From:	Scott Tompsett <stompsett@scotttompsett.com> on behalf of Scott Tompsett <stompsett@scotttompsett.com> <stompsett@scotttompsett.com>
Sent:	Tuesday, February 25, 2020 11:06 AM
To:	'Hosty, Tom'
Cc:	'White, Brian Alan'; 'Walawender, Megan Kate'; 'Reed, David'; Glazier, Mike; Montgomery, Jason; 'Garland, James'; 'Sullivan, Jr., William M.'; Stu Brown
Subject:	Letter re Adidas Booster Status
Attachments:	Self - Letter to NCAA re Adidas Booster Status.pdf

Tom,

Please see the attached letter.

Scott

Scott Tompsett
Attorney at Law
1236 W. 61st Terrace
Kansas City, MO 64113

Direct: 816.216.7866
Cell: 816.674.4141
Email: stompsett@scotttompsett.com
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Scott Tompsett
Attorney at Law
1236 West 61st Terrace
Kansas City, Missouri 64113
816.216.7866
stompsett@scotttompsett.com

February 7, 2020

Via Electronic Mail

Tom Hosty
Director of Enforcement
NCAA
1802 Alonzo Watford Sr. Drive
Indianapolis, Indiana 46202

Re: University of Kansas Men's Basketball Infractions Investigation/Request for Clarification of Timing and Basis of Booster Status

Dear Tom:

This is a request for the details of the staff's allegations that Adidas, Jim Gatto, TJ Gassnola, Dan Cutler, Merl Code and Larry Brown are representatives of KU's athletics interests a/k/a boosters. As you know, virtually every allegation directed at Mr. Self depends and hinges on whether Adidas, Gatto, Gassnola, Cutler, Code and Brown are KU boosters and on Mr. Self's knowledge of that booster status.

It is not clear to us specifically when and how the staff believes Adidas and the aforementioned men became boosters of KU. We understand that as detailed in footnote 2 of the NOA, the staff seems to be alleging that Adidas became a booster of KU as early as October 2014 by virtue of the sponsorship agreement between Adidas and KU. It appears the staff is alleging that Gatto and Gassnola, by virtue of their association and duties with Adidas, also acquired booster status. It is not clear if the staff is alleging that other acts or events also made Gatto and Gassnola boosters of KU.

It also is not clear to us if the staff is alleging that Cutler and Code are boosters merely as a result of their association with Adidas, or if there are other acts or events which made them boosters of KU.

Further, we are not clear specifically when and how the staff believes Larry Brown became a booster of KU.

As you know, Bylaw 19.7.1 (Notice of Allegations) requires the staff to give notice of "the details of the allegations." In the context of alleging that a head coach committed Level I recruiting violations by having knowledge of multiple impermissible recruiting contacts by boosters of the institution, the staff should give notice of how and when the staff claims the individuals became boosters, and how and when the head coach became aware of that booster status.

Please provide the following details:

1) For Adidas, each and every act or event that caused Adidas to become a booster of KU's athletics interests and the date(s) which the staff alleges that Mr. Self had notice of Adidas' booster status.

2) For Gatto, each and every act or event that caused Gatto to become a booster of KU's athletics interests and the date(s) which the staff alleges that Mr. Self had notice of Gatto's booster status.

3) For Gassnola, each and every act or event that caused Gassnola to become a booster of KU's athletics interests and the date(s) which the staff alleges that Mr. Self had notice of Gassnola's booster status.

4) For Cutler, each and every act or event that caused Cutler to become a booster of KU's athletics interests and the date(s) which the staff alleges that Mr. Self had notice of Cutler's booster status.

5) For Code, each and every act or event that caused Code to become a booster of KU's athletics interests and the date(s) which the staff alleges that Mr. Self had notice of Code's booster status.

6) For Brown, each and every act or event that caused Brown to become a booster of KU's athletics interests and the date(s) which the staff alleges that Mr. Self had notice of Brown's booster status.

This information will assist us in responding fully to the NOA and help ensure the hearing panel has a complete record to prepare for the hearing.

Thank you for your continued cooperation.

Very truly yours,

Scott Tompsett

cc: Brian White
Megan Walawender
David Reed
Mike Glazier
James Garland
William Sullivan
Stu Brown

From: stuart brown <stu.brown@slblegal.com>
Sent: Friday, February 07, 2020 3:08 PM
To: Hosty, Tom
Cc: 'White, Brian Alan'; 'Walawender, Megan Kate'; 'Reed, David'; Glazier, Mike; Montgomery, Jason; Garland, James; 'Sullivan, Jr., William M.'; Scott Tompsett
Subject: [External] Re: Letter re Adidas Booster Status

Tom,

On behalf of Kurtis Townsend, we join in Scott Tompsett's letter referenced in the email chain below. The enforcement staff has charged two Level 1 violations against coach Townsend based on his alleged involvement in and failure to report impermissible booster conduct involving Adidas, Larry Brown, TJ Gassnola, and Merl Code. We request the enforcement staff to provide us with information that clarifies with sufficient specificity to enable a detailed response by coach Townsend (1) the enforcement staff's basis for alleging KU booster status for Adidas, Brown, Gassnola, and Code at the time of the allegedly impermissible conduct by coach Townsend and (2) the date(s) on which the enforcement staff claims coach Townsend knew the booster status of the previously-referenced entity and individuals, as well as the basis for the enforcement staff's assertions about such knowledge by coach Townsend.

Best regards.

Stu Brown

Stuart L. Brown, LLC
Phone: 404-330-8621
2089 Bohler Road
Atlanta, GA 30318
Email: stu.brown@slblegal.com

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From: Hosty, Tom <thosty@ncaa.org>
Sent: Friday, February 7, 2020 1:54 PM
To: Scott Tompsett <stompsett@scotttompsett.com>
Cc: 'White, Brian Alan' <brian-white@ku.edu>; 'Walawender, Megan Kate' <megan.walawender@ku.edu>; 'Reed, David' <davidreed@ku.edu>; 'Mike Glazier' <mglazier@bsk.com>; 'Montgomery, Jason' <jmontgomery@bsk.com>; Garland, James <jgarland@ncaa.org>; 'Sullivan, Jr., William M.' <wsullivan@pillsburylaw.com>; stuart brown <stu.brown@slblegal.com>
Subject: RE: Letter re Adidas Booster Status

Thanks Scott. We will review and get back to you.

Tom Hosty
Director of Enforcement
w: 317-917-6042 | ***c:*** 317-966-6492 | ncaa.org
visitors: 700 W. Washington St., Indianapolis, IN 46204
letters: P.O. Box 6222, Indianapolis, IN 46206-6222
packages: 1802 Alonzo Watford Sr. Drive, Indianapolis, IN 46202

From: Scott Tompsett <stompsett@scotttompsett.com>
Sent: Friday, February 7, 2020 1:31 PM
To: Hosty, Tom <thosty@ncaa.org>
Cc: 'White, Brian Alan' <brian-white@ku.edu>; 'Walawender, Megan Kate' <megan.walawender@ku.edu>; 'Reed, David' <davidreed@ku.edu>; 'Mike Glazier' <mglazier@bsk.com>; 'Montgomery, Jason' <jmontgomery@bsk.com>; Garland, James <jgarland@ncaa.org>; 'Sullivan, Jr., William M.' <wsullivan@pillsburylaw.com>; Stu Brown <stu.brown@slblegal.com>
Subject: Letter re Adidas Booster Status

Tom,

Please see the attached letter.

Scott

Scott Tompsett
Attorney at Law
1236 W. 61st Terrace
Kansas City, MO 64113

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Email: stompsett@scotttompsett.com
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From: Montgomery, Jason
Sent: Tuesday, February 25, 2020 11:06 AM
To: 'Hosty, Tom'
Cc: Garland, James; Register, Russell; Duff, Taylore; Scott Tompsett; Sullivan, Jr., William M.; Stuart Brown; Glazier, Mike; White, Brian Alan; Walawender, Megan Kate
Subject: University of Kansas MBB Matter - re Letter to NCAA re Booster Status
Attachments: THosty 021020 Letter re Self 020720 Request - University of Kansas.pdf

Tom,

Attached please find the University's support of the request made by Scott Tompsett on behalf of Coach Self on Friday, February 7th.

Best regards,

Jason

Jason J. Montgomery
Member
Collegiate Sports Practice Group
913.234.4419 Direct
913.234.4401 Fax
913.660.4533 Cell
jmontgomery@bsk.com

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JASON J. MONTGOMERY
jmontgomery@bsk.com
P: 913.234.4419
F: 913.234.4488
C: 913.660.4533

February 10, 2020

VIA ELECTRONIC MAIL

Mr. Tom Hosty
Director of Enforcement
National Collegiate Athletic Association
P.O. Box 6222
Indianapolis, IN 46206

Re: *University of Kansas Men's Basketball Matter - Coach Self Request for Timing and Basis of Booster Status*

Dear Tom:

The University was copied on the February 7, 2020, correspondence to you from Scott Tompsett, co-counsel for Kansas head men's basketball coach Bill Self, regarding coach Self's request that the enforcement staff identify its position on the booster status of several individuals. The University agrees that answers to the questions posed in the February 7, letter will assist both the head coach and the University with responses to the Notice of Allegations in this case. Therefore, the University asks that you grant coach Self's request and provide the University with access to the same information.

Sincerely,

BOND, SCHOENECK & KING, PLLC

Jason J. Montgomery

cc: Scott Tompsett
Bill Sullivan
Stu Brown
Mike Glazier
Brian White
Megan Walawender
Select NCAA staff

39645.1 2/10/2020

BOND SCHOENECK & KING

7500 College Boulevard, Suite 910 | Overland Park, KS 66210-4035 | bsk.com

MIKE GLAZIER
mglazier@bsk.com
P: 913.234.4413
F: 913.234.4401
C: 913.484.4644

February 28, 2020

VIA ELECTRONIC MAIL

Mr. Tom Hosty
Director of Enforcement
National Collegiate Athletics Association
P.O. Box 6222
Indianapolis, IN 46206

Re: *University of Kansas Men's Basketball Matter – Coach Self Request for Timing and Basis of Booster Status*

Dear Tom:

The University is in receipt of your February 19, 2020, correspondence responding to the request from counsel for head men's basketball coach Bill Self that the enforcement staff provide specificity on its position regarding alleged booster status of Adidas and several individuals. As you know, the University agreed that specific detailed answers to the questions posed in the February 7 letter from Coach Self's counsel was needed by both the head coach and the University to adequately respond to the Amended Notice of Allegations. While the University appreciates your effort to respond, rather than narrowing the time frame and identifying specific acts associated with each alleged booster, your response instead expanded the parameters within which the alleged booster could be deemed a booster. For example, the staff articulated its belief that Larry Brown was a booster of the institution since 1983. This surely cannot be the case given that (1) we are unaware of any case precedent for deeming a former coach a booster absent a specific act independent of the coach's actual job duties that meets the legislated definition of a booster, and (2) since 1983, Mr. Brown was the head coach at another NCAA Division I institution. Mr. Brown certainly could not have been acting as a booster of the University of Kansas during that time period when he was recruiting athletes to another NCAA member institution.

The scenario with Mr. Brown illustrates the practical difficulty with what we view as a shotgun approach to assigning booster status to entities and individuals. The wide-ranging nature of the allegations, and the response which cites multiple FIs without specificity, does little to assist the University or its coaches in adequately responding to the allegations in question.

The failure to identify specific triggering events for each entity/individual the staff asserts to have acted as a booster of the University underscores the fact that it is virtually impossible for the University or the head coach to monitor the activities of the alleged "boosters." We hope you will recognize the problems such a blanket approach to booster status can pose and agree to provide more specificity.

Sincerely,

BOND, SCHOENECK & KING, PLLC

Mike Glazier

MG/jyw