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February 19, 2020

CONFIDENTIAL/VIA EMAIL

Mr. Stu Brown
2089 Bohler Road
Atlanta, Georgia 30318

Mr. Jason Montgomery
Bond, Schoeneck & King
7500 College Boulevard
Suite 910
Overland Park, Kansas 66210

Mr. Scott Tompsett
1236 West 61st Terrace
Kansas City, Missouri 64113

RE: University of Kansas, Case No. 00874.

Dear Messrs. Brown, Montgomery and Tompsett:

This letter is in response to Scott Tompsett's February 7, 2020, letter requesting information, on behalf of his client, Bill Self, head men's basketball coach at the University of Kansas, on the alleged status of Adidas and five individuals as representatives of Kansas' athletics interests. On February 7, 2020, Stu Brown, on behalf of his client and assistant men's basketball coach Kurtis Townsend, joined in this request. On February 10, 2020, Jason Montgomery, on behalf of his client, the institution, joined in this request, as well.

Consistent with NCAA bylaws and procedures, the NCAA enforcement staff provided the requisite specificity in the September 23, 2019, notice of allegations, which included the factual information (FI) chart and access to the secure website containing the FIs and other information. Nonetheless, the enforcement staff provides the following additional detail to assist you. Please note that the enforcement staff directs your attention to all FIs and not just the ones listed below in response to your questions.

Regarding Adidas, the enforcement staff asserts that the facts establish that as early as October 2014, members of the institution's athletics administration and department, including members of the institution's men's basketball coaching staff, knew or should have known that Adidas, a corporate entity and apparel and equipment manufacturer, made financial contributions to the athletics department and was otherwise involved in promoting the institution's

athletics program. (See NCAA Constitution 6.4.2 and NCAA Bylaw 13.02.15). Facts supporting this position can be found in, but not limited to, the following FI's in the FI chart: FI001 and FI002 (interviews of Mr. Self); FI004 and FI005 (interviews of Mr. Townsend); FI006 (statements of TJ Gassnola, former outside consultant for Adidas); FI017 (interview of David Reed, senior associate director of athletics); FI019 (interview of Larry Keating, special assistant to the director of athletics); FI020 and FI021 (interviews of Sean Lester, deputy director of athletics); FI022 (interview of Sheahon Zenger, former director of athletics); FI023 (interview of Jeff Long, director of athletics); FI024 and FI025 (interview of Jennifer Allee, assistant director of athletics); FI040 (text message involving Mr. Self); FI093 and FI094 (Adidas agreement with Kansas); FI041 (email involving Mr. Gassnola); FI123 through FI128 (information about complimentary tickets provided to Adidas representatives); FI142 (Jennifer Allee, assistant director of athletics for alumni engagement, email about Adidas); and FI156 (Adidas statement).

Regarding Jim Gatto, a then Adidas director of global sports marketing for basketball, the enforcement staff asserts that the facts of this case establish that as early as October 2014 members of the institution's athletics administration and department, including members of the institution's men's basketball coaching staff, knew or should have known that Mr. Gatto was employed by Adidas, and that Adidas made financial contributions to the athletics department and was otherwise involved in promoting the institution's athletics program. See the same legislation and the same FI's listed above related to Adidas for Mr. Gatto. In addition, see FIs including but not limited to: FI030 through FI035 (government records related to Mr. Gatto), FI041 (email from Mr. Gassnola), FI064 (text message involving Mr. Gatto), FI065 and FI066 (conversation between Mr. Gatto and Mr. Gassnola) and FI095 (email from Mr. Gatto).

Regarding Mr. Gassnola, the enforcement staff asserts that the facts establish that as early as October 2014, members of the institution's athletics administration and department, including members of the institution's men's basketball coaching staff, knew of or should have known that Mr. Gatto was employed by Adidas, and that Adidas made financial contributions to the athletics department and was otherwise involved in promoting the institution's athletics program. See the same legislation and the same FIs listed above related to Adidas for Mr. Gassnola. Additionally, the enforcement staff asserts that the facts establish that as early as October 2014, members of the institution's men's basketball program, including Mr. Self and Mr. Townsend, knew or should have known that Mr. Gassnola had been requested by members of the men's basketball staff to assist in the recruitment of prospective student-athletes and/or had assisted in the recruitment of prospective student-athletes. See the same legislation and the same FIs listed above. Also, see FIs including, but not limited to: FI007 through FI009 (interviews of [redacted]; FI011 (text message between [redacted] and Mr. Gassnola); FI012 (interview of [redacted]; FI040 (text messages between Mr. Gassnola and Mr. Self); FI041 (email from Mr. Gassnola); FI042 (email from Mr. Gassnola); FI060 through FI064 (text messages involving Mr. Gassnola); FI074 (institution's

investigative file related to Mr. Gassnola); FI101 (screenshots of Mr. Gassnola with coaches from the institution); FI132, FI133, and FI135 (telephone records for Mr. Self and Mr. Townsend); and FI137 and FI138 (analysis on communications).

Regarding Merl Code, a then Adidas outside consultant, the enforcement staff asserts that the facts establish that as early as October 2014, members of the institution's athletics administration and department, including members of the institution's men's basketball coaching staff, knew of or should have known that Mr. Code was a consultant of Adidas, and that Adidas made financial contributions to the athletics department and was otherwise involved in promoting the institution's athletics program. See the same legislation and the same FIs listed above related to Adidas for Mr. Code. Additionally, the enforcement staff asserts that the facts establish that in 2017, members of the institution's men's basketball program, including Mr. Self and Mr. Townsend, knew or should have known that Mr. Code had been requested by members of the men's basketball staff to assist in the recruitment of prospective student-athletes and/or had assisted in the recruitment of prospective student-athletes. See the same legislation as well as see FIs including but not limited to: FI001 through FI003 (interviews of Mr. Self); FI004 and FI005 (interview of Mr. Townsend); FI088 (interview with Steve Smith, assistant coach at Florida State University); FI026 (interview with then men's basketball prospective student-athlete [redacted] and FI027 (interview of [redacted]

Regarding Dan Cutler, a then Adidas outside consultant, the enforcement staff asserts that the facts establish that as early as October 2014, members of the institution's athletics administration and department, including members of the institution's men's basketball coaching staff, knew or should have known that Mr. Cutler was a consultant of Adidas, and that Adidas made financial contributions to the athletics department and was otherwise involved in promoting the institution's athletics program. See the same legislation and the same FIs listed above related to Adidas for Mr. Cutler. Additionally, the enforcement staff asserts that the facts establish that in 2017, members of the institution's men's basketball program, including Mr. Self, knew or should have known that Mr. Cutler was requested by members of the men's basketball staff to assist in the recruitment of prospective student-athletes and/or had assisted in the recruitment of prospective student-athletes. See the same legislation as well as FIs including but not limited to: FI001 through FI003 (interviews of Mr. Self); FI015 (interview with then men's basketball prospective student-athlete [redacted] FI016 (interview of [redacted] and FI132 and FI133 (telephone records for Mr. Self).

Regarding Larry Brown, representative of the institution's athletics interests, the enforcement staff assert that the facts establish that as early as 1983, Mr. Brown promoted the institution's men's basketball program as the institution's head men's basketball coach and continued to promote the program in the years following his tenure as the institution's head men's basketball coach. Further, in 2017, members of the institution's athletics administration and department, including members of the institution's men's basketball coaching staff, knew or should have known that Mr. Brown was requested by members of the men's basketball staff, including Messrs. Howard, Self and Townsend, to assist in the recruitment of prospective student-athletes and/or had assisted in the

recruitment of prospective student-athletes and/or was otherwise involved in promoting the institution's athletics program. See the same legislation listed above as well as FIs including but not limited to the following: FI001 through FI003 (interviews with Mr. Self); FI004 and FI005 (interviews with Mr. Townsend); FI006 (Mr. Gassnola's testimony and exhibits); FI007 through FI009 (interviews with [redacted] FI011 (text messages between Mr. Gassnola and Mr. [redacted]; FI060 through FI064 (text messages involving Messrs. Gatto, Gassnola, Self and Townsend); FI065 and FI066 (conversation between Messrs. Gatto and Gassnola); FI077 (interview of Mr. Brown); FI078 (interview of [redacted] and FI086 (interview of Mr. Howard).

We believe this additional detail will assist you in this case.

Sincerely,

Tom Hosty
Director of Enforcement

TCH:trd