in exhibit 2) or the page numbers may be in sequence within each exhibit (e.g., 1-1, 1-2, etc.; 2-1, 2-2, etc.). In the interest of limiting the size of responses and to avoid providing multiple copies of the same documents, only one copy of each exhibit/attachment is required. Any reference to exhibits/attachments throughout the response can be made to the appropriate exhibit number.



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June 21, 2011

CONFIDENTIAL/VIA UPS OVERNIGHT DELIVERY

Ms. Jennifer Wiley
c/o Mr. Joseph B. Cheshire
Cheshire, Parker, Schneider, Bryand and Vitale
Attorneys at Law
133 Fayetteville Street, Suite 5000
Raleigh, North Carolina 27601

RE: Notice of allegations, University of North Carolina, Chapel Hill;
Case No. M357.

Dear Ms. Wiley:

As you know, the NCAA enforcement staff has been reviewing information concerning possible violations of NCAA legislation in the football program at the University of North Carolina, Chapel Hill. It is my understanding that you declined to be interviewed by the enforcement staff concerning these possible violations. As a result of the enforcement staff's review of all information gathered, a notice of allegations that includes specific allegations in the sport of football has been forwarded to the University of North Carolina, Chapel Hill.

You were named in Allegation Nos. 2 and 3. The purposes of this letter are to (a) provide a copy of these allegations to you, (b) notify you of your opportunities to respond to and participate in the consideration of these allegations, and (c) explain possible punitive actions that could be taken if such allegations are found by the NCAA Division I Committee on Infractions or the NCAA Infractions Appeals Committee.

The institution currently is preparing a response to these allegations, and I anticipate that an institutional representative will contact you for information. If you desire, you may submit information directly to the Committee on Infractions, and responses from all parties should be on file by September 19, 2011. Per NCAA Bylaw 32.6.2, failure to respond to an allegation may be construed by the Committee on Infractions as an admission that the alleged violations occurred. For further information about submitting a written response to the Committee on Infractions, please contact Shepard C. Cooper, director of the Committees on Infractions. [Note: See attached suggested guidelines for submission of responses.]

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Under the provisions of NCAA legislation, if the committee finds that you were involved in significant violations of NCAA legislation, disciplinary action could be considered and imposed upon you by a member institution for a designated period. Please refer to Bylaws 19.01.4 and 19.5.2.2 of the online version of the 2010-11 NCAA Division I Manual. The Manual is available on www.ncaa.org under legislation and governance/rules and bylaws.

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Following the hearing, the committee will determine if violations of NCAA legislation have occurred and whether those violations are major or secondary violations. If the committee finds that violations have occurred, then it will determine what penalties are appropriate as provided for in Bylaw 19.5.2.1.

In making its decision in this case, the Committee on Infractions will consider all of the information submitted by you, the enforcement staff, the institution and all involved parties, and the testimony presented at the infractions hearing. It should be understood that at this juncture, the committee has not received any of the information gathered by the enforcement staff to substantiate that a violation occurred. The only information provided to the committee by the enforcement staff regarding this case will be the allegations (attached), the NCAA enforcement staff case summary per Bylaw 32.6.7 and its hearing presentation per Bylaw 32.8.7.2. If you wish the committee to consider any specific evidence, that information must be included in your response to the notice of allegations. If any additional evidence should come to your attention that was not previously available to you or that was not previously relevant that you believe the Committee on Infractions should consider, that information should be provided to the enforcement staff and the committee at least 10 days prior to the infractions hearing.

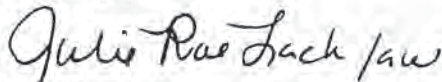
Your attention also is directed to Bylaws 32.6 and 32.8, which describe the notice of allegations and the procedures to be followed during an appearance before the committee. In addition, you may wish to review the policies and guidelines set forth in Bylaw 19.4 of the enforcement procedures. Should you have additional questions concerning these procedures, please contact Mr. Cooper. Also, in the event members of the NCAA staff who have been involved in the investigation of this case can be of assistance to you in developing a response, please contact this office for such assistance.

Under the provisions of Bylaw 32.6.4, in preparation for submitting a written response to the notice of allegations or making an in-person appearance before the Committee on Infractions, the enforcement staff will provide reasonable access to all pertinent materials maintained by the staff that corroborate or refute the allegations. These materials may include recordings of interviews and documents that were obtained during the inquiry. Requests for access to such materials should be made to the enforcement staff, which also is responsible for maintaining custody of these materials. Therefore, the staff will provide access at the NCAA national office or on a secured website in the near future. If information is developed subsequent to the notice of allegations concerning you, the staff also will notify you of the availability of this information.

Please note that NCAA enforcement policies and procedures prohibit this office from releasing information concerning this case prior to its conclusion, except to correct erroneous information that is released by others. Accordingly, the NCAA will not release this notice of allegations to the public. Also, please note that an NCAA infractions report concerning this case, which sets forth the Committee on Infractions' findings, conclusions and penalties, if any, will be prepared following the hearing in this case. That document will be released (with names deleted) after the institution and other principals who participate in the hearing have been notified of relevant contents.

Please contact Stephanie Hannah, NCAA director of enforcement (who has supervised the handling of this case), if you have any questions.

Sincerely,



Julie Roe Lach
Vice President of Enforcement

JRL:dkm

Enclosures

cc: Mr. Shep Cooper
Chancellor H. Holden Thorp
NCAA Division I Committee on Infractions

NCAA COMMITTEE ON INFRACTIONS

Suggested Guidelines for Submission of Responses

This memorandum is the committee's suggested format for submitting responses to the notice of allegations. The following suggestions are made:

- The response should be contained in either three-ring loose-leaf or "comb" style binders ("comb" style preferred).
- Responses to the allegations should be separated by numbered tabs corresponding to the allegation numbers in the notice of allegations so as to be easily referenced by the reader.
- Responses should be paginated. It is suggested that each allegation have its own set of page numbers; e.g., page one of the section on allegation 1 would be page 1-1, page 6 of the section on Allegation No. 4 would be page 4-6, etc.
- Each allegation response should contain the allegation itself, the position of the responding party to the allegation (agree or disagree) and the rationale/supporting evidence for the position.
- If there is a large number of supporting attachments/exhibits, they should be placed in a binder separate from the actual response and divided by numbered tabs referenced to the application allegation. Multiple exhibits/attachments in support of individual allegations should be separated, labeled by number and indexed to the respective allegation (e.g., exhibit 1-1 would be the first exhibit in support of Allegation 1). In addition, and for ease of reference at hearings, all pages in exhibits should have page numbers running sequentially. The page numbers may be in sequence throughout all exhibits without regard to a particular exhibit number (e.g., 1 to 10 in exhibit 1, 11 to 17 in exhibit 2) or the page numbers may be in sequence within each exhibit (e.g., 1-1, 1-2, etc.; 2-1, 2-2, etc.). In the interest of limiting the size of responses and to avoid providing multiple copies of the same documents, only one copy of each exhibit/attachment is required. Any reference to exhibits/attachments throughout the response can be made to the appropriate exhibit number.

NOTICE OF ALLEGATIONS

to the

Chancellor of University of North Carolina, Chapel Hill

Violations Reported by the Institution

1. [NCAA Bylaws 10.1, 10.1-(b) and 14.11.1]

It was reported that during the 2008-09 academic year and summer of 2009, then academic support center tutor, and then football student-athletes and failed to deport themselves in accordance with the generally recognized high standards of honesty and sportsmanship normally associated with the conduct and administration of intercollegiate athletics and violated provisions of ethical conduct legislation when they engaged in academic fraud. As a result of the academic fraud, competed while ineligible during the 2009 and 2010 football seasons, and competed while ineligible during the 2008 and 2009 football seasons. Specifically, provided impermissible academic assistance to and which constituted academic fraud as follows:

- a. On April 21, 2008, wrote conclusion paragraphs for five of Education course writing assignments. [NCAA Bylaws 10.1 and 10.1-(b)]
- b. During the spring and summer of 2009, provided improper academic assistance to on two occasions. On April 15, 2009, emailed an outline that included a thesis statement and other substantive material for a Communication writing assignment, which used to write the paper submitted for course credit. Further, on June 12, 2009, responded to email request from June 11, 2009, that she provide him information to add to a Communication writing assignment by sending a revised version of the draft he had sent to her to which she had made various grammatical corrections and added approximately four sentences to the approximately 2 1/2-page document. [NCAA Bylaws 10.1, 10.1-(b) and 14.11.1]
- c. During the fall of 2008 and summer of 2009, provided improper academic assistance to by composing and typing citations and works-cited pages for three of his writing assignments, making substantive changes to the body of two of the assignments and researching sources for one assignment. In November 2008, composed a works-cited page, composed and inserted citations into the body of the paper, and added words to an African studies course writing assignment regarding the . Further, in June 2009, composed a works-cited page, composed and inserted citations into the body of the paper, and added and edited content to an African Studies writing assignment regarding the . Additionally, in July 2009, composed a works-cited page, composed and inserted citations

into the body of the paper, and conducted research for a Swahili writing assignment regarding the . [NCAA Bylaws 10.1, 10.1-(b) and 14.11.1]

Please indicate whether this information is substantially correct and whether the institution agrees that violations of NCAA legislation occurred. Submit evidence to support your response.

Also, please provide the following:

- a. A statement describing the means by which the institution initially became aware of this violation. Please describe the investigative efforts taken by the institution once it became aware of the matter.
- b. Copies of emails regarding academic work that were exchanged between and the student-athletes identified in the allegation.
- c. A statement summarizing the information reported by the student-athletes identified in this allegation relating to their involvement in academic fraud.
- d. Transcripts of August 24 and 29, 2010, interviews with the institution,
- e. A transcript of November 3, 2010, interview with the institution and enforcement staff.
- f. A statement describing the organizational structure of the institution's academics support center.
- g. An overview of employment in the institution's academic support center. In this regard, please provide (1) a statement detailing job duties as determined by the institution, (2) the dates of employment, (3) the identities of the individuals responsible for monitoring or supervising work performance and (4) a statement detailing the reasons why is no longer employed at the institution.
- h. A statement describing all NCAA rules education provided to academic support center personnel and specifically to
- i. A statement indicating whether was aware was providing impermissible academic assistance to student-athletes.

- j. Copies of the course descriptions and class requirements for the courses identified in this allegation. Also, include the instructor's final grade provided to the student-athletes.
- k. Copies of reports issued by the institution's undergraduate honor court regarding the student-athletes identified in this allegation.
- l. A statement indicating whether the institution withdrew the academic credits awarded to the student-athletes identified in this allegation and the reasons for that decision. Also, indicate whether the student-athletes would have met the NCAA's satisfactory-progress requirements if the credit hours associated with the courses were removed from the student-athletes' transcripts.
- m. A statement describing NCAA rules education regarding academic fraud provided to football student-athletes.
- n. A statement indicating whether the student-athletes identified in the allegation were aware they had received fraudulent academic credits.
- o. Copies of all correspondence between the institution and the NCAA student-athlete reinstatement staff concerning restoration of eligibility for McAdoo.
- p. A statement indicating whether _____ and _____ represented the institution in intercollegiate athletics competition at the time they were ineligible to do so as a result of their involvement in academic fraud and the dates and number of contests each individual competed in while ineligible. In that regard, please indicated the level of participation for each young man in those contests (e.g. minutes played, contribution to the team by way of contests started and game statistics).
- q. A statement describing the reasons the football student-athletes identified in the allegation accepted impermissible academic assistance and engaged in unethical conduct in light of NCAA legislation prohibiting such activities.
- r. A statement describing the reasons _____ provided impermissible academic assistance to student-athletes and engaged in unethical conduct in light of NCAA rules prohibiting such activities.

2. [NCAA Bylaw 16.11.2]

It was reported that during the 2009-10 academic year and August 2010, Jennifer Wiley, former academic support center tutor, provided approximately \$3,500 in impermissible extra benefits to football student-athletes. Specifically:

- a. Wiley paid \$150 for an airline ticket in May 2010, and \$1,789 in parking violation expenses on August 20, 2010, for then football student-athlete
- b. Wiley provided approximately 142 hours of free tutoring services (valued by the institution at \$11 per hour) to nine football student-athletes during the 2009-10 academic year after she no longer was employed by the academic support center. The following chart details the provision of free tutoring services:

Involved Student-Athlete	Hours of Tutoring Services Provided	Monetary Value of Tutoring Services
	8	\$88
	45	\$495
	13	\$143
	27	\$297
	1	\$11
	14	\$154
	10	\$110
	4	\$44
	20	\$220
TOTAL	142	\$1,562

Please indicate whether this information is substantially correct and whether the institution agrees that violations of NCAA legislation occurred. Submit evidence to support your response.

Also, please provide the following:

- a. A statement indicating when the institution learned of the violations detailed in this allegation and how the violations were discovered.
- b. A statement summarizing the information reported by the student-athletes identified in this allegation relating to their receipt of extra benefits.
- c. Copies of all correspondence between the institution and the NCAA student-athlete reinstatement staff concerning restoration of eligibility for football

student-athletes

and

- d. A copy of the institution's November 8, 2010, self-report regarding extra benefits received by
- e. A statement indicating whether the student-athletes identified in the allegation represented the institution in intercollegiate athletics competition at the time they were ineligible to do so as a result of their receipt of impermissible benefits and the dates and number of contests each individual competed in while ineligible. In that regard, please indicate the level of participation for each young man in those contests (e.g., minutes played, contribution to the team by way of contests started and game statistics).
- f. A statement describing the identities of all athletics department staff members involved in or having knowledge of the receipt of the extra benefits by the student-athletes. Also, provide a description of this involvement or knowledge prior to, at the time of and subsequent to the receipt of these extra benefits.
- g. A statement describing the relationship of Wiley to the institution and its intercollegiate athletics program. In that regard, please indicate whether Wiley (1) has participated in or is a member of an agency or organization promoting the institution's intercollegiate athletics program; (2) has made financial contributions to the institution, its intercollegiate athletics program or an athletics booster organization; (3) has a personal relationship in any manner with any current or former member of the institution's athletics programs; (4) has been involved in any manner with the recruitment of a prospective student-athlete; (5) has provided benefits in any manner to any enrolled student-athletes, prospective student-athletes or their families; or (6) has been involved in any manner in the promotion of the institution's intercollegiate athletics program. Also, please indicate if the institution believes Wiley to be a representative of the institution's athletics interests and, if so, the date Wiley became a representative.
- h. A copy of Chance Miller's, NCAA assistant director of agent, gambling and amateurism activities, August 22, 2010, email to attorney, and August 24, 2010, letter to Miller explaining that trip flight expense was paid with a credit card billed to Wiley.
- i. Payment receipts detailing Wiley's payment of parking violation expenses in August 2010.

- j. A transcript of August 3, 2010, interview with the institution and enforcement staff.
 - k. A statement describing the NCAA rules education provided to football student-athletes regarding receipt of extra benefits.
 - l. A statement describing the NCAA rules education provided to academic support staff members regarding provision of extra benefits.
 - m. A copy of a September 30, 2009, letter from Robert Mercer, director of academic support for student-athletes, and Susan Maloy, assistant athletics director for certification and eligibility, September 30, 2009, letter to Wiley regarding restrictions on providing academic assistance after ending employment at the academic support center.
 - n. A statement describing the reason Wiley provided the benefits to the student-athletes in light of NCAA legislation prohibiting such conduct.
3. [NCAA Bylaws 10.1, 10.1-(a), 10.1-(c) and 19.01.3]

It was reported that during the period 2009 through 2011, Jennifer Wiley, former academic support center tutor, failed to deport herself in accordance with the generally recognized high standards of honesty and sportsmanship normally associated with the conduct and administration of intercollegiate athletics by knowingly providing nine football student-athletes with improper benefits and by refusing to furnish information relevant to an investigation of possible violations of NCAA regulations when requested to do so by the enforcement staff and institution. Specifically:

- a. Regarding her knowing provision of improper benefits to football student-athletes, during the 2009-10 academic year and August 2010, Wiley knowingly provided the benefits detailed in Allegation No. 2. [NCAA Bylaws 10.1 and 10.1-(c)]
- b. Regarding her refusal to cooperate, from November 2010 through mid-January 2011, Wiley or her attorneys initially did not respond to multiple attempts by the enforcement staff and institution to schedule an interview with her regarding her knowledge of or involvement in violations of NCAA legislation. Wiley's attorneys were contacted via telephone November 4, 12 and 17, and December 16, and did not return voicemail messages left at their offices, except for a November 18, 2010, voicemail message from a paralegal who stated that Wiley's attorney planned to return a voicemail message left for him later that day. Further, Wiley's attorney responded to a January 3, 2011, letter requesting an

interview with Wiley in a January 19, 2011, letter stating that Wiley "has chosen not to be interviewed by the [institution] or anyone else" and that she understood that declining to be interviewed may result in a charge that she violated NCAA ethical-conduct principles. [NCAA Bylaws 10.1, 10.1-(a) and 19.01.3]

Please indicate whether this information is substantially correct and whether the institution agrees that violations of NCAA legislation occurred. Submit evidence to support your response.

Also, please provide the following:

- a. Copies of the enforcement staff's January 3, 2011, letter to Wiley's attorney requesting her cooperation in the investigation and Wiley's attorney's January 19, 2011, letter declining the staff's request.
- b. A statement detailing the institution's attempts to interview Wiley and whether those attempts were successful.

4. [NCAA Bylaws 12.1.2.1.6 and 12.3.1.2]

It was reported that during 2009 and 2010, seven football student athletes received \$27,097.38 in benefits from individuals, some of whom trigger NCAA agent legislation. The benefits were provided to (\$13,507.47), (\$5,642.92), (\$5,040.20), (\$1,396.54), (\$1,320.75), (\$135) and (\$54.50). Specifically:

- a. Regarding benefits provided to

Description of Benefit	Monetary Value	Provider	Date/Location Provided	Type of Benefit
	\$1,260.29	Gary Wichard, Pro Tect Management	2009	12.3.1.2
	\$1,000	Wichard	2009	12.3.1.2
	\$420	Wichard	2009	12.3.1.2

Description of Benefit	Monetary Value	Provider	Date/Location Provided	Type of Benefit
	\$357.80	Todd Stewart, Pro Sports Financial	2009	12.3.1.2
	\$1,802.08	Wichard	2009	12.3.1.2
	\$600	Wichard	2009	12.3.1.2
	\$488.80	Stewart	2010	12.3.1.2
	\$774	Stewart	2010	12.3.1.2
	\$89	Stewart	2010	12.3.1.2
	\$10	Stewart	2010	12.3.1.2
	\$299.40	Stewart	2010	12.3.1.2
	\$477.80	Stewart	2010	12.3.1.2
	\$474	Stewart	2010	12.3.1.2
	\$175	Stewart	2010	12.3.1.2
	\$200	Stewart	2010	12.3.1.2

Description of Benefit	Monetary Value	Provider	Date/Location Provided	Type of Benefit
	\$905.90	Stewart	2010	12.3.1.2
	\$258	Stewart	2010	12.3.1.2
	\$1,000	Stewart	2010	12.3.1.2
	\$2,000	Kentwan Balmer, former North Carolina football student-athlete	2010	12.1.2.1.6
TOTAL	\$13,507.47			

b. Regarding benefits provided to

Description of Benefit	Monetary Value	Provider	Date/Location Provided	Type of Benefit
	\$5,000	A.J. Mosciato, jeweler	2010	12.1.2.1.6
	\$266	Willie [last name unknown]	2010	12.1.2.1.6
	\$57.92	Willie [last name unknown]	2010	12.1.2.1.6
	\$120	Various financial advisors	2010	12.3.1.2
	\$199	Michael Katz, Rosenhaus Sports	2010	12.3.1.2
TOTAL	\$5,642.92			

c. Regarding benefits provided to

Description of Benefit	Monetary Value	Provider	Date/Location Provided	Type of Benefit
	\$375	Hakeem Nicks, former North Carolina football student-athlete	2010	12.1.2.1.6
	\$1,234.70	Nicks	2010	12.1.2.1.6
	\$1,000	Nicks	2010	12.1.2.1.6
	\$579.50	Nicks	2010	12.1.2.1.6
	\$10	Stewart	2010	12.3.1.2
	\$44.50	Stewart	2010	12.3.1.2
	\$485	Stewart	2010	12.3.1.2
	\$158	Stewart	2010	12.3.1.2
	\$200	Stewart	2010	12.3.1.2
	\$175	Stewart	2010	12.3.1.2
	\$579.50	Stewart	2010	12.3.1.2

Description of Benefit	Monetary Value	Provider	Date/Location Provided	Type of Benefit
	\$199	Katz	2010	12.3.1.2
TOTAL	\$5,040.20			

d. Regarding benefits provided to

Description of Benefit	Monetary Value	Provider	Date/Location Provided	Type of Benefit
	\$20	Omar Brown, former North Carolina football student-athlete	2009	12.1.2.1.6
	\$82	Brown	2009	12.1.2.1.6
	\$19.25	Brown	2009	12.1.2.1.6
	\$945.87	Brown	2010	12.1.2.1.6
	\$77.42	Brown	2010	12.1.2.1.6
	\$60	Brown	2010	12.1.2.1.6
	\$152	Brown	2010	12.1.2.1.6

Description of Benefit	Monetary Value	Provider	Date/Location Provided	Type of Benefit
	\$40	Chris Hawkins, individual triggering NCAA agent legislation and former North Carolina football student-athlete	Over several years	12.3.1.2
TOTAL	1,396.54			

e. Regarding benefits provided to

Description of Benefit	Monetary Value	Provider	Date/Location Provided	Type of Benefit
	\$20	Brown	2009	12.1.2.1.6
	\$440.50	Brown	2009	12.1.2.1.6
	\$19.25	Brown	2009	12.1.2.1.6
	\$60	Mahlon Carey, former North Carolina football student-athlete	2010	12.1.2.1.6
	\$5	Carey	2010	12.1.2.1.6
	\$70	Hawkins	2010	12.3.1.2

Description of Benefit	Monetary Value	Provider	Date/Location Provided	Type of Benefit
	\$400	Hawkins	2010	12.3.1.2
	\$56	Hawkins	2010	12.3.1.2
	\$50	Hawkins	2010	12.3.1.2
	\$200	Hawkins	Over several years	12.3.1.2
TOTAL	\$1,320.75			

f. Regarding benefits provided to

Description of Benefit	Monetary Value	Provider	Date/Location Provided	Type of Benefit
	\$60	Carey	2010	12.1.2.1.6
	\$5	Carey	2010	12.1.2.1.6
	\$70	Hawkins	2010	12.3.1.2
TOTAL	\$135			

g. Regarding benefits provided to

Description of Benefit	Monetary Value	Provider	Date/Location Provided	Type of Benefit
	\$44.50	Stewart	2010	12.3.1.2

Description of Benefit	Monetary Value	Provider	Date/Location Provided	Type of Benefit
	\$10	Stewart	2010	12.3.1.2
TOTAL	\$54.50			

Please indicate whether this information is substantially correct and whether the institution agrees that violations of NCAA legislation occurred. Submit evidence to support your response.

Also, please provide the following:

- a. A statement describing the means by which the institution initially became aware of this violation. Please describe the investigative efforts taken by the institution once it became aware of the matter.
- b. Copies of all correspondence between the institution and NCAA student-athlete reinstatement staff concerning restoration of eligibility for
- c. A statement summarizing information reported by _____ and _____ regarding their receipt of benefits.
- d. Transcripts of _____ July 12 and August 4 and 5, 2010, interviews with the institution and enforcement staff.
- e. Transcripts of _____ July 12, August 4 and September 14, 2010, interviews with the institution and enforcement staff.
- f. Transcripts of _____ July 12 and August 3, 2010, interviews with the institution and enforcement staff.
- g. Transcripts of _____ July 13, August 3 and September 2, 2010, interviews with the institution and enforcement staff.
- h. Transcripts of _____ July 12, August 4 and September 2, 2010, interviews with the institution and enforcement staff.
- i. Transcripts of _____ July 13 and August 3, 2010, interviews with the institution and enforcement staff.

- j. A transcript of _____ July 13, 2010, interview with the institution and enforcement staff.
- k. A statement summarizing information reported by Stewart regarding his provision of benefits to student-athletes.
- l. A transcript of Stewart's August 19, 2010, interview with the institution and enforcement staff.
- m. Copies of invoices and related checks for Todd Amis, _____ payments to _____ travel agency for _____ and 2009 flights to _____
- n. A copy of the March 1, 2011, search warrant issued by a North Carolina Superior Court judge and accompanying application regarding Wichard's Bank of America financial accounts indicating that Wichard reimbursed Amis for _____ flight expenses.
- o. A copy of the receipt for _____ 2009, stay at the _____ listed under the name of _____
- p. A copy of the receipt for _____ 2009, stay at the _____
- q. A copy of a bill issued by Proactive Sports Performance to _____ regarding 2009, training.
- r. Copies of _____ flight records detailing _____ flight expenses paid for by Stewart or Pro Sports Financial.
- s. A statement describing NCAA rules education regarding preferential-treatment benefits and benefits from individuals triggering NCAA agent legislation that was provided to football student-athletes during the 2008-09 and 2009-10 academic years.
- t. A copy of the form the institution used for monitoring the whereabouts of football student-athletes traveling away from the institution's campus during breaks and vacations. Also, please indicate the purpose of the form and identify the individuals who had responsibility for monitoring the information requested on the form.

- u. Copies of the completed forms monitoring the whereabouts of football student-athletes for the student-athletes identified in the allegation above for the periods in which they received the benefits detailed in the allegation. If copies of the completed forms cannot be provided, please include a statement indicating why they cannot be produced.
- v. A statement describing the nature of all compliance and monitoring activities in the athletics department during the 2008-09 and 2009-10 academic years designed to detect and prevent the violations of NCAA legislation that occurred in the above allegation.
- w. A statement indicating whether the student-athletes identified in the allegation represented the institution in intercollegiate athletics competition at the time they were ineligible to do so as a result of their receipt of impermissible benefits and the dates and number of contests each individual competed in while ineligible. In that regard, please indicate the level of participation for each young man in those contests (e.g., minutes played, contribution to the team by way of contests started and game statistics).
- x. A statement describing the reasons why the student-athletes identified in this allegation accepted benefits prohibited by NCAA legislation.

Violations Alleged by the Enforcement Staff

5. [NCAA Bylaws 10.1 and 10.1-(d)]

It is alleged that on July 12 and August 4 and 5, 2010, then football student-athlete _____ failed to deport himself in accordance with the generally recognized high standards of honesty and sportsmanship normally associated with the conduct and administration of intercollegiate athletics by providing false and misleading information regarding his involvement in or knowledge of matters relevant to possible violations of NCAA regulations. Specifically, during interviews conducted by the institution and enforcement staff, _____ provided false and misleading information regarding the details of trips he had taken to the _____ area from _____ and _____ 2009; the _____ area from _____ and _____ 2010; and the _____ area from _____ 2010, which constitute the violations listed in Allegation No. 4 _____ provided false and misleading information as follows:

- a. Regarding his trips to the _____ area, _____ produced a receipt from the _____ for the _____ 2009 trip and stated that

former University of North Carolina, Chapel Hill, football student-athlete booked and paid for his hotel and training at . However, it subsequently was discovered that paid hotel costs for the and 2009 trips with knowledge.

- b. Regarding his trips to the area, stated during the July 12 and August 4 interviews that his friend and current National Football League (NFL) athlete paid for all flights, hotels and transportation related to that trip. During his August 5 interview, reported that he was not aware who booked or paid for his travel but noted that he believed then employees of and individuals triggering NCAA agent legislation, might have booked the trip, and paid the expenses. However, it subsequently was discovered that paid for the flights through with knowledge.
- c. Regarding his trip to the area, originally stated that either or a current NFL athlete named paid for a hotel room in the area but later noted that he thought or had someone else whose identity he did not know book the room. However, it subsequently was discovered that had booked and paid for hotel reservation with knowledge.

Please indicate whether this information is substantially correct and whether the institution agrees that violations of NCAA legislation occurred. Submit evidence to support your response.

Also, please provide a list of the dates was interviewed by the institution and enforcement staff and the identities of those present for each interview.

6. [NCAA Bylaw 11.1.4]

It is alleged that from 2007 to 2010, then assistant football coach John Blake partnered with Gary Wichard, National Football League Players Association (NFLPA) certified agent, and Pro Tect Management to represent individuals in the marketing of their athletic abilities in violation of NCAA legislation. Specifically, Blake was employed and compensated by Pro Tect Management to influence football student-athletes to hire Wichard to represent them in marketing their athletic abilities and reputations.

Please indicate whether this information is substantially correct and whether the institution agrees that violations of NCAA legislation occurred. Submit evidence to support your response.

Also, please provide the following:

- a. An overview of Blake's employment at the institution. In this regard, please provide (1) a statement detailing Blake's job duties as determined by the institution, (2) the date that Blake was hired, (3) the date that Blake ceased working for the institution and (4) the identity of Blake's supervisors.
- b. A copy of Blake's July 2010 credit report listing Pro Tect Management as Blake's previous employer.
- c. A copy of the Pro Tect Management brochure identifying Blake as the organization's vice president of football operations.
- d. A statement summarizing the information reported by Josh Lucas, former NFLPA-certified sports agent, regarding Blake's employment with Pro Tect Management.
- e. A statement summarizing the information reported by former University of Oklahoma football student-athlete Brian Bozworth regarding Blake's recruitment of student-athletes for Pro Tect Management.
- f. A statement summarizing the information reported by Marvin Sanders, then University of Nebraska, Lincoln (Nebraska) assistant football coach, in his January 21, 2011, interview with the enforcement staff regarding Blake's contact with then Nebraska football student-athlete Ndamukong Suh.
- g. A statement describing the phone calls between Blake and Suh's sister, Ngum Suh, during November and December 2009. In this regard, please identify the date, time, duration and each phone call between Blake and Suh's family during that time period.
- h. A statement describing funds deposited into Blake's Bank of America bank account from the First National Bank of Long Island. In this regard, please identify the date, amount and originator of each deposit.
- i. A chart detailing the phone contact between Blake and Wichard, between Blake and then football student-athlete [redacted] and between Blake and [redacted] Todd Amis, during the periods of March 6 to 14 and July 24 to 31, 2009, when [redacted] was training at Proactive Sports Performance. In this regard, please identify the date, time, duration and originator of each phone call between Blake and Wichard or [redacted]

- j. Transcripts of Blake's August 3 and 31, 2010, interviews with the institution and enforcement staff.
- k. A statement describing the reason Blake partnered with Wichard to represent individuals in the marketing of their athletic abilities in light of NCAA legislation prohibiting such conduct.

7. [NCAA Bylaw 11.2.2]

It is alleged that from May 2007 to October 2009, then assistant football coach John Blake did not report \$31,000 in athletically related outside income from Pro Tect Management, a sports agency representing athletes competing in the National Football League, National Basketball League and Major League Baseball. Specifically, Blake received wire transfers in amounts ranging from \$1,000 to \$10,000 from a Pro Tect Management bank account at the First National Bank of Long Island into his personal bank account on seven occasions; however, he did not provide a written account of the income to the institution, as required by NCAA legislation. The following chart details the deposits Blake received from Pro Tect Management:

Date of Deposit	Amount of Deposit
May 21, 2007	\$10,000
June 22, 2007	\$1,000
October 25, 2007	\$2,500
December 4, 2007	\$3,000
April 1, 2008	\$5,000
March 31, 2009	\$5,000
October 15, 2009	\$5,000

Please indicate whether this information is substantially correct and whether the institution agrees that violations of NCAA legislation occurred. Submit evidence to support your response.

Also, please provide the following:

- a. Copies of all outside income forms Blake submitted while employed at the institution.
- b. A statement describing NCAA rules education provided to Blake concerning reporting of athletically related outside income.

- c. A statement describing the reason Blake did not provide a complete written account of his outside athletically related income as required by NCAA legislation.

8. [NCAA Bylaws 10.1, 10.1-(a), 10.1-(d) and 19.01.3]

It is alleged that beginning in August 2010, then assistant football coach John Blake failed to deport himself in accordance with the generally recognized high standards of honesty and sportsmanship normally associated with the conduct and administration of intercollegiate athletics by refusing to furnish information relevant to an investigation of possible violations of NCAA legislation when requested to do so by the NCAA and by furnishing the NCAA and the institution false and misleading information. Specifically:

- a. Regarding his refusal to provide information relevant to the investigation, Blake refused to provide to the institution and the enforcement staff his tax records for the years 2005 through 2010 and information regarding a \$45,000 deposit he received from the First National Bank of Long Island on December 26, 2007. The staff sent letters September 28, 2010, and March 10 and June 13, 2011, to Blake's attorney requesting these items in order to determine whether Blake listed Pro Tect Management as an employer and whether he was being compensated for acting as an agent or runner. Neither Blake nor his attorney provided the requested information. Additionally, in the June 13 letter, the staff requested an additional interview with Blake and was informed by Blake's attorney on June 13 that he would not agree to participate in an interview. [NCAA Bylaws 10.1, 10.1-(a) and 19.01.3]
- b. Regarding his provision of false and misleading information, during his August 3 and 31, 2010, interviews with the institution and enforcement staff, Blake falsely stated that he was never employed by Pro Tect Management even though Pro Tect Management was listed as a former employer on his July 6, 2010, credit report and Blake was listed as holding the position of Pro Tect Management vice president of football operations on a brochure distributed by the agency. [NCAA Bylaws 10.1 and 10.1-(d)]

Please indicate whether this information is substantially correct and whether the institution agrees that violations of NCAA legislation occurred. Submit evidence to support your response.

Also, please provide the following:

- a. Copies of the September 28, 2010, and March 10 and June 13, 2011, letters sent to Blake by the enforcement staff requesting his cooperation in the investigation.
- b. A list of the dates Blake was interviewed by the institution and enforcement staff and the identities of those present for each interview.

9. [NCAA Constitution 2.8.1]

It is alleged that during 2009 and 2010, the institution failed to adequately monitor the conduct and administration of the football program. Specifically:

- a. During 2009 and 2010, the institution failed to properly monitor the conduct of Chris Hawkins, an individual triggering NCAA agent legislation, after allowing him access to the institutional athletics facilities at times that put him in close contact with the football program in years when the program included a large number of projected top-round picks in the National Football League draft, which led to \$886 in impermissible benefits provided by Hawkins to student-athletes, as detailed in Allegation No. 4. The institution allowed Hawkins to use practice facilities and participate in drills and one-on-one training sessions with football student-athletes without providing adequate guidance to the football student-athletes regarding permissible interactions with him.
- b. In February through June 2010, the institution did not adequately and consistently monitor social networking activity that visibly illustrated potential amateurism violations within the football program, which delayed the institution's discovery and compounded the provision of impermissible benefits provided in Allegation Nos. 4-a, 4-c, 4-d and 4-e.
- c. During 2009 and 2010, the institution failed to investigate information related to preferential treatment benefits and benefits from individuals triggering NCAA agent legislation provided to football student-athlete. The institution did not adequately follow up on information indicating a risk of improper benefits being provided when reported by [the student-athlete] to administrators within the football program, which led to impermissible benefits provided in Allegation No. 4.

Please indicate whether this information is substantially correct and whether the institution agrees that violations of NCAA legislation occurred. Submit evidence to support your response.

Also, please provide the following:

- a. A statement indicating when and how the institution discovered that Hawkins was involved in providing benefits to football student-athletes. Please detail any action the institution took at that time to explore whether Hawkins provided benefits to student-athletes and whether he triggered NCAA agent legislation.
- b. A statement summarizing information reported by Hawkins regarding the access to institutional facilities and football student-athletes that he was afforded by the institution's athletics department.
- c. A statement summarizing information reported by _____ regarding his interactions with Hawkins and his efforts to determine Hawkins' employment or affiliation with Willie Parker, a former football student-athlete at the institution and a current National Football League athlete.
- d. A statement summarizing information reported by Marvin Sanders, then University of Nebraska, Lincoln, assistant football coach, regarding Hawkins' desire to become a sports agent.
- e. A statement summarizing information reported by _____ regarding his approval of Hawkins' presence at the institution's athletics facilities; his efforts to determine Hawkins' employment or affiliation with Parker; and his efforts to monitor Hawkins' interaction with football student-athletes.
- f. A statement describing the nature of all compliance and monitoring activities in the athletics department during the 2008-09 and 2009-10 academic years designed to detect and prevent violations of NCAA legislation regarding benefits provided by individuals triggering NCAA agent legislation and the reason those activities did not detect or prevent the violations detailed in the above allegation.
- g. Copies of materials posted on Twitter by football student-athletes _____ and _____ regarding trips on which they received impermissible benefits.
- h. A statement summarizing information reported by _____

regarding the

institution's efforts to monitor the social networking activity of football student-athletes.

- i. A statement summarizing information reported by administrators within the football program regarding their knowledge of trips taken by _____ on which he received improper benefits.
- j. A statement summarizing any investigation conducted by the institution regarding the activities of football student-athletes during trips on which they received impermissible benefits.

Information Requested by the Committee on Infractions

- 10. Please provide all information concerning other possible violations of NCAA legislation that was discovered by the institution as a result of its review of this matter. In this regard, please indicate the means by which the information was discovered and the institution's position whether a violation has occurred.
- 11. Please provide a detailed description of any corrective or punitive actions implemented by the institution as a result of the violations acknowledged in this inquiry. In that regard, explain the reasons the institution believes these actions to be appropriate and identify the violations upon which the actions were based. Additionally, indicate the date that any corrective or punitive actions were implemented.
- 12. Please provide a detailed description of all disciplinary actions taken against any current or former athletics department staff members as a result of violations acknowledged in this inquiry. In that regard, explain the reasons that the institution believes these actions to be appropriate and identify the violations upon which the actions were based. Additionally, indicate the date that any disciplinary actions were taken and submit copies of all correspondence from the institution to each individual describing these disciplinary actions.
- 13. Please provide a statement indicating the dates and titles of all positions at the institution held by individuals identified during the inquiry as allegedly having significant involvement in NCAA violations as well as a brief overview of each position. Additionally, provide the dates, title and employer of all positions held by such individual(s) during the five years prior to the dates of the alleged violations. Furthermore, provide a brief review of the previous major infractions case history for the identified individuals.

14. Please provide a short summary of every major infractions case involving the institution or individuals named in this notice. In this summary, provide the date of the infractions report, a description of the violations found by the Committee on Infractions, the individuals involved, and the penalties and corrective actions. Additionally, please provide a copy of any major infractions reports involving the institution or individuals named in this notice that were issued by the Committee on Infractions within the last 10 years.
15. Please provide a chart depicting the institution's reporting history of secondary violations for the past five years. In this chart, please indicate for each academic year the number of total secondary violations reported involving the institution or individuals named in this notice. Also, please include the applicable bylaws for each violation, and then indicate the number of secondary violations involving just the sports team named in this notice for the same five-year time period.
16. Please provide the institution's overall NCAA division and conference affiliation as well as the total enrollment on campus and the number of men's and women's sports sponsored.
17. Please provide a statement describing the general organization and structure of the institution's intercollegiate athletics department, including the identities of those individuals in the athletics department who were responsible for the supervision of all sport programs during the previous four years, and whether the institution conducts a systematic review of NCAA and institutional regulations for its athletics department employees. If yes, identify the agency, individual or committee responsible for this review, and describe the responsibilities and functions of each identified.
18. Please provide the following information concerning the sport programs identified in this inquiry:
 - The average number of initial and total grants-in-aid that have been awarded during the past four academic years.
 - The number of initial and total grants-in-aid in effect for the current academic year (or upcoming academic year if the regular academic year is not in session) and the number anticipated being in effect for the following academic year.
 - The identities of all student-athletes anticipated to be on athletically related financial aid as of the first semester of the next academic year who will have four years of remaining eligibility and five years of enrollment (per the NCAA's five-year rule) to complete those four years; the identities of all student-athletes who have three years of remaining eligibility and four years of remaining enrollment to

complete those three years; the identities of all student-athletes who have two years of remaining eligibility and three years of remaining enrollment to complete those two years; and the identities of all student-athletes who have one year of remaining eligibility and two years of remaining enrollment to complete that year.

- The average number of student-athletes during the previous four years who have redshirted and the number who are redshirting during the current academic year (or upcoming academic year if regular academic year is not in session).
- The number of student-athletes in each of the previous four years who were awarded athletically related financial aid but who withdrew from the squad for reasons other than graduation or loss of eligibility.
- A list of the institution's win-loss record for the past four seasons and the dates and results of all postseason competition in which the institution has participated during those years. If there was postseason competition, please indicate how this was earned; i.e., conference automatic bid, at-large bid.
- The average number of official paid visits provided by the institution to prospective student-athletes during the past four years.
- The cost of room, board, books and tuition at the institution for the past four academic years.
- Copies of the institution's squad lists for the past four academic years.
- One copy of the institution's media guides for the past four academic years to be sent to Mr. Shep Cooper, director of the Committees on Infractions, and, if available, the Internet URL(s) for the members of the committee to use to review the same information contained in these media guides. If this information is not available through the Internet, then the provision of one complete set of media guides to Mr. Cooper will suffice.
- A review of the institution's obligations (contractual or otherwise) concerning live telecasts of contests during the next three seasons. These should include, but not be limited to, contractual agreements negotiated by the institution's conference and opponent or through its sports network affiliations.
- A statement indicating whether the provisions of NCAA Bylaws 31.2.2.3 and 31.2.2.4 apply to the institution as a result of the involvement of student-athletes in violations noted in this inquiry.

- A statement indicating whether the provisions of NCAA Bylaw 19.5.2.2-(e) apply to the institution as a result of the involvement of student-athletes in violations noted in this inquiry.

Any additional information or comments regarding this case are welcome.

NCAA/SJH:dkm/06/21/11