



October 18, 2016

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RE: *University of North Carolina, Chapel Hill* – Case No. 00231

To All Parties:

Yesterday, the Office of the Committees on Infractions (OCOI) responded on behalf of Chief Hearing Officer Greg Sankey to the University of North Carolina, Chapel Hill's October 14, 2016, request to add a number of attachments to the record for the upcoming procedural hearing. The chief hearing officer concluded that the institution had not demonstrated good cause to add the documents. On October 17, 2016, the chief hearing officer did provide the institution with an opportunity to submit a modified, targeted submission regarding the procedural issues and for other parties to respond. The institution provided another submission on October 17, 2016. The chief hearing officer concludes that the October 17 submission will not be added to the record because the submission does not establish good cause. However, the chief hearing officer permits the institution to integrate some of the information in the October 17 submission into its modified submission due October 19.

With regard to the October 17, 2016, submission, the institution addressed a letter to Mr. Tom Hosty of the enforcement staff identifying points of disagreement with the enforcement staff's written reply. The letter copied members of the hearing panel, and the institution's counsel's office indicated the submission was for the OCOI to provide to the panel. It has not been provided to the panel. The OCOI referred the submission to the chief hearing officer under NCAA Bylaw 19.7.6 and Division I Committee on Infractions (COI) Internal Operating Procedure (IOP) 2-6-3.

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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The chief hearing officer concludes the October 17 submission does not comply with NCAA Bylaw 19.7.5 or COI IOP 3-15 because the institution directed it to the enforcement staff, copied the panel members and does not state or identify good cause for the second round of supplemental submissions the week before the scheduled procedural hearing.

The chief hearing officer concludes that the October 17 submission, on its face, largely restates arguments made in the institution's response to the Amended Notice of Allegations and the October 14 submission. In some instances, however, the letter appears to provide more specific details and timelines related to what, how and when information was developed in this case and reasons for why the case was amended and framed as stated in the Amended Notice of Allegations. That information could assist the panel in addressing the procedural issues raised by the institution

Therefore, to the extent the October 17 submission addresses any new relevant information that is not redundant, the institution has an opportunity to succinctly address those claims in its supplemental filing **due tomorrow, October 19, 2016**. Any party may then respond to the institution's filing by the previously set October 21, 2016, deadline. The chief hearing officer reminds the parties to be succinct and to focus on the procedural issues. This will ensure a full, fair and efficient procedural hearing.

All parties are reminded that NCAA Bylaw 19.01.3 requires that all infractions-related information such as location, date/time, panel identification and involved parties remain confidential throughout the infractions process. *See also* COI IOP 4-1 Confidentiality.

Sincerely,



Joel D. McGormley, Managing Director
NCAA Office of the Committees on Infractions

JDM:cad

cc: Mrs. Lissa Broome
Mr. Lawrence Cunningham
Commissioner John Swofford
Ms. Marielle vanGelder
NCAA Division I Committee on Infractions Panel Members
Selected NCAA Staff Members